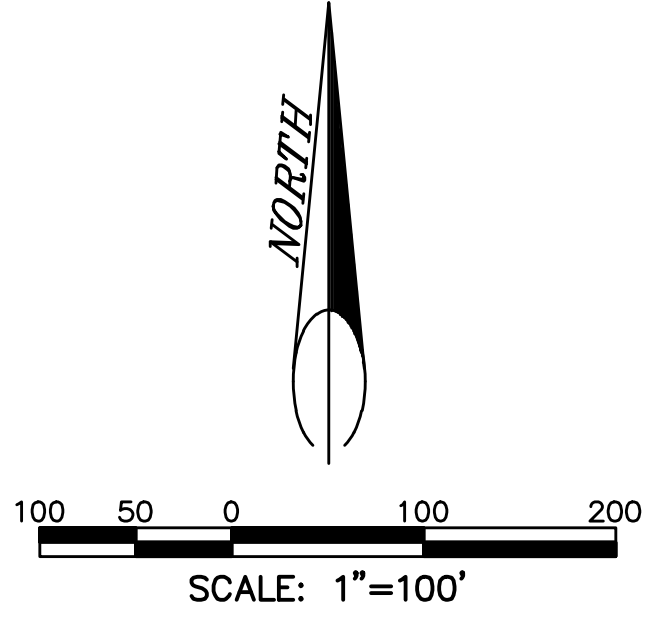


AMENDED PLAT OF LOT 2, BLOCK 1  
**MIDLAND SUBDIVISION FIRST FILING**  
 SITUATED IN THE SE1/4 OF SECTION 12, T. 1 S., R. 25 E., P.M.M.  
 IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR : PREMIER FOOD SERVICE, INCORPORATED

