

CERTIFICATE OF DEDICATION

We, the undersigned property owners, do hereby certify that we have caused to be surveyed, subdivided and platted into lots, blocks, streets and alleys, and other divisions and dedications, as shown by the plat hereunto included the following described tract of land to wit:

The Lakes at Valley West - Phase 5A, being Lot R2B of The Lakes at Valley West - Phase 4, situated in the NE1/4NW1/4 of Section 9, Township 2 South, Range 5 East, Principal Meridian, City of Bozeman, Gallatin County, Montana, more particularly described as follows:

Commencing at the Quarter Corner to Sections 4 and 8, Township 2 South, Range 5 East, Principal Meridian, City of Bozeman, Gallatin County, Montana, as described on Certified Corner Reconciliation Book 4, Page 590, Document No. 286897, filed at the Gallatin County Clerk and Recorder's Office, thence S.0°58'16"W, for 1531.17 feet to the CN 1/16 Corner of said Section 9, thence S.85°28'17"W, for 45.04 feet to the Point of Beginning, thence S.88°28'17"W, for 1232.11 feet to the NW 1/16 Corner of said Section 9, thence N.0°59'02"E, for 350.38 feet to the Southeast Corner of The Lakes at Valley West - Phase 4, thence continuing along the south boundary of Phase 4 of said subdivision for the next eight courses; S.89°00'58"E, for 384.84 feet; thence S.0°59'02"W, for 24.00 feet; thence S.89°00'58"E, for 80.00 feet; thence N.0°59'02"E, for 31.41 feet; thence S.89°00'58"E, for 120.00 feet; thence N.0°59'02"E, for 12.34 feet; thence along a curve to the right having a radius of 20 feet and a central angle of 67°29'15", along said curve for an arc length of 30.54 feet; thence N.88°28'17"E, for 727.53 feet to the west right-of-way line of Laurel Parkway; thence along said right-of-way line S.0°58'16"W, for 365.35 feet to the Point of Beginning.

The Area of the above described tracts of land is 458,302 Square Feet, or 10,475 Acres, more or less.

THE ABOVE-DESCRIBED TRACTS OF LAND ARE TO BE KNOWN AND DESIGNATED AS "THE LAKES AT VALLEY WEST - PHASE 5A", CITY OF BOZEMAN, GALLATIN COUNTY, MONTANA, AND THE LANDS INCLUDED IN ALL STREETS, AVENUES, ALLEYS, AND PARKS OR PUBLIC LANDS SHOWN ON SAID PLAT ARE HEREBY GRANTED AND DONATED TO THE CITY OF BOZEMAN FOR THE PUBLIC USE AND ENJOYMENT. UNLESS SPECIFICALLY LABELED HEREIN, THE LANDS INCLUDED IN ALL STREETS, AVENUES, ALLEYS, AND PARKS OR PUBLIC LANDS DEDICATED TO THE PUBLIC ARE ACCEPTED FOR PUBLIC USE, BUT THE CITY OF BOZEMAN ACCEPTS NO LIABILITY FOR THE MAINTENANCE OF SAID STREETS, AVENUES, ALLEYS, AND PARKS OR PUBLIC LANDS INCLUDED IN ALL STREETS, AVENUES, ALLEYS, AND PARKS OR PUBLIC LANDS HEREBY DEDICATED TO PUBLIC USE. THE LANDS INCLUDED IN ALL STREETS, AVENUES, ALLEYS, AND PARKS OR PUBLIC LANDS HEREBY DEDICATED TO PUBLIC USE ARE INCLUDED IN ALL STREETS, AVENUES, ALLEYS, AND PARKS OR PUBLIC LANDS HEREBY DEDICATED TO PUBLIC USE. THE CITY OF BOZEMAN ACCEPTS RESPONSIBILITY FOR MAINTENANCE OF VAUGHN DRIVE AND WESTGATE AVENUE.

The undersigned hereby grants unto each and every person firm or corporation, whether public or private, providing or offering to provide telephone, electric power, gas, internet, cable television or other similar utility or service, the right to the point of use 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.

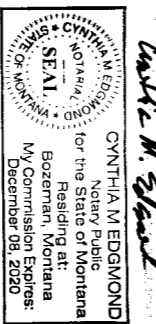
KS PERCOR, INC.

By: James M. Killy, President, dated 1/17/19

State of Montana, County of Gallatin

On this 17th day of January, 2019, before me, the undersigned Notary Public for the State of Montana, personally appeared James M. Killy, known to me to be the President of KS PerCOR, Inc. and acknowledged to me that said Inc. executed the same.

