

Resolution 774

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POLSON, MONTANA, CONCURREING THE LIMITED ACCESS PLAN AS PROPOSED BY THE MONTANA DEPARTMENT OF TRANSPORTATION FOR U.S. 93 ACCESS CONTROL AND CORRIDOR PRESEVATION PROJECT IN MISSOULA AND LAKE COUNTIES OF MONTANA.

WHEREAS, the Montana Department of Transportation (MDOT) plans a highway reconstruction project which has been designated as NH0002(396) which is located in the vicinity of U. S. Highway 93 in Lake and Missoula Counties.

WHEREAS, the project is located along an uncontrolled assess highway ; and

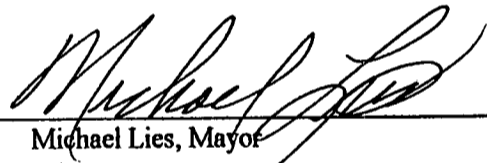
WHEREAS, the Montana Department of Transportation has recommended that to promote public safety and efficient travel, the rights of and easements of access to said Highway Project NH0002(396) be acquired by the State from owners or occupants of the abutting lands and to maintain safety and the ability to limit the number of access points between the highway and the abutting properties by acquiring access rights from the owners of abutting properties and by allowing private and public approaches at specific locations as set forth in the right of way plans. The purpose of said Highway Project NH0002(396) is to improve safety and efficiency by reducing vehicular conflicts and to acquire the right of way needed to allow future construction improvements.

WHEREAS, that once the access rights have been acquired, additional approaches may be allowed upon meeting MDOT guidelines with the concurrence from the City of Polson in the proposal but not necessarily to a specific plan. These limits are the "Project Limits " described in the "description of route" and there shall be no direct access to, from or across the limits of said Limited Access Highway and Facility (described above) except as will be hereafter determined.

WHEREAS, the limits of this agreement shall commence on Highway 93 , between 483 meters N of reference point 6 and 61 meters NE of reference point 59 and from specific portions of intersecting Public roadways lying directly adjacent to the above limits as shown on the right of way plans for said project NH0002(396) shall be designated as a :limited Access Highway & Facility".

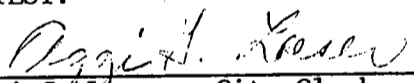
NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Polson , Montana , that the City Council hereby concurs in the MDOT proposal for limited access, but not necessarily concurring to a specific access plan as set forth.

PASSED AND ADOPTED by the City Council of the City of Polson, Montana, this 15th day of March, 1999.



Michael Lies, Mayor

ATTEST:

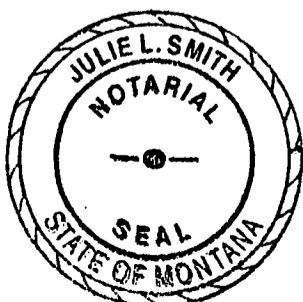


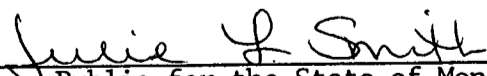
Aggi G. Loeser, City Clerk

STATE OF MONTANA)
 :SS
County of Lake)

On this 15th day of March, 1999, before me, the undersigned Notary Public for the State of Montana, personally appeared Michael Lies 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 Montana
Residing at Polson, Montana
My Commission expires: 08-02-2002