

QUIT CLAIM DEED

This Deed, made this _____ day of _____, 2017, in consideration by the **City of Billings**, the receipt of which is acknowledged, **witnesses that**,

Montana University System for the Use and Benefit
of Montana State University – Billings
1500 University Drive
Billings, MT 59101-0245

(Grantors) do hereby **grant, sell, bargain and convey and forever quit claim** to the **City of Billings (Grantee)**, a political subdivision of the State of Montana, 210 North 27th Street, Billings, MT 59103, the following described real property:

A tract of land consisting of merged parcels (a) Tract 1 of Certificate of Survey No. 2547, (b) Boundary Relocation Tract 2B of Amended Tract 2 of Certificate of Survey No. 2547, and (c) Boundary Relocation Tract 1-B-2 of Amended Tract 1-B of Certificate of Survey No. 2277, according to the official plats thereof on file and of record in the office of the County Clerk and Recorder of Yellowstone County, Montana, under Document No. 1545572 for the clause (a) parcel, under Document No. 3447704 for the clause (b) parcel, and under Document No. 3380133 for the clause (c) parcel.

Said tract of land being more particularly described as follows, to wit:

At the Southeast corner of TRACT 1 of Certificate of Survey 2547; Thence, S 89° 04' 57" W, 155.03 feet to the point of beginning on the existing South property line of TRACT 1; Thence, from said point of beginning, S 89° 04' 57" W, 317.23 feet along the existing South property line of TRACT 1; Thence on curve with radius 387.50 feet, beginning N 76° 41' 50" E and ending N 55° 31' 23" E, 143.24 feet; Thence on curve with radius 72.50 feet, beginning N 55° 31' 22" E and ending N 12° 10' 30" E, 54.85 feet; Thence, N 89° 04' 57" E, 71.40 feet; Thence on curve with radius 162.50 feet, beginning S 17° 28' 29" E and ending S 64° 46' 18" E, 134.15 feet to the point of beginning, and containing 15,304 sqft., more or less.

As shown by Exhibit "A", attached hereto and made part hereof.

Purpose of Acquisition is to create a right-of way parcel for construction and use of public road, utility and related appurtenant structures, pursuant to §76-3-201(1)(h), MCA, as a division of land that creates rights-of-way or utility sites.

Excepting and reserving to Grantors, however, all gas and oil, hydrocarbons and any other materials, beneath the surface of the above described and conveyed premises, together with the right to extract the same, provided that in the exercise of such right the surface thereof shall not be disturbed, interfered with or damaged. This reservations does not include sand, gravel and other road building materials, which are conveyed by this Deed.

Further excepting and reserving unto the **Grantors**, their successors and assigns all water, water rights, ditches, canals, irrigation systems, existing or as relocated, if any, including but not limited to, water stock or shares, bonds, certificates, contracts and any and all other indicia of water, water right and ditch ownership, or any interest therein appurtenant to the land described therein, save and except groundwater for the use, benefit and purposes of the **Grantee**.

Grantors further expressly waive and relinquish all rights, as owners or successors in interest provided under law, for any preference to repurchase all or a portion of this property should it be determined no longer to be necessary for **Grantee's** purposes.

To have and to hold the above described and conveyed premises, with all the reversions, remainders, tenements, hereditaments and appurtenances thereto, unto the **Grantee**, and to its successors and assigns forever.

This Deed was executed on the date of its last acknowledgment.

By: _____

As: _____

Of:

Montana University System for the Use and Benefit
of Montana State University – Billings
1500 University Drive
Billings, MT 59101-0245

State of Montana
County of Yellowstone

This instrument was signed before me on this _____ day of _____
_____, 20___, by _____ (print name of
signer(s) as _____ of _____.

(SEAL/STAMP)

Notary Signature

CITY OF BILLINGS ACCEPTANCE

This deed is accepted and its terms and conditions agreed to by the City of Billings on this
_____ day of _____, 2017.

ATTEST:

APPROVAL:

Denise Bohlman, City Clerk

Thomas W. Hanel, Mayor

(SEAL)

APPROVED AS TO FORM:

Brent Brooks, City Attorney