

RESOLUTION NO. 04-18147

A RESOLUTION OF THE CITY OF BILLINGS, MONTANA, DISCONTINUING AND VACATING 2nd Avenue South between South 26th Street and South 27th Street.

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 2nd Avenue South between South 26th Street and South 27th Street 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., 2nd Avenue South between South 26th Street and South 27th Street

more particularly described as follows:

Beginning at a point which is the southwesterly corner of Block 141 of the Original Town(now City) of Billings, Montana; thence, from said point of beginning, along the southerly line of said Block 141, N55°23'30"E a distance of 300.00 feet to the southeasterly corner of said Block 141; thence crossing the right-of-way of 2nd Avenue South, S34°36'30"E a distance of 80.00 feet to the northeasterly corner of Block 163 of said Original Town of Billings; thence, along the northerly line of said Block 163, S55°23'30"W a distance of 300.00 feet to the northwesterly corner of said Block 163; thence, crossing the right-of-way of said 2nd Avenue South, N34°36'30"W a distance of 80.00 feet to the point of beginning; said described tract having an area of 24,000 square feet.

Is hereby discontinued, abandoned and vacated.

2. PUBLIC INTEREST. The discontinuance, vacation and abandonment of the above described 2nd Avenue South between South 26th Street and South 27th Street is in

the best interest of the public and can be done without any public detriment.

PASSED by the City Council and APPROVED this 14th day of June 2004.



THE CITY OF BILLINGS:

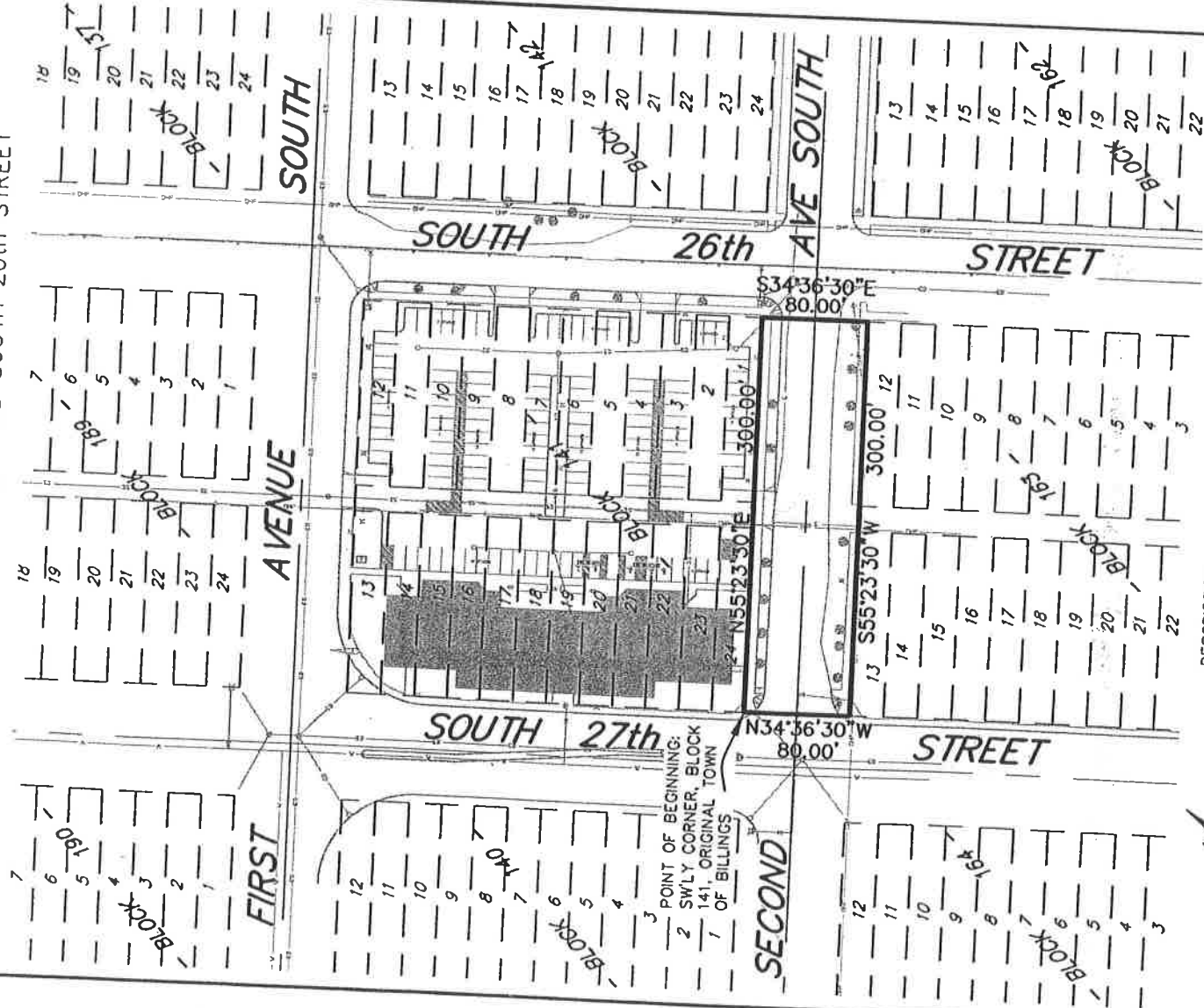
BY: Charles F. Tooley
Charles F. Tooley
MAYOR

ATTEST:

BY: Marita Herold
Marita Herold, CMC/AE
CITY CLERK

EXHIBIT "A"

RIGHT-OF-WAY VACATION FOR 2nd AVENUE SOUTH
BETWEEN SOUTH 27th STREET AND SOUTH 26th STREET



POINT OF BEGINNING:
 2 SWLY CORNER, BLOCK
 141, ORIGINAL TOWN
 1 OF BILLINGS

SECOND AVENUE

300.00

N55°23'30"E

80.00

S34°36'30"E

80.00

300.00

S55°23'30"W

80.00

N34°36'30"W

80.00

DESCRIPTION:

A tract of land situated in the NW1/4 of Section 3, T. 1 S., R. 26 E., P.M.M., Yellowstone County, Montana; more particularly described as follows, to-wit:
 Beginning at a point which is the southwesterly corner of Block 141 of the Original Town (now City) of Billings, Montana; thence from said point of beginning, along the southerly line of said Block 141, N55°23'30"E a distance of 300.00 feet to the southeasterly corner of said Block 141; thence crossing the right-of-way of 2nd Avenue South, S34°36'30"E a distance of 80.00 feet to the northeasterly corner of Block 163 of said Original Town of Billings; thence, along the northerly line of said Block 163, S55°23'30"W a distance of 300.00 feet to the northwesterly corner of said Block 163; thence, crossing the right-of-way of said 2nd Avenue South, N34°36'30"W a distance of 80.00 feet to the point of beginning; said described tract having an area of 24,000 square feet.

