

# RESOLUTIONS OF THE CITY OF HELENA, MONTANA

## RESOLUTION NO. 20167

A RESOLUTION VACATING A THREE-FOOT (3') STRIP OF THE PLATTED ALLEY RIGHT-OF-WAY BETWEEN LOT 69A IN BLOCK 9 OF THE BEATTIE ADDITION AND LOTS 5-7 PARTIALLY IN BLOCK 10 OF THE BEATTIE ADDITION AND PARTIALLY IN BLOCK 3 OF THE BASSETT ADDITION, ALL IN THE CITY OF HELENA, MONTANA

WHEREAS, Professional Properties, LLP, the owner of the property adjacent to the following-described property in the City of Helena, Montana, petitioned for the vacation of a three-foot (3') strip along the northern boundary of the platted alley right-of-way between Lot 69A in Block 9 of the Beattie Addition and Lots 5-7 partially in Block 10 of the Beattie Addition and partially in Block 3 of the Bassett Addition, all in the City of Helena, County of Lewis and Clark, State of Montana, more particularly described as follows:

The 24-foot wide east/west alley right-of-way between Lot 69A in Block 9 of the Beattie Addition and Lots 5-7 partially in Block 10 of the Beattie Addition and partially in Block 3 of the Bassett Addition, all in the City of Helena, Lewis and Clark County, Montana, containing 388 square feet, more or less.

The attached proposed certificate of survey shows the property to be vacated.

WHEREAS, it appears to be in the best interests of the City of Helena, Montana, and the inhabitants thereof, that a three-foot (3') strip of the northern boundary of alley right-of-way in the Beattie and Bassett Additions be vacated; and

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**WHEREAS**, a public hearing was held on this matter on the 18<sup>th</sup> day of May, 2015, in the City Commission Chambers in the City-County Building at 316 North Park Avenue in Helena, Montana.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA:**

**Section 1.** The Helena City Commission hereby conditionally approves the vacation of a three-foot (3') strip along the northern boundary of the alley right-of-way between Lot 69A in Block 9 of the Beattie Addition and Lots 5-7 partially in Block 10 of the Beattie Addition and partially in Block 3 of the Bassett Addition, all in the City of Helena, Lewis and Clark County, Montana, more particularly described above.

**Section 2.** This approval is conditioned upon satisfactory completion of the requirements set forth below. If these requirements are not completed within one (1) year from the date of this resolution, or as extended by the City Commission, this approval becomes void and the application for vacation is deemed denied. The requirements for completion of vacation are:

**A.** Applicant shall cause an amended plat to be prepared showing the proposed new boundary lines of the adjoining property to which title will revert upon vacation of the right-of-way.

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The amended plat shall be presented to the Commission for review and approval.

**B.** All pending taxes and special assessments levied against the property affected by the proposed vacation shall be paid in full. The Applicant shall furnish proof of payment of these taxes and special assessments.

**C.** Applicants shall dedicate a similar three-foot (3') strip of property from the southern boundary of Lots 5-7 partially in Block 10 of the Beattie Addition and partially in Block 3 of the Bassett Addition as public right-of-way.

**D.** The amended plat must be filed and the Quit Claim Deed recorded with the Clerk & Recorder for Lewis & Clark County, Montana. The vacation is effective only upon the filing of the amended plat and recording of the Quit Claim Deed.

**PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 18<sup>th</sup> DAY OF MAY, 2015.**

/S/ James E. Smith  
**MAYOR**

**ATTEST:**

/S/ Debbie Havens  
**CLERK OF THE COMMISSION**