



**OFFICE OF THE CITY CLERK
COUNCIL ACTION FORM**

SUBJECT: Authorizing the sale, disposal or lease of Park 1 ground retail space

Council Meeting Date: 11/14/22

Vote: Approved 11-0

**Shaw, Gulick, Neese, Owen, Joy, Choriki, Tidswell,
Purinton, Boyett, Rupsis, Mayor Cole**

RESOLUTION 22-11083

A RESOLUTION PURSUANT TO BILLINGS, MONTANA CITY CODE, ARTICLE 22-900; SALE, EXCHANGE OR DONATION OF CITY REAL 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 properties it currently owns, located at BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 56, Lot 7 - 17, LTS 7-17 & 20 X 100' VAC ALLEY ADJ TO LTS 9-16 BLK 56 BILLINGS ORIGINAL TOWN (I-140,I-684,I-649,I-78B,I-650 & I-651 in the City of Billings, Yellowstone County, Montana, according to the official plat on file in the office of the Clerk and Recorder of said County.

WHEREAS, Council authorize staff to proceed with the sale, exchange or donation of BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 56, Lot 7 - 17, LTS 7-17 & 20 X 100' VAC ALLEY ADJ TO LTS 9-16 BLK 56 BILLINGS ORIGINAL TOWN (I-140,I-684,I-649,I-78B,I-650 & I-651, in the City of Billings, Yellowstone County, Montana, according to the official plat on file in the office of the Clerk and Recorder of said County; and,

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 14th day of November 2022;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS MONTANA, AS APPROVED BY NO LESS THAN SIX OF OUR NUMBER, AS FOLLOWS:

The City Council may sell real property belonging to the city described as BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 56, Lot 7 - 17, LTS 7-17 & 20 X 100' VAC ALLEY ADJ TO LTS 9-16 BLK 56 BILLINGS ORIGINAL TOWN (I-140,I-684,I-649,I-78B,I-650 & I-651 in the City of Billings, Yellowstone County, Montana and 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.

City staff shall proceed under Section 22-902 of the Billings Montana City Code to publish notice of the City's intent to sell real property belonging to the City more particularly described as BILLINGS ORIGINAL TOWNSITE, S03, T01 S, R26 E, BLOCK 56, Lot 7 - 17, LTS 7-17 & 20 X 100' VAC ALLEY ADJ TO LTS 9-16 BLK 56 BILLINGS ORIGINAL TOWN (I-140,I-684,I-649,I-78B,I-650 & I-651 in the City of Billings, Yellowstone County,

Montana and request competitive bids on such property as required by Section 22-902(1)(a).

City staff shall notify property owners within three hundred (300) feet of the exterior boundaries of the real property described above fifteen (15) days in advance of the time, date, place of the public hearing on the sale of such property and the existing and proposed use of such property.

See map attached as Exhibit A.

APPROVED AND PASSED by the City Council of the City of Billings this 14th day of November 2022.



CITY OF BILLINGS:

DocuSigned by:
By: William A Cole
William A. Cole, Mayor

ATTEST:

DocuSigned by:
BY: Denise R. Bohlman
Denise R. Bohlman, City Clerk

Exhibit A



Certificate Of Completion

Envelope Id: A2C59F9F2E004693911F5DCBEDD1F0B2	Status: Completed
Subject: Please DocuSign: RES 22-11083	
Source Envelope:	
Document Pages: 5	Signatures: 2
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Stamps: 1
Envelope Stamping: Enabled	Envelope Originator:
Time Zone: (UTC-08:00) Pacific Time (US & Canada)	Toni Keehner
	keehnert@billingsmt.gov
	IP Address: 161.7.21.158

Record Tracking

Status: Original	Holder: Toni Keehner	Location: DocuSign
11/15/2022 1:32:11 PM	keehnert@billingsmt.gov	

Signer Events

William A Cole
 coleb@billingsmt.gov
 Mayor
 Security Level: Email, Account Authentication (None)

Signature

DocuSigned by:



 2CA11D5423334EE...
 Signature Adoption: Pre-selected Style
 Using IP Address: 72.175.160.94

Timestamp

Sent: 11/15/2022 1:33:48 PM
 Viewed: 11/15/2022 4:23:10 PM
 Signed: 11/15/2022 4:24:41 PM

Electronic Record and Signature Disclosure:
 Accepted: 12/3/2020 8:46:12 AM
 ID: 235dd76e-a3c9-4e23-89f5-aedaeb3b241a

Denise Bohlman
 bohlmand@billingsmt.gov
 City Clerk
 City of Billings
 Security Level: Email, Account Authentication (None)

DocuSigned by:

 D503C2218DC34F0...

 Signature Adoption: Pre-selected Style
 Using IP Address: 161.7.21.24

Sent: 11/15/2022 4:24:42 PM
 Viewed: 11/16/2022 7:58:58 AM
 Signed: 11/16/2022 7:59:07 AM

Electronic Record and Signature Disclosure:
 Not Offered via DocuSign

Toni Keehner
 keehnert@billingsmt.gov
 Deputy City Clerk
 City Clerk
 Security Level: Email, Account Authentication (None)

Completed
 Using IP Address: 161.7.21.158

Sent: 11/16/2022 7:59:10 AM
 Viewed: 11/16/2022 8:14:07 AM
 Signed: 11/16/2022 8:14:09 AM

Electronic Record and Signature Disclosure:
 Not Offered via DocuSign

In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp

Certified Delivery Events	Status	Timestamp
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Carbon Copy Events	Status	Timestamp
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Witness Events	Signature	Timestamp
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Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Envelope Sent	Hashed/Encrypted	11/15/2022 1:33:48 PM
Certified Delivered	Security Checked	11/16/2022 8:14:07 AM
Signing Complete	Security Checked	11/16/2022 8:14:09 AM
Completed	Security Checked	11/16/2022 8:14:09 AM

Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, Carahsoft OBO City of Billings (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact Carahsoft OBO City of Billings:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: kampal@billingsmt.gov

To advise Carahsoft OBO City of Billings of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at kampal@billingsmt.gov and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from Carahsoft OBO City of Billings

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to kampal@billingsmt.gov and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with Carahsoft OBO City of Billings

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to kampal@billingsmt.gov and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

Acknowledging your access and consent to receive and sign documents electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to ‘I agree to use electronic records and signatures’ before clicking ‘CONTINUE’ within the DocuSign system.

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- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify Carahsoft OBO City of Billings as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by Carahsoft OBO City of Billings during the course of your relationship with Carahsoft OBO City of Billings.