

RESOLUTION 13-19314

A RESOLUTION PURSUANT TO BILLINGS, MONTANA CITY CODE, ARTICLE 22-900; SALE, DISPOSAL, OR LEASE OF CITY PROPERTY, DESCRIBING THE PROPERTY TO BE DISPOSED, DECLARING THE INTENT OF THE CITY TO DISPOSE OF THE PROPERTY AND AUTHORIZING CITY OFFICIALS TO PROCEED.

WHEREAS, the City of Billings finds it necessary or desirable to dispose of three properties it currently owns. The Lampman Park Parcel is located on Monad Road between 30th Street West and 31st Street West. The Ramada Park Parcel is located approximately mid-block north of Rimrock Road between Ramada Drive and Morledge Street. Parkland in the Briarwood Subdivision is located on the south end of the cul-de-sac on Mactavish Circle and west of Comyn Coulee Road, Billings, Yellowstone County, Montana.

WHEREAS, the notice required by Section 22-902 of the Billings, Montana City Code has been duly published and mailed; and

WHEREAS, the public hearing required by Section 22-902 of the Billings, Montana City Code was duly held on the 23rd day of September, 2013;

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

That the City staff is authorized to proceed with disposal of the three properties described as follows under the requirements of Section 2-902 of the Billings, Montana City Code:

Lampman Park:

A tract of land situated in the SW1/4 of Section 12, T.1S., R.25E., P.M.M., City of Billings, Yellowstone County, Montana, more particularly described as:

Lampman Subdivision, dedicated park land known as Lampman Park, Recorded February 15, 1956, under Document No. 557995. containing 6.00 gross and net acres more or less. See Exhibit "A" Attached.

Ramada Park:

Consisting of two (2) tracts of land described as:

Tract 1: a tract of land situated in the SW ¼. SW1/4 of section 25, T. 1N., R25 E., P.M.M. City of Billings, Yellowstone County, Montana, more particularly described as:

Silverwood Subdivision, dedicated parkland known as Ramada Park, Recorded December 14, 1973, under Document No. 950352. Containing 21,750 square feet (.499 acres) gross and net more or less. See Exhibit "B" Attached.

Tract 2: a tract of land situated in the SE ¼. SW1/4 of section 25, T. 1N., R25 E., P.M.M. City of Billings, Yellowstone County, Montana, more particularly described as:

Pineview Subdivision, dedicated parkland known as Ramada Park, Recorded January 15, 1967, under Document No. 800805. Containing 26,262.5 square feet (.60 acres) gross and net more or less. See Exhibit "C" Attached.

Briarwood Parkland:

A tract of land situated in the W1/2 SW1/4 of Section 27, and the E ½ SE1/4 of Section 28 T.1S., R. 26 E., P.M.M., City of Billings, Yellowstone County, Montana, more particularly described as:

Briarwood Subdivision, 1st Filing, dedicated parkland known as "Park", recorded February 16, 1983, under Document No. 1255033, containing .1475 gross and net acres more or less. See Exhibit "D" Attached.

Staff is further directed to apply the proceeds of this sale to expenses incurred to sell these parcels with the remaining proceeds from Lampman Park to be used for the development of Lampman Strip Park to the extent of the funding; the Proceeds of Ramada Park to be used for the development and enhancements to Veterans Park particularly funding the construction of up to two new picnic shelters; and the proceeds of Briarwood Parkland to be used to refurbish picnic shelter #2 at Riverfront Park, land now owned by the City of Billings.

APPROVED AND PASSED by the City Council of the City of Billings this 23rd day of September 2013.

THE CITY OF BILLINGS:

By: _____
Thomas W. Hanel, Mayor

ATTEST:

