



February 23, 2023

City of Missoula
City Engineering for Development Review
435 Ryman Street
Missoula, MT 59802

sent via email:

publicworks@ci.missoula.mt.us

RE: Linda Vista Estates Phase 2 Lower
Miller Creek Right-of-Way Vacation

Dear Reviewer:

The purpose of this letter is to compliment the right-of-way vacation application for the portion of Lower Miller Creek Road to be platted on Linda Vista Estates Phase 2. The existing portion of the right-of-way to be vacated bisects Tract 2 of Certificate of Survey No. 6355 and is surrounded by land owned by the applicant, Lloyd A Twite Family Partnership, LLC. This land is included in the approval of the Linda Vista Estates Subdivision and subject to the conditions stipulated in the Linda Vista Estates Phasing Plan Extension as approved by City Council on January 14, 2019.

The additional housing enabled by the proposed right-of-way vacation of the existing Lower Miller Creek Road will provide much-needed benefit to the City of Missoula. The proposed relocation of this portion of Lower Miller Creek Road will be a benefit to the public by improving both motorized and non-motorized travel in the area. Once the planned development for the area is completed, the road design and pedestrian facilities will better serve future residents by offering motorized and non-motorized connectivity as well as lighting, street trees, and bus stops. Lastly, the improvements from gravel surfacing to asphalt with curb, gutter, and sidewalk will provide benefit to both future residents and the City of Missoula.

If you have any questions, comments, or require any additional information, please feel free to contact me by phone at 406-721-0142 or via email at Joseph.M.Dehnert@imegcorp.com / Cory.S.Davis@imegcorp.com

Sincerely,

IMEG Corp.

A handwritten signature in black ink, appearing to read "Joe Dehnert".

Joe Dehnert, Land Use Planner

IMEG Corp.

Cory Davis, P.E.

Enclosers: As Noted Above

C. File & Scan (w/enclosures)



RIGHT-OF-WAY VACATION APPLICATION

A. GENERAL INFORMATION

1. One submittal packet is required for Completeness/Sufficiency Review.
2. Once the application is deemed complete by Development Services (DS), the applicant shall submit a final hard copy of the application and appropriate review fee.
3. Proposed Right-of-Way Vacation:
4. Name(s) of Applicant(s):
Mailing Address
Telephone Number
Email Address
5. Name(s) of all Owners of Record
Adjacent to Right-of-Way:
Mailing Address
Telephone Number
Email Address
6. Name and Company &
Representative:
Mailing Address
Telephone Number
Email Address
7. If the applicant is someone other than the adjacent property owner, the titled owner(s) must also sign the application in the space provided below.

Certification: I hereby certify that the foregoing information contained or accompanied in this application is true and correct to the best of my knowledge.



Applicant's Signature -

Date

As owner(s) of property adjacent to a plat dedicated public right-of-way entitled to certain adjacent vacated public right-of-way pursuant to sections 70-16-202 and 70-20-307 MCA, we/I hereby knowingly voluntarily waive any and all ownership claim to the vacated adjacent public right of way. Our/my signature signifies our/my voluntary, knowingly, understanding intent and approval that any and all vacated dedicated public right-of-way that we/I might have any ownership entitlement to is hereby to be granted, gifted, given or transferred to the City of Missoula for use as parkland. We/I waive and make no ownership or compensation claim to any such lands as legally described elsewhere in this document.



Owner's Signature -

Date

Representative's Signature -

Date

B. SUBJECT PROPERTY INFORMATION

1. General location of proposed right(s)-of-way vacation:

2. Complete Legal Description(s) of adjacent property:

3. Geocode(s) of adjacent property:

C. RESPONSES TO TITLE 12, SECTION 12.04 STREET VACATION

1. When any request to vacate or close any public right-of-way is made, the initiator of the request to vacate or close any right-of-way is responsible for contacting all property owners adjacent to the right-of-way proposed vacation or closure to solicit their signatures upon the petition. If signatures of any of the adjacent property owners are not provided the initiator of the request must provide the reasons for the lack of any property owner's signature on the petition for the vacation or closure.
2. Provide the following information and exhibits:
 - a. A site-specific evaluation explaining the reasons of the proposed public right-of-way vacation;

 - b. A description of the intended usage and goals of the public right-of-way if the vacation is approved, including a site plan;

 - c. A review of the existing utilities occupying any portion of the proposed public right-of-way vacation area, including a utility exhibit;

 - d. An evaluation of other alternatives explored other than vacating right-of-way, including, but not limited to, zoning variances, adjacent land use, design modifications, and/or a partial right-

of-way vacation or closure;

- e. Provide an analysis of potential tax impacts to the affected properties adjacent to the right-of-way proposed for vacation; and
- f. A description of public benefits the property owner(s) adjacent to the proposed right-of-way vacation are willing to consider in exchange for the approval of the vacation, e.g. any public improvements, easements, walkways, bicycle paths, etc.

D. ATTACHMENTS

As separate attachments (8.5" x 11" or 11" x 17"), provide the following materials with the site clearly identified. Required information may be combined on one attachment as long as the information is clearly presented. Please check the box if the material is included in the packet. If the material is not included in the submittal packet, please note "N/A"

Petition to Vacate the subject right(s)-of-way.

A utility map showing all utilities within and surrounding the proposed right(s)-of-way vacation.

A cover letter describing the purpose of the proposed right(s)-of-way vacation, existing site conditions, and a brief description of the proposed project.

A vicinity map showing the proposed right(s)-of-way vacation and the area within 300.

An aerial photo showing the subject right(s)-of-way.

The current plat(s) containing the subject right(s)-of-way and any easements.

N/A Site plans and building elevation drawings of the proposed project associated with the right(s)-of-way vacation.

A Zoning map of the surrounding property extending at least 300 feet from the subject right(s)-of-way.

A land use map of the applicable vicinity and regional plans.

Return to: City Clerk
City of Missoula
435 Ryman Street
Missoula MT 59802-4297

PETITION NO. _____
BEFORE THE CITY COUNCIL
OF THE
CITY OF MISSOULA

PETITION TO VACATE PUBLIC RIGHT-OF-WAY

COME NOW the undersigned and respectfully petition the City Council of the City of Missoula to consider VACATING the herein described public right-of-way.

The petitioner(s) hereby:

1. Agrees to comply with any conditions described in the resolution that VACATES the herein described public right-of-way; and
2. Recognizes the fact that non-compliance will result in the VACATION becoming null and void and reverting to public right-of-way.

Petitioner(s) has prepared a submittal package describing the particulars of the request according to Missoula Municipal Code 12.04 and have attached the same to this petition for City Council review.

Dated this _____ day of _____, 20____.

DESCRIPTION OF RIGHT-OF-WAY SUBJECT TO THIS PETITION:

PETITIONER'S SIGNATURE:

Lloyd A Twite
Lloyd A Twite as managing partner of Lloyd A Twite Family Partnership

STATE OF MONTANA)

) ss.

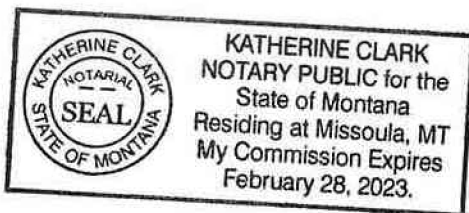
County of Missoula)

On this 23rd day of February, 2023, before me the undersigned, a Notary Public for the State of Montana, personally appeared Lloyd A Twite as managing partner of Lloyd A Twite Family Partnership, proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledge to me that he/she/they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal on the day, month, and year in this certificate first above written.

