PLAT OF MACKENZIE MEADOWS SUBDIVISION, 2ND FILING BEING LOT 5 OF MACKENZIE MEADOWS SUBDIVISION, 1ST FILING AND THE S1/2NW1/4 OF SECTION 28, T.01S., R.25E., P.M.M. YELLOWSTONE COUNTY, MONTANA

BOUNDARY CURVE TABLE

Delta

Chord Length

 Line No.
 Length
 Bearing

 L1000
 28.03'
 \$00°44"22"E

 L1001
 28.00'
 \$00°44"22"W

BOUNDARY LINE TABLE

Line Table

ROAD CENTERLINE LINE TABLE

PREPARED BY: PREPARED FOR: SAMM, LLC WWCENGE

LEGAL DESCRIPTION AND PROPERTY OWNER CERTIFICATIONS

TE OF MONTANA)
: ss
ity of YELLOWSTONE)

KNOWN ALL BY THESE PRESENTS: That **SAMM**, LLC and the **DAVID E. WAGNER TESTAMENTARY TRUST**, iers of the following described tract of land, does hereby certify that it has caused to be surveyed, subdivided and into lots, blocks and streets as shown on the plat, said tract being situated Section 28, T.01S., R.25E., P.M.M. tone County, Montana, said tract being more particularly described as follows, to-wit:

ng a gross area of 160.06 acres, and a net area of 138.87 acons, or other encumbrances that have been legally acquired. LOT 5 OF MACKENZIE MEADOWS SUBDIVISION, 1ST FILING AND S1/2NW1/4 OF SAID SECTION 28. es, more or less, and is subject to any ea

net by a land d

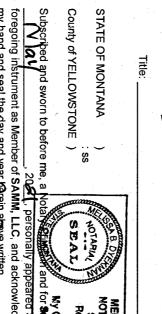
Gaylene M. Voches, Co-Trustee of the David E. Wagr

Tim Veches, Co-Trus Trustee of the David



son who should the form

SAMM, LLC ic in and for the State of Montany King



Division 1

STATE OF MONTANA

ounty of YELLOWSTONE)

We do hereby certify that we have examined the plat of MACKEN said plat conforms with the requirements of the laws of the State been met to the satisfaction of the YELLOWSTONE County Board public use of any and all lands shown on this plat as being dedice

N WITNESS WHEREOF, we have set our hands an day of Stune, 20 21 commissioner

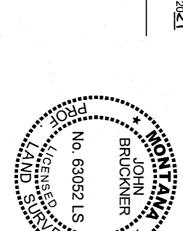
See See

ANGO

CERTIFICATE OF APPROVAL

SP 3978389
06/30/2021 02:25 PM Pages: 1 of 3 Fees: 87.50
06/30/2021 02:25 PM Pages: 1 of 3 Fees: 87.50
06/30/2021 02:25 PM Pages: 1 of 3 Fees: 87.50
06/30/2021 02:25 PM Pages: 1 of 3 Fees: 87.50
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Jahn Bh 63052 LS



MACKENZIE MEADOWS SUBDIVISION, 2ND FILING CORRESPONDING DOCUMENTS SUBDIVISION IMPROVEMENTS AGREEMENT - DOCUMENT NO. 39789_{o}

DECLARATION OF COVENANTS CONDITIONS AND RESTRICTIONS - DOCUMENT NO. 39789WACKENZIE MEADOWS COMMERCIAL COVENANTS AND RESTRICTIONS DOCUMENT NO. 377837

BYLAWS OF MACKENZIE MEADOWS COMMERCIAL ASSOCIATION - DOCUMENT NO. 397837VS OF MACKENZIE MEADOWS HOMEOWNERS ASSOCIATION DOCUMENT NO. 3978396

DEQ CERTIFICATE OF SUBDIVISION APPROVAL - DOCUMENT NO. 3978392 DECLARATION OF RESTRICTIONS ON TRANSFERS AND CONVEYANCES - DOCUMENT NO 3978375

CONSENT TO PLAT - DOCUMENT NO. _ 3978391 3978394

WWCENGINEERING

1" = 5000'

STATE OF MONTANA NOTICE OF APPROVAL

STATE OF MONTANA)
: ss
County of YELLOWSTONE)

This plat has been recommendations The same of the sa n approved for filing by the sof this board. 5.25.21 6/2/21



that all real property taxes and special a

County Treasurer or YELLOWSTONE CO.

CERTIFICATE OF COUNTY TREASURER

CERTIFICATE OF CITY/COUNTY HEALTH DEPARTMENT

Department and the S

Department and the S

OWN

Health Officer or Autt

YELLOWSTONE City Subdivision Plat has been reviewed and approved by the YELLOV e State Department of Environmental Quality. アールスリールろし orized Representative //County Health Department

CERTIFICATE OF COUNTY ATTORNEY od by the YELLOWSTONE

647-2) Date

CERTIFICATE OF SURVEYOR

The undersigned, a Montana Registered Land Surveyor April 2020, a survey was performed under his supervisio SUBDIVISION, 2ND FILING, in accordance with the requestion and Platting Act; said subdivision being in a subdivision and monuments found and set are of the charteness.



