

April 17, 2024

Town of Manhattan, Montana  
207 South Sixth St.  
Manhattan, MT 59741

Attn: Manhattan Town Council

**RE: Subdivision Exemption for Lance and Jenna Marie Johnson**

Dear Manhattan Town Council Members:

Please accept this letter and the accompanying Staff Report as my recommendation for your decision. The applicant Norbert Hackl on behalf of Lance and Jenna Marie Johnson, has submitted a Subdivision Exemption Application for a Common Boundary Relocation. The parcel is located outside of the Town Limits but falls within the Planning Jurisdictional Area of Manhattan. Therefore, this application will not have any zoning requirements to meet. The Town Council will offer a recommendation before a final decision is made by the Gallatin County Commissioners.

During the review of this application staff has determined that this is not an attempt to evade the Montana Subdivision and Platting Act. The applicant is claiming an exemption under Montana Code Annotated 76-3-207(a). This MCA states that division outside of a platted subdivision for the purpose relocating common boundaries is not an attempt to evade the Montana Subdivision and Platting Act.

Staff recommends forwarding this application to Gallatin County with a favorable recommendation.

Attached are a detailed staff report, appropriate deeds, the application, and an aerial image of the property. If you have any questions regarding this application, please contact me at either 406-475-2969 or [shazelton@hyaliteeng.com](mailto:shazelton@hyaliteeng.com).

Respectfully Submitted,



Scott Hazelton, AICP, CFM  
Senior Planner  
406-475-2969  
[shazelton@hyaliteeng.com](mailto:shazelton@hyaliteeng.com)

Enclosures: As noted

Cc: Town of Manhattan  
File – 223843



# Staff Report

Town of Manhattan 207 South Sixth St. Manhattan, Montana 59741  
406.475.2969 | shazelton@hyaliteeng.com

## TOWN COUNCIL

**Report Date:** April 16, 2024

**Meeting Date:** May 9<sup>th</sup>, 2024 @ 7:00 p.m.

**Petitioner(s):** Lance and Jenna Marie Johnson, Agent: Norbert Hackl

**Staff:** Scott Hazelton, & Pam Humphrey

**Zoning:** Unzoned County Land

**Address:** 3055 Sales Road, Belgrade, MT 59718

**Legal Description:** S01, T01 N, R03 E, C.O.S. 1759A, PARCEL 1, ACRES 10.009 & : S01, T01 N, R03 E, C.O.S. 1759A, PARCEL 2, ACRES 71.45

**Assessor Code(s):** 00REF44596 & 0000REE891

**Geocode(s):** 06-1009-01-4-01-10-0000 & 06-1009-01-4-01-04-0000

**Submitted Materials:** Application, Required Maps, & Amended Plat

## OVERVIEW

The petitioner, Lance and Jenna Marie Johnson by way of their agent Norbert Hackl, seeks approval of a determination that they are not evading the Montana Subdivision and Platting Act for a Common Boundary Relocation in unzoned county property. Section 13 provides the relevant sections of the Gallatin County Subdivision Regulations regarding subdivision exemptions. Montana Code Annotated 76-3-207(a) provides the relevant sections regarding subdivisions.

At the date of drafting of this staff report no public comments have been received by the Town of Manhattan.

The application conforms to the Gallatin County Subdivision Regulations, Town of Manhattan Code and Montana Code Annotated. The proposed use is congruent with all applicable regulations. This application is to allow for a common boundary line relocation to build a new structure south of the existing residential and have both buildings on the same parcel.

There is FEMA mapped Special Flood Hazard areas on the parcel. The applicant should be aware that any future buildings or improvements must fully comply with Gallatin County Floodplain Regulations. There is a slight deviation in starting acreage and proposed this is understood to be from advancements in surveying technology. The existing and proposed tracts are as follows:

Tract	Acres (existing)	Tract (new)	Acres (new)
Parcel 1	10.009	Tract 1A	20.715
Parcel 2	71.45	Tract 2A	60.741

## EVALUATION

Staff finds the request to perform a common boundary relocation to establish new boundaries as acceptable with appropriate conditions. The application matches the purpose of the subdivision exemption regulations as listed below:

The proper use of the exemption for relocating common boundary lines is to:

1. Establish a new boundary between adjoining parcels of land outside of a platted Subdivision, without creating an additional parcel; or
  - a. *Staff finds that the applicant has submitted for two parcels to be rearranged into two parcels. This will allow for existing buildings and the proposed to be on the same parcel.*

## FINDINGS

Staff has determined that the submitted application and its supporting documentation complies with all applicable provisions of the Town of Manhattan Regulations and Gallatin County Subdivision Regulations. The Town Council's review is consistent with Town policies.

