

PLAT OF MILLER CROSSING SUBDIVISION, THIRD FILING

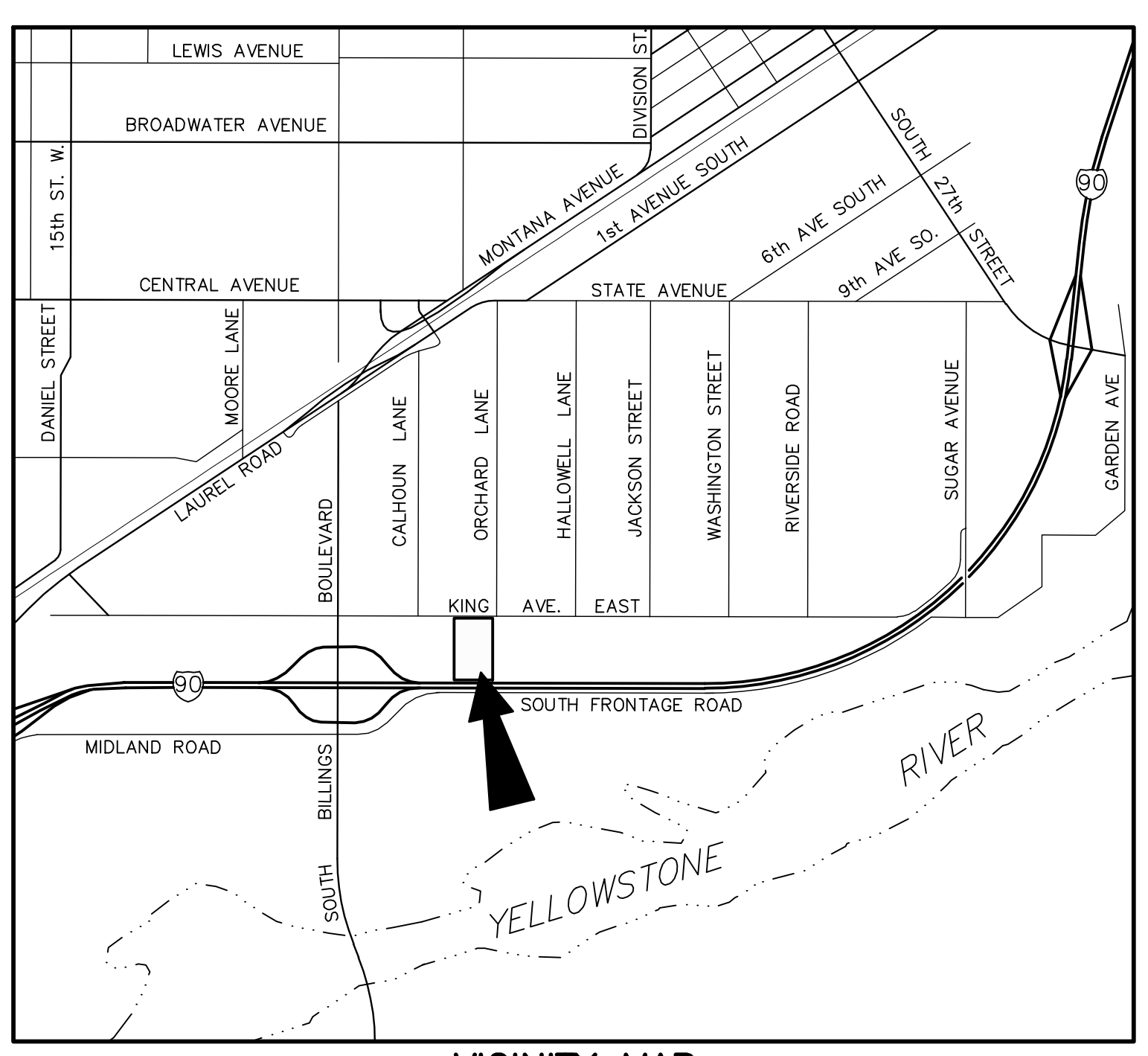
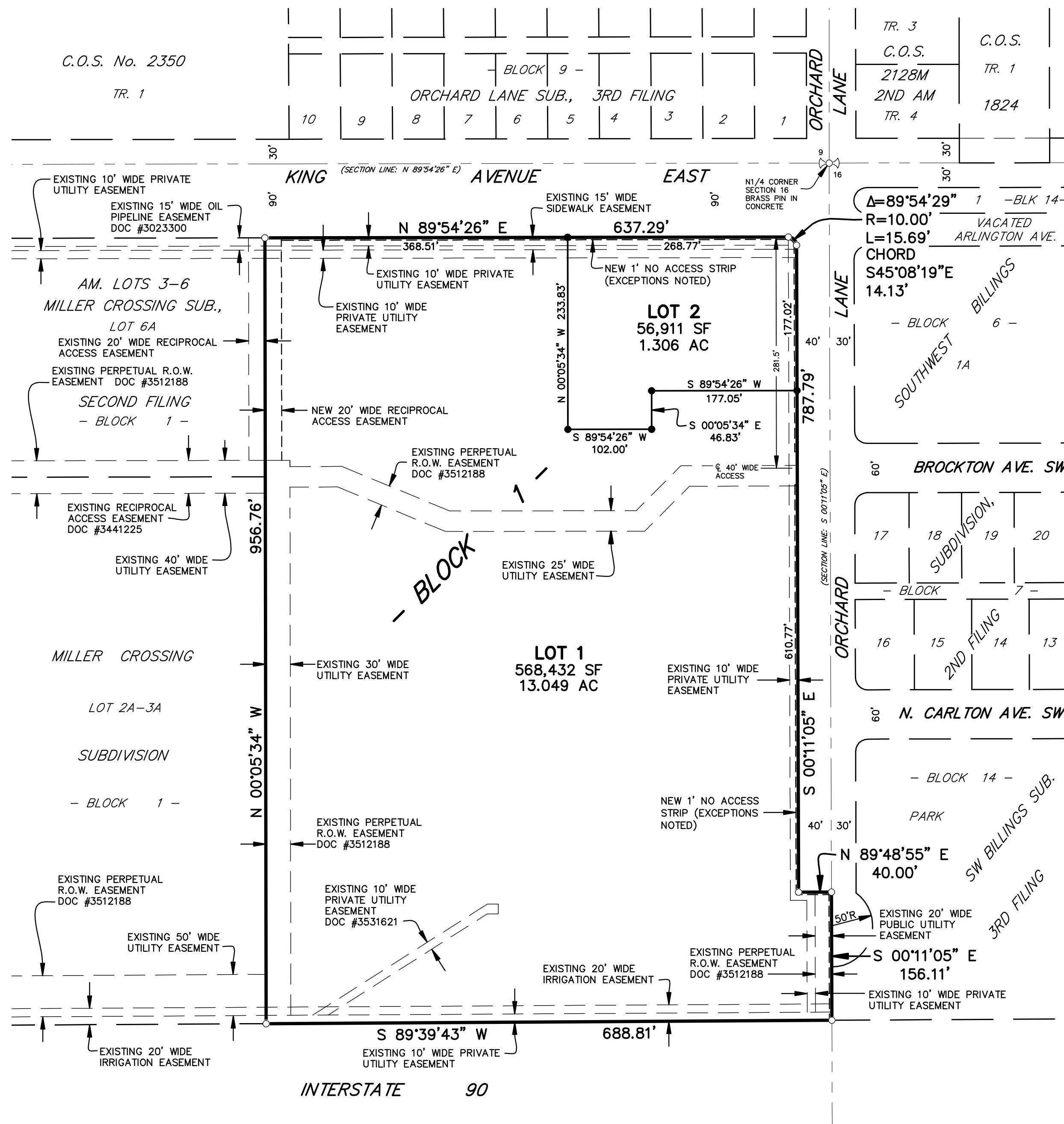
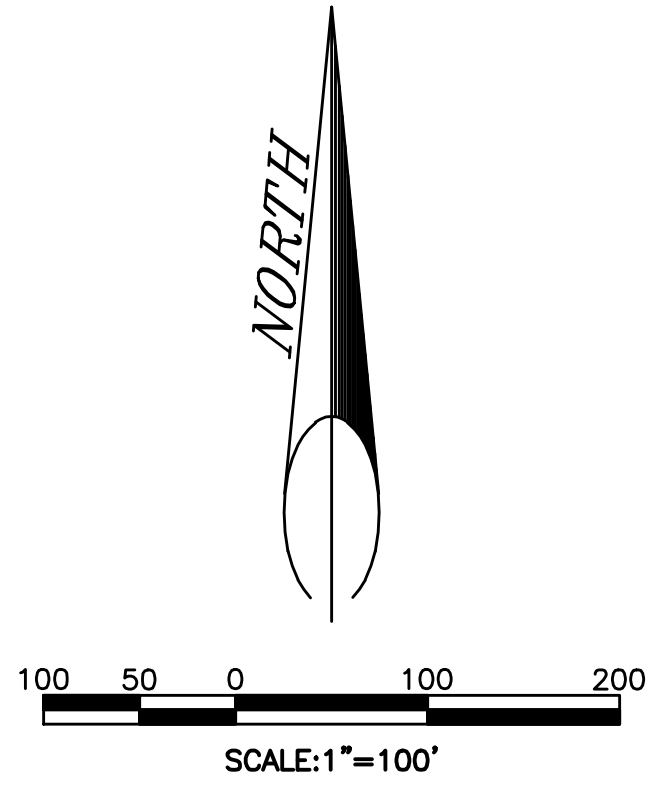
BEING LOT 2A-4A OF AMENDED PLAT OF LOT 2A-4 OF AMENDED PLAT OF LOT 2A OF AMENDED LOTS 2, 3, 4, & 5, BLOCK 1, MILLER CROSSING SUBDIVISION
SITUATED IN THE NW1/4 OF SECTION 16, T. 1 S., R. 26 E., P.M.M.
IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR : SAM'S RETAIL BUSINESS TRUST

