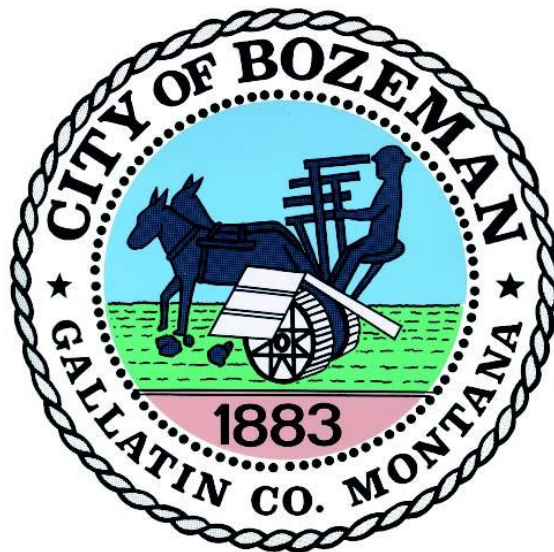


# CITY OF BOZEMAN

## URBAN RENEWAL PLAN



Adopted by  
The Bozeman City Commission  
November 1995  
Amended  
December 2015

**CITY OF BOZEMAN**  
**URBAN RENEWAL PLAN**

Prepared by:

The Urban Renewal Study Committee

Bert Hopeman, Chairman

Craig McVicker

Jim Drummond, Vice Chairman

Chris Pope

Larry Bowman

Kathy Rinker

Ed Brandt

Steve Schnee

Tom Clark

Laurie Shadoan

Kris Dunn

Dick Shanahan

Joe Frost

Keith Swenson

Dennis Hardin

Jim Webster

Steve Johnson

Michael Wong

Bruce McCallum

Prepared for:

The Bozeman City Commission

John Vincent, Mayor

Don Stueck

Joe Frost

Marcia Youngman

Al Stiff

## INDEX

Preface	1
Introduction	3
Guiding Principles and Implementation Actions	5
Intent and Purpose	5
Guiding Principles	6
Implementation Actions	9
Vision to Reality	14
Executing the Vision	15
Finance	19
Getting Started – First Year Annual Work Program	22
Appendix A – Ordinance No. 1409	A-1
Appendix B – District Description and Map	A-2

## PREFACE

Bozeman, Montana, the County Seat of Gallatin County, was founded over 125 years ago. Early in its history, Bozeman was awarded the State's agricultural college, which expanded a mercantile and farming community into a center for higher learning. With the passage of time, Bozeman enjoyed the economic benefits of the growing popularity of Yellowstone National Park and the increasing interest in outdoor recreational activities.

These events have kept Bozeman's economy and the health of its Downtown relatively strong for a small city. However, this strength has not prevented age obsolescence and deterioration from occurring to Bozeman's old Downtown infrastructure and buildings. This weakness is magnified by the increased competition that comes with suburban growth, and which has economically devastated so many downtowns in the United States.

Responding to this dual threat, the Bozeman City Commission initiated two actions: 1) it established a Downtown Area Urban Renewal District, hereinafter called the Downtown Bozeman Improvement District (see Appendix B, District Description and Map, for exact boundaries), and it directed the City staff to prepare a study of the Area to determine the extent and nature of Downtown Area "blight", as defined by Montana statute; and 2) established a committee of interested citizens to develop an Urban Renewal Plan. This Committee represented a broad cross-section of Gallatin Valley interests including city and county residents, the School District, business and City and County government.

The Urban Renewal Study Committee used a matrix process to develop a collective vision for improving Downtown. The process involved the Committee agreeing upon general criteria with respect to how specific projects and programs would be evaluated; placing those criteria in priority order; weighing the extent to which a project or program satisfied those criteria, relative to its importance; and then comparing the results for each project and program. The process purposely did not consider the availability of funds to accomplish a project or program.

By this process, the Committee was able to develop a better understanding of the possibilities for improving Downtown and of the guiding principles and considerations which should govern a renewal effort. The Committee then developed a list and determined the appropriate uses of possible funding sources as well as implementation and operation policies and procedures. (See FINANCE section.)

The results of the Committee's deliberations are presented in this document and constitute "The Plan".

The Plan is intended to establish a framework and direction to alleviate the Downtown's obsolescence and deterioration and to provide for its growth and increased

prosperity. The Plan is specific in its direction, but not in details or timetables. Developing project details, timetables and programs will be left to the Downtown Bozeman Improvement District Board, hereafter referred to as the IDB. The IDB is responsible for the implementation of this Plan, and is composed of individuals with a demonstrated interest in Downtown Bozeman who are appointed by the City Commission.

Prior to adoption, the Plan was presented to the public for comment. It was presented to the City-County Planning Board for a determination of conformity with the Master Plan, and to the City Commission for public hearing after providing notice to property owners within the District and publishing notice in the newspaper. These steps have helped secure citizen input in the process and the Plan.

Downtown Bozeman is a cherished public asset. Bozeman's citizens will be placing a great deal of trust in the IDB to be faithful stewards of this asset. It is the spirit of this Plan to provide a fair, thoughtful and constructive vision of Downtown's future development, forged with positive input and hardened through its careful implementation.

## INTRODUCTION

### MISSION/VISION STATEMENT

Bozeman, Montana, located in the Gallatin Valley, is evolving into one of the most vibrant communities in the Northwestern United States. Its agrarian heritage, outstanding schools, rich culture, beautiful natural surroundings, emerging industries and overall attractiveness have all played important roles in its evolution. Equally important is Bozeman's thriving Downtown, a focal point of local development since the 1850's.

Our Downtown has remained economically viable and provides Bozeman with an extremely important sense of community, history and identity. The heart and soul of the community is manifest in its historic Downtown fabric. The citizens of Bozeman recognize that the identity and vitality of the city and the surrounding valley would be irreparably harmed by any significant degradation of Downtown.

To prevent degradation, Bozeman's Downtown must be continually improved and strengthened as the Bozeman community and its suburban commercial centers develop. Given appropriate attention to its infrastructure, appearance and promotion, the Plan envisions the continuation of Downtown as a prosperous and attractive commercial and cultural center – one which is a desirable place to work, live, shop, visit and recreate.

The Bozeman City Commission recognizes that Bozeman's Downtown belongs to all the people of the Gallatin Valley. A community partnership of citizens and public, private and educational institutions can harness the energy, resources and dedication necessary to implement the Plan. The City Commission set the groundwork for this partnership when it invited the participation of all interested parties on the Urban Renewal Study Committee, resulting in broad representation from many of the interests in the Valley.

The Plan envisions a Downtown that is user-friendly, safe, secure and healthy. The Downtown must also maintain its diversity of businesses, institutions (e.g., Chamber of Commerce, Schools, Post Office, Banks, and City and County government), housing and attractions. It is important to the success of the Downtown area to improve the ease of access for all people, whether walking, biking or driving.

These elements must be accomplished while maintaining the ambience and character of the Downtown area. Especially important is preserving the community's heritage, reflected in the physical beauty and cultural vigor of Downtown.

