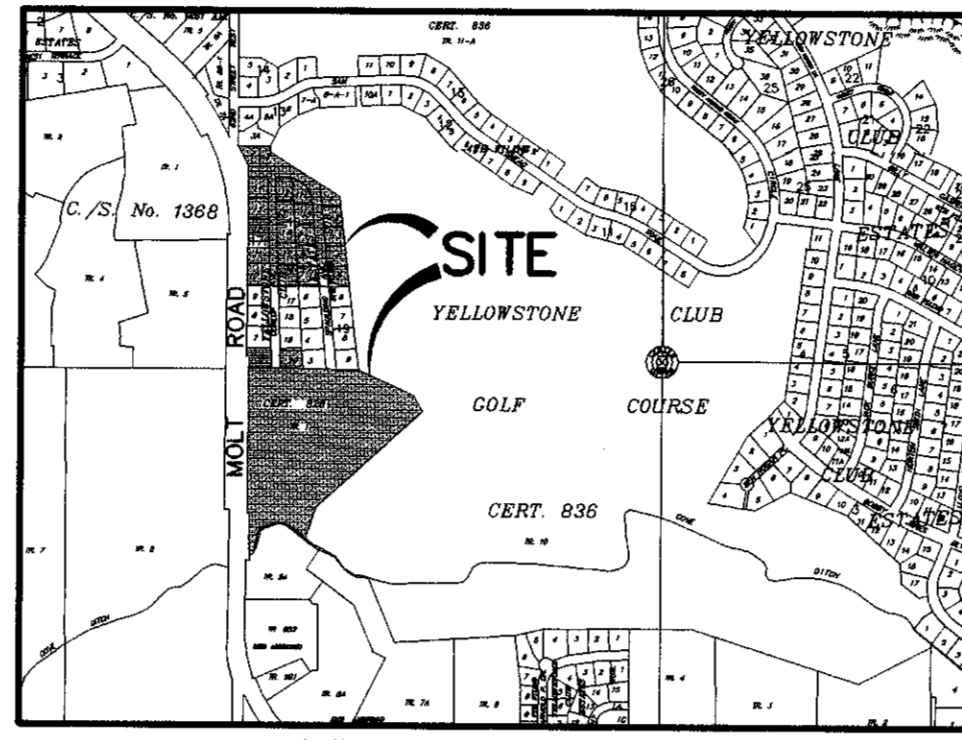


# PLAT OF AUGUSTA RANCH ESTATES SUBDIVISION

BEING TRACT 1 OF CERTIFICATE OF SURVEY No. 828; AND LOTS 1, 2, 3, 4 AND 5 OF BLOCK 19;  
 AND LOTS 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 AND 20 OF BLOCK 18;  
 AND LOTS 6, 10, 11, 12, 13 AND 14 OF BLOCK 17;  
 AND VACATED PORTIONS OF DUNLOP AND SPALDING AVENUES IN YELLOWSTONE CLUB ESTATES, 5TH FILING  
 SITUATED IN THE NW1/4 AND THE SW1/4 OF SECTION 30, T. 1 N., R. 25 E., P.M.M.  
 YELLOWSTONE COUNTY, MONTANA

PREPARED FOR: AVIARA, INC  
 PREPARED BY: ENGINEERING, INC.  
 SCALE: 1" = 60'