BY: _____
Cari Martin, City Clerk

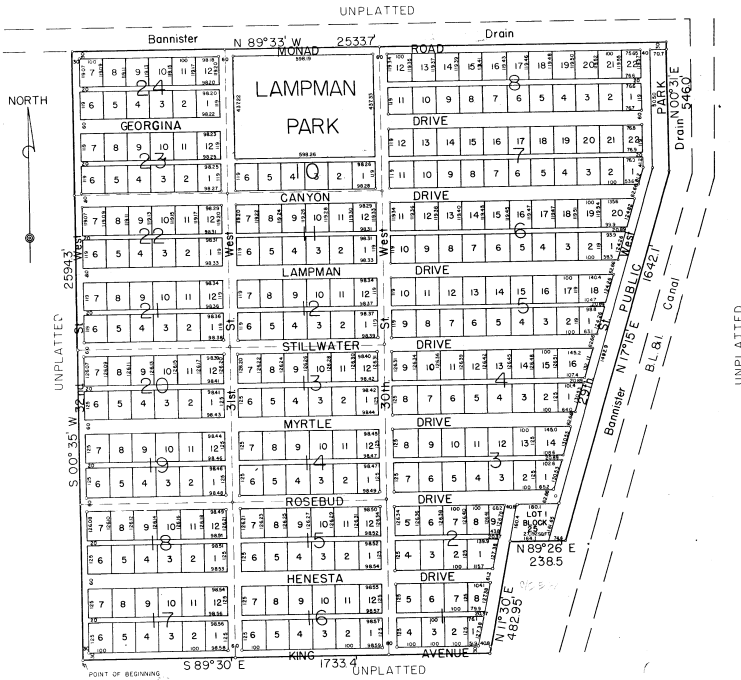
LAMPMAN SUBDIVISION

IN SW, SEC 12 T15 R25E M.P.M.

YELLOWSTONE COUNTY, MONTANA

B.B. FULTON 688E OCT, 1955

SCALE: 1"=200'



CERTIFICATE OF RESOLUTION

BEFORE ALL OF THESE PRESENTERS: That John R. Lampman and Myrtle Georgina Lampman, his wife and Phillips & Co., Inc., a Montana Corporation, do hereby certify that they have caused to be surveyed, subdivided and platted into lots, blocks, streets, drives, roads, creeks and alleys as shown on the plat and Certificate of Survey hereto annexed the following described tract of land situated to the southwest corner of Section 12, Township 15 South, Range 25 East, T.15 S., R.25 E., M.P.M., said tract of land being more particularly described as follows: Beginning at the southwest corner of Section 12, Township 15 South, Range 25 East, T.15 S., R.25 E., M.P.M.; thence South 89° 30' West, 1733.4 feet along the south line of said Section 12 to the southwest corner of Certificate of Survey No. 622; thence along the westerly boundary of said Certificate of Survey No. 622, North 11° 30' East, 242.95 feet to the northwest corner of said Certificate of Survey No. 622; thence along the westerly boundary of said Certificate of Survey No. 622, North 89° 30' West, 238.5 feet to the southeast corner of said Certificate of Survey No. 622; thence along the westerly boundary of said Certificate of Survey No. 622, South 89° 30' West, 1342.1 feet along the said westerly right of way line of the Bannister Road (State) thence containing along said boundary North 89° 30' West, 526.0 feet thence North 17° 15' East, 1624.1 feet along the said westerly right of way boundary of said Bannister Road (State) to a point on the east section line of Section 12, Township 15 South, Range 25 East, T.15 S., R.25 E., M.P.M. and said point being South 0° 35' West, 50 feet from the W/4 corner of said section; thence South 0° 35' West, 2581.5 feet along said section line to the point of beginning, containing 134,225 acres.

The above described tract is to be known as LAMPMAN SUBDIVISION and the land included in the streets, drives, roadways and alleys is hereby granted and donated to the use of the public forever.

Dated this 14th day of December, 1955.

John R. Lampman
Myrtle Georgina Lampman
 PHILLIPS & CO., INC.
Phillips & Co., Inc.
 President Secretary

CERTIFICATE OF APPROVAL

STATE OF MONTANA } ss.
 County of Yellowstone } ss.

On this 14th day of December, 1955, before me James A. Reiter, Notary Public for the State of Montana, personally appeared John R. Lampman and Myrtle Georgina Lampman, his wife, and Phillips & Co., Inc., known to me to be the President and Secretary respectively, of the corporation that executed the within instrument, and who acknowledged to me that they signed the same.

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

James A. Reiter
 Notary Public for the State of Montana
 Residing at Billings, Montana
 My commission expires December 8, 1956

STATE OF MONTANA } ss. 557995
 County of Yellowstone } ss.

I hereby certify that the within plat of LAMPMAN SUBDIVISION was filed for record in my office on the 14th day of December, 1955.

Clayton Berry
 County Clerk & Recorder
 by *Clayton Berry Deputy*

CERTIFICATE OF SURVEY

STATE OF MONTANA } ss.
 County of Yellowstone } ss.

