

Project No. W.O. 10-30 Parcel No. 1 County of Yellowstone  
Designation 32<sup>nd</sup> Street West and Broadwater Avenue

## WARRANTY DEED

THIS INDENTURE, made this 14 day of January, 20 11.

**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:**

Apostles Evangelical Lutheran Church  
3104 Broadwater Avenue  
Billings, MT 59102

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:

A tract of land situated in Tract 2, Certificate of Survey 1161, located in the SW1/4 of Section 1, T.1S., R.25E., P.M.M. City of Billings, Yellowstone County, Montana, on file and of record in the office of the Clerk and Recorder of said County, Recorded June 15, 1970 Under Document No. 862902, Records of Yellowstone County, Montana.

Said tract being more particularly described as follows: Commencing at the southwest corner of said Tract 2, also being a point on the east right-of-way of 32nd Street West; thence along the said east right-of-way line N 00°10'30" W for a distance of 576.66 feet, to the True Point of Beginning; thence N 00°10'30" W for a distance of 15.00 feet to a point on the north right-of-way line of Broadwater Avenue; thence along the said north right-of-way line N 89°47'30" E for a distance of 15.00 feet; thence leaving the said north right-of-way line S 44°48'30" W for a distance of 21.22 Feet, to the Point of Beginning.

Said tract contains 113 square feet, more or less.

**AS SHOWN** by Exhibit "A", consisting of one sheet attached hereto and made a part hereof:

**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. as a division of land that creates rights-of-way or utility sites.

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

Dated this 14 day of January, 2011.

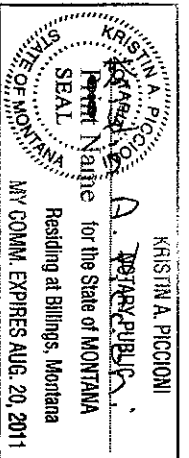
By: [Signature]

Apostles Evangelical Lutheran Church  
3104 Broadwater Avenue  
Billings, MT 59102

STATE OF MONTANA )  
County of Yellowstone ) :ss

On this 14 day of January, 2011, before me the undersigned Notary Public for the State of Montana, personally appeared Raymond Adkins, known to me to be the person who signed the foregoing instrument as Raymond Adkins of Apostles Evangelical Lutheran Church and who acknowledged to me that he/she executed the same. Witness my hand and seal the day and year herein above written.

Kristin A. Piccioni  
Notary Public in and for the State of Montana  
Residing in Billings, Montana  
My commission expires 8/20/2011



