

COUNCIL RESOLUTION NO. 14-15

1 A RESOLUTION AUTHORIZING AND APPROVING THE SALE BY THE CITY
2 AND COUNTY OF BUTTE-SILVER BOW, ("City-County") STATE OF
3 MONTANA TO NORTHWESTERN CORPORATION, D/B/A NORTHWESTERN
4 ENERGY, ("NORTHWESTERN") REAL PROPERTY DESCRIBED AS ALL OF
5 LOTS 18, 19, 20, 21 AND 22 OF BLOCK NUMBERED 28 OF THE BUTTE
6 TOWNSITE OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF
7 MONTANA, AND PARCEL A OF CERTIFICATE OF SURVEY NO. 160A,
8 AMENDING LOTS 23, 24 & 25 OF THE BUTTE TOWNSITE OF THE CITY
9 AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA FOR THE
10 PURPOSE OF ALLOWING THE CITY-COUNTY TO FULFILL ITS OBLIGATION
11 UNDER A DEVELOPMENT AGREEMENT ENTERED INTO BETWEEN THE CITY-
12 COUNTY AND NORTHWESTERN CONCERNING THE ABOVE-DESCRIBED
13 PROPERTY AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

14 WHEREAS NorthWestern approached the City-County with a
15 proposal for the parties to participate in the
16 development of real property within the Butte
17 Uptown Urban Renewal District, created pursuant to
18 Montana Code Annotated, Title 7, Chapter 15, Parts
19 42 and 43 and City-County Ordinance No. 13-16; and

1 WHEREAS, specifically NorthWestern proposed constructing an
2 office building located on the northeast corner of
3 Park and Main Streets, in Butte-Silver Bow County,
4 Montana, which is legally described as Lots 18, 19,
5 20, 21 and 22 of Block Numbered 28 of the Butte
6 Townsite and Parcel A of Certificate of Survey No.
7 160A, amending lots 23, 24 & 25 of the Butte
8 Townsite of the City and County of Butte-Silver
9 Bow, State of Montana and the City-County would
10 undertake to construct a new public parking garage
11 in the Urban Renewal District; and

12 WHEREAS, based on such proposal, NorthWestern Energy
13 Corporation and the City-County have entered into a
14 Development Agreement contemplating the transfer of
15 the above-described property currently owned by the
16 City-County to NorthWestern; and

17 WHEREAS, the Council of Commissioners authorized the Chief
18 Executive to execute such Development Agreement
19 with an effective date of April 8, 2014; and

20 WHEREAS, the Council of Commissioners of the City and County
21 of Butte-Silver Bow, State of Montana, after due

1 discussion and deliberation, find that it is in the
2 best interests of the City and County of Butte-
3 Silver Bow, State of Montana, to transfer the
4 above-described real property to NorthWestern.

5 WHEREAS, based upon all of the above and in order to
6 effectuate the terms of the Development Agreement
7 between the City-County and NorthWestern, the
8 Council of Commissioners, as the governing body of
9 the City-County, is exercising the authority
10 granted by Section 7-8-4201, MCA, and Section
11 3.12.050 of the Butte-Silver Bow Municipal Code, to
12 transfer the above-described property from the
13 City-County to Northwestern; and

14 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF
15 COMMISSIONERS OF THE CITY AND COUNTY OF BUTTE-SILVER BOW,
16 STATE OF MONTANA:

17 SECTION 1: That the Council of Commissioners of the City
18 and County of Butte-Silver Bow, State of
19 Montana, does hereby determine that it is in
20 the best interests of the City-County,
21 through the authority granted by Section 7-8-

1 4201, MCA, and Section 3.12.050 of the Butte-
2 Silver Bow Municipal Code, to transfer the
3 real property described as Lots 18, 19, 20,
4 21 and 22 of Block Numbered 28 of the Butte
5 Townsite and Parcel A of Certificate of
6 Survey No. 160A, amending lots 23, 24 & 25 of
7 the Butte Townsite of the City and County of
8 Butte-Silver Bow, State of Montana to
9 NorthWestern, pursuant to the terms of the
10 Development Agreement entered into between
11 the City-County and NorthWestern regarding
12 the development of this real property.

13 SECTION 2:

14 That the Council of Commissioners of the City
15 and County of Butte-Silver Bow, State of Mon-
16 tana does hereby authorize the Chief
17 Executive and the Clerk and Recorder to
18 execute a legal conveyance for the aforesaid
19 real property in conformance with the laws of
20 the State of Montana and the Ordinances of
the City and County of Butte-Silver Bow.

1 SECTION 3: That the Clerk shall send a copy of this
2 Resolution to the Tax Delinquent Department
3 in the Land Records' Office and to the
4 Ownership Clerk in the Land Records' Office.

5 SECTION 4: That this Resolution shall be in full force
6 and effect from and after passage and
7 approval.

8 PASSED this ____ day of _____, 2014.

9 _____
10 CINDI SHAW
11 CHAIRMAN OF THE COUNCIL OF COMMISSIONERS

12 APPROVED this ____ day of _____, 2014.

13 _____
14 MATT VINCENT
15 CHIEF EXECUTIVE

16 ATTEST:

17 _____
18 SALLY J. HOLLIS
19 CLERK & RECORDER

20 APPROVED AS TO FORM:

21 _____
22 EILEEN JOYCE
23 COUNTY ATTORNEY

24 _____
25 WILLIAM O. ANDERSEN
26 CHAIRMAN, JUDICIARY COMMITTEE