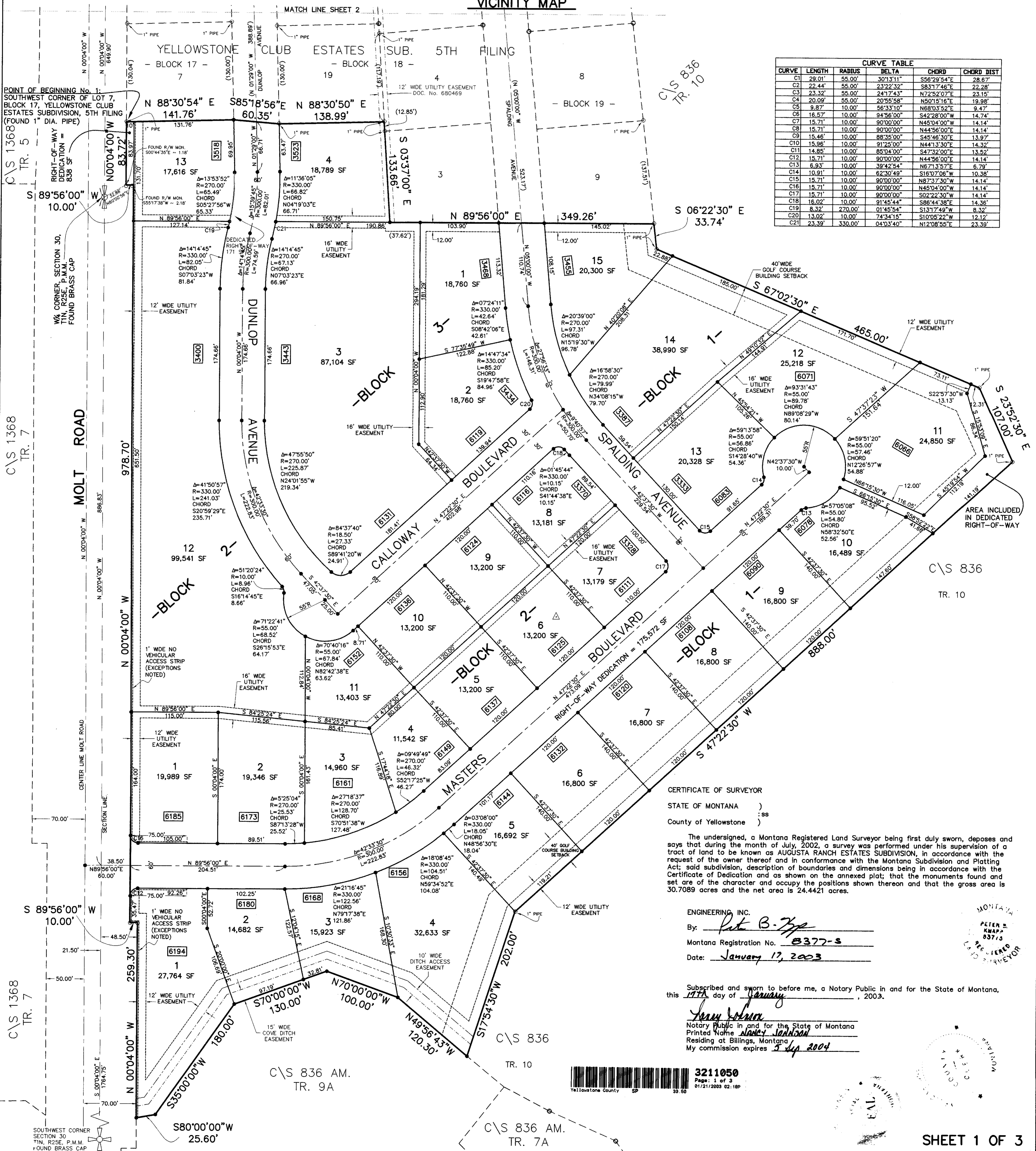


JULY, 2002  
 BILLINGS, MONTANA

BASIS OF BEARING: CERTIFICATE OF SURVEY No. 828

- = FOUND SURVEY MONUMENT, AS NOTED
- = SET 5/8" X 18" REBAR WITH CAP MARKED WITH THE LICENSE NUMBER OF THE UNDERSIGNED LAND SURVEYOR AND "ENGINEERING INC BILLINGS MT"
- [6190] = STREET ADDRESS (TYPICAL)

CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD DIST
C1	29.01'	55.00'	30°13'11"	S56°29'54"E	28.67'
C2	22.44'	55.00'	23°22'32"	S83°17'46"E	22.28'
C3	23.32'	55.00'	24°17'43"	N72°52'07"E	23.15'
C4	20.09'	55.00'	20°55'58"	N50°15'16"E	19.98'
C5	9.87'	10.00'	56°33'10"	N68°03'52"E	9.47'
C6	16.57'	10.00'	94°56'00"	S42°28'00"W	14.74'
C7	15.71'	10.00'	90°00'00"	N45°04'00"W	14.14'
C8	15.71'	10.00'	90°00'00"	N44°56'00"E	14.14'
C9	15.46'	10.00'	88°35'00"	S45°46'30"E	13.97'
C10	15.98'	10.00'	91°25'00"	N44°13'30"E	14.32'
C11	14.88'	10.00'	85°04'00"	S47°32'00"E	13.52'
C12	15.71'	10.00'	90°00'00"	N44°56'00"E	14.14'
C13	6.93'	10.00'	39°42'54"	N67°13'57"E	6.79'
C14	10.91'	10.00'	62°30'49"	S16°07'06"W	10.38'
C15	15.71'	10.00'	90°00'00"	N87°37'30"W	14.14'
C16	15.71'	10.00'	90°00'00"	N45°04'00"W	14.14'
C17	15.71'	10.00'	90°00'00"	S02°22'30"W	14.14'
C18	18.02'	10.00'	91°45'44"	S86°44'38"E	14.36'
C19	8.32'	270.00'	01°45'54"	S13°17'49"W	8.32'
C20	13.02'	10.00'	74°34'15"	S10°05'22"W	12.12'
C21	23.39'	330.00'	04°03'40"	N12°08'55"E	23.39'



CERTIFICATE OF SURVEYOR  
 STATE OF MONTANA )  
 County of Yellowstone )

The undersigned, a Montana Registered Land Surveyor being first duly sworn, deposes and says that during the month of July, 2002, a survey was performed under his supervision of a tract of land to be known as AUGUSTA RANCH ESTATES SUBDIVISION, in accordance with the request of the owner thereof and in conformance with the Montana Subdivision and Platting Act; said subdivision, description of boundaries and dimensions being in accordance with the Certificate of Dedication and as shown on the annexed plat; that the monuments found and set are of the character and occupy the positions shown thereon and that the gross area is 30.7089 acres and the net area is 24.4421 acres.

ENGINEERING, INC.  
 By: Pete B. Zipp  
 Montana Registration No. 8377-S  
 Date: January 13, 2003

Subscribed and sworn to before me, a Notary Public in and for the State of Montana, this 17th day of January, 2003.

Jerry Johnson  
 Notary Public in and for the State of Montana  
 Printed Name Stanley Johnson  
 Residing at Billings, Montana  
 My commission expires 2 Sep 2004



# PLAT OF AUGUSTA RANCH ESTATES SUBDIVISION

BEING TRACT 1 OF CERTIFICATE OF SURVEY No. 828; AND LOTS 1, 2, 3, 4 AND 5 OF BLOCK 19; AND LOTS 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 AND 20 OF BLOCK 18; AND LOTS 6, 10, 11, 12, 13 AND 14 OF BLOCK 17; AND VACATED PORTIONS OF DUNLOP AND SPALDING AVENUES IN YELLOWSTONE CLUB ESTATES, 5TH FILING SITUATED IN THE NW1/4 AND THE SW1/4 OF SECTION 30, T. 1 N., R. 25 E., P.M.M. YELLOWSTONE COUNTY, MONTANA

PREPARED FOR: AVIARA, INC  
PREPARED BY: ENGINEERING, INC.  
SCALE: 1" = 60'

BASIS OF BEARING: CERTIFICATE OF SURVEY No. 828

- = FOUND SURVEY MONUMENT, AS NOTED
- = SET 5/8" X 18" REBAR WITH CAP MARKED WITH THE LICENSE NUMBER OF THE UNDERSIGNED LAND SURVEYOR AND "ENGINEERING INC BILLINGS MT"
- 6190 = STREET ADDRESS (TYPICAL)

JULY, 2002  
BILLINGS, MONTANA

60 30 0 60 120



### CERTIFICATE OF CITY ATTORNEY

This document has been reviewed by the City Attorney's office and is acceptable as to form.