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 \_\_\_\_\_

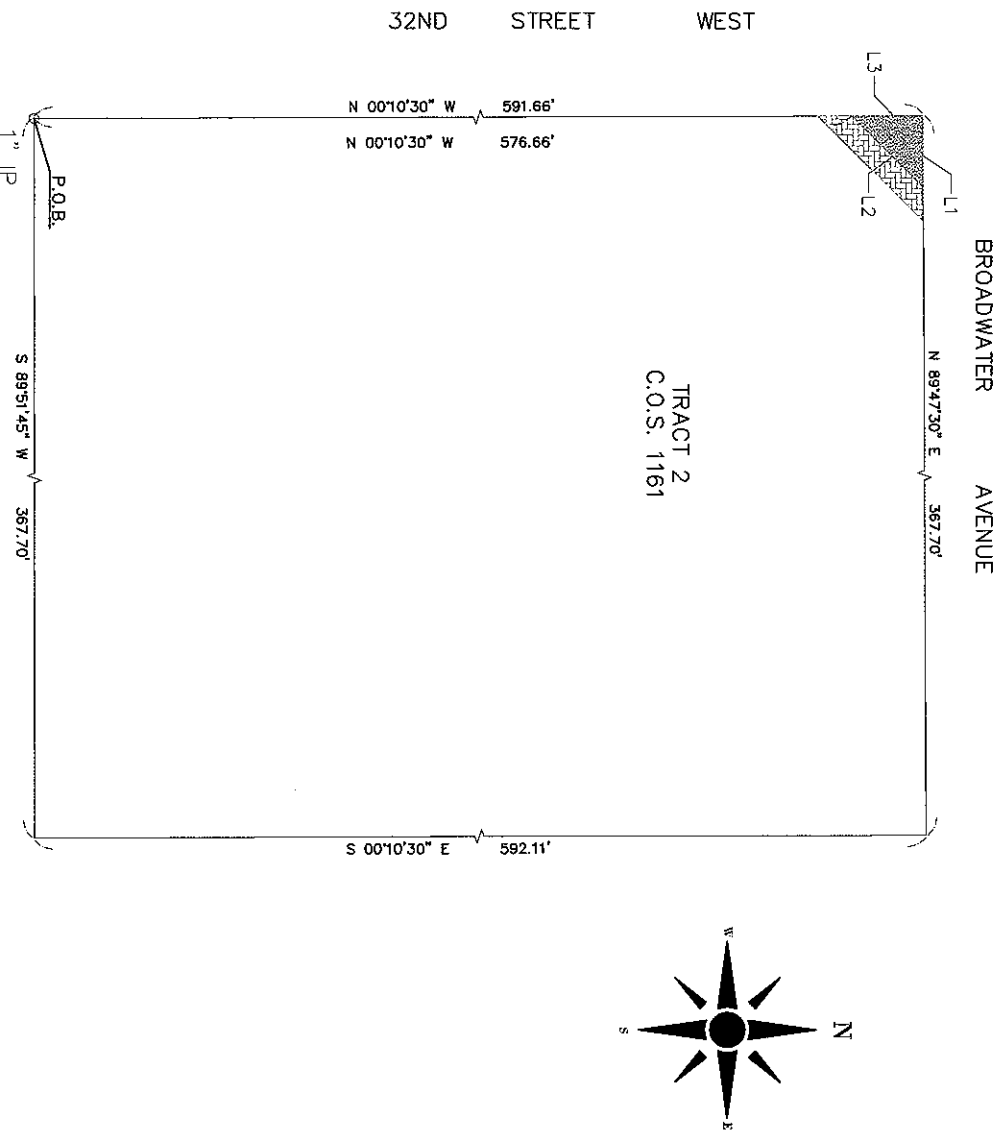
ATTEST: \_\_\_\_\_  
City Clerk

STATE OF MONTANA )  
:ss  
County of Yellowstone )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, 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 Print Name  
Residing in \_\_\_\_\_  
My commission expires \_\_\_\_\_

**EXHIBIT A**  
**RIGHT-OF-WAY ACQUISITION  
 AND TEMPORARY CONSTRUCTION EASEMENT  
 SITUATED IN TRACT 2,  
 CERTIFICATE OF SURVEY NO. 1161  
 BILLINGS, YELLOWSTONE COUNTY, MONTANA**



A tract of land situated in Tract 2, Certificate of Survey 1161, Per Document No. 862902, Documents of record of the Yellowstone County Clerk & Recorder, Yellowstone County, Montana

Said tract being more particularly described as follows:  
 Commencing at the southwest corner of said Tract 2, also being a point on the east right-of-way of 32nd Street West; thence along the said east right-of-way line N 00°10'30" W for a distance of 576.66 feet, to the True Point of Beginning; thence N 00°10'30" W for a distance of 15.00 feet to a point on the north right-of-way line of Broadwater Avenue; thence along the said north right-of-way line N 89°47'30" E for a distance of 15.00 feet; thence leaving the said north right-of-way line S 44°48'30" W for a distance of 21.22 feet to the Point of Beginning, containing an area of 113 square feet more or less.

Parcel Line Table		
Line #	DIRECTION	LENGTH
L1	N89° 47' 30"E	15.00
L2	S44° 48' 30"W	21.22
L3	N0° 10' 30"W	15.00

40                      0                      40                      80

**FEET**

LEGEND

- RIGHT-OF-WAY ACQUIRED
- TEMPORARY CONSTRUCTION EASEMENT

CITY OF BILLINGS, MONTANA  
 R-O-W ACQUISITION EXHIBIT

CITY W.O. 10-30

THIS EXHIBIT IS PREPARED BY THE CITY OF BILLINGS, MONTANA