POLSON CITY-COUNTY PLANNING BOARD
AGENDA

VIRTUALLY (VIA ZOOM)* **June 9, 2020** **6:00 P.M.**

Link to meeting: https://zoom.us/j/94516130260?pwd=RzlOOC8xM01mNml2SjY0WEpyV1RYZz09
-- OR – dial in by phone: 301-715-8592, meeting ID: 945-1613-0260
You will need to enter a password to join the meeting. Please contact Kyle Roberts, City Planner at 883-8213 or cityplanner@cityofpolson.com to obtain meeting password

1. CALL MEETING TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. SUMMARY & AUDIO MINUTES FOR APRIL 14, 2020 ***VOTE**

5. OPEN PUBLIC HEARING: SD# 19-05 SUBSEQUENT MINOR SUBDIVISION AMENDED PLAT OF LOT 1, BLOCK 1, SLACK VILLA AND ORCHARD TRACTS

a. **Staff report and Board Discussion**
b. **Public Comments**
c. **Close Public Hearing**

6. SUBDIVISION VARIANCE REQUEST SD# 19-05 ***VOTE**

7.SUBDIVISION #19-05: 2- LOT SUBSEQUENT MINOR SUBDIVISION ***VOTE**

8.PUBLIC COMMENT ON SIGNIFICANT MATTERS TO THE PUBLIC NOT ON THE AGENDA

9.ADJOURN

The City of Polson encourages public participation in its public meetings and hearings. In doing so the City holds its meetings in handicapped accessible facilities. Any persons desiring accommodations for a handicapping condition should call the City Clerk at 883-8203 for more information.

*The Polson City-County Planning Board is holding a virtual meeting as part of the City of Polson's COVID-19 transmission mitigation efforts.

CITY COUNTY PLANNING BOARD
April 14, 2020
Polson City Hall via ZOOM
Meeting Minutes

MEMBERS PRESENT: Mick Holien, Dave Ottun, Jan Niemeyer, Susan Evans, Ken Murphy; Rick LaPiana (joined in progress)

MEMBERS ABSENT: Shandice Kerr

STAFF PRESENT: Kyle Roberts, Jacob Feistner, Tiffani Murphy, Lita Fonda

OTHERS PRESENT: Hu Beaver**,** Lori Lucas, Lisa Wall-Wilbert

Meeting held via ZOOM.

Mick Holien called the meeting to order at 6:04 pm. A moment of silence was observed for those who had died in the pandemic. Roll was called. Allegiance was pledged.

<u>2020 CHAIR</u> (6:06 pm; 1:32 audio)
Mick nominated Dave as chair, who respectfully declined.
Motion made by Dave Ottun, and seconded by Jan Niemeyer, to appoint Mick Holien as the 2020 Chair. Motion carried, by acclamation.

<u>2020 VICE CHAIR</u> (6:07 pm; 2:50 audio)
Motion made by Mick Holien, and seconded by Ken Murphy, to appoint Dave Ottun as the 2020 Vice Chair. Motion carried, by acclamation.

<u>MINUTES</u> (6:07 pm; 3:27 audio)
Motion made by Dave Ottun, and seconded by Susan Evans, to approve the April 9, 2019 minutes as presented. Motion carried, all in favor.

<u>COUNTY PDC MAP AMENDMENT REQUEST (RJR LLC)</u> (6:08 pm, 4:20 audio)
Tiffani Murphy, Lake County planner, presented the staff report.

Board members thought this seemed straightforward.

Public comment opened: No public comments offered on this item. *Public comment closed.*

Motion made by Susan Evans, and seconded by Dave Ottun, to approve the zoning map amendment. Motion carried, all in favor. (6:16 pm, 13:06 audio).

<u>CITY SPECIAL USE PERMIT 20-01: FUN & FANCY FREE LEARNING CENTER</u>
(6:18 pm, 14:01 audio) City Planner, Kyle Roberts presented the Staff Report.
(29:22) Board Discussion (32:06) Public Discussion

DRAFT

(47:50) Motion Made by Jan Niemeyer, and seconded by Dave Utton to recommend approve of Special Use Permit 20-01 as presented with the nine conditions of approval. Motion carried, all in favor.

PUBLIC COMMENT ON NON-AGENDA ITEMS (6:53 pm, 48:56 audio):
Hu Beaver stated the learning center is a great addition to the City of Polson. Jan Niemeyer said he appreciated the work the staff put into both staff reports. Susan Evans stated the plans submitted for the Learning Center are very detailed plan and appreciated that.

Mick Holien, Chair, adjourned the meeting at 6:54 pm (50:27 audio).

Chair: _____ *Recorder:* _____

DRAFT

POLSON CITY-COUNTY PLANNING BOARD
STAFF REPORT

DATE: JUNE 9, 2020

APPLICATION TYPE: PRELIMINARY PLAT REVIEW (SD #19-05) – AMENDED PLAT OF LOT 1, BLOCK 1, SLACK VILLA AND ORCHARD TRACTS – 2-LOT SUBSEQUENT MINOR SUBDIVISION WITH SUBDIVISION VARIANCE REQUEST

APPLICANT: CAREY & MARIE GORDON
725 BAYVIEW DRIVE
POLSON, MT 59860

TECHNICAL ASSISTANCE: JACK DUFFEY, PLS
PO BOX 531
POLSON, MT 59860

PROPERTY OWNER: CAREY & MARIE GORDON
725 BAYVIEW DRIVE
POLSON, MT 59860

LOCATION: 725 BAYVIEW DRIVE

APPLICABLE REGULATIONS & POLICIES	PUBLIC NOTICE	WRITTEN PUBLIC COMMENTS
◆ Sections 6.01.060, 6.02.200; Article 4 as applicable; Article 6, Divisions 2, 4, and 6; and 6.06.250. ◆ Montana Subdivision and Platting Act; 76-3-401 – 76-3-625 MCA ◆ Polson Growth Policy, 2016	◆ *Lake County Leader* ad published on May 21, 2020 ◆ Notices mailed to adjoining landowners: May 7, 2020	No written comments received at time of staff report writing

APPLICATION TIMELINE:

- Pre-application received February 26, 2019
- Pre-application meeting conducted on March 5, 2019
- Pre-application response letter mailed to applicant on March 6, 2019
- Pre-application response letter (update) mailed to applicant on November 7, 2019
- Major Subdivision Preliminary Plat Application received on April 27, 2020
- Application deemed complete and Completeness Review mailed on April 28, 2020
- Application deemed sufficient for review and Sufficiency Review mailed on May 6, 2020
- City-County Planning Board public hearing review and recommendation scheduled for June 9, 2020; City Commission public hearing review and vote scheduled for June 15, 2020

LOCATION / DESCRIPTION:

The location of the proposed subdivision is at 725 Bayview Drive – Lot 1, Block 1, Slack Villa and Orchard Tracts, located in a portion of Government Lot 3, Section 2, T22N, R20W. The subject property is approximately 1.21 acres (52,708 square feet) in size and abuts Flathead Lake to the west. The property is zoned Low Density Residential (LRZD) and has two existing single-family dwellings and a shed. The dwelling located near the east boundary of the lot was constructed in 1930. Physical access is provided directly off Bayview Drive.

VICINITY MAP:

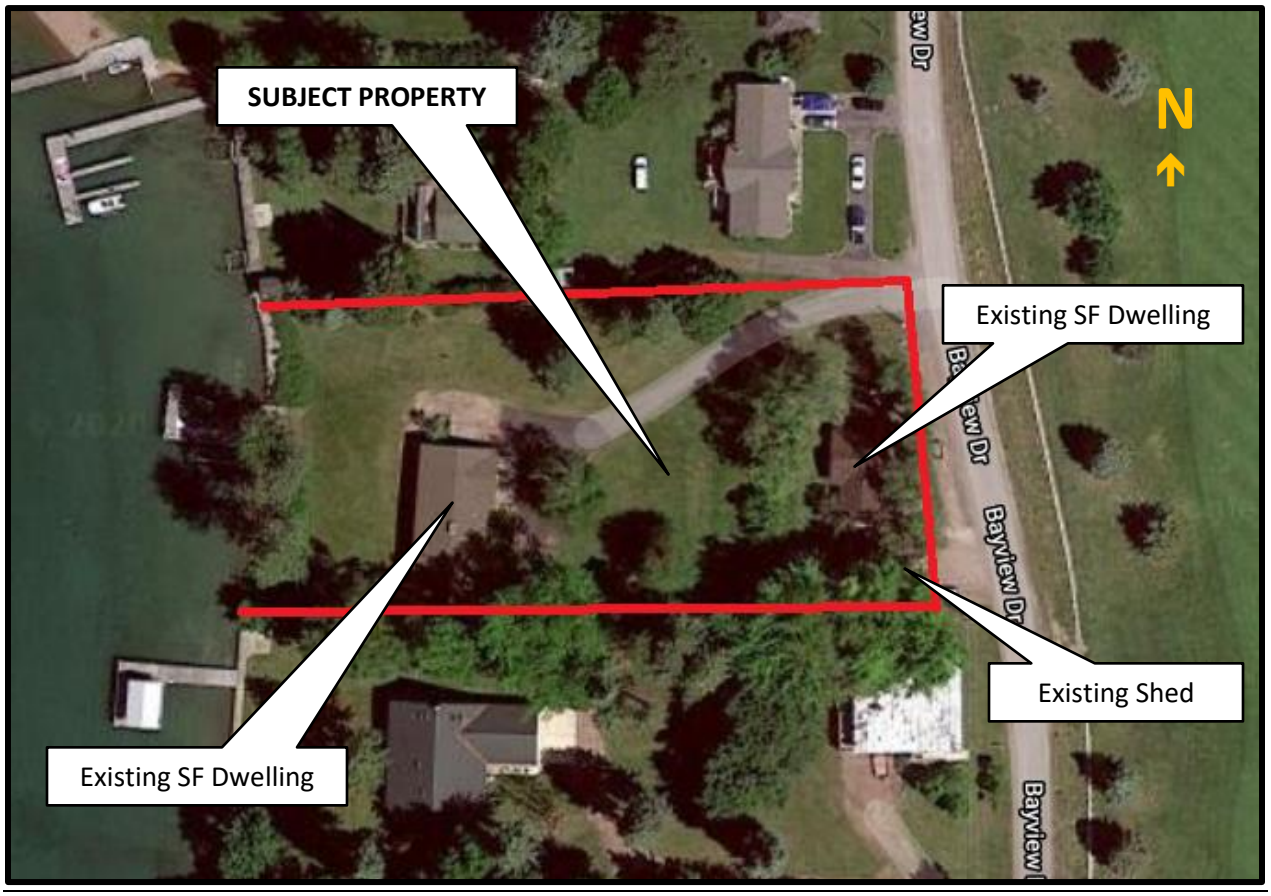


Figure 1 – Subject property located at 725 Bayview Drive and abuts Flathead Lake

PROPOSAL:

The applicant is proposing to subdivide the subject property, creating two lots as shown in *Figure 2* below. The creation of only one additional lot is being proposed; however, because the original tract of record has been subdivided under the Montana Subdivision Platting Act, the proposed subdivision does not qualify as a first minor subdivision. As such, it is considered a subsequent minor and reviewed as a major subdivision (Sec. 6.06.600, Polson Development Code). As shown in *Figure 2* below, proposed lot 1A – 44,431 square feet in size – would be the site of an existing single-family dwelling. Proposed lot 1B – 8,510 square feet in size – would be the site of the other existing single-family dwelling and shed. The purpose of the division of property is so that each dwelling will be situated on their own respective lot. No development on either proposed lot is proposed at this time.

