

RAICH MONTANA
PROPERTIES LLC



46 Above Paradise Trail Livingston, Montana 59047

MARCIE HERTZ, Broker | Associate

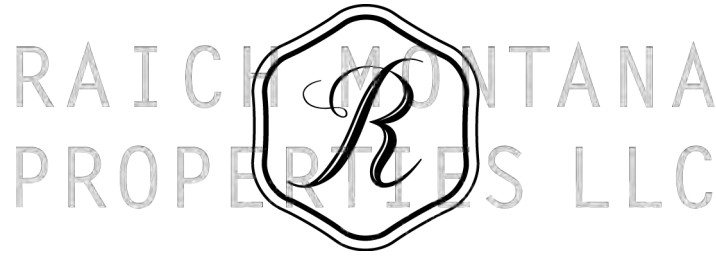
406.223.4466 1808 East River Road, Livingston

MT 59047 marciehertz@wispwest.net

www.tracyraich.com

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NOTICE: The real estate offerings contained herein are subject to errors, omissions, prior sale, change or withdrawal without notice, and approval of purchase by owner. Information regarding land classifications, acreages, carrying capacities, potential profits, etc., are intended only as general guidelines and have been provided by sources deemed reliable, but whose accuracy we cannot guarantee. Prospective buyers should verify all information to their satisfaction.



46 Above Paradise Trail, Livingston, Montana

MLS# 204397

A special offering in a spectacular alpine setting with breathtaking mountain views and privacy bordering the 930,000 acre US Forest Service Absaroka-Beartooth Wilderness Area. This beautiful mountain log home was designed and built in 2005 using the highest quality modern construction techniques and workmanship. The structure is unobtrusively located in a lush, grassy meadow at the southern point of a long, low ridge line flanked by mature pine and fir with an aspen grove. The house overlooks a scenic hidden valley at the heart of the 80-acre property, which is visited daily by wildlife. Enjoy unmatched views of Livingston Peak (Mount Baldy), and the northern reaches of the Absaroka Range and Crazy Mountains. This summer home must be seen to be fully appreciated, as there are too many amenities to list.

Summary

Legal Description: Township 3 South, Range 10 East of the Principal Montana Meridian, in Park County, Montana, Section 8, S1/2NW1/4NE1/4, SW1/4NE1/4, S1/2SE1/4NE1/4. This property has not been surveyed and will be sold by legal land description. Some adjacent properties have been surveyed and many perimeter corners are known.

Acreage: 80 Acres, Elevation is 6000+ Feet

Taxes: \$1363.55 in 2014

Utilities: Propane Tank (1000-gallon, underground, owned, not leased), underground electric service provided by Park Electric Co-operative, excellent cellular service.

Tracy Raich Broker/Owner 406.223.8418 • Marcie Hertz, Broker Associate 406.223.4466
1808 East River Road • Livingston • MT • 59047

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Sanitation: One permitted septic system for this 1 bedroom, 1 sleeping loft home (permit on file). A 1000-gallon concrete septic tank was installed north of the home.

Access: Secure access for only landowners in the area. This private roadway is well maintained and was recently upgraded. Access during winter months is limited by heavy snows, generally from about December through the middle of April. Winter use is possible with the use of skis or over-the-snow vehicles.

Directions: Travel one mile east of Livingston on Highway 89 North to Swingley Road. Take Swingley Road 2 miles, then take a right on Livingston Peak Forest Service Road and drive 7 miles to the locked gate. The subject property is $\frac{3}{4}$ of a mile beyond the locked gate via private easement.

Domestic Water: A 3000-gallon underground concrete water storage cistern. A 250-gallon water tank (made to fit pickup bed and conveys with sale) is used to haul water to the cistern from the spring-fed underground water pipeline.

Water Rights: Water rights run with the property. Membership in the Livingston Peak Community Association (LPCA) will convey with purchase, granting the owner the right to access the water outlet on a spring-fed underground water pipeline. This seasonal outlet provides a secure water source which has been approved by the State of Montana via Water Right #43B 30027854 (multiple domestic). The outlet is conveniently located beside the access road, about just north of the turnoff to property.

Main House Summary:

Year Built: 2005

Main Floor Square Feet: 1,275 Approximately

Second Story Square Feet: 350 Approximately

Basement Garage Square Feet: 1,275 Approximately

Trex Deck Square Feet: 750 Approximately + 120 SF for back deck

Utilities: Propane (1,000 gallon buried tank) and underground electricity carefully installed at time of construction

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Bedrooms: 1 on main floor, 1 sleeping loft

Baths: ¾ bath on main floor

Flooring: Ceramic Tile Flooring with epoxy-grout installed throughout

Appliances: GE Hot Point Refrigerator, Range, and Installed Microwave

Expanded Summary Provided by Sellers

Build Site: The building site was chosen for both privacy and its view shed. The structure is unobtrusively located in a lush, grassy meadow at the southern point of a long low ridgeline. It is flanked by mature pine and fir with an aspen grove next to the house overlooking a scenic hidden valley at the heart of the 80-acre property that is visited daily by wildlife. From the house there are unmatched views of Livingston Peak and the northern reaches of the Absaroka Range and of the Crazy Mountains.

Pre-Construction: First, the private gravel drive was bladed in and the building site was excavated into the mountain up to solid rock. A full concrete foundation (ICFs) and basement were poured. A complete water system was installed, including a 3,000-gallon underground concrete water storage cistern (water is hauled from a central water source to the property), whole house water filter, and an under cabinet water filter with a separate counter mounted faucet. A modern septic system and 1,000-gallon underground propane tank were installed. Underground electrical service was run in. All of this was done with great care and minimal disturbance to the surrounding vegetation.

Construction: Modern construction techniques were utilized. The home was constructed circa 2005 using the finest materials. It is roughly 1,275 square feet on the main floor with a 350 square foot loft space and a full basement. Plus, there is 750 square feet of outdoor Trex outdoor decking with fir posts and cedar rails. The main structure is constructed of 8 to 10 inch milled lodge pole pine logs, kiln dried, with insulated Swedish cope joinings and spring loaded threaded rods were added from the foundation to the top of the logs for automatic tensioning of the log walls. The roof is a quality metal standing seam gable roof. All of the outdoor trim (around the doors and windows) is also cedar. The deck has stairway access from the ground, as well as from the interior great room.

Main Floor: The main floor consists of a large open great room with a wall of windows in the prow facing southeast and a 22-foot open beam ceiling.

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With tongue and groove knotty pine open beam ceilings, and a heavily insulated roof. There is an epoxy-grouted ceramic flooring for accent. All of the windows are made of (thermal pane) JELD-WEN (Willmar) low E bronze metal clad windows. There are amazing views and easy deck access, plus high quality Bali see-through sunshades. Casement and awning windows, of equal quality, open to the sides. Stylish Danish Scan propane stove heats the great room.

Kitchen: The kitchen is open to the great room and is both appealing and functional with Schuler kitchen cabinets with solid cherry fronts, it has 3/4-inch maple dovetail drawer boxes with Blum under mount drawer slides. A full set of like-new Hotpoint appliances, and black honed 28mm solid granite counter tops complete the kitchen.

Main Floor Bedroom & Bath: Under the loft area (at the rear of the house) is the master bedroom with lots of closet space, screened windows and a ceiling fan. There is also a ¾ bathroom with shower, sink, and commode. Supporting electric baseboard heat is in the bedroom and bathroom. The mudroom has a rear deck entrance to the home and plenty of storage.

Loft: An attractive open half-log stairway leads to the loft, roughly 350 square feet, with the same knotty pine open-beam ceiling as the great room, Knotty pine walls, rough sawn Douglas fir flooring and dowel railings. It is a very comfortable room with large screened windows facing north and panoramic mountain views. It can serve as an extra bedroom and study.

Basement Garage & Storage: The unfinished, full-sized basement area, approximately 1275 SF, is a multi-functional space. It is all insulated concrete (ICFs), which is stuccoed on the outside on a fiberglass/cement mesh (EIFS). A walk-in door and a large garage (vehicle) access door are both insulated. There is ample parking for a truck or SUV and storage space for recreational vehicles and equipment. The utility area allows easy access to the electric hot water heater, pressure tank, pump, plumbing, electrical box, etc., and a (large) secure storage room. It is plumbed for a washer and dryer hook-up. A door to the stairs leads up to the main living area.

The 80 Acres of Land

Description: Eighty mountain acres in a picturesque alpine setting. It borders the US Forest Service Absaroka-Beartooth Wilderness Area on the northwestern flanks of the Absaroka Range. There are breathtaking views in every direction and gently rolling terrain at an elevation of just over 6,000 feet. With two long, low ridgelines covered in mature pine and fir with pockets of aspen flanking a lush open valley and protecting a hidden basin, flush with aspen and native grasses, colored by wildflowers at the front yard to the home.

