

Return to:
City of Billings
210 N. 27th Street
Billings, MT 59101

DECLARATION OF PUBLIC STORM DRAINAGE EASEMENT

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged on this _____ day of _____, 20____, the undersigned, WESTERN SKY BILLINGS, LLC, of the address of P.O. Box 333, Reed Point, MT, 59069, hereinafter called “Grantor”, hereby grant and convey unto THE CITY OF BILLINGS, a municipal corporation and political subdivision of the State of Montana, of the address of 210 North 27th Street, Billings, Montana 59101, hereinafter called “Grantee”, a Public Storm Drainage easement over, across, under and through the following described tract of real property in The City of Billings, Yellowstone County Montana:

Lot 3, Block 1, Western Sky Subdivision, 2nd Amended, situated in the NW1/4 of Section 15, Township 1 South, Range 25 East, P.M.M, according to the official plat on file in the office of the clerk and recorder of Yellowstone County, Montana, under Document No. 3902604, said easement being more particularly described as follows:

Commencing at the southwest corner of Lot 3, Block 1, Western Sky Subdivision, 2nd Amended, Thence N 89°57'56" E, a distance of 15 feet along the south line of said Lot 3 to a point at the intersection of said south line of Lot 3 and the east line of the existing 20-foot wide Public Storm Drainage Easement as shown on the official plat of Western Sky Subdivision, 2nd Amended, henceforth referred to as the Point of Beginning. Thence from said Point of Beginning N 00°07'26" W, a distance of 608.78 feet along the east line of said Public Storm Drainage Easement to the south line of Crescent Street right-of-way; Thence along a 55.00 foot radius non-tangent curve to the left, through an internal angle of 3°16' 36", an arc distance of 3.15 feet (chord bearing N 72°24'40" E, 3.14 feet); Thence S 00°07'26" E, 587.72 feet; Thence N 89°57'56" E, a distance of 27.00 feet; Thence S 00° 07'26" E, a distance of 22.00 feet to the south line of said Lot 3; Thence S 89°57'56" W, a distance of 30.00 feet along said south line of Lot 3 to the Point of Beginning, as shown on the attached Exhibit "A".

This public storm drainage easement is for the purpose of constructing, reconstructing, maintaining, operating, servicing, repairing and replacing storm sewer lines, over, across, under and through the said real property, together with the right of free ingress and egress at all times for the purpose of constructing, reconstructing, maintaining, operating, servicing, repairing and replacing said storm sewer lines, and appurtenances.

This Grant of right and authority shall run with the said property and be binding on the Grantor, its successors, assigns, all subsequent owners and any parties having right, title, or interest in the said property.

WESTERN SKY BILLINGS, LLC

By: _____
Tracy Haag, Member

STATE OF MONTANA)
 :ss
County of Yellowstone)

On this ____ day of _____, 20__, before me, the undersigned Notary Public for the State of Montana, personally appeared _____, known to me to be the person who signed the forgoing instrument as _____, of Western Sky Billings, LLC and acknowledged to me that said corporation executed the same. Witness my hand and seal the day and year herein above written.

Notary Public in and for the State of Montana

ACKNOWLEDGMENT AND ACCEPTANCE OF CONVEYANCE

The Mayor and City Council of the City of Billings acknowledges receipt and hereby accepts the property interest conveyed through this instrument.

Mayor, City of Billings

ATTEST: _____
City Clerk

STATE OF MONTANA)
 :ss
County of Yellowstone)

