

**State of Montana
Department of Transportation**

Right-of-Way Bureau
2701 Prospect Avenue
PO Box 201001
Helena, MT 59620-1001

R/W ID.: MT-CM 1099(32) Parcel No.: 1 County: Yellowstone
Designation: 6th Ave N to Bench Blvd-Blgs
Project No.: 4553-032

Highway Easement

This Easement, made this _____ day of _____, 20____, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration now paid, the receipt of which is acknowledged, **witnesses that**,

Yellowstone County, Montana

does hereby **grant, bargain, sell and convey** unto the **City of Billings, Montana**, 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 occupy public rights-of-way over, across, under, and through the real property within the boundaries of the easement area as described herein, and the right to take there from such earth, sand, gravel, stones, and trees as may be necessary in the construction, reconstruction, and maintenance of a highway covering and embracing the following described land:

******Legal description******

See the attached Exhibit 1, showing shaded areas labeled PARCEL 1 on sheets 1 of 5, 2 of 5, 3 of 5, 4 of 5, and 5 of 5.

In consideration of the benefit to grantor's property by reason of the construction of the above-described public highway, grantor releases grantee from all consequential damages, except damages caused by the negligence or willful misconduct of grantee or grantee's employees or as the case may be present or prospective, to grantor's property arising out of the construction, maintenance, or repair of the highway.

Subject to the following conditions:

1. the City of Billings, Montana, agrees to allow Yellowstone County, Montana ingress and egress to the roadway along all parcels (or portions of parcels) at the request of Yellowstone County, subject to the applicable design standards and Subdivision Regulations that are in place at the time of the request to have the ingress or egress and at no cost to the City of Billings; and
2. the City of Billings, Montana, agrees that a grade separated pedestrian crossing (that shall not subject pedestrian traffic to vehicular traffic) from the METRA arena across the new roadway to the parking area northerly across the new roadway shall be incorporated into the design and construction of the project. The grade separated crossing must be funded within the approved project budget. All costs for the pedestrian facility above the approved budget will not be the responsibility of the City of Billings.

ROW: 4553:P1:rl

Highway Easement
R/W ID.: MT-CM 1099(32)
Designation: 6th Ave N to Bench Blvd-Blgs

Parcel No.: 1 **

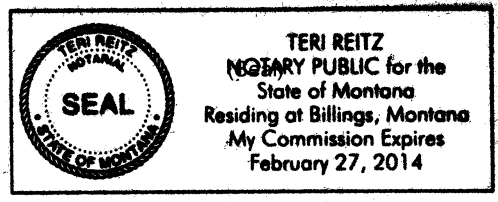
TO HAVE AND TO HOLD all of the above-described property unto the City of Billings, Montana, and to its successors and assigns as long as the same is used for highway purposes.

This Easement was executed on the date of its last acknowledgment.

Bill Kennedy as Chairman of Yellowstone County
(Signature) (Type of Authority) (Name of Entity)
James E. Reno as Member of Yellowstone County
(Signature) (Type of Authority) (Name of Entity)
Alisent as Member of Yellowstone County
(Signature) (Type of Authority) (Name of Entity)
____ as _____ of _____
(Signature) (Type of Authority) (Name of Entity)

State of Montana
County of Yellowstone

This instrument was acknowledged before me on September 28, 2010
(date)
by Bill Kennedy, James E. Reno
(Name of person(s))
as Chairman & member
(type of authority, e.g.; president, trustee, member, partner, etc.)
of Yellowstone County
(name of entity on behalf of whom instrument was executed)



Teri Reitz
Notary Signature Line
Teri Reitz
Notary Printed Name
Notary Public for State of Montana
Residing at: Billings
My Commission Expires: 2 / 27 / 2014

