

PLAT OF BAXTER MEADOWS SUBDIVISION, PHASES 2C & 2D

J - 410

CONSENT OF MORTGAGEE(S)

CERTIFICATE OF DEDICATION
I (we), the undersigned property owner(s), do hereby certify that I (we) have caused to be surveyed, subdivided and platted into lots, blocks, streets, and alleys, and other divisions and dedications, as shown by the plat hereunto included, the following described tract of land, to-wit:

DESCRIPTIONS

Two parcels of land, said parcels being portions of Tract 2A of Certificate of Survey No. 2202A, said parcels being located in the Southeast Quarter and in the Southwest Quarter of Section 34, Township 1 South, Range 5 East, P.M.M., City of Bozeman, Gallatin County, Montana, and being more particularly described as follows:

Phase 2C Linear Park:

Beginning at the northwest corner of Linear Park of the Final Plat of Baxter Meadows, Phase IIA, said corner being a point on the centerline of an existing irrigation ditch; thence northerly along the centerline of said ditch, said centerline being approximately dimensioned by the following 8 courses:

North 03°57'17" West, a distance of 100.31 feet; North 01°31'51" East, a distance of 80.56 feet; North 27°52'13" East, a distance of 87.85 feet; North 39°29'45" East, a distance of 106.74 feet; North 01°55'37" East, a distance of 51.87 feet; North 01°19'34" West, a distance of 100.29 feet; North 04°31'49" East, a distance of 41.93 feet; North 14°04'05" East, a distance of 108.70 feet;

thence North 89°41'57" East, a distance of 213.08 feet; thence along a non-tangent curve to the right with an arc length of 152.38 feet, a radius of 270.00 feet, a delta angle of 32°20'09", a chord bearing of South 01°46'10" East, and a chord length of 150.36 feet; thence South 14°23'54" West, a distance of 487.11 feet to the northwest corner of the right of way at the intersection of Galloway Street and Vaguard Parkway as dedicated in said Phase IIA plat; thence South 14°30'13" West, along the westerly line of said Vaguard Parkway, a distance of 16.15 feet; thence South 89°47'34" West, along the north line of said Linear Park, a distance of 240.12 feet to the Point of Beginning. The described parcel contains 3.677 acres, more or less.

Phase 2D & a Portion of Phase 2C:

Beginning at the northwest corner of Linear Park of the Final Plat of Baxter Meadows, Phase IIA; thence South 05°07'47" East, along the westerly line of said park, a distance of 455.42 feet to the north line of Equestrian Lane as dedicated on the Final Plat of Baxter Meadows Subdivision P.U.D. Phase I; thence South 89°41'57" West, along said north line, a distance of 1265.26 feet; thence North 00°17'46" West, along the easterly line of Private Open Space B of said Phase I plot and along the northerly extension of said easterly line, a distance of 1022.00 feet; thence North 89°41'57" East, a distance of 433.30 feet to the east line of a Public Street and Utility Easement for Ferguson Avenue as recorded on Document #2103143; thence South 00°20'56" West, along said east line, a distance of 568.04 feet; thence North 89°41'57" East, a distance of 749.63 feet; thence North 89°55'18" East, a distance of 50.35 feet to the Point of Beginning. The described parcel contains 18.595 acres, more or less.

The described parcels are along with and subject to any existing easements. The described parcels are as shown on the accompanying plat.

The above described tract of land is to be known and designated as the PLAT OF BAXTER MEADOWS SUBDIVISION, PHASES 2C & 2D, City of Bozeman, Gallatin County, Montana; and the lands included in all streets, avenues, alleys, and parks or public squares shown on said plat are hereby granted and donated to the City of Bozeman for the public use and enjoyment. The lands included in all streets, avenues, alleys, and parks or public squares dedicated to the public are accepted for public use, but the city accepts no responsibility for maintaining the same. The owners agree that the city has no obligation to maintain the lands included in all streets, avenues, alleys and parks or public squares hereby dedicated to public use. The lands included in all streets, avenues, alleys, and parks or public squares dedicated to the public, which the City accepts responsibility for maintaining include: Lasso Avenue, Kimberwicke Street, Ferguson Avenue, Galloway Street, Milkhouse Avenue and Gallatin Green Boulevard.

