

**State of Montana
Department of Transportation**

MDT-ROW-156 Rev. 01/2024

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Quitclaim Deed

R/W ID.: FS-1-AFA-2(1) Parcel No.: 001, 002-4 & 003-5 County: Beaverhead
Designation: 001, 002-4 & 003-5
Project No.: Z599-001-000

This Deed, made this _____ day of _____, 2024, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration now paid, the receipt and sufficiency of which is acknowledged, **witnesses that the State of Montana by and through its Department of Transportation**, Grantor, does hereby **remise, release, and forever quitclaim** to:

enter text, Grantee,

Choose an item, the following-described property:

A tract of land located in $W\frac{1}{2}NE\frac{1}{4}$ of Section 5, Township 13 South, Range 9 West, M.P.M. Beaverhead County, Montana, more particularly described as follows: Beginning at the northeast corner of said $W\frac{1}{2}NE\frac{1}{4}$; thence Southerly along the east line of said $W\frac{1}{2}NE\frac{1}{4}$ to the southeast corner of said $W\frac{1}{2}NE\frac{1}{4}$; thence Westerly, 417.6 feet along the south line of said $W\frac{1}{2}NE\frac{1}{4}$; thence North $20^{\circ} 45'$ West, 700.3 feet; thence North $69^{\circ} 15'$ East, 370.0 feet; thence North $20^{\circ} 45'$ West, 1992.4 feet, more or less, to a point on the north line of said Section 5; thence Easterly, 1031.2 feet along the said north line of Section 5 to the said point of beginning, and containing in all 38.52 acres, more or less.

Also a tract of land located in $E\frac{1}{2}SW\frac{1}{4}$ of Section 32, Township 12 South, Range 9 West, M.P.M., Beaverhead County, Montana, more particularly described as follows: Beginning at a point on the east line of said $E\frac{1}{2}SW\frac{1}{4}$, which said point bears Northerly along said east line a distance of 754.8 feet, more or less, from the south quarter corner of said Section 32; thence North $20^{\circ} 45'$ West, 1378.9 feet; thence North $69^{\circ} 15'$ East, 526.1 feet, more or less, to a point on the said east line of $E\frac{1}{2}SW\frac{1}{4}$; thence Southerly along the said east line of $E\frac{1}{2}SW\frac{1}{4}$ to the said point of beginning and containing in all 8.33 acres, more or less.

A tract of land located in $E\frac{1}{2}NE\frac{1}{4}$ of Section 5, Township 13 South, Range 9 West, M.P.M., Beaverhead County, Montana, more particularly described as follows: Beginning at the southwest corner of said $E\frac{1}{2}NE\frac{1}{4}$; thence Easterly, 868.4 feet along the south line of said $E\frac{1}{2}NE\frac{1}{4}$; thence North $20^{\circ} 45'$ West to a point on the west line of said $E\frac{1}{2}NE\frac{1}{4}$; thence Southerly, 2280.8 feet, more or less, along the said west line of $E\frac{1}{2}NE\frac{1}{4}$ to the said point of beginning, and containing in all 22.73 acres, more or less.

Also, a tract of land located in $W\frac{1}{2}SE\frac{1}{4}$ of Section 32, Township 12 South, Range 9 West, M.P.M. Beaverhead County, Montana, more particularly described as follows: Beginning at the south quarter corner of said Section 32; thence Easterly, 1177.7 feet along the south line of said $W\frac{1}{2}SE\frac{1}{4}$; thence North $20^{\circ} 45'$ West, 2507.1 feet; thence South $69^{\circ} 15'$ West, 303.9 feet, more or less, to a point on the west line of said $W\frac{1}{2}SE\frac{1}{4}$; thence Southerly along the said west line of $W\frac{1}{2}SE\frac{1}{4}$ to the point of beginning, and containing in all 38.95 acres, more or less.

