

RESOLUTION NO. 397

**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 Kristian Hubbel for the aforementioned purposes; and

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 Kristian Hubbel 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 5th day of December 2016,

Whereas: Kristian Hubbel, hereinafter GRANTOR, does hereby grant the following:

WITNESETH

WHEREAS, GRANTOR is the lawful owner of:

*Lot 1 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, subject to irrigation water overflow ditch.

Said easement shall extend eastward from the SE corner of lot 1, to the SW corner of Lot 1, as shown on Exhibit A, COS No. 466881, Love Commercial Lots, attached and/or incorporated by reference herein.

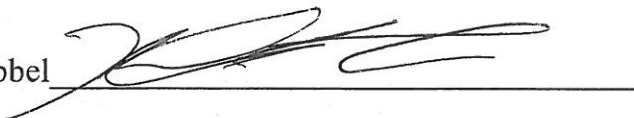
Grantor hereby dedicates to the Town of Stevensville, Montana the installed sewer line being located ten feet (10') parallel to the south boundary of lot 1, within the described easement boundaries. Said sewer line has been tested and certified by Ram Engineering of Hamilton, Montana, to meet State of 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 5th, of December, 2016.

GRANTOR:

Kristian Hubbel



C&R Note: Parcel is incorrectly identified as Lot 1 of Certificate of Survey No. 466881; the correct legal description is Lot 1 of Love Commercial Lots.



STATE OF MONTANA RAVALLI COUNTY Page: 1 of 5

DOCUMENT: 706851 EASEMENT

RECORDED: 2/2/2017 2:33:11 PM

Regina Plettenberg, CLERK AND RECORDER

Fee \$45.00 By

Cariama M Newton

Deputy

Return to: Town Clerk, P.O. Box 30, Stevensville, MT 59870

Notarization:

STATE OF MONTANA }

COUNTY OF RAVALLI }

On this 5th, day of December 2016, before me, a Notary Public duly commissioned and sworn, in and for said county and state, personally appeared

Kristian Hubbel
Kristian Hubbel

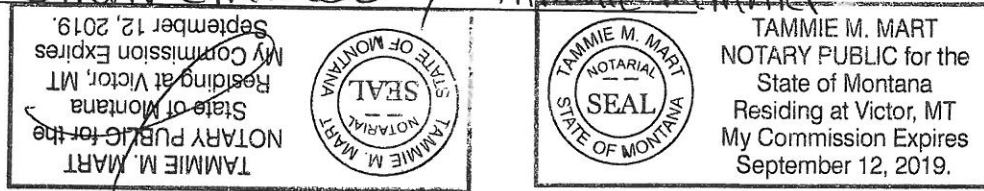
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to this instrument, and acknowledged that they executed it.

My Commission Expires: September 12th, 2019.

Notary Public

Tammie M. Mart / TAMMIE M. MART

[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. 397 duly authenticated as passed this 26th day of January 2017.

Jim Crews
Mayor : Jim Crews

Stacy Bartlett
City Clerk: Stacy Bartlett

ADDITION #2

N 00° 53' 39" W 225.64'

CH - SET
CORNERS

LOVE Commercial Lots

30'

30'

20' Irrigation Pipeline Easement

302.89'

6' Iowa of Stearnsville Equipment Easement

S 85° 28' 01" E 536.85'

EASTSIDE HIGHWAY

30.00'
WITNESS
CORNER

30.00'
WITNESS
CORNER

233.16'

LOT 1
1.48 ACRES

COS 466881

S 00° 23' 25" E 203.93'

60' NON-EXCLUSIVE ROAD AND UTILITY EASEMENT

30' UTILITY EASEMENT

299.61'

N 89° 33' 21" W 533.25'

30.00'
WITNESS
CORNER

30.00'
WITNESS
CORNER

233.64'

LOT 2
1.05 AC

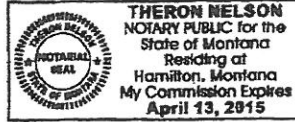
SEWER MAIN



COS 565802

subscribed and sworn before me this 4th 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.

[Signature] Date March 28th, 2015
Theron Nelson, Professional Land Surveyor, Montana Registration No. 12673LS

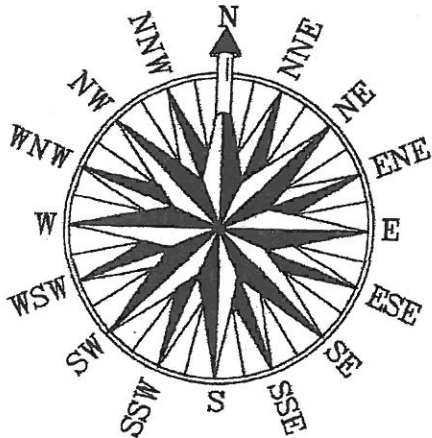


CERTIFICATE OF FINAL PLAT APPROVAL

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 10th day of April, 2015.

[Signature]
Gene Mim Mack, Mayor

[Signature]
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 Pietschberg, CLERK AND RECORDER
Fee \$26.00 By [Signature] Deputy