



October 12, 2020

Mr. Kurt Haeker
Montana Assets L.L.C.
3340 46th Street West
Billings, MT 59106

P.O. Box 1178
Billings, MT 59103
☎ 406.657.8433
☎ 406.657.8390

Re: Request for City to purchase land

Dear Mr. Haeker:

Thank you for your recent proposal inviting the City to purchase COS 550, Tract 7, Tax ID: D01310. In referring the matter to the City Engineer, it is her position that the City has established a prescriptive easement over Tract 7 as public alley right-of-way pursuant to the City's established definite course - continuously and uninterruptedly - as a public alley for over fifty years. In agreement, the City Attorney opines the City has established an easement for use of this Tract as public alley right-of-way by operation of law as an implied easement from existing use, or by prescription established by the City's definite course of continued and uninterrupted use as public alley right-of-way well over the five years required by Sec. 70-19-404, MCA.

Because the City Engineer advises me the established prescriptive easement over Tract 7 for use as public alley right-of-way is sufficient to meet the needs of the City, I respectfully decline your offer to purchase this land on behalf of the City, at this time. However, should you desire to gratuitously quitclaim deed this Tract to the City, I would be glad to tender your charitable proffer to City Council.

Thank you very much for your time and inquiry.

Sincerely,

Chris A. Kukulski
City Administrator

Montana Assets L.L.C.
3340 46th Street West
Billings, Montana 59106

Cell 406-633-0186

kth@bresnan.net

6/29/2021

Chris A. Kukulski
City Administrator
P.O. Box 1178
Billings MT 59103

Dear Chris

See the letter you sent me. I am taking your suggestion and deeding this to the city.

See the attached quit claim deed.

I lost some money but that happens. However it will be cleared up now and no one will buy the taxes again.

Cordially,

Montana Assets LLC

By Kurt
Kurt Haeker
Manager

Return to:
City Clerk
City of Billings
PO Box 1178
Billings, MT 59103

QUITCLAIM DEED

FOR VALUABLE CONSIDERATION, Kurt Haeker of 3340 46th Street West, Billings, MT 59106 does hereby convey, release, remise and forever quitclaim unto the City of Billings, of P.O Box 1178, Billings, Montana 59103 and assigns, all of the right, title and interest of Kurt Haeker to the following described premises, in Yellowstone County Montana to-wit.

Section 5, Township 1 South, Range 26 East, Certificate of Survey 550, Parcel 7 East 371.66 Feet 3713 Square Feet (03) Yellowstone County, Montana

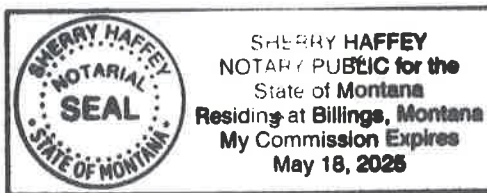
TO HAVE AND TO HOLD unto the Grantee, and their successors and assigns, forever.

Dated this Date 6/30/2021

Kurt Haeker

Kurt Haeker
State of Montana
County of Yellowstone

On this June 30, 2021 before me, a Notary Public in and for the State of Montana personally appeared Kurt Haeker known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.



Printed name: Sherry Haffey
Notary Public for the State of Montana
Residing at Billings
My Commission Expires 5-18-2025