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City Clerk
City of Polson
106 First Street East
Polson, MT 59860

**CITY OF POLSON
RESOLUTION NO. RES2015-014**

**A RESOLUTION EXTENDING THE CORPORATE LIMITS OF THE CITY OF POLSON,
MONTANA, TO ANNEX WITHIN THE
BOUNDARIES OF THE CITY, WITH CONDITIONS, CERTAIN TRACTS AND PARCELS
OF LAND DESCRIBED HEREINAFTER**

LEGAL DESCRIPTION: Those certain tracts of real property known as:

Lots 2, 3, 4, 5 of NOB HILL, a platted subdivision of Lake County in Section 2, T22N, R20W, P.M.M., on file and of record in the Office of the Lake County, Montana Clerk and Recorder, Geo 3228-02-3-05-02-0000.

As shown on Exhibit A attached hereto and made a part hereof.

WHEREAS, D & S RENTALS, LLP, as the owner of the above described parcel, has filed a petition with the City Clerk requesting annexation of such properties into the corporate boundaries of the City of Polson; the Polson City Commission has considered this petition for annexation pursuant to the statutory annexation by petition method set forth in Title 7 Chapter 2 Part 46 Section 4601 (3)(a)(ii) Montana Code Annotated (MCA), and

WHEREAS, the herein described property has been serviced by sewer and water and is subject to a waiver of annexation; and

WHEREAS, all development of these properties is subject to the rules, regulation and requirements of the City, including the provision of Services Plan of the City of Polson; and

WHEREAS, it was determined that the City is able to provide services for fire and police to the property; FURTHER that said services will commence upon the effective date of the annexation: and

WHEREAS, the parcel described herein is currently zoned County HCZD and should continue the same as HCZD which is appropriate and compatible with the use proposed; FURTHER, this parcel is situated adjacent to City Commission Voting Ward No. 2 and it is the intention of the Commission to add this parcel to said Ward;

WHEREAS, the petitioners have executed waivers of protest, for themselves, their heirs and assigns, to the imposition of special improvement districts for water, sewer, and streets for a term not to exceed 25 years, if the same becomes necessary;

WHEREAS, the petition for annexation was duly heard by the City Commission upon notice on the 15th of June, 2015; the Commission, having fully heard the testimony and reviewed the materials submitted by the City Planning staff in support of such Petition, finds that the annexation of these properties is deemed to be in the best interest of the City of Polson, the inhabitants thereof and for the future use of the land described herein. FURTHER, such property is within the urban growth boundary that the boundaries of the City of Polson and the extension of such boundary is within the scope of the Polson Growth Plan;

NOW, THEREFORE, BE IT RESOLVED, that the corporate limits of the City of Polson be and are extended to incorporate and annex the tract of land herein described; and

