

RESOLUTION NO. 398

**A RESOLUTION OF THE TOWN COUNCIL APPROVING EASEMENT AND
AUTHORIZING THE MAYOR TO EXECUTE**

WHEREAS, the Town of Stevensville has a need to construct, operate, and maintain public utilities; and


WHEREAS, said utilities and improvements necessitate a Public Utility Easements on the property of the John and Jan Love Family Trust for the aforementioned purposes,

WHEREAS, agents, on behalf of the Town have negotiated an easement that meets the needs of both parties and the property owners are willing to grant attached as Exhibit 1.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Stevensville, hereby approves the easement attached as Exhibit 1 between the John and Jan Love Family Trust and the Town of Stevensville. The Mayor is authorized to execute the easement on behalf of the Town.

Passed and adopted by the Town Council of the Town of Stevensville, Montana, this 26th day of January, 2017.

Approved:



Jim Crews, Mayor

Attest:



Stacy Bartlett, Town Clerk

**Public Utility Easement
and
Dedication to the Town of Stevensville**

THIS INSTRUMENT, made this 8th day of DECEMBER 2016,

Whereas: John N. Love and Janice K. Love, Co Trustees of the John and Jan Love Family Trust UTD 12/30/1993, with authority to act either singularly, or plurally, hereinafter GRANTOR, do hereby grant the following:

WITNESETH

WHEREAS, GRANTOR is the lawful owner of:

Lot 2 Certificate of Survey No. 466881, records of Ravalli County, located in the Northwest one-quarter (NW 1/4) of Section 26, Township 9 North, Range 20 West, P.M.M., Ravalli County, Montana, commonly known as 4038 Eastside Highway, Stevensville, Montana.

GRANTOR hereby grants to the Town of Stevensville, Montana a thirty foot (30') wide Public Utility Easement upon which to construct, operate, maintain, replace or upgrade public utilities or communication systems.

Said easement shall extend eastward from the SW corner of lot 2, thence fifty feet (50') east to a point extending beyond the existing installed sewer manhole, as shown on Exhibit A, COS No. 466881, Love Commercial Lots, attached and/or incorporated by reference herein.

Grantor hereby dedicates to the Town of Stevensville, Montana the installed sewer line and sewer manhole. Said sewer line is located ten feet (10') parallel to the south boundary of lot 2, within the described easement boundaries. Said sewer line has been tested and certified by Ram Engineering of Hamilton, Montana, to meet State of Montana requirements, and accepted by the Town of Stevensville.

GRANTOR covenants that the Grantor is lawfully seized and possessed of the real estate above described, and that the Grantor has a good and lawful right to convey it, or any part thereof.

Executed on this 8th, of DECEMBER, 2016.

GRANTOR:

Trustee of the John and Jan Love Family Trust UTD 12/30/1993

John N. Love, Trustee *John N. Love*, TRUSTEE

C&R Note: Parcel is incorrectly identified as Lot 2 of Certificate of Survey 466881; the correct legal description is Lot 2 of Love Commercial Lots.



STATE OF MONTANA RAVALLI COUNTY Page: 1 of 5
DOCUMENT: 706852 EASEMENT
RECORDED: 2/2/2017 2:33:16 PM
Regina Plettenberg, CLERK AND RECORDER
Fee \$45.00 By *Carianna M Newton* Deputy

Return to: Town Clerk, P.O. Box 20, Stevensville, MT 59710

Notarization:

STATE OF MONTANA }

COUNTY OF RAVALLI }

On this 8th, day of December 2016, before me, a Notary Public duly commissioned and sworn, in and for said county and state, personally appeared

JOHN N. LOVE, TRUSTEE

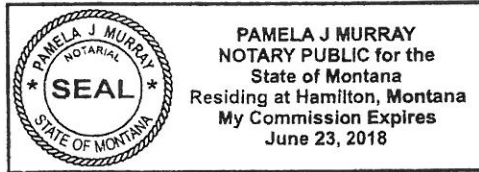
John N. Love, Trustee

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to this instrument, and acknowledged that they executed it.

My Commission Expires: June 23, 2018.

Notary Public Pamela J Murray

[Notary Seal]



TOWN OF STEVENSVILLE COUNCIL :

This is to Certify that the within easement and dedication was duly submitted to and Approved by the Council of Town of Stevensville, by Resolution No. 398 duly authenticated as passed this 26th day of January 2017.

[Signature]
Mayor : Jim Crews

[Signature]
City Clerk: Stacy Bartlett

After recording, return to:

Love Commercial Lots

EASTSIDE HIGHWAY

CH - SET CORNERS

20' Irrigation Pipeline Easement

302.69' - 6' LWD of Stevensville Equipment Easement

S 85° 26' 01" E 535.85'

30.11' WITNESS CORNER

233.16'

2

LOT 1 1.48 ACRES

COS 466881

LOT 1.05 AC

S 00° 23' 25" E 203.93'

60' NON-EXCLUSIVE ROAD AND UTILITY EASEMENT

N 00° 53' 39" W 225.64'

30' UTILITY EASEMENT

299.61'

30.00' WITNESS CORNER

30.00' WITNESS CORNER

233.64'



N 89° 33' 21" W 533.25'

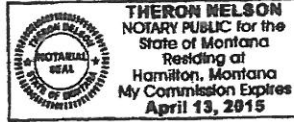
5' WIDE EASEMENT

ADDITION #2

COS 565802

Subscribed and sworn before me this 21 day of March 2015 personally appeared John Love, member known to me to be the person whose name is subscribed to this instrument.

NOTARY PUBLIC FOR THE STATE OF MONTANA
residing at Hamilton
my commission expires 4-13-2015



CERTIFICATE OF SURVEYOR

I hereby certify that this is a true and accurate description of a survey made by me or under my supervision during the month of February, 2015.

Theron Nelson Date March 26th, 2015
Theron Nelson, Professional Land Surveyor, Montana Registration No. 12673LS



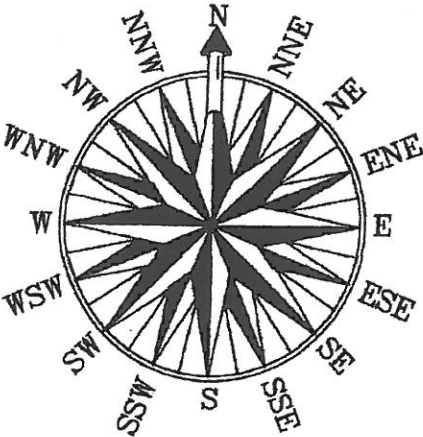
4.37'

CERTIFICATE OF FINAL PLAT APPROVAL

The City Council of the Town of Stevensville, Montana, certifies that it has examined this subdivision plat and found it to conform to law, and therefore approves it this 16th day of April, 2015.

x Gene Mim Mack
Gene Mim Mack, Mayor

x Amy Bartlett
Attest



1/4	SEC	T	R
26	9N	20W	

LOVE
COMMERCIAL
LOTS
RAVALLI COUNTY, MONTANA
SHEET 1 OF 1

STATE OF MONTANA RAVALLI COUNTY Page: 1 of 1
DOCUMENT: 687288 SUBDIVISION
RECORDED: 5/1/2015 9:16:45 AM
Regina Piettenberg, CLERK AND RECORDER
Fee \$26.00 By Kelley Collins Deputy

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