

RESOLUTION 10.95

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of Town of Whitehall (the "Issuer"), hereby certify that the attached resolution is a true copy of Resolution No. 10.95 entitled: "RESOLUTION RELATING TO OUTSTANDING BONDS OWNED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION; GRANTING PRELIMINARY APPROVAL TO THE AMENDMENT THEREOF" (the "Resolution"), on file in the original records of the Issuer in my legal custody; that the Resolution was duly adopted by the governing body of the Issuer at a meeting on December 11, 1995, and that the meeting was duly held by the governing body of the Issuer and was attended throughout by a quorum; pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the Resolution at said meeting, the following members of the governing body voted in favor thereof: Chuck Buus, Sandy Sacry, Rudy Stoll, Gary Uptmor, Terry Ross and Tom Palakovich
the following voted against the same: None;
the following abstained from voting thereon: None;
and the following were absent: None.

WITNESS my hand officially as such recording officer this 14 day of December, 1995.

Linda J. Roznske
Title: Clerk/Treasurer

RESOLUTION NO. 10.95

RESOLUTION RELATING TO OUTSTANDING BONDS
OWNED BY THE DEPARTMENT OF NATURAL
RESOURCES AND CONSERVATION; GRANTING
PRELIMINARY APPROVAL TO THE AMENDMENT
THEREOF

WHEREAS, the Town of Whitehall (the "Issuer"), has issued and there is outstanding one or more bonds (collectively, the "Outstanding Bond") which was purchased and is now owned by the Department of Natural Resources and Conservation of the State of Montana (the "DNRC") under the State's Coal Severance Tax Renewable Resource Program (the "Program"); and

WHEREAS, the title, date of issue, original principal amount, outstanding principal amount, non-subsidized interest rate, current annual non-subsidized payment amount and proposed maximum annual non-subsidized payment amount of the Outstanding Bond appears on Exhibit A hereto, which is hereby incorporated herein and made a part hereof; and

WHEREAS, the Issuer has been informed by the DNRC of its intention to advance refund in whole or in part the State's Coal Severance Tax Bonds, Department of Natural Resources and Conservation Water Development Program, 1988 Series A, 1989 Series A, and 1990 Refunding Series B (collectively, the "Refunded Bonds"), to permit the DNRC to reduce the semiannual payments on the loans made to local governments financed with the proceeds of the 1988 Series A Bonds, the 1989 Series A Bonds and the State's Coal Severance Tax Bonds, Department of Natural Resources and Conservation Water Development Program, 1985 Series A, 1985 Series B, and 1987 Series C, including the loan evidenced by the Outstanding Bond, during the remaining term of the loan following the subsidized interest rate period, if such payments can be reduced by an amount equal to at least 3%; and

WHEREAS, representatives of the DNRC have presented to this Whitehall Council Members (the "Governing Body") a proposal pursuant to which the DNRC will advance refund the Refunded Bonds if such refunding would enable the DNRC to reduce the amount of the semiannual payments on the Outstanding Bond after the expiration of the subsidy period, if any, by at least 3%; and

WHEREAS, to effect this proposal, this Governing Body will be required: (i) to adopt a resolution amending the provisions of the resolution authorizing the issuance of the Outstanding Bond; (ii) to execute and deliver a new amended and restated Bond to the DNRC reflecting a new principal amount and interest rate (the "Amended and Restated Bond"), upon surrender by the DNRC of the Outstanding Bond; and (iii) to execute and deliver certain closing certificates to the DNRC, relating to the execution and delivery of the Amended and Restated Bond, the tax

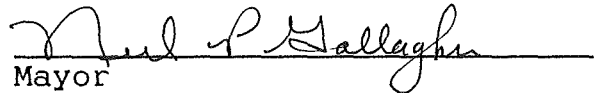
RESOLUTION 11.95

A RESOLUTION RELATING TO THE REDUCTION OF THE PRINCIPLE ON THE WASTEWATER TREATMENT PLANT, DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) LOAN: GRANTING APPROVAL TO THE FOLLOWING

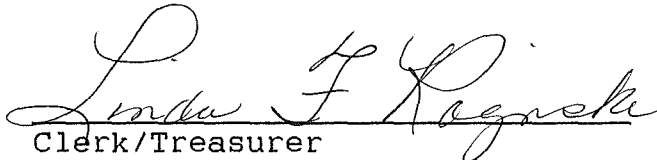
BE IT RESOLVED, by the Town Council of the Town of Whitehall, County of Jefferson, State of Montana, that the Town Council approves the payment of Fifty Thousand Dollars (\$50,000) to be taken from the Sewer Enterprise Fund #5310, the Reserve Account #102230, and to be used as a payment to reduce the principle of the DNRC Loan, Sewer System Revenue Bond, Series 1987.

This Resolution shall become effective immediately upon passage.

Adopted this 11th day of December 1996.