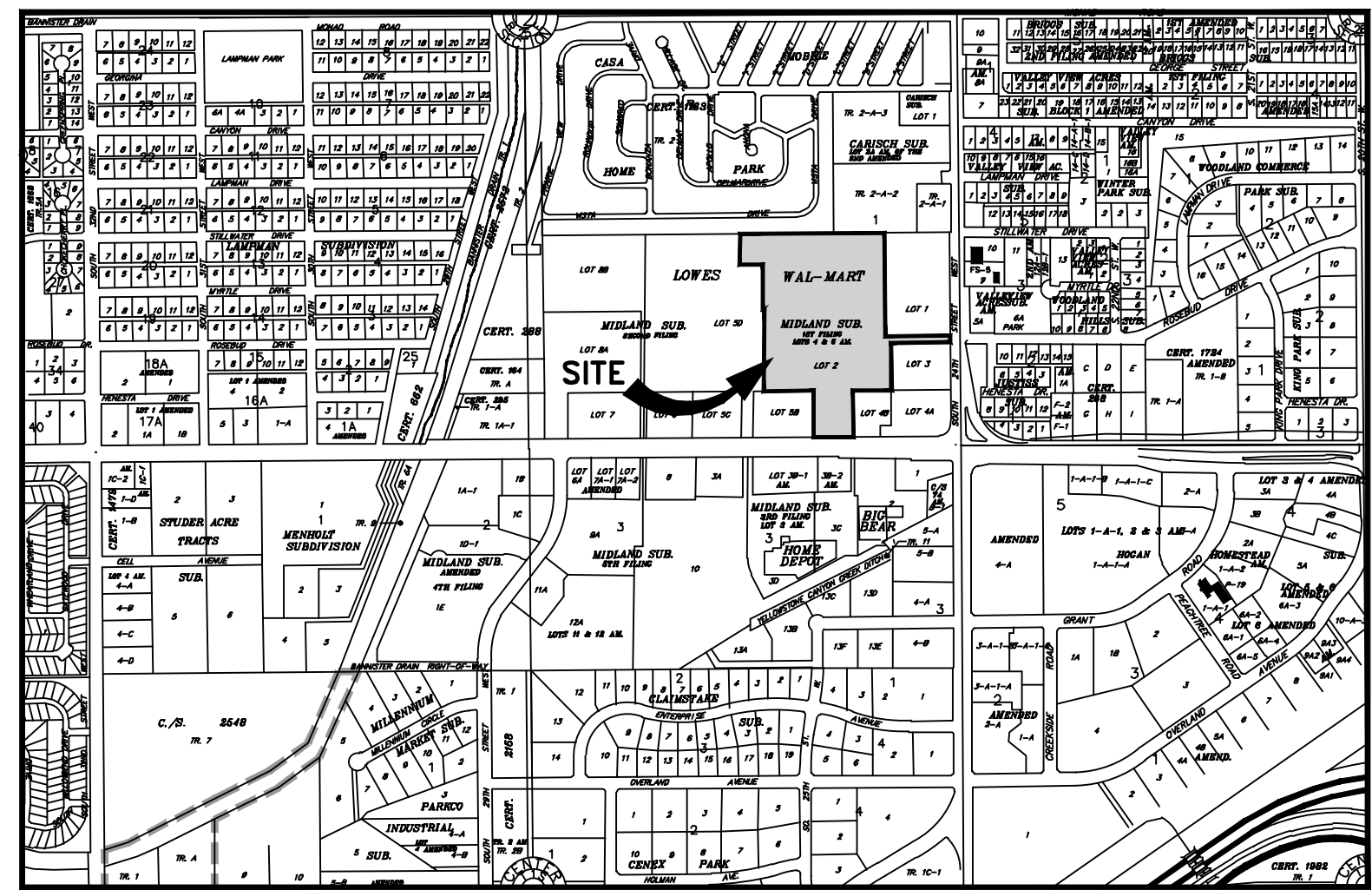
OCTOBER, 2011  
 BILLINGS, MONTANA

PREPARED BY : SANDERSON STEWART

