

RETURN TO
City Clerk
City of Billings
P.O. Box 1178
Billings, MT 59103

TRAIL EASEMENT

THIS INDENTURE, made and entered into this 10th day of Jan, 2020, by and between the following:

ROMAN CATHOLIC BISHOP OF GREAT FALLS, MONTANA, a Corporation Sole
PO Box 1399
Great Falls, MT 59403
On behalf of and for the benefit of Billings Catholic Schools
hereinafter referred to as **GRANTOR**

and

CITY OF BILLINGS, a Municipal Corporation
City Hall – 210 North 27th Street
PO Box 1178
Billings, Montana 59103-1178,
hereinafter referred to as **GRANTEE**

FOR VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged;

WITNESSETH THAT GRANTOR does hereby grant and convey unto the GRANTEE, a perpetual easement and right-of-way to construct, reconstruct, maintain, operate, repair and improve necessary fixtures and appurtenances for a trail for the use and enjoyment of the general public over, across, under, and through the real property more particularly described as follows:

EASEMENT LAND DESCRIPTION

Tract of land situated in the SE 1/4 of Section 35, T. 1 N., R. 25 E., P.M.M., in the City of Billings, Yellowstone County, Montana, said easement being a portion of Lot 2, Block 1 of ST. THOMAS SUBDIVISION, on file and of record in the office of the Yellowstone County Clerk and Records Office, recorded July 3rd, 2006 under document No. 3383832, more particularly described as follows, Basis of Bearings being the South line of said Lot 2, Block 1 (S 49°06'54" W);

EASEMENT

Commencing at the most east-southeast corner of Lot 2, Block 1 of ST. THOMAS SUBDIVISION;
thence S 57°16'31" W and along the south line of said Lot 2 for a distance of 42.24 feet;
thence S 49°06'54" W for a distance of 405.00 feet to the easement True Of Beginning;
thence S 49°06'54" W for a distance of 165.00 feet;
thence N 40°53'06" W and leaving said south line of for a distance of 17.20 feet;
thence N 49°06'54" E for a distance of 165.00 feet;
thence S 40°53'06" E for a distance of 17.20 feet to the Point Of Beginning,
said easement containing an area of 2,838 square feet more or less.

TO HAVE AND TO HOLD unto **GRANTEE** and to its successors and assigns forever.

IN WITNESS WHEREOF, the GRANTOR warrants that they have good right to convey, free and clear of all encumbrances; the above-described interests in the real estate described and have hereunto set their hand.

By: Michael Warfel

Its: Bishop

STATE OF MONTANA)
:SS
County of Yellowstone)

This instrument was signed or acknowledged before me on this 10 day of January 2022 by Michael Warfel, known to me to be the _____ of the ROMAN CATHOLIC BISHOP OF GREAT FALLS, MT, a Corporation Sole, as GRANTOR.

Shantal Murphy
(Notary Signature)

(Notarial Seal)



ACKNOWLEDGMENT AND ACCEPTANCE OF CONVEYANCE

The Mayor and City Council of the City of Billings, a Montana municipal corporation, acknowledges receipt of this permanent easement and hereby accepts the property interest conveyed through this instrument.

By: _____

**WILLIAM A. COLE, MAYOR
CITY OF BILLINGS**

ATTEST:

By: _____

**DENISE R. BOHLMAN, CITY CLERK
CITY OF BILLINGS**

STATE OF MONTANA)
:SS
County of Yellowstone)

This instrument was signed or acknowledged before me on this _____ day of _____, 20____, by **WILLIAM A. COLE, MAYOR** and **DENISE R. BOHLMAN, CITY CLERK**, on behalf of the **CITY OF BILLINGS, a Montana municipal corporation**, as GRANTEE.