Upon approval by the County Commission, based on the criteria established in the Gallatin County Subdivision Regulations, and information and supporting documentation provided by the applicant, it shall be deemed that the requested exemption claim meets all necessary criteria for the used of the exemption and is not an attempt to evade subdivision review.

## RECOMMENDATION

Manhattan Planning staff provide the Town Council of Manhattan a favorable recommendation for the common boundary relocation for Lance and Jenna Marie, at 3055 Sales Road, Belgrade, MT 59718. Any actions taken by the Town Council should include appropriate conditions to mitigate any circumstances the Council identified during their review of the request. Staff suggests the following conditions for the Town Council to initially consider:

1. The petitioner abides by all representations, testimony, and materials submitted during the application and hearing process, to the extent those items were not negated by the Planning Board, as well as they are not inconsistent with the spirit or letter of explicit conditions to the petition.
2. The petitioner pays the appropriate fees required by any remaining review agencies.
3. That the petitioner complies with all requirements of the Montana Subdivision and Platting Act.
4. That the petitioner receives Gallatin County Department of Health and Gallatin County Clerk and Recorder approvals prior to filing the plat with the Gallatin County Clerk and Recorder's Office.
5. Any future development of the site attains the proper permits for development on the parcel.



Scott Hazelton, AICP, CFM  
Planning Consultant  
Senior Planner Hyalite Engineers

4/16/2024  
Date



## GALLATIN COUNTY Subdivision Exemption Claim Application

**1. Claimant(s)** *(if more than two claimants, please attach additional sheets)*

**a.** Name Lance & Jenna Marie Johnson Occupation \_\_\_\_\_  
 Address 3055 Sales Road, Belgrade MT 59714 Phone (406) 388-7171  
 Email ljohnson@ltsiteservices.com

**b.** Name Same as a. Occupation \_\_\_\_\_  
 Address \_\_\_\_\_ Phone \_\_\_\_\_  
 Email \_\_\_\_\_

**2. Surveyor**

Name Norbert Hackl, PLS Firm Alpine Surveying & Eng. Inc.  
 Address 714 Stoneridge Drive, Suite 3; Bozeman MT 59718 Phone (406) 586-5599  
 Email nhackl@alpinesurveying.net

**3. Existing Parcel(s)** *(if more than two parcels, please attach additional sheets)*

**a.** Address 3055 Sales Road, Belgrade MT 59714  
 Section 1/6 Township 1N/1N Range 3E/4E  
 Other legal description Tract 1 of COS No. 1759A  
 Zoning District Manhattan Planning Jurisdiction Zoning Designation NA  
 Assessor Parcel # R E F 4 4 5 9 6  
 DOR# 06 1009 01 4 01 10 0000  
(2) (4) (2) (1) (2) (2) (4)

**i.** How and when was the parcel created *(example: Occasional Sale, COS 999, 5/1/92)?*

Boundary Line Relocation COS No. 1759A; 02/24/2006

**ii.** Has a subdivision application for the parcel been withdrawn or denied? \_\_\_ Yes  No

**b.** Address Sales Road, Manhattan MT 59741  
 Section 1 Township 1N Range 3E  
 Other legal description Tract 2 of COS No. 1759A  
 Zoning District Manhattan Planning Jurisdiction Zoning Designation NA  
 Assessor Parcel # R E E 8 9 1  
 DOR# 06 1009 01 4 01 04 0000  
(2) (4) (2) (1) (2) (2) (4)

CLAIMANTS' INITIALS

i. How and when was the parcel created (example: Occasional Sale, COS 999, 5/1/92)?  
Boundary Line Relocation COS No. 1759A; 02/24/2006

ii. Has a subdivision application for the parcel been withdrawn or denied? \_\_\_ Yes  No

4. Type of Exemption and Reason or Justification

**Gift or Sale to Immediate Family Member ("Family Transfer")**

<u>Recipient(s)</u>	<u>Relationship to Claimant</u>	<u>Age</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

- Attach copies of all deeds, contracts, restrictions and covenants related to this property recorded within the past year.
- If recipients are under age 18, attach documentation of trust, custodianship pursuant to the Montana Uniform Transfers to Minors Act., etc.
- Date Claimant(s) became sole owner(s) of parcel to be divided \_\_\_\_\_

Note: See attached *Procedures for Family Transfer Exemption Claims*.