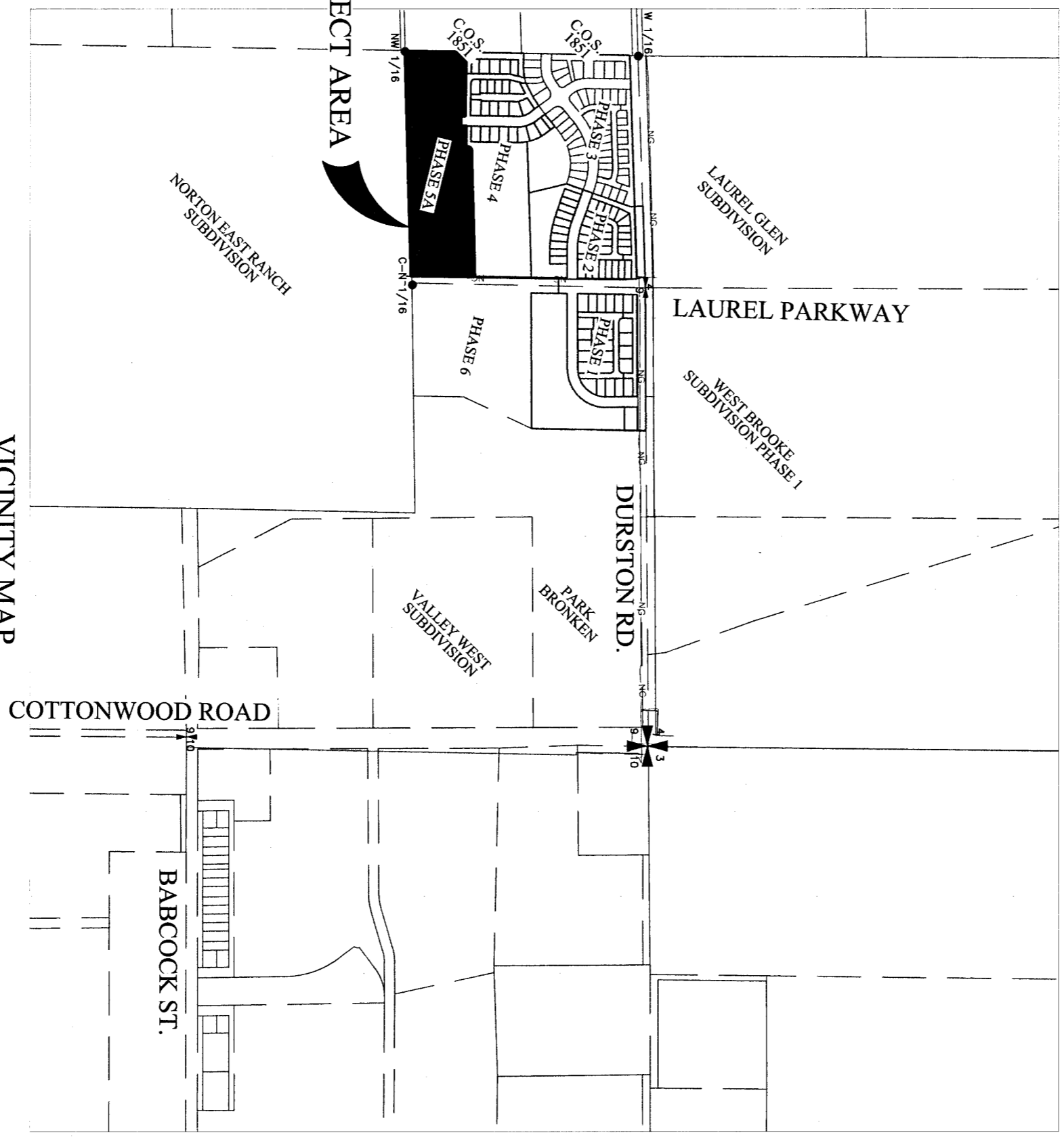
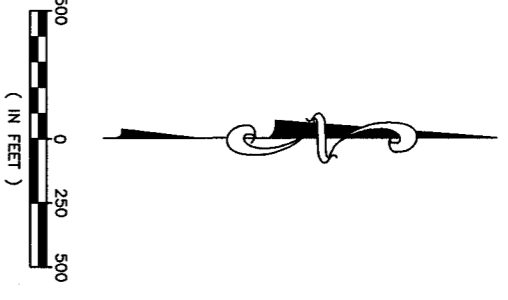
Notary Public in and for the State of Montana, Printed Name: Cynthia M. Edmondson, Residing at: 2020 W. 1st St., Bozeman, MT 59710, My commission expires: December 08, 2020



