Appendix B

SAMPLE DEEDS AND EXHIBITS

MONTANA RIGHT-OF-WAY DESIGN MANUAL
Spaceholder page for double-sided printing.
### Appendix B

**SAMPLE DEEDS AND EXHIBITS**

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Revised: 3/8/07, 6/30/08, 9/30/10, 11/8/13
Spaceholder page for double-sided printing.
Parcel No. 39 on Montana Department of Transportation Project NH 1-9(43)555, as shown on the Right-of-Way plan for said project recorded in the office of the County Clerk and Recorder of Valley County, Montana. Said parcel is also described as a tract of land within Allotment No. 3116 situated in the NW¼SW¼ of Section 11, Township 27 North, Range 42 East, P.M., M., Valley County, Montana, as shown by the shaded area on the plat, consisting of 1 sheet attached hereto and made a part hereof, containing an area of 2.152 ha (5.32 acres), more or less, including 2.015 ha (4.98 acres), which constitute a part of an existing public highway.

For r/w acquisition on tribal parcels, form 538 is prepared rather than preparing deeds.  

SEE SECTION 25-4.5
A tract of land in the S½SW¼ of Section 36, Township 3 South, Range 48 East, P.M.,M., Powder River County, Montana, as shown by the shaded area on the plat, consisting of 3 sheets attached hereto and made a part hereof, containing an area of 4.981 ha (12.31 acres), more or less, including 2.994 ha (7.40 acres), which constitute a part of an existing public highway. Gross Area 4.981 ha (12.31 acres); Present Highway Area 2.994 ha (7.40 acres); Net Area 1.987 ha (4.91 acres).

ALSO, the Grantor hereby conveys unto the MONTANA DEPARTMENT OF TRANSPORTATION, an easement for drainage purposes in said SW¼SW¼ of Section 36, as shown by the hatched area on said plat, containing an area of 0.105 ha (0.26 acre) more or less.
Figure 4B (continued)
Figure 4B (continued)
All that part on, over and above the Tongue River bed, from the westerly low water line to the easterly low water line lying between Tract “C” and U.S. Government Lot 6 of Section 33, Township 8 North, Range 47 East, P.M., M., Custer County, Montana, as shown by the shaded area on the plat, consisting of 2 sheets attached hereto and made a part hereof, containing an area of 0.127 ha (0.31 acre), more or less.

Form 536 is used for DNRC navigable riverbed rather than preparing deeds.

*Legal descriptions for navigable riverbeds refer to the low watermark except on the Missouri, Yellowstone, and Kootenai Rivers, which refer to the high watermark.
Montana Department of Transportation  
Right-of-Way Bureau  
PO Box 201001  
Helena, MT 59620–1001

ROW\Forms\Pln\521

**State of Montana**

**Department of Transportation**

Right-of-Way Bureau  
2701 Prospect Avenue  
PO Box 201001  
Helena, MT 59620-1001

R/W ID: NH 1-9(43)555  
Parcel No.: 22  
County: Valley

Project No.: 2144-043

**Bargain and Sale Deed**

This Deed, made this ______ day of ____________, 20___, in consideration of the sum of One Dollar ($1.00) and other good and valuable consideration now paid, the receipt of which is acknowledged, witnesses that,

Michael A. Reins, a/k/a Michel Allen Reins  
3205 Centerview Drive  
Huntley, MT 59203

does hereby grant, bargain, sell and convey to the Montana Department of Transportation the following-described real property:

Parcel No. 22 on Montana Department of Transportation Project NH 1-9(43)555, as shown on the Right-of-Way plan for said project recorded in the office of the County Clerk and Recorder of Valley County, Montana. Said parcel is also described as a tract of land in U.S. Government Lots 5 and 4 of Section 31; U.S. Government Lots 2, 3, and 4 of Section 32, Township 28 North, Range 42 East, P.M., Valley County, Montana, as shown by the shaded area on the plat, consisting of 3 sheets attached hereto and made a part hereof, containing an area of 2.687 ha (6.64 acres), more or less.