Horse Friendly: An ideal offering for the horseman and hunter. With productive grassland providing ample pasture for a few horses for summer grazing. Stock water is available, generally from May through October, at the (nearby) community water outlet or at the outlet on the property in the main valley below the home. There is abundant and diverse wildlife. Elk, deer, and moose frequent the property.

Nearby:

Livingston, Montana has about 7,500 residents and is considered a ranching community by most locals, but more widely known as a center for recreation. Amenities include museums and art galleries, community theater and concerts, quality bed and breakfasts, multiple rodeos, a county fair, farmer's markets, arts in the park, fishing and rafting guides, spring creek fishing, guided horseback rides, outfitter services, working ranches, guest ranches plus an array of first class restaurants. Livingston is directly accessible off Interstate 90, a thirty-minute drive from downtown Bozeman. And it is less than two hours from Billings, Montana's largest city.

The Absaroka-Beartooth Wilderness Area: Consisting of 930,000 acres, is just one mile east of the property. Permanently protected from development by Federal mandate, it contains over 700 miles of foot and horseback trails, dozens of mountain peaks reaching from 10,000 to over 12,000 feet in elevation, active glaciers, over 1,000 alpine lakes (many with excellent trout fishing), rivers, streams, and the largest single area in the continental United States over 10,000 feet in elevation; the Beartooth Plateau. These vast, wild lands extend south from beside the property to the northern boundary of Yellowstone National Park.

It offers virtually unlimited opportunities for hiking, backpacking, horseback riding, backcountry camping, rock climbing, alpine fishing in

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rivers streams and lakes, big game hunting, wildlife viewing plus nature and landscape photography, just to name a few.

46 Above Paradise Trail is Conveniently Located Approximately:

- 10 miles east and south of Livingston
- 10 miles from an Interstate-90 on-ramp
- 10 miles from the Yellowstone River
- 9 miles from a paved roadway (US Highway 89)
- 7 miles from the graveled and maintained New Boulder County Road (Swingley Road)
- 15 miles from the Livingston airport (suitable for private planes)
- 35 miles from Bozeman and 40 miles from the Bozeman International airport
- 40 miles from world-class downhill skiing at Bridger Bowl
- 60 miles from Yellowstone National Park

List Price \$699,000

Listing Agents

Marcie Hertz, Broker Associate, 406.223.4466

Tracy Raich, Broker-Owner, 406.223.8418



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Property Record Card

Summary

Primary Information

Property Category: [RP](#)
Geocode: [49-0704-08-1-01-01-0000](#)
Primary Owner:

Subcategory: [Real Property](#)
Assessment Code: [0005715175](#)
PropertyAddress: [46 ABOVE PARADISE TRL](#)
[LIVINGSTON, MT 59047](#)
COS Parcel:

[NOTE: See the Owner tab for all owner information](#)

Certificate of Survey:

Subdivision:

Legal Description:

[S08, T03 S, R10 E, S2NW4NE4, SW4NE4, S2SE4NE4](#)

Last Modified: [3/14/2015 8:52:01 AM](#)

General Property Information

Neighborhood: [150](#)
Living Units: [1](#)
Zoning:
Linked Property:

Property Type: [RR - Residential Rural](#)
Levy District: [49-0620-19/RF](#)
Ownership %: [100](#)

[No linked properties exist for this property](#)

Exemptions:

[No exemptions exist for this property](#)

Condo Ownership:

General: [0](#)

Limited: [0](#)

Property Factors

Topography: [8](#)
Utilities: [0](#)
Access: [3](#)
Location: [0 - Rural Land](#)

Fronting: [9 - Private Road](#)
Parking Type: [1 - Off Street](#)
Parking Quantity: [2 - Adequate](#)
Parking Proximity: [3 - On Site](#)

Land Summary

<u>Land Type</u>	<u>Acres</u>	<u>Value</u>
Grazing	0.000	00.00
Fallow	0.000	00.00
Irrigated	0.000	00.00
Continuous Crop	0.000	00.00
Wild Hay	0.000	00.00
Farmsite	0.000	00.00
ROW	0.000	00.00
NonQual Land	13.508	00.00
Total Ag Land	13.508	00.00
Total Forest Land	65.492	00.00
Total Market Land	1.000	00.00

Deed Information:

Deed Date	Book	Page	Recorded Date	Document Number	Document Type
2/26/2003	R184	808			

Owners

Party #1

Default Information:

Ownership %: 100
Primary Owner: "Yes"
Interest Type: Conversion
Last Modified: 11/16/2007 3:10:25 AM

Other Names	Other Addresses
Name	Type
L Additional Legal Owners	No other address

Appraisals

Appraisal History

Tax Year	Land Value	Building Value	Total Value	Method
2014	38817	160440	199257	COST
2013	38817	160440	199257	COST

Market Land

Market Land Item #1

Method: Acre Type: 3NQ - 1 Ac. beneath Improvements (for dwlg on NQ Ag Land)
Width: Depth:
Square Feet: 00 Acres: 1
Valuation
Class Code: 2002 Value:

Dwellings

Existing Dwellings

Dwelling Type	Style	Year Built
SFR	11 - Log	2005

Dwelling Information

Residential Type: SFR Style: 11 - Log
Year Built: 2005 Roof Material: 5 - Metal
Effective Year: 0 Roof Type: 3 - Gable
Story Height: 1.0 Attic Type: 0
Grade: 6 Exterior Walls: 4 - Log (not log over frame)
Class Code: 3301 Exterior Wall Finish: 0 - Other
Year Remodeled: 0 Degree Remodeled:

Mobile Home Details

Manufacturer: Serial #: Width: 0
Model: Length: 0

Basement Information

Foundation: 2 - Concrete
Basement Type: 3 - Full

Finished Area: 0
Quality:

Daylight: Y

Heating/Cooling Information

Type: Non-Central
Fuel Type: 3 - Gas

System Type: 1 - Floor/Wall/Space
Heated Area: 0

Living Accomodations

Bedrooms: 2
Family Rooms: 1

Full Baths: 1
Half Baths: 0

Addl Fixtures: 3

Additional Information

Fireplaces:

Garage Capacity: 0
% Complete: 0

Stacks: 0
Openings: 0
Cost & Design: 0
Description:

Stories:
Prefab/Stove: 0
Flat Add: 0
Description:

Dwelling Amenities

View:

Access:

Area Used In Cost

Basement: 1232
First Floor: 1232
Second Floor: 0

Additional Floors: 0
Half Story: 0

Attic: 0
Unfinished Area: 0
SFLA: 1232

Depreciation Information

CDU:

Desirability:

Physical Condition: Good (8)
Property: Good (8)
Location: Good (8)

Utility: Good (8)

Depreciation Calculation

Age: 9
Pct Good: 0.91

RCNLD: 0

Additions / Other Features

Additions

Lower	First	Second	Third	Area	Year	Cost
	39 - Deck, Vinyl/Fiberglass			708	0	0

Other Features

Quantity	Type	Value
1	BG5 - Basement Garage/5-car	0

Other Buildings/Improvements

Outbuilding/Yard Improvements

No other buildings or yard improvements exist for this parcel

Commercial

Existing Commercial Buildings

No commercial buildings exist for this parcel

Ag/Forest Land

Ag/Forest Land Item #1

Acre Type: NQ - Non Qualified Ag Land
Class Code: 1701

Irrigation Type:
Timber Zone:

Productivity

Quantity: 0

Commodity:

Units: Non Qual

Valuation

Acres: 13.508

Per Acre Value: 0

Value: 0

Ag/Forest Land Item #2

Acre Type: Forest

Irrigation Type:

Class Code: 1901

Timber Zone: 3

Productivity

Quantity: 134.04

Commodity: Timber

Units: Board Feet/Acre

Valuation

Acres: 65.492

Per Acre Value: 0

Value: 0

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 43B 30027854 GROUND WATER CERTIFICATE
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners: LIVINGSTON PEAK COMMUNITY ASSN
505 N TRACY AVE
BOZEMAN, MT 59715

Priority Date: FEBRUARY 12, 2007 at 10:03 A.M.

Enforceable Priority Date: FEBRUARY 12, 2007 at 10:03 A.M.

Purpose (use): MULTIPLE DOMESTIC
Maximum Flow Rate: THIS RIGHT IS LIMITED TO THE ACTUAL AMOUNT USED UP TO 35 GALLONS PER MINUTE.
Maximum Volume: THIS RIGHT IS LIMITED TO THE ACTUAL AMOUNT USED UP TO 10 ACRE-FEET.

Source Name: GROUNDWATER
Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSESW	4	3S	10E	PARK


Period of Diversion: JUNE 1 TO NOVEMBER 30
Diversion Means: DEVELOPED SPRING

Purpose (Use): MULTIPLE DOMESTIC
Households: 34
Period of Use: JUNE 1 to NOVEMBER 30

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			N2NWNE	8	3S	10E	PARK
2			N2NW	17	3S	10E	PARK
3			NESE	5	3S	10E	PARK

WATER IS TRANSPORTED VIA THE LOST CREEK PIPELINE TO TERMINATION POINTS WHERE ASSOCIATION MEMBERS FILL CONTAINERS WITH WATER FOR TRANSPORT BACK TO THEIR PROPERTY. THE ASSOCIATION INCLUDES 34 USERS.



