

RESOLUTION NO. 3643

A RESOLUTION AUTHORIZING THE CITY OF MILES CITY TO GRANT AN EASEMENT TO QWEST CORPORATION, D/B/A CENTURYLINK QC FOR THE CONSTRUCTION OF BURIED TELECOMMUNICATION FACILITIES.

WHEREAS, QWEST CORPORATION, d/b/a CenturyLinkQC, a Colorado corporation, has requested that the City of Miles City grant to them a perpetual non-exclusive easement in Wild Rose Park in Southgate Meadows Subdivision to construct, modify, operate, maintain and remove buried telecommunications facilities;

AND WHEREAS the City of Miles City has determined that the requested easement is reasonable and that said telecommunications facilities will serve the residents of the City of Miles City;

NOW THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA AS FOLLOWS:


1. The Easement Agreement attached hereto as Exhibit "A," is hereby approved and adopted by this Council; and
2. The Mayor of the City of Miles City is hereby empowered and authorized to execute said Easement on behalf of the City of Miles City and bind the City of Miles City thereto;

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 24th DAY OF OCTOBER, 2013.



C.A. Grenz, Mayor

ATTEST:



Lorrie Pearce, City Clerk

EXHIBIT "A"

Return to:
Ken Perry P.L.S.
3900 S Wadsworth Blvd, Suite 700
Lakewood, CO 80235
303-716-8960

RECORDING INFORMATION ABOVE

ROW REF# MT100113PG01

EASEMENT AGREEMENT

The undersigned ("Grantor") for and in consideration of (\$1.00) One Dollar and No/100 and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant and convey unto "QWEST CORPORATION, d/b/a CenturyLink QC" a Colorado corporation ("Grantee"), whose address is 1801 California St., Suite 900, Denver, CO 80202, and its successors, assigns, affiliates, lessees, licensees, and agents, a perpetual non-exclusive easement to construct, modify, operate, maintain and remove such buried telecommunications facilities, as Grantee may require under and across the following described property situated in the County of Custer, State of Montana, which Grantor owns or in which Grantor has an interest ("Easement Area"), to wit:

An easement Ten (10') feet in width located in Wild Rose Park in Southgate Meadows Subdivision situated in a portion of the NW1/4 of Section 2, Township 7 North, Range 47 East, P.M.M. Said easement is more particularly shown on Exhibit "A" attached hereto and made a part hereof:

Grantor further conveys to Grantee the right of ingress and egress to and from the Easement Area during all periods of construction, maintenance, installation, reinforcement, repair and removal over and across Grantors lands.

Grantee is responsible for any damages that may arise from the installation and maintenance of said buried telecommunication facilities. Grantee shall restore said right of way back near original condition as possible. Said communications line is to be buried a minimum of 36" deep.

Grantor reserves the right to occupy, use and cultivate the Easement Area for all purposes not inconsistent with the rights herein granted.

The rights, conditions and provisions of this Easement Agreement will run with the land and will inure to the benefit of and be binding upon Grantor and Grantee and their respective successors and assigns.

Return to:
 Ken Perry P.L.S.
 3900 S Wadsworth Blvd, Suite 700
 Lakewood, CO 80235
 303-716-8960

RECORDING INFORMATION ABOVE

GRANTOR:

City of Miles City

C. A. Grenz
 Mayor
 C. A. Grenz,
 Mayor

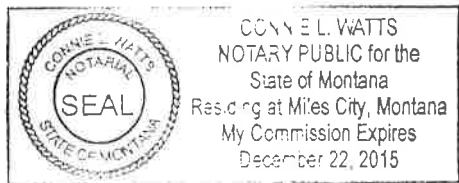
Attest: Lorrie Pearce
 Lorrie Pearce, City Clerk

STATE OF MONTANA)
) ss:
 COUNTY OF CUSTER)

The foregoing instrument was acknowledged before me, Connie L. Watts, a notary public, this 23rd day of October, 2013, by C. A. Grenz, Mayor of the City of Miles City, and Lorrie Pearce, City Clerk of the City of Miles City, on behalf of the City of Miles City.

