

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:

Central Business Park Owners Association
James W. Boyer, JoAnn Boyer and Ernie Olness
1250 15th Street West Suite 200
Billings, Montana 59102,
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, and accessibility ramps, over, across, under, and through the real property more particularly described as follows:

A tract of land situated in Lot 1, Block 1, Central West Subdivision, Document No. 3518144. Documents of record at the Yellowstone County Clerk & Recorder, Billings, Yellowstone County, Montana.

Basis of Bearings: Central West Subdivision

Said tract being more particularly described as follows:

Beginning at the northwest corner of said Lot 1, Block 1, Central West Subdivision, point also being on the south right-of-way line of Central Avenue; thence N 89°27'56" E along said right-of-way for a distance of 50.00 feet; thence S 00°32'04" E and leaving said right-of-way for a distance of 10.00 feet; thence S 89°27'56" W for a distance of 50.04 feet to a point on the west lot line of said Lot 1; thence along a curve to the left with a radius of 1,600.00 feet along the west lot line of said Lot 1 with an arc length of 10.00 feet (chord bearing N 00°19'40" W, chord length 10.00 feet) to the Point of Beginning, containing an area of 500 square feet more or less.

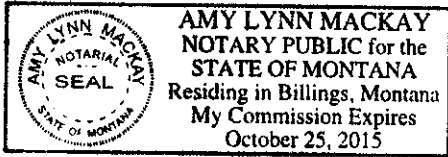
(Attached Exhibit A)

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

IN WITNESS WHEREOF, the **GRANTOR** warrants that they have good right to convey, free and clear of all encumbrances; the above-described interests in the real estate described and have hereunto set their hand.

EO

Ernie Olness, member



Amy Lynn Mackay
Notary Public for the State of Montana
Name Printed: Amy Lynn Mackay
Residing at Billings, Montana
My Commission Expires October 25, 2015

STATE OF MONTANA)
 :SS
County of Yellowstone)

On this 21th day of November, 2011, before me, a Notary Public in and for the State of Montana, personally appeared Ernie Olness, as Board Member of Central Business Park Owners Association, known to me to be the representative of said property 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.

ACKNOWLEDGMENT AND ACCEPTANCE OF CONVEYANCE

The Mayor and City Council of the City of Billings acknowledges receipt of this perpetual easement and hereby accepts the property interest conveyed through this instrument.

Mayor, City of Billings

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 THOMAS W HANEL and CARI MARTIN, known to me to be the Mayor and City Clerk of Billings, respectively, 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: _____
Residing at _____
My commission expires _____

