

Return to:
City Clerk
City of Billings
PO Box 1178
Billings, MT 59103

DECLARATION OF EASEMENT

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the undersigned owners:

AVIARA, INC.
3671 Spalding Ave.
Billings, MT 59106

RIMS DEVELOPMENT, LLC.
2800 Central Ave., Ste. B
Billings, MT 59102

X BAR S ENTERPRISE, LLC.
4209 Julaura Ln.
Billings, MT 59106

do, on this _____ day of _____, 20____, hereby grant to

THE CITY OF BILLINGS, MONTANA, a municipal corporation,
P.O. Box 1178
Billings, MT 59101

easements over, under, through and across certain real property located in the SE1/4 of Section 25, T.1 N., R. 24 E., P.M.M., in the City of Billings, Yellowstone County, Montana, being more particularly described as follows, to wit:

An 8.00 foot wide easement along a portion of the frontages Lots 6, 7, 8, 9, 10 and 11 in Block 2, Lot 15 in Block 3, and Lots 5 and 6 in Block 5 of Falcon Ridge Estates Subdivision, Second Filing, according to the official plat on file in the Office of the Clerk and Recorder of Yellowstone County, Montana, under Document No. 3682227; said easements being as shown on the attached Exhibits A, B, C, and D.

The Owners do hereby create these easements for the purpose of constructing, reconstructing, maintaining, operating, repairing, improving, replacing, and using a public sidewalk and any necessary fixtures and appurtenances over, under, through, and across said real property, together with the right of free ingress and egress for said purposes.

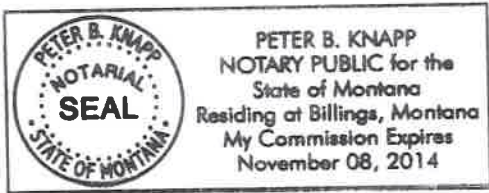
These easements are created for the benefit of the Public and shall run with the real property and are binding on all parties having any right, title, or interest in the described property or any part thereof, their heirs, executors, successors, administrators, and assignees, and shall bind each owner thereof.

AVIARA, INC.

By: Dennis J. Buscher
Title: President

STATE OF MONTANA)
 :ss
County of Yellowstone)

On this 10th day of January, 2014, before me, the undersigned Notary Public for the State of Montana, personally appeared Dennis J. Buscher, known to me to be the persons who signed the forgoing instrument as President of AVIARA, INC, and acknowledged to me that said corporation executed the same. Witness my hand and seal the day and year herein above written.



Peter B. Knapp
Notary Public in and for the State of Montana
Printed Name Peter B Knapp
Residing at Billings
My commission expires November 8, 2014

ACKNOWLEDGMENT AND ACCEPTANCE OF CONVEYANCE

The Mayor and City Council of the City of Billings, Montana acknowledges receipt and hereby accepts the interest conveyed through this instrument.

Mayor, City of Billings, Montana

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 _____ and _____, known to me to be the Mayor and City Clerk of Billings, Montana, respectively, and acknowledged to me that they executed the foregoing instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial seal the day and year hereinabove written.

Notary Public in and for the State of Montana
Printed name: _____
Residing at _____
My commission expires: _____

