

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:**

Hope Evangelical Church
5554 Grand Avenue
Billings, MT 59106

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 the NW1/4 of Section 4, T. 1 S., R. 25 E., P.M.M., in the City of Billings, Yellowstone County, Montana, said tract being more particularly described as the North 60.00 feet and the west 30.00 feet of Tract 3 of Certificate of Survey No. 2298, as recorded in the office of the Clerk and Recorder of said County, under Document No. 1336053; said described tract having an area of 37,366 square feet (0.858 acres), more or less; said described tract also being as shown on attached Exhibit A.

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: Hope Evangelical Church
5554 Grand Avenue
Billings, MT 59106

State of Montana

County of _____

This instrument was signed and sworn to before me
on _____ by _____
(Name of signer)

(Notary Signature)

[Affix seal/stamp to the left or below]

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.

Mayor, City of Billings

ATTEST:

City Clerk

State of Montana

County of _____

This instrument was signed and sworn to before me
on _____ by _____

(Name of signer)

(Notary Signature)

[Affix seal/stamp to the left or below]

EXHIBIT A

PUBLIC RIGHT-OF-WAY DEDICATION WITHIN TRACT 3, C.O.S. 2298,
SITUATED IN THE NW1/4 OF SECTION 4, T. 1 S., R. 25 E., P.M.M.,
IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR : CITY OF BILLINGS MARCH, 2017
PREPARED BY : SANDERSON STEWART BILLINGS, MONTANA



