

Return to:
City of Billings
P.O. Box 1178
Billings, MT 59103

WARRANTY DEED

THIS INDENTURE, made this 27th day of January, 2016.

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:**

Billings School District No. 2,
415 North 30th Street
Billings, MT 59101

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 the NE1/4 of Section 5, T. 1 S., R. 25 E., P.M.M. described as Tract 2, Certificate of Survey No _____, on file and of record in the office of the Clerk and Recorder of Yellowstone County, Montana, under Document No. _____ more particularly described as follows:

Beginning at a point which is the northeast corner of Section 5, T. 1 S., R. 25 E., P.M.M.; thence, from said point of beginning, S 00°08'22" E a distance of 1,296.43 feet; thence N 89°56'27" W a distance of 60.00 feet; thence N 00°08'22" W a distance of 1206.51 feet; thence along a curve to the left with a central angle of 89°49'06" and a radius of 30.00 feet a distance of 47.03 feet; thence N 89°57'28" W a distance of 888.19 feet; thence N 89°57'35" W a distance of 325.65 feet; thence N 00°06'11" W a distance of 60.00 feet; thence S 89°57'35" E a distance of 325.81 feet; thence S 89°57'28" E a distance of 977.91 feet to the Point of Beginning; containing an area of 3.5033 acres, more or less.

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. and A.R.M. 24.183.1104 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 WITNESS WHEREOF, the undersigned have executed these premises the day and year first above written.

Billings School District No. 2

By: *[Signature]*
Title: Supt.

STATE OF MONTANA)
County of Yellowstone) :ss

On this 27th day of January, 2016 before me the undersigned Notary Public for the State of Montana, personally appeared Terry Nelson Boush known to me to be the person who signed the foregoing instrument as Superintendent of Billings School District No. 2, and who acknowledged to me that he executed the same. Witness my hand and seal the day and year herein above written.

[Signature]
Signature of Notary Public



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)
County of Yellowstone) :SS

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.

Signature of Notary Public