A significant investment of time and money is essential for this vision to become a reality. Since resources are always finite, the Plan acknowledges that decisions and priorities must take into account costs and benefits with regard to accomplishing the

primary desired result. The Plan also recognizes that resources must be drawn from numerous sources, public and private, and that projects must be funded by the most appropriate means.

Our primary goal is an economically thriving Downtown that attracts investment, stabilizes and strengthens the tax base and that supports the vitality and diversity of the Gallatin Valley as its social and cultural center. Through this Urban Renewal Plan, the community of Bozeman hopes to ensure the vitality of its Downtown for generations to come, and to make Downtown a community center in which its citizens can participate and take exceptional pride.

## **GUIDING PRINCIPLES & IMPLEMENTATION ACTIONS**

The Urban Renewal Study Committee prepared an implementation strategy for accomplishing the collective vision for improving Downtown. The matrix process used by the Committee established the vision for Downtown by identifying criteria and projects necessary and desirable to implement the Plan. These criteria and projects form the “Guiding Principles” and “Implementation Actions” included below.

The nine “Guiding Principles” provide direction to those responsible for improving Bozeman’s Historic Downtown. The Urban Renewal Study Committee considered the first three principles more important than the next three with the last three least important. However, the Committee deemed all nine principles to be vital to achieving the vision for Downtown.

The “Implementation Actions” are not exclusive lists. Actions appear in order of importance relative to the Principle under which they are listed. However, the order in which actions are accomplished will depend more on the availability of funds and the economies of accomplishing certain items simultaneously with other items.

### **INTENT AND PURPOSE**

It is the intention of the Urban Renewal Study Committee that the Guiding Principles and Implementation Actions for improving Downtown be accomplished in accordance with the following:

- Bozeman’s historic character as a “working” Downtown shall be maintained.
- Traffic movement and access shall be designed with the emphasis on the Downtown as a destination rather than improving the flow of through traffic.
- The facilitation of Private/Public Partnerships is encouraged in the implementation of the Plan.
- Objectives shall be accomplished by incentives whenever possible.
- Private property rights will be respected.
- Administrative practices shall be conducted in a constructive manner which fosters cooperation.
- All aspects of proposed projects shall undergo the necessary scrutiny to assure that the project is needed, is well designed in accord with the Plan, and is appropriately funded without unnecessary expenditures. Tools such as a



feasibility study based on a market forecast and economic analysis will be utilized as a part of the decision making process. Infrastructure proposals will also be subject to independent analysis.

- Because this Plan is specific in its direction, but not in details or timetables, this Plan is further detailed, refined, prioritized and implemented by the “Downtown Improvement Plan” which outlines specific programs and projects consistent with this Urban Renewal Plan.

## GUIDING PRINCIPLES

### Principle 1: Strengthen Downtown’s Economic Vitality.

Take those actions that will encourage economic growth and prosperity, thereby enhancing the value of operating a business and owning property Downtown. Without prosperous businesses and growing property values (tax base), the private and public funds will not be generated to accomplish desired projects, which will continue the cycle of improvement, investment and job formation.

### Principle 2: “Community Partnership” is Fundamental to Downtown’s Success.

Community Partnership is the motivating force behind the overall effort to improve Downtown. Without strong, broad-based community backing, efforts to improve Downtown will fail. Conversely, if all elements of the community are strongly supportive of Downtown improvement efforts, success will surely be guaranteed.

Accordingly, this principle dictates the importance of all elements of the community, private, public, and educational, in the plans for improving Downtown and of selecting projects that require and encourage that participation.

Every citizen of the Gallatin Valley is an important customer of Downtown and helps strengthen its economic vitality. However, the importance of Downtown to these citizens far exceeds its economic potential. Downtown Bozeman represents the cultural heart and soul of the community and symbolizes Gallatin Valley’s unique, historical identity. Communities without Downtowns are “faceless suburbs”. Therefore, all of the Valley’s citizens are stakeholders in determining Downtown’s future. Participation and a sense of ownership by as many Valley residents as possible is crucial for the success of the improvement effort.

### Principle 3: Improve the Safety, Security and Health of the District.

In order to continue feeling comfortable and welcome in Downtown, people must feel that their safety, security and health – real and perceived – are protected.

#### Principle 4: Downtown's Accessibility Shall Be Improved.

The health of Downtown depends on ease of access to the Downtown for whatever reason. This includes improving traffic flow which is compatible with Downtown as a destination and reducing through traffic, especially trucks; improving access for individuals with disabilities; and enhancing availability of parking for vehicles – whether bikes, cars, motorcycles, mass transit or tour busses. Public transportation improvements and well-distributed public information regarding the easiest way to access Downtown are also part of improved accessibility. Accessibility issues extend beyond the boundaries of the Improvement District. Within the District core, pedestrian safety, security and enjoyment must be given high priority.

#### Principle 5: Downtown's Diversity Shall be Facilitated.

Diversity refers to the broad range of activities, businesses, organizations, people and events that typically are found in traditional downtowns and that broadly reflect the interests and opportunities available to citizens from all walks of life. Downtown Bozeman currently enjoys Diversity with professional offices, financial services, retail outlets, public offices, theaters, schools, restaurants, entertainment establishments, cultural events, housing, a vibrant non-profit community providing essential social services, and a host of other uses.

Much of the rich diversity of older Downtowns, including Bozeman's, came to be prior to the adoption of zoning and other regulatory controls. The well intentioned, but often disruptive result of contemporary regulatory practice is evident. A paradigm change in planning, regulatory practice, administrative procedures, transportation design, and overall community design is occurring in response. It is imperative that this change be fostered to stimulate continuing private investment, the construction of additional housing units, and establishment of daycare facilities and other services to address social and cultural needs.

Downtown has avoided becoming the domain of a single special interest, such as becoming predominately a tourist trap, office complex or shopping center, and its continued health and success are contingent upon maintaining its diversity.

#### Principle 6: The Cost of Projects and Programs Shall Be Weighed Against Their Benefits.

This Principle is self explanatory as long as Benefit is understood to mean the promotion of the other Principles in relation to their importance and that Benefits may not be financial in nature.

Principle 7: Downtown Shall Become More User Friendly.

User Friendly means making Downtown an easy place to work, live, shop, and recreate. One aspect of user friendliness is Accessibility. Because of its overriding importance, Accessibility is a separate Principle. User Friendly encompasses all other aspects of making Downtown a more pleasant and convenient place, including the maintenance of overall cleanliness and the provision of conveniences such as street furniture and public restrooms.

Principle 8: The Image of Downtown Shall Be Continuously Improved.

Image applies to physical appearance and character. Image is both what people think of Downtown, as well as what they experience when in Downtown.

When thinking in physical terms, Image does not express a preference for a specific style, except what is historically appropriate. Image does express a preference for excellent design, whatever the style. Image includes such design elements of the Downtown as the facades of the buildings, sidewalks, streets, lighting and signs.

