

RESOLUTION NO. 888

A RESOLUTION OF INTENT TO ABANDON CERTAIN PUBLIC RIGHT OF WAY PLATTED AS A PORTION OF SIXTEENTH AVENUE LYING BETWEEN LOT 3, HILLSIDE ADDITION NO. 2 AND LOT 1, BLOCK 2 OF HILLSIDE ADDITION, ALL IN THE CITY OF POLSON:

WHEREAS, the owners of Lot 1, Block 2, Hillside Addition, and the owners of Lot 3, Hillside Addition No. 2, have petitioned the City of Polson to vacate and abandon that portion of 16<sup>th</sup> Avenue, as platted, lying adjacent to and between the two lots hereinabove mentioned, as depicted on Exhibit A hereto; and,

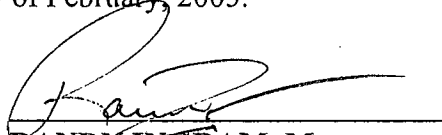
WHEREAS, the City of Polson is apprized that such portion of 16<sup>th</sup> Avenue as above-described is not in regular use as a right of way by the public; and,

WHEREAS, in any vacation of such portion of 16<sup>th</sup> Avenue, the City of Polson intends to reserve to itself an easement for utilities, of the normal and usual scope, in the interest of the public.

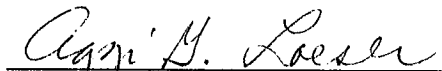
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF POLSON:

- 1. That the City of Polson intends to abandon the above-described platted public right of way, reserving therefrom a utility easement of normal and usual scope; and,
- 2. That the City Clerk will cause notice to be given of this action pursuant to the specifications in Section 7-3-4448, M.C.A., and schedule a public hearing thereof as soon as reasonably convenient.

PASSED AND APPROVED this 22 day of February, 2005.

  
RANDY INGRAM, Mayor

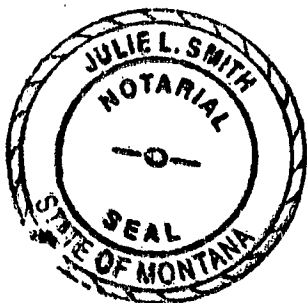
ATTEST:

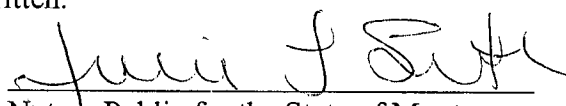
  
Aggi Loeser, City Clerk

STATE OF MONTANA     )  
  :SS.  
County of Lake         )

On this 22 day of February, 2005, before me, the undersigned Notary Public for the State of Montana, personally appeared RANDY INGRAM and AGGI LOESER, known to me to be the Mayor and the City Clerk of the CITY OF POLSON, Montana, the municipal corporation that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.

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



  
Notary Public for the State of Montana  
Residing at Polson  
My commission expires: 08-05-2007

# EXHIBIT 'A'

## AMENDED SUBDIVISION PLAT OF LOT 1 BLOCK 2 OF HILLSIDE ADDITION & LOT 3 OF HILLSIDE ADDITION No.2 LOCATED IN A PORTION OF THE NE 1/4 SW 1/4 SECTION 10, T.22 N., R.20 W., P.M.M., LAKE COUNTY, MT.

### LEGAL DESCRIPTION

LOT 1 BLOCK 2 OF HILLSIDE ADDITION & LOT 3 OF HILLSIDE ADDITION No.2

### PURPOSE OF SURVEY & OWNER'S CERTIFICATE:

BE THE UNDERSIGNED SURVEYOR HEREBY CERTIFY THAT THE PURPOSE OF THIS SURVEY IS FOR THE SEVERAL LOTS IN THIS PLATTED SUBDIVISION, RECOGNITION OF CORNER MARKERS AND THE ASSIGNMENT OF LOTS AND AN ADDITIONAL LOTS AND ARE HEREBY CERTIFIED. THE DIMENSIONS OF LOTS IN THIS PLATTED SUBDIVISION ARE AS SHOWN TO SECTION 10, T.22 N., R.20 W., P.M.M.

