

AMENDED PLAT OF THE BELLEVUE ADDITION

BLOCKS 307 AND 308, BELLEVUE ADDITION TO HELENA, MONTANA

LOCATED IN THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 10 NORTH, RANGE 4 WEST, P.M.M., LEWIS AND CLARK COUNTY, MONTANA

PURPOSE

Relocation of common boundary lines between three lots within a platted subdivision for the purpose of vacating Circle Place right-of-way by Resolution recorded on _____ (BK _____ PG _____).

OWNERS OF TRACTS

Tract A, C.O.S. No. 3360858: Sussex Development Inc.
 Tract 307A, C.O.S. No. 3310725: Shawn A. & Daniel J. Whyte
 Block 308, Bellevue Addition, C.O.S. No. 1000787: Richard W. & Tamara R. Jost

BASIS OF BEARING (CITY OF HELENA LDP)

Geodetic North obtained by GPS observations & OPUS processing
 DATUM: NAD83 (2011) Epoch 2010.00
 Projection: Transverse Mercator
 Central Meridian: W111°57'00" (-111.95°)
 Project Origin Latitude: N46°30'00" (46.5°)
 Scale factor at central meridian: 1.000191
 False Northing: 100,000,000 IFT (30,480m)
 False Easting: 200,000,000 IFT (60,960m)

LEGAL DESCRIPTION PARCEL A-1

A tract of land being all of Tract A of C.O.S. #3360858 and a portion of Circle Place right-of-way of the Plat of Bellevue Addition to Helena lying southwesterly of Hauser Boulevard, located in the southwest 1/4 of Section 23, T.10 N., R.4W., P.M.M., Lewis and Clark County, MT, recorded in the office of the Lewis & Clark County Clerk and Recorder, more particularly described as follows:

Beginning at the southwest corner of said Section 23; thence from the true point of beginning along the west line of said Section 23 N.01°19'28"W, for 1200.20 feet to a point on the southerly right-of-way of Highway 12; thence along said southerly right-of-way the next three (3) courses N.88°21'19"E, for 172.28 feet; thence N.56°47'45"E, for 189.97 feet; thence N.28°18'37"E, for 29.14 feet to a point on the south line of Overlook Estates Subdivision; thence along the south line of said Subdivision N.89°06'25"E, for 970.27 feet to a point on the southerly right-of-way of Hauser Boulevard; thence along said southerly right-of-way S.36°53'31"E, for 36.31 feet to a point on the boundary of C.O.S. #462306; thence along the boundary of C.O.S. #462306 the next three (3) courses S.89°56'29"W, for 155.98 feet; thence S.34°52'05"E, for 129.59 feet; thence N.87°58'41"E, for 157.52 feet to a point on said southerly right-of-way; thence along said southerly right-of-way S.36°51'30"E, for 522.79 feet to the intersection of the southerly right-of-way Hauser Boulevard and the outside right-of-way of Circle Place; thence continuing along said southerly right-of-way S.36°51'30"E, for 109.77 feet to the point of a cusp being the intersection of said southerly right-of-way and the centerline of Circle Place also being the beginning of a non-tangent curve to the left concave to the southeast from which the radius point bears S.33°43'51"W, said curve having a Radius of 117.00 feet, a Delta Angle of 73°50'33"; a chord bearing of S.56°48'32"W, a Chord Distance of 140.57 feet, for a curve length of 150.79 feet along said centerline; thence on a non-tangent line along said centerline to the point of a cusp being the intersection of said southerly right-of-way and the centerline of Circle Place also being the beginning of a non-tangent curve to the right from which the radius point bears N.04°28'40"W, said curve having a Radius of 117.00 feet, a Delta Angle of 114°21'55"; a Chord Bearing of N.37°17'41"W, a Chord Distance of 196.65 feet, for a Curve Length of 233.54 feet to the True Point of Beginning.

Said tract contains 43,054 acres along with and subject to any easements of record or implied.

LEGAL DESCRIPTION BLOCK 308-A

A tract of land being all of Block 308 of the Bellevue Addition and a portion of Circle Place right-of-way of the Plat of Bellevue Addition to Helena lying southwesterly of Hauser Boulevard, located in the southwest 1/4 of Section 23, T.10 N., R.4W., P.M.M., Lewis and Clark County, MT, recorded in the office of the Lewis & Clark County Clerk and Recorder, more particularly described as follows:

Beginning at a point in the centerline of said Circle Place from which the southwest corner of said Section 23 bears S.68°51'43"W, for 1765.28 feet; thence from said point of beginning being the beginning point of a curve to the right from which the radius point bears S.70°06'43"E, said curve having a Radius of 117.00 feet, a Delta Angle of 73°50'33"; a Chord Bearing of S.37°17'41"E, a Chord Distance of 140.57 feet, for a curve length of 150.79 feet to a point on the southerly right-of-way of Hauser Boulevard; thence on a non-tangent line along said southerly right-of-way; thence continuing along said southerly right-of-way the next two (2) courses S.36°51'30"E, for 46.73 feet to the intersection of said southerly right-of-way with the boundary line of said Block 308 being the beginning point of a curve to the right from which the radius point bears S.32°02'29"W, said curve having a Radius of 117.00 feet, a Delta Angle of 42°12'12"; a Chord Bearing of S.36°51'30"E, a Chord Distance of 84.25 feet; for a Curve Length of 86.18 feet; thence on a non-tangent line S.36°51'30"E, for 35.73 feet to the intersection of said southerly right-of-way and the northwesterly right-of-way of Park Drive; thence along said northwesterly right-of-way S.44°33'13"W, for 140.36 feet to the intersection with the centerline of Circle Place also being the beginning point of a non-tangent curve to the right from which the radius point bears N.04°28'40"W, said curve having a Radius of 117.00 feet, a Delta Angle of 114°21'55"; a Chord Bearing of N.37°17'41"W, a Chord Distance of 196.65 feet, for a Curve Length of 233.54 feet to the True Point of Beginning.

Said tract contains 0.814 acre along with and subject to any easements of record or implied.

