

Easement # 1664

BOOK 519 PAGE 0255

RIGHT-OF-WAY EASEMENT

THIS INSTRUMENT, made this 23rd day of September, 1997, by and between Missoula Federal Credit Union, of 3600 Brooks Street, Missoula, Montana 59801 (Grantor), and the City of Missoula, a municipal corporation of the County of Missoula, State of Montana, (Grantee) provides as follows:

WITNESSETH

GRANTOR, being the lawful owner of Lot 6 of Gateway Place-Phase I, a platted subdivision of Missoula County, Montana, according to the plat of record in Book 18 of Plats at Page 35, for valuable consideration receipt and sufficiency of which is hereby acknowledged, does hereby grant onto the Grantee, its successors and assigns, the easements described as follows:

Right-of-Way Easement: A permanent right-of-way easement with the right to construct, maintain, operate and remove roadways along and across a 32 to 19 foot wide strip of land being a part of Lot 6, Gateway Place, Phase I, in the location as shown on the attached Easement Exhibit.

Walk Way Easement: A permanent easement for the purpose of a walk way with the right to construct, maintain, operate and remove walkways, sidewalks, and curbs along and across a 15 foot wide strip of land being a part of Lot 6, Gateway Place, Phase I, located immediately to the north of the Right-of-Way Easement, as described above, 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.

GRANTEE, for itself, and its successors and assigns hereby agrees to indemnify, defend and hold harmless the GRANTOR, its successors and assigns against any claims, demands, injuries, or damages arising out of the GRANTEE's improvement, use, maintenance or otherwise relating to the easement as described herein.

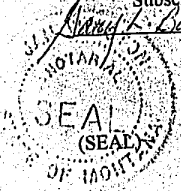
WITNESS its hand this 23rd day of September, 1997.

MISSOULA FEDERAL CREDIT UNION

Gary L. Bar
Authorized Official

STATE OF MONTANA)
) ss.
County of Missoula)

Subscribed and sworn to before me this 29th day of September, 1997 by
Arnold A. Boe, the Chairman of of Missoula Federal Credit Union.
the Board



Michael A. ...
Notary Public for the State of Montana
Residing at Missoula, Montana
My Commission Expires: 1/04/98

CITY OF MISSOULA - ACCEPTANCE

BY: Mike Kador
Mayor

Date: 10/14/97

ATTEST:

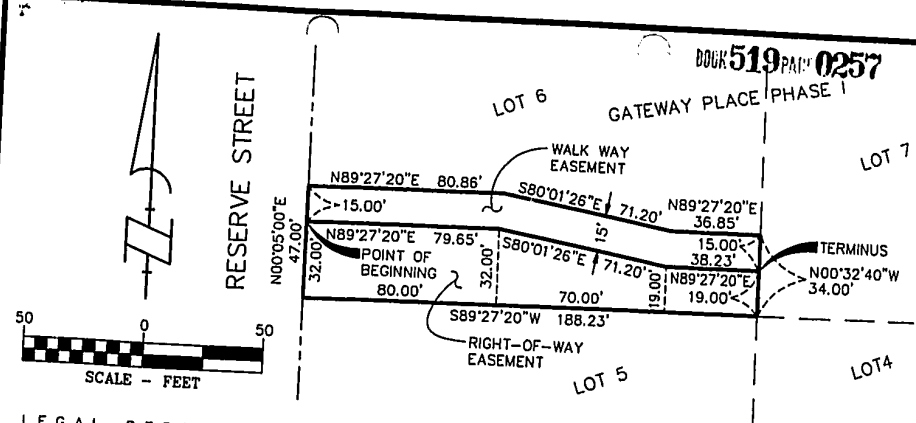
BY: Michael D. ...

Date: 10/14/97

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BOOK 519 PAGE 0257



LEGAL DESCRIPTION*****

WALK WAY EASEMENT:
 A STRIP OF LAND 15.00 FEET WIDE BEING A PORTION OF LOT 6 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 NORTHERLY OF, PARALLEL WITH, AND CONTIGUOUS TO THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF RESERVE STREET, SAID POINT LYING N 00°05'00" E, 32.00 FEET ALONG THE WEST LINE OF SAID LOT 6 FROM THE SOUTHWEST CORNER THEREOF; THENCE N 89°27'20" E, 79.65 FEET, ALONG A LINE PARALLEL WITH AND 32.00 FEET, MEASURED AT RIGHT ANGLES, NORTHERLY OF THE SOUTHERLY LINE OF SAID LOT 6; THENCE S 80°01'26" E, 71.20 FEET TO A POINT ON A LINE PARALLEL WITH AND 19.00 FEET, MEASURED AT RIGHT ANGLES, NORTHERLY OF THE SOUTHERLY LINE OF SAID LOT 6; THENCE N 89°27'20" E, 38.23 FEET ALONG LAST SAID PARALLEL LINE TO A POINT ON THE EASTERLY LINE OF SAID LOT 6 AND THE TERMINUS OF SAID LINE; SAID STRIP OF LAND EXTENDING FROM THE EASTERLY RIGHT-OF-WAY LINE OF RESERVE STREET AND THE EASTERLY LINE OF SAID LOT 6.

LEGAL DESCRIPTION*****

RIGHT-OF-WAY EASEMENT:
 A TRACT OF LAND BEING A PORTION OF LOT 6 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; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF SAID LOT 6 LYING SOUTHERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF RESERVE STREET, SAID POINT LYING N 00°05'00" E, 32.00 FEET ALONG THE WEST LINE OF SAID LOT 6 FROM THE SOUTHWEST CORNER THEREOF; THENCE N 89°27'20" E, 79.65 FEET, ALONG A LINE PARALLEL WITH AND 32.00 FEET, MEASURED AT RIGHT ANGLES, NORTHERLY OF THE SOUTHERLY LINE OF SAID LOT 6; THENCE S 80°01'26" E, 71.20 FEET TO A POINT ON A LINE PARALLEL WITH AND 19.00 FEET, MEASURED AT RIGHT ANGLES, NORTHERLY OF THE SOUTHERLY LINE OF SAID LOT 6; THENCE N 89°27'20" E, 38.23 FEET ALONG LAST SAID PARALLEL LINE TO A POINT ON THE EASTERLY LINE OF SAID LOT 6 AND THE TERMINUS OF SAID LINE.

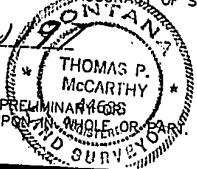
CERTIFICATE OF SURVEYOR*****

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.

'97 OCT 15 AM 8:10

Thomas P. McCarthy
 THOMAS P. MCCARTHY, P.L.S.
 MONTANA REGISTRATION NO. 44685

9/21/97 DATE



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

9722411

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

WGM group
 ENGINEERING-SURVEYING-PLANNING
 P.O. BOX 3418
 MISSOULA, MONTANA 59806
 DRAFT: CEG DATE: SEPT., 1997
 PROJECT: 97-03-14

I RECEIVED AND FILED THIS INSTRUMENT FOR RECORD ON THE 15 DAY OF Oct. 1997 AT 8:10 O'CLOCK A.M. AND IT IS RECORDED IN VOL. 519 OF MICRO RECORDS OF THE COUNTY OF MISSOULA, STATE OF MONTANA, ON PAGE 255 FEE PAID
 RETURN TO ADDRESS City Clerk BY Debbie A. O'Neil WITNESS MY HAND, VICKIE M. ZEIER, COUNTY RECORDER
 DEPUTY DOC E

SUB-STANDARD QUALITY WHEN FILMED