



CITY OF MILES CITY AGENDA

*Special Council Meeting
Conference Room/City Hall &
Zoom.us*

December 17, 2021

6:00 p.m.

1. CALL MEETING TO ORDER
2. ROLL CALL
3. REQUEST OF CITIZENS & PUBLIC COMMENT
4. NEW BUSINESS

Public Service Committee Recommend Approving the Abandonment of City Easement on Private Property Located at 918 Bridge

5. ADJOURNMENT

PUBLIC SERVICE COMMITTEE MEETING
November 24th, 2021

The Public Service Committee met November 24th in the City Hall Conference Room, 17 S. 8th Street, Miles City, Montana. Present were Committee Members, Dwayne Andrews, Kathy Wilcox, Ken Gardner, and Rick Huber.

Also present was Deputy City Clerk/Recorder Jody Kinsey.

Chairperson Andrews opened the meeting

1. Request of Citizens

-None-

2. Committee Member Comments

-None-

3. Request to Abandon City Easement on Private Property at 918 Bridge Street

Jeff Williams (1611 Tompy) is the owner of the property at 918 Bridge. He is requesting that the easement on the property be abandoned so that he can put an addition on his property. He explained that the front of the building and the North side are the only parking areas so he can't expand in that direction. The city has an eighty foot right of way on Bridge street. Behind the building is on the property line for the other lot he owns. If he were to expand that way it could affect any future sale of the properties. The only way to expand the building would be to the south where the easement currently is. He would like to expand his building ten feet, which would give him five hundred square feet of additional floorspace.

*** Committee Member Wilcox moved to recommend approving abandoning the easement, seconded by Committee Member Gardner. Committee Member Andrews called for a roll call vote. **Vote passed unanimously 4-0.***

