

WARRANTY DEED

This Deed, made this _____ day of _____, 2017, in consideration by the **City of Billings**, the receipt of which is acknowledged, **witnesses that**,

Homestead Capital, LLC
3110 Cel Avenue
Billings, MT 59102-6711

(Grantors) do hereby **grant, sell, bargain and convey and forever quit claim** to the **City of Billings (Grantee)**, a political subdivision of the State of Montana, 210 North 27th Street, Billings, MT 59103, the following described real property:

A tract of land situated in Lots 1 – 2, Block 17 of Parkland West Subdivision, 2nd Filing, Document No. 1413418, of record at the Yellowstone County Clerk & Recorder, City of Billings, Yellowstone County, Montana, said tract being more particularly described as follows to wit:

Beginning at the Northeast corner of Parcel 17-1 of the Parkland West Subdivision; Thence, S 00° 54' 38" E, 71.41 feet along the East boundary of Parcel 17-1; Thence on curve with radius 130.57 feet, beginning N 34° 18' 43" W and ending N 89° 10' 32" W, 125.02 feet; Thence, N 88° 58' 21" W, 175.55 feet to a point on the West boundary of Parcel 17-1; Thence, N 00° 55' 03" W, 6.81 feet to the Northwest corner of Parcel 17-1; Thence, N 89° 04' 57" E, 280.50 feet along the North boundary of Parcel 17-1 to the point of beginning, and containing 4,948 square feet, more or less.

Beginning at the Northeast corner of Parcel 17-2 of the Parkland West Subdivision; Thence, S 00° 55' 03" E, 6.81 feet along the East boundary of Parcel 17-2; Thence, N 88° 58' 21" W, 200.69 feet to a point on the North boundary of Parcel 17-2; Thence, N 89° 04' 57" E, 200.57 feet along the North boundary of Parcel 17-2 to the point of beginning, and containing 683 square feet, more or less.

As shown by Exhibits "A" and "B", attached hereto and made 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), MCA, as a division of land that creates rights-of-way or utility sites.

Excepting and reserving to Grantors, however, all gas and oil, hydrocarbons and any other materials, 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 damaged. This reservations does not include sand, gravel and other road building materials, which are conveyed by this Deed.

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 therein, save and except groundwater for the use, benefit and purposes of the **Grantee**.

Grantors further expressly waive and relinquish all rights, as owners or successors in interest provided under law, for any preference to repurchase all or a portion of this property should it be determined no longer to be necessary for **Grantee's** purposes.

To have and to hold the above described and conveyed premises, with all the reversions, remainders, tenements, hereditaments and appurtenances thereto, unto the **Grantee**, and to its successors and assigns forever.

This Deed was executed on the date of its last acknowledgment.

By: _____

As: _____

Of:

Homestead Capital, LLC.
3110 Cel Avenue
Billings, MT 59102-6711

State of Montana
County of Yellowstone

This instrument was signed before me on this _____ day of _____
_____, 20____, by _____ (print name of
signer(s) as _____ of _____.

(SEAL/STAMP)

Notary Signature

ACKNOWLEDGEMENT 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)

