

RESOLUTION NO. 3645

A RESOLUTION OF INTENT TO OBTAIN PRELIMINARY APPROVAL TO PROCEED WITH FURTHER EVALUATION OF A LAND EXCHANGE TO FORMALY SET BOUNDRIES THAT ALIGN WITH HISTORCIAL USES OF THE YELLOWSTONE WILDLIFE SANCTUARY AND IN EXCHANGE, PROVIDE ADDITIONAL LAND TO THE CITY NEAR THE CURRENT RECYLCING CENTER

WHEREAS, it is the desire of Yellowstone Wildlife Sanctuary to provide a community-based destination for residents of the Beartooth Front Region (consisting of Red Lodge and Carbon County, Montana) to have an opportunity to observe and study non-releasable wild animals native to the Greater Yellowstone Ecosystem; and

WHEREAS, Yellowstone Wildlife Sanctuary uses their property for community good, including the enhancement of the area as a place to live and work, through providing community services and educational programming; and

WHEREAS, Yellowstone Wildlife Sanctuary uses a portion of City-owned property, and the City has significant infrastructure since the installation of a major storm drain system, and requires access to said city property; and

WHEREAS, Yellowstone Wildlife Sanctuary has real property located on the Northern edge of their facility that is not utilized by the Yellowstone Wildlife Sanctuary, but borders City owned property; and

WHEREAS, the City could utilize the real property located on the Northern edge of the Yellowstone Wildlife Sanctuary;

WHEREAS, the City is requesting preliminary approval from the City Council to proceed with further evaluation of a land exchange to resolve an encroachment on City land. The evaluation will determine if the property proposed for exchange would adequately compensate the City for the value of the land encroached upon, and whether the exchange is in the City's best interest.

WHEREAS, the City has conducted a preliminary review of the proposed Land Exchange as set forth below:

EXCHANGE CRITERIA ANALYSIS

The following preliminary review documents how the land exchange meets or exceeds the land exchange criteria and accrues benefits to the City.

1. EQUAL OR GREATER VALUE

The fair market value of both properties will determine, likely from a Brokers Opinion of Value, if the City Council gives preliminary approval for this proposed exchange. No value has been

determined yet, but the potential utilization of the property owned by the City is limited based on sewer and stormwater infrastructure contained therein. An easement will be provided by the Yellowstone Wildlife Sanctuary to preserve the City's ability to access such infrastructure. Whereas, the ability to utilize and develop the real property the City would be obtaining in exchange is mostly level ground, contiguous with other City property.

The City and the Yellowstone Wildlife Sanctuary will equally divide the cost of obtaining a Market Opinion of Value of the parcels to be exchanged.

Preliminarily Meets Criteria

2. CITY LAND BORDERING ON NAVIGABLE LAKES AND STREAMS

The City property involved is in close proximity to Rock Creek but does not border the waterway and there is no water frontage involved in the proposed land exchange.

Preliminarily Meets Criteria

3. EQUAL OR GREATER ACREAGE

The proposed land to be exchanged includes 1.14 acres of City land, for 0.87 acres of land from the Yellowstone Wildlife Sanctuary.

Preliminarily Does Not Meet Criteria

4. CONSOLIDATION OF CITY LAND

Both parcels involved in the exchange are continuous with City land. The net change would be a flat and developable parcel for the City.

Preliminarily Meets Criteria

5. POTENTIAL FOR LONG-TERM APPRECIATION

As stated above, the City parcel to be provided to the Yellowstone Wildlife Sanctuary is of limited value due to the amount of stormwater and sewer infrastructure contained therein. Furthermore, the Yellowstone Wildlife Sanctuary will be providing an Easement to the City for the City to continue to maintain and access said infrastructure. In exchange, the City will obtain a developable parcel of land contiguous with other City real property.

Preliminarily Meets Criteria

6. ACCESS

The City land will still have an Easement, granted by the Yellowstone Wildlife Sanctuary, in exchange the City will obtain a parcel with greater access and usability.

Preliminarily Meets Criteria

CITY PRELIMINARY RECOMMENDATION

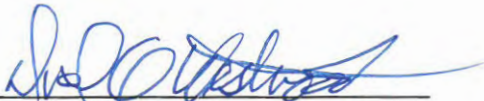
The Mayor believes this proposed land exchange would benefit the City and bring an encroachment on City Land to a satisfactory conclusion. As such, the Mayor requests that this exchange receive preliminary approval from the City Council.