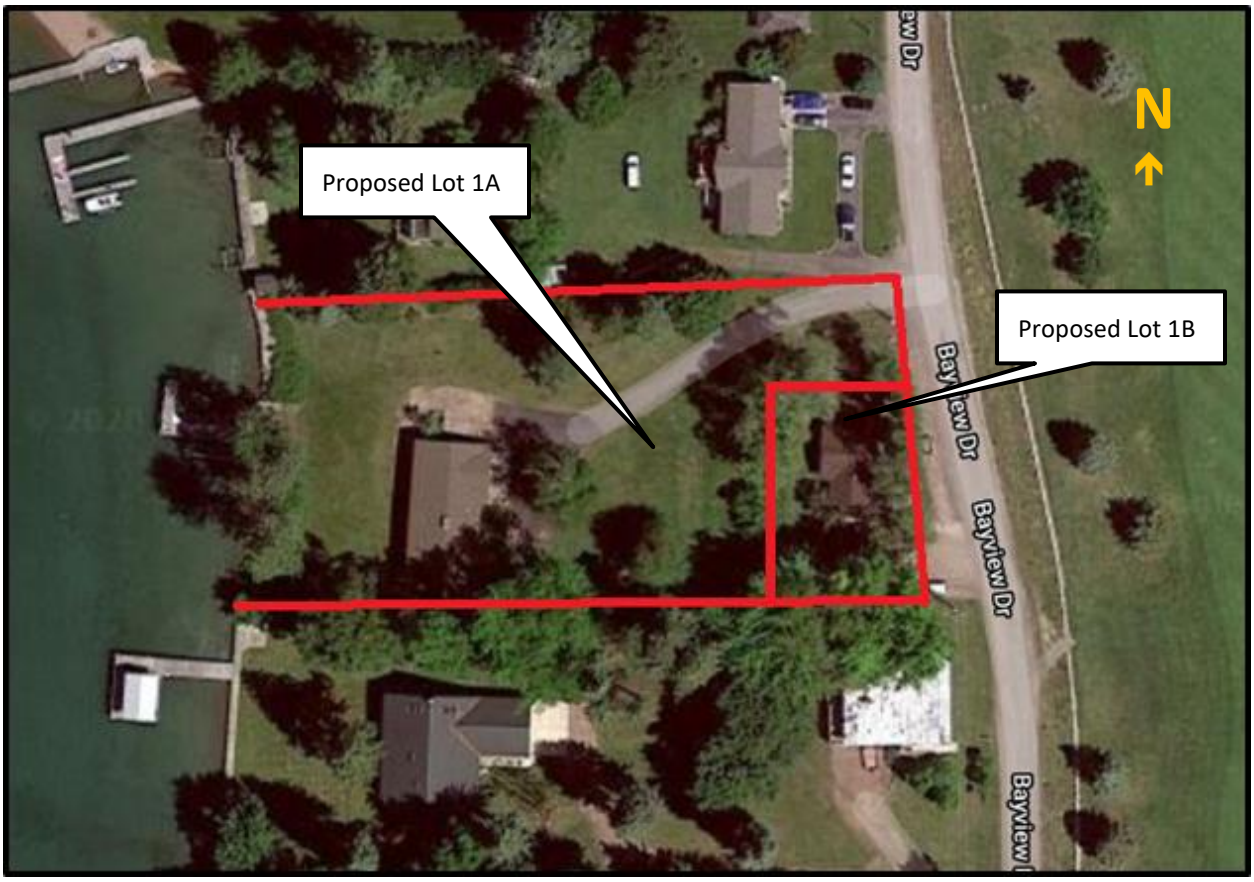


Figure 2 – Layout and existing uses of proposed subdivision

<u>REVIEW AND FINDINGS OF FACT:</u>

Subdivision Design & Improvement Standards (Article 6, Division 6 of the Polson Development Code)

i. <u>Floodplain:</u> Although the proposed subdivision abuts Flathead Lake, the subject property is not located in a floodway of a 100-year flood event per FEMA's Flood Insurance Rate Map.

ii. <u>Zoning conformance:</u> All newly-created lots must conform to the City of Polson zoning regulations:

   a. Minimum lot size: The minimum lot size in LRZD is 7,000 square feet. Proposed lots 1A and 1B will meet the minimum lot size.

   b. Maximum lot coverage: The maximum lot coverage allowable in LRZD is 40%. Proposed lot 1A's lot coverage is 16.1% and proposed lot 1B's is 13.7%.

   c. Minimum lot width: The minimum lot width at the front property line must be 50 feet. Proposed lots 1A and 1B will meet the minimum lot width as measured at the front property lines.

   d. Setbacks: The existing dwelling on proposed lot 1A will meet all minimum setback requirements of LRZD; however, the existing dwelling and shed on proposed lot 1B do not meet the minimum front yard setback of 30 feet. As part of this proposed subdivision, the applicant is requesting a subdivision variance from the front yard setback requirement for proposed lot 1B (see *Subdivision Variance Request* below).

iii. <u>Legal & physical access:</u> Proposed lots 1A and 1B have existing legal and physical access to a dedicated public street, Bayview Drive. While Bayview Drive is a public street, it currently does

not comply with the *City of Polson Standards for Design and Construction* as the street is only 21 feet in pavement width (26 feet is the City standard) and the street does not contain sidewalk(s) and curbs and gutters. There is potential for the street to be improved to a greater standard, albeit not to full City standards as the right-of-way width is only 30 feet. As such, the property owners shall be required to waive their right to protest the formation of a special improvement district (SID) related to any potential undertaking to create an SID to improve Bayview Drive [Sec. 6.06.830(6), Polson Development Code].

iv. Parks and trails: Per Sec. 6.04.290 of the Polson Development Code, parkland dedication requirements apply to subsequent minor and major residential subdivisions. However, a parkland dedication *may* not be required for a subdivision in which only one additional parcel is created [Sec. 6.04.290(2)(d), Polson Development Code]. The applicant has requested exemption from the parkland requirement as the proposed subdivision will only create one additional parcel and the fact that the golf course is in very close proximity to the subdivision.

v. Municipal utilities: The property's two existing dwellings currently share one water service line and one sewer service line. The dwelling on proposed lot 1B will be required to have a separate water line from lot 1A. The new water service line will connect to the water mainline located in Bayview Drive. Moreover, proposed lot 1A will need to obtain a utility easement for its water and sewer service lines running through proposed lot 1B.

Montana Subdivision & Platting Act [76-3-608(3) MCA]

i. Effect on agriculture: The proposed subdivision will have no effect on agricultural production as the property is not used for agricultural production and is not located in close proximity to intensive agricultural production or prime farmland.

ii. Effect on agricultural water user facilities: The subject parcel does not qualify as an agricultural tract under 15-7-202 MCA. The subject parcel does not have irrigation rights. The proposed subdivision will not degrade or cause harm to an irrigation district.

iii. Effect on local services: As the proposed lots are currently developed, no additional public services will be required as a result of the proposed subdivision.

   a. Each proposed lot will have City water and sewer service. The existing dwelling located on proposed lot 1B will be required to have its own separate water service line that will connect to the water mainline in Bayview Drive.
   b. The proposed subdivision will continue to receive law enforcement services from the Polson Police Department and Fire protection services from the Polson Fire Department.
   c. There are no dedicated City streets being created with the proposed subdivision. However, the proposed subdivision will be provided physical access via a substandard City street. As per the discussion above, the property owners will be required to waive their right to protest the formation of any potential SID.

iv. Effect on the natural environment: The proposed subdivision will not result in new development or the provision of additional infrastructure. The purpose of the subdivision is simply to create an additional lot so that each existing dwelling can be situated on their own respective lot. That said, the proposed subdivision is not anticipated to have any effect on the natural environment. Lastly, zoning performance standards are in place to account for and mitigate any impacts to the natural environment (e.g. runoff management, shoreline buffers, etc.).

v. Effect on wildlife and wildlife habitat: There are no known endangered species on, or near the subject property. The adjacent properties are all zoned LRZD with single-family residences as well. The proposed subdivision will not result in new development or the provision of additional infrastructure. That said, the proposed subdivision is not anticipated to have any effect on wildlife and wildlife habitat.

vi. Effect on public health and safety: The subject property and surrounding area are not subject to potential natural hazards such as high winds, steep slopes, wildfire, flooding, nor potential manmade hazards such as high voltage power lines, high-pressure gas lines, or nearby industrial or mining activity. As mentioned previously, the subject property is not located in a floodway of a 100-year flood event per FEMA's Flood Insurance Rate Map. Additionally, per the Polson Growth Policy, the Montana Department of Natural Resources has not designated any parcels within the Polson city limits as wildland-urban interface parcels.

vii. Provision of easements: Proposed lot 1A will need to obtain a utility easement for its water and sewer service lines running through proposed lot 1B. Said easement shall be denoted on the final plat.

viii. Provision of legal and physical access: The existing dwelling on proposed lot 1B has direct physical access to Bayview Drive as the proposed lot abuts Bayview Drive. However, in the event in the future the existing dwelling on proposed lot 1B seeks physical access via the existing driveway currently serving the dwelling on proposed lot 1A, lot 1B will need to obtain an access agreement from proposed lot 1A.

Conformance to adopted Polson Growth Policy

The proposed subdivision conforms to the Polson Growth Policy. Low Density Residential Zoning is intended to permit single-family residential. The proposed subdivision will create an additional lot so that each existing single-family dwelling can be situated on their own respective lot.

SUBDIVISION VARIANCE REQUEST:

As part of the preliminary plat review, the applicant is requesting a subdivision variance from the LRZD minimum front yard setback provision as it applies to the existing dwelling and shed located on proposed lot 1B. Both structures do not comply with said provision as they were constructed in the first half of the twentieth century, well before Polson zoning regulations were adopted. The current regulation states the minimum front yard setback in LRZD is 30 feet. The dwelling is located 5.5 feet from the front property line, and the shed is located only a few feet from the front property line.

By proposing to subdivide, the applicant would be creating a nonconforming lot (lot 1B) that does not comply with current zoning standards because the structures do not meet front yard setbacks. To create a nonconforming lot is not permitted, per Sec. 6.01.060 of the Polson Development Code that states that no land shall be divided unless it is in conformance with the development code.

A subdivision variance request will not be approved unless it is found that the request meets the following [Sec. 6.06.250(2), Polson Development Code]:

1. *The granting of the variance will not be detrimental to the public health, safety, or general welfare or injurious to other adjoining properties*.

   No change is occurring as a result of creating proposed lot 1B. The existing structures on proposed lot 1B have existed since the first half of the twentieth century and no changes to the structures are anticipated at this time. In the event that changes do occur to the structures, Chapter 3, Division 7 of the Polson Development Code includes provisions that limit alterations to nonconforming structures. In sum, proposed lot 1B with pre-existing structures that do not comply with the current front yard setback requirement will not be detrimental to the public health, safety, general welfare, or injurious to other adjoining properties.

2. *Due to the physical surroundings, shape, or topographical conditions of the property involved, strict compliance with the regulations will impose an undue hardship on the owner. Undue hardship does not include personal or financial hardship, or any hardship that is self-imposed.*

   No limiting physical characteristic of the subject property in conjunction with the application of regulations will result in an undue hardship on the owner. However, as the existing structures on proposed lot 1B are some of the oldest structures in the neighborhood, built well before zoning regulations were adopted, they could be considered a long-standing characteristic of the property. Short of removing the historic structures, the subject property cannot be altered.

3. *The variance will not cause a substantial increase in public costs.*

   There will be no public cost as a result of an approval of the variance request. Granting approval of the variance will not result in a demand for the provision of additional public infrastructure or services.

4. *The variance will not place the subdivision in nonconformance with any adopted zoning regulations or performance standards*.

   While approval of the variance would place proposed lot 1B in nonconformance with regard to the front yard setback requirement, this nonconformity already exists.

5. *When applicable, the subdivision will decrease nonconforming use, and there will be no increase in nonconformity, even though all nonconforming uses will not be eliminated.*

   The existing property currently has two nonconforming issues. In addition to the historic dwelling's and shed's nonconforming front yard setbacks, the existing property has two dwellings, which is not permitted in LRZD unless the smaller dwelling is an accessory dwelling to the primary dwelling. The smaller dwelling does not meet the criteria to be considered an accessory dwelling (Sec. 6.04.430, Polson Development Code).

   Granting approval of the variance, thereby allowing the creation of lot 1B, will not eliminate the nonconformity of the historic structures' front yard setbacks. However, granting approval of the variance will allow for the existing dwellings to be situated on their own respective lots, thus eliminating an existing nonconformity. In sum, approving the variance will decrease the total nonconformity of the property.

REVIEW PROCESS:

As the proposed subdivision is considered a subsequent minor subdivision, it is reviewed as a major subdivision. As such, the City-County Planning Board is required to conduct a public hearing and is required to evaluate the proposal under the terms of the Polson Development Code, the Montana State Subdivision Statutes, and any applicable State, Federal, and Tribal requirements.

After consideration of the staff report and input from the public, the City-County Planning Board will review and make a recommendation to the City Commission to approve, approve with conditions, or deny the preliminary plat application.

Subsequently, the City Commission will be required to conduct a public hearing and will be required to evaluate the proposal under the terms of the Polson Development Code, the Montana State Subdivision Statutes, and any applicable State, Federal, and Tribal requirements. Any decision will need to be supported by Findings of Fact, which are based on established code and policy. Should the applicant decide to appeal the City Commission's decision, refer to Sec. 6.06.280 of the Polson Development Code and 76-3-625 MCA.

Because the proposed subdivision also includes a subdivision variance request, approval or denial of the variance request must occur as a separate action *prior* to a motion for approval, approval with conditions or denial of the preliminary plat application [Sec. 6.06.250(1), Polson Development Code].