LEGAL DESCRIPTION BLOCK 307A-1

A tract of land being all of Tract 307A of C.O.S. #3310725 and a portion of Circle Place right-of-way of the Plat of Bellevue Addition to Helena lying northwesterly of Park Drive, located in the southwest 1/4 of Section 23, T.10 N., R.4W., P.M.M., Lewis and Clark County, MT, recorded in the office of the Lewis & Clark County Clerk and Recorder, more particularly described as follows:

Beginning at a point in the centerline of said Circle Place from which the southwest corner of said Section 23 bears S.68°51'43"W, for 1765.28 feet; thence from said point of beginning being the beginning point of a curve to the left from which the radius point bears S.70°06'43"E, said curve having a Radius of 117.00 feet, a Delta Angle of 73°50'33"; a Chord Bearing of S.37°17'41"E, a Chord Distance of 140.57 feet, for a Curve Length of 150.79 feet along said centerline to the point of a cusp on said northwesterly right-of-way; thence on a non-tangent line along said northwesterly right-of-way S.44°33'13"W, for 87.02 feet to the intersection of said northwesterly right-of-way and the outside right-of-way of Circle Place; thence continuing along said northwesterly right-of-way S.44°33'13"W, for 267.35 feet to the easterly corner of C.O.S. #299051; thence along northeasterly line of C.O.S. #299051 N.49°28'05"W, for 296.39 feet to the northerly corner of C.O.S. #299051; thence along the westerly line of C.O.S. #3310725 N.01°03'50"W, for 196.77 feet; thence along the northerly line of C.O.S. #3310725 N.89°30'27"E, for 314.28 feet to the said outside right-of-way of Circle Place; thence N.89°30'27"E, for 31.56 feet to the True Point of Beginning.

Said tract contains 2.712 acre along with and subject to any easements of record or implied.

LANDOWNER'S CERTIFICATION

We, Ron Bartsch, Shawn A. & Daniel J. Whyte, Richard W. & Tamara R. Jost do hereby certify that Parcels B, C, and D are exempt from subdivision review in accordance with MCA 76-3-207(1)(d) for five or fewer lots within a platted subdivision, the relocation of common boundaries, A restriction or requirement on the original platted lot or original unplatted parcel continues to apply to those areas.

(A) Furthermore, Parcels B, C, and D of this survey are exempt from DEQ review in accordance with A.J.R.M. 17.36.605(2)(a), which states: (2) the reviewing authority may exclude the following parcels created by divisions of land from review under title 76, chapter 4, part 1, MCA unless the exclusion is used to evade the provisions of that part: (a) a parcel that has no facilities for water supply, wastewater disposal, storm drainage, or solid waste disposal, if no facilities will be constructed on the parcel

The area that is being removed from one tract of record and joined with another tract of record is not used as a reference legal description in any subsequent real property transfer after the initial transfer associated with the certificate of survey on which said area is described, unless said area is included with or excluded from adjoining tracts of record.

Dated this _____ day of _____, 2022.

Ron Bartsch, President of Sussex Development Inc.

ACKNOWLEDGEMENT

State of _____)
 County of _____) SS

On this _____ day of _____, 2022, before me, the undersigned a notary public for the state of _____, personally appeared Ron Bartsch, known to me to be the person(s) whose name(s) are/is subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Notary public for the state of _____

Dated this _____ day of _____, 2021.

Shawn A. Whyte

ACKNOWLEDGEMENT

State of _____)
 County of _____) SS

On this _____ day of _____, 2022, before me, the undersigned a notary public for the state of _____, personally appeared Shawn A. & Daniel J. Whyte, known to me to be the person(s) whose name(s) are/is subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Notary public for the state of _____

Dated this _____ day of _____, 2021.

Richard W. Jost

ACKNOWLEDGEMENT

State of _____)
 County of _____) SS

On this _____ day of _____, 2022, before me, the undersigned a notary public for the state of _____, personally appeared Richard W. & Tamara R. Jost, known to me to be the person(s) whose name(s) are/is subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Notary public for the state of _____

CERTIFICATE OF COUNTY TREASURER

I hereby certify, pursuant to section 76-3-611(1)(B), MCA, that all real property taxes and special assessments assessed and levied on the land described on this subdivision plat and encompassed by the proposed division have been paid.

Tract A (C.O.S. #3360858) GEOCODE: 05-1887-23-3-01-01-0000 ASSESSOR: 0000030616
 Tract 307A (C.O.S. #3310725) GEOCODE: 05-1887-23-3-03-09-0000 ASSESSOR: 0000030601
 Block 308 (C.O.S. #1000787) GEOCODE: 05-1887-23-3-06-01-0000 ASSESSOR: 0000021238

Dated this _____ day of _____, 2022

Treasurer, Lewis & Clark County, MT

CERTIFICATE OF EXAMINING LAND SURVEYOR

Reviewed for errors and omissions in calculations and drafting this _____ day of _____, 2022, pursuant to section 76-3-611(2)(A), MCA.

Examining Land Surveyor

Reg. No. _____

CERTIFICATE OF CITY APPROVAL

The County Commission of Lewis and Clark County, Montana hereby certify that it has examined this subdivision plat and having found the same to conform to law approves.

