

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

## TRAFFIC SIGNAL FIXTURES AND SIDEWALK EASEMENT

THIS INDENTURE, made and entered into this 13<sup>th</sup> day of Jan, 2023, by and between the following:

**THE ROMAN CATHOLIC BISHOP OF  
GREAT FALLS, MONTANA, a corporation sole**  
of 121 23rd Street S  
Great Falls, Montana 59401,  
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, sell, and convey unto the **GRANTEE**, perpetual easement and right-of-way to construct, reconstruct, maintain, operate, repair and improve necessary Traffic signal fixtures and appurtenances and for sidewalk over, across, under, and through the real property more particularly described as follows:

### EASEMENT LAND DESCRIPTION

Tract of land situated in the NW1/4 of Section 20, T. 1 S., R. 26 E., P.M.M., in, Yellowstone County, Montana, said easement being a portion of Tract 1A-1 of Amended Tract 1A of Corrected Certificate of Survey No. 3223 Tract 1 Amended, on file and of record in the office of the Yellowstone County Clerk and Records Office, recorded November 3rd, 2014 under document No. 3722832, Basis of Bearing being said Tract 1A-1, more particularly described as follows;

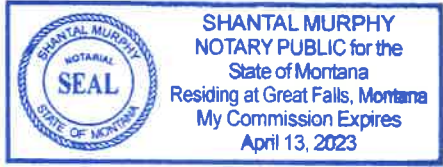
### EASEMENT

Commencing at the northwest corner of Tract 1A-1 of said Amended Tract 1A of Corrected Certificate of Survey No. 3223 Tract 1 Amended, point also being on the south right-of-way of Elysian Road; Thence N 89°49'46" E and along said south right-of-way for a distance of 30.12 feet to the true Easement Point of Beginning; Thence N 89°49'46" E and continuing along said south right-of-way for a distance of 28.00 feet; Thence S 61°38'53" W and leaving said south right-of-way for a distance of 31.76 feet, point also being on the east line of the existing 30.00 foot wide county road easement, (Road Petition 34); Thence N 00°11'01" W and along said east ling of said county road easement for a distance of 15.00 feet to the Easement Point of Beginning, said easement containing an area of 210 square feet more or less.

See also Exhibit A attached and incorporated herein, showing said easement area.

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 W. Warfel  
MOST REV MICHAEL W WARFEL

As: BISHOP  
of THE ROMAN CATHOLIC BISHOP OF  
GREAT FALLS, MONTANA, a corporation sole

STATE OF MONTANA        )  
                                  )  
County of Cascade        ):SS  
                                  )  
County of ~~Yellowstone~~

This instrument was signed or acknowledged before me on this 13 day of January, 2023 by Most Rev Michael Warfel as GRANTOR.

Shantal Murphy  
(Notary Signature)

**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        )  
                                  )  
County of Yellowstone    ):SS  
                                  )