An easement to be acquired in the name of someone other than MDT should have a separate deed/exhibit prepared. Form 520/521 is used for the r/w acquisition with the exhibit.  
SEE SECTIONS 25-1.1.2, #3 & 25-2.2

Parcel 22 r/w deed/exhibit is prepared separately from the easement to be acquired for parcel 24 (Sta. 37+10 Lt. - 237+30 Lt.)
### Bargain and Sale Deed

Parcel No.: 22

**Designation:** Nashua – E. & W.

**Excepting and reserving to Grantor(s),** however, all gas, oil and minerals beneath the surface of the above-described and conveyed premises, together with the right to extract the same, provided that in the exercise of such right, the surface thereof shall not be disturbed, interfered with or damaged. This exception and reservation does not include sand, gravel and other road building materials, which are conveyed by this Deed.

**Further excepting and reserving** unto the Grantor(s), his heirs, successors and assigns, all water, water rights, ditches, canals, irrigation systems, existing or as relocated, if any, including but not limited to, water stock or shares, bonds, certificates, contracts and any and all other indicia of water, water right and ditch ownership, or any interest therein appurtenant to the land described therein, save and except groundwater for the use, benefit and purposes of the Grantee(s).

**To have and to hold** the above-described and conveyed premises, with all the reversions, remainders, tenements, hereditaments and appurtenances thereto, unto the Montana Department of Transportation, and to its successors and assigns forever.

This Deed was executed on the date of its last acknowledgment.

__________________________
(Grantor(s))

__________________________
Notary Signature Line

(Seal)

__________________________
Notary Printed Name

Notary Public for State of __________________________
Residing at: ______________________________
My Commission Expires: _______ / _____ / 20___

State of __________________________
County of __________________________

This instrument was acknowledged before me on __________________________

__________________________
(Grantor(s))

__________________________
Notary Signature Line

(Seal)

__________________________
Notary Printed Name

Notary Public for State of __________________________
Residing at: ______________________________
My Commission Expires: _______ / _____ / 20___

State of __________________________
County of __________________________

This instrument was acknowledged before me on __________________________

__________________________
(Grantor(s))

__________________________
Notary Signature Line

(Seal)

__________________________
Notary Printed Name

Notary Public for State of __________________________
Residing at: ______________________________
My Commission Expires: _______ / _____ / 20___

**Recording Information**

R/W WITH EASEMENT FOR LANDOWNER

Figure 8B (continued)
Figure 9B (continued)
State of Montana
Department of Transportation
Right-of-Way Bureau
2701 Prospect Avenue
PO Box 201001
Helena, MT 59620-1001

R/W ID: NH 1-9(43)555 Parcel No.: 22 County: Valley
Designation: Nashua – E. & W. Project No.: 2144-043

EASEMENT

This Easement made this _____day of____________, 20___, in consideration of the sum of ONE DOLLAR ($1.00) and other good and valuable consideration now paid, the receipt of which is acknowledged, witnesses that,

Sam S. Seller
P.O. Box 45
McLeod, MT 59444

does hereby grant, bargain, sell and convey unto:

Betty B. Buyer
P.O. Box 194
McLeod, MT 59444

an easement for access purposes, located within Parcel No. 22 on Montana Department of Transportation Project NH 1-9(43)555, as shown on the Right-of-Way plan for said project recorded in the office of the Clerk and Recorder of Valley County, Montana. Said easement covers and embraces the following described land:

A tract of land in U.S. Government Lot 4 of Section 31, Township 28 North, Range 42 East, P.M.,M., Valley County, Montana, as shown by the shaded area on the plat, consisting of 1 sheet, attached hereto and made a part hereof, containing an area of 0.170 ha (0.42 acre), more of less.

An easement to be acquired in the name of someone other than MDT should have a separate deed/exhibit prepared. Form 525/526 is used when grantor(s) are conveying an easement for a specific purpose. Easement area on exhibit is shaded.

SEE SECTIONS 25-1.1.2, #3 & 25-2.2
Easement deed/exhibit is prepared separately from r/w.
<table>
<thead>
<tr>
<th>Easement</th>
<th>Parcel No.: 22</th>
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<tr>
<td>R/W ID:</td>
<td>NH 1-9(43)555</td>
</tr>
<tr>
<td>Designation:</td>
<td>Nashua – E. &amp; W.</td>
</tr>
</tbody>
</table>

TO HAVE AND TO HOLD all of the above-described property unto the Grantee(s), and her heirs, successors and assigns forever.

