

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:**

Yegen Grand Avenue Farms Inc.
3440 Grand Avenue
Billings, MT 59103

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:

RIGHT-OF-WAY ACQUISITION DESCRIPTION

A Tract of land situated in Tract 2-A, Certificate Of Survey No. 2702 as recorded in Document No. 3478524, in the N1/2 of Section 2, T. 1 S., R. 25 E., P.M.M., Yellowstone County, Montana said tract being more particularly described as follows, to wit:

Beginning at the Southwest Section Corner 34, T. 1 N., R. 25 E., P.M.M., Yellowstone County, Montana; thence along the north line of said Section 2 N89°16'53"E a distance of 2,049.99 feet to the East line of said Tract 2-A; thence along said East line S00°48'43"E a distance of 50.00 feet; thence S89°16'53"W a distance of 265.47 feet; thence along a non-tangent curve to the left with a radius of 782.00 feet a distance of 232.25 feet (chord bearing S80°46'22"W, chord length 231.40 feet); thence along a non-tangent curve to the left with a radius of 43.50 feet a distance of 48.24 feet (chord bearing S40°29'45"W, chord length 45.80 feet); thence along a non-tangent curve to the left with a radius of 73.50 feet a distance of 9.25 feet (chord bearing S05°07'19"W, chord length 9.24 feet); thence S80°09'21"W a distance of 76.39 feet; thence along a non-tangent curve to the left with a radius of 83.50 feet a distance of 38.19 feet (chord bearing N35°47'08"W, chord length 37.86 feet); thence N48°53'18"W a distance of 73.55 feet; thence along a non-tangent curve to the left with a radius of 71.50 feet a distance of 59.18 feet (chord bearing N72°36'03"W, chord length 57.51 feet); thence along a non-tangent curve to the right with a radius of 818.00 feet a distance of 156.50 feet (chord bearing S89°10'03"W, chord length 156.26 feet); thence along a non-tangent curve to the left with a radius of 918.00 feet a distance of 31.28 feet (chord bearing N86°19'40"W, chord length 31.28 feet); thence S89°16'53"W a distance of 697.85 feet; thence

S88°32'51"W a distance of 10.93 feet; thence along a non-tangent curve to left with a radius of 853.50 feet a distance of 339.74 feet (chord bearing S77°08'39"W, chord length 337.50 feet); thence S65°44'27"W a distance of 29.73 feet; thence along a non-tangent curve to the left with a radius of 43.50 feet a distance of 25.60 feet (chord bearing S48°52'45"W, chord length 25.24 feet); thence along a non-tangent curve to the left with a radius of 73.50 feet a distance of 30.65 feet (chord bearing S20°04'15"W, chord length 30.43 feet); thence S89°07'11"W a distance of 76.23 feet; thence along a non-tangent curve to the left with a radius of 103.50 feet a distance of 21.23 feet (chord bearing N21°13'23"W, chord length 21.19 feet) to the West line of said Tract 2-A; thence along said West line N00°49'57"W a distance of 148.16 feet to the Northwest corner of said Tract 2-A; thence along the North line of said Section 2 N89°17'51"E a distance of 49.41 feet to the point of beginning; said described tract containing an area of 129,287.23 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 all 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: Yegen Grand Avenue Farms Inc.
3440 Grand Avenue
Billings, MT 59103

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 Yegen Grand Avenue Farms Inc. 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

DIMENSION DATA	
#	BEARING / DISTANCE
L1	N89°16'53"E 2049.99'
L2	S00°48'43"E 50.00'
L3	S89°16'53"W 265.47'
L4	S80°09'21"W 76.39'
L5	N48°53'18"W 73.55'
L6	S89°16'53"W 697.85'
L7	S88°32'51"W 10.93'
L8	S65°44'27"W 29.73'
L9	S89°07'11"W 76.23'
L10	N00°49'57"W 148.16'
L11	N89°17'51"E 49.41'

CURVE DATA					
#	DELTA	RADIUS	TANGENT	CH BEARING	LENGTH
C1	17°01'01"	782.00'	116.99'	S80°46'22"W	232.25'(A) 231.40'(C)
C2	63°32'13"	43.50'	26.94'	S40°29'45"W	48.24'(A) 45.80'(C)
C3	7°12'40"	73.50'	4.63'	S05°07'19"W	9.25'(A) 9.24'(C)
C4	26°12'20"	83.50'	19.44'	N35°47'08"W	38.19'(A) 37.86'(C)
C5	47°25'30"	71.50'	31.40'	N72°36'03"W	59.18'(A) 57.51'(C)
C6	10°57'43"	818.00'	78.49'	S89°10'03"W	156.50'(A) 156.26'(C)
C7	1°57'09"	918.00'	15.64'	N86°19'40"W	31.28'(A) 31.28'(C)
C8	22°48'24"	853.50'	172.15'	S77°08'39"W	339.74'(A) 337.50'(C)
C9	33°43'24"	43.50'	13.18'	S48°52'45"W	25.60'(A) 25.24'(C)
C10	23°53'36"	73.50'	15.55'	S20°04'15"W	30.65'(A) 30.43'(C)
C11	11°45'03"	103.50'	10.65'	N21°13'23"W	21.23'(A) 21.19'(C)

