

**AGENDA**  
**STILLWATER**  
**COUNTY PLANNING BOARD**

Wednesday, October 7<sup>th</sup>, 2020 at 7:00 p.m.

**Stillwater County Pavilion**

**328 5<sup>th</sup> Ave N**

Columbus, MT

**I. CALL TO ORDER:**

**II. ROLL CALL**

**A. Public comments on matters within the County Planning Board jurisdiction pursuant to § 2-3-103, MCA will be accepted on any public matter that is not scheduled on the agenda. No action will be taken at this time.**

**B. Disclosure of Conflicts of Interest and Ex Parte Communications**

**III. MINUTES OF LAST MEETING:**

**IV. PUBLIC HEARING**

**A. Hillbrook Subdivision Phase 4 Development**

- i. Overview from Staff
- ii. Open Public Hearing
- iii. Public Comment
- iv. Close Public Hearing

**V. NEW BUSINESS:**

**VI. OLD BUSINESS:**

**A. Update on Development Regulations**

**VII. ADJOURN:**

**STILLWATER COUNTY PLANNING BOARD  
MINUTES OF MEETING**

Wednesday, September 2nd, 2020 at 7:00p.m.  
Stillwater County Pavilion,  
328 5<sup>th</sup> Avenue N., Columbus, MT

**BOARD MEMBERS PRESENT:** Jerry Edwards, Carolyn Hutson, Ray Karls, Dan Sayer, Bob VanOosten, Gary Enstrom, Steve Arnold, and Karen Heyneman via phone

**BOARD MEMBERS NOT PRESENT:** Curtis Jacobs

**STAFF:** Forrest Mandeville, Stephanie Ray, and Christine Baker

**OTHERS:** Fiona Nave

**I. CALL TO ORDER.** Gary Enstrom President of the board called the meeting to order at 7:00 p.m.

**A. Public Comments.** Nothing at this time

**B. Disclosures of Conflicts of Interest and Ex-Parte Communications.** Nothing at this time.

**II. MINUTES:**

**A. Minutes:** Motion to approve Jerry, second Bob; motion passed.

**III. NEW BUSINESS:**

**A. Key O Conservation:** The Noel Keogh family is working with the Montana Land Reliance and would like to place a conservation easement on their 4,331 acre property in Stillwater County near Nye. The property includes Stillwater River frontage and is comprised of native grasses, prairie and forest. The easement would protect wildlife habitat for elk, mule and whitetail deer, black bear, sharptail grouse and there is a buffalo jump that still has visible drive lines. Forrest addressed the board on the conservation easement definitions, restrictions and tax break benefits. Montana code requires the local planning authority to review and comment on conservation easements but such comments are not binding and are simply advisory in nature. Carl made a motion to direct Planning Staff to send a letter to the Montana Land Reliance that there are no conflicts with planning strategies. Steve seconded; motion passed.

#### IV. UNFINISHED BUSINESS:

##### A. County Wide Zoning Discussion and Permit Process

1. **Conditional Use Permit** (page 7, Section V): Forrest provided an overview of the Conditional Use Permit including application and administrative procedures, application contents, Planning Staff and Zoning Commission review, Zoning Commission recommendation to Governing Body, approval criteria and the Governing Body approval and final issuance of permit. Jerry made a motion to approve the Conditional Use Permit with amended language to add “adjacent properties” to page 10 section V(5)(c), site design. Carl seconded; motion passed.
2. **Scenic Corridor Signage** (page 12, Section VI): This corridor would extend 300 feet from and parallel to Highway 78 in Stillwater County. Forrest explained that this would only extend to highway 78 within the County’s jurisdiction, not within the city of Columbus. Forrest discussed signage criteria, application and administrative procedures, review and approval and exclusions. Jerry made a motion to include the word “signage” to page 6 section III(d)(1), Steve seconded; motion passed. Dan made a motion to pass the Scenic Corridor Signage regulations, Jerry seconded; motion passed.
3. **Variiances** (page 13, Section VII): Planning staff discussed the variance request process; application submittal requirements, staff review, Board of Adjustment review, approval /issuance of permit. Ray made a motion to adopt the variiances, Jerry seconded; motion passes.
4. **Enforcement, Violations and Complaint Procedure** (page 16, Section VIII): Forrest expounded on Code Enforcement Officer duties, powers and responsibilities, violations and penalties. Ray made a motion to approve, Jerry seconded; motion passes.
5. **Appeal Procedure** (page 17 Section IX): Forrest outlined the appellate process for a any party aggrieved by an administrative decision of the Planning Staff may appeal to the Board of Adjustment. Any party aggrieved by a decision of the Board of Adjustment may appeal that decision to District Court in writing within 30 days of the decision. Any party aggrieved by a decision of the Board of County Commissioners may appeal that decision to District Court in writing within 30 days of the decision. Dan made a motion to approve the Appeal Procedure as written, Steve seconded; motions passes.
6. **Development Review Checklist and Application- Draft:** Planning Staff provided a rough draft form of the proposed Development Review Checklist and Application. Stephanie explained that this is the Planning Department’s first attempt at a hybrid form for a one time stop shop for the public. Discussion was had by the board and Planning Staff to consolidate the permitting process and work towards a cohesive look for permits/forms. Ray made a motion to forward with changes made to the Board of Commissioners for a work session, Jerry seconded; motion carries.

