

RETURN TO: WORTH ENGINEERING, INC.  
3860 O'LEARY STREET, SUITE A  
MISSOULA, MT 59808

85  
6

202116766 B:1058 P:1096 Pages:6 Fee:\$48.00  
07/06/2021 04:11:15 PM Easement  
Tyler R. Gernant, Missoula County Clerk & Recorder



**TERMINATION OF EASEMENT AGREEMENT  
AND QUIT CLAIM DEED**

This TERMINATION OF EASEMENT AGREEMENT AND QUIT CLAIM DEED ("Agreement") is made this 28<sup>th</sup> day of June, 2021 by and among owners of land benefiting from and burdened by certain private road easements, as follows:

**RECITALS**

- A. Patricia Sinclair Family LLC owns Tract 5 of C.O.S. No. 3176, records of Missoula County, Montana ("Tract 5"), and OO Land Holding LLC is under contract to purchase Tract 5.
- B. Tollefson Enterprises LLC owns Parcel 8A of C.O.S. No. 6109, formerly known as Tract 8 of C.O.S. No. 3176, records of Missoula County, Montana ("Tract 8").
- C. C.O.S. No. 3176 established certain "Private Road & Public Utility Easements" providing access to the parcels described in the certificate of survey.
- D. By instrument dated June 25, 1990, and recorded at Book 549 of Micro Records, Page 1716, records of Missoula County, Montana, Mary A. Flynn relocated a portion of the Private Road and Public Utility Easements affecting Tract 8, C.O.S. No. 3176 for the benefit of the owners of Tract 5, 7, and 9, C.O.S. No. 3176.
- E. C.O.S. No. 5699 shows various public road easements which have been granted in the area to the west of Reserve Street and to the north of Mullan Road. This certificate of survey shows that legal access to the east side of Tracts 5 and 7 is provided by public roadway easements for Roundup Drive granted in certain documents including, but not limited to,

Book 726 of Micro Records, Page 567, Book 726 of Micro Records, Page 569, and Book 726 of Micro Records, Page 570, as recorded in the records of Missoula County.

- F. C.O.S. 5699 also shows that by an instrument dated November 20, 2003, and recorded at Book 726 of Micro Records, Page 565, records of Missoula County, Montana, the Flynn Family Limited Partnership granted public roadway easements for George Elmer Drive and England Boulevard pursuant to certain conditions along the western boundary of Tract 10, C.O.S. No. 3176, continuing north and south through the approximate center of Tracts 8, 6, and 4, C.O.S. No. 3176, and running east to west along the common boundary line between Tracts 4 and 6, C.O.S. No. 3176, as shown on the Exhibit attached to that recorded instrument.
- G. The existence of alternative public access easements for the future construction of Roundup Drive, George Elmer Drive and England Boulevard means the parties will not need to utilize the portion of the easements shown on C.O.S No. 3176 running east and west along the southern boundary of Tract 8, C.O.S No. 3176, and north and south along the western boundary of Tract 8, C.O.S. No. 3176, as modified by the instrument recorded at Book 549 of Micro Records, Page 1716, records of Missoula County, Montana.
- H. The parties to this agreement hereby agree to terminate all rights to that portion of the 60' "Private Road and Public Utility" easement running east and west along the southern boundary of Tract 8, C.O.S No. 3176, and north and south along the western boundary of Tract 8, C.O.S. No. 3176, as modified by the instrument recorded at Book 549 of Micro Records, Page 1716, records of Missoula County, Montana.

**NOW THEREFORE**, for and in consideration of the termination of their rights to the private road easements by each party to each other party and other valuable consideration, the receipt of which is hereby acknowledged, the parties do hereby agree as follows:

PATRICIA SINCLAIR FAMILY LLC, as owner of Tract 5 and OO LAND HOLDING LLC, as holder of an options to purchase Tract 5, do hereby convey, release, remise, and forever quit all rights, title, and interest in that portion of the "Private Road and Public Utility Easements" running east and west along the southern boundary of Tract 8, C.O.S No. 3176, and north and south along the western boundary of Tract 8, C.O.S. No. 3176, as modified by the instrument

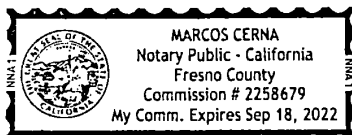
recorded at Book 549 of Micro Records, Page 1716, records of Missoula County, Montana, unto  
TOLLEFSON ENTERPRISES LLC.

