

41-29402

ouncil taken on the 30th day of April, 1947 and shall take effect from and after
the passage and approval.

Passed and Approved this 12th day of May, 1947.

Prescott Bontelle,
MAYOR.

TEST:

Ray Addington,
CITY CLERK.

I, C. H. Stangland, the duly appointed City Clerk of the City of
Miles City, Montana, hereby certify that the above is a true and
correct copy of Resolution No. 926 on file in my office.

C. H. Stangland
City Clerk.

State of Montana }
County of Custer }
No. 150151
This instrument was filed for record in my office, on
this 3rd day of July, 1947, at 4:30
o'clock P.M., and duly recorded in Book 44
of _____ at page 25. Fee \$ 2.00
Attest: Ray Addington
County Clerk & Ex-Officio Recorder

RECORDED
INDEXED
SEP 1 1947
CITY CLERK

Montana-Dakota Utilities Co.

PIPE LINE EASEMENT BY OWNER

THIS INDENTURE made this 14 day of August, 1967, A. D. 1967, between MONTANA DAKOTA UTILITIES CO., a Delaware corporation, 211 Second Avenue South, Minneapolis 2, Minnesota, hereinafter called "COMPANY," its successors and assigns, and the following named persons, herein, whether singular or plural, called "OWNER," namely

Beacon-Carter Service, a Montana Corporation of Miles City, Montana

WITNESSETH, that for valuable considerations received, OWNER does hereby grant, bargain, sell and convey unto COMPANY, its successors and assigns, forever, an easement with the right to construct, operate, maintain, repair, and remove a gas pipe line, including necessary pipes, poles and fixtures, through, over, under and across the following described real estate, situated in the County of CUSTER, State of Montana, namely: Township 22 North Range 10 East B.M.

That portion of the alley between the Right-of-Way of the Chicago, Milwaukee, St. Paul & Pacific Railroad Company and Block Eight (8) of Hunter's addition to the City of Miles City between Sixth and Seventh Streets in said City, as shown on the original plot of the said Hunter's addition on file and of record in the office of the County Clerk and Recorder of Custer County, Montana

OWNER hereby grants to COMPANY, its successors and assigns, the right at all reasonable times to enter upon said premises for the purpose of laying, constructing, maintaining, operating, repairing or removing said gas pipe line and for the purpose of doing all necessary work in connection therewith

COMPANY by the acceptance hereof, hereby agrees that it will pay any and all damages that may result to the crops, fences, buildings and improvements on said premises, caused by constructing, maintaining, repairing, operating or removing said gas pipe line

IN WITNESS WHEREOF, OWNER, its successors and assigns, has hereunto set its hand and seal this 14th day of August, 1967.

Witness

[Handwritten signatures]

Consideration less than \$100.00

STATE OF Montana
COUNTY OF Custer

On this 14th day of August, A. D. 1967, before me, the undersigned Notary Public, within and for said County and State, personally appeared Beacon-Carter Service

known to me (or proved to me on oath of Raymond B. Shipley), to be the person whose name

subscribed to the within instrument and acknowledged to me that he has executed the same as his free act and deed

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written

(NOTARIAL SEAL)

Notary Public for the State of Montana
Residing at Miles City, Montana
My commission expires March 10, 1969

STATE OF Montana
County of Custer

On this 14th day of August, in the year 1967, before me, the undersigned, notary public within and for said County and State, personally appeared Raymond B. Shipley, known to me (or proved to me on the oath of Raymond B. Shipley) to be the president of the corporation that executed the within instrument, and acknowledged to me that such corporation executed the same

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written

(NOTARIAL SEAL)

[Signature] Alfred A. Eaton
Notary Public for the State of Montana
Residing at Miles City, Montana
My commission expires March 10, 1969

State of Montana
County of Custer

Filed for record this 14th day of August, 1967, at 4:35 P.M. and recorded in Book 123 of 1967
Page 123
[Signature]
County Clerk and Recorder

INDEXED

Parcel Map Check Report

Client:

KFM Incorporated
519 North 7th Street
Miles City, Montana 59301
Date: 9/22/2015 2:54:05 PM

Prepared by:

Dowl
713 Pleasant Street
Miles City, Montana 59301

Parcel Name: LOT C

Description:

Process segment order counterclockwise: False

Enable mapcheck across chord: False

North:34,611.106'

East:33,305.053'

Segment# 1: Line

Course: S89°49'06"W

Length: 41.86'

North: 34,610.974'

East: 33,263.194'

Segment# 2: Line

Course: N24°47'39"W

Length: 110.33'

North: 34,711.133'

East: 33,216.926'

Segment# 3: Line

Course: N65°12'35"E

Length: 96.30'

North: 34,751.512'

East: 33,304.351'

Segment# 4: Line

Course: S0°17'08"E

Length: 60.80'

North: 34,690.713'

East: 33,304.654'

Segment# 5: Line

Course: S24°47'39"E

Length: 87.62'

North: 34,611.169'

East: 33,341.399'

Segment# 6: Line

Course: S89°53'55"W

Length: 36.35'

North: 34,611.105'

East: 33,305.049'

Perimeter: 433.26'

Area: 9,698Sq.Ft.

