

RETURN TO
City Clerk
City of Billings
P.O. Box 1178
Billings, MT 59103

RIGHT-OF-WAY EASEMENT

THIS INDENTURE, made and entered into this _____ day of _____, 2010,
by and between the following:

**SCOTT D. EASTLICK AND ROBIN E. EASTLICK
1140 LAKE ELMO DRIVE
BILLINGS, MT. 59105**

hereinafter referred to as **GRANTOR** and

CITY OF BILLINGS, a Montana Municipal Corporation
City Hall – 210 North 27th Street
PO Box 1178
Billings, Montana 59103-1178,

hereinafter referred to as **GRANTEE**

FOR VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged;

WITNESSETH THAT GRANTOR does hereby grant, sell, and convey unto the **GRANTEE**, for the benefit of the public, a perpetual easement and right-of-way to construct, reconstruct, maintain, operate, repair and improve streets, storm drainage, street lights, sidewalks, accessibility ramps, multi-use path, traffic signals, necessary fixtures and appurtenances, and public and private utilities that normally occupying public rights-of-way over, across, under, and through the real property within the boundaries of the easement area as described herein and shown on the attached Exhibit "A":

A portion of Parcel No. 31 on the City of Billings Lake Elmo Road - Hilltop Road to Wicks Lane Project. Said parcel is also described as a tract of land within Tract 1A of Amended Tract 1 of Certificate of Survey No. 2241, situated in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, Township 1 North, Range 26 East, P.M.M., on file under Document No. 1594536, Yellowstone County, Montana, as shown by the shaded area on Exhibit A, consisting of one sheet, attached hereto and made a part hereof, containing an area of 1,395 square feet.

Together with a temporary construction permit, for the period of construction plus a one-year construction warranty period, as shown by the hatched area on said Exhibit A, containing an area of 465 square feet.

TO HAVE AND TO HOLD unto **GRANTEE** and to its successors and assigns forever.

IN WITNESS WHEREOF, the undersigned have executed these premises the day and year above first written.

Designation : LAKE ELMO ROAD – HILLTOP ROAD TO WICKS LANE

x Scott Eastlick x Robin & Eastlick

State of Montana)
:ss.)
County of Yellowstone)

This instrument was acknowledged before me on 04/06/2010
(date)

x by Scott Eastlick x Robin & Eastlick
(names)

Susan Wellbrock Notary Signature Line



Notary Printed Name

Notary Public for State of Montana
Residing at: _____
My Commission Expires: _____

ACKNOWLEDGMENT AND ACCEPTANCE OF CONVEYANCE

THIS PERPETUAL EASEMENT is hereby accepted pursuant to Billings City Council approval on _____, 2010. The Mayor and City Council of the City of Billings acknowledges receipt of this perpetual easement and hereby accepts the property interest conveyed through this instrument.

CITY OF BILLINGS,
a Montana Municipal Corporation

By: _____
MAYOR

ATTEST:

City Clerk _____

STATE OF MONTANA)

:ss.

