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City of Columbia Falls
130 6th Street West
Columbia Falls, MT 59912

RESOLUTION NO. 1865

A RESOLUTION OF THE CITY COUNCIL OF COLUMBIA FALLS, MONTANA ABANDONING, DISCONTINUING AND VACATING THE ALLEYWAY IN BLOCK 4, HOERNER ADDITION SUBDIVISION, COLUMBIA FALLS, MONTANA

WHEREAS, the owners of Block 4, Hoerner Addition Subdivision, Columbia Falls, Montana have presented a petition to the City Council to abandon, discontinue and vacate the alleyway at said location;

WHEREAS, the City has received a petition in writing of at least fifty percent (50%) of the owners of lots subject to the abandonment;

WHEREAS, the City has accepted said petition and agreed to act thereon;

WHEREAS, the proposed action of the Council was duly advertised according to law for a hearing to be held thereon at its regular meeting on October 18, 2021;

WHEREAS, said hearing was held, with all objections or objectors, either in person or in writing, having been fully considered; and

WHEREAS, at the completion of said hearing, it was determined by the Council that abandonment of the 12' undeveloped alleyway will allow the owners to develop their property and will place the property on the tax roll.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA AS FOLLOWS:

Section One. The 12' platted alleyway, Block 4, Hoerner Addition Subdivision, Columbia Falls, MT is hereby vacated.

Section Two. The abandonment, discontinuance and vacation of said portion of public way shall not affect the right of any public utilities which may be contained therein or thereon. The City of Columbia Falls approves of the owners relocation of the sewer main and will require an easement if necessary to maintain the sewer main.

Section Three. That upon the date that this Resolution becomes effective, the abandoned 12' undeveloped alleyway shall cease to be the property of the City of Columbia Falls, Montana, and said abandoned portion shall be placed upon the tax roll. Further, the owners shall pay for the cost of the survey and recording of this abandonment in addition to the costs to relocate the existing sewer main and electrical pole.

Section Four. Effective Date. This Resolution shall become effective immediately upon its final passage and adoption by the City Council.

PASSED AND APPROVED BY THE CITY COUNCIL OF COLUMBIA FALLS, MONTANA THIS 18th DAY OF OCTOBER, 2021. THE COUNCIL VOTING AS FOLLOWS:

AYES: Fisher, Karper, Lovering, Piper, Robinson, Shepard and Barnhart

NOES: None

ABSENT: None

City Clerk

APPROVED BY THE MAYOR OF COLUMBIA FALLS, MONTANA THIS 18TH
DAY OF OCTOBER 2021.

MAYOR

ATTEST:

City Clerk