NOW THEREFORE BE IT RESOLVED,

The City Council hereby establishes its intent to proceed with further valuation and review of the proposed land exchange and hereby authorizes the Mayor and City to take such action necessary evaluate said land exchange and to provide a report to the City Council concerning its findings.

PASSED AND ADOPTED by the City Council of the City of Red Lodge, Montana, on the 26th day of March, 2024.

BY:



Dave Westwood, Mayor

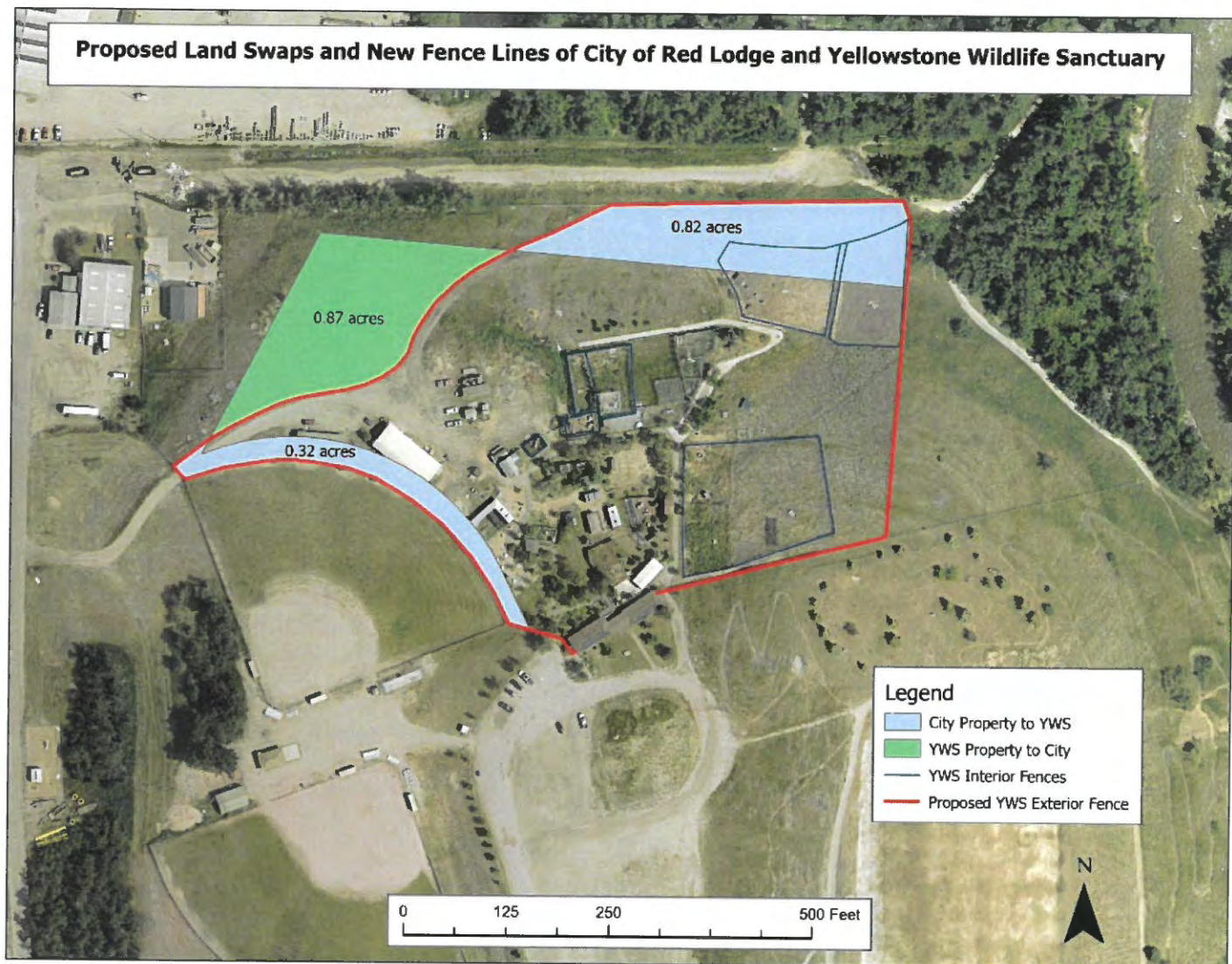
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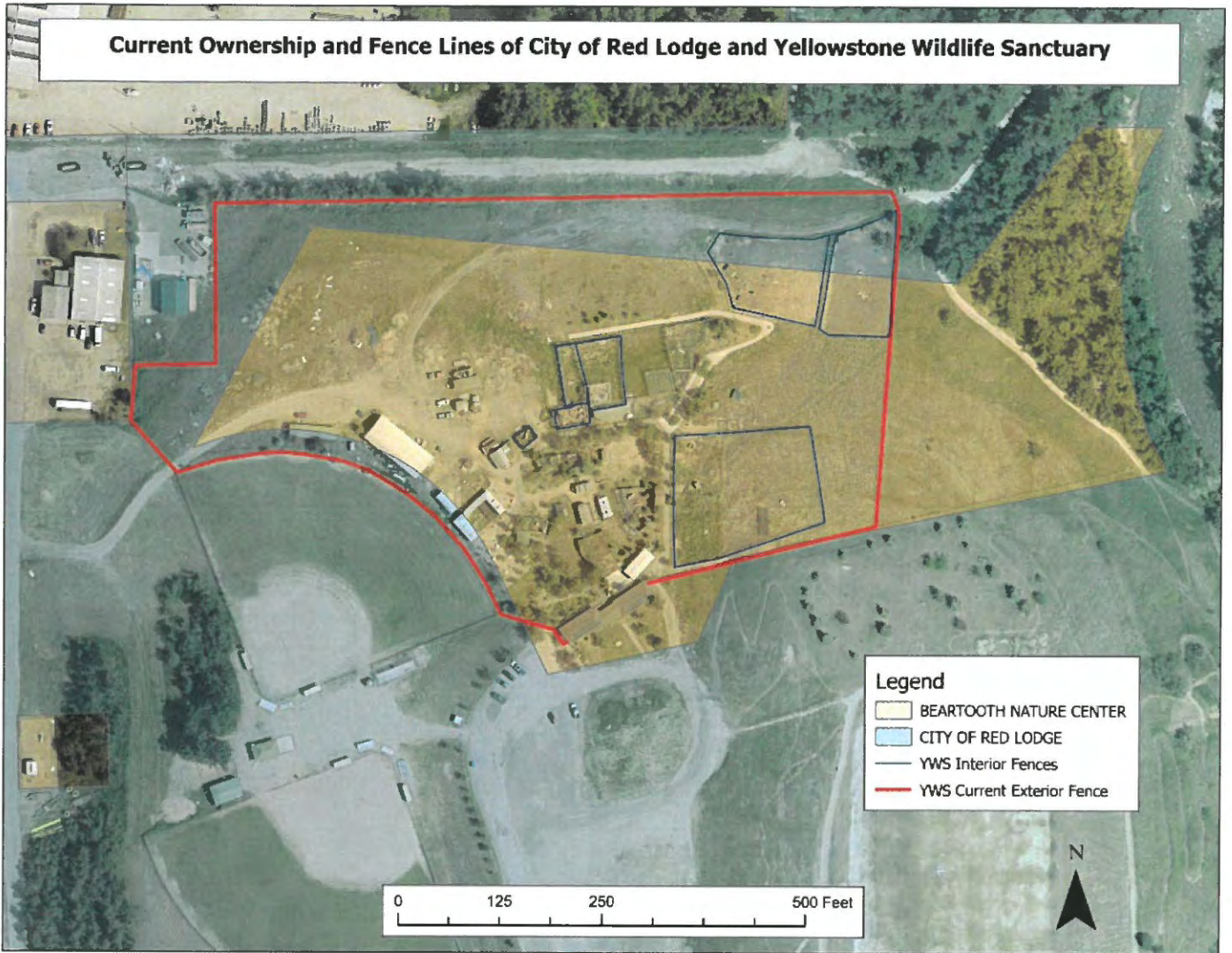
Loni Hanson, City Clerk

EXHIBIT A

Proposed Land Swaps and New Fence Lines of City of Red Lodge and Yellowstone Wildlife Sanctuary



Current Ownership and Fence Lines of City of Red Lodge and Yellowstone Wildlife Sanctuary



Future Property Lines and Fence Lines of City of Red Lodge and Yellowstone Wildlife Sanctuary