_____ day of _____, 2022

Commissioner

Commissioner

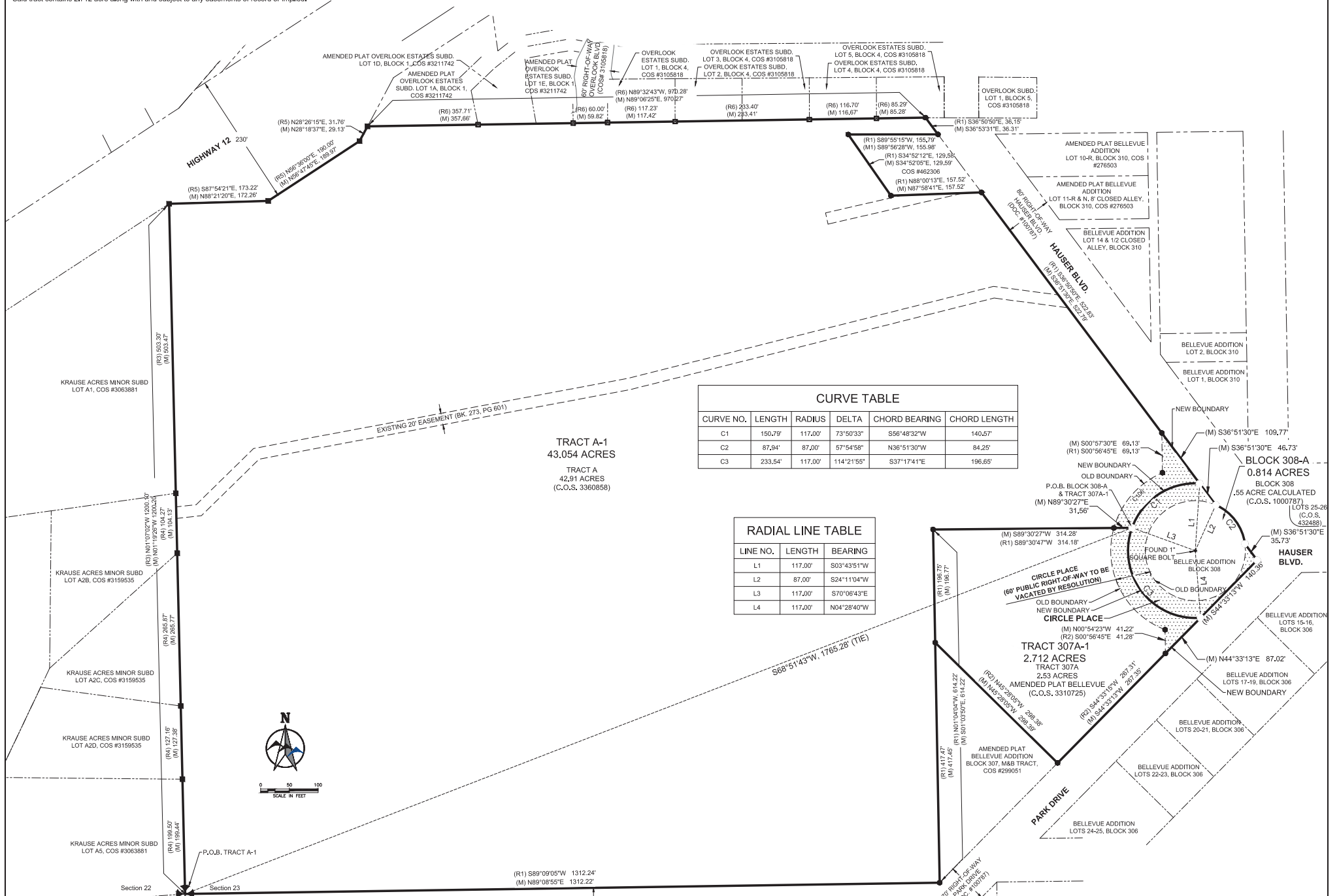
Commissioner

Commissioner

County Attorney

County Planner

CERTIFICATE OF FILING BY CLERK AND RECORDER



CURVE NO.	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	150.79'	117.00'	73°50'33"	S56°48'32"W	140.57'
C2	87.04'	87.00'	57°54'58"	N36°51'30"W	84.25'
C3	233.54'	117.00'	114°21'55"	S37°17'41"E	196.65'

LINE NO.	LENGTH	BEARING
L1	117.00'	S03°43'51"W
L2	87.00'	S24°11'04"W
L3	117.00'	S70°06'43"E
L4	117.00'	N04°28'40"W

LEGEND

- FOUND S.W. CORNER SECTION 23 AS IRON PIN W/ 3" ALLUM. CAP (DITTO 2915S) AS NOTED ON CORNER RECORD DOC. #3038588
- FOUND 3/4" REBAR W/ ORANGE PLASTIC CAP (J. LAY 1730SL3) OR AS NOTED
- FOUND 3/4" REBAR W/ YELLOW PLASTIC CAP (COLLINS 18626LS)
- FOUND 3/4" REBAR W/ 2" ALLUM. CAP (NASH 5210S)
- FOUND 3/4" REBAR W/ YELLOW PLASTIC CAP (RIES 4126LS) OR AS NOTED
- NEW BOUNDARY
- OLD BOUNDARY
- ADJACENT PROPERTY BOUNDARY
- (M) MEASURED (THIS SURVEY)
- (R1) RECORD (CERTIFICATE OF SURVEY #3360858)
- (R2) RECORD (CERTIFICATE OF SURVEY #3310725)
- P.O.B. POINT OF BEGINNING
- CIRCLE PLACE TO BE VACATED BY RESOLUTION

SURVEYOR'S NOTES

- The field survey was completed in July 2021.
- This survey was requested by Ron Bartsch, President of Sussex Development Inc.
- Not all easements are shown on this survey. Parcels shown are subject to any and all easements of record or implied.
- All dimensions shown hereon are in units of international feet.

SURVEY IS NOT VALID UNLESS SEAL CONTAINS THE SIGNATURE OF THE PROFESSIONAL LAND SURVEYOR.

CERTIFICATE OF SURVEYOR

DAVID L. COLLINS, PLS

Date _____

1/4	SEC.	TWP.	RGE.
23	10N.	4W.	