CERTIFICATE OF EXCLUSION FROM MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY REVIEW. The Lakes at Valley West-Phase 5A, Gallatin County, Montana, is within the City of Bozeman, Montana, a first class municipality, and with the planning area of the Bozeman growth policy which was adopted pursuant to the Montana Growth Policy Act, MCA 7-1-101 through 7-1-104, and the Bozeman Unified Metropolitan Area Comprehensive Plan, MCA 7-1-101 through 7-1-104, and the Bozeman Unified Metropolitan Area Comprehensive Plan, MCA 7-1-101 through 7-1-104, this survey is excluded from the requirement for Montana Department of Environmental Quality review.

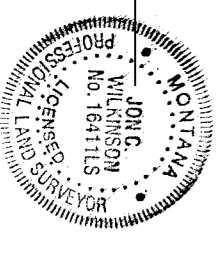
APPROVED AS TO FORM. City Attorney. Dated this 20th day of February, 2019.

FINAL PLAT THE LAKES AT VALLEY WEST - PHASE 5A SITUATED IN THE NE1/4NW1/4 OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 5 EAST, PRINCIPAL MERIDIAN, CITY OF BOZEMAN, GALLATIN COUNTY, MONTANA.



VICINITY MAP

CERTIFICATE OF SURVEYOR. I, Jon C. Wilkinson, Montana Professional Land Surveyor, License No. 16411US, hereby certify that the Final Plat of The Lakes at Valley West Phase 5A was surveyed under my supervision between June 2018 and December 2018, and that the same as shown on the accompanying plat and as described in accordance with the provisions of the Montana Subdivision and Platting Act, §76-5-101 through §76-5-625, MCA, and the Bozeman Unified Metropolitan Area Comprehensive Plan, MCA 7-1-101 through 7-1-104, and the Bozeman Unified Metropolitan Area Comprehensive Plan, MCA 7-1-101 through 7-1-104, this survey is excluded from the requirement for Montana Department of Environmental Quality review.



OWNER: KS PERCOR, INC. 2800 N. OPEN SPACE LOTS Bozeman, MT 59718. PURPOSE: TO CREATE RESIDENTIAL LOTS AND OPEN SPACE LOTS.

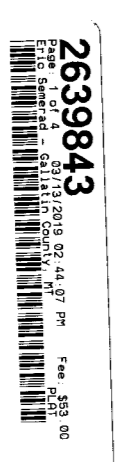
THE BEARINGS SHOWN HEREON ARE MODIFIED RECORD BEARINGS. THE RECORD BEARING REF. C.O.S. 1008A, IS REVOKED AS ALONG THE NORTH LINE BETWEEN SECTION 9 AND SECTION 4 AND THE CORNER TO SECTIONS 5, 4, 8 AND 9. THE RESULTING BEARING IS N. 89°01'17"E.

DEDICATION AND EASEMENT NOTE. All streets, alleys, and rights-of-way, shown hereon as "DEDICATED", are not easements. The intent of the dedication is to convey all the streets, alleys, and rights-of-way to the public, upon acceptance by the governing authority.



CERTIFICATE OF COMPLETION OF IMPROVEMENTS. I, James R. Nickelson, a Registered Professional Engineer licensed to practice in the State of Montana, hereby certify that the following improvements, required to meet the requirements of Chapter 38 of the Bozeman Municipal Code or as Conditions of Approval of The Lakes at Valley West Phase 5A, have been installed in conformance with the approved plans and specifications, or financially guaranteed and covered by the improvements agreement accompanying this plat.

CERTIFICATE OF CLERK AND RECORDER. I, Eric Semrad, Clerk and Recorder of Gallatin County, Montana, do hereby certify that the foregoing instrument was filed in my office at 2:34 PM on the 13th day of March, 2019, and recorded in Book 675 and Document # 2639845. Records of the Clerk and Recorder, Gallatin County, Montana.

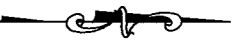


CERTIFICATE OF COUNTY TREASURER. Jennifer Bosson, Treasurer of Gallatin County, Montana, do hereby certify that the accompanying plat has been duly examined and that all real property taxes and special assessments assessed and levied on the land to be divided have been paid. R649 31144. Dated this 18th day of January, 2019.

