

Land Sale

LOCATION: Along north side of Central Avenue, approximately 1,400 feet west of Shiloh Road, in Billings, Yellowstone County, Montana.

LEGAL DESCRIPTION: Tract 3 of Corrected Amendment of Tracts 1 and 3 and Remainder Tract 2, to be Amendment of Tracts 1, 2 and 3, COS No. 1648, Yellowstone County, Montana, under Document No. 1749237.

GRANTOR: Janet R. Bergman

GRANTEE: Marsich Investments, Inc.

REC. DOCUMENT: Warranty Deed #3806995

DATE OF RECORDING: 03-02-2017

EXPOSURE TIME: 3 months

SALES PRICE: \$1,500,000

TERMS OF SALE: Cash to Seller

CASH EQ. PRICE: \$1,500,000

PRICE/ACRE: \$99,292

DATE OF SALE: September, 2016

SITE DESCRIPTION: Size: 15.107 acres
Frontages: 384.58' along Central Avenue
919.55' along Bell Avenue
Depth: Varies
Shape: Irregular
Utilities: There is a 24" sewer main located in Central Avenue at this properties northeast boundary. There is a 16" water main in Central Avenue at

the same location. Other utilities such as electricity, natural gas, and telephone are readily available to the property.

ZONING: This sale was contingent on the buyer annexing the property and getting the R-7000 zoning classification.

ACCESS: The primary access is via Central Avenue. This property is also accessible via Bell Avenue, which currently terminates at this properties southeast boundary. Central Avenue is a 2-lane asphalt paved road along its frontage with this property. Bell Avenue is also a 2-lane asphalt paved road that is very lightly traveled.

TOPOGRAPHY: This parcel is flat and consists of irrigated hay land. There are no distinguishing topographical features to the site.

PROPOSED USE: As per the seller, the buyer is planning to develop this parcel with primarily townhomes in the \$250,000 price range.

CONFIRMED BY: David Thomas, MAI

CONFIRMED WITH: Brandon Reiter, Grandson of Seller

COMMENTS: This parcel is located adjacent to the west of Legends West Subdivision and across Central Avenue from Shiloh Point Subdivision. There is farmland adjacent to the west and south.

The buyer is an experience developer in Billings. The seller's grandson handled the marketing of the property. He placed a large for-sale sign on the property, which is how the buyer learned it was for sale. The original asking price was just over \$121,000 per acre. The buyer was one of the first people to show interest in the property and a deal was struck 3 or 4 months after it was first put on the market. The sale was contingent on the buyer successfully annexing the property into the city limits and getting the R-7000 zoning classification. The cost of annexation was the buyer's responsibility, less \$4,500 that the seller kicked in.

WD **3806995**
03/02/2017 10:30 AM Pages: 1 of 2 Fees: 14.00
Jeff Martin Clerk & Recorder, Yellowstone MT

PLEASE RETURN TO:
Marsich Investments, Inc.
5213 Onyx Boulevard
Billings, MT 59106

WARRANTY DEED

First Montana Title Co

B-36988E

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged on this 1 day of MARCH, 2017, the undersigned, **Janet R. Bergman**, whose mailing address is 1322 Broadwater Avenue, Billings, Montana 59102, hereby grants unto **Marsich Investments, Inc.**, the mailing address of which is 5213 Onyx Boulevard, Billings, Montana 59106, the hereinafter described real property situated in Yellowstone County, Montana, to-wit:

Tract 3 of Corrected Amendment of Tracts 1 and 3 and Remainder Tract 2, to be Amendment of Tracts 1,2 and 3, Certificate of Survey No 1648, Yellowstone County, Montana, according to the official plat thereof on file and of record in the office of the Clerk and Recorder of said County, under Document No. 1749237

together with all buildings and improvements, tenements, hereditaments, and appurtenances thereon and thereto;

TO HAVE AND TO HOLD unto the Grantee and to its successors and assigns forever, subject, however to:

- (a) All reservations and exceptions in patents or deeds from the United States or the State of Montana;
- (b) All existing easements and rights-of-way;
- (c) All applicable building, use, zoning, health, sanitation, environmental and similar laws, restrictions, ordinances, rules, and regulations, including covenants, conditions and restrictions of record;
- (d) General and special taxes and assessments for the year 2017, and subsequent years; and
- (e) All prior conveyances, leases or transfers of any interest in minerals, including oil, gas and other hydrocarbons.

EXCEPT with reference to the items in Paragraphs (a) through (e) above, both inclusive, this DEED is given with the usual covenants expressed in §30-11-110, Montana Code Annotated.

