

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of School District No. 20 (DeSmet), Missoula County, Montana (the "District"), hereby certify that the attached resolution is a true copy of a Resolution entitled: "A RESOLUTION OF SCHOOL DISTRICT NO. 20 (DESMET), MISSOULA COUNTY, SUBMITTING TO THE QUALIFIED ELECTORS OF THE DISTRICT THE QUESTION OF WHETHER THE BOARD SHALL BE AUTHORIZED TO EXPAND THE USES TO WHICH NET REVENUES FROM THE SALE OF SCHOOL PROPERTY MAY BE APPLIED" (the "Resolution"), on file in the original records of the District in my legal custody; that the Resolution was duly adopted by the Board of Trustees of the District at a meeting on December 14, 2020, and that the meeting was duly held by the Board of Trustees 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notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.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 Trustees voted in favor thereof: Emily Villegas + Heather Burgad  
+ Aaron Foster; voted against the same: none  
; abstained from voting thereon: none  
; or were absent: Andrew Lowney + Emmett Anderson

WITNESS my hand and seal officially this 14 day of December, 2020.

Christy McLaren  
School District Clerk



A RESOLUTION OF SCHOOL DISTRICT NO. 20 (DESMET), MISSOULA COUNTY, SUBMITTING TO THE QUALIFIED ELECTORS OF THE DISTRICT THE QUESTION OF WHETHER THE BOARD SHALL BE AUTHORIZED TO EXPAND THE USES TO WHICH NET REVENUES FROM THE SALE OF SCHOOL PROPERTY MAY BE APPLIED

RECITALS

WHEREAS, by election conducted on November 5, 2019 (the "Prior Election"), the qualified electors of School District No. 20 (DeSmet), Missoula County, Montana (the "District") authorized the Board of Trustees of the District (the "Board") to sell to willing buyers at market prices lots or parcels owned by the District legally described in the recital below to produce net revenues to apply toward debt service on school district bonds that finance costs of an addition to DeSmet School (the "Project") or otherwise offset costs of the Project; and

WHEREAS, the land in the District that the District is authorized to sell by the Prior Election consists of approximately 10 acres in total, is located just north of the DeSmet School grounds, and is more particularly described as follows:

6500 Padre Ln, S35, T14 N, R20 W, C.O.S. 3687, PARCEL A2, IN NW4 NE4, approximately 7.3 acres

6660 Padre Ln, S35, T14 N, R20 W, IN NE4 NW4, approximately 1.83 acres

6355 Padre Ln, S35, T14 N, R20 W, ACRES 7.01, EXEMPT-IN NE1/4 NW1/4 & IN SE1/4 NW1/4, approximately 0.89 acres

WHEREAS, in addition to applying the net revenues from the sale of the District lots or parcels toward debt service on school district bonds that finance costs of the Project or otherwise offsetting costs of the Project, the Board now seeks authority to expand the uses to which the net revenues produced by the sale of the District lots and parcels may be applied; and

WHEREAS, pursuant to Section 13-19-104, M.C.A., the election to authorize the additional uses to which of net revenues may be applied can be conducted by a mail ballot election; and

WHEREAS, the Board has determined that a mail ballot election conducted in accordance with the provisions of Title 13, Chapter 19, Parts 1-3, M.C.A. (the "Mail Ballot Act"), is in the best interests of the District and the electors thereof, and notified the County Election Administrator of Missoula County of its intent to conduct a mail ballot election, which notification was not less than seventy days prior to the date of the proposed election; and

WHEREAS, the County Election Administrator will prepare a mail ballot election plan in accordance with the provisions of Section 13-19-205, M.C.A. (the "Mail Ballot Plan").

NOW, THEREFORE, BE IT RESOLVED by the Board of the District as follows:



1. Calling Election. The Board of the District hereby calls and directs a special election to be held in the District on February 23, 2021, which date is not less than 70 days after the date of passage of this resolution, such election to be conducted by mail ballot pursuant to the provisions of the Mail Ballot Act, for the purpose of voting on the question of whether the Board, in addition to applying the net revenues from the sale of the District property toward debt service on school district bonds that finance costs of the Project or otherwise offsetting costs of the Project, shall be authorized to apply the net revenues produced by the sale of lots or parcels owned by the District toward any other lawful expenditure of the District, including, but not limited to (i) costs of building on the DeSmet School grounds a multiuse field and track, and (ii) fees or costs incurred by the District relating to zoning, land use, or other rules or regulations or laws that limit the uses to which property in the District may be put, including, without limitation, fees and costs of attorneys and experts.