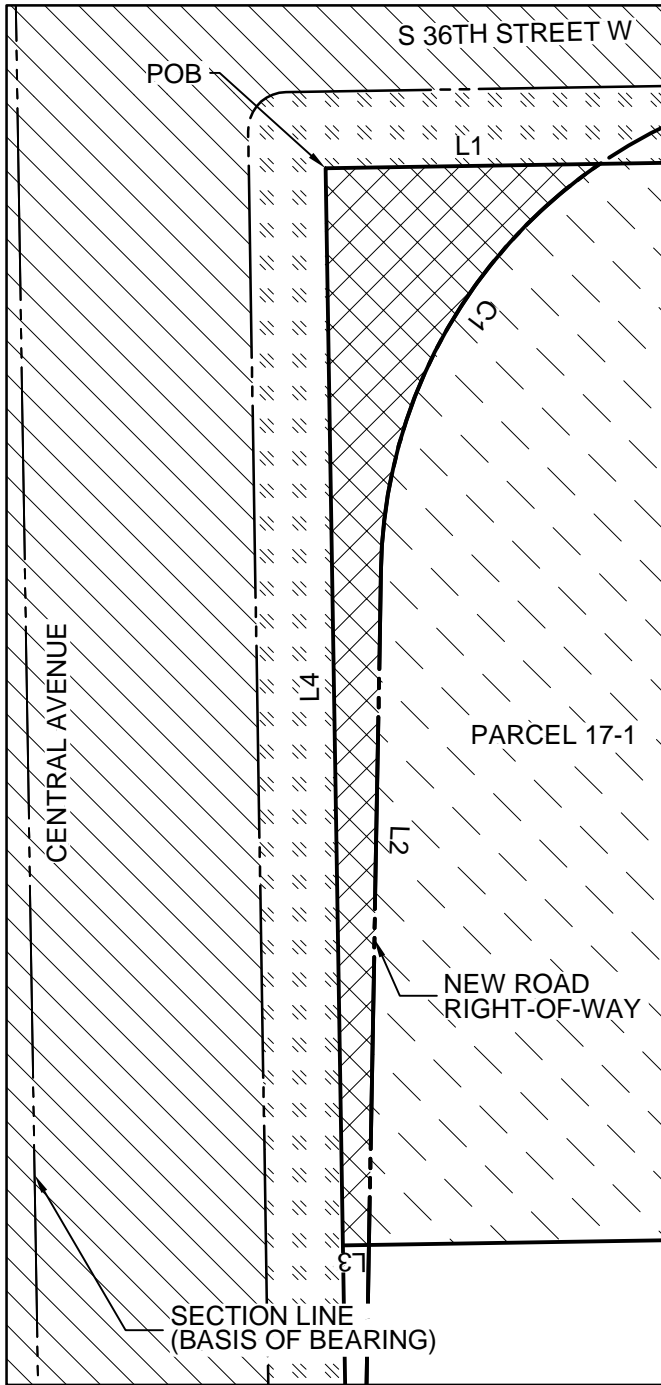
:SS

County of Yellowstone)

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.

Notary Public in and for the State of Montana
Residing in _____
My commission expires _____

Print Name



Current Owner:
Homestead Capital LLC

BLOCK 17
OF THE PARKLAND WEST
SUBDIVISION,
SEC. 11, T1S, R25E
YELLOWSTONE COUNTY, MT

BASIS OF BEARING: N 89° 04' 57" E

- L1 S 00° 54' 38" E, 71.41 FEET
- L2 N 88° 58' 21" W, 175.55 FEET
- L3 N 00° 55' 03" W, 6.81 FEET
- L4 N 89° 04' 57" E, 280.50 FEET