Error Closure: 0.005
Error North : -0.0013

Course: S74°05'48"W
East: -0.0045

Precision 1: 86,652.00

Parcel Name: LOT B AMENDED

Description:

Process segment order counterclockwise: False

Enable mapcheck across chord: False

North:34,723.479'

East:34,109.787'

Segment# 1: Line

Course: S65°10'35"W

Length: 166.47'

North: 34,653.591'

East: 33,958.698'

Segment# 2: Line

Course: S89°53'55"W

Length: 41.22'

North: 34,653.518'

East: 33,917.478'

Segment# 3: Line

Course: N24°47'39"W

Length: 87.62'

North: 34,733.061'

East: 33,880.734'

Segment# 4: Line

Course: N65°26'45"E

Length: 203.92'

North: 34,817.801'

East: 34,066.213'

Segment# 5: Line

Course: S24°47'39"E

Length: 103.90'

North: 34,723.478'

East: 34,109.784'

Perimeter: 603.14'

Area: 20,963Sq.Ft.

Error Closure: 0.003

Course: S65°58'08"W

Error North : -0.0011

East: -0.0024

Precision 1: 201,043.33

Staff Report for City Council
File #BLA-2015-04
Kernutt Common Boundary Line Adjustment
October 27, 2015

The proposed boundary line adjustment is to facilitate the sale of Block 7 of Gordon's Addition and place a mobile home on the property. KFM, Inc. has transferred ownership of the property to Mel and Nancy Kernutt. KFM, Inc. recently did an aggregation and boundary line adjustment for the adjacent property in the Hunter's Addition, Block 8, see File BLA-2015-01. However, the property history does not show a pattern of development that may be interpreted as an attempt to evade a subdivision review.

The preliminary Amended Plat of Block 7 of Gordon's Addition is a boundary line adjustment. This amendment is exempt from Subdivision Review per MCA section 76-3-207(1)(d).

76-3-207. Divisions or aggregations of land exempted from review but subject to survey requirements and zoning regulations -- exceptions -- fees for examination of division.

(1) Except as provided in subsection (2), unless the method of disposition is adopted for the purpose of evading this chapter, the following divisions or aggregations of tracts of record of any size, regardless of the resulting size of any lot created by the division or aggregation, are not subdivisions under this chapter but are subject to the surveying requirements of 76-3-401 for divisions or aggregations of land other than subdivisions and are subject to applicable zoning regulations adopted under Title 76, chapter 2:

(d) for five or fewer lots within a platted subdivision, the relocation of common boundaries

Per the Miles City Subdivision Regulations Section 21-17(6) – (8), the proposed amended plat is not a subdivision, is not subject to subdivision review and does not appear to be an attempt to evade subdivision review.

Sec. 21-17. Divisions and aggregations of land exempt from subdivision review

(6) The governing body and its agents, when determining whether an exemption is claimed for the purpose of evading the MSPA, shall consider all of the surrounding circumstances. These circumstances may include but are not limited to: the nature of the claimant's business, the prior history of the particular tract in question, the proposed configuration of the tracts if the proposed exempt transaction(s) is completed, and any pattern of exempt transactions that will result in the equivalent of a subdivision without local government review. (State ex rel. Dreher v. Fuller, 50 St. Rpt. 454, 1993)

(7) Exempt divisions of land that would result in a pattern of development equivalent to a subdivision may be presumed to be adopted for purposes of evading the MSPA based on the surrounding circumstances in subsection 21-17(b)(6), above.

(8) All parcels and the use of all parcels created or amended through the use of an exemption shall comply with the zoning regulations. This does not allow the City of Miles City to require lots resulting from exempt divisions to comply with Section 21-18, Design and improvement standards, unless the exemption seeks to alter a lot that was subject to the design and improvement standards of the subdivision regulations during subdivision review.

The property is zoned General Commercial. The applicant, Mr. Kernutt received a variance from the Board of Appeals on July 31, 2008 to place up to two mobile homes on Block 7.

With the boundary line adjusted, the reconfigured Block 7 appears to meet all zoning code requirements. The property owners have applied for a floodplain permit, 300715, to locate a residence in the 100-year floodplain. The new address for this property is 602 River Street.

Twenty-five feet of the easterly portion of 6th Street between River St and the Chicago, Milwaukee, St. Paul and Pacific Railroad was vacated with Resolution #1354 on Feb 8, 1960. The resolution created a 20' alley that abuts the western property lines of Block 7 of Gordon's Addition and Block 38 of the Original Townsite subdivision. The vacated portion of N 6th Street is owned by the applicant. Block 7 has municipal water and sewer services available from the alley of N. 6th Street.