WD

3806995

03/02/2017 10:30 AM Pages: 2 of 2 Fees: 14.00
Jeff Martin Clerk & Recorder, Yellowstone MT



IN WITNESS WHEREOF, Grantor has executed this instrument the day and year first above written.

By: Janet R. Bergman
Janet R. Bergman

STATE OF MONTANA)
) :ss
County of Yellowstone)

The foregoing Deed was acknowledged before me the 1 day of March, 2017 by Janet R. Bergman.

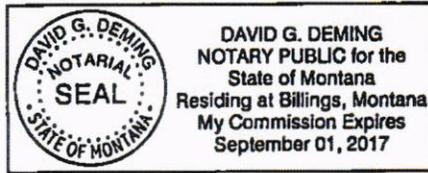
[Signature]
Signature

David S Deming
Printed Name

NOTARY PUBLIC FOR THE STATE OF MONTANA

Residing at: Billings

My Commission expires: 9/1/2017



Land Sale

LOCATION: SWC of 54th Street West and Trail Creek Road, in Billings, Yellowstone County, Montana.

LEGAL DESCRIPTION: Tract 1, of COS No. 3618, in the City of Billings, Yellowstone County, Montana, under Document #3780084.

GRANTOR: Yellowstone Meadows Partners

GRANTEE: Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints

REC. DOCUMENT: Warranty Deed #3780946

DATE OF RECORDING: 06-24-2016

EXPOSURE TIME: N/A

SALES PRICE: \$740,956

TERMS OF SALE: Cash

CASH EQ. PRICE: \$740,956

PRICE/ACRE: \$131,389
PRICE/SQ. FT.: \$3.02

DATE OF SALE: March, 2016

SITE DESCRIPTION: Size: 5.6394 acres
245,652 sq. ft.
Frontages: 426' along 54th Street West
Depth: 577+
Shape: Rectangular
Utilities: City water and sewer are located in 54th Street West.

ZONING: R-9600 (single family residential – lots no less than 9,600 sf)

PROPOSED USE: This parcel is being developed with a Mormon church.

CONFIRMED BY: David Thomas, MAI

CONFIRMED WITH: Blain Poppler, Broker

COMMENTS:

This property is located in northwest Billings, several hundred feet south of Rimrock Road. The newly created Mont Vista residential subdivision is located across 54th Street West from this parcel. This property had to go under special review in order to be permitted for development with a church. There is single family housing adjacent to this parcel.

WD

3780946

06/24/2016 03:00 PM Pages: 1 of 1 Fees: 7.00

Jeff Martin Clerk & Recorder, Yellowstone MT



After recording return to:
LDS Church RE Division
12th Floor, 50 East North Temple St.
Salt Lake City, UT 84150

Property NO. 581-1852

Order No. CTBIL49-2326014296

WARRANTY DEED

For Value Received Yellowstone Meadows Partners, a Montana Limited Liability Corporation, a corporation duly organized and existing under the laws of the State of Montana, grantor does hereby Grant, Bargain, Sell and Convey unto Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah Corporation sole, of 12th Floor, 50 East North Temple St., Salt Lake City, UT 84150, grantee(s), the following described real estate, to-wit:

That part of Northeast Quarter, of Section 31, Township 1 North, Range 25 East, of the Principal Montana Meridian, in the City of Billings, Yellowstone County, Montana, described as Tract 1, of Certificate of Survey No. 3618, on file in the office of the Clerk and Recorder of said County, under Document No. 3780084.

TO HAVE AND TO HOLD unto the Grantee and to the heirs and assigns forever, subject, however, to:

- (a) All reservations and exceptions of record and in patents from the United States or the State of Montana;
- (b) All existing easements and rights of way of record, building, use zoning, sanitary and environmental restrictions;
- (c) Taxes and assessments for the year 2016 and subsequent years;
- (d) All prior conveyances, leases or transfers of any interest in minerals, including oil, gas and other hydrocarbons;

Except with reference to items referred to in paragraphs above, this Deed is given with the usual covenants expressed in §30-11-110, Montana Code Annotated.

This conveyance is made and accepted upon the express agreement that the consideration heretofore paid constitutes an adequate and full consideration in money or money's worth.

IN WITNESS WHEREOF, the Grantor has executed this instrument this 24th day of JUNE, 2016.

Yellowstone Meadows Partners, a Montana Limited Liability Corporation, LLC

BY: [Signature]
Bruce R. Carlson, Manager

STATE OF MONTANA

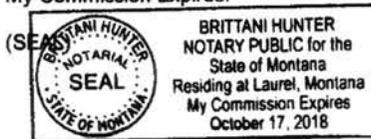
COUNTY OF YELLOWSTONE

This instrument was acknowledged before me on JUNE 24th, 2016 by Yellowstone Meadows Partners, a Montana Limited Liability Corporation.

