

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

**168199 Fee: \$14.00**

Custer County Recorded 7/14/2017 At 2:18 PM

Linda Corbett, Clk & Rcdr By 

Return to: City of Miles City P.O. Box 910  
MILES CITY MT 59301

**RESOLUTION NO. 4078**

**A RESOLUTION GRANTING A REVOCABLE LICENSE TO CUSTER COUNTY DISTRICT HIGH SCHOOL FOR AN ENCROACHMENT UPON CITY OF MILES CITY RIGHT OF WAY FOR FORT STREET, FOR THE BENEFIT OF BLOCK 19 AND THE SOUTH HALF OF BLOCKS 13 AND 14 OF THE MILES ADDITION TO THE CITY OF MILES CITY.**

*WHEREAS*, Custer County District High School has made application for an encroachment upon the right of way of Fort Street adjacent to the following described real property located in Miles City, Custer County, Montana owned by the Custer County District High School:

Block 19 and the South Half of Blocks 13 and 14 of the Miles 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.

*AND WHEREAS*, such encroachment consists of park benches to be constructed adjacent to the sidewalk and within the right of way for Fort Street;


*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:**

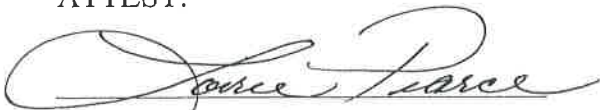
It does hereby authorize and grant to Custer County District High School a revocable license to erect and maintain benches on the above described right of way, subject to the following terms and conditions:

1. The final location of the benches are subject to the review and final approval of the Public Works Director of the City of Miles City;
2. The licensee shall maintain the benches in good and sightly condition at all times and maintain the grounds the benches are being installed on;
3. All construction and maintenance of the benches shall be at licensee's expense;
4. This license shall terminate and licensee shall, at licensee's expense, completely remove the benches from the City of Miles City right of way and restore the location 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 11<sup>TH</sup> DAY OF JULY, 2017.**

  
John Hollowell, Mayor

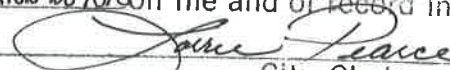
ATTEST:



Lorrie Pearce, City Clerk



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. 1078 on file and of record in my office.

  
City Clerk

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