The undersigned hereby grants unto each and every person, firm, or corporation, whether public or private, providing or offering to provide telephone, electric power, gas, internet or cable television 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.

Dated this 26 day of August, 2005

Owner: BAXTER MEADOWS DEVELOPMENT, L.P. Formerly known as W.B.C., L.P.

By: BAXTER MEADOWS CONSTRUCTION, INC., General Partner

By: Gerald R. Williams, President

CERTIFICATE OF COMPLETION OF IMPROVEMENTS

I, Gerald R. Williams, and I, Keith Waring, a registered professional engineer licensed to practice in the State of Montana, do hereby certify that the following improvements, required to meet the requirements of this title or as a condition(s) of approval of the PLAT OF BAXTER MEADOWS SUBDIVISION, PHASES 2C & 2D, have been installed in conformance with the approved plans and specifications:

WATER SYSTEM IMPROVEMENTS, SEWER SYSTEM IMPROVEMENTS, STORM DRAIN, UTILITY CURBVERTS, FILTER FABRIC, SUBBASE GRAVEL, AND 75% OF THE SITE GRADING

Completion of the following items is financially guaranteed and is covered by the improvements agreement accompanying this plat:

PARK IMPROVEMENTS, POND OUTLET RIPRAP, POND OUTLET STRUCTURE, 1.5" MINUS CRUSHED BASE, HOT PLANT MIX COMBINATION CURB & GUTTER, HANDICAP RAMPS, CONCRETE ALLEY APRONS, CONCRETE VALLEY GUTTER AND FILLETS, CONCRETE SIDEWALKS, REMAINING SITE GRADING, STREET SIGNS, CURB BULB DELINEATORS, AND CURB BULB PAINTING.

The subdivider hereby warrants against defects in these improvements for a period of one year from this date. The subdivider grants possession of all public infrastructure improvements to the City of Bozeman, and the City hereby accepts possession of all public infrastructure improvements, subject to the above indicated warranty.

By: Subdivider Date: 8/25/05
By: Montana Lic. No. 15161 PE Date: 8/19/05
By: Director of Public Service Date: 9/20/2005

