

**RESOLUTION NO. 995**

**A RESOLUTION OF INTENT TO ANNEX REAL PROPERTY TO THE CORPORATE LIMITS OF THE CITY OF POLSON PURSUANT TO TITLE 7, CHAPTER 2, PART 45 OF THE MONTANA CODES.**

WHEREAS, the City of Polson, as a matter of the public health, welfare, and safety, is duly authorized by Title 7, Chapter 2, Part 45 of the Montana Codes to annex within the corporate limits all parcels of real property contiguous to and wholly surrounded by real property already annexed to the corporate limits; and,

WHEREAS, the City of Polson believes that the health, safety, and welfare of the citizens of Polson require the City to take all steps necessary and efficacious to reduce and so far as reasonably possible eliminate the dangers of contamination of its underground potable water resources by acting to reduce the number of septic systems and private wells located on lands within the said corporate limits but not annexed thereto; and,

WHEREAS, the City of Polson operates a number of City services and utilities which the City may, as it desires and according to a plan, extend to any parcels located within the corporate boundaries thereof; and,

WHEREAS, the City finds that it is in the best interests of the City and of the inhabitants thereof and of the real property intended to be annexed, and that the City desires and intends to annex within its jurisdiction such parcels as now exist located within the exterior boundaries of the City of Polson and not previously annexed thereto, to wit:

See Exhibit A, attached hereto and by this reference made a part hereof as if fully set forth in this place.

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

That the City of Polson intends to expand the corporate limits of the City of Polson, a municipal corporation, to include that certain real property described above.

The property should be zoned MRZD.

The annexed real property should be in Voting Ward 2.

That hearing on this Resolution of Intention shall be held

The Clerk is directed to:

1. Immediately notify the registered voters in the above-described real property;
2. Publish notice hereof as provided in 7-1-4127, MCA, that the within Resolution has been passed. The notice must be published once per week for two weeks in a newspaper of general paid circulation with a periodicals mailing permit, and shall contain the following information: "A public hearing on the question of Resolution 995 of the City of Polson, proposing to annex wholly surrounded real property, will be heard by the City Council of the City of Polson at 6:30 PM, Sept. 9, 2009, at the Council Chambers, 106 First Street East Polson. For further information contact the City Manager of Polson, at the same address, 883-8207," or words of like effect.
3. Accept written comments for a period of twenty days after the first publication of the notice, approving or disapproving the proposed and intended extension of the boundaries from registered voters residing the area proposed to be annexed.

The Building and Planning Office shall prepare the plan required by Sections 7-2-4506 and 7-2-4732, MCA, and make the same available for public inspection at City Hall.

PASSED AND APPROVED this 6<sup>th</sup> day of July, 2009.

**CITY OF POLSON** \_\_\_\_\_  
**Lou Marchello, Mayor**

**ATTEST:** \_\_\_\_\_  
**Aggi Loeser, City Clerk**

STATE OF MONTANA            )  
  :SS.  
County of Lake                )

On this \_\_\_\_ day of \_\_\_\_\_, 2009, before me, the undersigned Notary Public for the State of Montana, personally appeared **LOU MARCHELLO** 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:

**EXHIBIT A TO RESOLUTION NO. 995  
OF THE POLSON CITY COUNCIL**

**Parcel 1:**

Tax ID: 3498  
GEO Code: 3228-03-4-04-02-0000  
Agnes Hazelbaker,  
3710 American Way Apt. 145, Missoula, MT 59808  
Contact: Rebecca Hazelbaker Deschamps (Daughter),  
4505 Old Marshall Grade Rd. Missoula, MT 59802  
S03, T22N, R20W, Tract in SE1/4 SE1/4; AKA 1815 Hillcrest Drive

**Parcel 2:**

Tax ID:3382  
GEO Code: 3228-03-4-04-01-0000  
Eleanor Eklund,  
Trustee, 1805 7<sup>th</sup> Avenue East, Polson, MT 59860  
S03, T22N, R20W, Tract in E1/2 SE1/4 SE1/4; AKA 1805 Hillcrest Drive

**Parcel 3:**

Tax ID: 3486  
GEO Code: 3228-03-4-03-10-0000  
John M. Harlan,  
1725 Hillcrest Drive, Polson, MT 59860  
S03, T22N, R20W, Tract in W1/2SE1/4SE1/4; AKA 1725 Hillcrest Dr.

**Parcel 4:**

Tax ID: 3451  
GEO Code: 3228-03-4-03-09-0000  
Lester Sjong,  
Pouch 340060 North Slope M, Prudhoe Bay, AK 99734, Fairbanks, AK 99701  
S03, T22N, R20W, Deed Exhibit H-581 in W1/2 SE1/4 SE1/4; AKA 1717 Hillcrest Drive

**Parcel 5:**

Tax ID: 3263  
GEO Code: 3228-03-4-03-07-0000  
Robert H. & Margie M. Hendricks,  
1701 Hillcrest Drive, Polson, MT 59860  
S03, T22N, R20W, 5772, Lot 2 on COS 5772 in SE1/4SE1/4 (Remainder); AKA 1701 Hillcrest Drive

**Parcel 6:**

Tax ID: 3313  
GEO Code: 3228-02-3-04-08-0000  
James D. Skelton,  
38 9<sup>th</sup> Avenue SE, Cut Bank, MT 59427  
S02, T22N, R20W, Tract in SE1/4SW1/4; AKA (Vacant Land Address Unknown)

**Parcel 7:**

Tax ID: 3311  
GEO Code: 3228-02-3-04-10-0000  
Crossroad Journey, LLC, In Care Of: John J. Thompson,  
127 Garland St., Kalispell, MT 59901  
S02, T22N, R20W, Tract 1, COS 5623, AKA 93 South Bayshore Drive

**Parcel 8:**

Tax ID: 3812  
GEO Code: 3228-03-4-04-03-0000  
Timothy E & Margaret E Browne,  
1823 Hillcrest Dr., Polson, MT 59860  
S03, T22N, R20W; Tract A, COS 4743; AKA 1823 Hillcrest Drive