RESOLUTION NO. 3517

A RESOLUTION GRANTING A REVOCABLE LICENSE TO HOLY ROSARY HEALTHCARE FOUNDATION FOR A BENCH ENCROACHMENT UPON CITY OF MILES CITY RIGHT OF WAY ON THE EAST SIDE OF SOUTH STREVELL AVENUE, SOUTH OF ITS INTERSECTION WITH BOUTELLE STREET

WHEREAS, Holy Rosary Healthcare Foundation, Inc., a Montana nonprofit corporations, has made application for an encroachment upon the right of way of South Strevell Avenue, south of its intersection with Boutelle Street, adjacent to the existing sidewalk, for the installation of a memorial bench;

AND WHEREAS such encroachment consists of a memorial bench adjacent to the easterly edge of the east sidewalk upon South Strevell 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:

It does hereby authorize and grant to Holy Rosary Healthcare Foundation, Inc., a revocable license to place and maintain a memorial bench adjacent to the easterly edge of the east sidewalk upon South Strevell Avenue, south of its intersection with Boutelle Street, subject to the following terms and conditions:

- 1. The final location of the memorial bench is subject to the review and final approval of the Public Works Director of the City of Miles City;
- 2. The licensee shall maintain the memorial bench in good, safe, and sightly condition at all times;
- 3. All construction and maintenance of the memorial bench shall be at the licensee's expense;
- 4. This license shall terminate and licensee shall, at licensee's expense, completely remove the memorial bench from the City of Miles City right of way and restore the location of the memorial bench to compacted, level grade, upon ninety (90) days advanced written notice to licensee by the City of Miles City;

PASSED AND ADOPTED by at least a two-thirds affirmative vote of all members of the Miles City Council this 24th day of July, 2012.

C.A. Grenz, Mayor

ATTEST:

Rehecca Stanton City Clerk

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