

PLAT

8

RECEPTION # 200407510530 DATE 3-15-04

PLAT FILE # 8-11-37 ABST# 1865 PLAT DATE 2-11-04

FEES 22⁰⁰ CODE HCS CONSENT yes

PLAT NAME Harmony Court Sub

ACRES 5.50

SURVEYOR Dawn Marquardt LOTS 36

OWNER Donald A. Gatzke Tr

DESCRIPTION NW 1/4 SW 34-29-21

ASSESSOR # 0142270

OTHER _____

200407510530

STATE OF MONTANA
COUNTY OF FLATHEAD

FILED 3-15-2004

Paula Robinson
CLERK AND RECORDER
DEPUTY

\$. 22 .00 PAID

TICOR TITLE INSURANCE COMPANY

Abst 1865

Policy No. 7403078- 1016

8-11-37

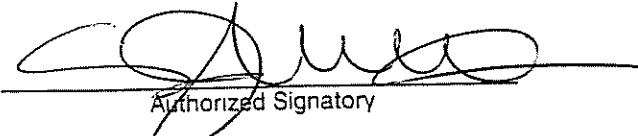
GUARANTEE

TICOR TITLE INSURANCE COMPANY, a California corporation, herein called the Company, guarantees the Assured against actual loss not exceeding the liability amount stated in Schedule A which the Assured shall sustain by reason of any incorrectness in the assurances set forth in Schedule A.

1. No guarantee is given nor liability assumed with respect to the identity of any party named or referred to in Schedule A or with respect to the validity, legal effect or priority of any matter shown therein.
2. The Company's liability hereunder shall be limited to the amount of actual loss sustained by the Assured because of reliance upon the assurance herein set forth, but in no event shall the Company's liability exceed the liability amount set forth in Schedule A.


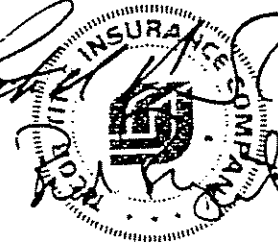
PLEASE NOTE CAREFULLY THE LIABILITY EXCLUSIONS AND LIMITATIONS AND THE SPECIFIC ASSURANCES AFFORDED BY THIS GUARANTEE. IF YOU WISH ADDITIONAL LIABILITY, OR ASSURANCES OTHER THAN AS CONTAINED HEREIN, PLEASE CONTACT THE COMPANY FOR FURTHER INFORMATION AS TO THE AVAILABILITY AND COST.

Dated: 3/9/04


Authorized Signatory

TICOR TITLE INSURANCE COMPANY

By

President

Attest

Secretary

CERTIFICATE OF PLAT

Guarantee No.: 7403078-1016

Order No.: 206039926

Liability: 1,000.00 **Fee:** \$150.00

Effective Date of Guarantee: 02/25/2004 at 7:30 AM

The Assurances referred to on the face page hereof are:

That, according to the Company's property records relative to the following described real property (but without examination of those Company records maintained and indexed by name):

Lot 20, Lot 21 and those portions of Lot 22 and Lot 23, Hoiland Day Acres described as follows:

Commencing at the Southwest corner of Lot 22, Hoiland Day Acres; thence along the

South line of said Lot 22

South 89°14'23" East 140.00 feet to the Point of Beginning; thence continuing along said South line

South 89°14'23" East 135.00 feet; thence

North 00°03'02" West 197.75 feet to the South line of Solberg Drive; thence along the South line of the road

North 89°10'48" West 135.00 feet; thence

South 00°03'02" East 197.89 feet to the Point of Beginning.

The above described tract of land is to be known and designated as Harmony Court Subdivision.

Title to said real property is vested in:

Donald A. Gatzke Trustee of The Donald A. Gatzke Trust as to a portion and Joseph H. Johnson and Minta Y. Johnson, as joint tenants as to the balance

Subject to the matters shown below under Exceptions, which Exceptions are not necessarily shown in the order of their priority.