Curve Table

ROAD CENTERLINE CURVE TABLE

THE WAY	THOWATY PLANNING				2	ZTA
C207	C206	C205	C204	C203	C202	C201

-611(1)(b), M.C.A.			PLANNING TO		U D A L .ARIM) -	3	ZTA
C209	C208	C207	C206	C205	C204	C203	C202	C201
(5)	3	6	2(20	1	9	9	9

Curve No.

C215

C216

C217

C218

C219

C220

C221

C222

C222

C223

C224

C225

C226

C227

2rd Length
56.37'
123.71'
320.44'
402.02'
155.91'
126.09'
87.28'
129.89'
142.64'
38.10'
103.54'
194.26'
630.98'
142.52'
166.58'

Chord Length
56.57
75.95'
32.37
86.11'
662.62'
233.25'
92.60'
382.69'
368.29'
56.37'
145.95'
145.67'
145.67'

		unty Health), M.C.A.			PLANNIN		I A L .ARL) -		. 1
									. 5							1	
				C214	C213	C212	C211	C210	C209	C208	C207	C206	C205	C204	C203	C202	-
				2240.08'	640.00'	640.00'	100.00'	100.00	50.00'	300.00'	640.00'	2000.00'	2000.00'	1037.79	912.00'	980.00'	
5 5 !	Line No.	-		326.35'	237.73'	510.23'	125.64	87.13'	78.09'	53.29	355.41	343.73'	146.41	251.66'	146.13'	157.19'	
′ [™] -	¹ ≥		*	8,2	21°	45°	71°	49°	89°	10°	31°.	9°6	4°.	13°	9°1	9°1	

_									
- 7	Т6	L5	L ₄	L3	L2	7	Line No.		
EE E7	245.94'	236.98'	178.50'	242.28'	145.24'	231.67	Length	Line Table	-
77°00°000	N87°19'34"W	S87°19'34"E	S00°43'44"E	S08°56'04"W	N89°24'23"E	S89°24'58"W	Bearing	/le	
								. :	
-	L13	L12	L11	L10	L9	Г8	Line No.		
200	255.46'	247.01'	711.70	245.12'	172.12'	83.10'	Length	Line Table	
104000000000000000000000000000000000000	S88°48'16"W	S89°16'21"W	S89°16'21"W	S89°16'21"W	N01°08'25"W	N13°19'10"E	Bearing)/e	
					-				١.
2	L20	L19	L18	L17	L16	L15	Line No.		[
2	559.85'	286.83'	286.83'	547.20'	547.20'	96.42'	Length	Line Table	
מייים ביים ביים ביים ביים ביים ביים ביים	N39°10'59"E	N39°31'49"E	S39°31'49'W	N89°27'02"E	S89°27'02"W	N01°04'05"W	Bearing	le	בו ה
							-		
- 20	L27	L26	L25	L24	L23	L22	Line No.		
100 000	109.19'	112.95'	533.16'	533.16'	295.53'	256.68'	Length	Line Table	
10404414411	N08°17'26"E	N08°17'26"E	N89°16'53"E	N89°16'53"E	S39°10'59'W	S39°10'59"W	Bearing	le	
	L34	L33	L32	L31	L30	L29	Line No.		

		Line Table	ble		Line Table	le		Line Tabl	/le	<u> </u>		Line Table	le
g	Line No.	Length	Bearing	Line No.	Length	Bearing	Line No.	Length	Bearing		Line No. Length Bearing	Leng	th
3	Г8	83.10	N13°19'10"E	L15	96.42'	N01°04'05"W	L22	256.68'	S39°10'59"W		L29	135.89'	9' N01°11'44"W
3	Е9	172.12'	N01°08'25"W	L16	547.20'	S89°27'02"W	L23	295.53'	S39°10'59"W		L30	267.53'	3' N88°48'16"E
Š	L10	245.12'	S89°16'21"W	 L17	547.20'	N89°27'02"E	L24	533.16'	N89°16'53"E		L31	371.76	6' S88°48'16"W
m,	L11	711.70	S89°16'21"W	L18	286.83'	S39°31'49"W	L25	533.16'	N89°16'53"E		L32	36.80'	ا ب
T.	L12	247.01'	S89°16'21"W	L19	286.83'	N39°31'49"E	L26	112.95	N08°17'26"E		L33	36.62'	
\ <u>\</u>	L13	255.46'	S88°48'16"W	 L20	559.85'	N39°10'59"E	 L27	109.19'	N08°17'26"E		L34	10.71	' N50°49'01"W
Š	L14	255.63'	S88°48'16"W	L21	1312.13'	S39°10'59"W	 L28	135.89	N01°11'44"W	- 1		-	

