



PROPERTY PROFILE

823 Ollie Street, Billings, MT 59106

Amber Uhren

Realty Billings

PHONE #406-670-1942

EMAIL: amber@realtybillings.com

PROPERTY PROFILE PREPARED FOR YOU BY:

KORTNY MAURER

KORTNY@FIRSTMONTANATITLE.COM

406.869.9672

This information is furnished without charge, liability, or obligation by First Montana Title Company of Billings in conformance with the rules established by Montana Insurance Commissioner.

DATE: October 9, 2024

PROPERTY PROFILE

RECORD OWNER: Brian G. and Michol E. Powell

ADDRESS: 823 Ollie Street, Billings, MT 59106

TRUST INDENTURES/MORTGAGES/CONTRACTS: None located

TAX INFORMATION: C12735 See Attached.

RESTRICTIONS: See Attached.

LEGAL DESCRIPTION:

Lot 1, Block 1, of McMahon Subdivision, in Yellowstone County, Montana, according to the official plat on file in the office of the Clerk and Recorder of said County, under Document No. 3073125.



Yellowstone County, Montana

Property Tax Detail For C12735



TaxCode: C12735

Owner Listed On Last Tax Statement

Last Updated: September 29, 2024

Primary Owner: POWELL, BRIAN G & MICHOL E

Owner as of September 29, 2024

Primary Owner Name: POWELL, BRIAN G & MICHOL E

2024 Mailing Address

Mailing Address: POWELL, BRIAN G & MICHOL E
823 OLLIE ST
BILLINGS, MT 59106-3255

Property Information

Property Address: 823 OLLIE ST
Township: 01 S Range: 25 E Section: 17
Subdivision: MCMAHON SUBD Block: 1 Lot: 1
Full Legal: MCMAHON SUBD, S17, T01 S, R25 E, BLOCK 1, Lot 1, ACRES 1.524
GeoCode: 03-0926-17-2-13-13-0000

Levy District: 8 - ELDERGROVE (494.93 Mills)

2023 Assessed Value Summary

Assessed Land Value =	\$138,139.00
Assessed Building(s) Value =	\$381,861.00
Personal Property Value =	\$0.00
Total Assessed Value =	\$520,000.00

Assessed Value Detail Tax Year: 2023

Description	Tax Rate	Amount
Tract Land	1.35%	\$138,139.00
Improvements on Rural Land	1.35%	\$381,861.00
		Total: \$520,000.00

SID Payoff Information

Rural SID

NONE

Property Tax Billing History

Year	1st Half		2nd Half		Total
<u>2023</u>	2,056.00	P	2,056.00	P	4,112.00
<u>2023</u>	0.00		121.44	P	121.44
<u>2022</u>	1,743.12	P	1,743.11	P	3,486.23
<u>2021</u>	1,716.79	P	1,716.78	P	3,433.57
<u>2020</u>	1,803.84	P	1,803.82	P	3,607.66
<u>2019</u>	1,765.05	P	1,765.04	P	3,530.09
<u>2018</u>	1,704.74	P	1,704.73	P	3,409.47
<u>2017</u>	1,384.80	P	1,384.78	P	2,769.58
<u>2016</u>	1,284.00	P	1,283.98	P	2,567.98
<u>2015</u>	1,283.77	P	1,283.75	P	2,567.52
<u>2014</u>	1,107.37	P	1,107.35	P	2,214.72
<u>2013</u>	1,158.18	P	1,158.17	P	2,316.35
<u>2012</u>	1,054.85	P	1,054.84	P	2,109.69
<u>2011</u>	1,034.31	P	1,034.30	P	2,068.61
<u>2010</u>	1,034.25	P	1,034.24	P	2,068.49
<u>2009</u>	986.69	P	986.67	P	1,973.36
<u>2008</u>	981.53	P	981.50	P	1,963.03
<u>2007</u>	1,004.96	P	1,004.95	P	2,009.91
<u>2006</u>	1,014.91	P	1,014.89	P	2,029.80
<u>2005</u>	1,048.90	P	1,048.89	P	2,097.79
<u>2004</u>	1,014.37	P	1,014.35	P	2,028.72
<u>2003</u>	1,035.26	P	1,035.23	P	2,070.49
<u>2002</u>	950.24	P	950.22	P	1,900.46
<u>2001</u>	894.61	P	894.59	P	1,789.20
<u>2000</u>	860.28	P	860.28	P	1,720.56

(P) indicates paid taxes.

