

RESOLUTION NO. 3251

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF RED LODGE, MONTANA TO CLOSE A PORTION OF OAKES AVENUE IN THE 400 BLOCK OF NORTH BROADWAY ADJACENT TO TRACT D-3 SECTION 27, TOWNSHIP 7 SOUTH, RANGE 20 EAST, P.M.M., CARBON COUNTY, MONTANA.

WHEREAS, the City of Red Lodge received a petition to close a portion of Oakes Avenue from the Bank of Red Lodge described as follows:

BASIS OF BEARING:

Considering the Basis of Bearing to be based on the west line of Tract D-3 of Certificate of Survey No. 1396 AM. On file at the office of the Clerk and Recorder, Carbon County, Montana, with all other bearings contained herein relative thereto:

PORTION OF OAKES AVENUE OF ORIGINAL PLAT RED LODGE

That part of Oakes Avenue, Original Plat of Red Lodge, located in the NE1/4 of Section 27, T.7S., R.20E., P.M.M., Carbon County, Montana described as follows;

Commencing at the northeast corner of Tract D-3 of Certificate of Survey No. 1396 AM.; thence

S10° 59' 41"W for 0.88 feet along the east line of said Tract D-3 to the Point of Beginning; thence leaving said east line S00° 16' 25"W for 151.32 feet; thence along a 10.00 feet radius curve to the Right (chord bears S45° 00' 08"W 14.07 feet) 15.61 feet; thence S89° 43' 50"W for 20.68 feet to the east line of said Tract D-3; thence continuing along said east line N10° 59' 41"E for 164.39 feet to the Point of Beginning, containing 2444 Square Feet more or less. AND

WHEREAS, the City Council at the February 7, 2008 meeting conducted a public hearing on the petition to close said portion of Oakes Avenue; AND

WHEREAS, the City Council adopted Staff Report PW-RC-01-08 as findings of fact; AND

WHEREAS, notice of the intent to close the portion of the right-of-way described in this resolution as provided by 7-14-4114 M.C.A. was published in the Carbon County News on January 24 and 31, 2008. In addition the notice was posted at City Hall and the U.S Post Office continuously from January 18, 2008 to February 26, 2008. AND

WHEREAS, the City Council conducted a public hearing on February 12, 2008 on the resolution of intent to close and no one spoke in opposition.

NOW THEREFORE BE IT RESOLVED by the Red Lodge City Council that the portion of OAKES Avenue in the North 400 Block of Broadway as described in this resolution is closed.