

## 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:

A Tract of land situated in Tract 3 and Tract 4, Certificate Of Survey No. 2702 as recorded in Document No. 1642566, 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:

Commencing at a the Southwest Section Corner 34, T. 1 N., R. 25 E., P.M.M., Yellowstone County, Montana; thence along the north line of Section 2 S89°17'51"W a distance of 49.41 feet to the Northeast Corner of said Tract 3, and True Point Of Beginning; thence S00°49'57"E a distance of 148.16 feet along East line said Tract 3; thence along a non-tangent curve to the left with a radius of 103.50 feet a distance of 35.18 feet (chord bearing N36°50'13"W, chord length 35.01 feet); thence N46°34'32"W a distance of 45.47 feet; thence along a non-tangent curve to the left with a radius of 71.50 feet a distance of 57.46 feet (chord bearing N69°35'56"W, chord length 55.93 feet); thence S87°22'40"W a distance of 45.20 feet; thence along a non-tangent curve to the right with a radius of 692.50 feet a distance of 125.13 feet (chord bearing N87°26'45"W, chord length 124.96 feet); thence N82°16'09"W a distance of 80.43 feet; thence along a non-tangent curve to the left with a radius of 983.50 feet a distance of 133.03 feet (chord bearing N86°08'39"W, chord length 132.93 feet); thence S89°58'52"W a distance of 11.73 feet; thence S89°17'51"W a distance of 252.41 feet to West line said Tract 3/ East line said Tract 4; thence S89°17'51"W a distance of 122.63 feet; thence S89°17'51"W a distance of 153.42 feet to Southerly Right-Of-Way Grand Avenue; thence along said Right-Of-Way N75°39'06"E a distance of 42.43 feet to County Road Easement; thence N00°42'09"W a distance of 29.99 feet, to a point on the north line of said Section 2; thence along said north line N89°17'51"E a distance of 112.19 feet;

thence N89°17'51"E a distance of 122.47 feet; thence N89°17'51"E a distance of 751.44 feet to the point of beginning; said described tract containing an area of 52,041.66 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: 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

