

RESOLUTION NUMBER _____

A resolution of the Missoula City Council to authorize the creation of public access and utility easements as shown on the subdivision exemption application for 507 Simons Drive, located in the City of Missoula, Montana.

WHEREAS, the City owns the property located at 507 Simons Drive, described above, and shown on Exhibit A, attached to this Resolution (the "Property"); and

WHEREAS, the City acquired the Property as part of the condemnation of the assets of Mountain Water Company, and as a result, it is an asset of the City water utility; and

WHEREAS, the City water utility's Facility Needs Assessment determined that the Property is no longer necessary for the utility; and

WHEREAS, the City wishes to subdivide the lot into Parcel 1 and Parcel 2 as show on Exhibit B; and

WHEREAS, the City conducted an appraisal of the Property, which determined Parcel 2 to have a market value of \$335,000; and

WHEREAS, the City wishes to create public access and utility easements as describe in Exhibit C and Exhibit D; and

WHEREAS, Section 7-8-4201, Montana Code Annotated, provides that a city may sell, dispose of, donate or lease any property belonging to the city by resolution approved by two-thirds vote of all members of the council.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Missoula, Montana, that the easements on the Property described above are approved.

BE IT FURTHER RESOLVED that the proceeds from any eventual sale of the Property shall be deposited in the Water Enterprise Fund to be used by the water utility.

PASSED AND ADOPTED this _____ day of _____, 2022.

ATTEST:

APPROVED:

Martha L. Rehbein
City Clerk

Jordan Hess
Mayor

(SEAL)

Exhibit A – Certificate of Survey 1451

Exhibit B – Proposed Certificate of Survey

Exhibit C – Public Access Easement

Exhibit D – Public Utility Easement