The property is already receiving City Services. Therefore, the boundary line adjustment will not:

- impact the ability of the government to provide local services
- endanger the public health, safety or welfare
- create an expansion or cost of services
- increase the amount of roads currently being maintained by the City
- increase emergency response times, traffic load, fire protection levels, schools and school routes, or landfill requirements
- create any special or rural improvement districts that would obligate the local government either administratively or financially.
- create additional lots or tracks of land

It appears this proposal will simply reflect and accommodate the configuration of Block 7 with one mobile home and garage on site. This plat has been reviewed and approved by Custer County's Examining Land Surveyor for compliance with surveying requirements of 76-3-401.

Staff recommends approval of the amended plat of Block 7 of Gordon's Addition as proposed.

Revised: 6/5/15 (310 form 270). Form may be downloaded from: www.dnrc.mt.gov/licenses-and-permits/stream-permitting

AGENCY USE ONLY: Application # 300715 Date Received 3
Date Accepted _____ / Initials _____ Date Forwarded to DFWP _____

This space is for all Department of Transportation and SPA 124 permits (government projects).

Project Name _____
Control Number _____ Contract letting date _____
MEPA/NEPA Compliance Yes No If yes, #14 of this application does not apply.

JOINT APPLICATION FOR PROPOSED WORK IN MONTANA'S STREAMS, WETLANDS, FLOODPLAINS, AND OTHER WATER BODIES

Use this form to apply for one or all local, state, or federal permits listed below. The applicant is the responsible party for the project and the point of contact unless otherwise designated. "Information for Applicant" includes agency contacts and instructions for completing this application. To avoid delays, submit all required information, including a project site map and drawings. Incomplete applications will result in the delay of the application process. Other laws may apply.

The applicant is responsible for obtaining all necessary permits and landowner permission before beginning work.

<input checked="" type="checkbox"/>	PERMIT	AGENCY	FEE
	310 Permit	Local Conservation District	No fee
	SPA 124 Permit	Department of Fish, Wildlife and Parks	No fee
<input checked="" type="checkbox"/>	Floodplain Permit	Local Floodplain Administrator	Varies by city/county (\$25 - \$500+)
	Section 404 Permit, Section 10 Permit	U. S. Army Corps of Engineers	Varies (\$0 - \$100)
	318 Authorization 401 Certification	Department of Environmental Quality	\$250 (318); \$400 - \$20,000 (401)
	Navigable Rivers Land Use License, Lease, or Easement	Department of Natural Resources and Conservation, Trust Lands Management Division	\$50, plus additional fee

A. APPLICANT INFORMATION

NAME OF APPLICANT (person responsible for project): Mel & Nancy Kernutt
Has the landowner consented to this project? Yes No
Mailing Address: P.O. Box 1173
Physical Address: at project 517 N. 7th
Day Phone: 951-0645 Evening Phone: _____ E-Mail: _____

NAME OF LANDOWNER (if different from applicant): ~~KFM Incorporated~~
Mailing Address: _____
Physical Address: _____
Day Phone: _____ Evening Phone: _____ E-Mail: _____

NAME OF CONTRACTOR/AGENT (if one is used): _____
Mailing Address: _____
Physical Address: _____
Day Phone: _____ Evening Phone: _____ E-Mail: _____

B. PROJECT SITE INFORMATION

NAME OF STREAM or WATER BODY ^{nearest to} project location Yellowstone Nearest Town Miles City
Address/Location: refer to attached report Geocode (if available): 141740284010000
1/4 1/4 1/4, Section 28, Township 8N, Range 47E County Custer
Longitude -105.853910, Latitude 46.411891

The state owns the beds of certain state navigable waterways. Is this a state navigable waterway? Yes or No
If yes, send copy of this application to appropriate DNRC land office – see Information for Applicant.

ATTACH A PROJECT SITE MAP OR A SKETCH that includes: 1) the water body where the project will take place, roads, tributaries, landmarks; 2) a circled "X" representing the exact project location. **IF NOT CLEARLY STATED ON THE MAP OR SKETCH, PROVIDE WRITTEN DIRECTIONS TO THE SITE.**

C. PROJECT INFORMATION

1. TYPE OF PROJECT (check all that apply)

- | | | |
|---|---|--|
| <input type="checkbox"/> Bridge/Culvert/Ford Construction | <input type="checkbox"/> Fish Habitat | <input type="checkbox"/> Mining |
| <input type="checkbox"/> Bridge/Culvert/Ford Removal | <input type="checkbox"/> Recreation (docks, marinas, etc.) | <input type="checkbox"/> Dredging |
| <input type="checkbox"/> Road Construction/Maintenance | <input checked="" type="checkbox"/> New Residential Structure | <input type="checkbox"/> Core Drill |
| <input type="checkbox"/> Bank Stabilization/Alteration | <input type="checkbox"/> Manufactured Home | <input type="checkbox"/> Placement of Fill |
| <input type="checkbox"/> Flood Protection | <input type="checkbox"/> Improvement to Existing Structure | <input type="checkbox"/> Diversion Dam |
| <input type="checkbox"/> Channel Alteration | <input type="checkbox"/> Commercial Structure | <input type="checkbox"/> Utilities |
| <input type="checkbox"/> Irrigation Structure | <input type="checkbox"/> Wetland Alteration | <input type="checkbox"/> Pond |
| <input type="checkbox"/> Water Well/Cistern | <input type="checkbox"/> Temporary Construction Access | <input type="checkbox"/> Debris Removal |
| <input type="checkbox"/> Excavation/Pit | <input type="checkbox"/> Other _____ | |

