

LI-0670960 LR-0503497 LB-0503498 L4-0503499 LG-0503501 LIAHOM 0503502 LICHMIS-0503503 How 0503513 How 0503514 LRO-0503514 LRO-

WAIVER OF PROTEST

PARTICIPATION IN SPECIAL IMPROVEMENT DISTRICT

PROPERTY SHOWN ON THE SUBDIVISION PLAT FOR WESTWOOD PARK SUBDIVISION.

CORRORATE

SEAL MICHINANIA

ulieu

CITY CLERK

CRAIG AND CONNIE DENMAN HEREBY WAIVE ANY AND ALL RIGHT TO PROTEST WHICH IT MAY HAVE IN REGARDS TO ANY ATTEMPT TO BE MADE BY A LOCAL GOVERNMENT ENTITY, TO INITIATE A SPECIAL IMPROVEMENT DISTRICT WHICH INCLUDES WESTWOOD PARK SUBDIVISION, SHOWN ON THE PLAT THEREFORE, FOR ANY OF THE PURPOSES RELATED TO ROADS, WATER FACILITIES AND SYSTEMS, AND SEWER FACILITIES AND SYSTEMS, SET FORTH IN SECTIONS 7-12-2102 AND 7-12-4102, M.C.A.; PROVIDED HOWEVER THAT CRAIG AND CONNIE DENMAN UNDERSTAND THAT THEY RETAIN THE ABILITY TO OBJECT TO THE AMOUNT OF ASSESSMENT IMPOSED AS A RESULT OF THE FORMATION OF A SPECIAL IMPROVEMENT DISTRICT, INCLUDING THE RIGHT TO OBJECT ON THE BASIS THAT THE PROPERTY IS NOT BENEFITED BY THE SPECIAL IMPROVEMENT DISTRICT. CRAIG AND CONNIE DENMAN AGREE THAT THIS COVENANT SHALL RUN TO, WITH AND BE BINDING ON THE TITLE OF THE REAL PROPERTY DESCRIBED ABOVE AND SHALL BE BINDING ON THE HEIRS, ASSIGNS, SUCCESSORS IN INTEREST, PURCHASERS, AND ANY AND ALL SUBSEQUENT HOLDERS OR OWNERS OF THE REAL

CERTIFICATE OF CITY COUNCIL

WE, PAMELA KENNEDY, MAYOR FOR THE CITY OF KALISPELL, MONTANA AND THERESA WHITE, CITY CLERK OF THE CITY OF

LANDS SHOWN ON THIS PLAT AS BEING DEDICATED TO SUCH USE, (CORPORATE DRIVE) THIS 20 DAY OF OCLOCK PM.

KALISPELL, MONTANA DO HEREBY CERTIFY THAT THIS SUBDIVISION PLAT HAS BEEN SUBMITTED FOR EXAMINATION AND HAVING

FOUND THE SAME TO CONFORM TO LAW, APPROVES IT, AND HEREBY ACCEPTS THE DEDICATION TO PUBLIC USE OF ANY AND ALL

BY Jana all on all

MAYOR, CITY OF KALISHELL, MONTANA

PREPARED BY: JACKOLA ENGINEERING & ARCHITECTURE, P.C. 2250 HIGHWAY 39 SOUTH P.O. BOX 1134 KALISPELL, MT 59903 406-755-3208

LOCATED IN THE SWI/4 NEI/4 \$ NI/2 SEI/4 OF SECTION 12, T28N, R22W, PM,M, FLATHEAD COUNTY, MONTANA

CORRECTED SUBDIVISION PLAT OF

WESTWOOD PARK

PREPARED FOR: DENMAN CONSTRUCTION, INC. MAY 2007

> DATE OF CORRECTION: DECEMBER 2008

SURVEYOR'S NOTE: THE PURPOSE OF CORRECTION IS TO ADD PAGE 3 TO SHOW BEARING AND DISTANCES FOR WATER, SEWER AND STORM DRAINAGE EASEMENTS

## CERTIFICATE OF DEDICATION

WE, THE UNDERSIGNED PROPERTY OWNERS, DO HEREBY CERTIFY THAT WE HAVE CAUSED TO BE SURVEYED, SUBDIVIDED AND PLATTED INTO LOTS, BLOCKS, STREETS AND ALLEYS, AS SHOWN BY THE PLAT HERETO ANNEXED, THE FOLLOWING DESCRIBED LAND IN THE CITY OF KALISPELL, MONTANA,

