

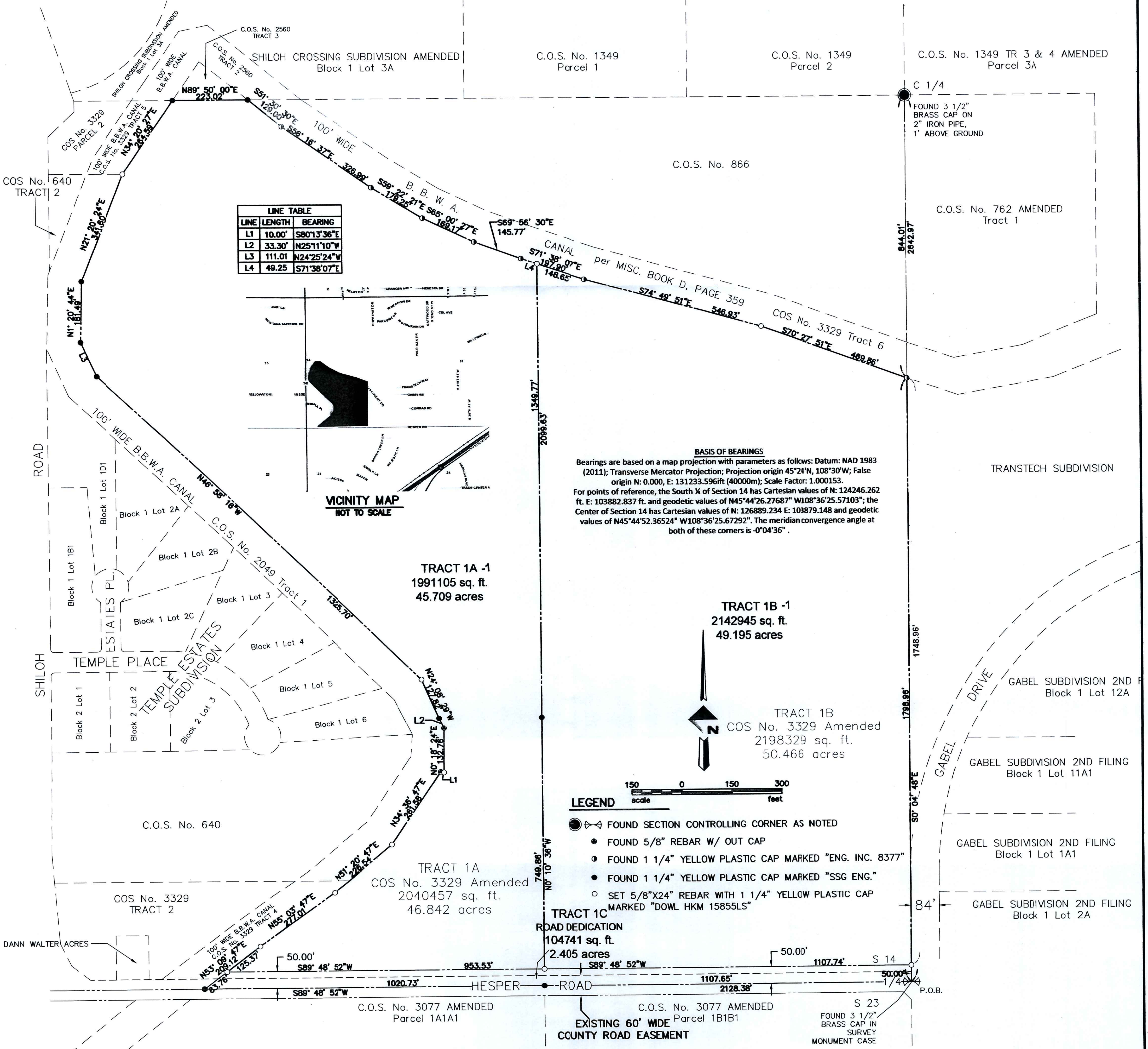
CERTIFICATE OF SURVEY No. 3329 SECOND AMENDMENT

FOR: SUNCAP BILLINGS, LLC

BEING AN AMENDMENT TO TRACT 1A AND 1B OF C.O.S. No. 3329 AMENDED
 LOCATED IN THE SW 1/4 OF SECTION 14, T.1S., R.25E., P.M.M.
 CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

*AS SUBMITTED
 w/ MYLARS*

BY: DOWL HKM
 GRANITE TOWER BUILDING
 222 NORTH 32ND STREET, SUITE 700
 BILLINGS, MONTANA 59101
 JULY 2013



BASIS OF BEARINGS
 Bearings are based on a map projection with parameters as follows: Datum: NAD 1983 (2011); Transverse Mercator Projection; Projection origin 45°24'N, 108°30'W; False origin N: 0.000, E: 131233.596ft (40000m); Scale Factor: 1.000153.
 For points of reference, the South 1/4 of Section 14 has Cartesian values of N: 124246.262 ft. E: 103882.837 ft. and geodetic values of N45°44'26.27687" W108°36'25.57103"; the Center of Section 14 has Cartesian values of N: 103879.148 and geodetic values of N45°44'52.36524" W108°36'25.67292". The meridian convergence angle at both of these corners is -0°04'36".

