

RESOLUTION NO. 11-_____

A RESOLUTION OF THE CITY OF BILLINGS,
MONTANA, AMENDING AND SUPERCEDING RES. NO.
11-19044 DISCONTINUING AND VACATING portions of
Right of Way within Twin Oaks Subdivision.

WHEREAS, on March 31, 2011, the Billings City Council approved Resolution No. 11-19044 discontinuing and vacating portions of Right of Way within Twin Oaks Subdivision; and
WHEREAS, the description on Resolution No. 11-19044 was incorrectly described as follows:

Right-of-way vacations within Twin Oaks Subdivision, according to the official plat on file in the office of the Clerk and Recorder of Yellowstone County, Montana, under Document No. 3464652; said vacations being more particularly described as follows, to-wit:

R.O.W. VACATION #1:

Beginning at a point which is the northwest corner of Lot 29, Block 1 of Twin Oaks Subdivision; thence S37°00'00"W, 3.19 feet; thence along a curve to the right with a radius of 328.00 feet for a length of 52.35 feet (Chord N68°15'18"W, Chord Length 52.29 feet); thence along a curve to the left with a radius of 147.00 feet for a length of 241.69 feet (Chord Bearing S69°12'58"W, Chord Length 215.37 feet); thence S22°06'55"W, 102.45 feet; thence along a curve to the right with a radius of 225.00 feet for a length of 11.35 feet (Chord Bearing S23°33'38"W, Chord Length 11.35 feet); thence along a non-tangent curve to the right with a radius of 275.00 feet for a length of 11.94 feet (Chord Bearing N39°53'03"E, Chord Length 11.94 feet); thence along a curve to the left with a radius of 425.00 feet for a length of 124.61 feet (Chord Bearing N32°43'44"E, Chord Length 124.16 feet); thence along a curve to the right with a radius of 135.00 feet for a length of 177.61 feet (Chord Bearing N62°01'09"E, Chord Length 165.07 feet); thence along a curve to the right with a radius of 147.00 feet for a length of 25.68 feet (Chord Bearing S68°41'18"E, Chord Length 25.65 feet); thence along a curve to the left with a radius of 328.00 feet for a

length of 52.35 feet (Chord Bearing S68°15'18"E, Chord Length 52.29 feet); thence N37°00'00"E, 3.19 feet to the Point of Beginning; said described vacation having an area of 4517.81 square feet and being more described on Exhibit B, attached.

R.O.W. VACATION #2:

Beginning at a point which is the northwest corner of Lot 29, Block 1 of Twin Oaks Subdivision; thence S37°00'00"W, 3.19 feet; thence along a curve to the right with a radius of 328.00 feet for a length of 52.35 feet (Chord N68°15'18"W, Chord Length 52.29 feet); thence along a curve to the left with a radius of 147.00 feet for a length of 241.69 feet (Chord Bearing S69°12'58"W, Chord Length 215.37 feet); thence S22°06'55"W, 102.45 feet; thence along a curve to the right with a radius of 225.00 feet for a length of 11.35 feet (Chord Bearing S23°33'38"W, Chord Length 11.35 feet); thence along a curve to the left with a radius of 275.00 feet for a length of 30.42 feet (Chord Bearing S35°28'16"W, Chord Length 30.41 feet); thence along a curve to the left with a radius of 89.00 feet for a length of 84.63 feet (Chord Bearing S5°03'39"W, Chord Length 81.48 feet); thence along a curve to the right with a radius of 76.00 feet for a length of 203.34 feet (Chord Bearing S54°24'33"W, Chord Length 147.89 feet); thence N38°35'47"E, 37.07 feet; thence along a non-tangent curve to the left with a radius of 39.00 feet for a length of 105.94 feet (Chord Bearing N55°34'45"E, Chord Length 76.24 feet); thence along a curve to the right with a radius of 126.00 feet for a length of 27.37 feet (Chord Bearing N16°00'59"W, Chord Length 27.32 feet); thence N38°35'47"E, 23.86 feet; thence along a curve to the right with a radius of 10.00 feet for a length of 15.71 feet (Chord Bearing N83°35'47"E, Chord Length 14.14 feet); thence S51°24'13"E, 8.33 feet; thence along a non-tangent curve to the right with a radius of 89.00 feet for a length of 56.43 feet (Chord Bearing N14°08'17"E, Chord Length 55.49 feet); thence along a curve to the right with a radius of 275.00 feet for a length of 30.42 feet (Chord Bearing N35°28'16"E, Chord Length 30.41 feet); thence along a curve to the left with a radius of 225.00 feet for a length of 11.35 feet (Chord Bearing N23°33'38"E, Chord Length 11.35 feet); thence N22°06'55"E, 102.45 feet; thence along a curve to the right with a radius of 147.00 feet for a length of 241.69 feet (Chord Bearing N69°12'58"E, Chord Length 215.37 feet); thence along a curve to the left with a radius of 328.00 feet for a length of 52.35 feet (Chord Bearing S68°15'18"E, Chord Length 52.29 feet); thence N37°00'00"E, 3.19 feet to the Point of Beginning; said described vacation having an area of 7036.82 square feet and being more described on Exhibit B, attached.

