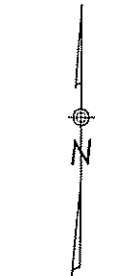
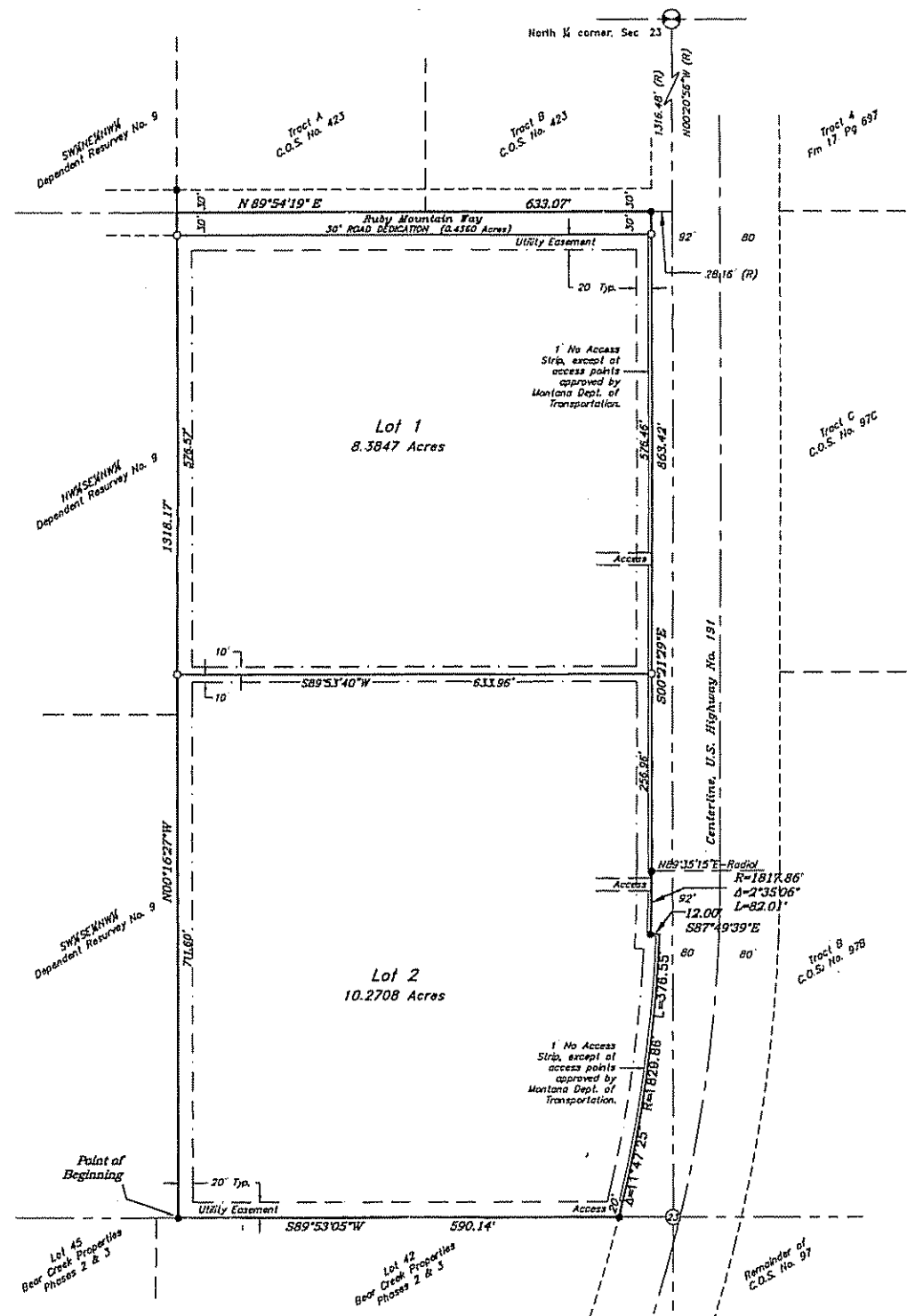


MINOR SUB. 381

# FINAL PLAT MINOR SUBDIVISION NO. 381

A TRACT OF LAND BEING THE E 1/4 SE 1/4 NW 1/4 OF SECTION 23, T. 3 S., R. 4 E., P. M. M., EXCEPTING THE PARCEL RECORDED IN BOOK 126, PAGE 433

## GALLATIN COUNTY, MONTANA



- Legend**
- Found rebar w/ alum. cap or as noted
  - Set 5/8" rebar with yellow plastic cap marked "R.H. CENTER 5653 ES" or as noted
  - (M) Measured distance or bearing
  - (R) Record distance or bearing
  - YPC Yellow plastic (survey) cap

**Basis of Bearings**  
The west line of the E 1/4 SE 1/4 NW 1/4 being North 00°16'27" West

### CERTIFICATE OF BOARD OF COUNTY COMMISSIONERS

I, Chairman of the Board of County Commissioners, Gallatin County, Montana, do hereby certify that the accompanying plat has been duly examined and have found the same to conform to the law, approve it, and hereby accept the dedication to public use of any and all lands shown on the plat as being dedicated to such use.

