

## CHECKLIST OF PROCEDURES FOR ROAD PETITIONS

Original signed petition must be submitted to the Clerk and Recorder along with a map showing the area of the road under consideration. Stamp the date received on the petition. Get name and phone number of contact person for questions.

NAME SCOTT ALTMAN County Rd 372 PHONE 407-468-3215

- 1) Determine if there are sufficient qualified signatures as per 7-14-2601 MCA.
- 2) Check list of adjacent landowners for completeness and that they consent as per 7-14-2602(4) and 7-14-2615(4) MCA.
- 3) Complete "Report of Qualified Signatures".
- 4) Schedule petition on Commissioner's agenda. DATE: 6-28-2014
- 5) Make copies of petition and report. Forward to:
  - County Attorney (attach note of date on Commissioner's agenda)
  - County Road Superintendent (attach note of date on Commissioner's agenda)
  - County Commission (3 copies)
- 6) Commissioners receive petition and assign viewing committee. DON SEIFERT
- 7) Assign Road Petition Number. 841
- 8) a) Type regular mail envelopes for:
  - All landowners named on the petition
  - All signers on the petition
  - All individuals named in the petition who could be affected
  - ~~The postmaster of the area~~

b) Type and prepare certified mail envelopes for:

  - All owners of land abutting the road
  - All individuals named in the petition who could be affected
  - ~~The postmaster of the area~~
- 9) Viewing committee completes road report.
- 10) Schedule public hearing on Commissioner's agenda and prepare notice. DATE 8/16/16
- 11) Publish public hearing notice one time for a county road (7-14-2615 MCA) or two times for a street or alley (7-14-2616 MCA). DATES 8/5 8/12
- 12) Send a copy of the viewing committee report and public hearing notice to the following:
  - Persons listed in #8a
  - County Road Superintendent (certified copy per 7-14-2613)
  - County Attorney
  - County Commissioners (3 copies)
- 13) Prepare affidavit of mailing for petition file (regarding the viewers report).
- 14) Commissioners hold public hearing to grant or deny petition.
- 15) County Attorney drafts resolution for Commissioners to consider at next public hearing.
- 16) Commissioners pass resolution
- 17) Within 10 days of passage of resolution send copies of resolution to all persons listed in #8b (BY CERTIFIED MAIL) and forward certified copy to County Road Superintendent (per 7-14-2613).
- 18) Type affidavit of mailing for petition file (regarding the boards decision).
- 19) If the petition is granted, a certified copy of the resolution must be recorded.

**PETITION TO ABANDON COUNTY ROAD**

TO: THE BOARD OF COUNTY COMMISSIONERS, GALLATIN COUNTY, MONTANA

COME NOW the undersigned freeholders of the road district consisting of Gallatin County, Montana, in its entirety and petition this Board pursuant to Title 7, Chapter 14, Part 26 MCA, to abandon a county road or right-of-way ("road") located in Gallatin County, Montana and represent as follows:

- The road or portion of the road to be abandoned: A portion of County Road No. 372 in Big Sky, Montana.
- The general route of the road or portion of road to be abandoned is described as follows (please include a map(s) that shows the location of the road or portion of the road to be abandoned and shows all property within a 1 mile radius):  
That portion located on Tract A-1 (A2LD Property) and on Tract 5 (Erwin Property).  
(see attached Exhibit A - Deeds for complete legal descriptions and attached Exhibit B - map for dimensions).

- The lands and owners affected by the abandonment (include names and addresses of property owners which abut the road or portion of the road to be abandoned or owners of private land to which the road gives access): (do not sign in this section)

<b>LANDOWNER(S) (please print)</b>	<b>MAILING ADDRESS</b>
1. <u>A2LD, LLC</u>	<u>228 Altman Lane</u>
	<u>Gallatin Gateway, Montana 59730</u>
Legal Description of Property <u>Tract A-1 (see attached deed)</u>	

2. <u>William H. Erwin and</u>	<u>14 Clover View Drive</u>
<u>Donna R. Erwin</u>	<u>Helena, Montana 59601-0251</u>
Legal Description of Property <u>Tract 5 (see attached deed)</u>	

3. _____	_____
Legal Description of Property _____	_____

4. _____	_____
Legal Description of Property _____	_____

5. _____	_____
Legal Description of Property _____	_____

**LANDOWNER(S) (please print)**

**MAILING ADDRESS**

6. \_\_\_\_\_  
\_\_\_\_\_

Legal Description of Property \_\_\_\_\_  
\_\_\_\_\_

7. \_\_\_\_\_  
\_\_\_\_\_

Legal Description of Property \_\_\_\_\_  
\_\_\_\_\_

8. \_\_\_\_\_  
\_\_\_\_\_

Legal Description of Property \_\_\_\_\_  
\_\_\_\_\_

9. \_\_\_\_\_  
\_\_\_\_\_

Legal Description of Property \_\_\_\_\_  
\_\_\_\_\_

10. \_\_\_\_\_  
\_\_\_\_\_

Legal Description of Property \_\_\_\_\_  
\_\_\_\_\_

11. \_\_\_\_\_  
\_\_\_\_\_

Legal Description of Property \_\_\_\_\_  
\_\_\_\_\_

12. \_\_\_\_\_  
\_\_\_\_\_

Legal Description of Property \_\_\_\_\_  
\_\_\_\_\_

13. \_\_\_\_\_  
\_\_\_\_\_

Legal Description of Property \_\_\_\_\_  
\_\_\_\_\_

14. \_\_\_\_\_  
\_\_\_\_\_

Legal Description of Property \_\_\_\_\_  
\_\_\_\_\_

15. \_\_\_\_\_  
\_\_\_\_\_

Legal Description of Property \_\_\_\_\_  
\_\_\_\_\_

4. Do all the landowners who abut the road to be abandoned or owners of private land to which the road gives access listed in Section 3 above consent to the abandonment? Yes If no, list those landowners and their reasons for not consenting:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. If an abutting landowner listed in Section 3 cannot be found to determine the landowner's consent, identify the landowner and state the efforts made to locate the landowner:

N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. The necessity for and advantage of the abandonment is as follows:

The abandonment is necessary in order to subdivide Tract A-1 to allow for the construction of employee housing on Lot 2 of the proposed minor subdivision. Application for preliminary plat was made with the Gallatin County Planning Department on  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. Is the road providing access to public lands or waters? If yes, explain and provide location of public lands and waters on the attached map.


No  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. Does the road or portion of the road contain any utilities?

There are no utilities within the road.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

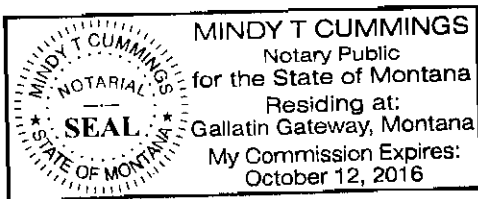
State of Montana  
County of Gallatin

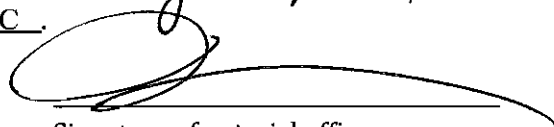
I swear that the information contained herein is correct and complete to the best of my knowledge.

  
\_\_\_\_\_  
(Signature of petition gatherer.)

Signed and sworn to (or affirmed) before me on May 27, 2016  
by Scott Altman, Member of A2LD, LLC.

(Seal, if any)



  
\_\_\_\_\_  
Signature of notarial officer


\_\_\_\_\_  
Name - typed, stamped, or printed

\_\_\_\_\_  
Title (and Rank)

\_\_\_\_\_  
Residing at

\_\_\_\_\_  
My commission expires:

The undersigned state that they are freeholders in the Gallatin County Road District and petition to abandon the road set forth herein. If more than 10 freeholders sign, use additional pages.

1.  228 Altman Lane  
Signature Address  
Scott Altman, Member A2LD, LLC Gallatin Gateway, Montana 59730  
Printed Name City,State,Zip  
Date May 11, 2016

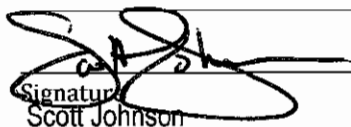
Legal Description of Property Tract A-1 (see attached deed)

2. See additional page 5 14 Clover View Dr.  
Signature Address  
William H. Erwin Helena, Montana 59601-0251  
Printed Name City,State,Zip  
Date

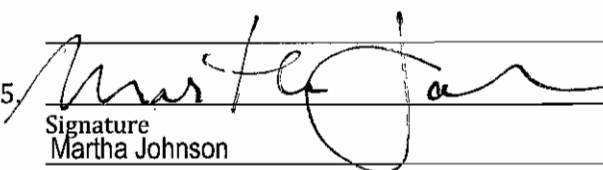
Legal Description of Property Tract 5 (see attached deed)

3. See additional page 5 14 Clover View Dr.  
Signature Address  
Donna R. Erwin Helena, Montana 59601-0251  
Printed Name City,State,Zip  
Date

Legal Description of Property Tract in NE 1/4, Section 31, T6S, R4E (see attached deed)

4.  P.O. Box 160730  
Signature Address  
Scott Johnson Big Sky, Montana 59716  
Printed Name City,State,Zip  
Date

Legal Description of Property Unit 44, Spruce Condominium (see attached deed)

5.  P.O. Box 160730  
Signature Address  
Martha Johnson Big Sky, Montana 59716  
Printed Name City,State,Zip  
Date

Legal Description of Property Tract B-2A of COS 1033B (see attached deed)

6. P.O. Box 160881

The undersigned state that they are freeholders in the Gallatin County Road District and petition to abandon the road set forth herein. If more than 10 freeholders sign, use additional pages.

1. \_\_\_\_\_ 228 Altman Lane  
Signature \_\_\_\_\_ Address  
Scott Altman, Member A2LD, LLC Gallatin Gateway, Montana 59730  
Printed Name \_\_\_\_\_ City,State,Zip  
Date \_\_\_\_\_

Legal Description of Property Tract A-1 (see attached deed)

2. William H. Erwin 14 Clover View Dr.  
Signature \_\_\_\_\_ Address  
William H. Erwin Helena, Montana 59601-0251  
Printed Name \_\_\_\_\_ City,State,Zip  
Date 6-3-16

Legal Description of Property Tract 5 (see attached deed)

3. Donna R. Erwin 14 Clover View Dr.  
Signature \_\_\_\_\_ Address  
Donna R. Erwin Helena, Montana 59601-0251  
Printed Name \_\_\_\_\_ City,State,Zip  
Date 6.3.16

Legal Description of Property Tract in NE 1/4, Section 31, T6S, R4E (see attached deed)

4. \_\_\_\_\_ P.O. Box 160730  
Signature \_\_\_\_\_ Address  
Scott Johnson Big Sky, Montana 59716  
Printed Name \_\_\_\_\_ City,State,Zip  
Date \_\_\_\_\_

Legal Description of Property Unit 44, Spruce Condominium (see attached deed)

5. \_\_\_\_\_ P.O. Box 160730  
Signature \_\_\_\_\_ Address  
Martha Johnson Big Sky, Montana 59716  
Printed Name \_\_\_\_\_ City,State,Zip  
Date \_\_\_\_\_

Legal Description of Property Tract B-2A of COS 1033B (see attached deed)

6. \_\_\_\_\_ P.O. Box 160881

Signature

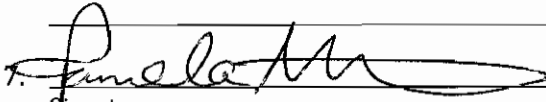
Address  
Big Sky, Montana 59716

Printed Name  
Will Brunner

City,State,Zip

Date

Legal Description of Property Lot 7, Block 4, Westfork Subdivision [Plat I-37] (see attached deed)



228 Altman Lane

Signature  
Pamela Altman

Address  
Gallatin Gateway, Montana 59730

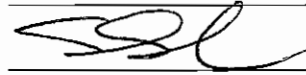
Printed Name

City,State,Zip

Date 5/11/2016

Legal Description of Property Tract 2 of COS 2450 (see attached deed)

8.



P.O. Box 160507

Signature  
Suzanne Schreiner

Address  
Big Sky, Montana 59716

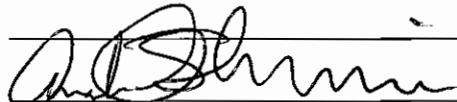
Printed Name

City,State,Zip

Date 5/11/16

Legal Description of Property Lot 36, Block 4, Meadow Village Subdivision (see attached deed)

9.



P.O. Box 160688

Signature  
Andrew Schreiner, Member Grizzly Outfitters Holdings, LLC

Address  
Big Sky, Montana 59716

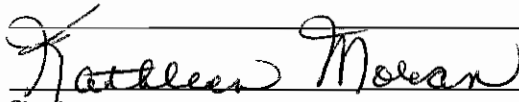
Printed Name

City,State,Zip

Date 5-11-16

Legal Description of Property Unit 101 of RJS Town Center Condominiums (see attached deed)

10.



P.O. Box 160651

Signature  
Kathleen Moran

Address  
Big Sky, Montana 59716

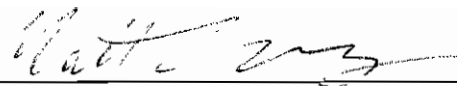
Printed Name


City,State,Zip

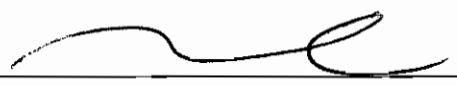
Date 5/19/16

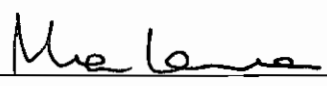
Legal Description of Property Lot 2, Block 4 of Meadow Village Subdivision (see attached deed)



11.  49823 Gallatin Road  
Signature Matthew R. Alvarez Address Gallatin Gateway, Montana 59730  
Printed Name 5-11-16 City,State,Zip  
Date  
Legal Description of Property Parcel E-4, COS 570-D (see attached deed)

12.  P.O. Box 161161  
Signature Ennion Williams Address Big Sky, Montana 59716  
Printed Name 5/19/16 City,State,Zip  
Date  
Legal Description of Property Lot 2, Block 5 of Meadow Village Subdivision (see attached deed)

13.  504 FIRELIGHT DR  
Signature MATT ZAREMBA Address BIG SKY, MT 59716  
Printed Name 5/20/16 City,State,Zip  
Date  
Legal Description of Property Unit V-136, Fire light Meadows Condo

14.  173 LUMBER PINE PLACE  
Signature MIA LENNON Address BIG SKY, MT 59716  
Printed Name 5/20/16 City,State,Zip  
Date  
Legal Description of Property Lot 7, Phase IV South-fork Subdivision

15. \_\_\_\_\_  
Signature \_\_\_\_\_ Address \_\_\_\_\_  
Printed Name \_\_\_\_\_ City,State,Zip  
Date \_\_\_\_\_  
Legal Description of Property \_\_\_\_\_

State of Montana

*County of Gallatin*

Bozeman



**CERTIFICATE OF THE COUNTY CLERK AND RECORDER  
RELATING TO  
QUALIFICATIONS OF THE SIGNERS**

Statement of Purpose: Petition to abandon a portion of County Road No. 372 in Big Sky,  
Montana

Legal Description: That portion of County Road No. 372 located in Tract A-1 of the Amended Plat of Lot 2 of the First Amended Subdivision Plat of Tract A-2 of the Amended Subdivision Plat of Tract A of Sweetgrass Hills Subdivision, being a portion of Certificate of Survey No. 2459, and the survey recorded in Book 125 of Deeds, Page 451, all located in Section 31, T6S, R4E, Gallatin County, Montana, according to the official plat thereof on file and of record in the office of the Gallatin County Clerk and Recorder.

