

Return Address:
Performance Engineering
3412 Colton Boulevard, Suite 202
Billings, MT 59102

Termination and Revocation of Certificate of Survey-Agricultural Exemption

THIS AGREEMENT is made and entered into by **22500 NOL, LLC**, as owners of Agricultural Tract 11-A-2 of the Amended Tract 11-A of the Remainder of Tract 11, Certificate of Survey No. 836 in Yellowstone County, Montana, and **YELLOWSTONE COUNTY, MONTANA**, as the governing body.

WHEREAS, Agricultural Tract 11-A-2 of the Amended Tract 11-A of the Remainder of Tract 11, Certificate of Survey No. 836 (Document No. 4042155), situated in the N ½ of Section 30, Township 01 North, Range 25 East, P.M.M., Yellowstone County, Montana, was subject to a Declaration of Agricultural Covenant (Document No. 4042156); and

WHEREAS, said tract was surveyed and platted as Yellowstone Club Estates, 8th Filing creating nine lots, which complied with all requirements, rules, regulations, policies, and resolutions of the City of Billings and Yellowstone County, and the laws and administrative rules of the State of Montana; and,

WHEREAS, Lots 2 through 8, inclusive, of said Yellowstone Club Estates, 8th Filing, have been annexed into the City of Billings and it is agreed upon between 22500 NOL, LLC and Yellowstone County that said Declaration of Agricultural Covenant is terminated and revoked on said lots; and,

WHEREAS, Only Lot 1 and 9 of Yellowstone Club Estates, 8th Filing, shall continue to remain bound by the terms of the original Declaration of Agricultural Covenant (Document No. 4042156),

WHEREAS, the Plat of Yellowstone Club Estates, 8th Filing, was filed under Document No. _____, records of Yellowstone County, Montana; and

WHEREAS, Yellowstone Club Estates, 8th Filing, consists of 9 lots and the owners desire to lift the agricultural covenant on seven of said nine lots including Lots 2 through 8, inclusive;

THEREFORE, the parties to this agreement do hereby agree that the provisions of the Declaration of Agricultural Covenant (Document No. 4042156) imposed on Agricultural Tract 11-A-2 of the Amended

Tract 11-A of the Remainder of Tract 11, Certificate of Survey No. 836 (Document No. 4042155) is hereby removed from Lots 2 through 8, inclusive, of Yellowstone Club Estates, 8th Filing.

Dated this _____ day of _____ 20__.

22500 NOL, LLC

Title:

Date

State of Montana)
 :
County of Yellowstone)

On this _____ day of _____, 20__, before me, a Notary Public for the State of Montana, personally appeared, _____, being the _____ of 22500 NOL, LLC known to me to be the persons whose name is subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed my notary seal the day and year first above written.

(seal)

Print Name: _____
Notary Public for the State of Montana
Residing at Billings, Montana
My commission expires _____

Yellowstone County Commissioners

Chairperson

Commissioner

Commissioner

Attest:

Jeff Martin, Clerk & Recorder

State of Montana)

:
County of Yellowstone)

On this _____ day of _____, 20____, before me, a Notary Public for the State of Montana, personally appeared, _____, _____, and _____, members of the Board of County Commissioners, and Jeff Martin, County Clerk & Recorder, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed my notary seal the day and year first above written.

(seal)

Print Name: _____

Notary Public for the State of Montana

Residing at Billings, Montana

My commission expires _____