

COUNCIL RESOLUTION NO. 17-20

1 A RESOLUTION AUTHORIZING AND APPROVING THE TRANSFER OF THE  
2 MINERAL INTERESTS OF THE REAL PROPERTY DESCRIBED ON EXHIBIT  
3 "A" TO THIS RESOLUTION TO THE CONTINENTAL PUBLIC LAND TRUST  
4 IN ACCORDANCE WITH THE PROVISIONS OF THE BUTTE-SILVER BOW  
5 MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

6 WHEREAS, Section 3.12.050 of the Butte-Silver Bow  
7 Municipal Code (B-SB MC) and 7-8-4201 of the  
8 Montana Code Annotated, provide that the City and  
9 County of Butte-Silver Bow (City-County) may  
10 sell, lease, or otherwise transfer real property  
11 or any interest therein, acquired other than by  
12 tax deed, located within the community of Butte-  
13 Silver Bow upon 2/3 vote of the governing body;

14 WHEREAS, in May of 2011, the City-County accepted a donation  
15 of real property from Continental Public Land Trust  
16 (CPLT), a Montana non-profit corporation, 65 East  
17 Broadway Street, Butte, Montana, and Montana  
18 Economic Revitalization and Development Institute,  
19 Inc., a Montana corporation, in accordance with the  
20 provisions for the donation of real property to

1 governmental entities as provided in Part 1 of  
2 Chapter 8 of Title 7 of the Montana Code Annotated;  
3 and

4 WHEREAS, Jim Kambich, President of CPLT has requested the  
5 City-County re-convey the mineral interests that  
6 were included in the deed transferring the donated  
7 property from CPLT and MERDI to the City-County,  
8 such deed recorded on Roll 349 on Card 635 of the  
9 microfilm records of the City-County of Butte-  
10 Silver Bow, Montana back to CPLT; and

11 WHEREAS, Mr. Kambich has indicated that the purpose of CPLT  
12 and MERDI's original donation of the property  
13 listed in the above-referenced deed was to allow  
14 for redevelopment and to provide the City-County  
15 with access to public infrastructure; and

16 WHEREAS, through the passage of Resolution 10-15, the  
17 Council of Commissioners of the City and County of  
18 Butte-Silver Bow, State of Montana determined that  
19 accepting the donation of these properties into  
20 public ownership would promote and facilitate the  
21 development of these properties; and

1 WHEREAS, the Council of Commissioners of the City and County  
2 of Butte-Silver Bow, State of Montana, after due  
3 discussion and deliberation, find that re-conveying  
4 the mineral interests included in the property  
5 originally donated by CPLT and MERDI to BSB back to  
6 CPLT will not circumvent the intent of such  
7 donation; and

8 WHEREAS, based upon all of the above, the Council of  
9 Commissioners of the City and County of Butte-  
10 Silver Bow, Montana find it is in the best  
11 interests of the City and County of Butte-  
12 Silver Bow, State of Montana, to re-convey the  
13 mineral interests included in the donation of those  
14 parcels of real property included on the above-  
15 referenced deed and more particularly described in  
16 Exhibit "A" to this Resolution back to CPLT.

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

20 SECTION 1: That the Council of Commissioners of the City  
21 and County of Butte-Silver Bow, State of Mon-

1 tana, does hereby find and determine that it  
2 is in the best interests of the City and  
3 County of Butte-Silver Bow, State of Montana,  
4 to re-convey the mineral interests included  
5 in the donation of those parcels of real  
6 property included on the deed recorded on  
7 Roll 349 on Card 635 of the microfilm records  
8 of Butte-Silver Bow County, Montana and more  
9 particularly described in Exhibit "A" to this  
10 Resolution back to CPLT.

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

1 SECTION 3: That this Resolution shall be in full force  
2 and effect from and after passage and  
3 approval.

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

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7 \_\_\_\_\_  
8 JOHN P. MORGAN  
9 CHAIRMAN OF THE COUNCIL OF COMMISSIONERS

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

11  
12  
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14 \_\_\_\_\_  
15 DAVE PALMER  
16 CHIEF EXECUTIVE

17 ATTEST:

18

19 SALLY J. HOLLIS  
20 CLERK & RECORDER

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23  
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25 APPROVED AS TO FORM:

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28 \_\_\_\_\_  
29 EILEEN JOYCE  
30 COUNTY ATTORNEY

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34 \_\_\_\_\_  
SHERYL RALPH  
CHAIRMAN, JUDICIARY COMMITTEE

## CPLT-BSB(Mining Claims)

Assessor No. 99100 (Map 5) (Commissioner Dist. 11)  
1197-13-2-99-08-MINE

Legal: Caledonia #1029, Carrie #626, Artic #1055, Baltic #567, Broker #955, Carlotta #594, Colorado #2079, Columbia #2322, Excelsior #2097, Emma #728, Flagstaff #1207, Gold Hill No. 2 #640, January #2821, JBL #3684, Mabel #487, Manhattan #2647, Mary Louise #807, Morning Star #654, Nellie #759, Neptune #587, North Star #2820, Ophir #968, Pacific Slope #1028, Pawn Broker #593, Plymouth #839, Reserve #2404, Saturn #1347, Silver Joe #1563, Single Tax #2681, Smokehouse #613, South Star #1318, Stanislaus #1308, Stevens #518, Thomas #1011, Tom Paine #1297, Washington #977, Welcome Stranger #965, William Penn #588, Black Placer #664

Assessor No. 97510 (Map 9) (Commissioner Dist. 10)  
1198-18-2-14-01-0000

Legal: Ramsdell #4011, Pay Streak #2331, Yellow Jack #837, Colbert Placer #765,

### Mineral Interest Properties:

Arkansas #2942, Henry #2606, Mack #8017, Occidental #1688, Stanley #2930, Corona #1219, Josephine #3346, Mint #1539, Robert Emmet No. 2 #1188, Vanderbilt #2851, Great Western #1218, Laura Fraction #2499, Montrose #2693, Golden Crown #3003, Nun #9476, Reno #9477, Day Star #9467, Lima #9480, Otisco #9465, Tare #9474, Yam #9468, Fred #9463, Mery #9464, Reco #9466, Tension #9475, June #9956, Ober #9465, Refer #9481, W.E. #9955, Ambrose #9234, Bonanza #4480, Noyes Placer #647

Exhibit "A"