

RESOLUTION NO. 577

A RESOLUTION PROVIDING FOR DISCONTINUANCE OF A PORTION OF 4th STREET EAST BETWEEN 6TH AVENUE EAST AND THE ALLEY IN BLOCK 4, MICHEL ADDITION, TO THE CITY OF POLSON, LAKE COUNTY, MONTANA.

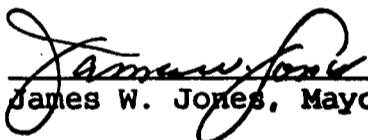
WHEREAS, the City Council has received a Petition to Discontinue a portion of a City Street from NEIL WILLIAM DEVLIN and MISSION VALLEY POWER; and

WHEREAS, the City thereafter caused Notice of said Petition to be published in the Lake County Leader, in compliance with M.C.A. 7-14-4114; and

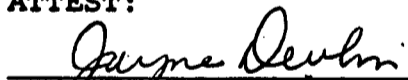
NOW, THEREFORE, IT IS RESOLVED that a portion of 4th Street East between 6th Avenue East and the alley in Block 4, Michel Addition to the City of Polson, Lake County, Montana (being 25 feet in width and 160 feet in length) is hereby discontinued and closed, it being specically understood that said closure is not intended to be construed as an abandonment nor is it to be construed as a permanent closure of said street. The Council recognizes that the City may elect in the future, and does hereby reserve unto itself, the right to re-open the street in order to utilize the full dimensions thereof in accordance with the City plat. This discontinuance is subject to the following conditions:

1. That no hazardous waste materials shall be stored upon the subject property;
2. That no treated poles shall be stored upon the subject property;
3. Mission Valley Power shall be required to pay an annual fee of \$60 for the use of the discontinued street, such sum to be paid on or before the 1st day of March of each year during the period of the Street discontinuance;
4. In the event the City of Polson wishes to reopen the street, it shall give sixty (60) days advance written notice to Mission Valley Power.

PASSED AND APPROVED THIS 3rd day of February, 1992.


James W. Jones, Mayor

ATTEST:


Jayne Devlin, City Clerk