

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

168306 Fee: \$14.00

Custer County Recorded 8/1/2017 At 10:25 AM
Linda Corbett, Clk & Rcdr By Ria Wagner
Return to: City of Miles City P.O. Box 910
MILES CITY MT 59301

RESOLUTION NO. 4067

A RESOLUTION GRANTING A REVOCABLE LICENSE TO SH PROPERTIES LLC AND ROLLING RUBBER LLC FOR A SIGN ENCROACHMENT UPON CITY OF MILES CITY RIGHT OF WAY.

WHEREAS, representatives of SH Properties LLC (owner) and Rolling Rubber LLC (tenant) have made application for an encroachment upon the right of way of Tract G1-D (COS 120940) of the Horizon Park Subdivision, City of Miles City, Custer County, Montana, according to the official plat and survey thereof on file in the office of the Clerk & Recorder of Custer County, Montana.

AND WHEREAS, such encroachment consists of a commercial sign, mounted on a pole, and placed within said right of way;

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


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 SH Properties LLC and Rolling Rubber LLC a revocable license to erect and maintain a commercial sign on the right of way adjacent to Tract G1-D (COS 120940) of the Horizon Park Subdivision, City of Miles City, Custer County, Montana, according to the official plat and survey thereof on file in the office of the Clerk & Recorder of Custer County, Montana, that encroaches upon the City of Miles City right, to be

placed in a position deemed appropriate by the City's Building Official, and subject to the following terms and conditions:

1. The licensee shall maintain the signage in good and slightly condition at all times;
2. All construction and maintenance of the sign shall be at licensee's expense;
3. Licensee shall obtain and pay for a building permit prior to this license becoming effective and prior to the recording of this Resolution, which shall be completed prior to June 30, 2017. Failure to obtain and pay for a building permit shall result in the automatic revocation of this license;
4. This license shall terminate and licensee shall, at licensee's expense, completely remove the sign from the City of Miles City right of way and restore the location of the sign to compacted, level grade, 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.

**SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY
CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY,
MONTANA, THIS 27 DAY OF JUNE, 2017.**


John Hollowell, Mayor

ATTEST:




Lorrie Pearce, City Clerk

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I, the undersigned being the duly qualified and acting City Clerk of the City of Miles City, Montana, hereby certify that the above is a full, true and correct copy of the original Resolution No. 4067 on file and of record in my office.


City Clerk