

By: SANDS SURVEYING, Inc.
2 Village Loop
Kalispell, MT 59901
(406) 755-6481

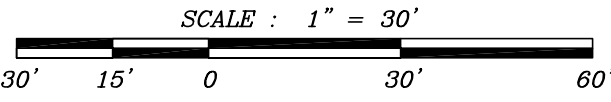
JOB NO: 285022 (Project 285003)
DRAWING DATE: November 1, 2023
COMPLETED DATE: / /
FOR/OWNER: NW DEV GROUP LLC

Plat Of

TRUMBULL CREEK CROSSING, PHASE 5B

A Subdivision Located In

SE1/4NE1/4 & NE1/4SE1/4 SEC. 28, T.29N., R.21W., P.M.,M., FLATHEAD COUNTY, MONTANA



CERTIFICATE OF DEDICATION:
WE, THE UNDERSIGNED PROPERTY OWNERS, DO HEREBY CERTIFY THAT WE HAVE CAUSED TO BE SURVEYED AND PLATTED INTO LOTS, ROADS, AND OPEN SPACE ALL THE FOLLOWING DESCRIBED PROPERTY AS DESCRIBED IN THE CERTIFICATE OF DEDICATION, AND SHOWN BY THE ANNEXED PLAT OR MAP AND SITUATED IN FLATHEAD COUNTY, MONTANA:

A TRACT OF LAND, SITUATED, LYING, AND BEING IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, and IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, ALL OF SECTION 28, TOWNSHIP 29 NORTH, RANGE 21 WEST, P.M.,M., FLATHEAD COUNTY, MONTANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS TO WIT:

BEGINNING at the northwest corner of Lot 16 of the Plat of Trumbull Creek Crossing, Phase 5A (records of Flathead County, Montana) which is a found iron pin; Thence N00°02'02"W 133.60 feet to a found aluminum cap; Thence N00°01'00"W 194.40 feet to a set iron pin; Thence EAST 159.16 feet to a set iron pin and the P.C. of a 320.00 foot radius curve, concave southwesterly (radial bearing S80°31'29"W); Thence northwesterly along said curve through a central angle of 02°45'02" an arc length of 15.36 feet to a set iron pin; Thence N77°46'26"E 60.00 feet to a set iron pin and the P.C. of a 380.00 foot radius curve, concave southwesterly (radial bearing S77°46'26"W); Thence southeasterly along said curve through a central angle of 02°55'14" an arc length of 19.37 feet to a set iron pin and the P.R.C. of a 20.00 foot radius reverse curve, concave northeasterly (radial bearing N80°41'40"E); Thence southeasterly along said curve through a central angle of 80°41'40" an arc length of 28.17 feet to a set iron pin; Thence SOUTH 30.00 feet; Thence EAST 76.58 feet; Thence SOUTH 230.00 feet to a set iron pin; Thence EAST 15.06 feet to a set iron pin; Thence SOUTH 160.00 feet to a found iron pin; Thence WEST 60.00 feet to a found iron pin; Thence NORTH 100.00 feet to a found iron pin; Thence WEST 269.77 feet to the point of beginning and containing 2.490 ACRES; Subject to and together with 30 foot and 60 foot private road and utility easements known as Saint Regis Drive, Hemlock Avenue, and Chokecherry Avenue, all as shown hereon; Subject to and together with 10 foot utility easements as shown hereon; Together with a temporary hammerhead turn-around easement as shown hereon; Subject to and together with all appurtenant easements of record.

The above described tract of land shall hereafter be known as:
TRUMBULL CREEK CROSSING, PHASE 5B

CERTIFICATE OF PRIVATE ROADWAYS:
The roadways as shown on this plat are intended to be private in all respects. They are hereby dedicated forever to be for the use of the owners (and their successors in interest) of the lots described on this plat and all phases of Trumbull Creek Crossing Subdivision. The owners (and their successors in interest) of the lots described on this plat will provide for the all season maintenance of the private roadway by the creation of a corporation or homeowners association to administer and fund the maintenance. It is understood and agreed that the value of each lot described on this plat is enhanced by the private nature of said roadway. Excepting and reserving the right to use all roadways within this plat by the owners of the lots in all phases of Trumbull Creek Crossing Subdivision, the developer, his heirs and assigns, and the owners of any and all previous phases or subdivisions submitted by the developer. Per Flathead County Subdivision Regulations, subdivision roads shall be designated as public access easements.

UTILITY EASEMENT CERTIFICATE:
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, irrigation and stormwater, the right to the joint use of an easement for the construction, maintenance, repair, and removal of their lines and other facilities, in, over, under and across each area designated on this plat as "UTILITY EASEMENT" to have and to hold forever.

NOTE: "Buyers of property should ensure that they have obtained and reviewed all sheets of the plat and all documents recorded and filed in conjunction with the plat and that buyers of property are strongly encouraged to contact the local planning department and become informed of any limitations on the use of the property prior to closing." Pursuant to ARM 24.183.1107(2)(e)(xxiii)(b).