2. PLAN OR DRAWING of the proposed project **MUST** be attached. **This plan or drawing must include:**

- a plan view (looking at the project from above)
- dimensions of the project (height, width, depth in feet)
- location of storage or stockpile materials
- drainage facilities
- an arrow indicating north
- a cross section or profile view
- an elevation view
- dimensions and location of fill or excavation sites
- location of existing or proposed structures, such as buildings, utilities, roads, or bridges

3. IS THIS APPLICATION FOR an annual maintenance permit? Yes No
 (If yes, an annual plan of operation must be attached to this application – see “Information for Applicant”)

4. PROPOSED CONSTRUCTION DATE. Include a project timeline. Start date 8/18/15
 Finish date 11/18/15 Is any portion of the work already completed? Yes No
 (If yes, describe the completed work.)

5. WHAT IS THE PURPOSE of the proposed project?

Placement of a 16' x 80' modular home, on fill with a 20x30 steel garage on fill also.

6. PROVIDE A BRIEF DESCRIPTION of the proposed project.

Placement of a mobile home on fill with all utilities @ BFE + 2'. Fill will be on entire lot. @ Fill was brought up to ~~2'~~ above BFE for steel garage about 6 to 8" above BFE.

7. WHAT IS THE CURRENT CONDITION of the proposed project site? Describe the existing bank condition, bank slope, height, nearby structures, and wetlands.

Barren land on west. Project is 1/2 mile from nearest stream.

8. PROJECT DIMENSIONS. How many linear feet of bank will be impacted? How far will the proposed project encroach into and extend away from the water body?

No bank on any water body will be impacted.

9. **VEGETATION.** Describe the vegetation present on site. How much vegetation will be disturbed or covered with fill material during project installation? (Agencies require that only vegetation necessary to do the work be removed.) Describe the revegetation plan for all disturbed areas of the project site in detail.

No vegetation will be disturbed.

10. **MATERIALS.** Describe the materials proposed to be used. Note: This may be modified during the permitting process. It is recommended you do not purchase material until all permits are issued.

Cubic yards/Linear feet	Size and Type	Source
-------------------------	---------------	--------

6000	Fill from local source.	
-----------------	-------------------------	--

11. **EQUIPMENT.** List all equipment that will be used for construction of the project. How will the equipment be used on the bank and/or in the water? Note: Make sure equipment is clean and free of weeds, weed seeds, and excess grease before using it in the water waterway. To prevent the spread of aquatic invasive species, to the extent practical, remove mud and aquatic plants from heavy machinery and other equipment before moving between waters and work sites, especially in waters known to be infested with aquatic invasive species. Drain water from machinery and let dry before moving to another location.

Fill leveling equipment.

12. **DESCRIBE PLANNED EFFORTS TO MINIMIZE PROJECT IMPACTS.** Consider the impacts of the proposed project, even if temporary. What efforts will be taken to:

- Minimize erosion, sedimentation, or turbidity? For the following bullets in question 12 the projects is located approx. 1/2 miles from nearest
- Minimize stream channel alterations? water body so little to no impacts or negative affects.
- Minimize effects to stream flow or water quality caused by materials used or removal of ground cover?
- Minimize effects on fish and aquatic habitat?
- Minimize risks of flooding or erosion problems upstream and downstream?
- Minimize vegetation disturbance, protect existing vegetation, and control weeds?

13. **WHAT ARE THE NATURAL RESOURCE BENEFITS** of the proposed project?

None

14. **LIST ALTERNATIVES** to the proposed project. Why was the proposed alternative selected?

None

D. ADDITIONAL INFORMATION FOR SECTION 404, SECTION 10, AND FLOODPLAIN PERMITS ONLY.
If applying for a Section 404 or Section 10 permit, fill out questions 1-3. If applying for a floodplain permit, fill out questions 3-6. (Additional information is required for floodplain permits - See "Information for Applicant.")

X Will the project involve placement of dredged (excavated) and/or fill material below the ordinary high water mark, in a wetland, or other waters of the US? If yes, what is the surface area to be filled? How many cubic yards of fill material will be used? Note: Wetland delineations are required if wetlands are affected.

Z Description of avoidance, mitigation, and compensation (see Information for Applicant). Attach additional sheets if necessary.

3. List the names and address of landowners adjacent to the project site. This includes properties adjacent to and across from the project site. (Some floodplain communities require certified adjoining landowner lists).