ECO DEVELOPMENT LLC

AMENDED PLAT OF THE BELLEVUE ADDITION

JOB#: 2020-216

REVISIONS	Date	By

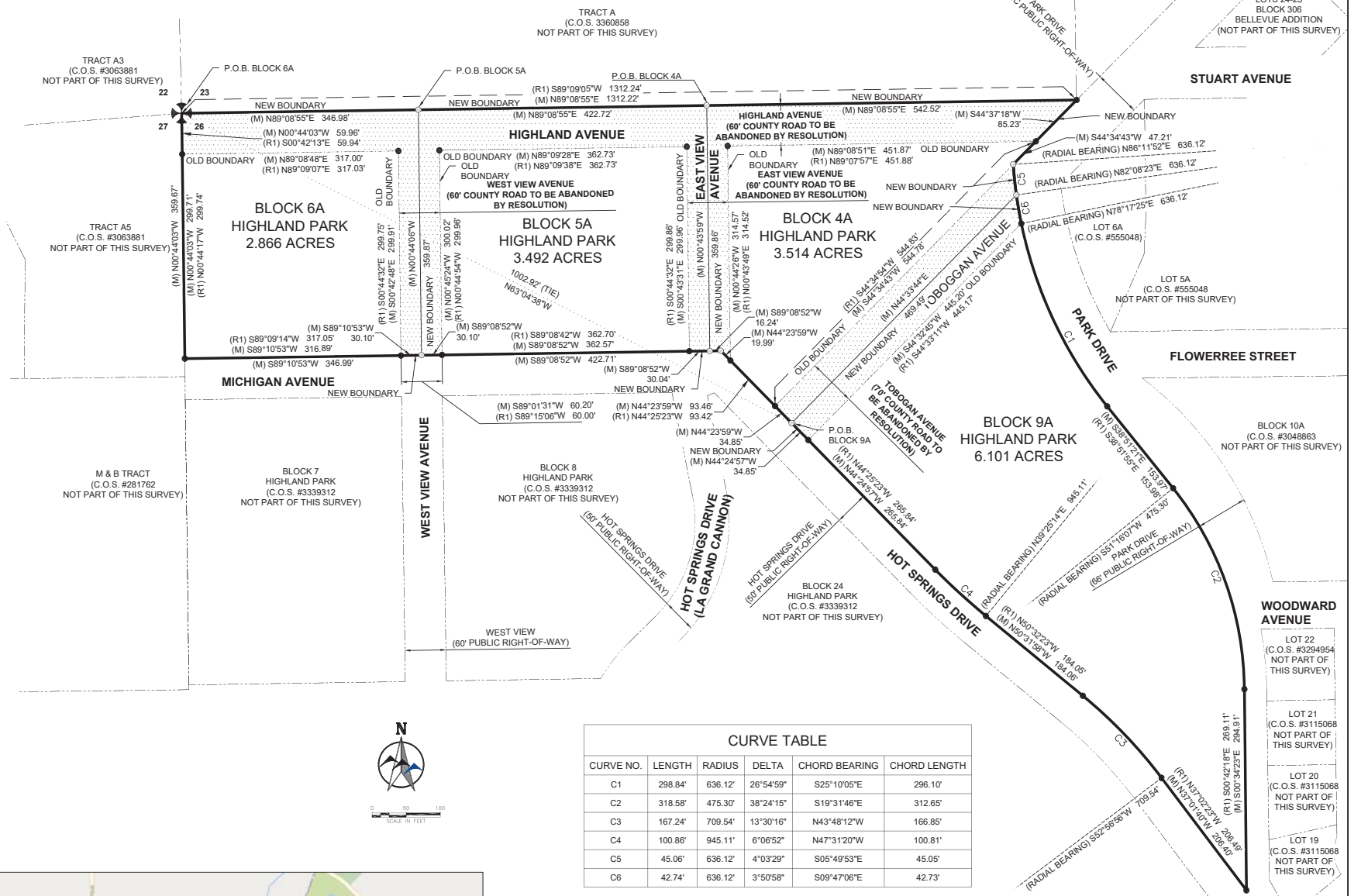
WWC ENGINEERING
 1275 MAPLE STREET, SUITE F
 HELENA, MT 59601
 (406) 443-3962

Drawn by: DLC Checked by: DDP Date: 8/2022 Scale: 1"=100'
 PLOT DATE: 8/2022 PLOT TIME: 10:40 AM PLOT USER: DDP PLOT DEVICE: HP DesignJet 5000 PLOT STATUS: SUCCESS

AMENDED PLAT OF HIGHLAND PARK

BLOCKS 4, 5, 6, AND 9, OF HIGHLAND PARK

LOCATED IN THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 10 NORTH, RANGE 4 WEST, P.M.M., LEWIS AND CLARK COUNTY, MONTANA



CURVE TABLE					
CURVE NO.	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	298.84'	636.12'	26°54'59"	S25°10'05"E	296.10'
C2	318.58'	475.30'	38°24'15"	S19°31'46"E	312.65'
C3	167.24'	709.54'	13°30'16"	N43°48'12"W	166.85'
C4	100.86'	945.11'	6°06'52"	N47°31'20"W	100.81'
C5	45.06'	636.12'	4°03'29"	S05°49'53"E	45.05'
C6	42.74'	636.12'	3°50'58"	S09°47'06"E	42.73'

SURVEYOR'S NOTES

- The field survey was completed in July 2021.
- This survey was requested by Ron Bartsch, President of Sussex Development Inc.
- Not all easements are shown on this survey. Parcels shown are subject to any and all easements of record or implied.
- All dimensions shown hereon are in units of international feet.

PURPOSE

Relocation of common boundary lines between four lots within a platted subdivision for the purpose of vacating rights-of-way of Highland Avenue, Toboggan Avenue, East View Avenue rights-of-way, and a portion of West View Avenue right-of-way by Resolution recorded on _____ (BK _____ PG _____).

OWNERS OF TRACTS

BLOCK 4, 5, 6, AND 9 OF HIGHLAND PARK: Sussex Development Inc.

BASIS OF BEARING (CITY OF HELENA LDP)

Geodetic North obtained by GPS observations & OPUS processing
 DATUM: NAD83 (2011) (epoch 2010.00)
 Projection: Transverse Mercator
 Central Meridian: W111°57'00" (-111.95°)
 Project Origin Latitude: N46°30'00" (46.5°)
 Scale factor at central meridian: 1.000191
 False Northing: 100,000,000 IFT (30,480m)
 False Easting: 200,000,000 IFT (60,960m)

LEGAL DESCRIPTION BLOCK 4A

A tract of land being Block 4 and a portion of Highland Avenue, Toboggan Avenue, and East View Avenue rights-of-way of Highland Park, located in the northwest 1/4 of Section 26, T.10 N., R.4W., P.M.M., Lewis and Clark County, MT, recorded in the office of the Lewis & Clark County Clerk and Recorder, more particularly described as follows:
 Beginning at a point on the north line of said Section 26 from which the northwest corner of said Section 26 bears S.89°08'55"W, for 769.70 feet; thence from said point of beginning along said north section line N.89°08'55"E, for 542.52 feet to a point on the northwesterly right-of-way of Park Drive; thence along said right of way S.44°37'18"W, for 85.23 feet; thence continuing along said right-of-way S.44°34'43"W, for 47.21 feet to the beginning point of a non-tangent curve to the left from which the radius point bears N.86°11'52"E, said curve having a radius of 636.12 feet, a Delta Angle of 4°03'09", a Chord Bearing of S.5°49'52"E, a Chord Distance of 45.05 feet; for a Curve Length of 45.06 feet; thence on a non-tangent line S.44°33'44"W, for 469.49 feet to a point on the northeasterly right-of-way of Hot Springs Drive; thence along said right-of-way N.44°23'59"W, for 148.30 feet to a point at the intersection of the northeasterly right-of-way of Hot Springs Drive and the north right-of-way of Michigan Avenue; thence continuing along said north right-of-way S.89°08'52"W, for 16.24 feet; thence leaving said north right-of-way N.00°43'59"W, for 359.86 feet to the True Point of Beginning.