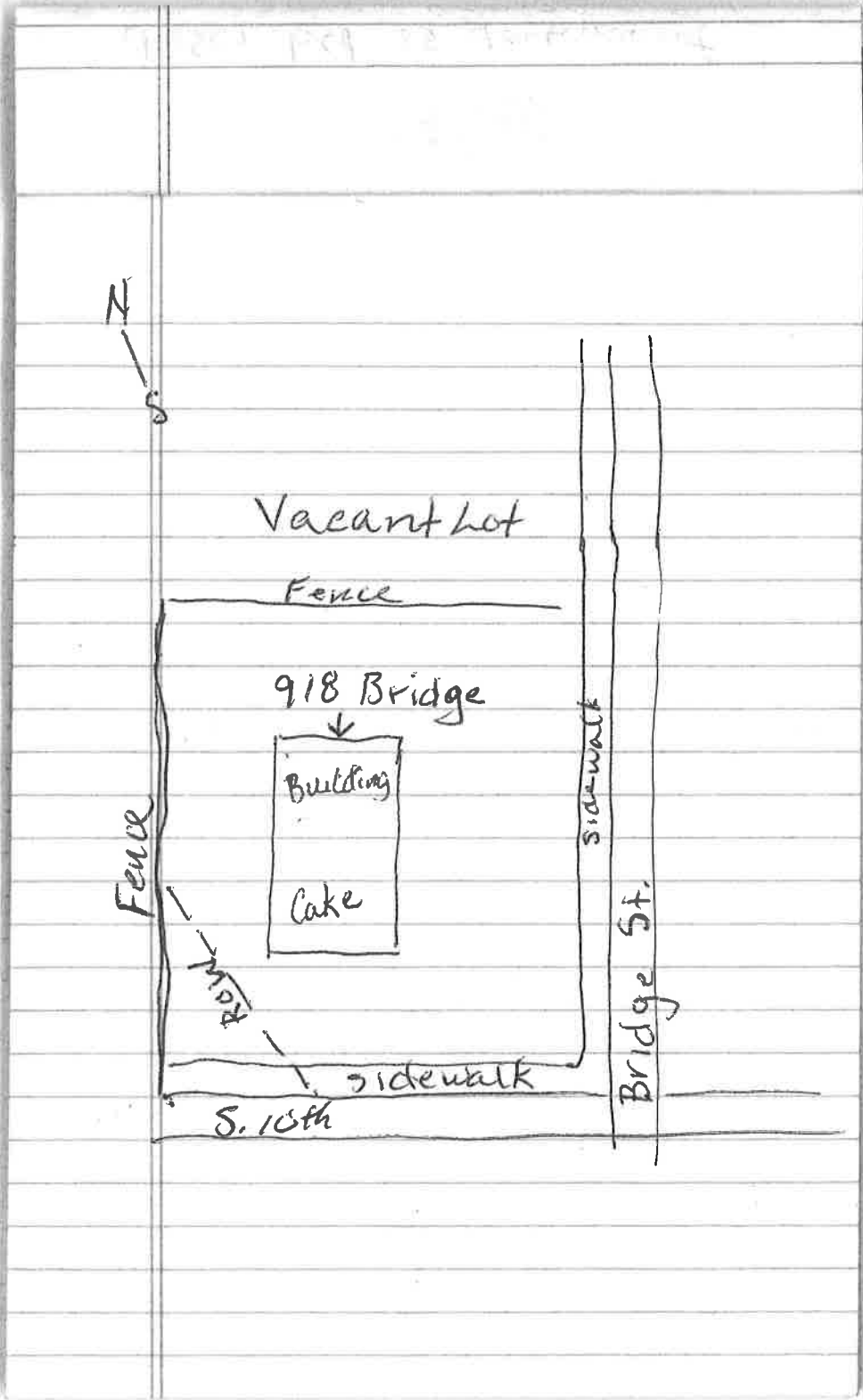
4. Adjournment

*** Committee Member Wilcox moved to adjourn the meeting, seconded by Committee Member Andrews. **Motion passed, 4-0.***

The meeting was adjourned at 9:15am.

Dwayne Andrews, Chairperson

Jody Kinsey, Recorder



**EASEMENT FOR CONSTRUCTION AND MAINTENANCE
OF UTILITIES, INCLUDING SEWER LINE**

KNOW ALL MEN BY THESE PRESENTS:

The undersigned, MIDLAND INC., hereinafter referred to as "GRANTOR", does hereby grant unto JAMES P. LUCAS of Miles City, Montana, hereinafter referred to as "GRANTEE", a permanent easement on and over the following described lands of GRANTOR, and for the purposes hereinafter stated:

DESCRIPTION OF EASEMENT:

The Southerly 20.0 feet of Lots 1A, 2A, and 3A, of Block 63 of the original Townsite of Miles City, Montana, according to the AMENDED PLAT AND SURVEY thereof filed for record in the office of the County Clerk and Recorder on July 10, 1990, as Document No. 85301 in Envelope No. 263A of the plat cabinet in the office of the County Clerk and Recorder in and for Custer County, Montana. That said Easement is more particularly described as follows:

Beginning at the Southwesterly corner of Lot 1A, thence North 41°58'08" East along with Northerly right of way line of the Burlington Northern Railroad 163.47 feet to the Southwesterly corner of Lot 4A; thence North 24°37'00" West along the westerly line of Lot 4A, 21.80 feet; thence South 41°54'08" West 163.47 feet to the westerly line of Lot 1A; thence South 24°37'00" East along the westerly line of Lot 1A, 21.80 feet to the point of beginning.

SUBJECT TO compliance with the requirements of the City of Miles City relating to said easement and utility installations.

PURPOSE OF EASEMENT:

The sole purpose of this Easement shall be for the installation, repair and maintenance of a sewer line, and such other utility lines and services as may be placed thereon by GRANTEE.

GRANTEE further agrees that all repairs and maintenance of utility lines installed by GRANTEE, shall be done at GRANTEE'S

expense, and if the lands of GRANTOR are disturbed, then GRANTEE, at his expense, shall promptly and immediately repair the same and return said land to its former condition.

GRANTOR agrees not to construct any buildings or similar improvements upon the area granted for this Easement.

The terms of this Easement shall inure to and be binding upon the heirs, successors, personal representatives and assigns of the parties.

DATED this 24th day of July, 1990.



MIDLAND INC.

BY: E. G. Balsam
Its President

Janetta Balsam
Its Secretary

STATE OF MONTANA)
COUNTY OF CUSTER) SS
THIS INSTRUMENT WAS FILED FOR RECORD IN
MY OFFICE, ON THIS 26th DAY OF
July 1990 AT 1:15
P M. AND FULLY RECORDED
IN BOOK 44-54 ON Page
AT PAGE 1078 DOROTHY E. WOOLHISER
COUNTY CLERK AND DEPUTY CLERK
BY Beverly Brown DEPUTY
No. 110

STATE OF MONTANA)
COUNTY OF CUSTER) SS.

INDEXED by

On this 24th day of July, 1990, before me, the undersigned, a Notary Public for the State of Montana, personally appeared E. G. BALSAM, the President of MIDLAND INC., known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same on behalf of MIDLAND INC.

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

(NOTARIAL SEAL)



Robert J. Swanson
Notary Public for State of Montana
Residing at Miles City, Montana
My Commission Expires: June 1, 1991