Return To:

City of Miles City, Montana

P.O. Box 910

Miles City, MT 59301

**RESOLUTION NO. 3604**

**A RESOLUTION GRANTING A REVOCABLE LICENSE TO J & T PROPERTY MANAGEMENT LLC, A MONTANA LIMITED LIABILITY COMPANY, AUTHORIZING THE ENCROACHMENT UPON CITY OF MILES CITY RIGHT OF WAY FOR SOUTH LAKE AVENUE FOR PURPOSES OF CONSTRUCTING OFF STREET ANGLED PARKING FOR THE BENEFIT OF LOT 6 IN BLOCK 1 OF THE MILES RESERVE ADDITION TO THE CITY OF MILES CITY, COMMONLY KNOWN AS 1806 MAIN STREET.**

***WHEREAS*,** J & T Property Management LLC, a Montana limited liability company, has made application for an encroachment upon the right of way of South Lake Avenue adjacent to the following described real property located in Miles City, Custer County, Montana owned by J

& T Property Management LLC:

Lot 6 in Block 11 of the Miles Reserve 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 1806

Main Street.

***AND WHEREAS*,** such encroachment shall consist of off street angled parking between the existing parking entrances and exits along the easterly edge of South Lake 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 J & T Property Management LLC, a Montana Limited Liability Company, a revocable license to construct an off street angle parking area on Lot 6 of Block 1 of the Miles Reserve Addition to the City of Miles City, Custer County, Montana, commonly known as 1806 Main Street, that encroaches upon the City of Miles City right of way on the easterly edge of South Lake Avenue, subject to the following terms and conditions:

1. The off street angle parking area shall be constructed in strict conformance with the requirements of the City Engineering Office;

2. The parking area shall be constructed at licensee’s sole expense;

times.

3. The licensee shall maintain the parking area in good repair and condition at all

4. This license shall terminate and licensee shall, at licensee’s expense, completely remove the parking area and restore all curb, gutter and sidewalk at licensee’s sole expense upon ninety (90) days advanced written notice to licensee by the City of Miles City.

5. 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. The costs of recording, being $14.00, shall be paid by licensee to the City Clerk.

**SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY,**

**MONTANA, THIS DAY OF JUNE, 2013.**

ATTEST:

C.A. Grenz, Mayor

Lorrie Pearce, City Clerk