

WARRANTY DEED

THIS INDENTURE, made this _____ day of _____, 20____.

FOR VALUABLE CONSIDERATION, lawful money of the United States to them in hand paid by the **CITY OF BILLINGS**, THE receipt whereof is acknowledged, **WITNESSTH THAT:**

Michelotti Sawyers & Nordquist Mortuary Inc
3605 Grand Avenue
Billings, MT 59102

does hereby **GRANT, BARGAIN, SELL CONVEY, WARRANT AND CONFIRM** unto the **CITY OF BILLINGS** for the benefit and use of **The Public** the following described real property, to wit:

A Tract of land situated in Tract 2A, Certificate of Survey No. 2974, Amended Tract 2 as recorded in Document No. 3647208, in the SW1/4 of Section 34, T. 1 N., R. 25 E., P.M.M., Yellowstone County, Montana, said tract being more particularly described as follows, to wit:

Beginning at the N1/4 Corner Section 2, T. 1 S., R. 25 E., P.M.M., Yellowstone County, Montana; thence from said point of beginning along South line of Section 34 S89°16'53"W a distance of 304.95 feet to the Southwest corner of said Tract 2; thence along West line of said Tract 2A N01°30'47"W a distance of 60.01 feet; thence N89°16'53"E a distance of 658.71 feet; thence along a non-tangent curve to the left with a radius of 762.50 feet a distance of 8.47 feet (chord bearing N83°42'44"E, chord length 8.47 feet) to the East line of said Tract 2 A; thence along said East line S01°30'54"E a distance of 60.83 feet to the Southeast corner of said Tract 2 A; thence along South line of Section 34 S89°16'53"W a distance of 362.20 feet to the point of beginning; said described tract containing an area of 40,033 SqFt., more or less.

AS SHOWN by Exhibit "A", consisting of one sheet attached hereto and made a part hereof.

PURPOSE OF ACQUISITION is to create a right-of way parcel for construction and use of public road, utility and related appurtenant structures, pursuant to 76-3-201(1)(h) M.C.A. as a division of land that creates rights-of-way or utility sites.

EXCEPTING AND RESERVING, however, all gas and oil, beneath the surface of the above described and conveyed premises, together with the right to extract the same, provided that in the exercise of such right the surface thereof shall not be disturbed, interfered with, or in anyway damaged.

FURTHER EXCEPTING AND RESERVING, unto the grantors, their successors and assigns all water, water rights, ditches, canals, irrigation systems, existing or as relocated, if any, including but not limited to, water stock or shares, bonds, certificates, contracts and any and al other indicia, of water, water right and ditch ownership, or any interest therein, appurtenant to the land described herein.

TO HAVE AND TO HOLD the above described and conveyed premises, with all the reversions, remainders, tenements, hereditaments and appurtenances thereto, unto the **CITY OF BILLINGS**, and to its successors and assigns forever.

IN WITNESSTH WHEREOF, the undersigned have executed these premises the day and year first above written.

By: _____

As: _____

Of: Michelotti Sawyers & Nordquist Mortuary Inc
3605 Grand Avenue
Billings, MT 59102

STATE OF MONTANA)
)
:ss
County of _____)

On this _____ day of _____, 20____, before me the undersigned Notary Public for the State of Montana, personally appeared _____, As _____, of Michelotti Sawyers & Nordquist Mortuary known to me to be the person who signed the foregoing instrument and who acknowledged to me that he/she executed the same. Witness my hand and seal the day and year herein above written.

Notary Public in and for the State of Montana
Residing in _____
My commission expires _____

Print Name

ACKNOWLEDGMENT AND ACCEPTANCE OF CONVEYANCE

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

Mayor, City of Billings

Date

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 _____ as Mayor and _____ City Clerk of Billings known to me to be the persons who signed, respectively, and acknowledge to me that they executed the foregoing instrument. IN WITNESS WHEREOF, I have hereunto set my hand and my seal the day and year herein above written.