MAY, 2010

PREPARED BY : SANDERSON STEWART

BILLINGS, MONTANA



VICINITY MAP
NOT TO SCALE

CERTIFICATE OF DEDICATION

STATE OF MONTANA)
County of Yellowstone) ss

KNOW ALL MEN BY THESE PRESENTS: That the undersigned owner of the following described tract of land, does hereby certify that it has caused to be surveyed, subdivided and platted into lots, blocks and streets as shown on the annexed plat, said tract being situated in the NW1/4 of Section 16, T. 1 S., R. 26 E., P.M.M., in the City of Billings, Yellowstone County, Montana, said tract being more particularly described as follows, to-wit:

Lot 2A-4A of Amended Plat of Lot 2A-4 of Amended Plat of Lot 2A of Amended Lots 2, 3, 4, & 5, Block 1, Miller Crossing Subdivision, according to the official plat on file in the Office of the Clerk and Recorder of Yellowstone County, Montana, under Document No. 3506142.

Pursuant to Section 76-3-621 (3)(b), there is no park requirement for this commercial subdivision.

Said tract to be known and designated as MILLER CROSSING SUBDIVISION, THIRD FILING; there is no public land dedication with this plat.

SAM'S REAL ESTATE BUSINESS TRUST,
a Delaware statutory trust

By: _____
Title: _____

STATE OF _____)
County of _____) ss

On this ____ day of _____, 20____, before me, the undersigned Notary Public for the State of _____, personally appeared _____, known to me to be the person who signed the foregoing instrument as _____ of SAM'S REAL ESTATE BUSINESS TRUST, a Delaware statutory trust, and acknowledged to me that said corporation executed the same. Witness my hand and seal the day and year herein above written.