EXCEPTIONS:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on Real Property or by the public records.
2. Unpatented mining claims; reservations or exceptions in the United States Patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
3. Title to any property beyond the lines of the real property expressly described herein, or title to streets, roads, avenues, lanes, ways/or waterways on which such real property abuts, or the right to maintain therein vaults, Tunnels, ramps, or any other structure or improvement; or any rights or easements therein unless such property, rights or easements are expressly and specifically set forth in said description.
4. Taxes including any assessments collected therewith, for the year 2003, for which the first installment is paid and the second installment is due and payable on or before May 31, 2004.
5. Taxes, including any assessments collected therewith, for the year 2004 which are a lien not yet payable.
6. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted to: Flathead County Sewer and Water District No. 1 - Evergreen.
Purpose: Public Utilities.
Recorded: September 8, 1992.
Instrument No.: 92-252-0826-0, of Official Records. (Affects: A portion of Lots 22 & 23)
7. Terms, provisions, covenants, conditions, definitions, obligations, reservations and restrictions, contained in Document: Easement
By and Between: Joseph H. Johnson and Minta Y. Johnson AND Donald A. Gatzke, Trust
Purpose: an easement to excavate, lay and place a utility line, conduit or pipe for water, sewer, gas, telephone or electricity across and underneath GRANTORS' parcel...
Recorded: July 18, 2001
Instrument No.: 2001-199-1515-0, of Official Records. (Affects: A portion of Lots 22 & 23)
8. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted to: Pacific Power & Light Company.
Purpose: Public Utilities.
Recorded: June 28, 1977.
Instrument No.: 8408 in Book 618 Page 573, of Official Records. (Affects: Lot 20)
9. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted to: Flathead County Sewer & Water District #1 - Evergreen.
Purpose: Public Utilities.
Recorded: October 23, 1992.
Instrument No.: 92-297-0827-0, of Official Records. (Affects: Lot 21)
10. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted to: Flathead County Sewer & Water District #1 - Evergreen.
Purpose: Public Utilities.
Recorded: January 21, 1994.
Instrument No.: 94-021-1300-0, of Official Records. (Affects: Lot 20)

11. A Deed of Trust/Trust Indenture to secure an indebtedness in the amount show below and any other obligations secured thereby:
Amount: \$50,000.00.
Trustor/Grantor: Donald A. Gatzke Trust.
Trustee: Alliance Title and Escrow Company.
Beneficiary: Glacier Bank of Whitefish.
Recorded: November 6, 2001.
Instrument No.: 2001-310-1142-0, of Official Records. (Affects: Lots 20 & 21)
12. An unrecorded Contract of Sale, providing for the sale of said land.
Dated: April 28, 2002.
Vendor: Joseph H. Johnson and Minta Y. Johnson.
Vendee: Northstar Properties, L.L.C.
Disclosed: Notice of Purchaser's Interest.
Recorded: March 8, 2004.
Instrument No.: 2004-068-1228-0, of Official Records.
AND Vendees interest now held of record by Donald A. Gatzke, Trustee of The Donald A. Gatzke Trust by virtue of Warranty Deed recorded March 8, 2004 Instrument No. 2004-068-1229-0, of Official Records.
13. Easements, reservations, restrictions, notes and/or dedications as shown as shown on the preliminary plat of Harmony Court Subdivision.
14. Terms and provisions of State of Montana, Department of Environmental Quality, Certificate of Subdivision Plat Approval, to be recorded with the plat of Harmony Court Subdivision, of Official Records.
15. NOTE: The above described tract appears to be located in the Evergreen Fire District.

CONSENT TO PLAT

Pursuant to Section 76-3-612, MCA, the undersigned, Joseph and Minta Johnson, hereby consents to platting of land included in the plat of Harmony Court Subdivision, LOTS 22C and 23D of "HOILAND DAY ACRES" a Subdivision NW1/4 SW1/4 SEC. 34, T.29N., R.21W., P.M., M., FLATHEAD COUNTY, MONTANA.

IN WITNESS WHEREOF, said parties have caused their names to be subscribed thereto, on this 19 day of January, 2004.

BY: Joseph Johnson
Joseph Johnson

STATE OF Montana)

: ss.

County of Flathead)

This instrument was acknowledged before me on January 28, 2004 by Joseph Johnson.

Stephanie Allen
Notary Public for the State of Montana
Residing at Kalispell
My Commission Expires February 14, 2007



BY: Minta Johnson
Minta Johnson

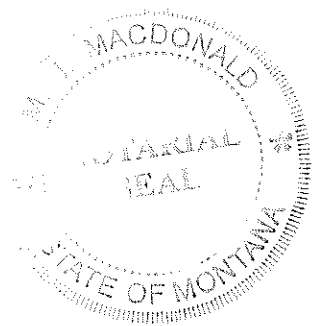
STATE OF Montana)

: ss.

