

MULTI-USE TRAIL EASEMENT

FOR VALUABLE CONSIDERATION, **City High Ditch Water Users Association**, (“Grantor”) PO Box 20358, Billings, MT 59104 does hereby GRANT, to the **CITY OF BILLINGS, MONTANA**, (“Grantee”) a municipal corporation, whose address is Post Office Box 1178, Billings Montana 59103, a perpetual easement to construct, reconstruct, maintain, operate, repair and improve necessary fixtures and appurtenances for a multi-use trail over, across, under and through the following described real property that is located in the City of Billings, Yellowstone County, Montana:

Legal Description: Lot 1, Block 1, Missions United Subdivision, Yellowstone County, Montana, on file in the office of the Clerk and Recorder of said County, under Document No. 3135018.

More commonly referred to as “Property”.

DESCRIPTION OF EASEMENT
SEE ATTACHED EXHIBIT “A”

This easement shall continue from the date it is executed by all parties so long as the need continues to use the property for the above-described purposes, and shall terminate when the City of Billings ceases to use the property to maintain, operate, repair and improve necessary fixtures and appurtenances for the Multi-use Trail.

The City High Ditch Water Users Association will not be liable for damage to the Multi-use Trail or for personal injuries related to trail use. In accepting this easement, the City agrees that any damage or injury done to the multi-use trail by a contractor or employee working for the City High Ditch Water Users Association for the maintenance or improvement of the ditch is the sole responsibility of the City of Billings.

DATED this _____ day of _____, 2015.

Vince Winterhalter, President
City High Ditch Water Users Association

STATE OF MONTANA)
) : ss
County of Yellowstone)

On this ____ day of _____, 2015 before me a Notary Public for the State of Montana, personally appeared **Vince Winterhalter, City High Ditch Water Users Association**, and acknowledged to me that he executed the foregoing instrument.

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

_____ (Signature)

