

RESOLUTION NO. 929

A RESOLUTION TO ANNEX REAL PROPERTY

WHEREAS, Kenneth G. Duncan, Sherri L. Donovan and Greg W. Duncan have petitioned the City Council of Polson, Montana, to annex that real property identified as:

A tract of land in the East ½ of Section 11, Township 22 N, Range 20 W, P.M.M., Lake County, Montana, further shown and described as being Parcel B of Certificate of Survey # 5202, on file in the office of the Clerk and Recorder of Lake County, Montana.

EXCEPTING THEREFROM those lands heretofore conveyed to the Montana Department of Transportation by Bargain and Sale Deed dated April 23, 2004; recorded June 15, 2004, under Microfile No. 448793, records of Lake County, Montana.

Containing: 1,231,093 sq. ft. (28.262 acres).

WHEREAS, the Petitioners have signed the Petition and Petitioners are the owners of all of the real property in the area to be annexed, and therefore constitute at least 50 percent of the owners of the real property in the area to be annexed, pursuant to MCA §7-2-4601(3)(a)(ii); and

WHEREAS, the Polson City Council desires to annex the above-described real property within the corporate limits of the City of Polson and has approved the Petition upon its merits, by vote of 6-0, at its meeting of June 29, 2006; and

WHEREAS, a combined public hearing on the issues of annexation and zoning was held on June 29, 2006, in the City of Polson, pursuant to MCA 76-2-303(3); and

WHEREAS, the above-described real property is located within the Urban Service Boundary of the Polson Master Plan and the annexation is consistent with the City of Polson's plan for extension of services; and

WHEREAS, all necessary infrastructure, utility and street extensions necessary for the provision of municipal services shall be installed to city specifications at the developer's expense; and

WHEREAS, the annexation will enhance and expand the tax base of the City of Polson, which has the ability and capacity to provide all necessary municipal services to the above-described property pursuant to its plan for services, and as set forth in the Community Impact Report prepared by HKM Engineering and in the responses to the Community Impact Report prepared by CLC Associates; and

WHEREAS, the City Council has reviewed and considered the staff report prepared and presented in connection with the annexation petition, with such staff report herein incorporated by reference; and has reviewed and considered all public comment made and submitted in response to this petition;

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