[Signature]

*Bruce R. Carlson, Manager of

Notary Public for the State of Montana
Residing at Laurel, MT
My Commission Expires:



CERTIFICATE OF SURVEY No. 3618

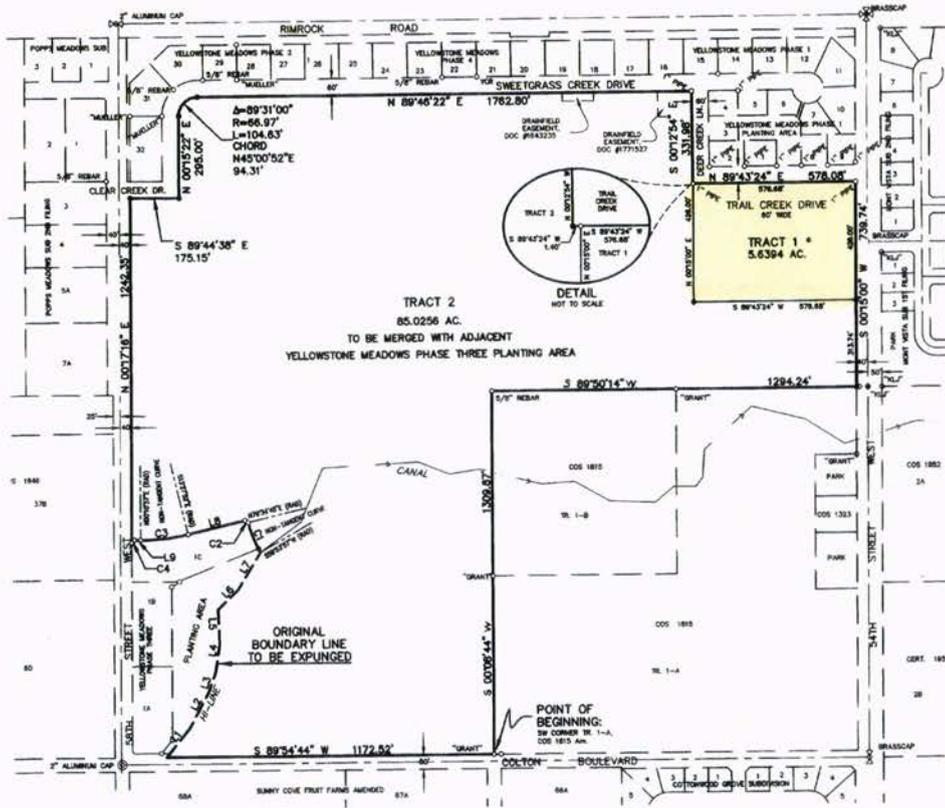
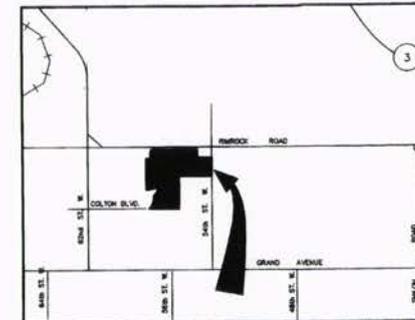
SITUATED IN THE NE1/4 OF SECTION 31, T. 1 N., R. 25 E., P.M.M.
IN THE CITY OF BILLINGS*, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR : YELLOWSTONE MEADOWS PARTNERS, LLC

PREPARED BY : SANDERSON STEWART

APRIL 2016

BILLINGS, MONTANA



BASIS OF BEARING: THE BASIS OF BEARING FOR THIS SURVEY HAS BEEN DERIVED FROM GPS OBSERVATIONS AND IS BASED ON A NAD 83, LAMBERT CONFORMAL CONIC, SINGLE PARALLEL, LOW DISTORTION PROJECTION FOR THE CITY OF BILLINGS HAVING A POINT OF ORIGIN AT 45°47'00"N LATITUDE AND 106°28'00"W LONGITUDE WITH A SCALE FACTOR OF 1.0001615.
DISTANCES ARE GRID, INTERNATIONAL FEET
GRID TO GROUND CORRECTED SCALE FACTOR IS 0.99999364.
THE CONVERGENCE ANGLE AT THE POINT OF BEGINNING OF THIS SURVEY = -00°07'22"

- FOUND SURVEY MONUMENT, REBAR WITH "ENG INC" CAP OR AS NOTED
- SET 5/8" X 18" REBAR WITH CAP MARKED WITH THE LICENSE NUMBER OF THE UNDERSIGNED LAND SURVEYOR AND "SANDERSON STEWART"
- ★ TRACT 1 ANNEXED INTO THE CITY OF BILLINGS PER ANNEXATION #16-03.
- TRACT 2 REMAINS OUTSIDE OF THE CITY LIMITS.

