

Return To:
City of Miles City, Montana
P.O. Box 910
Miles City, MT 59301

157944 Fee: \$14.00

Custer County Recorded 7/31/2013 At 3:20 PM
Linda Corbett, Clk & Rcdr By 
Return to: City of Miles City P.O. Box 910
MILES CITY MT 59301

RESOLUTION NO. 3598

A RESOLUTION GRANTING A REVOCABLE LICENSE TO SHANNA ABBOTT FOR A FENCE ENCROACHMENT UPON CITY OF MILES CITY RIGHT OF WAY FOR WINCHESTER AVENUE FOR THE BENEFIT OF LOTS 13 AND 14 IN BLOCK 10 OF THE EAST SIDE ADDITION TO THE CITY OF MILES CITY, COMMONLY KNOWN AS 115 NORTH WINCHESTER AVENUE.

WHEREAS, Shanna Abbott has made application for an encroachment upon the right of way of Winchester Avenue adjacent to the following described real property located in Miles City, Custer County, Montana owned by Shanna Abbott:

Lots 13 and 14 in Block 10 of the East Side Addition to the City of Miles City, Custer County, Montana according to the plat and survey thereof on file in the office of the Clerk and Recorder of Custer County, Montana, commonly known as 115 North Winchester Avenue.

AND WHEREAS, such encroachment consists of a fence to be constructed approximately six (6) feet west of the back of the existing curb on the westerly edge of Winchester Avenue;

AND WHEREAS, the City Council finds that the granting of a revocable license for such encroachment, pursuant to certain terms and conditions, is advisable.

NOW THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA AS FOLLOWS:

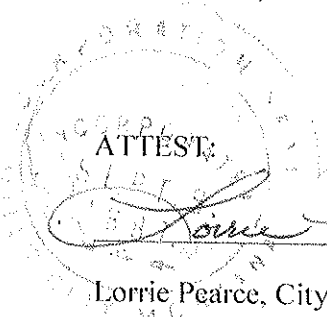
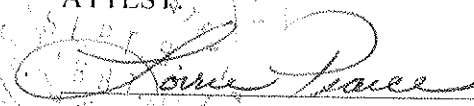
It does hereby authorize and grant to Shanna Abbott a revocable license to erect and maintain a fence on Lots 13 and 14 of Block 10 of the East Side Addition to the City of Miles City, Custer County, Montana, commonly known as 115 North Winchester Avenue, that encroaches upon the City of Miles City right of way approximately six (6) feet west of the back of the existing curb on the westerly edge of Winchester Avenue, subject to the following terms and conditions:

1. The fence shall be placed approximately six (6) feet west of the back of the existing curb on the westerly edge of Winchester Avenue;
2. This license shall be contingent upon the installation of a six (6) foot wide sidewalk along the frontage of the property, abutting the back of the existing curb on the westerly edge of Winchester Avenue, at licensee's sole expense;
3. The final location and height of the fence are subject to the review and final approval of the Public Works Director of the City of Miles City;
4. The licensee shall maintain the fence in good and slightly condition at all times;
5. All construction and maintenance of the fence shall be at licensee's expense;
6. This license shall terminate and licensee shall, at licensee's expense, completely remove the vinyl fence from the City of Miles City right of way and restore the location of the fence to compacted, level grade, upon ninety (90) days advanced written notice to licensee by the City of Miles City
7. This license shall be recorded with the Clerk and Recorder for Custer County, Montana, and shall run with the above described real property, subject to the terms, conditions and right to terminate provided herein.

**SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY
CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY,
MONTANA, THIS 11th DAY OF JUNE, 2013.**



C.A. Grenz, Mayor


ATTEST


Lorrie Pearce, City Clerk

**157944 Fee: \$14.00
Custer County Recorded 7/31/2013 At 3:20 PM**

CITY OF MILES CITY
P.O. BOX 910
MILES CITY, MT
59301

Invoice

DATE	INVOICE #
8/26/2013	8593

BILL TO
SHANNA ABBOTT 115 NORTH WINCHESTER AVE MILES CITY, MT 59301

PROJECT

DESCRIPTION	AMOUNT
RECORDING FEE: 115 N. WINCHESTER AVE.	14.00
Total	
	\$14.00