See attached

4. List all applicable local, state, and federal permits and indicate whether they were issued, waived, denied, or pending. Note: All required local, state, and federal permits, or proof of waiver must be issued prior to the issuance of a floodplain permit. Building permit

5. Floodplain Map Number 30017C0661D

6. Does this project comply with local planning or zoning regulations? Yes No

E. SIGNATURES/AUTHORIZATIONS -- Each agency must have original signatures signed in blue ink.

After completing the form, make the required number of copies and then sign each copy. Send the copies with original signatures and additional information required directly to each applicable agency.

The statements contained in this application are true and correct. The applicant possess' the authority to undertake the work described herein or is acting as the duly authorized agent of the landowner. The applicant understands that the granting of a permit does not include landowner permission to access land or construct a project. Inspections of the project site after notice by inspection authorities are hereby authorized.

X APPLICANT (Person responsible for project):

Print Name: MEL KERNUTT

LANDOWNER:

Print Name: _____

Mel Kernutt
Signature of Applicant

7-30-15
Date

Signature of Landowner

Date

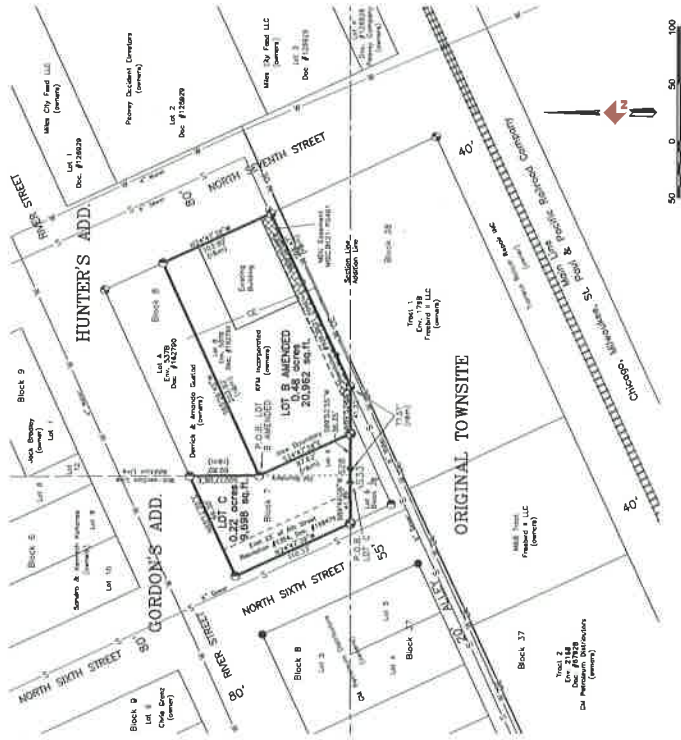
*CONTRACTOR/AGENT:

Print Name: _____

Signature of Contractor/Agent Date

*Contact agency to determine if contractor signature is required.

**AMENDED PLAT OF LOT B, BLOCK 8, OF THE AMENDED PLAT OF HUNTER'S ADDITION, ENV. 537B
AMENDED PLAT OF BLOCK 7, GORDON'S ADDITION
SW1/4SE1/4, SE1/4SW1/4 Section 28, Township 8 North, Range 47 East, P.M.M.
Miles City, Custer County, Montana**



Certificate of Surveyor

STATE OF MONTANA
COUNTY OF CUSTER

I, the undersigned, hereby certify that I am duly qualified and licensed as a Surveyor under the laws of the State of Montana, and I have surveyed and plotted the above described plat in accordance with the laws of the State of Montana, and I have found that the same is correct and that the monuments found and set are of the character and occupy the positions shown hereon.

(Signature)
Carter County Clerk and Recorder
by _____
Envelope # _____ Document # _____

County Treasurer's Certification

I hereby certify that all real property taxes and other taxes due on the above described land being subdivided have been paid.

Carter County Treasurer _____

County Engineer's Certification

I hereby certify that the above described plat was prepared and filed in accordance with the laws of the State of Montana, and I have found that the same is correct and that the monuments found and set are of the character and occupy the positions shown hereon.

(Signature)
Carter County Engineer

County Treasurer's Certification

I hereby certify that all real property taxes and other taxes due on the above described land being subdivided have been paid.

Carter County Treasurer _____

LEGEND

Blank Cop Counter Section Corner (Found) _____

Blank Cop Counter Section Corner (Not Found) _____

Blank Cop Counter Section Corner (Not Found) _____

Blank Cop Counter Section Corner (Not Found) _____

Blank Cop Counter Section Corner (Not Found) _____

Blank Cop Counter Section Corner (Not Found) _____

Blank Cop Counter Section Corner (Not Found) _____

Blank Cop Counter Section Corner (Not Found) _____

Blank Cop Counter Section Corner (Not Found) _____

Blank Cop Counter Section Corner (Not Found) _____

Purpose of Survey

The undersigned, hereby certify that the purpose of the addition of land to the City of Miles City, Montana, is to increase the area of the City. This plat is being filed for the purpose of increasing the area of the City of Miles City, Montana. It is the intention of the City of Miles City, Montana, to use the land described herein for public use. The City of Miles City, Montana, has no objection to the addition of the land described herein to the City of Miles City, Montana.