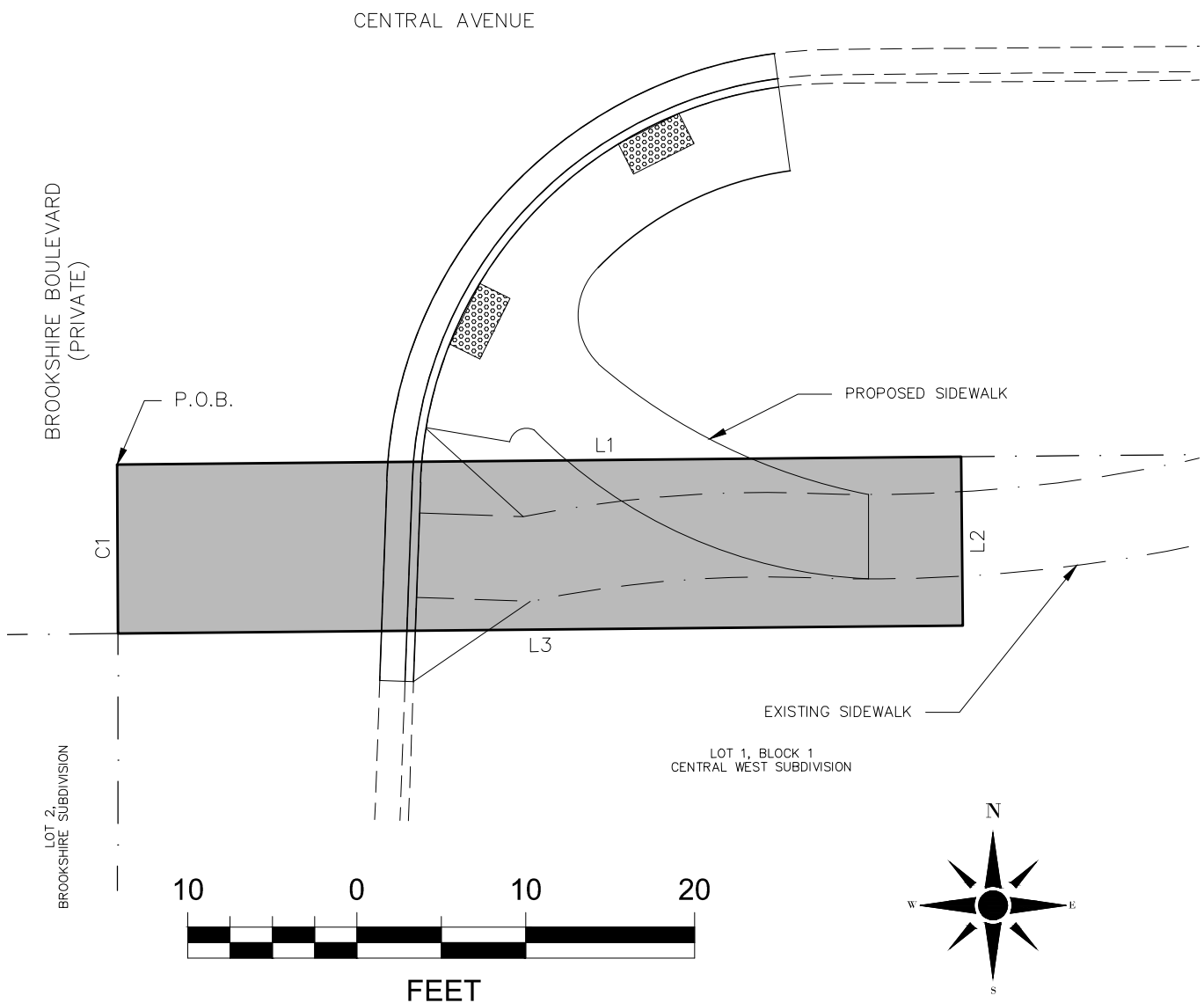
EXHIBIT A

SIDEWALK EASEMENT SITUATED IN LOT 1, BLOCK 1, CENTRAL WEST SUBDIVISION, DOCUMENT NUMBER 3518144 BILLINGS, YELLOWSTONE COUNTY, MONTANA

A tract of land situated in Lot 1, Block 1, Central West Subdivision, Document No. 3518144. Documents of record at the Yellowstone County Clerk & Recorder, Billings, Yellowstone County, Montana

Basis of Bearings: Central West Subdivision

Said tract being more particularly described as follows:
Beginning at the northwest corner of said Lot 1, Block 1, Central West Subdivision, point also being on the south right-of-way line of Central Avenue;
thence N 89°27'56" E along said right-of-way for a distance of 50.00 feet;
thence S 00°32'04" E and leaving said right-of-way for a distance of 10.00 feet;
thence S 89°27'56" W for a distance of 50.04 feet to a point on the west lot line of said Lot 1; thence along a curve to the left with a radius of 1,600.00 feet along the west lot line of said Lot 1 with an arc length of 10.00 feet (chord bearing N 00°19'40" W, chord length 10.00 feet) to the Point of Beginning, containing an area of 500 square feet more or less.



Line #	DIRECTION	LENGTH
L1	N89° 27' 56"E	50.00
L2	S00° 32' 04"E	10.00
L3	S89° 27' 56"W	50.04

CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	10.00	1600.00	000°21'29"	N00°19'40"W	10.00

LEGEND

 SIDEWALK EASEMENT

CITY OF BILLINGS, MONTANA
SIDEWALK EASEMENT EXHIBIT

CITY W.O. 10-31

THIS EXHIBIT IS PREPARED FROM THE CITY OF BILLINGS, MONTANA