State of _____
County of _____

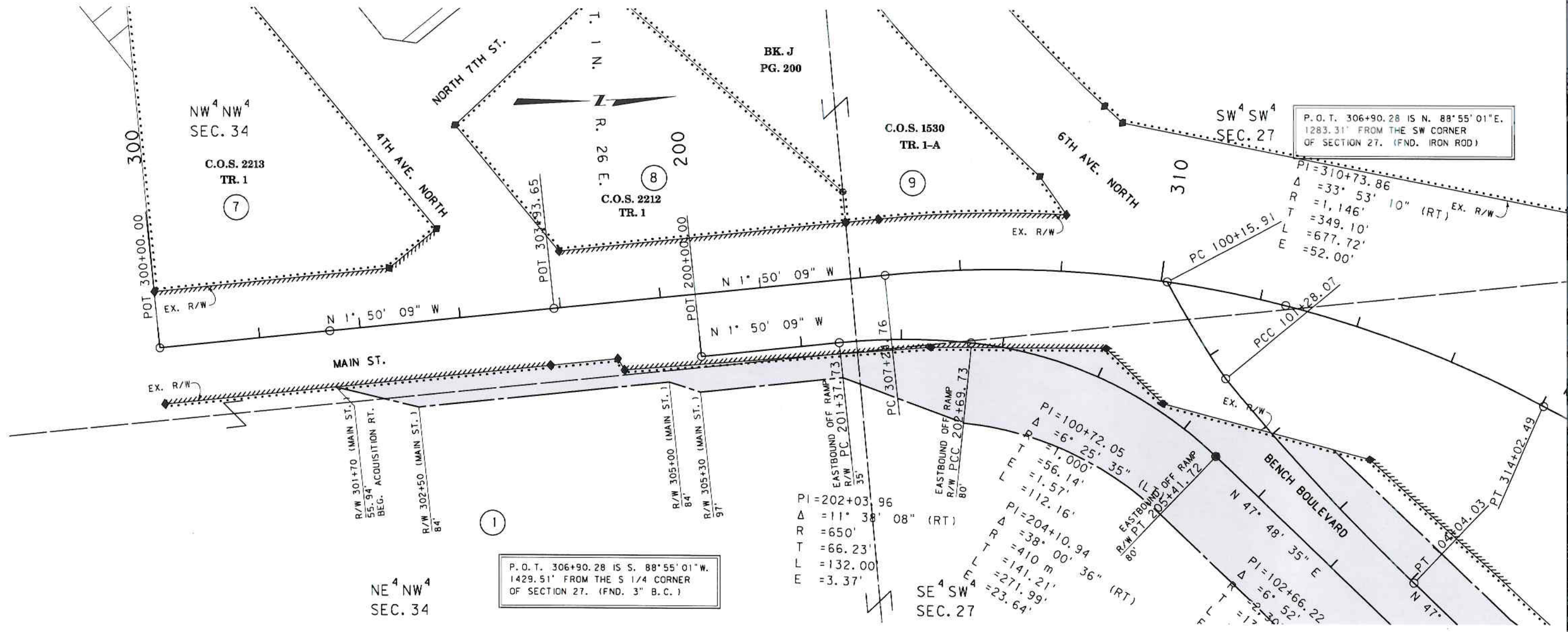
This instrument was acknowledged before me on _____
(date)
by _____
(name of person(s))
as _____
(type of authority, e.g.; president, trustee, member, partner, etc.)
of _____
(name of entity on behalf of whom instrument was executed)

Notary Signature Line

Notary Printed Name
Notary Public for State of _____
Residing at: _____
My Commission Expires: _____ / _____ / 20__

(Seal)

Recording Information



P.O.T. 306+90.28 IS S. 88° 55' 01" W.
1429.51' FROM THE S 1/4 CORNER
OF SECTION 27. (FND. 3" B.C.)