Said tract contains 3.514 acres along with and subject to any easements of record or implied.

LEGAL DESCRIPTION BLOCK 5A

A tract of land being Block 5 and a portion of Highland Avenue, East View Avenue, and West View Avenue rights-of-way of Highland Park, located in the northwest 1/4 of Section 26, T.10 N., R.4W., P.M.M., Lewis and Clark County, MT, recorded in the office of the Lewis & Clark County Clerk and Recorder, more particularly described as follows:
 Beginning at a point on the north line of said Section 26 from which the northwest corner of said Section 26 bears S.89°08'55"W, for 346.98 feet; thence from said point of beginning along said north section line N.89°08'55"E, for 422.72 feet; thence S.00°43'59"E, for 359.86 feet to the north right-of-way of Michigan Avenue; thence along said north right-of-way S.89°08'52"W, for 422.71 feet; thence leaving said right-of-way N.00°44'06"W, for 359.87 feet to the True Point of Beginning.

Said tract contains 3.492 acres along with and subject to any easements of record or implied.

LEGAL DESCRIPTION BLOCK 6A

A tract of land being Block 6 and a portion of Highland Avenue, and West View Avenue rights-of-way of Highland Park, located in the northwest 1/4 of Section 26, T.10 N., R.4W., P.M.M., Lewis and Clark County, MT, recorded in the office of the Lewis & Clark County Clerk and Recorder, more particularly described as follows:
 Beginning at the Northwest corner of said Section 26, thence along the north line of said Section 26 N.89°08'55"E, for 346.98 feet; thence S.00°44'06"E, for 359.87 feet to a point on the north right-of-way of Michigan Avenue; thence along said right of way S.89°10'53"W, for 346.99 feet to a point on the west line of said Section 26; thence along said west section line N.00°44'03"W, for 359.67 feet to the True Point of Beginning.

Said tract contains 2.866 acres along with and subject to any easements of record or implied.

LEGAL DESCRIPTION BLOCK 9A

A tract of land being Block 9 and a portion of Toboggan Avenue right-of-way of Highland Park, located in the northwest 1/4 of Section 26, T.10 N., R.4W., P.M.M., Lewis and Clark County, MT, recorded in the office of the Lewis & Clark County Clerk and Recorder, more particularly described as follows:
 Beginning at a point on the northeasterly right-of-way of Hot Springs Drive from which the northwest corner of said Section 26 bears N.63°04'38"W, for 1002.92 feet; thence N.44°33'44"E, for 469.49 feet to the beginning point of a non-tangent curve to the left from which the radius point bears N.82°08'23"E, said curve having a radius of 636.12 feet, a Delta Angle of 3°50'58", a Chord Bearing of S.9°47'06"E, a Chord Distance of 42.73 feet, for a Curve Length of 42.74 feet to a point on the southwesterly right-of-way of Park Drive being the beginning point of a non-tangent curve to the left from which the radius point bears N.78°17'25"E, said curve having a radius of 636.12 feet, a Delta Angle of 26°54'59", a Chord Bearing of S.25°10'05"E, a Chord Distance of 296.10 feet, for a Curve Length of 298.84 feet; thence continuing on said southwesterly right-of-way the next three (3) courses on a non-tangent line S.38°51'21"E, for 153.97 feet to the beginning point of a non-tangent curve to the right from which the radius point bears S.51°16'07"W, said curve having a radius of 475.30 feet, a Delta Angle of 38°24'15", a Chord Bearing of S.19°31'46"E, a Chord Distance of 312.65 feet, for a Curve Length of 318.58 feet; thence on a non-tangent line S.00°34'23"E, for 294.91 feet to a point on the northeasterly right-of-way of Hot Springs Drive; thence along said northeasterly right-of-way the next five (5) courses N.37°01'40"W, for 206.40 feet to the beginning point of a non-tangent curve to the left from which the radius point bears S.52°56'56"W, said curve having a radius of 709.54 feet, a Delta Angle of 13°30'16", a Chord Bearing of N.43°48'12"W, a Chord Distance of 166.85 feet, for a Curve Length of 167.24 feet; thence on a non-tangent line N.50°31'58"W, for 184.06 feet to the beginning point of a non-tangent curve to the right from which the radius point bears N.39°25'14"E, said curve having a radius of 945.11 feet, a Delta Angle of 06°06'52", a Chord Bearing of N.47°31'20"W, a Chord Distance of 100.81 feet, for a Curve Length of 100.86 feet; thence on a non-tangent line N.44°24'57"W, for 300.70 feet to the True Point of Beginning.

Said tract contains 6.111 acres along with and subject to any easements of record or implied.

LANDOWNER'S CERTIFICATION

I, Ron Bartsch do hereby certify that Blocks 4A, 5A, 6A and 9A are exempt from subdivision review in accordance with MCA 76-3-207(1)(d) for five or fewer lots within a platted subdivision, the relocation of common boundaries. A restriction or requirement on the original platted lot or original unplatted parcel continues to apply to those areas.
 (A) Furthermore, Blocks 4A, 5A, 6A and 9A of this survey are exempt from DEQ review in accordance with A.R.M. 17.36.605(2)(a), which states: (2) the reviewing authority may exclude the following parcels created by divisions of land from review under title 76, chapter 4, part 1, MCA, unless the exclusion is used to evade the provisions of that part: (a) a parcel that has no facilities for water supply, wastewater disposal, storm drainage, or solid waste disposal, if no facilities will be constructed on the parcel.
 The area that is being removed from one tract of record and joined with another tract of record is not itself a tract of record. Said area shall not be available as a reference legal description in any subsequent real property transfer after the initial transfer associated with the certificate of survey on which said area is described, unless said area is included with or excluded from adjoining tracts of record.

Dated this _____ day of _____, 2022.

Ron Bartsch, President of Sussex Development Inc.

ACKNOWLEDGEMENT

State of _____)
 County of _____) ss

On this _____ day of _____, 2022,

before me, the undersigned a notary public for the state of _____ personally appeared Ron Bartsch, known to me to be the person(s) whose name(s) are/is subscribed to the within instrument and acknowledged to me that he/she/it executed the same.