Water Right Number:

Map Click Function

Select Identification Item 3

View

Help Map Abstract

Legend

☒ Diversion Count: 1

☒ Surface water diversion.

☒ Ground water diversion.

☐ Adjacent Diversions:

☒ Surface water diversion.

☒ Ground water diversion.

☒ Place of Use Legal Land Descriptions

☐ Adjacent POUs

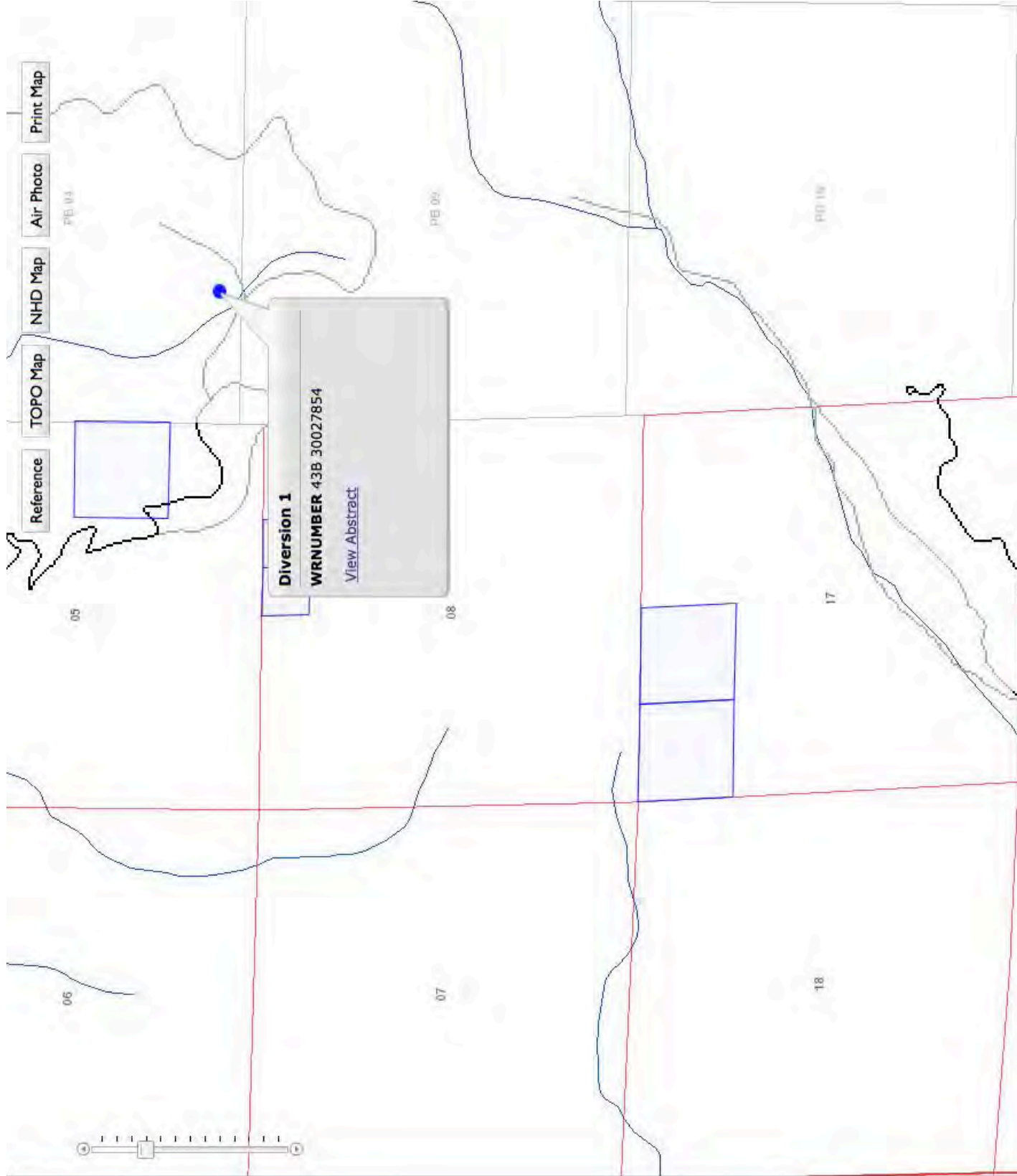
☐ Click Left to Show Cadastral ?

☐ Click Left to Show PLSS Detail ?

Note:

The points of diversion (PODs) and places of use (POUs) are derived from water right legal land descriptions. PODs are placed at the center of their legal land description, not at their true geographic location. POUs are drawn as polygons of the entire legal land description.

[About this data.](#)



Water Right Number:

Map Click Function

Select Identification Item

View

Help Map Abstract

Legend

✓ Diversion Count: 1

- ☐ Surface water diversion.
☒ Ground water diversion.
 Adjacent Diversions:

☐ **Adjacent Diversions:**

- ▲ Surface water diversion.
● Ground water diversion.

Ground water diversion.

- | Place of Use Legal Land Descriptions | Adjacent POUs |
|--------------------------------------|--------------------------|
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| <input type="checkbox"/> | <input type="checkbox"/> |

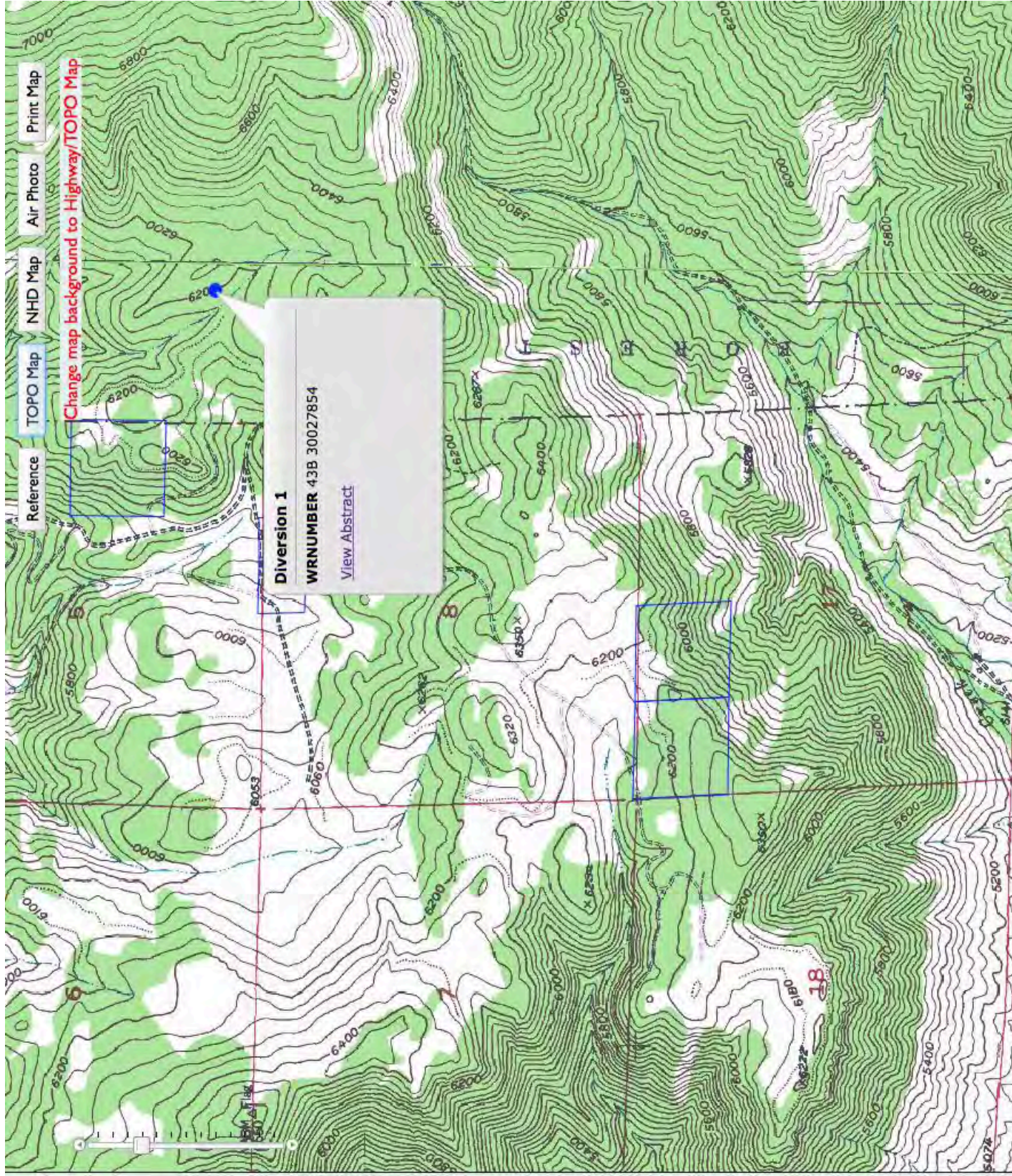
Adjacent POU's

- Click Left to Show Cadastral
Click Left to Show PLSS Detail

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New ☒ Replacement ☐ \$100.00
SUBSURFACE SEWAGE TREATMENT SYSTEM PERMIT
Rcpt #: 124826
Paid by: B. Smith
For: S. System permit
Ck #: 1616
Date: 6/28/04