Morrison Matherle logo and drawing information: FIELD WORK: JMW, DRAWN BY: CHN, CHECKED BY: JMW, DATE: 1/20/18, SCALE: 1"=500', PLOTTED DATE: JAN18/2019, CLIENT: THE LAKES, SHEET 1 OF 4.



BASIS OF BEARING  
THE BEARINGS SHOWN HEREON ARE MEASURED RECORD BEARINGS. THE RECORD BEARING FOR C.S. 10089 N 89°27' E, ALONG THE NORTH LINE OF SECTION 9 AND SECTION 4, AND THE CORNER TO THE POINT OF BEGINNING BETWEEN SECTION 9 AND SECTION 4, AND THE CORNER TO SECTIONS 4, 8, AND 9, THE RESULTING BEARING IS N 89°14' 19\"



CORNER TO SECTIONS 4, 5, 8 AND 9 FOUND AT THE RECORD POSITION. SEE CCR BOOK 4, PAGE 991 DOC. NO. 2568976

RECORD N88°04'24\" E 1337.30'  
MEASURED N88°04'19\" E 1337.30'

**LEGEND**

- SET REBAR, 5/8 IN. DIAM WITH ORANGE PLASTIC CAP MARKED "MORRISON-MARLER INC. 16411LS"
- FOUND REBAR, 5/8 IN. DIAM WITH ORANGE PLASTIC CAP MARKED "MORRISON-MARLER INC. 16411LS"
- FOUND REBAR WITH PLASTIC CAP
- FOUND REBAR, 5/8 IN. DIAM WITH AN ALUMINUM CAP 2 IN. DIAM. MARKED "MORRISON-MARLER INC. 14723LS"
- ▲ FOUND SECTION CORNER AS NOTED
- ▼ FOUND ONE-QUARTER CORNER
- ▲/▼ NOTHING FOUND OR SET

**AREA SUMMARY - PHASE 5**

LOT AREA:	4,838 acres (210,292) Sq. Ft.
PUBLIC R.O.-W. AREA:	2,776 acres (120,949) Sq. Ft.
OPEN SPACE (PUBLIC):	0.979 acres (42,241) Sq. Ft.
PHASE 5A LOT TOTAL AREA:	8,574 acres (373,470) Sq. Ft.
LOT RCC AREA:	1,591 acres (68,852) Sq. Ft.
GRAND TOTAL AREA:	10,475 acres (456,302) Sq. Ft.

UNZONED

UNZONED

**FINAL PLAT**  
**THE LAKES AT VALLEY WEST - PHASE 5A**  
SITUATED IN THE NE1/4NW1/4 OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 5 EAST, PRINCIPAL MERIDIAN, CITY OF BOZEMAN, GALLATIN COUNTY, MONTANA.