**Agricultural Exemption**

(Covenant running with the land, revocable only by mutual consent of the Commission and the property owner, that the land will be used exclusively for agricultural purposes. No Structure requiring water or sewer facilities shall be utilized on this parcel.)

Description of current and proposed agricultural use:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Lot Aggregation/ Relocation of Common Boundary Lines Outside or Adjoining a Platted Subdivision** Describe and provide documentation showing the need or reason for the relocation: (attach supporting documentation:  Aerial Photo \_\_\_ Site Plan)

~~Current property owner wishes to construct a barn south of the existing house and wants to keep both buildings on the same property~~

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CLAIMANTS' INITIALS 

**Lot Aggregation/Relocation of Common Boundary Lines within Platted Subdivision**

Describe and provide documentation showing the need or reason for the relocation:

(attach supporting documentation: \_\_\_Aerial Photo \_\_\_Site Plan)

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**Security for Construction ("Mortgage Survey")**

Attach signed and notarized statement from lending institution confirming that the exempt parcel is necessary to secure a construction loan for buildings or other improvements on the parcel.

**Townhouse Lot Creation**

Attach site plan for the parcel showing the building lines, utilities, easements, etc.:

**Other**

Reason/justification:

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**5. Intentions for Use**

Claimants' and recipients' intentions for the use of each parcel (including existing, new and remainder parcels) (i.e. will the parcel(s) be used for agriculture, residences, etc.?):

~~Tract 1A will be used for residence; Tract 2A is currently vacant and there are currently no plans for developing the property~~

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**6. Intentions for Disposition**

Claimants' and recipients' long term and short term intentions for the disposition of each parcel (including existing, new and remainder parcels) (i.e. after this transaction is finalized, will the parcel(s) be retained by recipient, sold, gifted, etc.?):

~~Both tracts will be retained by the current owner~~

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CLAIMANTS' INITIALS



**7. Required Attachments For All Exemption Types**

Certificate of Survey (to include:)  
Six paper copies

One copy of the mylar with all required certificates including:

- |   |  |
|---|--|
| County Commission's certificate                                   | Surveyor's certificate, <i>signed</i>  |
| Clerk & Recorder's certificate                                    | Treasurer's certificate, <i>signed</i> |
| Claimants' Certificates of Exemption, <i>signed and notarized</i> |  |

- Digital Copy of Plat and application materials (no file greater than 20 MB).
- Copies of recorded deeds documenting present ownership in all affected parcels.
- Copies of proposed deeds for exchange of ownership, if any exchange is proposed.
- Copies of proposed deed restrictions or covenants, if any. (Ag Exemptions)

***If claim is for Relocation of Common Boundary Lines, provide documentation showing the need or reason for the relocation:***

- Aerial Photo
- Site Plan
- Surveyor Error
- Structure Encroachment
- Enhancement of the Configuration of the Property
- Other (please describe): \_\_\_\_\_

***If parcel is in a Zoning District, also include:***

Site plan showing all existing and proposed structures and proposed property lines.

***If Aggregating by Deed, also include:***

No Certificate of Survey, Signed Surveyor's certificate, or mylar's.

***If claim is for Family Transfer Exemption, also include:***

- Copies of all deeds, contracts, restrictions and covenants related to this property recorded within the past year.
- If recipients are under age 18, documentation of trust, custodianship pursuant to the Montana Uniform Transfers to Minors Act, etc.

***If claim is for Mortgage Exemption, also include:***

- Statement from lending institution confirming need.
- No Proposed Deeds.

***If claim involves a parcel that was created as a railroad or road "parcel", also include:***

A copy of the deeds and instruments that originally established the railroad or road "parcel".

