

AMENDMENT TO ROSE PARK TRAIL EASEMENT

STATE: Montana

COUNTY: Yellowstone

GRANTOR: Billings School District #2
Administrative offices at 415 North 30th Street
Billings, Montana 59101

GRANTEE: City of Billings, a Montana municipal corporation
City Hall
210 North 27th Street
Billings, Montana 59103-1178

EFFECTIVE DATE: May 8, 2024

On May 8, 2024, Grantor, named above, granted and conveyed to Grantee, named above, an easement and right-of-way entitled "Rose Park Trail Easement" under and across the lands in the county and state above. That Easement was recorded on July 25, 2024, under Document No. 4079214, of the Records of the county in which the lands are located.

1. It has been determined that the course, distance, and route of the Rose Park Trail Easement conveyed to Grantee was erroneous.
2. The Rose Park Trail Easement described all of Grantor's lands over which Grantee was to select a course or route for its public multi-use trail easement, and upon that route or course being determined, the Rose Park Trail Easement was to be amended to specify the course or route and right-of-way Grantee will use to locate, construct, reconstruct, maintain, use, operate, and repair its public multi-use trail.

The correct and specific course, distance, and route of the Rose Park Trail Easement has been determined by Grantee and is particularly described below and set out and incorporated, herein, on Exhibit "A" to this Amendment, as the following:

TWENTY (20) FOOT WIDE TRAIL EASEMENT DESCRIPTION

A tract of land being 20 feet in width situated in the SW 1/4 of Section 36, T. 1 N., R. 25 E., P.M.M., in the City of Billings, Yellowstone County, Montana, said easement being a portion of Tract A of Certificate of Survey No. 791 on file and of record under in the office of the Yellowstone County Clerk and Recorder, recorded February 5th, 1958, under Document No. 596282; said tract of land being 10 feet each side of the following described centerline:

Commencing at a point that is the Northwest most corner of Tract A of Certificate of Survey No. 791; Thence S 1°30'39" E, a distance of 10.07' to the true Easement Centerline Point of Beginning, being a point on the west property line of Tract A; Thence along the following 6 courses:

1. S 84°28'44" E, a distance of 69.20'.
2. N 80°42'40" E, a distance of 130.32'.
3. N 83°57'29" E, a distance of 47.82'.
4. N 67°53'09" E, a distance of 127.09'.
5. N 58°58'20" E, a distance of 233.73'.
6. N 82°42'00" E, a distance of 75.06' to the Point of Terminus of said centerline of 20.00' wide easement, with sidelines of said tract being lengthened or shortened to intersect adjacent boundaries; said easement also being shown and described on attached

"Exhibit A".

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

