

RESOLUTION 19-10800

A RESOLUTION OF THE CITY OF BILLINGS, MONTANA, DISCONTINUING AND VACATING portion of right of way at the northeast corner of 10th Avenue North and North 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 portion of right of way at the northeast corner of 10th Avenue North and North 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., portion of right of way at the northeast corner of 10th Avenue North and North 27th Street more particularly described as follows:

An area of land that adjoins Lot 3B, Block 5, of the Sunnyside Subdivision Amended Plat, under Document #3879551, located within the East 1/2 of Section 32, Township 1 North, Range 26 East, P.M.M., City of Billings, Yellowstone County, Montana, more particularly described as follows:

- BEGINNING at the southwest corner of said Lot 3B;
- thence along the southwest boundary line of said Lot 3B, N89°07'16"E a distance of 73.30 feet to the southern corner of said Lot 3B;
- thence S54°36'59"W a distance of 44.13 feet;
- thence S89°07'16"W a distance of 19.73 feet;
- thence N35°20'40"W a distance of 30.32 feet to the POINT OF BEGINNING.

Containing 0.027 acres, more or less being more describe on the Right-of-Way Exhibit, attached.

Is hereby discontinued, abandoned and vacated and shall revert to adjacent property owners of Lot 3B, Block 5, Sunnyside Subdivision.

2. PUBLIC INTEREST. The discontinuance, vacation and abandonment of the above described portion of right of way at the northeast corner of 10th Avenue North and North 27th Street is in the best interest of the public and can be done without any public detriment.

APPROVED AND PASSED by the City Council of the City of Billings this 10th day of June, 2019.



CITY OF BILLINGS

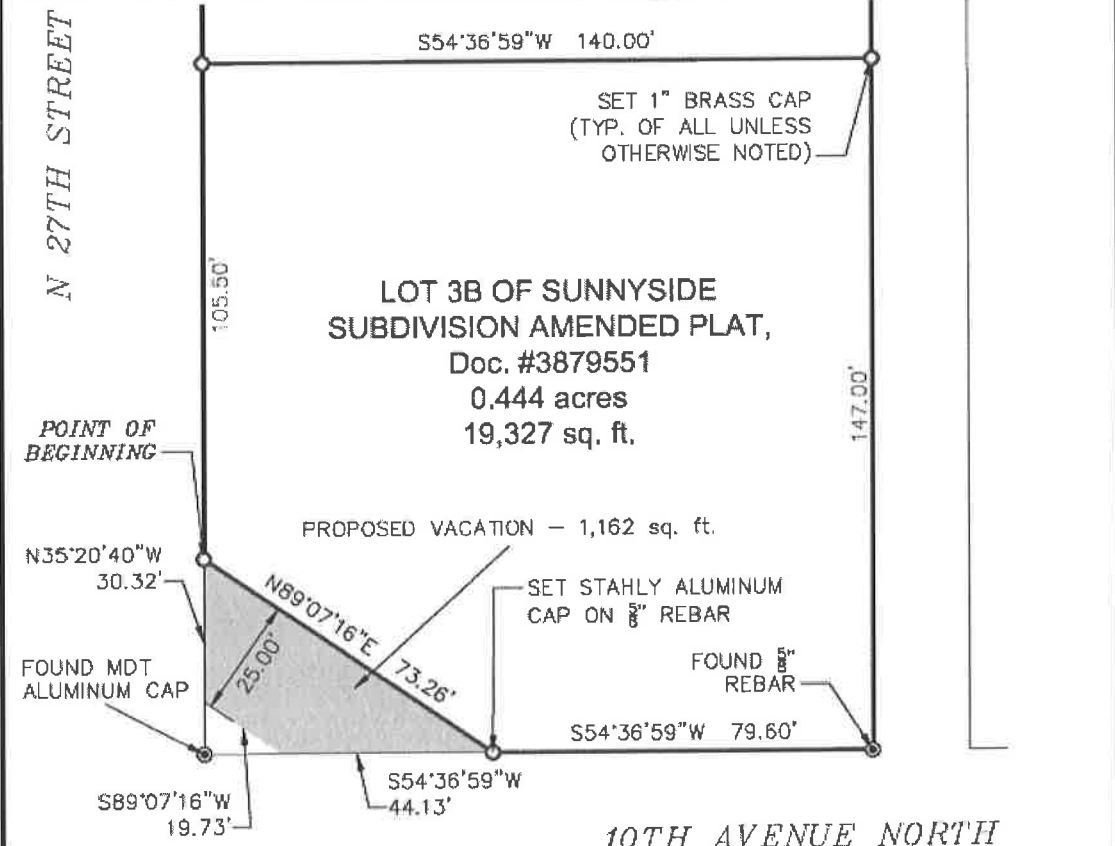
By: William A. Cole
William A. Cole, Mayor