DATED: 11-21-02

Reviewed by: *[Signature]*

### CERTIFICATE OF CITY COUNCIL APPROVAL

STATE OF MONTANA )  
County of Yellowstone )

We hereby certify that we have examined the annexed and foregoing PLAT OF AUGUSTA RANCH ESTATES SUBDIVISION, and find that said plat conforms with the requirements of the laws of the State of Montana, and the requirements of the Yellowstone County Board of Planning. It is therefore approved and accepted.

IN WITNESS WHEREOF, we have set our hands and the seal of the CITY OF BILLINGS, MONTANA, this 21st day of December, 2002.

CITY OF BILLINGS, MONTANA

By: *[Signature]*  
Mayor

Attest: *[Signature]*  
City Clerk Deputy City Clerk

### NOTICE OF APPROVAL

STATE OF MONTANA )  
County of Yellowstone )

This plat has been approved for filing by the Yellowstone County Board of Planning and conforms to the recommendations of this board.

Nov. 14, 2002

Date  
*[Signature]*  
Executive Secretary

*[Signature]*  
President



### CERTIFICATE OF APPROVAL BY CITY ENGINEER'S OFFICE

STATE OF MONTANA )  
Yellowstone County )

I hereby certify that I have examined the annexed and foregoing PLAT OF AUGUSTA RANCH ESTATES SUBDIVISION, for errors and omissions in computations and drafting and find that said plat conforms with the requirements of the laws of the State of Montana, and that said plat conforms to the adjoining additions and plats of the City of Billings already platted as nearly as circumstances will permit.

I further certify that the annexed and foregoing plat conforms with Section 76-4-125(2)(d), M.C.A., for the removal of sanitary restrictions since the plat is inside a master planning area and the lots will be provided with municipal facilities for the supply of water and the disposal of sewage and solid waste.

IN WITNESS WHEREOF, I have executed this CERTIFICATE OF APPROVAL this day of November, 2002.

*[Signature]*  
City Engineer's Office

### CERTIFICATE OF COUNTY TREASURER

I hereby certify that all real property taxes and special assessments have been paid per 76-3-811(1)(b) / 76-3-207(3), M.C.A.

Date: 1-21-03

*[Signature]*  
Deputy

### CERTIFICATE OF DEDICATION

STATE OF MONTANA )  
County of Yellowstone )

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, owners of the following described tract of land, do hereby certify that they have caused to be surveyed, subdivided and platted into lots, blocks and streets as shown on the annexed plat, said tract being situated in the NW1/4 and the SW1/4 of Section 30, T. 1 N., R. 25 E., Yellowstone County, Montana, said tract being more particularly described as follows, to-wit:

#### Point of Beginning No. 1:

Beginning at a point which is the southwest corner of Lot 7, Block 17, Yellowstone Club Estates, 5th Filing; thence, from said point of beginning, along the south line of said Lot 7, N88°30'54"E a distance of 141.76 feet to the southeast corner of said Lot 7; thence, across the right-of-way of Dunlop Avenue, S85°18'56"E a distance of 60.35 feet to the southwest corner of Lot 19, Block 18 of said Yellowstone Club Estates, 5th Filing; thence, along the south line of said Lot 19, N88°30'50"E a distance of 138.99 feet to the southeast corner of said Lot 19; thence, along the west line of Lots 4 and 3 of said Block 18, S03°37'00"E a distance of 133.86 feet to the southwest corner of said Lot 3; thence, along the south line of said Yellowstone Club Estates, 5th Filing, N89°56'00"E a distance of 349.26 feet to the southeast corner of said Yellowstone Club Estates, 5th Filing; thence, along the west line of Tract 10, Certificate of Survey No. 836, the following courses and distances:

S06°22'30"E a distance of 33.74 feet;  
thence S67°02'30"E a distance of 465.00 feet;  
thence S23°52'30"E a distance of 107.00 feet;  
thence S47°22'30"W a distance of 888.00 feet;  
thence S17°54'30"W a distance of 202.00 feet to a point on the north line of Tract 9A, Certificate of Survey No. 836 Amended;

thence, along the north line of said Tract 9A, the following courses and distances:

N49°56'43"W a distance of 120.30 feet;  
thence N70°00'00"W a distance of 100.00 feet;  
thence S70°00'00"W a distance of 130.00 feet;  
thence S35°00'00"W a distance of 180.00 feet;  
thence S80°00'00"W a distance of 25.60 feet to a point on the east right-of-way line of Molt Road;

thence, along said east right-of-way line, the following courses and distances:

N00°04'00"W a distance of 259.30 feet;  
thence S89°56'00"W a distance of 10.00 feet;  
thence N00°04'00"W a distance of 978.70 feet;  
thence S89°56'00"W a distance of 10.00 feet;  
thence N00°04'00"W a distance of 83.72 feet to the point of beginning.

#### Point of Beginning No. 2:

Beginning at a point which is the northwest corner of Lot 9, Block 17, Yellowstone Club Estates, 5th Filing; thence, from said point of beginning, along the east right-of-way line of Molt Road, N00°04'00"W a distance of 723.48 feet to the southwest corner of Lot 1A of the Amended Plat of Lots 1 and 2, Block 13 and Portions of Vacated Spalding Avenue, Yellowstone Club Estates Subdivision; thence, along the south line of said Lot 1A, N89°59'00"E a distance of 349.43 feet to a point on the west line of Tract 10, Certificate of Survey No. 836; thence, along the west line of said Tract 10, the following courses and distances:

S59°05'00"E a distance of 272.02 feet;  
thence S05°18'30"E a distance of 341.05 feet;  
thence S06°22'30"E a distance of 244.99 feet to the northeast corner of Lot 6, Block 19, Yellowstone Club Estates, 5th Filing;

thence, along the north line of Lot 6 in Block 19, and Lots 6 and 17 in Block 18, and Lot 9 in Block 17 of said Yellowstone Club Estates, 5th Filing, S89°56'00"W a distance of 640.71 feet to the point of beginning.

The park requirement for this subdivision is being met by previously dedicated park land and a cash donation in the amount of \$ 54,775.92, pursuant to Section 76-3-621(2), M.C.A.

The undersigned hereby grants unto all utility companies, as such are defined and established by Montana Law, and cable television companies, an easement for the location, maintenance, repair and removal of their lines under and across the areas designated on the plat as "UTILITY EASEMENT" to have and hold forever.

Said tract to be known and designated as AUGUSTA RANCH ESTATES SUBDIVISION, and the lands included in all streets and avenues as shown on the annexed plat are hereby granted and donated to the use of the public forever.

AVIARA, INC.  
By: *[Signature]*  
Title: President

BUSCHER DEVELOPMENT, INC.  
By: *[Signature]*  
Title: President

STATE OF MONTANA )  
County of Yellowstone )

On this 4th day of November, 2002, before me, a Notary Public in and for the State of Montana, personally appeared *[Signature]*, known to me to be the *[Signature]* of Aviara, Inc., who signed the foregoing instrument and who acknowledged to me that said corporation executed the same. Witness my hand and seal the day and year herein above written.

*[Signature]*  
Notary Public in and for the State of Montana  
Printed Name: Nancy Johnson  
Residing at Billings, Montana  
My commission expires 3/14/2004

STATE OF MONTANA )  
County of Yellowstone )

On this 4th day of November, 2002, before me, a Notary Public in and for the State of Montana, personally appeared *[Signature]*, known to me to be the *[Signature]* of Buscher Development, Inc., who signed the foregoing instrument and who acknowledged to me that said corporation executed the same. Witness my hand and seal the day and year herein above written.