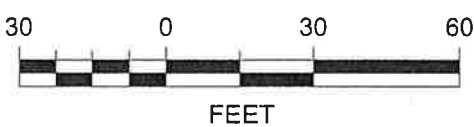
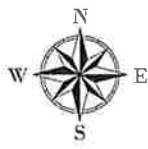
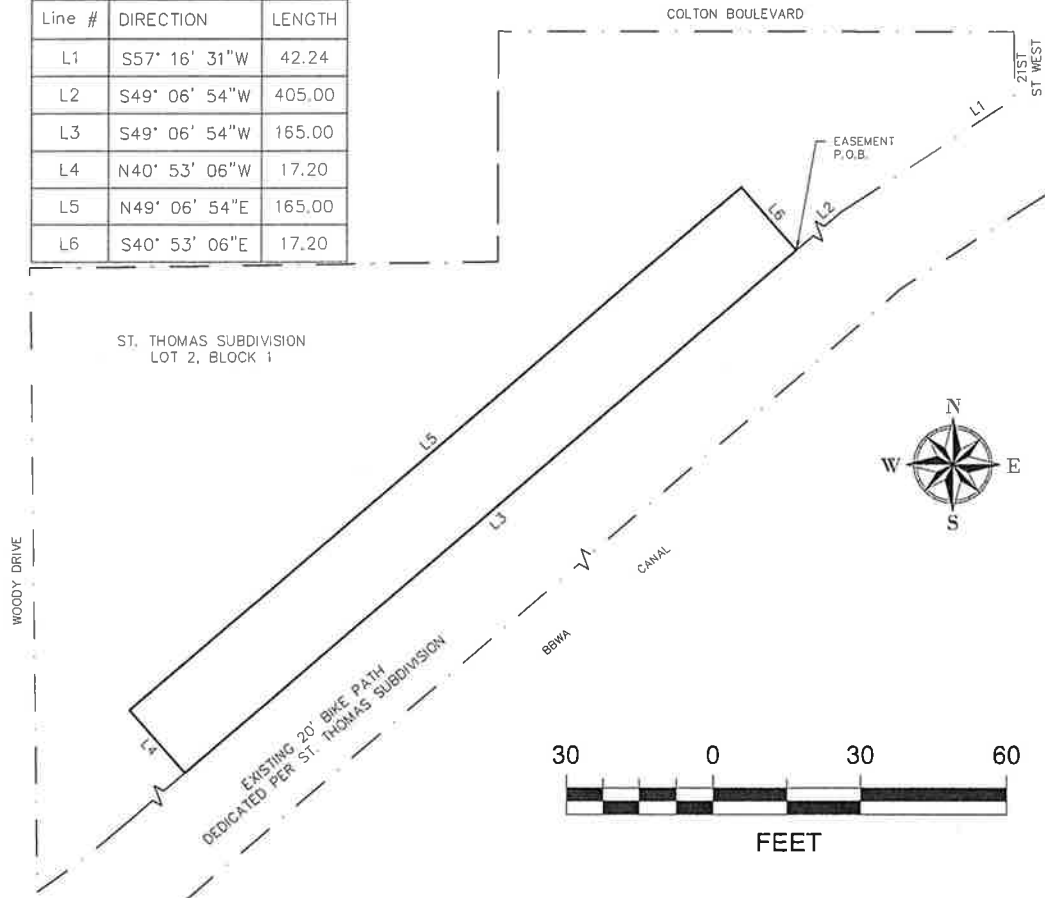
(Notary Signature)

(Notarial Seal)

EXHIBIT "A"

BBWA CANAL CONNECTION TRAIL EASEMENT WITHIN
 LOT 2, BLOCK 1, OF ST. THOMAS SUBDIVISION
 ON FILE AND OF RECORD IN THE OFFICE OF THE YELLOWSTONE
 COUNTY CLERK AND RECORDERS OFFICE,
 RECORDED JULY 3rd, 2006, UNDER DOCUMENT NO. 3383832
 CITY OF BILLINGS, MONTANA

EASEMENT LINE TABLE		
Line #	DIRECTION	LENGTH
L1	S57° 16' 31"W	42.24
L2	S49° 06' 54"W	405.00
L3	S49° 06' 54"W	165.00
L4	N40° 53' 06"W	17.20
L5	N49° 06' 54"E	165.00
L6	S40° 53' 06"E	17.20



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CITY OF BILLINGS, MONTANA
 BBWA CANAL CONNECTION
 TRAIL EASEMENT

CITY W.O. 22-09
 THIS EXHIBIT IS PREPARED FROM THE CITY OF BILLINGS, MONTANA