C39	C38	C37	C36	C35	C34	C33	C32	C31	C30	C29	C28	C27	C26	C25	C24	C23	C22	C21	C20	C19	C18	C17	C16	C15	C14	C13	C12	C11	C10	60	83	C7	C6	C5	C4	63	C2	C1	Curve No.	
2988.00'	1330.00'	370.00'	20.00'	20.00'	430.00'	1270.00'	2928.00'	1230.00'	20.00	247.80'	2646.00'	2646.00'	530.00'	550.00'	20.00'	20.00	2440.00'	2280.04	20.00'	20.00'	2586.00'	470.00'	610.00'	20.00'	20.00'	670.00'	680.00	3030.00'	520.00'	20.00	1959.92'	1077.79	1077.79'	952.00'	940.00'	888.99'	935.92'	60.00'	Radius	
670.74'	238.94'	85.85	31.42'	31.42'	99.77'	228.16'	657.27	88.28'	33.64	376.56'	372.82'	147.35'	110.83'	138.80'	31.27	31.42	125.78'	6.98'	31.25	31.57	94.20"	98.28'	153.94'	31.27	31.42'	159.81'	149.14	638.46'	184.79	32.04	92.67	76.53'	184.86	152.54'	150.77	131.79	138.83'	94.21'	Length	
12°51'42"	10°17'37"	13°17'38"	89°59'55"	90°00'05"	13°17'38"	10°17'37"	12°51'42"	4°06'44"	96°22'45"	87°04'01"	8°04'22"	3°11'27"	11°58'53"	14°27'35"	89°35'14"	90°00'05"	2°57'13"	0°10'32"	89°31'02"	90°26'48"	2°05'14"	11°58'53"	14°27'35"	89°35'14"	90°00'05"	13°40'00"	12°33'58"	12°04'23"	20°21'40"	91°47'10"	2°42'33"	4°04'05"	9°49'38"	9°10'50"	9°11'24"	8°29'37"	8°29'55"	89°57'40"	Delta	Curve Table
N04°09'37"W	N07°25'03"E	N05°55'04"E	N45°43'42"W	S44°16'18'W	S05°55'04"W	S07°25'03"W	S04°09'37"E	S08°32'05"E	S54°40'06"E	N33°36'29"E	N05°53'21"W	N00°15'26"W	N07°19'44"E	N06°05'23"E	N45°56'02"W	S44°16'18"W	S00°55'44"W	S00°37'30"E	S44°02'45"W	N45°58'20'W	N00°17'40"E	N07°19'44"E	N06°05'23"E	N45°56'02"W	S44°16'18"W	S06°06'16"W	M.91,62,90S	S04°43'19"E	S00°34'40"E	S54°49'39"W	S77°55'29"E	W''85'14°87N	S85°38'31"E	N84°48'59"E	N84°49'16"E	S86°20'13"E	S86°20'23"E	S45°36'31"E	Chord Bearing	le
669.34'	238.63'	85.661	28.29'	28.29'	99.55'	227.86'	655.89'	88.27	29.82'	341.36'	372.51'	147.34'	110.63'	138.44'	28.19'	28.29'	125.77'	6.99'	28.17	28.40'	94.20'	98.11'	153.54'	28.19'	28.29'	159.44'	148.85	637.29'	183.83'	28.73'	92.67'	76.51'	184.64'	152.38'	150.62'	131.67'	138.70'	84.83'	Chord Length	
C78	C77	C76	C75	C74	C73	C72	C71	C70	C69	C68	C67	C66	C65	C64	C63	C62	C61	C60	C59	C58	C57	C56	C55	C54	C53	C52	C51	C50	C49	C48	C47	C46	C45	C44	C43	C42	C41	C40	Curve No.	
130.00'	80.00'	330.00'	20.00'	2040.00'	997.68'	997.68'	100.00'	872.00'	1020.00'	968.99'	855.92'	60.00'	270.00'	20.00'	70.00'	70.00'	20.00'	680.00'	2040.00'	20.00'	20.00'	1959.92'	600.00	2280.04	20.00	20.00'	2586.00'	307.80'	430.00	20.00'	730.00'	620.00'	2970.00'	580.00'	20.00'	370.00'	20.00'	1170.00'	Radius	
113.27	124.94'	58.62'	30.89'	99.92'	57.27'	184.63'	157.58'	139.72'	163.60'	143.65'	126.96'	94.29'	47.96'	31.23'	60.99'	87.95'	29.99'	329.01'	300.96'	30.97	31.82'	286.64'	1034.09'	283.09'	30.71'	32.04'	313.38'	467.73'	116.56'	29.23'	174.13'	136.46'	625.82'	151.61'	31.96'	19.02'	33.58'	83.98'	Length	