Dated this 28th day of MARCH, A.D., 2006.

*[Signature]*  
Chairman, Board of County Commissioners

### CERTIFICATE OF COUNTY TREASURER

I, Kimberly Buchanan, Treasurer of Gallatin County, Montana, do hereby certify that the accompanying plat has been duly examined and that all real property taxes and special assessments assessed and levied on the land to be subdivided have been paid.

Dated this 27th day of February, A.D., 2006.

*[Signature]*  
Treasurer of Gallatin County

### CERTIFICATE OF CLERK AND RECORDER

I, \_\_\_\_\_, Clerk and Recorder of Gallatin County, Montana, do hereby certify that the foregoing instrument was filed in my office at 5:00 o'clock P.M. this 28th day of March, A.D., 2006, and recorded as Minor Subdivision No. 381, in the records of the Clerk and Recorder, Gallatin County, Montana.

Document No. 2223025      2223025 County 11A  
2223026 State 258

Clark and Recorder



### CERTIFICATE OF SURVEYOR

I, Ray H. Center, the undersigned Professional Engineer and Land Surveyor, do hereby certify that between June 1, 2004, and April 20, 2005, the attached Minor Subdivision was surveyed under my supervision, and the same is described and platted as shown on the accompanying Minor Subdivision Plat in accordance with the provisions of the Montana Subdivision and Platting Act, Sections 76-3-101 through 76-3-625, M.C.A., and the Gallatin County Subdivision Regulations.

Dated this 13th day of January, A.D., 2006.

*[Signature]*  
Ray H. Center  
Montana Registration No. 5653 ES

### CERTIFICATE OF DEDICATION

We, the undersigned property owners, do hereby certify that we have caused to be surveyed, subdivided and platted into lots, streets, and other divisions and dedications, as shown by the plat hereunto included, the following described tract of land, to wit:

A tract of land located within the Southeast Quarter of the Northwest Quarter of Section 23, Township 3 South, Range 4 East of the Principal Meridian of Montana, Gallatin County, Montana, being the E 1/4 SE 1/4 NW 1/4 of said Section 23, according to Dependent Survey No. 9, excepting that portion conveyed to the State of Montana by deed recorded in Book 126 of Deeds, page 433, Gallatin County records, and being further described as follows:

Beginning at the southwest corner of said E 1/4 SE 1/4 NW 1/4; Thence, North 00°16'27" West, along the west line of said E 1/4 SE 1/4 NW 1/4, a distance of 1318.17 feet to the northwest corner of said E 1/4 SE 1/4 NW 1/4; Thence, North 89°54'19" East, along the north line of said E 1/4 SE 1/4 NW 1/4, a distance of 633.07 feet to the west line of U.S. Highway No. 191; Thence, South 00°21'29" East, along said west line of U.S. Highway No. 191, a distance of 863.42 feet to the beginning of a 1,817.86 foot radius circular curve to the right, whose center bears South 89°35'15" West; Thence along said curve to the right through a central angle of 2°35'06" an arc distance of 82.01 feet; Thence, South 87°49'39" East, a distance of 12.00 feet to a point on a 1,829.86 foot radius circular curve to the right whose center bears North 87°49'39" West; Thence along said curve to the right through a central angle of 11°47'25" an arc distance of 378.55 feet to a point on the south line of said E 1/4 SE 1/4 NW 1/4; Thence South 89°53'05" West, along said south line, a distance of 590.14 feet to the Point of Beginning.

Said tract of land containing 19.0915 Acres, along with and subject to all existing easements.

The above described tract of land is to be known and designated as Minor Subdivision No. \_\_\_\_\_, Gallatin County, Montana; and the lands included in all streets shown on said plat are hereby granted and donated to the use of the public forever. The roadways dedicated to the public are accepted for public use, but the County accepts no responsibility for maintaining the same. The owners agree that the County has no obligation to maintain the roads hereby dedicated to public use.

The undersigned hereby grants unto each and every person, corporation, or firm, whether public or private, providing or offering to provide telephone, telegraph, electric power, gas, cable television, water or sewer service to the public, the right to the joint use of an easement for the construction, maintenance, repair and removal of their lines and other facilities, in, over, under and across each area designated on this plat as "Utility Easement" to have and to hold forever.