Mayor

ATTEST:


Clerk/Treasurer

RESOLUTION 9.95

A Resolution approving the intent of annexation of a tract of land situated in Jefferson County, Montana.

WHEREAS, Petition of Annexation was presented to the Town Council of the Town of Whitehall, County of Jefferson, State of Montana on November 29, 1995 of the tract of land described as follows:

Description

Commencing from the northwest corner, a record 3/4" square iron pin, of Lot 13, Block 2, thence South 82°55'57" East, record South 82°57' East, a distance of 95.00 feet, record 95.00 feet, to the point of beginning said point is the northwest corner of Lot 14, Block 2, thence FIRST COURSE South 82°55'57" East a distance of 474.96 feet, record South 82°57' East a distance of 475.00 feet to a point of curve having a radius of 100.00 feet, said point is on the northerly line of Lot 1, Block 2, thence SECOND COURSE on a curve to the right a distance of 25.27 feet, record 24.87 feet, chord bears South 75°41'36" East a distance of 25.20 feet to a point on the easterly line of Lot 1, Block 2, thence THIRD COURSE, on the easterly line of Lots 1 and 2, South 07°02'45" West, a distance of 236.58 feet, record South 07°03' West a distance of 236.82 feet to a point that is the southeast corner of Block 2, thence FOURTH COURSE South 00°34'18" East a distance of 25.23 feet to a point, said point is on the center of abandoned Sunset Terrace Street, thence FIFTH COURSE, on the center of Sunset Terrace Street, South 07°00'00" West a distance of 125.08 feet, record South 07°03' West a distance of 125.00 feet to a point on the northerly right-of-way line of Montana Highway No. 2, thence along said right-of-way line and southerly boundary of Block 3, SIXTH COURSE North 82°57'00" West a distance of 528.40 feet, record North 82°57' West a distance of 528.53 feet, to a point that is the southwest corner of Lot 7, Block 3, thence SEVENTH COURSE North 07°02'45" East a distance of 125.00 feet along the westerly line of Lot 7, Block 3 and to the centerline of the abandoned Sunset Terrace Street, record North 07°03' East a distance of 125.00 feet, thence EIGHTH COURSE, record and measured, North 82°57'00" West a distance of 70.00 feet to a point of curve having a radius of 25.00 feet, thence NINTH COURSE on a curve to the right a distance of 78.54 feet, chord bears North 07°02'45" East a distance of 50.00 feet, thence TENTH COURSE North 07°02'45" East a distance of 95.00 feet along the westerly line of Lot 11, Block 2 to a point that is the northwest corner of Lot 11, Block 2, thence on the north line of Lot 11, ELEVENTH COURSE South 82°57'38" East a distance of 95.00 feet, record South 82°57'00" East a distance of 95.00 feet to a point that is the northeast corner of Lot 11, Block 2, thence TWELFTH COURSE North 07°02'45" East a distance of 119.98 feet record North 07°03' East a distance of 120.00 feet along the westerly line of Lot 14, Block 2 to the point of beginning.

Said parcel contains 4.896 acres and is subject to all easements of record or implied.

RESOLUTION 7.95

A Resolution approving the intent of annexation of a tract of land situated in Jefferson County, Montana.

WHEREAS, Petition of Annexation was presented to the Town Council of the Town of Whitehall, County of Jefferson, State of Montana on November 13, 1995 of the tract of land described as follows:

A tract of land located in Lot 3, Section 4, Township 1 North, Range 4 West, P.M.M., being a portion of what is commonly known as the West Addition to Whitehall, Certificate of Survey No. 82423, on file and of record in the office of the Clerk and Recorder of Jefferson County, Montana, in Folio 44:

Beginning at the northeast corner of the tract which bears South 3 17' East, 469.68 feet from the north quarter corner of Section 4, Township 1 North, Range 4 West, P.M.M., thence from said place of beginning South 3 17" East 630.20 feet; thence North 82 57' West 186.44 feet; thence South 7 03' West 135.0 feet; thence North 82 57' West 762.78 feet along the north right-of-way of Highway 2 West (formerly Highway No. 10); thence North 7 03' East 270.0 feet; thence South 82 57' East 139.25 feet; thence North 7 03' East 485.0 feet; thence South 82 57' East 697.45 feet to the place of beginning, including the streets known as Sunset Terrace, Sunset Circle and Short Street as set forth in certificate of survey, the same having been closed by the County Commissioners for Jefferson County, Montana, by Resolution #5-82, dated February 2, 1982.

EXCEPTING THEREFROM, all Block 1 (previously annexed to the Town of Whitehall), Lots 8,9,10 in Block 3 (belonging to the Baptist Church), and Block 4 of said certificate of survey.

