

RESOLUTION No. 167

A RESOLUTION OF INTENTION TO CREATE A SPECIAL IMPROVEMENT DISTRICT OF AND IN THE CITY OF POLSON, MONTANA, DESIGNATE THE NUMBER THEREOF, DEFINE THE BOUNDARY OF THE SAME, STATE THE GENERAL CHARACTER OF THE IMPROVEMENTS TO BE MADE, THE APPROXIMATE COSTS THEREOF, AND DIRECTING AND ORDERING NOTICE TO BE GIVEN UPON THE PASSAGE AND APPROVAL OF THIS RESOLUTION OF INTENTION.

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

SECTION 1. That it is the intention of the City Council of the City of Polson, Montana, to create a Special Improvement District, within the City limits of the City of Polson, the boundary of which is hereinafter particularly described and designated.

Section 2: That the said Special Improvement District shall be known and designated as Special Improvement District Number 20 of the City of Polson, Montana.

SECTION 3. This Special Improvement District is proposed to be created, that certain excavation, filling, and refilling, basing and rebasing, and graveling of a portion of a certain street, and portion of an intersection in the City of Polson, from curb to curb, thus preparing the same for paving with oil and gravel surface, the portion of street and intersection being as follows:

That portion of Third Avenue from the east boundary line of First Street East, extending east to the intersection of the West boundary line of Lot 1, of Block 2, of Michel Addition extended, being approximately 980 feet.

The property included in the said Special Improvement District, and the boundary thereof is determined by the inclusion of each and all of the lots, and portions thereof, as follows:

Lots 7,8,9,10, 11, and 12 of Block 8; and  
Lots 7,8,9,10,11, and 12 of Block 9, and  
Lots 1,2,3,4,5, and 6 of Block 15, and  
Lots 1,2,3,4,5,6, of Block 16,  
all in the Original Townsite of Polson, Montana

and

Lots 1 and 2 of Church Addition to the City of Polson, Montana

and

Lots 1,2, and 3, of Block 2 of Michel Addition to the City of Polson, Montana

and

A Portion of Michel Tract described as follows:  
Commencing at the Southeast Corner of Lot 12, of Block 8, Original Townsite of Polson, running thence easterly along the North boundary line of Third Avenue East as distance of 300 feet; thence North 140 feet; thence westerly parallel to the North boundary line of Third Avenue 300 feet; thence South along the East boundary line of Lot 12, of Block 8 of the Original Townsite of Polson 140 feet to the place of beginning.

SECTION 4: That the District, and the property within the aforesaid boundary is hereby declared to be the district, and the property benefiting by the making of said improvements, and the property therein included is hereby declared to be the property to be assessed for the costs and expenses of making said proposed improvements.

SECTION 5: That the general nature and character of said proposed improvements are as follows:

The excavation of the portion of street and intersection as hereinbefore mentioned and described, and filling and refilling of the same, basing and rebasing to grade level, and graveling, all from curb to curb, with suitable material, sand, rock, and gravel, compressed therein, said excavation to be to a depth of two feet; with provision for carrying sub drainage into storm sewers, and so preparing said street for oil-gravel surface as paving thereon.

SECTION 6: That the estimated cost, including engineering fees, is approximately \$3000.00, which will be approximately \$83.50 per 50 foot frontage on each side of said street, and the same including the pro-rata share of the cost of the construction of said portion of the intersection.

SECTION 7. Upon the passage and approval of this Resolution, the Council of the City of Polson, gives notice thereof through the Clerk of said City, who is hereby directed to give such notice in accordance with the provisions of Section 11-2204 of the R.C.M. of 1947, by Publication and mailing as therein provided.

The foregoing Resolution is hereby adopted and approved in regular session this 21st. day of July, 1959.

Earl D. Coriell  
Mayor

ATTEST:

Lyle C. Nelson  
City Clerk

(Seal)

STATE OF MONTANA )  
COUNTY OF LAKE )  
CITY OF POLSON )

SS

AFFIDAVIT OF MAILING NOTICE TO PROPERTY OWNERS, AND CAUSING PUBLICATION THEREOF

LYLE C. NELSON, of lawful age, being first duly sworn upon oath, deposes and says:

That he is a citizen of the United States, over the age of 21 years, and the duly appointed, qualified, and acting City Clerk of the City of Polson, Montana.

That, as such City Clerk, and pursuant to the order of the City Council of the City of Polson, Montana, he caused to be published in the Flathead Courier, a weekly newspaper published within the City of Polson, Montana, in one issue thereof, a copy of the hereunto attached NOTICE TO PROPERTY OWNERS, such publication being in the issue of July 30, 1959.

That, on the same day, to-wit, on the 30th day of July, 1959, he mailed a true copy of the hereunto attached NOTICE TO PROPERTY OWNERS to each and every property owner, person, firm, or corporation, or agent thereof, owning or having property within the proposed Special Improvement District mentioned and described in the notice aforesaid, and in each case the said Notice was placed in an envelope, sealed, postage thereon fully paid, and addressed to such person, firm owner, firm or corporation, or the agent thereof, at his or her last known address, and then deposited in the United States Post Office at and in the City of Polson, Montana/

That the Copy so published, and the copies so mailed as aforesaid, were true and exact copies of the Original as on file in the office of the City Clerk of the City of Polson, Montana .

