

RETURN TO  
City Clerk  
City of Billings  
P.O. Box 1178  
Billings, MT 59103

### RIGHT-OF-WAY EASEMENT

**THIS EASEMENT**, made and entered into this day of 8/27, 2014, by and between the following:

Richard K. and Debra Lynn Braaten  
516 Calhoun Lane  
Billings, Montana 59101-4816,  
hereinafter referred to as **GRANTOR**

and

**CITY OF BILLINGS**, a Municipal Corporation  
City Hall – 210 North 27th Street  
PO Box 1178  
Billings, Montana 59103-1178,  
hereinafter referred to as **GRANTEE**

**FOR VALUABLE CONSIDERATION**, the receipt of which is hereby acknowledged;

**WITNESSETH THAT GRANTOR** does hereby grant, sell, and convey unto the **GRANTEE**, perpetual easement and right-of-way to construct, reconstruct, maintain, operate, repair and improve necessary fixtures and appurtenances for sidewalk, and accessibility ramps, utilities and fire hydrants over, across, under, and through the real property more particularly described as follows:

A tract of land situated in Certificate of Survey No. 100, Document No. 436920, of record at the Yellowstone County Clerk & Recorder, City of Billings, Yellowstone County, Montana.

Basis of Bearings being Certificate of Survey No. 100, Document No. 436920.

Said tract being more particularly described as follows;

Beginning at the southeast corner of said C.O.S. No. 100, point also being on the north R-O-W of Ruth Avenue; thence N 90°00'00" W along said R-O-W for a distance of 10.00 feet; thence leaving said R-O-W N 45°00'00" E for a distance of 11.31 feet to a point, said point being 2.00 feet perpendicular to the east line of said C.O.S.; thence N 00°00'00" E and parallel to the east line of said C.O.S. for a distance of 128.00 feet to a point on the north line of said C.O.S.; thence N 90°00'00" E along said north line for a distance of 2.0 feet to a point on east line of said C.O.S., point also being on the west R-O-W of Calhoun Lane; thence S 00°00'00" E for a distance of 136.00 feet Point of Beginning. Said tract of land containing 304 square feet more or less.

More commonly referred to as 516 CALHOUN LN.

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**TO HAVE AND TO HOLD** unto **GRANTEE** and to its successors and assigns forever.

**IN WITNESS WHEREOF**, the **GRANTOR** warrants that they have good right to convey, free and clear of all encumbrances; the above-described interests in the real estate described and have hereunto set their hand.

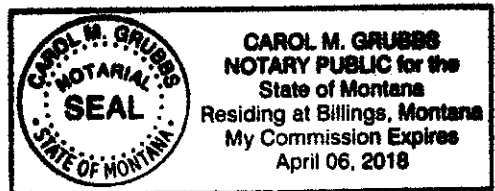
  
RICHARD K. BRAATEN (Co-Owner)

  
DEBRA LYNN BRAATEN (Co-Owner)

STATE OF MONTANA        )  
                                      :SS  
County of Yellowstone    )

On this 4 day of August, 2014, before me, a Notary Public in and for the State of Montana, personally appeared RICHARD K. BRAATEN and DEBRA LYNN BRAATEN, known to me to be the owners of said property whose names are subscribed to the foregoing instrument, and acknowledged to me that they duly executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.





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**ACKNOWLEDGMENT AND ACCEPTANCE OF CONVEYANCE**

The Mayor and City Council of the City of Billings acknowledges receipt of this perpetual easement and hereby accepts the property interest conveyed through this instrument.

\_\_\_\_\_  
THOMAS W. HANEL,  
Mayor, City of Billings

**ATTEST:**

\_\_\_\_\_  
CARI MARTIN, City Clerk

STATE OF MONTANA        )  
  :ss  
County of Yellowstone    )

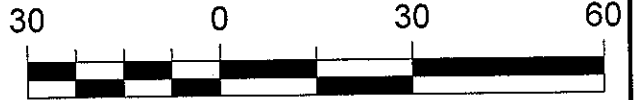
On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, a Notary Public in and for the State of Montana, personally appeared THOMAS W HANEL and CARI MARTIN, known to me to be the Mayor and City Clerk of Billings, respectively, and acknowledged to me that they duly executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.