49°55'13"	89°28'53"	10°10'38"	88°29'16"	2°48'23"	3°17'20"	10°36'11"	90°17'05"	9°10'50"	9°11'24"	8°29'37"	8°29'55"	90°02'20"	10°10'38"	89°28'53"	49°55'13"	71°59'13"	85°54'14"	27°43'18"	8°27'10"	88°43'51"	91°10'04"	8°22'46"	98°44'55"	7°06'50"	87°59'29"	91°47'12"	6°56'36"	87°04'01"	15°31'54"	83°44'21"	13°40'00"	12°36'39"	12°04'23"	14°58'37"	91°32'42"	2°56'45"	96°12'24"	4°06'44"	Delta	Curve Table
S64°29'26"W	N45°48'31"W	N04°01'14"E	N35°08'05"W	N77°58'32"W	N78°18'26"W	N85°15'11"W	N44°16'12"E	S84°48'59"W	S84°49'16"W	N86°20'13"W	N86°20'23"W	S44°23'29"W	S04°01'14"W	S45°48'31"E	N64°29'26"E	N03°32'12"E	N75°24'32"W	S75°30'00"W	N86°23'12"W	S53°28'28"W	S36°38'58"E	S86°25'23"E	N39°59'12"E	N06°45'40"W	N47°12'00"W	S42°54'40"W	S06°27'15"E	S33°36'30"W	S84°54'29"W	S50°48'15"W	S06°06'16"W	S06°37'56"W	S04°43'19"E	S03°16'11"E	S41°33'14"E	S88°47'57"E	N41°37'29"E	N08°32'05"W	Chord Bearing	ole
109.72'	112.63'	58.54'	27.91'	99.91'	57.27	184.37'	141.78'	139.58'	163.43'	143.52'	126.85'	84.89'	47.90'	28.16'	59.08'	82.28'	27.26'	325.81'	300.69'	27.97	28.58'	286.39'	910.78'	282.91'	27.79'	28.73'	313.20'	424.02'	116.21'	26.70'	173.72'	136.19'	624.67'	151.18'	28.67'	19.03'	29.78'	83.96'	Chord Length	
	C116	C115	C114	C113	C112	C111	C110	C109	C108	C107	C106	C105	C104	C103	C102	C101	C100	C99	C98	C97	C96	C95	C94	С93	C92	C91	C90	C89	C88	C87	C86	C85	C84	C83	C82	C81	C80	C79	Curve No.	-
	20.00'	20.00	20.00	60.00'	20.00'	20.00'	70.00'	70.00'	2000.00'	370.00'	180.00'	20.00'	2200.08'	680.00'	20.00'	120.00'	20.00'	120.00'	20.00'	2360.00'	2200.08'	20.00	20.00'	430.00'	2060.00	130.00'	130.00'	20.00'	20.00'	60.00'	20.00'	20.00	130.00'	180.00'	20.00'	680.00	20.00	130.00'	Radius	
	31.42'	31.38'	17.91'	172.69'	17.91'	31.45'	158.78'	98.95'	140.56'	35.26'	105.99	31.42'	269.53'	204.24	30.00'	131.16'	31.42'	84.57	32.16'	121.65'	5.73'	31.59'	31.42'	40.97	71.45'	183.77	73.22'	24.62'	17.91'	295.98'	17.91'	24.62"	114.89'	196.74'	29.97	444.95'	29.99'	163.33'	Length	-
	90°00'00"	89°54'03"	51°19'04"	164°54'26"	51°19'05"		129°57'39"	80°59'34"	4°01'36"	5°27'34"	33°44'13"	90°00'00"	7°01'09"	17°12'33"	85°57'25"	",72,2£°59	.00,00°.06	40°22'48"	92°07'09"	2°57'13"	0°08'57"		00,00°.06	5°27'34"	1°59'14"	80°59'34"	32°16'15"	70°31'47"	51°19'04"	282°38'08"	51°19'04"	70°31'41"	:80°38'08	62°37'27"	85°51'04"	37°29'26"	85°54'14"	71°59'13"	Delta	Curve Table
	S84°10'59"W	S05°46'03"E	S76°22'37"E	S19°34'56"E	N25°03'32"W	S84°13'57"W	S25°44'23"E	N48°47'09"E	N06°16'38"E	N01°32'03"E	N67°41'06"W	N46°11'44"W	S06°49'28"E	S00°50'24"E	S35°12'50"E	N70°29'44"E	N05°49'01"W	N71°00'22"W	S42°44'41"W	S00°55'44"W	S00°36'42"E	S45°56'28"E	N43°48'16"E	N01°32'03"E	N07°17'49"E	N48°47'10"E	S74°35'03"E	N86°17'11"E	N25°21'45"E	S38°58'42"E	S76°40'50"W	S15°45'27"W	S13°51'51"W	S70°29'43"W	S58°52'56"W	S34°42'07"W	S10°29'43"W	S03°32'12"W	Chord Bearing	νle
	28.29'	28.26'	17.33'	118.97	17.33'	28.31'	126.87'	90.92'	140.54'	35.25'	104.47	28.29'	269.37'	203.48'	27.27'	124.73'	28.29'	82.84'	28.81'	121.64	5.73'	28.41'	28.29'	40.96'	71.45'	168.85	72.26'	23.10'	17.33'	75.00'	17.33'	23.10'	111.19'	187.10'	27.25'	437.06'	27.26'	152.81'	Chord Length	

