

RESOLUTION NO. 12-19148

A RESOLUTION OF THE CITY OF BILLINGS, MONTANA,  
DISCONTINUING AND VACATING alley between 3<sup>rd</sup> Street  
West and 4<sup>th</sup> Street West and Howard Avenue and Cook  
Avenue.

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 alley between 3<sup>rd</sup> Street West and 4<sup>th</sup> Street West and Howard Avenue and Cook Avenue 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., alley between 3<sup>rd</sup> Street West and 4<sup>th</sup> Street West and Howard Avenue and Cook Avenue more particularly described as follows:

DESCRIPTION OF ALLEY TO BE VACATED:

A tract of land situated in the SE1/4 of Section 4, T. 1 S., R. 26 E., P.M.M., in the City of Billings, Yellowstone County, Montana, said tract being more particularly described as follows, to wit:

Beginning at a point on the northwesterly right-of-way line of Montana Avenue being the northeast corner of Lot 1, Block 14 of Suburban Subdivision, according to the official plat on file in the Office of the Clerk & Recorder of said County; thence, from said Point of Beginning, S 89°31'45" W along the north line of said Lot 1 and Lots 2-17 of said Block 14, a distance of 567.49 feet to the northwest corner of said Lot 17; said corner also being on the east right-of-way line of 4th Street West; thence N 00°32'17" W along said east right-of-way line, a distance of 20.00 feet to the southwest corner of Lot 18 of said Block 14; thence N 89°31'45" E along the south line of said Lot 18 and Lots 19-40 of said Block 14, a distance of 575.12 feet to the southeast corner of said Lot 40; said corner also being on the west right-of-way line of 3rd Street West; thence S 00°32'17" E along said west right-of-way line, a distance of 14.82 feet to a point on said northwesterly right-of-way line of Montana Avenue; thence S 55°19'13" W along said northwesterly right-of-way line, a distance of 9.22 feet to said Point of Beginning; said described tract containing an area of 11,483 square feet.

Is hereby discontinued, abandoned and vacated.

2. PUBLIC INTEREST. The discontinuance, vacation and abandonment of the above described alley between 3<sup>rd</sup> Street West and 4<sup>th</sup> Street West and Howard Avenue and Cook Avenue is in the best interest of the public and can be done without any public detriment.

PASSED by the City Council and APPROVED this 26<sup>th</sup> day of March 2012.

