

RESOLUTION NO. 17-2015

A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF FERGUS COUNTY ABANDONING A PORTION OR ALL OF
THREE STREETS AND AN ALLEYWAY IN THE UNINCORPORATED
TOWNSITE OF BROOKS, FERGUS COUNTY MONTANA

WHEREAS, the Board of Commissioners has the authority, pursuant to Section 7-14-2616, Montana Code Annotated, to abandon or discontinue streets and alleys in unincorporated town sites or areas; and

WHEREAS, a petition was received by the Board of Commissioners of Fergus County, which was signed by the owners of all property adjoining streets and an alleyway in the town site of Brooks which is more specifically described as follows:

The following describes rights of way as shown in the plat of the Town site of Brooks, Fergus County, Montana

1. All of Knapp Street
2. Mueller Avenue, that portion north of Main Street
3. Railroad Avenue, that portion north of Main Street
4. The alley way between Sweeney Avenue and Railroad Avenue

WHEREAS, the Board of Commissioners appointed a viewers committee to physically view the alley and streets in question sought to be abandoned or discontinued, and such viewers reported to the full board, and the full board has duly considered the matter and authorized abandonment of the above described rights of way;

NOW THEREFORE BE IT RESOLVED that the following described alley and street portions are hereby vacated and discontinued:

The following describes rights of way as shown in the plat of the Town site of Hilger, Fergus County, Montana

1. All of Knapp Street
2. Mueller Avenue, that portion north of Main Street
3. Railroad Avenue, that portion north of Main Street
4. The alley way between Sweeney Avenue and Railroad Avenue

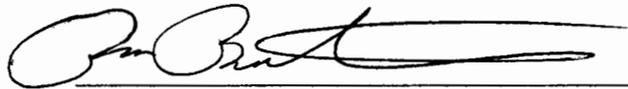
BE IT FURTHER RESOLVED that the Board of Commissioners declare, to the extent that such is legally permissible, that the abandoned and discontinued rights of way shall vest one half to the landowner of each side thereof.

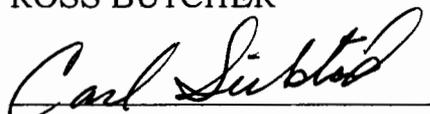
BE IT FURTHER RESOLVED that Fergus County hereby reserves an easement under such alleyway and streets for any existing utilities or for the placement of utilities which may be deemed desirable in the future; and the persons who now succeed to ownership of such property shall not construct buildings or other fixtures over the alleyway or streets.

PASSED AND APPROVED this 19 day of August, 2015.

BOARD OF COMMISSIONERS:


SANDY YOUNGBAUER


ROSS BUTCHER


CARL SEILSTAD

ATTEST:


RANA WICHMAN, Clerk & Recorder