Notary public for the state of _____

CERTIFICATE OF CITY APPROVAL

The County Commission of Lewis and Clark County, Montana hereby certify that it has examined this subdivision plat and having found the same to conform to law approves.
 _____ day of _____, 2022

Commissioner _____

Commissioner _____

Commissioner _____

County Attorney _____

County Planner _____

CERTIFICATE OF COUNTY TREASURER

I hereby certify, pursuant to section 76-3-611(1)(B), MCA, that all real property taxes and special assessments assessed and levied on the land described on this subdivision plat and encompassed by the proposed division have been paid.

Block 4 Highland Park GEOCODE: 05-1887-26-2-20-01-0000 ASSESSOR: 0000030615
 Block 5 Highland Park GEOCODE: 05-1887-26-2-19-01-0000 ASSESSOR: 0000030614
 Block 6 Highland Park GEOCODE: 05-1887-26-2-18-01-0000 ASSESSOR: 0000030613
 Block 9 Highland Park GEOCODE: 05-1887-26-2-14-01-0000 ASSESSOR: 0000030612

Dated this _____ day of _____, 2022

Treasurer, Lewis & Clark County, MT _____

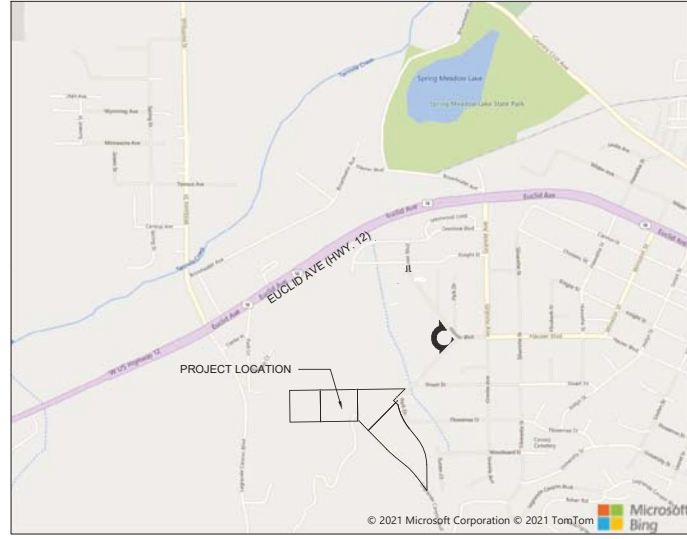
CERTIFICATE OF FILING BY CLERK AND RECORDER

CERTIFICATE OF EXAMINING LAND SURVEYOR

Reviewed for errors and omissions in calculations and drafting this _____ day of _____, 2022, pursuant to section 76-3-611(2)(A), MCA.

Examining Land Surveyor _____

Reg. No. _____



VICINITY MAP
 SCALE: 1" = 500'

LEGEND

- FOUND N.W. CORNER SECTION 26 AS IRON PIN W/ 3" ALUM. CAP (DITTO 2915S) AS NOTED ON CORNER RECORD DEC. #3038588
- FOUND 3/4" REBAR W/ ORANGE PLASTIC CAP (J. LAY 17026LS) OR AS NOTED
- SET 3/8" REBAR W/ YELLOW PLASTIC CAP (COLLINS 18626LS)
- NEW BOUNDARY
- OLD BOUNDARY
- ADJACENT PROPERTY BOUNDARY
- MEASURED (THIS SURVEY)
- RECORDED (CERTIFICATE OF SURVEY #3339312)
- P.O.B. POINT OF BEGINNING
- RIGHT-OF-WAY TO BE VACATED BY RESOLUTION

SURVEY IS NOT VALID UNLESS SEAL CONTAINS THE SIGNATURE OF THE PROFESSIONAL LAND SURVEYOR.

CERTIFICATE OF SURVEYOR

ECO DEVELOPMENT LLC
AMENDED PLAT HIGHLAND PARK
 JOB#: 2020-216

DAVID L. COLLINS, PLS Date _____

1/4 SEC. 26 TWP. 10N. RGE. 4W.

WWC ENGINEERING
 1275 MAPLE STREET, SUITE F
 HELENA, MT 59601
 (406) 443-3962



Lewis & Clark C O U N T Y



BOARD OF COUNTY COMMISSIONERS

Andy Hunthausen

Jim McCormick

Tom Rolfe

City County Building 316 North Park Helena, Montana 59623 406.447.8304 Fax: 406.447.8370

June 24, 2021

Estate of William Whyte
P.O. Box 1166
Helena, MT 59624

Dear Mr. Little:

On Tuesday, June 22, 2021, the Lewis and Clark County Commission held a hearing regarding the petition to discontinue a portion of Circle Place, a declared County right-of-way, in the Bellevue Addition, in the SW ¼ of Section 10, Township 10N, Range 4W, Lewis and Clark County, Montana.

At the hearing, the County Commission voted 2-0 on a motion to grant conditional approval for the abandonment, subject to four conditions. The attached discussion outlines the basis of the Commission's decision. This conditional approval is in effect for three calendar years.

Completing the conditions of approval can be a complex process, so please work closely with the Community Development and Planning Department as you proceed with the fulfillment of each condition. Once all conditions of approval have been met, please submit a Certificate of Survey and the required materials to the Community Development and Planning Department.

Sincerely,

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS

Andy Hunthausen, Chairman

Cc: Community Development and Planning
Jeremy Fadness, WWC Engineering

The Lewis and Clark County Board of County Commissioners considered the requirements of Title 7, Chapter 14, Part 26, Montana Code Annotation, in making their decision. This abandonment is for Circle Place, a declared County right-of-way, which has never been constructed, therefore the actual road does not exist. The Commission has determined:

- a. the abandonment will not impair access for private property owners, and;
- b. the abandonment will not affect the public's access to public lands or public waters, and;
- c. the abandonment will not affect the right of any public utility to maintain its equipment, and;
- d. can be done without detriment to the public interest.

The Board of County Commissioners did not receive any public comment regarding the abandonment of the right of way, and the conditions of approval have allowed for utility easements for any existing facilities which may be located during the surveying process.