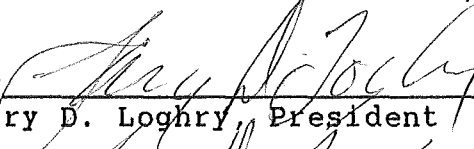
*Not passed - see minutes of
11-13-95*

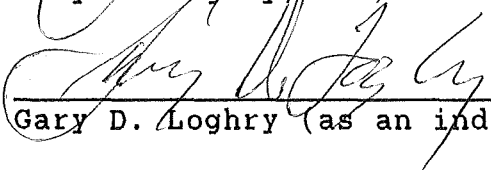
PETITION FOR ANNEXATION

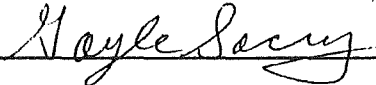
COMES NOW, the undersigneds, being the owners of certain real property located in the County of Jefferson, State of Montana, more particularly described on Addendum A annexed hereto and hereof made a part by this express reference, and do hereby petition for the annexation of said property into the Town of Whitehall so that the same may be ultimately serviced by town water, sewer and garbage disposal services.

DATED this 8TH day of November, 1995.

WEST WHITEHALL DEVELOPMENT, INC.

By 
Gary D. Loghry, President


Gary D. Loghry (as an individual)



ADDENDUM A

A tract of land located in Lot 3, Section 4, Township 1 North, Range 4 West, P.M.M., being a portion of what is commonly known as the West Addition to Whitehall, Certificate of Survey No. 82423, on file and of record in the office of the Clerk and Recorder of Jefferson County, Montana, in Folio 44:

Beginning at the northeast corner of the tract which bears South 3°17' East, 469.68 feet from the north quarter corner of Section 4, Township 1 North, Range 4 West, P.M.M, thence from said place of beginning South 3°17" East 630.20 feet ; thence North 82°57' West 186.44 feet; thence South 7°03' West 135.0 feet; thence North 82°57' West 762.78 feet along the north right-of-way of Highway 2 West (formerly Highway No. 10); thence North 7°03' East 270.0 feet; thence South 82°57' East 139.25 feet; thence North 7°03' East 485.0 feet; thence South 82°57' East 697.45 feet to the place of beginning, including the streets known as Sunset Terrace, Sunset Circle and Short Street as set forth in certificate of survey, the same having been closed by the County Commissioners for Jefferson County, Montana, by Resolution #5-82, dated February 2, 1982.

EXCEPTING THEREFROM, all of Block 1 (previously annexed to the City of Whitehall), Lots 8, 9 and 10 in Block 3 (belonging to the Baptist Church), and ~~Lots 1, 2, 3, 4 and 5 in Block 4 (belonging to Darryl Smith)~~ of said certificate of survey.

Gen. Desc.

Exc. SMITH

WEST ADDITION TO WHITEHALL, MONTANA

STATE OF MONTANA } ss
COUNTY OF JEFFERSON }

CERTIFICATION OF DEDICATION

I the undersigned, Robert J. Hill, do hereby certify that I have caused to be surveyed, subdivided and plotted into lots, streets, avenues, playgrounds and parks as shown by the plat and certificate of survey hereunto annexed, the following described tract of land to-wit:

Beginning at the northeast corner of the tract which bears S 3°17'E, 469.68 feet from the north quarter corner of Section 4, T. 1 N., R. 4 W., M. R. M. Thence from said place of beginning S 3°17'E, 630.20 feet along the present West City Limits of the City of Whitehall, Montana; thence N 82°57'W, 185.44 feet; thence S 7°03'W, 135.0 feet; thence N 82°57'W, 762.78 feet along the north right-of-way of Highway No. 10; thence N 7°03'E, 270.0 feet; thence S 82°57'E, 139.25 feet; thence N 7°03'E, 485.0 feet; thence S 82°57'E, 697.45 feet to the place of beginning, said tract of land lying in Lot 3, Section 4, T. 1 N.; R. 4 W., M. R. M., containing in all 13.52 acres, more or less, to be known and designated as WEST ADDITION TO WHITEHALL, MONTANA, and all lands included in all streets, avenues, playgrounds and parks shown on said plat are hereby granted and donated to the public forever.

Dated this 19th day of May 1962

Robert J. Hill
.....
.....

STATE OF MONTANA } ss
COUNTY OF JEFFERSON }

On this 19th day of May 1962, before me, the undersigned, a Notary Public for the State of Montana, personally appeared Robert J. Hill, a single man known to me to be the person whose signature is subscribed to the within instruments and acknowledged to me that he executed the same.

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

A. H. A. I.

RESOLUTION 6.95

A Resolution approving the intent of annexation of a tract of land situated in Jefferson County, Montana.

WHEREAS, Petition of Annexation was presented to the Town Council of the Town of Whitehall, County of Jefferson, State of Montana on August 14, 1995 of the tract of land described as follows:

Park Land located in the West Addition to the Town of Whitehall (COS #82423, Folio #44B).

