

STATE OF MONTANA DEPARTMENT OF TRANSPORTATION

(hereinafter referred to as State, Department, Grantee, and/or MDT)

RIGHT-OF-WAY AGREEMENT**COPY FOR
YOUR RECORDS**

ROWFORMSIACQ\200 (Revised 7-19-2017)

PE PROJECT ID: NH 53-1(38)027th St – 1st Ave S to Airport
DESIGNATION

RW PROJECT ID: NH 53-1(38)0

Yellowstone
COUNTY

UNIFORM PROJECT No.: 7910-038-000

Parcel	From Station	To Station	QtrQtr, Tract, COS #, etc.	Section	Township	Range
100	242+49.29 RT	245+51.54 RT	A tract of land in the NE1/4NW1/4 of Section 32 & SE1/4SW1/4 of Section 29	32 & 29	1 N	26 E

List Names & Addresses of the Grantors
(Contract Purchaser, Contract Seller, Lessee, etc.)

Montana State University-Billings which acquired title as
The State of Montana, for the use and benefit of
Eastern Montana College
1500 N. 30th Street
Billings, MT 59101-0245

Clayton Christian, Commissioner of Higher Education
The Board of Regents
Montana University System
2500 Broadway Street
PO Box 203201
Helena, Montana 59620-3201
(406) 444-6570

Viv Hammill, Chief Legal Counsel
The Board of Regents
Montana University System
406 444-0325

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- In consideration of the payments herein set forth and the specific agreements to be performed by the parties hereto and written in this agreement, the parties bind themselves to the terms and conditions stated herein. No verbal representations or agreements shall be binding upon either party. This agreement is effective upon execution by the Acquisition Manager or a designated representative, and possession of the property is granted to the Department when it sends the payment(s) agreed to below. Grantors certify that any encumbrances on the property are shown on this agreement. If Grantors sell their remaining property prior to the highway project being constructed, Grantors agree to provide the Purchaser(s) with a copy of this entire Right-of-Way Agreement and agree to make the sale of their remaining property subject to all the terms and conditions contained in this Right-of-Way Agreement. Grantors contract that they will, on Department's request, execute deeds and/or easements required by Department for all real property agreed to be conveyed by this agreement.
 - COMPENSATION FOR LAND AND IMPROVEMENTS (List acreage and improvements to be acquired.)

<u>Land in Fee:</u>	
4,445 SF @ \$ 11.50/SF	\$ 51,118.00
<u>Land in Easement:</u>	
4,324 SF @ \$ 11.50/SF	\$ 49,726.00
(Myhre Advertising, Inc., A Montana Corporation)	
 - TOTAL COMPENSATION (includes all damages to the remainder): **\$ 100,844.00**

4. IT IS UNDERSTOOD AND AGREED THE STATE SHALL MAKE PAYMENT AS FOLLOWS:

A warrant in the amount of \$ 100,844.00 to be made payable to Montana State University-Billings Which Acquired Title as The State of Montana, for the use and benefit of Eastern Montana College and mailed to them at 1500 North 30th Street, Billings, Montana 59101-0245.

THE PARTIES HERETO HAVE EXECUTED THIS AGREEMENT ON THE DATES SHOWN:

Grantors' Statement: We understand that we are required by law to provide our correct taxpayer identification number(s) to the Montana Department of Transportation and that failing to comply may subject us to civil and criminal penalties. We agree to provide our **correct** taxpayer identification number(s) by submitting a completed and signed W-9 or W-8 form. We further agree to provide MDT with a completed and signed W-9 or W-8 from all persons and/or entities receiving payments by assignment from us in this agreement. We further agree and authorize MDT to process the payments outlined in this agreement by withholding a percentage of the payments, if required by the IRS, if we fail to submit the W-9 or W-8 forms within 30 days of signing this agreement.

Signature: Clayton Christian, Commissioner of Higher Education

(Date)

RECOMMENDED FOR APPROVAL:

APPROVED FOR AND ON BEHALF OF DEPARTMENT:

Calista Montgomery, Right-of-Way Agent (Date)

NSOP items approved, if applicable (Date)

Consultant Project or R/W Manager, if applicable (Date)

Celia B. "C.B." Clearwood, R/W Supervisor (Date)

Acquisition Manager (Date)