

Return to:
Steve Wells
P.O. Box 80445
Billings, MT 59108

**MODIFICATION OF SUBDIVISION
IMPROVEMENTS AGREEMENT
LOTS 62 AND 63, BLOCK 1
OF IRONWOOD ESTATES SUBDIVISION, FIFTH
FILING**

THIS MODIFICATION OF SUBDIVISION IMPROVEMENTS AGREEMENT (this "Modification") is made and entered into this 17 day of September, 2020 by and between **TIMOTHY AND MARSHA SAMPSON**, whose address for the purpose of this agreement is 6021 Canyonwoods Drive, Billings, Montana 59106, and **STEVEN WELLS AND DEREME BUDGE**, whose address for the purpose of this agreement is P.O. Box 80445; Billings, Montana 59108; hereinafter both referred to as "Subdivider," and the **CITY OF BILLINGS**, Billings, Montana, hereinafter referred to as "City."

WITNESSETH:

WHEREAS, the plat of Ironwood Estates Subdivision, Fifth Filing (the "Subdivision"), located in the City of Billings, Yellowstone County, Montana, is subject to the terms of that certain Subdivision Improvements Agreement by and between Regal Land Development, Inc. and City recorded August 24, 2014, under Document No. 3635919, in the office of the Yellowstone County Clerk and Recorder (the "Agreement"); and

WHEREAS, the provisions of this Modification shall be effective and applicable only to Lots 62 and 63, Block 1 of Ironwood Estates Subdivision, Fifth Filing, and

WHEREAS, pursuant to Section XI. E of the Agreement, any amendments or modifications of the Agreement or any provisions herein shall be made in writing and executed in the same manner as this original document and shall after execution become a part of the Agreement.

THEREFORE, THE PARTIES TO THIS MODIFICATION, for and in consideration of the mutual promises herein contained and for other good and valuable consideration, do hereby agree as follows:

1. Amendment. Section III. B. Sidewalks of the Agreement shall be deleted and replaced with the following:

III. TRANSPORTATION

B. Sidewalks


A standard five-foot wide boulevard style sidewalk is not required to be installed by the owners of Lots 62 and 63, Block 1 of Ironwood Estates Subdivision, Fifth Filing as originally specified in the Agreement. In lieu of this construction, a segment of five-foot boulevard style concrete sidewalk and handicap ramp shall be constructed along the northwesterly portion of City Park between the existing park pathway and the east property line of Lot 18, Block 4 of Ironwood Estates Fourth Filing. Said construction of sidewalk adjacent to Canyonwoods Drive shall be installed at the time of development of Lot 62 and as generally depicted on the attached "Exhibit A" which is referenced and made a part of this Modification to the Agreement. Said sidewalk will provide inner connectivity to existing sidewalk trails and sidewalks in the linear park areas previously constructed in the Subdivision. Sidewalk construction shall follow the City of Billings design and permitting standards.

2. Ratification. But for the amendment expressly made in this Modification, Subdivider and City hereby ratify and confirm the provisions of the underlying Agreement.

“SUBDIVIDER”

STEVEN WELLS AND DEREME BUDGE

*Owner Lot 63, Block 1, Ironwood Estates
Subdivision, Fifth Filing*



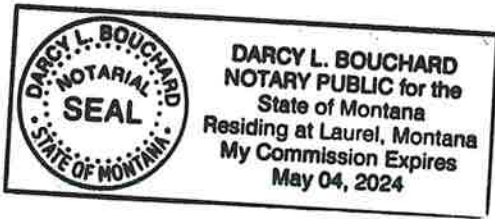
Steven Wells

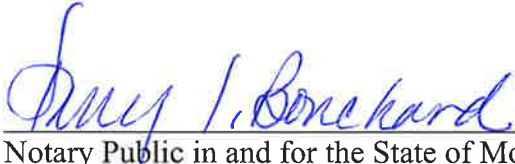


Dereme Budge

STATE OF MONTANA)
 : ss
County of Yellowstone)

On this 15 day of September, 2020, before me, the undersigned Notary Public in and for the State of Montana, personally appeared Steven Wells, known to me to be the person who signed the foregoing instrument and who acknowledged to me that he executed the same. Witness my hand and seal the day and year herein above written.

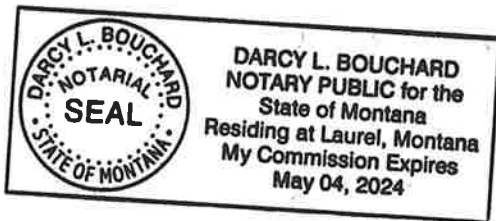


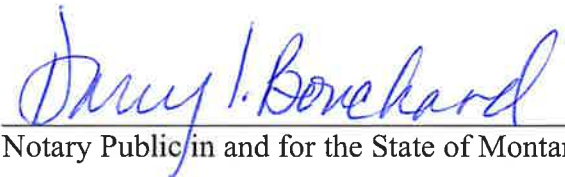


Notary Public in and for the State of Montana

STATE OF MONTANA)
 : ss
County of Yellowstone)

On this 15 day of September, 2020, before me, the undersigned Notary Public in and for the State of Montana, personally appeared Dereme Budge, known to me to be the person who signed the foregoing instrument and who acknowledged to me that he executed the same. Witness my hand and seal the day and year herein above written.





Notary Public in and for the State of Montana

EXHIBIT A

REVISED SIDEWALK CONSTRUCTION

FOR LOTS 62 & 63, BLOCK 1, IRONWOOD ESTATES SUBDIVISION, FIFTH FILING

PREPARED FOR : STEVE WELLS

SEPTEMBER, 2020

PREPARED BY : **SANDERSON STEWART**

BILLINGS, MONTANA