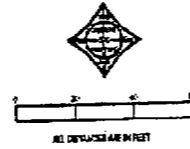
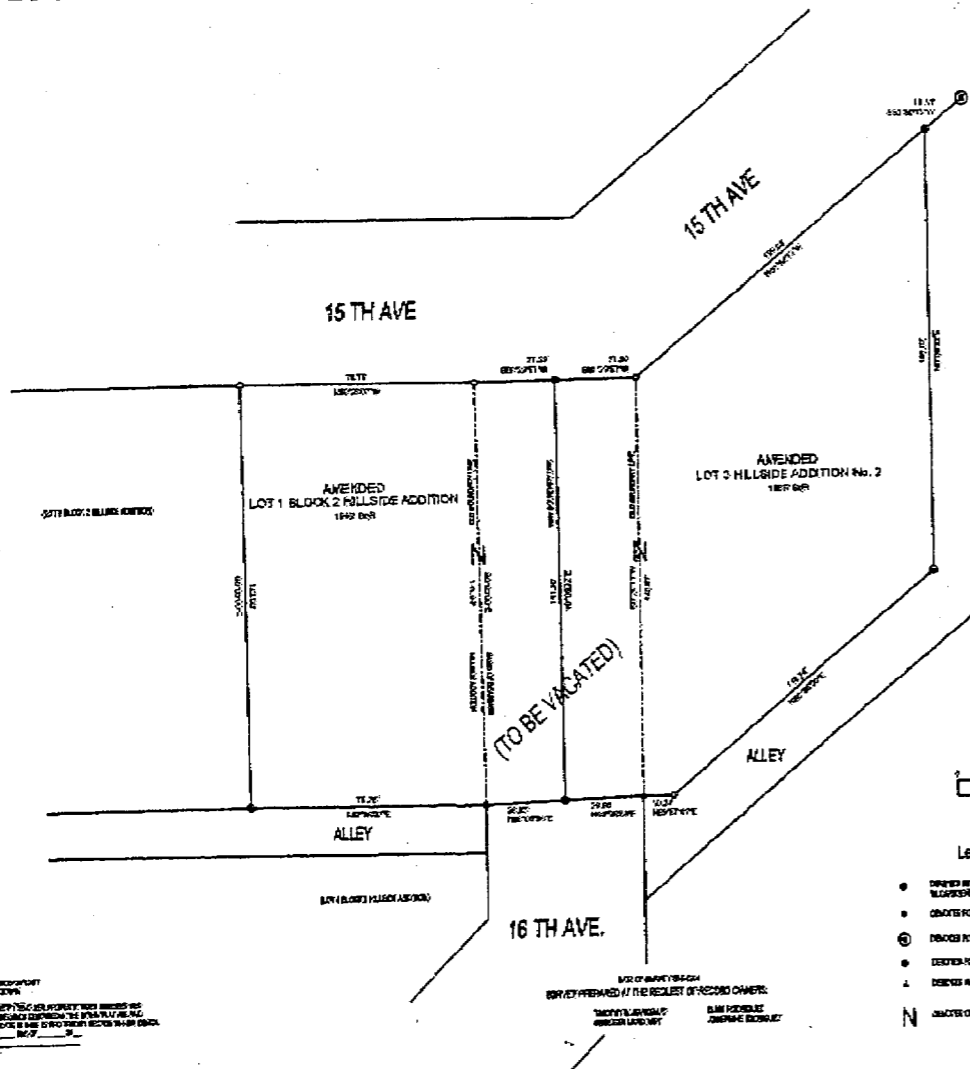
FOR THE RECORD AND TO BE KEPT ON FILE BY THE COUNTY CLERK OF LAKE COUNTY, MONTANA, THE SURVEYOR HAS FILED THIS SURVEY WITH THE COUNTY CLERK OF LAKE COUNTY, MONTANA, AND THE SURVEYOR HAS FILED THIS SURVEY WITH THE COUNTY CLERK OF LAKE COUNTY, MONTANA, AND THE SURVEYOR HAS FILED THIS SURVEY WITH THE COUNTY CLERK OF LAKE COUNTY, MONTANA.

\_\_\_\_\_  
SHERIFF LAKE COUNTY

\_\_\_\_\_  
CLERK LAKE COUNTY

FILE OF \_\_\_\_\_  
COUNTY \_\_\_\_\_  
DATE \_\_\_\_\_  
BY \_\_\_\_\_  
FOR THE RECORD AND TO BE KEPT ON FILE BY THE COUNTY CLERK OF LAKE COUNTY, MONTANA, AND THE SURVEYOR HAS FILED THIS SURVEY WITH THE COUNTY CLERK OF LAKE COUNTY, MONTANA, AND THE SURVEYOR HAS FILED THIS SURVEY WITH THE COUNTY CLERK OF LAKE COUNTY, MONTANA.

DATE OF \_\_\_\_\_  
COUNTY \_\_\_\_\_  
BY \_\_\_\_\_  
FOR THE RECORD AND TO BE KEPT ON FILE BY THE COUNTY CLERK OF LAKE COUNTY, MONTANA, AND THE SURVEYOR HAS FILED THIS SURVEY WITH THE COUNTY CLERK OF LAKE COUNTY, MONTANA, AND THE SURVEYOR HAS FILED THIS SURVEY WITH THE COUNTY CLERK OF LAKE COUNTY, MONTANA.



### Legend

- CORNER MARKER (BY MEANS OF A PLATTED SUBDIVISION)
- CORNER MARKER (BY MEANS OF A PLATTED SUBDIVISION)
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GOVERNOR'S BODY APPROVAL  
THE CITY COUNCIL OF POLSON, LOCATED IN LAKE COUNTY, MONTANA, DOES HEREBY CERTIFY THAT IT HAS EXAMINED THIS SUBDIVISION PLAT AND APPROVES IT.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
POLSON CITY EXAMINING SURVEYOR DATE

\_\_\_\_\_  
POLSON CITY PLANNING DEPT. DATE

\_\_\_\_\_  
LAKE COUNTY SURVEYOR DEPT. DATE

### CERTIFICATE OF SURVEYOR

MARC J. OVERBERG, A REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE PERFORMED THE SURVEY SHOWN ON THE ATTACHED AMENDED PLAT, THAT SUCH SURVEY WAS MADE ON 15-08-05 THAT SUCH SURVEY IS TRUE AND COMPLETE AS SHOWN AND THAT THE ADJACENT POLSON, MONTANA, IS OF THE CHARACTER AND OCCUPY THE POSITIONS SHOWN THEREON, DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2005.

\_\_\_\_\_  
MARC J. OVERBERG SURVEYOR

FILED FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2005.

\_\_\_\_\_  
COUNTY CLERK