

# **RESOLUTIONS OF THE CITY OF HELENA, MONTANA**

## **RESOLUTION NO. 20223**

**A RESOLUTION OF INTENTION TO VACATE THE FULL WIDTH OF THE DODGE AVENUE RIGHT-OF-WAY BETWEEN LOT 5 IN BLOCK 7 AND LOTS 7 AND 8 IN BLOCK 8, ALL IN THE GRAND AVENUE ADDITION IN THE CITY OF HELENA, MONTANA**

**WHEREAS, Expedition Properties, LLC,** the owner of the property adjacent to the following-described property in the City of Helena, Montana, has petitioned for the vacation of the Dodge Avenue right-of-way between Lot 5 in Block 7 and Lots 7 and 8 in Block 8 in the Grand Avenue Addition in the City of Helena, County of Lewis and Clark, State of Montana. The attached map shows the proposed vacation.

**WHEREAS,** it appears to be in the best interests of the City of Helena, Montana, and the inhabitants thereof that said right-of-way in the Grand Avenue Addition be vacated.

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

**Section 1.** It is the intention of the Helena City Commission that the Dodge Avenue right-of-way between Lot 5 in Block 7 and Lots 7- and 8 in Block 8 in the Grand Avenue Addition, all in the City of Helena, County of Lewis and Clark, Montana, be vacated subject to the following conditions:

a. current access to the north side of the building is provided. A 12 foot wide gravel access is provided from North

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Montana Avenue to the location of the proposed new structure that is to connect the existing buildings. A gravel turnaround is provided near the end of this access. Both the roadway and the turnaround are maintained and kept clear of snow in the wintertime.

b. The existing Agri Feeds building and the proposed building have fire sprinklers.

c. Existing Lewis & Clark Brewing, old Agri Feeds building and the proposed building have early warning devices installed throughout. These devices include smoke detection, or other devices that provide early warning and approved by the Fire Marshal.

**Section 2.** The Commission hereby directs the City Manager or his designee to serve notice of this resolution of intention upon affected owners of property abutting the portion of right-of-way affected by this proposed vacation, and directs the Clerk of the Commission to cause a notice to be published once in The Independent Record, a daily newspaper published in Helena, Montana, as provided by §7-3-4448, MCA. The notice shall state the time and place for hearing objections, and that expressions of approval or disapproval will be received in writing in the office of the Clerk of the Commission prior to the hearing thereon.

**Section 3.** A public hearing on the vacation of said right-of-

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way shall be held before the Helena City Commission in its chambers at 316 North Park Avenue in Helena, Montana, on **the 7<sup>th</sup> day of December, 2015 at 6:00 p.m.**

**PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 23<sup>rd</sup> DAY OF NOVEMBER, 2015.**

**/S/ JAMES E. SMITH**  
**MAYOR**

**ATTEST:**

**/S/ DEBBIE HAVENS**  
**CLERK OF THE COMMISSION**