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 28 NORTH, RANGE 22 WEST, PRINCIPAL MERIDIAN, MONTANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER SOUTH ONE-SIXTEENTH CORNER OF SAID SECTION 12 AND WHICH POINT IS INDICATED BY A FOUND 5/8" RE-BAR AND WHICH POINT IS THE TRUE POINT OF BEGINNING;

THENCE NOO'40'08"E, ON AND ALONG THE WEST BOUNDARY OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, A DISTANCE OF 767.74 FEET TO A FOUND 3/4" IRON PIPE; THENCE NB9'58'43"E, AND LEAVING SAID WEST BOUNDARY, A DISTANCE OF 144.53 FEET TO A FOUND 3/4" IRON PIPE; THENCE NOO'39'26"E, A DISTANCE OF 302.65 FEET TO A FOUND 3/4" IRON PIPE; THENCE NOO'42'46"E, A DISTANCE OF 289.43 FEET TO A FOUND 1/2" RE-BAR AND WHICH POINT LIES ON THE SOUTH RIGHT-OF-WAY BOUNDARY OF TWO MILE DRIVE AND WHICH POINT IS IN THE MIDST OF A CURVE; THENCE EASTERLY, ON A CURVE TO THE LEFT (DELTA = 06°51'57", RADIUS = 500.00 FEET AND RADIAL BEARING = N00°30'04"W), AN ARC LENGTH OF 59.92 FEET TO A FOUND 5/8" RE-BAR; THENCE SOO'01'51"E, AND LEAVING SAID SOUTHERLY RIGHT-OF-WAY BOUNDARY, A DISTANCE OF 416.88 FEET TO A POINT AND WHICH POINT LIES ON THE CENTERLINE OF SPRING CREEK; THENCE SOUTHERLY, ON AND ALONG SAID CENTERLINE OF SPRING CREEK, THE FOLLOWING TWENTY-THREE COURSES: S44'01'24"E, A DISTANCE OF 20.52 FEET TO A POINT; S05'22'31"W, A DISTANCE OF 17.34 FEET TO A POINT; SIB 24'45"E, A DISTANCE OF 51.80 FEET TO A POINT; SI2'57'31"E, A DISTANCE OF 42.38 FEET TO A POINT; S39'59'47"E, A DISTANCE OF 41.53 FEET TO A POINT; 503"52"58"E, A DISTANCE OF 31.23 FEET TO A POINT; 539"15"13"E, A DISTANCE OF 33.15 FEET TO A POINT; 523"33"20"E, 28.47 FEET TO A POINT; 532'39'17"W, A DISTANCE OF 24.02 FEET TO A POINT; 535'54'21"E, A DISTANCE OF 26.57 FEET TO A POINT; 521'34'23"W, A DISTANCE OF 20.16 FEET TO A POINT; S40"II"15"E, A DISTANCE OF 30.42 FEET TO A POINT, S15"04"00"E, A DISTANCE OF 17.83 FEET TO A POINT; S27"06"17"E, A DISTANCE OF 73.73 FEET TO A POINT; SI4°57'58"E, A DISTANCE OF 35.10 FEET TO A POINT; S83°57'28"E, A DISTANCE OF 10.76 FEET TO A POINT; S45°47'33"E, A DISTANCE OF 113.34 FEET TO A POINT; S64°07'41"E, A DISTANCE OF 70.64 FEET TO A POINT; S48°07'18"E, A DISTANCE OF 57.92 FEET TO A POINT; S53°46'21"E, A DISTANCE OF 37.46 FEET TO A POINT; N88°41'23"E, A DISTANCE OF 23.79 FEET TO A POINT; S64°08'16"E, A DISTANCE OF 17.14 FEET TO A POINT; 529'27'06"E, A DISTANCE OF 6.98 FEET TO A POINT; THENCE 557'59'07"E, AND LEAVING SAID CENTERLINE, A DISTANCE OF 206.62 FEET TO A FOUND 1/2" RE-BAR; THENCE S89°27'59"W, A DISTANCE OF 415.96 FEET TO A POINT; THENCE 500°09'22"W, A DISTANCE OF 207.89 FEET TO A FOUND 1/2" RE-BAR AND WHICH POINT LIES ON THE SOUTH BOUNDARY OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE 589"33'20"W, ON AND ALONG SAID SOUTH BOUNDARY, A DISTANCE OF 412.50 FEET TO THE TRUE POINT OF BEGINNING.