1. SYSTEM TYPE TANK & DRAINFIELD 2. DATE OF PERMIT 6/28/04
3. NAME OF PROPERTY OWNER _____
4. ADDRESS OF OWNER _____
5. LEGAL DESCRIPTION OF PROPERTY PARCEL B / SECTION 8 3 1/2 NW, 4 NE 1/4
C/S OR PLAT NO. SW 1/4 NE 1/4, S 1/2 SE 1/4 NE 1/4 T 35 R 10E
6. NUMBER OF BEDROOMS (OR ESTIMATED SEWAGE VOLUME) ONE
7. SYSTEM TO BE INSTALLED BY: DAVE McNEIL
8. TYPE OF WATER SUPPLY: (CIRCLE ONE) WELL ☐ SPRING ☐ MUNICIPAL ☐ OTHER CYSTERN
9. TYPE OF SOILS TO A DEPTH OF 3 FEET ROCKY TOPSOIL
10. SOILS PERCOLATION RATE N/A minutes/inch
11. DEPTH TO SEASONAL HIGH GROUNDWATER GREATER THAN 10 FT. FT. DEPTH TO IMPERMEABLE SOILS UNKNOWN FT.
HOW WAS IT DETERMINED? _____
12. IS THIS PROPERTY IN, OR WITHIN 100 FT OF A FLOODPLAIN? Y ☒ N
13. VERIFY, BY LANDOWNER SIGNATURE, THAT THE DRAINFIELD WILL BE 100 FT AWAY FROM THE ACTUAL OR PROPOSED WELL, ALL WATERCOURSES (NATURAL OR MANMADE), LOW AREAS, WHERE PONDING MAY OCCUR AND THE 100 YEAR FLOODPLAIN.
14. WHAT IS THE SLOPE OF THE GROUND IN THE DRAINFIELD AREA? 10 %
15. ARE SANITARY RESTRICTIONS IMPOSED ON THIS PROPERTY? Y ☒ N
16. IS THIS PROPERTY PART OF A SUBDIVISION OF LAND, OR OCCASIONAL SALE?
Y ☒ N
17. SIZE OF PARCEL IN ACRES 80
18. IF LESS THAN 20 ACRES, IS THE MDHES APPROVAL STATEMENT ATTACHED? Y ☒ N
19. LAYOUT DETAILS
Tank size: 1,000 1,500 2,000 gallons Material: Concrete ☒ Other _____
Tank to Foundation: 5 ft. Trench to property line: GREATER THAN 10 ft.
20. TRENCH DIMENSIONS:
Gravel above pipe 2 in. Gravel below pipe 6 in.
Depth to Perf. pipe 19 in.
Depth to bottom of trench _____ in. Trench width 24 " Yards of washed gravel _____
21. MINIMUM DRAINFIELD REQUIREMENTS _____ sq.ft./bdrm. Lin. ft./bdrm _____
Total lin. ft. 100 *OK'd by R.T.*
22. WATER SUPPLY
This property: Distance to septic tank 750 Distance to drainfield 7100
Adjacent Property: Distance to septic tank 210 Distance to drainfield 710
23. ON A SEPARATE PIECE OF PAPER DIAGRAM THE PROPOSED SYSTEM, SHOWING THE LOCATION AND DISTANCES BETWEEN:
THE PROPOSED SEWAGE SYSTEM, THE HOUSE, ROADS, YOUR WELL AND ADJACENT NEIGHBORS' WELLS, SURFACE WATER, (SPRINGS, PONDS, LAKES, STREAMS, DITCHES, ETC.) SHOW THE LOCATION OF AN ALTERNATE DRAINFIELD, AND INDICATE - NORTH -. MAKE THIS DIAGRAM AS COMPLETE AS POSSIBLE.
24. I CERTIFY THAT THE ABOVE INFORMATION IS COMPLETE AND FACTUAL, AND I UNDERSTAND THAT THE SUBMISSION OF INCORRECT INFORMATION OR CONSTRUCTION OF A SYSTEM THAT DOES NOT FOLLOW THIS APPLICATION, OR DOES NOT FOLLOW THE REQUIREMENTS OF THE COUNTY ON-SITE SEWAGE REGULATION WILL RESULT IN ANY PERMIT ISSUED FOR THIS APPLICATION BEING VOIDED.

NOTE: THIS PERMIT EXPIRES THREE (3) MONTHS AFTER THE DATE OF APPROVAL. IF THE SYSTEM IS NOT INSTALLED WITHIN THIS PERIOD, THIS PERMIT IS VOID AND IF THE INSTALLATION IS STILL DESIRED, ANOTHER PERMIT APPLICATION AND FEE IS REQUIRED.

PROPERTY OWNER _____ Contractor [Signature]

OFFICIAL USE ONLY

PERMIT APPLICATION

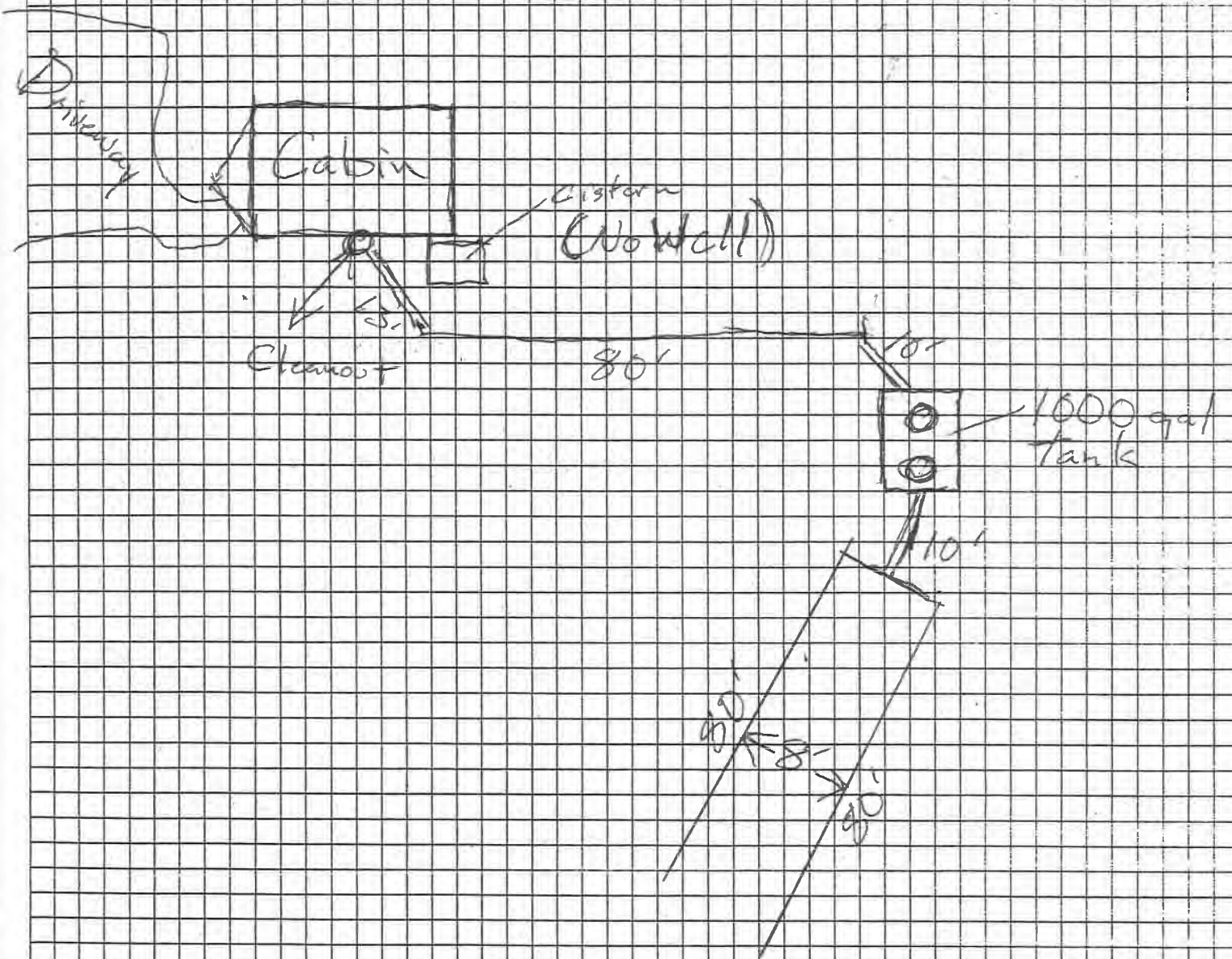
Date received 6/28/04 Approved _____ Denied _____ Reviewed by _____
Fee paid 100.00

