

CITY OF BILLINGS
(hereinafter referred to as City)
RIGHT-OF-WAY AGREEMENT

Lake Elmo Road Hilltop Road to Wicks Lane
DESIGNATION

Work Order: 04-33
Project No. 05153

Yellowstone
COUNTY

Parcel No.	Tract 1A	Amended Tract 1 of Certificate of Survey No. 2241	Section	Township	Range
31			22	1N	26E

Parcel Description
Tract 1 of Certificate of Survey No. 2241

List Names & Addresses of the Grantors
(Contract Purchaser, Contract Seller, Lessee, etc.)

SCOTT D. EASTLICK AND ROBIN E. EASTLICK
1140 LAKE ELMO DRIVE
BILLINGS, MT. 59105
690-6186

- In consideration of the payments herein set forth and the specific agreements to be performed by the parties hereto and written in this agreement, the parties bind themselves to the terms and conditions stated herein. No verbal representations or agreements shall be binding upon either party. This agreement is effective upon execution by the City or a designated representative, and possession of the property is granted to the City when it sends the payment(s) agreed to below. Grantors contract that they will, on City's request, execute a deed, and easement, and other documents required by the City for all real property and property interests agreed to be conveyed by this agreement.
- COMPENSATION FOR LAND AND IMPROVEMENTS (List acreage and improvements to be acquired.)

1,395 square feet by perpetual right-of-way easement	\$1,714.00
1,860 square feet by deed	\$ 312.00
Improvements (Concrete, shrubs)	\$2,131.00
- OTHER COMPENSATION:

465 square feet Temporary Construction Permit	\$ 156.00
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- TOTAL COMPENSATION (Rounded)(includes all damages to the remainder): \$4,350.00.
- IT IS UNDERSTOOD AND AGREED THE CITY SHALL MAKE PAYMENT AS FOLLOWS:

A warrant in the amount of \$4,350.00, to be made payable to SCOTT D. EASTLICK AND ROBIN E. EASTLICK and mailed to 1140 LAKE ELMO DRIVE, BILLINGS, MT. 59105
- IT IS UNDERSTOOD that the City is acquiring this right-of-way in order to improve Lake Elmo Road. The improvements will include, but not be limited to, street widening, curb & gutter, sidewalks, storm drain improvements, drive approaches, a multi-use path and related features. Some of these improvements may be constructed with property assessments to the adjoining properties in accordance with the City's policies in effect at the time of project creation.
- The Grantor hereby grants the City of Billings a Temporary Construction Permit, as shown on Exhibit A of the Right-of-Way Easement, and made for the period of the street improvements construction project plus the one-year warranty period.
- This agreement, upon execution by an agent of the City and presentation to the Grantors so designated, constitutes a written offer of compensation in the full amount of the appraised value, a summary of the property and property rights being acquired and notice that possession need not be given until payment has been received by the Grantors.
- At no expense to the Grantors and at the time of street construction, permission is hereby granted the City to enter upon the Grantors' land, where necessary, at the location and for the purpose described as:

Reconfigure and repair sprinkler system affected by project.

Grantors understand and agree that upon completion of the construction of this item located upon the Grantors' land, they shall be considered the sole property of the Grantors, and the maintenance and repair of said property shall be the responsibility of the Grantors.

Initials SDR REE

(Continued from Previous Page)

THE PARTIES HERETO HAVE EXECUTED THIS AGREEMENT ON THE DATES SHOWN:

We understand that we are required by law to provide our correct taxpayer identification number(s) to the City of Billings and that failing to comply may subject us to civil and criminal penalties. We certify that the number(s) below is/are our correct taxpayer identification number(s).

Scott D. Eastlick 04/02/2010
Signature: SCOTT D. EASTLICK (Date) Tax ID No. _____

Robin E. Eastlick 04/02/2010
Signature: ROBIN E. EASTLICK (Date) Tax ID No. _____

Signature: _____ (Date) Tax ID No. _____

RECOMMENDED FOR APPROVAL:

APPROVED FOR AND ON BEHALF OF CITY OF BILLINGS:

(Date) Mayor, City of Billings (Date)

ATTEST:

[Signature] 4/2/2010
City of Billings, Public Works Department (Date) City Clerk (Date)

ROW Agreement Parcel 31 EASTLICK