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City of Missoula
435 Ryman Street
Missoula MT 59802-4297

RESOLUTION NUMBER _____

A RESOLUTION OF THE MISSOULA CITY COUNCIL OF THE CITY OF MISSOULA, MONTANA, VACATING A 30 FOOT WIDE BY 264.87 FOOT LONG (PUBLIC) ROADWAY EASEMENT AND A 60 FOOT WIDE BY 264.87 FOOT LONG (PUBLIC) UTILITY EASEMENT CROSSING LOT 4, FORTY-FOUR RANCH ESTATES SUBDIVISION AS RECORDED IN THE MISSOULA COUNTY CLERK AND RECORDER'S OFFICE, MISSOULA, MONTANA.

WHEREAS, the property owners of Lot 4, Forty-Four Ranch Estates Subdivision have filed Petition No. P10105 requesting that the a 60 foot wide by 264.87 foot long (Public) Utility Easement be vacated as shown on Exhibit A attached hereto and described as follows:

60 foot wide by 264.87 foot long (Public) Utility Easement crossing Lot 4, Forty-Four Ranch Estates Subdivision as recorded in the Missoula County Clerk and Recorder's Office (Book 18, Plats Page 76 – October 1, 1993).

WHEREAS, the property owners of Lot 4, Forty-Four Ranch Estates Subdivision have filed Petition No. P10105 also requesting that a 30 foot wide by 264.87 foot long Public Roadway and Public Utility Easement granted to Missoula County on December 3, 2003, and accepted by the Board of County Commissioners on February 10, 2004, be vacated as shown on Exhibit A attached hereto and described as follows:

30 foot wide by 264.87 foot long Public Roadway and Utility Easement crossing Lot 4, Forty-Four Ranch Estates Subdivision as recorded in the Missoula County Clerk and Recorder's Office (Book 726, Page 568 - February 13, 2004)

WHEREAS, all utilities have verified that there are no utilities in said easement and have agreed to release any interest in said (public) utility easement.

WHEREAS, said City Council believes that the reasons for vacating said easements set forth are good and valid and that the said easements should be vacated.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL of the City of Missoula, Montana, that the Public Utility Easement shown on Exhibit A is hereby vacated; and

BE IT FURTHER RESOLVED THAT, to the extent the City holds the easement rights by operation of law to the Public Roadway and Utility Easement granted to Missoula County shown on Exhibit A, the City Council hereby vacates said easement.

PASSED AND ADOPTED this _____ day of _____ 2021.

ATTEST:

APPROVED:

Martha L. Rehbein, CMC
City Clerk

John Engen
Mayor