EXHIBIT A

SIDEWALK EASEMENTS WITHIN LOTS 6, 7, & 8, BLOCK 2, FALCON RIDGE ESTATES SUBDIVISION, SECOND FILING

PREPARED BY : SANDERSON STEWART

BILLINGS, MONTANA

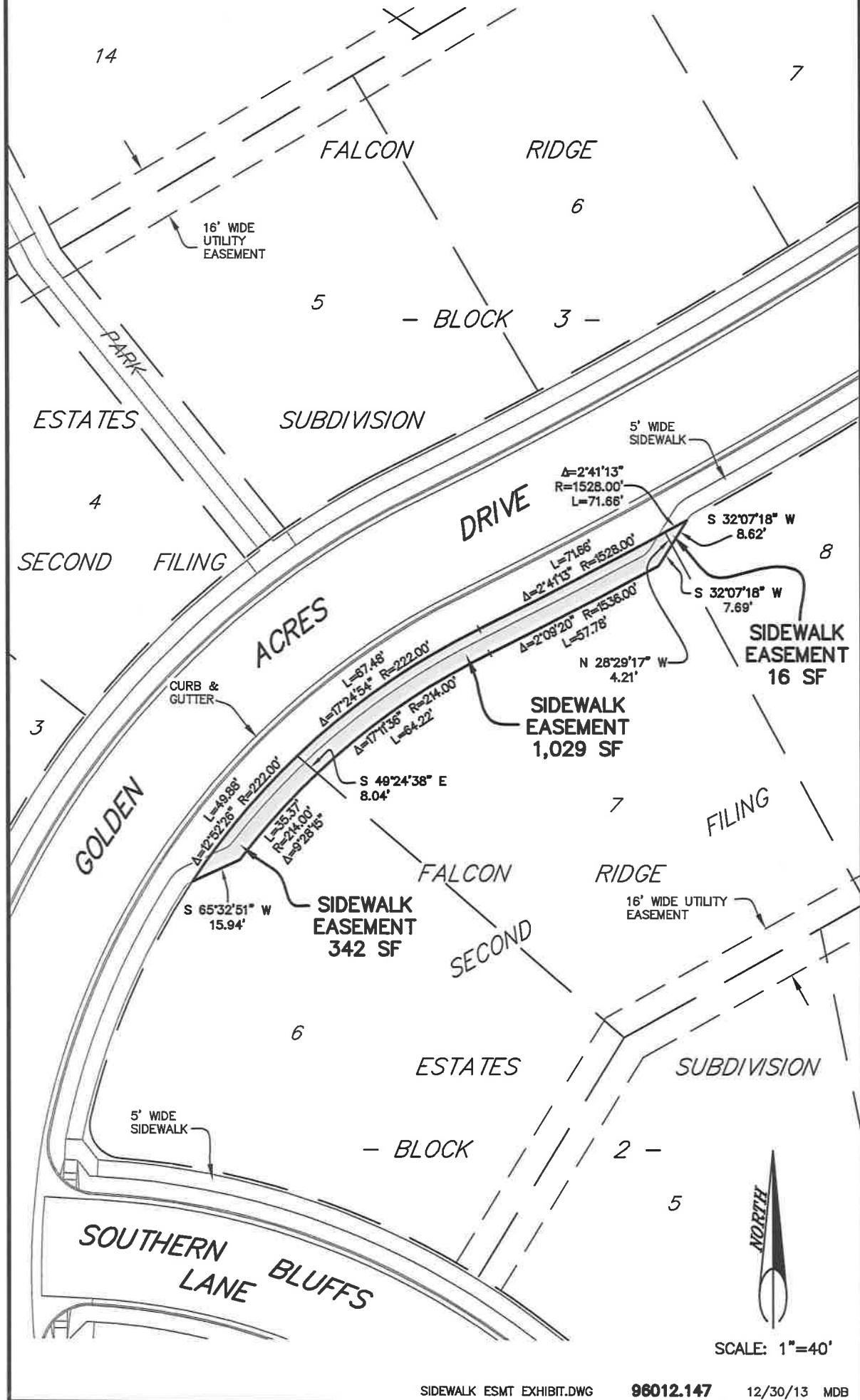


EXHIBIT B