A tract of land located in $W\frac{1}{2}SW\frac{1}{4}$ of Section 4, and in $E\frac{1}{2}SE\frac{1}{4}$, and $NW\frac{1}{4}SE\frac{1}{4}$ Section 5, Township 13 South, Range 9 West, M.P.M., Beaverhead County, Montana, more particularly described as follows: Beginning at a point on the north right of way line of an existing county road, which said point is South, 5270.7 feet, and East, 110.7 feet, more or less, from the northwest corner of said Section 4; thence Westerly, 461.1 feet along the said north right of way line of county road; thence North $20^{\circ} 45'$ West, 2810.6 feet, more or less, to a point on the north line of said $NW\frac{1}{4}SE\frac{1}{4}$; thence Easterly, 1275.6 feet along the north line of said $NW\frac{1}{4}SE\frac{1}{4}$ and $E\frac{1}{2}SE\frac{1}{4}$ to a point 57.0 feet West of the east line of said Section 5; thence Southerly, 1008.4 feet parallel to the east line of said Section 5; thence South $20^{\circ} 45'$ East, 1731.3 feet to a point on the said north right of way line of a county road; thence Westerly, 428.9 feet along the said north right of way line of county road to the said point of beginning and containing in all 57.67 acres, acres more or less.

TOGETHER WITH Height Limited Restrictions of adjacent properties that protects the avigation use.

Ref. Deeds: Warranty Deed recorded 1/9/43 in Bk 105/Pg 486, Warranty Deed recorded 1/9/43 in Bk 105/Pg 487, Warranty Deed recorded 1/9/45 in Bk 105/Pg 488. The above tracts are shown and depicted on the attached Exhibit A.

Subject to the reverter clause as stated in the attached Exhibit B; and

Subject to (a) reservations and exceptions in patents from the United States or the State of Montana; (b) visible easements, easements of record, and rights of way; (c) all building, use, zoning, sanitary, and environmental restrictions, (d) taxes and assessments from the date hereof and for all subsequent years, and (e) utility lines and facilities occupying the right-of-way pursuant to Mont. Code Ann. § 69-4-101.

This Deed is given pursuant to Mont. Code Ann. Title 60, Chapter 4, without covenants, and **reserves to Grantor** easements for rights-of-way for the benefit of the United States and all other reservations to which the land conveyed may be subject.

(Great Seal)

Governor of the State of Montana

Attest:

Secretary of State

Approved as to form:

Attorney

Exhibit B

AIRPORT AGREEMENT

The **MONTANA DEPARTMENT OF TRANSPORTATION**, PO Box 201001, Helena, Montana 59620-1001 (“**MDT**”), and _____, of _____ (Bidder), the successful qualified bidder at public auction, covenant and agree as follows:

1. **PROPERTY DESCRIPTION:** Bidder is the purchaser of the real property in Beaverhead County, Montana, that, together with certain improvements, is commonly known as the Dell Airport or Dell Flight Strip (“Dell Airport”), and is more particularly described as follows:

A tract of land located in $W\frac{1}{2}NE\frac{1}{4}$ of Section 5, Township 13 South, Range 9 West, M.P.M. Beaverhead County, Montana, more particularly described as follows: Beginning at the northeast corner of said $W\frac{1}{2}NE\frac{1}{4}$; thence Southerly along the east line of said $W\frac{1}{2}NE\frac{1}{4}$ to the southeast corner of said $W\frac{1}{2}NE\frac{1}{4}$; thence Westerly, 417.6 feet along the south line of said $W\frac{1}{2}NE\frac{1}{4}$; thence North $20^{\circ} 45'$ West, 700.3 feet; thence North $69^{\circ} 15'$ East, 370.0 feet; thence North $20^{\circ} 45'$ West, 1992.4 feet, more or less, to a point on the north line of said Section 5; thence Easterly, 1031.2 feet along the said north line of Section 5 to the said point of beginning, and containing in all 38.52 acres, more or less.

Also a tract of land located in $E\frac{1}{2}SW\frac{1}{4}$ of Section 32, Township 12 South, Range 9 West, M.P.M., Beaverhead County, Montana, more particularly described as follows: Beginning at a point on the east line of said $E\frac{1}{2}SW\frac{1}{4}$, which said point bears Northerly along said east line a distance of 754.8 feet, more or less, from the south quarter corner of said Section 32; thence North $20^{\circ} 45'$ West, 1378.9 feet; thence North $69^{\circ} 15'$ East, 526.1 feet, more or less, to a point on the said east line of $E\frac{1}{2}SW\frac{1}{4}$; thence Southerly along the said east line of $E\frac{1}{2}SW\frac{1}{4}$ to the said point of beginning and containing in all 8.33 acres, more or less.

