

**State of Montana
Department of Transportation**

Maintenance Division
2701 Prospect Avenue
PO Box 201001
Helena, MT 59620-1001

Stockpile No.: 012250
Maintenance Section: 2208

Route: C-13N
(US-287)

County: Madison
Milepost: 65.2

Stockpile Lease

Montana Agricultural Experiment Station, LESSOR, in consideration of the following to be performed by the STATE OF MONTANA, Department of Transportation, LESSEE, hereby leases to the Lessee, with the right of ingress and egress, the following described tract of land:

Sec 2, T3S, R1W, approximately ½ mile south of Norris, MT adjacent to US-287

This Lease is for a term of 10 years beginning on 11-1-2017 and subject to payment by LESSEE to LESSOR the sum of \$200.00 per year for and as consideration of this lease.

Lessee agrees to protect the Lessor and save Lessor harmless from all claims, actions or damage which may accrue to, or be suffered by, any person or corporations by reason of the maintenance and operation of the stockpile, or by the improper occupancy of the above-described property. In case any suit or action is brought against the Lessor arising out of, or by reason of, any of the above causes, the Lessee will, upon notice of the commencement of such action, defend the same at its sole cost and expense and satisfy any judgment which may be rendered against the Lessor in any suit or action. This clause shall survive the termination of the lease.

The Lessor expressly grants the Lessee the right of occupancy to the property and shall do nothing to interfere with Lessee's use of the property as a stockpile or Lessee's access to it. The Lessor agrees to provide the Lessee one year's notice in advance of any order to vacate said described premises or to cancel this agreement. Any notice to vacate or terminate must be in writing and delivered to the District Engineer in the Butte District. The Lessee reserves the right to remove any material stockpiled on the property within one year of the receipt of the above-mentioned notice.

This Lease is binding upon the parties hereto and their respective executors, administrators, successors and assigns.

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Walt Kerttula – Maintenance Division

District Administrator

District Maintenance Chief

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