Montana Subdivision and Platting Act
The City Commission makes all decisions for approval or denial. After all the conditions of Preliminary Plat approval are met, Final Plat applications are then reviewed for compliance with conditions of approval and acceptance by the City Commission.

The subdivision shall meet the requirements of the Montana Subdivision and Platting Act and the surveying requirements specified in the Uniform Standards for Documentation, and conform to the design standards specified in the subdivision regulations.

The subdivider and the local government shall comply with the subdivision review and approval procedures set forth in the local subdivision regulations (Sec. 6.06.610, Polson Development Code).

SUMMARY:
The applicant is proposing to subdivide an approximately 52,708 square foot parcel that has two existing single-family dwellings and a shed. The proposed subdivision will place an existing dwelling on a 44,198 square foot lot and the other existing dwelling and shed on an 8,510 square foot lot. Currently the existing parcel has two nonconforming issues. As part of this proposed subdivision review, the applicant is requesting a subdivision variance that, if approved, would allow for the creation of a lot. Furthermore, an approval of the subdivision variance request would eliminate one of the nonconforming issues. Lastly, there is no proposed development associated with the proposed subdivision.

STAFF RECOMMENDATION:
After review of the preliminary plat application, subdivision variance request, and additional information concerning this 2-lot subsequent minor subdivision, staff recommends that the City-County Planning Board adopt this staff report's findings of fact and make a recommendation to the City Commission to **approve** *Amended Plat of Lot 1, Block 1, Slack Villa and Orchard Tracts* subdivision preliminary plat, subject to the following conditions:

1. This preliminary plat approval is valid for **three years** from the date of approval by the City Commission. The preliminary approval may be extended by the City Commission for a mutually agreed upon period of time, if the applicant requests an extension of time *prior* to the expiration date (Sec. 6.06.610(9), Polson Development Code).

2. If the applicant proposes to change the plat after preliminary plat approval but before the final plat approval, the applicant shall submit the proposed changes, all supporting documents, and required fee to the Planning Department for review (Sec. 6.06.310, Polson Development Code).

3. The existing dwelling on proposed lot 1B shall have a separate water line from proposed lot 1A. The new water service line shall connect to the water mainline located in Bayview Drive.

4. Proposed lot 1A will need to obtain a utility easement for its water and sewer service lines running through proposed lot 1B [Sec. 6.06.610(8)(a)(i), Polson Development Code].

5. All utility easements shall be shown on the face of the final plat.

6. The property owners of proposed lot 1A and 1B shall sign and submit to the City a waiver of right to protest the creation of a special improvement district (SID) for any potential improvements made to Bayview Drive [Sec. 6.06.830(6), Polson Development Code].

7. Any proposed modification(s) to the existing structures located on proposed lot 1B are subject to the Nonconformity provisions as contained in Chapter 3, Division 7 of the Polson Development Code.

8. Any future development of either lot will require a zoning conformance/building permit (Sec. 6.03.020, Polson Development Code).

9. The City of Polson reserves the right to revoke approvals, terminate or enjoin the use of the property, and order any structures removed if the applicants violate any conditions of preliminary plat approval.

10. After the City Commission has approved the final plat, the applicant shall provide the City of Polson Planning Department with a copy of the recorded final plat within five working days of its recording (including an electronic version).

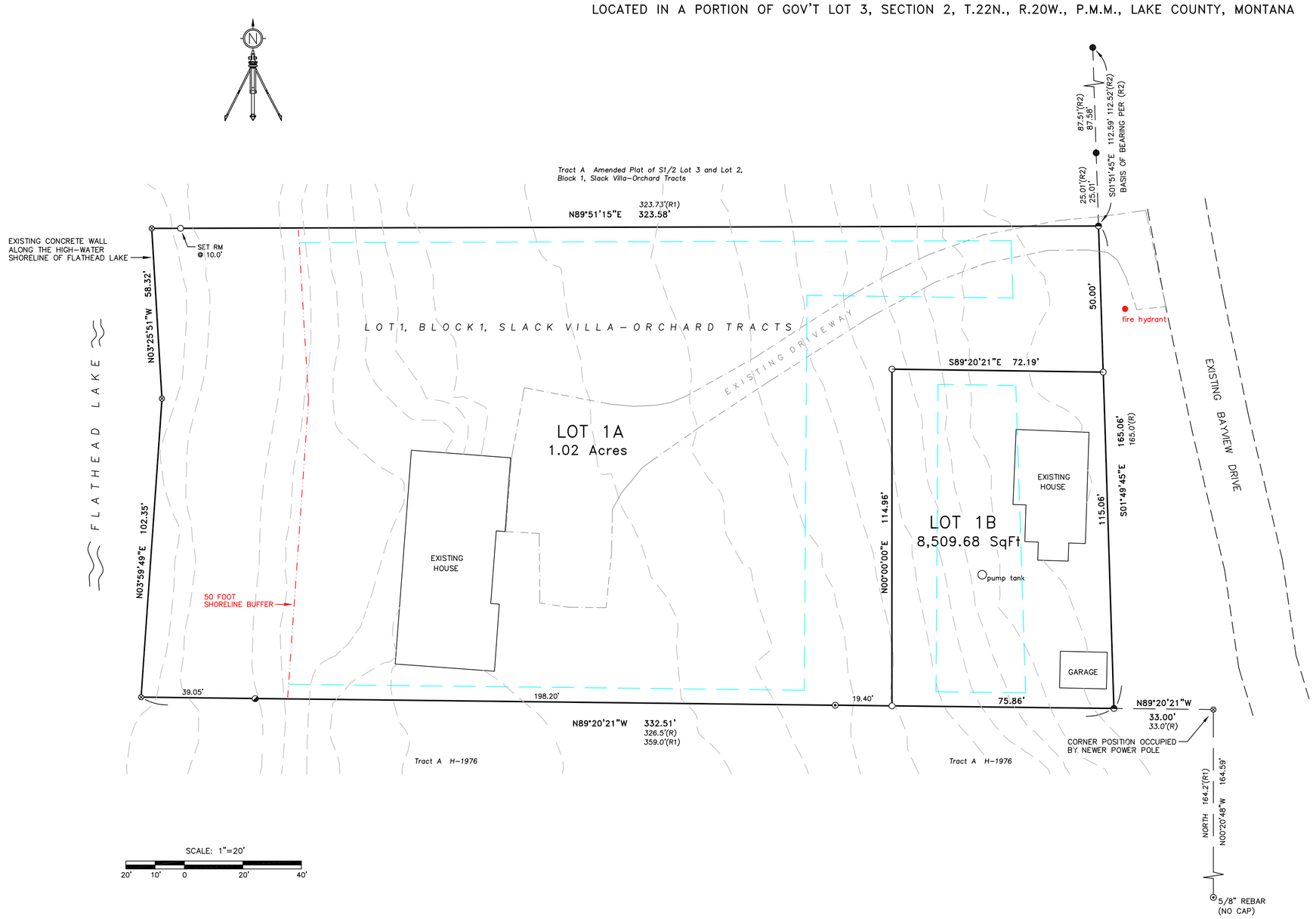
The Polson City-County Planning Board/City Commission are encouraged to visit the site, ask questions, and request additional information (if necessary) from the Planning Department before the hearing.

DISCLAIMER: The Planning Department is an advisory agent and mediator between the Polson City-County Planning Board/City Commission and the applicant. The Planning Department covers the applicants' adherence to the Polson Development Code, Polson Growth Policy, and other governmental standards. The Planning Department is not responsible and accepts no responsibility for the applicants' proposals, designs, plans/maps, calculations, etc., or lack thereof.

AMENDED PLAT OF LOT 1, BLOCK 1, SLACK VILLA AND ORCHARD TRACTS

LOCATED IN A PORTION OF GOV'T LOT 3, SECTION 2, T.22N., R.20W., P.M.M., LAKE COUNTY, MONTANA

DATE OF SURVEY: MARCH, 2020



SCALE: 1"=20'

20' 10' 0 20' 40'

OWNERS CERTIFICAE:

THE UNDERSIGNED PROPERTY OWNER DOES HEREBY CERTIFY THAT IT HAS CAUSED TO BE SURVEYED AND PLATTED INTO LOTS AND PRIVATE EASEMENTS ALL OF THE FOLLOWING DESCRIBED PROPERTY AND AS SHOWN BY THE ANNEXED PLAT, TO WIT:

LOT 1, BLOCK 1, SLACK VILLA AND ORCHARD TRACTS, LOCATED IN A PORTION OF GOV'T LOT 3, SECTION 2, TOWNSHIP 22 NORTH, RANGE 20 WEST, P.M.M., LAKE COUNTY, CITY OF POLSON, MONTANA, CONTAINING A TOTAL OF (1.21) ACRES.

LOTS 1A AND 1B ARE EXCLUDED FROM SANITATION REVIEW BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY PURSUANT TO MCA 76–4–125 (1) (d) AS CERTIFIED PURSUANT TO MCA 76–4–127. THE CERTIFICATION THAT ADEQUATE STORM WATER DRAINAGE AND ADEQUATE MUNICIPAL FACILITIES WILL BE PROVIDED FOR THE SUBDIVISION MUST BE SENT BY CERTIFYING AUTHORITY TO THE REVIEWING AUTHORITY PRIOR TO FINAL PLAT APPROVAL.

_____

FOR: CAREY H. AND MARIE V. GORDON TRUST

STATE OF_____ :ss
COUNTY OF_____

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____
BY_____ AS _____
OF THE CAREY H. & MARIE V. GORDON TRUST.

_____
NOTARY PUBLIC FOR THE STATE OF_____
RESIDING AT _____
MY COMMISSION EXPIRES _____

* CITY OF POLSON APPROVAL *

_____
MAYOR, CITY OF POLSON DATE

ATTEST:
_____
CITY CLERK DATE

_____
PLANNING DEPT., CITY OF POLSON DATE

_____
EXAMINING MONTANA P.L.S. No.15059LS DATE

LEGEND

- ○ SET A 5/8" X 24" REBAR W/YPC "DUFFEY 15624LS"
- ● FOUND 5/8" REBAR W/YPC DAY 10997LS
- ⊙ FOUND 3/4" IRON PIPE, OR AS NOTED
- ◪ FOUND 1/2" REBAR (NO CAP)
- ◓ FOUND 3/4" IRON ROD
- ⊗ DENOTES ANGLE POINT ONLY, NOTHING FOUND OR SET
- (R) RECORD PER SLACK VILLA AND ORCHARD TRACTS
- (R1) RECORD PER DEED EXHIBIT H–1976
- (R2) RECORD PER AMENDED PLAT OF S1/2 LOT 3 AND LOT 2, BLOCK 1, SLACK VILLA – ORCHARD TRACTS.
- LINE OF 50 FOOT SHORELINE BUFFER
- ZONING SETBACKS

SURVEYOR'S CERTIFICATION

I hereby certify that this Amended Plat is a true and correct representation of a survey executed by myself and completed in March, 2020.

_____
JOHN M. DUFFEY, Montana PLS No.15624LS DATE

TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT NO REAL PROPERTY TAXES ASSESSED AND LEVIED ON THE LANDS DESCRIBED IN THE WITHIN SURVEY ARE DELINQUENT. THIS CERTIFICATE IS MADE AS REQUIRED BY SECTION 76–3–611(1)(b) M.C.A.

DATED THIS_____DAY OF_____ , _____

_____
TREASURER, LAKE COUNTY, MONTANA

NOTE: The west boundary of Lot 1, Block 1 on the original Plat of Slack Villa–Orchard Tracts is the high water mark of Flathead Lake in 1944. This Amended Plat utilizes the existing concrete wall at the high–water shoreline of Flathead Lake for the west boundary of Lot 1A which differs from the 1944 description.

DUFFEY LAND SURVEYING
BOX 531 * POLSON, MT 59860
406–883–1727

CITY OF POLSON
Planning & Building Department
106 1st Street E. | Polson, MT 59860
T: 406-883-8214 | F: 406-883-8238
E: bp@cityofpolson.com
W: www.cityofpolson.com

April 27, 2020

Jack Duffey
P.O. Box 531
Polson, MT 59860

RE: Amended Plat of Lot 1, Block 1, Slack Villa and Orchard Tracts Subdivision (SD #19-05)
Completeness Review Letter

Dear Mr. Duffey,

Thank you for submitting the Amended Plat of Lot 1, Block 1, Slack Villa and Orchard Tracts preliminary plat application.

Following an element (completeness) review, staff has deemed the application complete at this time. The application will now proceed to a sufficiency review that will be completed within the next 15 working days (no later than May 18, 2020).