WHEREAS, the petition of annexation pursuant to Montana Code Annotated 7-2-4606, Resolution of Annexation, contains 51% or more of the signatures of the owners of the proposed area for annexation;

Now, THEREFORE, be it RESOLVED by the Town Council of the Town of Whitehall as follows:

- 1) That the property listed on the plat be made a part thereof, and the same is annexed to the Town of Whitehall;
- 2) That the effective date of annexation shall be August 14, 1995.


Neil P. Gallagher, Mayor

ATTEST.


Linda F. Roginske, Clerk/Treasurer

Town of Whitehall

County of Jefferson, State of Montana

Office of the Town Clerk

P.O. Box 539

Whitehall, MT 59759

Phone: 287-3972

RESOLUTION NO. 5.95

A resolution of the Town Council of the Town of Whitehall, Montana relating to approval of the 1995/1996 final budget and renewal of the street lighting improvement district.

BE IT RESOLVED by the Town Council of the Town of Whitehall, County of Jefferson, State of Montana, that the Town Council approves the 1995/1996 final budget in the estimated amount of Two Hundred Seventy-Two Thousand Four Hundred and Fifty-Two Dollars and No Cents (272,452.00).

AND BE IT FURTHER RESOLVED that the special improvement lighting district in the amount of Thirteen Thousand Five Hundred Dollars and no cents (\$13,500.00) be renewed for the fiscal year 1995/1996.

PASSED AND APPROVED THIS 14th DAY OF AUGUST, 1995.



Mayor

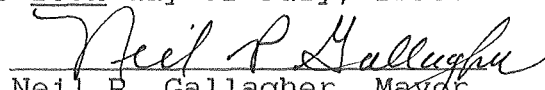
ATTEST 

Clerk/Treasurer

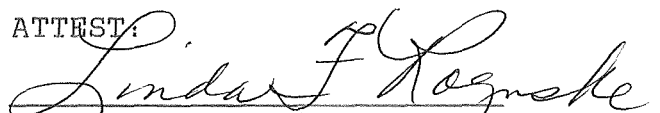
Resolution 4.95

Be it hereby resolved that no primary election is necessary pursuant to MCA 13-14-115 (3) which states: In a political sub-division with a population of 10,000 or less, the governing body may determine that a primary need not be held if: (a) the number of candidates for an office exceeds twice the number to be elected to that office in no more than one-half of the offices on the ballot.

PASSED AND EFFECTIVE this 10th day of July, 1995.


Neil P. Gallagher, Mayor

ATTEST:


Linda F. Roginske, Clerk/Treasurer

RESOLUTION 3.95

A Resolution approving the intent of annexation of a tract of land situated in Jefferson County, Montana.

WHEREAS, Petition of Annexation was presented to the Town Council of the Town of Whitehall, County of Jefferson, State of Montana on June 12, 1995 of the tracts of land described as follows:

Block 1 Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9 in the West Addition to the Town of Whitehall, Certificate of Survey No. 82423 Folio 44.

WHEREAS the petition of annexation pursuant to Montana Code Annotated 7-2-4606, Resolution of Annexation, contains 51% or more of the signatures of the owners of the proposed area for annexation; and

WHEREAS, it is the intent of the municipality to provide water, sewer and solid waste collection to the area hereinafter described as set forth in an agreement duly filed with the Town and approved by the Town Council.

Now, THEREFORE, be it RESOLVED by the Town Council of the Town of Whitehall as follows:

1. That the property listed on the plat be made a part thereof, and the same is annexed to the Town of Whitehall.
2. That the effective date of annexation shall be June 12, 1995.


Neil P. Gallagher, Mayor

ATTEST:


Linda F. Roginske, Clerk/Treasurer

RESOLUTION 2.95

WHEREAS, certain areas of the Town of Whitehall, Montana, are subject to periodic flooding, mudslides, (i.e., mudflows,), or flood-related erosion, causing serious damages to properties within these areas; and

WHEREAS, relief is available in the form of Federally subsidized flood insurance as authorized by the National Flood Insurance Act of 1968; and

WHEREAS, it is the intent of the Whitehall Town Council to require the recognition and evaluation of flood, mudslide (i.e., mudflow), or flood-related erosion hazards in all official actions relating to land use in areas having these hazards; and

WHEREAS, this body has the legal authority to adopt land use and control measures to reduce future flood losses pursuant to Montana Code Annotated;

NOW, THEREFORE, BE IT RESOLVED, that the Whitehall Town Council hereby:

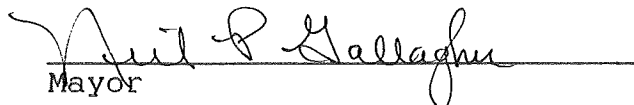
1. Assures the Federal Emergency Management Agency that it will enact, as necessary, and maintain in force in those areas having flood, mudslide (i.e., mudflow, or flood-related erosion hazards, adequate land use and control measures with effective enforcement provisions consistent with the criteria set forth in Section 60.3 of the National Flood Insurance Program Regulations; and
2. Vests the Mayor with the responsibility, authority, and means to:
 - a. Assist in the Administrator, at his request, in his delineation of the limits of the area having special flood, mudslide (i.e., mudflow) or flood-related erosion hazards.
 - b. Provide such information as the Administrator may request

concerning present uses and occupancy of the floodplain, mudslide (i.e., mudflow) or flood-related erosion areas.

