

RESOLUTION NO. 10-2013

A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF FERGUS COUNTY ABANDONING AN ALLEY
BETWEEN PHILLIPS AVENUE AND WAITE AVENUE IN THE
LEWISTOWN HEIGHTS ADDITION TO THE CITY OF LEWISTOWN

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 that certain alley sought to be abandoned or discontinued, which is more specifically described as follows:

The alley way located and platted in Block 69 of the Lewistown Heights Addition lying between Waite Avenue and Phillips Avenue.

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

NOW THEREFORE BE IT RESOLVED that the following described alley is hereby vacated and discontinued:

The alley way located and platted in Block 69 of the Lewistown Heights Addition lying between Waite Avenue and Phillips 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 and right of way along such alleyway for the placement of utilities and public services which may be deemed desirable in the future; and the persons who succeed to ownership of such property shall not construct any permanent buildings or other fixtures over or around the alleyway.

PASSED AND APPROVED this 15 day of May, 2013.

BOARD OF COMMISSIONERS:


KEN RONISH


SANDY YOUNGBAUER

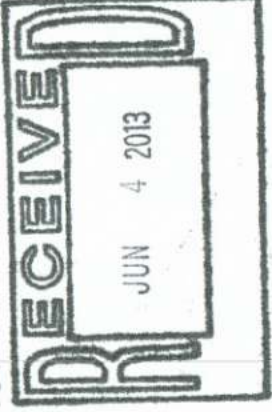

CARL SEILSTAD

ATTEST:


RANA WICHMAN, Clerk & Recorder

Central Montana Publishing
 Lewistown News-Argus

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FERGUS COUNTY COMMISSIONER
 712 W MAIN ST, STE 208
 LEWISTOWN, MT 59457

LEGAL ADVERTISING NOTICE

Lewistown, Montana MAY 29 20 13

DESCRIPTION	AMOUNT
NOTICE OF CONSIDERATION	
PUBLISH: MAY 4 & 11, 2013	
3 FOLIOS	60 00
TOTAL	60 00

AFFIDAVIT OF PUBLICATION

State of Montana, }
COUNTY OF FERGUS

Jacques Rutten, being duly sworn deposes and says: That he is the Publisher of the Lewistown News-Argus, a newspaper of general circulation, printed and published in Lewistown, Fergus County, Montana, and that the notice hereunto annexed:

NOTICE OF CONSIDERATION

NOTICE OF CONSIDERATION OF DISCONTINUANCE OF AN ALLEY BETWEEN PHILLIPS AVENUE AND WAITE AVENUE, IN BLOCK 69 OF THE LEWISTOWN HEIGHTS ADDITION, FERGUS COUNTY, MONTANA.

NOTICE IS HERBY GIVEN, pursuant to Section 7-14-2616, Montana Code Annotated, that the board of Commissioners of Fergus County has been presented with a Petition to discontinue an alley between Waite Avenue and Phillips Avenue, in Block 69 of the Lewistown Heights Addition, Fergus County, Montana. The specific alley sought to be discontinued is more specifically described as follows:

The alleyway located and platted in Block 69 of the Lewistown Heights Addition lying between Waite Avenue and Phillips Avenue.

A public hearing on the issue will be held on the 15th day of May, 2013, at the time of 5:15 o'clock p.m., in the Commissioner's office, located in the Fergus County Courthouse old jail building, 712 W. Main, Lewistown, MT. Members of the public are encouraged to attend and offer comment or input. Written comment may also be sent to the Board of Commissioners, prior to the meeting, but addressing them to the Board at 712 W. Main Lewistown, MT 59457.

Persons who have questions about the issue may also call the Commissioner's office during regular business hours, at 535-5119, and speak to any of the commissioners.

Dated this 1st day of May, 2013

/s/Ken Romish

Chairperson, Board of Commissioners

Publish: (May 4 & 11, 2013)

has been published in regular and entire issues of every number of said paper once a week for 2 consecutive weeks, commencing on the 4 day of APRIL, 20 13 and ending on the 11 day of APRIL, 20 13,

SUBSCRIBED AND SWORN TO before me this 29 day of MAY, 20 13.

Lynn A. Toller



LYNN A. TOLLER
NOTARY PUBLIC for the
State of Montana
Residing at Lewistown, Montana
My Commission Expires
August 15, 2014

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