

RETURN TO  
City Clerk  
City of Billings  
P.O. Box 1178  
Billings, MT 59103

## RIGHT-OF-WAY EASEMENT

**THIS EASEMENT**, made and entered into this . day of April 5<sup>th</sup>, 2016, by and between the following:

Bell-Mont Properties, Inc.  
1101 11<sup>th</sup> Street SW  
Sidney, MT 59270-5225  
hereinafter referred to as **GRANTOR**

and

**CITY OF BILLINGS**, a Municipal Corporation  
City Hall – 210 North 27th Street  
PO Box 1178  
Billings, Montana 59103-1178,  
hereinafter referred to as **GRANTEE**

**FOR VALUABLE CONSIDERATION**, the receipt of which is hereby acknowledged;

**WITNESSETH THAT GRANTOR** does hereby grant and convey unto the **GRANTEE**, perpetual easement and right-of-way to construct, reconstruct, maintain, operate, repair and improve necessary fixtures and appurtenances for sidewalk, water lines, and fire hydrants over, across, under, and through the real property more particularly described as follows:

A strip of land measured 5 feet in width, lying within Lots 9 and 10 as shown on Amended Plat of Certificate of Survey #21 (Magelssen Acres) recorded in the Yellowstone County Office of Clerk and Recorder under Document Number 492688, as shown on attached Exhibit A.

Said easement and right-of-way contains 600 square feet more or less.

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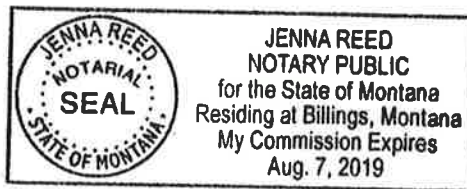
**TO HAVE AND TO HOLD** unto **GRANTEE** and to its successors and assigns forever.

**IN WITNESS WHEREOF**, the **GRANTOR** warrants that they have good right to convey, free and clear of all encumbrances; the above-described interests in the real estate described and have hereunto set their hand.

Randall Bell  
Bell-Mont Properties, Inc. Representative

STATE OF MONTANA        )  
  :SS  
County of Yellowstone    )

On this 5<sup>th</sup> day of April, 2016, before me, a Notary Public in and for the State of Montana, personally appeared Randall Bell, of Bell-Mont Properties, Inc., being its *(Representative's Name)* Vice-President *(Title)* and known to me to be the owners of said property whose names are subscribed to the foregoing instrument, and acknowledged to me that they duly executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.



Jenna Reed

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**ACKNOWLEDGMENT AND ACCEPTANCE OF CONVEYANCE**

The Mayor and City Council of the City of Billings acknowledges receipt of this perpetual easement and hereby accepts the property interest conveyed through this instrument.

\_\_\_\_\_  
THOMAS W. HANEL,  
Mayor, City of Billings

**ATTEST:**

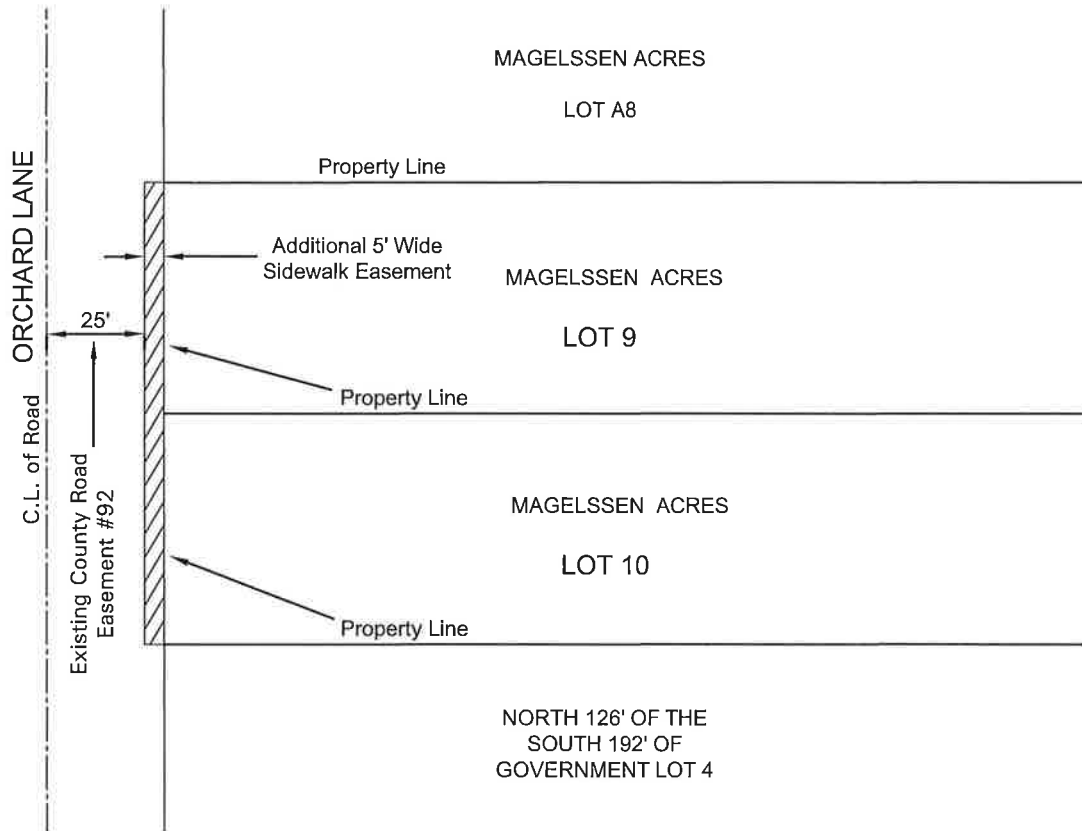
\_\_\_\_\_  
Billie Guenther, City Clerk

STATE OF MONTANA        )  
  :SS  
County of Yellowstone    )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2016, before me, a Notary Public in and for the State of Montana, personally appeared THOMAS W HANEL and Billie Guenther, known to me to be the Mayor and City Clerk of Billings, respectively, and acknowledged to me that they duly executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.


\_\_\_\_\_  
Notary Public in and for the State of Montana  
Printed Name: \_\_\_\_\_  
Residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_

**EXHIBIT "A"**  
**SIDEWALK EASEMENT**  
 LOCATED IN MAGELSSSEN ACRES, LOT 9 AND LOT 10  
 SITUATED IN SEC. 9, T1S, R26E,  
 BILLINGS, YELLOWSTONE COUNTY, MONTANA



**NOTE:**  
 County Road Easement per Petition Number 92 recorded in Book 3, Page 304, of County Commissioners Proceedings, in the office of Clerk and Recorder of Yellowstone County, Montana.



<b>LEGEND</b>		CITY OF BILLINGS, MONTANA SIDEWALK EASEMENT EXHIBIT	SHEET <b>1 of 1</b>
	SIDEWALK EASEMENT		
DRAWN BY: BEN LUJAN	DATE: 3/21/2016	EASEMENT ON AND ACROSS MAGELSSSEN ACRES LOTS 9 & 10	