CONDITIONS OF APPROVAL:

In view of the above referenced discussion, the Commission voted 2-0 to grant approval for the petition to discontinue the Circle Place right-of-way on the western boundary of the Bellevue Addition, immediately adjacent to Block 308. This approval is subject to the following conditions:

1. The Board of County Commissioners shall execute a resolution to abandon and discontinue the County right-of-way for Circle Place.
2. The Applicant, their successors and assigns, at no expense to the County, shall cause the recordation of a Certificate of Survey that shows and includes:
 - a. The discontinued and abandoned of the Circle Place right-of-way;
 - b. Boundary line relocation with Block 308 and Block 307A, of Certificate of Survey Number 3310725, and Tract A of Certificate of Survey Number 3360858, for the division of the discontinued right-of-way;
 - c. A reference to the book and page, or filing information, of the BoCC approved resolution officially abandoning and discontinuing the Circle Place right-of-way.
 - d. Retention of the utility easements required for all existing utilities.

3. The Applicant, successors and assigns, at no expense to the County shall cause to be prepared new deeds and realty transfer certificates to be recorded with the above noted Certificate of Survey.
4. This approval shall be in full force and affect for three calendar years from this BoCC action. Prior to the expiration of said three (3) year period, and at the request of the Applicant, his successors and assigns, the County Commission may extend its approval.



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June 24, 2021

Estate of William Whyte
P.O. Box 1166
Helena, MT 59624

Dear Mr. Little:

On Tuesday, June 22, 2021, the Lewis and Clark County Commission held a hearing regarding the petition to discontinue a portion of East View Avenue, a declared County right-of-way, in Highland Park, in the NW ¼ of Section 26, Township 10N, Range 4W, Lewis and Clark County, Montana.

At the hearing, the County Commission voted 2-0 on a motion to grant conditional approval for the abandonment, subject to four conditions. The attached discussion outlines the basis of the Commission's decision. This conditional approval is in effect for three calendar years.

Completing the conditions of approval can be a complex process, so please work closely with the Community Development and Planning Department as you proceed with the fulfillment of each condition. Once all conditions of approval have been met, please submit a Certificate of Survey and the required materials to the Community Development and Planning Department.

Sincerely,

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS

Andy Hunthausen, Chairman

Cc: Community Development and Planning
Jeremy Fadness, WWC Engineering

The Lewis and Clark County Board of County Commissioners considered the requirements of Title 7, Chapter 14, Part 26, Montana Code Annotation, in making their decision. This abandonment is for East View Avenue, a declared County right-of-way, which has never been constructed, therefore the actual road does not exist. The Commission has determined:

- a. the abandonment will not impair access for private property owners, and;
- b. the abandonment will not affect the public's access to public lands or public waters, and;
- c. the abandonment will not affect the right of any public utility to maintain its equipment, and;
- d. can be done without detriment to the public interest.

The Board of County Commissioners did not receive any public comment regarding the abandonment of the right of way, and the conditions of approval have allowed for utility easements for any existing facilities which may be located during the surveying process.

CONDITIONS OF APPROVAL:

In view of the above referenced discussion, the Commission voted 2-0 to grant approval for the petition to discontinue the East View Avenue right-of-way between Blocks 4 and 5, of Highland Park, to the intersection with Le Grande Cannon Boulevard. This approval is subject to the following conditions:

1. The Board of County Commissioners shall execute a resolution to abandon and discontinue the County right-of-way for East View Avenue.
2. The Applicant, their successors and assigns, at no expense to the County, shall cause the recordation of a Certificate of Survey that shows and includes:
 - a. The discontinued and abandoned of the East View Avenue right-of-way;
 - b. Boundary line relocations with Blocks 4 and 5, of Highland Park, and the abandoned County right-of-way;
 - c. A reference to the book and page, or filing information, of the BoCC approved resolution officially abandoning and discontinuing the East View Avenue right-of-way.
 - d. Retention of the utility easements required for all existing utilities.
3. The Applicant, successors and assigns, at no expense to the County shall cause to be prepared new deeds and realty transfer certificates to be recorded with the above noted Certificate of Survey.

4. This approval shall be in full force and affect for three calendar years from this BoCC action. Prior to the expiration of said three (3) year period, and at the request of the Applicant, his successors and assigns, the County Commission may extend its approval.



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June 24, 2021

Estate of William Whyte
P.O. Box 1166
Helena, MT 59624

Dear Mr. Little:

On Tuesday, June 22, 2021, the Lewis and Clark County Commission held a hearing regarding the petition to discontinue Highland, a declared County right-of-way, in Highland Park, in the NW ¼ of Section 26, Township 10N, Range 4W, Lewis and Clark County, Montana.

At the hearing, the County Commission voted 2-0 on a motion to grant conditional approval for the abandonment, subject to four conditions. The attached discussion outlines the basis of the Commission's decision. This conditional approval is in effect for three calendar years.

Completing the conditions of approval can be a complex process, so please work closely with the Community Development and Planning Department as you proceed with the fulfillment of each condition. Once all conditions of approval have been met, please submit a Certificate of Survey and the required materials to the Community Development and Planning Department.

Sincerely,

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS

Andy Hunthausen, Chairman

Cc: Community Development and Planning
Jeremy Fadness, WWC Engineering

The Lewis and Clark County Board of County Commissioners considered the requirements of Title 7, Chapter 14, Part 26, Montana Code Annotation, in making their decision. This abandonment is for Highland, a declared County right-of-way, which has never been constructed, therefore the actual road does not exist. The Commission has determined:

- a. the abandonment will not impair access for private property owners, and;
- b. the abandonment will not affect the public's access to public lands or public waters, and;
- c. the abandonment will not affect the right of any public utility to maintain its equipment, and;
- d. can be done without detriment to the public interest.

The Board of County Commissioners did not receive any public comment regarding the abandonment of the right of way, and the conditions of approval have allowed for utility easements for any existing facilities which may be located during the surveying process.

