

RESOLUTION NO. 4192

A RESOLUTION APPROVING THE DONATION OF REAL PROPERTY TO THE CITY FROM SHARON ANN BARGER.


WHEREAS, the City has notified Sharon Ann Barger (“Barger”), the owner of Lots 8 and 9 in Block 20, and Lots 3-8 in Block 42 of the Milwaukee Park Addition that said property constitutes a public nuisance;

AND WHEREAS, in lieu of enforcement, Barger has proposed that said property be donated to the City of Miles City, and a Warranty deed from Barger to the City has been prepared;

NOW THEREFORE BE IT RESOLVED by the City Council of Miles City, Montana, as follows:

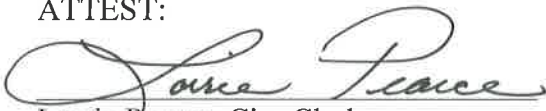
1. It does hereby accept the donation of real property from Sharon Ann Barger, with said conveyance being effectuated by the Warranty Deed attached hereto as Exhibit “A.”

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, AT A DULY CALLED MEETING THIS 28TH DAY OF AUGUST, 2018.



John Hollowell, Mayor

ATTEST:



Lorrie Pearce, City Clerk

VOID - Sharon passed away before signing Warranty Deed

Return to:

City of Miles City
P. O. Box 910
Miles City, Montana 59301

WARRANTY DEED

THIS INDENTURE, made the ____ day of August, 2018 between **SHARON ANN BARGER f/k/a SHARON ANN KIMES** of 1001 Konnarock Road, Kingsport, Tennessee 37664, Party of the FIRST PART, and **CITY OF MILES CITY**, a Montana Municipal Corporation, of P. O. Box 910, Miles City, Montana 59301, Party of the SECOND PART;

WITNESSETH, that the said Party of the FIRST PART, for and in consideration of the sum of One Dollar and Other Valuable Consideration (\$1.OVC), lawful money of the United States of America to Party of the FIRST PART in hand paid by said Party of the SECOND PART, the receipt whereof is hereby acknowledged; does by these presents grant, bargain, sell, convey, warrant and confirm unto the said Party of the SECOND PART, and to its successors and assigns forever, the hereinafter described real estate situated in the County of CUSTER, and State of Montana, to-wit:

Lots 8 and 9 in Block 20 and Lots 3, 4, 5, 6, 7, and 8 in Block 42 of the Milwaukee Park Addition to the City of Miles City, Custer County, Montana, according to the official plat and survey thereof now on file and of record in the office of the Clerk and Recorder in and for Custer County, Montana.

SUBJECT TO THE FOLLOWING:

- a) All recorded and visible easements and rights of way;
- b) Mineral and royalty reservations or conveyances of record;
- c) Reservations and exceptions in patents and other conveyances of record;
- d) Any unpaid installment and unmatured installment and interest thereon, for any special improvements or purposes of a like nature, from and after January 1, 2018;
- e) General real estate taxes from and after January 1, 2018;

- f) All building, use, zoning, sanitary and environmental restrictions, if any;
- g) Federal, state and local laws and regulations affecting this property, including zoning and land use regulations;
- h) Questions of boundary or fence lines dependent upon actual survey for determination;
- i) Adjudications, re-adjudications or determinations in accordance with Montana law regarding any water rights appurtenant to the property which are currently before the Montana Water Courts or may be brought before the Montana Water Courts at some future time.

The Party of the FIRST PART covenants with the Party of the SECOND PART that the Party of the FIRST PART is now seized in fee simple of the property granted; that the Party of the SECOND PART shall enjoy the property without any lawful disturbance; that the property is free from all encumbrances; that the Party of the FIRST PART and all persons acquiring any interest in the property through or for the Party of the FIRST PART will, on demand, execute and deliver to the Party of the SECOND PART, at the expense of the Party of the SECOND PART, any further assurance of the property that may be reasonably required; and that the Party of the FIRST PART will warrant to the Party of the SECOND PART all the property against every person lawfully claiming the property.

Together with all water rights, buildings and improvements, tenements, hereditaments, and appurtenances thereon and thereto.

IN WITNESS WHEREOF, the said Party of the FIRST PART has hereunto set her hand and seal the day and year first hereinbefore written.

SHARON ANN BARGER f/k/a Sharon Ann Kimes

STATE OF TENNESSEE)
) ss
COUNTY OF _____)

On this ____ day of August, 2018, before me, the undersigned, a Notary Public for the State of Montana, personally appeared SHARON ANN BARGER f/k/a SHARON ANN KIMES, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

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

(NOTARIAL SEAL)

Notary Public for the State of Tennessee