Witness my hand and official seal:

[NOTARY SEAL]



Connie L. Watts
 Connie L. Watts
 Notary Public
 Residing in
 My commission expires: 12/22/2015

MATCH STA. 21+69 TO TS E...

IN/VEII

R/W #MT100113PG01

EXHIBIT "A"

Centurylink 10' buried easement

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NOTE: CONTRACTOR OR HIS AGENTS SHALL NOT ENTER OR ENCROACH UPON PRIVATE PROPERTY WITHOUT NOTIFYING THE PROPERTY OWNER AT LEAST 48 HOURS IN ADVANCE OF ENTRY. NOTICE SHALL BE IN PERSON OR BY DOOR HANGER IF OWNER IS NOT PRESENT AT TIME OF PHYSICAL VISIT. OWNER HANGER SHALL NOTIFY PROPERTY OWNER OF THE CONTRACTOR'S NAME, PHONE NUMBER, AND NATURE OF ENCROACHMENT AND WORK TO BE PERFORMED.

WILLOW CIRCLE

Lot 1 Blk 17

Lot 2

Lot 3

Centerline of Ten Foot wide easement

Use caution livestock

NOTE: THE RIGHT-OF-WAY SHOWN HAS NOT BEEN SURVEYED OR FIELD RIGHT-OF-WAY HAS BEEN PLACED ON PLANS PER ON-SITE REFERENCE MATERIALS