GRID STATE PLANE COORDINATES
THIS IS A STATE PLANE COORDINATE PROJECT. ALL DIMENSIONS, DISTANCES AND AREAS ON THIS PROJECT ARE GRID, EXCEPT FOR THE EXISTING R/W WIDTH DIMENSION, WHICH IS RECORD.
THE COMBINATION SCALE FACTOR IS 0.999462264
FOR EXISTING R/W RETRACEMENT, SEE C.O.S. No. 3198

- NOTES:**
1. THE PROPOSED R/W LINE WHERE A SPIRAL CURVE TRANSITION IS USED IS A CHORD RATHER THAN A CONCENTRIC CURVE.
 2. ALL STATIONS AND OFFSETS FOR R/W BREAKS ARE IN REFERENCE TO THE R/W BASELINE.

PARCEL 1 ; SHEET 1 OF 5

THIS PLAT IS PREPARED FROM THE MONTANA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLANS AND IS RECORDED IN THE OFFICE OF THE COUNTY CLERK AND RECORDER. OFFICIAL PLANS AND EXHIBITS CAN BE FOUND AT THE DEPARTMENT OF TRANSPORTATION, HELENA, MONTANA.

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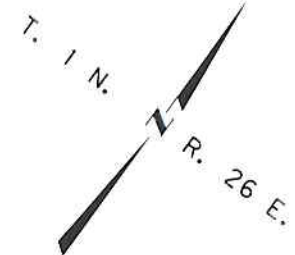
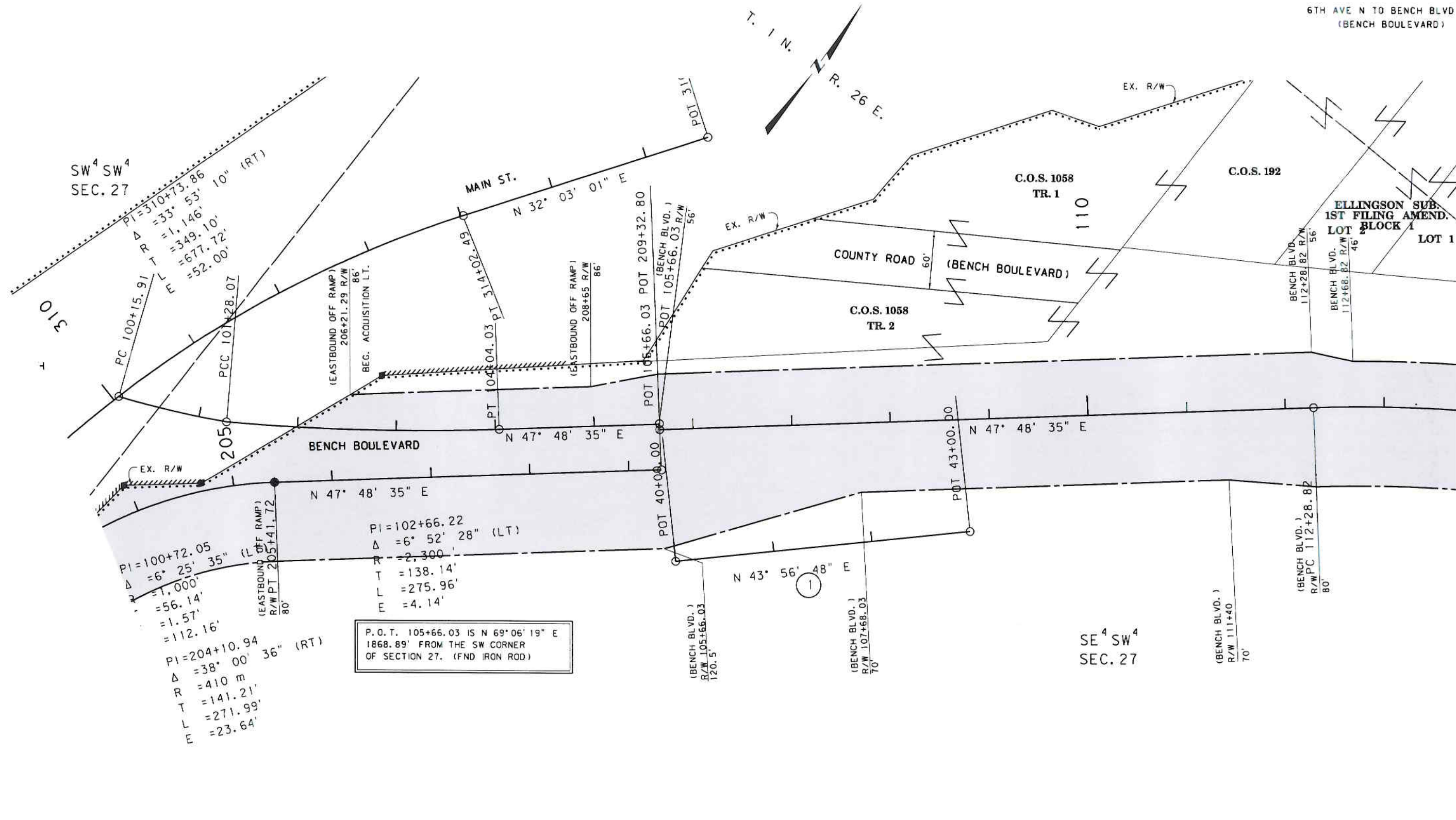
LEGEND	
OWNERSHIP BOUNDARY	TRACT CONVEYED
RIGHT OF WAY LINE	
R.R. R/W LINE	
CENTERLINE	
FULL ACCESS CONTROL	DATE PREPARED 9/27/10
LIMITED ACCESS CONTROL	DATE REVISED

