

PLAT

RECEPTION # 200135210450 DATE 12/18/01

PLAT FILE # 7-10-34 ABST # 1596 PLAT DATE 10/22/01

FEEES 750- CODE SKA CONSENT _____

PLAT NAME SKY RANCH ADD.

ACRES 32.506

SURVEYOR JAMES H. BURTON LOTS 5

OWNER TIM BIRK

DESCRIPTION NE 7-27-20

ASSESSOR # 0742600

OTHER _____

200135210450

PLAT ROOM
FLATHEAD COUNTY, MONTANA
800 S. MAIN
KALISPELL, MT 59901
(406) 758-5510

THIS FORM IS FOR SUBDIVISIONS AND CONDOMINIUMS ONLY

*updated
12/03/01*

BY: *Burton*

DATE: *8/11/94*

FOR: *Birk*

DATE: *2/11/99 (resubmitted)*

DESCR: *Sky Ranch Addition*
AR 5 in 7-27-20

PURPOSE: *Plat*

YEARS

ASSESSOR #

1992 THRU *1998*

0742600

1999 AND TO DATE

I hereby certify that there are no outstanding taxes on the property assigned the assessor numbers listed above, for the years indicated for each assessor number.

[Signature]
DEPUTY TREASURER
SEAL DEC 05 2001

200135210450

on
2-12-99
j

Department of Health Checklist for Survey Attachments

Owner Bink Surveyor Burton

Legal Sky Ranch Addition

The following documents must accompany this survey as required by the Montana Sanitation in Subdivisions Act.

Parcel(s) 1-5 subject to review. Montana Department of Environmental Quality (MDEQ) Certificate of Subdivision Plat Approval required.

Master Plan Exclusion Certification from MDEQ indicating that this subdivision is in compliance with the requirements of the Sanitation in Subdivisions Act is required.

Boundary Line Adjustment Parcel(s) _____ subject to review.

1) MDEQ Certificate of Subdivision Plat Approval required.

2) County Health Department memorandum only required.

Agricultural Use Covenant

1) The parties involved in the transaction must enter into a covenant running with the land and revocable only by the governing body and the property owner.

2) Documentation from the owner and the County Commissioners indicating that the covenant has been removed.

Other _____

No Health Department documents are required

Signed Glen Gray
Flathead City-County Health Department

Date 2/12/99

2001352 / 045D

STATE OF MONTANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
CERTIFICATE OF SUBDIVISION PLAT APPROVAL
(Section 76-4-101 through 76-4-131, MCA 1979)

TO: County Clerk and Recorder
Flathead County
Kalispell, Montana

E.Q. #15-95-S55-314
296K (duplicate)

THIS IS TO CERTIFY THAT the plans and supplemental information relating to the subdivision known as **Sky Ranch Addition**

A tract of land located in the East 1/2 of the Northeast 1/4 of Section 7, Township 27 North, Range 20 West, P.M.M., Flathead County, Montana

consisting of 5 lots have been reviewed by personnel of the Water Quality Division, and,

THAT the documents and data required by Section 76-4-101 through 76-4-131, MCA 1979 and the rules of the Department of Environmental Quality made and promulgated pursuant thereto have been submitted and found to be in compliance therewith, and,

THAT the approval of the Plat is made with the understanding that the following conditions shall be met:

THAT the Lot sizes as indicated on the Plat to be filed with the county clerk and recorder will not be further altered without approval, and,

THAT each lot shall be used for one single-family dwelling, and,

THAT the multiple family water system will consist of approximately 375 lineal feet of 1½" and 990 lineal feet of water main, a water storage facility with two WX350 hydropneumatic tanks. The water supply will consist of a well drilled to a minimum depth of 25 feet constructed in accordance with the criteria established in Title 16, Chapter 16, Sub-Chapter 1, 3, and 6 ARM and the most current standards of the Department of Environmental Quality, and,

THAT normal household water usage shall be limited to 600 gallons per day, and,

THAT each lot owner shall be limited to 5 gallons per minute for irrigation, and,

THAT irrigation shall only occur between 10:00 p.m. and 6:00 a.m., and,

THAT each individual sewage treatment system will consist of an intermittent sand filter system installed in accordance with the plans prepared by Hafferman Engineering, and,

THAT each subsurface drainfield shall have an absorption area of sufficient size to provide 70 square feet per bedroom, and,

