

E. 1659

RIGHT-OF-WAY EASEMENT

THIS INSTRUMENT, made this 18<sup>th</sup> day of July, 1997, by and between Gateway Ltd. Partnership, Grantor, and the City of Missoula, a municipal corporation of the County of Missoula, State of Montana, Grantee.

WITNESSETH

GRANTOR, being the lawful owner of land located in the W 1/2 W 1/2, Section 17, T. 13 N., R. 19 W, P.M.M., for valuable consideration receipt of which is hereby acknowledged, does hereby designate, grant and convey to Grantee, its successors and assigns, a permanent right-of-way easement with the right to construct, maintain, operate and remove: roadways and walkways along and across those certain real properties located in Missoula County, Montana, and more particularly described on the Easement Exhibit attached hereto and by this reference incorporated herein.

This right-of-way easement consists of a strip of land on Lot 7, Gateway Place, Phase I, in the location as shown on the attached Easement Exhibit.

GRANTOR agrees and understands that this easement, which will be recorded with the County Clerk, shall run with and shall be binding upon heirs, successors, and assigns of the Grantor.

GRANTOR does hereby covenant with the Grantee that it is lawfully seized and possessed of the real estate above-described, that it has a good and lawful right to convey it, or any part thereof.

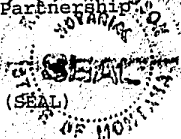
WITNESS its hand this 18<sup>th</sup> day of July, 1997.

GATEWAY LTD. PARTNERSHIP

*John H. Crowley*  
Authorized Official

STATE OF MONTANA )  
 ) ss.  
County of Missoula )

Subscribed and sworn to before me this 18<sup>th</sup> day of July, 1997 by *John H. Crowley*, the *Property Representative* of Gateway Ltd. Partnership.



*John W. Johnson*  
Notary Public for the State of Montana  
Residing at Missoula, Montana  
My Commission Expires: *June 3, 1999*

CITY OF MISSOULA - ACCEPTANCE

BY: Mark Keda  
Mayor

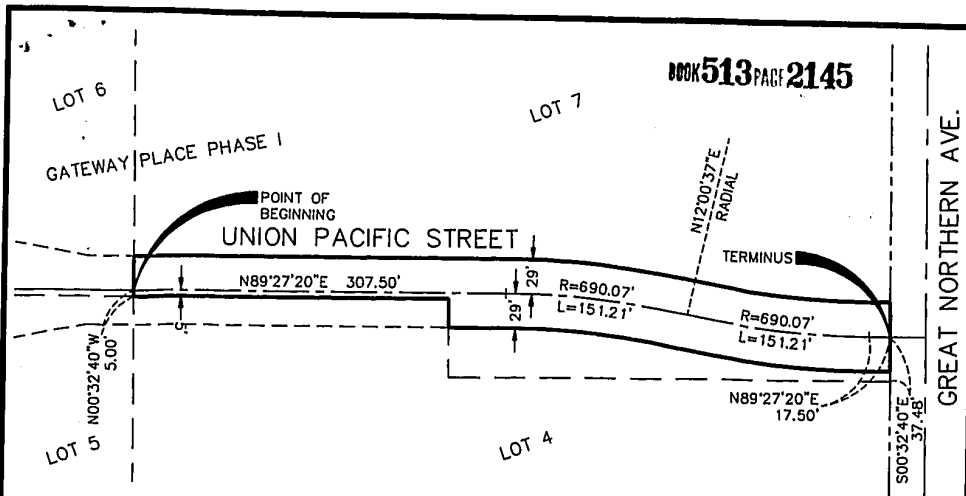
Date: \_\_\_\_\_

ATTEST:

BY: Linda Dunn  
Acting City Clerk  
9707516

Date: 8/19/97





LEGAL DESCRIPTION\*\*\*\*\*

A STRIP OF LAND OF VARYING WIDTHS ACROSS LOT 7 OF GATEWAY PLACE PHASE I, A RECORDED SUBDIVISION OF MISSOULA COUNTY, MONTANA, LOCATED IN THE W 1/2 W 1/2 OF SECTION 17, T. 13 N., R. 19 W., PRINCIPAL MERIDIAN, MONTANA; SAID STRIP BEING ALL THAT PORTION OF SAID LOT 7 LYING 29.00 FEET ON EACH SIDE OF, PARALLEL WITH, AND CONTIGUOUS TO THE FOLLOWING DESCRIBED CENTERLINE:

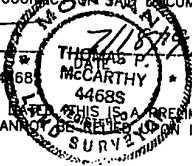
BEGINNING AT A POINT ON THE WESTERLY BOUNDARY OF SAID LOT 7 WHICH LIES N 00°32'40" W, 5.00 FEET FROM THE SOUTHEAST CORNER OF LOT 6 OF SAID GATEWAY PLACE PHASE I; THENCE N 89°27'20" E, 307.50 FEET, PARALLEL WITH THE SOUTH LINE OF SAID LOT 7; THENCE ALONG A 690.07 FOOT RADIUS CURVE TO THE RIGHT AN ARC DISTANCE OF 151.21 FEET TO THE BEGINNING OF A REVERSE CURVE WITH CENTER BEING N 12°00'37" E, 690.07 FEET RADIAL DISTANCE; THENCE COUNTERCLOCKWISE ALONG SAID REVERSE CURVE AN ARC DISTANCE OF 151.21 FEET; THENCE N 89°27'20" E, 17.50 FEET; TO A POINT ON THE EAST LINE OF SAID LOT 7 AND THE TERMINUS POINT OF THIS EASEMENT. THE SIDE LIMITS OF THIS EASEMENT ARE EITHER LENGTHENED OR SHORTENED TO INTERSECT THE EAST AND WEST BOUNDARIES OF SAID LOT 7.

'97 AUG 19 PM3:26

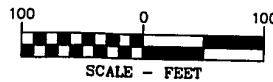
CERTIFICATE OF SURVEYOR\*\*\*\*\*

I HEREBY CERTIFY THAT THIS EXHIBIT WAS PREPARED USING DOCUMENTS OF RECORD AND THAT NO FIELD SURVEY WORK WAS PERFORMED TO VERIFY THE ACCURACY OF SAID DOCUMENTS.

THOMAS P. MCCARTHY, P.L.S.  
MONTANA REGISTRATION NO. 44688



UNLESS SIGNED, SEALED, AND DATED THIS IS A PRELIMINARY OR UNOFFICIAL DOCUMENT AND CANNOT BE RELIED UPON IN WHOLE OR PART.



9716850

EASEMENT EXHIBIT  
LOCATED IN THE W 1/2 W 1/2 OF  
SECTION 17, T. 13 N., R. 19 W., P.M.M.  
MISSOULA COUNTY, MONTANA

DRAFT: CEG

**WGM group**

ENGINEERING-SURVEYING-PLANNING  
P.O. BOX 341B  
MISSOULA, MONTANA 59806

DATE: JULY, 1997  
PROJECT: 97-03-14

97031410.DWG

I RECEIVED AND FILED THIS INSTRUMENT FOR RECORD ON THE 19 DAY OF Aug 1997 AT 3:26 O'CLOCK P.M. AND IT IS RECORDED IN VOL. 513 OF MICRO RECORDS OF THE COUNTY OF MISSOULA, STATE OF MONTANA, ON PAGE 2143 FEE PAID  
RETURN TO ADDRESS City Clerk BY Debbie S. O'Neil, WITNESS MY HAND, VICKIE M. ZEIER, COUNTY RECORDER DEPUTY DOC 6

SUB-STANDARD QUALITY WHEN FILMED