**V. ADJOURN:** Jerry made a motion to adjourn the meeting at 8:24pm. Steve seconded; motion passed.

The next meeting will be on October 7<sup>th</sup>, 2020 at 7:00 p.m. at the Pavilion.

Christine Baker, Planning

# Memo



**To:** STILLWATER COUNTY PLANNING BOARD

**From:** FORREST J. MANDEVILLE, AICP – CONTRACT PLANNER

**Date:** SEPTEMBER 30, 2020

**Re:** HILLBROOK ESTATES MAJOR SUBDIVISION, FOURTH PHASE, PRELIMINARY PLAT

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**REQUIRED PLANNING BOARD ACTION:** Review preliminary plat, receive testimony during public hearing, and make a recommendation to the County Commission.

**RECOMMENDATION:** **Approval with conditions.**

**RECOMMENDED MOTION:** *Having received and considered the application materials, project memorandum, public comments and all of the information presented, I hereby move to recommend approval of the Preliminary Plat of the Hillbrook Estates Major Subdivision, Fourth Phase, with the findings and conditions included in the project memorandum.*

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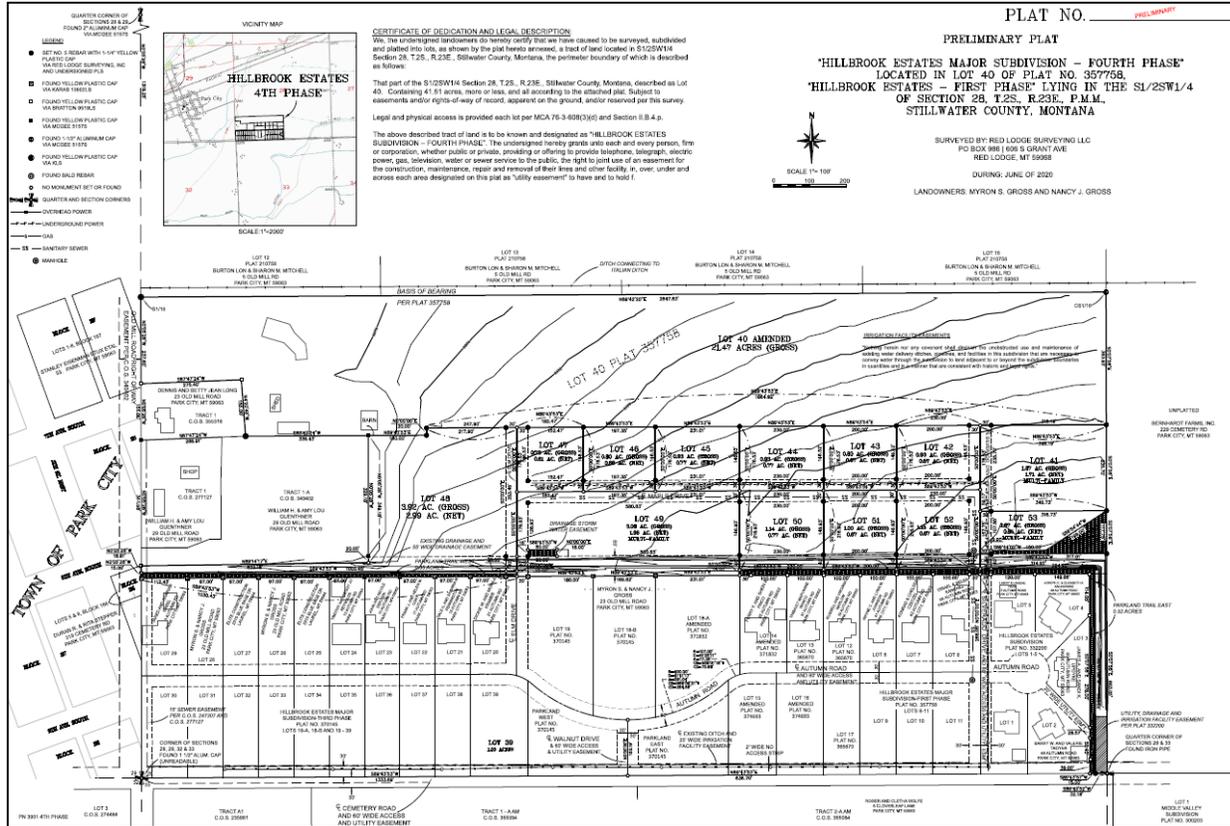
## **Project/Application Summary:**

