

return to: City of Polson  
106 1st St East  
Polson, MT 59860-2137

460290

STATE OF MONTANA, COUNTY OF LAKE  
Recorded At 2:57 O'clock P. M. JUL 19 2005  
Microfilm 460290 RUTH E. HODGES Recorder  
Fees \$ 1400 By *Judy Munir* Deputy

RESOLUTION NO. 895

A RESOLUTION CREATING SPECIAL IMPROVEMENT DISTRICT NUMBER 39 TO SURFACE HILLSIDE COURT:

Whereas, the City Council of the City of Polson received a petition, signed by more than 50% of the landowners affected thereby, petitioning the City to create a Special Improvement District, hereinafter SID #39, to defray the cost of constructing roadway and drainage improvements on the street known as Hillside Court, a total distance of 1265 feet at a total cost of \$23,296.00, all pursuant to Section 7-12-4102, MCA, and,

WHEREAS, the boundaries of the district shall include the benefited properties abutting Hillside Court for the total distance of 1265 feet and include the following properties:

- Lots 1, 2, 3, 4, East Hillside Addition ~~no. 1~~, Blk 3
- Lots 1, 2, 3, 4, 5, 6, 7, East Hillside Addition no 2
- Lots 2, 3, 4, 5, East Hillside Addition no. 3
- Tract 1 COS 4611

All according to the maps or plats thereof on file and of record in the office of the Clerk and Recorder of Lake County, Montana.

WHEREAS, that the assessment of costs shall be divided evenly among the 16 landowners in the Special Improvement District, their heirs, successors, and assigns, at the initial rate of \$1,456.00 per lot, to be repaid in not more than 20 years as to each lot; and,

WHEREAS, in a measure designed to minimize the costs for the benefited properties, the work shall be accomplished by work crews of Lake County and of the City of Polson Street Department; and,

WHEREAS, the City passed a Resolution of Intent to create the above-reference SID, in Resolution No. 893, passed and adopted on the 6th day of June, 2005; and,

WHEREAS, the City subsequently caused notice of such intention to be given in the manner provided at law in Sections 7-12-4106 and 7-1-2121, MCA, upon all affected property owners; and,

WHEREAS, public hearing was held on the proposed SID in the manner provided at law in Section 7-12-4112, MCA; and,

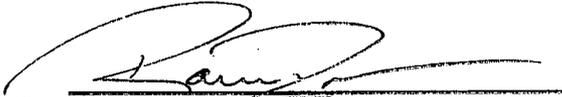
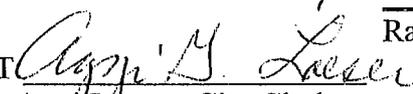
WHEREAS, after such notice and hearing, the Council has determined that an insufficient number of protestors as defined at Section 7-12-4113, MCA, protest the proposed SID:

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

1. Pursuant to Section 7-12-4114, the City Council has acquired all jurisdiction necessary to order the improvements recited above.
2. The foregoing recitals are not mere recitals but are part and parcel of this Resolution.
3. Special Improvement District No. 39 is hereby CREATED, and the work herein described is ORDERED to proceed, the costs therefore to be assessed against the benefited properties as hereinabove stated.

- 4. The City Engineer and City Clerk shall keep the records relating to the foregoing SID as described in Section 7-12-4121 and 4122, MCA, and make the same reasonably accessible to the public.

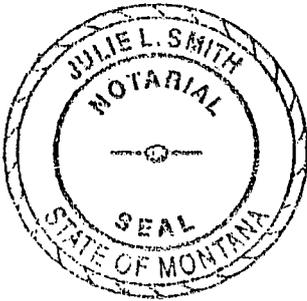
PASSED AND APPROVED this 29th day of June, 2005.

  
 Randy Ingram, Mayor  
 ATTEST   
 Aggi Loeser, City Clerk

STATE OF MONTANA     )  
   :ss.  
 County of Lake         )

On this 18<sup>th</sup> day of July, 2005 before me, the undersigned, a Notary Public for the State of Montana, personally appeared **Randy Ingram** and **Aggi Loeser**, personally known to me to be the Mayor and the City Clerk of the City of Polson, Montana, the Municipal Corporation that executed the within 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.



  
 Signature of Notary  
Julie L. Smith  
 Printed Name of Notary

Notary Public for the State of Montana  
 Residing at Polson Montana  
 My Commission expires: 8-5-2007