

Return to:

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

CITY OF POLSON

RESOLUTION OF INTENT NUMBER 2023-018

A RESOLUTION OF INTENT TO TRANSFER REAL PROPERTY BETWEEN THE CITY OF POLSON AND LAKE COUNTY.

WHEREAS, the Montana Code Annotated (MCA) section 7-8-101 authorizes governmental entities to transfer property between each other by following certain procedural steps: (1) passing a resolution of intent; (2) noticing the resolution of intent by publication as provided in MCA 7-1-2121; and, (3) passing a resolution of transfer;

WHEREAS, the City of Polson holds a possibility of reverter interest (where ownership would return to the grantor upon certain conditions) in the parcel on which the Lake County Courthouse exists; **FURTHER**, the City of Polson deeded the Courthouse property to Lake County in 1934 with the possibility of reverter; **FURTHER** that condition for reverter being if the Courthouse on the parcel was ever abandoned or ceased to use and occupy for such purpose then ownership would vest back to the City of Polson, the parcel is legally described as:

Block 18, Original Townsite of Polson, according to the map and plat thereof on file and of record in the office of the Clerk and Recorder of Lake County (Deed #39586);

WHEREAS, the City of Polson owns a water tower storage tank on property owned by Lake County, the property is legally described as:

SKYLINE ADD, S10, T22 N, R20 W, Lot 0B1, PARK B-1 (commonly known as the City of Polson Hillside Water Tower, Polson, Montana 59860, Geocode: 15-3228-10-3-15-06-0000; Deed No. 216363);

WHEREAS, the City of Polson and Lake County desire to transfer their respective interests in the above properties by executing mutual quitclaim deeds; **FURTHER**, Lake County has passed on October 2, 2023, their Resolution of Intent to Transfer Real Property with respect to the above properties (a copy attached hereto as Exhibit A); and

WHEREAS, the City Commission of the City of Polson has considered this request for transfer of property pursuant to the statutory requirements as set forth in MCA 7-8-101.

NOW THEREFORE BE IT RESOLVED that it is the intent of the City Commission of the City of Polson to transfer the City of Polson's remaining interest in the Courthouse parcel to Lake County in exchange for Lake County's interest in the Water Tower property; and

BE IT FURTHER RESOLVED that the City Clerk shall, pursuant to Sections 7-8-101 and 7-1-2121 MCA, publish in the newspaper of general circulation in the City of Polson, which newspaper is nearest to the said land being considered for transfer, at least once a week for two successive weeks starting on October 19, 2023, and October 26, 2023, a notice that such resolution of intent has been duly and regularly passed and the date, time, and place of a Resolution to Transfer Real Property between the City of Polson and Lake County, on Monday, November 6, 2023, during the regularly scheduled City Commission meeting at 7:00 p.m., located at City Hall, Polson, MT 59860;

BE IT FURTHER RESOLVED that the City Clerk is hereby instructed to file this resolution of intent with the Clerk and Recorder of Lake County;

BE IT FURTHER RESOLVED that the minutes of the City Commission of the City of Polson, Montana, incorporate this Resolution of Intent.

APPROVED AND ADOPTED this 16th day of October, 2023.

THE CITY OF POLSON

BY:

Eric Huffine, Mayor

Attest:

Ed Meece, City Manager

Cora E. Pritt, City Clerk

STATE OF MONTANA)
 :SS
County of Lake)

On this ____ day of _____, 2023, before me the undersigned Notary Public for the State of Montana, personally appeared **Eric Huffine**, known to me to be the Mayor of the City of Polson and known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he 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

Printed Name of Notary
Residing at Polson, Montana
My commission expires: ___/___/___