

RESOLUTION No. 3423

A RESOLUTION OF THE CITY COUNCIL OF RED LODGE, MONTANA TO VACATE PORTIONS OF THE BONNER AVENUE AND DALY AVENUE PUBLIC RIGHTS OF WAY LYING GENERALLY BETWEEN 7TH AND 8TH STREETS.

WHEREAS, § 7-14-4114 et. seq. of the Montana Code Annotated authorizes the City of Red Lodge to discontinue the use of, and permanently vacate public rights of way (ROW); and

WHEREAS, the affected ROW to be vacated does not contain roadway improvements; and

WHEREAS, the proposed ROW vacation will not cause any detriment to the public interest; and

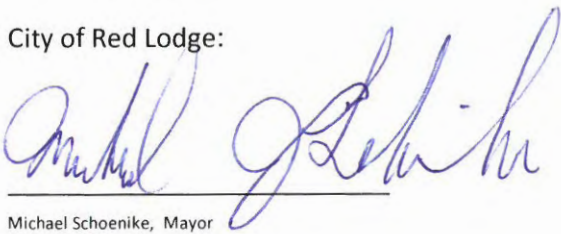
WHEREAS, all applicable process as set forth in § 7-14-4114, and all applicable public notice requirements set forth in § 7-14-4114 et. seq. of the Montana Code Annotated MCA have been complied with.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Red Lodge, Montana:

1. That the City Council of the City of Red Lodge hereby and forever permanently vacates that portion of Bonner Avenue and Daley Avenue ROW as more particularly depicted on the attached Exhibit A.
2. That pursuant to Montana law, vacated ROW returns to the ownership of adjacent parcels along each respective side of the centerline of said vacated ROW; and as such, the entirety of the vacated parcel depicted on Exhibit A shall transfer to NW Energy.
3. That in accordance with Exhibit B, NW Energy will quitclaim a portion of their southerly property (Relocation Parcel A) to the City.

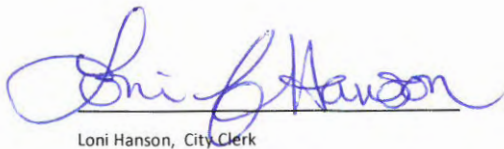
PASSED AND APPROVED BY AT LEAST FOUR (4) MEMBERS OF THE RED LODGE CITY COUNCIL on this 11th Day of October, 2016.

City of Red Lodge:

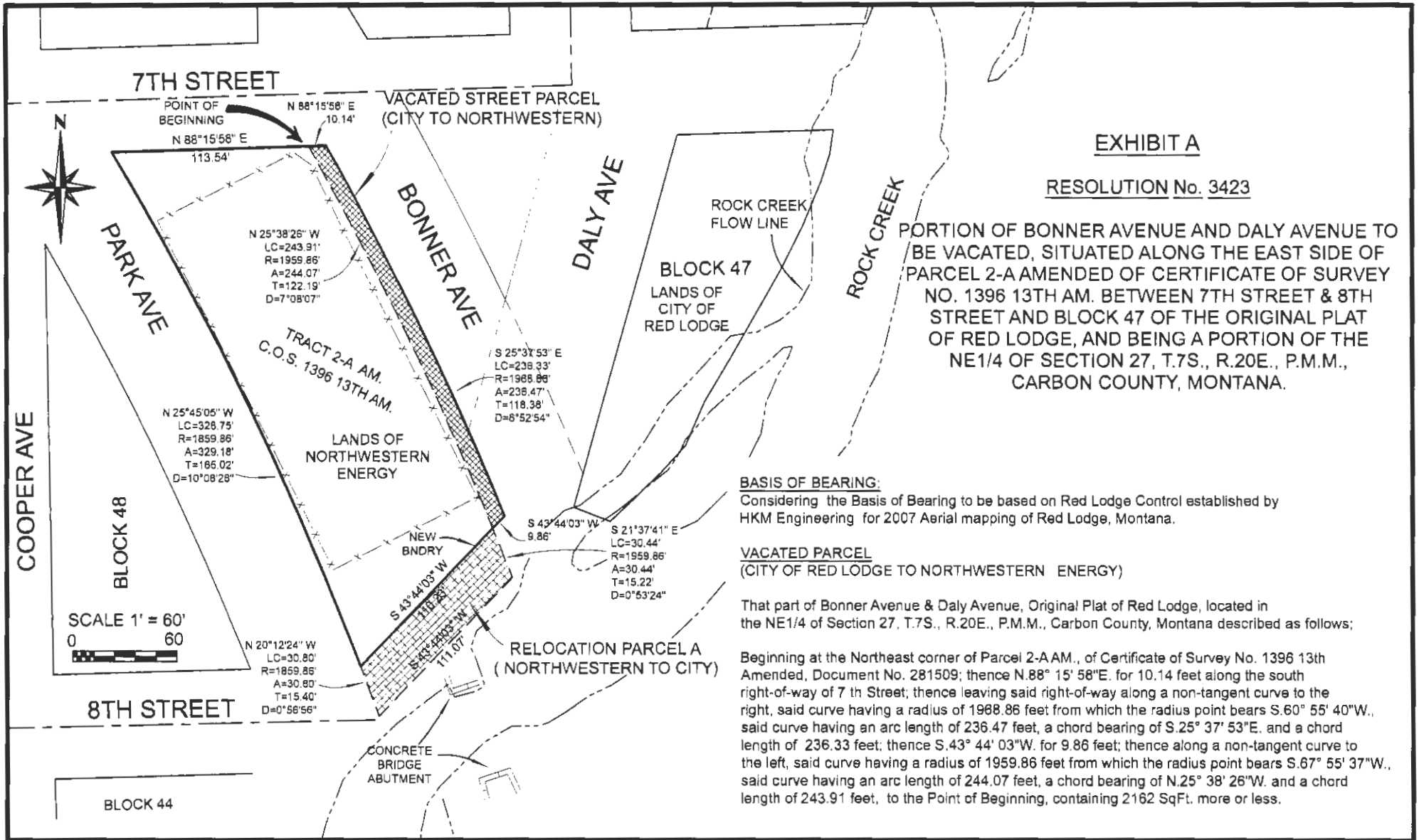


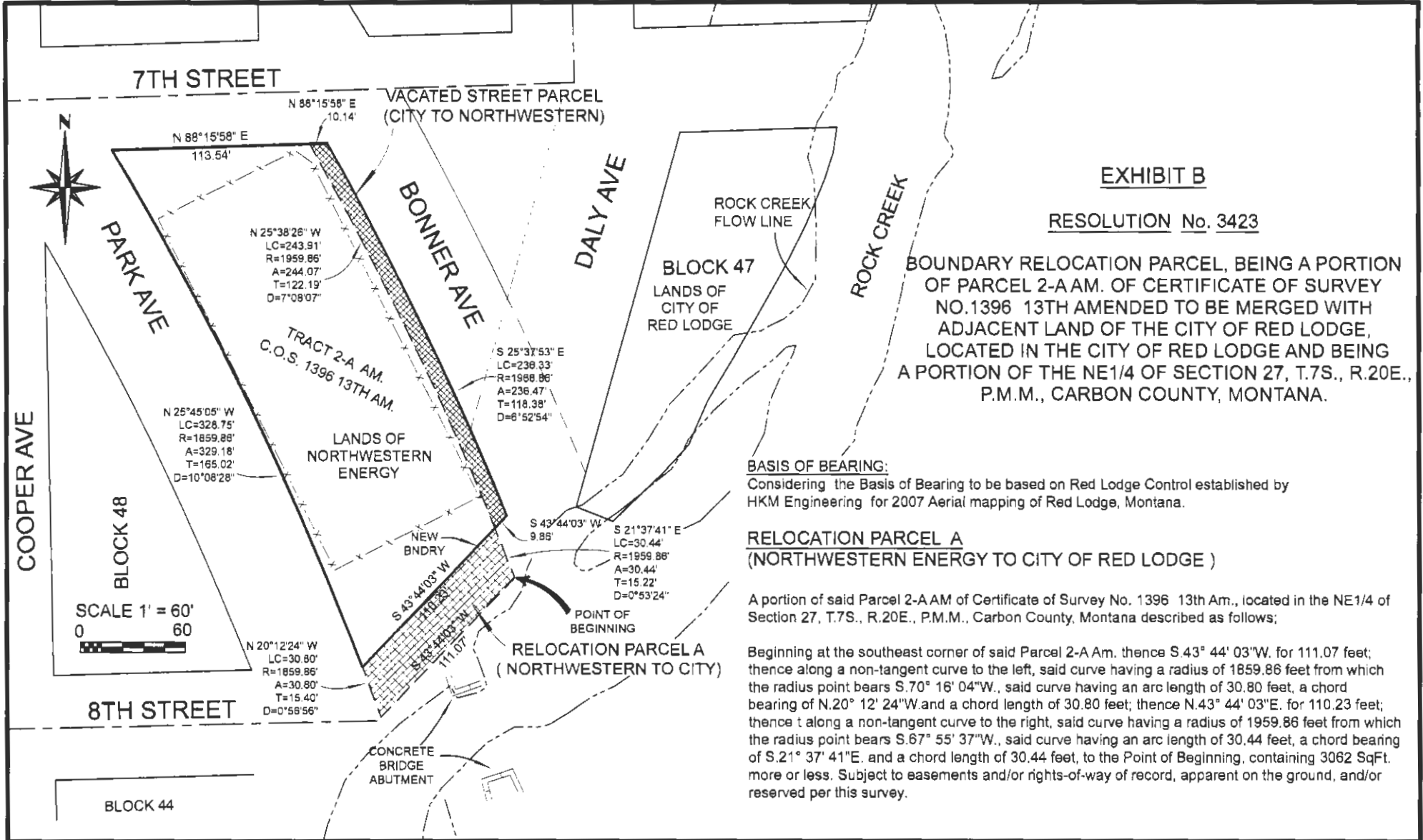
Michael Schoenike, Mayor

Attest:



Loni Hanson, City Clerk





BASIS OF BEARING:
 Considering the Basis of Bearing to be based on Red Lodge Control established by HKM Engineering for 2007 Aerial mapping of Red Lodge, Montana.

RELOCATION PARCEL A (NORTHWESTERN ENERGY TO CITY OF RED LODGE)

A portion of said Parcel 2-AAM of Certificate of Survey No. 1396 13th Am., located in the NE1/4 of Section 27, T.7S., R.20E., P.M.M., Carbon County, Montana described as follows;

Beginning at the southeast corner of said Parcel 2-A Am. thence S 43° 44' 03"W. for 111.07 feet; thence along a non-tangent curve to the left, said curve having a radius of 1859.86 feet from which the radius point bears S.70° 16' 04"W., said curve having an arc length of 30.80 feet, a chord bearing of N.20° 12' 24"W.and a chord length of 30.80 feet; thence N.43° 44' 03"E. for 110.23 feet; thence t along a non-tangent curve to the right, said curve having a radius of 1959.86 feet from which the radius point bears S.67° 55' 37"W., said curve having an arc length of 30.44 feet, a chord bearing of S.21° 37' 41"E. and a chord length of 30.44 feet, to the Point of Beginning, containing 3062 SqFt. more or less. Subject to easements and/or rights-of-way of record, apparent on the ground, and/or reserved per this survey.