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City of Columbia Falls  
130 6<sup>th</sup> Street West  
Columbia Falls, MT 59912

### **RESOLUTION NO. 1893**

#### **A RESOLUTION OF THE CITY COUNCIL OF COLUMBIA FALLS, MONTANA ABANDONING, DISCONTINUING AND VACATING A 10' PORTION OF 1<sup>ST</sup> AVE WEST ROADWAY ADJACENT TO LOT 10A AND 6A, BLOCK 59, COLUMBIA FALLS SECOND ADDITION, COLUMBIA FALLS, MONTANA**

WHEREAS, the owners of Lot 10A and 6A, Block 59 Columbia Falls Second Addition, Columbia Falls, Montana have presented a petition to the City Council to abandon, discontinue and vacate a 10' portion of the platted public roadway, 1<sup>st</sup> Ave West way 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 February 21, 2023;

WHEREAS, said hearing was held, with no objections or objectors, either in person or in writing, having been spoken or filed; and

WHEREAS, at the completion of said hearing, it was determined by the Council that abandonment of the 10' portion of the platted street right of way will improve and enhance public safety on the street.

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

Section One. A 10' portion of the public roadway adjacent to Lot 10A and 6A, Block 59, Columbia Falls Second Addition, 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 expressly reserves any and all easements it may have or require over or under said public way.

Section Three. That upon the date that this Resolution becomes effective, the abandoned 10' portion of 1<sup>st</sup> Ave E, adjacent to Lots 10A and 6A, Block 59 shall cease to be the property of the City of Columbia Falls, Montana, and said abandoned portion shall be placed upon the tax rolls with the 10' strip being added to the adjacent properties, Lot 10A and 6A Block 59, Columbia Falls Second Addition, Columbia Falls, Montana.

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 6<sup>th</sup> DAY OF MARCH, 2023. THE COUNCIL VOTING AS  
FOLLOWS:

AYES: Fisher, Hamilton, Piper, Shepard and Barnhart

NOES: None

ABSENT: Lovering and Robinson

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City Clerk

APPROVED BY THE MAYOR OF COLUMBIA FALLS, MONTANA THIS 6 TH  
DAY OF MARCH 2023.

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MAYOR

ATTEST:

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City Clerk