Image also includes the preservation of Bozeman's "working" Downtown, with its diverse activities that provide employment, and quality goods and services in a warm, hospitable environment for all Valley residents and visitors.

Principle 9: Cultural Activities Shall Be Nurtured and Expanded Downtown.

Downtown Bozeman shall seek to retain its position as the Cultural Heart of the Gallatin Valley.

## IMPLEMENTATION ACTIONS

Certain Implementation Actions relate to more than one Principle. After its initial listing, Implementation Actions appear in italics to indicate that a previously cited Action is reappearing in conjunction with a new Principle.

### Principle 1: Strengthen Downtown's Economic Vitality.

#### Implementation Actions:

1. Provide more, conveniently located and better-managed parking.
2. Retain public offices, organizations and "anchor" businesses.
3. Facilitate continued commercial development.
4. Evaluate the City-County Master Plan, Zoning Code, development standards, regulatory practices and administrative procedures with the objective being to identify and eliminate all unnecessary barriers to investment and reinvestment.
5. Enable high density housing in and around Downtown.
6. Design and implement a comprehensive marketing plan.
7. Improve overall accessibility (pedestrian and vehicular).
8. Take control of Main Street; eliminate through truck traffic, and restore as a pedestrian-friendly downtown Main Street.
9. Partner in community telecommunications networks as crucial infrastructure necessary for next generation connectivity and business development.
10. Further refine, prioritize and implement the urban renewal plan by adopting updates to the "Downtown Improvement Plan" outlining specific programs and projects.

### Principle 2: Community Partnership... is Fundamental to Downtown's Success.

#### Implementation Actions:

1. Evaluate the City-County Master Plan, Zoning Code, development standards, regulatory practices and administrative procedures to identify and broaden opportunities for diversity in housing, employment, business, cultural activities and community events.
2. *Retain public offices, organizations and "anchor" businesses.*
3. Encourage the growth of cultural activities.
4. *Enable high density housing in and around Downtown.*
5. *Facilitate continued commercial development.*
6. *Improve overall accessibility (pedestrian and vehicular).*
7. Preserve and enhance the historic character of Downtown.

8. *Further refine, prioritize and implement the urban renewal plan by adopting updates to the “Downtown Improvement Plan” outlining specific programs and projects.*

### Principle 3: Improve the Safety, Security and Health of the District

#### Implementation Actions:

1. Improve the flow of traffic, emphasizing Downtown as a destination, and improve pedestrian access and safety, especially at intersections.
2. Facilitate improved fire prevention measures.
3. Repair or replace defective sections of water and sewer mains.
4. Improve the appearance and adequacy of lighting compatible with the historic character of Downtown.
5. Provide for prompt snow removal.
6. Improve sidewalks, reduce crossing lengths at intersections, and better define pedestrian rights-of-way.
7. Increase police patrols.
8. Clean up hazardous wastes.
9. Improve alley and parking lot appearance and safety.
10. *Take control of Main Street; eliminate through truck traffic, and restore as a pedestrian-friendly downtown "Main Street".*
11. Repair structurally dangerous buildings.
12. Develop storm water management techniques to protect Bozeman Creek.
13. *Partner in community telecommunications networks as crucial infrastructure necessary for next generation connectivity and business development.*
14. *Further refine, prioritize and implement the urban renewal plan by adopting updates to the “Downtown Improvement Plan” outlining specific programs and projects.*

### Principle 4: Improve the Downtown's Accessibility.

#### Implementation Actions:

1. *Provide more conveniently located and better-managed parking.*
2. *Improve sidewalks, reduce crossing lengths at intersections, and better define pedestrian rights-of-way.*
3. *Provide for prompt snow removal.*
4. *Improve the flow of traffic, emphasizing Downtown as a destination, and improve pedestrian access and safety, especially at intersections.*
5. Provide effective public transportation.
6. Accommodate bicycles as a means of reducing parking and automotive circulation requirements.

7. Evaluate the City-County Master Plan, Zoning Code, development standards, regulatory practices and administrative procedures with the objective of identifying and eliminating any unnecessary low development densities and thereby reducing reliance upon private automobiles.
8. *Take control of Main Street; eliminate through truck traffic, and restore as a pedestrian-friendly downtown "Main Street".*
9. *Improve alley and parking lot appearance and safety.*
10. *Further refine, prioritize and implement the urban renewal plan by adopting updates to the "Downtown Improvement Plan" outlining specific programs and projects.*

Principle 5: Encourage Downtown Diversity.

Implementation Actions:

1. *Evaluate the City-County Master Plan, Zoning Code, development standards, regulatory practices and administrative procedures to identify and broaden opportunities for diversity in housing, employment, business, cultural activities and community events.*
2. *Enable high density housing in and around Downtown.*
3. *Facilitate continued commercial development.*
4. *Retain public offices, organizations and "anchor" businesses.*
5. *Encourage the growth of cultural activities.*
6. *Partner in community telecommunications networks as crucial infrastructure necessary for next generation connectivity and business development.*
7. *Further refine, prioritize and implement the urban renewal plan by adopting updates to the "Downtown Improvement Plan" outlining specific programs and projects.*

Principle 6: The Cost of Projects and Programs Shall Be Weighed Against Their Benefits.

Implementation Actions:

1. *Evaluate the City-County Master Plan, Zoning Code, development standards, regulatory practices and administrative procedures with the objective being to identify and eliminate all unnecessary barriers to investment and reinvestment.*
2. *Provide for prompt snow removal.*
3. *Improve alley and parking lot appearance and safety.*
4. *Retain public offices, organizations and "anchor" businesses.*
5. *Encourage the growth of cultural activities.*
6. *Improve the management of parking.*

7. *Further refine, prioritize and implement the urban renewal plan by adopting updates to the “Downtown Improvement Plan” outlining specific programs and projects.*

Principle 7: Downtown Shall Become More User Friendly.

Implementation Actions:

1. *Improve the flow of traffic, emphasizing Downtown as a destination, and improve pedestrian access and safety, especially at intersections.*
2. *Provide for prompt snow removal.*
3. *Improve the appearance and adequacy of lighting compatible with the historic character of Downtown.*
4. *Improve sidewalks, reduce crossing lengths at intersections, and better define pedestrian rights-of-way.*
5. *Provide more conveniently located and better-managed parking.*
6. *Accommodate bicycles as a means of reducing parking and automotive circulation requirements.*
7. *Improve alley and parking lot appearance and safety.*
8. *Provide public restrooms.*
9. *Encourage off-hours deliveries.*
10. *Partner in community telecommunications networks as crucial infrastructure necessary for next generation connectivity and business development.*
11. *Further refine, prioritize and implement the urban renewal plan by adopting updates to the “Downtown Improvement Plan” outlining specific programs and projects.*

Principle 8: The Image of Downtown Shall Be Continuously Improved.

