

## RESOLUTION No. 3438

**A RESOLUTION OF THE CITY COUNCIL OF RED LODGE, MONTANA TO VACATE A PORTION OF MCGILLEN AVENUE RIGHT OF WAY THAT GENERALLY LIES BETWEEN 12<sup>TH</sup> AND 13<sup>TH</sup> STREETS AND ALLEY RIGHT OF WAY THAT GENERALLY LIES BETWEEN MCGILLEN AVENUE AND WHITE AVENUE AND BETWEEN 12<sup>TH</sup> AND 13<sup>TH</sup>**

**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.

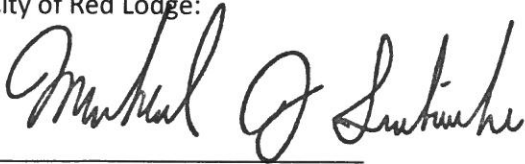
**NOW THEREFORE BE IT RESOLVED** by the City Council:

1. That the City Council of the City of Red Lodge hereby and forever permanently vacates the western portion of McGillen Avenue ROW that generally lies between 12<sup>th</sup> and 13<sup>th</sup> Streets and alley ROW that generally lies between McGillen Avenue and White Avenue and between 12<sup>th</sup> and 13<sup>th</sup> streets as more particularly depicted on the attached Exhibits-A and Exhibit-B.
2. That pursuant to Montana law, vacated ROW returns to the ownership of adjacent parcels along each respective side the centerline of said vacated ROW; and as such, the entirety of the vacated parcel depicted on Exhibit A shall transfer to the Bank of Red Lodge.

**INTRODUCED** at a Regular meeting of the City Council on May 8, 2017 by Council Member Martha Brown.

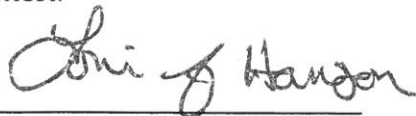
**PASSED AND APPROVED** BY THE RED LODGE CITY COUNCIL on this 8<sup>th</sup> Day of May, 2017.

City of Red Lodge:



Michael Schoenike, Mayor

Attest:



Loni Hanson, City Clerk