

WARRANTY DEED

THIS DEED, made this _____ day of _____, 20____, in consideration by the **City of Billings**, the receipt of which is acknowledged, **witnesses that**,

Dorn-Pentecost, LLC
2048 Edgewood Drive
Billings, MT 59102-2890

Dorn Property and Homes LLC
2680 Overland Avenue, Suite F
Billings, MT 59102-7411

Benefit Ventures LLC
19 36th Street West, Suite 1
Billings, MT 59102-4303

Connie Wolf
19 36th Street West, Suite 5
Billings, MT 59102-4303

Yellowfin LLC
19 36th Street West, Suite 2
Billings, MT 59102-4303

(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 Lot 9-A, Block 2 of Central Acres Subdivision, 2nd Filing Amended, Document No. 3441807, of record at the Yellowstone County Clerk & Recorder, City of Billings, Yellowstone County, Montana:

Beginning at the Southwest corner of Lot 9-A of Block 2 of the Central Acres Subdivision, 2nd Filing; Thence, N 00° 57' 04" W, 38.25 feet along the East right-of-way of 36th Street W; Thence, S 87° 51' 05" E, 3.85 feet; Thence on a curve to the left with a radius of 87.50 feet, and an arc length of, 44.62 feet (chord bearing S 31°23'33" E, chord length 44.14 feet), to a point on the North right-of-way of Central Avenue; Thence, S 89° 05' 07" W, 26.21 feet along the North right-of-way of Central Avenue to the point of beginning, and containing 488 square feet, more or less.

AS SHOWN by Exhibit "A", consisting of one sheet 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. The reservation 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: _____

By: _____

As: _____

As: _____

Of:

Of:

Dorn-Pentecost, LLC
2048 Edgewood Drive
Billings, MT 59102-2890

Dorn Property and Homes LLC
2680 Overland Avenue, Suite F
Billings, MT 59102-7411

By: _____

By: _____

As: _____

As: _____

Of:

Of:

Benefit Ventures LLC
19 36th Street West, Suite 1
Billings, MT 59102-4303

Connie Wolf
19 36th Street West, Suite 5
Billings, MT 59102-4303

By: _____

As: _____

Of:

Yellowfin LLC
19 36th Street West, Suite 2
Billings, MT 59102-4303

State of Montana

County of _____

This instrument was signed and sworn to before me

on _____ by _____

(Name of signers)

(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 deed and hereby accepts the property interest conveyed through this instrument.

William A. Cole Mayor, City of Billings

ATTEST:

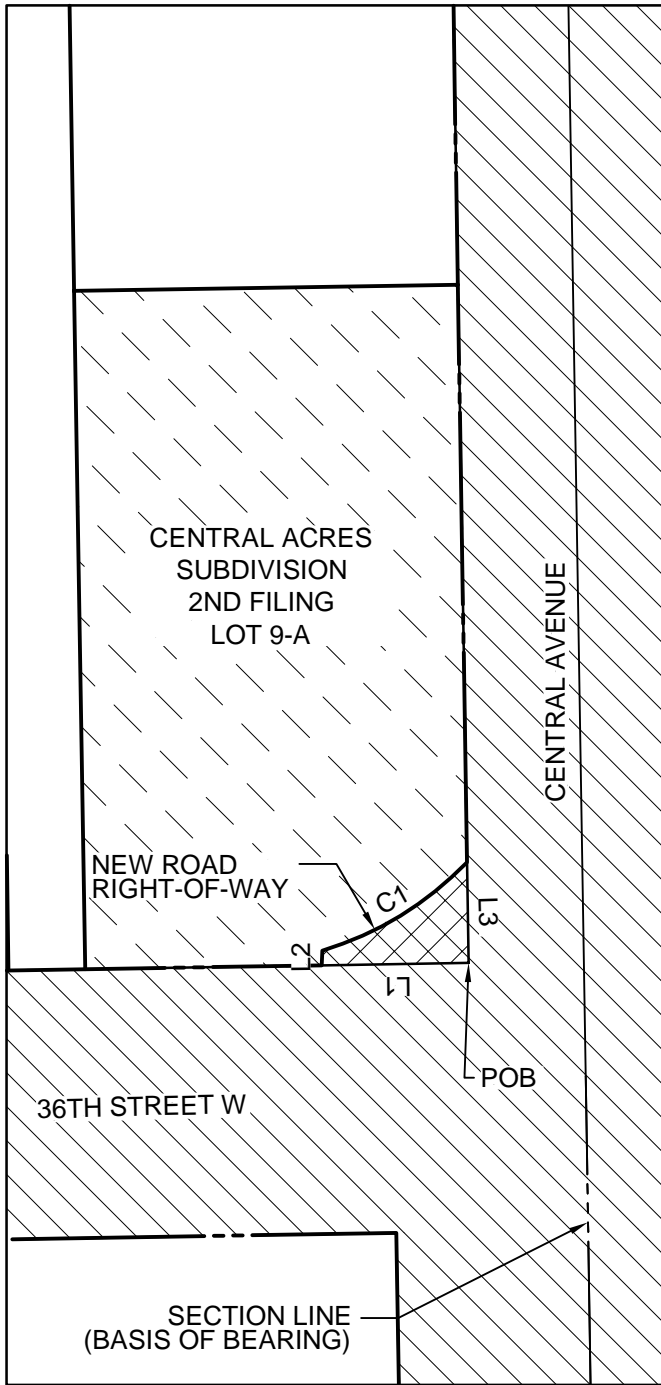
Denise R. Bohlman, City Clerk

STATE OF MONTANA
County of Yellowstone

This instrument was signed and sworn to before me

On _____ by _____
William A. Cole, Mayor, City of Billings
(Name of Signer)

(Notary Signature)
[Affix seal/stamp to left or below]



Current Owner:
Dorn-Pentecost, LLC

LOT 9-A, BLOCK 2
OF THE CENTRAL ACRES
SUBDIVISION 2ND FILING,
SEC. 2, T1S, R25E
CITY OF BILLINGS,
YELLOWSTONE COUNTY, MT

BASIS OF BEARING: N 89° 05' 07" E

- L1 N 00° 57' 04" W, 38.25 FEET
- L2 S 87° 51' 05" E, 3.85 FEET
- L3 S 89° 05' 07" W, 26.21 FEET

- C1 Δ = 29° 13' 12", 44.62 FEET
R = 87.50 FEET



R/W Legend

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

Lot 9-A of Block 2 of the Central Acres Subdivision 2nd Filing situated in the SE $\frac{1}{4}$ of Section 2, T1S, R25E, P.M.M, City of Billings, 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: 3441807).

Said property acquisition perimeter is more particularly described as:

Beginning at the Southwest corner of Lot 9-A of Block 2 of the Central Acres Subdivision 2nd Filing; Thence, N 00° 57' 04" W, 38.25 feet along the East right-of-way of 36th Street W; Thence, S 87° 51' 05" E, 3.85 feet; Thence on a curve to the left with a radius of 87.50 feet, and an arc length of 44.62 feet (chord bearing S 31° 23' 40" E, chord length 44.14 feet), to a point on the North right-of-way of Central Avenue; Thence, S 89° 05' 07" W, 26.21 feet along the North right-of-way of Central Avenue to the point of beginning, and containing 488 square feet, more or less.