CONDITIONS OF APPROVAL:

In view of the above referenced discussion, the Commission voted 2-0 to grant approval for the petition to discontinue the Highland right-of-way, north of Blocks 4, 5, and 6, of Highland Park. From the current Park Drive, west to the end of Highland Park. This approval is subject to the following conditions:

1. The Board of County Commissioners shall execute a resolution to abandon and discontinue the County right-of-way for Highland.
2. The Applicant, their successors and assigns, at no expense to the County, shall cause the recordation of a Certificate of Survey that shows and includes:
 - a. The discontinued and abandoned of the Highland right-of-way;
 - b. Boundary line relocations with Blocks 4, 5, and 6, of Highland Park, Tract A of Certificate of Survey Number 3360858, and the abandoned County right-of-way;
 - c. A reference to the book and page, or filing information, of the BoCC approved resolution officially abandoning and discontinuing the Highland right-of-way.
 - d. Retention of the utility easements required for all existing utilities.
3. The Applicant, successors and assigns, at no expense to the County shall cause to be prepared new deeds and realty transfer certificates to be recorded with the above noted Certificate of Survey.

4. This approval shall be in full force and affect for three calendar years from this BoCC action. Prior to the expiration of said three (3) year period, and at the request of the Applicant, his successors and assigns, the County Commission may extend its approval.



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June 24, 2021

Estate of William Whyte
P.O. Box 1166
Helena, MT 59624

Dear Mr. Little:

On Tuesday, June 22, 2021, the Lewis and Clark County Commission held a hearing regarding the petition to discontinue Toboggan Avenue, a declared County right-of-way, in Highland Park, in the NW ¼ of Section 26, Township 10N, Range 4W, Lewis and Clark County, Montana.

At the hearing, the County Commission voted 2-0 on a motion to grant conditional approval for the abandonment, subject to four conditions. The attached discussion outlines the basis of the Commission's decision. This conditional approval is in effect for three calendar years.

Completing the conditions of approval can be a complex process, so please work closely with the Community Development and Planning Department as you proceed with the fulfillment of each condition. Once all conditions of approval have been met, please submit a Certificate of Survey and the required materials to the Community Development and Planning Department.

Sincerely,

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS

Andy Hunthausen, Chairman

Cc: Community Development and Planning
Jeremy Fadness, WWC Engineering

The Lewis and Clark County Board of County Commissioners considered the requirements of Title 7, Chapter 14, Part 26, Montana Code Annotation, in making their decision. This abandonment is for Toboggan Avenue, a declared County right-of-way, which has never been constructed, therefore the actual road does not exist. The Commission has determined:

- a. the abandonment will not impair access for private property owners, and;
- b. the abandonment will not affect the public's access to public lands or public waters, and;
- c. the abandonment will not affect the right of any public utility to maintain its equipment, and;
- d. can be done without detriment to the public interest.

The Board of County Commissioners did not receive any public comment regarding the abandonment of the right of way, and the conditions of approval have allowed for utility easements for any existing facilities which may be located during the surveying process.

CONDITIONS OF APPROVAL:

In view of the above referenced discussion, the Commission voted 2-0 to grant approval for the petition to discontinue the Toboggan Avenue right-of-way between Blocks 4 and 9, of Highland Park, to the intersection with Le Grande Cannon Boulevard. This approval is subject to the following conditions:

1. The Board of County Commissioners shall execute a resolution to abandon and discontinue the County right-of-way for Toboggan Avenue.
2. The Applicant, their successors and assigns, at no expense to the County, shall cause the recordation of a Certificate of Survey that shows and includes:
 - a. The discontinued and abandoned of the Toboggan Avenue right-of-way;
 - b. Boundary line relocations with Blocks 4 and 9, of Highland Park, and the abandoned County right-of-way;
 - c. A reference to the book and page, or filing information, of the BoCC approved resolution officially abandoning and discontinuing the Toboggan Avenue right-of-way.
 - d. Retention of the utility easements required for all existing utilities.
3. The Applicant, successors and assigns, at no expense to the County shall cause to be prepared new deeds and realty transfer certificates to be recorded with the above noted Certificate of Survey.

4. This approval shall be in full force and affect for three calendar years from this BoCC action. Prior to the expiration of said three (3) year period, and at the request of the Applicant, his successors and assigns, the County Commission may extend its approval.



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June 24, 2021

Estate of William Whyte
P.O. Box 1166
Helena, MT 59624

Dear Mr. Little:

On Tuesday, June 22, 2021, the Lewis and Clark County Commission held a hearing regarding the petition to discontinue a portion of West View Avenue, a declared County right-of-way, in Highland Park, in the NW ¼ of Section 26, Township 10N, Range 4W, Lewis and Clark County, Montana.

At the hearing, the County Commission voted 2-0 on a motion to grant conditional approval for the abandonment, subject to four conditions. The attached discussion outlines the basis of the Commission's decision. This conditional approval is in effect for three calendar years.

Completing the conditions of approval can be a complex process, so please work closely with the Community Development and Planning Department as you proceed with the fulfillment of each condition. Once all conditions of approval have been met, please submit a Certificate of Survey and the required materials to the Community Development and Planning Department.

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Jeremy Fadness, WWC Engineering

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- a. the abandonment will not impair access for private property owners, and;
- b. the abandonment will not affect the public's access to public lands or public waters, and;
- c. the abandonment will not affect the right of any public utility to maintain its equipment, and;
- d. can be done without detriment to the public interest.

The Board of County Commissioners did not receive any public comment regarding the abandonment of the right of way, and the conditions of approval have allowed for utility easements for any existing facilities which may be located during the surveying process.

CONDITIONS OF APPROVAL:

In view of the above referenced discussion, the Commission voted 2-0 to grant approval for the petition to discontinue the West View Avenue right-of-way between Blocks 5 and 6, of Highland Park. This approval is subject to the following conditions:

- 1. The Board of County Commissioners shall execute a resolution to abandon and discontinue the County right-of-way for West View Avenue.
- 2. The Applicant, their successors and assigns, at no expense to the County, shall cause the recordation of a Certificate of Survey that shows and includes:
 - a. The discontinued and abandoned of the West View Avenue right-of-way;
 - b. Boundary line relocations with Blocks 5 and 6, of Highland Park, and the abandoned County right-of-way;
 - c. A reference to the book and page, or filing information, of the BoCC approved resolution officially abandoning and discontinuing the West View Avenue right-of-way.
 - d. Retention of the utility easements required for all existing utilities.
- 3. The Applicant, successors and assigns, at no expense to the County shall cause to be prepared new deeds and realty transfer certificates to be recorded with the above noted Certificate of Survey.

4. This approval shall be in full force and affect for three calendar years from this BoCC action. Prior to the expiration of said three (3) year period, and at the request of the Applicant, his successors and assigns, the County Commission may extend its approval.