

1 SENATE BILL NO. 23

2 INTRODUCED BY WATT

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR THE SALE
5 OF DISCONTINUED STREETS, ROADS, AND ALLEYS OWNED BY A
6 MUNICIPALITY OR COUNTY."

7

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Sale of certain discontinued streets,
10 roads, and alleys. (1) All or part of the land comprising a
11 street, road, or alley deeded to or owned by a municipality
12 or county and discontinued under the provisions of 11-2801
13 or 32-2801 may be sold by the local government governing
14 body.

15 (2) The land shall be appraised at full market value
16 within 6 months prior to sale, and the land may be sold only
17 at or above 90% of the appraised value.

18 (3) The adjoining property owners shall be given an
19 opportunity to purchase the land at 90% of appraised value
20 before the land is offered to other purchasers. The
21 provisions of 11-964 and 16-1009 do not apply to sales made
22 under this subsection.

-End-

INTRODUCED BILL

Approved by Comm.
on Local Government

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1 SECTION 2. EFFECTIVE DATE. THIS ACT SHALL BECOME
2 EFFECTIVE UPON PASSAGE AND APPROVAL.

-End-

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A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR THE SALE
OF DISCONTINUED STREETS, ROADS, AND ALLEYS OWNED BY, OR
DEDICATED TO, A MUNICIPALITY OR COUNTY; AND PROVIDING AN
EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Sale of certain discontinued streets,
roads, and alleys. (1) All or part of the land comprising a
street, road, or alley ~~deeded~~ DEDICATED to or owned by a
municipality or county and discontinued under the provisions
of 11-2801 or 32-2801 may be sold by the local government
governing body.

(2) The land shall be appraised at full market value
within 6 months prior to sale, and the land may be sold only
at or above 90% of the appraised value.

(3) The adjoining property owners shall be given an
opportunity to purchase the land at 90% of appraised value
before the land is offered to other purchasers. The
provisions of 11-964 and 16-1009 do not apply to sales made
under this subsection.

SECTION 2. EXEMPTION. THE ORIGINAL OWNER IS EXEMPTED
FROM THIS ACT.

Approved by Committee
on Judiciary

1 SENATE BILL NO. 23

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4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR THE ~~SALE~~
5 ~~OF DISCONTINUED ASSESSMENT OF COSTS TO PETITIONING PROPERTY~~
6 ~~OWNERS FOR DISCONTINUATION OF~~ STREETS, ROADS, AND ALLEYS
7 OWNED BY, ~~OR DEDICATED TO,~~ A MUNICIPALITY OR COUNTY; ~~AND~~
8 ~~PROVIDING AN EFFECTIVE DATE."~~

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10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Refer to Second Reading

12 (Strike everything after the enacting clause and insert:)

13 Section 1. Costs of discontinuation. Whenever a
14 governing body discontinues, abandons, or vacates a street,
15 alley, or road under Title II, chapter 28 or Title 32,
16 chapter 28, the costs of such process may be assessed
17 against the petitioning property owner. Such costs may
18 include costs of publication, engineering, and site viewing.

-End-

SB 23

SECOND READING

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A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR THE ~~SALE~~
~~OF DISCONTINUED ASSESSMENT OF COSTS TO PETITIONING PROPERTY~~
~~OWNERS FOR DISCONTINUATION OF~~ STREETS, ROADS, AND ALLEYS
OWNED BY, OR DEDICATED TO, A MUNICIPALITY OR COUNTY, ~~AND~~
~~PROVIDING AN EFFECTIVE DATE."~~

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Refer to Second Reading

(Strike everything after the enacting clause and insert:)

Section 1. Costs of discontinuation. Whenever a governing body discontinues, abandons, or vacates a street, alley, or road under Title II, chapter 28 or Title 32, chapter 28, the costs of such process may be assessed against the petitioning property owner. Such costs may include costs of publication, engineering, and site viewing.

-End-

SB23

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A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR THE SALE
~~OF DISCONTINUED ASSESSMENT OF COSTS TO PETITIONING PROPERTY~~
~~OWNERS FOR DISCONTINUATION OF~~ STREETS, ROADS, AND ALLEYS
OWNED BY, OR DEDICATED TO, A MUNICIPALITY OR COUNTY, ~~AND~~
~~PROVIDING AN EFFECTIVE DATE."~~

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Refer to Second Reading

(Strike everything after the enacting clause and insert:)

Section 1. Costs of discontinuation. Whenever a governing body discontinues, abandons, or vacates a street, alley, or road under Title 11, chapter 28 or Title 32, chapter 28, the costs of such process may be assessed against the petitioning property owner. Such costs may include costs of publication, engineering, and site viewing.

-End-

REFERENCE BILL

SB 23