



Donation of Lot 7 Whisper Ridge Subdivision

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DRAFT

AMENDED PLAT OF LOTS 1, 2, 3, 4, & 7 OF BLOCK 2,
WHISPER RIDGE SUBDIVISION
 SITUATED IN THE SW1/4 OF SECTION 29, T. 1 N., R. 25 E., P.M.M.,
 IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA.

PREPARED FOR : BUSCHER DEVELOPMENT SEPTEMBER, 2023
 PREPARED BY : SANDERSON STEWART BILLINGS, MONTANA

HOA Maintained Storm Facility

BASE OF BEARING PLAT OF WHISPER RIDGE SUBDIVISION

- FROM SURVEY MEMORANDUM, BEARING WITH COLLAR CAP MARKED "SANDERSON STEWART 83747", OR AS NOTED
- SET 5.00' x 10' BEARING WITH CAP MARKED WITH THE LOCAL NUMBER OF THE UNDERWRITTEN LAND SURVEYOR AND "SANDERSON STEWART"

ERRORS AND OMISSIONS REVIEW

I hereby certify that I have examined the enclosed and finding that for errors and omissions in compilation and drafting.

Existing Land Survey: Date: _____

CERTIFICATE OF CITY ATTORNEY

This document has been reviewed by the City Attorney's office and is acceptable as to form.

DATE: _____
 REVIEWED BY: _____

CERTIFICATE OF COUNTY TREASURER

I hereby certify that all real property taxes and special assessments have been paid per 76-3-410(300) / 76-3-207(2), M.C.A.

Date: _____
 Yellowstone County Treasurer
 BY: _____
 Deputy

CERTIFICATE OF SURVEYOR

STATE OF MONTANA 24
 County of Yellowstone 3

The undersigned, a Licensed Surveyor in the State of Montana, states that during the month of September, 2023, a survey was performed under the supervision of a licensed land surveyor in the State of Montana, T. 1 N., R. 25 E., P.M.M., in the City of Billings, Yellowstone County, Montana, and that the same is hereby certified as follows, to wit:

Lots 1, 2, 3, 4, & 7 of Block 2, Whisper Ridge Subdivision, according to the plat on file in the office of the clerk and recorder of said county, under Document No. 263022, and which having a gross net area of 48,000 square feet (1.102 acres), more or less.

That the measurements filed and set out on the plat hereto and except the positive stone markers, that will survey and the plat hereto shall have true and correct dimensions and that the plat conforms with the work on the ground.

SANDERSON STEWART
 BY: _____
 Montana Registration No. _____
 Date: _____

RELEASE OF EASEMENT

DOCUMENT NO. _____
MAINTENANCE EASEMENT
 DOCUMENT NO. _____

VICINITY MAP
 NOT TO SCALE

LANDOWNERS STATEMENT: AGGREGATION OF LOTS & RELOCATION OF LOT LINES

The undersigned hereby certifies that the purpose of this survey is to aggregate existing lots which in a general subdivision and to relocate the corners the balance those lots. One or more lots are being offered and no additional lots are being hereby created.

Therefore this survey is exempt from review as a subdivision pursuant to Section 76-3-207(2) & (3), M.C.A.

Pursuant to AMR 24.03.1100(2)(3)(4), the area that is being returned from one tract of land to another tract of land in the same tract of land of the same land area will not be considered as a reference legal description in any instrument and property transfer under the public trustee jurisdiction with the exception of agency or which will not be considered, unless said area is included with or excluded from adjoining tracts of land.

This survey is not subject to review by the Department of Environmental Quality pursuant to 17-4-102(1) M.C.A., a subdivision exempted from the provisions of chapter 3 must be submitted for review according to the provisions of this part, except that the existing lot and/or parcels, unless the conditions are used to resolve the provisions of this part, are not subject to review.

(5) as certified pursuant to 76-4-102, 17-4-102(2) and/or 17-4-102(3), M.C.A.

Furthermore, this survey is not subject to review by the Department of Environmental Quality pursuant to AMR 17.56.400(2) whereby "aggregations of parcels are not subdivisions subject to review, except that an aggregation is subject to review under 17-4-102, M.C.A., if any parcel included in the aggregation has a previous approval issued under Title 76, chapter 4, part 1, M.C.A."

OWNER LOTS 1 & 2, BLOCK 2
 BUSCHER CONSTRUCTION & DEVELOPMENT, INC.
 By: _____ Title: _____

STATE OF MONTANA 24
 County of Yellowstone 3

On this _____ day of _____, 20____, before me, the undersigned Notary Public for the State of Montana, _____, and _____, all of whom are competent to give legal testimony, appeared _____, and acknowledged to me that said _____ executed the same. Witness my hand and seal the day and year herein above written.

Notary Public in and for the State of Montana

OWNER LOTS 3, 4, & 7, BLOCK 2
 CRESTVIEW HOLDINGS, INC. a Montana corporation
 By: _____ Title: _____

STATE OF MONTANA 24
 County of Yellowstone 3

On this _____ day of _____, 20____, before me, the undersigned Notary Public for the State of Montana, _____, and _____, all of whom are competent to give legal testimony, appeared _____, and acknowledged to me that said _____ executed the same. Witness my hand and seal the day and year herein above written.

Notary Public in and for the State of Montana

FILED IN WHISPER RIDGE, YELLOWSTONE COUNTY, MONTANA 010827.03 11/02/23 408

- Lot 7 used for storm drain retention/detention
- Per SIA, City was to maintain the storm drain pond
- Lot 7 was deeded to City of Billings
- Developer requested Lot 7 be re-platted with 3 other lots to make lots more developable
- If Lot 7 is donated back to developer, Developer agrees to create HOA to take over maintenance of storm drain pond

Donation of Lot 7 Whisper Ridge Subdivision

- 5/13 Council Meeting
 - Public Hearing
 - Resolution of Intent to Donate City Real Property
- 6/10 Council Meeting - Tonight
 - Public Hearing and Resolution Approving Donation of City Real Property
 - Revised SIA assigning maintenance of storm drain pond to HOA
- After 6/10 Council Meeting
 - Approval of Amended plat