

Return to: City Clerk
City of Missoula
435 Ryman Street
Missoula MT 59802-4297

PETITION NO. 10110

BEFORE THE CITY COUNCIL

CITY OF MISSOULA

**PETITION FOR VACATING A
PUBLIC UTILITY EASEMENT**

SUID#:
GeoCode#"

Dated this 27 day of July, 2022.

COME NOW the undersigned and respectfully petitions the City Council of the City of Missoula requesting the vacation of the following Public Utility Easement.

The Petitioner hereby:

1. Agrees to comply with any conditions described in the resolution that vacates the herein described public utility easement; and
2. Recognizes the fact that non-compliance will result in the vacation becoming null and void and reverting to public utility easement

Petitioner has prepared a submittal package describing the particulars of the request according to Missoula Municipal Code 12.04 and has attached the same to this petition for City Council review.

LEGAL DESCRIPTION OF EASEMENT(S) TO BE VACATED:

A TRACT OF LAND BEING A PORTION OF LOT 2, MAGGIE JAX SUBDIVISION LOCATED IN THE SOUTHWEST ONE-QUARTER (SW1/4) OF SECTION 36, TOWNSHIP 14 NORTH, RANGE 20 WEST, PRINCIPAL MERIDIAN MONTANA, CITY OF MISSOULA, MISSOULA COUNTY, MONTANA, SAID AREA BEING CONTAINED WITHIN THE FOLLOWING DESCRIPTION:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 2, MAGGIE JAX SUBDIVISION, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING; THENCE S43°15'49"W ALONG THE BOUNDARY COMMON TO SAID LOT 2 AND LOT 5, MAGGIE JAX SUBDIVISION A DISTANCE OF 278.23' TO A POINT OF NON-TANGENCY, SAID POINT BEING ON THE NORTHERLY RIGHT OF WAY OF ALLOY NORTH ROAD; THENCE ALONG SAID RIGHT OF WAY ON A NON-TANGENTIAL

CURVE CONCAVE TO THE SOUTHWEST WITH A RADIUS OF 60.00 FEET, AN ARC LENGTH OF 15.19 FEET, AND A CHORD WHICH BEARS N54°52'31"W A DISTANCE OF 15.15 FEET TO A POINT ON SAID RIGHT OF WAY; THENCE LEAVING SAID RIGHT OF WAY N43°15'49"E THROUGH LOT 2, MAGGIE JAX SUBDIVISION A DISTANCE OF 278.95 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF LOT 2, MAGGIE JAX SUBDIVISION; THENCE S52°09'16"E A DISTANCE OF 15.07 FEET TO THE TRUEPOINT OF BEGINNING.

SAID AREA CONTAINING 4,174 SQUARE FEET MORE OR LESS.

The undersign owner(s) hereby acknowledge that they are the lawful owner(s) and seized of the real property over which and upon said easement lays.

OWNERS(S)

Montana Food Bank Network, Inc
(Name of Corporation)

Gayle Carlson
By: (Authorized Signee & Title) President & CEO

Owner of: (Legal Description)

(Name of Corporation)

By: (Authorized Signee & Title)

Owner of: (Legal Description)

STATE OF MONTANA)

) ss
County of Missoula)

On this 27 day of July, 2022, before me the undersigned, a Notary Public for the State of Montana, personally appeared Gayle Carlson / President / CEO (Name / Title / Company) Montana Food Bank Network, Inc known to me personally (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal on the day, month, and year in this certificate first above written.

Lora Hilliard
Notary Signature

