

RESOLUTION NO. **02-17916**

A RESOLUTION OF THE CITY OF BILLINGS, MONTANA, DISCONTINUING AND VACATING Edward Street from Monad Road to Approximately 846.5+/- Feet to the North. More Particularly Described as: A point of beginning which is N 00° 09' 02" E at a distance of 50.0 feet from the SE Corner of the NE ¼, Section 7, T.1S., R.26E., P.M.M.; thence N 00° 09' 02" E a distance of 786.46 feet; thence along a non-tangent curve to the left with a radius of 60.0 feet (chord bearing N 45° 09' 02" E a distance of 84.85 feet); thence S 00° 09' 02" W a distance of 846.55' which is the west lot lines of Lots 4 & 5, Block 1, of Burlington Northern Subdivision First Filing; thence and N 89° 46' 00" W a distance of 60.0 feet to the point of beginning.

WHEREAS, a proper petition was filed with the City Council of the City of Billings, Montana, as per Section 22-601 BMCC, requesting discontinuance and vacation of Edward Street from Monad Road to Approximately 846.5+/- Feet to the North as described hereinafter; and

WHEREAS, a public hearing was properly noticed and held as required by law.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA, AS FOLLOWS:

1. DISCONTINUANCE AND VACATION. Pursuant to Sections 7-14-4114 and 7-14-4115, M.C.A., Edward Street from Monad Road to Approximately 846.5+/- Feet to the North is/are hereby discontinued, abandoned and vacated. SEE EXHIBIT 'A' ATTACHED.
2. PUBLIC INTEREST. The discontinuance, vacation and abandonment of the above described Edward Street from

Monad Road to Approximately 846.5+/- Feet to the North is in the best interest of the public and can be done without any public detriment.

3. CONDITIONS OF APPROVAL. The vacation of the above described right-of-way is subject to the following conditions:
- Once vacated, the City of Billings shall be sole owner of the entire vacated right-of-way.
 - The vacated right-of-way shall be aggregated by the Sysco Subdivision and become part of Lot 1, Block 1 of that subdivision.

PASSED by the City Council and APPROVED this 23rd day of September, 2002.

THE CITY OF BILLINGS:

BY: _____

Charles F. Tooley

MAYOR

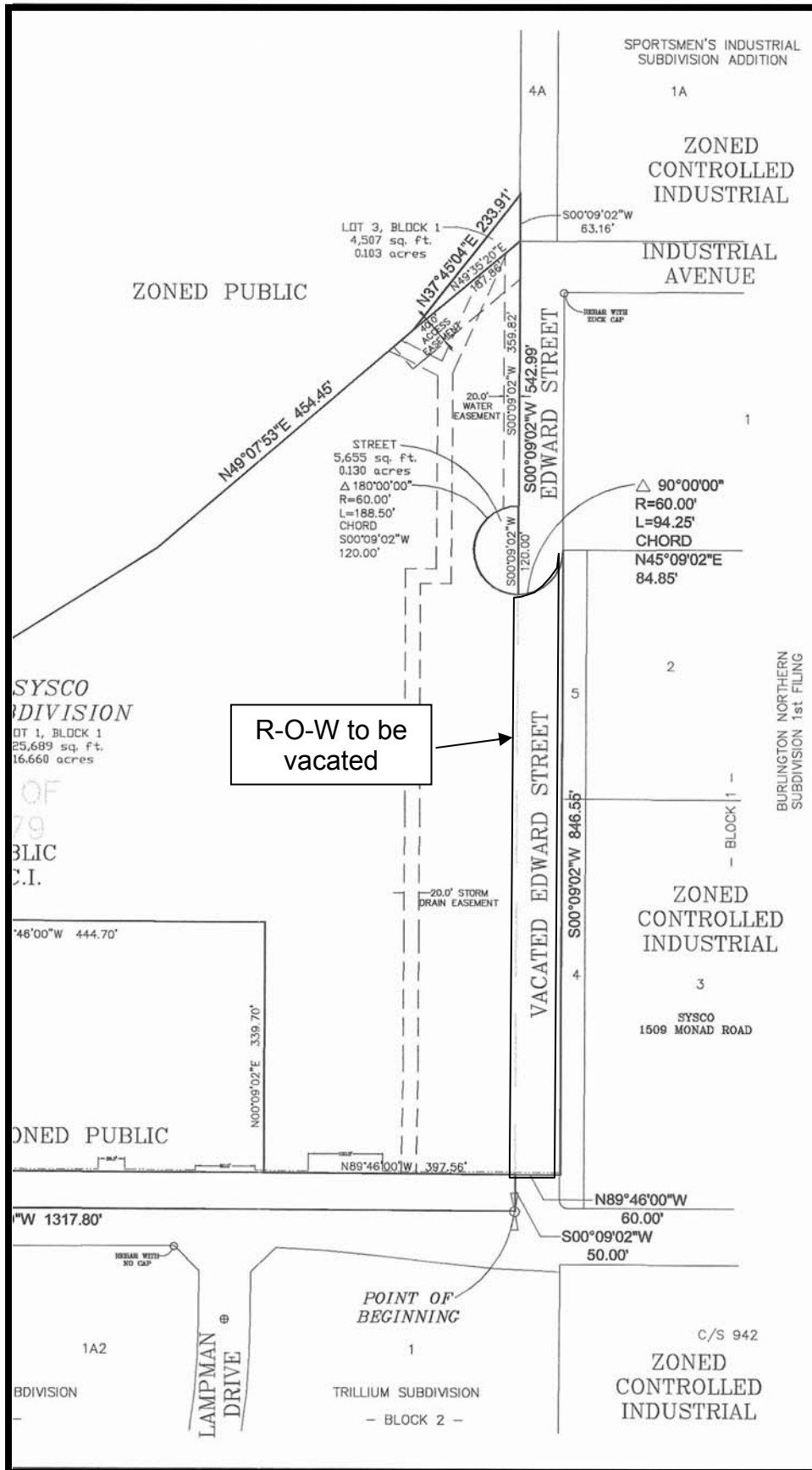
ATTEST:

BY: _____.

Marita Herold, CMC/AAE

CITY CLERK

ATTACHMENT A



R-O-W to be vacated