If you have any questions, please do not hesitate to call, email, or stop by City Hall and visit with the Building and Planning Department.

Sincerely,

Kyle Roberts
City Planner

CITY OF POLSON
Planning & Building Department
106 1st Street E. | Polson, MT 59860
T: 406-883-8214 | F: 406-883-8238
E: bp@cityofpolson.com
W: www.cityofpolson.com

May 4, 2020

Jack Duffey
P.O. Box 531
Polson, MT 59860

RE: Amended Plat of Lot 1, Block 1, Slack Villa and Orchard Tracts Subdivision (SD #19-05)
Sufficiency Review Letter

Dear Mr. Duffey,

Following a sufficiency review, staff has deemed the application sufficient for review at this time. The application will now proceed to the review process.

This application will be scheduled for a public hearing with the City-County Planning Board on **Tuesday, June 9th at 6:00 PM**. A subsequent public hearing and decision vote with the City Commission will be scheduled for **Monday, June 15th at 6:30 PM**.

Lastly, per Sec. 6.06.610(4)(b)(iii) of the Polson Development Code, you will be required to post a notice of the proposed subdivision on-site no later than 15 calendar days prior to the public hearing with the City-County Planning Board (i.e. no later than May 26th). For your convenience, the applicable requirement is enclosed.

If you have any questions, please do not hesitate to call, email, or stop by City Hall and visit with the Building and Planning Department.

Sincerely,

Kyle Roberts
City Planner

DUFFEY LAND SURVEYING
P.O. Box 531 • Polson, MT 59860 • duffeysurvey@gmail.com
Office: 406-883-1727 • Cell: 406-885-6727

April 24, 2020

TO: *Kyle Roberts, City Planner*

RE: *Amended Plat of Lot 1, Block 1, Slack Point and Orchard Tracts*

Dear Kyle:

Attached is application for the above referenced subdivision. As you know, the property is developed with two single-family residences. The intent is to separate each dwelling onto its own lot. The application includes a variance request regarding setbacks for the existing dwelling on proposed Lot 1B. Also included is comment form Ash Walker regarding the existing water and sewer service connections. He wants each lot to have its own water service connection prior to filing of the plat.

Please let me know if you have any questions regarding this application. Thank you.

Respectfully,

Jack Duffey, PLS
Agent for the Gordon Trust

CITY OF POLSON
Planning & Building Department
106 1st Street E. | Polson, MT 59860
T: 406-883-8214 | F: 406-883-8238
E: bp@cityofpolson.com
W: www.cityofpolson.com

Date Rec'd: _____
Fee: _____
Subdivision #: _____

MAJOR SUBDIVISION PRELIMINARY PLAT APPLICATION

FEE SCHEDULE: i) Major Subdivision $1,500 plus $50 per lot
ii) Amended Preliminary Plat $100
a. Amendment to Conditions Only
b. Re-configured Proposed Lots
c. Add Additional Lots or Sub-lots
iii) Subdivision Variance $150 (per Variance)
iv) Adjoining Landowner Notification $6 (per address)

APPLICATION PROCESS: A major subdivision must go through a public hearing process with both the City-County Planning Board and City Commission. The City Commission shall approve, conditionally approve, or deny a proposed major subdivision within working 60 days, or 80 working days if the proposed subdivision contains 50 or more lots, of the Planning staff determining the subdivision application to be complete and sufficient.

In reviewing the application and materials submitted by the applicant, the City of Polson may determine that it may require extraordinary review and incur additional, expenses, costs and staff time on behalf of the applicant. The staff will advise the applicant of anticipated additional time and anticipated costs, including expenses for outside consultants, prior to incurring the same. The applicant is expected to pay such anticipated costs and hereby waives all statutory or ordinance time frames imposed upon the City until such fees and costs are paid.

SUBDIVISION NAME: Amended Plat of Lot 1, Block 1, Slack Villa and Orchard Tracts

OWNER(S) OF RECORD:
Name Carey H. and Marie V. Gordon Trust Phone #: 509 435 7156
Mailing Address: 725 Bayview Drive
City: Polson State: MT Zip code: 59860

TECHNICAL/PROFESSIONAL PARTICIPANTS (Surveyor/Designer/Engineer, etc.):
Name & Address: Jack Duffey, PLS PO Box 531, Polson MT 59860
Name & Address: _____
Name & Address: _____

LEGAL DESCRIPTION OF PROPERTY:
City/County: Lot 1, Block 1, Slack Villa and Orchard Tracts, located in Polson, MT
Street Address: 725 Bayview Drive, Polson MT 59860
Assessor's Tract No.(s): 3461 Lot No(s): _____
1/4 Sec _____ Section 2 Township 22N Range 20W

GENERAL DESCRIPTION OF SUBDIVISION:

Number of Lots or Rental Spaces: 2

Total Acreage in Subdivision: 1.21 Acres

Total Acreage in Lots: 1.21 Acres

Minimum Size of Lots or Spaces: 0.22 Acres

Total Acreage in Streets or Roads: 0

Maximum Size of Lots or Spaces: 0.99 Acres

Total Acreage in Parks, Open Spaces and/or Common Areas: 0

PROPOSED USE(S) AND NUMBER OF ASSOCIATED LOTS/SPACES:

Single Family 2 | Townhouse ____ | Mobile Home Park ____

Duplex ____ | Apartment ____ | Recreational Vehicle Park ____

Commercial ____ | Industrial ____ | Planned Unit Development ____

Condominium ____ | Multi-Family ____ | Other ____

APPLICABLE ZONING DESIGNATION & DISTRICT: LRZD

ESTIMATE OF MARKET VALUE BEFORE IMPROVEMENTS: Proposed lots are currently improved.

IMPROVEMENTS TO BE PROVIDED:

Roads: Gravel [ ] Paved [ ] Curb [ ] Gutter [ ] Sidewalks [ ] Alleys [ ] Other [ ]

Water System: Individual [ ] Multiple User [ ] Neighborhood [ ] Public [ ] Other [ ]

Sewer System: Individual [ ] Multiple User [ ] Neighborhood [ ] Public [ ] Other [ ]

Other Utilities: Cable TV [ ] Telephone [ ] Electric [ ] Gas [ ] Other [ ]

Solid Waste: Home Pick Up [ ] Central Storage [✓] Contract Hauler [ ] Owner Haul [ ]

Mail Delivery: Central [ ] Individual [✓] School District: Polson

Fire Protection: Hydrants [ ] Tanker Recharge [ ] Fire District: City of Polson

Stormwater Drainage System: Existing on site retention.

PROPOSED EROSION/SEDIMENTATION CONTROL: Property is developed with a well maintained grass lawn

VARIANCES: Are any subdivision Variances requested? Y (Y/N) If yes, please complete the information below:

Section/regulation of the Subdivision Regulations creating hardship: See attached variance request

Explain the hardship that would be created with strict compliance of regulations: ____

Proposed alternative(s) to strict compliances with above regulations: ____

PLEASE ANSWER THE FOLLOWING QUESTIONS IN THE SPACES PROVIDED BELOW:

1. Will the granting of the variance be detrimental to the public health, safety or general welfare or injurious to other adjoining properties?

2. Will the variance cause a substantial increase in public costs?

3. Will the variance affect, in any manner, the provisions of any adopted zoning regulations or Master Plan?

4. Are there special circumstances related to the physical characteristics of the site (topography, shape, etc.) that create the hardship?

5. What other conditions are unique to this property that creates the need for a variance?

APPLICATION CONTENTS:

The subdivider shall submit a **complete** application addressing items below to the Polson Planning Department at least 45 days prior to the date of the City-County Planning Board meeting at which it will be heard, unless other arrangements have been made with the planning staff.

Submittals shall include:

1. 12 copies of the preliminary plat (18" x 24"), application, and application materials
2. Electronic copy of the plat, application, and application materials
3. One reduced copy of the preliminary plat not to exceed 11" x 17" in size
4. A bona fide legal description of the subject property and a map showing the location and boundaries of the property
5. Draft Covenants, Conditions, & Restrictions (CC&Rs), if proposed

6. Application fee
7. A list of all property owners within 150 feet of the subject property is required with the information listed below. The list can be obtained from the Lake County GIS Office or from a title company. Please note that streets and roads are not included as part of the 150 feet.

Assessor #	Sec-Twn-Rng	Lot/Tract No.	Property Owner & Mailing Address

During the course of review of the application and after final determination by the City of Polson, the Owner/Developer hereby agrees to hold the City of Polson harmless from all claims, expenses, costs and attorney's fees that may arise as a result of the actions or process taken by the Owner/Developer. This "hold harmless" responsibility does not indemnify the City from its acts of negligence, violation of codes or ordinances, or defense of its codes or ordinances.

I hereby certify under penalty of perjury and the laws of the State of Montana that the information submitted herein, on all other submitted forms, documents, plans or any other information submitted as a part of this application, to be true, complete, and accurate to the best of my knowledge. Should any information or representation submitted in connection with this application be untrue, I understand that any approval based thereon may be rescinded, and other appropriate action taken. The signing of this application signifies approval for the Polson Planning staff to be present on the property for routine monitoring and inspection during the approval and development process.

Kathy J. Roberts 4/16/2020

(Applicant) (Date)

FEE AGREEMENT

Dear Applicant/Developer:

Please be advised that you are responsible for any and all fees incurred from the City contract engineering firm, per Resolution #942, effective February 21, 2007. These fees begin with the Pre-Application through Final City Commission Approval, including inspections. The fees also include any contact or requests from the Applicant/Developer or any person working with the project directly to the City Engineer.

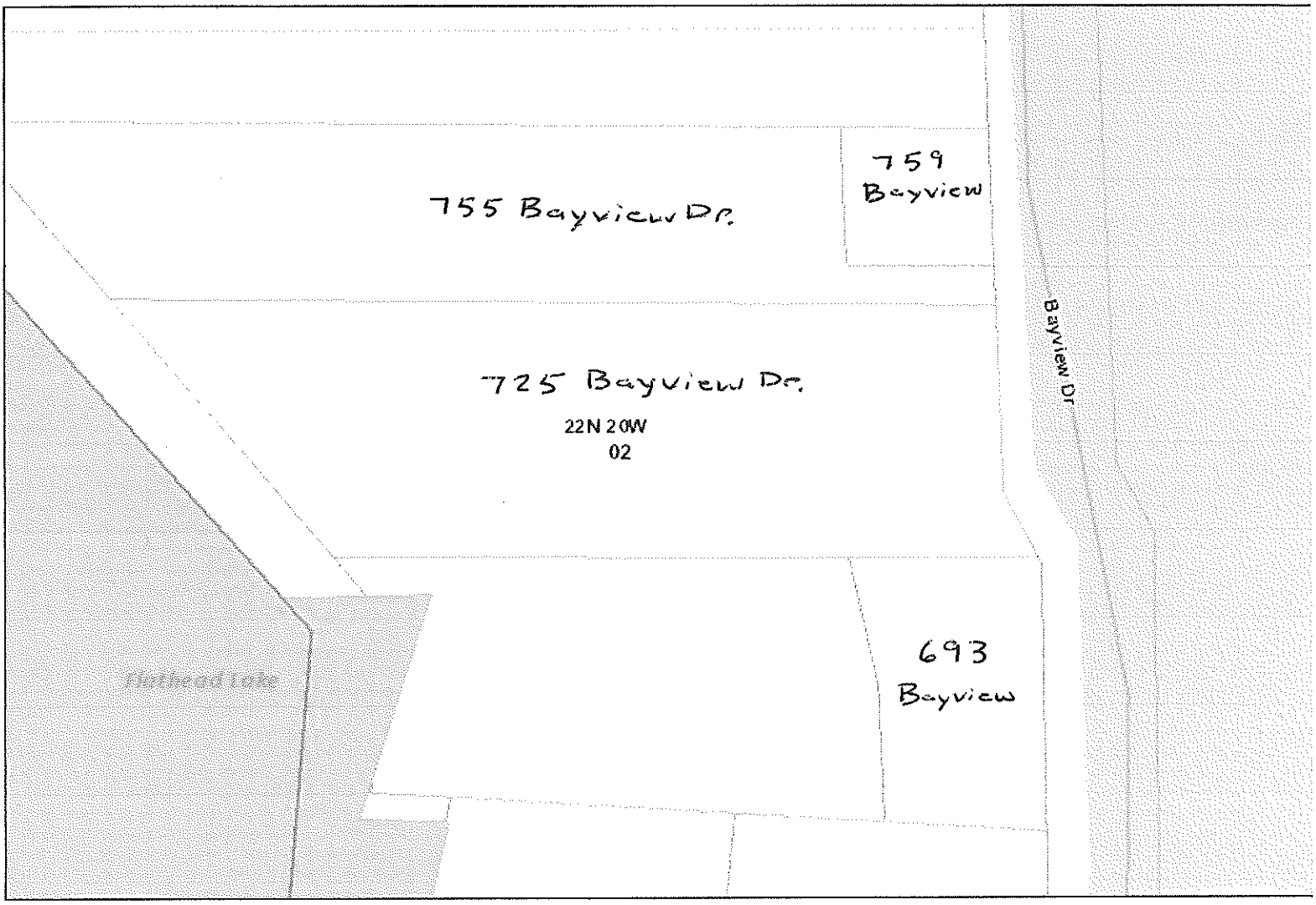
Also, per Resolution #942 there will be an administrative surcharge of 5% to defray the administrative costs hereof, from the requestor, pursuant to the preceding acknowledgement.