Jurisdictional Information

Commissioner: [District - 1](#)
[John Ostlund \(R\)](#)

Senate: [District - 27](#)
[Dennis Lenz \(R\)](#)

House: [District - 53](#)
[Nelly Nicol \(R\)](#)

PO Box 35000
Billings, MT 59107
406-256-2701 - Work

PO BOX 20752
Billings,
MT 59104
(406) 671-7052 -
Home

PO BOX 20692
Billings,
MT 59104
(406) 670-1745 -
Work

Ward: Outside City Limits

Precinct: [52](#)

High School: West

Middle School: Elder Grove

Elementary School: Elder Grove

Trustee: [School District](#)
[Trustee Links](#)

Clerk & Recorder Documents For Tax Code:

Recording #	Document type	Recorded Date	Document Date	Book	Page
		11/28/2000		0031	10848

Orion Detail

Owner Information

Primary Owner: POWELL, BRIAN G & MICHOL E

Tax Code: C12735

GeoCode: 03-0926-17-2-13-13-0000

Property Address: 823 OLLIE ST BILLINGS 59106

Legal Description: MCMAHON SUBD, S17, T01 S, R25 E, BLOCK 1, Lot 1, ACRES 1.524

Property Type: IMP_R - Improved Property - Rural

Site Information - [View Codes](#)

Levy District: 03-0972UF-8-UF

Location:

Neighborhood Code: 203.006

Fronting:

Parking type:

Parking Prox:

Utilities:

Access:

Lot Size: 1.524 Acres

Topography:

Residential Building

Type: SFR

Index: 0.93

Year Built: 1986

ECF: 0.95

Year Remodeled:	Degree Remodeled:
Effective Year:	Utility: Good (8)
Style: 03 - Ranch	Exterior: 1 - Frame - 6 - Wood Siding or Sheathing
Story Height: 1.0	Condition: Good (8)
Roof Type: 3 - Gable	Roof Material: 10 - Asphalt Shingle
Foundation: 2 - Concrete	Basement: 3 - Full
Central/AC: 3 - Gas	Grade-Factor: 5-1
Percent Complete: 100%	CDU:
Bedrooms: 4	Full Baths: 3
Family Rooms:	Half Baths: Addl Fixtr: 3
1st Floor: 1771	2nd Floor: 0
Additional Area: 0	Bsmt Fnsh: 1594
Basement: 1771	Heated Flr:
Half Floor: 0	Daylight Basement: N
Attic: 0	Built-in Garage:
Attic Type: 0 - None	Masonry F/P:
Total: * 3542	F/P Stacks:
	Pre Fab F/P:

* includes finished, unfinished & attic footprint area(s).

Residential Building Additions

Addition Code	Area(Sq Ft)
19 - Garage, Frame, Finished	1592
33 - Deck, Wood	195
11 - Porch, Frame, Open	65

Other Building and Yard Improvements

Code - Type	Quantity	Area/Unit	Classcode
RPA2 - Concrete	1	450	3301
RPA2 - Concrete	1	480	3301
RPA2 - Concrete	1	216	3301

GENERAL TAX DETAIL

Levy Description	1st Half	2nd Half	Total
COUNTY			
BRIDGE	\$12.21	\$12.21	\$24.42
COUNTY PLANNING	\$4.25	\$4.25	\$8.50
EXTENSION SERVICE	\$2.49	\$2.49	\$4.98
GENERAL FUND	\$116.08	\$116.08	\$232.16
LIABILITY & PROPERTY INSURANCE	\$7.37	\$7.37	\$14.74
LIBRARY	\$20.46	\$20.46	\$40.92
MENTAL HEALTH	\$3.16	\$3.16	\$6.32
METRA (CIVIC CENTER)&COUNTY FAIR	\$28.22	\$28.22	\$56.44
MUSEUM	\$6.21	\$6.21	\$12.42
PERMISSIVE MEDICAL LEVY	\$33.13	\$33.13	\$66.26
PUBLIC HEALTH	\$23.27	\$23.27	\$46.54
PUBLIC SAFETY - MENTAL HEALTH	\$10.46	\$10.46	\$20.92
PUBLIC SAFETY - SHERIFF	\$91.89	\$91.89	\$183.78
PUBLIC SAFETY- COUNTY ATTORNEY	\$39.14	\$39.14	\$78.28
ROAD	\$131.94	\$131.94	\$263.88
SENIOR CITIZENS-ELDERLY ACTIVITIES	\$13.37	\$13.37	\$26.74
WEED CONTROL	\$2.74	\$2.74	\$5.48
COUNTY TOTALS:	\$546.39	\$546.39	\$1,092.78
OTHER			
BIG SKY ECONOMIC DEVELOPMENT AUTHORITY	\$10.56	\$10.56	\$21.12
OTHER TOTALS:	\$10.56	\$10.56	\$21.12
SCHOOL			
ELEM & HIGH SCH TRANSPORTATION	\$8.60	\$8.60	\$17.20
ELEMENTARY RETIREMENT	\$80.66	\$80.66	\$161.32
HIGH SCHOOL RETIREMENT	\$45.98	\$45.98	\$91.96
SD #2 (BILLINGS) - HS ADULT EDUCATION	\$10.78	\$10.78	\$21.56
SD #2 (BILLINGS) - HS BUILDING RESERVE	\$3.23	\$3.23	\$6.46
SD #2 (BILLINGS) - HS DEBT SERVICE	\$3.86	\$3.86	\$7.72
SD #2 (BILLINGS) - HS GENERAL	\$132.71	\$132.71	\$265.42