STATE OF MONTANA )  
 )ss  
COUNTY OF GALLATIN)

I, Charlotte Mills, do hereby certify that I am the qualified and acting County Clerk and Recorder for Gallatin County, State of Montana; that I have examined the petition to which this certificate is attached, and that pursuant to Section 7-14-2601 M.C.A. 2015, it contains the signatures of 10 qualified freeholders of the Gallatin County road district.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of my office at Bozeman, the County Seat of Gallatin County, State of Montana, this 10th day of June 2016, A.D.

*Charlotte Mills*

Charlotte Mills  
Clerk and Recorder  
Gallatin County, Montana

RESOLUTION NO. 2016- 085

A RESOLUTION MADE TO ASSIGN THE VIEWING COMMITTEE AND  
PETITION NUMBER FOR A PETITION TO ABANDON A PORTION OF COUNTY  
ROAD NO. 372 IN BIG SKY, MONTANA

This Resolution was introduced by Recording Supervisor Eric Semerad; moved by  
Commissioner White and seconded by Commissioner Seifert.  
This Resolution was adopted  
unanimously. Chairman Skinner excused.

WHEREAS, the Gallatin County Clerk and Recorder received a Petition on June 10, 2016, to abandon a portion of County Road No. 372 (hereinafter referred to as the "Road"), pursuant to Title 7, Chapter 14, Part 26 Montana Code Annotated;

WHEREAS, the Road is described as that portion of County Road No. 372 located in Tract A-1 of the Amended Plat of Lot 2 of the First Amended Subdivision Plat of Tract A-2 of the Amended Subdivision Plat of Tract A of Sweetgrass Hills Subdivision, being a portion of Certificate of Survey No. 2459, and the survey recorded in Book 125 of Deeds, Page 451, all located in Section 31, T6S, R4E. Gallatin County, Montana, according to the official plat thereof on file and of record in the office of the Gallatin County Clerk and Recorder.

WHEREAS, on June 10th, 2016, the Gallatin County Clerk and Recorder certified that the Petition contained sufficient signatures as required by Section 7-14-2601, MCA;

WHEREAS, according to Section 7-14-2603, MCA, the Board of County Commissioners shall cause an investigation to be made of the feasibility, desirability, and cost of granting the prayer of the Petition. The investigation shall be sufficient to properly determine the merits or demerits of the Petition. No more than one member of the board and the county surveyor shall make the investigation;

NOW THEREFORE BE IT RESOLVED:

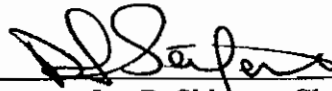
The Board hereby accepts the petition for abandonment of that portion of County Road No. 372 located in Tract A-1 of the Amended Plat of Lot 2 of the First Amended Subdivision Plat of Tract A-2 of the Amended Subdivision Plat of Tract A of Sweetgrass Hills Subdivision, being a portion of Certificate of Survey No. 2459, and the survey recorded in Book 125 of Deeds, Page 451, all located in Section 31, T6S, R4E

Gallatin County, Montana, according to the official plat thereof on file and of record in the office of the Gallatin County Clerk and Recorder.

1. The petition is assigned Road Petition Number 841.
2. Commissioner Don Seifert and County Surveyor Charlotte Mills are assigned to investigate the feasibility, desirability, and cost of granting the prayer of the Petition, and to report their findings back to the Board.

DATED this 28th day of June, 2016.

BOARD OF COUNTY COMMISSIONERS OF  
GALLATIN COUNTY



~~Joe P. Skinner, Chairman~~  
Acting Chairman Don Seifert

ATTEST:

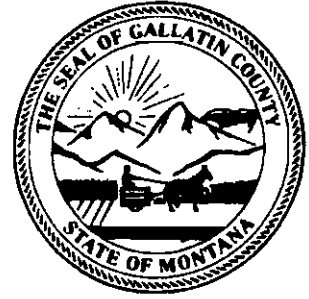


Charlotte Mills  
Clerk and Recorder  
Gallatin County

State of Montana

*County of Gallatin*

Bozeman



July 15, 2016

Board of County Commissioners  
Gallatin County Courthouse  
Bozeman, MT 59715

RE: Petition to abandon a portion of County Road: West Fork Road No. 372.

**Legal Description:** That portion of County Road No. 372 located in Tract A-1 of the Amended Plat of Lot 2 of the First Amended Subdivision Plat of Tract A-2 of the Amended Subdivision Plat of Tract A of Sweetgrass Hills Subdivision, being a portion of Certificate of Survey No. 2459, and the survey recorded in Book 125 of Deeds, Page 451, all located in Section 31, T6S, R4E, Gallatin County, Montana, according to the official plat thereof on file and of record in the office of the Gallatin County Clerk and Recorder.

Dear Board,

According to M.C.A. §7-14-2603 the Board of County Commissioners shall cause an investigation to be made of the feasibility, desirability, and cost of granting the prayer of the petition. The investigation shall be sufficient to properly determine the merits or demerits of the petition.

On Friday, July 15, 2016, the undersigned met with Bill Brownell from the Gallatin County Road Department, the property owner Scott Altman, and his attorney Mindy Cummings to view the road being petitioned for abandonment.

The proposed portion of County Road No. 372 to be abandoned runs through Scott Altman's property which he intends to use for building employee housing for the Big Sky area. William and Donna Erwin have been using the road to access their vacation property. Mr. Altman has secured an encroachment permit from the Montana Department of Transportation and has built the Erwin's' a new driveway. It is his intent to do a property line adjustment and give the road to the Erwins. The Erwins are now using the new driveway to access their property.

Northwestern Energy has a power station across the creek behind the property, but they use a different road to access that facility. No other property will be affected by the road abandonment.

No one will be denied access to public lands if the abandonment of the unnamed road described above is granted. The viewing committee believes that it is feasible and desirable to grant the petition.

Therefore, it is our conclusion that the described portion of County Road No. 372 should be abandoned.

Respectfully submitted,



---

Don Seifert, County Commissioner



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Charlotte Mills, Clerk and  
Recorder/Surveyor

## **NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Board of Gallatin County Commissioners will conduct a public hearing on August 16, 2016, at 9:00 A.M., in the Community Room, 311 W. Main, Bozeman, Montana. Public opinion shall be heard regarding a road petition to abandon that portion of County Road No. 372 located in Tract A-1 of the Amended Plat of Lot 2 of the First Amended Subdivision Plat of Tract A-2 of the Amended Subdivision Plat of Tract A of Sweetgrass Hills Subdivision, being a portion of Certificate of Survey No. 2459, and the survey recorded in Book 125 of Deeds, Page 451, all located in Section 31, T6S, R4E, Gallatin County, Montana, according to the official plat thereof on file and of record in the office of the Gallatin County Clerk and Recorder.

All interested parties are encouraged to attend. Further information may be obtained from Gallatin County Commissioners Don Seifert, Joe Skinner, or Steve White at 311 W. Main, Room 306, Bozeman, Montana 59715, telephone 582-3000.

Dated this 28<sup>th</sup> day of July, 2016.

Charlotte Mills  
Clerk and Recorder  
Gallatin County, Montana

# **NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Board of Gallatin County Commissioners will conduct a public hearing on August 16, 2016, at 9:00 A.M., in the Community Room, 311 W. Main, Bozeman, Montana. Public opinion shall be heard regarding a road petition to abandon that portion of County Road No. 372 located in Tract A-1 of the Amended Plat of Lot 2 of the First Amended Subdivision Plat of Tract A-2 of the Amended Subdivision Plat of Tract A of Sweetgrass Hills Subdivision, being a portion of Certificate of Survey No. 2459, and the survey recorded in Book 125 of Deeds, Page 451, all located in Section 31, T6S, R4E, Gallatin County, Montana, according to the official plat thereof on file and of record in the office of the Gallatin County Clerk and Recorder.

All interested parties are encouraged to attend. Further information may be obtained from Gallatin County Commissioners Don Seifert, Joe Skinner, or Steve White at 311 W. Main, Room 306, Bozeman, Montana 59715, telephone 582-3000.

Dated this 28<sup>th</sup> day of July, 2016.

Charlotte Mills  
Clerk and Recorder  
Gallatin County, Montana



RESOLUTION NO. 2016- 100

A RESOLUTION MADE PURSUANT TO ROAD ABANDONMENT PETITION NO. 841 TO ABANDON A PORTION OF COUNTY ROAD NO. 372 IN BIG SKY, MONTANA

This Resolution was introduced by Clerk & Recorder Charlotte Mills; moved by Commissioner White and seconded by Commissioner Seifert. This Resolution was adopted unanimously. Chairman Skinner was excused.

WHEREAS, the Gallatin County Clerk and Recorder received a Petition on June 10, 2016, to abandon a portion of County Road No. 372 in Big Sky, Montana (hereinafter referred to as the "Road"), pursuant to Title 7, Chapter 14, Part 26 Montana Code Annotated;

WHEREAS, the Road is described as that portion of County Road No. 372 located in Tract A-1 of the Amended Plat of Lot 2 of the First Amended Subdivision Plat of Tract A-2 of the Amended Subdivision Plat of Tract A of Sweetgrass Hills Subdivision, being a portion of Certificate of Survey No. 2459, and the survey recorded in Book 125 of Deeds, Page 451, all located in Section 31, T6S, R4E. Gallatin County, Montana, according to the official plat thereof on file and of record in the office of the Gallatin County Clerk and Recorder, see Exhibit A;

WHEREAS, upon acceptance of the Petition, the Clerk & Recorder assigned the Number 841 to the Petition;

WHEREAS, the Petition states the necessity or advantage of the abandonment as: "to subdivide Tract A-1 to allow for the construction of employee housing on Lot 2 of the proposed minor subdivision";

WHEREAS, "abandon" "vacation" and "abandonment" as set forth herein mean the cessation of use of right-of-way (easement) or activity thereon with no intention to reclaim or use again;

WHEREAS, on June 10, 2016, the Gallatin County Clerk and Recorder certified that the Petition contained sufficient signatures as required by Section 7-14-2601, MCA and Gallatin County acknowledged its consent to the Petition and the abandonment of roads that abut its property;

WHEREAS, on June 28, 2016 the Board of County Commissioners passed Resolution 2016-085 which caused an investigation to be made of the feasibility, desirability, and cost of granting the prayer of the Petition and appointed a viewing committee consisting of County Commissioner Don Seifert and the County Surveyor, Charlotte Mills;

25555053  
Page: 1 of 4  
08/22/2016 11:18:22 AM  
Charlotte Mills  
Gallatin County, MT  
Fee: \$0.00  
MISC

WHEREAS, on July 15, 2016, the viewing committee met to view the road being petitioned for abandonment;

WHEREAS, in the viewers' report dated July 26, 2016, the viewing committee reported: "On Friday, July 15, 2016, the undersigned met with Bill Brownell from the Gallatin County Road Department, Scott Altman who is the property owner and his attorney Mindy Cummings to view the road being petitioned for abandonment and;

WHEREAS, Northwestern Energy has a power substation across the creek from behind the property and uses a different road to access that facility and;

WHEREAS, the viewing committee also reported that no one would be landlocked, nor denied access to public lands if the petition were granted and;

WHEREAS, the viewing committee conclude that the petitioned portion of County Road No. 372 should be abandoned;

WHEREAS, by August 2, 2016 notices were posted in six (6) public places including on the petitioned road at the entrance to the property from Montana Highway 64 (also known as Lone Mountain Trail); further east on the petitioned road near William and Donna Erwin's property boundary; the Big Sky Post Office; the Big Sky Water and Sewer District Office; Ace Hardware in Big Sky, and the Gallatin County Courthouse lobby. A Notice of Public Hearing to be held on August 16, 2016 was published in the Bozeman Daily Chronicle on August 5, 2016 and August 12, 2016; and mailed to petitioners and all landowners adjacent to the streets to be abandoned along with a viewers report on August 2, 2016;

WHEREAS, the notice to the petitioners put them on notice of the change in the Road to be abandoned;

WHEREAS, on August 16, 2016, the Gallatin County Commissioners conducted a public hearing, after notice, on the Petition and the results of the investigation; and

WHEREAS, on August 16, 2016, the Gallatin County Commissioners found that granting the Petition to abandon a portion of County Road No. 372 can be made without detriment to the public interest.

NOW THEREFORE BE IT RESOLVED:

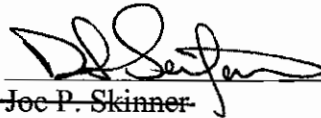
1. That portion of County Road No. 372 located in Tract A-1 of the Amended Plat of Lot 2 of the First Amended Subdivision Plat of Tract A-2 of the Amended Subdivision Plat of Tract A of Sweetgrass Hills Subdivision, being a portion of Certificate of Survey No. 2459, and the survey recorded in Book 125 of Deeds,

Page 451, all located in Section 31, T6S, R4E. Gallatin County, Montana, according to the official plat thereof on file and of record in the office of the Gallatin County Clerk and Recorder., Montana is hereby abandoned.

2. The Commission hereby requests the Clerk and Recorder, within ten (10) days from the date of passage of this Resolution, to send a copy by certified mail to all owners of land abutting on the abandoned streets and alley. The owners shall be those listed on the last county assessment roll.
3. The Clerk and Recorder shall notify the county road supervisor by furnishing a certified copy of this Resolution to the supervisor.

DATED this 16<sup>th</sup> day of August, 2016.

BOARD OF COUNTY COMMISSIONERS OF  
GALLATIN COUNTY



~~Joe P. Skinner~~  
~~Chairman~~

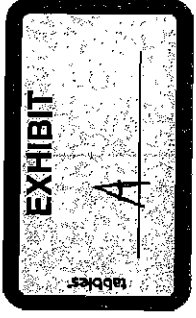
Don Seifert, Acting Chairman

August 16, 2016  
Date

ATTEST:



Charlotte Mills  
Clerk and Recorder  
Gallatin County



**COUNTY ROAD VACATION WITHIN REMAINDER TRACT A-1 OF AMENDED PLAT H-36-E,  
SWEETGRASS HILLS SUBDIVISION (DOC #2247954), GALLATIN COUNTY, MONTANA**

PREPARED FOR : A2LD, LLC.