SIDEWALK EASEMENTS WITHIN LOTS 9, 10, & 11, BLOCK 2, FALCON RIDGE ESTATES SUBDIVISION, SECOND FILING

PREPARED BY : SANDERSON STEWART

BILLINGS, MONTANA

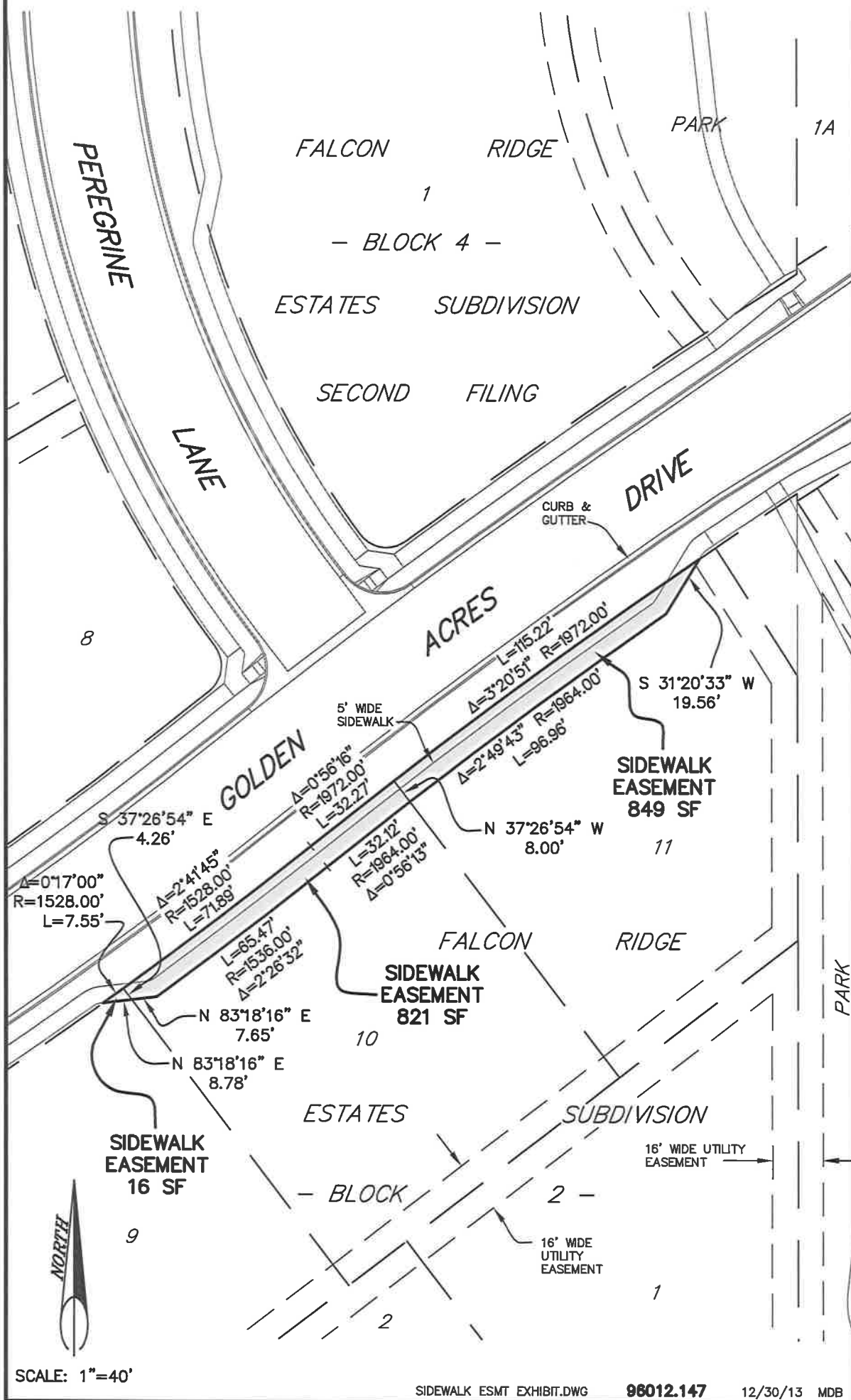


EXHIBIT C