ERRORS AND OMISSIONS REVIEW

I hereby certify that I have examined the as-drawn and foregoing CERTIFICATE OF SURVEY for errors and omissions in computations and drafting.
Jack A. Dink 04/08/2016
Examining Land Surveyor Date

CERTIFICATE OF CITY ATTORNEY

This document has been reviewed by the City Attorney's office and is acceptable as to form.
DATED: 6-10-16
Reviewed by: *Scott Morde*

CERTIFICATE OF COUNTY TREASURER

I hereby certify that all real property taxes and special assessments have been paid per 76-3-011(1)(a) / 76-3-207(5), M.C.A.
Date: 13 June 2016
Yellowstone County Treasurer
By: *Mona Binday*
Deputy

CERTIFICATE OF RIVERSTONE HEALTH

This Certificate of Survey has been reviewed and approved by Riverstone Health.
Rebecca Ann Galt 6/14/2016
Health Officer or Authorized Representative
Yellowstone City/County Health Department
also Riverstone Health

CERTIFICATE OF COUNTY ATTORNEY

This document has been reviewed by the County Attorney's office and is acceptable as to form.
DATED: 6-15-16
Reviewed by: *Sander Stewart*

PURPOSE OF SURVEY - RELOCATION OF COMMON BOUNDARY LINES

The undersigned hereby certify that the purpose of this survey is to relocate the common line between a single lot within a platted subdivision and adjoining land located outside a platted subdivision whereby TRACT 2, as shown herein will be forever merged with the adjacent YELLOWSTONE MEADOWS PHASE 3 PLANTING AREA and shall not be transferred as a separate parcel in the future. A restriction or requirement on the original platted lot or unplatted parcel continues to apply to those areas.
Therefore this survey is exempt from review as a subdivision pursuant to Section 76-3-207(1)(a), M.C.A.
Pursuant to ARM 24.183.1104(1)(D)(E)(F)(G), the area that is being removed from one tract of record and joined with another tract of record is not itself a tract of record. Said area shall not be available as a reference legal description in any subsequent real property transfer after the initial transfer associated with the certificate of survey on which said area is described, unless said area is included with or excluded from an adjoining tract of record.
This survey is not subject to review by the Department of Environmental Quality pursuant to ARM 17.36.606(2)(a) for a parcel that has no facilities for water supply, wastewater disposal, storm drainage or solid waste disposal, if no new facilities will be constructed on the parcel.

YELLOWSTONE MEADOWS PARTNERS, LLC
By: *Scott R. Carlson*
TITLE: *MANAGER*

STATE OF MONTANA }
County of Yellowstone } ss

This instrument was acknowledged before me on May 23, 2016 by Scott R. Carlson as MANAGER of Yellowstone Meadows Partners, LLC

Scott R. Carlson
Notary Public in and for the State of Montana



CERTIFICATE OF SURVEYOR

STATE OF MONTANA }
County of Yellowstone } ss

The undersigned, a Montana Registered Land Surveyor, being first duly sworn, deposes and says that during the month of April 2016, a survey was performed under the supervision of a tract of land situated in the NE1/4 of Section 31, T. 1 N., R. 25 E., P.M.M., in the City of Billings*, Yellowstone County, Montana, said tract being more particularly described as follows, to wit:

Beginning at a point which is the southwest corner of Tract 1-A; Certificate of Survey No. 1815 Amended; thence S 89°44'44" E a distance of 1172.52 feet; thence N 38°54'55" E a distance of 133.05 feet; thence S 28°04'35" E a distance of 150.00 feet; thence N 19°09'55" E a distance of 75.00 feet; thence N 28°04'35" E a distance of 100.00 feet; thence N 02°13'05" E a distance of 125.00 feet; thence N 45°40'55" E a distance of 100.00 feet; thence N 31°24'55" E a distance of 158.06 feet; thence along a non-tangent curve to the right with a radius of 405.00 feet a distance of 117.90 feet (chord bearing N 21°43'59" W, chord length 117.49 feet); thence along a reversing curve to the left with a radius of 10.00 feet a distance of 15.71 feet (chord bearing N 58°25'12" W, chord length 14.14 feet); thence S 76°34'51" W a distance of 208.94 feet; thence along a non-tangent curve to the right with a radius of 720.00 feet a distance of 171.49 feet (chord bearing S 83°21'33" W, chord length 171.08 feet); thence N 89°57'13" W a distance of 22.15 feet; thence along a curve to the left with a radius of 10.00 feet a distance of 15.87 feet (chord bearing S 45°10'01" W, chord length 14.11 feet); thence N 00°17'16" E a distance of 1242.30 feet; thence S 89°44'38" E a distance of 175.15 feet; thence N 09°15'22" E a distance of 293.00 feet; thence along a curve to the right with a radius of 88.87 feet a distance of 104.63 feet (chord bearing N 45°07'52" E, chord length 94.31 feet); thence N 00°17'16" E a distance of 1242.24 feet; thence S 00°08'44" W a distance of 1309.87 feet to the point of beginning; said described tract containing an area of 90.6850 acres, more or less, subject to record or approval on the ground.

