

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

DECLARATION OF EASEMENT

For valuable consideration, receipt of which is hereby acknowledged, the undersigned, Dean C. and Jessica D. Smith, Owners, does hereby create as written below a perpetual easement across, over and through certain real property addressed as 2938 Rimrock Road located in the NW ¼ of Section 35, T. 1 N., R. 25 E., P.M.M., in the City of Billings, Yellowstone County, Montana, more particularly described as follows, to wit:

An easement three feet in width being the northerly three feet of Tract 1 of Certificate of Survey 2114, as recorded in the office of the Clerk and Recorder of Yellowstone County, Montana under Document No. 1217571.

The Owner does hereby create this perpetual easement for the purpose of constructing, reconstructing, maintaining, operating, repairing, improving, replacing and using a public sidewalk and any necessary fixtures and appurtenances over, across, and upon said real property.

This perpetual easement is created for the benefit of the City of Billings, Montana, shall run with the real property and be binding on all parties having any right, title or interest in the described property or any part thereof, their heirs, executors, successors, administrators and assignees, and shall bind each owner thereof.

DEAN C. AND JESSICA D. SMITH, OWNERS

By: Dean C. Smith

Printed Name: Dean C. Smith

Title: Owner

By: Jessica D. Smith

Printed Name: Jessica D. Smith

Title: Owner

STATE OF MONTANA)
 :SS
County of Yellowstone)

On this 27th day of December, 2011, before me, a Notary Public in and for the State of Montana, personally appeared Dean C. and Jessica D. Smith, known to me to be the owners of 2938 Rimrock Road 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.



Zackary S. McKittrick
Notary Public in and for the State of Montana
Printed Name: Zackary S. McKittrick

Residing at: Billings

My commission expires Aug 26, 2013

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GRANTEE:

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.

Thomas W. Hanel
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: _____

EASEMENT EXHIBIT A

WITHIN
TRACT 1, COS # 2114

PREPARED FOR: CITY OF BILLINGS
PREPARED BY: KADRMAS, LEE & JACKSON, INC.

DECEMBER 2011
BILLINGS, MONTANA