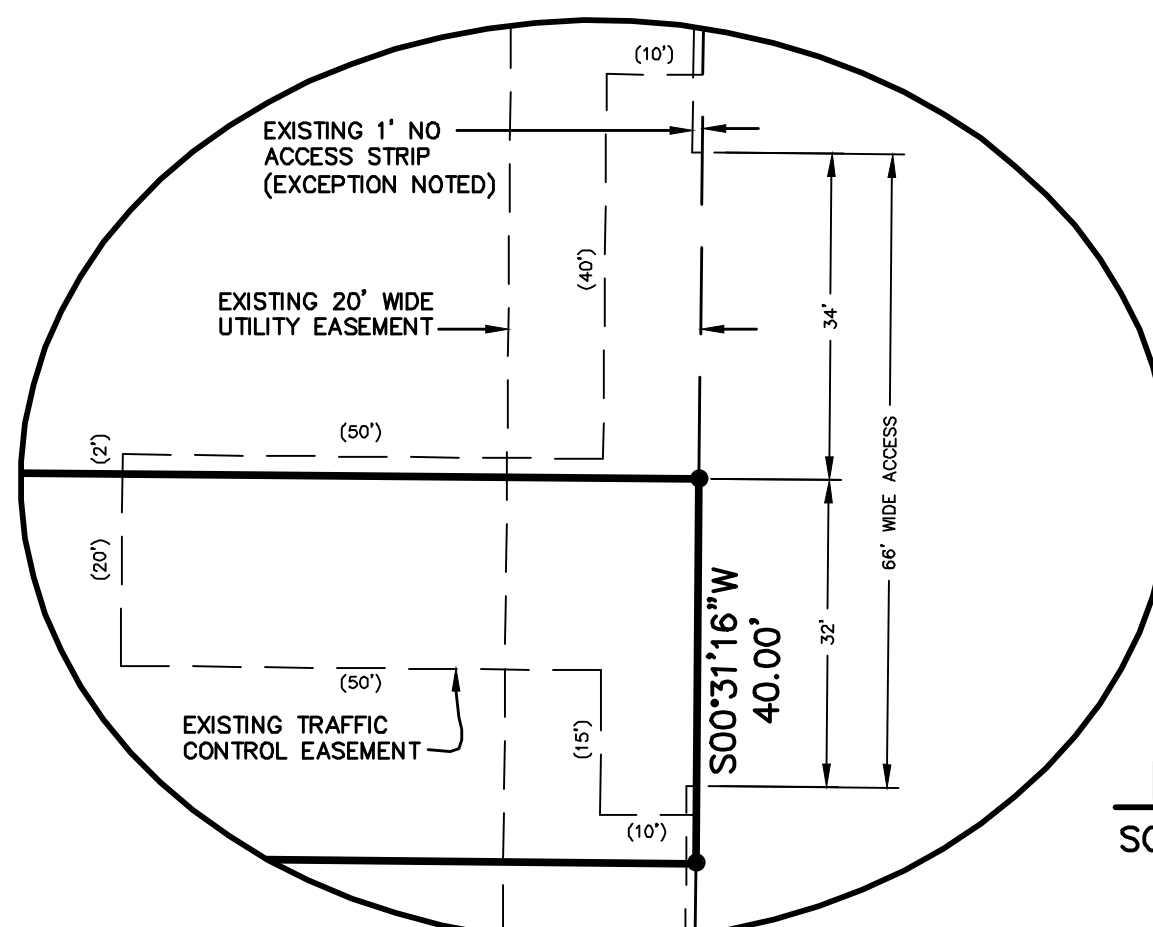
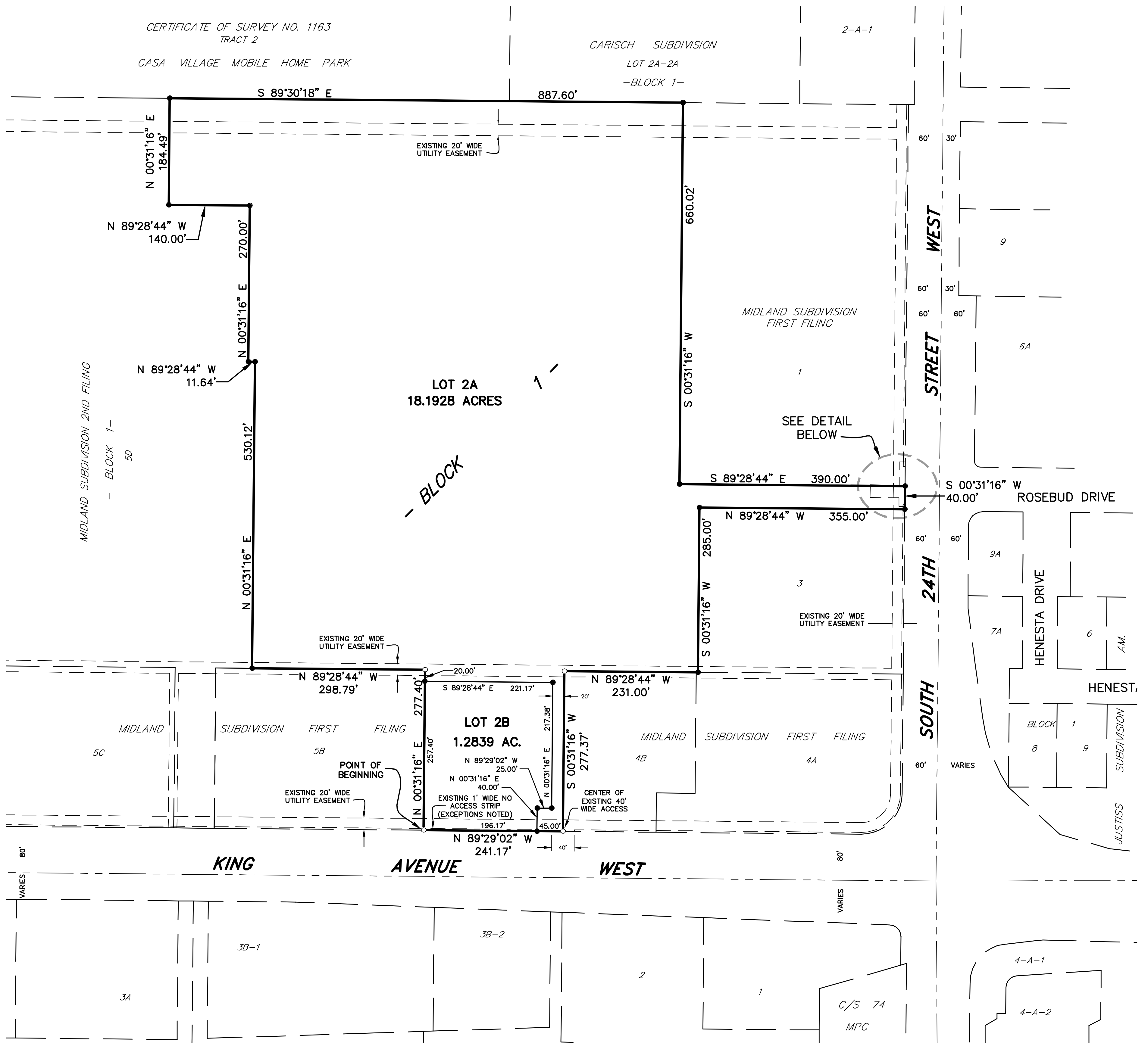