(SEAL)

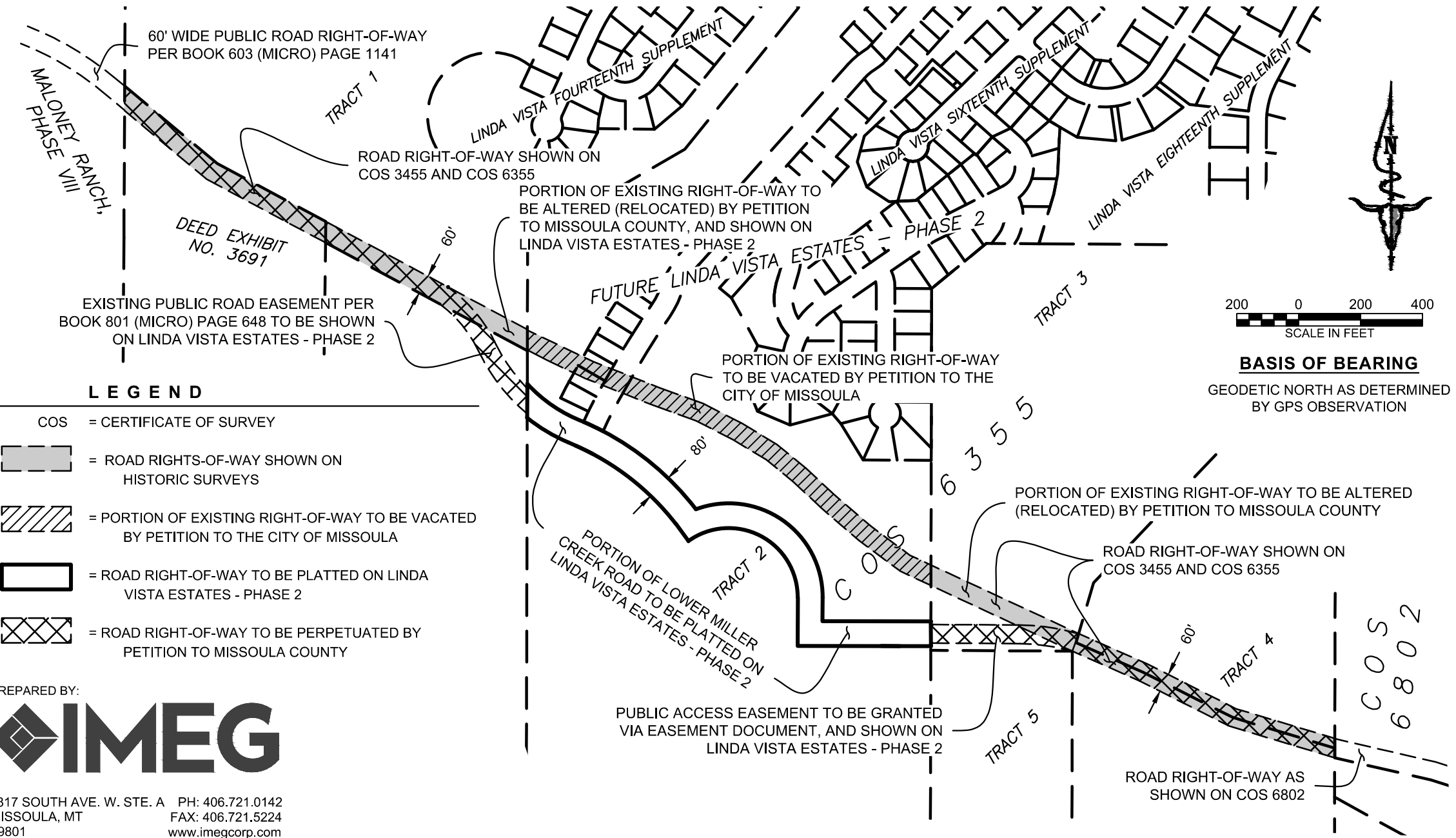
Katherine Clark
Notary Public for the State of Montana.
Printed Notary Name Katherine Clark
Residing at Missoula MT, Montana.
My Commission expires: 02/28/2023
MM/DD/YYYY



PLOT DATE: 2/19/2023 3:31 PM
DWG LOCATION: G:\2021\12\002288\00\DESIGN\CIVIL\3_DRAWING\1_DRAWING\9\AUTOCAD\SURVEY\EXH-21\002288-PETITION CITY.DWG

EXHIBIT 'A'

LOCATED IN THE S1/2 OF SEC. 13, T.12N., R.20W., P.M.M., MISSOULA COUNTY, MONTANA



LEGEND

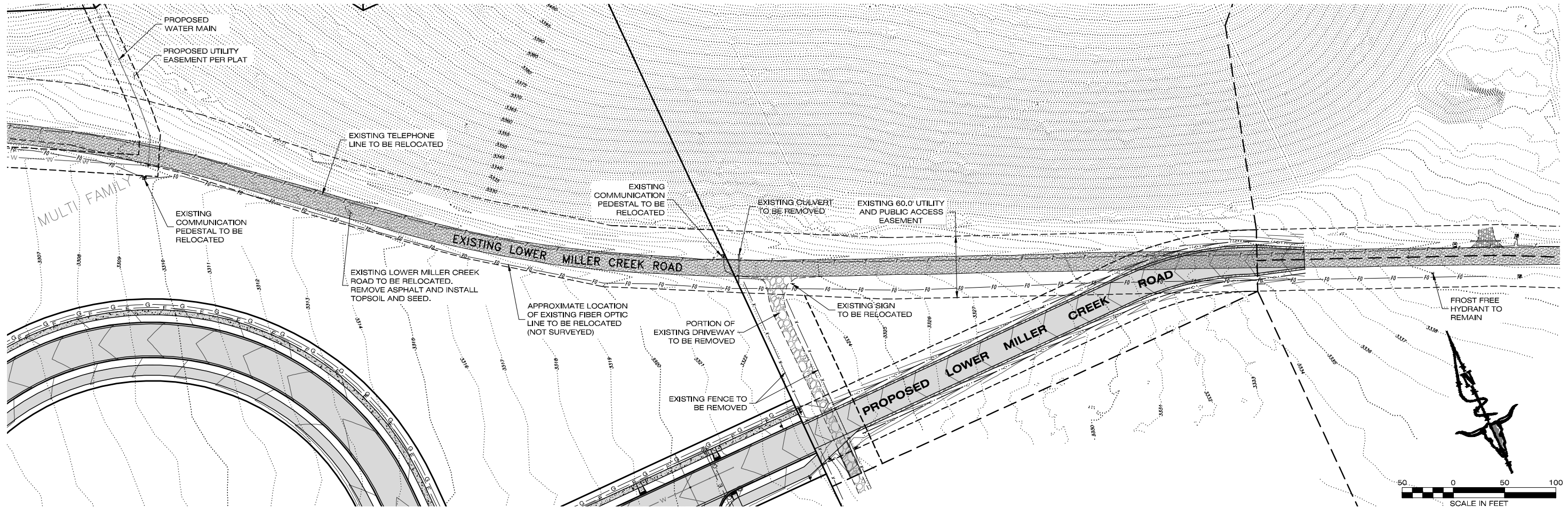
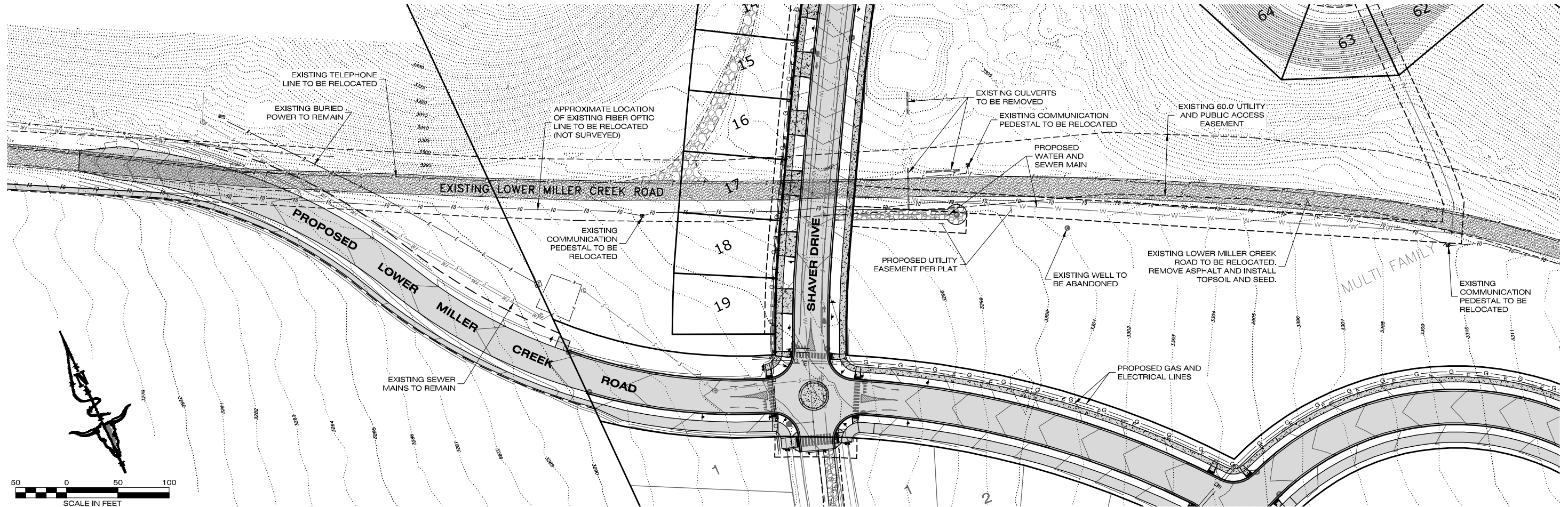
- COS = CERTIFICATE OF SURVEY
- [Hatched Box] = ROAD RIGHTS-OF-WAY SHOWN ON HISTORIC SURVEYS
- [Diagonal Lines Box] = PORTION OF EXISTING RIGHT-OF-WAY TO BE VACATED BY PETITION TO THE CITY OF MISSOULA
- [Solid Box] = ROAD RIGHT-OF-WAY TO BE PLATTED ON LINDA VISTA ESTATES - PHASE 2
- [Cross-hatched Box] = ROAD RIGHT-OF-WAY TO BE PERPETUATED BY PETITION TO MISSOULA COUNTY