MATCH STA. 24+99 TO SHEET 70

MATCH STA. 28+53 TO SHEET 10

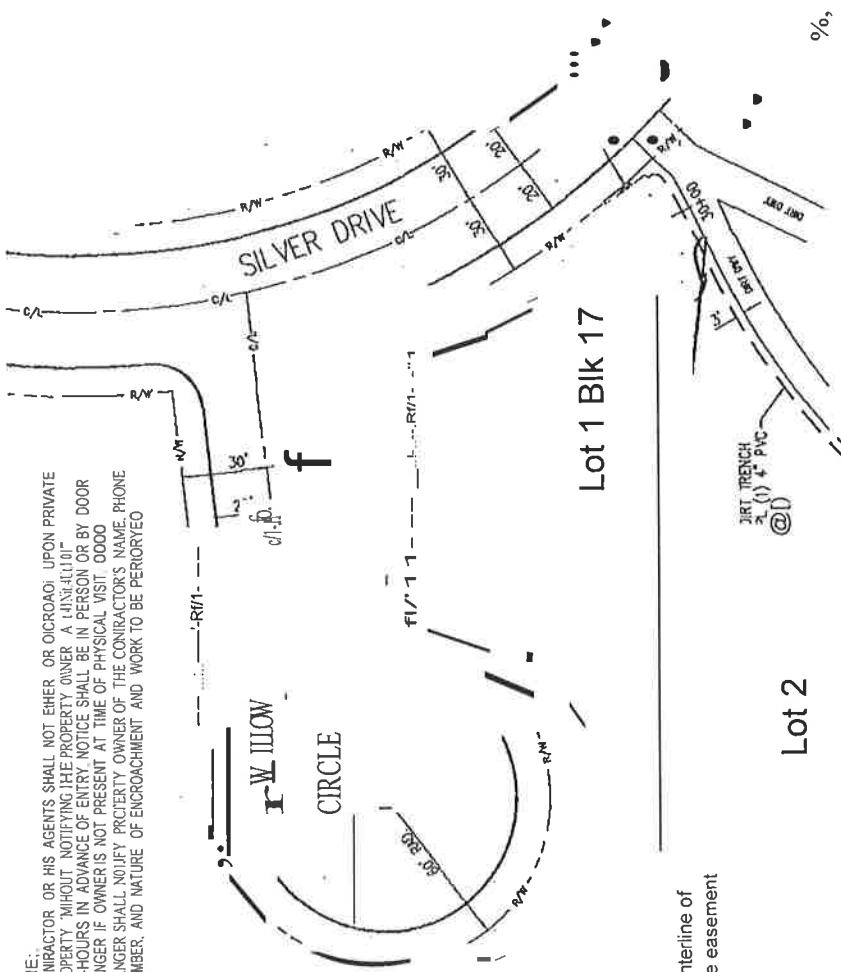
0 2 0 80

CenturyLink

0=5' r

CAL, y=0

PLANS - CALIFORNIA



Wild Rose Park

TOWN:	FRNGE:	SECT:
7N	47E	2

NOTICE: NOT FOR ENCLOSURE! OUTSIDE OF CENTURYLINK AND AFFILIATES EXCEPT UNDER WRITTEN AGREEMENT

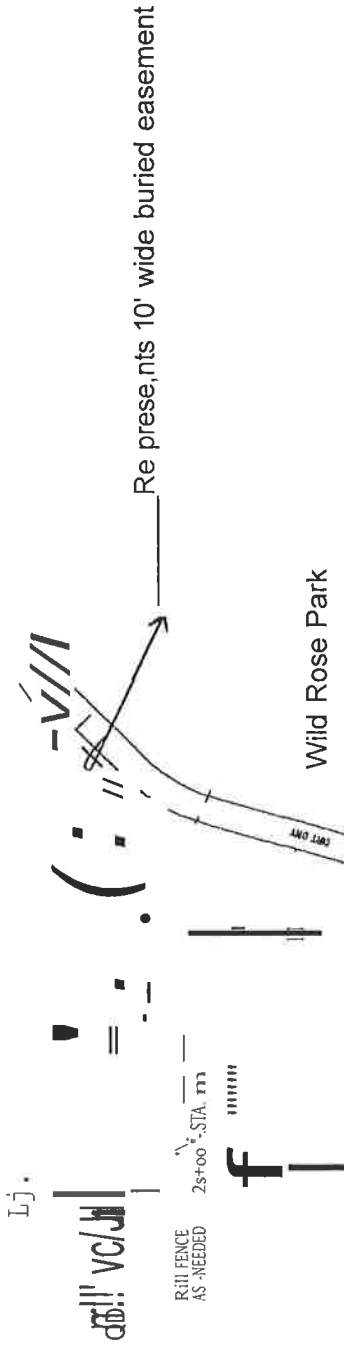
SOUTHGATE MEADOWS JOB: E:582975
Drafted by: Engineering Associates, Inc. GEO CODE:
WCCLU: MLCYMTMA

---"M"--- TCH STA. 24+99 TO SHEET 9

Center line of 10' wide easement: t- Lot 3 Blk 17

Lot 2 PL (1) 4' P.V.T. #

EXHIBIT "A"
10' Centurylink
buried easement



Re presents 10' wide buried easement

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RIW #MT100113PG01

NOTE: CONTRACTOR OR HIS AGENTS SHALL NOT ENTER OR ENCR OACH UPON PRIVATE PROPERTY WITHOUT NOTIFYING THE PROPERTY OWNER A MINIMUM OF 72 HOURS IN ADVANCE OF ENTRY. NOTICE SHALL BE IN PERSON OR BY DOOR HANGER IF OWNER IS NOT PRESENT AT TIME OF PHYSICAL VISIT. DOOR HANGER SHALL NOTIFY PROPERTY OWNER OF THE CONTRACTOR'S NAME, PHONE NUMBER, AND NATURE OF ENCROACHMENT AND WORK TO BE PERFORMED.

Use caution! Livestock

Centurylink 0 att. SCALE: 1" = 40'

TOWN: 7N RANGE: 47E SECT: 2

NOTICE: NOT FOR DISCLOSURE OUTSIDE OF CENTURYLINK AND AFFILIATES EXCEPT UNDER WRITTEN AGREEMENT

JOB: E 582975
GEO CODE:
WC CLLI: MLCYMTMA

SOUTHGATE MEADOWS
MILES CITY, MT

Drafted by: Engineering Associates, Inc.