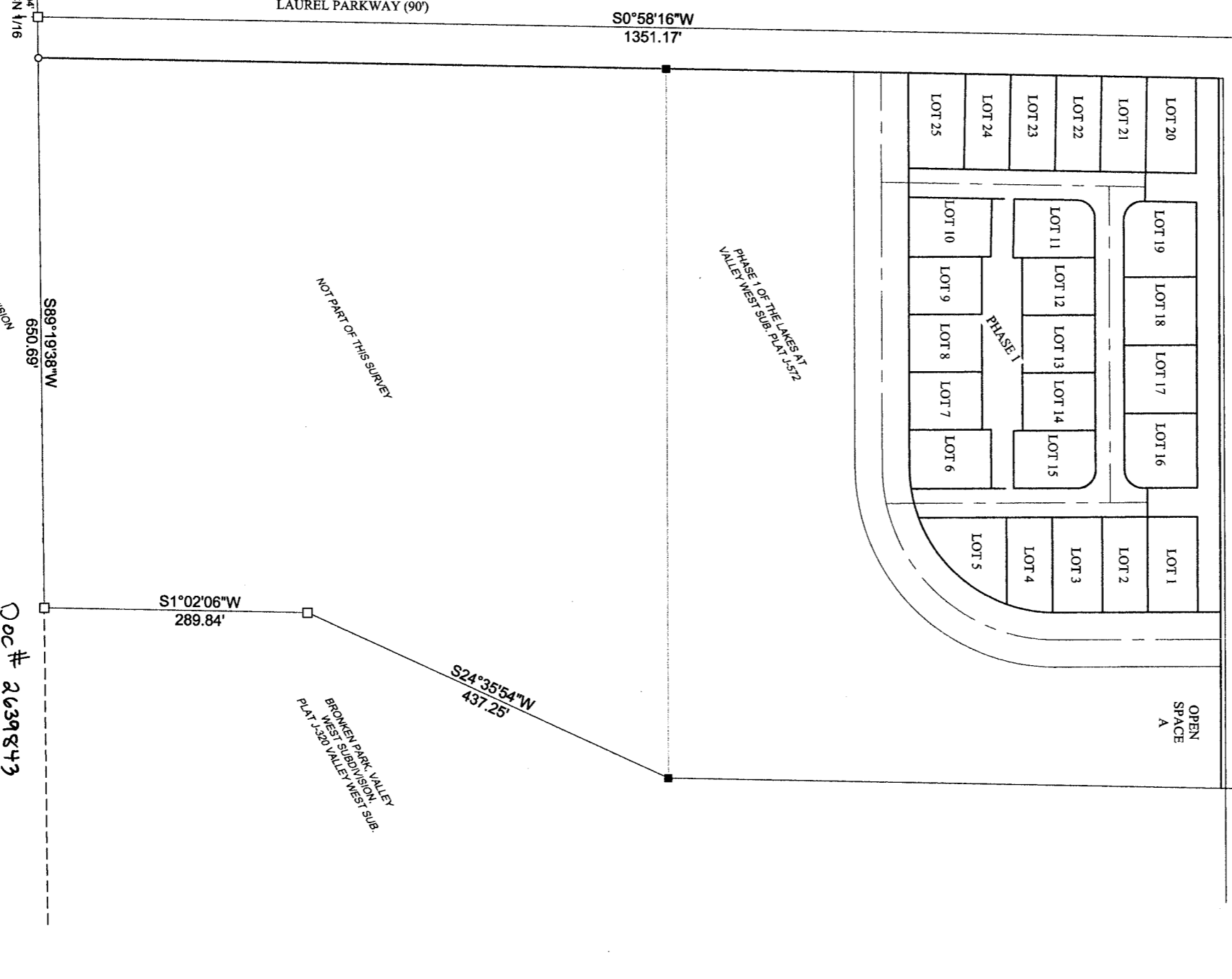
ZONING  
CITY OF BOZEMAN  
R-1

OWNER  
US TECHNOLOGIC  
2800 Technology Blvd, West  
Bozeman, MT 59718

PURPOSE  
FINAL LOTS  
TO CREATE FINAL LOTS  
AND 7 OPEN SPACE LOTS

J-645

THE 1/4 CORNER BETWEEN SECTIONS 4 AND 9 FOUND AT THE RECORD POSITION. SEE CCR BOOK 4, PAGE 990. DOC. NO. 2568975



NM 1/16

W 1/16

4

4/3  
5/10

ON 1/16

Doc # 2639843

Doc # 2639843

Doc # 2639843

Doc # 2639843

WWW.LESBEY.COM  
509.263.9843

THE LAKES  
AT VALLEY WEST

**Morrison**  
**Marle**

2800 Technology Blvd  
Bozeman, MT 59718  
Phone: 406.597.7221  
Fax: 406.597.7222

DATE: 12/01/18  
SCALE: 1" = 100'  
CHECKED BY: JGW  
PROJ. #: 5352.008

PRINCIPAL MERIDIAN, MONTANA COUNTY, MONTANA  
GALLATIN  
PLOTTED DATE: JAN/16/2019  
PLOTTED BY: JML  
WIMBRO  
CLIENT: THE LAKES

1/4 SEC. SECTION TOWNSHIP RANGE  
NW 9 SE 25 SE  
SHEET 2 OF 4

2639843  
03/13/2019 02:44:07 PM  
2639843

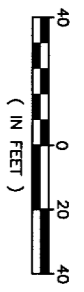
FINAL PLAT

THE LAKES AT VALLEY WEST - PHASE 5A

SITUATED IN THE NE1/4NW1/4 OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 5 EAST, PRINCIPAL MERIDIAN, CITY OF BOZEMAN, GALLATIN COUNTY, MONTANA.

