

## RESOLUTION No. 35

A Resolution establishing and creating Special Sewer Improvement District No. 4 in the City of Polson, Flathead County and State of Montana for the purpose of constructing sewers in said District, describing the boundaries thereof and the property to be assessed.

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

Whereas, the City Council of the City of Polson on the 17th day of October, 1921, duly and regularly passed and adopted Resolution No. 34 of the said City of Polson declaring its intention to create Special Sewer Improvement District No. 4 of the City of Polson, and

Whereas, pursuant to the said Resolution the said City Council caused notice of the passage and adoption of said Resolution to be published in the Flathead Courier, a weekly newspaper published in the City of Polson in the issues of said paper of Oct. 20th and 27th 1921 and for a period of more than 15 days immediately preceding the 7th day of November, 1921, and

Whereas, the said City Council caused notice of the passage and adoption of said Resolution, together with a copy of said Resolution to be posted by the City Clerk throughout the city on the 20th day of October 1921 in three of the most public places in the city, to wit:- one in the post office, one in the office of the City Treasurer and one in the office of the City Clerk; and

Whereas, pursuant to the said Resolution No. 34 the City Clerk of the City of Polson did on the 20th day of October 1921 the same being the same day that said notice was first published in the Flathead Courier mail to each and every person, firm or corporation or agent of such person, firm or corporation having property within the said proposed district and directed to the last known address of said person, firm, corporation or agent a notice of the passage and adoption of said resolution of intention to create Special Sewer Improvement District No. 4 of said City; and

Whereas, said notice was published, posted and mailed as aforesaid, describing the general character of the improvement proposed to be made in said District, the estimated cost thereof, and designating the time when and the place where said council of the city of Polson would hear and pass upon all protests made against the making of said improvements of the creating of said District and which said notice refers to said Resolution No. 34 on file in the office of the City Clerk for a description of the boundaries of said Special Sewer Improvement District No. 4, and

Whereas, the city council of the city of Polson has met in regular session at the time and place fixed and set by said Resolution and the aforesaid notice for the hearing of the protests against the making of said proposed improvement and the creation of said proposed district and have heard and fully considered all such protests.

NOW, THEREFORE, Be it resolved by the city council of the city of Polson, Montana, that the City Council having heard and passed upon all protests made and delivered to the City Clerk of the City of Polson against the making of said proposed improvement and against the extent and creation of the proposed district within the time specified and provided in Resolution No. 34 and finding said protests to be insufficient and that the protests are not made by the owners or more than one half of the area of the property to be assessed for said improvement.

And said protests are hereby overruled and denied.

That there be and there is hereby created the said Special Improvement District to be known and designated as Special Sewer Improvement District No. 4 of the City of Polson, Montana, in accordance with Resolution No. 34 of its intention heretofore introduced and passed by the city council; that the character of said improvements to be made in said Special Sewer Improvement District No. 4 are described as follows:-

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 half way between Hawthorne Avenue and First Street; in the construction of said system an eight inch circular vitrified pipe inside measure shall 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 construction of this system will require approximately the following:-

1400 linear feet of 8 inch vitrified pipe.

1 flush tank.

2 man holes.

That the location of said proposed 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 along the center line of "E" street 680 feet to a point in Sewer No. 1.

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 "G" 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.

That the 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, and 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. That reference to Resolution No. 34 is hereby made for further particulars.

That it is hereby ordered and directed that said improvement be made in said Special Sewer Improvement District No. 4 in accordance with the plans and specifications thereof to be filed in the office of the City Clerk of the City of Polson.

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.

That the estimated cost and expense of said improvement is the sum of \$100.00 per lot and that the total estimated cost of making said improvement is \$2400.00. 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 6 % per annum, payable annually.

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 cost 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. 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.

Passed, adopted and approved this 7th day of Nov. 1921.

C. J. Loveland, Acting Mayor

Attest:- Frank Napton, City Clerk

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 8th day of Nov. 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. 35 in the following places in the city to wit:-one of said copies at the office of the City Clerk; one of said copies at the office of City Treasurer and one of said copies at the post office; each of said copies were full, true and correct

copies of said resolution.

Frank Napton.

Subscribed and sworn to before me this 10th day of Nov. 1921.

H.P. Napton, Notary Public for Montana, residing at

Polson, Montana; my commission expires May 10, 1923.

(Notarial Seal)

ORDINANCE No. 140

Introduced by A. M. Davidson.

AN ORDINANCE PROVIDING FOR THE HOLDING OF A SPECIAL ELECTION ON THE QUESTION WHETHER OR NOT THE INDEBTEDNESS OF THE CITY OF POLSON MONTANA SHALL BE INCREASED OVER AND ABOVE THE THREE PER CENT LIMIT FIXED BY LAW BY THE ISSUANCE OF WATER BONDS TO THE AMOUNT OF FORTY FIVE THOUSAND DOLLARS TO BE USED FOR THE PURPOSE OF PROCURING A PURE, ADEQUATE AND WHOLESOME SUPPLY OF WATER FOR SAID CITY FROM BIG CREEK COMMONLY KNOWN AS HELL ROARING CREEK. SAID CITY SHALL OWN AND CONTROL SAID WATER AND DEVOTE THE REVENUE DERIVED THEREFROM TO THE PAYMENT OF THE DEBT INCURRED THEREFOR/

BE IT ORDAINED, by the City Council of the City of Polson.

Section 1. That it is necessary and desirable and deemed for the best interest of the city of Polson by the city council that said city procure the water of Big Creek and build a pipe line from said Big Creek to said city for the purpose of conveying said water. That said city shall own and control the same and devote the revenue derived therefrom to the payment of the indebtedness incurred therefor.

Section 2. That a special election be held in the city of Polson, Montana on the twentieth day of February, 1922 for the purpose of ascertaining the will of the taxpayers to be affected thereby, and that authority be given and power conferred on the city council of said city to increase the indebtedness of said city over and above the three per cent limit fixed by law by the issuance of water bonds of said city to the amount of Forty-five Thousand Dollars for the purpose of constructing a pipe line to bring the said water of Big Creek into said city; which water system, when constructed, the city shall own and control and the revenue derived therefrom shall be devoted to the payment of the indebtedness incurred therefor.

Section 3. That the time and place of holding said election shall be as follows:- At the city of Polson, State of Montana, on the 20th day of February, 1922 from 8 o'clock A.M. to 6 o'clock P.M. on said day. That the voting places for said election shall be:-

First Ward, Lambeth Building on 3rd St. in Block 11.

Second Ward, City Hall on 4th St. Block 18.

Third Ward, in Hatch Building, on Lot 1 Block 30.

That said bonds proposed to be issued shall be for forty-five thousand dollars; that said bonds shall be forty-five in number and numbered from one to forty-five both inclusive; that said bonds shall be designated water bonds and shall be of the denomination of One Thousand Dollars each and the principal shall be payable in gold coin of the United States of America of the present standard weight and fineness; said bonds shall bear interest at the rate of six per cent per annum, payable semiannually and shall be dated the first day of May, 1922 and shall be redeemable and payable as follows:-

Ten Thousand Dollars of said bonds, numbered from one to ten, both inclusive, shall be redeemable on and after the first day of May, 1927 and shall be paid on the first day of May, 1942.

Ten Thousand Dollars of said bonds, numbered from eleven to twenty, both inclusive shall be redeemable on and after the first day of May, 1932 and shall be paid on the first day of May, 1942.