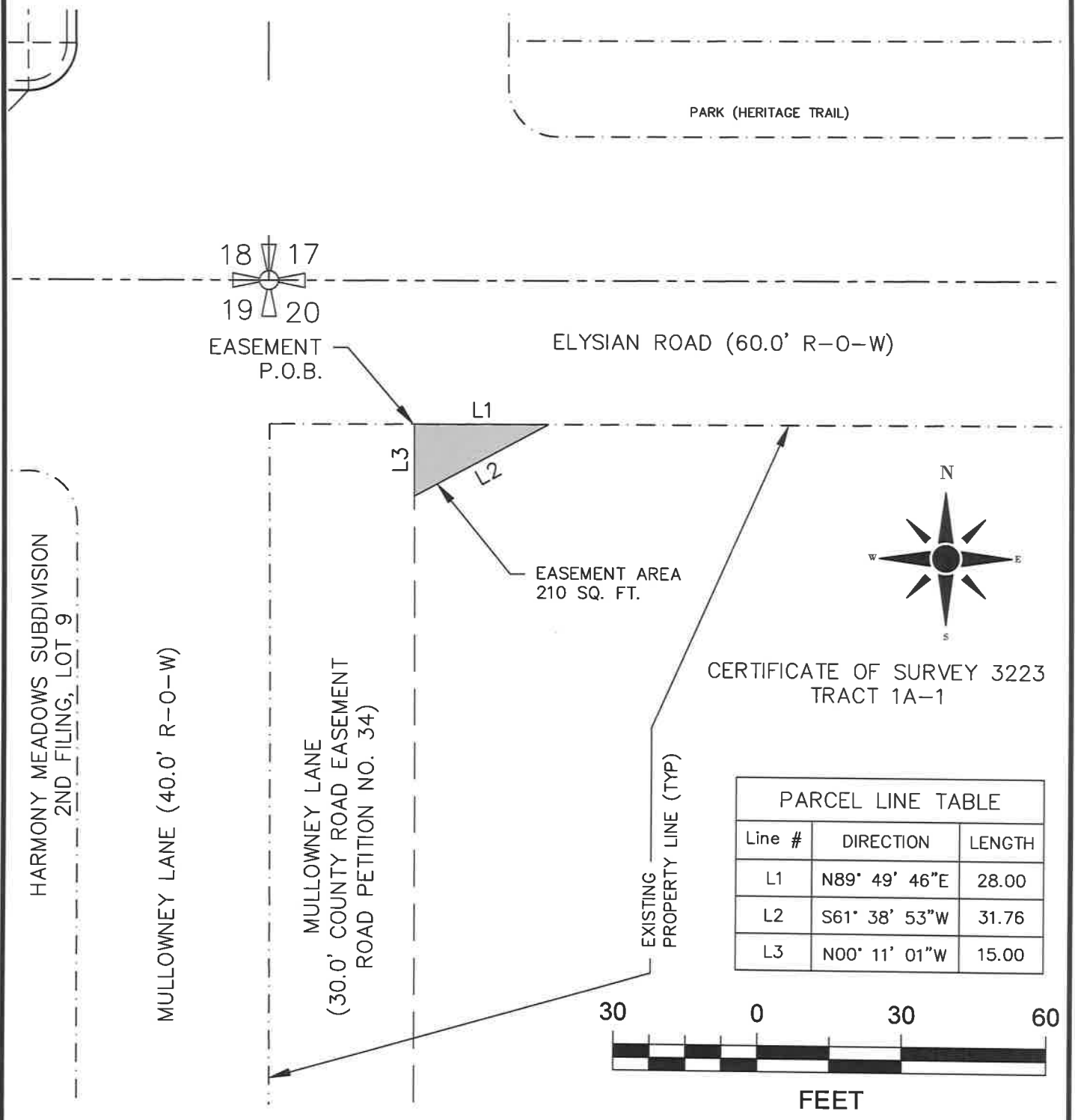
This instrument was signed or acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, by WILLIAM A. COLE, MAYOR and DENISE R. BOHLMAN, CITY CLERK, on behalf of the CITY OF BILLINGS, a Montana municipal corporation, as GRANTEE.

\_\_\_\_\_  
(Notary Signature)

(Notarial Seal)

# EXHIBIT "A"

TRAFFIC SIGNAL FIXTURES AND SIDEWALK EASEMENT  
 WITHIN A PORTION OF TRACT 1A-1 OF THE AMENDED TRACT 1A  
 OF CERTIFICATE OF SURVEY NO. 3223 TRACT 1 AMENDED,  
 ON FILE AND OF RECORD UNDER IN THE OFFICE OF THE YELLOWSTONE COUNTY CLERK  
 AND RECORDERS OFFICE, RECORDED NOVEMBER 3RD, 2014 UNDER DOCUMENT NO. 3722832  
 YELLOWSTONE COUNTY, MONTANA



## EASEMENT LAND DESCRIPTION

Tract of land situated in the NW1/4 of Section 20, T. 1 S., R. 26 E., P.M.M., in, Yellowstone County, Montana, said easement being a portion of Tract 1A-1 of Amended Tract 1A of Corrected Certificate of Survey No. 3223 Tract 1 Amended, on file and of record in the office of the Yellowstone County Clerk and Recorders Office, recorded November 3rd, 2014 under document No. 3722832, Basis of Bearing being said Tract 1A-1, more particularly described as follows;

### EASEMENT

Commencing at the northwest corner of Tract 1A-1 of said Amended Tract 1A of Corrected Certificate of Survey No. 3223 Tract 1 Amended, point also being on the south right-of-way of Elysian Road; Thence N 89°49'46" E and along said south right-of-way for a distance of 30.12 feet to the true Easement Point of Beginning; Thence N 89°49'46" E and continuing along said south right-of-way for a distance of 28.00 feet; Thence S 61°38'53" W and leaving said south right-of-way for a distance of 31.76 feet, point also being on the east line of the existing 30.00 foot wide county road easement, (Road Petition 34); Thence N 00°11'01" W and along said east line of said county road easement for a distance of 15.00 feet to the Easement Point of Beginning, said easement containing an area of 210 square feet more or less.

CITY OF BILLINGS, MONTANA  
 TRAFFIC SIGNAL FIXTURES AND  
 SIDEWALK EASEMENT EXHIBIT

W.O. 22-07, MULLOWNEY LANE

EXHIBIT IS PREPARED FOR AND BY THE CITY OF BILLINGS, MONTANA