

RESOLUTION NO. 449

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 16th day of July, 1984, 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 tract 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 tract of land under the following conditions, to-wit:

1. That the property owner agrees to pay his pro-rata share of the cost of the improvements to be completed by Special Improvement District No. 26;
2. That the property owner agrees to connect, at his expense, at such time that he desires, to the City's water and sewer mains in accordance with specifications set out by the City of Polson, and if necessary, extend at owner's expense the water and sewer mains to owner's property boundary;
3. That the property owner agrees to maintain all private improvements and City agrees to maintain existing dedicated public roads. Additionally, property owner shall be obligated for the construction of all other public improvements for which the City will offer the use of the special improvement district alternative;
4. That the property owner agrees to remain under Rural Fire District protection until such time property owners complete necessary improvements to bring the same into the City Fire District;
5. That the property owner agrees to designation of the said tract of land as included within a T-3, Tourist Commercial, zoning district and shown on the official zoning map of that property annexed to the City of Polson by Resolution Number 440.

WHEREAS, the Petition having been filed by the owner of the property described below requesting the City of Polson to annex said property under the above-mentioned conditions, which Petition waives the right of said owner 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 tract of land that the boundaries of the City of Polson, Montana, should be extended so as to include the hereinafter described tract 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 as follows:

See Exhibit "A" attached hereto and by this reference made a part hereof as though set forth fully at this place,

under the following conditions, to-wit:

1. That property owner agrees to pay his pro-rata share of the cost of the improvements to be completed by Special Improvement District No. 26.
2. That property owner agrees to connect, at his expense, at such time that they desire, to the City's water and sewer mains in accordance with specifications set out

by the City of Polson, and if necessary, extend at owner's expense the water and sewer mains to owner's property boundary.

3. That property owner agrees to maintain all private improvements and City agrees to maintain existing dedicated public roads. Additionally, property owner shall be obligated for the construction of all other public improvements for which the City will offer the use of the special improvement district alternative.
4. That property owner agrees to remain under Rural Fire District protection until such time property owner completes necessary improvements to bring the same into the City fire District.
5. That property owner agrees to designation of the said tract of land as included within a T-3, Tourist Commercial, zoning district and shown on the official zoning map of that property annexed to the City of Polson by Resolution Number 440.

This Resolution shall take effect on the 16th day of July, 1984.

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 16th day of July, 1984.

CITY OF POLSON

Richard D. Seibert/s
Mayor

ATTEST:

Kathy L. Cox/s
City Clerk

EXHIBIT "A"

A tract of land being a portion of Lot 4, Section (32), Township (23) North, Range (20) West, P.M.M., Lake County, Montana, lying Southwesterly of U.S. Highway No. 93, and being more particularly described as follows:

Beginning at a point on the South boundary of said Lot 4, Section 32, T. 23 N., R. 20 W., P.M.M., said point bears $S.89^{\circ}59'52'' E.$ 668.72 feet from the South one-quarter corner of said Section 32; thence continuing $S.89^{\circ}59'52'' E.$ along said South boundary for a distance of 423.15 feet to the Southwesterly right-of-way boundary of U.S. Highway No. 93; thence $N. 38^{\circ}20'03'' W.$ 262.47 feet along said Highway right of way boundary; thence $S.51^{\circ}39'57'' W.$ 331.92 feet to the point of beginning, containing (1.00) acre.