

**REQUEST TO VACATE PUBLIC RIGHT-OF-WAY
CITY OF BILLINGS**

Description of Right-of-Way to be vacated:

An area of land that adjoins Lot 3B, Block 5, of the Sunnyside Subdivision Amended Plat, under Document #3879551, located within the East 1/2 of Section 32, Township 1 North, Range 26 East, P.M.M., City of Billings, Yellowstone County, Montana, more particularly described as follows: BEGINNING at the southwest corner of said Lot 3B;

- thence N89°07'16"E a distance of 73.30 feet to the southern corner of said Lot 3B;
- thence S54°36'59"W a distance of 44.13 feet;
- thence S89°07'16"W a distance of 19.73 feet;
- thence N35°20'40"W a distance of 30.32 feet to the POINT OF BEGINNING.

Containing 0.027 acres, more or less.

We, being all the abutting property owners, request of the City Council the vacation of the above described:

<u> X </u> Street	<u> </u> Alley	<u> </u> Other R/W
<u>SIGNATURE</u>	<u>DATE</u>	<u>PROPERTY OWNERSHIP</u>
<u><i>Michael S. [Signature]</i></u>	<u>4/17/2019</u>	<u>Opportunity Bank</u>
_____	_____	_____
_____	_____	_____

(Additional signatures, if needed, can be on additional sheets.)

WE, the utility companies and governmental departments, listed below, approve, or disapprove this request as noted by our signatures.

	Approved By/Date	Disapproved By/Date
City Public Works	_____	_____
Heights Water	N/A	_____
Montana Dakota Utilities	See Attached	_____
Northwestern Energy	See Attached	_____
Charter	See Attached	_____
CenturyLink	See Attached	_____
City/Co. Planning	_____	_____

(A letter of explanation may be attached with "See Attached Letter" entered in the appropriate signature slot.)

Petitioner's interest in vacating the public right-of-way: Installation of a monument sign for Opportunity Bank.

The petitioner acknowledges and understands that the City will appoint an appraiser to estimate the value of the real property being vacated, and the petitioner agrees that the fee for the appraiser will be borne by the petitioner(s).

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City Public Works	_____	_____
Heights Water	_____	_____
Montana Dakota Utilities	<i>BRENT PSMLEY 4/18/19</i>	_____
Northwestern Energy	_____	_____
Charter	_____	_____
CenturyLink	_____	_____
City/Co. Planning	_____	_____

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City Public Works	_____	_____
Heights Water	_____	_____
Montana Dakota Utilities	_____	_____
Northwestern Energy	<i>Kee Chin Q 4-8-19</i>	_____
Charter	_____	_____
CenturyLink	_____	_____
City/Co. Planning	_____	_____

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City Public Works	_____	_____
Heights Water	_____	_____
Montana Dakota Utilities	_____	_____
Northwestern Energy	_____	_____
Charter	<u>Darany Baskin 4/16/19</u>	_____
CenturyLink	_____	_____
City/Co. Planning	_____	_____

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CenturyLink	_____	_____
City/Co. Planning	_____	_____

[Handwritten Signature] 4-10-19

ROGER P. DONWEN

(A letter of explanation may be attached with "See Attached Letter" entered in the appropriate signature slot.)

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ATTACHMENTS:

- Title Report(s)
- Comments from all Utilities
- Map of R/W to be Vacated
- Traffic Accessibility Study (When required by the City)

AN APPLICATION FEE OF \$200 MUST ACCOMPANY THIS PETITION.

Fee Received By: _____ Date: _____
City Engineers Office

A DEPOSIT FOR AN APPRAISAL MUST ALSO ACCOMPANY THIS REQUEST.

Deposit Amount: _____

Received By: _____ Date: _____
City Clerk

Copies of City of Billings Ordinance No. 80-4269 and 90-4822, establishing the procedure and compensation to the City of Billings for Discontinuance and Vacation of City Streets, Alleys, and Rights-of-Way, are attached for reference.

The application fee, as stated in BMC 22-602, will be set by the City Administrator after review by the staff. The City Clerk will advertise the public hearing at least one week before the petition is acted upon by the City Council.

This petition is to be returned to the City Clerk, PO Box 1178, Billings, MT 59103. (First Floor, City Hall)

This petition must be accompanied by the statements and reports as listed in BMC 22-601 (a), (b), (c), (d), (e), and (f). (Copy attached)

CONTACT PERSON FOR PETITION:

Dax Simek, PE - Stahly Engineering & Assoc.

Telephone No.: 406-601-4057

Mailing Address: 2223 Montana Ave, Ste. 201
Billings, MT 59101

Date: 4/17/19

CITY COUNCIL ACTION: _____

DATE: _____