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RESOLUTION NO. 429

A RESOLUTION EXTENDING THE CORPORATE LIMITS OF THE CITY OF POLSON, MONTANA, SO AS TO INCLUDE THOSE TRACTS OR PARCELS OF LAND HEREINAFTER DESCRIBED, WHICH LAND IS CONTIGUOUS TO THE CITY OF POLSON, MONTANA.

WHEREAS, THE City Council of the City of Polson, Montana, on the 1st day of February, 1982, duly and regularly passed and adopted a Resolution declaring it to be to the best interest of the City of Polson, Montana, and of the inhabitants of the hereinafter described tracts of land that the boundaries of the said City be extended to include within the corporate limits of the City of Polson, the said tracts of land; and

WHEREAS, Petitions having been filed by the owners of all property described below requesting the City of Polson to annex said property which Petitions waive the rights of said owners to receive any and all notices, and further waiving publication of notices, and the City Council, after due consideration, deems it for the best interests of said City and the inhabitants thereof and the inhabitants of the hereinafter described contiguous tracts of land that the boundaries of the City of Polson, Montana, should be extended so as to include the hereinafter described tracts of land within the corporate limits thereof, under the following conditions:

1. All private driveways and approaches shall be maintained by the individual property owners and any and all improvements of said roads and driveways shall be completed at the expense of the property owners.
2. That the property owners pay for the installation of fire hydrants as required by the City of Polson fire personnel.
3. That the property owners grant the necessary easements for water and sewer lines as may be required and that property owners accept the water line pressures as they may exist, and further, that said property owners be liable for the installation of any and all boosters or auxiliary pumps to supplement the existing City of Polson water supply.
4. That the property owners are obligated to make any and all improvements at their own expense and under the supervision of the City of Polson's superintendents, and only after engineering, as is required by the City of Polson, and be obligated for the extension, construction and location of a new main water line to service said annexed property.

WHEREAS, the City Council caused to be published in the Flathead Courier, a paper nearest to the said tracts of land, once a week for two (2) successive weeks, a notice to the effect that said Resolution had been duly and regularly passed and that for a period of twenty (20) days from the first publication of said notice the City Clerk would receive expressions of approval or disapproval in writing of the proposed extension of the boundaries of said City from the resident freeholders of the territory proposed to be embraced therein; and

WHEREAS, the City Clerk, according to law, did forthwith notify in writing all property holders within the boundaries of the hereinafter described tracts of land; and

WHEREAS, said Resolution was published on the 11th day of February, 1982, and on the 18th day of February, 1982, and more than twenty (20) days has elapsed since the first publication of said Resolution as is evidenced by the Affidavit of Publication on file in the records of the City Clerk of the City of Polson, Montana; and

WHEREAS, the City Clerk has laid before the City Council all of the communications received by her relative to the said proposed extension of the boundaries, including any objections; and

WHEREAS, it appears that no communications were in fact received within the said twenty (20) day period and the City Council after due consideration,

deems it for the best interest of said City and the inhabitants of the herein-after described contiguous tracts of land that the boundaries of the City of Polson, Montana, should be extended so as to include the hereinafter described tracts of land within the corporate limits thereof.

NOW, THEREFORE, BE IT RESOLVED that the boundaries of the City of Polson, Montana, shall be extended so as to include the property described in Exhibit "A", a copy of which is attached hereto and by this reference made a part hereof as though set forth fully at this place, under the following conditions:

1. All private driveways and approaches shall be maintained by the individual property owners and any and all improvements of said roads and driveways shall be completed at the expense of the property owners.
2. That the property owners pay for the installation of fire hydrants as required by the City of Polson fire personnel.
3. That the property owners grant the necessary easements for water and sewer lines as may be required and that property owners accept the water line pressures as they may exist, and further, that said property owners be liable for the installation of any and all boosters or auxiliary pumps to supplement the existing City of Polson water supply.
4. That the property owners are obligated to make any and all improvements at their own expense and under the supervision of the City of Polson's superintendents, and only after engineering, as is required by the City of Polson, and be obligated for the extension, construction and location of a new main water line to service said annexed property.

The foregoing Resolution was duly and regularly passed by the City Council of the City of Polson, Montana, and adopted and approved by the Mayor of the City of Polson, Montana, this 15th day of March, 1982.

CITY OF POLSON

John Dowdall/s
John Dowdall, Mayor

ATTEST:

Kathy L. Cox/s
City Clerk

EXHIBIT "A"

Lots One (1) through Twenty-One (21) of Hamilton Tracts Addition according to the official map or plat thereof on file and of record in the office of the Clerk and Recorder, Lake County, Montana.

and

Lot Five (5), Block Two (2), of the Slack Villa and Orchard Tracts according to the official map or plat thereof on file and of record in the Office of the Clerk and Recorder, Lake County, Montana.