ATTEST:

By: Denise R. Bohlman
Denise R. Bohlman, City Clerk

EXHIBIT A

DEFINING AN AREA THAT ADJOINS LOT 3B OF SUNNYSIDE SUBDIVISION AMENDED PLAT, DOC. #3879551, WITHIN THE EAST 1/2 OF SECTION 32, TOWNSHIP 1 NORTH, RANGE 26 EAST, P.M.M., YELLOWSTONE COUNTY, CITY OF BILLINGS, MONTANA



**LOT 3B OF SUNNYSIDE
SUBDIVISION AMENDED PLAT,
Doc. #3879551
0.444 acres
19,327 sq. ft.**

PROPOSED VACATION — 1,162 sq. ft.

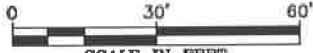
10TH AVENUE NORTH

LEGAL DESCRIPTION

An area of land that adjoins Lot 3B, Block 5, of the Sunnyside Subdivision Amended Plat, under Document #3879551, located within the East 1/2 of Section 32, Township 1 North, Range 26 East, P.M.M., City of Billings, Yellowstone County, City of Billings, Montana, being more particularly described as follows:

- BEGINNING at the southwest corner of said Lot 3B, which is a point that lies on the east right-of-way of North 27th Street;
- thence along the southwest boundary line of said Lot 3B, N69°07'16"E a distance of 73.26 feet to a southern corner of said Lot 3B;
- thence S54°36'59"W a distance of 44.13 feet;
- thence S89°07'16"W a distance of 19.73 feet to a point that lies on said east right-of-way;
- thence along said east right-of-way N35°20'40"W a distance of 30.32 feet to the POINT OF BEGINNING.

Containing 0.027 acres (1,162 square feet), more or less.



CERTIFICATE OF SURVEYOR

I, the undersigned, Dan Stahlý, Professional Land Surveyor, do hereby certify that the legal description is correct and true to form.

DATED this 8th day of May, A.D., 2010

Dan Stahlý

Don Stahlý, PLS
License No. 16192LS



BASIS OF BEARING:
MONTANA STATE PLANE 2500
NADES (CONUS, MOLODENSKY)
GROUND PROJECTION AT OPI:
LATITUDE: 44°47'28.15814"
LONGITUDE: 109°07'046.57097"
ELLIPSOID HEIGHT: 3093.428
CONVERGENCE ANGLE: 0°43'11"

VERTICAL DATUM: NAVD83 (GEOID 12A)
REAL-TIME KINEMATIC OBSERVATIONS VIA CITY OF BILLINGS BASE STATION

STAHLÝ ENGINEERING & ASSOCIATES
PROFESSIONAL ENGINEERS & SURVEYORS
www.eedeng.com

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3530 CENTENNIAL DR.
HELENA, MT 59601
Phone: (406)443-8594 Fax: (406)443-8887

651 BRIDGER DR. STE. 1
BOZEMAN, MT 59715
Phone: (406)222-9526 Fax: (406)222-9220

EXHIBIT A

PREPARED FOR:
CITY OF BILLINGS

FIELD: RH
DRAWN: RH
CHECKED: DS
DATE: 05/08/2010

5-EXT
1 OF 1