

COUNCIL RESOLUTION NO. 16-16

1 A RESOLUTION APPROVING AND ACCEPTING THE DONATION OF A
2 CERTAIN PARCEL OF REAL PROPERTY FROM THE GREENWAY SERVICE
3 DISTRICT DESCRIBED AS FOLLOWS: A PORTION OF THE SPIER AND BAUER
4 PLACER M.E. 1445, ALSO REFERRED TO AS TRACT K, REFERENCE REM.
5 BOOK A, PAGE 193, AND A PORTION OF THE PUBLIC RIGHT-OF-WAY ALONG
6 GRIZZLY TRAIL OF THE UNFILED PLAT OF THE ROCKER TOWNSITE ON THE
7 CLEVELAND LODGE, LOCATED IN SECTION 20, TOWNSHIP 3 NORTH, RANGE 8
8 WEST, P.M.M. (PARCEL NO. 79555) LOCATED IN BUTTE-SILVER BOW,
9 MONTANA FOR THE PURPOSE OF CONSOLIDATING PROPERTY OWNERSHIP,
10 PLACING PUBLIC ROADS IN PUBLIC OWNERSHIP AND RESOLVING PERSONAL
11 PROPERTY ENCROACHMENTS AND PROVIDING FOR AN EFFECTIVE DATE
12 HEREIN.

13 WHEREAS, this donation is made in accordance with the
14 provisions for the donation of real property to
15 governmental entities as provided in Part 1 of
16 Chapter 8 of Title 7 of the Montana Code Annotated,
17 and Section 2.99.030 (C) (1) of the Butte-Silver Bow
18 Municipal Code and Section 3.B.1. of Article 1 of
19 Appendix A. of the Anaconda-Deer Lodge Municipal
20 Code, respectively, requiring that the Greenway
21 Service District, a multi-jurisdictional service
22 district, secure approval from the governing bodies
23 of the City-County of Butte-Silver Bow and Anaconda-
24 Deer Lodge County, Montana, when disposing of fee

1 title property; and

2 WHEREAS, On March 11, 2016, both the Council of Commissioners
3 of the City and County of Butte-Silver Bow and the
4 Anaconda-Deer Lodge County Board of Commission,
5 received a request from James M. Manning, on behalf
6 of the Greenway Service District, to approve the
7 donation of real property to the City and County of
8 Butte-Silver Bow, Montana, located in or near Rocker,
9 Montana, comprised of 1.293 acres, and described as a
10 portion of the Spier and Bauer Placer M.E. 1445, also
11 referred to as Track K, Reference Rem. Book A, Page
12 193, and a portion of the public rights-of-way along
13 Grizzly Trail of the unfiled plat of the Rocker
14 Townsite on the Cleveland Lode #1839, all located in
15 Section 21, Township 3 North, Range 8 West, P.M.M.
16 Butte-Silver Bow, Montana (Parcel No. 79555) (see
17 also Roll 344 on Card 642, filed with the Butte-
18 Silver Bow Clerk and Recorder on October 10, 2010),
19 for the purpose of consolidating ownership, placing
20 public roads in public ownership and resolving the
21 encroachment of personal properties on this parcel.

22 WHEREAS, the Council of Commissioners of the City and County
23 of Butte-Silver Bow, State of Montana, after due
24 discussion and deliberation, find that it is in the
25 best interest of the City and County of Butte-Silver

1 Bow, State of Montana, to accept the donation of this
2 certain parcel of real property as described above.

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

5 SECTION 1: That the Council of Commissioners of the City
6 and County of Butte-Silver Bow State of Montana,
7 did hereby find and determine that it is in the
8 best interests of the City and County of Butte-
9 Silver Bow, State of Montana, to accept the
10 donation of a certain parcel of real property as
11 described above.

12 SECTION 2: That the Council of Commissioners of the City
13 and County of Butte-Silver Bow, State of Montana
14 does hereby authorize the Clerk and Recorder to
15 accept and record a legal conveyance for the
16 transfer of the above described real property to
17 the City and County of Butte-Silver Bow,
18 provided such instrument of conveyance is
19 prepared in accordance with the realty transfer
20 laws of the State of Montana and the Ordinances
21 of the City and County of Butte-Silver Bow.

22 SECTION 3: That the Clerk send a copy of this Resolution to
23 the Tax Delinquent Department in the Land
24 Records Department and to the Ownership Clerk in
25 the Assessor's Office.

1 SECTION 4: That this Resolution shall be in full force and
2 effect from and after passage and approval.
3 PASSED this ___ day of _____, 2016.

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5 _____
6 CINDI SHAW
7 CHAIRMAN OF THE COUNCIL OF COMMISSIONERS
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11 APPROVED this ___ day of _____, 2016.
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15 _____
16 MATT VINCENT
17 CHIEF EXECUTIVE
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19 ATTEST:

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24 _____
25 SALLY J. HOLLIS
26 CLERK AND RECORDER

27 APPROVED AS TO FORM:
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32 _____
33 EILEEN JOYCE
34 COUNTY ATTORNEY
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38 _____
39 DAVID WALKER
CHAIRMAN, JUDICIARY COMMITTEE