CERT. 2702 AM

LEGEND
 () - RECORD DATA GROUND DIST.
 ● - FOUND MONUMENT
 [] - NEW R/W

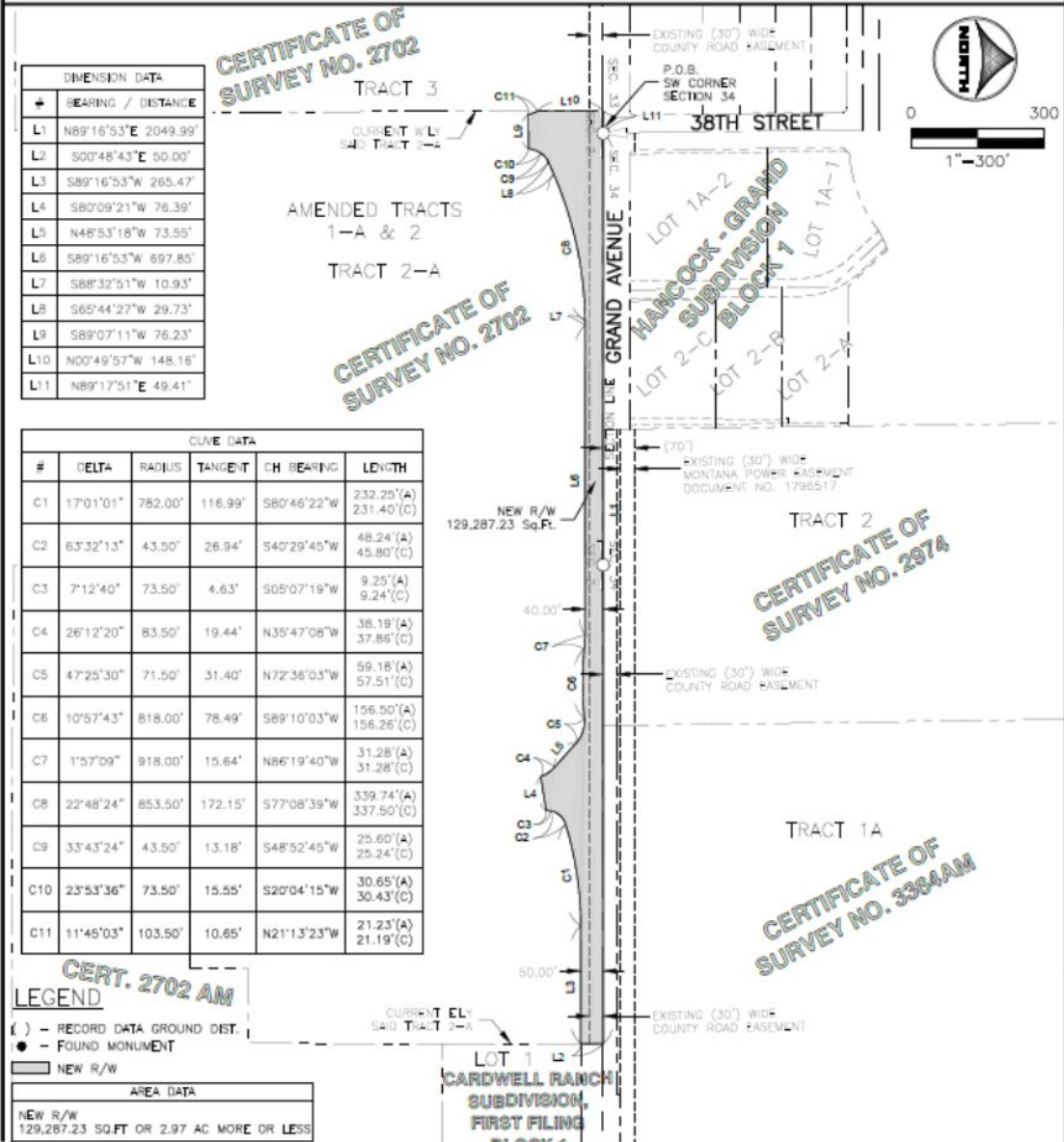
AREA DATA	
NEW R/W	129,287.23 SQ.FT OR 2.97 AC MORE OR LESS



CITY OF BILLINGS
RIGHT-OF-WAY EXHIBIT
 BILLINGS MT

GRAND AVENUE
TRACT 2-A CERTIFICATE OF
SURVEY NO. 2702

PROJECT #	DATE
0125166	12/10/2015
DRAWN BY	FIGURE
L.W.K.	EXHIBIT 'A'
CHECKED BY	
L.W.K.	



FILE Location: 12/10/2015 12:00 PM C:\projects\exam\4302073\WORK\Exam\Tract 2-A cert of survey no. 2702.dwg