

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, Certificate of Survey No. 3364AM as recorded in Document No. 3544428, 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:

Commencing at the N1/4 Corner Section 2, T. 1 S., R. 25 E., P.M.M., Yellowstone County, Montana; thence along South line of said Section 34 N89°16'53"E a distance of 362.20 feet to a point on the South line of said Section 34; thence N01°30'54"W a distance of 30.00 feet to the Southwest corner of said Tract 1A and point of beginning; thence N01°30'54"W a distance of 30.00 feet; thence N89°16'53"E a distance of 21.26 feet; thence along a non-tangent curve to the left with a radius of 487.00 feet a distance of 67.30 feet (chord bearing N72°09'25"E, chord length 67.25 feet); thence along a non-tangent curve to the left with a radius of 48.50 feet a distance of 14.53 feet (chord bearing N59°36'47"E, chord length 14.48 feet); thence along a non-tangent curve to the left with a radius of 78.50 feet a distance of 44.31 feet (chord bearing N34°51'30"E, chord length 43.72 feet); thence S83°20'13"E a distance of 67.14 feet; thence along a non-tangent curve to the left with a radius of 238.50 feet a distance of 3.62 feet (chord bearing S07°46'20"E, chord length 3.62 feet); thence along a non-tangent curve to the left with a radius of 88.50 feet a distance of 72.26 feet (chord bearing S31°35'51"E, chord length 70.27 feet); thence N89°16'53"E a distance of 603.25 feet to a point, said point being on the northerly prolongation of the north south line between 30 foot and 40 foot Right-Of-Way of Grand Avenue (as shown on COS 3364AM, Document No. 354428); thence along the said bearing Right-Of-Way S00°49'50"E a distance of 20.00 feet to current 30 foot said Right-Of-Way; thence S89°16'53"W a distance of 829.51 feet to the point of beginning; said described tract containing an area of 25,061.20 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, 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.

KZ Bar Limited Partnership
3028 Leeann Blvd
Billings, MT 59102

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

By: _____
As: _____
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 general partners of KZ Bar Limited Partnership who signed the foregoing instrument and who acknowledged to me that 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

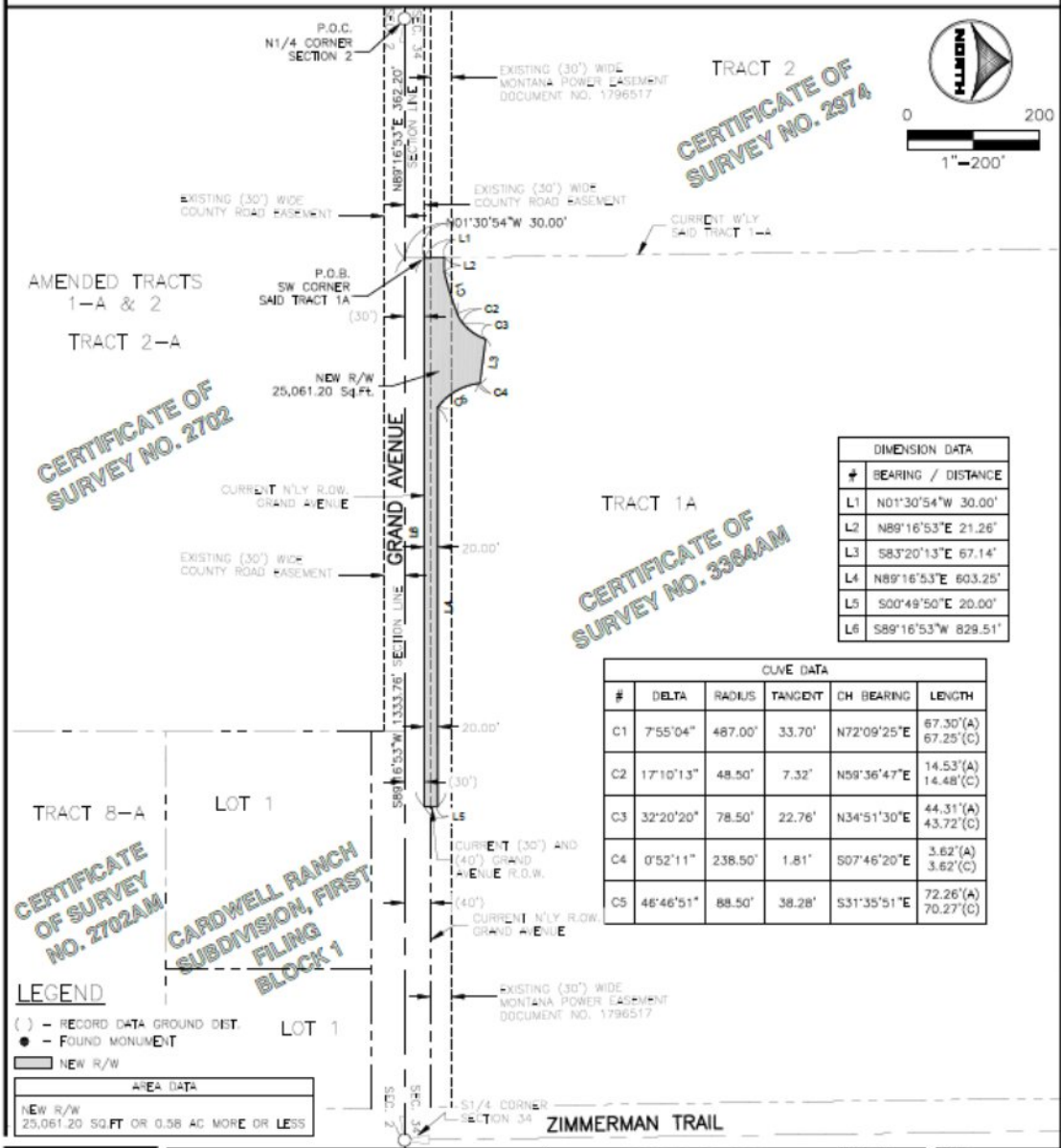
County of Yellowstone)

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



	CITY OF BILLINGS RIGHT-OF-WAY EXHIBIT	GRAND AVENUE TRACT 1A CERTIFICATE OF SURVEY NO. 3364AM	PROJECT # 0125366 DRAWN BY L.W.K. CHECKED BY L.W.K.	DATE 12/15/2015 SHEET EXHIBIT 'A'
	BILLINGS MT			

FILED 12/15/2015 10:29 AM City of Billings, MT, Planning Department, 100 N. Park Street, Billings, MT 59102