- c. Cooperate with Federal, State, and local agencies and private firms which undertake to study, survey, map and identify floodplain, mudslide (i.e., mudflow), or flood-related erosion areas, and cooperate with neighboring communities with respect to management of adjoining floodplain, mudslide (i.e., mudflow) and/or flood-related erosion areas in order to prevent aggravation of existing hazards.
 - d. Submit on the anniversary date of the community's initial eligibility an annual report to the Administrator on the progress made during the past year within the community in the development and implementation of floodplain management measures.
 - e. Upon occurrence, notify the Administrator in writing whenever the boundaries of the community have been modified by annexation or the community has otherwise assumed or no longer has authority to adopt and enforce floodplain management regulations for a particular area. In order that all Flood Hazard Boundary Maps and Flood Insurance Rate Maps accurately represent the community's boundaries, include within such notification a copy of a map of the community suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed or relinquished floodplain management regulatory authority.
3. Appoints Town Clerk to maintain for public inspection and to furnish upon request, for the determination of applicable flood insurance risk premium rates within all areas having special flood hazards identified on a Flood Hazard Boundary Map or Flood Insurance Rate Map, any certificates of floodproofing and information on the elevation (in relation to mean sea level) of the level of the lowest floor (including basement) of all new or substantially improved structures, and whether or not such structures contain a basement, and if the structure has been floodproofed, the elevation (in relation to mean sea level) to which the structure was floodproofed.
 4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the program.

Date of adoption: June 12, 1995

Certification:



Mayor



Clerk/Treasurer

RESOLUTION NO. 1-95

A Resolution of the Town Council of the Town of Whitehall, Montana of its intention to provide that all property owners with delinquent Special Improvement Lighting District assessments after final notification shall have their names forwarded to the county to process a lien.

BE IT RESOLVED by the Town Council of the Town of Whitehall, County of Jefferson, State of Montana, that, after notification of property owners of unpaid fiscal year 1994-95 Special Improvement Lighting District assessments, the Town Council authorizes the processing of all property owners within the Town of Whitehall, Montana who have not fully paid the current assessments for such district for the fiscal year 1994-95 shall have their names forwarded to the County Assessors and the County Treasurer of Jefferson County, Montana to be incorporated into the taxes assessed in 1995, together with all costs and penalties, and that said assessment shall constitute a lien upon and against the property upon which said assessment is made, all in accordance with Section 7-12-4338;

AND BE IT FURTHER RESOLVED that said list of delinquent property owners will be forwarded on June 15, 1995.

PASSED AND APPROVED on this 8th day of May, 1995.



Mayor

ATTEST:



Town Clerk

RESOLUTION 9.94

A Resolution approving the intent of annexation of a tract of land situated in Jefferson County, Montana

WHEREAS, a Petition of Annexation was presented to the Town Council of the Town of Whitehall, County of Jefferson, State of Montana on November 14, 1994 of the tract of land described as follows:

A parcel of land in the Northeast Quarter of the Southeast Quarter (NE1/4SE1/4) of Section 33, Township 2 North, Range 4 West, P.M.M., more particularly described as follows: Beginning at the southeast corner of said Section 33, thence North $39^{\circ}13'31''$ West 2133.96 feet to a point on the north right-of-way line of Interstate 90, said point being the true point of beginning; thence First Course, North $00^{\circ}12'19''$ East 280.43 feet to the southerly right-of-way line of the Whitetail Road, a Jefferson County road, said line being a non-tangent curve to the right with a radius of 414.56 feet, a central angle of $52^{\circ}39'15''$ and a chord which bears South $36^{\circ}28'56''$ East 367.71 feet; thence Second Course, southeasterly on said curve 380.98 feet to a point of tangency; thence Third Course, South $10^{\circ}07'31''$ East 8.02 feet on said county road right-of-way to said Interstate 90 right-of-way; thence Fourth Course, North $84^{\circ}01'49''$ West 222.26 feet on said Interstate right-of-way to the true point of beginning.

REFERENCE: Book 114 of Deeds, page 699

WHEREAS the petition of annexation pursuant to Montana Code Annotated 7-2-4606, Resolution of Annexation, contains 100% of the signatures of the owners of the proposed area for annexation; and


WHEREAS it is the intent of the municipality to provide water, sewer, and solid waste collection to the area hereinafter described as set forth in an agreement duly filed with the Town and approved by the Town Council.

