

27

RESOLUTION NO. 375

RESOLUTION OF INTENTION TO EXTEND THE BOUNDARIES OF THE CITY OF POLSON, MONTANA, AND TO INCLUDE THOSE CERTAIN TRACTS OR PARCELS OF LAND HEREINAFTER DESCRIBED WHICH ARE CONTIGUOUS TO THE CITY OF POLSON, MONTANA.

WHEREAS, Clifford R. LeBrun and Mary Ann LeBrun, Albert N. Roberts, Jr., and Emma L. Roberts and Patrick Foley and Bonnie L. Foley, all of Polson, Montana, owners of tracts of land contiguous to the City of Polson, Lake County, Montana have requested that the City of Polson extend its boundaries so as to include the following described tracts of land within the corporate limits of the City of Polson, Lake County, Montana; and

WHEREAS, the City Council of the City of Polson at a regular meeting held on September 27, 1976, at the City Hall in the City of Polson, Montana, duly considered the question of extending the boundaries of the City of Polson to include the contiguous tracts of land hereinafter described, and

WHEREAS, it appearing to the City Council of the City of Polson, Montana, that the following tracts of land are contiguous to the City of Polson, Montana, to-wit:

Tracts A and D located in the Southeast Quarter of the Southeast Quarter (SE-1/4 SE-1/4) of Section Three (3), Township Twenty-two (22) North, Range Twenty (20) West, M.P.M., as platted and recorded in the office of the County Clerk and Recorder of Lake County, Montana;

Otherwise described by metes and bounds as follows:  
A portion of the Southeast Quarter Southeast Quarter (SE-1/4 SE-1/4) of Section Three (3), Township Twenty-two (22) North, Range Twenty (20) West, M.P.M., more particularly described as follows:

Beginning at a point which is distant S. 0° 03' W. 80 feet and 158 feet East along the South right-of-way boundary of U.S. Highway no. 93, from the Northwest corner of the SE-1/4 SE-1/4 of Section 3, Township 22 North, Range 20 West; thence N. 89° 53' E. 150 feet; thence S. 0° 03' W. 357.2 feet; thence West 150 feet; thence No. 0° 03' E. 357.2 feet to the point of beginning. (Le Brun Property)

AND

A fractional part of the Southeast quarter of the Southeast quarter (SE-1/4 SE-1/4) of Section 3, Township 22 North, Range 20 West, M.P.M., more particularly described as follows:

Beginning at a point where the West boundary of the above named subdivision intersects the Northerly boundary of Northern Pacific Railway right-of-way, which point is distant S. 0° 03' W. and 607.5 feet from the Northwest Corner thereof; thence N. 0° 03' E. 184 feet; thence East 300 feet; thence S. 0° 03' W. 32 feet more or less to intersect the Northerly boundary of the Northern Pacific Railway right-of-way; thence along the chord of a curve S. 70° 30' W. 180 feet; thence S. 19° 30' E. 50 feet; thence continuing along the cord of a curve S. 72° 30' W. 150 feet to the place of beginning containing 0.75 acres more or less, as further shown by Deed Plat Exhibit #H-556 on file in the office of the Clerk and Recorder of Lake County, Montana, and together with a perpetual right of way easement from said tract to Highway No. 93. (Roberts Property)

AND

A fractional part of the SE-1/4 SE-1/4 of Section 3, Township 22 North, Range 20 West, M.P.M. more particularly described as follows, to-wit:

Beginning at a point which is distant S. 0° 03' West 258.6 feet from the Northwest corner of said subdivision; thence East 133 feet; thence S. 0° 03' W. 150 feet; thence S. 31° 56' W. 34.05

feet; thence West 115 feet; thence N. 0° 03' E. 178.6 feet to the point of beginning.

AND

Also a fractional part thereof, consisting of a roadway, beginning at a point on the South right-of-way of U.S. Highway No. 93, which point is distant S. 0° 03' W. 80 feet and N. 89° 53' E. 133 feet from the Northwest corner of the SE-1/4 SE-1/4 of Section 3, Township 22 North, Range 20 West, M.P.M., thence S. 0° 03' W. 328.6 feet, thence S. 31° 56' W. 34.05 feet, thence East 43 feet, thence N. 0° 03' E. 357.2 feet to the South boundary of the U. S. Highway No. 93, thence along said boundary S. 89° 53' W. 25 feet to the point of beginning, containing 0.219 acre, more or less. Deed Plat Exhibit #H-295. (Foley property)

AND

Tracts B and C located in the Southeast Quarter of the Southeast Quarter (SE-1/4 SE-1/4) of Section Three (3), Township Twenty-two (22) North, Range Twenty (20) West, M.P.M., as platted and recorded in the office of the County Clerk and Recorder of Lake County, Montana.

AND

That portion of the East Half Southeast Quarter Southeast Quarter (E-1/2 SE-1/4 SE-1/4) of Section 3, Township 22 North, Range 20 West of the Montana Principal Meridian, Lake County, Montana, lying South of the State Highway No. 93 and North of the Northern Pacific Railway right of way line as both are presently established; less, however, that portion of the above land heretofore conveyed to the State of Montana for highway purposes in that certain Deed recorded in Book 48 of Deeds at Page 74, Records of Lake County, Montana.

and in the judgment of the City Council of the City of Polson, Montana, it will be to the best interests of the said City and the inhabitants thereof, and the inhabitants of the hereinabove described contiguous tracts, that the boundaries of the City of Polson, Montana, shall be extended so as to include the hereinbefore described contiguous tracts of land within the corporate limits therefor;

NOW, THEREFORE, be it resolved by the City Council of the City of Polson, Lake County, Montana, that it is their intention to extend the boundaries of the City of Polson, Montana, so as to include the above-described contiguous tracts of land within the corporate limits thereof, and

BE IT FURTHER RESOLVED that in the judgment of the City Council of the City of Polson, Montana, it will be to the best interests of the City and the inhabitants thereof, and in the best interests of the inhabitants of the hereinbefore described contiguous tracts, that the boundaries of the City of Polson be extended so as to include the same within the corporate limits of the City of Polson, Montana.

BE IT FURTHER RESOLVED that the City Clerk of the City of Polson, Montana, forthwith notify in writing all property holders within the boundaries of the hereinbefore described tracts of land, and cause to be published in the Flathead Courier, a newspaper published in the City of Polson once a week for two successive weeks, a notice of the passage of this resolution which notice shall further state that for a period of twenty days after the publication thereof, the City Clerk will receive expressions of approval or disapproval in writing of the proposed extension of the boundaries of the City of Polson, Montana, as in this resolution provided, from free holders of the territory herein proposed to be embraced in the corporate limits of the City of Polson, Montana.

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Page 2.

The foregoing resolution was duly and regularly passed by the City Council of Polson, Montana, and adopted and approved by the Mayor of the City of Polson this 20th day of September, 1976.

CITY OF POLSON

BY: Gordon G. Tidwell  
Acting Mayor

ATTEST:

Archie E. Montross  
City Clerk