PREPARED BY : SANDERSON STEWART

APRIL, 2016

BOZEMAN, MONTANA

TR. 1A, C.O.S. #2364A

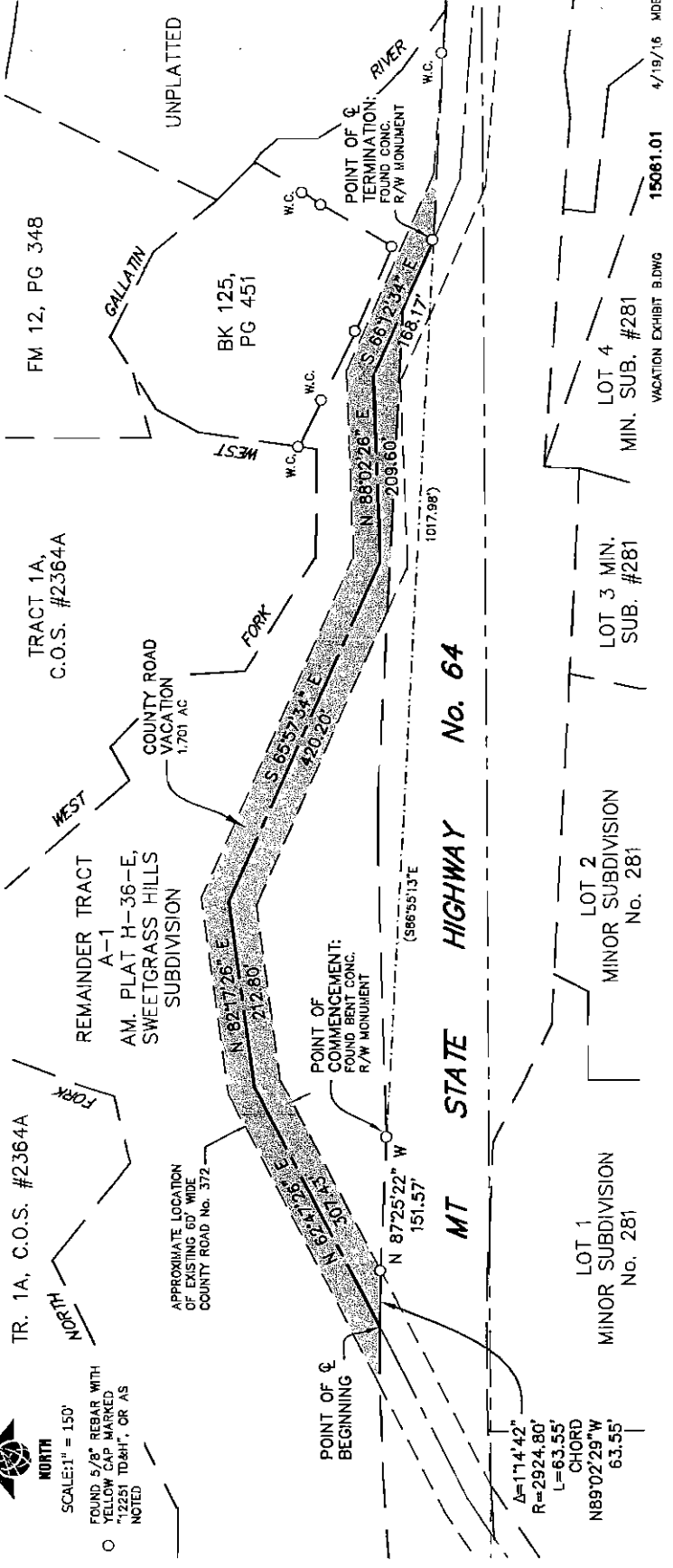
TRACT 1A,  
C.O.S. #2364A

FM 12, PG 348



SCALE: 1" = 150'

FOUND 5/8" REBAR WITH  
YELLOW CAP MARKED  
"12251 TD&H", OR AS  
NOTED



$\Delta = 174'42"$   
 $R = 2924.80'$   
 $L = 63.55'$   
 CHORD  
 $N 89°02'29" W$   
 $63.55'$

VACATION EXHIBIT B DWG 15061.01 4/19/16 MDB



Scott Altman  
228 Altman Lane  
Gallatin Gateway, Montana 59730

RECEIVED

JUN 10 2016

Clerk & Recorder  
Gallatin County, Mont.

June 10, 2016

Mr. Eric Semerad  
Gallatin County Clerk and Recorder's Office  
311 West Main St., Room 203  
Bozeman, Montana 59715

Hand Delivered

RE: Petition to Abandon a Portion of County Road: West Fork Road No. 372

Dear Mr. Semerad:

Please find attached for your review the following petition to abandon a portion of West Fork Road No. 372. West Fork Road No. 372 ("County Road") was created by petition in 1912 and provided access to the settlements in the Big Sky Area (see attached, Exhibit A – Original Petition). With the establishment of the paved Montana State Highway 64, West Fork Road became obsolete as the access road into Big Sky and subsequently portions of the road have been abandoned.

The attached petition is one such request. The portion of the County Road that the petition requests to abandon bisects a portion of my property that I intend to develop for employee housing. My neighbor, Mr. William H. Erwin and his wife Donna, currently utilize the County Road to access their vacation home. With the understanding that this portion of the County Road would have to be abandoned in order to develop my property, I had contacted them last year and entered into an agreement by which I would do a boundary line adjustment of my property, build them a new driveway at my cost and secure an encroachment permit from Montana Department of Transportation (MDOT) (see attached Exhibits B - Agreement).

The Erwins' property adjacent to mine is the only property that utilizes the County Road for access (see attached Exhibit C – Aerial Photos). All of the other adjacent property has access via other means (see attached Exhibit D). Currently, I am working through the application process for subdivision approval for a two lot minor and once final platted, I will complete the boundary line adjustment with Mr. Erwin securing his access to Highway 64. As of the date of this letter, I have already started the encroachment permit for Mr. Erwin's access with MDOT and have begun construction on the driveway. The driveway is paved and ready for use on or before June 15, 2016 (paving will be weather dependent).

Historically the County Road did not provide access to public lands or the waters of the state and therefore abandonment will not impede the public's ability to access the West Fork of the Gallatin River. To the contrary, through the subdivision process, I will preserve a recreational

use easement in the subdivision that will provide the public access to the West Fork of the Gallatin River (see attached Exhibit E – Draft Preliminary Plat). Throughout the planning process, I have been working with the Big Sky Community Corporation to flesh out how best to provide connectivity to their parks and trails (both current and future).

On behalf of the Erwins and myself, I respectfully submit the attached petition to abandon that portion of the West Fork Road No. 372 for consideration by the Gallatin County Commission. Please do not hesitate to contact me if you have any questions or need additional information. I can be reached at the above address or on my cell at 407-468-3215 or at [saltman@bigskyrealestate.com](mailto:saltman@bigskyrealestate.com).

Sincerely,

A handwritten signature in black ink that reads "Scott Altman/mtc". The signature is written in a cursive, flowing style.

Scott Altman  
Member, A2LD, LLC

SA/mtc

Encl.

No. 372

---

**PETITIONER**

*Ernest Crain et al*

---

Petition filed *January 20* 1912  
*By Elizabeth Crain*

Viewed appointed *July 17* 1914

Report filed ..... 191.

Date of hearing ..... 191.

Report approved ..... 191.

Order of survey ..... 191.

Surveyor's Report filed *1916* 191.

Declared County Road *Sept 11* 1916

---

See Book ..... *Commissioners' Proceedings*.

pages .....

Recorded, Road Book, pages .....

---

County Clerk



## Petition for Road

To The Hon. Board of County Commissioners, of Gallatin County, Mont.:

THE UNDERSIGNED, Your petitioners, Citizens of the United States, respectfully show and represent that they are residents and freeholders in Road District No. \_\_\_\_\_, in the County of Gallatin, State of Montana, and taxable therein for road purposes. when the road, hereinafter petitioned for, is to be located, laid out and established, if this petition be granted; that the proposed road is a public convenience, and, we think, the public good requires it.

Your petitioners do respectfully ask and petition that a County Road Sixty feet in width, to be a public highway, to be laid out, located and established.

And show

- (a) The general route of the proposed road.
- (b) Over what lands it is proposed to be established.
- (c) Who are the owners thereof.
- (d) Whether such of them as can be found, consent thereto.
- (e) Who of them do not consent.
- (f) The probable cost of such right-of-way where such consent is not had.
- (g) The necessity for and advantages of the proposed road as follows, to-wit:

7P  
77  
Beginning at a point where the County Road crosses the West Fork of the West Gallatin River N.E. 1/4 of the S.E. 1/4 Section 32 Township 6 South Range 4 East Thence in a Westerly direction up the West Fork at a bridge on the North Fork near its mouth in Section 31 Thence in a South Westerly direction as is most practical to the West bank of the South Fork of the West Fork Thence up along the bank of the South Fork to the Township line between Twp. 6 South 3 East and Twp. 7 South Range 3 East. The Road asked for will be nearly 3 miles in length.

The land owners are as follows Beginning at the County Road are Andrew Lewinski 1/4 mile Patrick Shean 1/4 mile Government 1/2 mile Railroad 1 mile Sprague Place now Belonging to Eugene H. Crail 3/4 mile to Township line and end of proposed County Road

Lined area for additional names or notes.

NAMES

1 A. F. Crail.  
 2 ~~My Hunter~~  
 3 ~~Henry B. Lytle~~  
 4 A. Stillman  
 5 William Lytle  
 6 J. Michener  
 7 J. H. Minder

NAMES

8 Andrew Lewinski  
 9 C. A. Lytle  
 10 E. A. Crail.  
 11 Eugene F. Crail.  
 12 Lawrence Herbert  
 13 Arthur Scherb.  
 14 W. A. Dierck  
 15 ~~W. A. Dierck~~  
 16 K. A. Stauchard  
 17 J. H. Minder  
 18 C. H. Smith

Road Petition

No. 977

Petitioner Eugene Crail  
 Filed Jan 7 1912

## PETITION FOR ROAD

To The Hon. Board of County Commissioners, of Gallatin County, Mont.:

THE UNDERSIGNED, Your petitioners, Citizens of the United States, respectfully show and represent that they are residents and freeholders in Road District No. \_\_\_\_\_, in the County of Gallatin, State of Montana, and taxable therein for road purposes, when the road, hereinafter petitioned for, is to be located, laid out and established, if this petition be granted; that the proposed road is a public convenience, and, we think, the public good requires it.

Your petitioners do respectfully ask and petition that a County Road sixty feet in width, to be a public highway, to be laid out, located and established.

And show

- (a) The general route of the proposed road.
- (b) Over what lands it is proposed to be established.
- (c) Who are the owners thereof.
- (d) Whether such of them as can be found, consent thereto.
- (e) Who of them do not consent.
- (f) The probable cost of such right-of-way where such consent is not had.
- (g) The necessity for and advantages of the proposed road as follows, to-wit:

-----

Beginning at a point where the county road crosses the West Fork of the West Gallatin River NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  Section 32 Township 6 South Range 4 East Thence in a Westerly direction up the West Fork to a Bridge on the North Fork near its mouth in Section 31 Thence in a South Westerly direction as is most practical to the West bank of the South Fork of the West Fork Thence up along the bank of the South Fork to the Township line between Tp. 6, South 3, East and Tp. 7 South Range 3, East. The Road asked for will be nearly 3 miles in length.

The land owners are as follows Beginning at the County Road are Andrew Lewiski  $\frac{1}{2}$  mile Patrick Shean  $\frac{1}{2}$  mile Government  $\frac{1}{2}$  mile, Railroad 1 mile, Sprague Place <sup>now</sup> Belonging to Eugene F. Crail  $\frac{3}{4}$  mile, to Township line and end of proposed County Road

NAMES

A. F. Crail  
Guy Hunter  
Hugh Beaty  
A. Z. Stillman  
William Lytle  
Thos. Michener  
Y. Y. Kuinders

NAMES

Andrew Lewinski  
C. A. Lytle  
E. A. Crail  
Eugene F. Crail  
Lawrence Herbert  
Arthur Scherb  
W. H. Dirrett  
D. D. Blanchard  
F. A. Blanchard  
A. J. Smith  
C. W. Smith

No. 372

ROAD PETITION

Petitioner Eugene Crail

Filed Jan. 2 1912

COMMISSIONERS' JOURNAL      SEPTEMBER TERM, 1914

Saturday the 12th day of September 1914.  
-----

Road # 372      Petitioned for by Eugene Crail and others  
in Sec 31 & 32 T. 6 S. R. 4. E. was  
granted and declared a public highway.  
-----

RECORD----AFFIDAVIT  
-----

STATE OF MONTANA

County of Gallatin.      ss.

I, Earl Walton, Clerk and Recorder in and for said County,  
do hereby certify the above and foregoing to be a ~~fact~~  
and correct except from the minutes of the meeting of  
the Board of County Commissioners of Gallatin County,  
held September 12th, 1914, now of record in Book 11 of  
Commissioners' Journal, page 414, in the office of the  
Clerk and Recorder of Gallatin County, Montana.

Witness my hand and official seal this 30th day of April,  
1951.

County Clerk and Recorder  
in and for Gallatin County,  
State of Montana.

After recording, please return to:  
Kristen Brown PC  
P.O. Box 161552  
Big Sky MT 59716-1552

### **BOUNDARY LINE AGREEMENT**

THIS BOUNDARY LINE AGREEMENT (this "Agreement") is made and entered into as of the 15<sup>th</sup> day of July, 2015, by and between TRACT 5, LLC ("Tract 5") and William H. Erwin and Donna R. Erwin (the "Erwins").

#### **RECITALS**

WHEREAS, Tract 5 is the owner of Sweetgrass Hills Tract A-1 ("Tract A-1"), the legal description of which is:

Tract A-1 of the Amended Plat of Lot 2 of the First Amended Subdivision Plat of Tract A-2 of the Amended Subdivision Plat of Tract A of Sweetgrass Hills Subdivision, being a portion of Certificate of Survey No. 2459, Gallatin County, Montana, according to the official plat thereof on file and of record in the office of the Gallatin County Clerk and Recorder. (Plat reference: H-36-E)

WHEREAS, the Erwins are the owners of 1275 Lone Mountain Trail, Big Sky, Montana ("1275 LMT"), which is more particularly described as:

A portion of a tract of land as described in Book 149 of deeds, on page 261, records of the County Clerk and Recorder, Gallatin County, Montana, and lying within the Northeast Quarter (NE $\frac{1}{4}$ ) of Section 31, Township 6S, Range 4E, M.P.M.