ON-SITE SEWAGE TREATMENT SYSTEM PERMIT

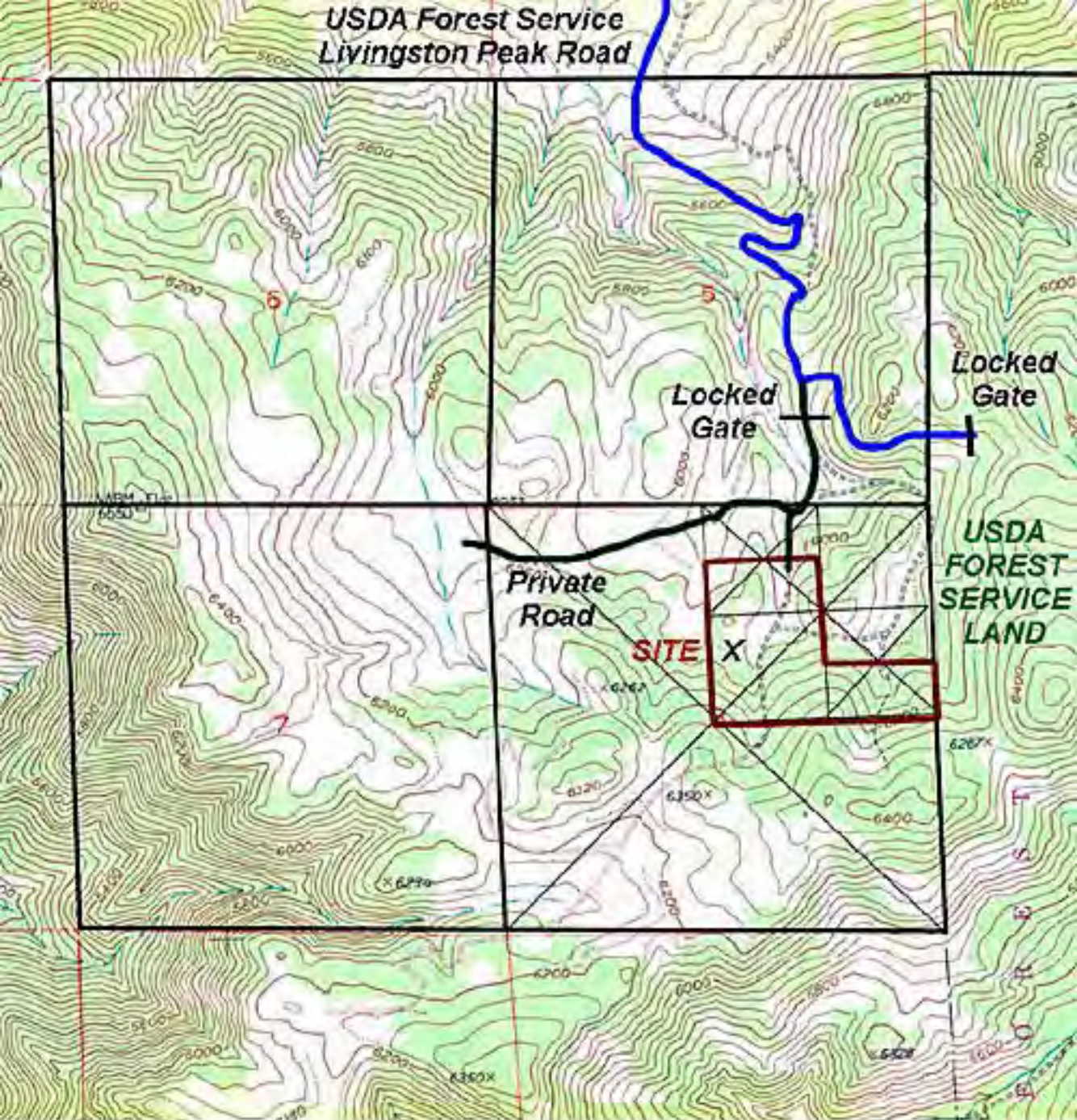
Approved _____ Denied _____ Inspected _____ + Licensed Installer [Signature]

43- Built

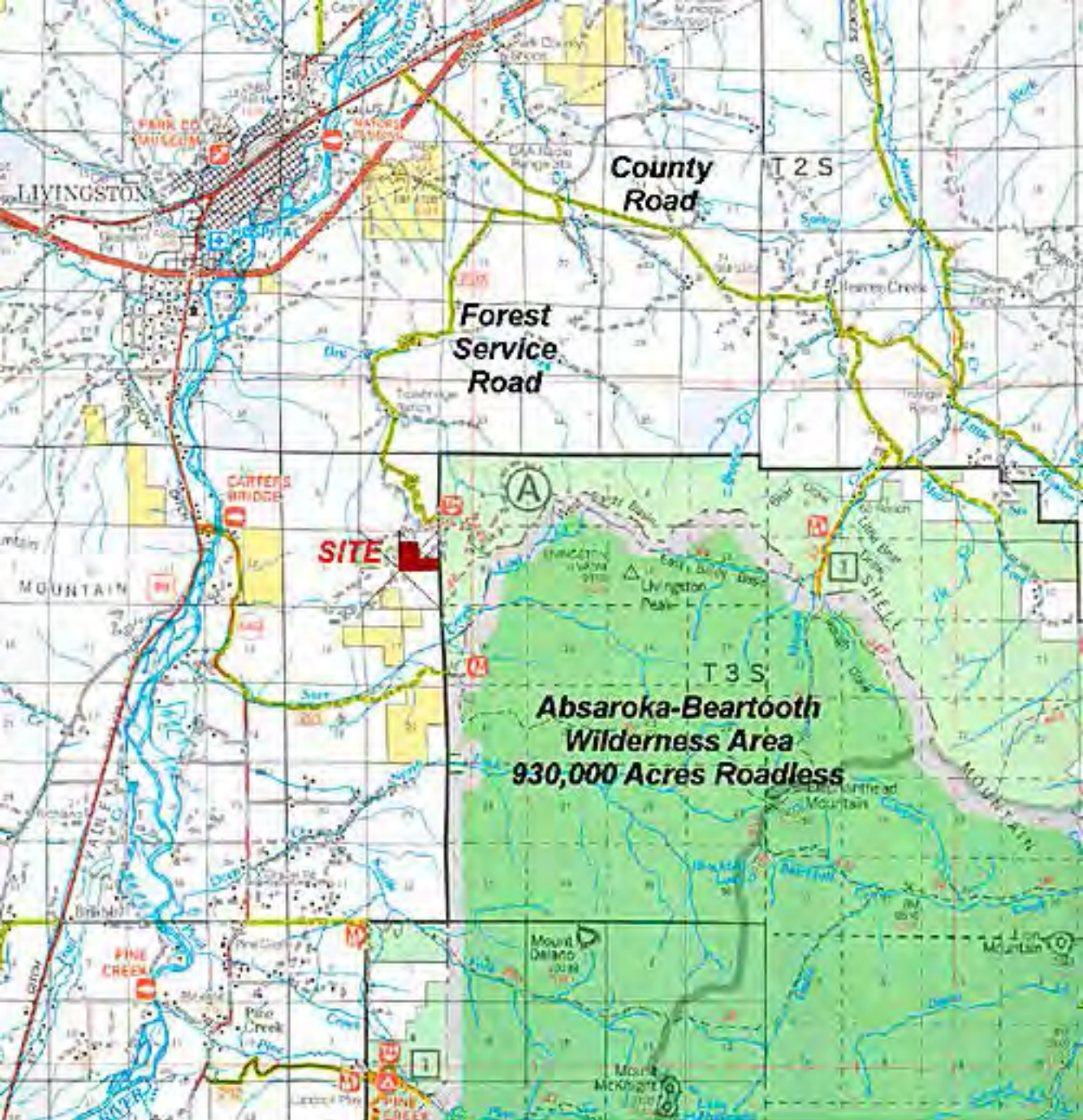
6/28/04
septic permit



**USDA Forest Service
Livingston Peak Road**



**Montana Summer Home
Approximate Roads and Boundaries**



**Montana Summer Home
Approximate Boundaries**



***Montana Summer Home
Aerial Photo
Highlights Cabin Location***



17-15318

WARRANT

Whereas the Board of Directors of the Dallas (D.C.) and other electric utility companies in and out of the District of Columbia, and George R. Myers and Coleman F. Myers of PHILADELPHIA, County, Kansas, the owners thereof in hereby authorized, by the Board of Directors, Kansas, the franchise bearing the undersigned Directors, hereby grant, bargain, sell and convey to said George, his heirs, assigns, administrators and assigns, a perpetual and exclusive easement for and the right to install, maintain, improve, operate, protect, repair, replace and remove a pole, guy wire line, or buried cables, towers, and auxiliary buildings, for transmission of electric current and the transmission of communication or electronic waves over and under across the following described land, which the Directors estimate they own in fee simple, situate in PHILADELPHIA County,

State of Kansas, to-wit: All or parts as owned of Sections 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 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2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192,

of sufficient length so that wires installed will be at least (15) fifteen feet above the surface of the ground.