SIDEWALK EASEMENT WITHIN LOT 15, BLOCK 3, FALCON RIDGE ESTATES SUBDIVISION, SECOND FILING

PREPARED BY : SANDERSON STEWART

BILLINGS, MONTANA

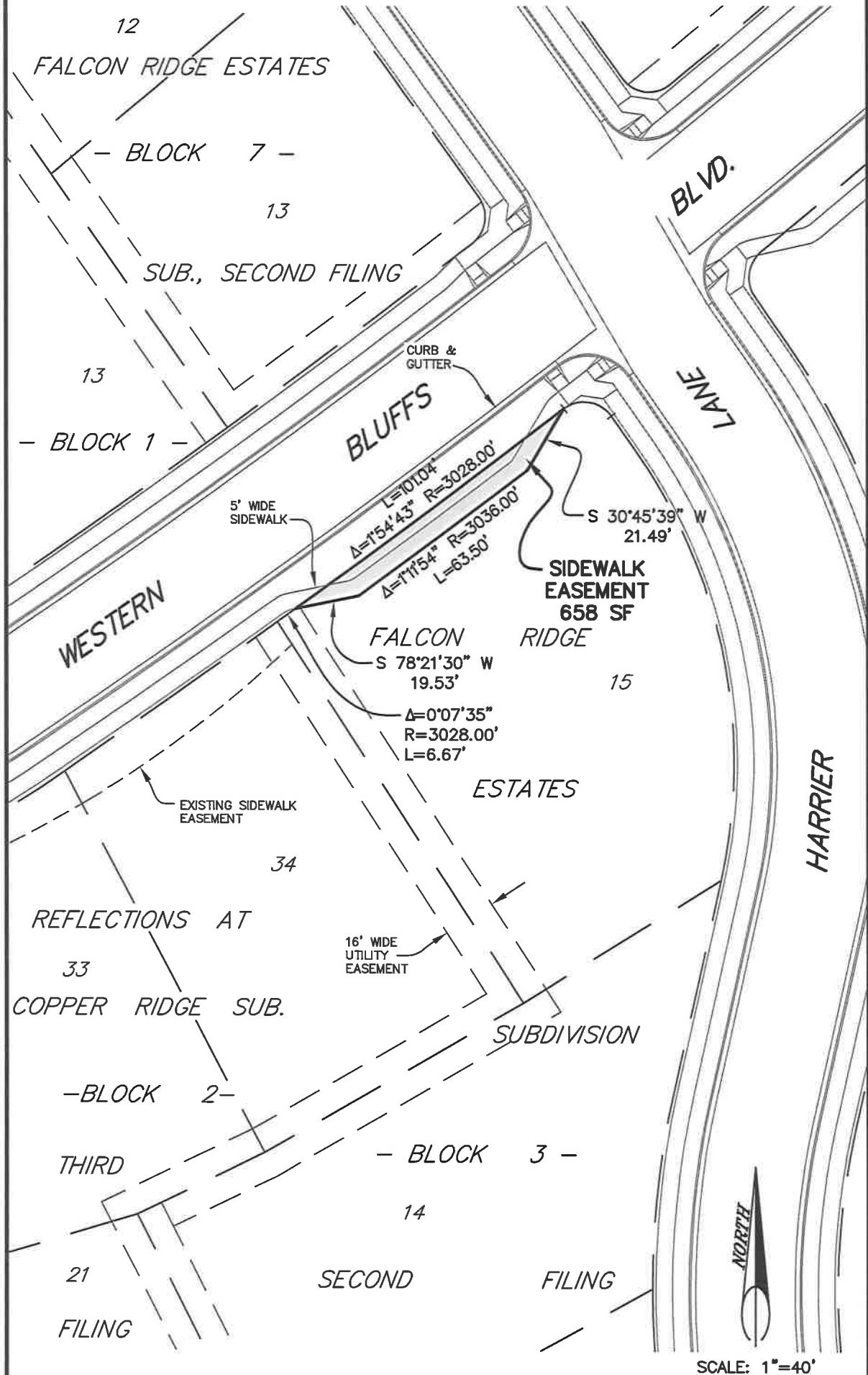
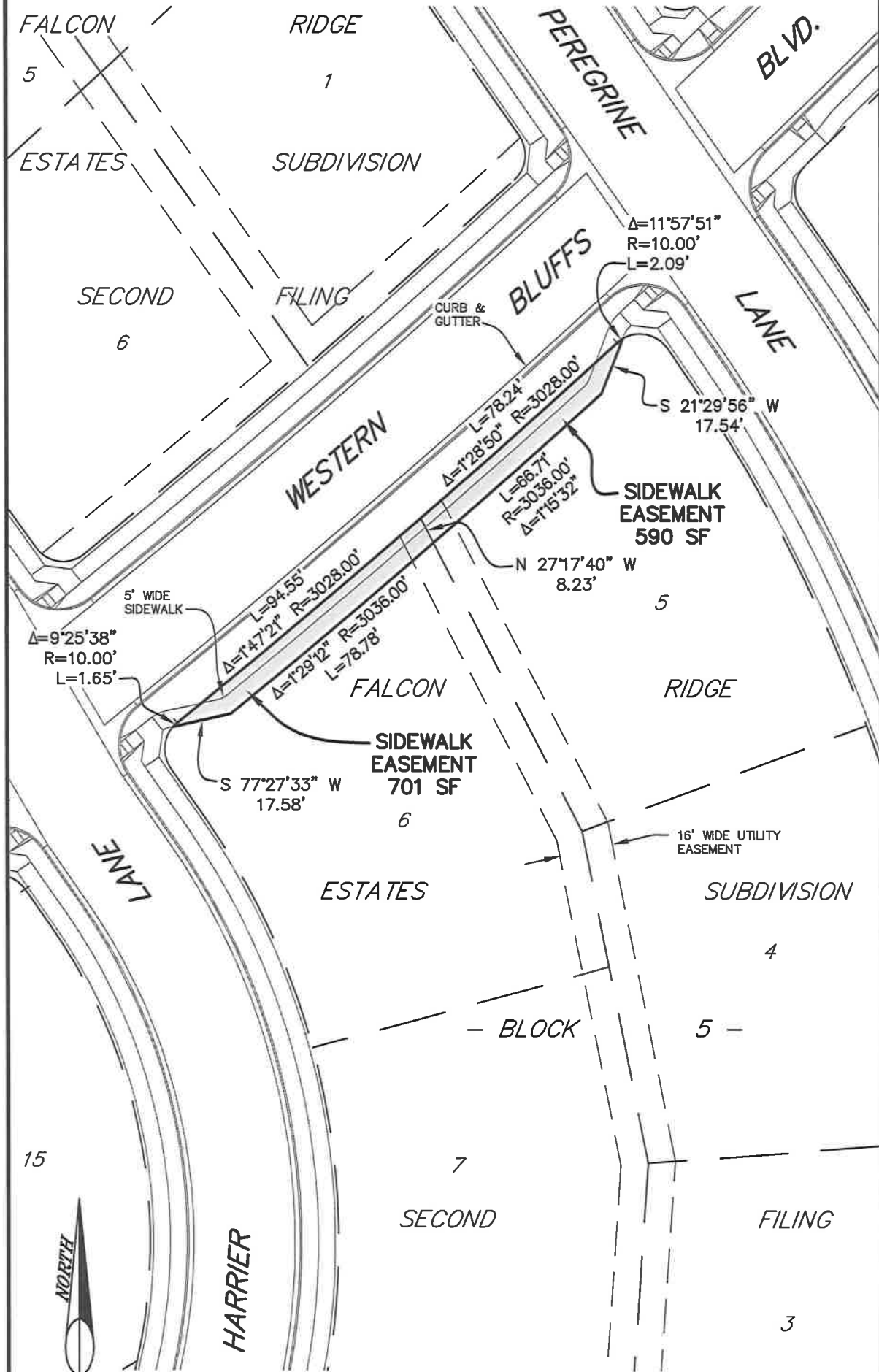


EXHIBIT D

SIDEWALK EASEMENTS WITHIN LOTS 5 & 6, BLOCK 5, FALCON RIDGE ESTATES SUBDIVISION, SECOND FILING

PREPARED BY : SANDERSON STEWART

BILLINGS, MONTANA



SCALE: 1"=40'

SIDEWALK ESMT EXHIBIT.DWG

96012.147

12/30/13 MDB