

**CITY OF BILLINGS**  
**PUBLIC WORKS DEPARTMENT**

Project No. W.O. 10-27 County of Yellowstone  
Designation Central Avenue Sidewalks

## RIGHT OF WAY AGREEMENT

Parcel from Station-To-Station Subdivision Section Township Range

A Tract of land situated in Lot 7, Block 9, Central Acres Subdivision 5th Filing as recorded in Document No. 565737, in the SW1/4 Section 1, T.1S., R.25E., M.P.M., Yellowstone County, Montana.

List Names & Addresses of the Grantor, Con. Purchaser & Lessee

Gerald A Neumann & Edward Jorden  
2609 Selvig Ln  
Billings, MT 59102

1. **IN CONSIDERATION OF THE PAYMENTS HEREIN SET FORTH AND THE SPECIFIC AGREEMENTS TO BE PERFORMED BY BOTH PARTIES HERETO AND WRITTEN IN THIS AGREEMENT, THE PARTIES HERETO BIND THEMSELVES TO THE TERMS AND CONDITIONS SET FORTH HEREIN. NO VERBAL AGREEMENTS SHALL BE BINDING UPON EITHER PARTY AND THIS AGREEMENT SHALL BECOME EFFECTIVE UPON EXECUTION BY A DESIGNATED REPRESENTATIVE OF THE CITY OF BILLINGS.**

2. **COMPENSATION FOR LAND AND IMPROVEMENTS** (List acres and/or sq. ft. and improvements in the taking.)

272 SF @ \$13.58/SF	Subtotal:	\$3,693.76
Compensation for existing site improvements	Subtotal:	\$ 0.00
Total compensation for land and improvements	Total	<del>\$3,684.76</del> \$3,693.76

3. **TOTAL COMPENSATION FOR PARCEL** \$3,693.76

4. **IT IS UNDERSTOOD AND AGREED** the City is acquiring this right-of-way in order to improve Central Avenue from 29<sup>th</sup> St W to 32<sup>nd</sup> St W. The improvements will include, but not be limited to curb and gutter, sidewalk, drive approaches, and street widening. Some of these improvements may be constructed with property assessments to the adjoining properties in accordance with the City Policy.

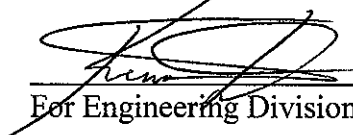
5. **IT MAY BE NECESSARY** for the City of Billings, in some instances, to acquire some properties by its Right of Eminent Domain. I/We understand this and hereby acknowledge the necessity of the project and our agreement thereof. I/We further agree that the property given to the City of Billings by me/us has been sold for an agreed upon price and that sale shall not be affected by the City of Billings exercise of Eminent Domain of other properties in order to successfully complete the project.

9. **IT IS UNDERSTOOD AND AGREED** the Grantor will execute the Right-of-Way Agreement and Warranty Deed and other documents as necessary to accommodate the conveyance of Right of Way located **beginning at the southwest corner of Lot 7, Block 9 Central Acres; thence N 00°10'30" W along the east right-of-way line of 32<sup>nd</sup> Street West for a distance of 21.13 feet; thence leaving said east right-of-way line N 89°42'30" E for a distance of 5.00 feet; thence S 36°48'06" E for a distance of 26.28 feet to a point on the north right-of-way line of Central Avenue; thence S 89°42'30"**

W along said north right-of-way for a distance of 20.68 feet to the Point of Beginning, containing an area of 272 square feet more or less.

WITNESS WHEREOF, the parties hereto have executed this agreement the day and year as written below.