STATE OF MONTANA County of Gallatin

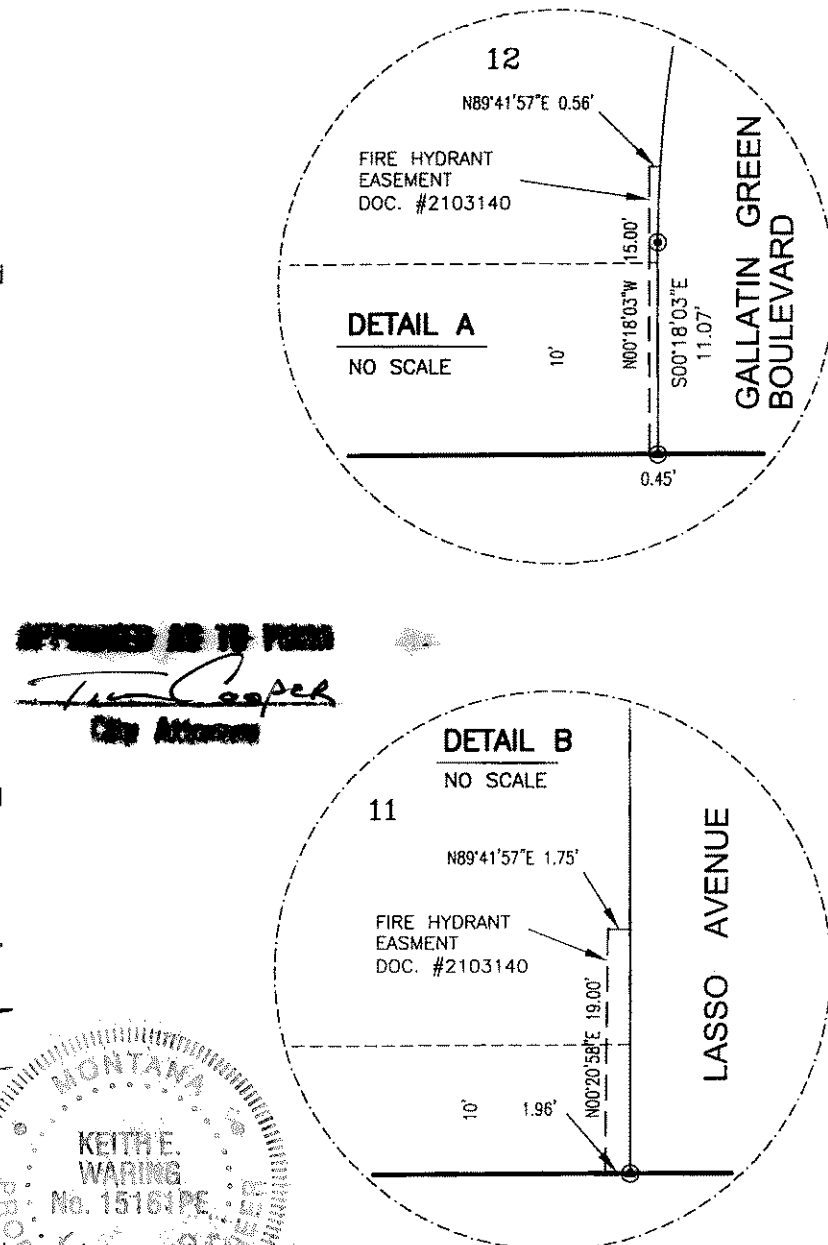
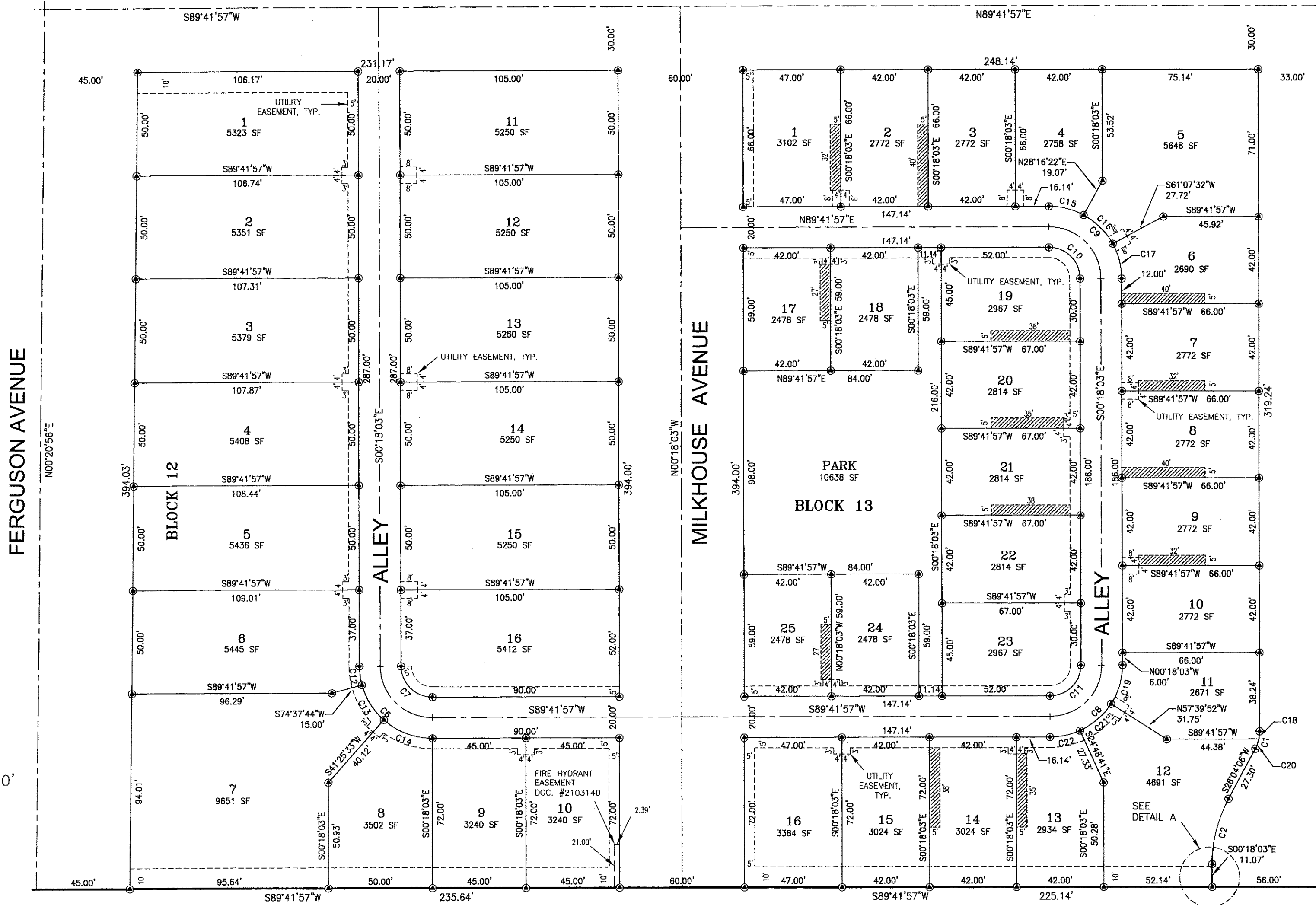
On this 26 day of August, 2005, before me the undersigned Notary Public for the State of Montana, personally appeared Gerald R. Williams, known to me to be the President of BAXTER MEADOWS CONSTRUCTION, INC., the General Partner of BAXTER MEADOWS DEVELOPMENT, L.P., and the person whose name is subscribed to the within instrument and acknowledged to me that he executed the within instrument for and on behalf of BAXTER MEADOWS DEVELOPMENT, L.P.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.