*[Signature]*  
Notary Public in and for the State of Montana  
Printed Name: Nancy Johnson  
Residing at Billings, Montana  
My commission expires 3/14/2004

### CONSENT TO PLATING

The undersigned hereby consent to the plating of the tract of land herein described and hereby release and reconvey all portions of the tract dedicated to the public.

IN WITNESS WHEREOF, the undersigned has caused this consent and release to be executed and acknowledged. This consent is made pursuant to Section 76-3-612(1), M.C.A.

Stockman Bank  
By: *[Signature]*  
Title: President

STATE OF MONTANA )  
County of Yellowstone )

On this 4th day of November, 2002, before me, a Notary Public in and for the State of Montana, personally appeared *[Signature]*, known to me to be the *[Signature]* of Stockman Bank, who signed the foregoing instrument and who acknowledged to me that said corporation executed the same. Witness my hand and seal the day and year herein above written.

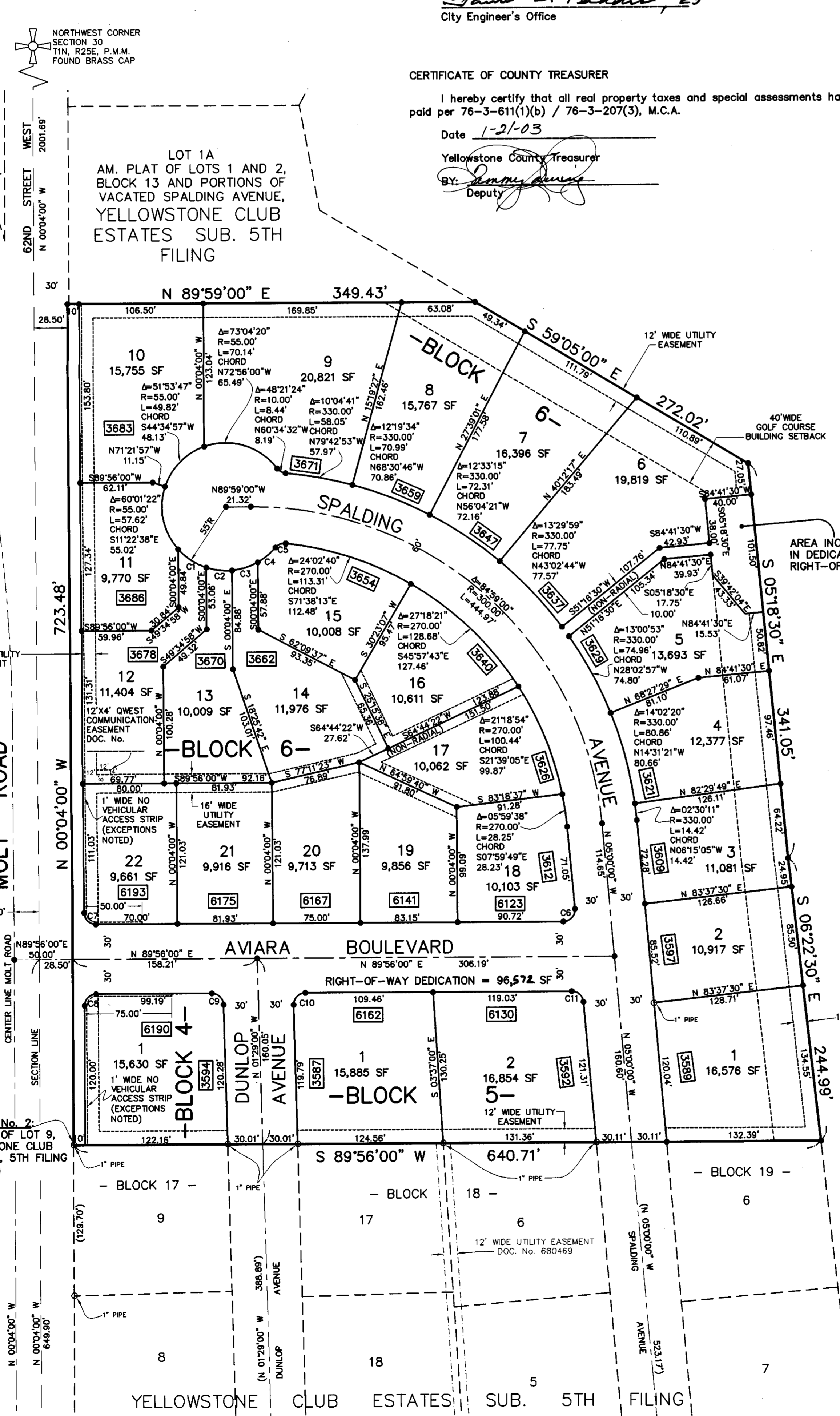


*[Signature]*  
Notary Public in and for the State of Montana  
Printed Name: Nancy Johnson  
Residing at Billings, Montana  
Exp: 1-13-2003

STATE OF MONTANA )  
County of Yellowstone )

On this 4th day of November, 2002, before me, a Notary Public in and for the State of Montana, personally appeared *[Signature]*, known to me to be the *[Signature]* of *[Signature]*, who signed the foregoing instrument and who acknowledged to me that said corporation executed the same. Witness my hand and seal the day and year herein above written.