2. Conduct of Election. All qualified electors of the District shall be entitled to vote at the election described herein. Pursuant to Section 20-20-201, M.C.A., the District Clerk is hereby authorized and directed to give notice of the call and details of this election and to provide this resolution to the Missoula County Election Administrator no less than three (3) days after this resolution is passed. The District Clerk is directed to instruct the Missoula County Election Administrator to close registration and thereafter prepare printed lists of the electors in the District entitled to vote in the election in the District in the form and manner prescribed by law and consistent with the Mail Ballot Plan. The County Election Administrator shall prepare the ballot and arrange for the printing of the ballot and conduct the election in accordance with all legal requirements.

3. Notice of Election. The County Election Administrator is hereby authorized and requested to cause notice of the call and holding of the election to be given at least three times no earlier than 40 days and no later than 10 days before the election, in the *Missoulian*, a newspaper of general circulation in the District, and the District Clerk is hereby authorized and directed to cause the notice to be posted at three public places in the District, with at least one notice being posted in each ward or precinct in the District, and, if the District has a website, is directed to post notice on the District's website for 10 days prior to the election. The notice of election as published and posted shall read substantially as follows with such completions and additions as may be required by the Mail Ballot Plan or otherwise deemed appropriate:



NOTICE OF ELECTION TO EXPAND THE USES OF NET REVENUES FROM SALE OF  
SCHOOL LOTS OR PARCELS

NOTICE IS HEREBY GIVEN by the Board of Trustees (the "Board") of School District No. 20 (DeSmet), Missoula County (the "District"), that a special election of the registered voters of the District will be held by mail ballot election on February 23, 2021.

By election conducted on November 5, 2019 (the "Prior Election"), the qualified electors of School District No. 20 (DeSmet), Missoula County, Montana (the "District") authorized the Board of Trustees of the District (the "Board") to sell to willing buyers at market prices lots or parcels owned by the District to produce net revenues to apply toward debt service on school district bonds that finance costs of an addition to the DeSmet School (the "Project") or otherwise offset costs of the Project.

The Board now seeks authority to expand the uses to which the net revenues produced by the sale of the District lots and parcels may be applied by presenting the following ballot question:

In addition to applying the net revenues from the sale of the District lots or parcels toward debt service on school district bonds that finance costs of the Project or otherwise offsetting costs of the Project, shall the Board be authorized to apply the net revenues produced by the sale of lots or parcels owned by the District toward any other lawful expenditure of the District, including, but not limited to (i) costs of building on the DeSmet School grounds a multiuse field and track, and (ii) fees or costs incurred by the District relating to zoning, land use, or other rules or regulations or laws that limit the uses to which property in the District may be put, including, without limitation, fees and costs of attorneys and experts?

The land in the District that the District is authorized to sell by the Prior Election, which may be sold as separate lots or parcels, consists of approximately 10 acres in total, is located just north of the DeSmet School grounds, and is more particularly described as follows:

6500 Padre Ln, S35, T14 N, R20 W, C.O.S. 3687, PARCEL A2, IN NW4 NE4, approximately 7.3 acres

6660 Padre Ln, S35, T14 N, R20 W, IN NE4 NW4, approximately 1.83 acres

6355 Padre Ln, S35, T14 N, R20 W, ACRES 7.01, EXEMPT-IN NE1/4 NW1/4 & IN SE1/4 NW1/4, approximately 0.89 acres

The election will be conducted solely by mail ballot. Ballots will be mailed to all eligible registered voters in the District on February 3, 2021, and must be returned by each voter, in person to the Missoula County Election Office, 140 N. Russell Street in Missoula, Montana during regular business hours (8:00 a.m. to 5:00 p.m.), weekdays (exclusive of holidays) February 4, 2021 through February 22, 2021, or by mail to the Missoula County Election Office, 140 N. Russell Street, Missoula, MT 59801, or as described below.



On Election Day, February 23, 2021, the only places for deposit of voted ballots will be:

- Missoula County Election Office at 140 N. Russell Street, in Missoula
- DeSmet School, 6355 Padre Ln, Missoula.

These locations will be open from 7:00 a.m. to 8:00 p.m. on Election Day, and all ballots must be in the Elections Center or other drop-off location listed above by 8:00 p.m. on February 23, 2021 in order to be counted. All ballots will be tabulated in accordance with Montana law with the results, if known, expected to be released after 8:00 p.m. on that day.