IN WITNESS WHEREOF

<table>
<thead>
<tr>
<th>State of</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>County of</td>
<td></td>
</tr>
</tbody>
</table>

This instrument was acknowledged before me on _______ / _______ / 20__  __

by ____________________________

(Grantor(s))

<table>
<thead>
<tr>
<th>Notary Signature Line</th>
</tr>
</thead>
</table>

(Seal)

Notary Printed Name

Notary Public for State of __________________________

Residing at: __________________________

My Commission Expires: _______ / _______ / 20__  __

<table>
<thead>
<tr>
<th>State of</th>
<th></th>
</tr>
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<tbody>
<tr>
<td>County of</td>
<td></td>
</tr>
</tbody>
</table>

This instrument was acknowledged before me on _______ / _______ / 20__  __

by ____________________________

(Grantor(s))

<table>
<thead>
<tr>
<th>Notary Signature Line</th>
</tr>
</thead>
</table>

(Seal)

Notary Printed Name

Notary Public for State of __________________________

Residing at: __________________________

My Commission Expires: _______ / _______ / 20__  __

Recording Information:

R/W WITH EASEMENT FOR LANDOWNER

Figure 10B (continued)
R/W WITH EASEMENT FOR LANDOWNER

Figure 11B
Montana Department of Transportation
Right-of-Way Bureau
PO Box 201001
Helena, MT 59620–1001

ROW\Forms\Plnl528

State of Montana
Department of Transportation
Right-of-Way Bureau
2701 Prospect Avenue
PO Box 201001
Helena, MT 59620-1001

R/W ID: BR 9028(11) Parcel No.: 2 County: McCone
Designation: Wolf Creek – 8 km E of Vida
Project No.: 4238-011

Highway Easement

This Easement, made this____ day of___________, 20___, in consideration of the sum of One Dollar ($1.00) and other good and valuable consideration now paid, the receipt of which is acknowledged, witnesses that,

Tally E. Neddles and Cheryl A. Neddles
604 Crawley Lane
Kolin, MT 59873

do(es) hereby grant, bargain, sell and convey unto McCone County, Montana, an easement and Right-of-Way for highway purposes, including the construction, reconstruction and maintenance of a highway over, across, and the right of entry upon and occupation of lands, and the right to take therefrom such earth, sand, gravel, stones, and trees as may be necessary in the construction, reconstruction, and maintenance of a highway covering and embracing the following described land:

Parcel No. 2, on Montana Department of Transportation Project BR 9028(11), as shown on the Right-of-Way plans for said project recorded in the office of the County Clerk and Recorder of McCone County, Montana. Said Easement covers and embraces the following described land:

A tract of land in the N½NE¼ of Section 23, Township 24 North, Range 49 East, P.M., M., McCone County, Montana, as shown by the shaded area on the plat, consisting of 1 sheet, attached hereto and made a part hereof, containing an area of 0.977 ha (2.41 acres), more or less, including 0.634 ha (1.57 acres), which constitute a part of an existing public highway.

Form 527/528 is used when grantor(s) is conveying r/w by easement rather than fee title. Also used when r/w is to be acquired as an easement in the name of the county. Easement area on the exhibit is shaded.

SEE SECTION 25-2.2, #7, #8 HIGHWAY EASEMENT

Highway r/w for parcel is being acquired as easement.
Highway Easement  Parcel No.: 2
R/W ID: BR 9028(11)
Designation: Wolf Creek – 8 km E of Vida

TO HAVE AND TO HOLD all of the above-described property unto McCon E County, Montana, and to its successors and assigns as long as the same is used for highway purposes.

This Easement was executed on the date of its last acknowledgment.

______________________________ ________________________________
Notary Signature Line Notary Printed Name
(Seal) Notary Public for State of
Residing at: ________________________________
My Commission Expires: _______ / _______ / 20__

State of ________________________________
County of ________________________________

This instrument was acknowledged before me on ________________________________ (date)
by ________________________________ (Grantor(s))

______________________________ ________________________________
Notary Signature Line Notary Printed Name
(Seal) Notary Public for State of
Residing at: ________________________________
My Commission Expires: _______ / _______ / 20__

State of ________________________________
County of ________________________________

This instrument was acknowledged before me on ________________________________ (date)
by ________________________________ (Grantor(s))

______________________________ ________________________________
Notary Signature Line Notary Printed Name
(Seal) Notary Public for State of
Residing at: ________________________________
My Commission Expires: _______ / _______ / 20__

Recording Information:

HIGHWAY EASEMENT

Figure 12B (continued)
Bargain and Sale Deed With Easement

This Deed, made this _____ day of ____________, 20___, in consideration of the sum of One Dollar ($1.00) and other good and valuable consideration now paid, the receipt of which is acknowledged, witnesses that,