Per Resolution #942, paragraph 4: No project or request may move forward thereafter until such time as the City department has been reimbursed the fee and/or cost, together with the five percent surcharge, associated with the City's engineering review of such project or request.

ACKNOWLEDGEMENT

I do hereby acknowledge and accept any and all costs incurred on behalf of the application/development as stated in the above paragraphs.

Signature: Kathy J. Roberts Date: 4/16/2020
(Property owner or authorized agent)



GEO: 15-3228-02-2-04-08-0000

TAX: 3461

ADJACENT OWNERSHIP

Anderson Limited Partnership (Assessor #23220 & 3227)
1820 Humble Road
Missoula, MT 59804

Mathew & Martha Brewer (Assessor #3743 & 3744)
3131 McCall Street
San Diego, CA 92106

Michael R. Strawbridge (Assessor #3811)
2045 Mullan Road
Missoula, MT 59808

Subdivision Variance Request

The applicants are requesting a variance to the LRZD Specification Standards for minimum front yard setback. Per Table II.3, the minimum front yard setback is 30 feet. The existing dwelling on proposed Lot 1B is only 5.5 feet from the east boundary. Said dwelling was constructed in 1930, well before any zoning. The variance would allow the existing structure to remain resulting in no increase in nonconformity. Any future construction would be subject to the required setbacks.

Variance Statement of Facts

a. The granting of the variance will not be detrimental to the public health, safety, or general welfare or injurious to other adjoining properties; **The dwelling on proposed Lot 1B is existing and is one of the oldest structures in that neighborhood. No change in the use of the structure is proposed and therefore would not be detrimental to the public health, safety, or general welfare or injurious to other adjoining properties.**

b. Due to the physical surroundings, shape, or topographical conditions of the property involved, strict compliance with the regulations will impose an undue hardship on the owner. Undue hardship does not include personal or financial hardship, or any hardship that is self-imposed; **This does not apply to the requested variance.**

c. The variance will not cause a substantial increase in public cost; **No public cost associated with this variance request.**

d. The variance will not place the subdivision in nonconformance with any adopted zoning regulations or performance standards; **The existing dwelling is already in nonconformance with the setback requirements.**

e. When applicable, the subdivision will decrease nonconformance use, and there will be no increase in nonconformity, even though all nonconforming uses will not be eliminated; **Granting the variance will not increase nonconformity, even though all nonconforming uses will not be eliminated.**

Variance Conditions

In granting variances, the governing body may impose reasonable conditions to secure the objectives of these regulations.

Email from Ash Walker regarding water service connections.

wss2@cityofpolson.com Wed, Apr 15, 11:52 AM (9 days ago)

to me

As we talked about this morning the houses on Bayview have one service line for two separate houses when ownership changes we will need a separate water line for both houses . I am not concerned about the septic system as long as the two owners can work something out I have no problem with them using the same septic pump feel free to contact me with any other questions

Ash Walker

Water & Sewer

Superintendent

PART III SUMMARY OF PROBABLE IMPACTS

Summarize the effects of the proposed subdivision on each topic below. Provide responses to the following questions and provide supporting documentation, maps and other materials as necessary.

1. Effects on Agriculture

a. Is the proposed subdivision or associated improvements located on or near prime farmland, unique farmland, farmland of statewide or local importance as defined by the Natural Resource Conservation Service? If so, identify each area on a copy of the preliminary plat. **Subdivision is not located near any prime farmland.**

b. Is the proposed subdivision currently being used for agricultural or timber production? If so, will it continue to be used as such? Describe whether the subdivision would remove from production any agricultural or timber land. **Property developed and used for residential purposes.**

c. Have noxious weeds on the property been identified and what methods are proposed to prevent the spread of noxious weeds? **Property is mostly grass lawn and well maintained.**

d. Describe effects the subdivision would be likely to have on the value of nearby agricultural lands. **N/A – no nearby agricultural lands.**

e. Describe possible conflicts with nearby agricultural operations (e.g., residential development creating problems for moving livestock, operating farm machinery, maintaining water supplies, controlling weeds or applying pesticides; agricultural operations suffering from uncontrolled pets or damaged fences) and how those conflicts are proposed to be avoided or reduced. **N/A – no nearby agricultural lands.**

2. Effects on Agricultural Water User Facilities

a. Show on a map and/or describe the agricultural water user facilities on and in the vicinity of the subdivision, including infrastructure and easements. Are there any existing irrigation systems on the property? If so, is the property flood or sprinkle irrigated? Is the property subject to tailings or wastewater from other properties? Is the property under the jurisdiction of the Flathead Irrigation Project? **No agricultural water user facilities associated with the subject property.**

b. Describe potential conflicts the subdivision could create with agricultural water user facilities (e.g. residential development disrupting water flow to downstream properties) and how those conflicts are planned to be avoided or minimized. **N/A**

b. Describe possible nuisances or hazards with regard to agricultural water user facilities (e.g. safety hazards to residents or water problems from irrigation ditches, head gates, siphons, sprinkler systems, or other agricultural water user facilities) and how those nuisances or hazards will be avoided or minimized. **None.**

c. If the property is irrigated, what measures have been proposed to distribute water and costs in an equitable manner? **Subject property is not irrigated.**

d. Describe any proposed measures intended to limit or eliminate potential conflicts with agricultural water users and facilities. **None.**

3. Effects on Local Services

a. Indicate the proposed use and number of lots or spaces in each:

__2__ Residential, single family
_____ Residential, multiple family
_____ Types of multiple family structures and number of each (e.g. duplex, 4-plex)
_____ Planned unit development (No. of units)
_____ Condominium (No. of units)
_____ Mobile Home Park
_____ Recreational Vehicle Park
_____ Commercial or Industrial
_____ Other (Please describe _____)

b. Describe the additional or expanded public services and facilities that would be demanded of local government or special districts to serve the subdivision in the areas of sewer and water, roads and bridges, telecommunications, electrical service, schools and bussing, recreational facilities and programs, solid waste, fire and police resources. **Proposed lots are currently developed. No additional public services required.**

i. Are all of the above services available in terms of location and sufficient condition and capacity? Describe additional costs which would result for services including additional personnel, construction and maintenance costs. **Services are existing.**

ii. Who would bear these costs (e.g. all taxpayers within the jurisdiction, people within special taxing districts, or users of a service)? **No additional cost anticipated from this subdivision. The new taxes assessed on the subdivided land will result in the future lot owners bearing any cost.**

c. Describe how the subdivision might allow existing services, through expanded use, to operate more efficiently, or might make the installation or improvement of services feasible (e.g. allow installation of a central water system, or upgrading a country road). **The subdivision is not expected to allow services to operate more efficiently or improve feasibility of services.**

d. What are the present tax revenues received from the unsubdivided land?

i. By the County **approximately $1,921.06**
ii. By the municipality if **applicable N/A**
iii. By the school(s)

e. Provide the approximate revenues received by each above taxing authority if the lots are reclassified, and when the lots are all improved and built upon. **Each lot may be tax approximately $1,200 upon development of the lot.**

5. **Effects on Wildlife**

a. Identify species of fish and wildlife that use the area affected by the proposed subdivision, including threatened and endangered species and species of concern. **No know endangered species on or near the subject property.**

c. Describe proposed measures to protect or enhance wildlife habitat or to minimize degradation (e.g. keeping buildings and roads back from shorelines; setting aside wetlands as undeveloped open space, clustering homesites, providing large lot sizes, etc.). **No major wildlife habitat within the subdivision. No measures are being proposed.**

6. **Effects on Wildlife Habitat**

a. Describe the wildlife habitat on and in the vicinity of the property including water and food sources, vegetation types, amount of cover, slopes, ridges and other features. **Subject property and surrounding properties do not contain significant wildlife habitat. The proposed subdivision complies with the existing LRZD per the Polson Development Code.**

b. Describe what impacts the subdivision or associated improvements would be likely to have on wildlife areas such as big game wintering range, migration routes, nesting areas, wetlands, or important habitat for rare or endangered species. **No important wildlife habitat, rare or endangered species exist on the subject property.**

c. Describe proposed measures to protect or enhance wildlife habitat or to minimize degradation (e.g. keeping buildings and roads back from shorelines; setting aside wetlands as undeveloped open space, clustering homesites, providing large lot sizes, etc.). **No measures proposed at this time.**

7. **Effects on the Public Health and Safety**

a. Describe any health or safety hazards on or near the subdivision, such as: flooding, wildland fire, lack of water, steep slopes, drainage problems, heavy traffic, dilapidated structures, high pressure gas lines, high voltage power lines, airports, irrigation ditches, fire hazards, mines, etc. These conditions should be accurately described with their origin and locations identified on a copy of the preliminary plat or vicinity map. **The subject property and surrounding area pose no unusual health or safety hazards described above.**

b. Describe measures proposed to limit or eliminate potential threats to public health and safety. **No measures proposed at this time. The proposed subdivision is subject to the LRZD per the Polson Development Code.**

PART IV ENVIRONMENTAL ASSESSMENT AND COMMUNITY IMPACT REPORT

Information specified in this Part must be provided in addition to that required in Parts I, II and III of this application form when the local subdivision regulations require that an environmental assessment be prepared for a subdivision.

Answer each of the questions below must be answered in a thorough and thoughtful manner. Provide maps and other graphics as appropriate and cite sources of information. Information that is not easily obtainable by the reviewer should be appended to the Environmental Assessment.

Natural and Human Environment

1. Surface Water

Using one or more maps and text, locate and describe:

a. All natural water systems such as perennial or intermittent streams, lakes, ponds, wetlands or drainages that may be affected by the proposed subdivision and indicate the names and sizes of each. **Flathead Lake is located along the west boundary of the subject property.**

b. All artificial surface water systems that may be affected by the proposed subdivision such as canals, ditches, aqueducts, reservoirs, and irrigation systems and indicate the names, sizes, present and proposed uses of each. **Flathead Lake has a base flood elevation that is 6 inches above full pool. All of the subject property is above the base flood elevation of Flathead Lake.**

c. Time when water is present (seasonally, year round, during significant runoff events). **None.**

d. Any areas subject to flood hazard, or in a delineated 100 year floodplain. **No flood hazard. See attached FIRMette.**

e. Publicly available water quality information for water bodies on and in the vicinity of the subdivision. **Water quality information for Flathead Lake can be obtained from the DNRC or CS&KT Natural Resource Department.**

f. Any existing or proposed streambank or shoreline alteration from proposed construction or modification of stream channels, lakebeds or wetlands. Provide information on location, extent, type and purpose of alteration, and permits to be applied for. **None**

g. Any proposed vegetative buffers, structural setbacks, sedimentation controls and other measures to limit or eliminate erosion and sedimentation that could result in negative water quality impacts. Please describe how these water quality protection measures will be carried out over time. **Existing zoning requires a 50-foot shoreline buffer for the existing Flathead Lake.**

2. Groundwater

Using available data, provide the following information:

a. The minimum depth to water table and identify dates when depths were determined. What is the location, type and depth of aquifers which may reasonably be affected by the proposed subdivision? Describe the location of known aquifer recharge areas which may be affected. **Ground water is > 8 feet in depth.**

b. Publicly available water quality and quantity information for aquifers located beneath the subdivision. **N/A as the subdivision will not affect groundwater. City services are existing.**

c. Describe any steps necessary to avoid depletion or degradation of groundwater recharge areas and aquifers. **Proposed single lot division will not affect groundwater. City services are existing.**