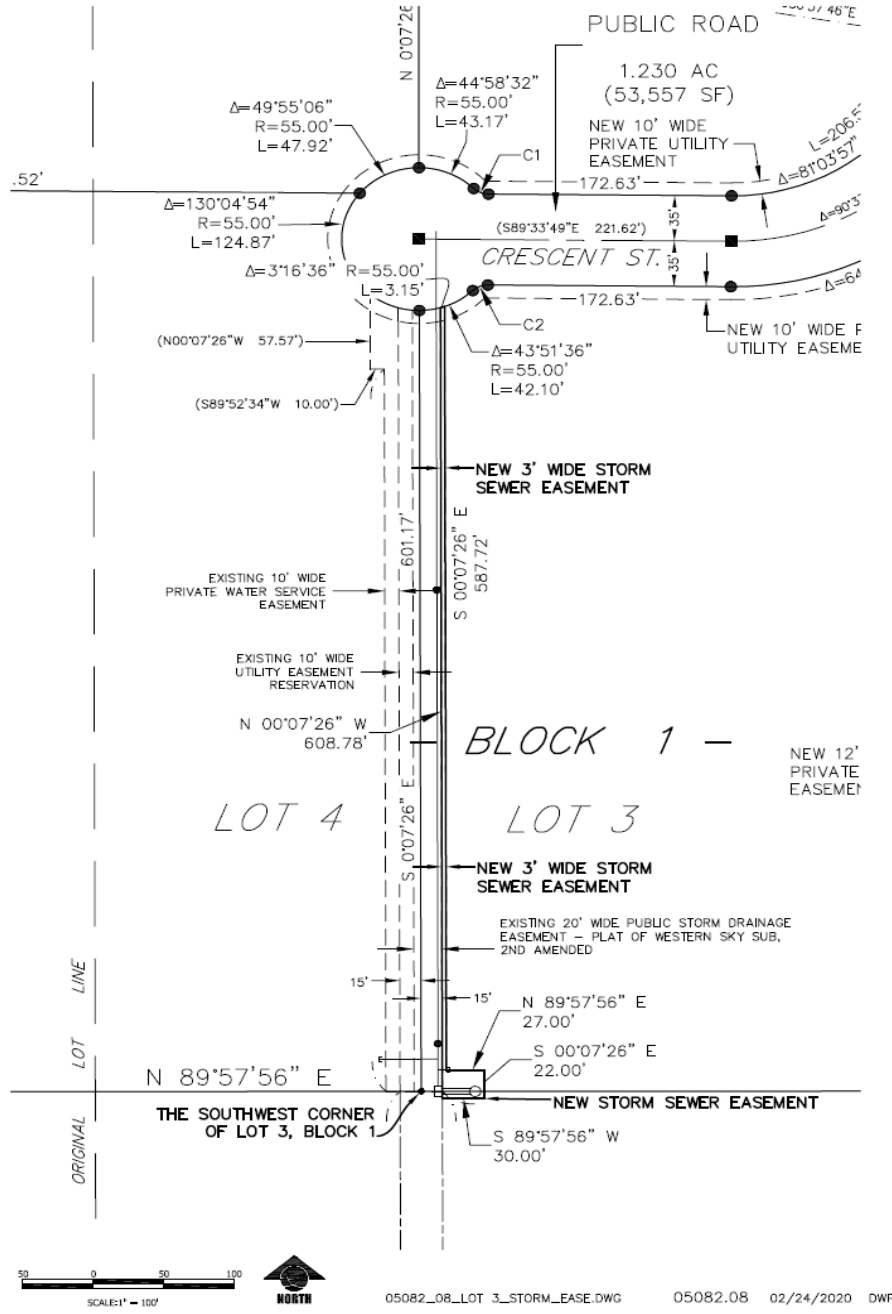
On this ____ day of _____, 20__, before me, a Notary Public in and for the State of Montana, personally appeared _____ and _____, known to me to be the Mayor and City Clerk of Billings, respectively, and acknowledged to me that they executed the foregoing instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Notary Public in and for the State of Montana

EXHIBIT A
PUBLIC STORM DRAINAGE EASEMENT
 ACROSS
 LOT 3, BLOCK 1, WESTERN SKY SUBDIVISION, 2ND AMENDED

PREPARED FOR : MONT VISTA, LLC
 PREPARED BY : **SANDERSON STEWART** BILLINGS, MONTANA
 FEBRUARY 2020



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