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RESOLUTION NO. 647

A RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF POLSON, LAKE COUNTY, MONTANA, TO CREATE A SPECIAL IMPROVEMENT DISTRICT IN THE CITY OF POLSON, MONTANA, FOR THE PURPOSE OF PREPARATION OF SURFACE PLACEMENT OF NEW CURB AND GUTTER ON BOTH SIDES OF SECOND STREET EAST FROM THE INTERSECTION OF TENTH AVENUE AND SECOND STREET EAST TO THE INTERSECTION OF NINTH AVENUE AND SECOND STREET EAST.

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

SECTION 1. That the public convenience and safety requires, and it is deemed necessary to order, establish and create, and the City Council of the City of Polson, Montana does hereby declare its intention to create a Special Improvement Curb and Gutter District within the City of Polson, Montana, the boundary of which is hereafter particularly described.

SECTION 2. That this Special Improvement District shall be known and designed as Special Improvement District no. 32.

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:

East and west side of Second Street East between the intersections of Ninth Avenue and Tenth Avenue.

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, all within Polson City Center Addition:

Lot 1 and Lots 26 through 38, inclusive, of Block 4, and Lots 12 through 25, inclusive, of Block 3.

SECTION 5. In accordance with the Resolution of Intention to create a Special Improvement District, a Public Hearing will be held at 7:30 p.m., October 17, 1994, to hear objections and protests, both written and oral, to the creation of said district as provided by MCA 7-12-4112.

SECTION 6. 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 7. The general nature and character of the SID is the placement of curb and gutter on both sides of Second Street East from its intersection with Ninth Avenue, continuing to its intersection with Tenth Avenue.

SECTION 8. The estimated Cost, including all engineering fees, is approximately \$21,837.00 which sum is approximately \$ 22.15 per lineal foot of each lot fronting on the portion of Second Street 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 9. 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 10. That upon passage and approval of this Resolution of Intent, the City Clerk of the City of Polson, Montana, is hereby directed to give notice, by publication and by mailing, as provided by M.C.A. 7-12-4106.

PASSED AND APPROVED this 19 day of September, 1994.

John W. Glueckert
John W. Glueckert, Mayor

ATTEST:

Aggi Loeser
Aggi Loeser, City Clerk

State of Montana)
 : ss.
County of Lake)

On this 28th day of September, 1994, before me, the undersigned, a Notary Public for the State of Montana, personally appeared **John W. Glueckert** 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.

Chesterne A Johnson
Notary Public for the State of Montana
Residing at Polson Montana
My Commission expires: 3-1-98