PREPARED BY:



1817 SOUTH AVE. W. STE. A PH: 406.721.0142
MISSOULA, MT FAX: 406.721.5224
59801 www.imegcorp.com

IMEG PROJECT NO. 21002288





1917 SOUTH AVE. W. STE. A
MISSOULA, MT 59801
PH: 406.721.0142
FAX: 406.721.5224
www.imegcorp.com

DATE

REVISIONS

DESIGNED:	CD
DRAFTED:	JW
CHECKED:	CD
DATE:	FEB, 2023

LOCATION:	LINDA VISTA ESTATES PHASE 2 SECTION 13, T12N, R20W, P.M.M. MISSOULA, MISSOULA COUNTY, MT
PREPARED FOR:	LLOYD A TWITE FAMILY PARTNERSHIP, LLC

PROJECT NAME:	LINDA VISTA ESTATES PHASE 2
SHEET TITLE:	LOWER MILLER CREEK VACATION VACATION PLAN

PROJECT NO:	21002288
SHEET:	1 OF 1

PRELIMINARY

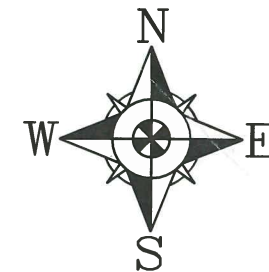
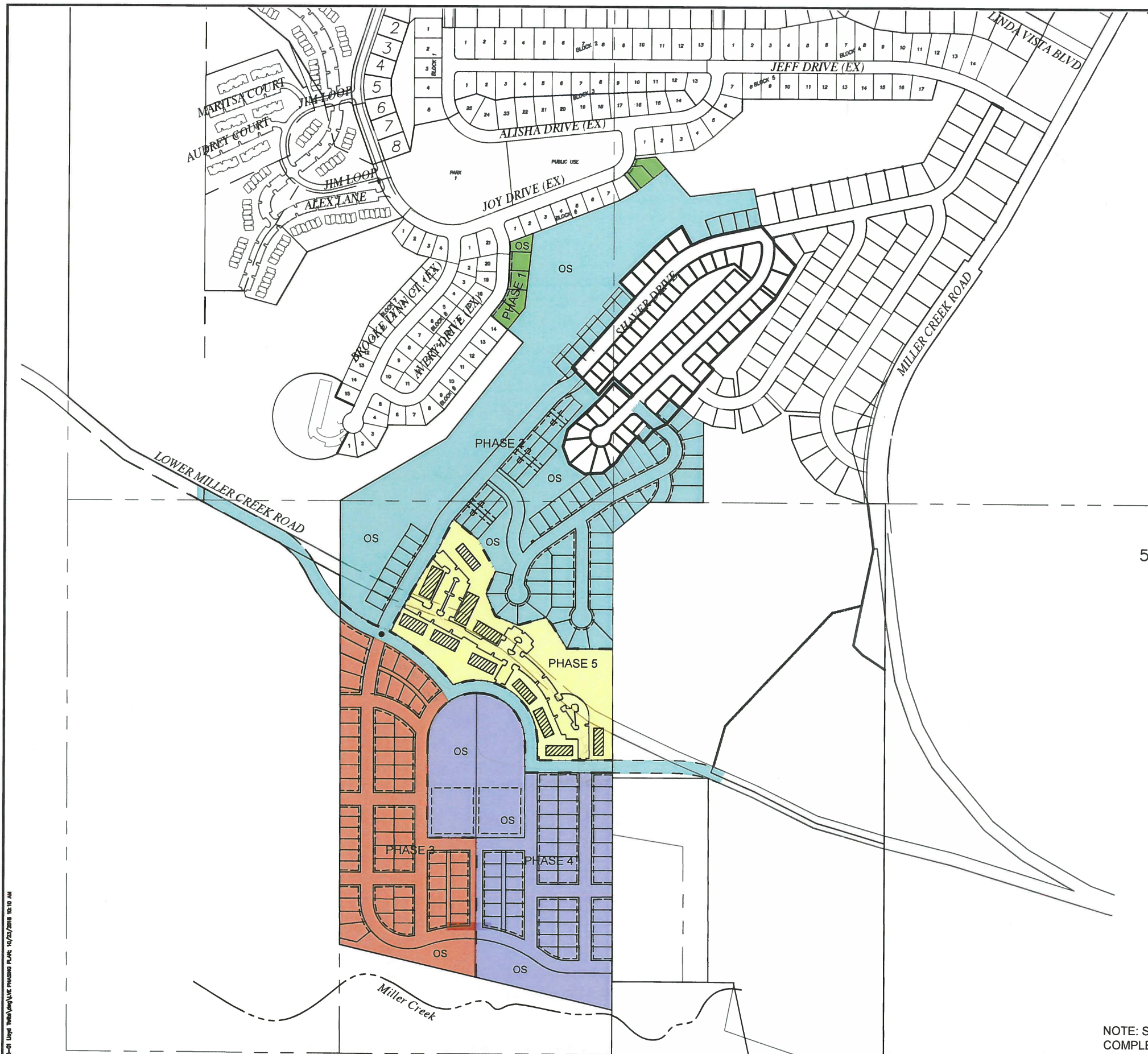
This map shows a vicinity map within 300 feet of a specific area. It displays property boundaries, addresses, and roads. Key roads include Lower Miller Creek Rd, Shaver Dr, Joy Dr, Alex Ln, and Max Dr. The map shows a large area of undeveloped land, likely a reservoir or wetland, with a dashed green line indicating a boundary. Numerous residential addresses are visible, including 7564, 7489, 7565, 5115, 7855, 7925, 8115, 8299, 3776, and 3749. The map also shows a scale bar in miles (0.00 to 0.3) and the Missoula County logo.








Date: 2/21/2023

Map Center: X: -114.05973 - Y: 46.79725

The material displayed on this page is informational and should be used for reference only. No reliance should be placed thereon without verification by the user. Missoula County does not warrant that the information is either complete or accurate. No representation, warranties or covenants of any kind are made by Missoula County. Before acting on the information contained on this page the user should consult original documents.



LEGEND

- | | |
|---|---|
|  | <p>PHASE 1 (JULY 1, 2015) - (SIX LOTS)</p> <p>TOTAL AREA = 1.39 ACRES</p> <p>NET LOT AREA = 1.23 ACRES</p> <p>OPEN SPACE = 0.16 ACRES (0.14 ACRES REQUIRED)</p> |
|  | <p>PHASE 2 (JULY 1, 2024)</p> <p>TOTAL AREA = 63.01 ACRES (INCLUDES OFF-SITE STREETS)</p> <p>NET LOT AREA = 14.39 ACRES</p> <p>OPEN SPACE = 20.57 ACRES (1.58 ACRES REQUIRED)</p> |
|  | <p>PHASE 3 (JULY 1, 2025)</p> <p>TOTAL AREA = 17.88 ACRES</p> <p>NET LOT AREA = 9.73 ACRES</p> <p>OPEN SPACE = 1.62 ACRES (1.07 ACRES REQUIRED)</p> |
|  | <p>PHASE 4 (JULY 1, 2026)</p> <p>TOTAL AREA = 20.97 ACRES</p> <p>NET LOT AREA = 7.29 ACRES</p> <p>OPEN SPACE = 9.43 ACRES (0.80 ACRES REQUIRED)</p> |
|  | <p>PHASE 5 (JULY 1, 2027)</p> <p>TOTAL AREA = 12.08 ACRES</p> <p>(NO OPEN SPACE REQUIRED)</p> |

OS = OPEN SPACE

NOTE: STREETS THAT PROVIDE ACCESS TO PHASES WILL BE COMPLETED WITH THE PHASE (OR EARLIER).