Lyle C. Nelson

Subscribed and sworn to before me  
this 31st. day of August, 1959

R.H. Wiedman

Notary Public for the State of Montana

Residing at Polson, Montana

My Commission expires July 5, 1962.

(SEAL)

STATE OF MONTANA )  
COUNTY OF LAKE )  
CITY OF POLSON )

CERTIFICATE

I, LYLE C.: NELSON, being the duly appointed, qualified, and acting City Clerk of the City of Polson, Montana, do hereby certify:

That the foregoing Resolution, and the foregoing AFFIDAVIT OF MAILING NOTICE TO PROPERTY OWNERS, AND CAUSING PUBLICATION THEREOF, are, and each of them is, a full true, and correct copy of an original on file and of record in my office; and, that the foregoing Resolution is a full, true and correct copy of the Original Resolution as passed by the City Council of the City of Polson, Montana.

Lyle C. Nelson  
City Clerk

### NOTICE TO PROPERTY OWNERS

NOTICE IS HEREBY GIVEN: That, at a special meeting of the City Council of the City of Polson, Lake County, Montana, on July 20, 1959, at the City Hall in the City of Polson, a Resolution of Intention to create a Special Improvement District, designate the number thereof, define the boundary of the same, state the general nature of the improvements to be made, the approximate costs thereof, and directing that notice be duly given of the passage and approval of said Resolution as aforesaid.

The said Special Improvement was then and there designated as Special Improvement District Number 20.

That said Special Improvement District is proposed to be created to do certain excavation, filling and refilling, basing and rebasing, and graveling a portion of a street and an intersection, to a depth of eighteen inches, and from curb to curb, with suitable provision for subdrainage into sewers, thus preparing the same for paving with an oil-gravel surface, that portion of a street and intersection, being in the City of Polson, and described as follows:

That portion of Third Avenue from the East boundary line of First Street East and extending a distance of approximately 980 feet east to the East boundary line of Lot 3, Block 2, of MICHEL ADDITION TO THE CITY OF POLSON.

The property included in the said Special Improvement District, and the boundary thereof is determined by the inclusion of each and all of the lots, parts and portions thereof described as follows:

Lots 7, 8, 9, 10, 11, and 12 of Block 8, and Lots 7, 8, 9, 10, 11, and 12 of Block 9, and Lots 1, 2, 3, 4, 5, and 6 of Block 15, and Lots 1, 2, 3, 4, 5, and 6 of Block 16, all in the Original Townsite of the City of Polson, Montana;

and

Lots 1 and 2 of Church Addition to the City of Polson;

and

Lots 1, 2, and 3 of Block 2 of Michel Addition to the City of Polson;

and

A portion of the Michel Tract described as follows: Commencing at the Southeast corner of Lot 12, Block 8, Original Townsite of the City of Polson, running thence easterly along the north boundary line of Third Avenue East a distance of 300 feet; thence North 140 feet; thence westerly parallel to the North boundary line of Third Avenue East 300 feet; thence South along the East boundary line of Lot 12, Block 8, Original Townsite of the City of Polson, 140 feet to the point of beginning.

All of the foregoing being in the City of Polson, Montana, according to the map or plat thereof on file and of record in the office of the Clerk and Recorder of Lake County, Montana, and all of said property abutting the portion of the street described above, with reference to the original Resolution on file in the office of the City Clerk of the City of Polson, for further reference.

That the District included within the aforesaid boundary is declared to be the district and property benefited by the said improvements, and the property therein declared to be the property to be assessed for the cost and expense of making such improvements.

That the general nature and character of the proposed improvements are as follows:

The excavation of said portion of a street and an intersection, as hereinbefore described, to a depth of eighteen inches, and the filling and refilling, basing and rebasing the same to grade level, from curb to curb, and graveling the same, all to be done with suitable sand, rock and gravel compressed therein, with provision for subdrainage into storm sewers, and so preparing the same for paving with an oil-gravel surface.

That the estimated cost, including engineering fees, is approximately \$3,000 00, which will be approximately \$1.67 per foot of frontage on each side of the said Third Avenue East, the same to include the pro-rata share of the cost of construction of the said intersection.

NOTICE IS FURTHER GIVEN: That, at any time within fifteen days after the date of publication of this notice in reference to the passage of said Resolution of Intention, which date of publication is July 30, 1959, any owners of property, firm, or corporation, or agent thereof, within said district and liable for assessment for such work and improvements, may make written protest and objection against the same, or the creation or extent of said district, and deliver such protest or objection to the City Clerk aforesaid, at the City Hall, Polson, Montana, which said protest or objection must be on file with the said City Clerk on or before 5 o'clock P.M. August 14, 1959.

That the City Council of the City of Polson, Montana will, at the next Regular Meeting, September 7, 1959, at 7:30 P.M. at the City Hall, Polson, Montana, act upon any and all protests and objections in accordance with the law as stated and provided in Section 11-2206 of the R.C.M. 1947.

LYLE C. NELSON  
City Clerk

CORPORATE SEAL  
CITY OF POLSON,  
MONTANA

(Pub. July 30, 1959)