

COUNCIL RESOLUTION NO. 17-62

1 A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF CERTAIN  
2 PARCELS OF LOCAL GOVERNMENT OWNED REAL PROPERTY LOCATED AT 835  
3 and 839 NORTH MONTANA STREET, BUTTE, MONTANA, LEGALLY DESCRIBED  
4 AS LOTS 38-42, BLOCK C, AUTOCRAT #91 AND BANKER LODGE #496,  
5 SECTION 12, T3N, R8W TO THE CITY-COUNTY OF BUTTE-SILVER BOW,  
6 MONTANA, (PARCEL NO. 0001905660) TO RICHARD AND BONNIE NEHL FOR  
7 THE PURPOSE OF COMMUNITY DEVELOPMENT IN ACCORDANCE WITH THE  
8 PROCEDURES OF BUTTE-SILVER BOW MUNICIPAL CODE AND PROVIDING FOR  
9 AN EFFECTIVE DATE HEREIN.

10 WHEREAS, Chapter 3.24 of the Butte-Silver Bow Municipal Code  
11 provides that the Local Government of the City and  
12 County of Butte-Silver Bow may sell, lease, or  
13 otherwise transfer real property or any interest  
14 therein acquired for the purpose of economic or  
15 community development within the community of Butte-  
16 Silver Bow; and

17 WHEREAS, the Local Government of the City and County of Butte-  
18 Silver Bow has previously acquired interest in and  
19 title to property located at 835 and 839 North  
20 Montana Street, Butte, Montana, legally described as  
21 Lots 38-42, Block C, Autocrat #91 and Banker Lodge  
22 #496, Section 12, T3N, R8W Butte-Silver Bow, Montana,  
23 and;

1 WHEREAS, the Local Government of the City and County of Butte-  
2 Silver Bow prepared a Developer's Packet delineating  
3 the Government's requirements for submission of  
4 proposals for acquisition of 835 and 839 North  
5 Montana Street, Butte, Montana; and

6 WHEREAS, on or about October 6, 2017, the Butte-Silver Bow  
7 Council of Commissioners received a proposal from  
8 Richard and Bonnie Nehl for the acquisition of the  
9 property located at 835 and 839 North Montana Street,  
10 Butte, Montana; and

11 WHEREAS, the Nehl's proposal was reviewed and found to be in  
12 conformance to the Developer's Packet requirements;  
13 and

14 WHEREAS, on October 11, 2017, a public hearing was conducted  
15 regarding the development packet proposal(s)  
16 submitted for the property located at 835 and 839  
17 North Montana and inviting interested persons to  
18 express their opinion regarding any proposals  
19 submitted; and

20 WHEREAS, on the 18th day of October, 2017, the Butte-Silver  
21 Bow Council of Commissioners found the proposal  
22 submitted by Richard and Bonnie Nehl, P.O. Box 663,  
23 Butte, Montana to be in accordance with the  
24 provisions of Chapter 3.24 of the Butte-Silver Bow  
25 Municipal Code and authorized the preparation of a

1 Resolution for the sale of 835 and 839 North Montana  
2 Street, Butte, Montana.

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 proposal submitted by Richard and  
6 Bonnie Nehl for the acquisition of 835 and 839  
7 North Montana Street, Butte, Montana, is hereby  
8 found to have been done in conformance with the  
9 Laws of the State of Montana and the Ordinances  
10 of Butte-Silver Bow and this property is hereby  
11 sold to Richard and Bonnie Nehl for Sixteen  
12 Thousand Four Hundred Ten Dollars and 00/100.  
13 (\$16,410.00).

14 SECTION 2: That said sale shall be in accordance with the  
15 terms and conditions of that Developer's Packet  
16 dated October 6, 2017, prepared by the Local  
17 Government of the City and County of Butte-  
18 Silver Bow for the acquisition of 835 and 839  
19 North Montana, Butte, Montana.

20 SECTION 3: That the proceeds from the conveyance of the  
21 described property, Sixteen Thousand Four  
22 Hundred Ten Dollars and 00/100 (\$16,410.00) are  
23 to be deposited to Butte-Silver Bow Fund No.  
24 7080, Tax Deed Land.

25 SECTION 4: That the Council of Commissioners of Butte-

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Silver Bow, State of Montana, does hereby authorize the Chief Executive and the Clerk and Recorder of Butte-Silver Bow to execute a legal conveyance for aforesaid sale in conformance with the Laws of the State of Montana and the Ordinances of Butte-Silver Bow.

SECTION 5: That Richard and Bonnie Nehl, within ninety (90) days of the adoption of this Resolution, shall enter into a Property Redevelopment Agreement, in accordance with the terms and conditions of that Developer's Packet dated October 6, 2017, prepared by the City-County for the acquisition of 835 and 839 North Montana Street, Butte, Montana, Parcel No. 0001905660.

SECTION 6: This Resolution shall be in full force and effect from and after its passage and approval.

PASSED this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
JOHN P. MORGAN  
CHAIRMAN OF THE COUNCIL OF COMMISSIONERS

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2017.

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DAVE PALMER  
CHIEF EXECUTIVE

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ATTEST:

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SALLY J. HOLLIS  
CLERK AND RECORDER

APPROVED AS TO FORM:

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EILEEN JOYCE  
COUNTY ATTORNEY

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SHERYL RALPH  
CHAIRMAN, JUDICIARY COMMITTEE