

November 19-20, 2015

**ITEM 169-1005-R1115****Request for Authorization for a Utility Easement between City of Missoula and the University of Montana-Missoula**

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**THAT**

In accordance with Board of Regents Policy 1003.6, the Board of Regents of the Montana University System authorizes the University of Montana – Missoula to enter into a utility easement agreement with the City of Missoula for property previously leased. (Item 147-1011-RO510).

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**EXPLANATION**

In May 2010, the Board of Regents of Higher Education authorized The University of Montana – Missoula (UM) to lease a 10.63 acre parcel of UM’s Fort Missoula property to the City of Missoula for a (50) fifty-year term for the purpose of building a 300-space parking lot for users of the Fort Missoula Regional Park, immediately to the east of the UM land. (Item 147-1011-RO510).

The University of Montana – Missoula now requests to enter into a utility easement agreement with the City of Missoula on that property.

Board of Regents Policy 1003.6 allows the Board to approve easements on university property. Fair value must be received for the easement. Benefit to the university may be considered when determining fair value. In this case, the City of Missoula will maintain the street and sidewalks within this utility easement, at no cost to the University, constitutes fair value for the easement.

The City of Missoula agrees to maintain curb, sidewalk, and boulevard in the right-of-way in accordance with City of Missoula Municipal Codes and agrees to supply all materials, labor and equipment to maintain and repair the herein described right-of-way pavement surface (excluding street reconstruction) and provide sweeping and snow removal consistent with municipal services provided to other residential and commercial areas of municipal right-of-way. The City of Missoula agrees that future reconstruction of the herein described right-of-way street surfaces will be provided in a similar manner as provided throughout the remainder of the City of Missoula right-of-ways. The Grantee agrees to provide regulatory enforcement of the usage of this public right-of-way in accordance with City of Missoula Municipal Codes applicable to public right-of-ways.

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**ATTACHMENTS**

Attachment #1 – Exhibit A

Attachment #2 – Design Plans