

**ORDINANCES**  
**MILES CITY, MONTANA**

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**ORDINANCE NO. 1148**

**AN ORDINANCE AMENDING ORDINANCE NO. 796 TO REZONE PORTIONS OF SW $\frac{1}{4}$ SW $\frac{1}{4}$  OF SECTION 35, TOWNSHIP 8 NORTH, RANGE 47 EAST, COMMONLY KNOWN AS THE KATL PROPERTY, TO GENERAL COMMERCIAL ZONE AND PROVIDING AN EFFECTIVE DATE THEREOF.**

*WHEREAS* the owner of the below described real property has made application for the property to be rezoned from a mix of General Commercial and Agricultural zones to entirely General Commercial;

*AND WHEREAS* Sec. 24-8 of the Miles City Code requires that such application be referred to the City zoning commission for public hearing and recommendation to the City Council prior to any action by the City Council upon such application;

*AND WHEREAS*, the Finance Committee of the City Council, acting as the City zoning commission, held a public hearing upon the above application, pursuant to notice, and has recommended the adoption of such zoning change;

*BE IT ORDAINED* by the City Council of the City of Miles City, Montana as follows:

**Section 1.** Ordinance No. 796 is hereby amended to provide that the following described land and property within the City of Miles City, Custer County, Montana, to-wit:

Township 8 North, Range 47 East, M.P.M.  
Section 35: SW $\frac{1}{4}$ SW $\frac{1}{4}$

EXCEPTING therefrom a tract of land conveyed to the City of Miles City by deed dated April 28, 1952, filed for record April 2, 1954, in Book 85 of Deeds at Page 522, records of Custer County, Montana;

AND EXCEPTING therefrom a tract of land conveyed to Beacon Carter Service by deed dated August 12, 1970, filed for record August 15, 1970, in Book 120 of Deeds, at Page 459 and corrected by deed dated July 19, 1979, filed for record July 28, 1979, in Book Micro 2, at page 927, records of Custer County, Montana

be rezoned from Agricultural to General Commercial Zone.

**Section 2.** A public hearing shall be held upon this Ordinance on the 10th day of August, 2004 at 7:00 p.m. in the City Hall Conference Room at City Hall, 17 S. Eighth Street, Miles City, Montana.

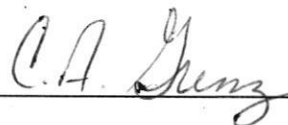
**Section 3.** The Council finds that the City Clerk has given notice of such hearing by publication in the Miles City Star, in accordance with §76-2-303 and §76-2-305 MCA.

**Section 4.** The proposed changing in zoning was not protested by protest signed by the owners of 25% or more of the area of the lots included in the proposed change or those lots 150 feet from a lot included in the proposed change.

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**Section 5.** This Ordinance shall be in full force and effect thirty (30) days after its passage and approval.

**SAID ORDINANCE READ AND PUT UPON ITS PASSAGE THIS  
10TH DAY OF AUGUST, 2004.**



C.A. Grenz, Mayor

ATTEST:



Patricia D. Huss, City Clerk

**SAID ORDINANCE FINALLY PASSED AND APPROVED BY A DULY  
CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF  
MILES CITY, MONTANA, THIS 16TH DAY OF AUGUST, 2004.**



C.A. Grenz, Mayor

ATTEST:



Patricia D. Huss, City Clerk