Ben B. Fulton, a registered Civil Engineer and Land Surveyor 4688B, being first duly sworn, deposes and says that during the month of December, 1955 he made a plat and survey of a certain tract of land to be known as LAMPMAN SUBDIVISION in accordance with the request of the owners thereof and in conformity with the provisions of Section 11-601 to 609 Inclusive of the Revised Code of Montana (1973) and subdivisions, description of boundaries and dimensions being in accordance with the Certificate of Declaration and as shown on the annexed plat; that iron pipe monuments of suitable size were set at all intersection points as indicated on the plat by a mark like "x" that the street line conforms with the adjacent platted street; that the plat conforms with the map on the ground and that the net area of the said platted tract is 133.95 acres.

Ben B. Fulton
 Ben B. Fulton, Civil Engineer 4688B

CERTIFICATE OF APPROVAL

STATE OF MONTANA } ss.
 County of Yellowstone } ss.

On this 14th day of December, 1955, before me James A. Reiter, Notary Public for the State of Montana, personally appeared Ben B. Fulton, known to me to be the person who signed the foregoing Certificate of Survey, and who acknowledged to me that he signed the same.

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

James A. Reiter
 Notary Public for the State of Montana
 Residing at Billings, Montana
 My commission expires December 8, 1956

BOARD OF COUNTY COMMISSIONERS

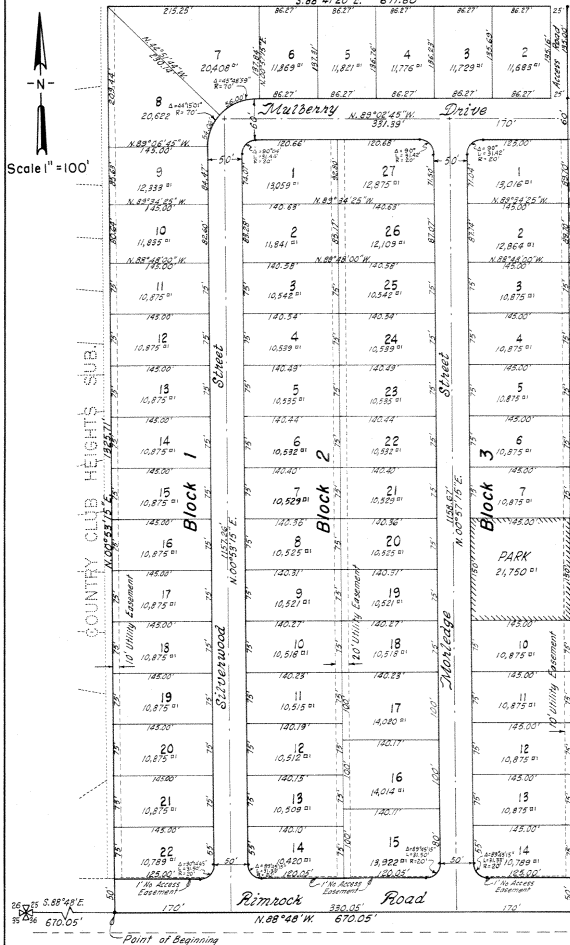
We hereby certify that we have examined the above plat of LAMPMAN SUBDIVISION and find that the said plat conforms with the laws of the State of Montana and that the requirements for plat donation have been satisfied. It is therefore accepted and approved.

IN WITNESS WHEREOF, we hereunto set our hands and the seal of Yellowstone County, this 14th day of December, 1955.

Robert Thompson Chairman
Clayton Berry Commissioner
Clayton Berry County Clerk & Recorder
 by *Clayton Berry Deputy*

SILVERWOOD SUBDIVISION

SW 1/4 · SW 1/4 Sec. 25, T.1N. - R.25E., P.M.M.
 BILLINGS, YELLOWSTONE COUNTY, MONTANA
 NOVEMBER, 1973



CERTIFICATE OF SURVEY

STATE OF MONTANA) ss.
 County of Yellowstone ()

THIS IS TO CERTIFY THAT Larry W. Larson, Montana Registered Engineer and Land Surveyor #2501ES, being first duly sworn, deposes and says that during the month November 1973, he made a plat and survey of a certain tract of land to be known as SILVERWOOD SUBDIVISION (An addition to the City of Billings) in accordance with the request of the owners thereof and in conformity with the provisions of Section 3, Sub section 12, S.B. 208, Chapter 500, Montana Session Laws 1973 said subdivision, description of boundaries and dimensions being in accordance with the Certificate of Dedication and as shown on the annexed plat; that iron pin monuments of suitable size were set at all intersection points as indicated on the plat be marked thus +; that street lines conform with the adjacent platted areas, that the plat conforms with the work on the ground; that the gross area of the said platted tract of land is 20.4055 acres and that the net area is 15.703 acres.