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Page 2 of 2
Sky Ranch Addition
Flathead County
EQ #15-95-S55-314

THAT the design engineer, Hafferman Engineering, shall meet on-site with the installer of the sewage treatment system to review construction details prior to system installation, and,

THAT the bottom of the drainfield shall be at least four feet above the water table, and,

THAT no sewage treatment system shall be constructed within 100 feet of the maximum highwater level of a 100 year flood of any stream, lake, watercourse, or irrigation ditch, nor within 100 feet of any domestic water supply source, and,

THAT water supply systems, sewage treatment systems and storm drainage systems will be located as shown on the approved plans, and,

THAT plans for the proposed water and individual sewage treatment systems will be reviewed and approved by the Flathead County Health Department before construction is started, and,

THAT all sanitary facilities must be located as shown on the attached lot layout, and,

THAT the developer and/or owner of record shall provide each purchaser of property with a copy of the Plat, approved location of water supply and sewage treatment system as shown on the attached lot layout, and a copy of this document, and,

THAT instruments of transfer for this property shall contain reference to these conditions, and,

THAT departure from any criteria set forth in the approved plans and specifications and Title 16, Chapter 16, Sub-Chapters 1, 3, and 6 ARM when erecting a structure and appurtenant facilities in said subdivision without Department approval, is grounds for injunction by the Department of Environmental Quality, and,


Pursuant to Section 76-4-122 (2)(a), MCA, a person must obtain the approval of both the State under Title 76, Chapter 4, MCA, and local board of health under section 50-2-116(1)(i), before filing a subdivision plat with the county clerk and recorder.

YOU ARE REQUESTED to record this certificate by attaching it to the Plat filed in your office as required by law.

DATED this 20th day of November, 2001

JAN P. SENSIBAUGH
DIRECTOR

By:


Theresa J. Blazicevich, Supervisor
Subdivision Review Section
Permitting and Compliance Division
Department of Environmental Quality

Owner's Name: Tim Birk

MANNING ROAD

EQ # 15-95-555-314

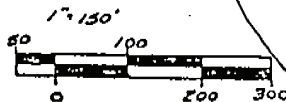
2001352/D4SD

APPROVED
Montana Department of
Environmental Quality
Permitting and Compliance Division

Theresa J. Blaylock 11/20/00
Reviewer Date

duplicate

SCALE AS REDUCE
APPROX 1" = 100'