Implementation Actions:

1. *Encourage the growth of cultural activities.*
2. *Design and implement a comprehensive marketing plan.*
3. *Preserve and enhance the historic character of Downtown.*
4. *Improve the appearance of sidewalks.*
5. *Improve the appearance and adequacy of lighting compatible with the historic character of Downtown.*
6. *Provide for prompt snow removal.*
7. *Take control of Main Street; eliminate through truck traffic, and restore as a pedestrian-friendly downtown "Main Street".*
8. *Improve alley and parking lot appearance and safety.*
9. *Retain public offices, organizations and "anchor" businesses.*
10. *Enhance the appearance of and accessibility to Bozeman Creek.*
11. *Install plaques describing Downtown Bozeman's historic resources.*

12. Improve trash removal.
13. *Further refine, prioritize and implement the urban renewal plan by adopting updates to the "Downtown Improvement Plan" outlining specific programs and projects.*

Principle 9: Cultural Activities Shall Be Nurtured and Expanded Downtown.

Implementation Actions:

1. *Encourage the growth of cultural activities.*
2. *Retain public offices, organizations and "anchor" businesses.*
3. *Preserve and enhance the historic character of Downtown.*
4. *Enable high density housing in and around Downtown.*
5. *Take control of Main Street; eliminate through truck traffic, and restore as a pedestrian-friendly downtown "Main Street".*
6. *Further refine, prioritize and implement the urban renewal plan by adopting updates to the "Downtown Improvement Plan" outlining specific programs and projects.*



## VISION TO REALITY

Almost all towns and cities in the United States have been faced with obsolescent and deteriorating downtowns. Only a small percentage have been able to see past these problems and visualize the truly wonderful possibilities that exist for renewing their downtowns. Only a small portion of this group have had the foresight and fortitude to implement their visions. Those that have, however, have reaped great rewards.

Today, Downtown Bozeman's Main Street is unfriendly to pedestrian traffic. Many of the beautiful old buildings, representing true treasures of the West, have been badly compromised over the years with architecturally incompatible face lifts. The alleys to the north and south of Main Street, which are increasingly used by pedestrians to go to and from parking areas, are extremely uninviting and even scary at night.

Main Street has enormous potential. The architectural character of its historical buildings could be restored giving the street a deeper sense of its exciting heritage. The spirit of the rough and tumble Old West could once again come alive. Where needed newer buildings could receive appropriate cosmetic attention. Decorative sidewalks could be widened at street corners and other locations to shorten the walking distance across the street and provide more room for attractive benches, trash collectors, plantings, ramps, bike storage, information kiosks, and even occasional art work. Historic light posts and attractive signage could adorn the street. Consideration might even be given to uncovering Bozeman Creek just enough so people strolling Main Street would know of its presence; or to closing one or more side streets for more pedestrian open space. Such changes would greatly enhance the overall appearance of Main Street and make it much more user friendly without compromising its unique character, that of a "Working Downtown".

The alleys and the adjacent parking lots could be greatly improved by burying the cables underground, improving the lighting, hiding the dumpsters, improving the paving and cosmetically treating the backs of the buildings. They could become inviting to pedestrians, greatly improving people's attitudes towards living, working, shopping and recreating Downtown.

In conjunction with such improvements, attractive new residential apartments, convention and performing arts centers and hotel accommodations will follow. Downtown will have increased its charm and vitality, and greatly expanded its value to the citizens of the Gallatin Valley.

## EXECUTING THE VISION

### INTRODUCTION

Once adopted, this Plan becomes the official policy guide for public action regarding the Downtown Bozeman Improvement District. These policies can only be transformed into action through an effective implementation program. The framework for implementation described herein depends on sound processes of administration, financing and evaluation. As the implementation of this Plan proceeds, new opportunities will arise and unforeseen problems will emerge. The Plan's administration must be sufficiently flexible to respond effectively to changing circumstances without losing sight of long range goals.

### ADMINISTRATION

To implement this Plan, an Urban Renewal Agency will be created, hereafter referred to as the Downtown Bozeman Improvement District Board, or the IDB. The IDB is responsible for the implementation of this Plan, pursuant to Section 7-15-4232, M.C.A. Specifically, the IDB will: 1) develop plans which implement the vision for the District; 2) review on an ongoing basis the operations and processes of all public agencies to assure that such activities are supportive of the Plan; and 3) advocate and coordinate the complete and full implementation of the Plan.

Individuals appointed to the IDB shall have a demonstrated interest in Downtown Bozeman. Pursuant to Section 7-15-4234, M.C.A., the Mayor, by and with the advice and consent of the City Commission, shall appoint the IDB, which shall consist of five voting members. The initial voting membership shall consist of one IDB member appointed for 1 year, one for 2 years, one for 3 years, and two for 4 years. Each appointment thereafter shall be for 4 years. A certificate of the appointment or reappointment of any voting member shall be filed with the Clerk of the municipality, and such certificate shall be conclusive evidence of the due and proper appointment of such member.

- (1) Each voting member shall hold office until his/her successor has been appointed and has qualified.
- (2) A voting member shall receive no compensation for his/her services but shall be entitled to authorized necessary expenses, including traveling expenses, incurred in the discharge of his/her duties.
- (3) Any persons may be appointed as voting members if they reside within the municipality.
- (4) A voting member may be removed for inefficiency, neglect of duty, or misconduct in office.
- (5) The appointment of voting members shall be ratified annually by the City Commission.

A majority of the voting members shall not hold any other public office under the municipality other than their membership or office with respect to the IDB.

The powers and responsibilities of the IDB shall be exercised by the members thereof according to adopted bylaws approved by the City Commission. A majority of the voting members shall constitute a quorum for the purpose of conducting business and exercising the powers and responsibilities of the IDB and for all other purposes. Action may be taken by the IDB upon a vote of a majority of the voting members present unless in any case the bylaws shall require a larger number.

In addition to the five voting members, the IDB shall be composed of a non-voting membership of not more than seven individuals. The initial non-voting membership shall consist of one IDB member appointed for 2 years, two for 3 years and two for 4 years. Each appointment thereafter shall be for 4 years. In addition, upon a recommendation of the IDB, the City Commission may appoint two additional non-voting members for a term of 1 year. These individuals must also possess a demonstrated interest in Downtown Bozeman and may represent, but not be limited to, the following organizations in the community, unless such organization is represented among the voting membership: Parking Commission, Chamber of Commerce, MSU/Museum of the Rockies, Gallatin Development Corporation, Bozeman School District, the City of Bozeman, Gallatin County, and the Downtown Bozeman Association.

- (1) Each non-voting member shall hold office until his/her successor has been appointed and has qualified.
- (2) A non-voting member shall receive no compensation for his/her services but shall be entitled to authorized necessary expenses, including traveling expenses, incurred in the discharge of his/her duties.
- (3) A non-voting member may be removed for inefficiency, neglect of duty, or misconduct in office.
- (4) The appointment of non-voting members shall be ratified annually by the City Commission.

Special committees of the IDB may be appointed by the Chairman for purposes and terms which the IDB approves.

Initial administrative staff duties for the IDB will be performed by City staff as available until other funding shall be available from alternate sources and permanent staff hired. The IDB will make every effort to fund its own staff, either by contracting for services with existing public agency staff, contracting for services with a private firm, or hiring a staff. The FY97 work program shall specify the staff arrangement.