Notary Public for the State of MONTANA
Printed Name: Terri Zullo
Residing at: Bozeman, Montana
My Commission expires: July 31, 2007

TWO PARCELS OF LAND, BEING PORTIONS OF TRACT 2A OF CERTIFICATE OF SURVEY NO. 2202A, LOCATED IN THE SOUTHEAST QUARTER AND IN THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 1 SOUTH, RANGE 5 EAST, P.M.M., CITY OF BOZEMAN, GALLATIN COUNTY, MONTANA

GALLOWAY STREET



EQUESTRIAN LANE

CURVE TABLE

Table with columns: CURVE, RADIUS, DELTA ANGLE, ARC LENGTH, CHORD BEARING, CHORD LENGTH. Lists curves C1 through C22 with their respective dimensions.

COMPUTED PHASE AREAS BY BLOCK

Table with columns: PHASE/BLOCK, LOTS, STREETS & ALLEYS, PARK, TOTAL (SQ. FT.). Summarizes area calculations for various blocks and streets.

PARK DEDICATION AREA CALCULATIONS (SQUARE FEET)

Table showing calculations for Park Dedication Area: PARK WITHIN WATERCOURSE & WETLANDS = 6895.3, PARK OUTSIDE OF WATERCOURSE & WETLANDS = 14181.3, TOTAL PARK PARCELS = 210786, DEDICATED PARK = 152782 = 3.51 ACRES.

(we), the undersigned mortgagee(s) or encumbrancer, do hereby join in and consent to the described plat, releasing my (our) respective liens, claims or encumbrances as to any portion of said lands now being platted into streets, avenues, parks, or other public areas which are dedicated to the City of Bozeman for the public use and enjoyment.