Larry W. Larson
 Larry W. Larson
 Registered Engineer & Land Surveyor
 #2501ES

Subscribed and sworn to before me, a Notary Public for the State of Montana this 10 day of December 1973.

Lyle M. Chester
 Lyle M. Chester
 Notary Public for the State of Mont.
 Residing at Billings, Montana
 My commission expires April 26

CERTIFICATE OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS: That GRANDE DEVELOPMENT INCORPORATED, a Montana corporation and the SECURITY TRUST AND SAVINGS BANK, a Montana banking corporation, has caused to be surveyed, subdivided, and platted into lots and blocks, under the supervision of Larry W. Larson, Montana Registered Engineer and Land Surveyor #2501ES, as shown on the plat and Certificate of Survey, hereunto annexed the following described tract of land located in E 1/4 SW 1/4 section 25, T.1N., R. 25 E., P.M.M., Yellowstone County, Montana: Beginning at a point which bears S. 88° 48' E., 670.05 ft. from the corner of sections 25, 26, 35 and 36; thence N. 00° 53' 15" E., 1325.71 ft.; thence S. 88° 41' 20" E., 671.60 ft.; thence S. 00° 57' 15" W., 1324.4 ft.; thence N. 88° 48' W., 670.05 ft. to the point of beginning, containing 20.4055 gross acres and 15.703 net acres.

The above described tract is to be known as SILVERWOOD SUBDIVISION (An addition to the City of Billings) and that the lands included in all streets and parks as shown on the annexed plat are hereby granted and donated to the use of the public forever.

Thomas Swadlow
 Thomas Swadlow
 President
 Grande Development Incorporated

Bob Denton
 Bob Denton
 Secretary
 Grande Development Incorporated

Chas. H. Hays
 Chas. H. Hays
 Security Trust and Savings Bank

STATE OF MONTANA) ss.
 County of Yellowstone ()

On this 10th day of November 1973, before me, the undersigned a Notary Public for the State of Montana, personally appeared Thomas Swadlow and Bob Denton known to me to be the persons who signed the foregoing Certificate of Dedication, and who acknowledged to me that they signed the same.

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

Ernest S. Wilkey
 Ernest S. Wilkey
 Notary Public for the State of Mont.
 Residing at Billings, Montana
 My commission expires May 14, 1976

NOTICE OF APPROVAL

STATE OF MONTANA) ss.
 County of Yellowstone ()

The above plat of SILVERWOOD SUBDIVISION (An addition to the City of Billings) has been approved by the City-County Planning Board and it conforms to the recommendations of that board. We therefore recommend that it be accepted for filing, on this 12th day of December 1973.

John Erickson
 John Erickson
 President

Michael J. Miller
 Michael J. Miller
 Executive Secretary

NOTICE OF APPROVAL

Approval No. 56-73-1021 E.S. 73-528. This plat with accompanying information has been examined and found to be acceptable. Approval is given herewith this 10 day of December, 1973 with conditions as set forth in the attached certificate.

Signed Lillian W. Cochran, P.E.
 Montana State Dept. of Health and
 Environmental Sciences

STATE OF MONTANA) ss.
 County of Yellowstone ()

I HEREBY CERTIFY that the above annexed plat of SILVERWOOD SUBDIVISION (An addition to the City of Billings) was filed for record in my office on the 11 day of December 1973 at 10:58 AM o'clock.

William H. Plummer
 William H. Plummer
 County Clerk and Recorder

CERTIFICATE OF APPROVAL

STATE OF MONTANA) ss.
 County of Yellowstone ()

I HEREBY CERTIFY THAT I have examined the annexed plat of SILVERWOOD SUBDIVISION (An addition to the City of Billings) and find that the said plat conforms with requirements of the laws of the State of Montana and the adjoining additions and plats of the City of Billings.

December 10, 1973
Joseph A. Lane
 City Engineer

CERTIFICATE OF APPROVAL

STATE OF MONTANA) ss.
 County of Yellowstone ()

WE HEREBY CERTIFY THAT we have examined the above plat of SILVERWOOD SUBDIVISION (An addition to the City of Billings) and find the said plat conforms with the laws of the State of Montana and that the park requirements have been set with the City-County Planning Board. It is therefore approved for filing by the City Council by Resolution No. 1494.

IN WITNESS WHEREOF, we have hereunto set our hand and the seal of the City of Billings this 16th day of December 1973.

Joseph A. Lane
 Mayor

Don Frye
 City Clerk

