

RESOLUTION NO. 738

**A RESOLUTION TO DISCONTINUE AND VACATE A CUL-DE-SAC NEAR THE END OF BAYSHORE DRIVE IN THE CITY OF POLSON.**

WHEREAS, the Polson City Council has received from **The Hanson Family Limited Partnership**, a Petition to Discontinue and Vacate that portion of a cul-de-sac located on Bayview Drive, Polson, Montana, said parcel being more particularly described and depicted on Exhibit "A" attached hereto and my this reference made a part hereof as though fully set forth at this place; and

WHEREAS, in response thereto, the City has published a notice of said petition in the October 23, 1997, publication of the Lake County Leader, in compliance with MCA 7-14-4114. Which notice stated, that comments will be heard and action will be taken on said petition, at the next regularly scheduled meeting of the City Council on November 3, 1997, at 7:30 p.m. in the City Hall Council Chambers, Polson, Montana; and

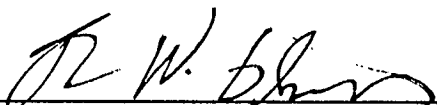
WHEREAS, at the regularly scheduled meeting on November 3, 1997, the Polson City Council voted to abandon the above described.

NOW, THEREFORE, it is hereby resolved upon a majority vote of the Polson City Council as follows:


1. That portion of the subject cul-de-sac located on Bayview Drive, as is more particularly depicted and described on Exhibit "A" attached hereto, is vacated;
2. The property vacated shall become incorporated in and attached to Applicants property described as Lot 1 Slack Point III, according to the plat thereof, records of Lake County, Montana.
3. Applicant shall cause to be created and recorded an Amended Plat of said Lot 1, Slack Point III, records of Lake County, Montana, incorporating within the exterior boundary of said Lot 1 the vacated parcel above described;
4. Applicant shall grant and place of record an easement over, across, upon and through said vacated parcel to Polson School District #23 for purposes of providing a school bus turnaround; and
5. Unless Applicant shall fulfill the requirement of Paragraphs 3 and 4 above, within a reasonable time, this Resolution may be revoked by the City of Polson.

PASSED AND APPROVED this 3rd day of November, 1997.

**CITY OF POLSON**

  
\_\_\_\_\_  
John W. Glueckert, Mayor

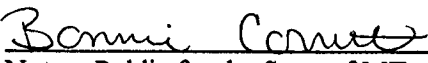
ATTEST:

  
\_\_\_\_\_  
Aggi Loeser, City Clerk

STATE OF MONTANA        )  
                                      :ss.  
County of Lake            )

On this 14th day of November, 1997, before me, the undersigned Notary Public for the State of Montana, personally appeared **JOHN W. GLUECKERT** and **AGGI LOESER**, known to me to be the Mayor and the City Clerk of the **CITY OF POLSON**, Montana, the municipal corporation that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.

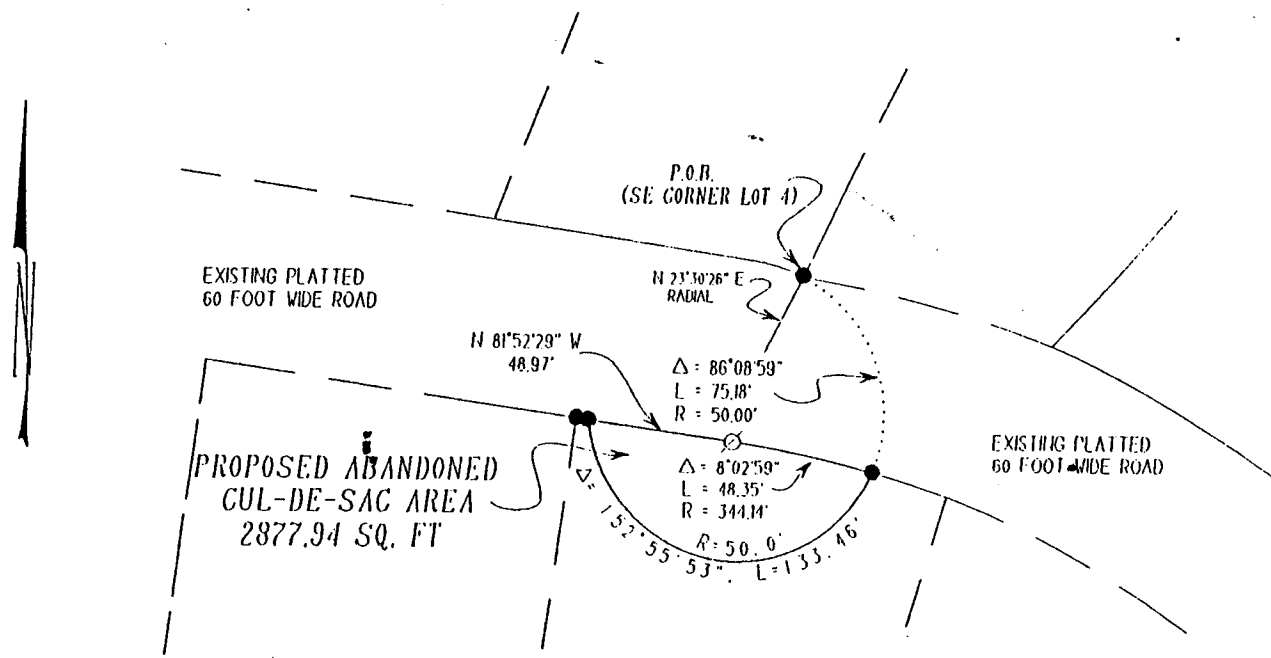
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.

  
\_\_\_\_\_  
Notary Public for the State of MT  
Residing at Polson, MT  
My commission expires 8-16-2000

RESOLUTION 738

EXHIBIT - A

DATE: OCTOBER, 1996



A parcel of land located in portions of, Section 35, Township 23 North, Range 20 West, P.M.M., and a portion of Lot 1, Block 5, of Slack Villa and Orchard Tracts Addition No. 1, a recorded subdivision in Lake County, Montana, and more particularly described as follows:

Commencing at the Southeast corner of Lot 5, of the Acreed Plot of a Portion Lot-1 Lots 2 through 5, and the East 1/2 of Lot-6, Block-5 and a portion of Lot-1 Lot-2 through 15, Block-4 of the Slack Villa and Orchard Tracts Addition No. 1, thence Southeasterly along a curve to the right with a radius of 50.00 feet, a central angle of  $86^{\circ}08'59''$ , for a distance of 75.18 feet to the point of beginning; thence Northwesterly along a curve to the left with a radius of 344.14 feet, a central angle of  $8^{\circ}02'59''$ , for a distance of 48.35 feet; thence  $N 81^{\circ}52'29'' W$  48.97 feet; thence along a curve to the left with a radius of 50.00 feet, a central angle of  $152^{\circ}55'53''$ , for a distance of 133.46 feet to the true point of beginning, containing 2877.94 Sq. Ft.

SURVEYOR'S CERTIFICATE

STEPHEN H. DAY  
MONTANA REGISTRAR (In 1992) LS