



Office of the Superintendent
Billings Public Schools
415 North 30th Street
Billings, Montana 59101-1298
Phone: (406) 281-5065 Fax: (406) 281-6186

March 19, 2019

RECEIVED

MAR 21 2019

Mayor

Chris A. Kukulski
Administrator
City of Billings
PO Box 1178
Billings MT 59101

RE: City Property Adjacent to Rose Park School

Dear Chris:

This letter follows our meeting on February 22, 2019, at which we discussed the land ownership configuration near Rose Park Elementary School. I discussed the matter with the School Board on March 18, 2019. The consensus of the Trustees is in favor of moving forward with a gratuitous transfer to the Billings Elementary District of what we have identified as a .241 acre tract of land immediately south of the Rose Park Elementary School. It is identified on Exhibit A.

This is a wonderful opportunity to demonstrate to our community and our kids that the City and the District can work together to provide educational facilities in an efficient and cost-effective manner. As I described in our meeting, the Rose Park PTA has worked hard to raise money for an all-inclusive playground, which would allow children with a wide range of abilities in the Billings area access to a safe playground structure. This is an exciting project and the City's role in transferring this tract to the District is a wonderful addition to the project.

I look forward to working with you on other land use and ownership issues that need to be addressed between the City and the District, as well as other ways to deepen our community partnership.

Sincerely,

Greg Upham
Superintendent

GU/mm
Enclosure

c: Board of Trustees, Billings Elementary District

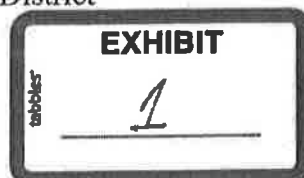


EXHIBIT A

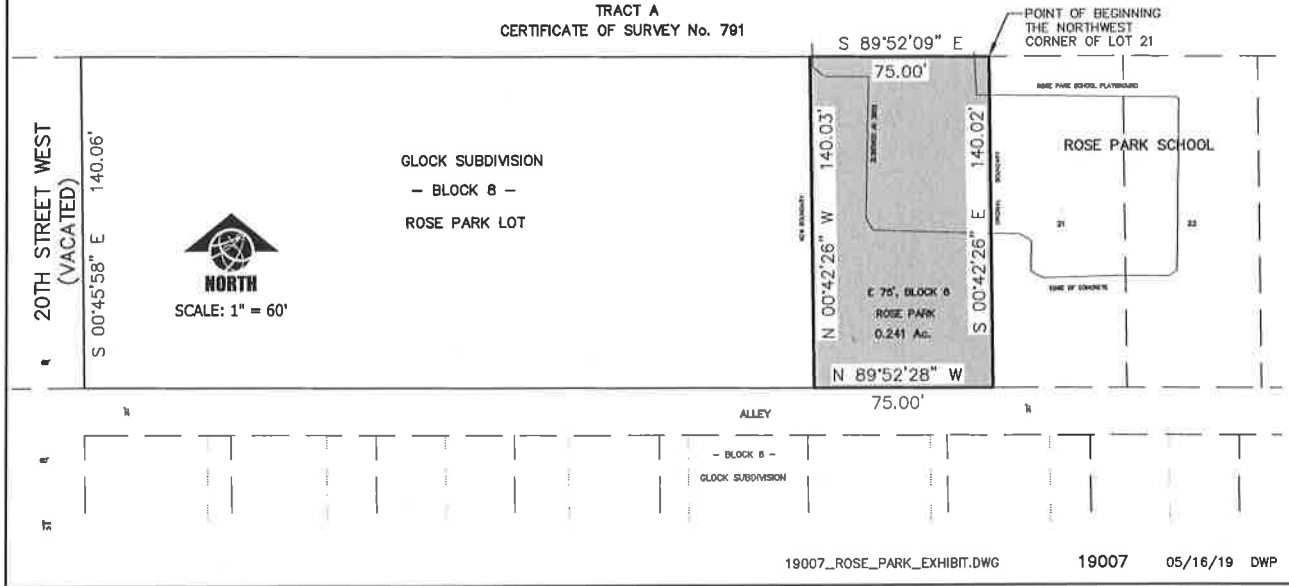
A TRACT OF LAND SITUATED IN THE W1/2, SW 1/4, SECTION 36,
T. 1 N., R. 25 E., P.M.M, YELLOWSTONE COUNTY, MONTANA
BEING THE EAST 75 FEET OF LOT ROSE PARK, BLOCK 8, GLOCK SUBDIVISION

PREPARED FOR : SCHOOL DISTRICT #2

PREPARED BY : SANDERSON STEWART 

FEBRUARY 2019
BILLINGS, MONTANA

TRACT A
CERTIFICATE OF SURVEY No. 791



Sec. 22-902. - Sale, exchange or donation of city real property.