The IDB may exercise any of the powers specified in Section 7-15-4233, M.C.A.

## ANNUAL WORK PROGRAM, BUDGET, AUDIT AND EVALUATION

The IDB shall prepare an annual work program (AWP) and budget that will list the activities and costs of activities for the coming fiscal year, as well as the method of financing those activities. This program and budget may be amended during the course of the City's fiscal year, in light of funding and program changes. All budgets and revised budgets shall be reviewed and approved by the City Commission.

The IDB shall cause to be performed an annual audit conducted in conjunction with the City's audit covering the operations of the IDB in carrying out this Plan. The first such audit shall be completed within ninety (90) days of the close of the first fiscal year following the adoption of this Plan by the City Commission. All such audits shall be maintained as a part of the public records of the City of Bozeman.

The IDB shall also provide to the City Commission and the public an annual program evaluation. Such evaluation shall review the Downtown Bozeman Improvement District Plan and the past annual work program and other relevant IDB activities for the year.

## PLAN AMENDMENT

The Plan may be amended in accordance with Montana statute. The City Commission may modify and amend the Plan, including modifications and amendments to designate and approve urban renewal projects to be undertaken pursuant thereto, by enacting an ordinance providing for and setting forth the modification and amendment. No such ordinance shall be adopted until after a public hearing has been conducted thereon and notice of said hearing has been given in the official newspaper once a week for two consecutive weeks preceding the hearing.

If the modification or amendment involves the addition or deletion of land from the District, mailed notice shall be given to all persons owning property to be added or deleted at the time and in the manner provided by Section 7-15-4215(1), M.C.A. All notices shall provide the information regarding the modification required by Section 7-15-4215(1), M.C.A. Nothing herein shall limit or affect the authority of the Commission to undertake and carry out renewal activities on a yearly basis as provided by Section 7-15-4220, M.C.A.

## PROPERTY ACQUISITION

The IDB will assist and encourage public and private entities to eliminate blight or blighting influences, and strengthen the City's economy by developing property in the District. However, where necessary in the execution of this Plan, the IDB is authorized to acquire property in the District in accordance with appropriate federal, state and local law.

## ACTIONS BY THE CITY

The City shall aid and cooperate with the IDB in carrying out this Plan, and shall take actions necessary to ensure the continued fulfillment of the purposes of this Plan and to prevent the recurrence or spread in the area of conditions causing blight. To assure the purposes of the Plan are fully considered, the City shall obtain and consider the advice of the IDB regarding all development proposals, public works projects, or other matters occurring within or adjacent to the Downtown Bozeman Improvement District area or affecting any aspect of the Plan.

Other action by the City may include, but not be limited to, the following:

1. Institution and completion of proceedings for opening, closing, vacating, widening, or changing the grades of streets, alleys and other public rights-of-way and for other necessary modifications of the streets, the street layout and other public rights-of-way in the Downtown Bozeman Improvement District area. Such action by the City may include the requirement of abandonment and relocation by the public utility companies of their operations in public rights-of-way as appropriate to carry out this Plan.
2. Institution and completion of proceedings necessary for changes and improvements in publicly-owned utilities within or affecting the Downtown Bozeman Improvement District area.
3. Revision of Master Plan, Zoning requirements, development standards, and regulatory practices to facilitate the execution of principles, policies and implementation actions set forth by this Plan.
4. Performance of the above and of all other functions and services relating to public health, safety, and physical development normally rendered in accordance with a schedule that will permit the redevelopment of the Downtown Bozeman Improvement District area to be commenced and carried to completion without unnecessary delays.
5. The undertaking and completing of any other proceedings necessary to carry out the provisions of this Plan.

## FINANCE

The programs, projects and administration of the Plan shall be financed from a variety of sources both public and private. Public funds shall in general be used for public improvement projects and the public portions of private development activities. Tax Increment funds will not be used for the direct and exclusive benefit of private property. Private funds and self-imposed taxes shall be used for all other purposes.

Numerous funding sources will be applied to the implementation of this Plan, which in part may include:

Private – Grants; dues, for example from the Downtown Bozeman Association; self-imposed taxes, such as Special Improvement Districts or Business Improvement Districts; private investment; and donations.

Private Enterprise Assistance Programs – Housing and Urban Development, Small Business Administration, and Community Reinvestment Act financial assistance.

Public – Tax increment financing; revenue bonds; City and County general funds; public grants; utility districts; user fees; State-backed, low-interest loans; Montana Department of Transportation; general obligation bonds; Bozeman Parking Commission; tax credits; and enterprise funds.

The Planning Committee evaluated the Action Items in the Plan in consideration of potential funding sources appropriate for each Action Item, and suggested the most likely funding sources for each Action Item. Abbreviations are: BID – Business Improvement District, DBA – Downtown Bozeman Association, TIF – Tax Increment Financing (includes Increment Bonds), SID – Special Improvement District, SWM – Storm Water Management.

The list of Action Items and potential funding sources follows:

**Organization:** BID, TIF, City General Fund, Planning Grants;

**Additional Parking Spaces:** Private Investment, SID, TIF, Revenue Bonds, Intercap Loan, Parking Commission;

**Better Parking Management:** BID;

**Sidewalks, Pedestrian Facilities:** SID, TIF, Intercap Loan;

**Bicycle Accommodation:** Private Investment, SID;

**Traffic Flows:** TIF, MDOT Funding, SID;

**Public Transportation:** Public Grants, Enterprise Funds;

**Control of Main Street:** TIF, MDOT Funding;

**Control of Deliveries:** Private Investment, BID, City General Funds;

**Water, Sewer:** SID, TIF, Revenue Bonds, Enterprise Funds;

**Fire Code\*:** Private Investment, TIF, SID;

**Patrols:** DBA;

**Public Restrooms:** BID, TIF;

**Structural Repairs\*:** Private Investment, TIF;  
**Plaques, Guides:** Private Investment, BID;  
**Preservation\*:** Private Investment, TIF, Public and Private Grants, Private Donations;  
**Commercial Development\*:** Private Investment, TIF;  
**Additional Living\*:** Private Investment, TIF, Public Grants;  
**Main Street Appearance\*:** Private Investment, TIF;  
**Alley Improvements:** Private Investment, SID, TIF;  
**Cultural Activities:** Private Investment, BID, TIF, Revenue Bonds, Public and Private Grants, Private Donations;  
**Maintain Offices Downtown\*:** Private Investment, TIF;  
**Zoning, Master Plan:** City General Fund, City-County Planning Funds, TIF;  
**Snow Removal:** BID, TIF;  
**Creeks and Streams:** TIF, Public and Private Grants, SWM, Private Donations;  
**Waste:** BID, DBA, TIF;  
**Asbestos\*:** Private Investment, TIF, Public Grants;  
**Marketing:** Private Investment, DBA, BID;  
**Lighting:** SID, TIF, Private Donations;  
**Retain Anchors\*:** TIF.