Dated this 29 day of August, 2005

FIRST INTERSTATE BANK
Signature: [Signature]
Printed Name and Title: [Name and Title]

STATE OF MONTANA
County of Gallatin

On this 25th day of August, 2005, before me the undersigned Notary Public for the State of Montana, personally appeared [Name] of FIRST INTERSTATE BANK and the person whose name is subscribed to the within instrument and acknowledged to me that he executed the within instrument for and on behalf of FIRST INTERSTATE BANK.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.

Notary Public for the State of Montana
Printed Name: [Name]
Residing at: [Address]
My Commission expires: [Date]

CERTIFICATE OF SURVEYOR

I, the undersigned, Steven C. Anderson, Professional Land Surveyor, do hereby certify that on October 13, 2004 & July 12, 2005, I surveyed the PLAT OF BAXTER MEADOWS SUBDIVISION, PHASES 2C & 2D, and platted the same as shown on the accompanying plat and as described in accordance with the provisions of the Montana Subdivision and Platting Act, §76-3-101 through 76-3-625, M.C.A., and the Bozeman Unified Development Ordinance.

I further certify that all monuments will be set upon or prior to completion of construction or when reasonable weather-related site conditions exist, but no later than June 30, 2006.

Dated this 19 day of August, 2005
Steven C. Anderson
Montana License No. 12251 LS

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 26th day of August, 2005
Deputy Treasurer

CERTIFICATE OF EXCLUSION FROM MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY REVIEW

The PLAT OF BAXTER MEADOWS SUBDIVISION, PHASES 2C & 2D, Gallatin County, Montana, is within the City of Bozeman, Montana, a first-class municipality, and within the planning area of the Bozeman growth policy which was adopted pursuant to §76-1-601 et seq., MCA, and can be provided with adequate storm water drainage and adequate municipal facilities. Therefore, under the provisions of §76-4-125(2)(d) MCA, this subdivision is excluded from the requirement for Montana Department of Environmental Quality review.

Dated this 20th day of September, 2005
Director of Public Service
City of Bozeman, Montana

CERTIFICATE OF DIRECTOR OF PUBLIC SERVICE

I, Director of Public Service, City of Bozeman, 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 the City of Bozeman for the public use of any and all lands shown on the plat as being dedicated to such use.

Dated this 20th day of September, 2005
Director of Public Service
City of Bozeman, Montana

CERTIFICATE OF CLERK AND RECORDER

I, Shelley Vance, Clerk and Recorder of Gallatin County, Montana, do hereby certify that the foregoing instrument was filed in my office at 12:00 o'clock, P.M., this 22nd day of September, 2005, and recorded in Book 1 of Plats, on Page 410, as Document No. 220218, Records of the Clerk and Recorder, Gallatin County, Montana.

Deputy Clerk and Recorder

220218
Shelley Vance-Gallatin Co MT PLAT 43 00

DUE TO A RELATIVELY HIGH GROUND WATER TABLE WITHIN THE AREA OF THE SUBDIVISION, IT IS NOT RECOMMENDED THAT RESIDENTIAL DWELLINGS WITH FULL BASEMENTS BE CONSTRUCTED WITHOUT FIRST CONSULTING A PROFESSIONAL ENGINEER. IF DAYLIGHT BASEMENTS ARE INCORPORATED IN THE CONSTRUCTION OF RESIDENTIAL DWELLINGS, THEY SHOULD NOT HAVE A DEPTH GREATER THAN THREE (3) FEET BELOW THE TOP OF THE CURB OR CROWN OF THE STREET FROM WHICH IT IS SERVED.