MONTANA DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY EXHIBIT
YELLOWSTONE COUNTY

SCALE 1"=50'

STATE	RIGHT OF WAY	SHEET	TOTAL
MONTANA		NO.	SHEETS
R/W ID.	MT-CM 1099 (32)		
UNIFORM PROJECT NO.	4553-032		

6TH AVE N TO BENCH BLVD - BLGS
(BENCH BOULEVARD)



SW⁴ SW⁴
SEC. 27

C.O.S. 1058
TR. 1

C.O.S. 192

ELLINGSON SUB.
1ST FILING AMEND.
LOT 1 BLOCK 1
LOT 1

BENCH BOULEVARD

COUNTY ROAD
(BENCH BOULEVARD)

C.O.S. 1058
TR. 2

SE⁴ SW⁴
SEC. 27

PI=100+72.05
Δ = 6° 25' 35" (LT)
R = 1,000'
T = 56.14'
L = 1.57'
E = 112.16'

PI=204+10.94
Δ = 38° 00' 36" (RT)
R = 410 m
T = 141.21'
L = 271.99'
E = 23.64'

PI=102+66.22
Δ = 6° 52' 28" (LT)
R = 2,300'
T = 138.14'
L = 275.96'
E = 4.14'

P.O.T. 105+66.03 IS N 69° 06' 19" E
1868.89' FROM THE SW CORNER
OF SECTION 27. (FND IRON ROD)

GRID STATE PLANE COORDINATES

THIS IS A STATE PLANE COORDINATE PROJECT. ALL DIMENSIONS, DISTANCES AND AREAS ON THIS PROJECT ARE GRID, EXCEPT FOR THE EXISTING R/W WIDTH DIMENSION, WHICH IS RECORD. THE COMBINATION SCALE FACTOR IS 0.999462264

FOR EXISTING R/W RETRACEMENT, SEE
C.O.S. No. 3198

PARCEL 1 ; SHEET 2 OF 5

THIS PLAT IS PREPARED FROM THE MONTANA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLANS AND IS RECORDED IN THE OFFICE OF THE COUNTY CLERK AND RECORDER. OFFICIAL PLANS AND EXHIBITS CAN BE FOUND AT THE DEPARTMENT OF TRANSPORTATION, HELENA, MONTANA.