Department of Environmental Quality

This plat is being filed for the purpose of increasing the area of the City of Miles City, Montana. It is the intention of the City of Miles City, Montana, to use the land described herein for public use. The Department of Environmental Quality has no objection to the addition of the land described herein to the City of Miles City, Montana.

Metes & Bounds

Lot B Amended, Block 8, Hunter's Addition
Containing 20,962 square feet of 0.48 acres, more or less.

Lot C, Block 7, Gordon's Addition
Containing 20,962 square feet of 0.48 acres, more or less.

Certificate of Exemption Approval

I, Mayor of the City of Miles City, do hereby certify that the use of the exemption from the requirements of the Montana Subdivision and Platting Act, Section 76-3-101 et seq., MCA, is appropriate for the purposes of the Montana Subdivision and Platting Act, Section 76-3-101 et seq., MCA.

Flood Map
Panel 30017C0661D



Location Map



DOWL

713 Pleasant Street
Miles City, Montana 59301
406-294-6996

Prepared for
KFM Incorporated
519 North 7th Street
Miles City, MT 59301

Page
1
of
1

BASIS OF BEARING

Basis of bearings in this plat north-south is based on GPS observations.

Reference: NAD83, UTM, EPSG:31473, 31474, 31475, 31476, 31477, 31478, 31479, 31480, 31481, 31482, 31483, 31484, 31485, 31486, 31487, 31488, 31489, 31490, 31491, 31492, 31493, 31494, 31495, 31496, 31497, 31498, 31499, 31500.

Certificate of Sanitarian

I, Michael Freid, the Registered Sanitarian for the City of Miles City, hereby certify that the plat is in compliance with the Montana Sanitation, Subdivision Act, and applicable M.C.A.

Dated this _____ day of _____, 2015

(Signature)
Michael Freid, RS
Registered Sanitarian, Miles City

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DOWL

713 Pleasant Street
Miles City, Montana 59301
406-294-6996

Prepared for
KFM Incorporated
519 North 7th Street
Miles City, MT 59301

Page
1
of
1

A RESOLUTION PROVIDING FOR THE DISCONTINUANCE OF THAT PORTION OF NORTH SIXTH STREET LYING BETWEEN BLOCKS 7 AND 8 OF GORDON'S ADDITION TO THE CITY OF MILES CITY AND PROVIDING THAT SAID STREET BE CHANGED TO AN ALLEY OF 20 FEET, MORE PARTICULARLY DESCRIBED HEREIN AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

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

WHEREAS, the petition has been heretofore filed with the City

Clerk requesting the discontinuance of that portion of North Sixth

Street lying between Blocks 7 and 8 of Gordon's Addition to the City

of Miles City and providing that said street be changed to an alley

width of 20 feet, more particularly described herein, signed by all

of the owners on that portion of the street to be closed, and

WHEREAS, due and legal notice of said petition has been given

as provided by Section 11-2802 R.C.M. 1947, and

WHEREAS, it appears that said street may be changed without

detriment to the public interest and without affecting the right-of-

way of any public utility to maintain its plant and equipment and no

protest having been received against said changing,

NOW, THEREFORE BE IT RESOLVED, that the street located between

Blocks 7 and 8 of Gordon's Addition to the City of Miles City be and

is hereby closed, providing that there shall be an alley of a width

of 20 feet which will run from the south side of River Street to the

north right-of-way line of the O.M. St. P. & P. Railroad. The center

line of the proposed alley will be the existing sewer line which is

5 feet east of the center of 6th Street.

This Resolution shall be in full force and effect 30 days after

its passage and approval.

Passed and approved this 5th day of February, 1960,

Mayor
MAYOR

CITY CLERK

ATTEST:

CITY CLERK

ATTEST:

MAYOR

A RESOLUTION PROVIDING FOR THE DISCONTINUANCE OF THAT PORTION OF NORTH SIXTH STREET LYING BETWEEN BLOCKS 7 AND 8 OF GORDON'S ADDITION TO THE CITY OF MILES CITY AND PROVIDING THAT SAID STREET BE CHANGED TO AN ALLEY WITH A WIDTH OF 20 FEET, MORE PARTICULARLY DESCRIBED HEREIN AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA: WHEREAS, the petition has been heretofore filed with the City Clerk requesting the discontinuance of that portion of North Sixth Street lying between Blocks 7 and 8 of Gordon's Addition to the City of Miles City and providing that said street be changed to an alley of the owners on that portion of the street to be closed, and WHEREAS, due and legal notice of said petition has been given as provided by Section 11-2802 R.C.M. 1947, and WHEREAS, it appears that said street may be changed without detriment to the public interest and without affecting the right-of-way of any public utility to maintain its plant and equipment and no protest having been received against said changing, NOW, THEREFORE BE IT RESOLVED, that the street located between Blocks 7 and 8 of Gordon's Addition to the City of Miles City be and is hereby closed, providing that there shall be an alley of a width of 20 feet which will run from the south side of River Street to the north right of way line of the C.M St.P. & P. Railroad. The center line of the proposed alley will be the existing sewer line which is 5 feet east of the center of 6th Street.

