

STATE HIGHWAY COMMISSION OF MONTANA  
RIGHT OF WAY DIVISION IS

PROJECT: I255(9)

Beaverhead County

**BARGAIN AND SALE DEED**

THIS INDENTURE, made this 13th day of January, 1958 : IN CONSIDERATION of the sum of ONE DOLLAR (\$1.00), AND OTHER GOOD AND VALUABLE CONSIDERATIONS,

lawful money of the United States to them in hand paid by the STATE OF MONTANA,

the receipt whereof is hereby acknowledged, WITNESSETH THAT,

J. S. PERKINS AND YVONNE A. PERKINS,

HUSBAND AND WIFE,

OF LIMA, MONTANA,

do hereby GRANT, BARGAIN, SELL and CONVEY unto the STATE OF MONTANA for the benefit and use of its State Highway Commission, the following described real property, to-wit:

2510+95.8 to 2559+13.3

A tract of land in  $\frac{1}{2}$ SE $\frac{1}{4}$ ,  $\frac{1}{2}$ NE $\frac{1}{4}$ , Section 5, Township 14 South, Range 8 West, M.P.M., Beaverhead County, Montana, more particularly described as follows:

All that land in said  $\frac{1}{2}$ NE $\frac{1}{4}$ ,  $\frac{1}{2}$ SE $\frac{1}{4}$ , Section 5, lying on the westerly side of a line which is parallel to and 100 feet distant easterly when measured at right angles from the center line of the north bound traffic lane of the new Montana State Highway Project I 255 (9), beginning at a point on the center line of said northbound traffic lane, which said point is north 7367.1 feet and west 2656.1 feet, more or less, from the east quarter corner of Section 8, Township 14 South, Range 8 West; thence from the said point of beginning southerly along a curve to the right of 5730.0 feet radius 1185.3 feet; thence south 5°26' east 1475.6 feet; thence along a curve to the left of 5730.0 feet radius, 2135.7 feet, more or less, to a point on the south line of said Section 5, which said point bears westerly along said south line a distance of 1712.8 feet, more or less, from the southeast corner of said Section 5, and containing in all 49.86 acres, more or less.

ALSO, the grantors hereby convey to the STATE OF MONTANA, all rights of ingress and egress (including all existing, future or potential easements of access, light view and air) to, from and between the above described property and the remaining contiguous real property of the grantors. It is expressly intended and agreed that these covenants, burdens and restrictions shall run with the land and shall forever bind the grantors, their heirs, successors and assigns.

ALSO, the grantors hereby agree to relinquish all their rights pertaining to the conveying of their irrigation water across the right of way of the Montana State Highway Project I 255 (9) and forever release the State from any responsibility for conveying said water, in any manner whatsoever, to the  $\frac{1}{2}$ SE $\frac{1}{4}$ , Section 5, Township 14 South, Range 8 West, M.P.M., Beaverhead County, Montana. It is expressly intended and agreed that these burdens and restrictions shall run with the land and shall forever bind the grantors, their heirs, successors and assigns.

IN WITNESS WHEREOF the undersigned ha  
above written. ve ed these prom

(J. S. Perkins)

(Yvonne A. Perkins)

STATE OF MONTANA } ss.  
County of BEAVERHEAD }

On this 13th day of January A. D. 19 58, before me Ivan D. Shaw  
a Notary Public in and for the State of Montana, personally appeared

J. S. Perkins and Yvonne A. Perkins

known to me to be the person s whose name s arey subscribed to the within instrument and  
acknowledged to me that the executed the same.

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

Notarial Seal.

Notary Public for the State of Montana  
Residing at Helena, Montana  
My Commission expires May 31, 1958

STATE OF } ss.  
County of }

On this day of A. D. 19, before me  
a Notary Public in and for the State of, personally appeared

known to me to be the person whose name subscribed to the within instrument and  
acknowledged to me that executed the same.

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

Notarial Seal.

Notary Public for the State of  
Residing at  
My Commission expires

T 82-01(6)  
1-255-137  
(Project No.)

Stationing: 5 (Parcel No.)  
2510+95.6 to 2559+13.3  
BEAVERHEAD County

BARGAIN AND SALE DEED

J. S. PERKINS, et ux

TO  
STATE OF MONTANA

Recording No. 94888

Filed for recording with the County Clerk

and Recorded BEAVERHEAD

County on Feb 18, 1958

and recorded in book 152

of Record on page 162-4

Original deed filed with the Secretary of

State on Feb 24, 1958