BASIS OF BEARING: MIDLAND SUBDIVISION, FIRST FILING

- FOUND SURVEY MONUMENT, REBAR WITH YELLOW CAP MARKED "ENG. INC. BLS. MT."
- SET 5/8" X 18" REBAR AND CAP MARKED WITH THE LICENSE NUMBER OF THE UNDERSIGNED LAND SURVEYOR AND "SANDERSON STEWART".



**VICINITY MAP**  
 NOT TO SCALE



**DETAIL**  
 SCALE: 1"=20'

MIDLAND SUBDIVISION FIRST FILING
SITUATED IN THE SE1/4 OF SECTION 12, T. 1 S., R. 25 E., P.M.M.
IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR : PREMIER FOOD SERVICE, INCORPORATED

OCTOBER, 2011
BILLINGS, MONTANA

PREPARED BY : SANDERSON STEWART

CERTIFICATE OF DEDICATION

STATE OF MONTANA )
: ss
County of Yellowstone )

KNOW ALL MEN BY THESE PRESENTS: That the undersigned do hereby certify that they have caused to be surveyed, subdivided and platted into lots, blocks and streets as shown on the annexed plat, said tract being situated in the SE1/4 of Section 12, T. 1 S., R. 25 E., P.M.M., in the City of Billings, Yellowstone County, Montana, said tract being more particularly described as follows, to-wit:

Lot 2 in Block 1 of Midland Subdivision First Filing, according to the official plat on file in the Office of the Clerk and Recorder of Yellowstone County, Montana, under Document No. 1643292.

Pursuant to 76-3-621(3)(b) M.C.A. there is no parkland dedication requirement for this non-residential subdivision.

The undersigned hereby grants unto all utility companies, as such are defined and established by Montana Law, and cable television companies, an easement for the location, maintenance, repair and removal of their lines over, under and across the areas designated on the plat as "UTILITY EASEMENT" to have and hold forever.

Said tract to be known and designated as AMENDED PLAT OF LOT 2, BLOCK 1, MIDLAND SUBDIVISION FIRST FILING; there is no public land dedication associated with this plat.

WAL-MART REAL ESTATE BUSINESS TRUST, a Delaware statutory trust

By: \_\_\_\_\_

Title: \_\_\_\_\_

William J. Wade,

not in his individual capacity, but solely as Individual Owner Trustee under the Owner Trust Agreement (1994-3) dated as of December 15, 1994

WILMINGTON TRUST COMPANY, a Delaware trust company,

not in its individual capacity, but solely as Corporate Owner Trustee under the Owner Trust Agreement (1994-3) dated as of December 15, 1994

By: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF \_\_\_\_\_ )

: ss

County of \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned Notary Public for the State of \_\_\_\_\_, personally appeared \_\_\_\_\_, known to me to be the person who signed the foregoing instrument as \_\_\_\_\_ of WAL-MART REAL ESTATE BUSINESS TRUST, a Delaware statutory trust, and acknowledged to me that said corporation executed the same. Witness my hand and seal the day and year herein above written.

Notary Public in and for the State of \_\_\_\_\_
Printed Name \_\_\_\_\_
Residing at \_\_\_\_\_
My commission expires \_\_\_\_\_

STATE OF \_\_\_\_\_ )

: ss

County of \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned Notary Public for the State of \_\_\_\_\_, personally appeared WILLIAM J. WADE, known to me to be the person who signed the foregoing instrument not in his individual capacity, but solely as Individual Owner Trustee under the Owner Trust Agreement (1994-3) dated as of December 15, 1994, and acknowledged to me that he executed the same. Witness my hand and seal the day and year herein above written.