County of Flathead)

This instrument was acknowledged before me on January 28, 2004, by Minta Johnson.

M. J. Macdonald
Notary Public for the State of Montana
Residing at Kalispell
My Commission Expires 8/31/2005



CONSENT TO PLAT

Pursuant to Section 76-3-612, MCA, the undersigned, Glacier Bank of Whitefish, hereby consents to platting of land included in the plat of Harmony Court Subdivision, LOTS 22C and 23D of "HOILAND DAY ACRES" a Subdivision NW1/4 SW1/4 SEC. 34, T.29N., R.21W., P.M.M. FLATHEAD COUNTY, MONTANA.

IN WITNESS WHEREOF, said parties have caused their names to be subscribed thereto, on this 12th day of February 2004.

BY:

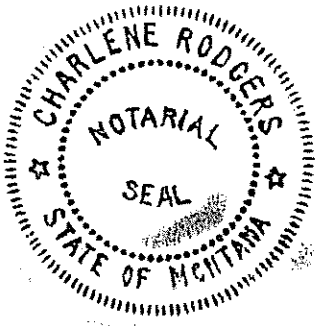
Russell Porter
Glacier Bank of Whitefish

STATE OF Montana)

: ss.

County of Flathead)

This instrument was acknowledged before me on February 12, 2004, by
Russell Porter.



Charlene Rodgers CHARLENE RODGERS
Notary Public for the State of Montana
Residing at Columbia Falls
My Commission Expires: 9-15-2007

Plat Room
Flathead County, Montana
800 S. Main St.
Kalispell, MT 59901
(406) 758-5510

2004075 10530

This Form is for Subdivisions & Condominiums Only

BY: Marquardt

FOR: Gatzke

DATE 01-29-04

DESCP: Harmony Court Sub in PURPOSE A M D
34-29-21 (Lots 20, 21, 22 & 23 of Holland-Day Acres)

YEARS

ASSESSOR #

1999 THRU 2003

0069655

0142270

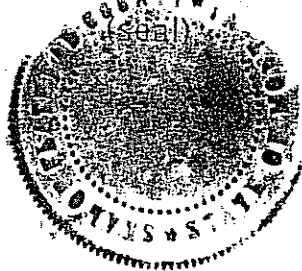
_____ & TO DATE

I hereby certify that there are no outstanding taxes on the property assigned the assessor numbers listed above, for the years indicated for each assessor number.

E. Lauber

FEB 05 2004

Deputy Treasurer



STATE OF MONTANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
CERTIFICATE OF SUBDIVISION PLAT APPROVAL
(Section 76-4-101 et seq., MCA)

TO: County Clerk and Recorder
Flathead County
Kalispell, Montana

E.Q. #03-2155
03-44j

THIS IS TO CERTIFY THAT the plans and supplemental information relating to the subdivision known as **Harmony Court**:

A tract of land located in the NW1/4 SW1/4 of Section 34, Township 29 North, Range 21 West, Principal Meridian Montana, Flathead County, Montana

consisting of thirty four(34) lots which have been reviewed by personnel of the Permitting and Compliance Division, and,

THAT the documents and data required by ARM Title 17 Chapter 36 have been submitted and found to be in compliance therewith, and,

THAT the approval of the Plat is made with the understanding that the following conditions shall be met:

THAT the lot sizes as indicated on the Plat to be filed with the county clerk and recorder will not be further altered without approval, and,

THAT each lot shall be used for one(1) single family dwelling, and,

THAT the public water supply system and public sewage treatment system will be provided by the Evergreen Water and Sewer District, and,

THAT the extensions and connections to the water and sewer system will be constructed in accordance with the Department approved plans and specifications designed by John P Schwarz, PE # 11258PE of Schwarz Architecture & Engineering of Kalispell, and,

THAT the extensions to the water supply system will consist of approximately 1,200 lineal feet of 8-inch DR18 Class 150, C-900 PVC Water Main; 3 fire hydrants and appurtenances, and shall be constructed in accordance with the approved plans and specifications prepared by John P Schwarz, PE # 11258PE of Schwarz Architecture & Engineering of Kalispell originally dated 2/04/03, revised 8/20/03 and received by the Department on 8/29/03, and,