Now, THEREFORE, be it RESOLVED by the Town Council of the Town of Whitehall as follows:

1. That the property listed on the plat be made a part hereof, and the same is annexed to the Town of Whitehall.
2. That the effective date of annexation shall be November 14, 1994.


Neil P. Gallagher, Mayor

ATTEST:


Linda F. Roginske, Clerk/Treasurer

RESOLUTION 8.94

A Resolution approving the intent of annexation of a tract of land situated in Jefferson County, Montana.

WHEREAS, a Petition of Annexation was presented to the Town Council of the Town of Whitehall, County of Jefferson, State of Montana on August 08, 1994 of the tract of land described as follows:

A parcel of land in the NW1/4SE1/4 of section 33, T2N, R4W, P.M.M., Jefferson County, Montana; and is part of Certificate of Survey No. 105471, FOLIO 72D as filed with Clerk and Recorder's Office in Boulder, Montana.

Commencing from the southeast corner of section 33, thence N45 02'40"W a distance of 2382.88 feet to an iron pin on the northeasterly right-of-way line of Interstate Highway No. 90; said point is the point of beginning, thence leaving said right-of-way line, FIRST COURSE N46 29'50"W a distance of 512.14 feet to an iron pin, said point is on the southeasterly right-of-way line of a Frontage Road and is on a curve, thence on said right-of-way line, SECOND COURSE on a curve southeasterly having a radius of 514.60 feet for a distance of 289.71 feet to a concrete right-of-way monument, chord bears S76 03'32"E a distance of 286.30 feet, thence THIRD COURSE N87 44'20"E a distance of 220.44 feet to a concrete right-of-way monument, thence FOURTH COURSE, on a curve to the right having a radius of 414.60 feet for a distance of 12.91 feet, chord bears N88 37'52"E a distance of 12.90 feet, thence leaving said right-of-way line, FIFTH COURSE S00 00'28"W a distance of 306.59 feet to a point on the northeasterly right-of-way line of Interstate Highway No. 90, thence on said right-of-way line, SIXTH COURSE N84 16'00"W a distance of 140.21 feet to the point of beginning.

Said parcel contains 2.00 acres.

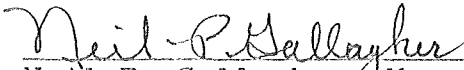
WHEREAS the petition of annexation pursuant to Montana Code Annotated 7-2-4606, Resolution of Annexation, contains 100% of the signatures of the owners of the proposed area for annexation; and

WHEREAS, it is the intent of the municipality to provide water, sewer and solid waste collection to the area hereinafter described as set forth in an agreement duly filed with the Town and approved by the Town Council.


Now, THEREFORE, be it RESOLVED by the Town Council of the Town of

Whitehall as follows:

1. That the property listed on the plat be made a part hereof, and the same is annexed to the Town of Whitehall.
2. That the effective date of annexation shall be September 08, 1994.


Neil P. Gallagher, Mayor

ATTEST:


Linda F. Roginske, Clerk/Treasurer

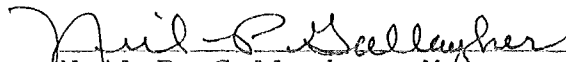
RESOLUTION 7.94
HOME INVESTMENT PARTNERSHIP PROGRAM HOME

WHEREAS, the Town of Whitehall, Jefferson County, Montana and Jefferson Valley Habitat for Humanity, Inc., a non-profit Montana corporation are applying to the Montana Department of Commerce for a HOME Investment Partnership Program Grant to purchase property, and the appurtenant development of water, sewer, and other utility services, street construction, lot landscaping, surveying and subdivision costs and grant administration costs;

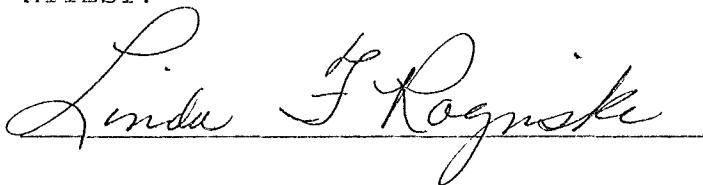
WHEREAS, the Town of Whitehall and Jefferson Valley Habitat for Humanity agree to conform with the regulations, statutes, terms and conditions described in the HOME Certifications for Application; and

WHEREAS, Neil P. Gallagher, Mayor, is authorized to submit this application to the Montana Department of Commerce, on behalf of the Town of Whitehall and Jefferson Valley Habitat for Humanity, and to provide such additional information as may be required.

PASSED AND APPROVED BY THE WHITEHALL TOWN COUNCIL THIS ____ DAY OF SEPTEMBER, 1994.


Neil P. Gallagher, Mayor

ATTEST:



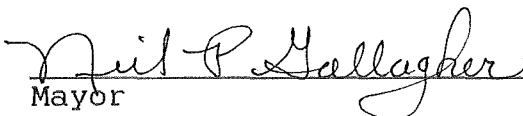
RESOLUTION NO. 6.94

A resolution of the Town Council of the Town of Whitehall, Montana relating to approval of the 1994/1995 final budget and renewal of the street lighting improvement district.