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

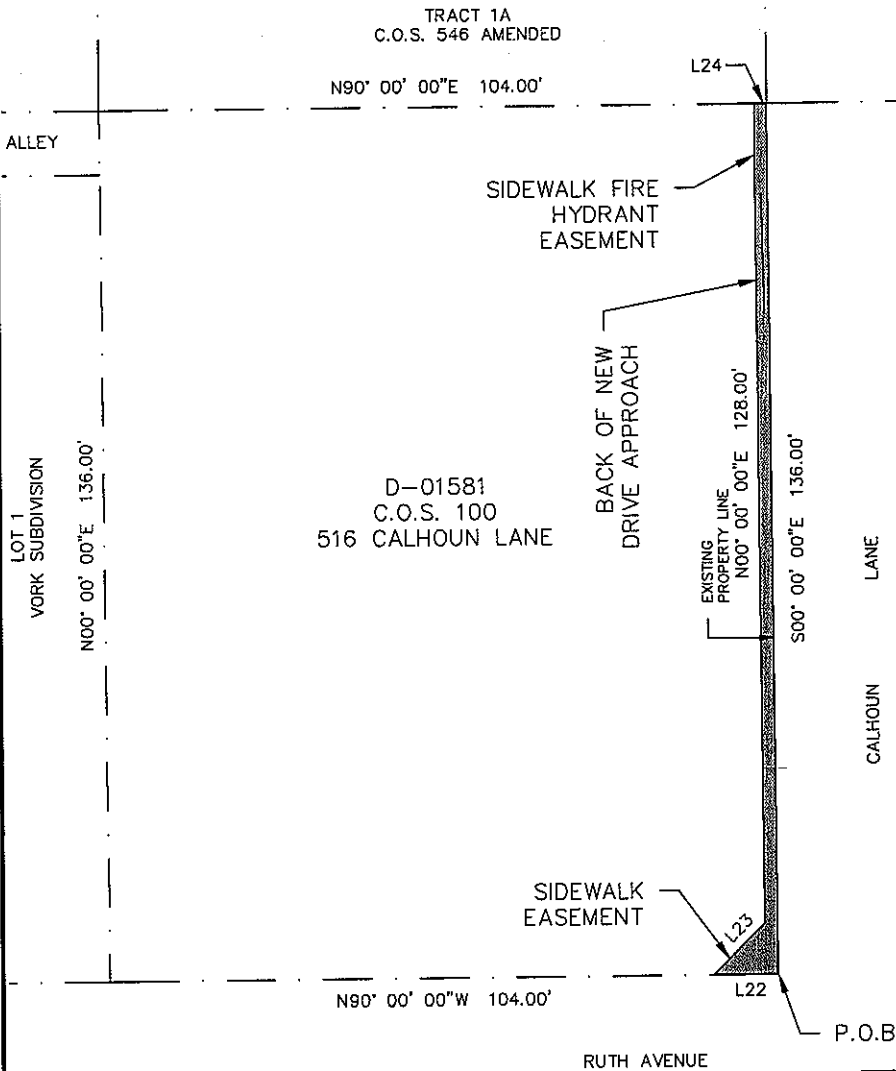
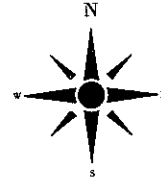
# EXHIBIT A

## SIDEWALK, UTILITY AND FIRE HYDRANT EASEMENT SITUATED IN CERTIFICATE OF SURVEY NO. 100, DOCUMENT NUMBER 436920 BILLINGS, YELLOWSTONE COUNTY, MONTANA

Parcel Line Table		
Line #	DIRECTION	LENGTH
L22	N90° 00' 00"W	10.00
L23	N45° 00' 00"E	11.31
L24	N90° 00' 00"E	2.00



FEET



### SIDEWALK EASEMENT DESCRIPTION

A tract of land situated in Certificate of Survey No. 100, Document No. 436920, of record at the Yellowstone County Clerk & Recorder, City of Billings, Yellowstone County, Montana.

Basis of Bearings being Certificate of Survey No. 100, Document No. 436920.

Said tract being more particularly described as follows: Beginning at the southeast corner of said C.O.S. No. 100, point also being on the north R-O-W of Ruth Avenue; thence N 90°00'00" W along said R-O-W for a distance of 10.00 feet; thence leaving said R-O-W N 45°00'00" E for a distance of 11.31 feet to a point, said point being 2.00 feet perpendicular to the east line of said C.O.S.; thence N 00°00'00" E and parallel to the east line of said C.O.S. for a distance of 128.00 feet to a point on the north line of said C.O.S.; thence N 90°00'00" E along said north line for a distance of 2.0 feet to a point on east line of said C.O.S., point also being on the west R-O-W of Calhoun Lane; thence S 00°00'00" E for a distance of 136.00 feet Point of Beginning.

Said tract of land containing 304 square feet more or less.

### LEGEND

SIDEWALK EASEMENT

RESERVED FOR CLERK AND RECORDER

CITY OF BILLINGS, MONTANA  
SIDEWALK EASEMENT EXHIBIT  
CITY W.O. 13-15  
THIS EXHIBIT IS PREPARED BY THE CITY OF BILLINGS, MONTANA