SD #2 (BILLINGS) - HS TECHNOLOGY	\$10.57	\$10.57	\$21.14
SD #2 (BILLINGS) - HS TRANSPORTATION	\$23.90	\$23.90	\$47.80
SD #2 (BILLINGS) - HS TUITION	\$14.29	\$14.29	\$28.58
SD #8 (ELDER GROVE) ELEM BUILDING RESERV	\$9.06	\$9.06	\$18.12
SD #8 (ELDER GROVE) ELEM DEBT SERVICE	\$314.57	\$314.57	\$629.14
SD #8 (ELDER GROVE) ELEM FLEX	\$16.15	\$16.15	\$32.30
SD #8 (ELDER GROVE) ELEM GENERAL	\$110.00	\$110.00	\$220.00
SD #8 (ELDER GROVE) ELEM TRANSPORTATION	\$60.65	\$60.65	\$121.30
SD #8 (ELDER GROVE) ELEM TUITION	\$36.19	\$36.19	\$72.38
SCHOOL TOTALS:	\$881.20	\$881.20	\$1,762.40
STATE			
ACCREDITED HIGH SCHOOL	\$63.18	\$63.18	\$126.36
GENERAL SCHOOL	\$94.77	\$94.77	\$189.54
STATE EQUALIZATION AID	\$115.48	\$115.48	\$230.96
UNIVERSITY MILLAGE	\$21.06	\$21.06	\$42.12
VOCATIONAL-TECHNICAL SCHOOLS	\$4.56	\$4.56	\$9.12
STATE TOTALS:	\$299.05	\$299.05	\$598.10
TOTAL GENERAL TAXES	\$1,737.20	\$1,737.20	\$3,474.40

* = Voted Levy to impose a New Mill Levy

** = Voted Levy Increase to a Levy Submitted to Electors

*** = Voted Levy to Exceed Levy Limit (MCA 15-10-420)

SPECIAL ASSESSMENTS

Description	1st Half	2nd Half	Total
BIRE BIRELY DRAINAGE DISTRICT	\$5.00	\$5.00	\$10.00
BLGS URBAN FIRE DISTRICT	\$300.00	\$300.00	\$600.00
CRED COUNTY REFUSE DISTRICT	\$12.50	\$12.50	\$25.00
ELEM GEN: 6 ADD'L MILLS	\$0.00	\$42.12	\$42.12
HS GEN: 4 ADD'L MILLS	\$0.00	\$28.08	\$28.08
SOIL SOIL CONSERVATION	\$1.30	\$1.30	\$2.60
STATE EQ: 7.1 ADD'L MILLS	\$0.00	\$49.84	\$49.84
VO-TECH EQ: 0.2 ADD'L MIL	\$0.00	\$1.40	\$1.40
TOTAL SPECIAL ASSESSMENTS			

		\$318.80	\$440.24	\$759.04
General Taxes	District	Mill Levy	1st Half	2nd Half
ELDERGROVE	8	494.93	1,737.20	1,737.20

TOTAL TAXES DUE CURRENT YEAR:	\$4,233.44
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This property may qualify for a Property Tax Assistance Program. This may include: Intangible Land Value Assistance, Property Tax Assistance, Disabled or Deceased Veteran's Residential Exemption, and/or Elderly Homeowner's Tax Credit. Contact the Department of Revenue at (406)896-4000 for further information.

