

RESOLUTION NO. 06-18415

A RESOLUTION OF THE CITY OF BILLINGS, MONTANA,  
**AMENDING AND SUPERSEDING RESOLUTION NO. 06-18391:**  
A RESOLUTION DISCONTINUING AND VACATING **650 feet of**  
**Broadwater Avenue directly west of 52<sup>nd</sup> Street West located in**  
**Block 1, Legacy Subdivision.**

WHEREAS, on February 13<sup>th</sup>, 2006 the Billings City Council approved Resolution No. 06-18391 discontinuing and vacating 650 feet of Broadwater Avenue directly west of 52<sup>nd</sup> Street West located in Block 1, Legacy Subdivision.

WHEREAS, the description in Resolution 06-18391 was incorrectly described and is corrected as follows:

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 ~~**650 feet of Broadwater Avenue directly west of 52<sup>nd</sup> Street West located in Block 1, Legacy Subdivision**~~ **774.92 feet of Broadwater Avenue directly west of 52<sup>nd</sup> Street West located in Block 1, Legacy Subdivision** 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., ~~**650 feet of Broadwater Avenue directly west of 52<sup>nd</sup> Street West located in Block 1, Legacy Subdivision**~~ **774.92 feet of Broadwater Avenue directly west of 52<sup>nd</sup> Street West located in Block 1, Legacy Subdivision** and more particularly described in ***Exhibit "A"*** attached, is/are hereby discontinued, abandoned and vacated.

2. PUBLIC INTEREST. The discontinuance, vacation and abandonment of the above described ~~650 feet of Broadwater Avenue directly west of 52<sup>nd</sup> Street West located in Block 1, Legacy Subdivision~~ 774.92 feet of Broadwater Avenue directly west of 52<sup>nd</sup> Street West located in Block 1, Legacy Subdivision is in the best interest of the public and can be done without any public detriment. Ownership of the vacated area will revert to the adjacent owner – Rick Dorn.

PASSED by the City Council and APPROVED this 8th day of May, 2006.

THE CITY OF BILLINGS:

BY: \_\_\_\_\_  
Ron Tussing, MAYOR

ATTEST:

BY: \_\_\_\_\_  
Marita Herold, CMC/AAE CITY CLERK

PROPOSED LEGACY SUBDIVISION

CERTIFICATE OF SURVEY No. 1672

Tract 3

BONHAM AVE.

BROADWAY AVENUE

BROADWAY DRIVE

OAK RIDGE ESTATES

SUBDIVISION

Block 1

Block 2-4

Block 10-11

Block 12

Block 13

Block 14

Block 15

Block 16

Block 17

Block 18

Block 19

Block 20

Block 21

Block 22

Block 23

Block 24

Block 25

Block 26

Block 27

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Block 85

Block 86

Block 87

Block 88

Block 89

Block 90

Block 91

Block 92

Block 93

Block 94

Block 95

Block 96

Block 97

Block 98

Block 99

Block 100

MORTIMER BLVD

MORTIMER ST

64.87'

CERTIFICATE OF SURVEY No. 2209

Tract A

605 8289

Tract B

605 2809

CHICAGO

4

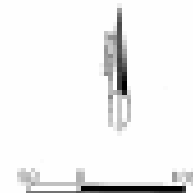
CHICAGO

Source: *Washington States Journal* in *Grand*, *Lower*, *Salmon*, *and* *Pink*, collected in the USN 1/4 of SEPTEMBER 2, 1917, R. [57], 1244, August 10, 1924. Note: Reported by 1917/24, records of Vancouver Pacific Museum, were previously described as follows, in all:

Beginning at a point which is the southeast corner of Town A, intersection of Survey 1620, thence to 88°42'38" is a distance of 544.93 feet, thence to 085°17'02"  $\pm$  a distance of 81.90 feet, thence to 085°17'02"  $\pm$  a distance of 544.71 feet, thence to 30°02'40"  $\pm$  is a distance of 43.05 feet, then back to the point of beginning, read back.



**WILLIAMS BROS. CO.**  
1000 N. BROADWAY  
NEW YORK, N.Y. 10017  
(212) 512-1000



NOTE: 1" = 100'