**IN WITNESS WHEREOF**, the Agreement has been executed by the parties of the date set forth  
above.

Mary Ernesto, Manager  
Patricia J. Sinclair Family LLC  
By: Mary Ernesto, Manager

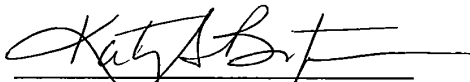
STATE OF California )  
 ) ss.  
County of Fresno )

This instrument was acknowledged before me by Mary Ernesto as manager for Patricia J.  
Sinclair Family LLC on the 24<sup>th</sup> day of June, 2021.



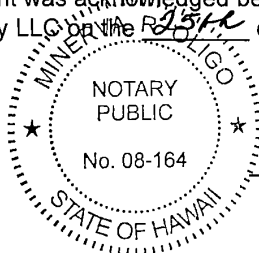
[Signature]  
Notary Signature

IN WITNESS WHEREOF, the Owner has hereunto set his/her hand and seal this 25<sup>th</sup> day of JUNE, 2021.

  
Patricia J. Sinclair Family LLC  
By Katie Britzmann, Manager

STATE OF HAWAII )  
 ) ss.  
County of KAUAI )

This instrument was acknowledged before me by Katie Britzmann as manager for Patricia J. Sinclair Family LLC on the 25<sup>th</sup> day of JUNE, 2021.





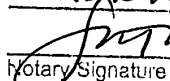
Notary Signature atp 5/12/2024

Doc. Date: 6/24/2021 # Pages 6

Notary Name: Minerva R. Oligo Fifth Circuit

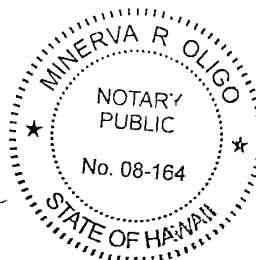
Doc. Description Termination

Easement Agreement and  
Quit claim Deed

Notary Signature 

Date

6/24/2021



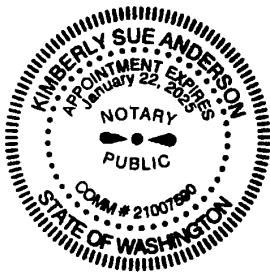
IN WITNESS WHEREOF, the Owner has hereunto set his/her hand and seal this 21 day of  
June, 2021.

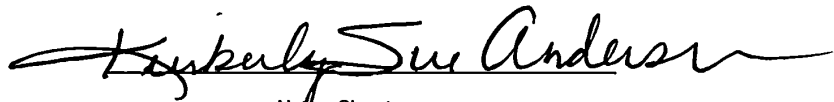
  
OO Land Holding LLC

Ryan Olson member  
Printed Name and Title

STATE OF Washington )  
 ) ss.  
County of Spokane )

This instrument was acknowledged before me by Ryan Olson, as Member  
for OO Land Holding LLC on the 21<sup>st</sup> day of June, 2021.



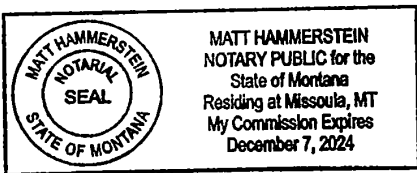
  
Notary Signature

IN WITNESS WHEREOF, the Owner has hereunto set his/her hand and seal this 6 day of  
July, 2021.

Nate Tollefson  
Tollefson Enterprises LLC  
Nate Tollefson, Member

STATE OF Montana )  
 ) ss.  
County of Missoula )

This instrument was acknowledged before me by Nate Tollefson, member, and authorized agent for Tollefson Enterprises LLC on the 6<sup>th</sup> day of July, 2021.



Matt Hammerstein  
Notary Signature