WHEREAS, there exists a sixty-foot (60') wide right-of-way on Tract A-1, as described in the Right-of-Way Deed dated September 4, 1956, Book 122, Page 150 of the records of the County Clerk and Recorder, Gallatin County, Montana ("West Fork #372 ROW");

WHEREAS, Erwins use the West Fork #372 ROW to access 1275 LMT from

State Highway 64, which access enters Tract A-1 at approximately the midpoint of Tract A-1's frontage on State Highway 64;

WHEREAS, there is a more direct route from Erwins' property, across Tract A-1, to State Highway 64, which more direct route enters Tract A-1 approximately 0.2 miles east of the current access point (the "New Access Point");

WHEREAS, the Montana Department of Transportation has issued a permit to construct an approach from State Highway 64 to Tract A-1 at the New Access Point;

WHEREAS, Tract 5 intends to petition Gallatin County to abandon the portion of the West Fork #372 ROW that crosses Tract A-1;

WHEREAS, in exchange for the consideration granted by Tract 5 further described in paragraphs 1 and 2 of the Agreement, below, Erwins consent to the petition to abandon the portion of the West Fork #372 ROW that crosses Tract A-1; and

WHEREAS, 1275 LMT is adjacent to Tract A-1 and the two properties share a common boundary (the "Common Boundary") as shown on Exhibit A hereto; and

WHEREAS, the parties agree that the relocation of the Common Boundary as shown by the dashed line labeled "Meander Line Along Thread of River" on Exhibit A is a benefit to both of them.

## AGREEMENT

NOW THEREFORE, in consideration of the foregoing recitals, which are incorporated as if fully set forth herein, the mutual covenants and agreements contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. Designation of Common Boundary. Tract 5 and the Erwins mutually agree that the Common Boundary between Tract A-1 and 1275 LMT shall be as shown by the dashed line labeled "Meander Line Along Thread of River" on Exhibit A. Tract 5 or its heirs, assigns, or successors shall prepare the necessary surveys and applications to formalize with Gallatin County the adjustment of the Common Boundary line.
2. Construction of Driveway and Berm. Tract 5 or its heirs, assigns, or successors shall construct an asphalt-paved driveway nine feet (9') in width that connects the Erwins' existing driveway to Lone Mountain Trail. The driveway shall commence at the boundary line between Tract A-1 and 1275 LMT and shall run in a southeasterly direction to the New Access Point.
  - a. Tract 5 or its heirs, assigns, or successors shall construct an earthen berm for the purpose of providing a visual barrier between the 1275 LMT residence and new construction planned to be on Tract A-1. The berm shall be approximately five feet (5') high and shall be constructed with

topsoil and seeded upon completion. The berm shall be located approximately 120' to the west of the revised eastern property line, as shown on Exhibit A, and shall run from the top of the river bank in a south easterly direction to the south property line. Tract 5 shall provide ~~one (1) bushy blue spruce to the Erwins for the Erwins to plant on the berm in a location of their choice.~~

BE/DE  
S

- b. The Erwins agree that they and their heirs, assigns, and successors shall be responsible for all maintenance, repair, and improvements of the driveway and the Driveway Easement.
3. Abandonment of West Fork #372 ROW. Tract 5 or its heirs, successors, or assigns shall prepare all materials to submit to Gallatin County to support Tract 5's application to abandon the ROW. Upon completion of items 1 and 2, above, the Erwins agree to consent to Tract 5's petition to abandon West Fork #372 ROW.
4. Binding Effect. This Agreement shall be binding upon and inure to the benefit of each of the signatories hereto and their respective successors and assigns.
5. Miscellaneous.
  - a. Recording of Agreement. This Agreement shall be recorded in the real property records of Gallatin County, Montana, immediately upon execution by the parties hereto.
  - b. Integration; Modification. This Agreement contains all of the terms and conditions of the parties' agreements and understandings with respect to the subject matter hereof and supersedes all prior and contemporaneous agreements, representations, and understandings of the parties. All other rights with respect to the parties' real property, or otherwise, not specifically addressed herein are hereby reserved. This Agreement may only be modified, amended, changed, or terminated, in whole or in part by a written instrument duly authorized and executed by each of the parties hereto. No consent of any third party shall be required for the negotiation and execution of any such instrument.
  - c. Waivers and Modifications in Writing. No amendments, waivers, or modifications hereof shall be made or deemed to have been made unless in writing executed by the parties to be bound thereby.
  - d. Prevailing Party. If any legal action or arbitration or other proceeding is brought for the enforcement of this Agreement, or because of any alleged dispute, breach, default, or misrepresentation in connection with any of the provisions of this Agreement, the prevailing party shall be entitled to recover reasonable attorneys' fees and other costs incurred in that action or proceeding, in addition to any other relief to which it may be entitled.
  - e. Headings. The headings and captions are inserted for reference only and the same shall not limit or construe the paragraphs or sections to which they apply or otherwise affect the interpretation hereof.
  - f. Counterparts. This Agreement and any document or instrument executed pursuant hereto may be executed in any number of counterparts each of

BE/DE  
\*five (5)

bushy blue spruce and ten (10) shrubby bushes to the Erwins to be planted

on the berm by a professional landscape company. S

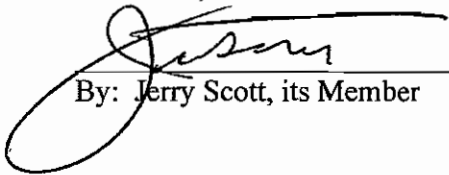


which shall be deemed an original, but all of which together shall constitute one and the same instrument.

- g. Severability. Invalidation of any of the provisions of this Agreement or of any paragraph, sentence, clause, phrase, or word herein, or the application thereof in any given circumstance, shall not affect the validity of any other provision of this Agreement.
- h. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Montana.
- i. Warranty of Capacity and Title. By its execution hereof, each party hereto represents and warrants to the other parties that it or its representative signing hereunder has full power and lawful authority to execute this Agreement and bind said party and its respective real property to the terms hereof. Each party represents and warrants that no other person or entity has any interest in the real property affected hereby that would restrict such authority to execute this Agreement or affect the binding nature of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

TRACT 5, LLC

  
 By: Jerry Scott, its Member

STATE OF MONTANA     )  
                                           :SS  
 County of Gallatin     )

Subscribed and sworn to before me on this 15 day of July, 2015, by JERRY SCOTT, acting in the capacity of Member of Tract 5, LLC.

MARIE K. RAPP  
 Notary Public  
 for the State of Montana  
 Residing at:  
 Big Sky, Montana  
 My Commission Expires:  
 October 10, 2016

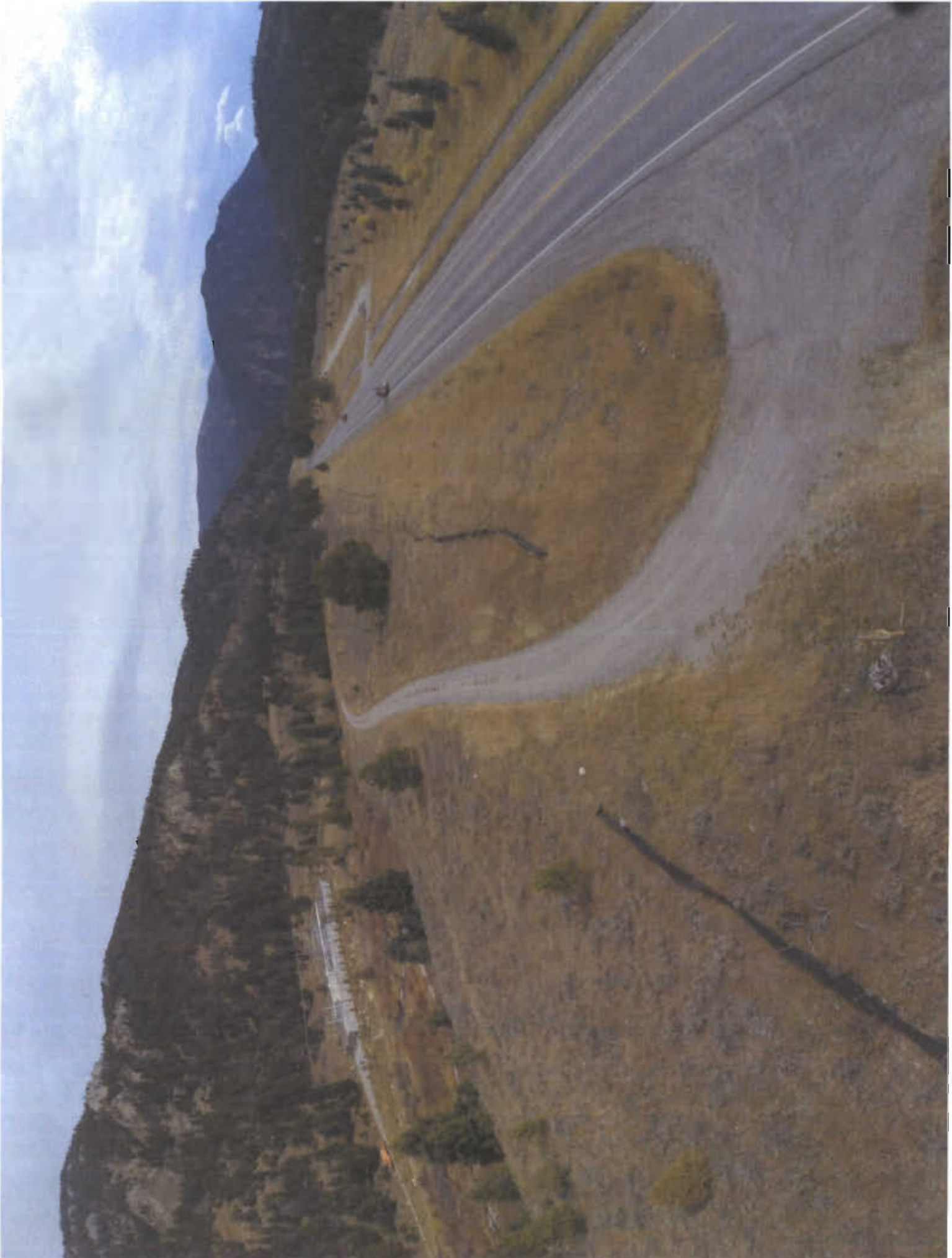
  
 Notary Public for the State of Montana















Cover Letter - Exhibit D



Number	Property Legal	Ownership	Access
0	County Road	N/A	N/A
1	Tract A-1 (see attached deed)	A2LD, LLC Deed: #2529094	Existing encroachments (see attached)
2	Tract 5 (see attached deed)	William H. Erwin Donna R. Erwin Deed: #2103023	New driveway access onto Lone Mountain Trail (HWY 64) (see attached MDOT permit)
3	Tract in NE ¼ Sec. 31, T6S, R4E, ~1.6 acres (see attached deed)	William H. Erwin Donna R. Erwin Deed: #2103023	Via an access easement across Property #4 (see attached deed at Film 8, Page 1151).
4	Tract in the SE ¼ NE ¼ Sec. 31, T6S, R4E ~8.4 acres (see attached deed)	Shake and Bake, LLC Deed: #2493332	Existing Encroachment on Lone Mountain Trail (HWY 64)
5	Tract in the SE ¼ NE ¼ Sec. 31, T6S, R4E ~8.66 acres (see attached deed)	Shake and Bake, LLC Deed: #2493332	Existing Encroachment on Lone Mountain Trail (HWY 64)

**This document prepared by (and after recording please return to):**

Petition Exhibit A

Name: Kristen Brown  
Firm/Company: Kristen Brown PC  
Address: P.O. Box 161552  
City, State, Zip: Big Sky, MT 59716  
Phone: 406.209.0742

**2529094**

Page: 1 of 2 10/30/2015 09:44:28 AM Fee: \$14.00  
Charlotte Mills - Gallatin County, MT DEED



-----Above This Line Reserved For Official Use Only-----

**QUITCLAIM DEED**

FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged, **TRACT 5, LLC**, a limited liability company organized under the laws of the state of Montana, whose mailing address is P.O. Box 160189, Big Sky, MT 59716, hereinafter referred to as "Transferor," does hereby release, remise, and forever quitclaim unto **A2LD LLC**, a limited liability company organized under the laws of the state of Montana, whose mailing address is 228 Altman Land, Gallatin Gateway, MT 59730, hereinafter "Transferee," all of Transferors' right, title, and interest in and to the following described premises in Gallatin County, Montana, to-wit:

Tract A-1 of the Amended Plat of Lot 2 of the First Amended Subdivision Plat of Tract A-2 of the Amended Subdivision Plat of Tract A of Sweetgrass Hills Subdivision, being a portion of Certificate of Survey No. 2459, Gallatin County, Montana, according to the official plat thereof on file and of record in the office of the Gallatin County Clerk and Recorder. (Plat reference: H-36-E)

SUBJECT to all easements, rights-of-way, protective covenants and mineral reservations of record, if any.

TO HAVE AND TO HOLD same unto Transferee, and unto Transferee's assigns forever, with all appurtenances thereunto belonging.

**SIGNATURE TO FOLLOW**



WITNESS Transferors' hands this the 28 day of October, 2015.

TRACT 5, LLC

[Signature]  
By: Jerry Scott, President of Gallatin Partners, Inc., its Member

STATE OF Montana )  
 ) ss  
County of Gallatin )

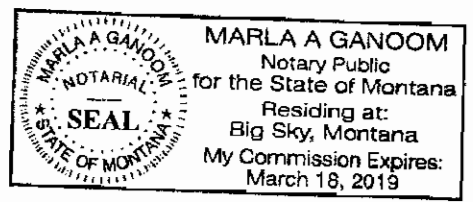
On this 28 day of October, 2015, before me, a Notary Public in and for said State, personally appeared JERRY SCOTT, acting in the capacity of President of Gallatin Partners, Inc., Member of TRACT 5, LLC.

[Signature]  
Notary Signature  
Marla A. Ganoom  
Printed Name

(SEAL)

**ACKNOWLEDGMENT**

State of Montana  
County of Gallatin  
On this 28 day of Oct 2015, Jerry T. Scott  
personally appeared before me,  
 who is personally known to me,  
 whose identity I verified on the basis of \_\_\_\_\_  
 whose identity I verified on the oath/affirmation of \_\_\_\_\_  
a credible witness,  
to be the signer of the foregoing document, and he/she acknowledged that he/she signed it. Marla A. Ganoom  
Notary Signature  
My Commission Expires: March 18, 2019





2103023

Page: 1 of 3  
04/02/2003 03:19P

Shelley Vance-Gallatin Co MT DEED 10.00

### QUIT CLAIM DEED

For Value Received

*William Howard Erwin, Jr*

do hereby convey, release, remise and forever quit claim unto

*William H. Erwin & Donna R. Erwin*

the grantees, as joint tenants (and not as tenants in common), and to the survivor of said joint tenants, and their assigns, and to the heirs and assigns of such survivor, the following described premises, in *Gallatin* County, Montana, to-wit:

*Attached*

*AJR 172333-TR*

TO HAVE AND TO HOLD the said premised, with their appurtenances unto the said Grantees, as joint tenants with right of survivorship (and not as tenants in common) and their assigns, and to the heirs and assigns of the survivor of said named joint tenants forever.