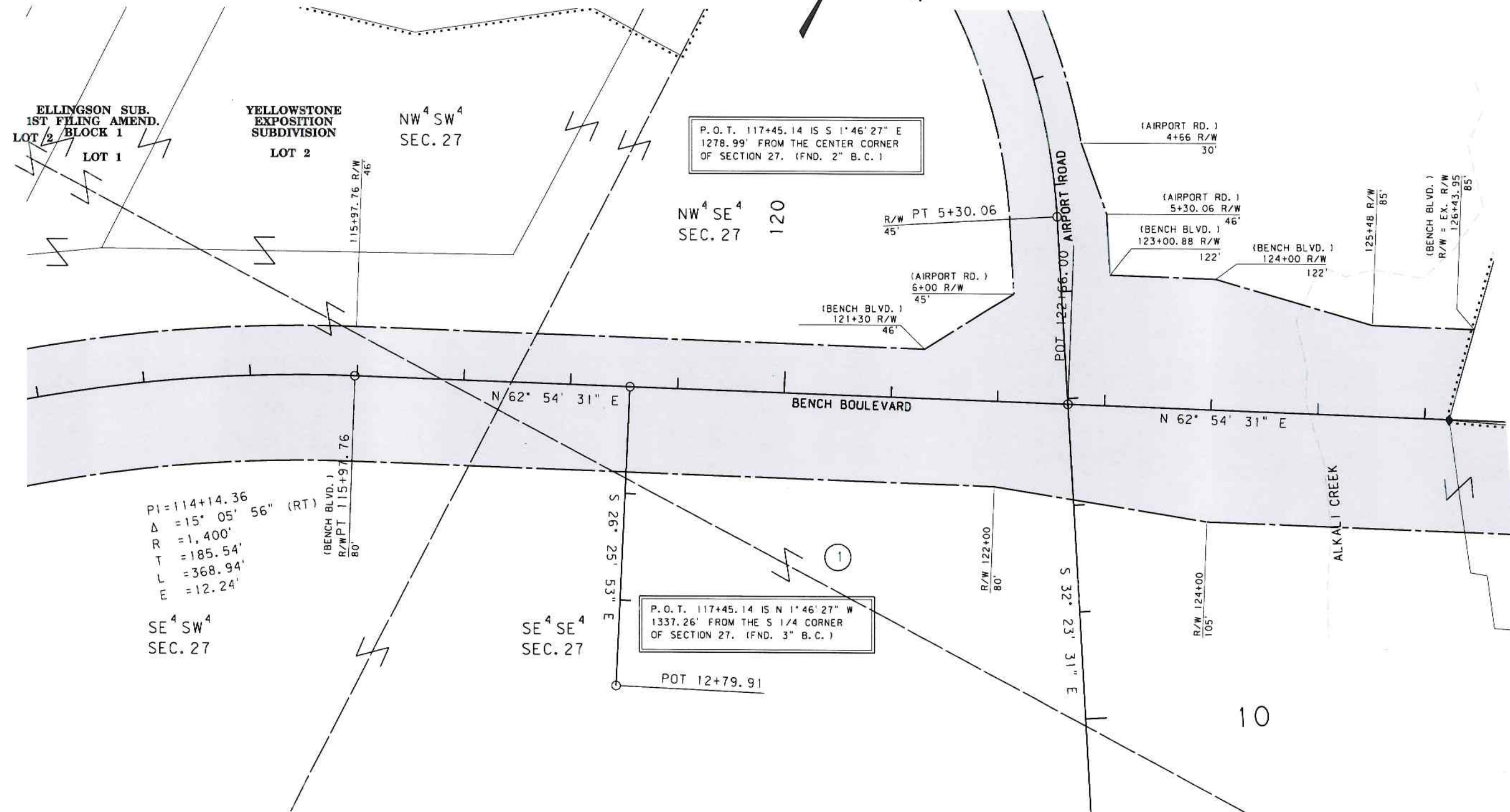
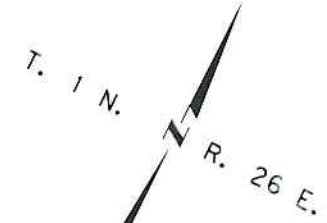
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- NOTES:
1. THE PROPOSED R/W LINE WHERE A SPIRAL CURVE TRANSITION IS USED IS A CHORD RATHER THAN A CONCENTRIC CURVE.
 2. ALL STATIONS AND OFFSETS FOR R/W BREAKS ARE IN REFERENCE TO THE R/W BASELINE.

