Appendix P

CONDEMNATION PLANS AND EXHIBIT SAMPLES

MONTANA RIGHT-OF-WAY DESIGN MANUAL
Spaceholder page for double-sided printing.
Appendix P
CONDEMNATION PLANS AND EXHIBIT SAMPLES

Table of Contents

<table>
<thead>
<tr>
<th>APPENDIX P</th>
<th>CONDEMNATION PLANS &amp; EXHIBIT SAMPLES</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Plan Sheets before Condemnation Revisions</td>
<td>P-1</td>
</tr>
<tr>
<td></td>
<td>Exhibits and Deeds before Condemnation Revisions</td>
<td>P-4</td>
</tr>
<tr>
<td></td>
<td>Plan Sheets after Condemnation Revisions</td>
<td>P-11</td>
</tr>
<tr>
<td></td>
<td>Exhibits and Condemnation Forms after Revisions</td>
<td>P-14</td>
</tr>
</tbody>
</table>
Spaceholder page for double-sided printing.
To prepare the RRV plans for condemnation, all construction permits must be revised to temporary
assessments utilizing the blue sheet process.

- Period 1b is shown after the condemnation revision process with temporary assessments
replacing construction permits.

See Section 28-2.1

<table>
<thead>
<tr>
<th>Parcel</th>
<th>Name</th>
<th>Address</th>
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<th>Size</th>
<th>Exposed</th>
<th>Lined</th>
<th>Upland</th>
<th>Wetland</th>
<th>Open Area</th>
<th>Sens. Val.</th>
<th>Permits</th>
</tr>
</thead>
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Figure 1P
State of Montana
Department of Transportation
Right-of-Way Bureau
2701 Prospect Avenue
PO Box 201001
Helena, MT 59620-1001

R/W ID: STPP 45-1(15)8 Parcel No.: 5 County: Sweet Grass
Designation: 13 km N of Big Timber - North Project No.: 1300-015

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,

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

Parcel No. 5 on Montana Department of Transportation Project STPP 45-1(15)8, as shown on the Right-of-Way plan for said project recorded in the office of the County Clerk and Recorder of Sweet Grass County, Montana. Said parcel is also described as a tract of land within Tracts 2 and 3 of Certificate of Survey No. 107697 situated in the E½NW¼ and NW¼NE¼ of Section 34 Township 3 North Range 14 East P.M., M., Sweet Grass 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 1.514 ha (3.74 acres) more or less.

An easement to be acquired in the name of someone other than MDT should have a separate exhibit prepared with only the easement area shaded. 

SEE SECTION 25-1.1.2 

Parcel 5 exhibit includes an easement to be acquired in the name of someone other than MDT. 

A r/w acquisition deed/exhibit is prepared separate from the easement. 

EXHIBITS AND DEEDS BEFORE CONDEMNATION REVISIONS

Figure 2P
Bargain and Sale Deed
Parcel No.: 5
R/W ID:  STPP 45-1(15)8
Designation:  13 km N of Big Timber - N

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), her 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

State of ____________________________ )
County of ____________________________ )
This instrument was acknowledged before me on ____________________________
(date)

by ____________________________

(Grantor(s))

__________________________________________
Notary Signature Line

(Seal)
Notary Printed Name

State of ____________________________ )
County of ____________________________ )
This instrument was acknowledged before me on ____________________________
(date)

by ____________________________

(Grantor(s))

__________________________________________
Notary Signature Line

(Seal)
Notary Printed Name

State of ____________________________ )
Residing at: ____________________________
My Commission Expires: _________ / _________ / 20___

County of ____________________________ )
Residing at: ____________________________
My Commission Expires: _________ / _________ / 20___

Recording Information

Page 2 of 2
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,

does hereby grant, bargain, sell and convey unto

an easement for irrigation purposes, located within Parcel No. 5 on Montana Department of Transportation Project STPP 45-1(15)8, as shown on the Right-of-Way plan for said project recorded in the office of the Clerk and Recorder of Sweet Grass County, Montana. Said easement covers and embraces the following described land:

A tract of land within Tract 2 of Certificate of Survey No. 107697, situated in the SE¼NW¼ of Section 34, Township 3 North, Range 14 East, P.M., 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 0.017 ha (0.04 acre), more or less.
Easement
Parcel No.: 5
R/W ID: STPP 45-1(15)8
Designation: 13 km N of Big Timber - N

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

IN WITNESS WHEREOF

[Signature]

State of ____________________________ )
County of __________________________ )
This instrument was acknowledged before me on ____________________________
by ____________________________
(Grantor(s))

Notary Signature Line

(Seal)

Notary Printed Name

[Signature]

State of ____________________________ )
County of __________________________ )
This instrument was acknowledged before me on ____________________________
by ____________________________
(Grantor(s))

Notary Signature Line

(Seal)

Notary Printed Name

Recording Information

Page 2 of 2

EXHIBITS AND DEEDS BEFORE CONDEMNATION REVISIONS
Figure 4P (continued)
STPP 45-1(15)8, 13 km N of Big Timber – N, UPN 1300-015

"DESCRIPTION OF LAND REQUIRED FOR RIGHT-OF-WAY"

PARCEL NO. 5 Lauriann W. Cooney

A tract of land required for Right-of-Way on Montana Department of Transportation Project STPP 45-1(15)8, more particularly described as follows:

Parcel No. 5 on Montana Department of Transportation Project STPP 45-1(15)8, as shown on the Right-of-Way plan for said project recorded in the office of the County Clerk and Recorder of Sweet Grass County, Montana. Said parcel is also described as a tract of land within Tracts 2 and 3 of Certificate of Survey No. 107697, situated in the E½NW¼ and NW¼NE¼ of Section 34, Township 3 North, Range 14 East, P.M., M., Sweet Grass County, Montana, as shown by the shaded area on the plat, consisting of 2 sheet(s) attached hereto and made a part hereof, containing an area of 1.514 ha (3.74 acres), more or less.

A "Description of Land Required for R/W" form must be prepared. A "Temp/Perm Easement" form needs to be prepared for each easement. The total number of exhibit sheets included on this form should equal the number of all exhibit sheets showing r/w and easement acquisition.

SEE SECTION 26-2.3
PERMANENT EASEMENT
A tract of land required for a Permanent Easement on Montana Department of Transportation Project STPP 45-1(15)8, more particularly described as follows:

A tract of land for irrigation purposes within Tract 2 of Certificate of Survey No. 107697 situated in the SE¼NW¼ of Section 34, Township 3 North, Range 14 East, P.M.,M., Sweet Grass County, Montana, as shown by the hatched area on the plat, consisting of 5, sheet(s), attached hereto and made a part hereof, containing an area of 0.017 ha (0.04 acre), more or less.

TEMPORARY EASEMENT
A tract of land required for a Temporary Easement on Montana Department of Transportation Project STPP 45-1(15)8, more particularly described as follows:

A tract of land for construction purposes within Tract 3 of Certificate of Survey No. 107697 situated in the NE¼NW¼ of Section 34, Township 3 North, Range 14 East, P.M.,M., Sweet Grass County, Montana, as shown by the hatched area on the plat, consisting of 5, sheet(s), attached hereto and made a part hereof, containing an area of 0.092 ha (0.23 acre), more or less.
Exhibits are sometimes on a separate exhibit of its own. They are to adjudge landowners for access or irrigation purposes or to the county for roadway purposes. When a parcel goes to Condemnation, these types of easements must be shown on the same exhibit as the R/W acquisition and the area hatched. The areas of each temporary easement will also need to be included within a box. Figure 8P exhibit is shown after the condemnation revision process showing the R/W & temporary easement with areas within same exhibit. See Section 262.2.