

## Resolution No. 34

A resolution declaring it to be the intention of the City Council of the City of Polson, Flathead County, Montana to create a Special Sewer Improvement District Number 4 in the City of Polson, Flathead County, Montana for the purpose of constructing sewers as herein provided and described.

Be it resolved by the City Council of the City of Polson, Montana.

## Section 1

That it is the intention of the City Council to create and establish in the city of Polson, Montana, a Special Improvement District for the purpose of making and constructing sewers along all that portion of the City of Polson, Montana, including all streets, alleys and intersections with the boundaries hereinafter particularly described.

## Section 2.

The said Special Improvement District shall be known and designated as Special Sewer Improvement District No. 4 of the City of Polson, Montana.

## Section 3.

The boundaries of said Special Sewer Improvement District No. 4 of the City of Polson, Montana are hereby designated and described as follows, to wit:-

Beginning at the intersection of the center line of "G" street and Hawthorne Avenue; thence in a northerly direction on the center line of Hawthorne Avenue 747 feet to the intersection of the center line of "E" street; thence in a westerly direction on the center line of "E" Street 360 feet to the intersection of the center line of Maple Avenue; thence in a southerly direction on the center line of Maple Avenue 747 feet to the intersection of the center line of "Q" street; thence in an easterly direction on the center line of "G" street 360 feet to the intersection of the center line of Hawthorne Avenue, the same being the point of beginning.

## Section 4

That the District included within said boundaries is hereby declared to be the District benefited by the making of said improvements and that the property included within the boundaries of said District is hereby declared to be the property to be assessed for the cost and expenses of making said improvements

## Section 5

Said lots being benefited by and assessed for the construction of said sewers are as follows to wit:-

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 of Block 2; Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 of Block 6; each of the foregoing lots being of the dimension of 50 feet in width by 140 feet deep and all of the foregoing lots and blocks being located in the Riverside Addition to the City of Polson, Flathead County, Montana.

## Section 6.

That the character of the said improvements which are to be made in said Special Sewer Improvement District No. 4 are as follows, to wit:- The said improvement shall consist of a Combination Domestic and Storm, Gravity Sewer; said untreated sewage to be discharged into Sewer No. 1 on the center line of "E" street, halfway between Hawthorne Avenue and First Street. In the construction of said system an eight inch circular vitrified pipe inside measure shall be used.

## Section 7.

The location of said sewer is as follows:-

Beginning at the intersection of the center line of the alley (running north and south through blocks 2 and 6) with the south property line of lots 6 and 7 block 6; thence north along the center line of said alley 720 feet to the center line of "E" street; thence east on the center line of "E" street 680 feet to a point in Sewer No. 1.

Said proposed system to be provided with flush tanks, catchment basins, man holes, lamp holes and any further necessary appliances fittings or structures that may be required to insure proper operation and maintenance. The approximate quantities are as follows:-

1400 linear feet of 8 inch vit. pipe.

1 flush tank.

2 man holes.

Section 8.

That the entire cost and expense of said improvement shall be assessed against all of said Special Sewer Improvement District No. 4 and each lot or parcel of land within said district shall be assessed for that part of the whole cost which its area bears to the area of the entire district, exclusive of streets, alleys, avenues and public places.

Section 9.

That the estimated cost and expense of making said improvement is the sum of \$100.00 per lot and that the total estimated cost of making said improvement is \$2400.00.

Section 10.

That the cost and expense of making said improvement shall be assessed and paid in the following manner, to wit:-

That the assessment levied to defray the cost of said improvement shall be extended over a period of eight years and paid in eight annual installments or payments, the first of which shall be paid in the year 1922. Deferred payments or installments shall bear interest at the rate of six per cent per annum, payable annually.

Section 11.

That warrants issued against Special Sewer Improvement District No. 4 fund to be created for said Special Sewer Improvement District No. 4 shall be issued in the payment of the costs and expense of making said improvements in said Special Sewer Improvement District No. 4 and that such warrants shall be issued in denominations of \$100.00 or fraction or multiples thereof.

Section 12.

That the Special Assessment to be levied upon and assessed against the property within said Special Sewer Improvement District No. 4 to pay the cost and expense of making said improvement may be paid in installments extending over a period of eight years.

Section 13.

That at any time within fifteen days after the date of the first publication of notice of the passage of this Resolution, any owner of property within said District which will be assessed for the cost and expense of making said improvement, may make and file in the office of the city clerk of the city of Polson, Montana, a written protest against the proposed work or against the extent of creation of said district, or both, and that the city council will proceed to hear and pass upon all such protests at a regular meeting thereof to be held on the 7th day of November, 1921 at 8 o'clock P.M. of said day in the City Hall of the City of Polson, Montana.

Passed, adopted and approved this 17 day of Oct. A.D.1921.

L. L. Marsh, Mayor

Attest:- Frank Napton, City Clerk.

Affidavit of Posting *mailing*

State of Montana,  
County of Flathead,  
City of Polson,

I, Frank Napton, being first duly sworn upon my oath say; I am and was at the time mentioned in this affidavit the City Clerk of the City of Polson, Montana; in pursuance of an order of the city council I served notice on all of the hereinafter mentioned property owners, owning property in the city of Polson that would be affected by the creation of Special Sewer Improvement District No. 4 and mailed to each of said parties at their last known address, postage prepaid a notice as required by statute; said notice was mailed to every firm, person or corporation having property within said District upon the same day said notice was first published and said notice describing the general character of said improvements so proposed to be made, the estimated cost thereof and stating the time and place when and where the council will hear and pass on all protests that may be made against the making of said improvements or the creation of said district and referring to the resolution on file in the office of the City Clerk for the description of the boundaries.