2. The Grantee shall pay the Grantors any damage that the Grantee may do to growing crops which have been seeded on said lands, whether such damage be done during the installation of said line or while thereafter maintaining the same.

3. The Grantee shall have a right to cut such brush and trees on said lands as may be necessary in connection with the installation or maintenance of said line, but in the event that any fences are cut or severed, the Grantee shall replace and repair the same.

4. The Grantors shall have a full right to use and enjoy said lands in all respects as heretofore, except as the same may be necessary for the purposes herein granted to said Grantee.



5. This easement is given and accepted with the understanding and agreement that the Grantee will pay to the Grantors any damage that may be suffered by the Grantors or to said land in the construction, maintaining, inspecting, operating, protecting, repairing, replacing or removing said pole line, cables and equipment building.

6. The right of way hereby granted for the construction of pole lines, cables and antennas is for the construction and maintenance thereby only for such line and location on said land as shall not encroach upon or in any manner interfere with the right of way for pole line and/or other easements granted by the grantors herein under previous agreements.

1716 RP

...with the right of way agreements
for the power utility lines

The right to be granted may be assigned in whole or
in part, and the terms and conditions and provisions herein
shall extend to all the heirs, administrators,
executors and assigns of the parties herein, with permission of
the Federal Reserve Bank of New York and the Federal Reserve
Board of Governors of the Federal Reserve System.

 (SEAL)
 (SEAL)

On this 12 day of March, 1956, before me, a
Notary Public for the State of Montana, personally appeared
Walter Adams & Glen Clark & Myrvis
known to me to be the persons whose names are subscribed to
the foregoing instrument, and acknowledged to me that they
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.

Notary Public for the State of
Montana. Residing at Livingston,
Montana. My commission expires

NOTARY PUBLIC for the State of Montana
Residing at Livingston, Montana
My Commission Expires August 12, 1959

2025

STATE OF ILLINOIS } S. S.
County of PARK
Office of Recorder

The within
 need was received for record in
 16th day of Sept 1959 at 10 o'clock
 and is duly recorded in volume 37

1. Transliterations Page 378-381

[illegible]

... ..

604 691
 City
 Mrs. M. C. Johnson

EASEMENT

THIS EASEMENT, made this 22nd day of March, 1982, by and between TED J. WATSON and GEORGANN WATSON, husband and wife of Livingston, Montana, herein referred to as "Grantor", and YELLOWSTONE BASIN PROPERTIES, INC., a Montana Corporation of Bozeman, Montana, herein referred to as "Grantee", is granted for the purpose of providing access to Grantee from the existing recorded easements, to Section 6 and Section 7, Township 3 South, Range 10 East, M.P.M., Park County, Montana:

Beginning at a point in the Southwest 1/4 of Section 29, Township 2 South, Range 10 East, M.P.M., Park County, Montana, where the existing road intersects center line of recorded easement mentioned above, thence following the existing road across the Southwest 1/4 of said Section 29 in a southerly direction to the common Section line of Section 29, Township 2 South, Range 10 East, and Section 32, Township 2 South, Range 10 East, thence following the existing road in a southerly direction across the West 1/2 of said Section 32 to the common Section line of Section 32, Township 2 South, Range 10 East, and Section 5, Township 3 South, Range 10 East, thence across the Northwest 1/4 of said Section 5 following the existing road in a southeasterly direction, thence across the East 1/2 of said Section 5, following the existing road in a southerly direction to a point near the South Section line of said Section 5 to a point where the existing road forks and turns in a general westerly direction, thence following the existing road in said westerly direction to the common section line of said Section 5 and Section 8, Township 3 South, Range 10 East, thence following the existing road as it heads in a westerly direction across the North 1/2 of said Section 8 to the common Section line of said Section 8 and Section 7, Township 3 South, Range 10 East, at a point approximately 12 chains, 44 links south of the northeast Section corner of said Section 7 which is the purpose of this Easement to gain access to said Section 7 along with Section 6, Township 3 South, Range 10 East, M.P.M., Park County, Montana.

GRANTOR:

Ted J. Watson
TED J. WATSON
Georgann Watson
GEORGANN WATSON

GRANTEE

YELLOWSTONE BASIN PROPERTIES, INC., a Montana Partnership

By Leanol C. Hopkins
LEANOLD C. HOPKINS, President

file 3 1004

100 40 645

STATE OF MONTANA)

: ss.

County of Park)

On this 21 day of August, 1982, before me, a notary public in and for said State, personally appeared TED J. WATSON and GEORGANN WATSON, known to me to be the persons who subscribed this deed and acknowledged to me the execution of this deed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

Thomas A. Cahill
Notary Public for the State of Mont.
Residing at Livingston, Montana.
My commission expires: 8-12-84.

STATE OF MONTANA)

: ss.

County of Park)

On this 23rd day of August, 1982, before me, a notary public in and for said State, personally appeared LEANOLD C. HOPKINS, known to me to be the President of YELLOWSTONE BASIN PROPERTIES, INC., and known to me to be the person who subscribed this deed and acknowledged to me the execution of this deed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

Thomas A. Cahill
Notary Public for the State of Mont.
Residing at Livingston, MT, Montana.
My commission expires: 8-12-84.

State of Park)

Filed for record this 8th day of September, A.D. 1982, at 4:35 o'clock P.M. Recorded in Roll 40 of , pages 644-645

Margaret Troncal
County Clerk & Recorder

By
Deputy

Recording Fee \$ 4.00 Document No. 171676 Return American Title Co.
Livingston, Montana

WARRANTY DEED

THIS INDENTURE, made the 15th day of June, 1984, by and between GLENCHORA F. MYERS of Livingston, Montana, hereinafter called Grantor, and TED J. WATSON and GEORGANN WATSON of Livingston, Montana, hereinafter called Grantees, WITNESSETH:

That the said Grantor, for and in consideration of the sum of TEN and 00/100 Dollars (\$10.00) lawful money of the United States, and for other valuable considerations, in hand paid, by the said Grantees, the receipt whereof is hereby acknowledged by the Grantor, does hereby grant, bargain, sell and convey, unto the said Grantees, and to its successors and assigns forever, those certain lands and premises, situated in the County of Park, State of Montana, to-wit:

See Exhibit 1.

TO HAVE AND TO HOLD the same, unto the said Grantees, and to its successors and assigns forever.

And the said Grantor covenants with the Grantees, that the former is now seized in fee simple of the property granted; that the latter shall enjoy the same without any lawful disturbance; that the same is free from all encumbrances, except as herein mentioned; that the Grantor and all persons acquiring any interest in the same through or from them, will, on demand, execute and deliver to the said Grantees, at the expense of the latter, any further assurance of the same that may be reasonably required; and that the Grantor will warrant to the Grantees all of the said property against every person lawfully claiming the same.

IN WITNESS WHEREOF, the Grantor has set her hand hereto, the day and year first above written.

Glenchora F. Myers
GLENCHORA F. MYERS

STATE OF MONTANA)
County of PARK) ss.

On this 15 day of June, 1984, before me, the undersigned, a Notary Public for the State of Montana, personally appeared GLENCHORA F. MYERS known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Carl Knuchel
Notary Public for the State
of Montana. Residing at
Livingston, Montana. My
Commission expires: 1/14/85.

EXHIBIT A

The S 1/2 NW 1/4 NE 1/4 and the SW 1/4 NE 1/4 and the S 1/2 SE 1/4 NE 1/4 Section 8, Township 3 South, Range 10 East, M.P.M., Park County, Montana, according to the official plat thereof on file and of record in the office of the Park County Clerk and Recorder.

SUBJECT TO:

- 1) 1986 and subsequent years taxes;
- 2) All easements of record and those obvious by a visual inspection;
- 3) A royalty of 1/2 mineral, wind energy and geothermal rights owned by Seller;
- 4) A grazing lease for 1986; and 5) Water pipeline easement.

TOGETHER WITH:

- 1) An easement along what is known as the Livingston Peak Road from the New Boulder County Road to the Gallatin National Forest boundary on the eastern edge of the SE 1/4 Section 5;
- 2) Seller grants Purchaser an easement along the existing road from a point on the above easement in Section 5 to subject property;
- 3) Seller grants Purchaser a pro-rata share of the water rights he holds now serving the area through a water pipeline;
- 4) Seller grants Purchaser an easement along the National Forest boundary from the S 1/2 SE 1/4 NE 1/4 Section 8 to the water outlet in the NE 1/4 Section 8.

DEED RESTRICTIONS:

- 1) No mobile homes, excepting recreation travel trailers, allowed on subject property; and
- 2) Any utilities brought in to the property will be underground.

