

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:**

KZ Bar Limited Partnership
3028 Leeann Blvd
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 1A of Certificate of Survey 3364 Am., Recorded March 25, 2010 under Document No. 3544428, on file in the Records of Yellowstone County, Yellowstone County, MT, being more particularly described as follows:

Being the North 20.00 feet of said Tract 1A of Certificate of Survey No. 3364 Am. Herein described tract contains 0.896 acres 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, hydrocarbons and any other materials, 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: _____

By: _____

As: _____

As: _____

Of: KZ Bar Limited Partnership
3028 Leeann Blvd
Billings, MT 59102

Of: KZ Bar Limited Partnership
3028 Leeann Blvd
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 _____, known to me to be the _____ of KZ Bar Limited Partnership 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
CERT. OF SURVEY No. 3364 AMENDED - TRACT 1A
RIGHT-OF-WAY ACQUISITION &
TEMPORARY CONSTRUCTION EASEMENT
CITY OF BILLINGS, MONTANA
 APRIL, 2015