Page 8

Mackenzie Meadows Subdivision, 2nd Filing
Yellowstone County
E.Q. #21-1131

STORMWATER

THAT the storm drainage plan for the Mackenzie Meadows Subdivision, 2nd Filing was reviewed and approved under EQ#21-1205, dated the 28th day of April, 2021, and,

THAT operation and maintenance of the storm drainage facilities shall be conducted by the Yellowstone County Road RSID and individual lot owners, and,

THAT water supply systems, sewage treatment systems and storm drainage systems will be located as shown on the approved plans, and,

THAT all sanitary facilities must be located as shown on the attached lot layout, and,

THAT the developer and/or owner of record shall provide each purchaser of property with a copy of the Plat, approved location of water supply and sewage treatment system as shown on the attached lot layout, and a copy of this document, and,

THAT instruments of transfer for this property shall contain reference to these conditions, and,

THAT plans and specifications for any proposed sewage treatment systems will be reviewed and approved by the county health department and will comply with local regulations and ARM, Title 17, Chapter 36, Subchapters 3 and 9, before construction is started.

THAT departure from any criteria set forth in the approved plans and specifications and Title 17, Chapter 36, Sub-Chapters 1, 3, and 6 ARM when erecting a structure and appurtenant facilities in said subdivision without Department approval, is grounds for injunction by the Department of Environmental Quality.

THAT pursuant to Section 76-4-122 (2)(a), MCA, a person must obtain the approval of both the reviewing authority under Title 76, Chapter 4, MCA, and local board of health officer having jurisdiction, before filing a subdivision plat with the county clerk and recorder.

YOU ARE REQUESTED to record this certificate by attaching it to the Plat filed in your office as required by law.

DATED this 30th day of April, 2021.

CHRIS DORRINGTON

Kevin Smith, PE. Bureau Chief

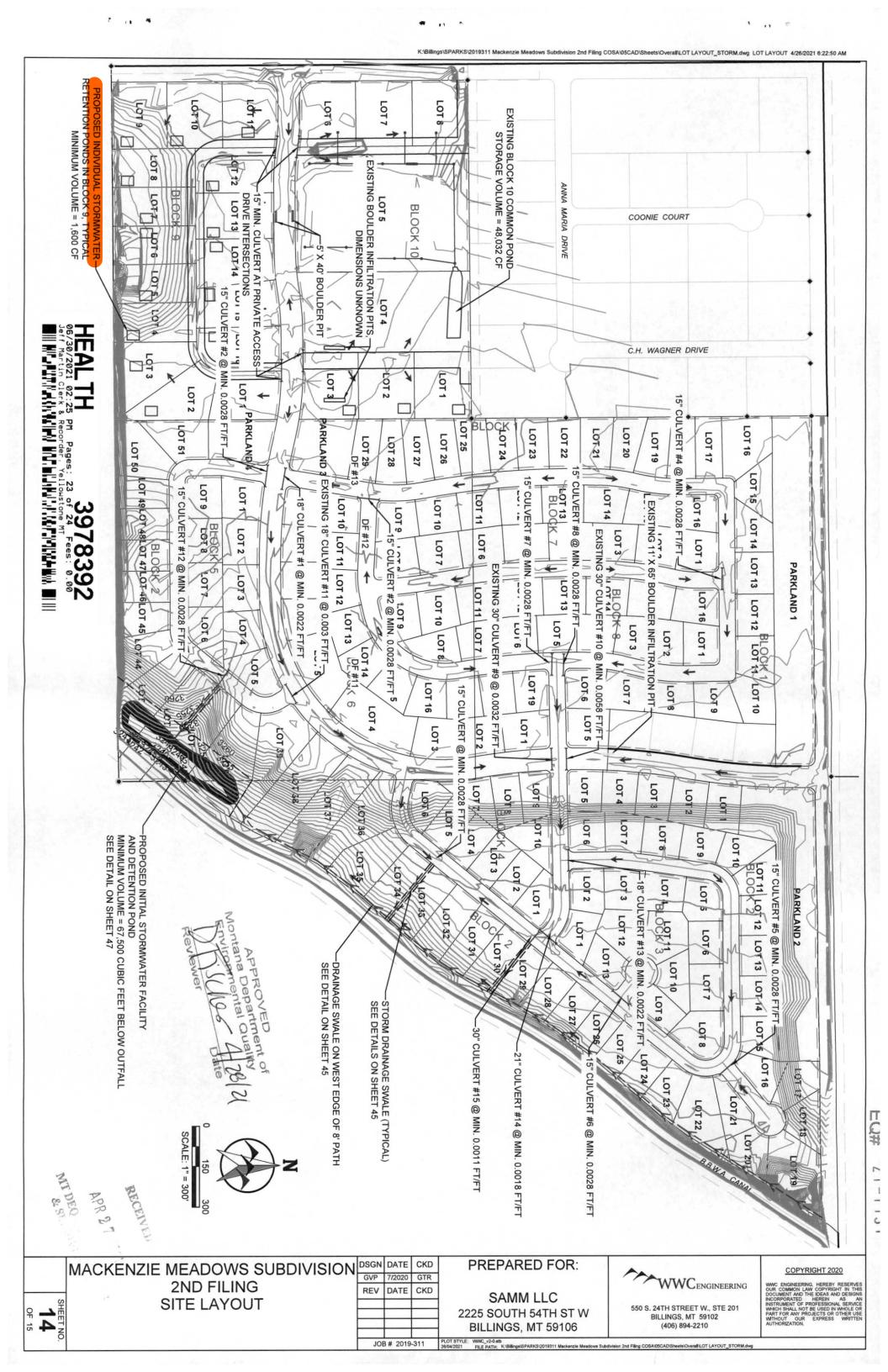
Engineering Bureau //

DIRECTOR

Water Quality Division ?