3. Topography, Geology and Soils

a. Provide a map of the topography of the area to be subdivided, and an evaluation of suitability for the proposed land uses based on soils. On the map identify any areas with highly erodible soils or slopes in excess of 20% grade. Identify the lots or areas affected. Address conditions such as: **Preliminary plat shows 2-foot contours.**

i Shallow bedrock
ii Unstable slopes
iii Unstable or expansive soils
iv Roads and/or building sites on steep slopes

b. Locate on an overlay or sketch map:
i Any known hazards affecting the development which could result in property damage or personal injury due to: **No known hazards.**
A. Falls, slides or slumps -- soil, rock, mud, snow
B. Rock outcroppings
C. Seismic activity
D. High water table

c. Describe measures proposed to prevent or reduce these dangers. **No known hazards.**

d. Indicate where the construction of roads and buildings will require cuts and fills greater than 3 feet in height. Where cuts or fills are necessary, describe plans to prevent erosion and to promote vegetation such as replacement of topsoil and grading. **Lots are currently developed and no cuts or fills greater than 3 feet are proposed.**

4. Vegetation

a. On a plat overlay or sketch map:
(i) Indicate the distribution of the major vegetation types, such as marsh, grassland, shrub, coniferous forest, deciduous forest, mixed forest.
A. Are concentrations of dead, dying or diseased trees present? **No.**
B. Are any threatened or endangers species present? **No known species present.**

(ii) Identify the location of plant communities such as:
A. Stream bank or shoreline vegetation **None.**
B. Vegetation on steep, unstable slopes **No unstable slopes exist.**

C. Vegetation on soils highly susceptible to wind or water erosion **None.**

D. Type and extent of noxious weeds **Property is well maintained with very few noxious weeds.**

E. Vegetation that supports threatened and endangered species and identified species of concern. **No known endangered species.**

b. Indicate areas where vegetation disturbance is likely, why and to what extent. **Both lots are currently developed and no knew development is proposed.**

c. Describe measures to:

(i) Preserve trees and other natural vegetation (e.g. locating roads and lot boundaries, planning construction to avoid damaging tree cover). **No measures proposed at this time.**

(ii) Protect critical plant communities (e.g. keeping structural development away from these areas), setting areas aside for open space. **50-foot shoreline buffer from Flathead Lake.**

(iii) Control erosion and prevent growth of noxious weeds. **Property has existing grass lawn and is well maintained.**

(iv) Remove vegetation for wildfire safety reasons. **None proposed.**

5. Wildlife

a. Identify species of fish and wildlife use the area affected by the proposed subdivision, including all threatened and endangered species and species of concern. **Black bear, coyote, fox, deer, geese, and turkey can be found in this portion of Lake County. No known or suspected endangered species on or near the subject property.**

b. On a copy of the preliminary plat or overlay, identify known critical wildlife areas, such as big game winter range, calving areas and migration routes; riparian habitat and waterfowl nesting areas; habitat for rare, endangered or threatenend species and wetlands. **No known or suspected critical wildlife habitat on the subject property.**

c. Describe proposed measures to protect or enhance wildlife habitat or to minimize degradation (e.g. keeping buildings and roads back from shorelines; setting aside wetlands as undeveloped open space, clustering homesites, providing large lot sizes, etc.). **None.**

6. Archeological, Cultural and Historical Resources

a. Describe and locate on a plat overlay or sketch map any known or possible historic, paleontological, archeological or cultural sites, structures, or objects which may be affected by the proposed subdivision. Discuss the impact of the proposed development on any historic features, and the need for an inventory, study and/or preservation with the State Historic Preservation Office or Confederated Salish & Kootenai Tribes as appropriate. Provide a written statement outlining any recommendations of the SHPO or CSKT and addressing the recommendations, as well as any plans for inventory, study

and/or preservation and mitigation planned to overcome any potentially adverse impacts. **No known or suspected historic features on the subject property.**

Community Impact Report

Provide a community impact report containing a statement of estimated number of people coming into the area as a result of the subdivision, anticipated needs of the proposed subdivision residents or users for public facilities and services, and the increased capital and operating cost to each affected unit of local government. Provide responses to each of the following questions and provide reference materials as required.

1. Education and Busing

a. Describe the available educational facilities which would serve this subdivision. **The subject property is located within the Polson school district.**

b. Estimate the number of school children that will be added by the proposed subdivision. Provide a statement from the administrator of the affected school system indicating whether the increased enrollment can be accommodated by the present personnel and facilities and by the existing school bus system. If not, estimate the increased expenditures that would be necessary to do so. **Both lots are currently developed. No increase in the number of students.**

2. Roads and Maintenance

a. Estimate how much daily traffic the subdivision, when fully occupied, will generate on existing streets and arterials. **Approximately 20 vehicle trips could be generated from the residence of the proposed subdivision.**

b. Describe the capability of existing and proposed roads to safely accommodate this increased traffic. **The adjacent Bayview Drive provides legal and physical access to the proposed subdivision. This road has an asphalt surface and accessible year-round.**

c. Describe increased maintenance issues and cost due to this increase in volume. **Both lots are currently developed. No increase in maintenance is anticipated.**

d. Describe proposed new public or private access roads including: **No new public or private roads are proposed at this time.**

i. Measures for disposing of storm runoff from streets and roads.
ii. Type of road surface and provisions to be made for dust.
iii. Facilities for streams or drainage crossing (e.g. culverts, bridges).
iv. Seeding of disturbed areas.

e. Describe the closing or modification of any existing roads. **None.**

f. Explain why road access was not provided within the subdivision, if access to any individual lot is directly from arterial streets or roads. **The proposed lots will access the existing Bayview Drive along the east boundary of the property.**

g. Is year-round access by conventional automobile over legal rights-of-way available to the subdivision and to all lots and common facilities within the subdivision? Identify the owners of any private property over which access to the subdivision will be provided. **Year-round access is available to the subject property.**

h. Estimate the cost and completion date of the road system, and indicate who will pay the cost of installation, maintenance and snow removal. **No new roadways are proposed at this time.**

3. Water, Sewage, and Solid Waste Facilities

a. Describe the water supply and sewage treatment systems to be used in serving the proposed subdivision (e.g. methods, capacities, locations). **The subject has existing service connection to the City of Polsons water and sewer.**

b. Provide information on estimated cost of the system, who will bear the costs, and how the system will be financed. **N/A**

c. Where hook-up to an existing system is proposed, describe estimated impacts on the existing system, and show evidence that permission has been granted to hook up to the existing system. **N/A**

d. Describe the proposed method of collecting and disposing of solid waste from the development. **Residence can use the Lake County Transfer Station or hire a private collection company.**

f. If use of an existing collection system or disposal facility is proposed indicate the name and location of the facility. **Lake County Transfer Station located on US Highway 93 just north of Pablo.**

4. Fire and Police Protection

a. Describe the fire and police protection services available to the residents of the proposed subdivision including number of personnel and number of vehicles or type of facilities, and road distance to facilities for:

i Fire protection – Is the proposed subdivision in an existing fire district? If not, will one be formed or extended? Describe what fire protection procedures are planned? **The subject property is served by City of Polson Fire Department.**

ii Law Enforcement – Is the proposed subdivision within the jurisdiction of a County Sheriff or municipal policy department? **Within the jurisdiction of the City of Polson Police Department.**

b. Can the fire and police protection service needs of the proposed subdivision be met by present personnel and facilities? If not, describe the additional expenses that would be necessary to make these services adequate, and who would pay the costs? **Both lots are currently developed and will not impact existing services.**

5. Parks and Recreation Facilities

a. Describe park and recreational facilities to be provided within the proposed subdivision and other recreational facilities which will serve the subdivision. **N/A per Sec.6.04.290(2)(d).**

b. If cash-in-lieu of parkland is proposed as a means of meeting the parkland dedication requirement, provide an estimate and supporting documentation for the monetary value.

N/A per Sec.6.04.290(2)(d).

First American Title

Guarantee

Subdivision Guarantee

ISSUED BY
First American Title Insurance Company

GUARANTEE NUMBER
5010500-894488-PO

Subdivision or Proposed Subdivision:

Order No.: 894488-PO

Reference No.: Fee: $150.00

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE LIMITS OF LIABILITY, AND OTHER PROVISIONS OF THE CONDITIONS AND STIPULATIONS HERETO ANNEXED AND MADE A PART OF THIS GUARANTEE, FIRST AMERICAN TITLE INSURANCE COMPANY, A CORPORATION HEREIN CALLED THE COMPANY GUARANTEES:

Duffey Land Surveying

FOR THE PURPOSES OF AIDING ITS COMPLIANCE WITH LAKE COUNTY SUBDIVISION REGULATIONS,

in a sum not exceeding $5,000.00.

THAT according to those public records which, under the recording laws of the State of Montana, impart constructive notice of matters affecting the title to the lands described on the attached legal description:

LOT 1, BLOCK 1 OF THE SLACK VILLA AND ORCHARD TRACTS, A SUBDIVISION OF LAKE COUNTY, MONTANA, ACCORDING TO THE MAP OR PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK AND RECORDER OF LAKE COUNTY, MONTANA.

(A) Parties having record title interest in said lands whose signatures are necessary under the requirements of Lake County Subdivision Regulations on the certificates consenting to the recordation of Plats and offering for dedication any streets, roads, avenues, and other easements offered for dedication by said Plat are:

Carey H. and Marie V. Gordon Trust, Marie V. Gordon, Surviving Trustee

(B) Parties holding liens or encumbrances on the title to said lands are:

1. 2020 taxes and special assessments are a lien; amounts not yet determined or payable. The first one-half becomes delinquent after November 30th of the current year, the second one-half becomes delinquent after May 31st of the following year.

   General taxes as set forth below. Any amounts not paid when due will accrue penalties and interest in addition to the amount stated herein:

Year	1st Half	2nd Half	Parcel Number
2019	$3,640.74 Paid	$3,640.70 Due	3461

(C) Easements, claims of easements and restriction agreements of record are:

Lake County

106 Fourth Avenue East, Polson MT 59860

Lake County Detail

- Home
- Tax Search
- Doc Search
- Tax Payments
- Log Out

```
04/14/20                          LAKE COUNTY
15:10:10                     LAKE COUNTY TREASURER            Tax ID:      3461
                               106  4TH AVE EAST                Type:
                               POLSON  MT  59860
                               Property Tax Query
        Name & Address                    TW Rang SC  Description
---------------------------------------- ------------------------------------
GORDON CAREY H & MARIE V TRUST           Sub/Blk/Lot SLACK VILLA & O/ 001/ 001
GORDON MARIE V TRUSTEE                   22N/20W /02
725 BAYVIEW DR                           Geo 3228-02-2-04-08-0000
                                         SLACK VILLA AND ORCHARD
POLSON  MT 59860-9679                    TRACTS, LT 1
```

	YR	Int Date	Due date	Tax Amount	Penalty	Interest	Total Year
Paid	19	11/15/19	11/30/19	3,640.74			7,281.44
Tax Due	19	04/14/20	05/31/20	3,640.70			
Paid	18	11/27/18	11/30/18	3,248.42			6,496.82
Paid	18	05/20/19	05/31/19	3,248.40			
Paid	17	11/22/17	11/30/17	3,286.92			6,573.83
Paid	17	05/21/18	05/31/18	3,286.91			
Paid	16	11/21/16	11/30/16	2,741.62			5,483.21
Paid	16	05/08/17	05/31/17	2,741.59			
Paid	15	11/23/15	11/30/15	2,639.62			5,279.21
Paid	15	05/20/16	05/31/16	2,639.59			
Paid	14	11/24/14	11/30/14	4,601.54			9,203.05
Paid	14	05/27/15	05/31/15	4,601.51			
Paid	13	11/26/13	11/30/13	4,780.83			9,561.64
Paid	13	05/29/14	05/31/14	4,780.81			
Paid	12	11/26/12	11/30/12	3,023.10			6,046.18
Paid	12	05/15/13	05/31/13	3,023.08			
Paid	11	11/28/11	11/30/11	4,101.91			8,203.79
Paid	11	05/17/12	05/31/12	4,101.88			
Paid	10	12/13/10	12/17/10	4,106.54			6,570.49
Paid	10	05/25/11	05/31/11	2,463.95			
Paid	9	11/30/09	11/30/09	3,403.69			6,807.35
Paid	9	05/25/10	05/31/10	3,403.66			

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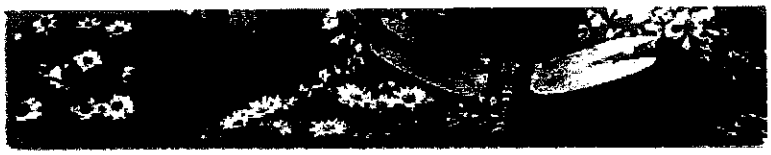
Lake County