NW DEV GROUP LLC
By: Michael W. Anders, Member

STATE OF _____
COUNTY OF _____ SS

On this _____ day of _____, 202____, before me a Notary Public for the State of _____, personally appeared **Michael W. Anders**, Member of NW DEV GROUP LLC, known to me to be the person whose name is subscribed to the foregoing instrument and who duly acknowledged to me that he executed the same.

Notary Public for the State of _____

SURVEYOR'S NOTE:
Flathead County is not allowing Sands Surveying to use a legal description which includes bounding calls in regards to the areas along the outer boundary of this subdivision which should be called out to the right-of-ways of Chokecherry Avenue, Saint Regis Drive, and Hemlock Avenue. This is because of their belief that a bounding call must be to a previously existing line to be valid. While this belief is noted in a book that they were kind enough make a copy of and send to me, I can find nothing in the M.C.A.'s or A.R.M.'s which would disallow the use of a metes and bounds description holding the aforementioned right-of-ways as bounding calls. What is in the A.R.M.'s, interestingly enough, is a section stating that the preparation of legal descriptions falls under the scope of "Activities Included within Surveying Practice" (ARM 24.183.110(1)(c); see also 37-67-101(8)(g), MCA).

Recognizing that our licensure means nothing to Flathead County, and in the interest of moving the project along, Sands Surveying has removed the references to the above-named roads and their corresponding right-of-ways in our perimeter description hereon. This has resulted in a legal description that is sub-standard in comparison to a description that has a bounds element to it, and it would be impossible for the reader to understand that the right-of-ways were the intended boundaries of the subdivision if the written legal description were not accompanied by the plat. It is important that the reader understand that the intention of this description is to have the perimeter of the subdivision be bounded by the aforementioned right-of-ways in all the applicable areas as shown on this plat.

CERTIFICATE OF COUNTY COMMISSIONERS:
We, the undersigned _____, Chairman of the Board of County Commissioners of Flathead County, Montana, and _____, County Clerk of said County, do hereby certify that this accompanying Plat of: **TRUMBULL CREEK CROSSING, PHASE 5B**, Flathead County, Montana, has been submitted to the Board of County Commissioners of Flathead County, Montana, for examination and has been found by them to conform to the law and was approved by them at their regular meeting held on the _____ day of _____, 202____.

Chairman - Board of County Commissioners, _____ County Clerk - Flathead County
Flathead County

CERTIFICATE OF COUNTY ATTORNEY:
This plat has been examined by the office of the County Attorney according to Section 76-3-612(2) M.C.A., relying upon Title Report No. _____ and approved based on information submitted by the developer and/or his agent.

