

Return to: City Clerk
City of Billings
PO Box 1178
Billings, MT 59103

Project No. W.O. 04-33 Parcel No. 31 County of YELLOWSTONE
Designation LAKE ELMO ROAD – HILLTOP ROAD TO WICKS LANE

WARRANTY DEED

THIS INDENTURE, made this _____ day of _____, 2010.

FOR VALUABLE CONSIDERATION, lawful money of the United States to them in hand paid by the **CITY OF BILLINGS**, THE receipt whereof is acknowledged, **WITNESSTH THAT:**

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

does hereby **GRANT, BARGAIN, SELL, CONVEY, WARRANT AND CONFIRM** unto the **CITY OF BILLINGS** for the benefit and use of the **Public** the following described real property, to wit:

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 NE¼SW¼ 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 1,860 square feet.

PURPOSE OF ACQUISITION is to create a right-of-way parcel for construction and use of public road, utility and related appurtenant structures, pursuant to 76-3-201(1)(h) M.C.A. and A.R.M. 24.183.1104 as a division of land that creates rights-of-way or utility sites.

EXCEPTING AND RESERVING, however, all gas and oil, beneath the surface of the above described and conveyed premises, together with the right to extract the same, provided that in the exercise of such right the surface thereof shall not be disturbed, interfered with, or in anyway damaged.

FURTHER EXCEPTING AND RESERVING, unto the grantors, their successors and assigns all water, water rights, ditches, canals, irrigation systems, existing or as relocated, if any, including but not limited to, water stock or shares, bonds, certificates, contracts and any and all other indicia, of water, water right and ditch ownership, or any interest therein, appurtenant to the land described herein.

TO HAVE AND TO HOLD the above described and conveyed premises, with all the reversions, remainders, tenements, hereditaments and appurtenances thereto, unto the **CITY OF BILLINGS**, and to its successors and assigns forever. **IN WITNESSTH WHEREOF**, the undersigned have executed these premises the day and year first above written.

Project No. : W.O. 04-33

Parcel No. 31

Designation : LAKE ELMO ROAD – HILLTOP ROAD TO WICKS LANE

x Scott D Eastlick x Robin E Eastlick

State of Montana)
County of Yellowstone) :ss.

This instrument was acknowledged before me on 04/06/2010

by x Scott D Eastlick x Robin E Eastlick
(names)



Susan Wellbrook

SUSAN WELLBROOK
NOTARY PUBLIC for the State of Montana
Residing at Billings, Montana
My Commission Expires
September 29, 2012

Notary Signature Line

Notary Printed Name

Notary Public for State of _____
Residing at: _____

My Commission Expires: _____

ACKNOWLEDGMENT AND ACCEPTANCE OF CONVEYANCE

The Mayor and City Council of the City of Billings acknowledges receipt of this deed and hereby accepts the property interest conveyed through this instrument.