Notary Public in and for the State of _____
Printed Name _____
Residing at _____
My commission expires _____

CERTIFICATE OF SURVEYOR

STATE OF MONTANA)
County of Yellowstone) ss

The undersigned, a Montana Registered Land Surveyor being first duly sworn, deposes and says that during the month of May, 2010, a survey was performed under his supervision of a tract of land to be known as MILLER CROSSING SUBDIVISION, THIRD FILING, in accordance with the request of the owner thereof and in conformance with the Montana Subdivision and Platting Act; said subdivision, description of boundaries and dimensions being in accordance with the Certificate of Dedication and as shown on the annexed plat; that the monuments found and set are of the character and occupy the positions shown thereon and that the gross and the net area is 625,342 square feet (14.356 acres).

SANDERSON STEWART

By: _____
Montana Registration No. _____

Subscribed and sworn to before me, a Notary Public in and for the State of Montana, this ____ day of _____, 20____.

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

CERTIFICATE OF CITY ENGINEER'S OFFICE

I hereby certify that annexed and forgoing plat conforms with Section 76-4-125(2)(d), M.C.A., for the removal of sanitary restrictions since the plat is inside a master planning area and said lots will be provided with municipal facilities for the supply of water and the disposal of sewage and solid waste.

IN WITNESS WHEREOF, I have executed this CERTIFICATE OF APPROVAL this ____ day of _____, 20____.

City Engineer's Office

BASIS OF BEARING: LOT 2A-4 OF AMENDED PLAT OF LOT 2A OF AMENDED LOTS 2, 3, 4, & 5, BLOCK 1, MILLER CROSSING SUBDIVISION

- o FOUND SURVEY MONUMENT, REBAR AND CAP MARKED "ENGINEERING INC", OR AS NOTED
- SET 5/8" X 18" REBAR WITH CAP MARKED WITH THE LICENSE NUMBER OF THE UNDERSIGNED LAND SURVEYOR AND "SANDERSON STEWART BILLINGS MT"

NOTICE OF APPROVAL

STATE OF MONTANA)
County of Yellowstone) ss

This plat has been approved for filing by the Yellowstone County Board of Planning and conforms to the recommendations of this board.

Date _____ President _____
Executive Secretary _____

CERTIFICATE OF CITY COUNCIL APPROVAL

STATE OF MONTANA)
County of Yellowstone) ss

We hereby certify that we have examined the annexed and foregoing PLAT OF MILLER CROSSING SUBDIVISION, THIRD FILING, and find that said plat conforms with the requirements of the laws of the State of Montana, and the requirements of The Yellowstone County Board of Planning. It is therefore approved and the dedication to public use of any and all lands shown on this plat as being dedicated to such use are accepted.

IN WITNESS WHEREOF, we have set our hands and the seal of the CITY OF BILLINGS, MONTANA, this ____ day of _____, 20____.

CITY OF BILLINGS, MONTANA

By: _____ Mayor _____
Attest: _____ City Clerk _____

ERRORS AND OMISSIONS REVIEW

I hereby certify that I have examined the annexed and foregoing plat for errors and omissions in computations and drafting.

Examining Land Surveyor _____ Date _____

CERTIFICATE OF CITY ATTORNEY

This document has been reviewed by the City Attorney's office and is acceptable as to form.

Date: _____
Reviewed by: _____

CERTIFICATE OF COUNTY TREASURER

I hereby certify that all real property taxes and special assessments have been paid per 76-3-611(1)(b)/76-3-207(3), M.C.A.

Date: _____
Yellowstone County Treasurer _____
By: _____ Deputy _____

SUBDIVISION IMPROVEMENT AGREEMENT

Document No. _____

CONSENT TO PLATTING

Document No. _____

RECIPROCAL ACCESS AND UTILITY EASEMENTS

Document No. _____