This Information is current as of 10/9/2024 9:09:27 AM

McMAHON SUBDIVISION

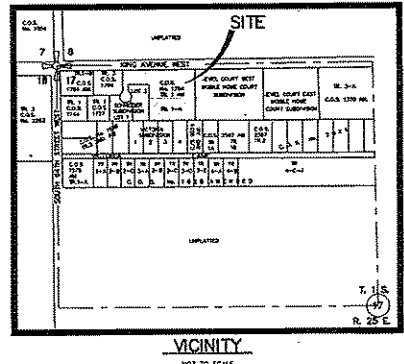
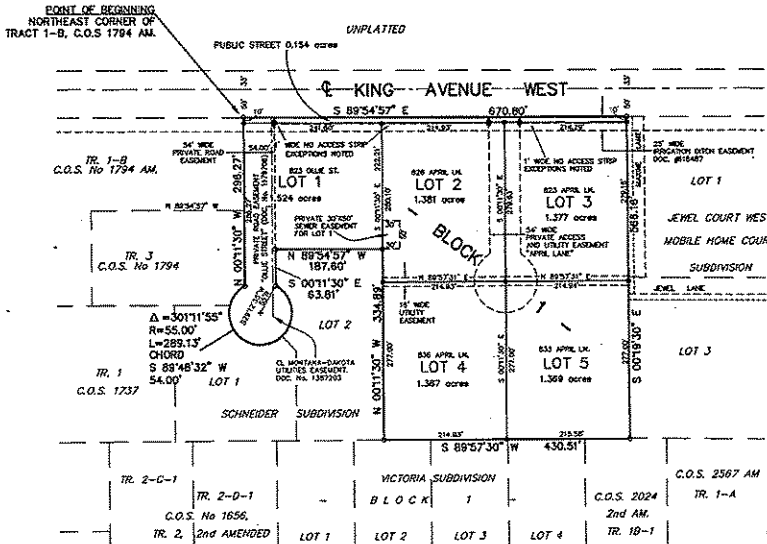
BEING TRACT 1-A OF CERTIFICATE OF SURVEY No. 1794 AMENDED
LOCATED IN THE NW1/4 OF SECTION 17, T. 1 S., R. 25 E., P.M.M.
YELLOWSTONE COUNTY, MONTANA

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

APRIL, 1998
BILLINGS, MONTANA

100 50 0 100 200
BASIS OF BEARING: CERTIFICATE OF SURVEY No. 1794

- FOUND PROPERTY CORNER
- SET 5/8" REBAR WITH CAP MARKED "ENG INC BLOS MT"
- ⚡ SET 5/8" REBAR WITH CAP MARKED "ESANT"



CERTIFICATE OF SURVEYOR
STATE OF MONTANA }
County of Yellowstone }

The undersigned, a Montana Registered Land Surveyor being first duly sworn, deposes and says that during the month of April, 1998, a survey was performed under his supervision of a tract of land to be known as McMAHON SUBDIVISION, in accordance with the request of the owner thereof and in conformity with the Montana Subdivision and Platting Act, said subdivision, description of boundaries and dimensions being in accordance with the Certificate of Dedication and as shown on the annexed plat; that the monuments found and set one of the character and occupy the positions shown thereon and that the gross area is 7.172 acres and the net area is 7.018 acres.

ENGINEERING, INC.
By: [Signature]
Montana Registration No. 03377-3
Date: September 23, 1999

Subscribed and sworn to before me, a Notary Public in and for the State of Montana, on this 21st day of September, 1999.
[Signature]
Notary Public in and for the State of Montana
Residing at Billings, Montana
My commission expires 1 Aug 2000

NOTICE OF APPROVAL
STATE OF MONTANA }
County of Yellowstone }

This plat has been approved for filing by the Yellowstone County Board of Planning and conforms to the recommendations of this board.
Date: 10/1/99
[Signature]
President
[Signature]
Executive Secretary

CERTIFICATE OF COUNTY TREASURER
I HEREBY CERTIFY THAT ALL REAL PROPERTY TAXES AND SPECIAL ASSESSMENTS HAVE BEEN PAID FOR MONTANA CODE ANNOTATED 76-3-811-15/78-3-267-13).
DATE: October 8, 1999
YELLOWSTONE COUNTY TREASURER
BY: [Signature] 11-16-99
DEPUTY

CERTIFICATE OF CITY/COUNTY HEALTH DEPARTMENT
This Subdivision Plat has been reviewed and approved by the Yellowstone City/County Health Department and the State Department of Environmental Quality.
[Signature]
Health Officer/Authorized Representative
Yellowstone City-County Health Department

CERTIFICATE OF EXAMINING LAND SURVEYOR
I hereby certify that the hereto annexed PLAT OF McMAHON SUBDIVISION meets the conditions pursuant to the Montana Subdivision and Platting Act 76-3-811(3)(c).
[Signature]
Examining Land Surveyor
Date: 10/31/99

CERTIFICATE OF DEDICATION
STATE OF MONTANA }
County of Yellowstone }

KNOW ALL MEN BY THESE PRESENTS that Larry and Brenda McMahon, the owners of the following described tract of land, do hereby certify that they have caused to be surveyed, subdivided and platted into lots, blocks and streets as shown on the annexed plat, said tract being situated in the NW1/4 of Section 17, T. 1 S., R. 25 E., P.M.M., Yellowstone County Montana, said tract being more particularly described as follows, to-wit:

Beginning at a point which is the northeast corner of Tract 1-B of Amended Tract 1 of Amended Certificate of Survey No. 1794; thence from said point of beginning, along the north right-of-way line of King Avenue West, S 89°54'37" E a distance of 670.80 feet; thence S 00°19'30" E a distance of 556.10 feet; thence S 89°54'37" W a distance of 430.51 feet; thence N 00°11'30" W a distance of 334.89 feet; thence N 89°54'37" W a distance of 187.80 feet; thence S 00°11'30" E a distance of 83.81 feet; thence along a non-tangent curve to the left (radius bearing S 20°12'33" W, date of 30°11'30" W) with a radius of 55.00 feet a distance of 295.13 feet; thence N 00°11'30" W a distance of 295.27 feet to the point of beginning.

There is no park requirement for this subdivision pursuant to Section 76-3-621(3)(a), M.C.A.
The undersigned hereby grant unto all utility companies, as such are defined and established by Montana Law, and cable television companies, an easement for the location, maintenance, repair and removal of their lines over, under and across the areas designated on the plat as "UTILITY EASEMENT" to have and hold forever.

Said tract to be known and designated as McMAHON SUBDIVISION, and the lots included in the additional King Avenue West right-of-way as shown on the annexed plat as "PUBLIC STREET" are hereby granted and donated to the use of the public forever.

[Signature]
Larry D. McMahon
[Signature]
Brenda J. McMahon

STATE OF MONTANA }
County of Yellowstone }

On this 21st day of September, 1999, before me, a Notary Public in and for the State of Montana, personally appeared Larry D. McMahon and Brenda J. McMahon, known to me to be the persons who signed the foregoing instrument and who acknowledged to me that they executed the same, witness my hand and seal the day and year herein above written.
[Signature]
Notary Public in and for the State of Montana
Residing at Billings, Montana
My commission expires 1-20-00

CERTIFICATE OF COUNTY ATTORNEY

This document has been reviewed by the County Attorney's office and is acceptable as to form.
DATED: 10/12/99
Reviewed by: [Signature]

CERTIFICATE OF APPROVAL
STATE OF MONTANA }
County of Yellowstone }

We hereby certify that we have examined the annexed PLAT OF McMAHON SUBDIVISION, and find that said plat conforms with the requirements of the laws of the State of Montana and that the requirements for park donation have been met to the satisfaction of the Yellowstone County Board of Planning. It is therefore approved and accepted.
IN WITNESS WHEREOF, we have set our hands and the seal of Yellowstone County, Montana, on this 21st day of September, 1999.

BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY MONTANA
By: [Signature]
Commissioner
By: [Signature]
Commissioner

Acknowledged
[Signature]
County Attorney



PLAT OF
McMAHON SUBDIVISION
BEING TRACT 1-A OF CERTIFICATE OF SURVEY No. 1794 AMENDED
LOCATED IN THE NW1/4 OF SECTION 17, T. 1 S.; R. 25 E., P.M.M.
YELLOWSTONE COUNTY, MONTANA

PREPARED FOR: LARRY McMAHON
PREPARED BY : ENGINEERING, INC.

APRIL, 1998
BILLINGS, MONTANA

CONSENT TO PLATTING

The undersigned, hereby consent to the platting of the tract of land herein described and included in a Deed of Trust to the undersigned, and hereby release and recover from said Deed of Trust all portions of the tract dedicated to the public.

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

Trustee: INLAND MORTGAGE CORPORATION
By: [Signature]
It's: Assistant Vice President

Trustee: SECURITY TITLE OF BILLINGS, INC.
By: [Signature]

U.S. BANK
No FIRST BANK MONTANA, NATIONAL ASSOC.
By: [Signature]
It's: Personal Finance Officer

Trustee: FIRST MONTANA TITLE CO.
By: [Signature]

STATE OF INDIANA)
County of Hamilton)

On this 12 day of September, 1999, before me, a Notary Public in and for the State of Indiana, personally appeared [Signature] of Inland Mortgage Corporation, known to me to be the person who signed the foregoing instrument and who acknowledged to me that said corporation executed the same. Witness my hand and seal the day and year herein above written.

[Signature]
Notary Public in and for the State of Indiana
Residing at [Address]
My commission expires [Date]

STATE OF MONTANA)
County of Yellowstone)

On this 22 day of September, 1999, before me, a Notary Public in and for the State of Montana, personally appeared [Signature] of Security Title of Billings, Inc. known to me to be the person who signed the foregoing instrument and who acknowledged to me that said corporation executed the same. Witness my hand and seal the day and year herein above written.