Filed for record this 22nd day of October, A.D. 1986, at 10:53 AM.
 at Rel 58 in 397-298
 by JANICE JENNINGS
 Deputy
 Recording Fee \$ 10⁰⁰ Document No. 194446 Return to Park Title
Livingston, Mt

FEB 18 11 AM 2003

WARRANTY DEED

THIS INDENTURE, made this 27th day of FEBRUARY, 2003, between MALCOLM H. RINGWALT, whose mailing address is P. O. Box 926, Topanga, California 90290, Grantor, and _____, joint tenants with right of survivorship, whose mailing address is _____, Grantees.

WITNESSETH: That the Grantors for and in consideration of the sum of Ten and No/100ths Dollars (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to him in hand paid by the Grantees, the receipt whereof is hereby acknowledged, and do by these presents grant, bargain, sell, convey, warrant and confirm unto the Grantees, and to their heirs, successors and assigns, forever, that certain real property, situated in the County of Park, State of Montana, particularly described as follows:

Township 3 South, Range 10 East, of the Principal Montana Meridian, in
Park County, Montana

Section 8: S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$
SW $\frac{1}{4}$ NE $\frac{1}{4}$
S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$

(Deed Reference: Roll 98, Page 425)

TOGETHER WITH:

- (a) All timber rights, grazing rights, and all tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.
- (b) All water rights and rights in ditches, canals and laterals, and rights of way thereto appurtenant to said premises or used in connection therewith, subject to adjudication, readjudication or determination in accordance with Montana law.
- (c) All mineral, gas, oil, and other hydrocarbon rights not reserved by Grantor's predecessors in title.

GRANTOR DOES FURTHER CONVEY the following described nonexclusive easements to be appurtenant to the above-described real property being conveyed, which consists of the S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and the S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, T. 3 S., R. 10 E., PMM:

Secretary T-110419-3909

- (a) An easement for access over and across that certain Livingston Peak Forest Service Road #2532 from the New Boulder County Road to the Gallatin National Forest Boundary at the eastern edge of the SE $\frac{1}{4}$ Section 5, T. 3 S., R. 10 E., PMM, as partially depicted upon the attached Exhibit "A" made a part hereof.
- (b) An easement for access over and across the main existing road in the SE $\frac{1}{4}$ Section 5, T. 3 S., R. 10 E., PMM, and the NE $\frac{1}{4}$ Section 8, T. 3 S., R. 10 E., PMM, extending from that Livingston Peak Forest Service Road to the northern boundary of the above-described real property being conveyed, as depicted upon the attached Exhibit "A" made a part hereof. That portion of this easement within the NE $\frac{1}{4}$ Section 8, T. 3 S., R. 10 E., PMM, shall be thirty (30) feet in width and shall also be for underground utilities. That portion of this easement within the NE $\frac{1}{4}$ Section 8, T. 3 S., R. 10 E., PMM, is subject to a maintenance agreement.
- (c) An easement over and across the S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ and the N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, T. 3 S., R. 10 E., PMM, along the existing underground water pipeline, extending from the Gallatin National Forest boundary westerly to the eastern boundary of the above-described real property being conveyed. Said easement shall be fifteen (15) feet in width and shall be for the express purpose of maintaining and repairing the pipeline, and if necessary replacing the pipeline. This easement shall automatically extinguish upon Grantees entering into a landowner's or homeowner's association which holds a similar easement for maintenance, repair and replacement of the pipeline. This easement is subject to a maintenance agreement.

RESERVING UNTO GRANTOR and Grantor's heirs, successors, and assigns, the following described easement to be appurtenant to real property retained by Grantor which consists of the N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, the NE $\frac{1}{4}$ NE $\frac{1}{4}$, and the N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, T. 3 S., R. 10 E., PMM:

- (a) An easement thirty (30) feet in width for access and underground utilities over and across the main existing road from a point on the northern boundary where the roadway enters the above-described real property being conveyed, southerly then easterly to the eastern boundary where the roadway leaves the above-described real property being conveyed, as depicted upon the attached Exhibit "A". This easement is subject to a maintenance agreement.
- (b) Said reserved easement shall be for non-commercial single-family use to include a main residential structure, guest cabin and associated outbuildings. An in-home office or business will be allowed; however, there shall be no generation of traffic beyond that customary or incidental to residential use.

There is no limitation on subdivision of the real property retained by Grantor, but in the event of Grantor's subdivision only one single family landowner of Grantor's parcels after subdivision may use the reserved easement, and the easement may only be used to access one parcel of land. Notwithstanding the foregoing, Grantor exclusively and not any of his heirs, successors, and assigns, may use the reserved easement for the limited commercial purpose of educational classes, which use shall expire upon Grantor's sale of the property, or construction of a new access road by Grantor into the eastern portion of the above-described real property being retained by Grantor.

THIS CONVEYANCE IS SUBJECT TO THE FOLLOWING:

- (a) Real property taxes and assessments for the year 2003, and real property taxes and assessments for all subsequent years;
- (b) All patent reservations and exceptions contained in record chain of title, and all easements, including easements for roads and ditches, now of record or apparent from physical examination and inspection of the premises;
- (c) Easement for pole and wire lines, buried cables, towers and equipment buildings and matters incidental thereto granted to Paul McAdam, recorded September 16, 1959, in Volume 37 of Miscellaneous Records, Page 378, under Document #82373.
- (d) Easement for access and matters incidental thereto granted to Yellowstone Basin Properties, Inc., a Montana Corporation, recorded September 8, 1982, in Book/Roll 40, Page 644, under Document #171676.
- (e) Notice of an easement for water pipeline and matters incidental thereto as first contained in Warranty Deed; recorded October 22, 1986, in Book/Roll 58, Page 297, under Document #194446.
- (f) Restrictions as first contained in Warranty Deed to Ted J. Watson and Georgann Watson, recorded October 22, 1986, in Book/Roll 58, Page 297, under Document #194446; but omitting any covenant, condition or restriction based on race, color, religion, sex, handicap, familial status, or national origin to the extent that such covenants, conditions or restriction violate 42 USC 3604(c).
- (g) All outstanding interests and reservations pertaining to oil, gas, coal and other minerals reserved by Grantor's predecessors in title, if any;


- (h) Questions of boundary or fence lines dependent upon actual survey for determination;
- (i) Federal, state and local laws and regulations affecting this property, including zoning and land use regulations affecting the premises, if any;

TO HAVE AND TO HOLD, all and singular, the above-described premises unto the Grantees, and to their heirs and assigns FOREVER.

And the Grantor does hereby covenant that he will forever warrant the title only and defend all right, title and interest in and to the said premises unto the Grantees, and their heirs and assigns, against all and every person or persons, whomsoever, lawfully claiming or to claim the same.

Words used in this instrument in the masculine gender include the feminine and neuter, the singular number includes the plural and the plural the singular.

IN WITNESS WHEREOF, the Grantor has executed this instrument the day and year first hereinabove written.


MALCOLM H. RINGWALT

STATE OF CALIFORNIA)

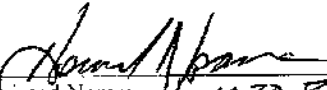
: ss.

COUNTY OF LOS ANGELES

On this 24th day of FEBRUARY, 2003, before me, the undersigned, a Notary Public for the State of California, personally appeared MALCOLM H. RINGWALT, known to me to be the person whose name is subscribed to the within instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year first above written.

SEAL


 Printed Name: HOWARD R. SPANIER
 Notary Public for the State of California
 Residing at MALIBU, CA
 My Commission expires 7/4/05



