

**COPY FOR  
YOUR RECORDS**

**STATE OF MONTANA DEPARTMENT OF TRANSPORTATION**  
(hereinafter referred to as State, Department, Grantee, and/or MDT)

**RIGHT-OF-WAY AGREEMENT**

ROWFORMSIACQ\200 (Revised 7-19-2017)

PE PROJECT ID: NH 53-1 (38) 0

27<sup>th</sup> ST – 1<sup>st</sup> Ave S to Airport  
DESIGNATION

RW PROJECT ID: NH 53-1 (38) 0

Yellowstone  
COUNTY

UNIFORM PROJECT No.: 7910-038-000

Parcel	From Station	To Station	QtrQtr, Tract, COS #, etc.	Section	Township	Range
97	231+63.00 LT 235+47.76 LT 235+36.30 RT	234+44.54 LT 244+48.50 LT 242+49.29 RT	Tracts of land in the NE1/4NW1/4 of Section 32	32	1 N	26 E

List Names & Addresses of the Grantors  
(Contract Purchaser, Contract Seller, Lessee, etc.)

Montana State University–Billings  
Which Acquired Title as The State of Montana  
1500 North 30<sup>th</sup> Street  
Billings, Montana 59101-0245

Clayton Christian, Commissioner of Higher Education  
The Board of Regents  
Montana University System  
2500 Broadway Street  
PO Box 203201  
Helena, Montana 59620-3201  
(406) 444-6570

Viv Hammill, Chief Legal Counsel  
The Board of Regents  
Montana University System  
406 444-0325

1. In consideration of the payments herein set forth and the specific agreements to be performed by the parties hereto and written in this agreement, the parties bind themselves to the terms and conditions stated herein. No verbal representations or agreements shall be binding upon either party. This agreement is effective upon execution by the Acquisition Manager or a designated representative, and possession of the property is granted to the Department when it sends the payment(s) agreed to below. Grantors certify that any encumbrances on the property are shown on this agreement. If Grantors sell their remaining property prior to the highway project being constructed, Grantors agree to provide the Purchaser(s) with a copy of this entire Right-of-Way Agreement and agree to make the sale of their remaining property subject to all the terms and conditions contained in this Right-of-Way Agreement. Grantors contract that they will, on Department's request, execute deeds and/or easements required by Department for all real property agreed to be conveyed by this agreement.

2. COMPENSATION FOR LAND AND IMPROVEMENTS (List acreage and improvements to be acquired.)

Land in Easement:  
0.003 AC (131 SF) @ \$ 20.50/SF \$ 2,686.00

3. TOTAL COMPENSATION (includes all damages to the remainder): **\$ 2,686.00**

4. IT IS UNDERSTOOD AND AGREED THE STATE SHALL MAKE PAYMENT AS FOLLOWS:

A warrant in the amount of **\$ 2,686.00** to be made payable to Montana State University-Billings Which Acquired Title as The State of Montana and mailed to them at 1500 North 30<sup>th</sup> Street, Billings, Montana 59101-0245.

5. This agreement, upon execution by an agent of the Department of Transportation and presentation to the owners so designated, constitutes a written offer of compensation in the full amount of the determined value, a summary of the property and property rights being acquired and agreement that possession of the property is granted to the Department when it sends the payment(s).

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THE PARTIES HERETO HAVE EXECUTED THIS AGREEMENT ON THE DATES SHOWN:

**Grantors' Statement:** We understand that we are required by law to provide our correct taxpayer identification number(s) to the Montana Department of Transportation and that failing to comply may subject us to civil and criminal penalties. We agree to provide our **correct** taxpayer identification number(s) by submitting a completed and signed W-9 or W-8 form. We further agree to provide MDT with a completed and signed W-9 or W-8 from all persons and/or entities receiving payments by assignment from us in this agreement. We further agree and authorize MDT to process the payments outlined in this agreement by withholding a percentage of the payments, if required by the IRS, if we fail to submit the W-9 or W-8 forms within 30 days of signing this agreement.

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Signature: **Clayton Christian, Commissioner of Higher Education**

(Date)

RECOMMENDED FOR APPROVAL:

APPROVED FOR AND ON BEHALF OF DEPARTMENT:

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Calista Montgomery, Right-of-Way Agent (Date)

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NSOP items approved, if applicable (Date)

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Consultant Project or R/W Manager, if applicable (Date)

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Celia B. "C.B." Clearwood, R/W Supervisor (Date)

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Acquisition Manager (Date)