[Signature]
Notary Public in and for the State of Montana
Residing at [Address]
My commission expires [Date]



STATE OF MT)
County of Yellowstone)

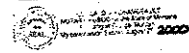
On this 22nd day of September, 1999, before me, a Notary Public in and for the State of MT, personally appeared [Signature] of U.S. Bank, the First Montana Bank, National Assoc., known to me to be the person who signed the foregoing instrument and who acknowledged to me that said corporation executed the same. Witness my hand and seal the day and year herein above written.

[Signature]
Notary Public in and for the State of MT
Residing at [Address]
My commission expires [Date]

STATE OF MONTANA)
County of Yellowstone)

On this 22nd day of September, 1999, before me, a Notary Public in and for the State of Montana, personally appeared [Signature] of First Montana Title Co., known to me to be the person who signed the foregoing instrument and who acknowledged to me that said company executed the same. Witness my hand and seal the day and year herein above written.

[Signature]
Notary Public in and for the State of Montana
Residing at [Address]
My commission expires [Date]



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10/1/99 10:10



3073126

Page: 1 of 4
11/16/1999 02:28P

STATE OF MONTANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
CERTIFICATE OF SUBDIVISION PLAT APPROVAL
SECTION 76-4-101 THROUGH 76-4-131, MCA 1995)

TO: County Clerk and Recorder
Yellowstone County
Billings, Montana

E.Q. NO. 99-2068
Y.C.#2080

THIS IS TO CERTIFY THAT the plans and supplemental information relating to the subdivision known as **LOTS 1, 2, 3, 4 and 5 of McMAHON SUBDIVISION**, being Tract 1-A of Certificate of Survey No. 1794 Amended, situated in the NW1/4 NW1/4 of SECTION 17, T.1S., R.25E., P.M.M., YELLOWSTONE COUNTY, MONTANA, consisting of 5 parcels have been reviewed by personnel of the Permitting and Compliance Division, and,

THAT the documents and data required by ARM Chapter 17 Section 36 have been submitted and found to be in compliance therewith, and,

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

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

THAT LOT 1 shall be used for ONE EXISTING SINGLE-FAMILY DWELLING and LOTS 2-5 shall each be used for ONE SINGLE-FAMILY DWELLING, and,

THAT the individual water systems for LOTS 2, 3 and 5 will consist of WELLS drilled to a minimum depth of 25 feet constructed in accordance with the criteria established in Title 17, Chapter 36, Sub-Chapters 1, 3, and 6, ARM and the most current standards of the Department of Environmental Quality, and,

THAT when the existing water supply systems for LOTS 1 and 4 are in need of extensive repairs or replacement they shall be replaced by WELLS drilled to a minimum depth of 25 feet constructed in accordance with the criteria established in Title 17, Chapter 36, Sub-Chapters 1, 3, and 6, ARM and the most current standards of the Department of Environmental Quality, and,

THAT data provided indicates an acceptable water source at a depth of 52 feet, and,

THAT each individual sewage treatment system for LOTS 2-5 will consist of a septic tank and subsurface drainfield of such size and description as will comply with Title 17, Chapter 36, Sub-Chapters 1, 3, and 6 ARM, and,



EQ# 99-2068
PAGE 2 of 3
McMAHON SUB. LOTS 1-5
LARRY McMAHON
YELLOWSTONE CO.

THAT when the present sewage treatment system for LOT 1 is in need of extensive repairs or replacement it shall be replaced by a septic tank and subsurface drainfield of such size and description as will comply with Title 17, Chapter 36, Sub-Chapters 1, 3 and 6 ARM, and,

THAT a maintenance and use easement agreement has been provided for that portion of the existing drainfield for Lot 1 that extends into Lot 2 and shall be filed along with this Certificate of Subdivision Plat Approval, and,

THAT each subsurface drainfield shall have an absorption area of sufficient size to provide 130 square feet of trench per bedroom, 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 and sewage treatment systems will be located as shown on the approved plans, and,

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

THAT the developer shall provide the 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 17, Chapter 36, Sub-Chapter 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.



EQ# 99-2068
PAGE 3 of 3
McMAHON SUB. LOTS 1-5
LARRY McMAHON
YELLOWSTONE COUNTY

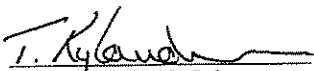
Pursuant to Section 76-4-122 (2) (a), MCA, a person must obtain the approval of both the state under Title 76, Chapter 4, MCA, and local board of health under section 50-2-116 (1) (i), before filing a subdivision plat with county clerk and recorder.

YOU ARE REQUESTED to record this certificate by attaching it to the PLAT of said subdivision filed in your office as required by law.

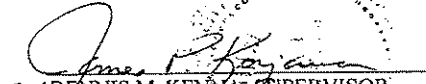
DATED this 22nd day of April, 1999.

