

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

PS
4

202116767 B:1058 P:1097 Pages:4 Fee:\$32.00
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 21 day of June, 2021 by and among owners of land benefiting from and burdened by certain private road easements, as follows:

RECITALS

- A. OO Land Holding LLC, owns Tract 7 of C.O.S. No. 3176, records of Missoula County, Montana ("Tract 7").
- 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 now provided by a public roadway easement granted by the Emmett H. Flynn Testamentary Trust and the Kathryn R.

Flynn Family Limited Partnership to Missoula County which was recorded on February 13, 2004, in Book 726 of Micro Records, Page 567, records of Missoula County, Montana.

- 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 a public roadway easement 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 construction of George Elmer Drive and England Boulevard will eliminate the need for parties 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:

OO LAND HOLDING LLC, as owner of Tract 7, 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 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 21st day of June, 2021.



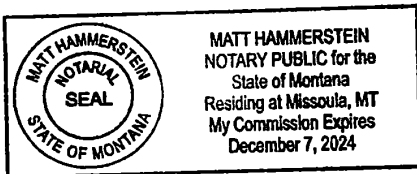

Notary Signature

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 6th day of July, 2021.



[Signature]
Notary Signature