Dated this *18<sup>th</sup>* day of *February, 2003, 2006*.

*William H. Erwin*

also known as William Howard Erwin, Jr.

*Donna R. Erwin*

STATE OF MONTANA, COUNTY OF

On this *18<sup>th</sup>* day of *February*, *2003*

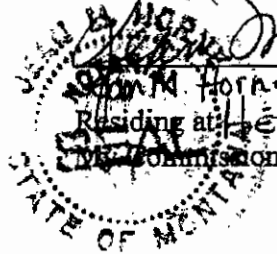
before me, a notary public in and for said state, personally

appeared *WILLIAM H. ERWIN* \* AND *DONNA R. ERWIN* \*also known as William Howard Erwin, Jr.

Grantees mailing address:  
138 Elmwood  
Helena, Montana 59601

known to me to be the person whose name subscribed to the within instrument, and acknowledged to me that executed the same.

*Don M. Horne*  
Notary Public for the State of Montana  
Residing at *HELENA*, Montana.  
My commission expires *12-23*, *2006*.



A portion of a tract of land as described in Book 149 of deeds, on page 261, records of the County Clerk and Recorder, Gallatin County, Montana, and lying within the Northeast Quarter (NE $\frac{1}{4}$ ) of Section 31, Township 6 South, Range 4 East, M. P. M., and being more particularly described as follows: Beginning at a point which is the most Northwesterly corner of the tract herein described, which bears North 63° 15' West 1370.44 feet from the East Quarter corner of said Section 31, Township 6 South, Range 4 East; thence from said point of beginning South 00° 05' East 243.82 feet; thence North 74° 42' East 113.60 feet to a point in the center of the West Fork of West Gallatin River thence continuing along the centerline of the said Gallatin River South 71° 10' East 101.00 feet; thence South 35° 04' East 63.5 feet, thence leaving the centerline of the said Gallatin River North 31° 22' East 268.76 feet, thence North 79° 46' 09" West 388.03 feet to the place of beginning. Said tract contains 1.597 acres, more or less. Together with an easement for road purposes and

the right of ingress and egress over and across a strip of land 30 feet in width extending from the East line of said Section 31 to the West line of the above described tract, and being 15 feet on each side of the following described centerline of said road, to-wit: Beginning at a point on the East line of said Section 31, which point is North 00° 10' East on and along the East line of said NE $\frac{1}{4}$ , a distance of 130.95 feet from the East quarter corner of said Section 31, marked by a Bureau of Land Management brass cap monument; thence North 43° 31' 36" West, a distance of 149.41 feet; thence North 22° 12' 42" West, a distance of 59.01 feet; thence North 43° 08' 27" West, a distance of 82.39 feet; thence South 87° 10' 09" West, a distance of 125.58 feet; thence North 73° 06' 45" West, a distance of 87.15 feet; thence North 59° 17' 39" West, a distance of 280.64 feet; thence North 82° 21' 18" West, a distance of 130.09 feet; thence North 79° 46' 09" West, a distance of 468.03 feet to a point on said West line of said tract; said roadway being the road conveyed and reserved in that certain deed between the grantor herein and Allan Kass, et ux, dated September 24, 1970, recorded October 29, 1970, in Book 8 of Deeds at page 1151, for the joint use of the land owners adjoining said road.

(Deed Ref, Film 12, page 347)

survey recorded in



2103023

Page: 2 of 3  
04/02/2003 03:19P



2103023

Page: 3 of 3  
04/02/2009 03:19P

Shelley Vance-Gallatin Co MT DEED 18.00

That certain tract of ground situate in Section 31 Town-  
 ship 6 South, Range 4 East, M.P.M. within the following  
 metes and bounds, to-wit: Starting at the East 1/4  
 corner of Section 31 R 4 E - T 6 S - M.P.M.; thence  
 South 0°5' East a distance of 208 feet to the center of  
 a county road; thence along center line of said county  
 road N 63°05' W a distance of 358.5 ft.; thence along  
 center line of said county road N 79°15' W a distance  
 of 340.3 ft.; thence along center line of said county  
 road N 86°W a distance of 100 ft.; thence along center  
 line of said county road N 88°50'W a distance of 152 ft.;  
 thence a distance of 121 ft. to a point on the North  
 edge of the right of way of said road and the point of  
 beginning, bearing N 56°22'W; thence N 30°50' E a dis-  
 tance of 93 ft.; thence N 32°40' E a distance of 78 ft.  
 to the center of the North Fork of the West Fork of  
 the West Gallatin River; thence up stream at the center  
 of said North Fork N 40°10' W a distance of 110 ft.;  
 thence up stream at the center of said North Fork N  
 46°45' W a distance of 92 ft.; thence up stream at the  
 center of said North Fork N 70°15' W a distance of 108  
 ft.; thence up stream at the center of said North Fork  
 S 50°20' W a distance of 97 ft.; thence up stream at the  
 center of said North Fork S 8°40' W a distance of 176 ft.  
 to a point on the North bank of said North Fork; thence  
 S 75°10' E a distance of 161 ft.; thence S 61°15' E a  
 distance of 104 ft. to the point of beginning inclosing  
 an area of 1.55 acres, according to the survey recorded in  
 Book 125 of Deeds, Page 451.

(Deed Ref Film 36 Page 1895)

RETURN DOCUMENT TO:  
American Land Title Company  
1800 W. Koch, Bozeman, MT 59715  
Order No: 1-101034

Return Recorded Deed to:  
American Land Title Company  
P.O. Box 161528  
Big Sky, MT 59716  
Escrow No. 1-101034

**2493332**  
Page 1 of 2 09/30/2014 03:32:57 PM Fee: \$14.00  
Charlotte Mills - Gallatin County, MT DEED  


**WARRANTY DEED**

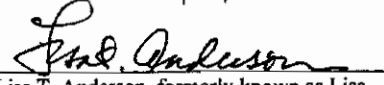
FOR VALUE RECEIVED, LISA T. ANDERSON, FORMERLY KNOWN AS LISA TYLER KASS AS TRUSTEE OF THE ALLAN KASS TRUST, AS TO AN 1/2 UNDIVIDED INTEREST; AND THE HEIRS OR DEVISEES OF BETTY J. KASS, DECEASED, THEIR INTEREST BEING SUBJECT TO THE ADMINISTRATION OF THE ESTATE OF SAID DECEDENT IN GALLATIN COUNTY, MONTANA, PROBATE CASE NO. DP-11-144C, WHEREIN LISA T. ANDERSON IS APPOINTED PERSONAL REPRESENTATIVE OF SAID ESTATE, AS TO 1/2 UNDIVIDED INTEREST, the Grantor, does hereby grant, bargain, sell, convey and confirm unto SHAKE AND BAKE, LLC, A MONTANA LIMITED LIABILITY COMPANY, of 4531 Gallatin Road, Gallatin <sup>Check with map 597302</sup>, the Grantee, the following described premises in Gallatin County, Montana:

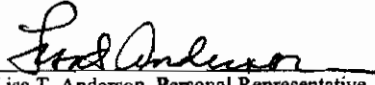
THE LEGAL DESCRIPTION OF THE REAL PROPERTY WHICH IS THE SUBJECT OF THIS WARRANTY DEED IS ATTACHED HERETO MARKED AS EXHIBIT "A" FOR IDENTIFICATION AND BY THIS REFERENCE FULLY AND COMPLETELY INCORPORATED HEREIN.

SUBJECT TO reservations and restrictions in federal patents and prior conveyances, mineral reservations, all real property taxes and assessments for the current year and subsequent years, and all building and use restrictions, covenants, easements, agreements, conditions and rights of way of record and those which would be disclosed by an examination of the property.

TO HAVE AND TO HOLD the said premises, with their tenements, hereditaments, and appurtenances and all rights, title, and interest of Grantor therein unto the said Grantee and Grantee's successors and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee that it is the owner in fee simple of said premises; that the Grantee shall enjoy the same without any lawful disturbance; that the same is free from all encumbrances except those limitations set forth above; that the Grantor and all persons acquiring any interest in the same through or from Grantor will, on demand, execute and deliver to Grantee any further assurance of the same that may be reasonably required; and that Grantor will warrant to the Grantee all the said property against every person lawfully claiming the same.

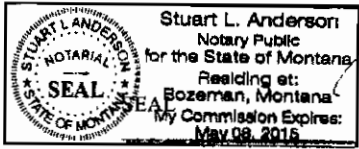
DATED this 9/23/14 day of September, 2014.

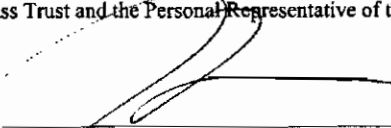
  
Lisa T. Anderson, formerly known as Lisa Tyler Kass, Trustee of the Allan Kass Trust

  
Lisa T. Anderson, Personal Representative Representative of the Estate of Betty J. Kass

STATE OF MONTANA )  
 ) : ss  
County of Gallatin )

On this 22 day of September, 2014, before me, a Notary Public for the State of Montana, personally appeared Lisa T. Anderson, formerly known as Lisa Tyler Kass, known to me to be the person whose name is subscribed to the above instrument and acknowledged to me that she is the trustee of the Allan Kass Trust and the Personal Representative of the Estate of Betty J. Kass and executed the same.



  
Notary Public for the State of Montana

**EXHIBIT "A"  
TO  
WARRANTY DEED**

LEGAL DESCRIPTION

Tract 1:

The South portion of a tract of land as described in Book 149 of Deeds, page 261, records of the County Clerk and Recorder, Gallatin County, Montana, lying in the Northeast quarter of Section 31, Township 6 South, Range 4 East, P.M.M., Gallatin County, Montana, and described as follows.

Beginning at a point on the East line of said Section 31, which point is North 00°10' East on and along the East line of said Northeast Quarter, a distance of 130.95 feet from the East Quarter corner of said Section 31, marked by a bureau of land management brass cap monument; Thence North 43°31'36" West, a distance of 149.41 feet; Thence North 22°12'42" West, a distance of 59.01 feet; Thence North 43°08'27" West, a distance of 82.39 feet; Thence South 87°10'09" West, a distance of 125.58 feet; Thence North 73°06'45" West, a distance of 87.15 feet; Thence North 59°17'39" West, a distance of 280.64 feet; Thence North 82°21'18" West, a distance of 130.09 feet; Thence North 79°46'09" West, a distance of 80 feet to a point. Thence South 31°22' West, 268.76 feet to a point in the centerline of the West Fork of the West Gallatin River, Thence Southeast along the centerline of said West Fork of said West Gallatin River as follows: South 63°31' East, a distance of 79.5 feet; Thence South 28°30' East, a distance of 49.5 feet; Thence South 1°42' West, a distance of 60.6 feet; Thence South 40°20' East, a distance of 65.0 feet; Thence South 54°34' East, a distance of 106.0 feet; Thence South 23°09' East, a distance of 52.5 feet; Thence leaving the centerline of the creek, South 86°00' East, a distance of 81.5 feet; Thence South 79°15' East, a distance of 340.3 feet; Thence South 63°45' East, a distance of 358.5 feet to a point on the East line of said Section 31; Thence following the said East Section Line, North 0°05' West, a distance of 208.1 feet to the point of beginning. EXCEPTING THEREFROM any part thereof heretofore deeded to the State of Montana for Highway Purposes.

[Deed Reference: Film 39, page 1840]

Tract 2:

The North portion of a tract of land as described in Book 149 of Deeds, page 261, records of the County Clerk and Recorder, Gallatin County, Montana, lying in the Northeast one-quarter of Section 31, Township 6 South, Range 4 East, Montana Principal Meridian, Gallatin County, Montana, and described as follows:

Beginning at a point on the East line of said Section 31, which point is North 00°10' East on and along the East line of said Northeast Quarter, a distance of 130.95 feet from the East Quarter Corner of said Section 31, marked by a bureau of land management brass cap monument; Thence North 43°31'36" West, a distance of 149.41 feet; Thence North 22°12'42" West, a distance of 59.01 feet; Thence North 43°08'27" West, a distance of 82.39 feet; Thence South 87°10'09" West, a distance of 125.58 feet; Thence North 73°06'45" West, a distance of 87.15 feet; Thence North 59°17'39" West, a distance of 280.64 feet; Thence North 82°21'18" West, a distance of 130.09 feet; Thence North 79°46'09" West, a distance of 468.03 feet; Thence North 00°05'00" West, a distance of 181.48 feet; Thence North 80°37'00" East, a distance of 248.10 feet; Thence North 85°17'00" East, a distance of 334.4 feet; Thence South 68°28'00" East, a distance of 294.1 feet; Thence South 56°31'00" East, a distance of 287.2 feet; Thence South 33°25'00" East, a distance of 238.2 feet; Thence South 00°10' West, a distance of 270.15 feet to the point of beginning [Plat Reference: Film 8, page 1153]

PRELIMINARY PLAT OF

# MINOR SUBDIVISION No.

BEING THE REMAINDER OF TRACT A, CERTIFICATE OF SURVEY No. 2459  
SITUATED IN THE NW1/4 AND THE NE1/4 OF SECTION 31, T. 6 S., R. 4 E., P.M.M.,  
GALLATIN COUNTY, MONTANA