LEGEND	
OWNERSHIP BOUNDARY
RIGHT OF WAY LINE	-----
R. R. R/W LINE	-----
CENTERLINE	-----
FULL ACCESS CONTROL	--- ---
LIMITED ACCESS CONTROL	--- ---
TRACT CONVEYED	[Shaded Box]
DATE PREPARED	9/27/10
DATE REVISED	

MONTANA DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY EXHIBIT
YELLOWSTONE COUNTY

SCALE 1"=50'



P.O.T. 117+45.14 IS S 1°46'27" E
1278.99' FROM THE CENTER CORNER
OF SECTION 27. (FND. 2" B.C.)

P.O.T. 117+45.14 IS N 1°46'27" W
1337.26' FROM THE S 1/4 CORNER
OF SECTION 27. (FND. 3" B.C.)

PI=114+14.36
Δ = 15° 05' 56" (RT)
R = 1,400'
T = 185.54'
L = 368.94'
E = 12.24'

GRID STATE PLANE COORDINATES

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C.O.S. No. 3198

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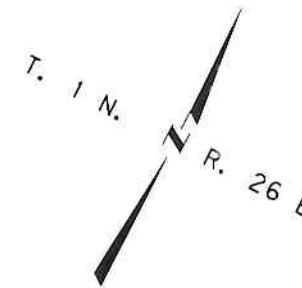