3211050  
Page: 2 of 3  
01/21/2003 02:18P  
Yellowstone County SP 33.02



C/S 1368 TR. 5

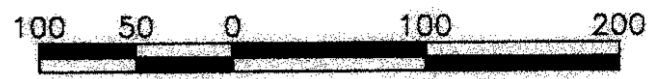
C/S 836 TR. 10

# PLAT OF AUGUSTA RANCH ESTATES SUBDIVISION

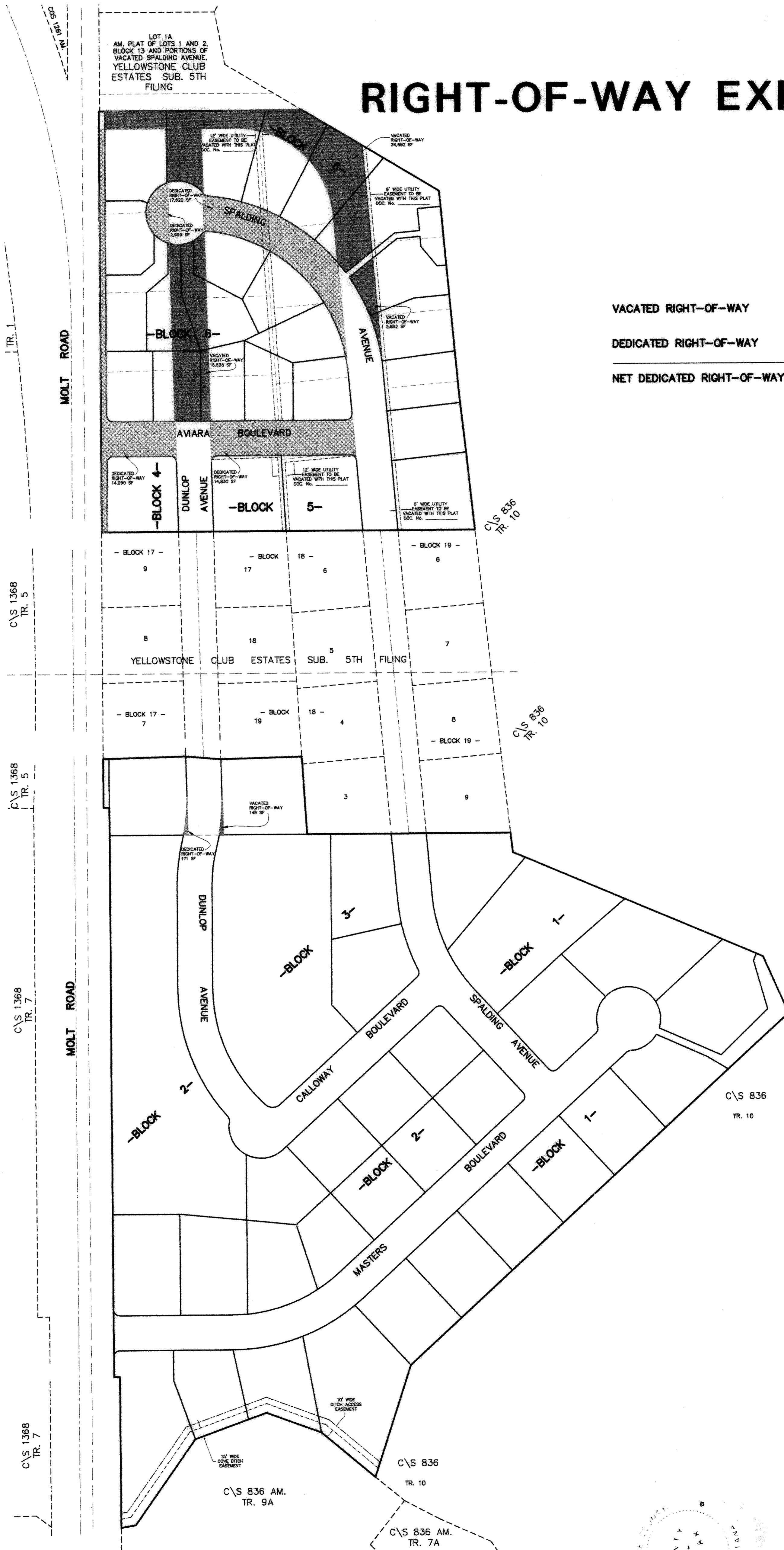
BEING TRACT 1 OF CERTIFICATE OF SURVEY No. 828; AND LOTS 1, 2, 3, 4 AND 5 OF BLOCK 19;  
AND LOTS 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 AND 20 OF BLOCK 18;  
AND LOTS 6, 10, 11, 12, 13 AND 14 OF BLOCK 17;  
AND VACATED PORTIONS OF DUNLOP AND SPALDING AVENUES IN YELLOWSTONE CLUB ESTATES, 5TH FILING  
