

RESOLUTION NO. 1010

A RESOLUTION OF ANNEXATION

WHEREAS, the City of Polson has received a Petition for Annexation from Good Shepherd Lutheran Church, all pursuant to M.C.A. Section 7-2-4601; and

WHEREAS, the City of Polson finds that the Petition is signed by the owner of the territory to be annexed, which property is adjacent to the existing corporate boundary of the City of Polson, said property being described as follows, to-wit:

See Exhibit A, attached hereto and by this reference made a part hereof as if fully set forth in this place.

WHEREAS, City Codes, Chapter 4, Section (D) states that “The owners of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the city and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the city, is hereby required at the owners expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this chapter, within 90 days after date of official notice to do so. (Ord. 398 Sec. 2)”

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF POLSON:

That, upon Petitioner demonstrating sufficient proofs of having satisfied any outstanding bonded indebtedness remaining against the above-described real property in connection with removal thereof from the limits of the Polson Rural Fire District, the corporate limits of the City of Polson, a municipal corporation, are hereby extended to include that property described above.

The property is to be zoned MRZD.

The annexed real property shall be in Voting Ward 2

The Clerk is directed to prepare a certified copy of this Resolution and file same in the office of the Clerk and Recorder of Lake County.

PASSED AND APPROVED this 7th day of June, 2010.

CITY OF POLSON

**MICHAEL LIES, Acting Mayor
City Council President**

ATTEST: _____
Aggi Loeser, City Clerk

STATE OF MONTANA)
 :SS.
County of Lake)

On this ____ day of July, 2010, before me, the undersigned Notary Public for the State of Montana, personally appeared **MICHAEL LIES** and **AGGI LOESER**, known to me to be the Acting Mayor/City Council President 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
My commission expires:

**CITY OF POLSON
RESOLUTION #1010**

EXHIBIT 'A'

AMENDED TRACT 'A'

THE TRUE POINT OF BEGINNING BEING A SET 5/8" X 24" REBAR WITH 1 1/4" YPC MARKED M. CARSTENS 5940LS', SAID POINT BEARS S89° 59' 08"E 156.58 ' FROM A FD. 3 1/2" AL CAP., COMMON CORNER OF SECTIONS 2,3,10 & 11; THENCE S00° 00' 10"W FOR 488.60 ' TO A SET 5/8" X 24" REBAR WITH 1 1/4" YPC MARKED M. CARSTENS 5940LS'; THENCE S89° 55' 29"E FOR 175.37 ' TO A SET 5/8" X 24" REBAR WITH 1 1/4" YPC MARKED M. CARSTENS 5940LS'; THENCE N00° 09' 28"W FOR 488.79 ' TO A FD. 5/8" REBAR NO CAP; THENCE N89° 59' 08"W FOR 174.00 ' TO A SET 5/8" X 24" REBAR WITH 1 1/4" YPC MARKED M. CARSTENS 5940LS', TO THE TRUE POINT OF BEGINNING, THE AREA BEING 1.96 ACRES, SUBJECT TO ALL RESTRICTIONS, RESERVATIONS AND EASEMENTS APPARENT OR OF RECORD.

AMENDED TRACT 'B'

THE TRUE POINT OF BEGINNING BEING A FD. 3 1/2" AL CAP., COMMON CORNER OF SECTIONS 2,3,10 & 11; THENCE S00° 01' 47"E 30.00' TO A SET 5/8" X 24" REBAR WITH 1 1/4" YPC MARKED M. CARSTENS 5940LS'; THENCE N89° 54' 56"W FOR 75.55' TO A SET 5/8" X 24" REBAR WITH 1 1/4" YPC MARKED M. CARSTENS 5940LS'; THENCE S08° 31' 16"W FOR 29.89 ' TO A SET 5/8" X 24" REBAR WITH 1 1/4" YPC MARKED M. CARSTENS 5940LS'; THENCE S19° 43' 40"W FOR 82.34 ' TO A SET 5/8" X 24" REBAR WITH 1 1/4" YPC MARKED M. CARSTENS 5940LS'; THENCE S14° 15' 27"W FOR 63.72 ' TO A SET 5/8" X 24" REBAR WITH 1 1/4" YPC MARKED M. CARSTENS 5940LS'; THENCE S04° 55' 22"W FOR 74.17 ' TO A SET 5/8" X 24" REBAR WITH 1 1/4" YPC MARKED M. CARSTENS 5940LS'; THENCE S00° 09' 32"E FOR 95.49 ' TO A SET 5/8" X 24" REBAR WITH 1 1/4" YPC MARKED M. CARSTENS 5940LS'; THENCE S01° 02' 19"E FOR 100.23 ' TO A FD. 5/8" REBAR NO CAP; THENCE S28° 39' 54"E FOR 22.76 ' TO A SET 5/8" X 24" REBAR WITH 1 1/4" YPC MARKED M. CARSTENS 5940LS'; THENCE S28° 39' 54"E FOR 30.63 ' TO A SET 5/8" X 24" REBAR WITH 1 1/4" YPC MARKED M. CARSTENS 5940LS'; THENCE S05° 25' 21"W FOR 144.91 ' TO A FD. 5/8" REBAR WITH 1 1/4" YPC MARKED 'M.CARSTENS 5940LS'; THENCE N89° 51' 19"E FOR 117.99 ' TO A SET 5/8" X 24" REBAR WITH 1 1/4" YPC MARKED M. CARSTENS 5940LS'; THENCE S00° 07' 06"E FOR 661.83 ' TO A FD. 5/8" REBAR NO CAP; THENCE S89° 53' 56"E FOR 330.60 ' TO A FD. 5/8" REBAR NO CAP; THENCE N00° 09' 28"W FOR 832.67 ' TO A SET 5/8" X 24" REBAR WITH 1 1/4" YPC MARKED M. CARSTENS 5940LS'; THENCE N89° 55' 29"W FOR 175.37 ' TO A SET 5/8" X 24" REBAR WITH 1 1/4" YPC MARKED M. CARSTENS 5940LS'; THENCE N00° 00' 10"E FOR 488.60 ' TO A SET 5/8" X 24" REBAR WITH 1 1/4" YPC MARKED M. CARSTENS 5940LS'; THENCE N89° 59' 08"W FOR 156.58 ' TO A FD. 3 1/2" AL CAP., COMMON CORNER OF SECTIONS 2,3,10 & 11, TO THE TRUE POINT OF BEGINNING, THE AREA BEING 9.74