Kory P. Kosmo
1943 9th Street West
Cocomo, WA 34123

does hereby grant, bargain, sell and convey to the Montana Department of Transportation the following-described real property:

Parcel No. 15 on Montana Department of Transportation Project NH 37-3(13)85, as shown on the Right-Of-Way plan for said project recorded in the office of the County Clerk and Recorder of Powder River County, Montana. Said parcel is also described as a tract of land in the N½N½, S½NE¼ of Section 15; and S½NW¼ of Section 14, Township 4 South, Range 49 East, P.M., Montana, as shown by the shaded area on the plat, consisting of 5 sheets attached hereto and made a part hereof, containing an area of 2.151 ha (5.32 acres), more or less.

ALSO, the Grantor hereby conveys unto the MONTANA DEPARTMENT OF TRANSPORTATION, an easement for channel change in the SE¼NE¼ of said Section 15, as shown by the hatched area on said plat, containing an area of 0.345 ha (0.85 acres), more or less.
Bargain and Sale Deed With Easement

R/W ID: NH 37-3(13)85

Designation: Epsie – E & W

Excepting and reserving to Grantor(s), however, all gas, oil and minerals beneath the surface of the above-described and conveyed premises, together with the right to extract the same, provided that in the exercise of such right, the surface thereof shall not be disturbed, interfered with or damaged. This exception and reservation does not include sand, gravel and other road building materials, which are conveyed by this Deed.

Further excepting and reserving unto the Grantor(s), their heirs, successors and assigns, all water, water rights, ditches, canals, irrigation systems, existing or as relocated, if any, including but not limited to, water stock or shares, bonds, certificates, contracts and any and all other indicia of water, water right and ditch ownership, or any interest therein appurtenant to the land described therein, save and except groundwater for the use, benefit and purposes of the Grantee(s).

To have and to hold the above-described and conveyed premises, with all the reversions, remainders, tenements, hereditaments and appurtenances thereto, unto the Montana Department of Transportation and to its successors and assigns forever.

This Deed was executed on the date of its last acknowledgement.

State of ____________________________ )
County of __________________________ )

This instrument was acknowledged before me on __________________________ (date)
by __________________________ (Grantor(s))

(Seal)

Notary Signature Line

Notary Printed Name

Notary Public for State of __________________________
Residing at: __________________________
My Commission Expires: __________ / __________ / 20__

State of __________________________ )
County of __________________________ )

This instrument was acknowledged before me on __________________________ (date)
by __________________________ (Grantor(s))

(Seal)

Notary Signature Line

Notary Printed Name

Notary Public for State of __________________________
Residing at: __________________________
My Commission Expires: __________ / __________ / 20__

R/W WITH EASEMENT TO MDT

Figure 14B (continued)
R/W WITH EASEMENT TO MDT

Figure 15B
R/W WITH EASEMENT TO MDT

Figure 15B (continued)
Figure 15B (continued)
State of Montana  
Department of Transportation  
Right-of-Way Bureau  
2701 Prospect Avenue  
PO Box 201001  
Helena, MT 59620-1001

R/W ID: STPS 253-1(13)23 Parcel No.: 21 County: Prairie  
Designation: 37 km NW of Terry – North  
Project No.: 2824-013

Bargain and Sale Deed

This Deed, made this ______ day of ______________, 20___, in consideration of  
the sum of One Dollar ($1.00) and other good and valuable consideration now paid,  
the receipt of which is acknowledged, witnesses that,  

Sally Styles, Inc.  
123 North Number Street  
Bloomfield, MT 59626

does hereby grant, bargain, sell and convey to the Montana Department of  
Transportation the following-described real property:

Parcel No. 21 on Montana Department of Transportation Project STPS 253-1(13)23, as shown on the Right-of-Way plan for said project recorded in the office of the County Clerk and Recorder of Prairie County, Montana. Said parcel is also described as a tract of land in the NE¼NE¼ of Section 9, Township 16 North, Range 47 East, P.M.,M., Prairie County, Montana, as shown by the shaded area on the plat, consisting of 1 sheet attached hereto and made a part hereof, containing an area of 2.454 ha (6.06 acres), more or less, including 1.400 ha (3.46 acres), which constitute a part of an existing public highway.