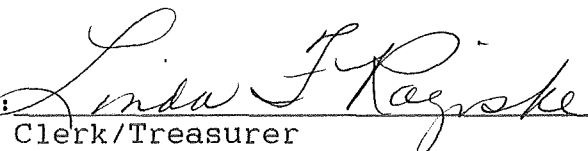
BE IT RESOLVED by the Town Council of the Town of Whitehall, County of Jefferson, State of Montana, that the Town Council approves the 1994/1995 final budget in the estimated amount of Two Hundred Forty-Six Thousand Eight Hundred Dollars and No Cents (246,800.00).

AND BE IT FURTHER RESOLVED that the special improvement lighting district in the amount of Thirteen Thousand Five Hundred Dollars and no cents (\$13,500.00) be renewed for the fiscal year 1994/1995.

PASSED AND APPROVED THIS 8th DAY OF AUGUST, 1994.



Mayor

ATTEST: 

Clerk/Treasurer

RESOLUTION 5.94

A Resolution approving the submission of an application to the Department of Commerce for the Treasure State Endowment Program.


WHEREAS, The Town of Whitehall is applying to the Montana Department of Commerce for financial assistance in form of a grant from the Treasure State Endowment Program (TSEP) to improve and update the Town's Water System;

WHEREAS, The Town of Whitehall has the legal jurisdiction and authority to construct, finance, operate, and maintain the Water System;

WHEREAS, The Town of Whitehall has held at least one advertised public hearing in the area of the proposed TSEP project to inform local citizens and affected property owners regarding the components and projected costs of the proposed project;

BE IT RESOLVED that the Town of Whitehall agrees to comply with the requirements described in the 1994/1995 TSEP Application Guidelines for Public Facilities Projects; and

BE IT RESOLVED that Neil P. Gallagher, Mayor is authorized to submit this application to the Montana Department of Commerce on behalf of the Town of Whitehall, to act on behalf of the Town of Whitehall and to provide such additional information as may be required.


Neil P. Gallagher, Mayor

ATTEST:


Linda F. Roginske, Clerk/Treasurer

RESOLUTION 4.94

A Resolution approving the submission of an application to the Department of Commerce for a Community Development Block Grant.

WHEREAS, the Town of Whitehall is applying to the Montana Department of Commerce for a Community Development Block Grant for a Water System Improvement project;

BE IT RESOLVED that the Town of Whitehall agrees to conform with regulations, statutes, terms and conditions described in the CDBG Certifications for Applications, and

BE IT RESOLVED that Neil P. Gallagher, Mayor, is authorized to submit this application to the Montana Department of Commerce on behalf of the Town of Whitehall, to act on behalf of the Town of Whitehall and to provide such additional information as may be required.

PASSED AND APPROVED BY THE WHITEHALL TOWN COUNCIL THIS 23RD DAY OF MAY, 1994.


Neil P. Gallagher, Mayor

ATTEST: 
Linda F. Roginske, Clerk/Treasurer

RESOLUTION NO. 3-94

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WHITEHALL

WHEREAS, the present water system of the Town of Whitehall is in need of upgrading to provide better pressure and fire protection for residents; and

WHEREAS, The engineers' estimates of the cost of the improvements to the Water System is the sum of \$1,300,000.00; and

WHEREAS, the Town has applied for a CDBG Block grant in the amount of \$400,000.00,

IT IS HEREBY RESOLVED BY THE TOWN OF WHITEHALL, that if the Town should be awarded said CDBG Block Grant, the remainder of said project shall be funded as follows:

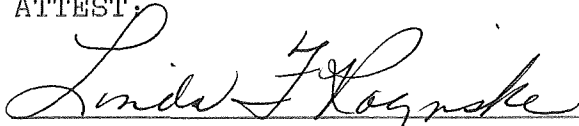
1. by the sum of \$500,000.00 grant from TSEP, or
2. by the sum of \$400,000.00 from a FmHA or DNRC Loan

PASSED AND APPROVED on this 9th day of May, 1994.