**RECOMMENDED FOR APPROVAL**

  
\_\_\_\_\_  
For Engineering Division (Date) 2/29/12

  
\_\_\_\_\_  
Owner (Date) 2/29/2012

  
\_\_\_\_\_  
Owner (Date) 2/29/12

**APPROVED FOR AND ON BEHALF OF  
THE CITY OF BILLINGS**

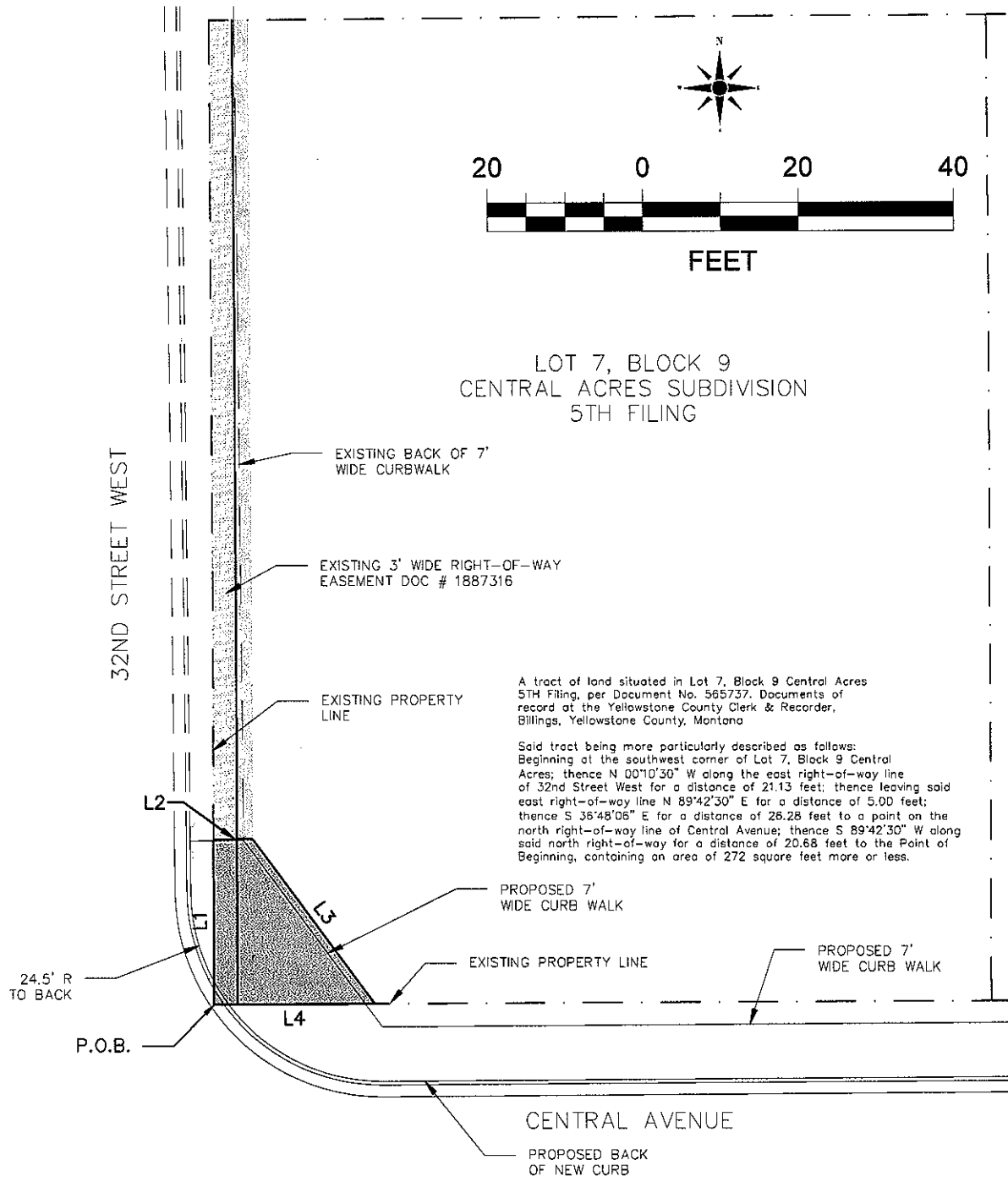
BY: \_\_\_\_\_  
MAYOR (Date)

**ATTEST**

BY: \_\_\_\_\_  
Cari Martin (Date)  
CITY CLERK

# EXHIBIT A




SIDEWALK RIGHT-OF-WAY  
TO BE ACQUIRED  
SITUATED IN LOT 7, BLOCK 9  
CENTRAL ACRES 5TH FILING  
BILLINGS, YELLOWSTONE COUNTY, MONTANA



A tract of land situated in Lot 7, Block 9 Central Acres 5TH Filing, per Document No. 565737. Documents of record at the Yellowstone County Clerk & Recorder, Billings, Yellowstone County, Montana

Said tract being more particularly described as follows:  
Beginning at the southwest corner of Lot 7, Block 9 Central Acres; thence N 00°10'30" W along the east right-of-way line of 32nd Street West for a distance of 21.13 feet; thence leaving said east right-of-way line N 89°42'30" E for a distance of 5.00 feet; thence S 36°48'06" E for a distance of 26.28 feet to a point on the north right-of-way line of Central Avenue; thence S 89°42'30" W along said north right-of-way for a distance of 20.68 feet to the Point of Beginning, containing an area of 272 square feet more or less.

### LEGEND

-  EXISTING SIDEWALK EASEMENT
-  PROPOSED SIDEWALK EASEMENT
-  PROPOSED SIDEWALK RIGHT-OF-WAY

Parcel Line Table		
Line #	DIRECTION	LENGTH
L1	N00° 10' 30"W	21.13
L2	N89° 42' 30"E	5.00
L3	S36° 48' 06"E	26.28
L4	S89° 42' 30"W	20.68

CITY OF BILLINGS, MONTANA  
SIDEWALK RIGHT-OF-WAY EXHIBIT

CITY W.O. 10-27

THIS EXHIBIT IS PREPARED BY THE CITY OF BILLINGS, MONTANA