Engineering West, on behalf of Myron and Nancy Gross, has submitted a preliminary plat application and materials for the Hillbrook Estates Major Subdivision, Fourth Phase. Red Lodge Surveying is the surveyor on the project.

The proposed 14 lot subdivision is adjacent to and a continuation of the previous phases of the Hillbrook Estates Major Subdivision development. The prior phases included access points to this site in anticipation of future development.

Hillbrook Estates Major Subdivision, fourth Phase, contains 41.5 acres, 11 single-family residential lots, 3 multi-family residential lots, and two parkland/trail areas. Private covenants are proposed that would allow four of the lots (the three multi-family lots and one of the larger single-family lots) to have either single-family, multi-family, townhome/condo, or storage facilities.

The proposed subdivision is located east of Park City on Old Mill Road north of the previous phases of Hillbrook Estates Major Subdivision. Access is provided from Old Mill Road (to an existing home), and from Elm Drive and Silverado Drive; the legal description is Lot 40, Hillbrook Estates Major Subdivision, First Phase, Plat 357758, in Section 28, T2S, R23E, Stillwater County, Montana.



**Required Planning Board Action:**

The Planning Board is tasked under the Subdivision Regulations with reviewing the preliminary plat, holding a public hearing, and making a recommendation to approve, approve with conditions, or deny the requested subdivision to the Stillwater County Commissioners based upon the criteria outlined below.

Under the adopted County Subdivision Regulations, the basis for the governing body’s decision to approve, conditionally approve, or deny a subdivision shall be whether the preliminary plat, plat supplements, Planning Office reports, Planning Board recommendation, findings of fact, and any requested additional information demonstrate the development of the subdivision would be in conformance with the provisions of the subdivision regulations.

**Subdivision Regulations – Compliance Review/Findings Summary:** (Section references are to the Stillwater County Subdivision Regulations unless otherwise noted)

**1. SECTION II OF APPENDIX A and MCA 76-3-608(3)(a) – SUMMARY OF PROBABLE IMPACTS** – Except where exempt by state law, all subdivisions must be reviewed for the impact on

agriculture, agricultural water user facilities, local services, the natural environment, wildlife, wildlife habitat, and public health and safety.

(Also see applicant’s submitted Environmental Assessment and Community Impact Statement responses for additional information).

**A. EFFECT ON AGRICULTURE:**

Of the 41.5 acre site, approximately 20 acres will be removed from agricultural production as a result of this subdivision. Of those 20 acres, approximately 25% is classified prime farmland if irrigated, with the balance classified as farmland of statewide importance. Lot 40 Amended is 21.47 acres and will presumably remain under the ownership of the developer and in agricultural production. The proposed covenants allow Lot 48, which is 3.92 acres (2.99 net) in size, to have two horses/two cows (four animals total), and less than 10 chickens, but no roosters.

This subdivision will continue a trend in the area of agriculturally productive land being converted into residential housing.



