

PUBLIC SIDEWALK EASEMENTS

Parcel Number: 03-1032-35-4-19-01-0000

THIS CONVEYANCE, made this _____ day of _____, 2017, by and between Roman Catholic Bishop of Great Falls, as property owner and party of the first part, Grantor, and the City of Billings, a municipal corporation organized pursuant to the laws of the State of Montana as party of the second part, Grantee.

KNOW ALL MEN BY THESE PRESENTS THAT Grantor, owner of the property as shown on Exhibit "A" and "B" attached hereto and made a part hereof, does hereby grant and convey, subject to the conditions and limitations herein set forth, to the Grantee exclusive PUBLIC SIDEWALK EASEMENTS, to construct a public sidewalk over, upon, and across the herein described real estate. Said Public Sidewalk Easements locations being a portion of Lot 1, Block 1, of the St. Thomas Subdivision and being further described as: Exhibit "A" and "B".

TO HAVE AND TO HOLD, the same unto the said Grantee, together with all the rights and privileges incident to the use and enjoyment thereof, including the right to install, construct, and maintain a public sidewalk, over, under, and across the above described premises, including providing regulatory enforcement.

Grantor agrees to maintain sidewalk in accordance with City of Billings Municipal Codes.

Maintenance. The Grantor agrees to supply all materials, labor and equipment to construct the public sidewalk. The Grantee agrees to provide regulatory enforcement of the usage of this public sidewalk easement in accordance with City of Billings Municipal Codes applicable to public right-of-ways.

The Owner agrees not to build any kind of permanent structure which will prevent access to the easement.

The Grantor acknowledges that they are the lawful owner(s) and seized of the real property over which and upon which the easements described herein are granted, and that they have good and lawful right and authority to grant said easements.

Binding Effect. This grant of Easements, which shall be recorded at the Yellowstone County Clerk and Recorder's office, is binding upon the heirs, executors, personal representatives, assigns and successors of the parties hereto and shall run with the land.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this _____ day of _____, 2017.

Roman Catholic Bishop of Great Falls

STATE OF MONTANA)
) ss.
County of _____)

On this _____ day of _____, 2017, before me the undersigned, a Notary Public for the State of Montana, personally appeared _____, proven to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by Official Seal on the day, month, and year in this certificate first above written.

(SEAL)

Printed Notary Name: _____
Notary Public for the State of _____
Residing at _____
My Commission Expires: _____
MM/DD/YYYY

CITY OF BILLINGS ACCEPTANCE

This easement is accepted and its terms and conditions agreed to by the City of Billings on this _____ day of _____, 2017.

ATTEST:

APPROVAL:

Denise Bohlman
City Clerk

Thomas W. Hanel
Mayor

(SEAL)