

RESOLUTION NO. 262

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2 A RESOLUTION CREATING SPECIAL IMPROVEMENT SEWER DISTRICT NO.  
3 13 OF THE CITY OF POLSON, MONTANA, DEFINING THE BOUNDARIES OF  
4 THE SAME, STATING THE GENERAL CHARACTER OF THE IMPROVEMENTS  
5 TO BE MADE, THE ISSUANCE OF BONDS IN PAYMENT THEREOF, THE  
6 MANNER OF THEIR SALE, AND PROVIDING FOR THE ASSESSMENT OF  
7 THE COST OF SUCH CONSTRUCTION AND THE APPROXIMATE COST  
8 THEREOF.

9 WHEREAS, the City Council of the City of Polson, Montana, did on  
10 the 2nd day of January, 1968, in a regular session pass a Resolution of  
11 Intention No. 261 to create Special Improvement Sewer District No. 13 within  
12 the said City of Polson, Montana, and the District proposed to be created  
13 thereby, and

14 WHEREAS, pursuant to said Resolution, The City Council caused a  
15 Notice of the passage and adoption of said Resolution to be published in the  
16 Flathead Courier, a weekly newspaper, published in the City of Polson,  
17 Montana, on the 4th day of January, 1968, being a period of more than fifteen  
18 (15) days preceding the 5th day of February, 1968, and

19 WHEREAS, the City Clerk of the City of Polson, Montana, on the 4th  
20 day of January, 1968, the same being the same day said notice was first pub-  
21 lished in the Flathead Courier, mailed to each and every person, firm, corp-  
22 oration, or agent of such firm, having property within said proposed District,  
23 and directed to the last known address of such person, firm, corporation or  
24 agent, a notice of passage and adoption of said Resolution of Intention to  
25 create Special Improvement Sewer District No. 13, and

26 WHEREAS, said notice was published and mailed, as aforesaid, des-  
27 cribing the general character of the improvement to be made in said District,  
28 the estimated cost thereof, and designating the time and place where said  
29 City Council of the City of Polson, Montana, would hear and pass upon all  
30 protests made against the making of said improvement or creating of said  
31 District, and which notice referred to said Resolution No. 261 on file in the  
32 office of the City Clerk for a description of the boundaries of said Special  
Improvement District No. 13, and

WHEREAS, this, a regular session of the City Council of the City of  
Polson, Montana, after the expiration of the time within which said protests

1 may be made, and being the time and place fixed to hear and pass upon all  
2 protests so made, and it appearing that only one (1) protest, involving twenty-  
3 three and 4/10ths per cent (23.4%) of the area to be included, has been made  
4 and filed against the making of said improvement and creating of said District.

5 NOW, THEREFORE, BE IT RESOLVED, by the City Council of the  
6 City of Polson, Montana, that the City Council having heard and passed upon  
7 all protests made and delivered to the City Clerk of the City of Polson,  
8 Montana, against the making of said improvement and against the creation of  
9 the proposed District within the time specified and provided in said Resolution  
10 of Intention No. 261, and finding that protests have been made and filed  
11 against the making of said improvement and the creation of said district; and  
12 said protests being found insufficient are hereby overruled.

13 That there is hereby created a Special Improvement District, to be  
14 known and designated as "Special Improvement Sewer District No. 13 of the  
15 City of Polson, Lake County, Montana," in accordance with Resolution No.  
16 261 of the City of Polson, Montana;

17 That the general character of the improvements to be made in said  
18 Special Improvement Sewer District No. 13 are as follows:

19 The general nature and character of the proposed improvements to be  
20 made in said District is the building and construction of a sanitary sewer  
21 system to serve the property owners and inhabitants thereof and to benefit  
22 the public health and safety;

23 That the boundary of said Special Improvement Sewer District No. 13,  
24 is as follows, to-wit:

25 All of Lot Four (4) of Elevation Addition to the City of Polson,  
26 Montana, according to the official map or plat thereof, on file  
27 and of record in the office of the Clerk and Recorder of Lake  
County, Montana, and;

28 A strip of land being twenty feet (20') in width, lying 10' on either  
29 side of the North South Center Line of Block One (1) of Elevation  
30 Addition to the City of Polson, Montana, according to the official  
map or plat thereof, on file and of record in the office of the Clerk  
and Recorder of Lake County, Montana.

31 That the above-described District contains an area of approximately  
32 Ninety-six Thousand square feet (96,000), being comprised of the areas herein  
above particularly described.

1 All of said Real Estate included within the boundaries of said District  
2 aforesaid is the property benefitted by the creation of said District.