**Looking Northeast Across Subdivision, Lot 40 (right) and Lots 41-53 (left)**

**B. EFFECT ON AGRICULTURAL WATER USER FACILITIES:**

There is a ditch on the north side of Lot 40 Amended which connects to the Italian Ditch. There is also a drainage ditch on the southern side of the subdivision in an existing 55-foot easement. A portion of the drainage ditch along the south side of Lot 59 has been culverted and filled in, according to the applicant, with a “15-inch diameter pipe and bedded with washed rock around the pipe to facilitate water flow.” The applicant proposes to co-locate trail easements in portions of the drainage ditch easement to provide for the parkland dedication requirement.

As long as easements are provided and shown on the final plat, impacts to agricultural water user facilities should be minimal. The final plat should also include the standard irrigation easement language per Section IV.N.: "The undersigned hereby grants unto each and every person, firm, or corporation that has a documented water right or agricultural water user facility, as shown on this plat, an easement for the maintenance and repair of said agricultural water user facilities shown on the plat."



**Drainage Ditch on South Side of Subdivision, on East Side (right) and in Vicinity of Lot 49 (left)**

**C. EFFECT ON LOCAL SERVICES:**

As long as recommended conditions are met, the proposed subdivision should have minimal impacts on local services.

The applicant included comments from Sheriff Kem, which indicate that response times are dependent on the location of deputies at the time of the call; anywhere from 1 to 30 minutes.

The Park City Rural Fire District notes a concern with the multi-family lots, and due to the size and residency of the buildings requests additional water supply in the multi-family areas. There is an existing 30,000 gallon dry hydrant located on Walnut Drive which serves the entire Hillbrook Estates development, and the subdivision, as designed, meets the requirements in Section IV.Q. However, buildings other than one or two-family dwelling are required by the State Building Code and the Stillwater County Subdivision Regulations to meet the requirements of the Uniform Fire Code. A requirement that the existing dry hydrant is pump tested to ensure it is functioning properly will demonstrate the required water supply is met.

The Stillwater County Solid Waste Department has not provided a response specific to this subdivision, but typically, the assessment of \$146 per lot, per year covers the cost of providing service to the subdivision.

The US Post office has not responded to a request for comment. In previous phases the Post Office has requested boxes be located on the North side of the road to facilitate mail delivery.

The proposed lots will be served by individual private wells. Sewer service will be provided by the Park City Water and Sewer District.

The applicant included comments from Superintendent Grabowska stating that Park City Schools could absorb the increased number of students. The current practice of picking students up on Old Mill Road would continue unless a large number of students living within the subdivision necessitate a route change.

Access for the subdivision is provided by Elm Drive and Silverado Drive, both private roads providing connection south to the previous phases of the Hillbrook Estates development. Silverado Drive provides access on to Cemetery Road, while Elm drive access Autumn Road, which provides access to Cemetery and Old Mill Roads. Cemetery Road and Old Mill Road are County owned and maintained and have an asphalt surface.

Elm Drive is paved with an asphalt surface, while Silverado Drive is unpaved. Elm and Silverado Drive will be extended north through the subdivision, and a new private road, Maple Drive, will provide east-west access through the subdivision. The developer has proposed building Maple Drive, and Silverado and Elm Drive to the intersection with Maple Drive, to County standard with Asphalt surfacing. Building the full length of Silverado, from the intersection with Autumn Road to the north terminus of the subdivision, and Elm from the intersection with Maple to the north terminus of the subdivision will ensure continuation of existing streets and provide access to Lot 40 Amended in the event of its subsequent subdivision, as well as provide more defined boundaries for future development. No sidewalks, curb, or gutter is proposed; drainage will be provided by roadside swales per DEQ review and approval.

Lot 40 Amended will utilize existing access to Old Mill Road, as well as have access via Elm Drive and Silverado Drive.

The Applicant included a Traffic Analysis Report in the preliminary plat application. The report anticipates an additional 202 traffic trips per day generated by this subdivision. This will contribute to the existing traffic volume in the vicinity of the subdivision. The report concludes that “there is a robust and adequate infrastructure capable of handling the existing and proposed development.”

The Declaration of Restrictions, Covenants and Conditions initially included “business type” structures would be allowed on Lots 41, 48, 48, and 53. This should be removed in the final document, as the material submitted with the preliminary plat, including the Traffic Analysis Report do not anticipate business type development.



