

RESOLUTION NO. R16-62

A RESOLUTION OF THE CITY COUNCIL VACATING A PORTION OF A PREVIOUSLY RECORDED EASEMENT TO ENABLE THAT PORTION OF THE EASEMENT TO BE RELOCATED FOR THE PURPOSE OF CONSTRUCTING, OPERATING, MAINTAINING, REPLACING AND REPAIRING OF UNDERGROUND UTILITIES FOR THE CITY'S WATER INTAKE PROJECT.

WHEREAS, an "Easement" between Monte W. Howrey and Tesha L. Howrey as Grantors and the City of Laurel as Grantee was previously issued and accepted by the City of Laurel; and

WHEREAS, the Easement was previously recorded with the Yellowstone Clerk and Recorder on May 27, 2016 as Document #3778331; and

WHEREAS, the City's Project has been modified and requires a portion of the Easement to be vacated and relocated; and

WHEREAS, the Grantors sold the underlying property to Adventure Projects, LLC who has agreed to provide an alternative location for the vacated portion of the Easement to be approved and accepted by the City Council through a subsequent resolution; and

WHEREAS, it is in the best interest of the City and Adventure Projects, LLC to change the location of a portion of the Easement previously recorded with the Yellowstone Clerk and Recorder on May 27, 2016 as Document #3778331 as provided herein.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby approves the vacation of the following Portion of the Easement recorded on May 27, 2016 as Document #3778331, as follows:

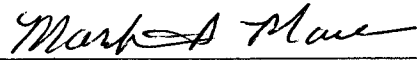
1. Sheet 1 of EXHIBIT A (Page 5 of 10) is hereby vacated by the City Council; and
2. Sheet 1 of EXHIBIT B (Page 8 of 10) is hereby vacated by the City Council.

INTRODUCED at a regular meeting of the City Council on July 19, 2016, by Council Member Nelson.

PASSED and APPROVED by the City Council of the City of Laurel this 19th day of July, 2016.

APPROVED by the Mayor this 19th day of July, 2016.

CITY OF LAUREL

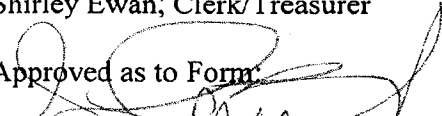


Mark A. Mace, Mayor

ATTEST:



Shirley Ewan, Clerk/Treasurer

Approved as to Form:


Sam S. Painter, Civil City Attorney

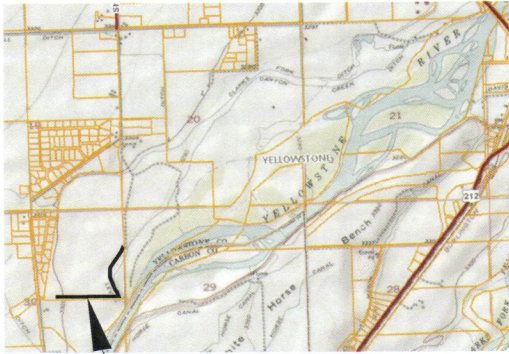
EXHIBIT A (AMENDED)

ADVENTURE PROJECTS, LLC

SECTION 30, TOWNSHIP 2 SOUTH,
RANGE 24 EAST, P.M.M.
YELLOWSTONE COUNTY, MONTANA.

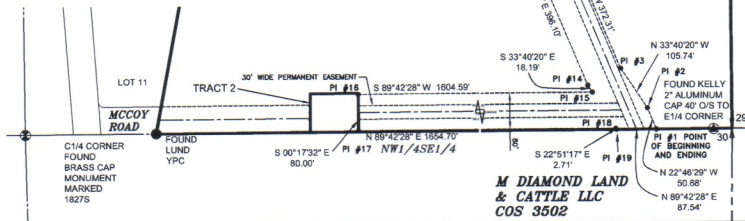
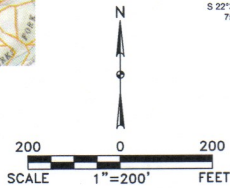
BASIS OF BEARING:
South line of Section 29, T.2S., R.24E.,
P.M.M.: S89°20'15"W, as determined using
Grid Bearings - Montana State Plane
Zone 2500 NAD83 (92)

TOTAL AREA 80' WIDE TEMPORARY
CONSTRUCTION EASEMENT
253,781 S.F.
5.826 ACRES



VICINITY MAP

**TEMPORARY
CONSTRUCTION
EASEMENT LOCATION**



**M DIAMOND LAND
& CATTLE LLC
COS 3502**

COMMENCING at the East Quarter Corner (E1/4) of Section 30, Township 2 South, Range 24 East P.M.M. Yellowstone County, Montana from which the POINT OF BEGINNING of the 80 feet Wide Temporary Construction Easement bears South 89°42'28" West a distance of 164.13 feet; thence North 22°46'29" West a distance of 50.68 feet; thence North 33°40'20" East a distance of 105.74 feet; thence North 00°04'40" East a distance of 239.30 feet; thence North 22°34'40" East a distance of 51.35 feet; thence North 33°49'40" East a distance of 545.35 feet; thence North 21°23'44" East a distance of 136.02 feet; thence North 34°34'21" West a distance of 96.53 feet; thence South 21°23'44" West a distance of 181.34 feet; thence South 33°49'40" West a distance of 544.52 feet; thence South 22°34'40" West a distance of 75.15 feet; thence South 00°04'40" West a distance of 271.13 feet; thence South 22°25'20" East a distance of 396.10 feet; thence South 33°40'20" East a distance of 18.19 feet; thence South 89°42'28" West a distance of 1604.59 feet; thence South 00°17'32" East a distance of 80.00 feet; thence North 89°42'28" East a distance of 1654.70 feet; thence South 22°51'17" East a distance of 2.71 feet; thence North 89°42'28" East a distance of 87.54 feet; to the POINT OF ENDING which is the East Quarter Corner (E1/4) of said Section 30 bears North 89°42'28" East a distance of 164.13 feet, containing 5.826 Acres, more or less.