MARK SIMONICH
DIRECTOR

REVIEWED AND APPROVED:



TED KYLANDER, R.S.
ENVIRONMENTAL HEALTH PROGRAM
YCCHD



DENNIS McKENNA SUPERVISOR
SUBDIVISION SECTION
PERMITTING & COMPLIANCE DIVISION
DEPARTMENT OF ENVIRONMENTAL
QUALITY

OWNERS NAME:
LARRY McMAHON

SITE EXHIBIT

3073126

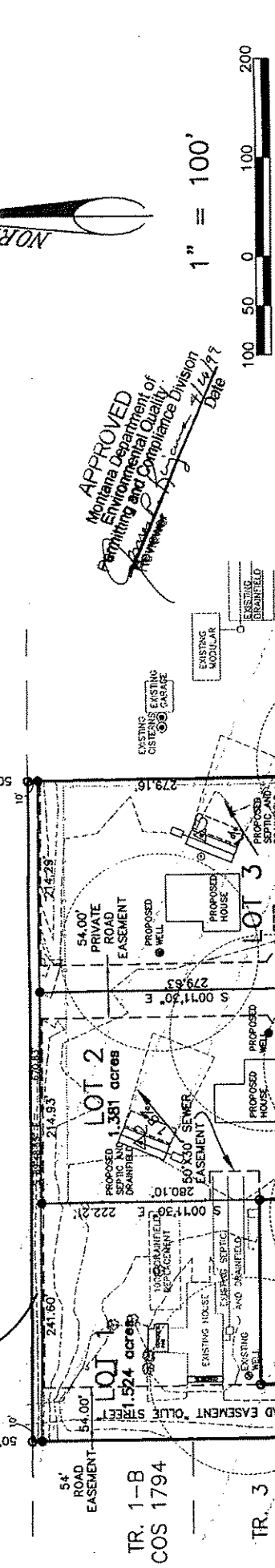
Page: 4 of 4
11/16/1999 02:28P



UNPLATTED

STREET 0.154 acres

KING AVENUE ROAD WEST



APPROVED
Montana Department of
Permitting and Compliance Division
LOCAL PERMIT # 12277
Date

1" = 100'

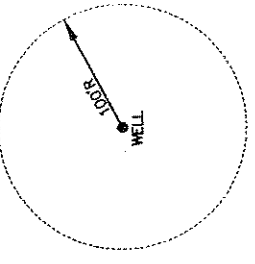


EG # 99-2008
YELLOWSTONE

McMAHON SUBDIVISION
SITUATED IN NW 1/4 NW 1/4 OF
SEC. 17, T.1 S., R. 25 E., P.M.M.
MAY, 1998

LEGEND

- ▲ = PERC TEST POINT
- = SOIL TEST POINT
- = REPLACEMENT DRAINFIELD



McMAH-EX.Dwg 97109 3-5-99 BLS/oh

RECEIVED

MAR 10 1999

MONTANA DEPT. OF ENV. QUALITY
PERMITTING & COMPLIANCE DIV.



SUBDIVISION IMPROVEMENTS AGREEMENT

McMAHON SUBDIVISION

THIS AGREEMENT, made and entered into this 26th day of October, 1999, by and between LARRY D. McMAHON and BRENDA J. McMAHON, hereinafter referred to as "Subdivider", and the COUNTY OF YELLOWSTONE, MONTANA, hereinafter referred to as "County".

WITNESSETH

WHEREAS, the Preliminary Plat of McMAHON SUBDIVISION, located in Yellowstone County, Montana, was submitted to the Planning Department on the 17th day of February, 1998, which recommended, subject to certain conditions, its approval to the Board of County Commissioners of Yellowstone County;

WHEREAS, at a regular meeting held on the 17th day of March, 1998, the County Commissioners approved, subject to certain recommendations of the Planning Department and County Commissioners, a preliminary plat of McMAHON SUBDIVISION.

WHEREAS, a Subdivision Improvements Agreement is required between the County and Subdivider prior to the approval of the final plat by the County Commissioners,

NOW, THEREFORE, the parties to this Agreement, for and in consideration of mutual promises herein contained and for other good and valuable consideration, do hereby agree as follows:

1. No street improvements are proposed for King Avenue at this time but are included in the Waiver.
2. Access to Lot 1 will be from the existing Private Access Easement (Ollie Street) as shown on the plat. Access to Lots 2, 3, 4 and 5 will be from the Private Access easement as shown on the plat.
3. The Private Road will be provided with a minimum 18-foot wide all weather gravel surface, adequate to support fire apparatus, with an approved turn around at the south end. Maintenance and repair of this Private Road, including the installation of a *Stop* sign at the intersection with King Avenue, will be the responsibility of the Owners of record of Lots 2, 3, 4 and 5. The Private Road will be constructed or adequate monetary



security provided or restrictions on conveyances be recorded prior to filing of the Final Plat.