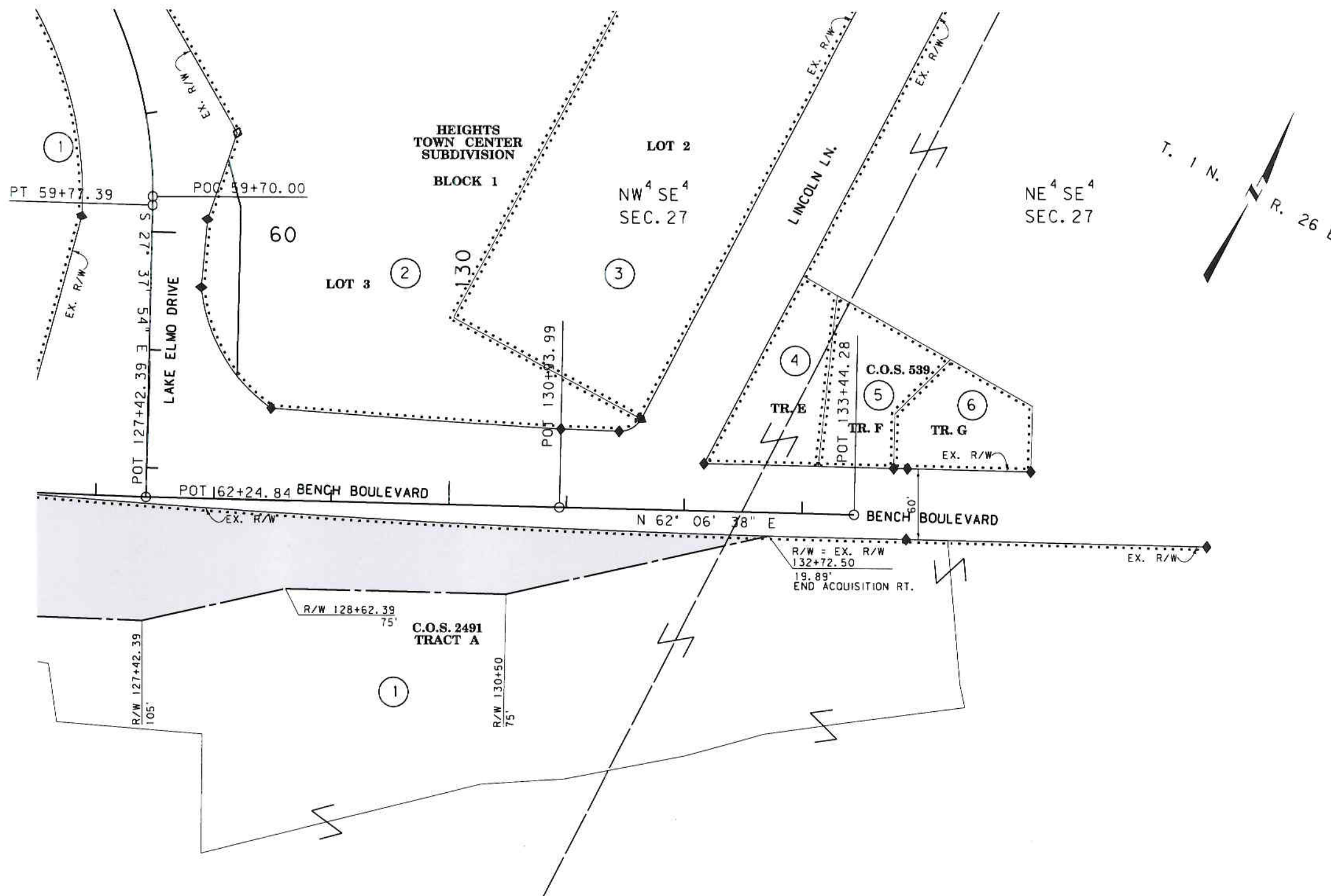
LEGEND	
OWNERSHIP BOUNDARY	-----
RIGHT OF WAY LINE	-----
R.R. R/W LINE	-----
CENTERLINE	-----
FULL ACCESS CONTROL	-----
LIMITED ACCESS CONTROL	-----
TRACT CONVEYED	-----
DATE PREPARED	9/27/10
DATE REVISED	

MONTANA DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY EXHIBIT
YELLOWSTONE COUNTY

SCALE 1"=50'

STATE	RIGHT OF WAY	SHEET	TOTAL
MONTANA		NO.	SHEETS
R/W ID.	MT-CM 1099(32)		
UNIFORM PROJECT NO.	4553-032		

6TH AVE N TO BENCH BLVD - BLGS
(BENCH BOULEVARD)



GRID STATE PLANE COORDINATES

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FOR EXISTING R/W RETRACEMENT, SEE C. O. S. No. 3198

- NOTES:
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PARCEL 1 ; SHEET 4 OF 5

