

Midland Subdivision, 1st Filing, Amended Lot 2, Block 1
Mayor's Approval Letter

October 25, 2011

Wal-Mart Real Estate Business Trust
P.O. Box 8050
Bentonville, AR 72712

Premier Food Service, Inc.
P.O. Box 3044
Minot, ND 58702

Dear Owner and Applicant:

On October 24, 2011, the Billings City Council conditionally approved the preliminary plat of Amended Lot 2, Block 1, Midland Subdivision, 1st Filing subject to the following conditions of approval:

1. To ensure the provision of easements and minimize effects on public health and safety, the subdivider shall work with the City Engineering Division and the private utility companies to determine suitable locations for utility easements, if necessary. These easements shall be shown on the final plat.
2. To mitigate impacts on local services, the Subdivision Improvements Agreement (SIA) shall be amended to indicate the following:
Section III.B. Sidewalks: Add a note that internal sidewalks will be required to comply with 50-60-213, MCA.
Section III.E. Access: Add notes indicating the following:
 - a. No new or additional accesses to King Avenue West or 24th Street West will be allowed.
 - b. No access will be allowed from the lot into the private roadway along the east side of Lot 2B.
 - c. As was indicated in the SIA of the original Midland Subdivision, 1st Filing, and the SIA filed for Amended Lots 4 & 5, Block 1, Midland Subdivision, 1st Filing, the median opening on King Avenue West serving the access between Lot 4B and newly created Lot 2B *may* be modified in the future to meet changing traffic conditions. Said modification may include, but is not limited to, closure of the median opening or modifying the median to restrict certain turning movements.
3. Minor changes may be made in the SIA and final documents, as requested by the Planning, Legal or Engineering Departments to clarify the documents and bring them into the standard acceptable format.

4. The final plat shall comply with all requirements of the City of Billings Subdivision Regulations, rules, regulations, policies, and resolutions of City of Billings, and the laws and Administrative Rules of the State of Montana.

Should you have questions please contact the Juliet Spalding at (406)247-8684 or by email at spaldingj@ci.billings.mt.us .

Sincerely,

Thomas W. Hanel, Mayor

Pc: Pat Davies, PE, Sanderson Stewart