

## RESOLUTION NO. 48

A Resolution establishing and creating a Special Sewer Improvement District No. 76 in the City of Polson, County of Lake 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, Montana, did, on the 21st day of May 1928 duly and regularly pass and adopt Resolution No. 45 of the city of Polson declaring its intention to create Special Sewer Improvement District No. 6 in the city of Polson, and

WHEREAS, pursuant to said Resolution the 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 on the 24th day of May 1928 to the 31st day of May 1928 and for a period of more than fifteen days immediately preceding the 18th day of June, 1928, 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 24th day of May 1928 in three of the most public places in said city, and

WHEREAS, the city clerk of the city of Polson on the 24th day of May 1928, the same being the same day said notice was first published in the Flathead Courier, mailed to each and every person, firm, corporation or agent of such firm having property within said proposed district and directed to 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. 6, 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 and place where said council of the city of Polson would hear and pass upon all protests made against the making of said improvement or the creating of said District and which notice refers to said Resolution No. 45 on file in the office of the City Clerk for a description of the boundaries of said Special Sewer Improvement District No. 6, 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 aforesaid notice for hearing of protests against the making of said improvement and the creation of said 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 extending and creation of the proposed district within the time specified and provided in said Resolution No. 45 and finding said protests to be insufficient and that the protests are not made by the owners of more than <sup>60%</sup> 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 Sewer Improvement District to be known and designated as Special Sewer Improvement District No. 76 of the city of Polson, Montana in accordance with Resolution No. 45 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. 6 are described as follows:- The construction of a disposal plant consisting of settling, septic and chlorination tanks and the discharge of the chlorinated effluent into the lake at a point approximately 600 feet northeast of the northeast corner of the proposed district. This chlorination treatment <sup>de-chlorinates</sup> de-chlorinates as well as sterilizes the effluent. The said improvement consists of a ~~combination~~ domestic ~~and~~ gravity sewer to be discharged into the septic tank described herein.

with exception  
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The location of said sewer is as follows:- commencing at the intersection of center line of 10th street and center line of alley thru Block 11 and 12 in Lakeshore Addition to the city of Polson; thence north on 10th street to intersection of center line of alley thru Blocks 1 and 2 of Lakeshore Addition to the city of Polson; thence in an easterly direction 846 feet to disposal plant. Said trunk line sewer to be 10 inches in diameter and service laterals extending thru all the alleys of Cramer's Sub-division and Lakeshore Addition to the city of Polson; said service laterals to be 8 inches in diameter. Said lots benefited by and assessed for the construction of said sewers are as follows:- Lots 1 to 12 inclusive in Block 2; Lots 1 to 12 inclusive in Block 3; Lots 1 to 12 inclusive in Block 4; Lots 1 to 12 inclusive in Block 5; Lots 1 to 12 inclusive in Block 6; Lots 1 to 12 inclusive in Block 7; Lots 1 to 12 inclusive in Block 8; Lots 1 to 12 inclusive in Block 9, all in Cramer's Subdivision to the city of Polson, Montana in accordance with the plat thereof on file with the Clerk and Recorder of Lake County; also lots 4,5,6,7 of Block 1 in Lakeshore Addition to the city of Polson; Lots 1 to 12 inclusive in Block 2; Lots 1 to 12 inclusive in Block 5; Lots 1 to 12 inclusive in Block 6; Lots 1 to 8 inclusive in Block 7; Lots 1 to 12 inclusive in Block 8; Lots 1 to 12 inclusive in Block 11; Lots 1 to 8 inclusive in Block 12; Lots 1 and 2 of Block 3; Lots 1 and 2 of Block 4; Lots 1 and 2 of Block 9 and Lots 1 and 2 of Block 10, all in Lakeshore Addition to the city of Polson Montana in accordance with the plat thereof on file with the clerk and recorder of Lake County Montana.

That reference to Resolution No. 45 is hereby made for further particulars.

That it is hereby ordered and directed that said improvement be made in Special Sewer Improvement District No. 6 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. 6 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 making said improvement is the sum of \$82.55 per lot and that the total estimated cost of making said improvement is \$14,199.56

That the cost and expense of making said improvement shall be assessed and paid for in the following manner, to wit:- that the assessment levied to defray the cost of said improvement shall be extended over a period of 8 years and paid in 8 annual installments or payments, the first of which shall be paid in the year 1929. 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. 6 Fund to be created for said Special Sewer Improvement District No. 6 shall be issued in the payment of the cost and expense of making said improvements in said Special Sewer Improvement District No. 6 and that such warrants shall be issued in denominations of \$100.00 or fractions or multiples thereof.

Passed and adopted this 18th day of June 1928.

James Harbert, Mayor

Attest:- Frank Napton, City Clerk

State of Montana, County of Lake, City of Polson, ---SS:-

Frank Napton being first duly sworn deposes and says; that he is a citizen of the United States over the age of 21 years and at all the times mentioned in this affidavit was the city clerk of the city of Polson Montana; that in accordance with an order of the council requiring all ordinances and resolutions to be posted, he did on June 19, 1928 post 3 copies of the foregoing Resolution No. 48 in 3 public places in the city of Polson, to-wit:- One in the city hall, one in the court house and one in the U.S. Post Office building in the city of Polson, Montana; that each of said copies so posted was a full, true and correct copy of the original Resolution No. 48 and of the whole thereof.

Frank Napton

Subscribed and sworn to before me this 19th day of June, 1928.  
 W.J. Burke, Notary Public for the State of Montana, residing at Polson Montana/My commission expires May 3, 1931 (Notarial Seal)