

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 4, 2016, by and between the following:

Ellen M. Thotus
1766 Dry Creek Road
San Jose, CA 95124-1210
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 Lot 6 as shown on that certain plat entitled Magelssen Acres recorded under Certificate of Survey Number 21 in the Yellowstone County Office of Clerk and Recorder, as shown on attached Exhibit A.

Said easement and right-of-way contains 1,012 square feet more or less.

Said Lot 6 is more commonly referred to as 4318 State Avenue.

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

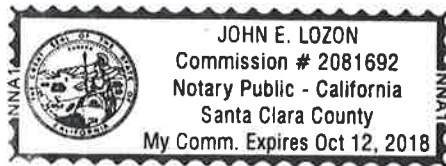
IN WITNESS WHEREOF, the **GRANTOR** warrants that they have good right to convey, free and clear of all encumbrances; the above-described interests in the real estate described and have hereunto set their hand.

Ellen M Thotus

Ellen M. Thotus

STATE OF ^{CALIF}~~MONTANA~~)
County of ^{SANTA CLARA}~~Yellowstone~~ :SS)

On this 4 day of APRIL, 2016, before me, a Notary Public in and for the State of Montana, personally appeared Ellen M. Thotus, 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.



John E. Lozon
Notary Public

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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.

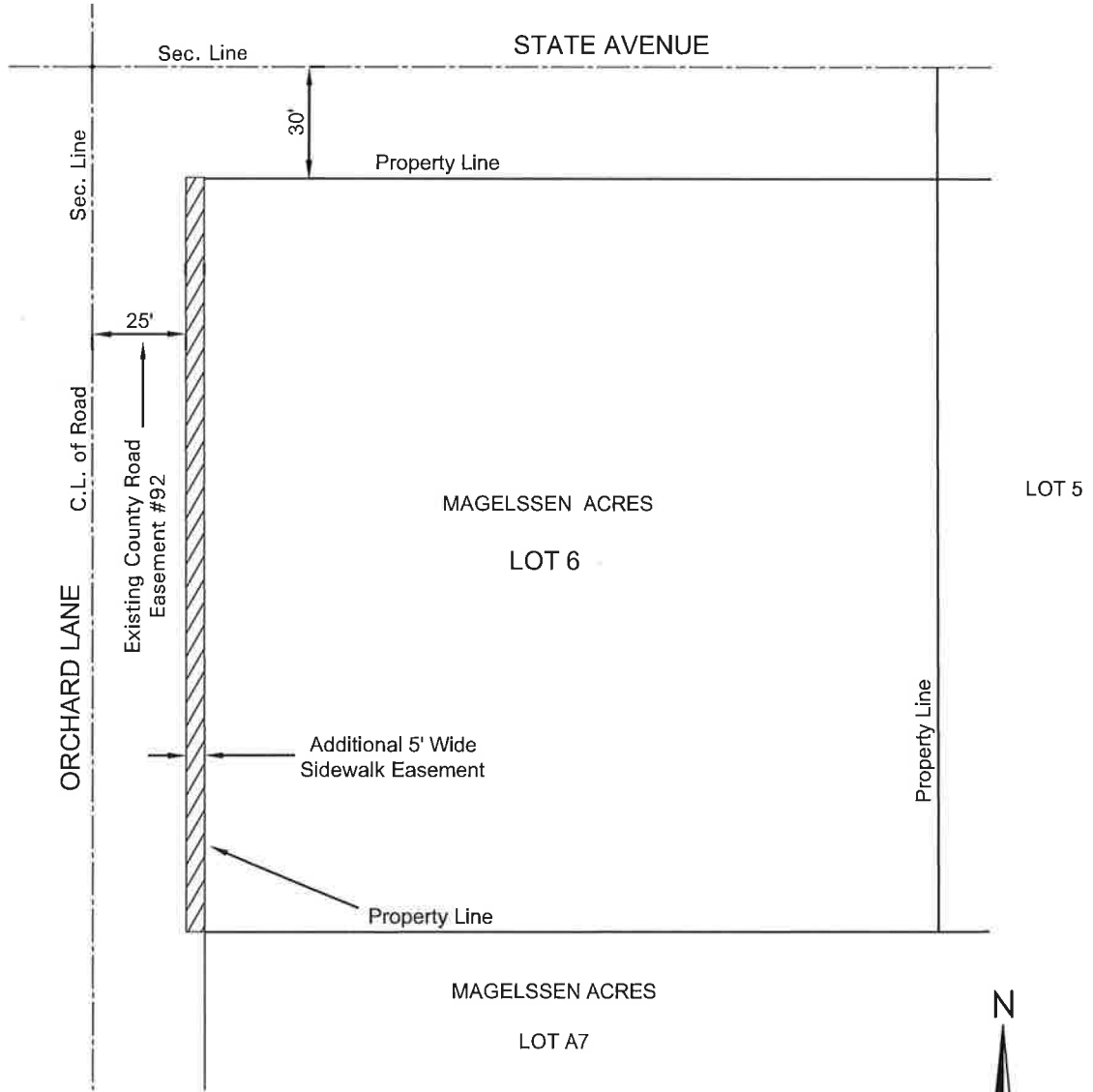
Notary Public in and for the State of Montana

Printed Name: _____

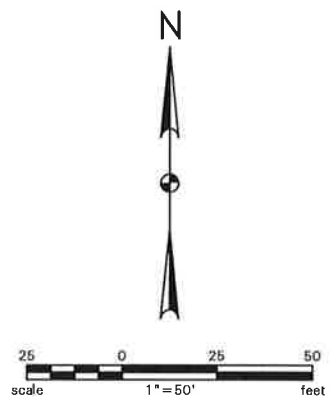
Residing at _____


My commission expires _____

EXHIBIT "A"
SIDEWALK EASEMENT
 LOCATED IN MAGELSSSEN ACRES, LOT 6
 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.



LEGEND		CITY OF BILLINGS, MONTANA SIDEWALK EASEMENT EXHIBIT	SHEET 1 of 1
	SIDEWALK EASEMENT		
DRAWN BY: BEN LUJAN	DATE: 3/21/2016	EASEMENT ON AND ACROSS MAGELSSSEN ACRES LOT 6	