LINDA VISTA ESTATES PHASING PLAN
LLOYD A. TWITTE FAMILY PARTNERSHIP LOCATED IN
SEC. 7, T.12N., R.19W., P.M.,M.
MISSOULA COUNTY, MONTANA

PHASING PLAN

1

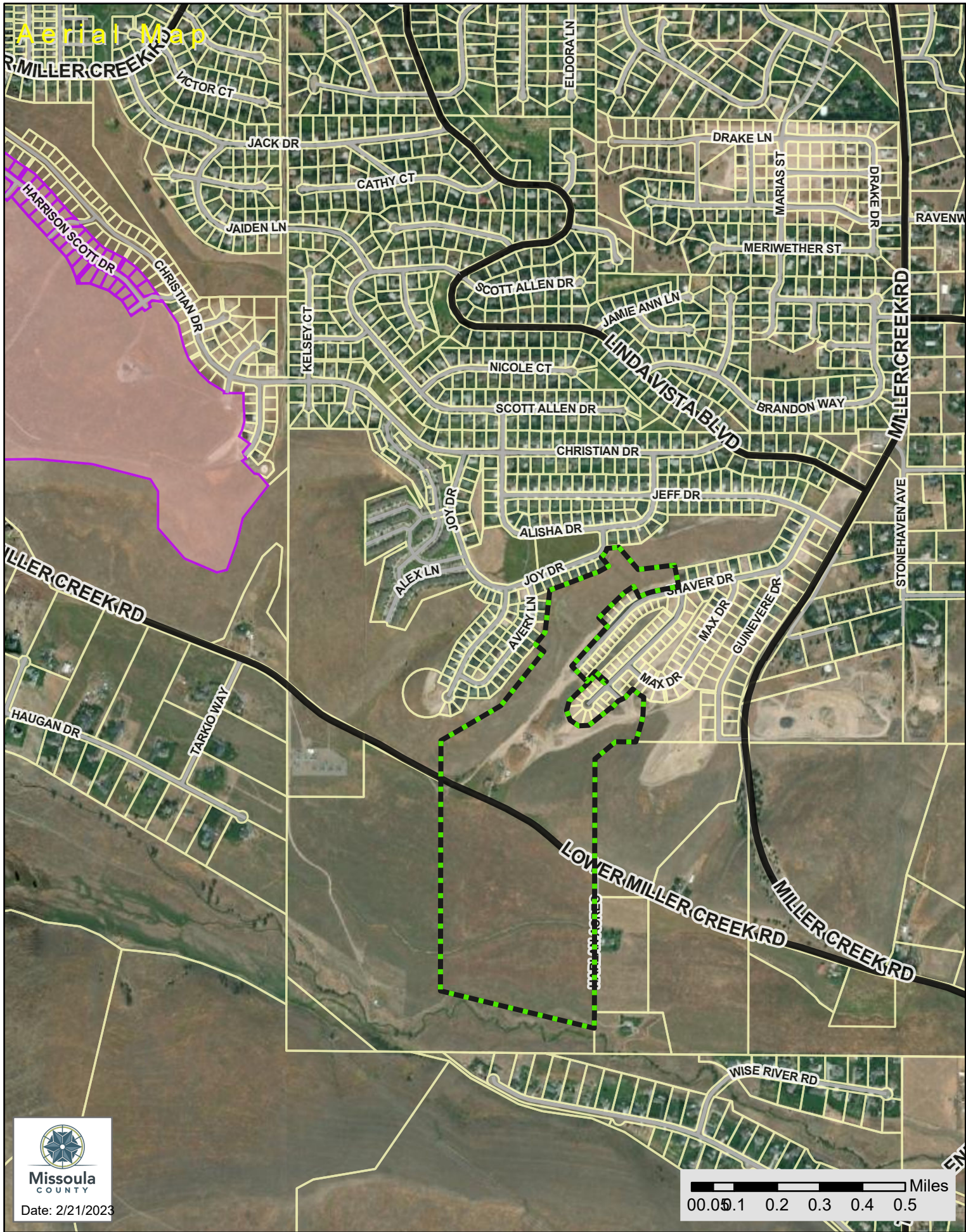
SHEET 1 of 1

**GILBERT
LARSON**
ENGINEERING AND SURVEYING

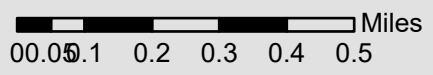


3115 Russell Street
P.O. Box 1347 Missoula, MT 59806
Ph:406-728-1880 Fax:406-728-0276 gilbert@engineerswa.com

PROJECT #:	6325-01	DEQ #:
OWNER:	City of Oakwood, IL	
CHG#2009:		
DATE:	8.11.2012	
REV#2009:	12.10.2014	Phase 1 open space
REV#2009:		
REV#2009:		
REV#2009:		
REV#2009:		
REV#2009:		



Aerial Map



Map Center: X: -114.05953 - Y: 46.80104

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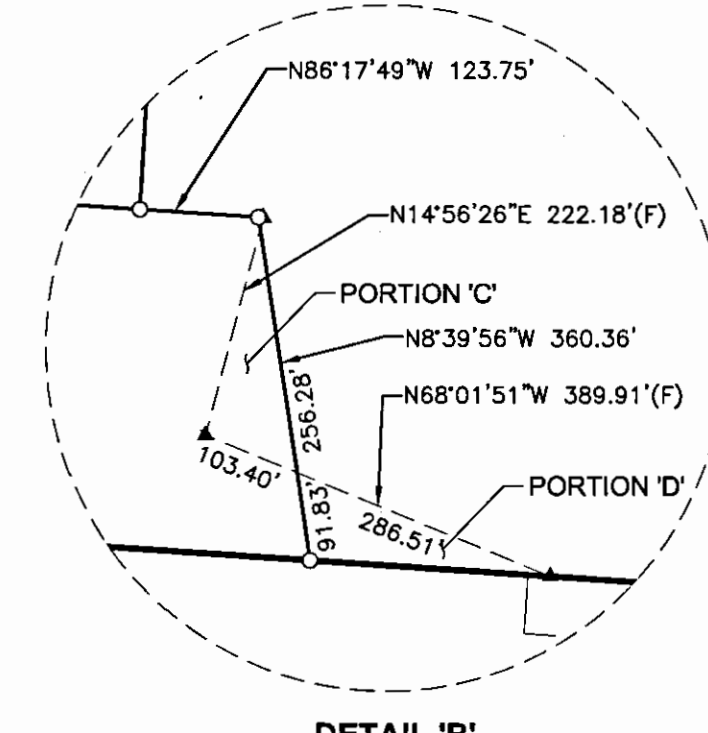
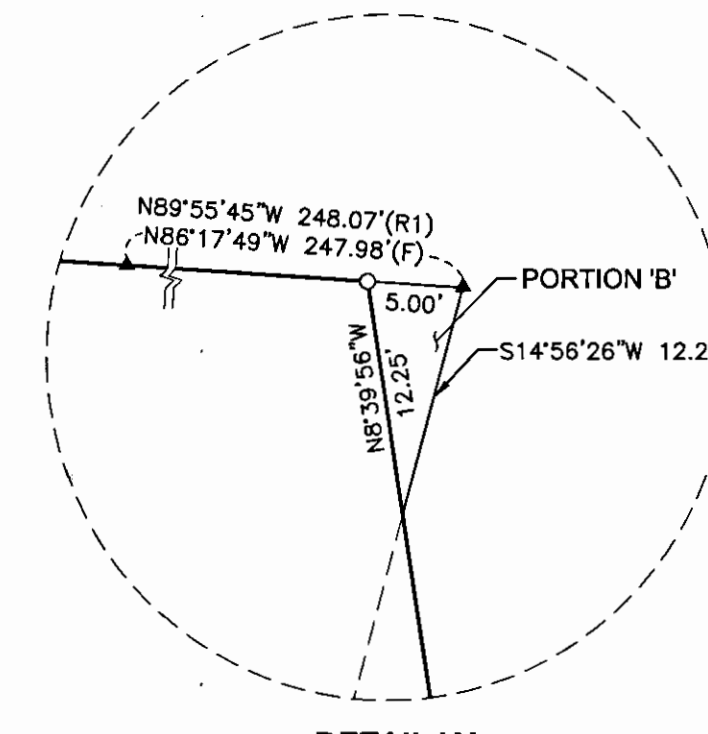
CERTIFICATE OF SURVEY

