

**Attachment G**  
**PLANNED DEVELOPMENT AGREEMENT**  
For Lot 2, Block 28, of Harvest Subdivision 3<sup>rd</sup> Filing,  
in the City of Billings, Yellowstone County, Montana

THIS AGREEMENT, made and entered into this \_\_\_ day of \_\_\_\_\_, 2012, by and between Terry Havener, Susan Havener, Brittany Evans, Kimberly Erbacher, John Erbacher, Folmer Chirstensen, Mari Christensen as individual property owners and Stockman Bank, LLC a Montana corporation (hereinafter referred to as the “Owners”), and the City of Billings (hereinafter referred to as “City”).

WITNESSETH

WHEREAS, the undersigned are Owners of units within Lot 2, Block 28, of Harvest Subdivision, 3<sup>rd</sup> Filing, according to the record thereof on file in the office of the Clerk and Recorder of Yellowstone County, Montana, a Planned Development affected by this Agreement, as outlined within the City Zoning Ordinance;

WHEREAS, the aforesaid Owners applied for a change of zoning for the above-described real property from Planned Development Residential Multi-family or Church to Planned Development Neighborhood Commercial;

WHEREAS, the City has approved the change of zoning to Planned Development Neighborhood Commercial after due and proper administrative review, notice and public hearing, all in accordance with City Ordinances and requirements;

NOW, THEREFORE, in consideration of the premises, the Owners and the City hereby establish and declare that Lot 2, Block 28, of Harvest Subdivision 3<sup>rd</sup> Filing, City of Billings, Yellowstone County, Montana, according to the official plat on file in the office of the Clerk and Recorder of said County under Document #1122584 (commonly referred to as 3225 and 3229 Rosebud Drive, Billings, Montana 59102) is hereby zoned Planned Development Neighborhood Commercial effective immediately.

I. PERSONS BOUND BY THE PLANNED DEVELOPMENT AGREEMENT.

All persons, corporations or other entities, who now have or shall hereafter acquire any interest in and to the above-described real property shall be taken and held to agree to the zoning of the above-described real property as Planned Development Neighborhood Commercial.

II. Addendum to Planned Unit Development Agreement – Harvest Subdivision – Official Document on file with the office of the Clerk and Recorder #1231501

Article II, Subsection A is amended to include Block 28, Lot 2 as Neighborhood Commercial.

IN WITNESS WHEREOF, the parties hereto have set their hands and official seals on the date first above written.

“OWNERS”

Terry Havener

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Susan Havener

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Brittany Evans

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Kimberly Erbacher

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John Erbacher

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Folmer Christensen

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Mari Christensen

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Stockman Bank,LLC  
a Montana corporation

BY \_\_\_\_\_  
Tim Ludewig, Vice President  
duly authorized agent

ATTEST \_\_\_\_\_

“CITY”

THE CITY OF BILLINGS,

BY \_\_\_\_\_