That the monuments found and set out are of the character and occupy the positions shown herein, that said survey and the plat hereon show true and correct dimensions and that the plat conforms with the work on the ground.

SANDERSON STEWART
By: *Sander Stewart*
Montana Registration No. 08272-S
Date: May 27, 2016 70028_L06_006_206 70026.13 05/27/16 PM

Line #	Bearing	Distance
L1	N 38°54'55" E	133.05'
L2	N 28°04'35" E	150.00'
L3	N 19°09'55" E	75.00'
L4	N 02°13'05" E	100.00'
L5	N 02°13'05" E	125.00'
L6	N 45°40'55" E	100.00'
L7	N 31°24'55" E	158.06'
L8	S 76°34'51" W	208.94'
L9	N 89°57'13" W	22.13'

Curve #	Date	Radius	Length	Chord Direction	Chord Length
C1	16°40'48"	405.00'	117.90'	N21°43'59" W	117.49'
C2	89°58'54"	10.00'	15.71'	N58°25'12" W	14.14'
C3	13°38'48"	720.00'	171.49'	S83°21'33" W	171.08'
C4	89°45'31"	10.00'	15.87'	S45°10'01" W	14.11'

RELATED PLAT
DOCUMENT No. 3780085
CS 3780084
MONTANA REGISTRATION NO. 08272-S
DATE: MAY 27, 2016

Land Sale

LOCATION: Along the east side of 44th Street West, about 1,200 feet north of King Avenue West, in Billings, Yellowstone County, Montana.

LEGAL DESCRIPTION: Lots 1 and 2, Block 1, Lenhardt Square Subdivision 1st Filing, Billings, Yellowstone County, Montana.

GRANTOR: Lenhardt Property, LP; Lenhardt Farm, LLC; Lenhardt Enterprises, LLC

GRANTEE: American Exchange Corporation, as qualified intermediary for Stock-Naughton, LLP

REC. DOCUMENT: Warranty Deed #3645670

DATE OF RECORDING: 11-09-2012

EXPOSURE TIME: N/A

SALES PRICE: \$1,083,000 + \$1,226,742 in off-site improvements payable by the buyer. This essentially equates the sales price to a "shovel ready" parcel of land. Total purchase price: \$2,309,742

TERMS OF SALE: Cash to Seller

CASH EQ. PRICE: \$2,309,742

DATE OF SALE: November, 2012

SITE DESCRIPTION: Size: Lot 1: 8.3272 acres
Lot 2: 7.2881 acres
Frontages: 1,300' ± along South 44th Street West
Depth: Varies
Shape: Irregular
Utilities: None at time of purchase. City water and sewer services need to be extended at buyer's expense which is part of the \$1,226,742 mentioned above.

TOPOGRAPHY: Level

ZONING: PUD, RMF-R

PROPOSED USE: 156 unit apartment complex to be know as Tuscany.

PRICE/ACRE: \$147,915/acre - with all off-site improvements completed
\$ 69,355/acre - as raw land

CONFIRMED BY: David C. Thomas, MAI

CONFIRMED WITH: Grantee

COMMENTS: This site is located adjacent to the north of the King West One apartment complex. This is the purchase of bare land and all off-site improvements associated with development are the responsibility of the buyer. Off site development costs are estimated to be \$1,226,742, or approximately \$78,562 per acre.