TO DEPICT THE RELOCATION OF COMMON BOUNDARIES IN
SECTION 13, TOWNSHIP 12 NORTH, RANGE 20 WEST, P.M.M.,
MISSOULA COUNTY MONTANA

Curve Table				
Curve #	Length	Radius	Delta	Record
C1	32.05	20.00	91°49'10"	(R1 & F)
C2	57.46	430.00	7°39'22"	(R1 & F)
C3	62.20	170.00	20°57'54"	(R2 & F)
C4	45.48	170.00	15°19'43"	(R2 & F)
C5	253.95	970.00	15°00'00"	(R2 & F)
C6	9.09	400.00	1°18'09"	
C7	113.73	180.00	36°12'00"	
C8	35.37	180.00	11°15'35"	
C9	90.35	150.00	34°30'40"	
C10	177.67	530.00	19°12'24"	

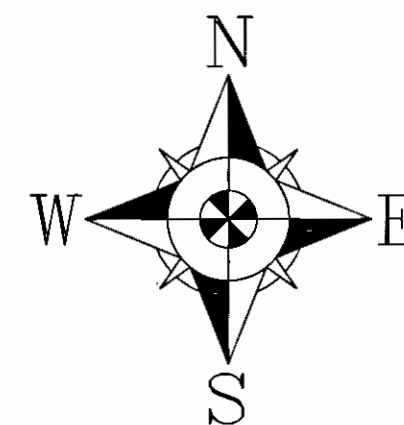
Radial Bearing Table	
Line #	Direction
L50	S63°46'17"W
L51	N31°36'05"W
L52	S46°55'47"E
L53	S17°38'58"W
L54	N43°32'09"E
L55	N44°50'18"E
L56	S43°32'09"W
L57	S41°32'30"W
L58	S26°51'24"E
L59	N48°07'02"W
L60	N84°19'02"W
L61	N35°38'35"W
L62	N8°03'44"W
L63	N81°28'08"E
L64	N84°44'10"E
L65	S84°25'23"W
L66	S70°09'16"E
L67	S27°16'08"E
L68	S61°54'49"E

Line Table		
Line #	Direction	Length
L1	N18°25'42"W	224.66
L2	N60°57'08"E	20.00
L3	S30°37'24"E	222.59
L4	N11°21'02"W	29.24
L5	N43°32'09"E	90.00
L6	N33°08'34"W	81.70
L7	N58°34'18"W	80.97
L8	N73°21'02"W	59.97
L9	N76°19'33"W	99.35
L10	S68°39'11"W	99.23
L11	S31°09'11"W	112.87
L12	S70°05'21"W	12.95
L13	N86°01'49"W	183.30
L14	S52°59'43"W	116.35
L15	N46°46'07"W	95.99
L16	N46°46'07"W	105.62
L17	N41°52'58"E	75.40
L18	N5°40'58"E	148.36
L19	N64°54'24"E	96.67
L20	N36°21'02"W	100.00
L21	N87°38'58"E	101.12
L22	S81°56'16"W	156.78
L23	N27°16'08"W	90.90
L24	S58°42'14"W	87.08
L25	S50°55'39"W	86.42
L26	S41°21'02"E	103.79
L27	N44°38'58"E	109.81
L28	S45°21'02"E	107.00
L29	S44°38'58"W	20.90
L30	N45°21'02"W	87.90
L31	S44°38'58"W	191.34
L32	S54°54'50"W	121.43
L33	S18°38'58"E	86.42
L34	S17°21'02"E	86.42
L35	S53°21'02"E	86.42
L36	S89°21'02"E	86.42
L37	N54°38'58"E	86.42
L38	N56°51'33"E	48.47
L39	N44°38'58"E	183.32
L40	N45°21'02"W	102.00
L41	N44°38'58"E	60.01
L42	S45°21'02"E	102.00
L43	N44°38'58"E	105.66
L44	S46°35'26"E	143.90
L45	S62°21'02"E	52.84



LEGEND

- SET 5/8" x 24" REBAR WITH 1-1/2" ALUM. CAP (LARSON, 8990ES)
- FOUND 1-1/2" ALUM. CAP (LARSON, 8990ES)
- FOUND 1-1/4" YPC (LARSON, 8990ES)
- ▲ FOUND 2" BRASS CAP (BAYER, 3321S)
- ▲ FOUND 1-1/4" YPC (FLEMING, 9747LS)
- ▲ FOUND 5/8" REBAR
- (F) FOUND
- (R1) RECORD PER COS 5917
- (R2) RECORD PER LINDA VISTA TWELFTH SUPPLEMENT
- (R3) RECORD PER COS 1175
- (R4) RECORD PER COS 5294
- (R5) RECORD PER COS 3650
- (R6) RECORD PER COS 3455
- RM REFERENCE MONUMENT



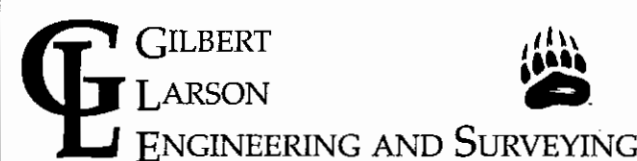
DEC. 2012
BASIS OF BEARING: GRID NORTH OF MONTANA STATE
PLANE COORDINATE SYSTEM NAD83

300' 0 300' 600'
SCALE IN FEET

PREPARED AT THE REQUEST OF: LLOYD A. TWITE FAMILY PARTNERSHIP

THIS CERTIFICATE OF SURVEY WAS NOT REVIEWED FOR ADEQUATE ACCESS, INSTALLATION OF UTILITIES,
FLOODPLAIN OR AVAILABILITY OF PUBLIC SERVICES; NOR DOES THIS APPROVAL OBLIGATE MISSOULA COUNTY
TO PROVIDE ROAD MAINTENANCE, DUST ABATEMENT OR OTHER SERVICES.

OWNERS:
LLOYD A. TWITE FAMILY PARTNERSHIP
HARLAN FAMILY TRUST, DATED AUGUST 9, 2001
DAVID JAY AND RENEE L. BIGART



3115 Russell Street P.O. Box 1347 Missoula, MT 59806
Ph: 406-728-1880 Fax: 406-728-0276 gilbert@engmissoula.com

COS006355
01/04/2013 10:17:21 AM Certificate of Survey
Vickie T. Zeller, Missoula County Clerk & Recorder

1/4	SEC.	T.	R.
13	12N	20W	

SHEET 1 OF 1
CERTIFICATE OF SURVEY NO.
MISSOULA COUNTY, MONTANA

06355

CERTIFICATE OF SURVEY

TO DEPICT THE RELOCATION OF COMMON BOUNDARIES IN
SECTION 13, TOWNSHIP 12 NORTH, RANGE 20 WEST, P.M.M.,
MISSOULA COUNTY MONTANA

LEGAL DESCRIPTION :