R.O.W. VACATION #3:

Beginning at a point which is the southwest corner of Lot 1, Block 1 of Twin Oaks Subdivision; thence S9°10'52"W, 3.08 feet; thence along a curve to the right with a radius of 272.00 feet for a length of 18.24 feet (Chord Bearing N65°36'14"W, Chord Length 18.23 feet); thence along a curve to the left with a radius of 203.00 feet for a length of 55.04 feet (Chord Bearing S80°58'48"W, Chord Length 55.04 feet); thence S22°06'55"W, 102.45 feet; thence along a curve to the right with a radius of 169.00 feet for a length of 25.70 feet (Chord Bearing S34°14'25"W, Chord Length 25.67 feet); thence S38°35'47"W, 159.31 feet; thence along a non-tangent curve to the right with a radius of 76.00 feet for a length of 92.90 feet (Chord Bearing N34°51'31"E, Chord Length 87.23 feet); thence N38°35'47"E, 61.24 feet; thence

along a curve to the left with a radius of 169.00 feet for a length of 25.70 feet (Chord Bearing N34°14'25"E, Chord Length 25.67 feet); thence N22°06'55"E, 102.45 feet; thence along a curve to the right with a radius of 203.00 feet for a length of 55.04 feet (Chord Bearing N80°58'48"E, Chord Length 55.75 feet); thence along a curve to the left with a radius of 272.00 feet for a length of 18.24 feet (Chord Bearing S65°36'14"E, Chord Length 18.23 feet); thence N9°10'52"E, 3.08 feet to the Point of Beginning; said described vacation having an area of 1092.88square feet and being more described on Exhibit B, attached.

WHEREAS, it is the desire of the City Council and the intent of this resolution to correct the error in the legal description, and

WHEREAS, no other sections or parts of Resolution No. 11-19044 are being amended.

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

1. DISCONTINUANCE AND VACATION. Pursuant of Sections 7-14,4114 and 7-14-4115, M.C.A., **portions of Right of Way within Twin Oaks Subdivision** more particularly described as follows;

Right-of-way vacation within Twin Oaks Subdivision, according to the official plat on file in the office of the Clerk and Recorder of Yellowstone County, Montana, under Document No. 3464652; said vacation being more particularly described as follows:

All of Shaw Circle right-of-way beginning at the southwest corner of Lot 1 and the northwest corner of Lot 29, Block 1; thence in a westerly and southwesterly direction wholly surrounded by Lot 2, Park land and Lot 17 all within Block 1 of said Twin Oaks Subdivision.

2. PUBLIC INTEREST. The discontinuance, vacation and abandonment of the above described **portions of Right of Way within Twin Oaks Subdivision** is in the best interest of the public and can be done without any public detriment.

PASSED by the City Council and APPROVED this 22nd day of August 2011.

THE CITY OF BILLINGS:

BY: _____
Thomas W. Hanel MAYOR

ATTEST:

BY: _____
Cari Martin CITY CLERK

EXHIBIT B

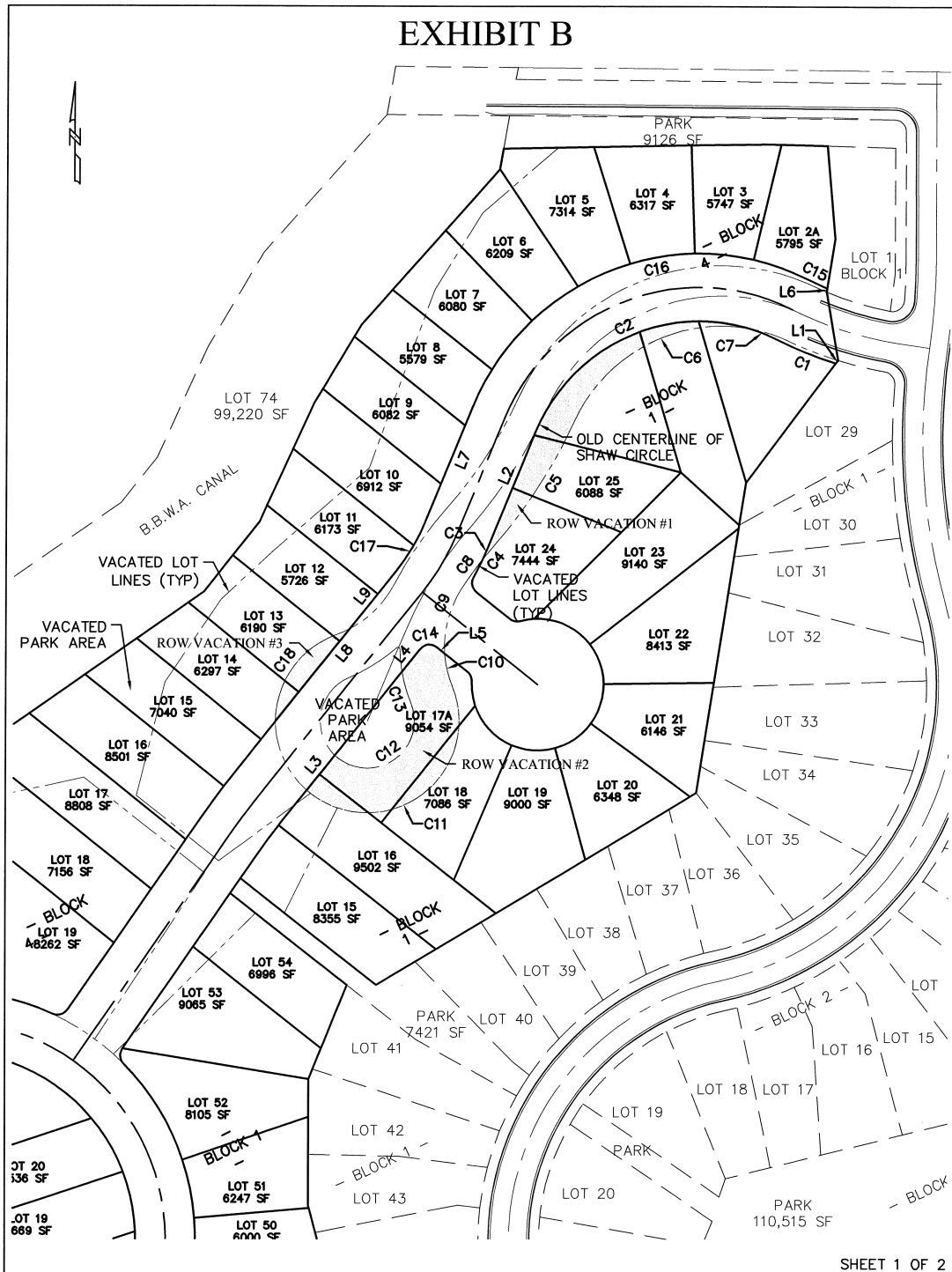


EXHIBIT B

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	3.19	S37°00'00"W
L2	47.24	S22°06'55"W
L3	37.07	N38°35'47"E
L4	23.86	N38°35'47"E
L5	8.33	S51°24'13"E
L6	3.08	N9°10'52"E
L7	52.14	S22°06'55"W
L8	159.31	S38°35'47"W
L9	61.24	N38°35'47"E

CURVE TABLE					
CURVE #	ARC LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	52.35	328.00	9.14	N68°15'18"W	52.35
C2	241.69	147.00	94.20	S69°12'58"W	241.69
C3	11.35	225.00	2.89	S23°33'38"W	11.35
C4	11.94	275.00	2.49	N39°53'03"E	11.94
C5	124.61	425.00	16.80	N32°43'44"E	124.61
C6	177.61	135.00	75.38	N62°01'09"E	177.61
C7	25.68	147.00	10.01	N68°41'18"W	25.68
C8	30.42	275.00	6.34	S35°28'16"W	30.42
C9	56.43	89.00	36.33	S14°08'17"W	56.43
C10	28.20	89.00	18.15	S13°06'10"E	28.20
C11	203.34	76.00	153.30	S54°24'33"W	203.34
C12	105.94	39.00	155.64	N55°34'45"E	105.94
C13	27.37	126.00	12.45	N16°00'59"W	27.37
C14	15.71	10.00	90.00	N83°35'47"E	15.71
C15	18.24	272.00	3.84	N65°36'14"W	18.24
C16	55.04	203.00	15.53	S80°58'48"W	55.04
C17	25.70	169.00	8.71	S34°14'25"W	25.70
C18	92.90	76.00	70.04	N34°51'31"E	92.90