

RESOLUTION NO 4025

A RESOLUTION CORRECTING THE LEGAL DESCRIPTION FOR CERTAIN CITY LANDS LEASED BY CUSTER POST NO. 5 OF THE AMERICAN LEGION OF MILES CITY, MONTANA IN WHAT IS KNOWN AS TOURIST PARK.

BE IT RESOLVD BY THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA:

WHEREAS, the City of Miles City, Montana has had granted to it, by Patent dated December 12, 1928, recorded July 22, 1931 in Book of Deeds page 202 records of the County Clerk and Recorder of Custer county, Montana, certain lands adjacent to Miles City, Montana and known as the Tourist Park, and

WHEREAS, the City of Miles City, Montana has previously granted permission to Custer Post No. 5 of the American Legion to erect at that location a War Memorial Building to the men who served in the armed forces of the United States of American during the World Wars and for the Custer Post No. 5 of the American Legion to occupy the same until such time as they abandon or discontinue their use thereof, and

WHEREAS, the American Legion has subsequently constructed such a building and appurtenances at no expense to the City, and continue to provide supervision of said building, and

WHEREAS, the legal description for said leasehold is incorrectly described in Resolution No. 809 and Resolution No. 1377 which govern the lease and construction of said building, and the City desires to correct the same.

NOW, THEREFORE, BE IT RESOLVED:

That the City of Miles City hereby amends Resolution No. 809, dated March 24, 1941 and Resolution No. 1377, dated September 19, 1960 to provide an accurate legal description of said plat of ground as described in EXHIBIT A, to wit:

A parcel of land lying in Govt. Tract A as shown on the approved General Land Office 1927 plat that created Tract A, Section 33, Township 8 North, Range 47 East, P.M.M., Custer County, MT more particularly describe as follows, and as depicted on the survey attached hereto as Exhibit "A":

Commencing at the southwest corner of said Section 33; thence N.39°35'24"E., a distance of 3,056.35 feet to the southeast corner of the Legion Lease Tract

said point being the POINT OF BEGINNING; said point bears S.87°18'35"W., a distance of 606.47 feet from ANGLE POINT Number 6 of Tract D; thence N.76°34'00"W., a distance of 125.00 feet; thence N.13°33'54"E., a distance of 100.00 feet; thence S.76°34'00"E., a distance of 125.00 feet; thence S.13°33'54"W., a distance of 100.00 feet to the POINT OF BEGINNING. Containing 12,500 square feet or 0.287 acres, more or less.

BE IT FURTHER RESOLVED, that all conditions and requirements set forth in Resolutions No. 809 and 1377 shall remain in full force and effect.

PASSED AND APPROVED this 10th day of January, 2017.



MAYOR

ATTEST:



CITY CLERK