Office of the County Attorney
Flathead County, Montana

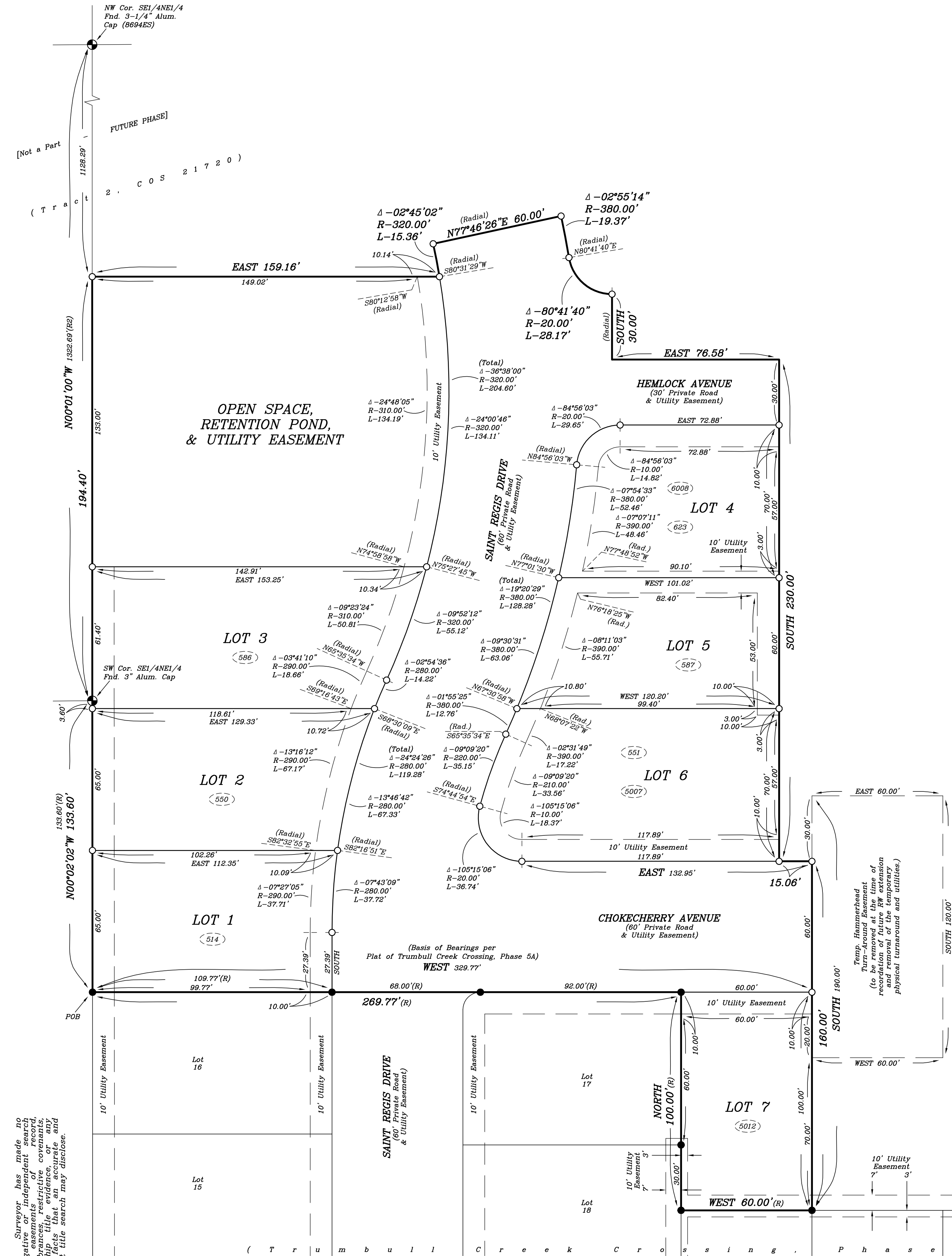
Date: _____ By: _____

CONDITIONS OF APPROVAL PER THE FLATHEAD COUNTY COMMISSIONERS:
a. All road names shall be assigned by the Flathead County Address Coordinator and clearly identified and house numbers will be clearly visible from the road, either at the driveway entrance or on the house. House numbers shall be at least four inches in length per number.
b. All utilities shall be placed underground.
c. The owners shall abide by the guidelines set forth in the approved Dust and Air Pollution Control and Mitigation Plan during and after site construction and development activities.
d. Solid Waste removal for all lots shall be provided by a contracted solid waste hauler.
e. Lot owners are bound by the Weed Control Plan to which the developer and the Flathead County Weed Department agreed.
f. All lots within Trumbull Creek Crossing Phases 2-5 subdivision may be subject to seasonal high ground water which may result in flooding of basements. Construction of basements on any Lot is not advised.

ADDITIONAL CONDITIONS PER THE EXTENSION OF SERVICES AGREEMENT for TRUMBULL CREEK CROSSING - PHASE 5 (Dated April 6, 2015)

1.) Basements, defined as "A portion of the building where the finished floor is more than 3 feet below the adjacent grade for more than 50% of the total building perimeter", shall be prohibited on each lot unless the lot owner has a geotechnical report conducted on their lot with a certified engineer's recommendation on a basement design. Their finding of the report and basement design shall be incorporated into the building designs for the house.

2.) This subdivision is located in an agricultural area and potential nuisances such as noise, dust, odors and irregular hours of operation are to be expected. As such, the right to farm on adjoining properties shall not be restricted as a result of the development or occupancy of this subdivision.



By: HH

NOTE: Surveyor has made no investigation or independent search for encumbrances, restrictive covenants, easements, or other interests that evidence or may affect the title search may disclose.

ACREAGE TABLE	
LOT	Acres
1	0.165
2	0.178
3	0.212
4	0.151
5	0.151
6	0.211
7	0.138
LOTS (7)	1.206
Open Space	0.491
Roads	0.793
TOTAL	2.490

- LEGEND:**
- 1/16 Corner (as noted)
 - Set 1/2"x24" Rebar & Cap (192365)
 - Found 1/2" Rebar & Cap (192365)
 - (R) Found & Record Info. Per Plat of Trumbull Creek Crossing, Phase 5A
 - (R2) Found & Record Info. Per COS 21720
 - POB Point of Beginning
 - Street Address

The parcels described within this plat are served by the City of Kalispell Waste Water Treatment Plant. Pursuant to MCA §7-6-1603(2) a one-time only impact fee must be paid to the City of Kalispell for each parcel prior to receiving the waste water treatment service but no earlier than the provision of water service. The current impact fee schedule may be obtained from the City of Kalispell Public Works Department.

CERTIFICATE OF SURVEYOR

JOSHUA NELSON 192365

APPROVED: _____, 202____

EXAMINING I REG. No. _____

STATE COU' _____) SS
F _____ DAY OF _____, 202____
_____, PAID FEE _____

& RECORDER

DEPUTY

INSTRUMENT REC. No. _____

PRELIMINARY