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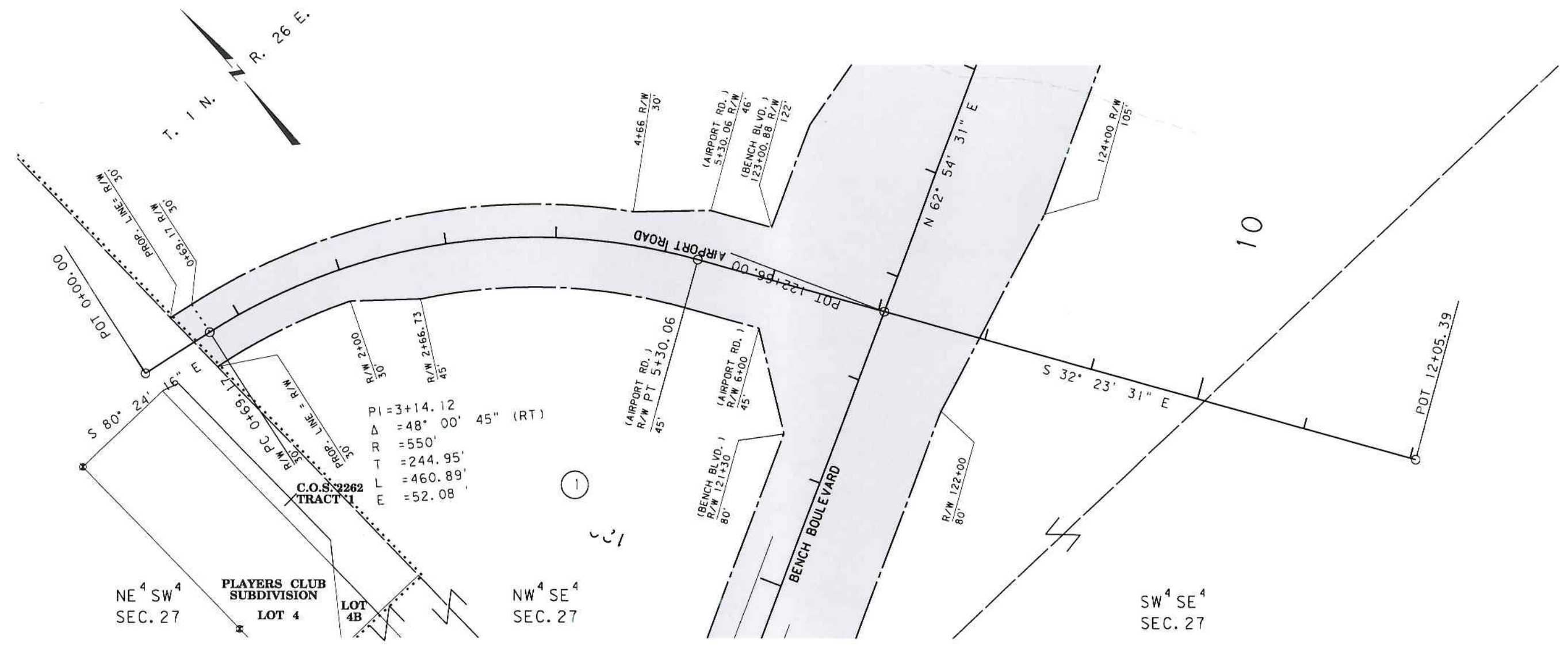
LEGEND	
OWNERSHIP BOUNDARY
RIGHT OF WAY LINE	-----
R. R. R/W LINE	-----
CENTERLINE	-----
FULL ACCESS CONTROL	---AG---
LIMITED ACCESS CONTROL	---/---/---
TRACT CONVEYED	[Shaded Box]
DATE PREPARED	9/27/10
DATE REVISED	

MONTANA DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY EXHIBIT
YELLOWSTONE COUNTY

SCALE 1"=50'

STATE	RIGHT OF WAY	SHEET NO.	TOTAL SHEETS
MONTANA			
R/W ID.	MT-CM 1099(32)		
UNIFORM PROJECT NO.	4553-032		

6TH AVE N TO BENCH BLVD - BLGS (AIRPORT ROAD)



GRID STATE PLANE COORDINATES

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FOR EXISTING R/W RETRACEMENT, SEE C.O.S. No. 3198

PARCEL 1 ; SHEET 5 OF 5

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LEGEND	
OWNERSHIP BOUNDARY	-----
RIGHT OF WAY LINE	-----
R. R. R/W LINE	-----
CENTERLINE	-----
FULL ACCESS CONTROL	-----
LIMITED ACCESS CONTROL	-----
TRACT CONVEYED	-----
DATE PREPARED	9/27/10
DATE REVISED	

MONTANA DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY EXHIBIT

YELLOWSTONE COUNTY

SCALE 1"=50'

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