A qualified voter who will be absent from the District during the time the election is being conducted may:

- A. Vote in person in the office of the Missoula County Election Administrator as soon as the ballots are available and until noon on February 2, 2021.
- B. Make a written request prior to noon on February 22, 2021, signed by the applicant and addressed to the office of the Missoula County Election Administrator requesting the ballot be mailed to an address other than that which appears on the registration records.

An elector may obtain a replacement ballot if his or her ballot is destroyed, spoiled, lost, or not received by the elector by filling out and mailing, emailing, or faxing back a completed replacement ballot request form or by personally appearing at the Missoula County Election Office at 140 N. Russell Street in Missoula.

Ballots may be returned in person at the places of deposit listed above, or returned by mail. If returning by mail, please use the then-prevailing first-class-postage price or one Forever Stamp. Postmark date does not apply; ballots returned by mail must be received by the 8:00 p.m. Election Day deadline to be counted.

*Please note, all electors, as defined in MCA 20-20-301, are those who reside within the District and are registered to vote by the close of registration on January 25, 2021.*

For electors who miss the close of registration deadline, such electors may register late at the Missoula County Election Office (140 N. Russell Street in Missoula) from January 26, 2021 until noon on February 22, 2021. Same day voter registration is available for such electors at the Missoula County Election Office on Election Day, February 23, 2021, from 7:00 a.m. until 8:00 p.m.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2020.

/s/Bradley Seaman  
Missoula County Election Administrator

Publication Dates: January 24, January 31, and February 7, 2021



5. Form of Ballot. The ballot shall be printed in substantially the following form with such completions and additions as may be required or deemed appropriate:



OFFICIAL BALLOT

SCHOOL DISTRICT NO. 20 (DESMET)  
MISSOULA COUNTY, MONTANA

ELECTION TO EXPAND THE USE OF NET REVENUES FROM SALE OF SCHOOL LOTS OR  
PARCELS  
TO BE CONDUCTED BY MAIL BALLOT  
ON FEBRUARY 23, 2021

INSTRUCTIONS TO VOTERS: Completely fill in the oval using a blue or black ink pen before the words "ADDITIONAL USES OF NET REVENUES—YES" if you wish to vote to authorize the Board to apply to additional uses the net revenues from the sale of District lots or parcels; if you are opposed to authorizing the Board to apply the net revenues from the sale of District lots or parcels to additional uses, completely fill in the oval using a blue or black ink pen before the words "ADDITIONAL USES OF NET REVENUES—NO."

By election conducted on November 5, 2019 (the "Prior Election"), the qualified electors of School District No. 20 (DeSmet), Missoula County, Montana (the "District") authorized the Board of Trustees of the District (the "Board") to sell to willing buyers at market prices lots or parcels owned by the District to produce net revenues to apply toward debt service on school district bonds that finance costs of an addition to the DeSmet School (the "Project") or otherwise offset costs of the Project.

The Board now seeks authority to expand the uses to which the net revenues produced by the sale of the District lots and parcels may be applied by presenting the following ballot question:

In addition to applying the net revenues from the sale of the District lots or parcels toward debt service on school district bonds that finance costs of the Project or otherwise offsetting costs of the Project, shall the Board be authorized to apply the net revenues produced by the sale of lots or parcels owned by the District toward any other lawful expenditure of the District, including, but not limited to (i) costs of building on the DeSmet School grounds a multiuse field and track, and (ii) fees or costs incurred by the District relating to zoning, land use, or other rules or regulations or laws that limit the uses to which property in the District may be put, including, without limitation, fees and costs of attorneys and experts?

The land in the District that the District is authorized to sell by the Prior Election, which may be sold as separate lots or parcels, consists of approximately 10 acres in total, is located just north of the DeSmet School grounds, and is more particularly described as follows:

6500 Padre Ln, S35, T14 N, R20 W, C.O.S. 3687, PARCEL A2, IN NW4 NE4, approximately 7.3 acres

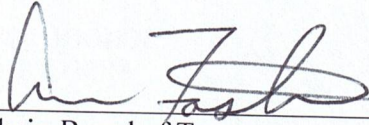
6660 Padre Ln, S35, T14 N, R20 W, IN NE4 NW4, approximately 1.83 acres

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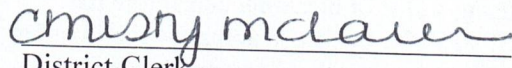
☐ ADDITIONAL USES OF NET REVENUES— YES

☐ ADDITIONAL USES OF NET REVENUES— NO

Passed and approved this 14th day of December, 2020.

  
Chair, Board of Trustees

ATTEST:

  
District Clerk  
School District No. 20