

RESOLUTION NO. 951

A RESOLUTION OF INTENT TO CREATE A SPECIAL IMPROVEMENT LIGHTING DISTRICT TO PROVIDE FOR PUBLIC STREET LIGHTING IN THE ISLAND VIEW SUBDIVISION IN THE CITY OF POLSON

Whereas, the City of Polson has within its boundaries a certain residential subdivision known as Island View Subdivision, which contains a public right of way and cul de sac, and,

Whereas, there presently exists no organized scheme of street lighting in, on, or upon the public ways located within Island View Subdivision; and,

Whereas, the City of Polson has caused to be conducted a study by Mission Valley Power to determine a safe and adequate lighting scheme for the public ways within Island View Subdivision; and,

Whereas, The City of Polson deems it necessary to order, establish and create, and the City Council of the City of Polson, Montana does hereby declare its intention to create, a Special Improvement Lighting District within and along and encompassing those certain public rights of way in Island View Subdivision within the City of Polson, and to delineate herein the terms and conditions of such Special Improvement Lighting District which are hereafter particularly described; and,

Whereas, that the Special Improvement Lighting District shall be known and designated as Lighting District No. 21 .

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

SECTION 1: That the general nature of the subject of this Special Improvement Lighting District shall be the installation and power supply of a safe and adequate public lighting of the public rights of way in Island View Subdivision, as set forth by the engineering department of Mission Valley Power, the utility that will install and power the lighting set forth herein, the said map or plan thereof, together with the original of this Resolution, on file and available during regular business hours with the City Clerk of the City of Polson.

SECTION 2: Those parcels of real property included in the said Special Improvement District shall be as follows, and that minor irregularities in the legal descriptions herein, if any, are insufficient to obviate the Intention expressed herein:

All described lots within Island View Subdivision, according to the map or plat thereof on file and of record at the Office of the Clerk and Recorder of Lake County, Montana.

SECTION 3. In accordance with this Resolution of Intention to Create a Special Improvement Lighting District, the City Council shall consider any protest, and any other relevant public input regarding this Resolution of Intention or any subject matter addressed herein, at the next regular meeting of the city council after the expiration of the time within which said protests may be made as set forth in Section 4 hereof.

SECTION 4: At any time within 15 days after the date of the first publication of the notice of the passage of this Resolution of Intention, any owner of property liable to be assessed for the work may make written protest against the proposed work or against the extent or creation of the district to be assessed, or both. If the period described in the foregoing sentence includes a holiday other than a Sunday, the period must be extended for an additional 2 days. Any protest must be in writing, identify the property in the district owned by the protestor, and be signed by all the owners of the property. The protest must be delivered to the clerk of the city or town council or commission not later than 5 p.m. of the last day within the protest period. The clerk shall endorse on the protest document the date and hour of its receipt by the clerk.

SECTION 5. The estimated Cost of the Improvement, including all engineering fees, is approximately (\$5,700.00 for metal poles; or \$285 for wooden poles), or approximately (\$300 or \$15) to be assessed to each lot in the District which are included in said Special Improvement Lighting District, subject to actual costs as the same may later appear, payment of which is to be