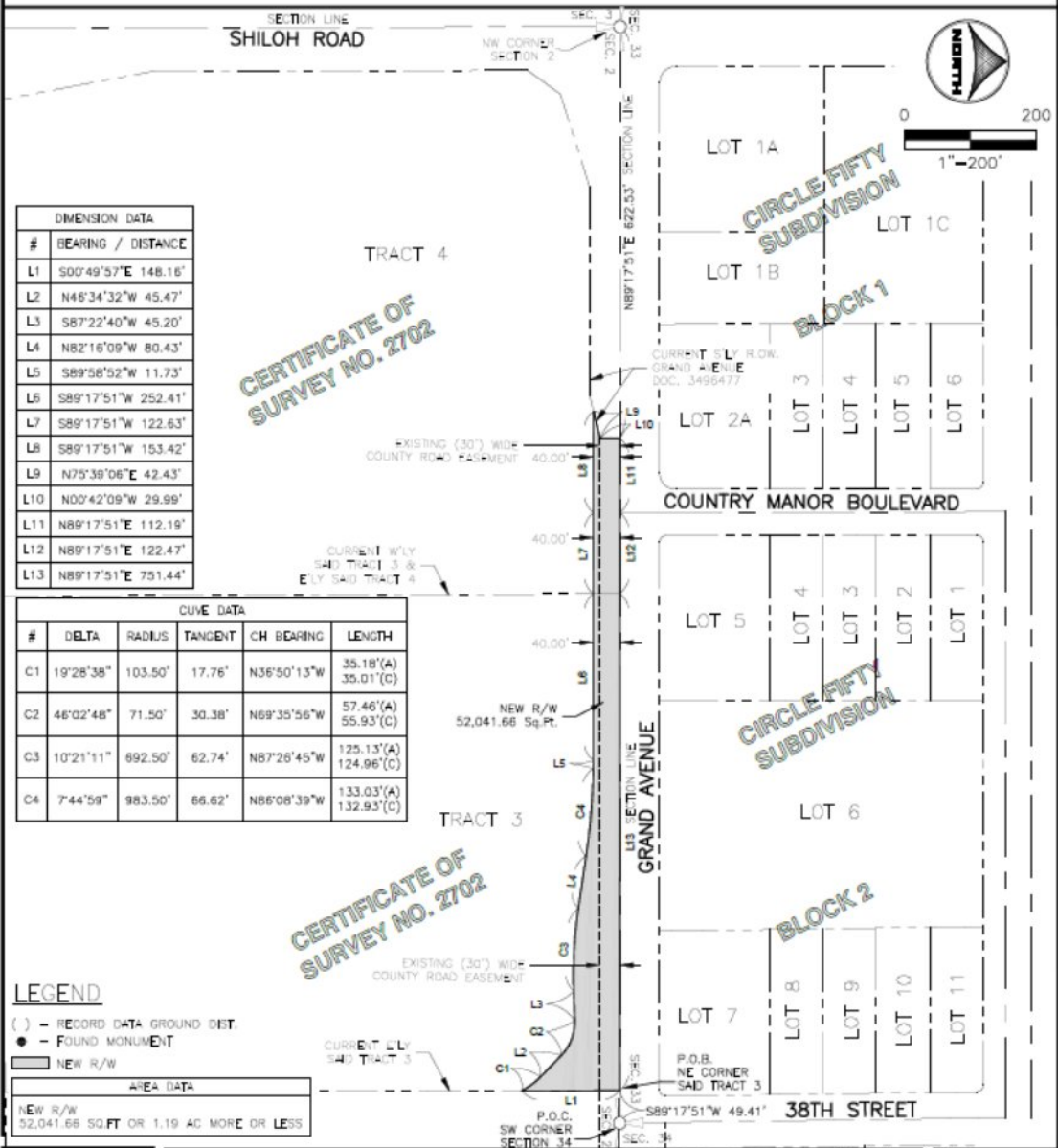
County of Yellowstone )

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	S00°49'57"E 148.16'
L2	N46°34'32"W 45.47'
L3	S87°22'40"W 45.20'
L4	N82°16'09"W 80.43'
L5	S89°58'52"W 11.73'
L6	S89°17'51"W 252.41'
L7	S89°17'51"W 122.63'
L8	S89°17'51"W 153.42'
L9	N75°38'08"E 42.43'
L10	N00°42'09"W 29.99'
L11	N89°17'51"E 112.19'
L12	N89°17'51"E 122.47'
L13	N89°17'51"E 751.44'

CURVE DATA					
#	DELTA	RADIUS	TANGENT	CH BEARING	LENGTH
C1	19°28'38"	103.50'	17.76'	N36°50'13"W	35.18'(A) 35.01'(C)
C2	46°02'48"	71.50'	30.38'	N69°35'56"W	57.46'(A) 55.93'(C)
C3	10°21'11"	692.50'	62.74'	N87°26'45"W	125.13'(A) 124.96'(C)
C4	7°44'59"	983.50'	66.62'	N86°08'39"W	133.03'(A) 132.93'(C)

**LEGEND**

( ) - RECORD DATA GROUND DIST.  
 ● - FOUND MONUMENT  
 — NEW R/W

AREA DATA	
NEW R/W	52,041.66 SQ.FT. OR 1.19 AC. MORE OR LESS

	<b>CITY OF BILLINGS</b> RIGHT-OF-WAY EXHIBIT	<b>GRAND AVENUE</b> TRACT 3 AND 4 CERTIFICATE OF SURVEY NO. 2702	PROJECT # 0125366 DRAWN BY L.W.K. CHECKED BY L.W.K.	DATE 1/29/2015 SHEET NUMBER EXHIBIT 'A'
	<b>BILLINGS</b>	MT		

FILE LOCATION: 1/29/2015 9:38 AM C:\pwworking\hdr\2015\0125366\Certificat...TRACT 3 and 4 Survey No. 2702.dwg