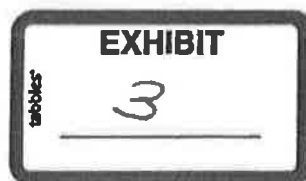
- (1) Subject to the provisions of subsections (a) and (b) below, the city council may sell, exchange or donate any real property belonging to the city, including property held in trust for a specific purpose, by a resolution passed by six (6) of the city council members present. The city council shall advertise for competitive bids on any real property prior to sale, exchange or donation. The city council shall have the authority and discretion to select the bid that is in the best interest of the city, conditionally accept a bid or it may reject any and all bids. **Other local, state or federal governmental entities expressing interest shall be exempt from competitive bidding, and the city council may sell, exchange or donate specific real property to such governmental entities without a competitive bidding process. However, the council shall proceed as provided in subsections (a) and (b) and approve the Resolution described above when considering the sale, exchange or donation to another governmental entity.**

In its discretion, the city council may consider and impose deed restrictions relating to the use or subsequent sale of the property as a condition of the sale, exchange or donation of land.

Prior to selling exchanging or donating said real property, the city administrator or his/her designee shall:

- (a) Publish notice in the legal newspaper of the city of the intention to sell, exchange or donate such property and requesting competitive bids prior to the sale, exchange or donation of such lands, giving the public the opportunity to be heard regarding such action. Said notice shall be published no less than fifteen (15) days in advance of the date of the public hearing.
- (b) Notify by mail all property owners within three hundred (300) feet of the exterior boundaries of the real property subject to sale, exchange or donation fifteen (15) calendar days in advance of the time, date, place of the public hearing and the existing and proposed use.
- (2) Leases of city-owned real property shall be excluded from this section and will be approved in the same manner as all other contracts submitted to the city for approval.
- (3) The city administrator is hereby authorized to establish procedures to implement this section including establishment of sale criteria or conditions, a minimum sale price or exchange value and shall have discretion to develop individualized marketing plans to maximize land value and promote city land use policies. The city administrator is authorized to the prepare all appropriate documents for signature by the mayor.

(Ord. No. 12-5578, § 1, 9-10-12)



RESOLUTION NO. 19-_____

A RESOLUTION PURSUANT TO BILLINGS, MONTANA CITY CODE, ARTICLE 22-902: SALE, EXCHANGE OR DONATION OF CITY REAL PROPERTY, DESCRIBING THE PROPERTY TO BE DISPOSED, DECLARING THE INTENT OF THE CITY TO DISPOSE OF AND DONATE THE PROPERTY TO SCHOOL DISTRICT NUMBER TWO AND AUTHORIZING CITY OFFICIALS TO PROCEED.

WHEREAS, the City of Billings finds it necessary or desirable to dispose of and donate property it currently owns, located within Rose Park Billings, Yellowstone County, Montana, and further described herein below:

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 28th day of May 2019.

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

That the proposed land donation and transfer is approved, the Mayor is hereby authorized to execute any documents necessary to complete this transaction and City staff is authorized to proceed with completing the disposal and donation of the property described as follows under the requirements of Section 2-902 of the Billings Montana City Code:

Description:

See survey and plat attached as Exhibit A.

See Quitclaim Deed Exhibit B.

APPROVED AND PASSED by the City Council of the City of Billings this 28th day of May 2019.

THE CITY OF BILLINGS:

By: _____
William A. Cole, Mayor

ATTEST:

BY: _____
Denise Bohlman, City Clerk



EXHIBIT A
 A TRACT OF LAND SITUATED IN THE W¹/₂, SW ¹/₄, SECTION 36, T. 1 N., R. 25 E., P.M.M., YELLOWSTONE COUNTY, MONTANA
 BEING THE EAST 75 FEET OF LOT ROSE PARK, BLOCK 8, GLOCK SUBDIVISION

PREPARED FOR : MR. SCOTT RENTER
 PREPARED BY : SANDERSON STEWART

FEBRUARY, 2019
 BILLINGS, MONTANA



TRACT A
 CERTIFICATE OF SURVEY No. 791