A tract of land located in $E\frac{1}{2}NE\frac{1}{4}$ of Section 5, Township 13 South, Range 9 West, M.P.M., Beaverhead County, Montana, more particularly described as follows: Beginning at the southwest corner of said $E\frac{1}{2}NE\frac{1}{4}$; thence Easterly, 868.4 feet along the south line of said $E\frac{1}{2}NE\frac{1}{4}$; thence North $20^{\circ} 45'$ West to a point on the west line of said $E\frac{1}{2}NE\frac{1}{4}$; thence Southerly, 2280.8 feet, more or less, along the said west line of $E\frac{1}{2}NE\frac{1}{4}$ to the said point of beginning, and containing in all 22.73 acres, more or less.

Also, a tract of land located in $W\frac{1}{2}SE\frac{1}{4}$ of Section 32, Township 12 South, Range 9 West, M.P.M Beaverhead County, Montana, more particularly described as follows: Beginning at the south quarter corner of said Section 32; thence Easterly, 1177.7 feet along the south line of said $W\frac{1}{2}SE\frac{1}{4}$; thence North $20^{\circ} 45'$ West, 2507.1 feet; thence South $69^{\circ} 15'$ West, 303.9 feet, more or less, to a point on the west line of said $W\frac{1}{2}SE\frac{1}{4}$; thence Southerly along the said west line of $W\frac{1}{2}SE\frac{1}{4}$ to the point of beginning, and containing in all 38.95 acres, more or less.

A tract of land located in W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 4, and in E $\frac{1}{2}$ SE $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5, Township 13 South, Range 9 West, M.P.M., Beaverhead County, Montana, more particularly described as follows: Beginning at a point on the north right of way line of an existing county road, which said point is South, 5270.7 feet, and East, 110.7 feet, more or less, from the northwest corner of said Section 4; thence Westerly, 461.1 feet along the said north right of way line of county road; thence North 20° 45' West, 2810.6 feet, more or less, to a point on the north line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$; thence Easterly, 1275.6 feet along the north line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$ to a point 57.0 feet West of the east line of said Section 5; thence Southerly, 1008.4 feet parallel to the east line of said Section 5; thence South 20° 45' East, 1731.3 feet to a point on the said north right of way line of a county road; thence Westerly, 428.9 feet along the said north right of way line of county road to the said point of beginning and containing in all 57.67 acres, acres more or less.

2. **REVERTER CLAUSE:** Bidder shall maintain and operate the Dell Airport so that it remains open to the public for aircraft use and free of charge for all aircraft weighing under 12,500 pounds. If the Dell Airport shall ever cease to be maintained and operated in compliance with this Airport Agreement, then title to the Dell Airport shall, by operation of law, automatically revert to MDT at no cost to MDT. In the event of reversion, Bidder shall do all things necessary to properly vest the Dell Airport once again in the name of MDT in the records of the Beaverhead County Clerk and Recorder's Office.

3. **OPTION:** Located upon the Dell Airport there are a historical airport beacon and shed that are eligible for listing in the National Register. MDT reserves an option to purchase those assets if the successful bidder ever decides to dispose of (by sale or otherwise) or remove them. Prior to disposal or removal, the successful bidder shall contact MDT's Real Estate Services Section in writing. The fair market value of those assets shall be determined by an MDT-approved appraiser. Prior to removal or disposal MDT shall be provided a reasonable period of time to exercise this option to purchase the same for their fair market value.

IN WITNESS WHEREOF, the Parties have executed this Agreement.

MONTANA DEPARTMENT OF TRANSPORTATION

By: _____
Larry Flynn, Acting Director of Transportation

Date: _____

APPROVED FOR LEGAL CONTENT:

SUCCESSFUL QUALIFIED BIDDER

By: _____(sign)

Date: _____

_____ (print)