PREPARED FOR : A2LD LLC

FEBRUARY, 2016

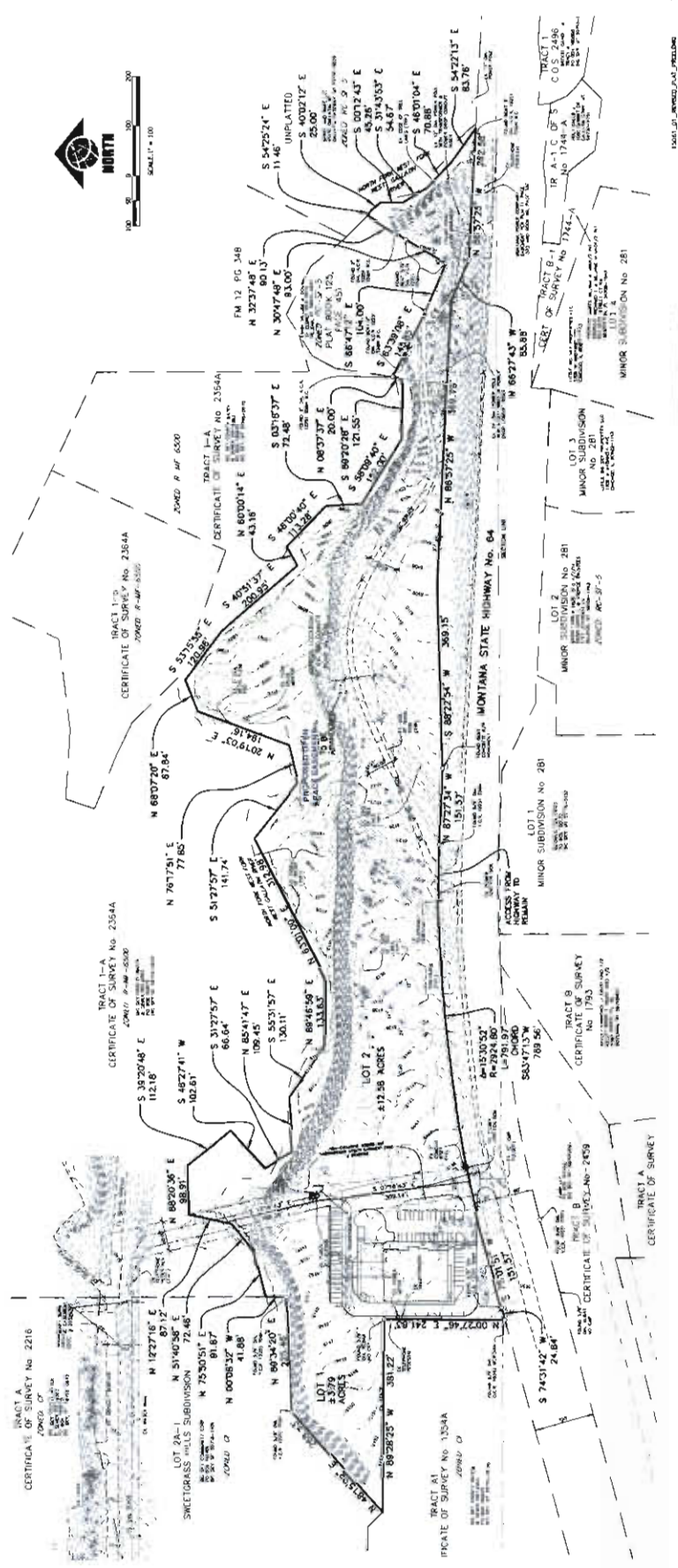
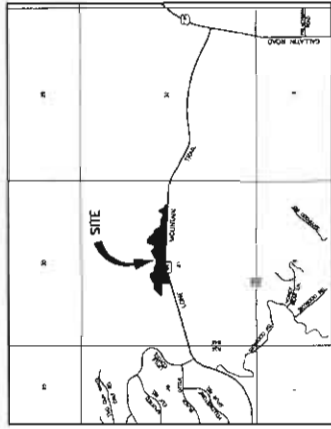
PREPARED BY : SANDERSON STEWART

BOZEMAN, MONTANA

### PLAT DATA

- GROSS AREA
- NET AREA
- NUMBER OF LOTS
- MINIMUM LOT SIZE
- MAXIMUM LOT SIZE
- EXISTING ZONING
- SUR-SPACE EASEMENT
- SURROUNDING ZONING
- NORTH
- SOUTH
- EAST
- WEST
- EXISTING LAND USE
- PROPOSED LAND USE

LEGAL DESCRIPTION OF THE MARKED PLAT OF LOT 2 OF THE FIRST AMENDED PLAT OF TRACT A, CERTIFICATE OF SURVEY No. 2459, BEING THE REMAINDER OF TRACT A OF SWEETGRASS TRACT AND THE NE1/4 AND THE NW1/4 OF SECTION 31, T. 6 S., R. 4 E., P.M.M., GALLATIN COUNTY, MONTANA, RECORDED UNDER OCCASION No. 247354



**This document prepared by (and after recording please return to):**

Name: Kristen Brown  
Firm/Company: Kristen Brown PC  
Address: P.O. Box 161552  
City, State, Zip: Big Sky, MT 59716  
Phone: 406.209.0742

Petition Exhibit A

**2529094**

Page: 1 of 2 10/30/2015 09:44:28 AM Fee: \$14.00  
Charlotte Mills - Gallatin County, MT DEED



-----Above This Line Reserved For Official Use Only-----

### QUITCLAIM DEED

FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged, **TRACT 5, LLC**, a limited liability company organized under the laws of the state of Montana, whose mailing address is P.O. Box 160189, Big Sky, MT 59716, hereinafter referred to as "Transferor," does hereby release, remise, and forever quitclaim unto **A2LD LLC**, a limited liability company organized under the laws of the state of Montana, whose mailing address is 228 Altman Land, Gallatin Gateway, MT 59730, hereinafter "Transferee," all of Transferors' right, title, and interest in and to the following described premises in Gallatin County, Montana, to-wit:

Tract A-1 of the Amended Plat of Lot 2 of the First Amended Subdivision Plat of Tract A-2 of the Amended Subdivision Plat of Tract A of Sweetgrass Hills Subdivision, being a portion of Certificate of Survey No. 2459, Gallatin County, Montana, according to the official plat thereof on file and of record in the office of the Gallatin County Clerk and Recorder. (Plat reference: H-36-E)

SUBJECT to all easements, rights-of-way, protective covenants and mineral reservations of record, if any.

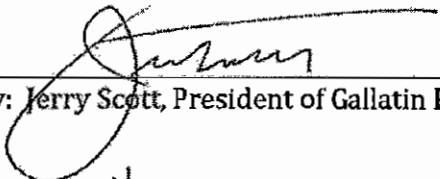
TO HAVE AND TO HOLD same unto Transferee, and unto Transferee's assigns forever, with all appurtenances thereunto belonging.

**SIGNATURE TO FOLLOW**



WITNESS Transferors' hands this the 28 day of October, 2015.


TRACT 5, LLC



By: Jerry Scott, President of Gallatin Partners, Inc., its Member

STATE OF Montana )  
 ) ss  
 County of Gallatin )

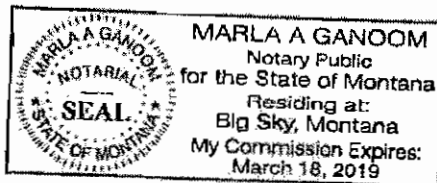
On this 28 day of October, 2015, before me, a Notary Public in and for said State, personally appeared JERRY SCOTT, acting in the capacity of President of Gallatin Partners, Inc., Member of TRACT 5, LLC.

  
 Notary Signature  
Marla A. Ganoom  
 Printed Name

(SEAL)

**ACKNOWLEDGMENT**

State of Montana  
 County of Gallatin  
 On this 28 day of Oct, 2015, Jerry T. Scott  
 personally appeared before me,  
 who is personally known to me,  
 whose identity I verified on the basis of \_\_\_\_\_  
 whose identity I verified on the oath/affirmation of \_\_\_\_\_  
 a credible witness,  
 to be the signer of the foregoing document, and he/she acknowledged that  
 he/she signed it. Marla A. Ganoom  
 My Commission Expires: March 18, 2019 Notary Signature



QUIT CLAIM DEED

For Value Received

William Howard Erwin, Jr

do hereby convey, release, remise and forever quit claim unto

William H. Erwin & Donna R. Erwin

the grantees, as joint tenants (and not as tenants in common), and to the survivor of said joint tenants, and their assigns, and to the heirs and assigns of such survivor, the following described premises, in Gallatin County, Montana, to-wit:

Attached

AUC 1-72-333-TR

TO HAVE AND TO HOLD the said premised, with their appurtenances unto the said Grantees, as joint tenants with right of survivorship (and not as tenants in common) and their assigns, and to the heirs and assigns of the survivor of said named joint tenants forever.

Dated this 18th day of February, 2003, 2006.

William H. Erwin

also known as William Howard Erwin, Jr.

Donna R. Erwin

STATE OF MONTANA, COUNTY OF

On this 18th day of February, 2003

before me, a notary public in and for said state, personally appeared WILLIAM H. ERWIN \* AND

\*also known as William Howard Erwin, Jr.

DONNA R. ERWIN

known to me to be the person whose name subscribed to the within instrument, and acknowledged to me that executed the same.

Grantees mailing address:  
138 Elmwood  
Helena, Montana 59601

Notary Public for the State of Montana  
Residing at HELENA, Montana.  
My commission expires 12-23, 2006.

A portion of a tract of land as described in Book 149 of deeds, on page 261, records of the County Clerk and Recorder, Gallatin County, Montana, and lying within the Northeast Quarter (NE $\frac{1}{4}$ ) of Section 31, Township 6 South, Range 4 East, M. P. M., and being more particularly described as follows: Beginning at a point which is the most Northwesterly corner of the tract herein described, which bears North 63° 15' West 1370.44 feet from the East Quarter corner of said Section 31, Township 6 South, Range 4 East; thence from said point of beginning South 00° 05' East 243.82 feet; thence North 74° 42' East 113.80 feet to a point in the center of the West Fork of West Gallatin River thence continuing along the centerline of the said Gallatin River South 71° 10' East 101.00 feet; thence South 35° 04' East 63.5 feet, thence leaving the centerline of the said Gallatin River North 31° 22' East 268.76 feet, thence North 79° 46' 09" West 388.03 feet to the place of beginning. Said tract contains 1.597 acres, more or less. Together with an easement for road purposes and

the right of ingress and egress over and across a strip of land 30 feet in width extending from the East line of said Section 31 to the West line of the above described tract, and being 15 feet on each side of the following described centerline of said road, to-wit: Beginning at a point on the East line of said Section 31, which point is North 00° 10' East on and along the East line of said NE $\frac{1}{4}$ , a distance of 130.95 feet from the East quarter corner of said Section 31, marked by a Bureau of Land Management brass cap monument; thence North 43° 31' 36" West, a distance of 149.41 feet; thence North 22° 12' 42" West, a distance of 59.01 feet; thence North 43° 08' 27" West, a distance of 82.39 feet; thence South 87° 10' 09" West, a distance of 125.58 feet; thence North 73° 06' 45" West, a distance of 87.15 feet; thence North 59° 17' 39" West, a distance of 280.64 feet; thence North 82° 21' 18" West, a distance of 130.09 feet; thence North 79° 46' 09" West, a distance of 468.03 feet to a point on said West line of said tract; said roadway being the road conveyed and reserved in that certain deed between the grantor herein and Allan Kass, et ux, dated September 24, 1970, recorded October 29, 1970, in Book 8 of Deeds at page 1151, for the joint use of the land owners adjoining said road.

(Deed Ref, Film 12, page 347)

survey recorded in



2103023

Page: 2 of 3  
04/02/2023 02:19P



2103023

Page: 3 of 3  
04/02/2003 03:19P

Shelley Vance-Gallatin Co MT DEED 18.00

"Tract 5"

That certain tract of ground situate in Section 31 Town-  
 ship 6 South, Range 4 East, M.P.M. within the following  
 metes and bounds, to-wit: Starting at the East 1/4  
 corner of Section 31 R 4 E - T 6 S - M.P.M.; thence  
 South 0°5' East a distance of 208 feet to the center of  
 a county road; thence along center line of said county  
 road N 63°05' W a distance of 358.5 ft.; thence along  
 center line of said county road N 79°15' W a distance  
 of 340.3 ft.; thence along center line of said county  
 road N 86°W a distance of 100 ft.; thence along center  
 line of said county road N 88°50' W a distance of 152 ft.;  
 thence a distance of 121 ft. to a point on the North  
 edge of the right of way of said road and the point of  
 beginning, bearing N 56°22' W; thence N 30°50' E a dis-  
 tance of 93 ft.; thence N 32°40' E a distance of 78 ft..  
 to the center of the North Fork of the West Fork of  
 the West Gallatin River; thence up stream at the center  
 of said North Fork N 40°10' W a distance of 110 ft.;  
 thence up stream at the center of said North Fork N  
 46°45' W a distance of 92 ft.; thence up stream at the  
 center of said North Fork N 70°15' W a distance of 108  
 ft.; thence up stream at the center of said North Fork  
 S 50°20' W a distance of 97 ft.; thence up stream at the  
 center of said North Fork S 8°40' W a distance of 176 ft.  
 to a point on the North bank of said North Fork; thence  
 S 75°10' E a distance of 161 ft.; thence S 61°15' E a  
 distance of 104 ft. to the point of beginning inclosing  
 an area of 1.55 acres, according to the survey recorded in  
 Book 125 of Deeds, Page 451.

(Deed Ref Film 36 Page 1895)

# EXHIBIT B

COUNTY ROAD VACATION WITHIN REMAINDER TRACT A-1 OF AMENDED PLAT H-36-E, SWEETGRASS HILLS SUBDIVISION (DOC #2247954), GALLATIN COUNTY, MONTANA

APRIL, 2016  
BOZEMAN, MONTANA

PREPARED FOR : A2LD, LLC.  
PREPARED BY : SANDERSON STEWART

TR. 1A, C.O.S. #2364A

TRACT 1A,  
C.O.S. #2364A

FM 12, PG 348

APPROXIMATE LOCATION  
OF EXISTING 60' WIDE  
COUNTY ROAD No. 372

REMAINDER TRACT  
A-1  
AM. PLAT H-36-E,  
SWEETGRASS HILLS  
SUBDIVISION

COUNTY ROAD  
VACATION  
1.201 AC

UNPLATTED

BK 125,  
PG 451



SCALE: 1" = 150'  
FOUND 5/8" REBAR WITH  
YELLOW CAP MARKED  
"J" OR AS NOTED

N 82°17'28" E  
212.80'

WEST

Fork

Fork

N 82°17'28" E  
307.41'

N 89°02'26" E  
208.80'

S 65°57'34" E  
220.20'

N 89°02'26" E  
208.80'

S 68°12'34" E  
168.17'

1017.98'

N 87°25'22" W  
151.57'

S 68°55'13" E  
(586.5513'E)

1017.98'

1017.98'

W.C.

POINT OF BEGINNING

POINT OF COMMENCEMENT:  
FOUND CONC.  
R/W MONUMENT

POINT OF TERMINATION:  
FOUND CONC.  
R/W MONUMENT

MT STATE HIGHWAY No. 64

$A=174'42"$   
 $R=2924.80'$   
 $L=63.55'$   
CHORD  
 $N89°02'29"W$   
 $63.55'$

LOT 1  
MINOR SUBDIVISION  
No. 281

LOT 2  
MINOR SUBDIVISION  
No. 281

LOT 3 MIN.  
SUB. #281

LOT 4  
MIN. SUB. #281

VACATION EXHIBIT B.D.W.C. 15081.01 4/19/16 MOB

## Exhibit B legal description

### Boundary description:

A tract of land situated in the NW1/4 & NE1/4 of Section 31, T. 6 S., R. 4 E., P.M.M., Gallatin County, Montana, being that portion of Remainder Tract A-1 of Plat H-36-E, Sweetgrass Hills Subdivision, according to the official plat on file in the office of the Clerk & Recorder of Gallatin County, Montana, under Document No. 2247954, lying within the right-of-way of County Road No. 372, being 30.00 feet on each side of the following described centerline:

Commencing at a point on the northerly right-of-way of Montana State Highway No. 64, said point also being on the southerly line of said Tract A-1, said point being a found bent concrete right-of-way monument; thence N 87°25'22" W along said south line of Tract A-1, a distance of 151.57 feet to a found 5/8" rebar with a yellow cap marked "12251 TD&H"; thence along said south line of Tract A-1, following a tangent curve to the left with a central angle of 1°14'42", a radius of 2924.80 feet, and a length of 63.55 feet (chord bears N 89°02'29" W a distance of 63.55 feet) to a point on said south line of Tract A-1 being the true Point of Beginning for said centerline of County Road No. 372; thence, from said Point of Beginning, leaving said south line of Tract A-1, and continuing along said centerline, the following five (5) courses and distances:

1. N 62°47'26" E a distance of 307.43 feet;
2. N 82°17'26" E a distance of 212.80 feet;
3. S 65°57'34" E a distance of 420.20 feet;
4. N 88°02'26" E a distance of 209.60 feet;
5. S 66°12'34" E a distance of 168.17 feet to a point on said south line of Tract A-1, said point being a found concrete right-of-way monument and being the Point of Termination for said centerline; whence said point bears S 86°55'13" E a distance of 1017.98 feet for said point of commencement;

the sidelines of said centerline, being offset 30.00 feet on each side of said centerline, being shortened or lengthened to eliminate any gaps or overlaps; the ends of said sidelines being extended or shortened to terminate at said south line of Tract A-1; said described tract having an area of 1.701 acres, more or less; said tract also being as described on attached Exhibit B.