Department of Environmental Quality

Owner's Name: Sam Sparks/Samm LLC





SUBDIVISION IMPROVEMENTS AGREEMENT

Mackenzie Meadows Subdivision, 2nd Filing

This agreement is made and entered into this 29th day of June, 2021, by and between SAMM, LLC, whose address for the purpose of this agreement is 2225 S 54TH ST W, BILLINGS, MT 59106, hereinafter referred to as "Subdivider," and YELLOWSTONE COUNTY, Montana, hereinafter referred to as "County."

WITNESSETH:

WHEREAS, at a regular meeting conducted on 19th day of Jury, 2019 the Board of Planning recommended conditional approval of a preliminary plat of Mackenzie Meadows Subdivision, 2nd Filing; and

WHEREAS, at a regular meeting conducted on 29th day of June, 2021 the Yellowstone County Board of County Commissioners conditionally approved a preliminary plat of Mackenzie Meadows Subdivision, 2nd Filing; and

WHEREAS, a Subdivision Improvements Agreement is required by the County prior to the approval of the final plat.

WHEREAS, the provisions of this agreement shall be effective and applicable to *Mackenzie Meadows Subdivision*, 2nd Filing upon the filing of the final plat thereof in the office of the Clerk and Recorder of Yellowstone County, Montana. The Subdivision shall comply with all requirements of the Yellowstone County Subdivision Regulations, the rules, regulations, policies, and resolutions of Yellowstone County, and the laws and administrative rules of the State of Montana.

THEREFORE, THE PARTIES TO THIS AGREEMENT, for and in consideration of the mutual promises herein contained and for other good and valuable consideration, do hereby agree as follows:

I. <u>VARIANCES</u>

Subdivider has requested no variances.

II. CONDITIONS THAT RUN WITH THE LAND

A. Lot owners should be aware that this subdivision is being built in close proximity to prime deer and antelope habitat and it is likely that homeowners will experience problems with damage to landscaped shrubs, flowers, and gardens. The Montana Fish, Wildlife, and Parks Department does not provide damage assistance unless there is damage to commercial crops and/or a threat to public health and safety.

- **B.** Lot owners should be aware that soil characteristics within the area of this subdivision, as described in the 1972 Yellowstone County Soil Survey, indicate that there could be potential limitations for proposed construction on the lots, which may require a geotechnical survey prior to construction.
- C. No water rights have been transferred to the lot owners. Irrigation ditches that exist on the perimeter of this development are for the benefit of other properties. Perimeter ditches and drains shall remain in place and shall not be altered by the Subdivider or subsequent owners.
- D. There is attached hereto a Waiver waiving the right to protest the creation of the special improvement district or districts which by this reference is expressly incorporated herein and made as much a part hereof as though fully and completely set forth herein at this point. The Waiver will be filed with the plat, shall run with the land, and shall constitute the guarantee by the Subdivider and property owner or owners of the developments described herein. Said Waiver is effective upon filing and is not conditioned on the completion of the conditions set forth in this Agreement. The Subdivider and owner specifically agree that they are waiving valuable rights and do so voluntarily.
- **E.** Culverts and associated drainage swales shall not be filled in or altered by the subdivider or subsequent lot owners.
- F. When required by road improvements, all fences and irrigation ditches in the public right-of-way adjacent to this subdivision shall be removed or relocated outside of the public right-of-way and any relocation outside of the public right-of-way shall be subject to securing and recording easements.
- G. Future maintenance of all public (or common) improvements shall be done through one (1) or more RSID(s) created as part of the SIA for this subdivision.
- H. A 50' wide pipeline easement crosses through Lots 19 through 50 inclusive, Block2; Lots 2 through 9 inclusive, Block 9. No fences, buildings, sheds, or other permanent structures can be built within this easement.

III. TRANSPORTATION

The subdivider agrees to guarantee all improvements for a period of one (1) year from the date of final acceptance by Yellowstone County.

D. Heritage Trail Plan

- Neibauer Road and South 56th Street West are identified as Arterial Bike Routes in the Billings Area Bikeway and Trails Master Plan (BABTMP). A 15' trail easement is dedicated along Neibauer Road that will have a paved trail.
- Abby Road is identified as a primary bikeway. No improvements are planned.
- Along the length of the BBWA, is a dedicated 10' trail easement that will be maintain as a natural trail.