**Unpaved Portion of Silverado Drive on East Side of Subdivision (right) and Elm Drive on West Side of Subdivision (left)**

**D. EFFECT ON THE NATURAL ENVIRONMENT:**

No negative effects to the natural environment are anticipated upon compliance with the recommended conditions of approval.

There are no foreseen impacts on air quality, scenic resources, historic, prehistoric, or cultural resources, or wetlands. As included in the recommended conditions of approval, the subdivision and proposed well and sewer provisions must be reviewed and approved by the Montana Department of Environmental Quality (DEQ), the County Sanitarian, and the Park City Water and Sewer District, as applicable.

A noxious Weed Management Plan must be entered into prior to final plat.

No water rights will be transferred or obtained as part of this subdivision. The applicant has submitted a letter of predetermination from the Montana Department of Natural Resources and Conservation (DNRC) stating that the proposed subdivision anticipates a usage of 9.9 acre-feet of water per year for an additional 10 single-family lots and three multi-family lots containing four four-plex units. It should be noted that the private covenants allow for four multi-family lots. Additional development beyond what is reviewed/approved by DEQ and DNRC may subject the development to a requirement to obtain a water right. The proposed private covenants do reference usage restrictions per DNRC.

The Montana State Historic Preservation Office reports that “As long as there will be no disturbance or alteration to structures over fifty years of age, we feel that there is a low likelihood cultural properties will be impacted. We, therefore, feel that a recommendation for a cultural resource inventory is unwarranted at this time.”

E. EFFECT ON WILDLIFE:

The applicant provided comments from the Montana Department of Fish, Wildlife and Parks (FWP) as part of their application. These comments indicate that homeowners should be made aware that they may have deer on their property, and unless they take steps to deter the animals (such as fencing) they may have damage problems. It is illegal to feed game animals and any feeding of wildlife is discouraged, as it may unnaturally concentrate animals. This may result in higher likelihood for damage to property, disease proliferation, and attract predators such as bears and mountain lions. Bear attractants should be stored indoors or in bear-proof containers. FWP does not provide direct assistance unless there is damage to commercial agriculture crops in non-residential areas, or a threat to the public health and safety such as in the case of nuisance mountain lions. Advisory language is proposed in the SIA, but should be updated to remove references to the Blue Creek area.

F. EFFECT ON WILDLIFE HABITAT:

No critical wildlife habitat has been identified on the property. Comments provided from the Montana Department of Fish, Wildlife and Parks (FWP) indicate the subdivision is being built in proximity to deer, bear, and mountain lion habitat. Some subdivisions in similar habitat report considerable and on-going problems with deer damaging landscaped shrubs, flowers, and gardens. Advisory language has been included in the proposed SIA, but should be updated to include bear and mountain lion instead of antelope, and to remove references to the Blue Creek area.

G. EFFECT ON PUBLIC HEALTH AND SAFETY:

The Park City Rural Fire District reports concerns with the addition of multi-family lots, and requests additional water supply be required due to the size and residency of the buildings. A requirement that the existing dry hydrant is pump tested to ensure it is functioning properly will demonstrate the required water supply is met.

The Stillwater County Sheriff's Office reports response times from 1 to 30 minutes depending on deputy location.

See section C "Effect on Local Services" for discussion of similar review criteria in regards to service provider comments.

See section D "Effect on the Natural Environment" for discussion of similar review criteria in regards to well, sewer, and drainage permitting.



**Dry Hydrant South of Proposed Subdivision, on Walnut Drive**

**2. REQUIREMENTS OF THE MONTANA SUBDIVISION AND PLATTING ACT, UNIFORM STANDARDS FOR MONUMENTATION AND LOCAL SUBDIVISION REGULATIONS:**

Upon compliance with the recommended conditions of approval, the requirements of the Montana Subdivision and Platting Act and Uniform Standards for Monumentation and local subdivision regulations shall be met.

Parkland dedication is required for this development pursuant to 76-3-621 MCA. The developer proposes to satisfy this requirement by providing lineal trails. It should be noted that Parkland Trail East (while providing pedestrian connection from Cemetery Road to Silverado Drive) terminates at the corner of Lots 49 and 50 to the north, and Lots 14 and 18-A of previous phases to the south with no legal access across any of the mentioned lots. While not required, it may be desired to have trail connectivity through the subdivision in order to minimize the potential for foot traffic across private property without legal access. Parkland Trail West provides a pedestrian connection from Old Mill Road to Elm Drive. Maintenance of the Parkland areas should be provided for in the Property Owners' Association.