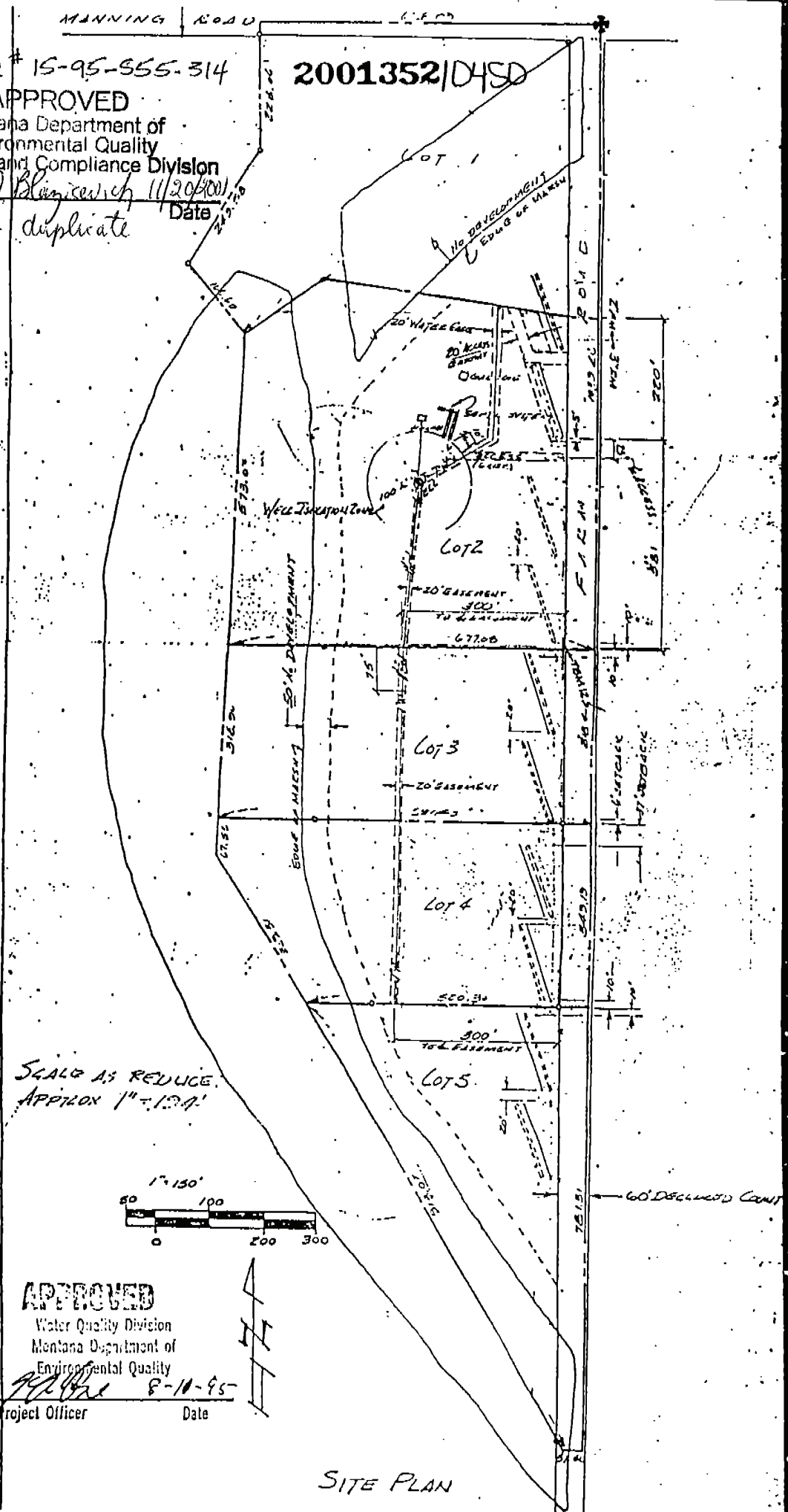


APPROVED
Water Quality Division
Montana Department of
Environmental Quality

Project Officer Date 8-10-95

SITE PLAN

DOCUMENT IS ILLEGIBLE AND
NOT LEGIBLY REPRODUCIBLE



2001352 10450

SECURITY UNION
Title Insurance Company

STATE OF MONTANA } SS
COUNTY OF FLATHEAD }
Date Filed 12-18-01 @ 10:45am
Susan W. Adelfeld
Flathead County Clerk & Recorder
Deputy Paul W. [Signature]

\$7.50

27 0040 47 000115
PRELIMINARY SUBDIVISION CERTIFICATE OF TITLE

ABST #15916
File # 7-10-34

SECURITY UNION TITLE INSURANCE COMPANY

To the County of Flathead and the City of Kalispell in Montana

SECURITY UNION TITLE INSURANCE COMPANY, a corporation organized and existing under the laws of the State of California, with its principal office in Pasadena, California, and duly authorized to insure titles in Montana hereby certifies that from its examination of the public records which impart constructive notice of matters affecting the title to the real estate described in Schedule A hereof, as of the 4th day of September 2001, at 5 o'clock P.M., the title to the described real estate was indefeasibly vested in fee simple of record in:

Tim Birk

subject only to the objections, liens charges, encumbrances and other matters shown under Schedule B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of \$ 5,000.00

This certificate of title is made in consideration of the payment of the premium by the subdivider of the land and for the use of the County and City above named.

Issued by:
SECURITY TITLE COMPANY
OF FLATHEAD COUNTY
45 Second St. E. - P. O. Box 879
Kalispell, MT 59903-0879
(406) 752-7606

SECURITY UNION TITLE INSURANCE COMPANY

By: *Richard L. Polla*
President



By: *Richard M. Clavin*
Secretary

[Signature]
Authorized Signature

2001352/0450

PRELIMINARY SUBDIVISION CERTIFICATE OF TITLE

SCHEDULE A

Order No.: 20600922

Guarantee No.: 27 0040 47 000115

Being the legal description of the real estate covered by this certificate.

