

RESOLUTION NO. 434

A RESOLUTION EXTENDING THE CORPORATE LIMITS OF THE CITY OF POLSON, MONTANA, SO AS TO INCLUDE THOSE CERTAIN 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 7th day of March, 1983, duly and regularly passed and adopted a resolution declaring it to be to the best interests 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, Montana, the said tracts of land 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 when City fire protection extends to cover the parcels of land hereinafter described;
3. That the property owners agree to remain under Rural Fire District protection until such time property owners complete improvements to bring the same into the City Fire District;
4. That the property owners grant necessary easements for water lines as they may be required and that property owners accept the water line pressures and flow rates as they may exist;
5. That property owners grant necessary easements for sewer lines and be obligated for the extension, construction, and location of a sewer main from the end of the existing city sewer line up to and through the area annexed herein;
6. 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

WHEREAS, the City Council caused to be published in the Flathead Courier, a paper nearest to the said tract of land, once a week for two (2) successive weeks, a notice to the effect that said resolution has 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 24th day of March, 1983, and the 31st day of March, 1983, and more than twenty (20) days have 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; and

WHEREAS, it appears that protests were received from less than a majority of the resident freeholders of the property hereinafter described 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 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.

NOW, THEREFORE, BE IT RESOLVED that under the following conditions,
to-wit:

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 when City fire protection extends to cover the parcels of land hereinafter described;
3. That the property owners agree to remain under Rural Fire District protection until such time property owners complete improvements to bring the same into the City Fire District;
4. That the property owners grant necessary easements for water lines as they may be required and that property owners accept the water line pressures and flow rates as they may exist;
5. That property owners grant necessary easements for sewer lines and be obligated for the extension, construction, and location of a sewer main from the end of the existing city sewer line up to and through the area annexed herein;
6. 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,

the boundaries of the City of Polson, Montana, shall be extended so as to include the properties described in Exhibit "A" attached hereto and by this reference made a part hereof as though set forth fully at this place.

This Resolution shall take effect on the 2nd day of May, 1983.

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 2nd day of May, 1983.

CITY OF POLSON

John Dowdall, Mayor

ATTEST:

Kathy L. Cox, City Clerk

EXHIBIT "A"

ISLAND VIEW ESTATES:

A portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and a portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 9, Township 22 North, Range 20 West, P.M.M., Lake County, Montana, more particularly described as follows: Beginning at a point on the West boundary of said NE $\frac{1}{4}$ SE $\frac{1}{4}$, said point bears North 849.02 feet from the Southwest corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 9; thence South 89°48'35" East 631.02 feet; thence North 00°18'30" East 330.04 feet; thence North 89°52'55" West 668.79 feet; thence South 329.20 feet; thence South 89°48'35" East 36.0 feet to the point of beginning.

ILIFF:

A fractional part of the Southeast quarter of the Northeast quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) and the Northeast quarter of the Southeast quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Nine (9), T. 22 N., R. 20 W., MPM, particularly described as follows: Beginning at a point which is distant N. 0°18' W. 9 feet and N. 89°59' E. 134.8 feet from the Northwest corner of the above named NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section Nine (9); thence S. 89°59' W. 20 feet; thence South 0°02' W. 125 feet; thence N. 89°59' E. 20 feet; thence N. 0°02' W. 125 feet to the place of beginning and being a portion of the former alley in the now vacated Elevation Addition to Polson, Montana.

DICKSON:

Lots One (1) to Twenty-Four (24), inclusive, in Block Six (6) of the now vacated Elevation Addition to the City of Polson, Lake County, Montana; and Lots One (1) to Twelve (12), inclusive, of the now vacated Elevation Addition to the City of Polson, Lake County, Montana.