

RESOLUTION NO. 4066

A RESOLUTION CORRECTING THE LEGAL DESCRIPTION OF CERTAIN INDUSTRIAL SITE PROPERTIES LEASED TO JERRY SINGLETON, AND ALLOWING FOR INSTALLATION OF A TRUCK SCALE.

WHEREAS, the CITY currently leases certain property within Industrial Site known as Lot 27 of Tract "E" of the Industrial Site West of Miles City, Montana, containing approximately 35,567 square feet, more or less, to Jerry Singleton (Tenant) pursuant to an assignment of lease approved by Resolution 4008, of the original lease between the City and C.M. Cattle, Co. dated June 28, 1996 which was approved by Resolution No. 2781;

AND WHEREAS, the leasehold intended to encompass Tract Q of the Industrial Site, containing 1.50 acres, more or less;

AND WHEREAS, the Tenant has made a request to install a truck scale on said parcel of property, at which time the error in legal description was observed;

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

That the "Addendum to Lease Agreement" attached hereto as Exhibit "A," and made a part hereof, is hereby approved by the City Council of the City of Miles City.

PASSED AND ADOPTED BY A 2/3 VOTE of the City Council this 13th day of June, 2017.

By: 
John Hollowell, Mayor

Attest: 
Lorrie Pearce, City Clerk

ADDENDUM TO LEASE AGREEMENT

This ADDENDUM, made and entered into this 13 day of June, 2017, by and between the City of Miles City, Montana, a Montana municipal corporation, of 17 S. 8th Street, Miles City, Montana 59301, hereinafter "CITY," and Jerry Singleton, of Rt 1, Box 2008, Miles City, Montana, hereinafter "TENANT,"

WHEREAS, the CITY currently leases certain property within the Industrial Site known as Lot 27 of Tract "E" of the Industrial Site West of Miles City, Montana, containing approximately 35,567 square feet, more or less, to Jerry Singleton, pursuant to a lease agreement dated June 28, 1996 (Resolution 2781) as assigned through Resolution 4088 (the "Lease Agreement);

AND WHEREAS, a parcel of property has been omitted from the lease, being Tract "Q" of the Industrial Site West of Miles City, Montana, containing approximately 1.50 acres (65,509.52 square feet), more or less;

AND WHEREAS, Tenant has requested permission to install a truck scale on Tract Q;

NOW, THEREFORE, the parties hereto agree as follows:

INCLUSION OF TRACT Q

The legal description of said lease is amended to include Tract "Q" of the Industrial Site West of Miles City, Montana, containing approximately 1.50 acres (65,509.52 square feet), more or less, as depicted in the attached Exhibit "1."

The rental amount for Tract "E" and Tract "Q" shall be a combined amount of \$2,021.53 per year.

ADDITIONAL USE

Tenant shall be authorized to construct a truck scale on Tract "Q," and to operate the same.

NO OTHER MODIFICATION

The Lease Agreement, as assigned, shall remain unchanged except as expressly set forth herein.

IN WITNESS WHEREOF, the parties hereto have executed this ASSIGNMENT OF LEASE AGREEMENT the date and year first hereinabove written.

CITY OF MILES CITY:

By: 
John Hollowell, Mayor

Attest: 
Lorrie Pearce, City Clerk


Tenant

Jerry Singleton

Exhibit I

TRACTS REQUESTED BY CITY OF MILES CITY, MONT.

APRIL 1960

TRACT Q	1.50 ACRES
TRACT R	3.27 "
TRACT S	5.43 "
TRACT T	1.91 "
TOTAL	12.11 ACRES