3 Reference to Resolution No. 261 is hereby made for further particulars;

4 That it is hereby stated that said improvements will be made in said  
5 Special Improvement Sewer District No. 13 in accordance with the plans and  
6 specifications thereof, on file in the office of the City Clerk of the City of  
7 Polson, Montana, which plans and specifications are hereby incorporated in  
8 this Resolution by reference as though the same were set forth fully at this  
9 place;

10 That the estimated cost, including all engineering fees, is approximately  
11 \$4,784.00, which sum is approximately \$.0497 per square foot, or approximately  
12 \$187.00 per lot. The cost of such improvement is to be assessed against the  
13 entire district; each lot or parcel of land within said District is to be assessed  
14 for that part of the whole cost which its area bears to the cost of the entire  
15 area, exclusive of streets, avenues, and alleys. The assessment for the cost  
16 of the construction of such improvement shall be made annually for a period  
17 of twenty (20) years, reserving the right to the City of Polson, Montana, to  
18 liquidate such improvement at any time;

19 That the City of Polson, Montana, issue Special Improvement Sewer  
20 District No. 13 bonds in the principal sum of \$4,784.00 and that said bonds  
21 shall bear date as of the \_\_\_\_\_ day of \_\_\_\_\_, 1968,; shall be  
22 in the denomination of \$ \_\_\_\_\_ each; shall be numbered consec-  
23 utively from 1 to \_\_\_\_\_, both inclusive; shall bear interest at the rate of not  
24 in excess of six per cent. (6%) per annum, payable annually on the 1st day of  
25 \_\_\_\_\_, 19\_\_\_\_, and shall be subject to redemption by the  
26 City Treasurer at any time after issuance and in the order of their number,  
27 as provided by statute;

28 That said bonds to be sold to the highest and best bidder for cash at  
29 not less than par, together with accrued interest to date of delivery;

30 That the bonds of Special Improvement Sewer District No. 13 shall be  
31 in accordance with the provisions of Revised Codes of Montana, 1947, Section  
32 11-2231, and in substantially the following form:

1 NO. \_\_\_\_\_ \$ \_\_\_\_\_

2 UNITED STATES OF AMERICA  
3 STATE OF MONTANA, COUNTY OF LAKE  
4 CITY OF POLSON

5 SPECIAL IMPROVEMENT SEWER DISTRICT NUMBER 13 COUPON BOND

6 The Treasurer of the City of Polson, Montana, will pay to the bearer the  
7 sum of  
8 as authorized by Resolution No. \_\_\_\_\_, passed on the 5th day of February,  
9 1968, creating Special Improvement Sewer District No. 13 for the construction  
10 of the improvements authorized by said Resoltuion, and all laws, resolutions  
11 and ordinances relating thereto, in payment of the said improvements authorized  
12 in said Resolution. The principal and interest of this bond are payable at the  
13 office of the City Treasurer of the City of Polson, Montana.

14 This bond bears interest at the rate of \_\_\_\_\_ per cent per annum  
15 from the date of registration of this bond, expressed herein, until the date  
16 called for redemption by the City Treasurer. The interest on this bond is  
17 payable annually on the 1st day of \_\_\_\_\_, 19\_\_\_\_, and each  
18 year thereafter unless paid previously thereto, and as expressed by the  
19 interest coupons hereto attached, which bear the engraved facsimile signature  
20 of the Mayor and City Clerk.

21 This bond is payable from the collection of a special tax or assessment  
22 which is a lien against the real estate within said improvement District and  
23 from the Special Improvement Sewer District Revolving Fund of the City of  
24 Polson as created by Ordinance No. \_\_\_\_\_ passed on the \_\_\_\_\_ day of  
\_\_\_\_\_ , 19\_\_\_\_\_.

25 This bond is payable on or before the \_\_\_\_\_ day of \_\_\_\_\_  
26 \_\_\_\_\_, and is redeemable at the option of the City at any time there  
27 are funds to the credit of said Special Improvement Sewer District No. 13 Fund  
28 for the redemption thereof, and in the manner provided by statute for the  
29 redemption of the same.

30 IT IS HEREBY CERTIFIED AND RECITED, that all things required  
31 to be done, precedent to the issuance of this bond, have been properly done,  
32 happened and been performed in the manner prescribed by the laws of the  
State of Montana and the Resolutions and Ordinances of the City of Polson,

CALVIN T. CHRISTIAN  
KEITH W. McCURDY  
LAWYERS  
POLSON, MONTANA

1 Montana, relating to the issuance thereof.

2 DATED at Polson, Montana, this \_\_\_\_\_ day of \_\_\_\_\_, 1968.

3 CITY OF POLSON

4

5 By *Don Saugin*  
Mayor

6 ATTEST:

7 *Walter E Maddy*  
8 City Clerk

9 The interest coupons attached to said bonds shall be in substantially  
10 the following form:

11 COUPON NO. \_\_\_\_\_ \$ \_\_\_\_\_

12 On this 1st day of \_\_\_\_\_, 1968, the Treasurer of the City of  
13 Polson, Montana, will be at his office in the City of Polson, Montana, pay to  
14 the bearer, the sum of \$ \_\_\_\_\_, being the interest due on said  
15 date of payment on its Special Improvement Sewer District No. 13 Bond,  
16 numbered \_\_\_\_\_ on account of and out of the funds of Special Improvement  
17 Sewer District No. 13 of said City. In the event of the prior redemption of the  
18 annexed bond, all unearned interest coupons subsequent to date of such redem-  
19 ption shall cease to be payable.

20 CITY OF POLSON,

21  
22 By *Don Saugin*  
Mayor

23 ATTEST:

24 *Walter E Maddy*  
City Clerk

25 PASSED AND APPROVED this 5th day of February, 1968.

26

27 CITY OF POLSON,

28  
29 By *Don Saugin*  
Mayor

30 ATTEST:

31 *Walter E Maddy*  
City Clerk

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