Mayor, City of Billings

Date

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

City Clerk of Billings known to me to be the persons

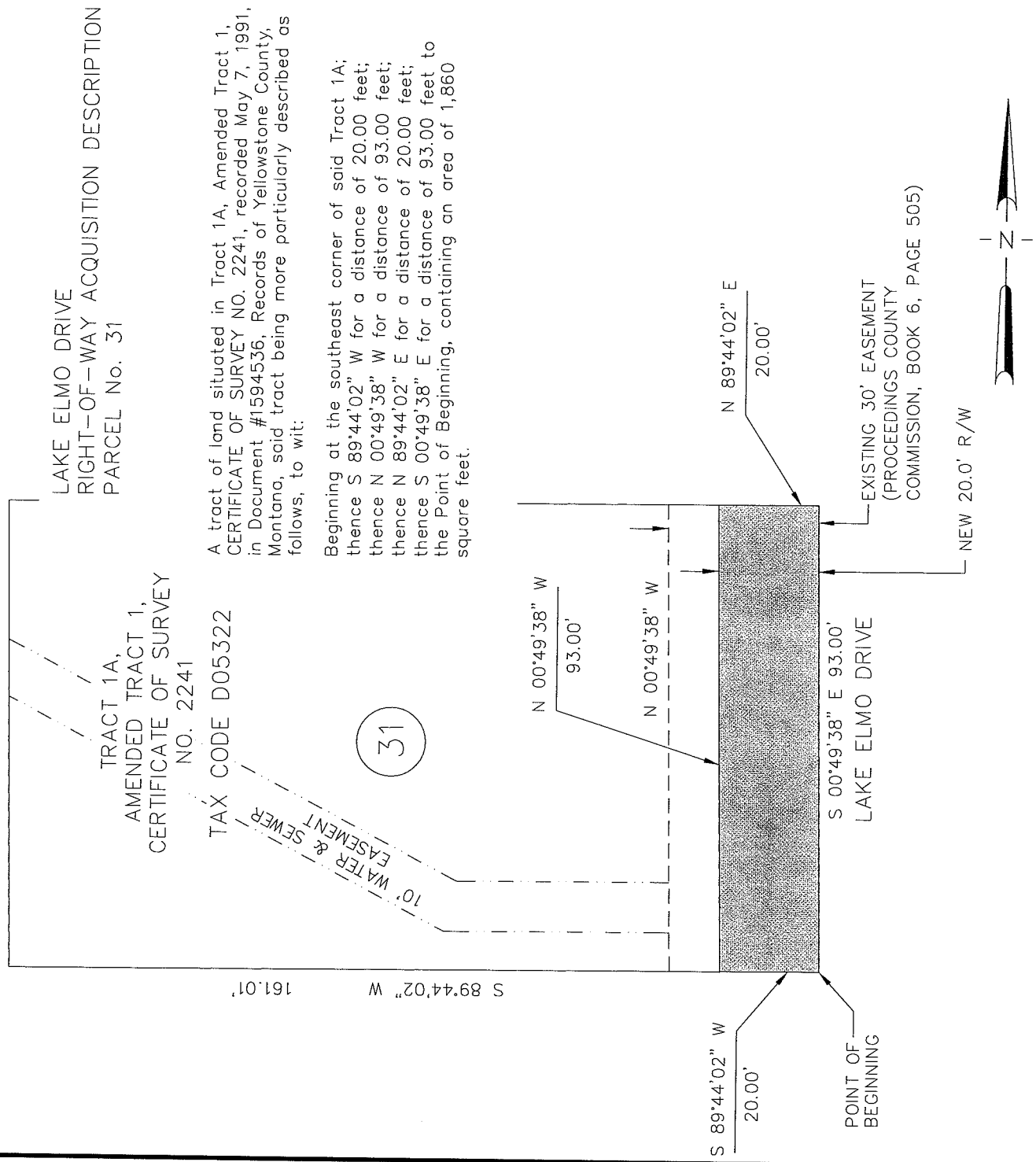
who signed, respectively, and acknowledge to me that they executed the foregoing instrument. IN WITNESS WHEREOF, I have hereunto set my hand and my seal the day and year herein above written.

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

Print Name

EXHIBIT A

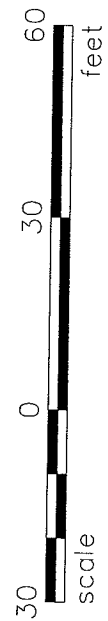
RIGHT-OF-WAY ACQUISITION
 SITUATED IN TRACT 1A,
 AMENDED TRACT 1,
 CERTIFICATE OF SURVEY NO. 2241,
 YELLOWSTONE COUNTY, MONTANA



A tract of land situated in Tract 1A, Amended Tract 1, CERTIFICATE OF SURVEY NO. 2241, recorded May 7, 1991, in Document #1594536, Records of Yellowstone County, Montana, said tract being more particularly described as follows, to wit:

Beginning at the southeast corner of said Tract 1A; thence S 89°44'02" W for a distance of 20.00 feet; thence N 00°49'38" W for a distance of 93.00 feet; thence N 89°44'02" E for a distance of 20.00 feet; thence S 00°49'38" E for a distance of 93.00 feet to the Point of Beginning, containing an area of 1,860 square feet.

AREA OF EXISTING EASEMENT: 3,255 S.F.
 AREA TO BE ACQUIRED: 1,860 S.F.



LEGEND
 RIGHT-OF-WAY ACQUISITION

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.
 UPDATED: 7/31/07 NB
 PARCEL 31.DWG