TD&H THOMAS, DEAN & HOSKINS, INC. ENGINEERING CONSULTANTS
DRAWN BY: eb,sa DATE: 8/18/05 QUALITY CHECK: SA
SURVEYED BY: SA JOB NO. B05-016 FIELDBOOK 30/14.45.66

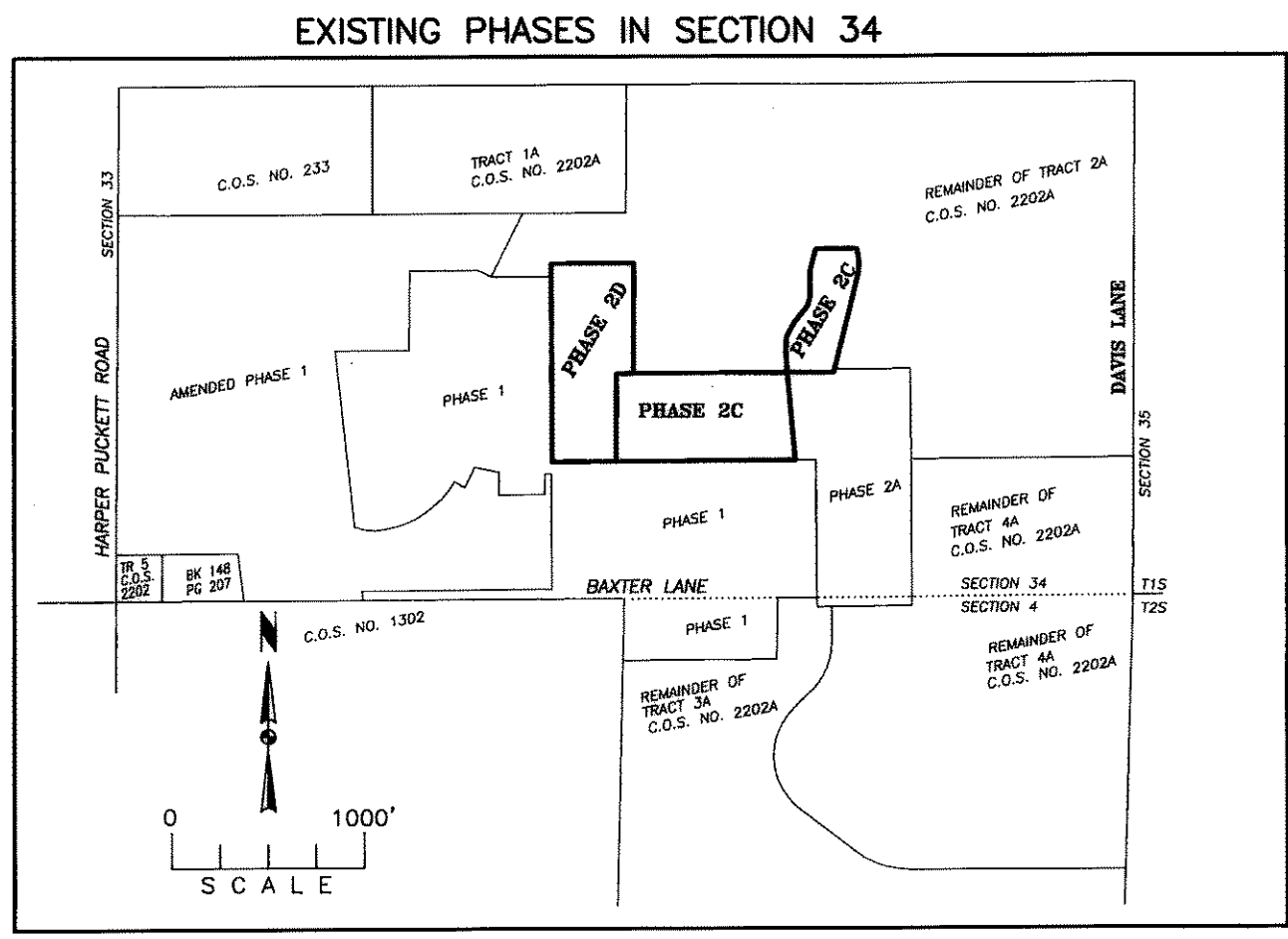
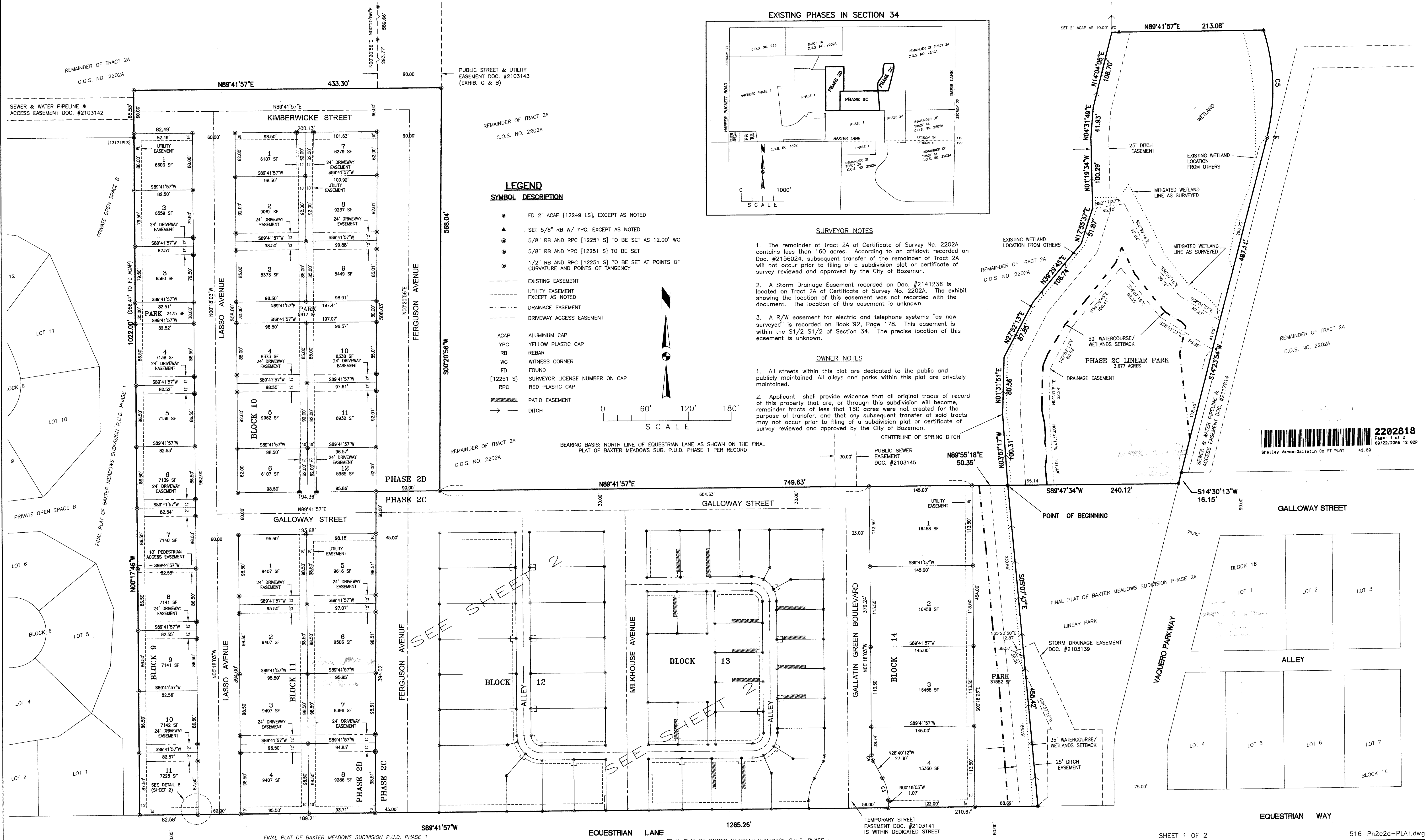
SURVEY PURPOSE: TO CREATE 76 LOTS AND 5 PARK PARCELS.
THE COMMISSIONER OF THIS SURVEY IS PC DEVELOPMENT.

