

RESOLUTION 7 - 2024

**A RESOLUTION ABANDONING A PORTION OF WRIGHT STREET
IN THE LEWISTOWN HEIGHTS UNINCORPORATED TOWNSITE**

WHEREAS, the Board of Commissioners has the authority, pursuant to Section 7-14-2616, Montana Code Annotated, to abandon or discontinue streets 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 a portion of Wright Street in the unincorporated town site of Lewistown Heights which is more specifically described as follows:

The following described right of way as shown in the plat of the townsite of Lewistown Heights, Fergus County, Montana:

The portion of Wright Street between the eastern edge of the abandoned Stone Avenue and the western edge of Joyland Road adjacent to Block 42 and Block 59.

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

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

The following described right of way as shown in the plat of the townsite of Lewistown Heights, Fergus County, Montana:

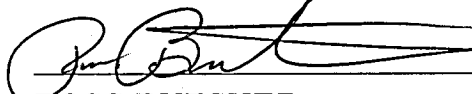
The portion of Wright Street between the eastern edge of the abandoned Stone Avenue and the western edge of Joyland Avenue adjacent to Block 42 and Block 59.

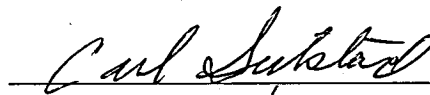
BE IT FURTHER RESOLVED that the Board of Commissioners declare, to the extent that such is legally permissible, that the abandoned and discontinued rights of way shall vest one half to the landowner of each side thereof.

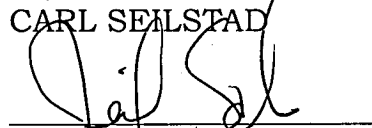
BE IT FURTHER RESOLVED that Fergus County hereby reserves an easement under such alleyways and streets for any existing utilities or for the placement of utilities which may be deemed desirable in the future; and the persons who now succeed to ownership of such property shall not construct buildings or other fixtures over the alleyways or streets. Further, the action taken herein will not affect any easement of record.

PASSED AND APPROVED this 8 day of February 2024.

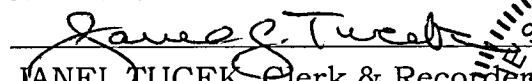
BOARD OF COMMISSIONERS:


ROSS BUTCHER


CARL SEILSTAD


JENNIFER SAUNDERS

ATTEST:


JANEL TUCEK, Clerk & Recorder

