

A RESOLUTION EXTENDING THE CORPORATE LIMITS OF THE CITY OF POLSON, MONTANA, SO AS TO INCLUDE THOSE CERTAIN TRACTS OR PARCELS OF LAND HEREINAFTER DESCRIBED, WHICH LAND IS CONTIGUOUS TO THE CITY OF POLSON, MONTANA.

WHEREAS, the City Council of the City of Polson, Montana, on the 20th of September, 1976, duly and regularly passed and adopted a resolution declaring it to be to the best interest of the City of Polson, Montana, and of the inhabitants of the hereinafter described tracts of land that the boundaries of the said City be extended to include within the corporate limits of the City of Polson, Montana, the said tracts of land; and

WHEREAS, the City Council caused to be published in the Flathead Courier, a paper nearest to the said tracts of land, once a week for two (2) successive weeks, a Notice to the effect that said Resolution had been duly and regularly passed and that for a period of twenty (20) days from the first publication of said notice the City Clerk would receive expressions of approval or disapproval in writing of the proposed extension of the boundaries of said City from the resident freeholders of the territory proposed to be embraced therein; and

WHEREAS, the City Clerk, according to law, did forthwith notify in writing all property holders within the boundaries of the hereinafter described tracts of land; and

WHEREAS, said resolution was published on the 14th day of October and 21st day of October, 1976, and more than twenty (20) days have elapsed since the first publication of said resolution as is evidenced by the affidavit of Publication on file in the records of the City Clerk of the City of Polson, Montana; and

WHEREAS, the City Clerk has laid before the City Council all of the communications received by her relative to the said proposed extension of the boundaries; and

WHEREAS, it appears that one communication was in fact received within the said twenty (20) day period relative to the tracts of land hereinafter particularly set forth and the City Council, after due consideration, deems it for the best interest of said City and the inhabitants thereof and the inhabitants of the hereinafter described contiguous tracts of land that the boundaries of the City of Polson, Montana, should be extended so as to include the hereinafter described tracts of land within the corporate limits thereof.

NOW, THEREFORE, BE IT RESOLVED that the boundaries of the City of Polson, Montana, shall be extended so as to include the property described, as follows, 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. (LeBrun Property)

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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 chord 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°3' 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. (Town Pump)

AND

Tracts E and F 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. (Kenneally Property)

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. (Cherry Hill Motel)

Upon the following conditions:

1. They agree to connect, at their own expense, to the city water mains in accord with specifications set out by the city.

2. They agree to pay for the cost of construction of the Sewer main necessary to serve the above area and to connect, at their own expense, their individual sewer service lines to said main.
3. They release the city of any and all liability and responsibility for the construction or maintenance of streets or roadways within the area to be annexed.
4. They grant to the City the right of ingress and egress over and across all roads and driveways within the area to be annexed for the purpose of police and fire protection.
5. They agree to pay for the construction of a fire hydrant to service the area to be annexed.

This Resolution shall take effect on the 15 day of ~~November~~, 1976.

The foregoing Resolution was duly and regularly passed by the City Council of the City of Polson, Montana, and adopted and approved by the Acting Mayor of the City of Polson, Montana, this 15 day of ~~November~~, 1976.

CITY OF POLSON

By: *Donald J. Fisher*  
Acting Mayor

ATTEST:

*Audith E. Motter*  
City Clerk