

RESOLUTION NO. 10

A RESOLUTION DECLARING IT TO BE THE INTENTION THE CITY COUNCIL OF THE CITY OF POLSON, FLATHEAD COUNTY, MONTANA, TO CREATE SPECIAL SEWER IMPROVEMENT DISTRICT NO. I IN THE CITY OF POLSON, FLATHEAD COUNTY, MONTANA, FOR THE PURPOSE OF CONSTRUCTING SEWERS AS HEREIN PROVIDED AND DESCRIBED.

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

Section I. That it is the intention of the City Council to create and establish in the City of Polson, Montana, a Special Improvement District for the purpose of making and constructing sewers along all that portion of the City of Polson, Montana, including all streets, alleys, intersections within the boundaries hereinafter particularly described.

Section II The said Special Improvement District shall be known and designated as Special Sewer Improvement District No. I of the City of Polson, Montana.

Section III. The boundaries of said Special Sewer Improvement District No. I of the City of Polson, Montana, are hereby designated and described as follows, to-wit:

Beginning at a point that is hereby and hereinafter designated as the Initial Point, which is the intersection of the center line of E and 1st streets, of the Original Townsite of the City of Polson, Montana; thence in a northerly direction along the center line of 1st Street, between Block 21 of the Original Townsite of said City and the city limits of said City, 380 feet to the intersection of the center line of 1st and D Streets; thence North $0^{\circ} 17'$ East, 660 feet to a point in the Flathead River, and again

Beginning at the Initial Point, thence in a southerly direction along the center line of 1st Street, between Block 22 of said original townsite of said City of Polson and Block I of Riverside Addition to said City of Polson, 190 feet to a point on a line running through the center of the alley which divides Blocks 22 and 23 of the original Townsite of said City of Polson; thence in an easterly direction along the center line of said alley, 480 feet, to a point on a line running through the center of the alley which divides Blocks 22 and 23 of said original townsite of said City of Polson, thence in an easterly direction along the center line of said alley to a point where the line running through the center of said alley intersects the center line of 2nd Street of said City; thence in an easterly direction along the center line of said alley 340 feet to a point where the center line of said alley intersects the east boundary line of said Block 23 and again,

Beginning at the Initial Point, thence westerly along the center line of E Street of said City between Block 1 of said Riverside Addition to the City of Polson and the city limits of said City, 190 feet, to a point where a line running through the center of the alley which divides blocks 1 and 7 of Riverside Addition to said City of Polson, intersects the center line of E. Street of said City; thence southerly in said Riverside Addition to said City along the center line of said Alley, 380 feet, to a point where a line running through the center of said alley intersects the center line of F. Street of said City thence southerly along the center line of said alley, 340 feet, to a point where said center line of said alley intersects the south boundary line of Block 7 of said Riverside Addition to said City, and again

Beginning at a point 190 feet in a northerly direction from said Initial point along the center line of 1st street in said City of Polson, which point is the intersection of said center line of said 1st Street with a line running through the center of the Alley which divides Block 21 of the said original townsite of said City of Polson; thence in an easterly direction along the center line of said Alley, 430 feet, to a point where the center line of said Alley intersects the east boundary line of said Block 21 of said original townsite of said City of Polson.

Said lots, pieces or parcels of land being benefitted and assessed in the construction of said sewer are as follows, to-wit:

All of lots numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 in Block No. 1 of Riverside Addition to the City of Polson, each of the dimensions of 50 feet wide and 140 feet deep.

Also all of lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 in Block No. 7 of the Riverside Addition to the City of Polson, each of the dimensions of 50 feet wide and 140 feet deep.

Also all of lots numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16 in Block 21 of the City of Polson, each of the dimensions of 50 feet wide and 140 feet deep.

Also all of lots numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 in Block 22 of the City of Polson, each of the dimensions of 50 feet wide and 140 feet deep.

Also all of lots numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 in Block 25 of the City of Polson, each of the dimensions of 50 feet wide and 140 feet.

And also lot No. 7 in Block 12 of the City of Polson, of the dimensions of 105 feet in width along the east line of said lot and 140 feet in depth running to a point intersection on First Street in said City of Polson.

Section IV. That the District included within said boundaries is hereby declared to be the District benefitted by the making of said improvements and that the property included within the boundaries of said District is hereby declared to be the property to be assessed for the cost and expenses of making said improvements.