Asterisk indicates that the use of TIF is limited to public projects or the public portion of private projects.

Tax Increment Financing will be implemented in accordance with Title VII, Chapter 15, Part 42, Sections 4282-4292, and 4301-4324, M.C.A., except the use of Tax Increment funds shall be limited to public projects or the public portion of private projects. In the event that property taxes are reduced or replaced with some new form of revenue, it is the intent of the Plan to use all available means to adjust the tax base or allow the capture of that portion of the new revenue form necessary to offset the reduced or lost increment.

In addition, notwithstanding the provisions of Title VII, Chapter 15, Part 42, Sections 4282-4292 and 4301-4324, M.C.A., tax increment payments made to the Tax Increment District after the 11th year of payments or after the annual tax increment reaches an inflation adjusted \$750,000, whichever occurs first, shall be returned to the taxing bodies as such payments would normally accrue to those bodies with the exception that those payments which are pledged to the payment of principal and interest of any outstanding tax increment bond shall remain with the Tax Increment District for the payment of such principal and interest. The cap of \$750,000 shall be increased for inflation by a percentage equal to the percentage increase in the Consumer Price Index for all Urban Consumers – All Items (Source: U.S. Department of Labor, Bureau of Labor Statistics) from July 1995 to July in the year under consideration. The Board shall not issue any tax increment bonds later than the year following either the 11th year of payment or after the tax increment reaches an inflation adjusted \$750,000, whichever occurs first. The provisions of this paragraph shall be accomplished by separate interlocal agreement between the City, County, and School District.

The IDB will annually develop a program and budget to be reviewed and adopted by the City Commission. During this procedure, specific actions will be proposed in detail for community review. This process will allow maximum community input to further the redevelopment interests of the community and to evaluate past actions of the IDB.



## GETTING STARTED

### FIRST YEAR ANNUAL WORK PROGRAM

#### INTRODUCTION

Initiating the implementation of the Downtown Bozeman Improvement District will require skillful leadership, ample opportunity for citizen participation, and the personal commitment of each member of the Improvement District Board. Demands for concrete action will be high, but funds will be limited. Community interest will be significant. All parties will be encouraged to be solution-oriented in their participation.

In short, the first year will be a period filled with challenges – but even greater opportunities. The program, time line, responsibility statements and cost estimates set forth below shall serve as a guide to the District Board and to the several agencies that will be asked to help move this vital Public/Private Partnership forward.

#### WORK PROGRAM

City Fiscal Year 1996

<u>Calendar Quarter/Yr.</u>	<u>Programmed Actions</u>	<u>Responsibility</u>	<u>Estimated Cost</u>
<u>1995</u>			
3rd	Finalize Urban Renewal Plan	URSC & staff	Items combined
3rd	Publicize and present Plan to community	URSC & staff	\$ 5,000
3rd	Review and recommendation	CCPB	
3rd	Develop three year planning/budgeting cycle	URSC & staff	
3rd-4th	Secure planning/assessment funds	URSC/DBIDB	\$ 5,000
4th	Public Hearing	CC	
4th	Administrative Staff/Consultant decisions	DBIDB & staff	

City Fiscal Year 1996

<u>Calendar Quarter/Yr.</u>	<u>Programmed Actions</u>	<u>Responsibility</u>	<u>Estimated Cost</u>
<u>1996</u>			
1st-2nd	Physical Concept Plan and Program	DBIDB & Consultant	\$50,000
1st	Public Safety Assessment and Plan	CF/P & Consultant	\$10,000
1st	Sewer/Water Assessment and Plan	CPW & Consultant	\$ 5,000
1st	Parking Management Study	CPC & Consultant	\$10,000
1st	Marketing Plan	DBA	\$ 5,000
1st	DBID Financial Program Development	DBIDB & staff	
2nd	AWP Funding Options Assessment and Plan	DBIDB & staff & others	\$ 5,000
TOTAL			\$95,000

ABBREVIATIONS

URSC	Urban Renewal Study Committee
CCPB	City-County Planning Board
Staff	City Staff
DBID(B)	Downtown Bozeman Improvement District (Board)
CC	City Commission
Consultant	Independent Consultant meeting Plan criteria
CF/P	City Fire and Police Departments
CPW	City Public Works Departments
CPC	City Parking Commission
DBA	Downtown Bozeman Association
AWP	Annual Work Program

## PROGRAMMED ACTION DISCUSSION

1. Finalize Urban Renewal Plan Draft – URSC & staff

Complete the Downtown Bozeman Improvement District plan draft for review by the public, the City-County Planning Board, and the City Commission.

2. Publicize and present Plan to community – URSC & staff

Conduct a public review and input session.

3. Public Hearing – CCPB

In conjunction with the CCPB review of the Plan, a public hearing may be held at the discretion of the CCPB.

4. Develop three-year planning/budgeting cycle – URSC & staff

Prepare AWP three-year budget forecast.

5. Secure planning/assessment funds – URSC/DBIDB

A transitional element from the Planning Committee to the Improvement District board – identify and secure funding to accomplish the tasks identified in this AWP.

6. Public Hearing – CC

Conduct the mandated hearing on the Plan.

7. Administrative Staff/Consultant decisions – DBIDB & staff

Plan implementation responsibilities for completion of the AWP and secure the necessary staff/funding to accomplish.

8. Physical Concept Plan and Program – DBIDB & Consultant

Prepare an Urban Design Plan for the Downtown Bozeman Improvement District.

9. Public Safety Assessment and Plan – CF/P & Consultant

Prepare a plan for fire code compliance within the DBID, including the installation of dedicated water supply as required.

10. Sewer/Water Assessment & Plan – CPW & Consultant

Review existing assessments of water and sewer facilities within the DBID, and revise or evaluate more specifically as warranted. Review for coordination with water supply requirements for fire code compliance.

11. Parking Management Study – CPC & Consultant

Evaluate options and recommend approaches to maximize value of parking facilities within the DBID. Review Organization of parking management promotion, Effectiveness of existing parking, both on and off-street, as well as evaluating facility needs.

12. Marketing Plan – DBA

DBA will develop a coordinated marketing plan for the downtown.

13. DBID Financial Program Development – DBIDB & staff

Develop financial programs to assist in DBID redevelopment efforts.

14. AWP Funding options Assessment and Plan – DBIDB, staff and others

APPENDIX A

ORDINANCE NO. 1409

**ORDINANCE NO. 1409**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF BOZEMAN, MONTANA, ADOPTING AN URBAN RENEWAL PLAN FOR PORTIONS OF THE DOWNTOWN BOZEMAN AREA.**

**WHEREAS**, the Bozeman City Commission did, on the 6th day of March, 1995, adopt Resolution No. 3046, declaring that blighted areas exist within the municipality and that the rehabilitation, redevelopment, or a combination thereof, of such area or areas is necessary; and

**WHEREAS**, the Bozeman City Commission appointed an Urban Renewal Planning Committee to prepare an urban renewal plan; and

**WHEREAS**, the Urban Renewal Planning Committee has prepared a proposed Urban Renewal Plan; and

**WHEREAS**, the Bozeman City-County Planning Board has found the proposed Urban Renewal Plan to be in conformance with the 1990 Bozeman Area Master Plan Update, the adopted comprehensive plan for the Bozeman Planning jurisdiction; and

**WHEREAS**, the Bozeman City Commission did, on the 6th day of November, 1995, conduct a public hearing to consider the proposed Urban Renewal Plan.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BOZEMAN, MONTANA:**

**SECTION 1:** That the Urban Renewal Plan, attached hereto as Exhibit "A", is hereby adopted.

**SECTION 2 - REPEALER.**

All resolutions, ordinances, and sections of the Bozeman Municipal Code and parts thereof in conflict herewith are hereby repealed.