SITUATED IN THE NW1/4 AND THE SW1/4 OF SECTION 30, T. 1 N., R. 25 E., P.M.M.  
YELLOWSTONE COUNTY, MONTANA

PREPARED FOR: AVIARA, INC  
PREPARED BY: ENGINEERING, INC.  
SCALE: 1" = 100'

JULY, 2002  
BILLINGS, MONTANA

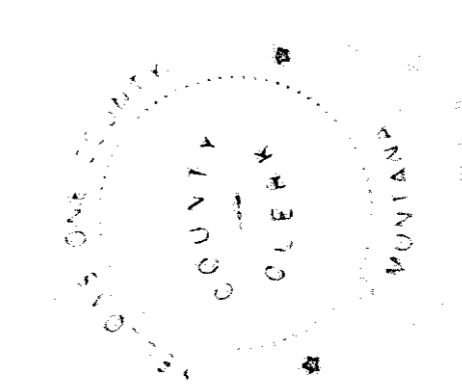


## RIGHT-OF-WAY EXHIBIT MAP



VACATED RIGHT-OF-WAY	= 53,346 SF
DEDICATED RIGHT-OF-WAY	= 49,712 SF
NET DEDICATED RIGHT-OF-WAY	= -3,634 SF

C:\projects\0001\Augusta Ranch Est Sub - fp.dwg, 10/26/2002 03:24:56 PM, andrew.1190



3211050  
Page: 3 of 3  
01/21/2009 02:18P  
Yellowstone County, MT