C1 Δ = 54° 51' 49", 125.02 FEET
R = 130.57 FEET



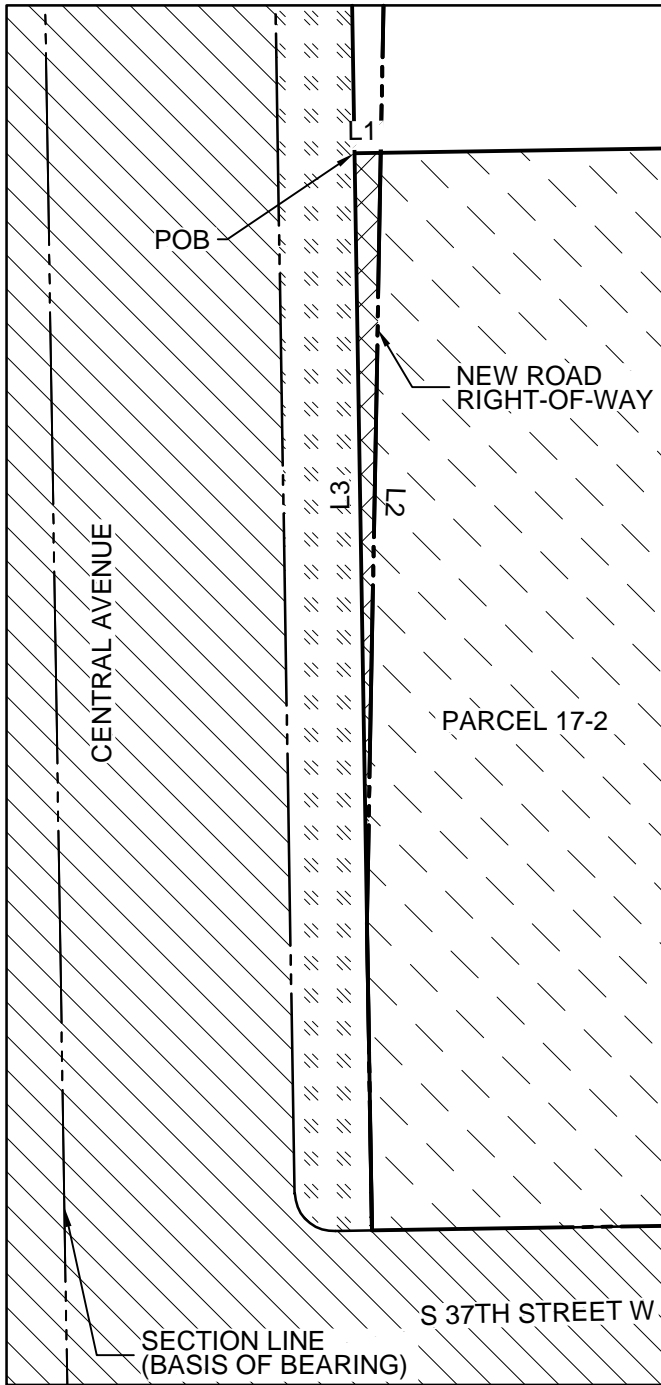
R/W Legend

- Existing Road Right-of-Way
- New Road Right-of-Way
- Area Remaining
- City Park

Parcel 17-1 (that is Parcel 1 of Block 17) of the Parkland West Subdivision situated in the N $\frac{1}{2}$ of Section 11, T1S, R25E, P.M.M, Yellowstone County, Montana, according to the official plat thereof on file and of record in the office of the County Clerk and Recorder, Yellowstone County, Montana; (document number: 1413418).

Said property acquisition perimeter is more particularly described as:

Beginning at the Northeast corner of Parcel 17-1 of the Parkland West Subdivision; Thence, S 00° 54' 38" E, 71.41 feet along the East boundary of Parcel 17-1; Thence on curve with radius 130.57 feet, beginning N 34° 18' 43" W and ending N 89° 10' 32" W, 125.02 feet; Thence, N 88° 58' 21" W, 175.55 feet to a point on the West boundary of Parcel 17-1; Thence, N 00° 55' 03" W, 6.81 feet to the Northwest corner of Parcel 17-1; Thence, N 89° 04' 57" E, 280.50 feet along the North boundary of Parcel 17-1 to the point of beginning, and containing 4,948 sqft., more or less.



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R/W Legend

- Existing Road Right-of-Way
- New Road Right-of-Way
- Area Remaining
- City Park

Parcel 17-2 (that is Parcel 2 of Block 17) of the Parkland West Subdivision situated in the N $\frac{1}{2}$ of Section 11, T1S, R25E, P.M.M, Yellowstone County, Montana, according to the official plat thereof on file and of record in the office of the County Clerk and Recorder, Yellowstone County, Montana; (document number: 1413418).

Said property acquisition perimeter is more particularly described as:

Beginning at the Northeast corner of Parcel 17-2 of the Parkland West Subdivision; Thence, S 00° 55' 03" E, 6.81 feet along the East boundary of Parcel 17-2; Thence, N 88° 58' 21" W, 200.69 feet to a point on the North boundary of Parcel 17-2; Thence, N 89° 04' 57" E, 200.57 feet along the North boundary of Parcel 17-2 to the point of beginning, and containing 683 sqft., more or less.