Notary Public in and for the State of \_\_\_\_\_
Printed Name \_\_\_\_\_
Residing at \_\_\_\_\_
My commission expires \_\_\_\_\_

STATE OF \_\_\_\_\_ )

: ss

County of \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned Notary Public for the State of \_\_\_\_\_, personally appeared \_\_\_\_\_, known to me to be the person who signed the foregoing instrument as \_\_\_\_\_ of WILMINGTON TRUST COMPANY, a Delaware trust company, not in its individual capacity, but solely as Corporate Owner Trustee under the Owner Trust Agreement (1994-3) dated as of December 15, 1994, and acknowledged to me that said corporation executed the same. Witness my hand and seal the day and year herein above written.

Notary Public in and for the State of \_\_\_\_\_
Printed Name \_\_\_\_\_
Residing at \_\_\_\_\_
My commission expires \_\_\_\_\_

CONSENT TO PLATTING

Document No. \_\_\_\_\_

SUBDIVISION IMPROVEMENTS AGREEMENT

Document No. \_\_\_\_\_

LOT DESCRIPTIONS

ORIGINAL LOT 2

Beginning at a point which is the southeast corner of Lot 5B, Block 1, Midland Subdivision First Filing, as shown and described on the official plat thereof on file in the office of the Clerk and Recorder of Yellowstone County, Montana, under Document No 1703977; thence, from said point of beginning, N 00°31'16" E a distance of 277.40 feet; thence N 89°28'44" W a distance of 298.79 feet; thence N 00°31'16" E a distance of 530.12 feet; thence N 89°28'44" W a distance of 11.64 feet; thence N 00°31'16" E a distance of 270.00 feet; thence N 89°28'44" W a distance of 140.00 feet; thence N 00°31'16" E a distance of 184.49 feet; thence S 89°30'18" E a distance of 887.60 feet; thence S 00°31'16" W a distance of 660.02 feet; thence S 89°28'44" E a distance of 390.00 feet; thence S 00°31'16" W a distance of 40.00 feet; thence N 89°28'44" W a distance of 355.00 feet; thence S 00°31'16" W a distance of 285.00 feet; thence N 89°28'44" W a distance of 231.00 feet; thence S 00°31'16" W a distance of 277.37 feet; thence N 89°29'02" W a distance of 241.17 feet to the point of beginning; containing an area of 19.4767 acres.

LOT 2A

Beginning at a point which is the northeast corner of Lot 5B, Block 1, Midland Subdivision First Filing, as shown and described on the official plat thereof on file in the office of the Clerk and Recorder of Yellowstone County, Montana, under Document No 1703977; thence, from said point of beginning, N 89°28'44" W a distance of 298.79 feet; thence N 00°31'16" E a distance of 530.12 feet; thence N 89°28'44" W a distance of 11.64 feet; thence N 00°31'16" E a distance of 270.00 feet; thence N 89°28'44" W a distance of 140.00 feet; thence N 00°31'16" E a distance of 184.49 feet; thence S 89°30'18" E a distance of 887.60 feet; thence S 00°31'16" W a distance of 660.02 feet; thence S 89°28'44" E a distance of 390.00 feet; thence S 00°31'16" W a distance of 40.00 feet; thence N 89°28'44" W a distance of 355.00 feet; thence S 00°31'16" W a distance of 285.00 feet; thence N 89°28'44" W a distance of 231.00 feet; thence S 00°31'16" W a distance of 277.37 feet; thence N 89°29'02" W a distance of 45.00 feet; thence N 00°31'16" E a distance of 40.00 feet; thence S 89°29'02" E a distance of 25.00 feet; thence N 00°31'16" E a distance of 217.38 feet; thence N 89°28'44" W a distance of 221.17 feet; thence N 00°31'16" E a distance of 20.00 feet to the point of beginning; containing an area of 18.1928 acres.

