

A RESOLUTION ORDERING CONSTRUCTION OF CURBS AND GUTTERS AND FURTHER CREATING A SPECIAL CURB AND GUTTER FUND.

WHEREAS, certain lot owners of lots bordering on the sixth and seventh blocks of Fifth Avenue East have unanimously petitioned the City of Polson to create a special fund to construct curbs and gutters on the north and south sides of Blocks 6 and 7 of Lakeshore Addition, and;

WHEREAS, the Public Convenience and Safety requires and the City Council has deemed it necessary to order the construction of curbs and gutters in front of said above-mentioned lots within the City of Polson, Montana; and;

WHEREAS, the majority of owners of the above-mentioned property are prepared to pay for the improvements on their said lots immediately and the other owners are prepared to pay for the improvements on installment basis, and;

WHEREAS, it has therefore become necessary to create a special curb and gutter fund from which to pay for the construction of the curb and gutter on the properties belonging to the owners who wish to pay on the installment plan.

NOW, THEREFORE, BE IT RESOLVED by the City of Polson, Montana, that:

1. It is hereby ordered that curbs and gutters be constructed on Fifth Avenue East on the south side of Block 6 and north side of Block 7 of the Lakeshore Addition, the south side of the Cass Addition and in front of the following described properties on Fifth Avenue East:

A. The Byno A. Thibert property described as: Part of Lot Three (3) of Section 3, Township 22 North, Range 20 West, of the Montana Meridian, Montana, and more particularly described as follows, to-wit:

Starting at the monument which is in the center of "D" Street and on the East City Limits of the City of Polson, Montana, which point is also on the west boundary line of the S.E. $\frac{1}{4}$ of the S. W. $\frac{1}{4}$ of Section 3, T. 22 N., R. 20 W., M.P.M.; thence S. $0^{\circ} 08'$ West, 420 feet to the point of beginning; thence S. $0^{\circ} 08'$ West, 140 feet; thence S. $89^{\circ} 52'$ East, 300 feet; thence N. $0^{\circ} 08'$ East, 140 feet; thence N. $89^{\circ} 52'$ West, 300 feet to the point of beginning, containing 0.964 acres.

B. Roman Catholic Bishop of Helena property described as: A portion of Lot Three (3), Section Three (3), Township Twenty-two (22) North, Range Twenty (20) West, MPM, to-wit:

Beginning at the S.E. Corner of the existing Polson I.C. Catholic Church property, said S.E. Corner being marked on the ground with an iron bolt and bearing N. $89^{\circ} 49'$ East 414.70 feet from the S.E. corner of the Cass Addition to the City of Polson, Montana, according to the official plat thereof on file in the Official Records of the County of Lake, Montana; thence S. $89^{\circ} 49'$ West 414.70 feet; thence West 109.00 feet to the east line of the Thibert property; thence along said east line South 139.58 feet to the S.E. Corner of said property; thence along the south line of said property S. $89^{\circ} 54'$ West 300.27 feet to the West line of said Lot 3, thence along said West line of Lot 3 South $0^{\circ} 08'$ West 555.00 feet to the northerly right of way of the county road; thence along said right of way South $89^{\circ} 50'$ East 334.38 feet to the westerly right of way of the N.P.R.R.; thence northeasterly along said railroad right of way 843.80 feet to a line that bears North $0^{\circ} 12'$ West and passes through the point of beginning thence along said line North $0^{\circ} 12'$ West 13.40 feet to the point of beginning.

2. A special curb and gutter fund be and the same hereby is created for the following purposes:

- a. To account for monies received through special assessment against the properties hereinabove described; and,
- b. For the purpose of paying for the work heretofore done in connection with a construction of curbs and gutters across that portion of the project where the owners desire to pay for said improvements under an installment plan.

PASSED AND APPROVED this 21 day of July, 1980.

ATTEST:

City Clerk

MAYOR