

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 26 Jan, 2015, by and between the following:

Ralph B aka JR Kottke and Tammy Kottke-Chartier
544 Calhoun Lane
Billings, Montana 59101-4836,
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, and fire hydrants over, across, under, and through the real property more particularly described as follows:

A tract of land situated in Lot 1A of Amended Plat of Lots 1 & 2 Simpson Subdivision, Document No. 1424902. Of record at the Yellowstone County Clerk & Recorder, City of Billings, Yellowstone County, Montana;

Said tract being more particularly described as follows:

Beginning at the southwest corner of said Lot 1A, point also being on the north right-of-way of Simpson Street; thence N 00°11'00" W for a distance of 4.00 feet; thence N 89°59'39" E and being parallel to said right-of-way for a distance of 55.98 feet; thence N 58°54'07" E for a distance of 11.68 feet, said point being on the west right-of-way of Calhoun Lane; thence along a curve to the right with a radius of 10.00 feet and an arc length of 15.74 feet (Chord bearing S 44°54'21" W and Chord distance of 14.16 feet), to a point on the north right-of-way line of Simpson Street; thence S 89°59'39" W along said north right-of-way line for a distance of 55.97 feet to the Point of Beginning.


Said tract of land containing 273 square feet more or less.

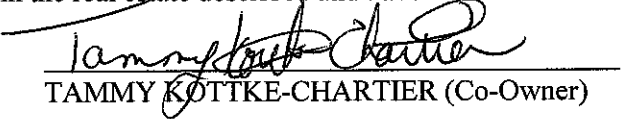
More commonly referred to as 544 CALHOUN LN

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

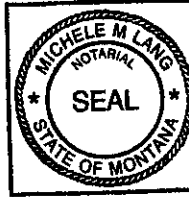
IN WITNESS WHEREOF, the **GRANTOR** warrants that they have good right to convey, free and clear of all encumbrances; the above-described interests in the real estate described and have hereunto set their hand.


RALPH B aka JR KOTTKE (Co-Owner)


TAMMY KOTTKE-CHARTIER (Co-Owner)

STATE OF MONTANA)
 :SS
County of Yellowstone)

On this 26th day of January, 2015, before me, a Notary Public in and for the State of Montana, personally appeared RALPH B aka JR KOTTKE and TAMMY KOTTKE-CHARTIER, 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.

Michele M Lang
 MICHELE M LANG
NOTARY PUBLIC for the
State of Montana
Residing at Billings, Montana
My Commission Expires
June 30, 2018

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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

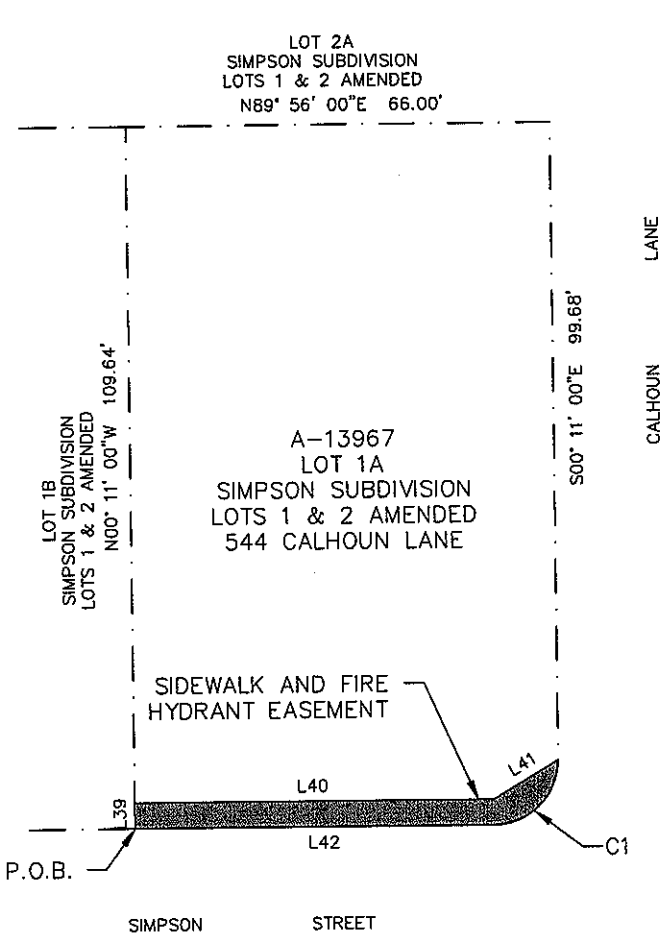
Printed Name: _____

Residing at _____

My commission expires _____

EXHIBIT A

SIDEWALK EASEMENT
SITUATED IN LOT 1A OF SIMPSON SUBDIVISION,
LOTS 1 & 2 AMENDED,
DOCUMENT NUMBER 1424902
BILLINGS, YELLOWSTONE COUNTY, MONTANA



SIDEWALK EASEMENT DESCRIPTION

A tract of land situated in Lot 1A of Amended Plat of Lots 1 & 2 Simpson Subdivision, Document No. 1424902, of record at the Yellowstone County Clerk & Recorder, City of Billings, Yellowstone County, Montana

Said tract being more particularly described as follows:
Beginning at the southwest corner of said Lot 1A, point also being on the north right-of-way of Simpson Street; thence N 00°11'00" W for a distance of 4.00 feet; thence N 89°59'39" E and being parallel to said right-of-way for a distance of 55.98 feet; thence N 58°54'07" E for a distance of 11.68 feet, said point being on the west right-of-way of Calhoun Lane; thence along a curve to the right with a radius of 10.00 feet and an arc length of 15.74 feet (Chord bearing S 44°54'21" W and Chord distance of 14.16 feet), to a point on the north right-of-way line of Simpson Street; thence S 89°59'39" W along said north right-of-way line for a distance of 55.97 feet to the Point of Beginning.
Said tract of land containing 273 square feet more or less.

Parcel Line Table		
Line #	DIRECTION	LENGTH
L39	N00° 11' 00"W	4.00
L40	N89° 59' 39"E	55.98
L41	N58° 54' 07"E	11.68
L42	S89° 59' 39"W	55.97

Curve Table					
CURVE #	RADIUS	LENGTH	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	10.00	15.74	90°10'02"	S44°54'21"W	14.16

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