LOT 2B

Beginning at a point which is the southeast corner of Lot 5B, Block 1, Midland Subdivision First Filing, as shown and described on the official plat thereof on file in the office of the Clerk and Recorder of Yellowstone County, Montana, under Document No 1703977; thence, from said point of beginning, N 00°31'16" E a distance of 257.40 feet; thence S 89°28'44" E a distance of 221.17 feet; thence S 00°31'16" W a distance of 217.38 feet; thence N 89°29'02" W a distance of 25 feet; thence S 00°31'16" W a distance of 40.00 feet; thence N 89°29'02" W a distance of 196.17 feet to the point of beginning; containing an area of 1.2839 acres.

NOTICE OF APPROVAL

STATE OF MONTANA )
: ss
County of Yellowstone )

This plat has been approved for filing by the Yellowstone County Board of Planning and conforms to the recommendations of this board.

Date \_\_\_\_\_ President \_\_\_\_\_

Executive Secretary \_\_\_\_\_

CERTIFICATE OF CITY ENGINEER'S OFFICE

I hereby certify that annexed and foregoing plat conforms with Section 76-4-125(2)(d), M.C.A., for the removal of sanitary restrictions since the plat is inside a master planning area and said lots will be provided with municipal facilities for the supply of water and the disposal of sewage and solid waste.

IN WITNESS WHEREOF, I have executed this CERTIFICATE OF APPROVAL this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

City Engineer's Office \_\_\_\_\_

ERRORS AND OMISSIONS REVIEW

I hereby certify that I have examined the annexed and foregoing plat for errors and omissions in computations and drafting and find that said plat conforms with the requirements of the laws of the State of Montana, and that said plat conforms to the adjoining additions and plats of the City of Billings already platted as nearly as circumstances will permit.

Examining Land Surveyor \_\_\_\_\_ Date \_\_\_\_\_

CERTIFICATE OF CITY ATTORNEY

This document has been reviewed by the City Attorney's office and is acceptable as to form.

Date: \_\_\_\_\_

Reviewed by: \_\_\_\_\_

CERTIFICATE OF SURVEYOR

STATE OF MONTANA )
: ss
County of Yellowstone )

The undersigned, a Montana Registered Land Surveyor being first duly sworn, deposes and says that during the month of October, 2011, a survey was performed under his supervision of a tract of land to be known as AMENDED PLAT OF LOT 2, BLOCK 1, MIDLAND SUBDIVISION FIRST FILING, in accordance with the request of the owner thereof and in conformance with the Montana Subdivision and Platting Act; said subdivision, description of boundaries and dimensions being in accordance with the Certificate of Dedication and as shown on the annexed plat; that the monuments found and set are of the character and occupy the positions shown hereon and that the gross area is 19.4767 acres and the net area is 19.4767 acres.

SANDERSON STEWART

By: \_\_\_\_\_

Montana Registration No. \_\_\_\_\_

STATE OF MONTANA )
: ss
County of Yellowstone )

Subscribed and sworn to before me, a Notary Public in and for the State of Montana, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public in and for the State of Montana
Printed Name \_\_\_\_\_
Residing at \_\_\_\_\_
My commission expires \_\_\_\_\_

CERTIFICATE OF COUNTY TREASURER

I hereby certify that all real property taxes and special assessments have been paid per 76-3-611(1)(b)/76-3-207(3), M.C.A.

Date: \_\_\_\_\_

Yellowstone County Treasurer

By: \_\_\_\_\_ Deputy

CERTIFICATE OF CITY COUNCIL APPROVAL

STATE OF MONTANA )
: ss
County of Yellowstone )

We hereby certify that we have examined the annexed and foregoing plat of AMENDED PLAT OF LOT 2, BLOCK 1, MIDLAND SUBDIVISION FIRST FILING and find that said plat conforms with the requirements of the laws of the State of Montana, and the requirements of The Yellowstone County Board of Planning. It is therefore approved and the dedication to public use of any and all lands shown on this plat as being dedicated to such use are accepted.

IN WITNESS WHEREOF, we have set our hands and the seal of the CITY OF BILLINGS, MONTANA, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

CITY OF BILLINGS, MONTANA

By: \_\_\_\_\_ Mayor

Attest: \_\_\_\_\_ City Clerk