The notice was mailed to the following list of property owners having property that is embraced within the proposed Special Sewer Improvement District No. 4.

- Thora Nelson, Polson, Montana.
- Stephens Realty Co. #110 E. Cedar Street, Missoula Mont.
- Mrs. Dora Murgittroyd #7208 Moneta St. Los Angeles Calif.
- Carl Westman, Polson, Montana.
- Laura Coleman, Mt. Carroll, Ill.
- Henry Crouch, Polson, Mont.

Blanche & Lillian Rodefer, #748 Manzanita St. Pasadena, Calif.  
 J. H. Rodefer, #748, Manzanita St. Pasadena Calif.  
 J. L. McIntire, Polson, Mont.  
 J. A. Trow, Polson, Mont.  
 Lina Orton, Polson, Mont.  
 I. R. Afflerbaugh, Polson, Mont.  
 Nellie Sturtevant, Polson, Mont.  
 Pauline and Mary Mahler, Grinnell, Iowa.  
 W. A. Gregg, Polson, Mont.  
 Emma Parry, #309, West Jackson St. Butte, Mont.

I further state that the above mentioned persons, firms or corporations, include all the persons, firms or corporations having or owning property within the proposed Special Sewer Improvement District No. 4 and that the addresses above mentioned are the last known address of each of said persons, firms or corporations or the agent of each of them.

Frank Napton.

Subscribed and sworn to before me this 22 day of Oct. 1921  
 H.P.Napton, Notary Public for the State of  
 Montana, residing at Polson, Montana. My  
 (Notarial Seal) Commission expires May 10, 1923

Affidavit of Publication

C.P.Cowman, being duly sworn deposes and says; that he is one of the proprietors of the Flathead Courier a newspaper of general circulation printed and published in Polson, Flathead County, Montana and that the attached notice to rpoerty owners has been correctly published in the regular and entire issue of every number of said paper for 3 consecutive weeks, commencing on the 20th day of October, 1921 and ending on the 3 day of November, 1921.

C.P.Cowman .

Subscribed and sworn to before me this 7th day of November, 1921.  
 A. J. Lowary, Notary Public for the State of Montana,  
 residing at Polson, Montana. My commission expires  
 July 9, 1922.

(Notarial Seal)

Affidavit of Posting.

State of Montana,  
 County of Flathead, ----SS:-

Frank Napton, being first duly sworn upon his oath says; I am a citizen of the United States over the age of 21 years and am and at all times mentioned in this affidavit the City Clerk of the City of Polson, Montana; that on the 20th day of Oct. 1921 in accordance with an order of the City Council of the City of Polson, requiring that, all ordinances and resolutions be published by posting in three of the most public places of the City, I posted a copy of the foregoing Resolution No. 34 in the following places in the City, to wit:- one of said copies at the office of the City Clerk in City Council Room, one of said copies at the office of City Treasurer and one of said copies at the Post Office; that each of said copies so posted were full, true and correct copies of said resolution.

Frank Napton

Subscribed and sworn to before me this 22 day of Oct. 1921.  
 H.P.Napton, Notary Public for the State of Montana,  
 residing at Polson, Mont. My Commission expires  
 May 10, 1923.

(Notarial Seal)

## NOTICE TO PROPERTY OWNERS

Notice is hereby given that a regular meeting of the city council of the City of Polson Montana on Monday Oct. 17th 1921 a Resolution of Intention to create a Special Sewer Improvement District No. 4 was passed by the City Council of said City

That the number of said Special Sewer Improvement District was designated as No. Four (4)

That the general character of the improvements to be made are the making and construction of sewers along all that portion of Riverside Addition to the City of Polson Montana described as follows

Beginning at the intersection of the center line of the alley (running north and south through Blocks 2 and 6 of said Riverside Addition) with the south property line of lots 6 and 7 of Block 6; thence north along the center line of said alley 720 feet to the center line of "E" street; thence east on the center line of "E" Street 680 feet to a point in Sewer No. 1 The lots to be benefited by and assessed for construction of said sewers are as follows Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 of Block 2 and Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 of Block 6 of Riverside Add. to City of Polson Montana and said improvements shall consist if a combination domestic and storm gravity sewer and untreated sewage to be discharged into Sewer No. 1 and in construction of said system an 8 inch circular vitrified pipe inside measure to be used.

Said proposed system to be provided with flush tanks, catchment basins, man holes lamp holes and any further necessary appliances fittings or structures that may be required to insure proper operation and maintenance. The approximate quantities are as follows:

- 1400 linear feet of 8 inch vit pipe
- 1 flush tank .
- 2 man holes..

That the estimated cost and expense of making said improvement is the sum of \$100.00 per lot and that the total estimated cost of making said improvements is \$2400.00 That the assessment levied to defray said cost shall be extended over a period of Eight (8) years and paid in 8 annual installments the first payment in 1922 and deferred payment to bear interest at 6% per annum payable annually: that warrants issued against Special Sewer Improvement District No. 4 fund for payment of costs of making said improvements shall be issued in denominations of \$100.00 or fraction or multiple thereof.

That on Monday the 7th day of November 1921 at 8 o'clock p. m. at the City Hall in the City of Polson Montana (the same being the regular meeting place of the City Council The City Council of the city of Polson Montana will meet to hear objections to the official and final adoption of this resolution at which time and place any owner or agent of property within said district shall have the right to appear in person or by attorney and show cause if any there be why said improvements shall not be made or said district created. such protests if any must be in writing and must be delivered to City Clerk within 15 days of the date of first publication of this notice. Reference is hereby made to the Resolution No. 34 on file in the office of the City Clerk for the description of the boundaries of said district.

Passed and approved this 17th day of October 1921.

z

L. L. Marsh, Mayor

Attest: Frank Napton City Clerk

First publication October 20th 1921.