Corporate, Partnership, etc. deeds are used when grantor is a corporation, partnership, LLC, etc. as it contains special language and corporate notary acknowledgement. Check with the Secretary of State’s office to make sure the grantor is in fact a corporation and is active and in good standing.

SEE SECTION 25-2.2

Figure 16B
Bargain and Sale Deed

R/W ID: STPS 253-1(13)23

Parcel No.: 21

Designation: 37 km NW of Terry - North

**Excepting and reserving to Grantor(s),** however, all gas, oil and minerals beneath the surface of the above-described and conveyed premises, together with the right to extract the same, provided that in the exercise of such right, the surface thereof shall not be disturbed, interfered with or damaged. This exception and reservation does not include sand, gravel and other road building materials, which are conveyed by this Deed.

**Further excepting and reserving** unto the Grantor(s), its successors and assigns, all water, water rights, ditches, canals, irrigation systems, existing or as relocated, if any, including but not limited to, water stock or shares, bonds, certificates, contracts and any and all other indicia of water, water right and ditch ownership, or any interest therein appurtenant to the land described therein, save and except groundwater for the use, benefit and purposes of the Grantee(s).

**To have and to hold** the above-described and conveyed premises, with all the reversions, remainders, tenements, hereditaments and appurtenances thereto, unto the Montana Department of Transportation, and to its successors and assigns forever.

This Deed was executed on the date of its last acknowledgment.

<table>
<thead>
<tr>
<th>Signature</th>
<th>(Type of Authority)</th>
<th>(Name of Entity)</th>
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<tbody>
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</tbody>
</table>

State of 

County of 

This instrument was acknowledged before me on [date]

by 

(name of person(s))

as 

(type of authority, e.g., president, trustee, member, partner, etc.)

of 

(name of entity on behalf of whom instrument was executed)

(Seal)

Notary Signature Line

Notary Printed Name

Notary Public for State of Residing at: 

My Commission Expires: _____ / _____ / 20__

State of 

County of 

This instrument was acknowledged before me on [date]

by 

(name of person(s))

as 

(type of authority, e.g., president, trustee, member, partner, etc.)

of 

(name of entity on behalf of whom instrument was executed)

(Seal)

Notary Signature Line

Notary Printed Name

Notary Public for State of Residing at: 

My Commission Expires: _____ / _____ / 20__

CORPORATE, PARTNERSHIP, ETC. DEED

FIGURE 16B(CONTINUED)
GRID STATE PLANE COORDINATES

THIS IS A STATE PLANE COORDINATE PROJECT
ALL DISTANCES AND ANGLES ON THIS
PROJECT ARE GEO, EXCEPT FOR THE EXISTING
S. 40 W. 40TH, WHICH IS FEDERAL.
THE
COORDINATE SCALE FACTOR IS 0.9992585

FOR EXISTING H/D REPLACEMENT, SEC
16, T. 4, N., R. 21, W. 2, VOL. 110485

NOTES:
1. ALL DISTANCES ARE MEASURED EXCEPT AS NOTED
2. THE PROPOSED PLAT HAS BEEN A DRAFT COPY
3. THE CLOSING DEEDS ARE FOR INFORMATIONAL
4. ALL DISTANCES AND ANGLES FOR H/D ARE
   MEASURED IN THE COORDINATE

PARCEL 21: SHEET 1 OF 1
Bargain and Sale Deed

This Deed, made this _____ day of ______________, 20___, in consideration of the sum of One Dollar ($1.00) and other good and valuable consideration now paid, the receipt of which is acknowledged, witnesses that,

Jenny Mills  
34 Oval Drive  
Jorgenson, MT 59965

does hereby grant, bargain, sell and convey to the Montana Department of Transportation the following-described real property:

ACCESS CONTROL

The Grantor hereby conveys to the Montana Department of Transportation all rights of ingress and egress over and across the limited and full access control line shown on the plat, consisting of 2 sheets, attached hereto and made a part hereof.

Grantor reserves the right of reasonable access to and from Grantor’s property being the Certificate of Survey No. 146742, Folio 327B situated in the NE¼NW¼ of Section 14, Township 9 North, Range 3 West, P.M., M., Jefferson County, Montana, as said property is described in a Warranty Deed recorded under Document No. 20212, official records of said County. Said reservation of reasonable access does not apply to full access control.

It is expressly intended and agreed that these covenants, burdens, and restrictions shall run with the land and shall forever bind the Grantor, her heirs, successors and assigns.