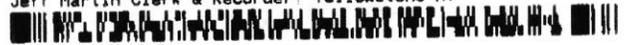
Return to: René L. Coppock
Crowley/Fleck
PO Box 2929
Billings, MT 59103-2529

3-14260

WD

3645670

11/09/2012 02:14 PM Pages: 1 of 4 Fees: 28.00
Jeff Martin Clerk & Recorder, Yellowstone MT



WARRANTY DEED

FOR A VALUABLE CONSIDERATION, receipt and sufficiency of which is hereby acknowledged on this 9th day of November, 2012, the undersigned tenants in common, **LENHARDT PROPERTY, LP**, a Montana limited partnership, of 4035 Cedarbrook Court, Bellingham, Washington 98229-5007, **LENHARDT FARM, LLC**, of 4401 Highway 3, Billings, Montana 59106, a Montana limited liability company, and **LENHARDT ENTERPRISES, LLC**, of 240 East Drive, Baton Rouge, Louisiana 70806, a Montana limited liability company (collectively "Grantor") hereby grant unto **AMERICAN EXCHANGE CORPORATION**, a Montana Corporation (Grantee) of 1001 South 24th Street West, Ste 200, Billings, MT 59102 as qualified intermediary for and on behalf of Stock-Naughton, LLP as part of an I.R.C. Section 1031 tax deferred exchange, and to its successors and assigns, forever, the real property situated in Yellowstone County, Montana described as follows:

Lots 1 and 2, Block 1, of Lenhardt Square Subdivision, First Filing, in Yellowstone County, Montana, according to the official plat thereof on file and of record in the office of the Clerk and Recorder of said county, Document No. 3525531

TOGETHER WITH all the improvements, tenements, mineral rights, hereditaments, and appurtenances (other than water rights and ditch shares, if any) thereto belonging, the reversion and reversions, remainder and remainders, rents, issues and profits thereof or used in connection therewith or in any way appertaining thereto.

SUBJECT TO the following:

- (a) All reservations, exceptions and restrictions in patents from the United States or the State of Montana;
- (b) All rights, reservations, exceptions, conditions, restrictions, covenants, easements, rights-of-way, liens, agreements, and encumbrances of record, including, but not limited to:
 - (i) An easement for the Shiloh Drainage Easement as delineated on the plat of Certificate of Survey No. 2063 with an interest of the City of Billings by



virtue of a Quit Claim Deed, recorded September 27, 2007, as Document No. 2439647;

(ii) Conditions contained in resolution of the City of Billings approving petitions for annexation, recorded May 6, 2008, as Document No. 3464483;

(iii) Planned Development Agreement for Lenhardt Square recorded May 9, 2008, as Document No. 3464966;

(iv) Terms and Conditions of the Declaration of Covenants, Conditions Restrictions, and Easements for Lenhardt Square, recorded September 18, 2008, as Document No. 3480576;

(v) Consent to Minor Modification of Planned Development Agreement, recorded April 29, 2009, as Document No. 3505105;

(vi) Lenhardt Square Master Plan Agreement, recorded April 29, 2009, as Document No. 3505039;

(vii) Declaration of Easement for Sidewalks and Bikeway, recorded September 28, 2009, as Document No. 3525535;

(viii) Consent to Platting, recorded September 28, 2009, as Document No. 3525533;

(ix) Subdivision Improvements Agreement dated August 10, 2009, recorded September 28, 2009, as Document No. 3525432; and

(x) Abstract of (Land) Buy-Sell Agreement And Covenants Running With The Land recorded July 18, 2011 as Document No. 3592866 describing duties and obligations arising under the (Land) Buy-Sell Agreement between Grantor and Cal Kunkel involving Lot 3, Block 1, of Lenhardt Square Subdivision, First Filing.

- (c) All easements for utility, telephone, irrigation, drainage, landscaping, roads, sidewalks or trails across the subject property of record or depicted or referenced in the plat of Lenhardt Square Subdivision, First Filing, Certificate of Survey 2063, Amended, the Lenhardt Square Master Plan, the Planned Development Agreement for Lenhardt Square, or apparent from physical examination and inspection of the premises;
- (d) Any other restrictions, reservations, easements, declarations, or encumbrances described upon the plat of Lenhardt Square Subdivision, First Filing and the Certificate of Survey No. 2063 Amended, of record, or established or created by statutes, ordinances, or regulations of local, state, or federal entities;

WD **3645670**
11/09/2012 02:14 PM Pages: 3 of 4 Fees: 28.00
Jeff Martin Clerk & Recorder, Yellowstone MT

- (e) All building, land use, zoning, health, sanitation, environmental and similar laws, restrictions, ordinances, rules and regulations;
- (f) All general and special taxes and assessments for 2012 and subsequent years, including such special assessments that are a lien or may have been levied but are not yet due or payable; and
- (g) All prior conveyances, leases, or transfers of any interest in minerals, including oil, gas, and other hydrocarbons.

This instrument is given with the usual covenants expressed in Sections 30-11-109 and 30-11-110, Montana Code Annotated. This deed may be executed separately using a different signature page for each grantor.

IN WITNESS WHEREOF, the Grantor has executed this instrument the day(s) and year indicated below.