PERIMETER

A TRACT OF LAND LOCATED IN SECTION 13, T12N, R20W, MISSOULA COUNTY, MONTANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH WEST CORNER OF SAID SECTION 13; THENCE ALONG THE NORTH SECTION LINE OF SAID SECTION AND THE BOUNDARY OF MILLER CREEK VIEW ADDITION - PHASE 1, S86°07'43"E, 665.38 FEET; THENCE LEAVING SAID SECTION LINE AND CONTINUING THE FOLLOWING SEVEN COURSES ALONG SAID BOUNDARY OF THE MILLER CREEK VIEW ADDITION - PHASE 1, S11°32'36"E, 184.95 FEET; THENCE S49°53'53"E, 204.41 FEET; THENCE S47°03'31"E, 219.58 FEET; THENCE S28°16'28"E, 310.73 FEET; THENCE S10°21'02"E, 54.00 FEET; THENCE N79°38'58"E, 109.50 FEET TO A TANGENT POINT OF CURVATURE; THENCE AN ARC DISTANCE OF 32.05 FEET ALONG SAID TANGENT CURVE TO THE RIGHT, OF RADIUS 20.00 FEET AND DELTA 91°49'10" TO A POINT ON A TANGENT REVERSE CURVE; THENCE LEAVING SAID BOUNDARY OF THE MILLER CREEK VIEW ADDITION - PHASE 1 AND THE FOLLOWING THREE COURSES ALONG THE BOUNDARY OF THE LINDA VISTA ELEVENTH SUPPLEMENT AN ARC DISTANCE OF 57.46 FEET ALONG SAID TANGENT CURVE TO THE LEFT, OF RADIUS 430.00 FEET AND DELTA 7°39'22" TO A POINT ON A TANGENT LINE; THENCE S16°11'14"E, 241.32 FEET; THENCE N73°48'46"E, 190.00 FEET; THENCE LEAVING SAID BOUNDARY OF THE LINDA VISTA ELEVENTH SUPPLEMENT AND THE FOLLOWING EIGHTEEN COURSES ALONG THE BOUNDARY OF THE LINDA VISTA TWELFTH SUPPLEMENT N11°56'59"E, 125.06 FEET; THENCE N82°20'13"E, 163.75 FEET; THENCE N63°46'17"E, 60.00 FEET ALONG A RADIAL LINE TO A POINT OF CURVATURE, SAID POINT HAVING A RADIAL BEARING OF N63°46'17"E; THENCE AN ARC DISTANCE OF 62.20 FEET ALONG SAID NON-TANGENT CURVE BEING CONCAVE TO THE NORTHEAST, OF RADIUS 170.00 FEET AND DELTA 20°57'54" TO A POINT ON A NON-TANGENT LINE; THENCE ALONG SAID NON-TANGENT LINE N77°18'36"E, 109.85 FEET; THENCE S67°36'37"E, 95.04 FEET; THENCE N85°13'28"E, 91.07 FEET; THENCE S89°06'02"E, 813.75 FEET; THENCE S32°33'27"E, 89.50 FEET TO A NON-TANGENT POINT OF CURVATURE SAID POINT HAVING A RADIAL BEARING OF N31°36'05"W; THENCE AN ARC DISTANCE OF 45.48 FEET ALONG SAID NON-TANGENT CURVE TO THE LEFT, OF RADIUS 170.00 FEET AND DELTA 15°19'43" TO A POINT ON A RADIAL LINE; THENCE S46°55'47"E, 60.00 FEET; THENCE S57°21'02"E, 116.67 FEET; THENCE N51°38'58"E, 54.20 FEET; THENCE N03°38'58"E, 58.10 FEET; THENCE S86°21'02"E, 910.99 FEET; THENCE N17°38'58"E, 99.13 FEET ALONG A RADIAL LINE TO A POINT OF CURVATURE, SAID POINT HAVING A RADIAL BEARING OF S17°38'58"W; THENCE AN ARC DISTANCE OF 253.95 FEET ALONG SAID NON-TANGENT CURVE BEING CONCAVE TO THE SOUTHWEST, OF RADIUS 970.00 FEET AND DELTA 15°00'00" TO A POINT ON A TANGENT LINE; THENCE S57°21'02"E, 322.34 FEET; THENCE LEAVING SAID BOUNDARY OF THE LINDA VISTA TWELFTH SUPPLEMENT S32°28'29"W, 480.65 FEET; THENCE S37°54'26"W, 237.02 FEET; THENCE N52°05'34"W, 20.00 FEET; THENCE S37°54'26"W, 450.00 FEET TO A TANGENT POINT OF CURVATURE; THENCE AN ARC DISTANCE OF 205.57 FEET ALONG SAID TANGENT CURVE TO THE LEFT, OF RADIUS 1199.32 FEET AND DELTA 09°49'15" TO A POINT ON A NON-TANGENT LINE; THENCE S37°19'58"W, 265.26 FEET; THENCE S16°41'12"W, 137.02 FEET; THENCE S12°40'18"E, 271.37 FEET; THENCE S86°18'25"E, 85.29 FEET; THENCE S03°27'54"W, 2639.59 FEET; THENCE N86°16'26"W, 1305.23 FEET; THENCE N03°26'51"E, 215.73 FEET; THENCE N73°04'04"W, 1342.74 FEET; THENCE N03°27'08"E, 1759.12 FEET; THENCE N68°30'38"W, 739.71 FEET; THENCE N04°00'27"E, 68.45 FEET; THENCE N58°36'44"W, 397.47 FEET; THENCE N46°45'42"W, 389.50 FEET; THENCE N03°38'31"E, 2140.52 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 343.43 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY, EXISTING OR OF RECORD.

PORTIONS TO BE TRANSFERRED

PORTION "A"

A PORTION OF TRACT 2 - B - 1 OF CERTIFICATE OF SURVEY #5917 LOCATED IN SECTION 13, T12N, R20W, MISSOULA COUNTY, MONTANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH WEST CORNER OF SAID TRACT 2 - B - 1; THENCE ALONG THE NORTH BOUNDARY OF SAID TRACT 2 - B - 1, S86°19'52"E, 457.08 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF LOWER MILLER CREEK ROAD; THENCE S03°25'33"W, 972.36 FEET; THENCE N86°17'49"W, 119.23 FEET; THENCE N03°25'19"E, 644.01 FEET; THENCE N77°02'07"W, 342.65 FEET; THENCE N03°26'51"E, 272.93 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 4.99 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY, EXISTING OR OF RECORD.

PORTION "B"

A PORTION OF TRACT 1 OF CERTIFICATE OF SURVEY #4377 LOCATED IN SECTION 13, T12N, R20W, MISSOULA COUNTY, MONTANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH EAST CORNER OF SAID TRACT 1; THENCE ALONG THE EAST BOUNDARY OF SAID TRACT 1, S14°56'26"W, 12.20 FEET; THENCE N08°39'56"W, 12.25 FEET; THENCE S86°17'49"E, 5.00 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 30 SQUARE FEET (0.0007 ACRES), MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY, EXISTING OR OF RECORD.

PORTION "C"

A PORTION OF TRACT 2 - B - 1 OF CERTIFICATE OF SURVEY #5917 LOCATED IN SECTION 13, T12N, R20W, MISSOULA COUNTY, MONTANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH EAST CORNER OF SAID TRACT 2 - B - 1; THENCE ALONG THE SOUTH BOUNDARY OF SAID TRACT 2 - B - 1, N86°16'26"W, 396.01 FEET; THENCE N68°01'51"W, 286.51 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N68°01'51"W, 103.40 FEET; THENCE N14°56'26"E, 222.18 FEET; THENCE S08°39'56"E, 256.28 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 0.26 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY, EXISTING OR OF RECORD.

PORTION "D"

A PORTION OF TRACT 1 OF CERTIFICATE OF SURVEY #4377 LOCATED IN SECTION 13, T12N, R20W, MISSOULA COUNTY, MONTANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH EAST CORNER OF SAID TRACT 1; THENCE ALONG THE SOUTH BOUNDARY OF SAID TRACT 1, N86°16'26"W, 252.40 FEET; THENCE N08°39'56"W, 91.83 FEET; THENCE S86°01'51"E, 286.51 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 0.26 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY, EXISTING OR OF RECORD.

PORTION "E"

A PORTION OF TRACT 2 - B - 1 OF CERTIFICATE OF SURVEY #5917 LOCATED IN SECTION 13, T12N, R20W, MISSOULA COUNTY, MONTANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH EAST CORNER OF SAID TRACT 2 - B - 1; THENCE ALONG THE SOUTH BOUNDARY OF SAID TRACT 2 - B - 1, N86°16'26"W, 396.01 FEET; THENCE N68°01'51"W, 286.51 FEET; THENCE N08°39'56"W, 256.28 FEET; THENCE N14°56'26"E, 12.20 FEET; THENCE N86°17'49"W, 5.00 FEET; THENCE CONTINUING N86°17'49"W, 123.75 FEET; THENCE N03°25'33"E, 972.36 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF LOWER MILLER CREEK ROAD; THENCE N27°04'58"E, 30.00 FEET; THENCE S62°53'57"E, 237.50 FEET; THENCE S59°55'37"E, 323.70 FEET; THENCE S89°58'01"E, 343.80 FEET; THENCE S03°27'54"W, 1017.39 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 21.25 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY, EXISTING OR OF RECORD.

LEGAL DESCRIPTIONS

TRACT 1, CERTIFICATE OF SURVEY NO. 06355; LOCATED IN THE NW 1/4 QUARTER OF SECTION 13, TOWNSHIP 12 NORTH, RANGE 20 WEST, PRINCIPAL MERIDIAN, MONTANA. SITUATE IN MISSOULA COUNTY, MONTANA. CONTAINING 60.86 ACRES, MORE OR LESS, BEING SUBJECT TO ALL EASEMENTS AND RIGHT-OF-WAYS SHOWN, EXISTING, OR OF RECORD.