THAT the sewage treatment system serving each lot will consist of a minimum 1,000 gallon septic tank with an effluent filter; each septic tank will connect to the sewer main which will consist of approximately 1,200 lineal feet of 8-inch SDR 35 PVC Sewer Main; 4 new manholes and appurtenances, and shall be constructed in accordance with the approved plans and specifications prepared by John P Schwarz, PE # 11258PE of Schwarz Architecture & Engineering of Kalispell originally dated 2/04/03, revised 8/20/03 and received by the Department on 8/29/03, and,

THAT due to shallow construction, rigid insulation shall be placed over the sewer main from station 0+50 to station 4+00, and,

THAT due to the shallow construction of the sewer main, some lots may be required to pump effluent up to the sewer main, and,

Page 2 of 2
Harmony Court
Flathead County
E.Q. #03-2155

THAT construction will be completed within three years of the date of this approval. If more than three years pass before beginning construction, it shall be necessary to resubmit the plans and specifications. This expiration period does not extend any compliance schedule requirements pursuant to enforcement action against a public water/sewage system, and,

THAT within 90 days after construction is completed upon a public water system, wastewater system, or storm drainage system, or upon an extension of or addition to such a system, the professional engineer shall certify to the Department that the construction, alteration or extension was completed in accordance with the plans and specifications approved by the Department, and,

THAT project certification shall be accompanied by a complete set of "as-built" drawings bearing the signature and seal of the professional engineer, and,

THAT water supply, sewage treatment systems and storm drainage systems will be located as shown on the approved plans, and,

THAT all sanitary facilities must be located as shown on the attached lot layout, and,

THAT the developer and/or owner of record shall provide each purchaser of property with a copy of the Plat, approved location of water supply and sewage treatment system as shown on the attached lot layout and a copy of this document, and,

THAT instruments of transfer for this property shall contain reference to these conditions, and,

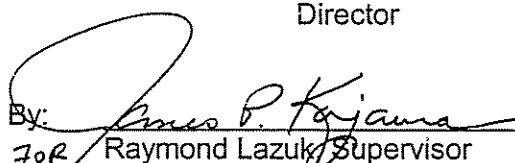
THAT departure from any criteria set forth in the approved plans and specifications and Title 17, Chapter 36, Sub-Chapters 1, 3, and 6 ARM when erecting a structure and appurtenant facilities in said subdivision without Department approval, is grounds for injunction by the Department of Environmental Quality.

THAT the plans and specifications for any proposed sewage treatment systems will be reviewed and approved by the county health department and will comply with local regulations and ARM, Title 17, Chapter 36, Subchapters 3 and 9, before construction is started, and,

YOU ARE REQUESTED to record this certificate by attaching it to the Plat filed in your office as required by law.

DATED this 27th day of October, 2003.

Jan P. Sensibaugh
Director

By: 
70R Raymond Lazuk, Supervisor
Subdivision Review Section
Permitting and Compliance Division
Department of Environmental Quality

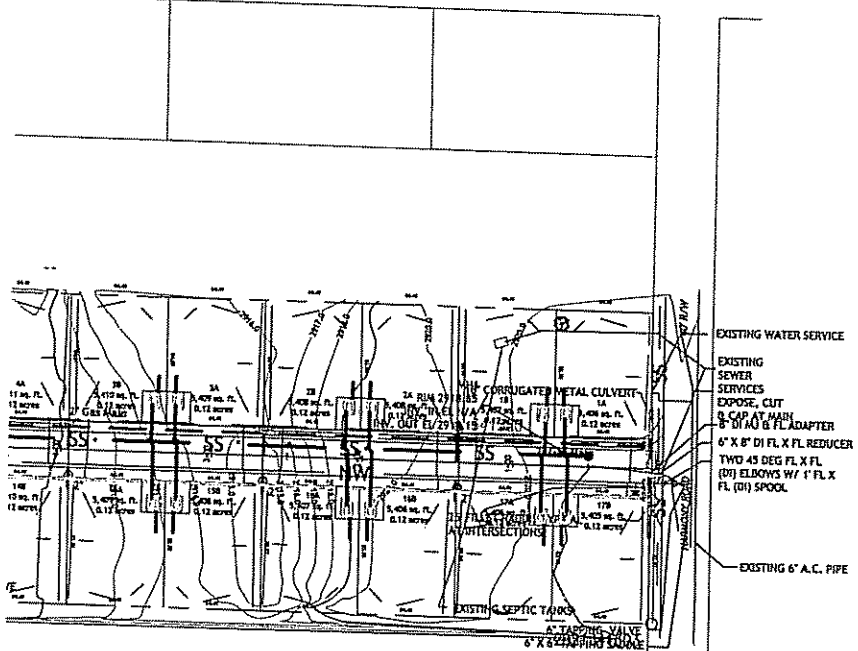


Owner's Name: Donald Gatzke

SCHWARZ
ARCHITECTURE &
ENGINEERING
100 FINANCIAL DRIVE, SUITE # 100, KALISPELL, MONTANA
TEL. 406.755.5555 WWW.SCHWARZPAE.COM FAX 406.755.1510

