

TOWN OF PHILIPSBURG

RESOLUTION 2021-1

A RESOLUTION ABANDONING PORTIONS OF HORTON STREET

WHEREAS, Carolyn Jo Durgin and Shane D Durgin own lots 3, 4, and 5 of Block 8 of the Pardee and McDonald's addition to the Town of Philipsburg; and,

WHEREAS, Loretta E Mazza owns lot 17 of Block 6 of the Pardee and McDonald's addition to the Town of Philipsburg; and,

WHEREAS, Mel F. Soares, Jr., and Pamela J. Soares, Trustees of the Mel and Pamela Soares Trust dated May 10, 2004 own lot 1 of Block 7 of the Pardee and McDonald's addition to the Town of Philipsburg; and,

WHEREAS, all of the lots listed above border on a steep and unutilized portion of Horton Street; and,

WHEREAS, the owners of the lots listed above have petitioned the town council to abandon portions of Horton Street as depicted in the exhibit attached hereto; and,

WHEREAS, the procedure detailed in MCA 7-14-4114 has been followed, including the posting of notice in two consecutive issues of the Philipsburg mail; and,

WHEREAS, the procedure detailed in Philipsburg Resolution 2018-3 has been followed; and,

WHEREAS, the Town Council of Philipsburg determined that the abandonment can be done without detriment to the public interest; and,

WHEREAS, on November 17, 2020, the Town Council of Philipsburg did, by a majority vote, approve the abandonment of those portions of Horton Street depicted in the exhibit attached hereto

NOW THEREFORE,

1. The town council hereby memorializes the abandonment of those portions of Horton Street described below and shown on the attached exhibit A, as was approved at its November 17, 2020 meeting.

THE NORTHWEST ONE-HALF (1/2) OF HORTON STREET LYING SOUTHEAST OF LOTS 3, 4, AND 5, BLOCK 8, PARDEE AND McDONALD'S ADDITION, AS DEPICTED AS PARCEL A OF THE ATTACHED EXHIBIT.

THE SOUTHEAST ONE-HALF (1/2) OF HORTON STREET LYING NORTHWEST OF LOT 17, BLOCK 6, PARDEE AND McDONALD'S ADDITION, AS DEPICTED AS PARCEL B OF THE ATTACHED EXHIBIT.

THE SOUTHEAST ONE-HALF (1/2) OF HORTON STREET LYING NORTHWEST OF LOT 1, BLOCK 7, PARDEE AND McDONALD'S ADDITION, AS DEPICTED AS PARCEL C OF THE ATTACHED EXHIBIT.

2. The applicants shall pay to the town of Philipsburg the sum of five hundred (\$500.00) dollars plus the actual costs incurred by the town in preparing and recording this resolution and deed(s).
3. The town council hereby directs the mayor, upon receipt of payment from the applicants, to cause deeds to be recorded quitclaiming said portions of Horton Street to the appropriate parties but reserving an easement for utilities through the abandoned right-of-way.

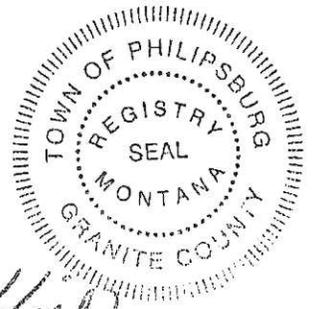
Dated this 19<sup>th</sup> of January, 2021.

Attest:

  
Clerk/Treasurer

Approved:

  
Mayor



The following Council Members voted in favor of the Resolution:

John Johnson, Carl Sundstrom, Dominique Ulrich, Seth Lyons, John Langore

The following Council Members voted against the Resolution:

\_\_\_\_\_

The following Council Members were absent or abstained:

\_\_\_\_\_

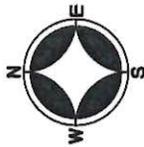
# EXHIBIT

LOCATED IN PARDEE AND McDONALD'S ADDITION, WITHIN THE NORTHWEST ONE-QUARTER (NW1/4) OF SECTION 25, T.7N., R.14W., P.M.M., GRANITE COUNTY, MONTANA.

Three (3) Portions of Horton Street to be vacated, within the northwest one-quarter (NW1/4) of Section 25, T.7N., R.14W., P.M.M., being more particularly described as follows:

- A) The Northwest one-half (1/2) of Horton Street lying southeast of Lots 3, 4 and 5, Block 8, Pardee and McDonald's Addition.
- B) The Southeast one-half (1/2) of Horton Street lying northwest of Lot 17, Block 6, and extending southwest to the centerline of Granite Street, Pardee and McDonald's Addition.
- C) The Southeast one-half (1/2) of Horton Street lying northwest of Lot 1, Block 7, and extending northeast to the centerline of Granite Street, Pardee and McDonald's Addition.