IV. <u>EMERGENCY SERVICE</u>

- Abby Road will serve as main access to the subdivision with connections to both South 56th Street West and Neibauer Road. Both these roads are 60' arterial roads. No improvements are planned at this time.
- Both accesses will be built to Yellowstone County Paved Road specifications. It will include 24' of 3" pavement over 3" of 1 ½ in minus crushed gravel over 12" of 3 in minus pitrun over a compacted subgrade. The roadway will also include 2' graveled shoulders with barrow ditches.
- A 30,000-gallon water storage tank/dry hydrant has been installed in the easement area on Lots 5 and 6 of Block 6 on the north side of Abby Road. It will service the entire subdivision minus Lot 9 of Block 9, and Lot 8 of Block 10. The Subdivider submitted the dry hydrant system plans and specifications to the Billings Fire Department for review and approval prior to construction. The dry hydrant system has been installed by the Subdivider and inspected and approved by the Billings Fire Department. RSID 853 will be responsible for future maintenance of all public (or common) constructed improvements.
- Lot 9 of Block 9, and Lot 8 of Block 10 will be serviced from the dryhydrant tank located in Conrad Park Subdivision to the north.
- All lots in the subdivision that benefit from the Mackenzie Meadows dry hydrant located in Block 6 will participate in the maintenance RSID.
- All lots in the subdivision that benefit from the Conrad Park Subdivision dry-hydrant will participate in the Conrad Park Subdivision maintenance RSID.

V. STORM DRAINAGE

All drainage improvements shall comply with the provisions of the Section 4.7, Yellowstone County Subdivision Regulations, and a stormwater management plan shall be submitted to and approved by MDEQ, or its designee.

- An RSID shall be created for care and maintenance of the storm facilities.
- The first, second, and third phase stormwater improvements of the Subdivision shall consist of any conveyance, storage, or discharge facility which is an integral part of each phase's drainage system as describe in the

4073853 WD

05/14/2024 08:28 AM Page 1 of 2 Fees: \$16.00 eRecorded For Yellowstone County, MT Jeff Martin, Clerk & Recorder

Return to: Steven D. Taylor 12617 Taylor Lane Aurora, IN 47001

ST 2315316

Stewart Title Company

WARRANTY DEED

FOR A VALUABLE CONSIDERATION, receipt of which is acknowledged, the undersigned Grantors,

CURTIS E. ARNEY and MARLENE H. ARNEY, Trustees under the CURTIS AND MARLENE ARNEY LIVING TRUST dated December 29, 2020, and any amendments thereto, of 1834 N. Mariposa Lane, Billings, Montana 59102,

do hereby grant, bargain, sell, convey, warrant and confirm unto the Grantee,

STEVEN D. TAYLOR, of 12617 Taylor Lane, Aurora, Indiana 47001,

all of the Grantor Trust's interest in and to the following-described real property located in Yellowstone County, Montana:

Lot 13, Block 8, of Mackenzie Meadows Subdivision, 2nd Filing, in the City of Billings, according to the official plat on file in the office of the Clerk and Recorder of Yellowstone County, Montana, under Document No. 3978389.

TOGETHER WITH all improvements, tenements, hereditaments, easements, rights of way, and appurtenances thereon or thereto appertaining.

TO HAVE AND HOLD unto the Grantee, and Grantee's heirs and assigns, forever, SUBJECT, HOWEVER, to:

- (a) All reservations, easements, rights-of-way, and restrictions of record pertaining to said lands, or any thereof;
- (b) All existing building and use restrictions and zoning ordinances pertaining to said property;
- (c) All taxes, charges, and assessments imposed on said lands, or any thereof, for the current year and all subsequent years; and
- (d) All prior conveyances, leases, or transfers of any interest in minerals, including oil, gas, and other hydrocarbons.

EXCEPT with reference to the items referred to in Paragraphs (a) to (d), inclusive, this Deed is given with the usual covenants expressed in § 30-11-110, M.C.A.



Public Right-Of-Way Yellowstone County Public Works 316 North 26th, Room 3201 + PO Box 35024 Billings, Montana • 59107-5024 (406) 256-2735

Date Issue <mark>d:_6/28/2024</mark>	Date Expir <mark>es: <u>12/28/2024</u></mark>		Number: <u>22002</u>
Fee_75.00	Charge:_		Paid Using:
Issued To: - Steven Taylor Mailing Address 6734 Cove Phone: 812-907-1413 Worksite Address:	e Creek Dr., Billings, MT 59106-	<u>. </u>	
Location Description Subdivision: MACKENZIE ME Certificate of Survey: Township: 1S Range: 2 Nature of Construction Pro-	ADOWS SUB 2ND FIL Bloc Tract: SE Section: 28	:k: <u>8</u> Lot: <u>13</u>	
New Residential Approach			
Approved By: Alexis H		 vork commence before the peri	W-17-1-1-1
1. Permittee agrees to per	ps and drawings are considered part of	e doubled.* This permit and must also be available when the ith Yellowstone County Public Wornit. Any modifications to this projections.	ks Department
the Public Works Depar 2. Public Works may requifor any and all damages 3. Any costs incurred by the under this permit, will be the version of the version	tment. re the applicant to be bonded in the applicant to be bonded in the county for repairs to the pure billed to the permittee. In indemnify and save harmless or liability arising from the exit traffic control for work perform Devices." The all installations, structures, cored to the condition prior to performed upon completion of wolly with the requirements outling the Public Works Inspector. The all work, outlined in this permork phase or the warranty per lith, welfare or safety, and the prior to provide the condition prior to provide the public works.	and applicant will be held responsedy in place as a result of work coublic right-of-way, that are a direct selection of the privileges granted in the public right-of-way in a equipment, and debris shall be reperforming work stated in this perork by the Public Works Inspector ned in this permit, the permittees into a defect in the work creates a Applicant, upon notification by the problem rks may make or authorize repairs	sible to Yellowstone County overed by this permit. It result of work performed and employees, from this permit. It is representative. If shall be required to correct completion. It is permit is permit. It is permit is permit. It is permit is permit in the public is permit. It is permit is permit in the public is permit in the permit is permit in the permit in the public is pe
By signing this permit, the per	rmittee accepts the terms state	ed above.	
Print Name:		_Telephone:	
Signature:		_Date:	