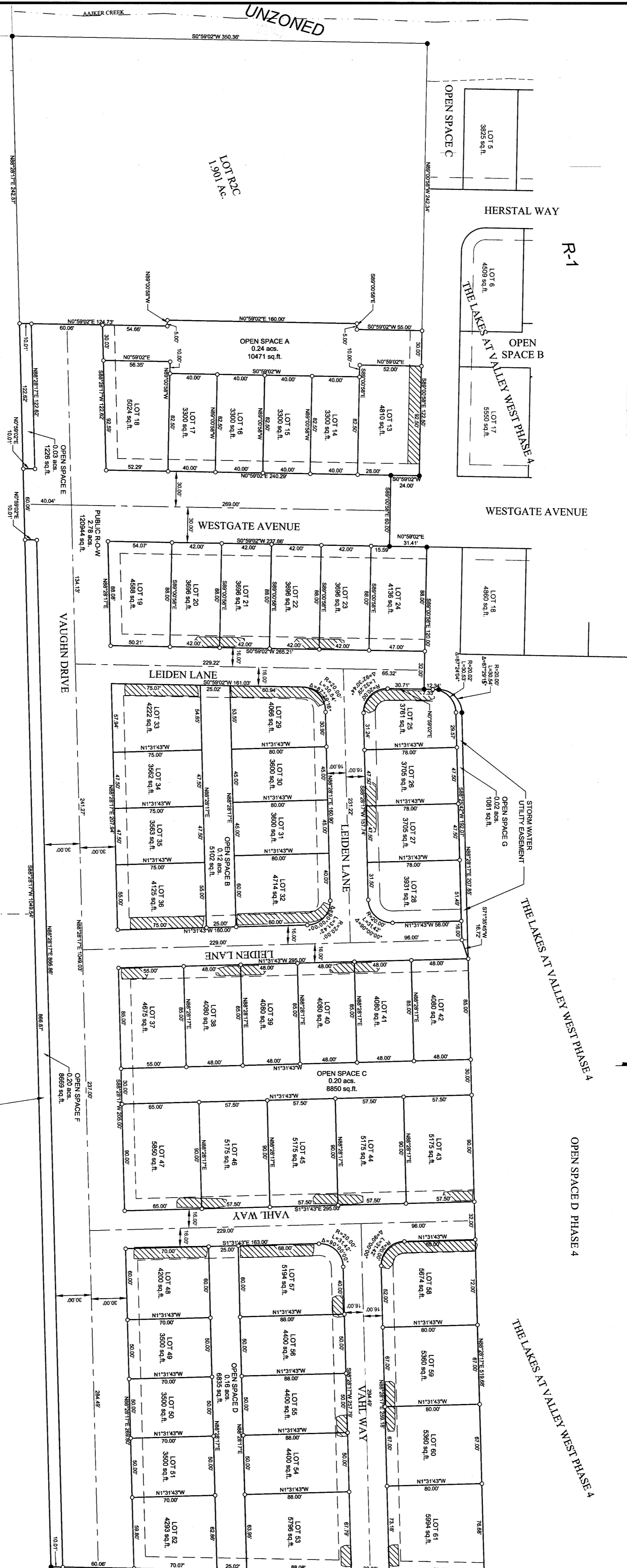
J-645

THE BEARINGS SHOWN HEREON ARE INDICATED RECORD BEARINGS. THE BEARINGS OF THE BOUNDARIES OF THE NE1/4NW1/4 OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 5 EAST, PRINCIPAL MERIDIAN, CITY OF BOZEMAN, GALLATIN COUNTY, MONTANA, ARE BASED ON THE FOUND CORNERS BETWEEN THE ONE-QUARTER CORNER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 5 EAST, PRINCIPAL MERIDIAN, CITY OF BOZEMAN, GALLATIN COUNTY, MONTANA.



40 0 20 40 (IN FEET)

ZONING: R-1  
OWNER: K&S DEVELOPMENT, INC. 2980 Bozeman, MT 59718  
PURPOSE: TO CREATE REPRESENTATIVE LOTS AND OPEN SPACE LOTS



AREA SUMMARY - PHASE 5

LOT AREA:	4,838 acres (210,923) Sq. Ft.
PUBLIC R.O.-W. AREA:	2,776 acres (120,944) Sq. Ft.
OPEN SPACE (PUBLIC):	0,970 acres (42,234) Sq. Ft.
PHASE 5A TOTAL AREA:	8,574 acres (373,470) Sq. Ft.
LOT R.C. AREA:	1,901 acres (82,833) Sq. Ft.
GRAND TOTAL AREA:	10,475 acres (456,303) Sq. Ft.

LEGEND

- 10' PUBLIC UTILITY EASEMENT (TYPICAL)
- SHOW STORAGE EASEMENT
- FOUND REBAR WITH WMI PLASTIC CAP
- SET REBAR 3/8" IN DIA. WITH ORANGE PLASTIC CAP
- FOUND REBAR WITH WMI PLASTIC CAP
- MONUMENTS TO BE SET BY APRIL, 2018.

