

RESOLUTION NUMBER _____

A RESOLUTION OF THE MISSOULA CITY COUNCIL OF THE CITY OF MISSOULA, MONTANA, VACATING A 15 FOOT WIDE BY 278 FOOT LONG (PUBLIC) UTILITY EASEMENT CROSSING LOT 2 OF MAGGIE JAX SUBDIVISION AS RECORDED IN THE MISSOULA COUNTY CLERK AND RECORDER'S OFFICE, MISSOULA, MONTANA.

WHEREAS, the property owners of Lot 2, Maggie Jax Subdivision have filed Petition No. 10110 requesting that the 15 foot wide by 278 foot long (Public) Utility Easement be vacated as shown on Exhibit A attached hereto and described as follows:

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 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.

WHEREAS, all utilities have agreed to release any interest in said (public) utility easement.

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

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL of the City of Missoula, Montana, that said easement is hereby vacated.

PASSED AND ADOPTED this _____ day of _____ 2022.

ATTEST:

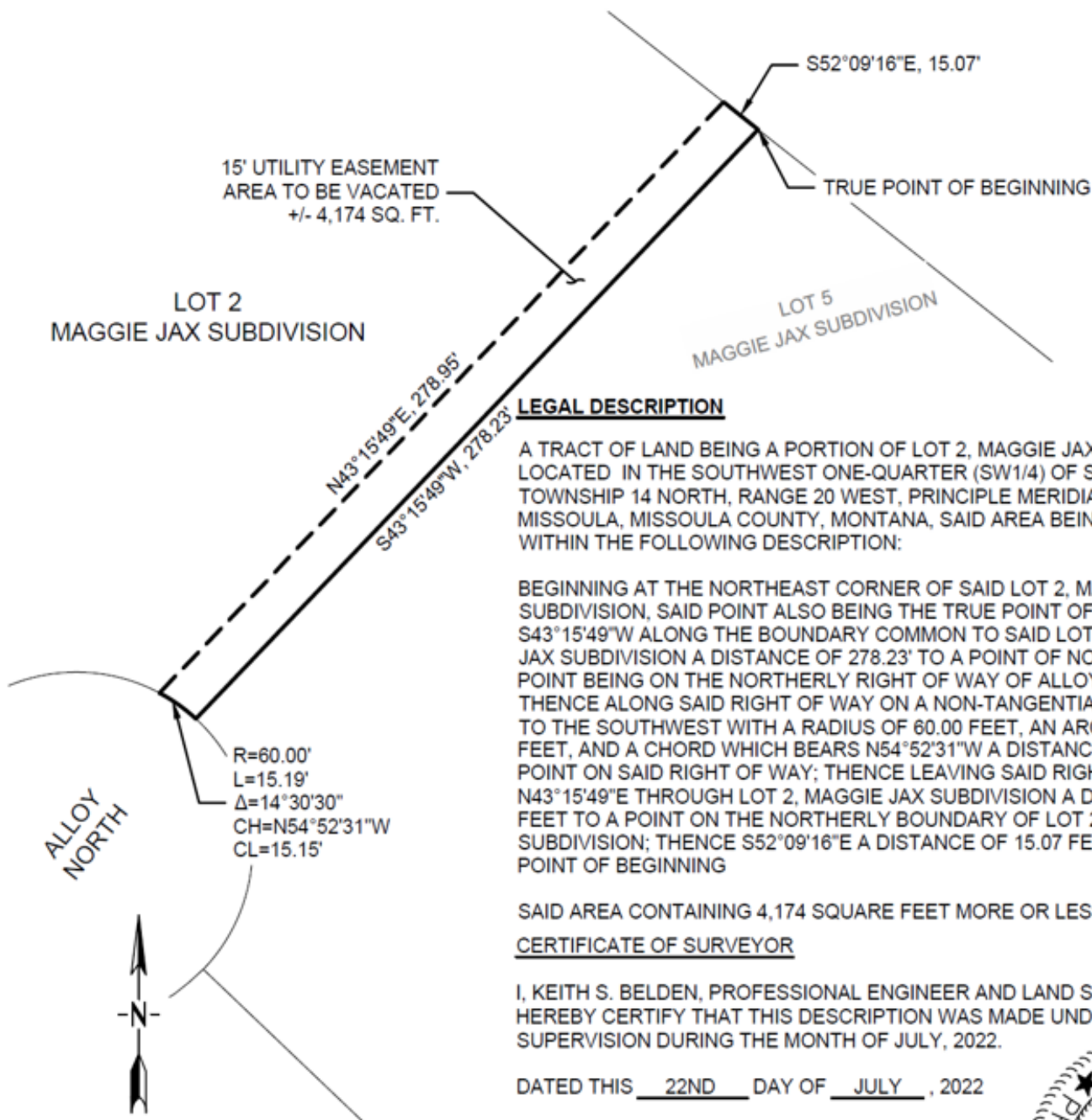
APPROVED:

Martha L. Rehbein, CMC
City Clerk

Jordan Hess
Mayor

EXHIBIT "A"

LOCATED IN THE SW 1/4 OF SEC. 36, T. 14 N., R. 20 W., P.M.M., MISSOULA COUNTY, MONTANA



LEGAL DESCRIPTION

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, PRINCIPLE 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 TRUE POINT OF BEGINNING

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

CERTIFICATE OF SURVEYOR

I, KEITH S. BELDEN, PROFESSIONAL ENGINEER AND LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS DESCRIPTION WAS MADE UNDER MY SUPERVISION DURING THE MONTH OF JULY, 2022.

DATED THIS 22ND DAY OF JULY, 2022

BY: Keith S. Belden
KEITH S. BELDEN
MONTANA REGISTRATION NO. 10692ES



EXP. DATE 6/30/24

Morrison Maierle
engineers • surveyors • planners • scientists

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DRAWN BY: DCS
FLD WK. BY:
CHK. BY: KSB
DATE: 7/2022

MONTANA FOOD BANK NETWORK
MISSOULA MT

PROJECT NO.
6501.010

UTILITY VACATION VICINITY MAP

SHEET NUMBER
EX.A