

COUNCIL RESOLUTION NO. 15-50

1 A RESOLUTION ACCEPTING THE DONATION OF CERTAIN PARCELS OF
2 REAL PROPERTY DESCRIBED AS FOLLOWS: A PORTION OF THE
3 SPIER AND BAUER PLACER M.E. 1445, ALSO REFERRED TO AS
4 TRACTS 1, 2, D, G, H, K, W, X, Y, and Z, REFERENCE REM.
5 BOOK A, PAGE 193, AND A PORTION OF THE PUBLIC RIGHT-OF-
6 WAY ALONG GRIZZLY TRAIL AND BOBCAT TRAIL AND ASSOCIATED
7 ALLEYS OF THE UNFILED PLAT OF THE ROCKER TOWNSITE ON
8 THE CLEVAND LODGE, LOCATED IN SECTION 20 AND 21, TOWNSHIP
9 3 NORTH, RANGE 8 WEST, P.M.M. (PARCEL NO. 79555 AND
10 79580), AND A PORTION OF THE PETERSON PLACER LYING SOUTH
11 OF THE FORMER NORTHERN PACIFIC RAILROAD RIGHT-OF-WAY,
12 LOCATED IN SECTION 20, TOWNSHIP 3 NORTH, RANGE 8 WEST,
13 P.M.M., (PARCEL NO. 1702800), ALL LOCATED IN BUTTE-SILVER
14 BOW, MONTANA FOR THE PURPOSE OF PROTECTING REMEDIAL AND
15 RESTORATION ACTIVITIES ALONG SILVER BOW CREEK AND
16 PRESERVING PUBLIC OPEN SPACE AND PROVIDING FOR AN
17 EFFECTIVE DATE HEREIN.

18 WHEREAS, in accordance with the provisions for the donation of
19 real property to governmental entities as provided in
20 Part 1 of Chapter 8 of Title 7 of the Montana Code
21 Annotated, the Council of Commissioners of the City and
22 County of Butte-Silver Bow, State of Montana, received a
23 request on the 25th day of November, 2015, from Kevin
24 Kenneally, on behalf of the Town Pump Corporation and its

1 subsidiaries, Montana Stewards, LLC and Rocker Holdings,
2 LLC, to accept the donation of real property located in
3 or near Rocker, Montana, described as a portion of Tract
4 1, comprised of 0.20 acres; Tract D, comprised of 3.178
5 acres; Tract G, comprised of 0.574 acres; Tract H,
6 comprised of 2.068 acres; Tract K, comprised of 1.293
7 acres; Tract W, comprised of 0.811 acres; Tract X,
8 comprised of 0.448 acres; Tract Y, comprised of 1.763
9 acres, Tract Z; comprised of 0.041 acres for a total Of
10 10.376 acres of the Spier and Bauer Placer M.E. 1445,
11 Reference Rem. Book A, Page 193, and a portion of the
12 public rights-of-way along Grizzly Trail and Bobcat Trail
13 and associated alleyways of the unfiled plat of the
14 Rocker Townsite on the Cleveland Lode #1839, comprised of
15 0.72 Acres, all located in Section 21, Township 3 North,
16 Range 8 West, P.M.M. (Parcel No. 79555), see also Roll
17 344 on Card 642, filed with the Butte-Silver Bow Clerk
18 and Recorder on October 10, 2010, and Tract 2, comprised
19 of 0.190 acres of the Spier and Bauer Placer M.E. 1445,
20 and a portion of the Peterson Placer lying south of the
21 former Northern Pacific Railroad right-of-way, comprised
22 of 34.72 acres, located in Section 20, Township 3 North,
23 Range 8 West, P.M.M., (Parcel No. 79580 and 1702800) all
24 located in Butte-Silver Bow, Montana for the purpose of
25 protecting remedial and restoration activities along

1 Silver Bow Creek, preserving public open space and
2 placing public roads in public ownership.

3 WHEREAS, the Council of Commissioners of the City and County
4 of Butte-Silver Bow, State of Montana, after due
5 discussion and deliberation, find that it is in the
6 best interests of the City and County of Butte-Silver
7 Bow, State of Montana, to accept the donation of
8 those certain parcels of real property as described
9 above.

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

12 SECTION 1: That the Council of Commissioners of the City
13 and County of Butte-Silver Bow, State of Mon-
14 tana, does hereby find and determine that it is
15 in the best interests of the City and County of
16 Butte-Silver Bow, State of Montana, to accept
17 the donation of the certain parcels of real
18 property as described above.

19 SECTION 2: That the Council of Commissioners of the City
20 and County of Butte-Silver Bow, State of Montana
21 does hereby authorize the Clerk and Recorder to
22 accept and record a legal conveyance for the
23 transfer of the aforesaid real property to the
24 City and County of Butte-Silver Bow, provided
25 such instrument of conveyance is prepared in

1 accordance with the realty transfer laws of the
2 State of Montana and the Ordinances of the City
3 and County of Butte-Silver Bow.

4 SECTION 3: That the Clerk send a copy of this Resolution to
5 the Tax Delinquent Department in the Land
6 Records Department and to the Ownership Clerk in
7 the Assessor's Office.

8 SECTION 4: That this Resolution shall be in full force and
9 effect from and after passage and approval.

10 PASSED this ___ day of _____, 2015.

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13 _____
14 CINDY SHAW
15 CHAIRMAN OF THE COUNCIL OF COMMISSIONERS

16 APPROVED this ___ day of _____, 2015.

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20 _____
21 MATT VINCENT
22 CHIEF EXECUTIVE

23 ATTEST:

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27 _____
28 SALLY J. HOLLIS
29 CLERK AND RECORDER

30 APPROVED AS TO FORM:

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34 _____
35 EILEEN JOYCE
36 COUNTY ATTORNEY

37
38 _____
39 DAVID WALKER
 CHAIRMAN, JUDICIARY COMMITTEE