Access control projects require different deed inserts because of specific access control language. An exhibit is necessary for Access Control Only parcels. Check with the Access Management Manager.

SEE SECTIONS 25-1.1.5 & 25-2.3
Bargain and Sale Deed

Parcel No.: 2

R/W ID: STPS 282-1(8)0

Designation: Intersection Impv-Montana City

This Deed was executed on the date of its last acknowledgment.

________________________________________________________________________
________________________________________________________________________

State of ___________________________
County of __________________________

This instrument was acknowledged before me on ________________ (date)

by ____________________________________________

(Grantor(s))

(Seal)

Notary Signature Line

Notary Printed Name

Notary Public for State of
Residing at:
My Commission Expires: ___ / ___ / 20___

State of ___________________________
County of __________________________

This instrument was acknowledged before me on ________________ (date)

by ____________________________________________

(Grantor(s))

(Seal)

Notary Signature Line

Notary Printed Name

Notary Public for State of
Residing at:
My Commission Expires: ___ / ___ / 20___

Recording Information

ACCESS
CONTROL ONLY

Figure 18B (continued)
Montana Department of Transportation
Right-of-Way Bureau
PO Box 201001
Helena, MT 59620–1001

ROW\Forms\Pln521

State of Montana
Department of Transportation
Right-of-Way Bureau
2701 Prospect Avenue
PO Box 201001
Helena, MT 59620-1001

R/W ID: STPS 422-1(13)0 Parcel No.: 10 County: Gallatin
Designation: Hwy Jct 94 – North Project No.: 4892-013

Bargain and Sale Deed

This Deed, made this ______ day of ___________, 20___, in consideration of the sum of One Dollar ($1.00) and other good and valuable consideration now paid, the receipt of which is acknowledged, witnesses that,

Jerry A. Miller
49 Sellersville Lane
Jollio, MT 59432

does hereby grant, bargain, sell and convey to the Montana Department of Transportation the following-described real property:

Parcel No. 10 on Montana Department of Transportation Project STPS 422-1(13)0, as shown on the Right-of-Way plan for said project recorded in the office of the County Clerk and Recorder of Gallatin County, Montana. Said parcel is also described as a tract of land within Tract F of Certificate of Survey No. 1462, situated in U.S. Government Lot 4 (sometimes referred to as the SW¼SW¼) of Section 19, Township 1 South, Range 5 East, P.M.,M., Gallatin County, Montana, as shown by the shaded area on the plat, consisting of 1 sheet, attached hereto and made a part hereof, containing an area of 0.675 ha (1.67 acres), more or less, including 0.307 ha (0.76 acre), which constitute a part of an existing public highway.

ALSO, the Grantor hereby conveys to the Montana Department of Transportation all rights of ingress and egress over and across the limited access control line shown on said attached plat.

Grantor reserves the right of reasonable access to and from the adjacent property of the Grantor.

It is expressly intended and agreed that these covenants, burdens, and restrictions shall run with the land and shall forever bind the Grantor, his heirs, successors and assigns.

Access control projects require different deed inserts because of specific access control language. SEE SECTION 25-2.3

LIMITED ACCESS CONTROL WITH R/W Figure 20B
### Bargain and Sale Deed

**Parcel No.:** 10  
**R/W ID:** STPS 422-1(13)0  
**Designation:** Hwy Jct 94 – North

**Excepting and reserving to Grantor(s),** however, all gas, oil and minerals beneath the surface of the above-described and conveyed premises, together with the right to extract the same, provided that in the exercise of such right, the surface thereof shall not be disturbed, interfered with or damaged. This exception and reservation does not include sand, gravel and other road building materials, which are conveyed by this Deed.

**Further excepting and reserving** unto the Grantor(s), his heirs, successors and assigns, all water, water rights, ditches, canals, irrigation systems, existing or as relocated, if any, including but not limited to, water stock or shares, bonds, certificates, contracts and any and all other indicia of water, water right and ditch ownership, or any interest therein appurtenant to the land described therein, save and except groundwater for the use, benefit and purposes of the Grantee(s).

**To have and to hold** the above-described and conveyed premises, with all the reversions, remainders, tenements, hereditaments and appurtenances thereto, unto the Montana Department of Transportation, and to its successors and assigns forever.