THIS TRACT CONTAINS 8.959 ACRES OF LAND AND SUBJECT TO AND TOGETHER WITH THOSE EASEMENTS AS SHOWN HEREON AND SUBJECT TO AND TOGETHER WITH THE COMMON AREA AS SHOWN ON THIS SUBDIVISION PLAT AND SUBJECT TO AND TOGETHER WITH ALL APPURTENANT EASEMENTS OF

THE ABOVE DESCRIBED TRACT OF LAND IS TO BE KNOWN AND DESIGNATED AS SUBDIVISION PLAT OF "WESTWOOD PARK", AND THE LANDS INCLUDED IN CORPORATE DRIVE AS SHOWN ON SAID PLAT ARE HEREBY GRANTED AND DONATED TO THE USE OF THE PUBLIC FOREVER.

AND WE FURTHER CERTIFY THAT THE TRACTS ARE WITHIN A MASTER PLANNED AREA AND THAT MUNICIPAL SERVICES FOR WATER SUPPLY, SEWAGE DISPOSAL AND SOLID WASTE DISPOSAL ARE AVAILABLE TO SAID TRACTS OF LAND; THEREFORE, THESE TRACTS OF LAND ARE EXEMPT FROM REVIEW BY THE MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY PURSUANT TO SECTION 17.36.603, A.R.M.

## UTILITY EASEMENT CERTIFICATE

THE UNDERSIGNED HEREBY GRANTS UNTO EACH AND EVERY PERSON, FIRM, OR CORPORATION, WHETHER PUBLIC OR PRIVATE, PROVIDING OR OFFERING TO PROVIDE TELEPHONE, TELEGRAPH, ELECTRIC POWER, GAS, CABLE TELEVISION, WATER OR SEWER SERVICES 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 THE PLAT AS "10-FOOT \$ 15-FOOT UTILITY EASEMENT" TO HAVE AND TO HOLD FOREVER.

CRAIG DENMAN	CONNIE DENMAN
DATED THISDAY OF	, 2009.
STATE OF MONTANA )	
COUNTY OF FLATHEAD )	
ON THIS DAY OF PERSONALLY APPEARED CRAIG AND CONNIE DEN THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO	, 2009, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF MONTANA, MAN, HUSBAND AND WIFE AND KNOWN TO ME TO BE THE PERSONS WHO SUBSCRIBED THEIR NAMES TO O ME THAT THEY EXECUTED THE SAME.
IN WITNESS WHEREOF, I HAVE SET MY HAND AN	D AFFIXED MY NOTARIAL SEAL THE DAY AND YEAR FIRST ABOVE WRITTEN.
•	
	NOTARY PUBLIC FOR THE STATE OF MONTANA RESIDING AT MONTANA

MY COMMISSION EXPIRES

## SETBACKS:

\*\*FRONT/SIDE CORNER: 10 FT MIN (20 FT MIN FROM GARAGE DOOR TO THE SIDEWALK) \*\*REAR : 10 FT MIN \*\*SIDE:5 FT MIN \*\*SETBACK FROM EXTERIOR BOUNDARIES OF SUBDIVISION: 20 FT MIN

**ZONING: CITY RA-1 (PUD OVERLAY)** 

UNLESS SIGNED, SEALED AND DATED, THIS IS A PRELIMINARY

1-6-09

OR UNOFFICIAL DOCUMENT, AND CANNOT BE RELIED UPON IN

1777.13

Plat # 07-03-47 Abstract# NA

Paula Robinson, Flathead County Montana

200900001940 Fees: \$15.50 by: NC

Date 1/27/2009 Time 9:16 AM

by JACKOLA ENG

ROBERT A. ERICKSON PROFESSIONAL LAND SURVEYOR REGISTRATION NUMBER 152725

JAMES H. BURTON EXAMINING LAND SURVEYOR REGISTRATION NUMBER 54285

STATE OF MONTANA )

COUNTY OF FLATHEAD )

FILED ON THE 2 DAY OF\_ AT 9:16 OCLOCK A M. . Gaula Gotenson COUNTY CLERK AND RECORDER yaa Chuleneen

CERTIFICATE OF CITY ATTORNEY:

THIS PLAT HAS BEEN EXAMINED BY THE OFFICE OF THE COUNTY ATTORNEY ACCORDING TO SECTION 76-3-612 (2) M.C.A., RELYING UPON TITLE REPORT NO. 2042 14-CT AND APPROVED BASED ON INFORMATION SUBMITTED BY THE DEVELOPER AND/OR HIS AGENT.

OFFICE OF THE CITY ATTORNEY CITY OF KALISPELL, MONTANA

SHEET 3 OF 3 SHEETS