The following-described parcel of real estate:

A Tract of land located in the East Half of the Northeast Quarter of Section 7, Township 27 North, Range 20 West, Principal Meridian, Montana, Flathead County, Montana, and more particularly described as follows:

**Commencing at the Northeast Section corner of said Section 7, which point is the True Point of Beginning; thence
South 01°01'14" West, on and along the East boundary of said East Half of the Northeast Quarter, a distance of 2594.08 feet to a point; thence
North 89°32'05" West, and leaving said East boundary, a distance of 37.46 feet to a point; thence
North 30°54'07" West, a distance of 1242.38 feet to a point; thence
North 03°35'45" East, a distance of 959.47 feet to a point; thence
North 36°52'33" West, a distance of 166.60 feet to a point; thence
North 32°03'10" East, a distance of 249.58 feet to a point; thence
North 00°15'38" East, a distance of 228.06 feet to a point which point lies on the North boundary of said East Half of the Northeast Quarter; thence
South 89°43'00" East, on and along said North boundary, a distance of 628.03 feet to the True Point of Beginning.**

The above description to be known as Sky Ranch Addition.

END OF SCHEDULE A

200135210450

LOT BOOK GUARANTEE

Order No: 20600922
Policy No: 27 0040 47 000115

SCHEDULE B

EXCEPTIONS:

1. Taxes, including any assessments collected therewith, for the year 2001 which are a lien not yet payable.
2. Taxes, Charges and Assessments not yet certified to the County for collection.
3. Reservations and exceptions in the United States Patent, and in the act authorizing the issuance thereof.
Recorded: February 17, 1902 in Book 7 Page 459, of Official Records.
4. NOTE: While this report does not insure mineral rights, mining rights or easements incidental thereto, we note for you information only the following:
 - a. Assignment of Royalty granted by Clark W. Beauchamp and M.E. Beauchamp to Robert E. O'Keefe recorded October 23, 1940 in Book 243 at page 3, records of Flathead County, Montana, as follows: "TWO ND ONE-HALF (2-1/2%) PER CENT interest in and to all of the oil and gas in and under and that may be produced from the following described lands..." AND Interest of Robert E. O'Keefe and Elise O'Keefe, as grantors, and Chester S. Rice and Marie E. Rice, husband and wife and Quin A. Blackburn and V. Jessie Blackburn, grantees recorded November 27, 1940 in Book 243 at page 30, records of Flathead County, Montana, granted to Chester S. Rice and Marie E. Rice, husband and wife, as Joint Tenants one-half of one per cent (1/2 of 1%) of the minerals including oil and gas; and to Quin A. Blackburn and V. Jessie Blackburn, Husband and wife, as Joint Tenants, one-half of one per cent (1/2 of 1%) of the minerals including oil and gas."
5. Terms, provisions, covenants, conditions, definitions, obligations, reservations and restrictions, contained in Document:
Purpose: Bill of Sale by and between Lower Valley Telephone Association and Mountain States Power Company...all right, title and interest, both as individuals and as members of said Association, in and to any and all poles, pole lines, wires, insulators, brackets, cross arms, conductors, telephones, and any and all personal property now owned by or used by the undersigned or said Association in connection with the operation of that certain telephone system heretofore operated by said Association...
Recorded: December 5, 1951
Instrument No.: 6517, of Official Records.
6. Easement granted to Montana Power Company granting the right to back and hold water upon and flood and overflow with water so much of said land lying below an elevation of 2893 feet above sea level.
Recorded: January 18, 1960.
Instrument No.: 356, Official records.
7. An Underground Easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted to: Pacific Power and Light Company.
Purpose: Public Utilities.
Recorded: May 24, 1994.
Instrument No.: 94-144-0949-0, of Official Records.
8. Location of 60' declared road (Farm Road) along the easterly boundary and 60' declared road (Manning Road) along the northerly boundary as shown on county maps and surveys of record.