*(This Deed was executed on the date of its last acknowledgment.)*

**State of ________________________  
County of ________________________

This instrument was acknowledged before me on ________________________ (date)  
by ________________________  
(Grantor(s))

(Seal)

Notary Signature Line  
Notary Printed Name

**State of ________________________  
County of ________________________

This instrument was acknowledged before me on ________________________ (date)  
by ________________________  
(Grantor(s))

(Seal)

Notary Signature Line  
Notary Printed Name

Notary Public for State of ________________________  
Residing at: ________________________  
My Commission Expires: _______ / _______ / 20__ __

Recording Information

**LIMITED ACCESS CONTROL  
WITH R/W**

Figure 20B (continued)
LIMITED ACCESS CONTROL WITH R/W

FIGURE 21B
Bargain and Sale Deed

This Deed, made this _____ day of _____________, 20___, in consideration of the sum of One Dollar ($1.00) and other good and valuable consideration now paid, the receipt of which is acknowledged, witnesses that,

Happy Day Retirement Association, Inc.
formerly known as Happy Day Retirement Association
PO Box 9999
Sunshine, MT 59456

does hereby grant, bargain, sell and convey to the Montana Department of Transportation the following-described real property:

Parcel No. 64 on Montana Department of Transportation Project IM-MT 15-4(107)193, as shown on the Right-of-Way plan for said project recorded in the office of the County Clerk and Recorder of Lewis and Clark County, Montana. Said parcel is also described as a tract of land within Tract B-1 of Certificate of Survey No. 599630/B, situated in the NE¼SW¼ of Section 17, Township 10 North, Range 3 West, P.M., Lewis and Clark County, Montana, as shown by the shaded area on the plat, consisting of 1 sheet, attached hereto and made a part hereof, containing an area of 26,339 sq. ft., more or less.

ALSO, the Grantor hereby conveys to the Montana Department of Transportation all rights of ingress and egress over and across the full access control line shown on said attached plat.

Grantors reserve the right of reasonable access to and from the adjacent property of the Grantors. Said reservation of reasonable access does not apply to full access control.

It is expressly intended and agreed that these covenants, burdens, and restrictions shall run with the land and shall forever bind the Grantor, its successors and assigns.

FULL ACCESS CONTROL

Access control projects require different deed inserts because of specific access control language. SEE SECTION 25-2.3

Figure 22B
Bargain and Sale Deed  
Parcel No.: 64
R/W ID:  IM-MT 15-4(107)193
Designation:  Custer Interchange - Helena

**Excepting and reserving to Grantor(s),** however, all gas, oil and minerals beneath the surface of the above-described and conveyed premises, together with the right to extract the same, provided that in the exercise of such right, the surface thereof shall not be disturbed, interfered with or damaged. This exception and reservation does not include sand, gravel and other road building materials, which are conveyed by this Deed.

Further excepting and reserving unto the Grantor(s), its successors and assigns, all water, water rights, ditches, canals, irrigation systems, existing or as relocated, if any, including but not limited to, water stock or shares, bonds, certificates, contracts and any and all other indicia of water, water right and ditch ownership, or any interest therein appurtenant to the land described therein, save and except groundwater for the use, benefit and purposes of the Grantee(s).

To have and to hold the above-described and conveyed premises, with all the reversions, remainders, tenements, hereditaments and appurtenances thereto, unto the Montana Department of Transportation, and to its successors and assigns forever.

This Deed was executed on the date of its last acknowledgment.

<table>
<thead>
<tr>
<th>(Signature)</th>
<th>as (Type of Authority) of (Name of Entity)</th>
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</tbody>
</table>

State of ____________________________  
County of ____________________________

This instrument was acknowledged before me on ________________ (date)
by ________________________________  
(name of person(s))
as ________________________________  
type of authority, e.g., president, trustee, member, partner, etc.)
of ________________________________  
(name of entity on behalf of whom instrument was executed)

(Seal)  
Notary Signature Line

Notary Printed Name

Notary Public for State of ____________________________
Residing at: ____________________________
My Commission Expires: __________ / __________ / 20__

State of ____________________________  
County of ____________________________

This instrument was acknowledged before me on ________________ (date)
by ________________________________  
(name of person(s))
as ________________________________  
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of ________________________________  
(name of entity on behalf of whom instrument was executed)

(Seal)  
Notary Signature Line

Notary Printed Name

Notary Public for State of ____________________________
Residing at: ____________________________
My Commission Expires: __________ / __________ / 20__

FULL ACCESS CONTROL
WITH R/W
FIGURE 22B(CONTINUED)