

RESOLUTION NO. 40

A RESOLUTION OF THE COUNCIL OF THE CITY OF POLSON, MONTANA? levying and assessing a tax upon all real estate in Special Sewer Improvement District No. 5 in the City of Polson, to defray the cost of the improvements in said Special Sewer Improvement District.

THAT, WHEREAS, the council of the city of Polson, Montana, did, on or about the 22nd day of Sept. 1922, create a Special Sewer Improvement District No. 5, by a resolution duly passed upon said date, reference to which resolution is hereby made, and did thereafter order and cause to be made therein the following improvements, to wit: the construction of a sewer along the alleys running through Blocks 2 and 3 in the Lewis Addition and Blocks 4 and 5 in the Riverside Addition to the City of Polson.

WHEREAS, the council did thereafter cause the said improvements to be constructed as provided for in said resolution above mentioned all of which work has been fully performed and completed at a total expense of \$3,726.88,

WHEREAS, the property in said Special Sewer Improvement District No. 5 is to be assessed to defray the expenses of said improvement, each lot and parcel of land to be assessed for that part of the whole cost which its area bears to the area of the entire district, exclusive of streets, alleys and public places, and

WHEREAS, the council has and does hereby find, fix and determine that each and every said several lots or parcels of land within said improvement district has been specially benefited by said improvements.

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

That to defray the cost and expense of constructing said improvements in Special Sewer Improvement District No. 5 there be and there is hereby levied and assessed a tax upon the property in said Special Sewer Improvement District No. 5 amounting to the sum of \$3,726.88; that the description of each lot or parcel of land within said Special Sewer Improvement District which is hereby levied upon and assessed with the name of the owner and the amount of each partial payment, the date when same becomes due and the amount assessed against each lot or parcel of land in said Special Sewer Improvement District No. 5 is set forth in the Special Improvement District Warrant and Assessment Records in the office of the City Clerk, to which reference is hereby made and which is made a part of this Resolution.

And be it further resolved by the Council of the City of Polson, Montana.

That the council of said city will be in session at the City Hall in the City of Polson, Montana, on Monday the 19th day of March, 1923 at 8 o'clock P.M. on said day, at which time and place the said city council will hear objections to the final adoption of this resolution.

That the clerk be and he is hereby authorized and directed to publish at least once in a newspaper published in the city of Polson, Montana, a notice signed by the clerk stating that this Resolution levying the special assessment to defray the cost of said improvements is on file in his office, subject to inspection for a period of five days; that said notice shall state the time and place at which objection to the final adoption of this resolution will be heard by the council and that said notice shall be published at least five days before the time set by the council for hearing objections to the final adoption of this resolution.

Passed by the council and approved by the Mayor this 5th day of March, 1923.

L. L. Marsh, Mayor,

Attest:- Frank Napton, City Clerk.

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THAT, WHEREAS, the above entitled Resolution No. 40, signed by the Mayor and Clerk of said city was filed in the office of the Clerk of said city on the 5th day of March, 1923 and has ever since been on file in said office subject to inspection and the clerk having given notice of the passing and filing of

said Resolution, by publishing a notice in the Flathead Courier, a newspaper published in said city, at least five days before the date stated therein for hearing objections to the final adoption of said resolution, the said time of hearing being not less than five days after the date of publication of said notice, and no owner of property within said Special Sewer Improvement District No. 5 or any other person appearing to object to the adoption of said resolution and the assessment therein provided for and it appearing to the satisfaction of the council that the construction of said improvement was necessary and that the cost thereof should be assessed as in said Resolution provided, NOW, THEREFORE,

BE IT FURTHER RESOLVED, That the above entitled and foregoing Resolution be and the same is hereby finally adopted and the special assessments therein provided for be and the same are hereby levied and assessed accordingly, and that the said assessments are payable in partial payments and will become delinquent at six o'clock P.M. on November 30th, 1923, 1924, 1925, 1926, 1927, 1928, 1929 and 1930, respectively, as appears in the Special Improvement District Warrant and Assessment Records in the office of the City Clerk of said city of Polson, Montana and which is made a part of this Resolution and to which reference is hereby made. Finally passed by the Council of the City of Polson, Montana, and approved by the Mayor this 19th day of March 1923.

L. L. Marsh, 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 deposes and says; I am a citizen of the United States, over the age of 21 years and am and was during all the time mentioned in this affidavit the city clerk of the city of Polson, Montana; that on the 20th day of March 1923 in accordance with the order of the city council of said city requiring all ordinances and resolutions to be posted in three of the most public places in said city I posted a copy of the foregoing Resolution No. 40 in the following places to wit:- one copy in the office of the City Clerk, one copy in the office of the City Treasurer in the Security State Bank and one copy in the Post Office of the City of Polson; that each of said copies so posted by me was a full, true and correct copy of Resolution No. 40 and of the whole thereof.

Frank Napton

Subscribed and sworn to before me this 21st day of March, 1923:

H.P. Napton, Notary Public for the State of Montana, residing at Polson Montana; my commission expires May 10, 1923.
(Notarial Seal)

AFFIDAVIT OF PUBLICATION

Notice is hereby given that Resolution No. 40 being a Resolution of the Council of the City of Polson, Montana, levying and assessing a tax upon all real estate in Special Sewer Improvement District No. 5 in the city of Polson, to defray the cost of the improvements in said Special Sewer Improvement District, is on file in the office of the City Clerk of the city of Polson, Montana, subject to inspection for a period of Five (5) days; that on Monday March 19th, 1923 at 8 o'clock P.M. at the city hall of the city of Polson, Montana, has been fixed as the time and place at which objections to the final adoption of said resolution will be heard by the Council.

Frank Napton, City Clerk.

F.J. Wheeler being duly sworn, deposes and says; That he is one of the proprietors of the Flathead Courier, a newspaper of general circulation published and printed in Polson, Flathead County, Montana and that the attached notice has been correctly published in the regular and entire issue of every number of said paper for one consecutive weeks commencing on the 8th day of March 1923 and ending on the 8th day of March 1923.

F.J. Wheeler

Subscribed and sworn to before me this 12th day of March, 1923.

T.C. Williams, Notary Public for the State of Montana, residing at Polson, Montana; my commission expires May 15th, 1923.
(Notarial Seal)