TRACT 2, CERTIFICATE OF SURVEY NO. 06355; LOCATED IN SECTION 13, TOWNSHIP 12 NORTH, RANGE 20 WEST, PRINCIPAL MERIDIAN, MONTANA. SITUATE IN MISSOULA COUNTY, MONTANA. CONTAINING 95.55 ACRES, MORE OR LESS, BEING SUBJECT TO ALL EASEMENTS AND RIGHT-OF-WAYS SHOWN, EXISTING, OR OF RECORD.

TRACT 3, CERTIFICATE OF SURVEY NO. 06355; LOCATED IN SECTION 13, TOWNSHIP 12 NORTH, RANGE 20 WEST, PRINCIPAL MERIDIAN, MONTANA. SITUATE IN MISSOULA COUNTY, MONTANA. CONTAINING 157.02 ACRES, MORE OR LESS, BEING SUBJECT TO ALL EASEMENTS AND RIGHT-OF-WAYS SHOWN, EXISTING, OR OF RECORD.

TRACT 4, CERTIFICATE OF SURVEY NO. 06355; LOCATED IN THE SE 1/4 QUARTER OF SECTION 13, TOWNSHIP 12 NORTH, RANGE 20 WEST, PRINCIPAL MERIDIAN, MONTANA. SITUATE IN MISSOULA COUNTY, MONTANA. CONTAINING 14.99 ACRES, MORE OR LESS, BEING SUBJECT TO ALL EASEMENTS AND RIGHT-OF-WAYS SHOWN, EXISTING, OR OF RECORD.

TRACT 5, CERTIFICATE OF SURVEY NO. 06355; LOCATED IN THE SE 1/4 QUARTER OF SECTION 13, TOWNSHIP 12 NORTH, RANGE 20 WEST, PRINCIPAL MERIDIAN, MONTANA. SITUATE IN MISSOULA COUNTY, MONTANA. CONTAINING 10.21 ACRES, MORE OR LESS, BEING SUBJECT TO ALL EASEMENTS AND RIGHT-OF-WAYS SHOWN, EXISTING, OR OF RECORD.

TRACT 6, CERTIFICATE OF SURVEY NO. 06355; LOCATED IN THE SE 1/4 QUARTER OF SECTION 13, TOWNSHIP 12 NORTH, RANGE 20 WEST, PRINCIPAL MERIDIAN, MONTANA. SITUATE IN MISSOULA COUNTY, MONTANA. CONTAINING 5.00 ACRES, MORE OR LESS, BEING SUBJECT TO ALL EASEMENTS AND RIGHT-OF-WAYS SHOWN, EXISTING, OR OF RECORD.

CERTIFICATE OF OWNERS*****

WE HEREBY CERTIFY THAT THE PURPOSE OF THIS SURVEY IS TO RELOCATE COMMON BOUNDARIES BETWEEN ADJOINING PROPERTIES, AND THAT NO ADDITIONAL PARCELS ARE CREATED; THEREFORE, THIS SURVEY IS EXEMPT FROM REVIEW AS A SUBDIVISION PURSUANT TO 76-3-207(1)(a) M.C.A. TO-WIT: "DIVISIONS MADE OUTSIDE OF PLATTED SUBDIVISIONS FOR THE PURPOSE OF RELOCATING COMMON BOUNDARY LINES BETWEEN ADJOINING PROPERTIES"

THIS SURVEY IS EXEMPT FROM SANITARY REVIEW PURSUANT TO SECTIONS:

ARM 17.36.605(2)(b) (TRACT 5 AND TRACT 6)
A PARCEL THAT HAS NO EXISTING FACILITIES FOR WATER SUPPLY, WASTEWATER DISPOSAL, OR SOLID WASTE DISPOSAL OTHER THAN THOSE THAT WERE PREVIOUSLY APPROVED BY THE REVIEWING AUTHORITY UNDER TITLE 76, CHAPTER 4, PART 1, MCA

MCA 76-4-125(e)(ii) (TRACT 4)
(e) SUBJECT TO THE PROVISIONS OF SUBSECTION (3), A REMAINDER OF AN ORIGINAL TRACT CREATED BY SEGREGATING A PARCEL FROM THE TRACT FOR PURPOSES OF TRANSFER IF:
(ii) THE REMAINDER IS 1 ACRE OR LARGER AND HAS AN INDIVIDUAL SEWAGE SYSTEM SERVING A DISCHARGE SOURCE THAT WAS IN EXISTENCE PRIOR TO APRIL 29, 1993, AND, IF REQUIRED WHEN INSTALLED, THE SYSTEM WAS APPROVED PURSUANT TO LOCAL REGULATIONS OR THIS CHAPTER.

HARLAN FAMILY TRUST, DATED AUGUST 9, 2001

William D. Harlan

WILLIAM D. HARLAN, TRUSTEE

STATE OF Montana

COUNTY OF Missoula

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON 12-28-12 BY WILLIAM D. HARLAN AND GLADYS C. HARLAN, AS TRUSTEES OF THE HARLAN FAMILY TRUST, DATED AUGUST 9, 2001.

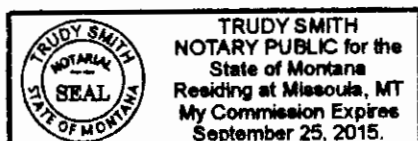
Trudy Smith

NOTARY PUBLIC FOR THE STATE OF MONTANA

(NAME - TYPED, STAMPED, OR PRINTED)

(RESIDING AT)

(MY COMMISSION EXPIRES:)



LLOYD A. TWITE FAMILY PARTNERSHIP

Lloyd A Twite

LLOYD A. TWITE

STATE OF Montana

COUNTY OF Missoula

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON 12-28-12 BY LLOYD A. TWITE AS MANAGING PARTNER OF THE LLOYD A. TWITE FAMILY PARTNERSHIP

Trudy Smith

NOTARY PUBLIC FOR THE STATE OF MONTANA

(NAME - TYPED, STAMPED, OR PRINTED)

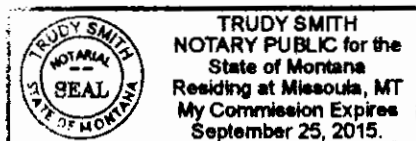
(RESIDING AT)

(MY COMMISSION EXPIRES:)

DAVID JAY BIGART AND RENEE L. BIGART

David Jay Bigart

DAVID JAY BIGART



STATE OF Montana

COUNTY OF Missoula

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON 12-28-12 BY DAVID JAY BIGART AND RENEE L. BIGART

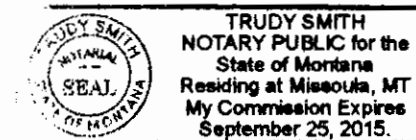
Trudy Smith

NOTARY PUBLIC FOR THE STATE OF MONTANA

(NAME - TYPED, STAMPED, OR PRINTED)

(RESIDING AT)

(MY COMMISSION EXPIRES:)



CERTIFICATE OF SURVEYOR*****

I HEREBY STATE THAT THIS CERTIFICATE OF SURVEY IS A REPRESENTATION OF A SURVEY PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION, DURING THE MONTH OF DECEMBER, 2012.

BY: Gilbert M. Larson 12-27-12

GILBERT LARSON, P.L.S. 8990ES DATE

UNLESS SIGNED, SEALED, AND DATED, THIS IS A PRELIMINARY PLAT.



PURPOSE OF SURVEY:
THIS SURVEY IS FILED WITH THE INTENT TO QUALIFY FOR THE EXEMPTION AS FOUND IN 76-3-207(1) (a) MCA. TO-WIT: "DIVISIONS MADE OUTSIDE OF PLATTED SUBDIVISIONS FOR THE PURPOSE OF RELOCATING COMMON BOUNDARY LINES BETWEEN ADJOINING PROPERTIES"

FINAL APPROVAL OF THIS CERTIFICATE OF SURVEY GRANTED BY:

David A. Twite PLS December 28, 2012

MISSOULA COUNTY DEPARTMENT OF PUBLIC WORKS

David A. Twite PLS DECEMBER 28, 2012

MISSOULA CITY - COUNTY HEALTH DEPARTMENT

DATE

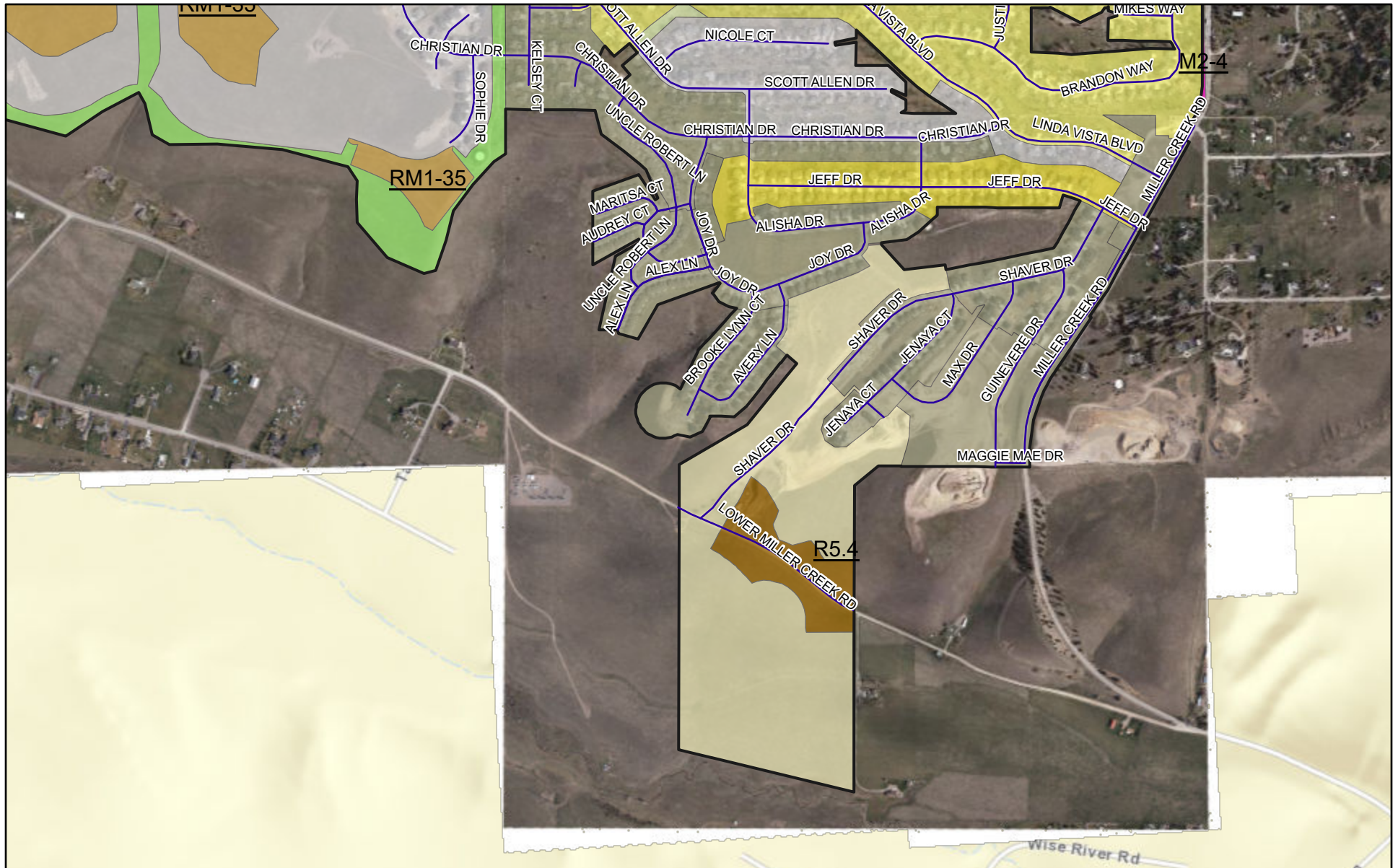
NOTE:
THIS CERTIFICATE OF SURVEY SHALL NOT BE AVAILABLE AS A REFERENCE DESCRIPTION IN ANY SUBSEQUENT TRANSFER OF PROPERTY DESCRIBED HEREIN AS PORTION A, B, C, D, OR E.

C05006355 Pages: 1
01/04/2013 10:17:21 AM Certificate Of Survey
Vickie R Zeleny, Missoula County Clerk & Recorder












S&B Book 904 Page 657
SFA Book 904 Page 658
E Book 904 Page 659
WD Book 904 Page 660
WD Book 906 Page 661


City Zoning Map



2/21/2023, 7:35:46 AM

 City Limits
  OP1
  R20
  R5.4
  RM2.7

City Zoning
  OP2
  R215
  RM1-35
  RT10

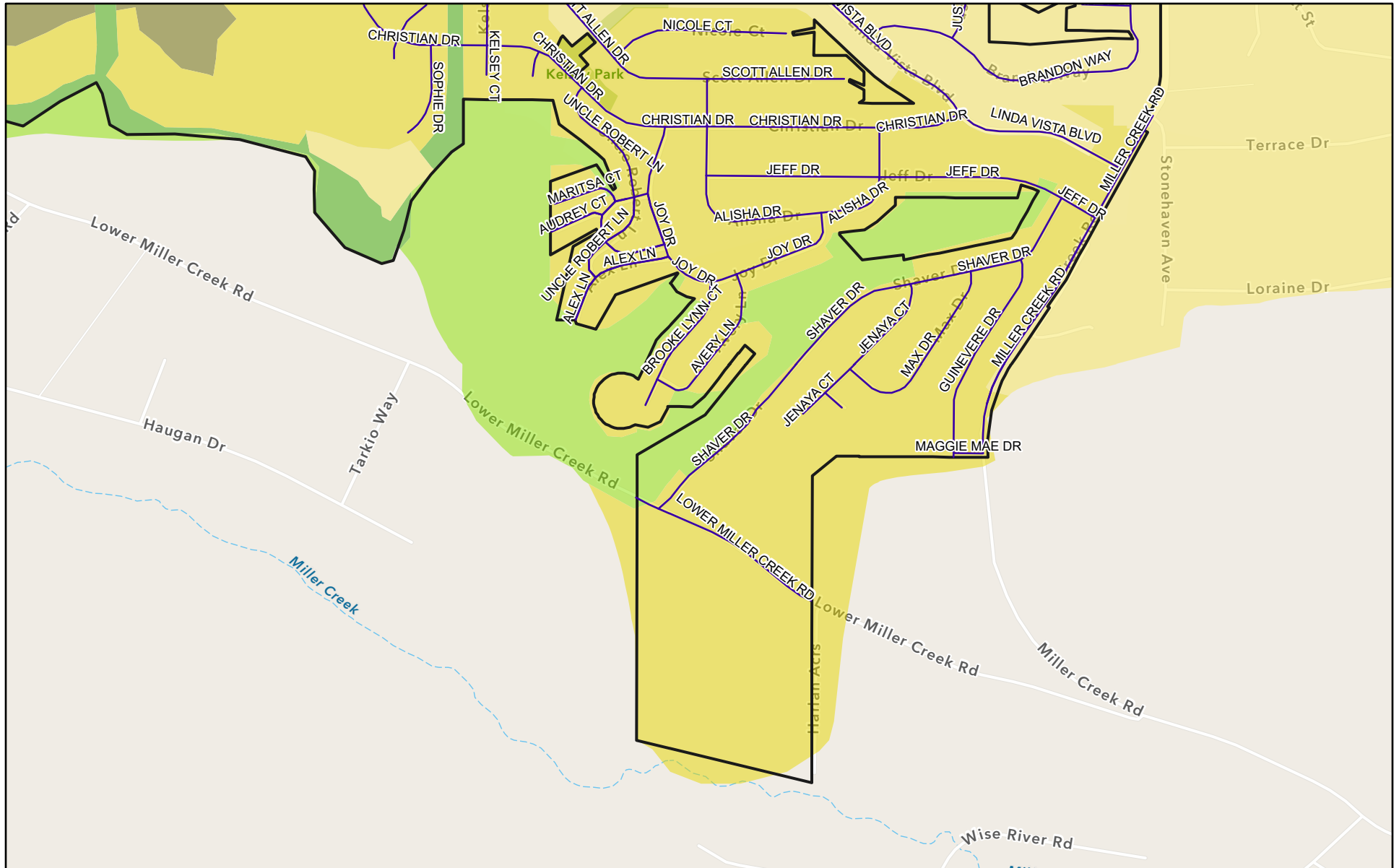
 M2-4

1:18,056

Bureau of Land Management, Esri, HERE, Garmin, INCREMENT P, NGA, USGS

City of Missoula
Community Planning, Development & Innovation

City Land Use



2/21/2023, 7:38:41 AM

City Limits

Land Use

Open and Resource

Parks and Open Lands

Residential High Density - Greater than 24 units per acre

Residential Medium Density - 3 to 11 units per acre

1:18,056

0 0.1 0.2 0.4 mi

0 0.15 0.3 0.6 km

Esri Community Maps Contributors, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management,

City of Missoula
Community Planning, Development & Innovation