HARMONY COURT SUBDIVISION
FOR
NORTHSTAR PROPERTIES, L.L.C.
FLATHEAD COUNTY, STATE OF MONTANA

UTILITY LAYOUT
ISSUE FOR: REVIEW

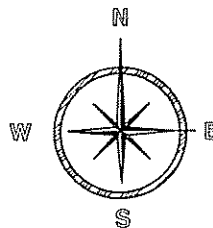
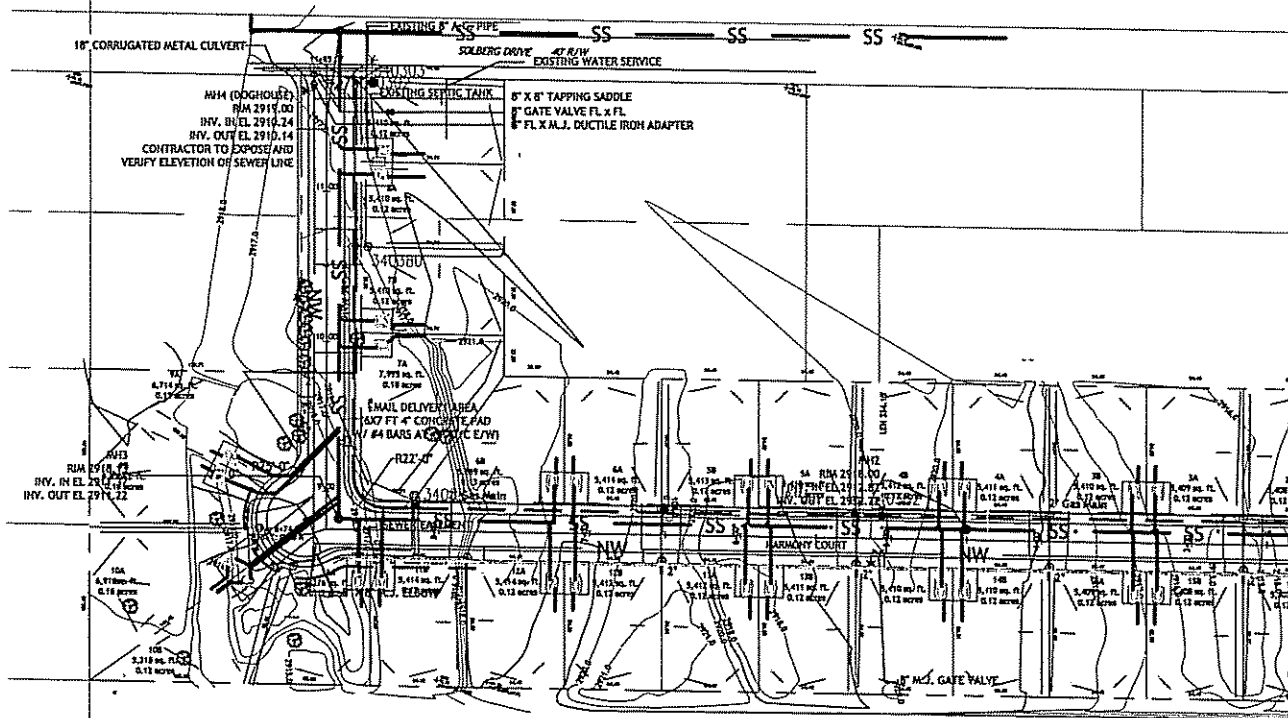


AN

APPROVED
Montana Department of
Environmental Quality
Permitting and Compliance Division
[Signature] 10-27-03
Reviewer Date

EA# 03-2155

RECEIVED
OCT 30 2003
MONTANA DEPT. OF ENVIRONMENTAL QUALITY
PERMITTING & COMPLIANCE DIV.
DATE: 02 04 2003



UTILITY PLAN

SCALE 1" = 100'

APPI
Montana C
Environm
Permitting and C
Reviewer

EQ# 03-