106 Fourth Avenue East, Polson MT 59860



Lake County Detail

- Home
- Tax Search
- Doc Search
- Tax Payments
- Log Out

```
04/14/20                          LAKE COUNTY                        Page:        1
15:10:20                     LAKE COUNTY TREASURER                 Tax ID:   3461.00
                               106  4TH AVE EAST                     Type:
                               POLSON  MT  59860
                                Taxes Due Query
        Name & Address                     TW Rang SC  Description
---------------------------------------- ----------------------------------------
GORDON CAREY H & MARIE V TRUST           Sub/Blk/Lot SLACK VILLA & O/ 001/ 001
GORDON MARIE V TRUSTEE                   22N/20W /02
725 BAYVIEW DR                           SLACK VILLA AND ORCHARD
                                         TRACTS, LT 1
POLSON  MT 59860-9679                    Geo: 3228-02-2-04-08-0000
     District          Tax Date Int Date PD?  Tax Amount    Penalty    Interest
---------------------- -------- -------- --- ------------ ---------- -----------
23P  CITY OF POLSON    11/30/19 11/15/19  Y      3,474.61       0.00        0.00
SAN  SOLID WASTE       11/30/19 11/15/19  Y        160.00       0.00        0.00
SOIL SOIL CONSERVATION 11/30/19 11/15/19  Y          6.13       0.00        0.00
23P  CITY OF POLSON    05/31/20 04/14/20         3,474.58       0.00        0.00
SAN  SOLID WASTE       05/31/20 04/14/20           160.00       0.00        0.00
SOIL SOIL CONSERVATION 05/31/20 04/14/20             6.12       0.00        0.00
                   Total for 19                  7,281.44       0.00        0.00
          Total Tax, Penalty and Interest        7,281.44
*******************************************************************************
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2019 REAL Property Tax Statement

LAKE COUNTY TREASURER
106 4TH AVE EAST
POLSON MT 59860
FORWARDING SERVICE REQUESTED

10/25/19

Tax Payer	Property Description
GORDON CAREY H & MARIE V TRUST	Sub/Blk/Lot SLACK VILLA & O/ 001/ 001
GORDON MARIE V TRUSTEE	Twn/Rng/Sect 22N/20W /02
725 BAYVIEW DR	SLACK VILLA AND ORCHARD
POLSON MT 59860-9679	TRACTS, LT 1

Tax Payer 3461
School District 23P CITY OF POLS
Taxable Value 9,722
Geo Code 3228-02-2-04-08-0000

Tax Description	1st Half	2nd Half	Total Tax
LAND	**2,059.32**	**2,059.30**	**4,118.62**
BLDS & IMPROVEMENTS	**1,415.29**	**1,415.28**	**2,830.57**
SOLID WASTE MANAGEMENT D	**160.00**	**160.00**	**320.00**
SOIL CONSERVATION	**6.13**	**6.12**	**12.25**
1st Half Due (11/30/19)	**3,640.74**		
2nd Half Due (05/31/20)		**3,640.70**	
Total Bill			**7,281.44**

PLEASE SEE OTHER SIDE FOR IMPORTANT INFORMATION

*****NOTICE*** - PAID RECEIPTS WILL NOT BE RETURNED WITHOUT A STAMPED, SELF ADDRESSED ENVELOPE**

***** SEE BACK OF STUB FOR CREDIT CARD INFORMATION*****

Property valuation staff may be visiting your property to conduct an on-site review for property tax purposes. You or your agent may want to be present. If you wish to make an appointment, contact the local Dept of Revenue Office at 406-883-7227.

Property Tax Assistance Programs available to property taxpayers: Property Tax Assistance (MCA 15-6-305), Disabled/Deceased Veterans Residence Exemption (MCA 15-6-311), and Elderly Residential Property Tax Credit (MCA 15-30-2337-2341). Contact the MT Department of Revenue at 406-883-7227 for further information.

You are the recipient of property tax assistance. In accordance with 15-16-102 (4)(b) you may pay your taxes within 20 calendar days after the due date shown on the statement. Taxes MUST be received by the Lake County Treasurer within the 20 day grace period.

Receipt Validation for 1st Half: 3,640.74
Penalty:
Interest:
Total:
Receipt Validation for 2nd Half: 3,640.70
Penalty:
Interest:
Total:

	% of Tax	Tax Amount	Mill Levy
STATE SCHOOL LEVY	12.69 %	$923.59	95.000
DISTRICT SCHOOL LEVY	26.61 %	$1,938.18	199.360
STATE LEVY - UNIVERSI	0.80 %	$58.33	6.000
COUNTYWIDE EDUCATION	6.99 %	$509.04	52.360
Total School	47.09 %	$3,429.14	352.720
County			
GENERAL FUND	3.28 %	$238.52	24.530
POOR	0.22 %	$15.94	1.640
BRIDGE	0.66 %	$48.42	4.980
WEED	0.27 %	$19.44	2.000
FAIR	0.09 %	$6.51	0.670
AIRPORT	0.29 %	$21.00	2.160
DISTRICT COURT	0.46 %	$33.74	3.470
YOUTH COURT	0.13 %	$9.72	1.000
LIABILITY INSURANCE	0.80 %	$58.33	6.000
LIBRARIES	0.02 %	$1.26	0.130
AMBULANCE	0.05 %	$3.40	0.350
PUBLIC HEALTH	0.38 %	$27.90	2.870
MENTAL HEALTH	0.02 %	$1.56	0.160
SANITATION	0.08 %	$6.03	0.620
SENIOR CITIZENS	0.27 %	$19.44	2.000
CO EXTENSION AGENT	0.22 %	$15.94	1.640
PUBLIC SAFETY	2.98 %	$216.80	22.300
PUBLIC SAFETY SPECIAL	1.36 %	$99.16	10.200
PUBLIC SAFETY MILL LE	2.30 %	$167.12	17.190
P E R S	1.67 %	$121.72	12.520
HEALTH INSURANCE	0.23 %	$16.82	1.730
PERMISSIVE HEALTH INS	3.71 %	$270.37	27.810
EMERGENCY LEVY	0.27 %	$19.44	2.000
SEARCH AND RESCUE-LAK	0.13 %	$9.72	1.000
SEARCH & RESCUE-SWAN/	0.13 %	$9.72	1.000
DISPATCH	1.44 %	$104.80	10.780
JUDGMENT LEVY	0.57 %	$41.61	4.280
Tribal Litigation Def	0.13 %	$9.72	1.000
Total County	22.16 %	$1,614.15	166.030
City			
CITY OF POLSON	23.50 %	$1,710.88	175.980
Total City	23.50 %	$1,710.88	175.980
Other			
MISSION VALLEY AQUATI	0.93 %	$68.05	7.000
LAKEVIEW CEMETERY DIS	0.26 %	$18.67	1.920
SOIL CONSERVATION	0.17 %	$12.25	1.260
NORTH LAKE COUNTY PUB	1.49 %	$108.30	11.140
Total Other	2.85 %	$207.27	21.320
Fees			
SOLID WASTE	4.39 %	$320.00	
Total Fees	4.39 %	$320.00	0.000
Total Bill	100.00 %	$7,281.44	716.050

Total if both halves paid: 7,281.44

Name GORDON CAREY H & MARIE V TRUST
GORDON MARIE V TRUSTEE
3461

Due 3,640.74 **11/30/19**

Return this stub with payment to:
LAKE COUNTY TREASURER
106 4TH AVE EAST
POLSON MT 59860
FORWARDING SERVICE REQUESTED

Total if both halves paid: 7,281.44

Name GORDON CAREY H & MARIE V TRUST
GORDON MARIE V TRUSTEE
3461

Due 3,640.70 **05/31/20**

Return this stub with payment to:
LAKE COUNTY TREASURER
106 4TH AVE EAST
POLSON MT 59860
FORWARDING SERVICE REQUESTED

Property Record Card

Summary

Primary Information

Property Category: RP
Subcategory: Residential Property
Geocode: 15-3228-02-2-04-08-0000
Assessment Code: 0000003461
Primary Owner:
GORDON CAREY H & MARIE V TRUST
725 BAYVIEW DR
POLSON, MT 59860-9679
PropertyAddress:
POLSON, MT 59860
COS Parcel:
NOTE: See the Owner tab for all owner information
Certificate of Survey:
Subdivision: SLACK VILLA AND ORCHARD TRACTS
Legal Description:
SLACK VILLA AND ORCHARD TRACTS, S02, T22 N, R20 W, BLOCK 001, Lot 001, LT 1
Last Modified: 2/8/2020 6:28:46 PM

General Property Information

Neighborhood: 215.101.B
Property Type: IMP_U - Improved Property - Urban
Living Units: 2
Levy District: 15-0477-23P
Zoning:
Ownership %: 100
Linked Property:

No linked properties exist for this property

Exemptions:

No exemptions exist for this property

Condo Ownership:
General: 0
Limited: 0

Property Factors

Topography: 1
Fronting: 4 - Residential Street
Utilities: 7, 8
Parking Type:
Access: 1
Parking Quantity:
Location: 5 - Neighborhood or Spot
Parking Proximity:

Land Summary

Land Type	Acres	Value
Grazing	0.000	00.00
Fallow	0.000	00.00
Irrigated	0.000	00.00
Continuous Crop	0.000	00.00
Wild Hay	0.000	00.00
Farmsite	0.000	00.00
ROW	0.000	00.00
NonQual Land	0.000	00.00
Total Ag Land	0.000	00.00
Total Forest Land	0.000	00.00
Total Market Land	0.000	00.00

Deed Information:

Deed Date	Book	Page	Recorded Date	Document Number	Document Type
4/3/2013			4/3/2013	527712	Quit Claim Deed
11/9/2012			11/9/2012	524733	Quit Claim Deed
7/21/1997	383	333 W			

Owners

Party #1

Default Information: GORDON CAREY H & MARIE V TRUST
725 BAYVIEW DR
Ownership %: 100
Primary Owner: "Yes"
Interest Type: Conversion
Last Modified: 4/18/2013 2:06:13 PM

Other Names

Name	Type
GORDON MARIE V TRUSTEE	L Additional Legal Owners

Other Addresses

No other address

Appraisals

Appraisal History

Tax Year	Land Value	Building Value	Total Value	Method
2019	586800	293340	880140	COST
2018	547000	258930	805930	COST

Market Land

Market Land Item #1

Method: Frontage and Depth
Type: Category 2
Width: 165
Depth: 409
Square Feet: 00
Acres:

Valuation

Class Code: 2201
Value:

Dwellings

Existing Dwellings

Dwelling Type	Style	Year Built
SFR	08 - Conventional	1974
SFR	11 - Log	1930

Dwelling Information

Residential Type: SFR
Style: 08 - Conventional
Year Built: 1974
Roof Material: 10 - Asphalt Shingle
Effective Year: 1990
Roof Type: 3 - Gable
Story Height: 1.0
Attic Type: 0
Grade: 6
Exterior Walls: 1 - Frame
Class Code: 3501
Exterior Wall Finish: 6 - Wood Siding or Sheathing
Year Remodeled: 0
Degree Remodeled:

Mobile Home Details

Manufacturer:
Serial #:
Width: 0
Model:
Length: 0

Basement Information

Foundation: 2 - Concrete
Finished Area: 488
Daylight: Y
Basement Type: 3 - Full
Quality: 3 - Typical

Heating/Cooling Information

Type: Central
System Type: 2 - Hot Water/Water Radiant
Fuel Type: 2 - Oil
Heated Area: 1954

Living Accomodations

Bedrooms: 2 **Full Baths:** 3 **Addl Fixtures:** 3
Family Rooms: 0 **Half Baths:** 0

Additional Information

Fireplaces: **Stacks:** 1 **Stories:** 1.0
Openings: 2 **Prefab/Stove:** 0
Garage Capacity: 0 **Cost & Design:** 0 **Flat Add:** 0
% Complete: 0 **Description:** **Description:**

Dwelling Amenities

View: **Access:**

Area Used In Cost

Basement: 1466 **Additional Floors:** 0 **Attic:** 0
First Floor: 1466 **Half Story:** 0 **Unfinished Area:** 0
Second Floor: 0 **SFLA:** 1466

Depreciation Information

CDU: **Physical Condition:** Average (7) **Utility:** Average (7)
Desirability: **Property:** Good (8)
Location: Very Good (9)

Depreciation Calculation

Age: 28 **Pct Good:** 0.78 **RCNLD:** 0

Additions / Other Features

Additions

Lower	First	Second	Third	Area	Year	Cost
	69 - Garage, Frame, Unfinished			576	0	0