BLOCK 11, WILSON ADDITION

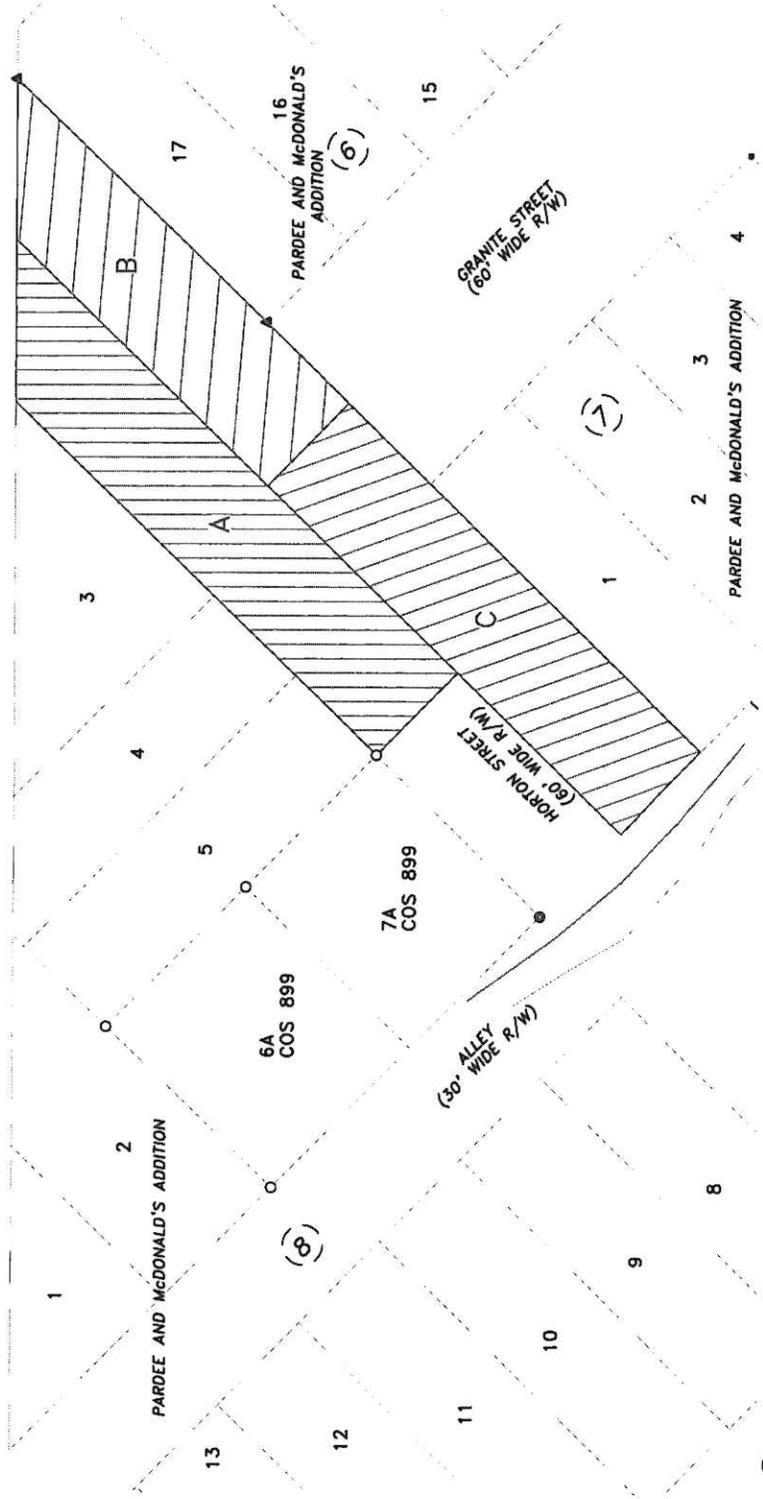


WEST SUTTER STREET

SCALE: 1 INCH = 100 FEET



(3) = BLOCK NUMBER



SURVEYING MAPPING PLANNING CONSULTING  
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 P.O. BOX 177, ANACONDA, MT 59711 PHONE 406-559-5005 FAX 406-559-5006 MTNWCO.COM

PREPARED AT THE REQUEST OF JO DURGIN  
 MTNWCO PROJECT NO. 2804-20 D-1614