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RETURN TO  
City Clerk  
City of Billings  
P.O. Box 1178  
Billings, MT 59103

**RIGHT-OF-WAY EASEMENT**

**THIS INDENTURE**, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the following:

ASPEN GROVE Partnership  
2510 Grand Avenue  
Billings, Montana 59102-2625  
hereinafter referred to as **GRANTOR**

and

**CITY OF BILLINGS**, a Municipal Corporation  
City Hall – 210 North 27th Street  
PO Box 1178  
Billings, Montana 59103-1178,  
hereinafter referred to as **GRANTEE**

**FOR VALUABLE CONSIDERATION**, the receipt of which is hereby acknowledged;

**WITNESSETH THAT GRANTOR** does hereby grant, sell, and convey unto the **GRANTEE**, perpetual easement and right-of-way to construct, reconstruct, maintain, operate, repair and improve necessary fixtures and appurtenances for sidewalk over, across, under, and through the real property owned by grantor and more particularly described as follows:

The location of the easement is shown on the attached exhibit, and is described as follows:

That part of the Southwest quarter of Section 29, Township 1 North, Range 25 East, of the Principal Montana Meridian, in Yellowstone County, Montana, described as Tract 2A, Amended Tract 2 of Certificate of Survey No. 1834 on file in the office of the Clerk and Recorder of said County, under Document No. 1900549.

Beginning at the northwest corner of Tract 2A, Certificate of Survey 1834, recorded November 25, 1997, under document no. 1900549, records of Yellowstone County, Montana; thence N89°51'30"E for a distance of 10.00 feet; thence S00°08'30"E for a distance of 91.17 feet; thence S89°51'30"W for a distance of 10.00 feet; thence N00°08'30"W for a distance of 91.17 feet to the point of beginning. Said tract contains 911.17 square feet.

**TO HAVE AND TO HOLD** unto **GRANTEE** and to its successors and assigns forever.

**IN WITNESS WHEREOF**, the **GRANTOR** warrants that it has the right to convey the above described easement.

ASPEN GROVE PARTNERSHIP

BY: 

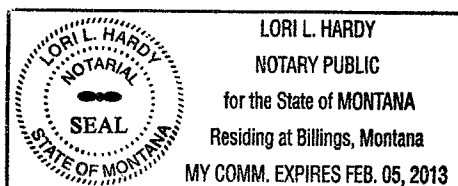
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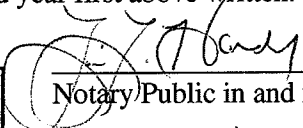
NAME: Sheldon W. Eaton

ITS: Partner

STATE OF MONTANA     )  
  :SS  
County of Yellowstone    )

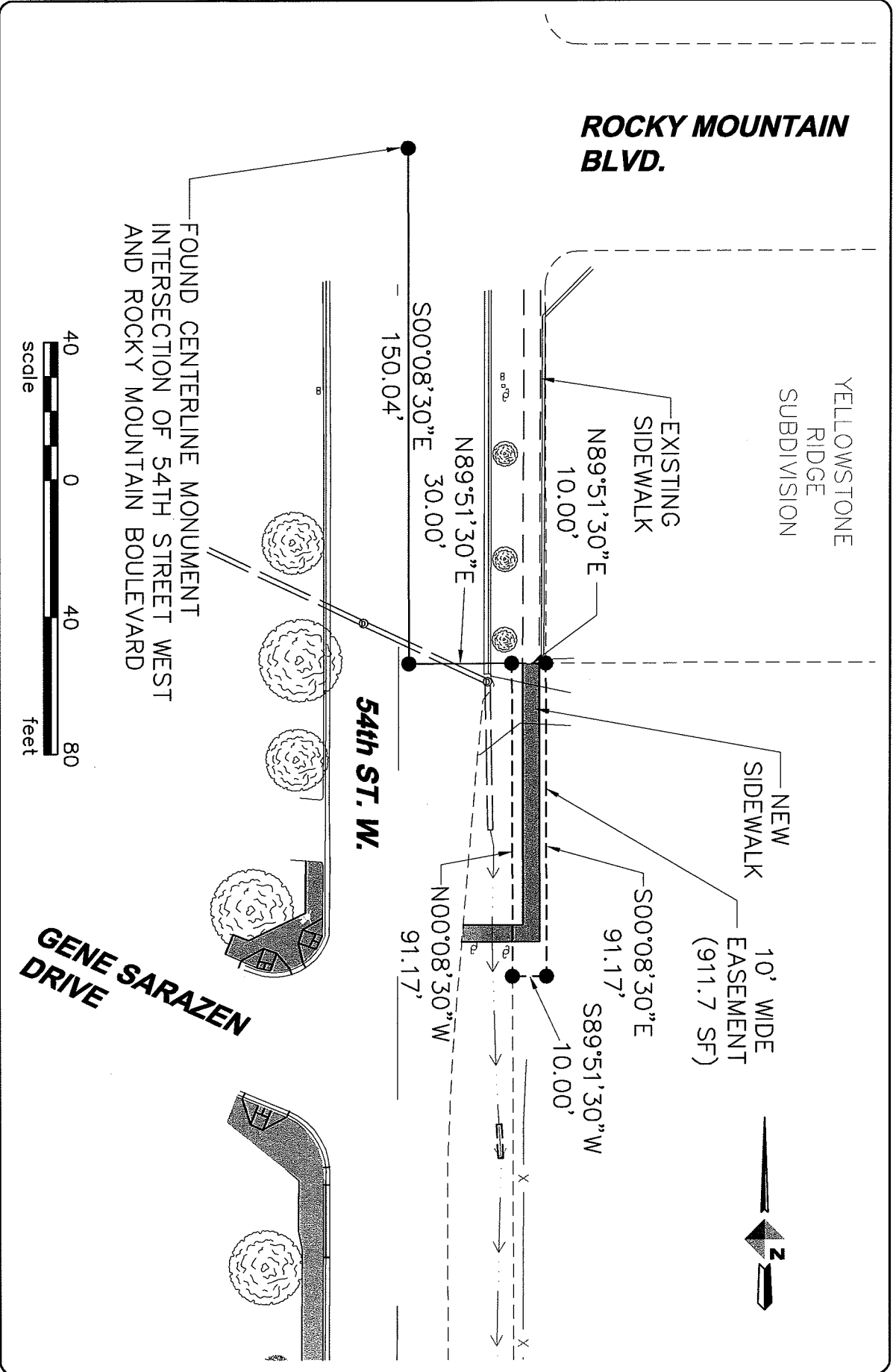
On this 16<sup>th</sup> day of November, 2011, before me, a Notary Public in and for the State of Montana, personally appeared Sheldon W. Eaton, known to me to be the Partner of ASPEN GROVE PARTNERSHIP whose name is subscribed to the foregoing instrument, and acknowledged to me that they duly executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.



  
Notary Public in and for the State of Montana

Printed Name: Lori L. Hardy





**SIDEWALK EASEMENT**

**YELLOWSTONE FAMILY PARK**

**BILLINGS, MONTANA**