This Resolution shall be in full force and effect 30 days after its passage and approval.

NOTICE IS HEREBY GIVEN that all of the property owners on that portion of North Sixth Street lying between blocks 7 and 8 of GORDON'S ADDITION to the City of Miles City, Montana, have filed a petition with the City of Miles City asking that said street be discontinued, and the street be changed to an alley width of 20 feet. The alley will be from the south side of River Street to the north right of way line of the G. M. St. P. & N. W. Center line of the proposed alley will be/existing sewer line which is 5 feet east of the center of 6th Street. Said Petition will be acted upon by the City Council of the City of Miles City on February 8, 1960, at 8:00 o'clock P.M. in the City Council Chamber in the City Hall of Miles City, Montana. Any person may file a written protest against said discontinuance or appear at said meeting and show cause, if any they have, why the Petition should not be granted.

This notice is published by direction of the City Council of the City of Miles City.

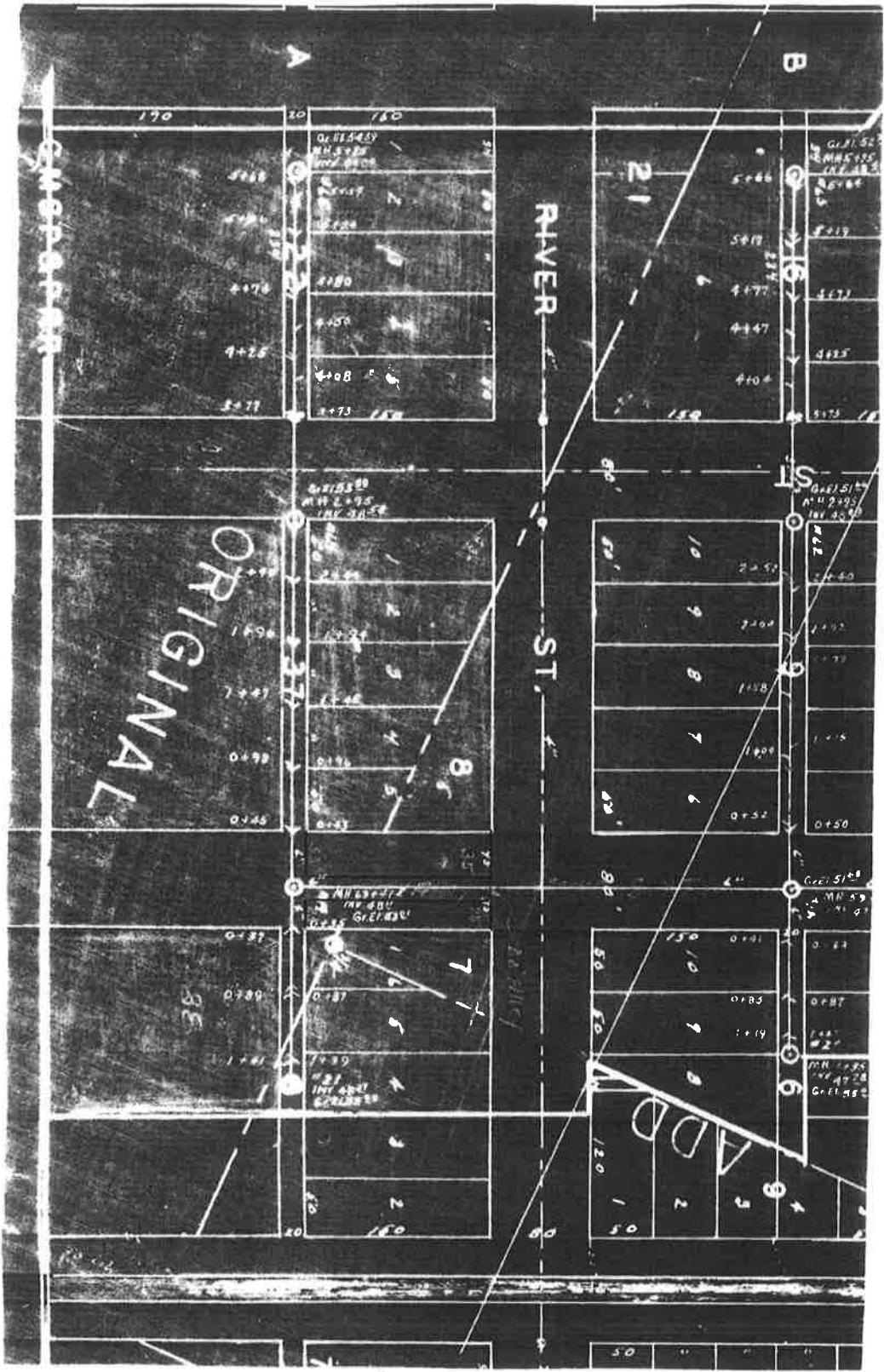
DATED this 11th day of January, 1960.