Plan No.		Sheet No.	
WATER TREATMENT PLANT INTAKE, LAUREL MONTANA		1	
MONTANA MERIDIAN SURVEYING		TEMPORARY CONSTRUCTION EASEMENT SECTION 30, T2S., R24E., P.M.M. YELLOWSTONE COUNTY MONTANA	
DATE	SHEET	PROJECT NO.	DATE

BASIS OF BEARING:
 South line of Section 29, T.2S., R.24E.,
 P.M.M.: S89°20'15"W. as determined using
 Grid Bearings - Montana State Plane
 Zone 2500 NAD83 (92)

EXHIBIT B (AMENDED)

ADVENTURE PROJECTS, LLC

SECTION 30, TOWNSHIP 2 SOUTH,
 RANGE 24 EAST, P.M.M.
 YELLOWSTONE COUNTY, MONTANA.

CERTIFICATE OF SURVEYOR

STATE OF MONTANA)
)SS
 County of Yellowstone)

THIS IS TO CERTIFY that I Daniel L. Hettinger Professional Land Surveyor, Montana Registration No. 18035LS, being first duly sworn, deposes and says that during the month of February, 2016, I supervised on Centerline Easement 30 feet wide in Section 30, Township 2 South, Range 24 East, P.M.M., Yellowstone County, Montana at the request of the owner thereof, said Easement being more particularly described as follows:

(EASEMENT A)

COMMENCING at the East Quarter Corner (E1/4) of Section 30, Township 2 South, Range 24 East P.M.M., Yellowstone County, Montana from which the POINT OF BEGINNING of the centerline of a 30 feet Wide Easement bears South 89°42'28" West a distance of 207.43 feet; thence North 22°46'35" West a distance of 135.63 feet; thence North 22°25'20" West a distance of 378.74 feet; thence North 00°04'40" East a distance of 247.26 feet; thence North 22°34'40" East a distance of 57.30 feet; thence North 33°49'40" East a distance of 545.14 feet; thence North 21°23'44" East a distance of 183.67 feet to a point on the East Section line of said Section 30 and the POINT OF ENDING which the East Quarter Corner of said Section 30 bears South 00°28'27" East a distance of 1398.19 feet, containing 1.060 Acres, more or less.

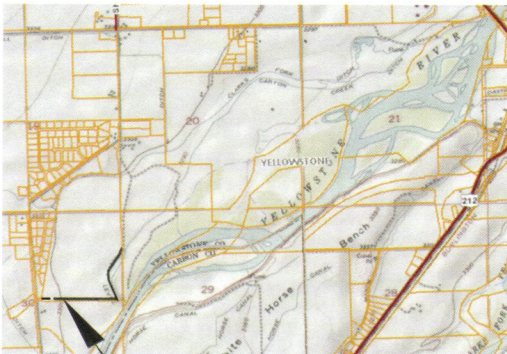
(EASEMENT B)

COMMENCING at the East Quarter Corner (E1/4) of Section 30, Township 2 South, Range 24 East P.M.M., Yellowstone County, Montana from which the POINT OF BEGINNING of the centerline of a 30 feet Wide Easement bears North 80°18'05" West a distance of 244.97 feet; thence South 89°42'28" West a distance of 1666.15 feet; to the POINT OF ENDING which the Center Quarter Corner of said Section 30 bears South 86°20'59" West a distance of 725.54 feet, containing 1.147 Acres, more or less.

(EASEMENT C)

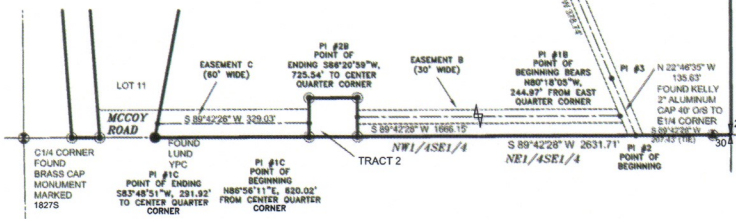
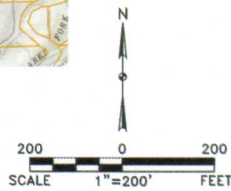
COMMENCING at the Center Quarter Corner (E1/4) of Section 30, Township 2 South, Range 24 East P.M.M., Yellowstone County, Montana from which the POINT OF BEGINNING of the centerline of a 60 feet Wide Road Easement bears North 86°56'11" East a distance of 620.02 feet; thence South 89°42'26" West a distance of 329.03 feet; to the POINT OF ENDING which the Center Quarter Corner of said Section 30 bears South 83°48'51" West a distance of 291.92 feet, containing 0.435 Acres, more or less.

Daniel L. Hettinger, Montana Registration No. 18035LS



**VICINITY MAP
 EASEMENT
 LOCATION**

TOTAL AREA 30' WIDE EASEMENT
 96,139 S.F.
 2.207 ACRES
 TOTAL AREA 60' WIDE
 ROAD EASEMENT
 19,735 S.F.
 0.453 ACRES



NO.	WATER TREATMENT PLANT INTAKE LAUREL, MONTANA	1
EASEMENT SECTION 30, T2S. R24E, P.M.M., YELLOWSTONE COUNTY MONTANA		