Mayor

ATTEST:



Town Clerk

RESOLUTION NO. 03-94 DNRC

RESOLUTION RELATING TO OUTSTANDING BONDS
OWNED BY THE DEPARTMENT OF NATURAL
RESOURCES AND CONSERVATION; GRANTING
PRELIMINARY APPROVAL TO THE AMENDMENT
THEREOF

WHEREAS, the TOWN OF WHITEHALL (the "Issuer"), has issued and there is outstanding one or more bonds (the "Outstanding Bond") which was purchased and is now owned by the Department of Natural Resources and Conservation of the State of Montana (the "DNRC") under the State's Coal Severance Tax Renewable Resource Program (the "Program"); and

WHEREAS, the title, date of issue, original principal amount, outstanding principal amount, non-subsidized interest rate, current annual non-subsidized payment amount and proposed maximum annual non-subsidized payment amount of the Outstanding Bond appears on Exhibit A hereto, which is hereby incorporated herein and made a part hereof; and

WHEREAS, the Issuer has been informed by the DNRC of its intention to advance refund in whole or in part the State's Coal Severance Tax Bonds, Department of Natural Resources and Conservation Water Development Program, 1988 Series A, 1989 Series A, and 1990 Refunding Series B (collectively, the "Refunded Bonds"), to permit the DNRC to reduce the semiannual payments on the loans made to local governments financed with the proceeds of the Series 1988A Bonds, the Series 1989A Bonds and the State's Coal Severance Tax Bonds, Department of Natural Resources and Conservation Water Development Program, 1985 Series A, 1985 Series B, and 1987 Series C, including the loan evidenced by the Outstanding Bond, during the remaining term of the loan following the subsidized interest rate period, if such payments can be reduced by an amount equal to at least 2.5%; and

WHEREAS, representatives of the DNRC have presented to this Council (the "Governing Body") a proposal pursuant to which the DNRC will advance refund the Refunded Bonds if such refunding would enable the DNRC to reduce the amount of the semiannual payments on the Outstanding Bond after the expiration of the subsidy period, if any, by at least 2.5%; and

WHEREAS, to effect this proposal, this Governing Body will be required: (i) to adopt a resolution amending the provisions of the resolution authorizing the issuance of the Outstanding Bond; (ii) to execute and deliver a new amended and restated Bond to the DNRC reflecting a new principal amount and interest rate (the "Amended and Restated Bond"), upon surrender by the DNRC of the Outstanding Bond; and (iii) to execute and deliver certain closing certificates to the DNRC, relating to the execution and delivery of the Amended and Restated Bond, the tax

This resolution shall become effective immediately upon passage.

Adopted this 11 day of April, 1994.

Neil P. Gallagher
Title: Mayor

Attest:

By Linda F. Roguske
Title: Clerk/Treasurer

RESOLUTION NO. 3-94

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WHITEHALL

WHEREAS, the present water system of the Town of Whitehall is in need of upgrading to provide better pressure and fire protection for residents; and

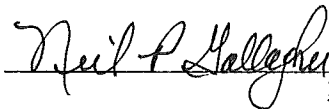
WHEREAS, The engineers' estimates of the cost of the improvements to the Water System is the sum of \$1,300,000.00; and

WHEREAS, the Town has applied for a CDBG Block grant in the amount of \$400,000.00,

IT IS HEREBY RESOLVED BY THE TOWN OF WHITEHALL, that if the Town should be awarded said CDBG Block Grant, the remainder of said project shall be funded as follows:

1. by the sum of \$500,000.00 grant from TSEP, or
2. by the sum of \$400,000.00 from a FmHA or DNRC Loan

PASSED AND APPROVED on this 9th day of May, 1994.



Mayor

ATTEST:



Town Clerk

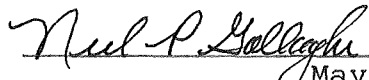
RESOLUTION NO. 2-94

A Resolution of the Town Council of the Town of Whitehall, Montana of its intention to provide that all property owners with delinquent Special Improvement Lighting District assessments after final notification shall have their names forwarded to the county to process a lien.

BE IT RESOLVED by the Town Council of the Town of Whitehall, County of Jefferson, State of Montana, that, after notification of property owners of unpaid fiscal year 1993-94 Special Improvement Lighting District assessments, the Town Council authorizes the processing of all property owners within the Town of Whitehall, Montana who have not fully paid the current assessments for such district for the fiscal year 1993-94 shall have their names forwarded to the County Assessors and the County Treasurer of Jefferson County, Montana to be incorporated into the taxes assessed in 1994, together with all costs and penalties, and that said assessment shall constitute a lien upon and against the property upon which said assessment is made, all in accordance with Section 7-12-4338;

AND BE IT FURTHER RESOLVED that said list of delinquent property owners will be forwarded on May 15, 1994.

PASSED AND APPROVED on this 11 day of April, 1994.



Mayor

ATTEST:



Town Clerk

AMENDED
RESOLUTION 01.94

A resolution relating to local government review.
BE IT RESOLVED that the question of conducting a local government review and establishing a study commission shall be on the primary election ballot pursuant to MCA 7-3-171 Subsection (2) which states: The governing body shall call for an election, to be held on the primary election date, on the question of conducting a local government review and establishing a study commission consisting of 5 positions (b) within 1 year after the 10-year period referred to in Subsection (1)(c) - 1984.

PASSED AND APPROVED THE 25 DAY OF MARCH, 1994.



Neil P. Gallagher, Mayor

ATTEST:



Linda F. Roginske, Clerk/Treasurer