City Clerk

(Jan. 20, 1960)

GORDON'S ADDITION TO THE CITY OF MILWAUKEE, WISCONSIN, HAS FILED A
 THAT PORTION OF NORTH SIXTH STREET LYING BETWEEN BLOCKS 7 AND 8 OF
 NOTICE IS HEREBY GIVEN THAT ALL OF THE PROPERTY OWNERS ON

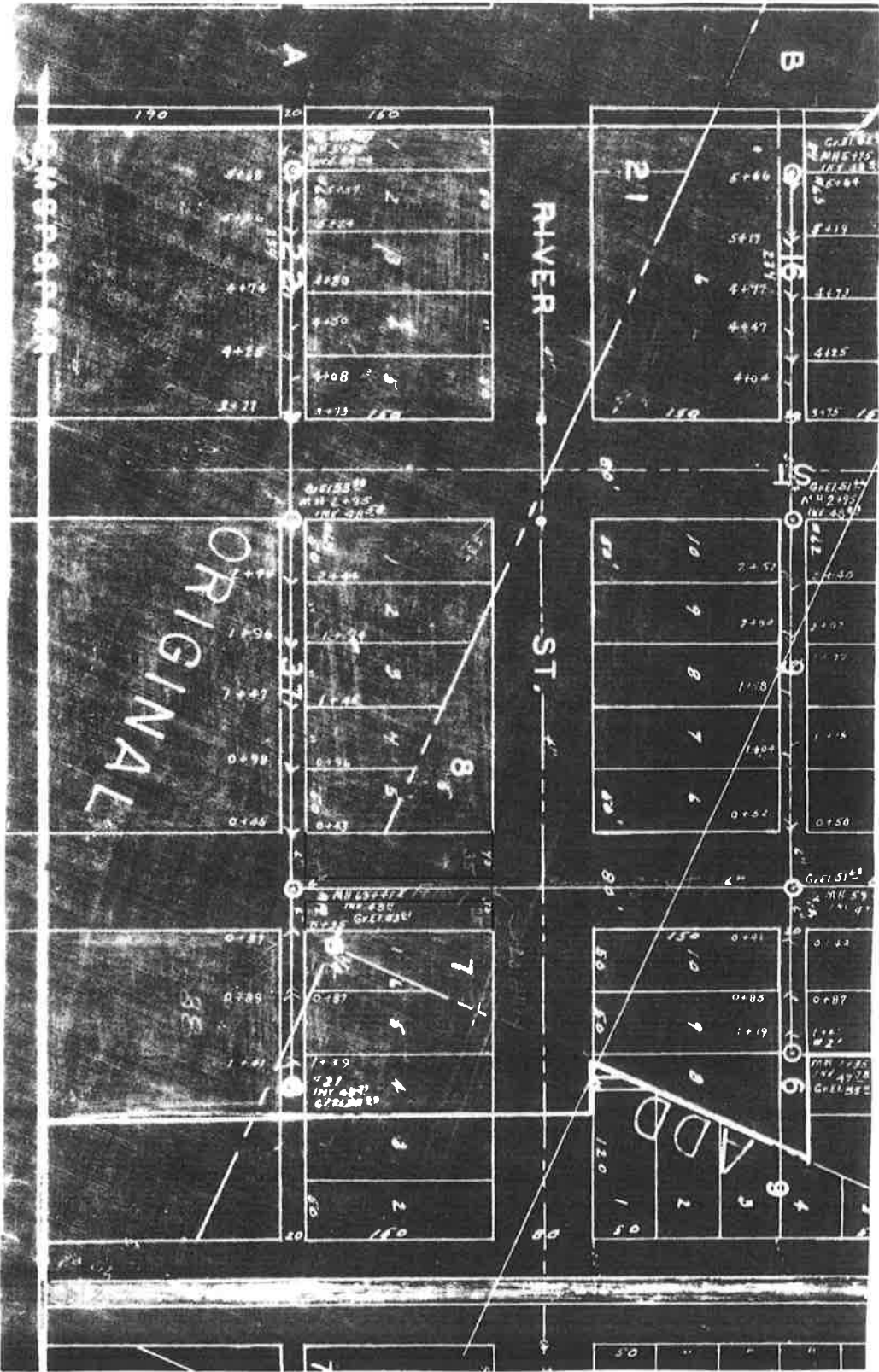
NOTICE OF DISCONTINUANCE OF STREET



Proposed change of Sixth Street from a street width of 80 feet to an alley width of 20 feet from the south side of River Street to the north right of way line of the C. M. St. P. & P. R. W. 6th St. Center line of the proposed alley will be the existing sewer line which is 5 feet east of the

NOTICE OF DISCONTINUANCE OF STREET

Proposed change of Sixth Street from a street width of 80 feet to an alley width of 20 feet.



Executive Session