LEGAL DESCRIPTION OF PROPERTY

A tract of land located in the SW 1/4 of Section 14, Township 1 South, Range 25 East, Principal Meridian of Montana, Yellowstone County, Montana. Being more particularly described as follows:

Beginning at the south quarter corner of Section 14, Township 1 South, Range 25 East, Principal Meridian of Montana; thence along the south line of said Section 14, S89°48'52"W 1107.65 feet to the southeasterly corner of Tract 1A, Certificate of Survey No. 3329 Amended, records of Yellowstone County, Montana; thence continuing along the south line of said Section 14, S89°48'52"W 1020.73 feet to the southeasterly right of way line of the Billings-Bench Water Association Canal, as shown on Certificate of Survey No. 2587, records of Yellowstone County, Montana; thence along said canal right of way line the following thirteen courses:
 N53°09'47"E 209.12 feet;
 N55°03'47"E 277.01 feet;
 N51°20'47"E 226.54 feet;
 N34°36'47"E 261.58 feet;
 S80°13'36"E 10.00 feet;
 N00°18'24"E 132.76 feet;
 N25°11'10"W 33.30 feet;
 N24°08'29"W 127.82 feet;
 N46°58'16"W 1325.70 feet;
 N24°25'24"W 111.01 feet;
 N01°20'44"E 181.49 feet;
 N21°20'24"E 341.60 feet;

N34°20'27"E 264.59 feet to the southwest corner of Tract 3 Certificate of Survey No. 2560 records of Yellowstone County, Montana, said point being on the north line of the SW 1/4 of afore mentioned section 14; thence along said aliquot line N89°50'00"E 223.02 feet to the southerly right of way line of the Billings-Bench Water Association Canal, as recorded in Book D, Page 359, and as Tract 6 on Certificate of Survey No. 3329, records of Yellowstone County, Montana; thence along said canal right of way line the following eight courses:
 S51°30'30"E 129.00 feet;
 S56°16'37"E 326.99 feet;
 S59°22'21"E 179.25 feet;
 S65°00'27"E 169.17 feet;
 S69°56'30"E 145.77 feet;
 S71°38'07"E 197.90 feet;
 S74°49'51"E 546.93 feet;
 S70°27'51"E 469.86 feet
 to the east line of the SW 1/4 of said Section 14; thence along said east line of said SW 1/4, S00°04'48"E 1798.96 feet to the Point of Beginning, said tract contains 97.309 acres (GROSS) & 94.904 acres (NET).

PURPOSE OF SURVEY

I hereby certify that the purpose of this survey is to create a tract (Tract 1C) for right of way to be dedicated for public use. Therefore, this survey is exempt from review as a subdivision pursuant to Section 76-3-201(1)(h), M.C.A. A subsequent change in the use of the land to a residential, commercial, or industrial use is subject to the requirements of Section 76-3, M.C.A. These lots are also exempt from review by the Department of Environmental Quality pursuant to MCA 76-4-125(2)(a) and 76-3-201(h) in that it is a division of land that is created for rights-of-way or utility sites.

For SunCap Billings, LLC by its Authorized Agent
 SUNCAP INVESTMENTS, LLC by
 Jason K. Birt, Manager

STATE OF MONTANA)
) ss
 County of Yellowstone)

On this 19th day of September 2013, before me a Notary Public in and for the State of Montana personally appeared Jason K. Birt known to be the Registered Agent for SunCap Billings, LLC and the person who signed the foregoing instrument and who 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 Montana
 Printed name of Notary
 Residing at
 My Commission Expires

MALFUSA SINGER
 NOTARY PUBLIC
 MECKLENBURG COUNTY, NC
 My Commission Expires 3-27-2018

YELLOWSTONE COUNTY TREASURER

I hereby certify that all real property taxes and special assessments have been paid per 76-3-207-(3) M.C.A.
 Date:
 Yellowstone County Treasurer
 By: Deputy

CERTIFICATE OF SURVEYOR

STATE OF MONTANA)
) ss
 County of Yellowstone)

I, THE UNDERSIGNED Dean R. Schock, being a Professional Land Surveyor in the State of Montana, Registration No. 15855, do hereby certify that the attached Certificate of Survey is representative of a survey performed under my supervision, and that this survey is in conformance with the Montana Subdivision and Platting Act (Section 76-3-101 through 76-3-814, M.C.A.).

Dean R. Schock
 Montana Reg. No. 15855LS
 09-09-2013
 Date



CERTIFICATE OF REVIEW FOR ERRORS AND OMISSIONS

I hereby certify that I have examined the annexed and forgoing plat known as "Certificate of Survey No. 3329 Second Amendment" 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 10/04/2013

CERTIFICATE OF CITY ATTORNEY

This Document has been reviewed by the City Attorney's Office and is acceptable as to form.
 Date:
 By:

CLERK AND RECORDER