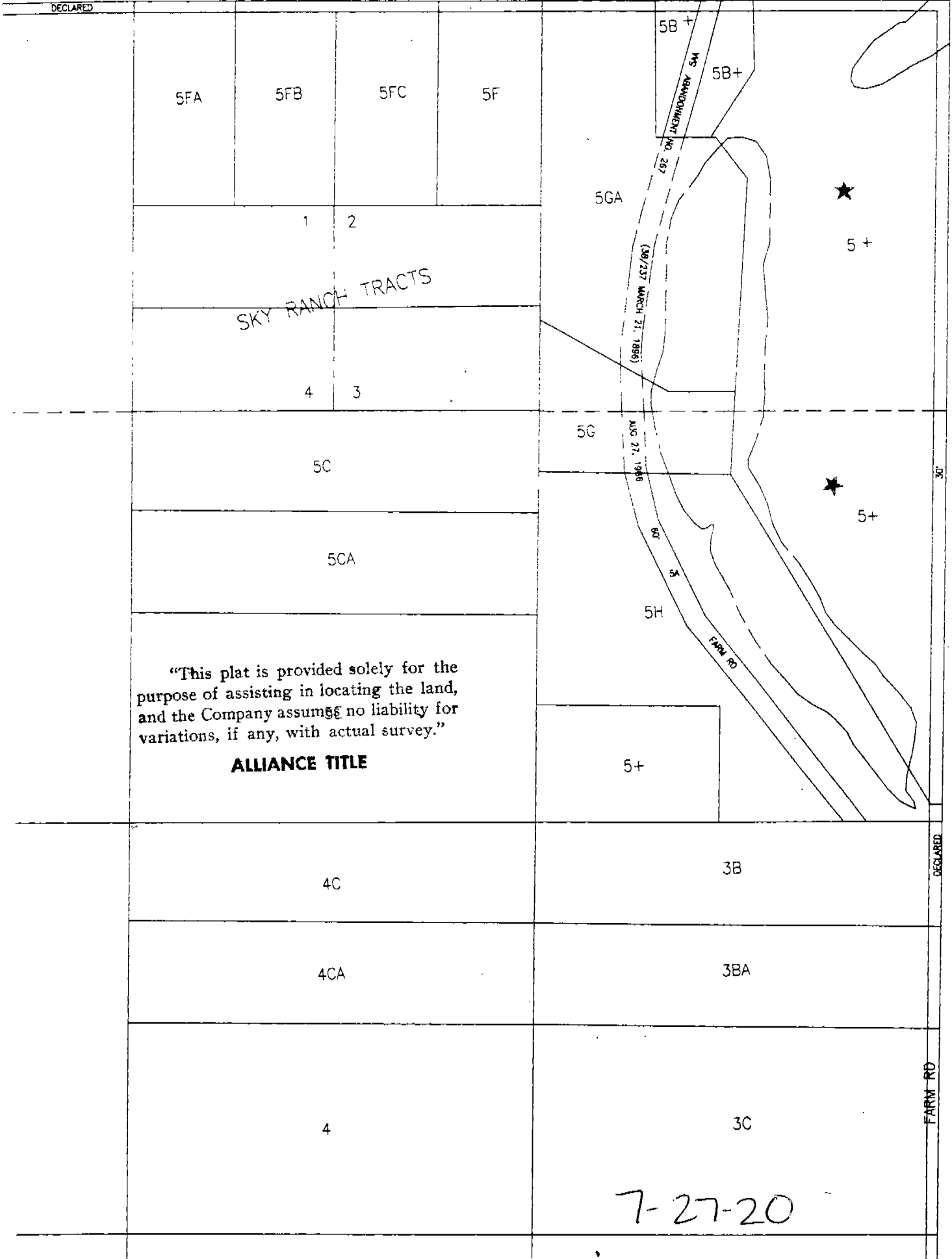
2001352 | 0450

9. Covenants, conditions and restrictions, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42. Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons as set forth in the document.
Recorded: March 9, 1993.
Instrument No.: 93-068-1154-0 of Official Records.
AND Modification(s) of said covenants, conditions and restrictions
Recorded: July 14, 2000
Instrument No.: 2000-196-1427-0, of Official Records.
10. Easements, reservations, restrictions, notes and/or dedications as shown on the official plat of Sky Ranch Addition.
11. An easement for the purpose shown below and rights incidental thereto as set forth in a document.
Granted to: Sky Ranch Water Users Association, Inc.
Purpose: a non-exclusive easement 20 feet in width for the repair, maintenance, replacement, installation and operation of a water distribution system and related equipment...
Recorded: May 30, 2001.
Instrument/File No. 2001-150-1110-0, of Official Records.
12. A Deed of Trust to secure an indebtedness in the amount show below and any other obligations secured thereby:
Amount: \$140,000.00.
Trustor/Grantor: Timothy R. Birk and Julie C. Birk.
Trustee: First American Title Insurance Co.
Beneficiary: PHH US Mortgage Corporation.
Recorded: August 25, 1993.
Instrument No.: 93-237-1621-0, of Official Records.
13. A Mortgage to secure an indebtedness as shown below and any other obligations secured thereby:
Amount: \$75,000.00.
Mortgagor: Tim Birk.
Mortgagee: Glacier Bank.
Recorded: October 13, 2000.
Instrument No.: 2000-287-1622-0, of Official Records.
14. No search has been made for water rights or unpatented mining claims and liability thereon is excepted from this certificate.
15. The property described is located in the Somers Fire District.

