

RESOLUTION NO. 622

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POLSON, LAKE COUNTY, MONTANA, CREATING A SPECIAL IMPROVEMENT DISTRICT IN THE CITY OF POLSON, MONTANA, FOR THE PURPOSE OF THE PREPARATION OF SURFACE PLACEMENT OF NEW CURB AND GUTTER ON TWELFTH AVENUE EAST FROM THE INTERSECTION OF MAIN STREET AND TWELFTH TO THE INTERSECTION OF FIRST STREET EAST AND TWELFTH ON BOTH SIDES OF TWELFTH AVENUE EAST.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF POLSON, MONTANA, LAKE COUNTY:

SECTION 1. The City Council of the City of Polson, Montana, does hereby create a Special Improvement Curb and Gutter District within the City of Polson, Montana, the boundary of which is hereafter particularly described.

SECTION 2. This Special Improvement District shall be known and designated as Special Improvement District No. 31.

SECTION 3. That the subject of this Special Improvement District and the land on which preparation of surface and placement of curb and gutter shall be applied is located in the City of Polson, Montana, and is particularly described as follows, to-wit:

North and South side of Twelfth Avenue East from its intersection with Main Street on the West continuing thence in an Easterly direction to the intersection of First Street East.

SECTION 4. That the property included within, and the boundary of the said special improvement district, is determined by the inclusion of the following described lots: One (1) through Six (6), Block 17, Pend De Oreille Heights and Lots One (1) through Five (5), Block 12, Pend De Oreille Heights, City of Polson, Lake County, Montana.

SECTION 5. That the district included within said boundary and the area described herein is hereby declared to be the district and the property benefited by said improvement and the real estate and premises therein described, and therein included, is hereby declared to be the property to be assessed for the costs and expenses of making of such improvements.

SECTION 6. The general nature and character of the improvements to be made in said district is the placement of new curb and gutter on Twelfth Avenue East from its intersection with Main Street on the West, continuing thence in an easterly direction to the intersection of First Street East on the East boundary.

SECTION 7. The payments of approximately \$9.20 per lineal foot of each lot fronting on the portion of Twelfth Avenue East, as hereinabove more particularly described, which is included in said Special Improvement District, are to be spread over a period of not more than ten years.

SECTION 8. The method by which the costs of the improvements will be assessed against the property in the district is the frontage option as set forth in M.C.A. §7-12-4163.

SECTION 9. That the City Clerk of the City of Polson, Montana, gave notice by publication and by mailing Resolution of Intent No. 621 with respect to the creation of this District, as provided by M.C.A. §7-12-4106.

In accordance with the Notice, a special hearing was conducted to hear objections and protests on November 1, 1993. There being insufficient objections, it is hereby resolved:

1. That by this Resolution No. 622, there is hereby created a Special Improvement District for the purposes and under the terms set forth in this Resolution and the Resolution of Intent No. 621.
2. The City, through its duly appointed officials, shall proceed to borrow the funds necessary to complete the project, enter into the contracts to complete construction, and proceed with the Resolution process for the levy of Special Improvement District assessments in order to retire the debt.

PASSED AND APPROVED this 1st day of November, 1993.

James W. Jones
 Mayor

ATTEST:

Aggi Loeser
 City Clerk



State of Montana) :ss
 County of Lake)

On this 1st day of November, 1993, before me, the undersigned, a Notary Public for the State of Montana, personally appeared JAMES W. JONES and AGGI LOESER, personally known to me to be the Mayor and the City Clerk of the City of Polson, Montana, the Municipal Corporation that executed the within instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.

Ronald K. Buzzard
 Notary Public for the State of Montana
 Residing at: Polson
 My Commission expires: 5-6-94