AN EASEMENT FOR STREETS AND THE CITY OF BOZEMAN UTILITIES IS PROVIDED BY OPEN SPACE F

LOT R1 SUBDIVISION  
NORTON EAST PHASE 3A

2639843  
Doc # 2639843

**Morrison**  
**Materle**

2803 Technology Blvd  
Bozeman, MT 59718  
Phone: 406.587.7771  
Fax: 406.587.2032

DATE: 1/2018  
DRAWN BY: CHN  
CHECKED BY: JGW  
PROJ. #: 5552.008

PRINCIPAL MERIDIAN, MONTANA  
COUNTY: MONTANA  
GALLATIN  
PLOTTED DATE: JAN/18/2018  
WITNESSED BY: JGW  
CLIENT: THE LAKES

1/4 SEC. SECTION TOWNSHIP RANGE  
NW 9 2S 4E

DRAWING NAME: N5382098ACAD/SUBDIV/FPL/N5382099-PHASE-FINAL-PLAT-LOT.dwg  
SHEET 3 OF 4

CONDITIONS OF APPROVAL  
THE LAKES AT VALLEY WEST - PHASE 5A  
SITUATED IN THE NE1/4NW1/4 OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 5 EAST, PRINCIPAL MERIDIAN, CITY OF BOZEMAN, GALLATIN COUNTY, MONTANA.

J-645

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 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.

The undersigned property owner acknowledges that there are federal, state and local plans, policies, regulations, and/or conditions of subdivision approval that may limit the use of the property, including the location, size, and use.

1. NOTICE IS HEREBY GIVEN to all potential purchasers of Lot R2C, of the Lakes at Valley West Subdivision Phase 5A, City of Bozeman, Gallatin County, Montana, that the final plat of the subdivision was approved by the Bozeman City Council on 03/13/2019 without completion of on and off site improvements required under the Bozeman Municipal Code, as is allowed in Chapter 38.39 of the Bozeman Municipal Code. As such, this Restriction is filed with the final plat that stipulates that any use of this lot is subject to further subdivision, and no development of this lot shall occur until all on and off site improvements are completed as required under the Bozeman Municipal Code. THEREFORE, BE ADVISED, that Building Permits will not be issued for Lot R2C, of the Lakes at Valley West Subdivision, Phase 5A, City of Bozeman, Gallatin County, Montana until all required on and off site improvements are completed and accepted by the City of Bozeman. No building structure requiring water or sewer facilities shall be utilized on this lot until this restriction is filed. This restriction runs with the land and is enforceable only by further subdivision or the written consent of the City of Bozeman.

2. Ownership of all common open space areas and trails, and responsibility of maintenance thereof and for city assessments levied on the common open space lands shall be that of the property owner's association. Maintenance responsibility shall include, in addition to the common open space and trails, all vegetative ground cover, boulevard trees and irrigation systems in the public right-of-way boulevard strips along all external perimeter development streets and as adjacent to public parks or other common open space areas. All areas within the subdivision that are designated herein as common open space including trails are for the use and enjoyment by residents of the development and the general public. The property owners' association shall be responsible for levying annual assessments to provide for the maintenance, repair, and upkeep of all common open space areas and trails. At the same time of recording the final plat for each phase of the subdivision the property owners' association shall be responsible for levying annual assessments to provide for the maintenance, repair, and upkeep of all common open space areas within the subdivision. The property owners' association shall be responsible for the maintenance of all common open space areas within the Lakes at Valley West Phase 5A created by the subdivision to maintain or enhance the quality of life within the Lakes at Valley West Phase 5A.

3. All maintenance of storm water infrastructure is the responsibility of the property owner's association.

4. DUE TO THE POTENTIAL OF HIGH GROUND WATER TABLES IN THE AREAS OF THE SUBDIVISION, IT IS NOT RECOMMENDED THAT RESIDENTIAL DWELLINGS OR OTHER STRUCTURES WITH FULL OR PARTIAL BASEMENTS BE CONSTRUCTED WITHOUT FIRST CONSULTING A PROFESSIONAL ENGINEER LICENSED IN THE STATE OF MONTANA AND QUALIFIED IN THE CERTIFICATION OF RESIDENTIAL AND COMMERCIAL CONSTRUCTION

5. No crawl spaces or basements may be constructed such that sump pumps are required to pump water from these spaces. Sump pumps are not allowed to be connected to the sanitary sewer system. Sump pumps are also not allowed to be connected to the drainage system unless capacity is designed into the drainage system to accept the pumped water. Water from sump pumps may not be discharged onto streets, such as into the curb and gutters where they may create safety hazard for pedestrians and vehicles.