### CERTIFICATE OF WAIVER

The undersigned property owner further waives the right to protest creation of Rural Improvement Districts, Local Improvement Districts and Water and/or Sewer Districts related to Minor Subdivision No. \_\_\_\_\_. In doing so, the owner does not waive any right to comment on, protest, and/or appeal any assessment formula which may be proposed if it believes that formula to be inequitable. This waiver shall be binding upon the heirs, assigns, and purchasers of all lots within this Minor Subdivision.

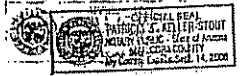
### COVENANTS

- A. The control of noxious weeds by individual owners on their respective lots shall be as set forth and specified under the Montana Noxious Weed Control Act (MCA 7-22-2101 through 7-22-2153) and the rules and regulations of the Gallatin County Weed Control District.
- B. The landowner shall be responsible for the control of state and county declared noxious weeds on his or her lot. Both unimproved and improved lots shall be managed for noxious weeds. In the event a landowner does not control the noxious weeds, after 10 days notice from Gallatin County, the County may cause the noxious weeds to be controlled. The cost and expense associated with such weed management shall be assessed to the lot and such assessment may become a lien if not paid within 30 days of the mailing of such assessment.
- C. Lot owners and residents of the subdivision are informed that nearby uses may be agricultural. Lot owners accept and are aware that standard agricultural and farming practices can result in smoke, dust, animal odors, flies, and machinery noise. Standard agricultural practices feature the use of heavy equipment, chemical sprays and the use of machinery early in the morning and sometimes late into the evening.
- D. All fences bordering agricultural lands shall be maintained by the property owners, in accordance with state law.
- E. All structures shall be constructed in compliance with Montana State adopted codes for construction, including codes for pertinent Seismic Zone.
- F. The artificial feeding of all wildlife and big game shall be prohibited, including providing any food, garbage or other attractant.
- G. All garbage shall be stored in animal-proof containers or be made unavailable to animals.
- H. Pets shall be controlled by each homeowner, and not allowed to roam at large.
- I. Owners acknowledge that wildlife damage to landscaping and other property may occur. Owners shall accept the risk and shall not file any claims against any governing body for such damages.
- J. All lot access shall be built to County standards as specified in Section 7.6.2 of the Gallatin County Subdivision Regulations.
- K. Fire protection for all new habitable structures (including mobile and modular buildings) within the subdivision shall be protected by fire sprinkler systems meeting requirements approved by the Gallatin Gateway Rural Fire District. Any building within 50 feet of a building equipped with a fire sprinkler system shall have a fire sprinkler system installed. **Fire Protection/Fire Alarm System Protect Tracking Process:** The property owner shall provide 14 day written notice of intent to build a structure with fire protection sprinkler system and, where applicable, fire alarm system, engineered by a P.E. A third party review of the plans shall be required by the GGRFD at the expense of the developer/property owner. The property owner shall provide written certification by the P.E. that the fire protection sprinkler system and, where applicable fire alarm system, are installed and fully operational prior to enclosure with sheetrock or interior wall covering installation. The GGRFD shall be permitted to witness the testing with a minimum of 48 hours advanced notice. The property owner shall provide written certification by a P.E. and the owner that all fire protection requirements have been met prior to final occupancy. The GGRFD shall be permitted to witness the checklist of inspections required in this section. The developer or owner shall provide the GGRFD with 48 hours notice of the checklist inspections. Occupancy shall be permitted only when all Fire Protection Requirements have been met as determined by the GGRFD.
- L. Any covenant which is included herein as a condition of preliminary plat approval and required by the County Commission shall not be amended or revoked without the mutual consent of the owners, in accordance with the amendment procedures in the covenants, and the Gallatin County Commission.

Dated this 26th day of JANUARY, A.D., 2006.

*[Signature]* James H. Walma      *[Signature]* Gail G. Walma  
James H. Walma      Gail G. Walma

STATE OF ARIZONA )  
County of Maricopa



On this 26th day of JANUARY, 2006, before me a notary public in and for said state personally appeared James H. Walma and Gail G. Walma, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

*[Signature]* Patricia A Keller-Stout      *[Signature]* Patricia A Keller-Stout  
Notary Public for the State of Arizona      Notary Name Printed  
401 E. Wickenburg      Sept 14, 2005  
Residing At      My Commission Expires

Prepared By:  
**Rocky Mountain Engineers, P.L.L.C.**  
Civil Engineering & Land Surveying  
1700 West Koch Street, Suite 7  
Bozeman, Montana 59715 (406) 565-4639  
Drawing File Name: 1070MSub.dwg      01/11/2006