LENHARDT PROPERTY, LP

By: *Lorraine M Newman*
LORRAINE NEWMAN
Title: General Partner

STATE OF MONTANA)
 :SS
County of Yellowstone)

This instrument was acknowledged before me on the 9th day of November, 2012, by Lorraine Newman, General Partner of LENHARDT PROPERTY, LP.

Jennifer A. Smith



PLAT OF LENHARDT SQUARE SUBDIVISION, FIRST FILING

BEING TRACT 1A-1-A AND TRACT 1A-2, CERTIFICATE OF SURVEY No. 2063 AM.
 SITUATED IN THE SE1/4 AND SW1/4 OF SECTION 10, T. 1 S., R. 25 E., P.M.M.,
 IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR : M & K BLUE ONE, LLC
 PREPARED BY : SANDERSON

MAY, 2009

BILLINGS, MONTANA



BASES OF BEARING: CERTIFICATE OF SURVEY No. 2063 AMENDED

- FOUND SURVEY MONUMENT, REBAR & CAP MARKED "ENGINEERING INC.", OR AS NOTED
- ◆ FOUND WITNESS CORNER, AS NOTED
- SET 5/8" X 18" REBAR WITH CAP MARKED WITH THE LICENSE NUMBER OF THE UNDERSIGNED LAND SURVEYOR AND "SANDERSON STEWART"
- ✱ SET INTERSECTION MONUMENT, 5/8" X 18" REBAR WITH CAP MARKED WITH THE LICENSE NUMBER OF THE UNDERSIGNED LAND SURVEYOR AND "SANDERSON STEWART" WILL BE REPLACED WITH BRASS CAP MONUMENT BOX UPON COMPLETION OF STREET IMPROVEMENTS.



CERTIFICATE OF DEDICATION

STATE OF MONTANA)
 County of Yellowstone)

KNOW ALL MEN BY THESE PRESENTS: That Lenhardt Property, LP, Lenhardt Farm, LLC, and Lenhardt Enterprises, LLC, the owners of the following described tract of land, and M & K Blue One, LLC as buyer under contract for deed, do hereby certify that they have caused to be surveyed, subdivided and platted into lots, blocks and streets as shown on the annexed plat, said tract being situated in the SE1/4 and SW1/4 of Section 10, T. 1 S., R. 25 E., P.M.M., City of Billings, Yellowstone County, Montana, said tract being more particularly described as follows, to-wit:

Beginning at a point which is the Southeast corner of Tract 1A-1-A, Certificate of Survey No. 2063 Amended; thence, from said Point of Beginning, N 89°38'56" W a distance of 590.49 feet; thence N 00°17'22" W a distance of 356.00 feet; thence N 45°17'22" W a distance of 21.21 feet; thence N 00°17'22" W a distance of 1101.56 feet; thence along a curve to the right, with a central angle of 28°17'55", a radius of 428.00 feet, and a length of 196.45 feet (chord bearing N 12°51'35" E, chord distance 194.73 feet); thence along a curve to the left with a central angle of 28°22'01", a radius of 372.00 feet, and a length of 171.19 feet (chord bearing N 12°48'32" E, chord distance 198.88 feet); thence N 00°17'22" W a distance of 478.80 feet; thence along a curve to the right with a central angle of 90°42'30", a radius of 250.00 feet, and a length of 395.78 feet (chord bearing N 4°58'41" E, chord distance 358.73 feet); thence S 89°38'09" E a distance of 277.59 feet; thence S 00°07'48" E a distance of 2,560.04 feet to said Point of Beginning.

Pursuant to the City of Billings Subdivision Regulations and the Lenhardt Square Master Plan Agreement, there is no park requirement for this subdivision.

The undersigned hereby grants unto all utility companies, as such are defined and established by Montana Law, and cable television companies, an easement for the location, maintenance, repair and removal of their lines over, under and across the areas designated on this plat as "UTILITY EASEMENT" to have and hold forever. The undersigned also grants unto the Public, several easements for Parks and Blueways across the areas designated on the plat for those uses. Said tract to be known and designated as LENHARDT SQUARE SUBDIVISION, FIRST FILING, and the lands included in all streets and avenues as shown on the annexed plat are hereby granted and donated to the ownership and use of the public forever.

LENHARDT PROPERTY, LP
 By: *James L. Heiberg*
 Title: *Agent*

LENHARDT FARM, LLC
 By: *James L. Heiberg*
 Title: *Member*

LENHARDT ENTERPRISES, LLC
 By: *James L. Heiberg*
 Title: *Agent*

M & K BLUE ONE, LLC
 By: *C. K. Blue*
 Title: *Member*

STATE OF MONTANA)
 County of Yellowstone)
 This instrument was acknowledged before me on 1 July, 2009, by James L. Heiberg
 of Agent of LENHARDT PROPERTY, LP.

