

May 11, 2016

Ms. Tina Volek, City Administrator  
CITY OF BILLINGS  
210 N. 27th Street  
P.O. Box 1178  
Billings MT 59103-1178

*Re: Request to Vacate Public Right-of-Way*

Dear Ms. Volek:

I am writing to you on behalf of the Alberta Bair Theater Corporation and its Board in order to support the pending Request for the Vacation of Public Right-of-Way appurtenant to the theater.

The Alberta Bair Theater building and the lots upon which it is located are owned by the City of Billings. When Public Right-of-Way is vacated, the vacated portion reverts to the adjacent parcel. In this case, the Public Right-of-Way belongs to the City of Billings. When that Right-of-Way is vacated, there will be no change of ownership. The vacated Right-of-Way will be added to the Alberta Bair parcel which will remain owned by the City of Billings. The proposed Right-of-Way vacation does not involve any change in ownership. Accordingly, the Alberta Bair Theatre is asking that the fee be waived for the purchase or transfer of the Right-of-Way. The theater is not "purchasing" the right-of-way, but rather is asking the City to move the lot line for the theater lot to include some of the right-of-way. This will make the City owned theater lot slightly larger. The process for accomplishing this is the Vacation of Right-of-Way. However, as I noted, there is no change of ownership. Since a third party is not purchasing the right-of-way, there should be no fee or purchase price.

The Alberta Bair Theater has been working on this Right-of-Way vacation project for an extended period of time. As I am sure you recall, we met with our neighbors in order to solicit their input and support for this project. We were pleased by the overwhelming support that we received from our neighbors and downtown businesses. Several months ago, we reported to the City Council on our progress and plans. We appreciated the support and encouragement to proceed with this project.

The proposed Right-of-Way vacation is a critical step in our plan to remodel and expand the theater. We are anticipating a significant multi-million dollar capital campaign to improve and enhance the theater, the City's property. We cannot, however, solicit funds until the Right-of-Way has been vacated. The City's support for

this project and approval of the Right-of-Way vacation is essential to our capital campaign.

We will provide you with more information on the proposed renovation in the near future. The renovation will expand the lobby and will add a significant number of additional restrooms. The Alberta Bair Theater draws nearly 100,000 people to downtown Billings each year. The proposed project will make the Alberta Bair Theater an architecturally significant destination in downtown Billings. We intend to improve the Theater experience for our guests and patrons. We intend for Billings to remain the cultural center for the performing arts in Montana for generations to come.

We would appreciate your continued support and the City Council's continued support for this important redevelopment project.

Sincerely,

A handwritten signature in black ink, appearing to read "William D. Gottwals", with a long horizontal flourish extending to the right.

William D. Gottwals

President of the Board of Directors,  
The Alberta Bair Theater Corporation