	11 - Porch, Frame, Open			440	0	0

There are no other features for this dwelling

Dwelling Information

Residential Type: SFR **Style:** 11 - Log
Year Built: 1930 **Roof Material:** 7 - Composition Roll
Effective Year: 1980 **Roof Type:** 0 - Other
Story Height: 1.0 **Attic Type:** 0
Grade: 3 **Exterior Walls:** 4 - Log (not log over frame)
Class Code: 3501 **Exterior Wall Finish:** 0 - Other
Year Remodeled: 1940 **Degree Remodeled:**

Mobile Home Details

Manufacturer: **Serial #:** **Width:** 0
Model: **Length:** 0

Basement Information

Foundation: 1 - Wooden or Masonry Piers/Posts **Finished Area:** 0 **Daylight:** N
Basement Type: 0 - None **Quality:**

Heating/Cooling Information

Type: Non-Central **System Type:** 7 - Electric Baseboard/Electric Radiant
Fuel Type: 4 - Electricity **Heated Area:** 0

Living Accomodations

Bedrooms: 1 **Full Baths:** 1 **Addl Fixtures:** 3
Family Rooms: 0 **Half Baths:** 0

Additional Information

Fireplaces: **Stacks:** 1 **Stories:** 1.0
Openings: 2 **Prefab/Stove:** 1
Garage Capacity: 0 **Cost & Design:** 0 **Flat Add:** 0
% Complete: 0 **Description:** **Description:**

Dwelling Amenities

View: GOLF **Access:** WATER

Area Used In Cost

Basement: 0 **Additional Floors:** 0 **Attic:** 0
First Floor: 860 **Half Story:** 0 **Unfinished Area:** 0

Second Floor: 0 **SFLA:** 860

Depreciation Information

CDU: **Physical Condition:** Fair (6) **Utility:** Fair (6)
Desirability: **Property:** Average (7)
Location: Good (8)

Depreciation Calculation

Age: 38 **Pct Good:** 0.67 **RCNLD:** 0

Additions / Other Features

Additions

Lower	First	Second	Third	Area	Year	Cost
	11 - Porch, Frame, Open			60	0	0

There are no other features for this dwelling

Other Buildings/Improvements

Outbuilding/Yard Improvement #1

Type: Residential **Description:** RBD2 - Dock, medium wood deck, wood girders
Quantity: 1 **Year Built:** 2000 **Grade:** A
Condition: **Functional:** **Class Code:** 3501

Dimensions

Width/Diameter: **Length:** **Size/Area:** 550
Height: **Bushels:** **Circumference:**

Outbuilding/Yard Improvement #2

Type: Residential **Description:** RRS1 - Shed, Frame
Quantity: 1 **Year Built:** 1940 **Grade:** A
Condition: **Functional:** **Class Code:** 3501

Dimensions

Width/Diameter: 10 **Length:** 10 **Size/Area:** 100
Height: **Bushels:** **Circumference:**

Outbuilding/Yard Improvement #3

Type: Residential **Description:** RPA2 - Concrete
Quantity: 1 **Year Built:** 1974 **Grade:** A
Condition: **Functional:** **Class Code:** 3501

Dimensions

Width/Diameter: **Length:** **Size/Area:** 240
Height: **Bushels:** **Circumference:**

Commercial

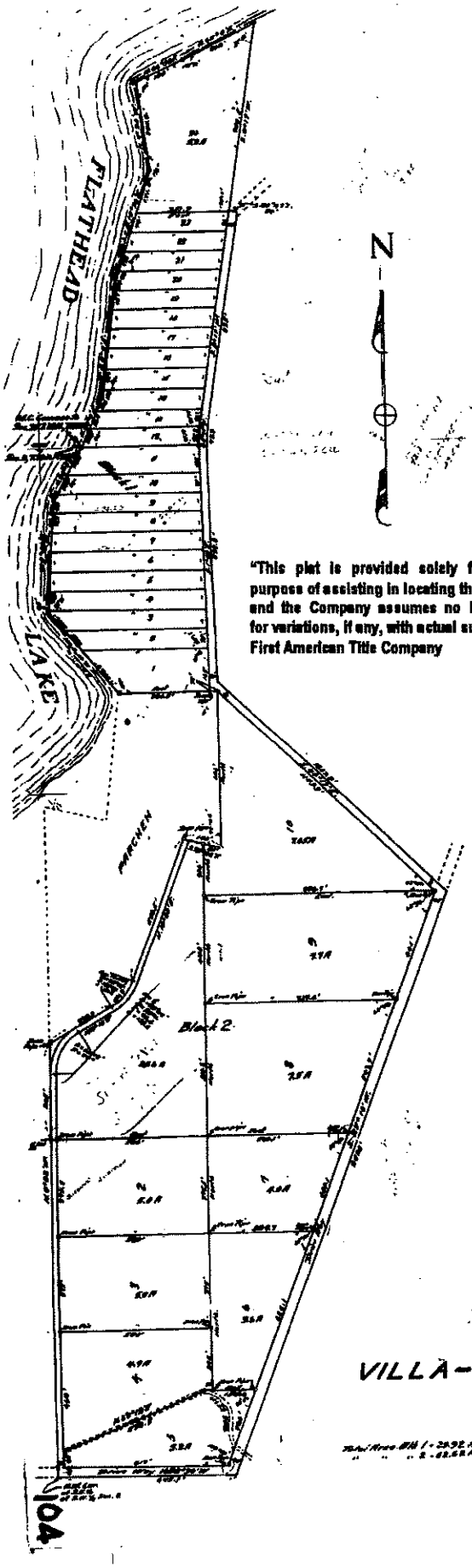
Existing Commercial Buildings

No commercial buildings exist for this parcel

Ag/Forest Land

Ag/Forest Land

No ag/forest land exists for this parcel



"This plat is provided solely for the purpose of assisting in locating the land, and the Company assumes no liability for variations, if any, with actual survey."
First American Title Company

State of Montana } ss.
County of Lake

CERTIFICATE OF DEDICATION

We George W. Slack and Renie M. Slack, husband and wife, do hereby certify that we have caused to be surveyed and platted into Lots, Blocks, Streets and Alleys as shown by the plat and certificate of survey hereto attached, all the following described tract of land to wit: Beginning at the N.W. Cor. of the S.E. ¼ of the S.W. ¼ of Sec. 2, T. 22 N., R. 20 W., M.P.M.; thence N. 0°02'W. along Subdivision line 1312.5 feet to the Cor.; thence continuing N. 0°02'W., 365 ft. to an iron stake; thence N. 60°10'E., 2[illegible] ft.; thence along 29°30' curve to the left, 131.2 ft.; thence N. 60°20'E., 1182.5 ft. to an iron stake on property line of the Flathead Property; thence S. 79°02'E. along said property line 163 ft.; thence North along the East line of said Flathead Property one Foot to the N.W. Corner of said Property; thence East 22 feet to iron pipe; thence West along the North line of said Flathead Property 3265 ft. to high water mark of Flathead Lake; thence along the shore of said Lake N. 41°10'W., 103.6 ft.; thence N. 5°30'W., 0.[illegible] ft.; thence N. 20°0'E., 237.6 ft. to M.C. common to Secs. 35, T. 23 N., R. 20 W. and Sec. 2, T. 22 N., R. 20 W.; thence N. 20°0'E., 209.6 ft.; thence N. 0°0'E., 242.9 ft.; thence N. 10°20'E., 438.6 ft.; thence N. 1°20'E., 598.2 ft.; thence N. 40°30'E., 198.6 ft.; thence N. 60°0'E., 302 ft.; thence leaving said shore line S. 3°17'W., 798.5 ft.; thence S. 80°45'E., 30 ft.; thence S. 9°17'W., 225 ft.; thence S. 6°17'W., 733 ft.; thence S. 1°43'E., 893.2 ft.; thence S. 46°15'E., 1307.0 ft.; thence S. 8°10'W., 2[illegible] ft. to a point on regular subdivision line; thence N. 89°30'W., 9[illegible] ft.; to the point of beginning, containing [illegible] acres, more or less, and the land included in all Streets, alleys, drive ways and alley as said accessed Plat are hereby granted and dedicated for the use of the Public forever.

In witness whereof we have hereunto set our hands and affixed our seals on this the 1st day of September A.D. 1949

George W. Slack
Renie M. Slack

State of Montana } ss.
County of Lake

On this the 30th day September A.D. 1949, me T. R. Delaney a Notary Public in and for the aforesaid County and State, personally appeared George W. Slack and Renie M. Slack and known to me to be the persons whose names are subscribed to the foregoing certificate and acknowledged to me that they executed the same.

In witness whereof I have set my hand and affixed my official seal the day and year above written.

T. R. Delaney Notary Public for the State of Montana
Residing at Polson Montana My Comm. Exp. [illegible]

CERTIFICATE OF COUNTY ATTORNEY

State of Montana } ss
County of Lake

I, R. W. Leard County Attorney in and for the aforesaid County and State do hereby certify that I have examined the abstract of title of the land described on the annexed plat of the "Slack Ville and Orchard Tracts" and that George W. Slack and Renie M. Slack are the owners in fee simple of said lands so platted. [illegible]

Dated at Polson, Mont. this 5th day of October A.D. 1949

R. W. Leard
County Attorney

CERTIFICATE OF SURVEY

State of Montana } ss.
County of Missoula

I, F. P. Scott a qualified Surveyor do hereby certify that between the 24 and 27 days of August, A.D. 1949, I made a careful and accurate Survey of the tract shown on the annexed plat, that said survey was made in strict conformity to said Survey and the courses and distances there on are true and correct to the best of information and belief and that the corners of all lots were plainly marked on the ground by iron stakes as indicated on plat; that said survey was made in strict accordance with the Statutes of Montana.

F. P. Scott
Surveyor

Subscribed and sworn to before me this 2 day of September A.D. 1949

[illegible]

CERTIFICATE OF COUNTY COMMISSIONERS

State of Montana } ss.
County of Lake

We [illegible] 1949, Harold [illegible] and H. Beckwith County Commissioners in and for the said County of Lake, do hereby certify that at a meeting of the Board of County Commissioners, held on the [illegible] day of [illegible] A.D. 1949, we examined [illegible] and approved the annexed Plat of "The Slack Ville and Orchard Tracts" [illegible]

Attest: W. J. Lamster
County Clerk

W. J. Lamster
Harold [illegible]
G. H. Beckwith

CERTIFICATE OF COUNTY SURVEYOR

State of Montana } ss.
County of Lake

I, Frank [illegible], County Surveyor, in and for the aforesaid County of Lake, do hereby certify that I have examined the annexed Plat of "The Slack Ville and Orchard tracts and hereby approve of the same

Frank [illegible]
County Surveyor

Dated at Polson Montana this 6th day of Oct. A.D. 1949

THE SLACK VILLA-ORCHARD TRACTS

SEC. 35, T. 23 N., R. 20 W.
and
SEC. 2, T. 22 N., R. 20 W.

SCALE 1" = 200'

Total Area Blk 1 = 29.92 A.
" " " 2 = 42.52 A.

f 1876½

75557½

State of Montana
County of Lake
Filed the [illegible] day of [illegible] A.D. 1949 at [illegible] o'clock P.M.
[illegible]
County Clerk and Recorder

104

11

527712 DEED Pages: 1
STATE OF MONTANA LAKE COUNTY
RECORDED: 04/03/2013 4:27 KOI: DEED
PAULA A HOLLE CLERK AND RECORDER
FEE: $7.00 BY:
TO: ,

Return to:
Marie V. Gordon
725 Bayview Drive
Polson MT 59860

QUITCLAIM DEED

For Value Received **KATHY J. ROBERTS**, does hereby convey, release, remise and forever quit claim unto the **CAREY H. and MARIE V. GORDON TRUST, Marie V. Gordon, Surviving Trustee,** the following described premises in **Lake County, Montana,** to-wit:

Lot 1 in Block 1 of THE SLACK VILLA AND ORCHARD TRACTS, a subdivision of Lake County, Montana, according to the map or plat thereof on file in the office of the Clerk and Recorder of Lake County, Montana.

AND

Lot 4 in Block 8 of the LEWIS ADDITION to the City of Polson, Lake County, Montana, according to the map or plat thereof on file in the office of the Clerk and Recorder of Lake County, Montana.

SUBJECT TO AND TOGETHER WITH THE FOLLOWING: Easements, reservations, conditions, restrictions, covenants, and rights-of-way apparent or of record.

Together with their appurtenances.

Dated: 4/3/, **2013.**

Kathy J. Roberts

STATE of MONTANA)
: ss
County of Lake)

On this 3 day of April, 2013, before me the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared Kathy J. Roberts known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official Notarial Seal the day and year first above written.

Trudy L Pedersen

{ Seal }

TRUDY L. PEDERSEN
NOTARY PUBLIC for the
State of Montana
Residing at Polson, Montana
My Commission Expires
September 15, 2014

Printed Name of Notary
Notary Public for the State of _____
Residing at: _____
My Commission Expires: _____