4. Public water and sanitary sewer are not available in the Subdivision at this time. Individual on-site water and sewer systems shall be installed as approved by the State Department of Health and Environmental Sciences.
5. Stormwater surface runoff will be handled by on-site absorption.
6. The Subdivider shall retain all water shares.
7. All noxious weeds on the latest Yellowstone County Noxious Weed List, must be controlled on all properties in the subdivision. A Noxious Weed Plan must be filed and updated annually for approval by the Yellowstone County Weed Board. It must contain the noxious weeds being addressed and the plan for control of those weeds. All cost of noxious weed control is the responsibility of the property owners of record.
8. The Owner of record shall provide for the restoration of sites within the public right-of-way disturbed during construction of driveways and culverts, as follows:
 - A. Broad Seed
 - B. Seed Type and Rate

Smooth Bromegrass	8 lbs per Acre
Crested Wheatgrass	4 lbs per Acre
Winter Wheat	10 lbs per Acre
 - C. Fertilizer
100 lbs of 0-45-0 Phosphate per Acre
 - D. Roller pack a minimum of three times after broadcasting seed to pack seed 1/4-inch into soil.
 - E. Seed November to March or as authorized by Yellowstone County Weed District.
 - F. Seed must be certified noxious weed seed free.
9. When required by future road improvements all fences and irrigation ditches in the public right-of-way adjacent to this Subdivision shall be removed or relocated outside of the public right-of-way at no expense to the County.



10. Subdividers agree to provide for any necessary adjustments or alterations to existing improvements which are necessary, but such adjustments or alterations are limited to those improvements required to make the improvements contemplated by this agreement, without cost to the County.
11. There is attached hereto a Waiver covering the right to protest creation of a Rural Special Improvement District (RSID) or Special Improvement District (SID), which by this reference is expressly incorporated herein and made as much a part hereof as though fully and completely set forth herein at this point.
12. In the event it becomes necessary for either party to this Agreement to retain an attorney to enforce any of the terms or conditions of this Agreement or to give any notice required herein, then the prevailing party or the party giving notice shall be entitled to reasonable attorney fees and costs.
13. The covenants, agreements and statements in this Agreement apply to and shall be binding on the heirs, personal representatives, successors and assigns of the respective parties.
14. Any amendments or modifications of this Agreement or any provision herein shall be made in writing and executed in the same manner as this original document and shall, after execution, become a part of the Agreement.
15. The owners of the properties involved in this proposed subdivision by signature subscribed hereinbelow agree, consent and shall be bound by the provisions of this Agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands and official seals on the date first above written.

"SUBDIVIDER"

Larry D. McMahon
LARRY D. McMAHON

Brenda J. McMahon
BRENDA J. McMAHON

STATE OF MONTANA)
 : ss
County of Yellowstone)

On this 21 day of September, 1999 before me, a Notary Public in and for the State of Montana, personally appeared LARRY D. McMAHON and BRENDA J. McMAHON, known to me to be the persons who signed the foregoing instrument and acknowledged to me that they executed the same. Witness my hand and seal the day and year herein above written.

[Signature]
Notary Public for the State of Montana
Residing at Yellowstone County - Billings
My commission expires 3-26-04



WAIVER OF RIGHTS TO PROTEST

FOR VALUABLE CONSIDERATION, the undersigned, Owners of the hereinafter described real property, do hereby waive the right to protest the formation of one or more Rural Special Improvement District (RSID), or Special Improvement District (SID), for the construction and/or maintenance of streets, curbs and gutter, sidewalks, driveways, survey monuments, street name signs, street lights, street light energy and maintenance, traffic control devices on site and off site as determined by an overall traffic accessibility study, sanitary sewer lines, water lines, valley gutters, culverts, storm sewer lines either within or without the area to provide drainage for runoff water from the real property hereinafter described, park improvements and park maintenance district, noxious weed control and other incidental improvements which the County of Yellowstone may require.

The waiver and agreement shall run with the land and shall be binding upon the undersigned, its successors and assigns, and shall be recorded in the office of the County Clerk and Recorder of Yellowstone County, Montana.

The real property hereinabove mentioned is more particularly described as follows, to-wit:

All of McMahon Subdivision according to the plat thereof on file and of record in the office of the Clerk and Recorder of Yellowstone County, Montana.

WAIVER signed and dated this 21 day of September, 1999.

"SUBDIVIDER"


LARRY D. McMAHON


BRENDA J. McMAHON