6. City standard sidewalks (including a concrete sidewalk section through all private drive approaches) shall be constructed on all public and private streets and frontages of the subdivision. The property owner shall be responsible for the final plat recordation of any phase of the subdivision, any lot owner who has not constructed the required sidewalk shall, without further notice, construct within 30 days, the sidewalk for their lot(s), regardless of whether other improvements have been made upon the lot.

7. The plat shows an easement for snow removal and storage. Snow removed from Laiden Lane and Vail Way must either be placed in this snow storage area or be hauled offsite to an approved location. Snow may not be deposited on public right of way.

8. All maintenance of Laiden Lane and Vail Way is the responsibility of the property owner's association.

9. All portions of this subdivision are zoned R-1. Land uses shall be established in accordance with The Lakes at Valley West Planned Unit Development and its development guidelines first recorded in Document No. 2479575 and subsequent amendments.

10. Front setback encroachments are allowed as provided in the protective covenants and restrictions for The Lakes at Valley West Planned Unit Development, Phase 5A.

11. All open space parcels are hereby encumbered by a public access easement as recorded in Document No. \_\_\_\_\_

Certificate of Transfer of Ownership and Completion of Non-Public Improvements, and Conditions of Approval:

The following are hereby granted and donated to the property owners association noted below for their use and enjoyment: Common Open Space parcels designated with letter A, B, C, D, E, F & G Phase 5A. Unless specifically listed in the Certificate of Dedication, the city accepts no responsibility for maintaining the same. KS Dev/Cor, INC, and Bozeman Investment Holdings, LLC hereby certify that the following non-public improvements, required to meet the requirements of chapter 38 of the Bozeman Municipal Code, or as a condition(s) of approval of the subdivision plat herein, have been installed in accordance with the special standards set forth in the subdivision plat, as well as the standards of Chapter 38 of the design standards, or have been financially guaranteed and approved by the subdivision improvement agreement accompanying and recorded with this plat.

Installed Improvements: None

Financially Guaranteed Improvements: Landscaping, Irrigation System, Sidewalks and Trails.

The subdivision hereby grants ownership of all non-public infrastructure improvements to the property owners association created by document number \_\_\_\_\_

We further certify that the text and/or graphics shown on the Conditions of Approval sheet represents requirements by the governing body for final plat approval and that all conditions of subdivision application have been satisfied, and that the information shown is current as of the date of the certification, and that changes to any land use restrictions or encumbrances may be made by amendment to covenants, zoning regulations, assessments, or other documents as allowed by law or local regulations.

KSDEV/CO, INC.

By JAMES M. STUEY, President

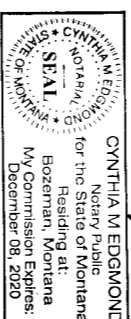
Dated

11/1/19

State of Montana  
County of Gallatin

On this 17<sup>th</sup> day of January, 2019, before me, the undersigned Notary Public for the State of Montana, personally appeared JAMES M. STUEY, known to me to be the President of KS Dev/Cor, Inc, and acknowledged to me that said Inc, executed the same.

Notary Public in and for the State of Montana  
Residing at Bozeman, Montana  
My commission expires December 08, 2020



Cynthia M. Edmondson

PARK AREA TABLE:

REQUIRED PARKLAND: 38 SINGLE FAMILY LOTS	0.03 acres/lot	1.14 acres
11 LOTS APPROVED FOR ADU	0.06 acres/lot	0.66 acres
TOTAL:		<u>1.80 acres</u>
SURPLUS PARKLAND FROM PHASE 1 AND 2, PHASE 3 AND PHASE 4: VALLEY WEST:		0.51 acres 36.95 acres
TOTAL:		<u>37.46 acres</u>
SURPLUS PARK LAND PHASES 1, 2, 3, 4, 5A		35.66 acres

Lots approved for accessory dwelling units include: 13, 18, 38, 40, 42, 43, 45, 47, 55, 57, 58.

2639843

Doc # 2639843



Form 453 02

**Morrison**  
Materle  
2803 Technology Park West  
Bozeman, MT 59718  
Phone 406.667.0721  
Fax 406.667.0722

DATE: 1/20/19  
SCALE: SEE DETAIL  
PROJ. #: 5352.009

PRINCIPAL: MERIDIAN, MONTANA  
GALLATIN COUNTY, MONTANA  
PLOTTED DATE: JAN/18/2019  
PLOTTED BY: JEN E.  
CLIENT: THE LAKES  
SHEET 4 OF 4

THE LAKES  
AT VALLEY WEST