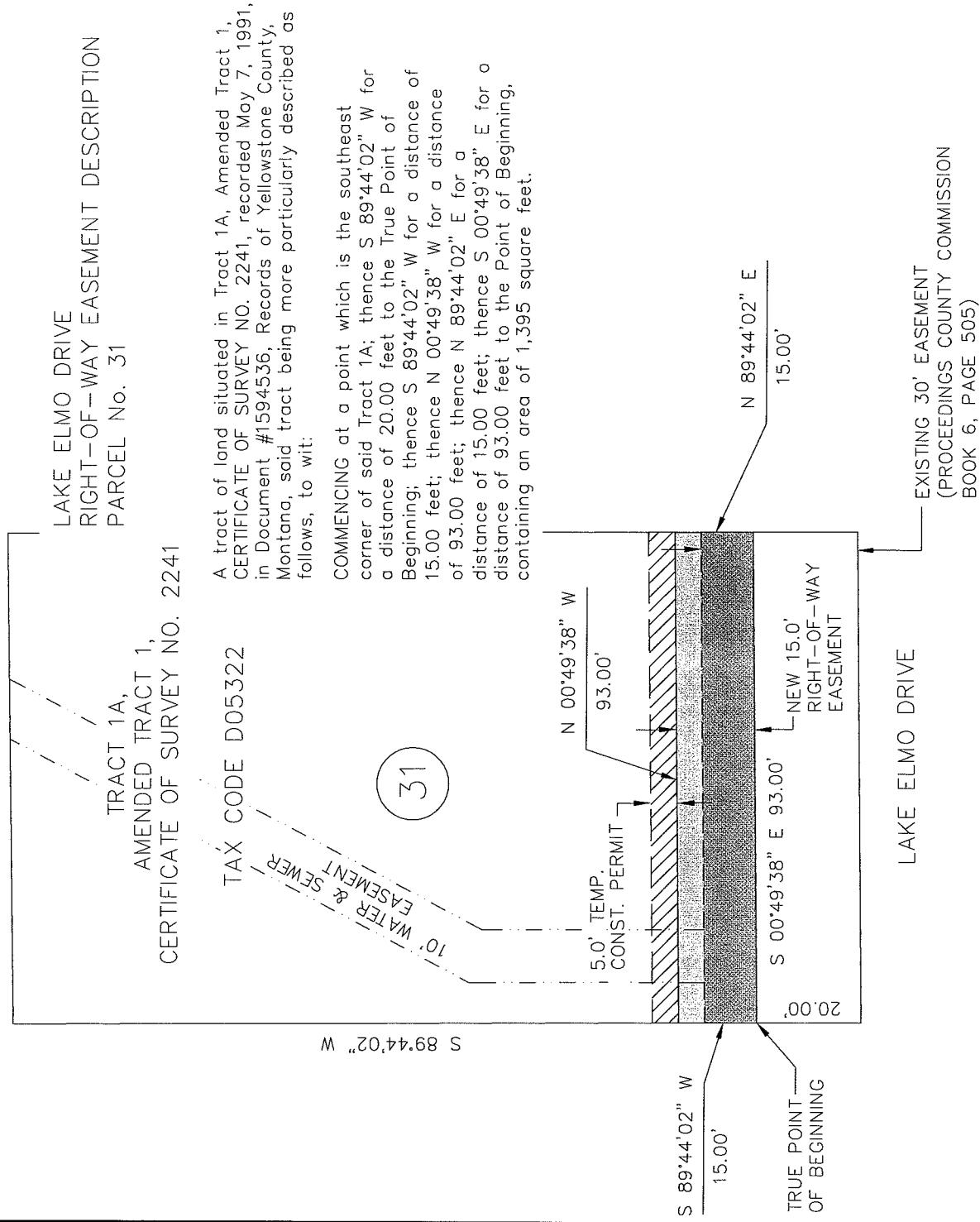
County of Yellowstone)

On this _____ day of _____, 2010, before me, a Notary Public in and for the State of Montana, personally appeared _____ as Mayor and _____ as City Clerk of Billings known to me to be the persons who signed, respectively, and acknowledge to me that they executed the foregoing instrument. IN WITNESS WHEREOF, I have hereunto set my hand and my seal the day and year herein above written.

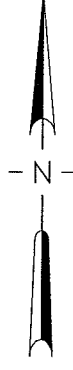
Notary Public in and for the State of Montana _____
Residing in _____
My commission expires _____
Print Name _____

EXHIBIT A

RIGHT-OF-WAY EASEMENT AND TEMPORARY CONSTRUCTION PERMIT SITUATED IN TRACT 1A, AMENDED TRACT 1, CERTIFICATE OF SURVEY NO. 2241, YELLOWSTONE COUNTY, MONTANA



AREA OF RIGHT-OF-WAY EASEMENT: 1,395 S.F.
AREA OF TEMPORARY CONSTRUCTION PERMIT: 465 S.F.



LEGEND

-  RIGHT-OF-WAY EASEMENT
-  CONSTRUCTION PERMIT

CITY OF BILLINGS, MONTANA
RIGHT-OF-WAY EXHIBIT

CITY W.O. 04-33 PARCEL 31

THIS EXHIBIT IS PREPARED FROM THE CITY OF BILLINGS, MONTANA
RIGHT-OF-WAY PLAN.