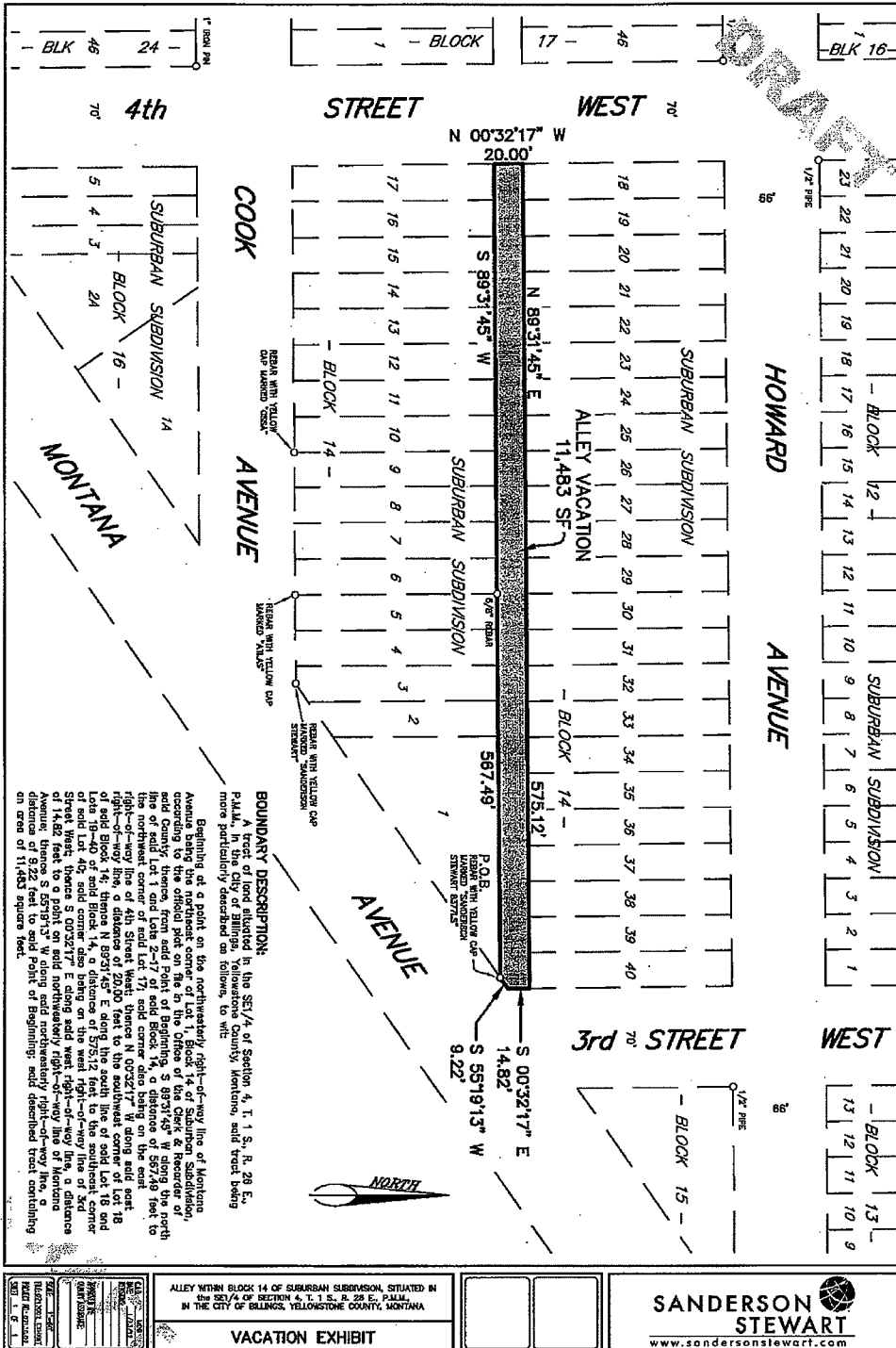
THE CITY OF BILLINGS:



BY: Thomas W. Hanel  
Thomas W. Hanel, Mayor

ATTEST:

BY: Cari Martin  
Cari Martin, City Clerk



**BOUNDARY DESCRIPTION:**  
 A tract of land situated in the SE 1/4 of Section 4, T. 1 S., R. 28 E., P.M.M., Yellowstone County, Montana, said tract being more particularly described as follows, to wit:  
 Beginning at a point on the northwesterly right-of-way line of Montana Avenue, as shown on the attached plat, and as shown on the record plat of said County, thence, from said Point of Beginning, S 89°31'45" W along the north line of said Lot 1 and Lots 2-17 of said Block 14, a distance of 557.49 feet to the northwest corner of said Lot 17; said corner also being on the east line of said Lot 17; thence N 00°32'17" E along the north line of said Lot 17, a distance of 20.00 feet to the southeast corner of Lot 18 and Lot 19; thence N 89°31'45" E along the south line of said Lot 18 and Lot 19, a distance of 575.12 feet to the southwest corner of Lot 18 and Lot 19; thence S 89°31'45" W along the west line of said Lot 18 and Lot 19, a distance of 14.82 feet to a point on said northwesterly right-of-way line of Montana Avenue, thence S 89°31'45" W along said northwesterly right-of-way line, a distance of 9.22 feet to said Point of Beginning; said described tract containing an area of 11,483 square feet.

ALLEY WITHIN BLOCK 14 OF SUBURBAN SUBDIVISION, SITUATED IN THE SE 1/4 OF SECTION 4, T. 1 S., R. 28 E., P.M.M., IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA.

**VACATION EXHIBIT**

**SANDERSON STEWART**  
 www.sanderSONstewart.com