There is a mortgage on the property. Lienholders' consent to the subdivision will need to be provided prior to filing the final plat.



**Parkland Trail East on East Side of Subdivision**

**3. EASEMENTS FOR UTILITIES:**

As noted in the recommended conditions of approval, easements for utilities must be provided on the final plat according to the subdivision regulations and service provider requirements.

**4. LEGAL AND PHYSICAL ACCESS:**

Access is provided from Old Mill Road, a County road, to Lot 40 Amended, and from Silverado Drive, Maple Drive, and Elm Drive, private roads, for Lots 41-53. Language required on the plat regarding legal and physical access is also a recommended condition of approval.

**5. CONFORMANCE TO ADOPTED GROWTH MANAGEMENT PLAN:**

Upon compliance with the recommended conditions of approval, the proposed subdivision complies with the Stillwater County Growth Policy.

**Recommended Preliminary Plat Conditions of Approval:**

MCA 76-3-608 (4) and the Subdivision Regulations of Stillwater County may require the subdivider to design the proposed subdivision to reasonably minimize potentially significant adverse impacts identified through the review process. In reviewing a proposed subdivision and requiring mitigation the County may not unreasonably restrict a landowner's ability to subdivide land, but it is recognized that in some

instances the unmitigated impacts of a proposed development may be unacceptable and will preclude approval of the subdivision. The County shall, however, give due weight and consideration to the expressed preference of the subdivider.

Given these issues and guidelines, and in consideration of the findings included in this report, the Planning Board should consider the following conditions in any recommendation of approval of the Hillbrook Estates Major Subdivision – Fourth Phase (section references are to the Stillwater County Subdivision Regulations unless otherwise noted):

1. Consent to subdivide shall be provided from the lienholder prior to final plat.
2. Filing of the final plat shall be subject to review and approval by the Montana Department of Environmental Quality and County Sanitarian of any new water, wastewater, storm water drainage, and solid waste provisions, as applicable.
3. The final plat shall contain a statement that legal and physical access is provided to each lot per MCA 76-3-608 (3)(d) and Section II.B.4.p.
4. Utility easements shall be provided and dimensioned as required in Section IV.M. on the final plat.
5. Per Section IV.M.8., the final plat shall show the location of all existing and required utility easements, and must include the following statement: “The undersigned hereby grants unto each and every person, firm or corporation, whether public or private, providing or offering to provide telephone, telegraph, electric, power, gas, cable television, water or sewer service to the public, the right to the joint use of an easement for the construction, maintenance, repair and removal of the lines and other facilities, in, over, under and across each area designated on this plat as “Utility Easement” to have and hold forever.”
6. Per Section IV.N the final plat shall show the location of all existing ditch easements, and must include the following statement: "The undersigned hereby grants unto each and every person, firm, or corporation that has a documented water right or agricultural water user facility, as shown on this plat, an easement for the maintenance and repair of said agricultural water user facilities shown on the plat.”
7. The final plat shall be submitted in compliance with Section II.C.
8. A Subdivision Improvements Agreement (SIA) shall be filed with the final plat, and reflect the full name of the subdivision: Hillbrook Estates Major Subdivision – Fourth Phase.
9. The final SIA shall reflect that the subdivision is in close proximity to deer, bear, and mountain lion habitat. References to the Blue Creek area shall be removed from the SIA.
10. The Declaration of Restrictions, Covenants and Conditions shall be filed with the final plat and shall reflect the removal of “business type” developments from the allowable uses within the subdivision.

11. All proposed roads shall be built to County standard with an asphalt surface. Silverado Drive shall be built from the intersection with Autumn Road to the north terminus of the road easement as shown on the preliminary plat. Elm Drive shall be built through the subdivision to the north terminus of the road easement.
12. All public improvements, including road construction, shall be completed prior to final plat, or guaranteed in a manner acceptable to the County.
13. A Noxious Weed Management Plan shall be approved and entered into with the Weed District, and filed with the final plat.
14. In order to ensure the dry hydrant on Walnut Drive is functioning properly, the hydrant should be pump tested and evidence presented prior to final plat that it meets the water supply requirement per Section IV.Q.3.
15. The final plat shall contain the following statement: Lots 42-47, and Lots 50-52 were reviewed and approved contemplating the use as one single-family residence per lot; Lots 41, 48, 49, and 53 were reviewed and approved contemplating the use as single-family residences, multi-family residences, townhome/townhouse/condominium development, or storage facility.
16. Maintenance of the parkland areas shall be included in the Property Owners' Association documents, which shall be filed with the final plat.