James L. Heiberg
 Notary Public in and for the State of Montana
 Printed Name: James L. Heiberg
 Reading at: Billings, MT
 My commission expires: 5/26/12



STATE OF MONTANA)
 County of Yellowstone)
 This instrument was acknowledged before me on 1 July, 2009, by James L. Heiberg
 of Member of LENHARDT FARM, LLC.

James L. Heiberg
 Notary Public in and for the State of Montana
 Printed Name: James L. Heiberg
 Reading at: Billings, MT
 My commission expires: 5/26/12



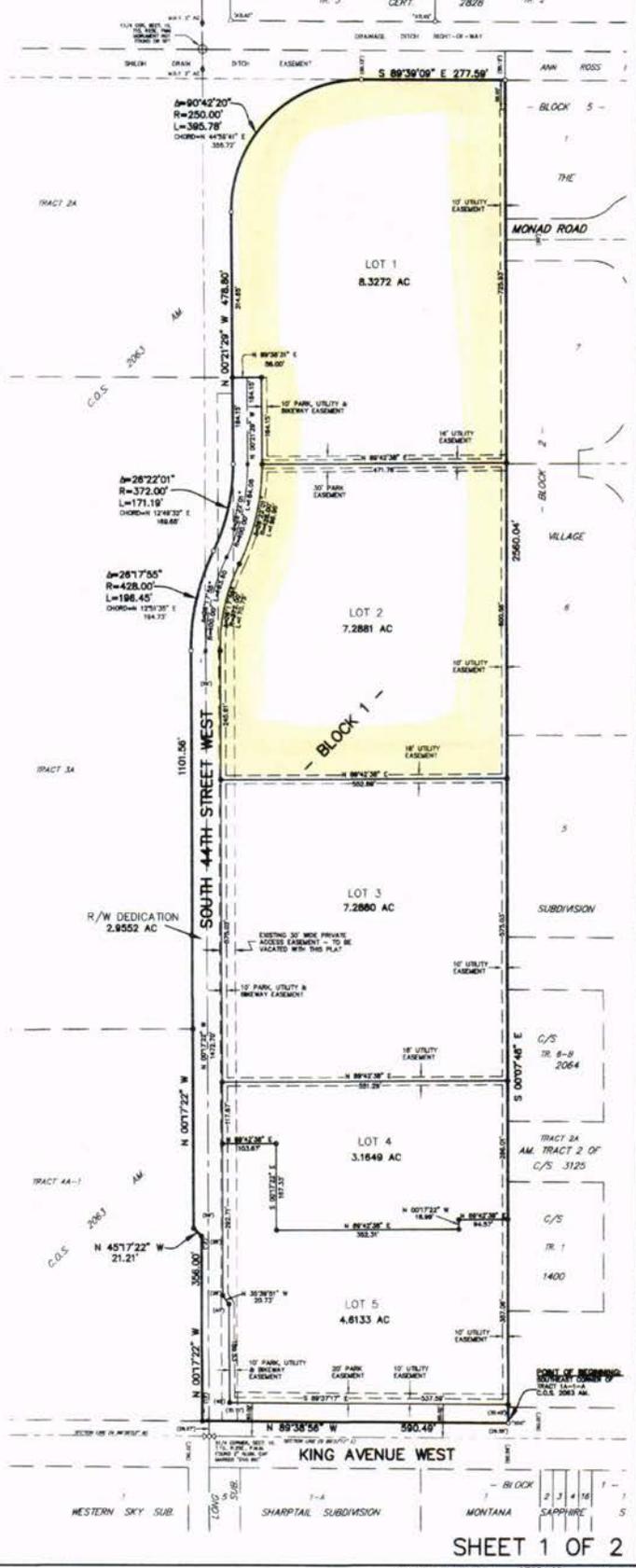
STATE OF MONTANA)
 County of Yellowstone)
 This instrument was acknowledged before me on 1 July, 2009, by James L. Heiberg
 of Agent of LENHARDT ENTERPRISES, LLC.

James L. Heiberg
 Notary Public in and for the State of Montana
 Printed Name: James L. Heiberg
 Reading at: Billings, MT
 My commission expires: 5/26/12



STATE OF MONTANA)
 County of Yellowstone)
 This instrument was acknowledged before me on July 7, 2009, by Carl Howard
 of Member of M & K BLUE ONE, LLC.

Carl Howard
 Notary Public in and for the State of Montana
 Printed Name: Carl Howard
 Reading at: Billings, Montana
 My commission expires: 12/15/09



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