END OF SCHEDULE B



2001352 10450



"This plat is provided solely for the purpose of assisting in locating the land, and the Company assumes no liability for variations, if any, with actual survey."

ALLIANCE TITLE

DECLARED

FARM RD

7-27-20

200135210450

SURV-CAP MARKED "DOYLE 28165" FOR SECTION CORNER

HAR T CH W CORNER

80' DECLARED COUNTY ROAD "FARM ROAD"

S89°43'00"E

LINE OF BEARING

2856.24'

828.05'

0.519
8673

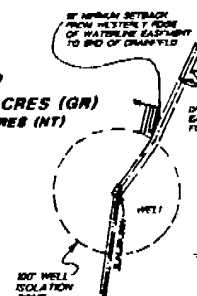
LOT 1
7.832 ACRES (GR)
6.717 ACRES (NT)

LOT 2
9.670 ACRES (GR)
8.878 ACRES (NT)

LOT 3
5.001 ACRES (GR)
4.680 ACRES (NT)

LOT 4
5.001 ACRES (GR)
4.680 ACRES (NT)

LOT 5
5.001 ACRES (GR)
4.032 ACRES (NT)



807074.78'

2884.08'

2884.08'

FOUND 5/8" RE-BAR WITH PLASTIC SURV-CAP MARKED "BURTON 64285" FOR QUARTER CORNER

ATTORNEY OF COUNTY ATTORNEY:

THE OFFICE OF THE COUNTY ATTORNEY

200135210450

CONSENT TO PLAT

We, the undersigned, PHH US MORTGAGE CORPORATION, do hereby consent to the platting of the real property described as "LOT 2 OF SKY RANCH ADDITION", attached hereto, and by this reference made a part hereof.

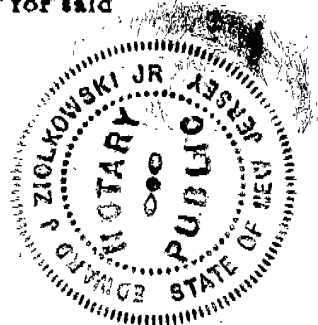
PHH US MORTGAGE CORPORATION

BY Marc Hinkle Marc Hinkle
Vice President

STATE OF NEW JERSEY)
County of BURLINGTON)
SS

On this 31 day of AUGUST, 2001, before me, the undersigned, a Notary Public for the State of NEW JERSEY, personally appeared MARC HINKLE, and known to me to be the VICE PRESIDENT of PHH US MORTGAGE CORPORATION and who subscribed his name to the within instrument and acknowledged to me that he executed the same for said Corporation.

Edward J. Ziolkowski Jr.
Notary Public for the State of
Residing at _____ EDWARD J. ZIOLKOWSKI JR
My Commission Expires _____ NOTARY PUBLIC
STATE OF NEW JERSEY
COMMISSION EXPIRES 04/05/2005



200135210450

CONSENT TO PLAT

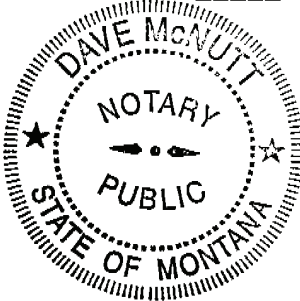
We, the undersigned, GLACIER BANK, do hereby consent to the platting of the real property described as "SKY RANCH ADDITION", attached hereto, and by this reference made a part hereof.

GLACIER BANK

BY *Dennis Beams* SRP

STATE OF MONTANA)
 SS
County of Flathead)

On this 22 day of OCTOBER, 2001, before me, the undersigned, a Notary Public for the State of Montana, personally appeared DENNIS BEAMS, and known to me to be the SR. VICE PRESIDENT of GLACIER BANK and who subscribed his name to the within instrument and acknowledged to me that HE executed the same for said Corporation.



Dave McNutt
Notary Public for the State of Montana
Residing at Kalispell
My Commission Expires 05-04-03