- 3. Sight distance must be provided as required by AASHTO.
- 4. The approach grade shall conform to the slope of the roadway shoulder where practical and if possible be equal to or less than three (3) percent slope for a distance of twenty (20) feet back from the public road surface unless otherwise approved by the County.
- 5. The approach shall intersect the public road at an angle of ninety (90) degrees (plus or minus ten (10) degrees) to the roadway.
- 6. The residential approach width shall be between twelve (12) feet and thirty (30) feet, not inclusive of any radius between the approach and the public road. Lots with frontages of more than 150' may have up to a 50' approach.
- 7. Approaches for driveways and roadways shall be constructed from the edge of the traveled way the approach accesses to the boundary of the road right of way.
- 8. When an approach accesses a hard-surfaced arterial, collector, or minor collector, the approach must be built with hard surfacing. Hard surfacing can be accomplished with either concrete or asphalt. For gravel public roads and hard surfaced low traffic volume (less than 400 ADT), low speed (30 mph or lower) roads within subdivisions, hard surfacing of the approach is not required.
- 9. The radius for an approach serving a single-family residence or two-family residence shall be ten (10) feet. The radius for an approach serving a multi-family residential project, a commercial or institutional development, and a road shall be twenty (20) feet.
- 10. Commercial approaches connecting to hard surfaced public roads are required to provide hard surfacing for the length and width of the approach within the right-of-way. Hard surfacing shall be an engineered design to meet necessary loading and site-specific requirements, but at a minimum shall be constructed within the right-of-way as follows:
 - a. Concrete of sufficient thickness to provide adequate support for the largest AASHTO design vehicle anticipated to regularly access the facility over an approved base material; or
 - Asphalt of sufficient thickness to provide adequate support for the largest AASHTO
 design vehicle anticipated to regularly access the facility and over an approved base
 material.
- 11. Commercial approaches to a graveled public road shall be an engineered design.
- 12. All approaches shall meet sight distances as required by AASHTO.

- 13. The minimum spacing between the near edge of an approach and a road intersection centerline must be at least one hundred (100) feet plus the appropriate approach radius. On local streets with speed limits of 25 mph or less a distance less than 100' may be approved by Public Works.
- 14. The minimum spacing from the near edges of an approach on either an adjacent property or the same property shall be fifty (50) feet.
- 15. Existing drainage in the public road right-of-way shall not be altered or impeded without specific written approval from the Montana Department of Environmental Quality. In cases outside of subdivisions or in subdivisions with no storm water management plan, specific written approval from YCPW will be required.
- 16. Drainage from an adjacent approach, private road, or structure is not allowed to discharge onto the public road. When an approved grading and drainage plan/DEQ approval exists, approaches shall be installed in conformance with the approved plan.
- 17. All culverts used in the construction of an approach in a public road right-of-way must have a minimum diameter of fifteen (15) inches as specified in Standard Drawing 140 APPROACH STANDARDS (http://www.co.yellowstone.mt.gov/publicworks/geninfo.asp) unless a smaller diameter culvert is specified on an engineered drainage plan and/or is approved by the Public Works Department and must be either double-wall smooth interior high-density polyethylene (HDPE), corrugated metal pipe (CMP) or reinforced concrete pipe (RCP) or other approved similar material. The minimum amount of cover material over the culvert shall be that recommended by the culvert manufacturer.

14.8 Design and Geometric Requirements

Approaches shall meet the dimensional standards contained in Standard Drawing 140 – APPROACH STANDARDS.

14.9 Penalty/Enforcement

If Yellowstone County determines an approach is not in substantial compliance with these standards, the County will notify the property owner with the approach of the deficiency and request the property owner correct the deficiency. If property owner does not address the deficiency within 30 days of notice from the County, either by corrective action or by notifying the County of a proposal for corrective action and then get approval for said corrective action with an agreed upon timeline, the County will treat the approach as encroachment and take appropriate action to remedy the situation in accordance with Sections 7-14-2134 through 7-14-2138, MCA.