**SECTION 3 - SEVERABILITY.**

If any provisions of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provision or application and, to this end, the provisions of this ordinance are declared to be severable.

law.

PASSED by the City Commission of the City of Bozeman, Montana on first reading  
this 6th day of November, 1995.

  
JOHN VINCENT, Mayor

ATTEST:

  
ROBIN L. SULLIVAN  
Clerk of the Commission

PASSED, ADOPTED and FINALLY APPROVED by the City Commission of the City  
of Bozeman, Montana on second reading this 20th day of November, 1995.

  
JOHN VINCENT, Mayor

ATTEST:

  
ROBIN SULLIVAN  
Clerk of the Commission

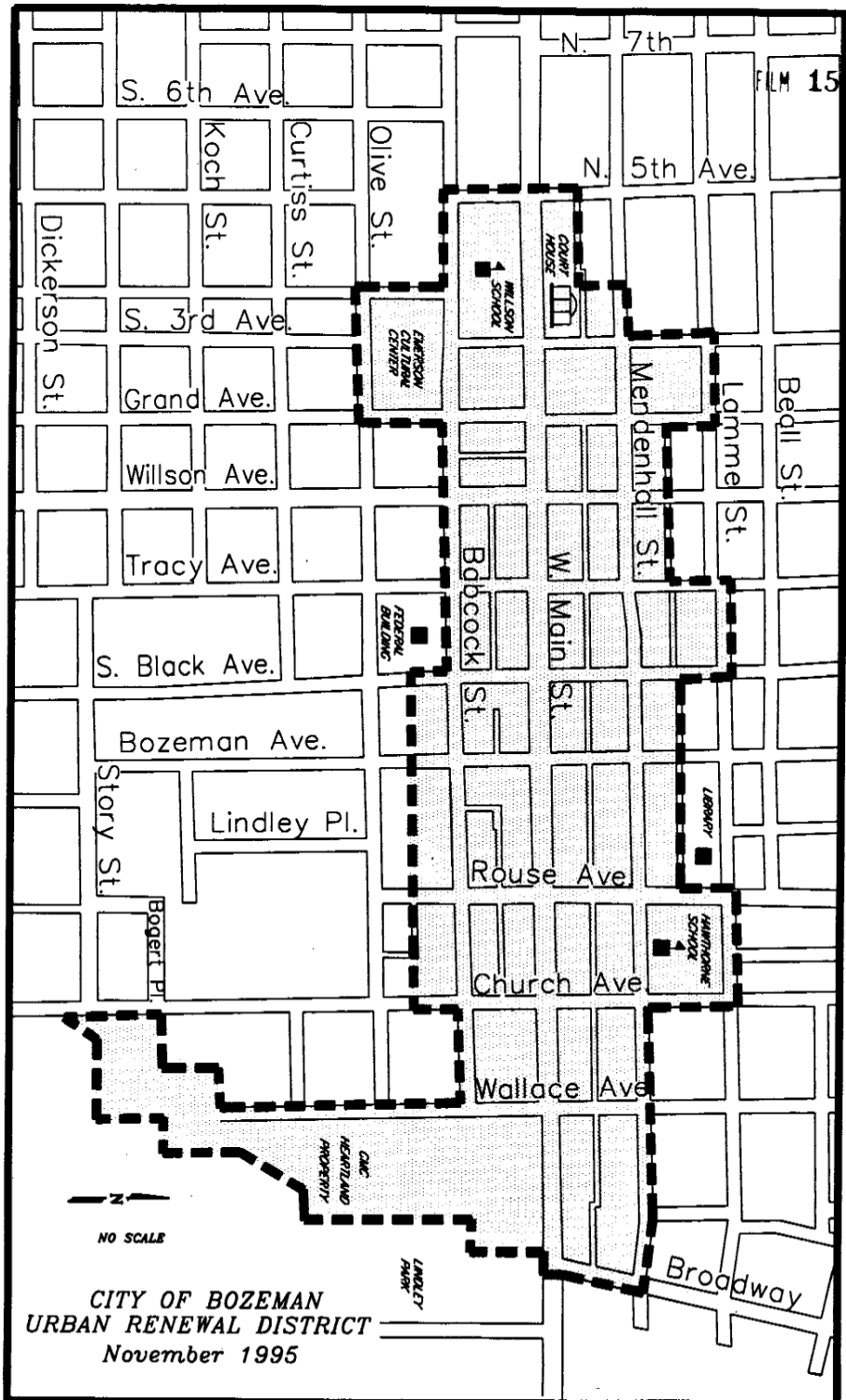
APPROVED AS TO FORM:

  
PAUL J. LUWE  
City Attorney

## APPENDIX B

### DISTRICT DESCRIPTION AND MAP





FILM 159 PAGE 1464

CITY OF BOZEMAN  
URBAN RENEWAL DISTRICT  
November 1995

**INDEXED** THIS INSTRUMENT WAS FILED FOR RECORD IN THIS OFFICE ON  
**317056** THE 28 DAY OF DECEMBER, A.D., 19 95  
 OFFICE OF COUNTY RECORDER )  
 COUNTY OF GALLATIN ) AT 11:00 AM., AND WAS DULY RECORDED IN BOOK 159  
 STATE OF MONTANA ) OF MISCELLANEOUS RECORDS, PAGE 1423  
 e \$ 252.00 Shelley M. Cheney RECORDER. BY [Signature] DEPUTY  
 : CITY OF BOZEMAN

