Attachment 3:

Drainage Easement and Public Access Easements to the City of Bozeman and Montana Department of Transportation for the Kagy Boulevard Expansion Project

EXPLANATION

1. The proposed easements grant the City of Bozeman and Montana Department of Transportation (MDT) a drainage easement and public access easements on Montana State University property in Gallatin County, Montana.
2. Easement areas are: City of Bozeman and MDT Highway/Public Access Easement (1.95 acres) and associated drainage easement (.02 acres) for three MSU-owned parcels.
3. The City of Bozeman easements are beneficial to MSU so there is no monetary component to those standard utility easements.
4. The MDT easements are beneficial to MSU as it constructs safer vehicular access and separated shared-use paths and pedestrian tunnels for campus users and visitors; the total estimated benefit to MSU is $5,898,000.
5. However, MSU Parking Services – a revenue generating enterprise – is significantly impacted with the loss of 100 parking spaces (91 at Bobcat Stadium and 9 at Brick Breeden Field House). The revenue generated from the lost parking spaces is $1,191,500; this amount will be payable to MSU.
6. The project also impacts MSU monument signs at 7th Ave and 11th Ave intersections in the amount of $11,400; this amount will be payable to MSU.
7. The easements allow the City of Bozeman and MDT to construct, operate, maintain, replace, upgrade, and remove drainage areas and hard path surfaces specifically associated with MDT Kagy Boulevard expansion project, and necessary appurtenances.
8. This request and the associated easements do not grant rights of way and are only for the listed utility entity associated with each easement. No other utilities or entities can occupy easements unless with the express written approval of the Board of Regents.
9. All costs are shown to date. No additional costs will be imposed upon MSU other than those scopes and costs known to MSU for the installation of a new electrical duct bank for MSU primary power.
10. The MSU standard language reserves MSU's right to relocate the easements if it unreasonably interferes with the present or future use of MSU land, and reserves MSU's right to terminate the easement with reversion of the interest to MSU or its assigns and successors.
11. No state funds are a requested part of this easement.