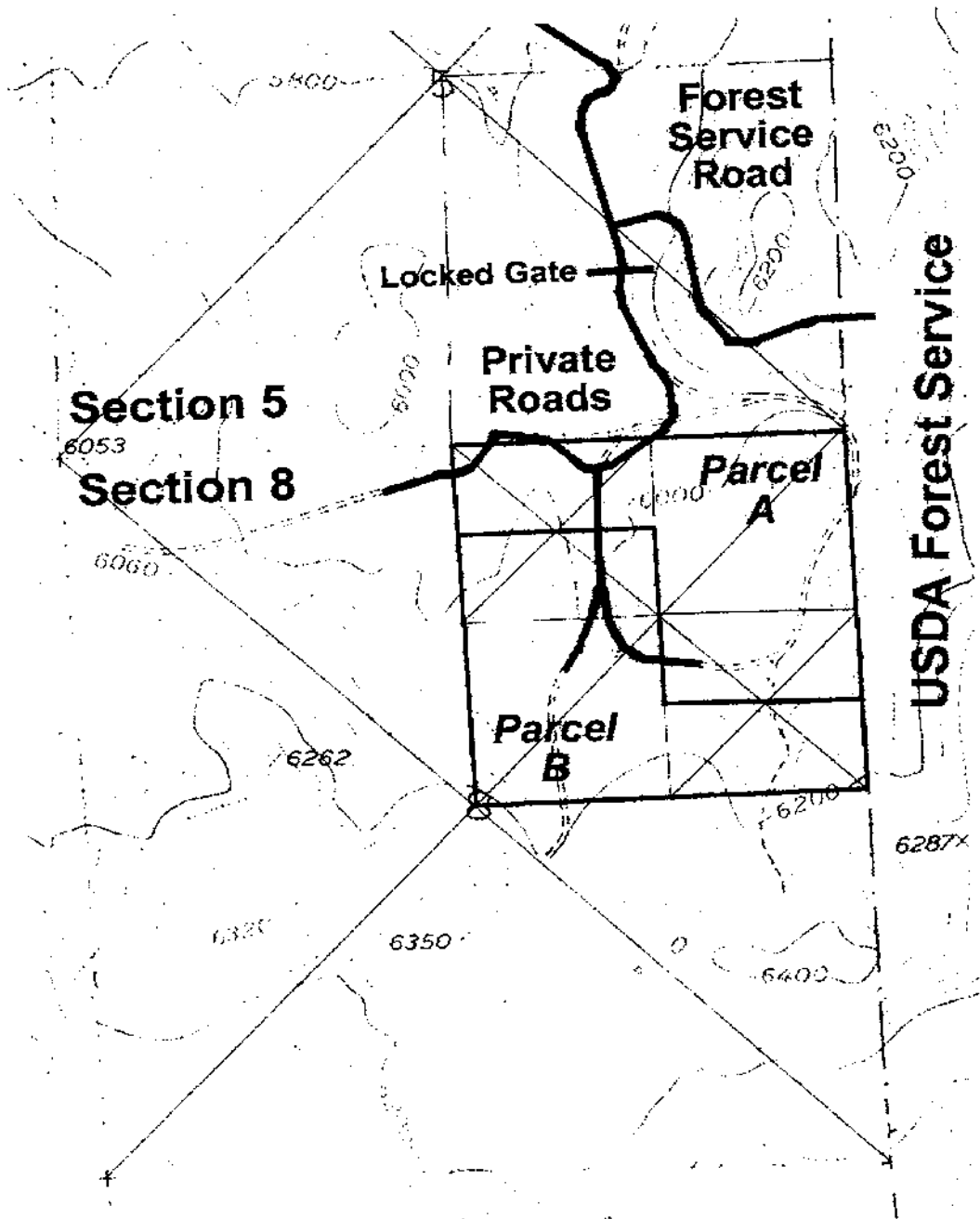


EXHIBIT "A": Approximate Roads and Boundaries

Legal Description Parcel A (Lands Retained by Grantor)
 Section 8: N1/2NW1/4NE1/4, NE1/4NE1/4, N1/2SE1/4NE1/4.
 T3S R10E PMM; Park County MT.

Legal Description Parcel B (Lands Conveyed to Grantee)
 Section 8: S1/2NW1/4NE1/4, SW1/4NE1/4, S1/2SE1/4NE1/4.
 T3S R10E PMM; Park County MT.

REALTY TRANSFER RECEIVED

MAINTENANCE AGREEMENT

UNDER DATE of FEBRUARY 24, 2003, Malcolm H. Ringwalt
(hereinafter referred to as Grantor), of P. O. Box 926, Topanga, California 90290,
conveyed certain real property described as the S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and the
S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, T. 3 S., R. 10 E., PMM, to

(hereinafter
referred to as Grantees), by that certain Warranty Deed at Roll 184, Pages 808-813,
in the office of the Park County, Montana Clerk and Recorder. Therein it was noted that
Grantor retained certain real property described as the N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, the NE $\frac{1}{4}$ NE $\frac{1}{4}$, and
the N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, T. 3 S., R. 10 E., PMM.

In the above-described Warranty Deed, certain easements were both conveyed and
reserved which are subject to this maintenance agreement.

1. Regarding that certain easement conveyed to Grantees for access and
underground utilities across that portion of the NE $\frac{1}{4}$ Section 8, T. 3 S., R.
10 E., PMM, retained by Grantor, Grantees shall, at Grantees' expense,
repair any damage to this road caused by Grantees' use of this easement,
other than normal wear and tear, restoring the road to its prior or improved
condition.
2. Regarding that certain easement conveyed to Grantees to maintain, repair
and replace the underground water pipeline across that portion of the NE $\frac{1}{4}$
Section 8, T. 3 S. R. 10 E., PMM, retained by Grantor, Grantees shall, at
Grantees' expense, repair any damage to the surface ground area caused by
Grantees' use of this easement, other than normal wear and tear, restoring
the surface ground area to its prior condition.
3. Regarding that certain easement reserved by Grantor for access and
underground utilities across that portion of the NE $\frac{1}{4}$ Section 8, T. 3 S., R.
10 E., PMM, conveyed to Grantees, Grantor shall, at Grantor's expense,
repair any damage to this road caused by Grantor's use of this easement,
other than normal wear and tear, restoring the road to its prior or improved
condition.

This agreement shall be binding on Grantor, and Grantor's heirs, successors and
assigns, and on Grantees, and Grantees' heirs, successors and assigns, and shall run with
the property.

Signature by Fax shall be fully binding and enforceable for execution of this Agreement. This Agreement may be executed in counterparts.

DATED: 24 Feb, 2003.

Malcolm H. Ringwalt
MALCOLM H. RINGWALT, Grantor

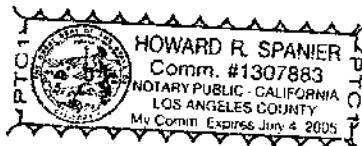
STATE OF CALIFORNIA)

: ss.

COUNTY OF LOS ANGELES

On this 24th day of February, 2003, before me, the undersigned, a Notary Public for the State of California, personally appeared Malcolm H. Ringwalt, known to me to be the person whose name is subscribed to the within instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year first above written.



Howard R. Spanier
Printed Name: HOWARD R. SPANIER
Notary Public for the State of California
Residing at MDHIS, CA
My Commission expires: 7/4/05

Signature by Fax shall be fully binding and enforceable for execution of this Agreement. This Agreement may be executed in counterparts.

DATED: 22nd of February, 2003.

MALCOLM H. RINGWALT, Grantor

STATE OF CALIFORNIA)

: ss.

COUNTY OF)

On this _____ day of _____, 2003, before me, the undersigned, a Notary Public for the State of California, personally appeared Malcolm H. Ringwalt, known to me to be the person whose name is subscribed to the within instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year first above written.

Printed Name: _____
Notary Public for the State of California
Residing at _____
My Commission expires: _____

STATE OF COLORADO)
: ss.
COUNTY OF)

Jefferson

On this 22 day of Feb, 2003, before me, the undersigned, a Notary Public for the State of Colorado, personally appeared
. . . known to me to be the persons whose names are subscribed to the within instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year first above written.

Ann Nolte
Printed Name: Ann Nolte
Notary Public for the State of Colorado
Residing at _____
My Commission expires: 2-21-05



RIGHT-OF-WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That the undersigned

for a good and valuable consideration, the receipt whereof is hereby acknowledged, does hereby grant unto Park Electric Cooperative, Inc., a corporation, whose post office address is Livingston, Montana, and to its successors or assigns, the right to enter upon the lands of the undersigned, situated in the County of Park, State of Montana, and more particularly described as follows: a twenty foot corridor through a portion of the S½NW¼NE¼ of Section 8, Township 3 South, Range 10 East, P.M.M., Park County, Montana

and to place, construct, operate, repair, maintain, relocate and replace thereon and in or upon all streets, roads or highways butting said lands an underground electric distribution line or system.

The undersigned agree that all facilities, including any main service entrance equipment, installed on the above described lands at the Cooperative's expense shall remain the property of the Cooperative, removable at the option of the Cooperative upon termination of service to or on said lands.

The undersigned covenants that he is the owner of the above described lands and that the said lands are free and clear of encumbrances and liens of whatsoever character except those held by the following persons:

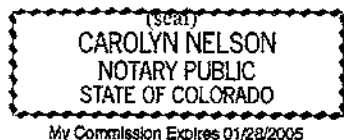
It is further understood that, whenever necessary, words used in this instrument in the singular shall be construed to read in the plural and that words used in the masculine gender shall be construed to read in the feminine.

IN WITNESS WHEREOF, the undersigned has set his hand and seal this 13 day of July, 2004.

(L.S.) _____ (L.S.)

On this 13 day of July, 2004, before me, a Notary Public in and for said County of Jefferson, State of Colorado, personally appeared _____ known to me (or proved to me on oath of Denise Nelson) to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that he executed the same.

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



Carolyn Nelson
(Carolyn Nelson)
(print name)
Notary Public for the State of Colorado
Residing at Wheat Ridge, CO
My commission expires 01/28/05

318691 Fee: \$ 6.00 Roll 207 Pg 948

PARK COUNTY Recorded 08/04/2004 At 01:17 PM
Denise Nelson, Clk & Rodr By DN
Return to: PARK ELECTRIC PO BOX 1119
LIVINGSTON, MT 59047