These are preliminary issues or conditions that are recommended to be addressed. Others may arise as additional review agencies/service providers respond or others may arise at the Planning Board meeting.

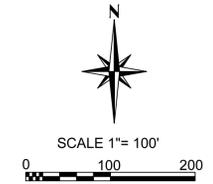
PRELIMINARY PLAT

"HILLBROOK ESTATES MAJOR SUBDIVISION - FOURTH PHASE" LOCATED IN LOT 40 OF PLAT NO. 357758, "HILLBROOK ESTATES - FIRST PHASE" LYING IN THE S1/2SW1/4 OF SECTION 28, T.2S., R.23E., P.M.M., STILLWATER COUNTY, MONTANA

SURVEYED BY: RED LODGE SURVEYING LLC PO BOX 986 | 606 S GRANT AVE RED LODGE, MT 59068

DURING: JUNE OF 2020

LANDOWNERS: MYRON S. GROSS AND NANCY J. GROSS

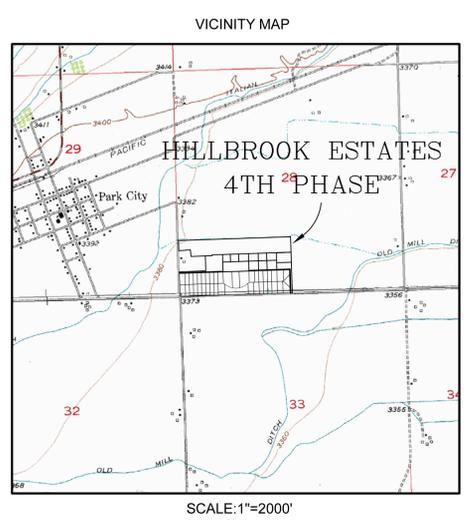


CERTIFICATE OF DEDICATION AND LEGAL DESCRIPTION: We, the undersigned landowners do hereby certify that we have caused to be surveyed, subdivided and platted into lots, as shown by the plat hereto annexed, a tract of land located in S1/2SW1/4 Section 28, T.2S., R.23E., Stillwater County, Montana, the perimeter boundary of which is described as follows:

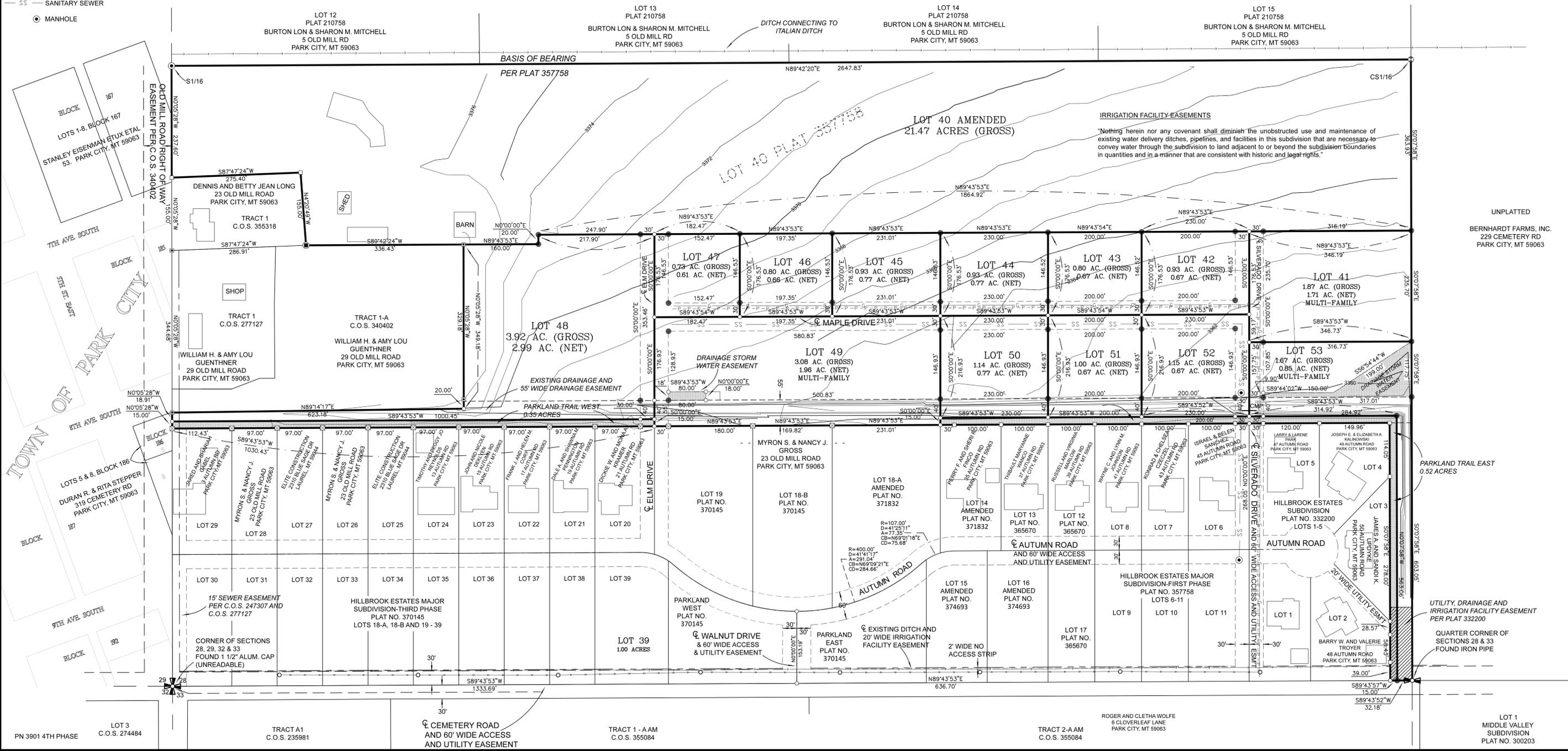
That part of the S1/2SW1/4 Section 28, T.2S., R.23E., Stillwater County, Montana, described as Lot 40. Containing 41.51 acres, more or less, and all according to the attached plat. Subject to easements and/or rights-of-way of record, apparent on the ground, and/or reserved per this survey.

Legal and physical access is provided each lot per MCA 76-3-608(3)(d) and Section II.B.4.p.

The above described tract of land is to be known and designated as "HILLBROOK ESTATES SUBDIVISION - FOURTH PHASE". The undersigned hereby grants unto each and every person, firm or corporation, whether public or private, providing or offering to provide telephone, telegraph, electric power, gas, television, water or sewer service to the public, the right to joint use of an easement for the construction, maintenance, repair and removal of their lines and other facility, in, over, under and across each area designated on this plat as "utility easement" to have and to hold f.



- LEGEND: SET NO. 5 REBAR WITH 1-1/4" YELLOW PLASTIC CAP VIA RED LODGE SURVEYING, INC AND UNDERSIGNED PLS; FOUND YELLOW PLASTIC CAP VIA KARAS 13602LS; FOUND YELLOW PLASTIC CAP VIA BRATTON 9519LS; FOUND YELLOW PLASTIC CAP VIA MCGEE 5157S; FOUND 1-1/2" ALUMINUM CAP VIA MCGEE 5157S; FOUND YELLOW PLASTIC CAP VIA KLS; FOUND BALD REBAR; NO MONUMENT SET OR FOUND; QUARTER AND SECTION CORNERS; OVERHEAD POWER; UNDERGROUND POWER; GAS; SANITARY SEWER; MANHOLE.



IRRIGATION FACILITY EASEMENTS: Nothing herein nor any covenant shall diminish the unobstructed use and maintenance of existing water delivery ditches, pipelines, and facilities in this subdivision that are necessary to convey water through the subdivision to land adjacent to or beyond the subdivision boundaries in quantities and in a manner that are consistent with historic and legal rights.

UNPLATTED: BERNHARDT FARMS, INC. 229 CEMETERY RD PARK CITY, MT 59063

UTILITY, DRAINAGE AND IRRIGATION FACILITY EASEMENT PER PLAT 332200; QUARTER CORNER OF SECTIONS 28 & 33 FOUND IRON PIPE