①

Return To:  
Security Title Company  
P.O. Box 6550  
Bozeman, MT 59771-6550

STC 2160047

2541205

Page: 1 of 1 03/31/2016 04:20:51 PM Fee: \$17.00  
Charlotte Mills - Gallatin County, MT DEED



QUIT CLAIM DEED

FOR ADEQUATE CONSIDERATION, ROCKIN M DEVELOPMENT CORPORATION, a Montana corporation, as Transferor, does hereby convey, remise, release and forever quitclaim unto SCOTT D. JOHNSON and MARTHA S. JOHNSON of PO Box 160730, Big Sky, MT 59716 the Transferees, as joint tenants (and not as tenants in common), the following described real property to-wit:

Unit No. 44 of Building No. 11 of the Spruce Condominium, situated on Lot 1A of the Amended Plat of Lots 1 and 5, Block 5 and Lots 9 and 10, Block 1 of Westfork Meadows Subdivision, Gallatin County, Montana, according to the official plat thereof on file and of record in the office of the County Clerk and Recorder, Gallatin County, Montana. Together with a 8.00% interest in the appurtenant common elements of the said condominium as the said unit and common areas are established, defined and identified in the Declaration of the Spruce Condominium, recorded in Film 31, Page 1619 and as amended by Certificate of Amendments recorded in Film 34, Page 2400, Film 34, Page 2857, Film 35, Page 2308, Film 42, Page 1119 and Film 121, Page 2873, records of Gallatin County, Montana. The use of the condominium unit shall be for residential purposes only.

TOGETHER WITH all the tenements, hereditaments, and appurtenances thereto belonging, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and possession, claim and demand whatsoever as well in law as in equity of the Transferor.

TO HAVE AND TO HOLD unto the said Transferees, as joint tenants with right of survivorship (and not as tenants in common), forever.

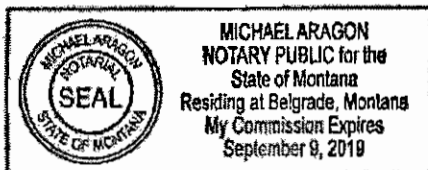
DATED this 25 day of March, 2016.

ROCKIN M DEVELOPMENT CORPORATION,  
a Montana corporation, by

*[Signature]*  
\_\_\_\_\_  
Scott Johnson

STATE OF MONTANA )  
                                  ) ss.  
County of Gallatin )

On this 25th day of March, 2016, before me, a Notary Public in and for said State, personally appeared Martina Johnson, Scott Johnson of ROCKIN M DEVELOPMENT CORPORATION, a Montana corporation, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that the corporation executed the same.



*[Signature]*  
\_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Notary Public for the State of Montana  
Residing at \_\_\_\_\_, Montana  
My commission expires: \_\_\_\_\_

Security Title Company  
P.O. Box 6550  
Bozeman, MT 59771-6550

STC-6050888

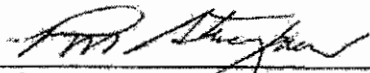
JOINT TENANCY WARRANTY DEED

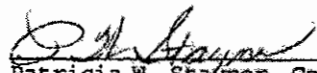
FOR VALUE RECEIVED, ROBERT M. STAYNER and PATRICIA W. STAYNER, Co-Trustees of the Stayner Living Trust Dated January 26, 1988, the Grantors, do hereby grant, bargain, sell, convey and confirm unto SCOTT D. JOHNSON and MARTHA S. JOHNSON of P.O. Box 160730, Big Sky, Montana 59716 the Grantees, as joint tenants (and not as tenants in common), the following described premises in Gallatin County, Montana, to-wit:

Lot B-2A of COS 1033-B located in the SEW of Section 26, Township 6 South, Range 3 East, P.M.M., Gallatin County, Montana, according to the official plat thereof on file and of record in the office of the County Clerk and Recorder of Gallatin County, Montana.

TO HAVE AND TO HOLD the said premises, with their tenements, hereditaments, and appurtenances unto the said Grantees as joint tenants with right of survivorship (and not as tenants in common) forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that Grantees shall enjoy the same without any lawful disturbance; that the same is free from all encumbrances except reservations or exceptions in federal patents, mineral reservations, easements, and building and use restrictions of record; that the Grantors and all persons acquiring any interest in the same through or from them will, on demand, execute and deliver to the Grantees, at the expense of the Grantees, any further assurance of the same that may be reasonably required; and that the Grantors will warrant to the Grantees all the said property against every person lawfully claiming the same.

Dated this 13 day of September, 2005.

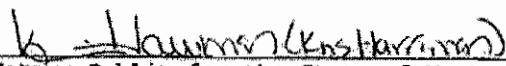
  
Robert M. Stayner, Co-Trustee  
of the Stayner Living Trust  
Dated January 26, 1988

  
Patricia W. Stayner, Co-Trustee  
of the Stayner Living Trust  
Dated January 26, 1988

STATE OF MONTANA     )  
                                  ): ss.  
County of Gallatin    )

On this 13 day of September, 2005, before me, a Notary Public in and for said State, personally appeared ROBERT M. STAYNER and PATRICIA W. STAYNER, Co-Trustees of the Stayner Living Trust Dated January 26, 1988, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.



  
Notary Public for the State of Montana.  
Residing at Bozeman, Montana.  
My commission expires: 05-12-2006



Upon recording please  
return to:

Security Title Company  
600 South 19<sup>th</sup>  
Bozeman, Montana 59715

② SL-G150582

**2511664**

Page: 1 of 2 05/19/2015 10:56:10 AM Fee: \$14.00  
Charlotte Mills - Gallatin County, MT DEED



**WARRANTY DEED**

For value received, TM LAND PARTNERS, LP, successor by merger to TM LAND PARTNERS, LIMITED, a Montana Limited Partnership, the Grantor, does hereby grant, bargain, sell, convey and confirm unto SCOTT ALTMAN and PAMELA ALTMAN, of 228 Altman Lane, Gallatin Gateway, Montana, 59730, the Grantees, as joint tenants and not as tenants in common, and to the survivor of the named joint tenants, and to the heirs and assigns of such survivor, the following described premises, in Gallatin County, Montana to-wit:

Tract 2 of Certificate of Survey No. 2450, located in Section 5, Township 7 South, Range 4 East, P.M.M., Gallatin County, Montana, according to the official survey thereof on file and of record in the office of the County Clerk and Recorder, Gallatin County, Montana.

TO HAVE AND TO HOLD the described premises, with their appurtenances unto the Grantees, as joint tenants, and not as tenants in common, and to the survivor of the named joint tenants, and to the heirs and assigns of such survivor and the Grantor does hereby covenant to and with the Grantee that it is the owner of the premises in fee simple; that the premises are free from all encumbrances except zoning ordinances, building and use restrictions, reservations in federal patents and previous conveyances, beneficial easements apparent or of record, covenants of record, terms and conditions of subdivision plat approval and the lien of the taxes for 2015 and subsequent years; that this

conveyance is subject to those covenants contained in Section 30-11-110, MCA, and that it will warrant and defend the same from all lawful claims whatsoever.

DATED this 18 day of May 2015

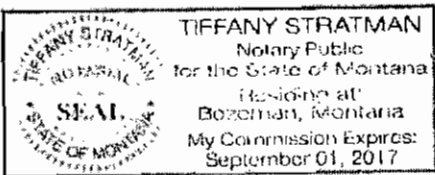
TM Land Partners, LP

*Susan Taylor, Sole Member*

Susan Taylor, sole member of Bosky, LLC, general partner in TM Land Partners, LP, successor by merger to TM Land Partners Limited, a Montana limited partnership

STATE OF MONTANA     )  
                                          : ss  
COUNTY OF GALLATIN    )

This instrument was acknowledged before me on this 18 day of May 2015, by Susan Taylor, sole member of Bosky, LLC, general partner in TM Land Partners, LP, successor by merger to TM Land Partners Limited, a Montana limited partnership.



*Tiffany Stratman*

Notary Public for the State of Montana  
Printed name: \_\_\_\_\_  
Residing at \_\_\_\_\_, Montana  
My Commission expires: \_\_\_\_\_, 20\_\_



EXHIBIT A  
TO WARRANTY DEED

GRANTOR: Andrew Schreiner  
P.O. Box 160803  
Big Sky, MT 59715

GRANTEES: Andrew Schreiner and Suzanne Schreiner  
P.O. Box 160803  
Big Sky, MT 59715

Legal Description

Lot 36 of Block 4 of Meadow Village, Big Sky, Montana, according to the official plat thereof on file and of record in the office of the County Clerk and Recorder of Gallatin County, Montana.

TOGETHER WITH the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining thereunto.

FURTHER TOGETHER WITH all minerals, mineral rights, mineral interest, royalties, royalty rights and royalty interest appurtenant to the hereinabove described real property, if there be any owned by Grantor.

SUBJECT TO any and all easements, rights-of-way, restrictions, agreements, waivers, notations, conditions and reservations of record.

FURTHER SUBJECT TO any liens and/or delinquencies for general real estate taxes and assessments.

FURTHER SUBJECT TO those certain restrictive and protective covenants on record.



3

Upon Recording Please Return Original to:  
Grizzly Outfitters Holdings, LLC  
PO Box 160688  
Big Sky, MT 59716

MTE 72-164



**WARRANTY DEED**

**THIS INDENTURE**, is made this 29 day of September, 2005, between:

**GRANTOR:** RJS DEVELOPMENT OF BIG SKY, LLC, a Montana Limited Liability Company, with address of 326 North Broadway, Bozeman, Montana 59715;

and

**GRANTEE:** GRIZZLY OUTFITTERS HOLDINGS, LLC, a Montana Limited Liability Company, with address of PO Box 160688, Big Sky, Montana, 59716.

Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, grants, bargains, sells, conveys, warrants and confirms onto the Grantee the following real estate situated in the County of Gallatin, and State of Montana, to-wit:

UNIT 101 OF RJS TOWN CENTER CONDOMINIUMS, LOCATED ON LOT 1A OF THE BIG SKY TOWN CENTER SUBDIVISION, PHASE 1 (PLAT REFERENCE: J-336A) *TOGETHER WITH*, AN UNDIVIDED 19.54 PERCENT (19.54% ) INTEREST IN THE GENERAL COMMON ELEMENTS, ACCORDING TO THE DECLARATION OF CONDOMINIUM ON FILE AND OF RECORD IN THE OFFICE OF THE GALLATIN COUNTY CLERK AND RECORDER AS DOCUMENT NO. 2192471,

AND

UNIT B-1 OF RJS TOWN CENTER CONDOMINIUMS, LOCATED ON LOT 1A OF THE BIG SKY TOWN CENTER SUBDIVISION, PHASE 1 (PLAT REFERENCE: J-336A) *TOGETHER WITH*, AN UNDIVIDED 7.21 PERCENT (7.21% ) INTEREST IN THE GENERAL COMMON ELEMENTS, ACCORDING TO THE DECLARATION OF CONDOMINIUM ON FILE AND OF RECORD IN

MONTANA TITLE & ESCROW



2205330

Page: 2 of 6  
10/14/2005 12:03P

Shelley Vance-Gallatin Co MT DEED 42.00

THE OFFICE OF THE GALLATIN COUNTY CLERK AND RECORDER AS  
DOCUMENT NO. 2192471. .

USE OF SAID UNITS SHALL BE FOR COMMERCIAL PURPOSES ONLY.

**TOGETHER WITH** all tenements, hereditaments, appurtenances, reversions, remainders, rents, issues and profits thereof, and all rights of homestead, possession, claims and demands of the Grantor, whatsoever.