Section V. That the character of the improvements which are to be made in said Special Sewer Improvement District No. 1 are as follows, to-wit:

REQUIREMENTS

It is required that there be constructed and completed in accordance with the specifications and drawings herein listed, sewers and structures in sewer district #1 Polson, Montana.

INSPECTION

All materials furnished and work done under this contract will be subject to inspection by duly authorized agent of said sewer district #1

ERRORS AND OMISSIONS

The contractor will not be allowed to take advantage of any errors or omissions in these specifications and drawings. In case an error or omission is discovered the contractor and inspector will arrive at a conclusion regarding the same.

CHANGES

The council expressly reserves the right to make any changes in said work that may be deemed for the best interest for the City of Polson, Mont. provided such changes are not in violation of law or do not invalidate the contract under which the work herein contemplated is to be done and the additional or reduced cost of the work by reason of any change so made shall be agreed upon by the council and the contractor. Any changes shall be ordered in writing by the council or their authorized agent.

CONTRACTOR & FOREMAN

The contractor shall give his personal attention to the work at all times during the construction or have constantly on the ground a competent foreman and agent, who shall receive and obey the written orders of the council and inspector as herein provided and shall employ only skilled and competent workmen for all work where expert workmanship is required.

REPAIR OR DELAY

All pipings, walls, crossing, cross-talks, sewers, curbs, gutters

fences, removed, damaged or destroyed during the construction of any of said work, shall be repaired or replaced by the contractor in a workman-like manner with good materials, as directed by the Inspector in charge before final acceptance of the work under the specifications.

The contractor shall not trespass upon the rights of the public in the distribution or placing of materials for any of the said work more than the necessities of the work demands, and shall erect and maintain proper guard rails and danger lights when needed to protect person and property from accident or injury, and comply with all ordinances of the town and state, and shall save the town harmless from danger by reason of accident or injury to persons or property due to the neglect or failure of the Contractor or his employees to comply with any of these requirements.

RIGHT OF WAY

The town of Polson, Montana, will secure at its own expense and cost and furnish to said Contractor all right-of-way for sewer pipe line to be laid in accordance with the plans therefor.

STREETS AND ALLEYS

Streets and alleys subject to interference from the work covered by this contract shall be kept closed and shall be protected by notices and red lamps.

ESTIMATES

At the end of each calendar month the inspector shall make an approximate estimate of all work done and material delivered to that date, classified according to the items named in the contract and will make an estimate of the value of the same on the basis of the unit prices named in the contract. To the estimate made as above set forth will be added or deducted the amount earned for extra work or changes to the date of the progress estimate as per paragraph entitled, "Changes". From the total thus computed a deduction of 10% will be made and the remainder shall become due as the work progresses payable on or before the 10th day of each month. The 10% deducted as above set forth will become due and payable with and as a part of the final payment, upon the completion of contract.

PAYMENT.

The contractor shall accept special improvement district warrants drawing six per cent interest, payable as the work progresses less 10% to be held by the City Council and paid upon completion of work if the same has been performed by the Contractor according to plans and specifications.

COMMENCEMENT AND COMPLETION

Work shall be commenced by the contractor within ten days after execution of contract by the council of the city of Polson, Montana, and shall be completed within sixty actual working days thereafter, the acts of the elements excepted. Should the Contractor fail to complete the work or any part thereof in the time agreed upon in the contract a deduction of \$10.00 per day for each actual working day shall be made until said work shall be completed in accordance with the herein listed plans and specifications.

SEWER PIPE

All sewer pipes shall be 10" in diameter. All pipes and specials to be used in this construction shall be of the best quality of salt-glazed vitrified clay sewer pipe of the hub and spigot pattern. The thickness of the body, the depth of the socket and length of pipe shall be in accordance of the manufactures standard specifications. Each hub shall be of sufficient diameter to receive to its full depth the spigot end of the next following pipe or special without any clipping whatever of either, and shall also leave a space all around for the cement mortar joint. All pipe and specials shall be sound and well burned, with a clear ring, well glazed and smooth on the inside and free from broken blisters lumps or flakes which are thicker than 1/6 of the nominal thickness of the pipe and whose greatest diameter is greater than 1/8 the inner diameter of said pipe. All pipes and specials having broken blisters lumps or flakes of any size shall be rejected unless the pipe can be so laid as to bring all of these defects in the top of the sewer. Fire checks or cracks of any kind extending through the thickness shall be cause for rejection. No pipe shall be used which is designed to be