



**City of Missoula, Montana
City Council Committee Agenda Item**

Committee: Public Works and Mobility

Item: Agreement to Release Ditch Easement with the Great Northern Medical Center Association

Date: July 5, 2022

Sponsor(s): Jeremy Keene

Prepared by: Katie Emery

Ward(s) Affected:

<input type="checkbox"/> Ward 1	<input type="checkbox"/> Ward 4
<input checked="" type="checkbox"/> Ward 2	<input type="checkbox"/> Ward 5
<input type="checkbox"/> Ward 3	<input type="checkbox"/> Ward 6
<input type="checkbox"/> All Wards	<input type="checkbox"/> N/A

Action Required:

Approve an Agreement Concerning the Release and Extinguishment of Ditch Easement Rights with the Great Northern Medical Center Association.

Recommended Motion(s):

I move the City Council: Approve and authorize the Mayor to sign an Agreement Concerning the Release and Extinguishment of Ditch Easement Rights with the Great Northern Medical Center Association and to accept funds of \$10,022.30 for the easement.

Timeline:

Committee discussion:	July 26, 2022
Council action (or sets hearing):	August 1, 2022
Public Hearing (if required):	N/A
Final Consideration	N/A
Deadline:	N/A

Background and Alternatives Explored:

On December 2, 2021, the City acquired all right, title, and interest to the real property and water rights owned by the Hellgate Valley Irrigation Company ("HVIC"). Among the assets the City acquired were easements for the Flynn-Lowney Ditch. Public Works & Mobility desires to maintain some of the easements acquired from HVIC in order to convey irrigation or other waters, but has determined the Easement Property subject to this Agreement is not needed for this purpose. Subject to the terms and conditions outlined in the Agreement, the City desires to release the Easement Property in exchange for agreed compensation so that the Buyer may use its real property without the restrictions imposed by the ditch easement rights held by the City.

Financial Implications

Proceeds totaling \$10,022.30 will transferred to the Public Works Facility Fund and applied toward future removal and restoration of the irrigation diversion structure on the Clark Fork river.

Links to external websites:

<https://www.engagemissoula.com/flynn-lowney-ditch-acquisition-restoration-project>