**TO HAVE AND TO HOLD** unto the Grantee, its successors and assigns, forever,

**SUBJECT TO THE FOLLOWING:**

1. General taxes and special and general assessments for the year 2005 and all subsequent years accruing after the date hereof and not now due or payable;
2. Assessments by the Association of Unit Owners of RJS Town Center Condominiums for the year 2005 and all subsequent years;
3. All existing facts, rights, claims, interests, easements, rights-of-way, reservations, building, land use, subdivision, sanitary and environmental regulations, zoning and other ordinances, restrictive covenants, conditions, restrictions, exceptions or encumbrances of record with the Gallatin County Clerk and Recorder, or which could be ascertained by physical inspection of the above-described property or by inquiry of persons in possession thereof;
4. Any and all right, title or interest in any minerals, mining rights or related matters, including, but not limited to, hard rock minerals, oil, gas, coal and other hydrocarbons, stone or gravel reserved by Grantor's predecessors-in-interest or vested in persons other than Grantor and the consequences of the right to mine or remove such substances including, but not limited to express or implied easements and rights to enter upon and use the surface of the land for exploration, drilling or extraction related purposes;
5. Water rights, ditch rights and any claims or title to water or ditches, if any, vested in persons other than Grantor;
6. Easement for ingress, egress and utilities and incidental purposes granted to Big Sky Lumber Company and recorded October 14, 1997 in Book 177 Miscellaneous, Page 3905, records of Gallatin County, Montana, and Amendment to Non-Exclusive Access and Utility Easement, recorded May 19, 2002, as



2205330

Page: 3 of 6  
10/14/2005 12:03P

Shelley Vance-Gallatin Co MT DEED 42.00

Document No. 2072629, records of Gallatin County, Montana;

7. Terms, Provisions, Covenants, Conditions, Restrictions, and Easements provided in the Covenants, Conditions and Restrictions, recorded July 6, 2000, as Document No. 2015908, records of Gallatin County, Montana, and as restated, amended or modified by Instruments recorded as Document Numbers, 2015909; 2030997; 2055163; 2072628; 2122833; and 2125254, records of Gallatin County, Montana;
8. Agreement between Big Sky Water and Sewer District and Gallatin Peaks Land and Development, LLC, setting forth terms, dated March 29, 2002, and recorded May 29, 2002, as Document No. 2070337, records of the Gallatin County Clerk and Recorder;
9. Covenants, Conditions, Restrictions and Easements contained in the recorded plat of Big Sky Town Center (Plat Reference J-366);
10. Terms and conditions of the State of Montana, Department of Environmental Quality Certificate of Subdivision Approval, recorded June 19, 2002, as Document No. 2072626, records of Gallatin County Clerk and Recorder;
11. Terms, Provisions, Covenants, Conditions, Restrictions and Easements provided in the Restrictive Covenant in Document Recorded February 24, 2003, as Document No. 2098537, records of Gallatin County Clerk and Recorder;
12. Covenants, Conditions, Restrictions and Easements contained in the recorded plat of Big Sky Town Center, Phase 1, Block 2, Lots 1-11; Block 5 Lots 1 & 9; and Road Tract (Plat Reference J-366A);
13. Certificate of Gallatin County Attorney recorded May 5, 2004, as Document No. 2149046, records of the Gallatin County Clerk and Recorder;
14. Terms and conditions of the State of Montana, Department of Environmental Quality Certificate of Subdivision Plat Approval, recorded May 5, 2004, as Document No. 2149048, records of Gallatin County Clerk and Recorder;
15. Terms, Provisions, Covenants, Conditions, Restrictions, and Easements provided in the Big Sky Town Center 2005 Amended and Restated Covenants, Conditions and Restrictions recorded May 16, 2005, as Document No. 2191132, records of Gallatin County, Montana;
16. Terms and Conditions of Subdivision Plat or Certificate of Local Health Officer Approval, recorded June 19, 2002, as Document No. 2072627, records of Gallatin



County, Montana;

- 17. Terms and conditions of Subdivision Plat or Certificate of Survey of Local Health Officer Approval, recorded May 5, 2004, as Document No. 2149047, records of Gallatin County, Montana;
- 18. Terms, Provisions, Covenants, Conditions, Restrictions, and Easements provided in the Amended and Restated Covenants, Conditions, and Restrictions, recorded October 7, 2004, as Document No. 2166164, as modified in part by Instrument Recorded December 30, 2004, as Document No. 2174596, records of Gallatin County, Montana; and
- 19. Terms, Provisions, Covenants, Conditions, Restrictions, and Easements provided in the Covenants, Conditions and Restrictions For the RJS Town Center Condominium Declaration and Bylaws of the Association of Unit Owners of RJS Town Center Condominiums, recorded June 28, 2005 as Document No. 2192471.

EXCEPT with reference to the items referred to in paragraphs 1 to 19 inclusive, Grantor covenants with the Grantee that Grantor is now seized in fee simple of the property granted; that Grantee shall enjoy the same without any lawful disturbance; that the same is free from all encumbrances; that the Grantor and all persons acquiring any interest in the same through or from the Grantor will, on demand, execute and deliver to the Grantee, at the expense of the Grantee, any further assurance of the same that may be reasonably required; and that the Grantor will warrant to the Grantee all the said property against every person lawfully claiming the same.

DATED this 29 day of September, 2005.

GRANTOR:  
RJS DEVELOPMENT OF BIG SKY, LLC.

By: William Simkins  
William Simkins, Manager

By: Phil Rotherham  
William Simkins, with Power of Attorney  
for Phil Rotherham, Manager



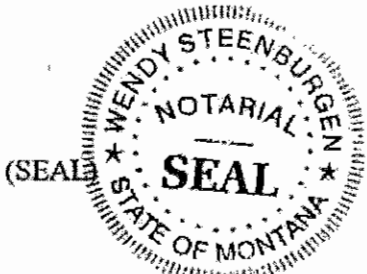


By: *Martha Johnson*  
Martha Johnson, Manager

**ACKNOWLEDGMENT**

STATE OF MONTANA    )  
                                          )ss  
County of Gallatin    )

This instrument was acknowledged before me on the 29 day of September, 2005, by William Simkins, as Manager of RJS Development of Big Sky, LLC.

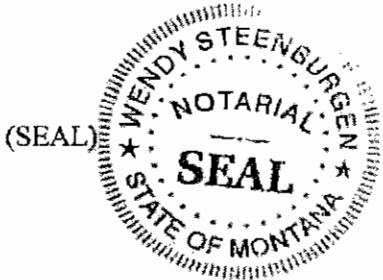


*Wendy Steenburgen*  
Notary Public for the State of Montana

(Printed Name) Wendy Steenburgen  
Residing at Notary Public for the State of Montana  
My Commission Expires Residing at Bozeman, Montana  
(Use four digits) My Commission Expires June 23, 2007

STATE OF MONTANA    )  
                                          )ss  
County of Gallatin    )

This instrument was acknowledged before me on the 29 day of September, 2005, by Williams Simkins, with Power of Attorney for Phil Rotherham, as Manager of RJS Development of Big Sky, LLC.



*Wendy Steenburgen*  
Notary Public for the State of Montana

(Printed Name) Wendy Steenburgen  
Residing at Notary Public for the State of Montana  
My Commission Expires: Residing at Bozeman, Montana  
(Use four digits) My Commission Expires June 23, 2007

STATE OF MONTANA    )  
                                          )ss  
County of Gallatin    )

This instrument was acknowledged before me on the 29 day of September, 2005 Martha



2205330

Page: 6 of 6  
10/14/2005 12:03P

Shelley Vance-Gallatin Co MT DEED 42.00

Johnson, as Manager of RJS Development of Big Sky, LLC.

(SEAL)



Wendy Steenburg  
Notary Public for the State of Montana

(Printed Name) Wendy Steenburg  
Residing at Notary Public for the State of Montana  
Residing at Bozeman, Montana  
My Commission Expires: My Commission Expires June 23, 2007  
(Use four digits)

2453212

Page 1 of 3 06/21/2013 10:51:03 AM Fee: \$21.00  
Charlotte Mills - Gallatin County, MT DEED



**Return To:**  
**Security Title Company**  
**P.O. Box 6550**  
**Bozeman, MT 59771-6550**  
①STC-G130790

JOINT TENANCY WARRANTY DEED

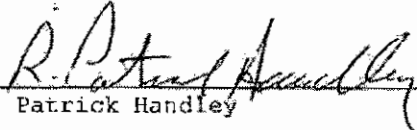
FOR VALUE RECEIVED, R. PATRICK HANDLEY, the Grantor, does hereby grant, bargain, sell, convey and confirm unto KATHLEEN A. MORAN and MICHAEL F. MORAN of P.O. Box 160651, Big Sky, Montana 59716, the Grantees, as joint tenants (and not as tenants in common), the following described premises in Gallatin County, Montana, to-wit:

Lot 2 in Block 4 of Meadow Village, Big Sky of Montana, Inc., Second Filing, Gallatin County, Montana, according to the official plat thereof on file and of record in the office of the County Clerk and Recorder, Gallatin County, Montana. (Plat Reference: I-12)

SUBJECT TO reservations and restrictions in federal patents, prior conveyances, and mineral reservations of record, all real property taxes and assessments for the current year and subsequent years, and all building and use restrictions, covenants, easements, agreements, conditions and rights of way of record and those which would be disclosed by an examination of the property.

TO HAVE AND TO HOLD the said premises, with their tenements, hereditaments, and appurtenances unto the said Grantees as joint tenants with right of survivorship (and not as tenants in common) forever. And the said Grantor does hereby covenant to and with the said Grantees that he is the owner in fee simple of said premises; that Grantees shall enjoy the same without any lawful disturbance; that the same is free from all encumbrances except those limitations set forth above; that the Grantor and all persons acquiring any interest in the same through or from Grantor will, on demand, execute and deliver to the Grantees, at the expense of the Grantees, any further assurance of the same that may be reasonably required; and that the Grantor will warrant to the Grantees all the said property against every person lawfully claiming the same.

Dated this 14 day of June, 2013.

  
R. Patrick Handley

UNITED STATES CONSULATE GENERAL  
City of \_\_\_\_\_

On this \_\_\_\_ day of June, 2013, before me, \_\_\_\_\_  
\_\_\_\_\_, the \_\_\_\_\_ Consul General  
of the United States of America, resident in the City of \_\_\_\_\_  
\_\_\_\_\_, personally  
came R. PATRICK HANDLEY, known to me to be the person whose name is  
subscribed to the within instrument and acknowledged to me that he  
executed the same.

In witness hereof I have hereunto set my hand and affixed the  
seal of the United States Consulate at the City of \_\_\_\_\_,  
\_\_\_\_\_, the day and year first above written.

\_\_\_\_\_

# CERTIFICATE OF ACKNOWLEDGMENT OF EXECUTION OF AN INSTRUMENT

Commonwealth of Australia  
(Country)

State of New South Wales  
(County and/or Other Political Division)

City of Sydney  
(County and/or Other Political Division)

} SS:

Consulate General of the United States  
(Name of Foreign Service Office)

Ryan Ingrassia, Consul

of the United States of America at Sydney, Australia  
duly commissioned and qualified, do hereby certify that on this day of 06-14-2013 before me personally appeared  
Date (mm-dd-yyyy)

Roger Patrick Handley who presented his U.S. passport as evidence of identity

\*\*\*\*\*  
\*\*\*\*\*

to me personally known, and known to me to be the individual-described in, whose name is subscribed to,  
and who executed the annexed instrument, and being informed by me of the contents of said instrument he  
duly acknowledged to me that he executed the same freely and voluntarily for the uses and purposes  
therein mentioned

[SEAL]



In witness whereof I have hereunto set my hand and official seal the day and year last above written.

*Ryan Ingrassia*  
RYAN INGRASSIA  
VICE CONSUL  
of the United States of America.  
AMERICAN CONSULATE GENERAL  
SYDNEY, AUSTRALIA

This document consists of 3 pages, including the Acknowledgement certificate.

NOTE: Wherever practicable all signatures to a document should be included in one certificate.





2498310

Page: 1 of 1 11/28/2014 10:41:44 AM Fee: \$17.00  
Charlotte Mills - Gallatin County, MT DEED



Please return to:  
Security Title Company  
600 South 19th  
Bozeman, MT 59718  
STC- G142261

WARRANTY DEED

FOR VALUE RECEIVED, PETER T. KULAK and BARBARA A. McCAULEY, the Grantors, do hereby grant, bargain, sell, convey and confirm unto MATTHEW GLEASON ZAREMBA of 4521 Middaugh Avenue, Downers Grove, Illinois 60515, the Grantee and his assigns, the following described premises in Gallatin County, Montana, to-wit:

Unit V-136 of Firelight Meadows Condominium, located on Lot 1 of Minor Subdivision No 305, located in the SE¼ of Section 2, Township 7 South, Range 3 East, P.M.M., Gallatin County, Montana Together with a .4630 percent undivided inters in the general common elements of the condominium appertaining to such unit, the Declaration for which was recorded March 7, 2002, Document No. 2062676, and as subsequently amended, all in the records of Gallatin County, Montana. The use of the condominium shall be for residential purposes only

SUBJECT TO: all reservations and restrictions in prior conveyances or in patents from the United States or the State of Montana; existing easements, encroachments and rights of way of record and those which would be disclosed by an examination of the property; mineral, oil and gas and royalty reservations, conveyances and leases of record; all real property taxes and assessments for the current year and subsequent years; and all building and use restrictions, covenants, agreements, requirements, notices, waivers, and conditions of record.

TO HAVE AND TO HOLD the said premises, with their tenements, hereditaments, and appurtenances unto the said Grantee and his assigns forever And the said Grantors do hereby covenant to and with the said Grantee that they are the owners in fee simple of said premises; that Grantee shall enjoy the same without any lawful disturbance; that the same is free from all encumbrances except those limitations set forth above; that the Grantors and all persons acquiring any interest in the same through or from Grantors will, on demand, execute and deliver to the Grantee, at the expense of the Grantee, any further assurance of the same that may be reasonably required; and that the Grantors will warrant to the Grantee all the said property against every person lawfully claiming the same

DATED this 24 day of November, 2014.

Peter T. Kulak

Barbara A. McCauley

STATE OF CONNECTICUT  
ss. CHESHIRE  
County of NEW HAVEN

On this 24th day of November, 2014, before me, a Notary Public in and for said State, personally appeared PETER T KULAK and BARBARA A McCAULEY, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Printed Name: MICHAEL MCCARTHY  
Notary Public for the State of CONNECTICUT  
Residing at WALLINGFORD, CT  
My commission expires: July 31st, 2018





RK Security Title Company  
P.O. Box 6550  
Bozeman, MT 59771-6550  
STCG-131252

**2458724**

Page: 1 of 2 08/09/2013 10:54:03 AM Fee \$14.00  
Charlotte Mills - Gallatin County, MT DEED



JOINT TENANCY WARRANTY DEED

FOR VALUE RECEIVED, ROBERT M. CABOT, the Grantor, does hereby grant, bargain, sell, convey and confirm unto DEREK RUSSELL LENNON and MARIE-THERESE ELIZABETH LENNON of P.O. Box 161668, Big Sky, Montana 59716, the Grantees, as joint tenants (and not as tenants in common), the following described premises in Gallatin County, Montana, to-wit:

Lot 7 of Corrected Plat of South Fork Subdivision, Phase IV in Gallatin County, Montana, according to the official plat thereof on file and of record in the office of the County Clerk and Recorder, Gallatin County, Montana. (Plat Reference: J-324-A)

SUBJECT TO reservations and restrictions in federal patents, prior conveyances, and mineral reservations of record, all real property taxes and assessments for the current year and subsequent years, and all building and use restrictions, covenants, easements, agreements, conditions and rights of way of record and those which would be disclosed by an examination of the property.

TO HAVE AND TO HOLD the said premises, with their tenements, hereditaments, and appurtenances unto the said Grantees as joint tenants with right of survivorship (and not as tenants in common) forever. And the said Grantor does hereby covenant to and with the said Grantees that he is the owner in fee simple of said premises; that Grantees shall enjoy the same without any lawful disturbance; that the same is free from all encumbrances except those limitations set forth above; that the Grantor and all persons acquiring any interest in the same through or from Grantor will, on demand, execute and deliver to the Grantees, at the expense of the Grantees, any further assurance of the same that may be reasonably required; and that the Grantor will warrant to the Grantees all the said property against every person lawfully claiming the same.

Dated this 8th day of ~~June~~ <sup>July</sup>, 2013.  
RMC

Robert M. Cabot  
Robert M. Cabot

STATE OF Maine )  
County of Knox ) : ss.

On this 8 day of ~~June~~ <sup>July</sup>, 2013, before me, a Notary Public in and for said State, personally appeared ROBERT M. CABOT, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

Connie L. Cocks-Sawyer  
Notary Public for the State of Maine  
Printed Name: Connie L. Cocks-Sawyer  
Residing at 300 Main St. Portland ME 04101  
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