## URBAN RENEWAL DISTRICT BOUNDARY

Beginning at the southeast corner of Block D, Tracy's 3rd Addition to the City of Bozeman, Montana; thence easterly along the north right-of-way line of Lamme Street a distance of 384 feet to the southwest corner of Block B of said Tracy's 3rd Addition; thence southerly along the east right-of-way line of Grand Avenue a distance of 200 feet to the north line of the alley in Block B, Tracy's 2nd Addition to the City of Bozeman; thence easterly along the north line of the alleys in Blocks B and A of said Tracy's 2nd Addition a distance of 668 feet to the west right-of-way line of Tracy Avenue; thence northerly along said west line of Tracy Avenue a distance of 140 feet to the northeast corner of Block A of said Tracy's 2nd Addition; thence northerly a distance of 60.3 feet to the southeast corner of Lot 3 of the amended plat of Block A of Tracy's 3rd Addition; thence northerly along the east line of said Lot 3 a distance of 50.7 feet; thence easterly a distance of 53.8 feet to the southwest corner of Block M of Original Townsite, City of Bozeman; thence easterly along the north right-of-way line of Lamme Street a distance of 377 feet to the southwest corner of Block L of said Original Townsite; thence southerly along the east right-of-way line of Black Avenue a distance of 210 feet to the southwest corner of Lot 22, Block H, of said Original Townsite; thence easterly along the north line of the alleys in Blocks H and I of said Original Townsite a distance of 895 feet to the west right-of-way line of Rouse Avenue; thence northerly along said west line of Rouse Avenue a distance of 210.1 feet to the southeast corner of Block K of said Original Townsite; thence easterly along the north right-of-way line of Lamme Street a distance of 494.2 feet to the southwest corner of Block 2, Babcock and Davis Addition to the City of Bozeman; thence southerly along the east right-of-way line of Church Avenue a distance of 380 feet to the southwest corner of Block H, Rouse's Addition to the City of Bozeman; thence easterly along the north right-of-way line of Mendenhall Street a distance of 892 feet to the southwest corner of Block 32, Northern Pacific Addition to the City of Bozeman; thence southeasterly along the north right-of-way line of Mendenhall Street a distance of 237.6 feet to the southeast corner of said Block 32, Northern Pacific Addition; thence easterly a distance of 71 feet more or less to the southwest corner of Block 33 of said Northern Pacific Addition; thence southwesterly along the east right-of-way line of Broadway Avenue a distance of 370.1 feet more or less to the southwest corner of Block 30 of said Northern Pacific Addition; thence southeasterly a distance of 94.2 feet more or less to the northwest corner of Lindley Park; thence southerly along the westerly line of Lindley Park a distance of 313.5 feet; thence westerly along the Lindley Park property line a distance of 250 feet to a point on the east right-of-way line of vacated Ida Street; thence S00°45'05"W along said east line of vacated Ida Street a distance of 684 feet, to the south right-of-way line of vacated Curtiss Street; thence S89°13'47"W along said south line of vacated Curtiss Street a distance of 133.77 feet; thence S23°10'38"W a distance of 39.01 feet; thence S37°19'25"W a distance of 125.80 feet; thence S17°01'59"W a distance of 47.36 feet; thence S32°52'38"W a distance of 95.44 feet; thence S23°59'25"W a distance of 39.99 feet to a point on the east line of Block F, Rouse's 2nd Addition to the City of Bozeman; thence S00°04'23"E along said east line of Block F of Rouse's 2nd Addition a distance

of 366.58 feet; thence S89°13'53"W along the south line of said Block F of Rouse's 2nd Addition a distance of 120 feet; thence S00°09'25"W along the east line of vacated Wallace Avenue a distance of 295.24 feet to a point on the north line of Electric Heights Addition to the City of Bozeman; thence S89°59'50"W along said north line of Electric Heights Addition a distance of 381.17 feet; thence S35°24'06"W a distance of 119.61 feet to a point on the east right-of-way line of Church Avenue; thence northerly along said east line of Church Avenue a distance of 385.48 feet more or less to the south line of Block E of said Rouse's 2nd Addition; thence N89°13'53"E along said south line of Block E, Rouse's 2nd Addition a distance of 168.10 feet; thence N37°42'44"E a distance of 53.96 feet to a point on the west line of the alley in said Block E, Rouse's 2nd Addition; thence S00°00'41"W along said west alley line a distance of 42.24 feet; thence N89°13'53"E a distance of 25 feet; thence N00°00'41"E along the east line of said alley in Block E, Rouse's 2nd Addition, a distance of 302.18 feet; thence N89°13'35"E along the line common to Lots 31 and 30, Block E, Rouse's 2nd Addition, a distance of 164.97 feet to a point on the west right-of-way line of Wallace Avenue; thence northerly along said west line of Wallace Avenue a distance of 1020 feet to the northeast corner of Block A of said Rouse's 2nd Addition; thence westerly along the south right-of-way line of Babcock Street a distance of 392 feet to the northwest corner of said Block A of Rouse's 2nd Addition; thence southerly along the east right-of-way line of Church Avenue a distance of 170 feet; thence westerly a distance of 210 feet to a point on the east line of the north/south alley in Block A, Harper's Addition to the City of Bozeman; thence northerly along said east line of the north/south alley in Block A, a distance of 10 feet; thence westerly along the south line of the east/west alley in said Block A of Harper's Addition a distance of 244 feet to the east right-of-way line of Rouse Avenue; thence southwestwardly a distance of 58.8 feet to a point on the west right-of-way line of Rouse Avenue, said point being 150 feet north of the north right-of-way line of Olive Street; thence westerly along a line 150 feet north of and parallel to the north line of Live Street a distance of 521 feet to the east right-of-way line of Bozeman Avenue; thence westerly 57 feet to a point on the west right-of-way line of Bozeman Avenue, said point being 51 feet north of the northeast corner of Lot A of Certificate of Survey No. 490; thence along the southerly property line of the property currently owned by Bozeman Elks Lodge No. 463 the following metes and bounds: westerly 37 feet, southerly 1.5 feet, westerly 138.67 feet, southerly 12.5 feet, and westerly 118.86 feet to a point on the east right-of-way line of Black Avenue; thence westerly a distance of 58 feet to a point on the west right-of-way line of Black Avenue; thence northerly along said west line of Black Avenue a distance of 164 feet to the south right-of-way line of Babcock Street; thence westerly along said south line of Babcock Street a distance of 1055.98 feet to the east right-of-way line of Grand Avenue; thence southerly along said east line of Grand Avenue a distance of 360 feet to the south right-of-way line of Olive Street; thence westerly along said southerly line of Olive Street a distance of 621 feet to the west right-of-way line of Fourth Avenue; thence northerly along said west line of Fourth Avenue a distance of 382.5 feet to the south right-of-way line of Babcock Street; thence westerly along said south line of Babcock Street a distance of 405 feet more or less to the west right-of-way line of Fifth Avenue extended; thence northerly along said west line of Fifth Avenue a distance of 336 feet to the northeast corner of Block E, Story's Addition to the City of Bozeman; thence northeasterly a distance of 91.6 feet more or

less to the southeast corner of Block E, Tracy's Addition to the City of Bozeman; thence northerly along the west right-of-way line of Fifth Avenue a distance of 160 feet; thence easterly along the north line of the alley in Block D of said Tracy's Addition a distance of 338 feet to the southwest corner of Lot 34 of said Block D of Tracy's Addition; thence northerly along the west line of said Lot 34 a distance of 191 feet more or less to a point on the north right-of-way line of Mendenhall Street; thence easterly along said north line of Mendenhall Street a distance of 252 feet to the west right-of-way line of Third Avenue; thence northerly along said west line of Third Avenue a distance of 360 feet to the southeast corner of Block D of Tracy's 3rd Addition to the City of Bozeman, the point of beginning.