Notary Public in and for the State of Montana
Residing in _____
My commission expires _____

Print Name

EXHIBIT 'A'

RIGHT-OF-WAY ACQUISITION

RIGHT-OF-WAY ACQUISITION DESCRIPTION

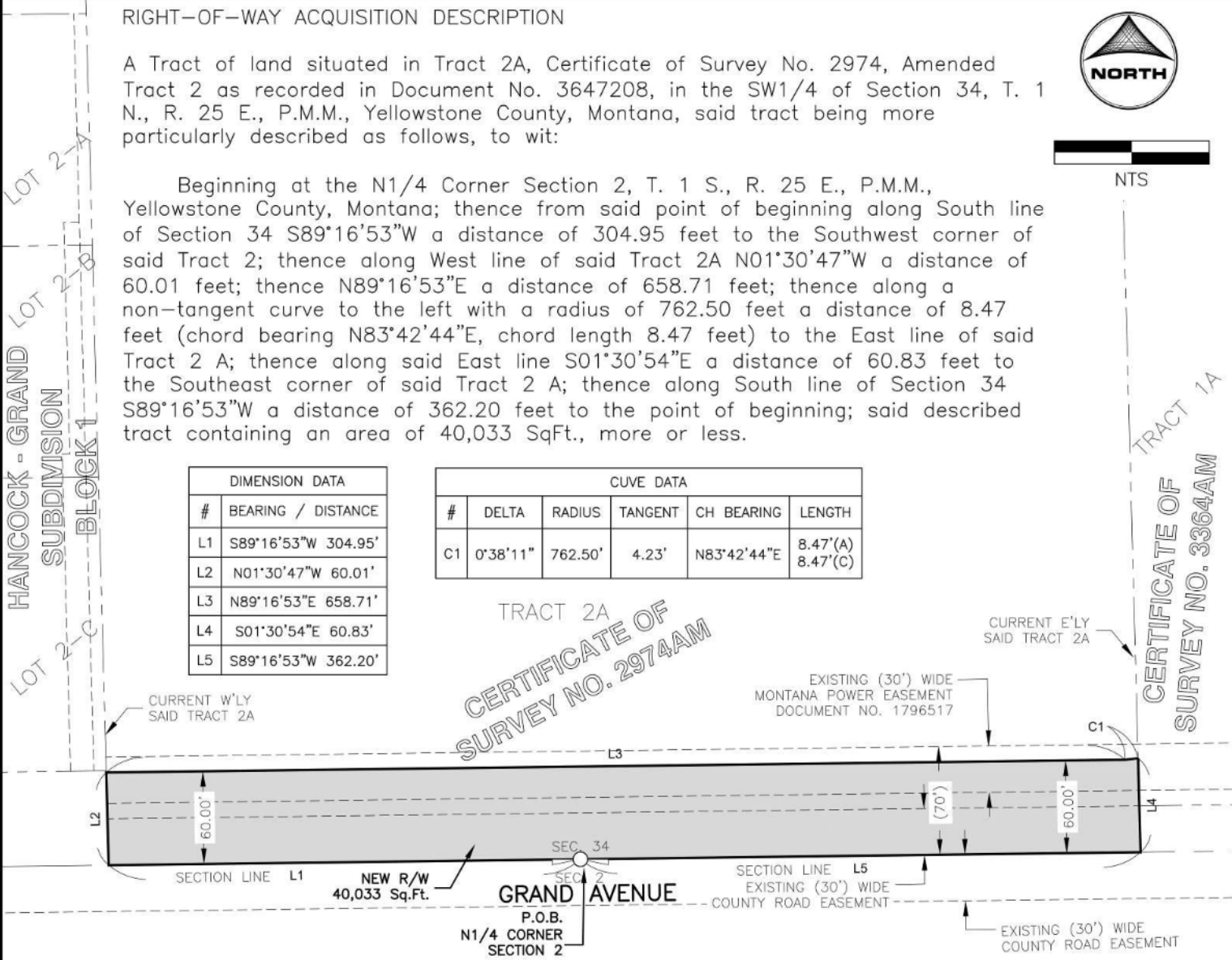
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DIMENSION DATA	
#	BEARING / DISTANCE
L1	S89°16'53"W 304.95'
L2	N01°30'47"W 60.01'
L3	N89°16'53"E 658.71'
L4	S01°30'54"E 60.83'
L5	S89°16'53"W 362.20'

CUVE DATA					
#	DELTA	RADIUS	TANGENT	CH BEARING	LENGTH
C1	0°38'11"	762.50'	4.23'	N83°42'44"E	8.47'(A) 8.47'(C)



AMENDED TRACTS
1-A & 2

TRACT 2-A
CERTIFICATE OF SURVEY NO. 2702

LEGEND

- () - RECORD DATA GROUND DIST.
- - FOUND MONUMENT

NEW R/W

AREA DATA
NEW R/W 40,033 SQ.FT OR 0.92 AC MORE OR LESS



CITY OF BILLINGS
RIGHT-OF-WAY EXHIBIT

GRAND AVENUE
TRACT 2A CERTIFICATE OF

PROJECT # 0125366
DRAWN BY [Name]

DATE
5/14/2015