PLAT OF BAXTER MEADOWS SUBDIVISION, PHASES 2C & 2D

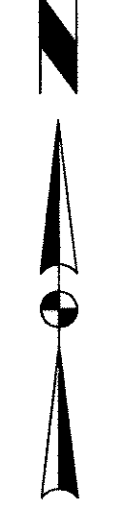
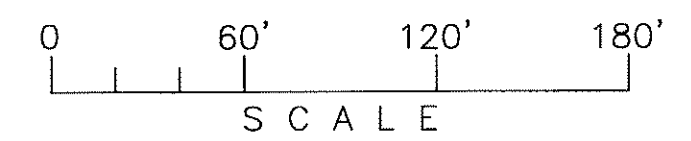
TWO PARCELS OF LAND, BEING PORTIONS OF TRACT 2A OF CERTIFICATE OF SURVEY NO. 2202A,
LOCATED IN THE SOUTHWEST QUARTER AND IN THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 1 SOUTH, RANGE 5 EAST, P.M.M.,
CITY OF BOZEMAN, GALLATIN COUNTY, MONTANA,

J - 410

TOTAL AREA: 22.27 ACRES



- LEGEND**
- SYMBOL DESCRIPTION**
- FD 2" ACAP [12249 LS], EXCEPT AS NOTED
 - ▲ SET 5/8" RB W/ YPC, EXCEPT AS NOTED
 - ⊙ 5/8" RB AND RPC [12251 S] TO BE SET AS 12.00' WC
 - ⊙ 5/8" RB AND YPC [12251 S] TO BE SET
 - ⊙ 1/2" RB AND RPC [12251 S] TO BE SET AT POINTS OF CURVATURE AND POINTS OF TANGENCY
 - EXISTING EASEMENT EXCEPT AS NOTED
 - - - DRAINAGE EASEMENT
 - - - DRIVEWAY ACCESS EASEMENT
 - ACAP ALUMINUM CAP
 - YPC YELLOW PLASTIC CAP
 - RB REBAR
 - WC WITNESS CORNER
 - FD FOUND
 - [12251 S] SURVEYOR LICENSE NUMBER ON CAP
 - RPC RED PLASTIC CAP
 - ▨ PATIO EASEMENT
 - - - DITCH



SURVEYOR NOTES

- The remainder of Tract 2A of Certificate of Survey No. 2202A contains less than 160 acres. According to an affidavit recorded on Doc. #2156024, subsequent transfer of the remainder of Tract 2A will not occur prior to filing of a subdivision plat or certificate of survey reviewed and approved by the City of Bozeman.
- A Storm Drainage Easement recorded on Doc. #2141236 is located on Tract 2A of Certificate of Survey No. 2202A. The exhibit showing the location of this easement was not recorded with the document. The location of this easement is unknown.
- A R/W easement for electric and telephone systems "as now surveyed" is recorded on Book 92, Page 178. This easement is within the S1/2 S1/2 of Section 34. The precise location of this easement is unknown.

OWNER NOTES

- All streets within this plat are dedicated to the public and publicly maintained. All alleys and parks within this plat are privately maintained.
- Applicant shall provide evidence that all original tracts of record of this property that are, or through this subdivision will become, remainder tracts of less than 160 acres were not created for the purpose of transfer, and that any subsequent transfer of said tracts may not occur prior to filing of a subdivision plat or certificate of survey reviewed and approved by the City of Bozeman.

2202818
 Page 1 of 2
 09/22/2005 12:00P
 Shelley Vance-Gallatin Co MT PLAT 43.00

SEE SHEET 2

TD&H
THOMAS, DEAN & HOSKINS, INC.
 ENGINEERING CONSULTANTS
 GREAT FALLS-BOZEMAN-KALISPELL
 SPOKANE WASHINGTON
 LEWISTON IDAHO

DRAWN BY: eb,jn,sa
 SURVEYED BY: SA
 DATE: 8/18/05
 JOB NO. B05-016
 QUALITY CHECK: SA
 FIELDBOOK 30/14.45.66

516-Ph2c2d-PLAT.dwg
 SHEET 1 OF 2