**8. Acknowledgements**

- **I understand** that the State of Montana provides that certain divisions of land, which would otherwise constitute subdivisions, are exempt from local subdivision review and approval, unless the transactions are an attempt to evade the Montana Subdivision and Platting Act.
- **I affirm** that this exemption claim is not an attempt to evade the Montana Subdivision and Platting Act.
- **I recognize** that I may be subject to penalty if my actions are deemed to be an effort to evade subdivision review, as set forth in the Montana Code Annotated:

CLAIMANTS' INITIALS 

- 76-3-301(3) If transfers not in accordance with this chapter [i.e., Chapter 3, Local Regulation of Subdivisions] are made, the county attorney shall commence action to enjoin further sales or transfers and compel compliance with all provisions of this chapter. The cost of such action shall be imposed against the party not prevailing.
- 76-3-105 Violations.  
Any person who violates any provision of this chapter [i.e., Chapter 3, Local Regulation of Subdivisions] or any local regulations adopted pursuant thereto shall be guilty of a misdemeanor and punishable by a fine of not less than \$100 or more than \$500 or by imprisonment in a county jail for not more than 3 months or by both fine and imprisonment. Each sale, lease, or transfer of each separate parcel of land in violation of any provision of this chapter or any local regulation adopted pursuant thereto shall be deemed a separate and distinct offense.
- 45-7-201 Perjury.
  - (1) A person commits the offense of perjury if in any official proceeding he knowingly makes a false statement under oath or equivalent affirmation or swears or affirms the truth of a statement previously made, when the statement is material.
  - (2) A person convicted of perjury shall be punished by imprisonment in the state prison for any term not to exceed 10 years or shall be punished by a fine of not more than \$50,000, or by both such fine and imprisonment.
  - (3) Falsification is material, regardless of the admissibility of the statement under rules of evidence, if it could have affected the course or outcome of the proceeding. It is no defense that the declarant mistakenly believed the falsification to be immaterial. Whether a falsification is material in a given factual situation is a question of law
  - (4) It is not a defense to prosecution under this section that the oath or affirmation was administered or taken in an irregular manner or that the declarant was not competent to make the statement. A document purporting to be made upon oath or affirmation at any time when the offender presents it as being so verified shall be deemed to have been duly sworn or affirmed.
  - (5) No person shall be guilty of an offense under this section if he retracted the falsification in the course of the proceeding in which it was made before it became manifest that the falsification was or would be exposed and before the falsification substantially affected the proceeding.
  - (6) Where the defendant made inconsistent statements under oath or equivalent affirmation, both having been made within the period of the statute of limitations, the prosecution may proceed by setting forth the inconsistent statements in a single count alleging in the alternative that one or the other was false and not believed by the defendant. In such case it shall not be necessary for the prosecution to prove which statement was false but only that one or the other was false and not believed by the defendant to be true.
  - (7) No person shall be convicted of an offense under this section where proof of falsity rests solely upon the testimony of a single person other than the defendant.
- 45-7-202 False swearing.
  - (1) A person commits the offense of false swearing if he knowingly makes a false statement under oath or equivalent affirmation or swears or affirms the truth of such a statement previously made when he does not believe the statement to be true and:
    - (a) the falsification occurs in an official proceeding;
    - (b) the falsification is purposely made to mislead a public servant in performing his official function; or
    - (c) the statement is one which is required by law to be sworn or affirmed before a notary or other person authorized to administer oaths.
  - (2) Subsections (4) through (7) of 45-7-201 apply to this section.
  - (3) A person convicted of false swearing shall be fined not to exceed \$500 or be imprisoned in the county jail for any term not to exceed 6 months, or both.

CLAIMANTS' INITIALS



9. Affidavit

Lance & Jenna Marie Johnson, Claimant(s),  
being first duly sworn upon oath, deposes and says as follows:

I, as Claimant, have read the foregoing Subdivision Exemption Claim Application  
and affirm that it is true and correct.

*[Handwritten Signature]*

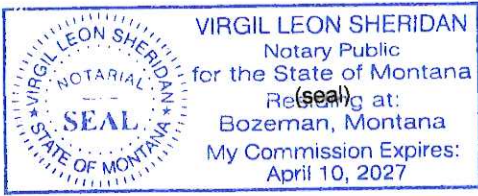
Date 3-28-2024

Claimant's Signature

State of Montana

County of Gallatin

Subscribed and sworn to before me on this 28 day of March, 2024.



*[Handwritten Signature]*

Notary Public for the State of Montana

Residing at 1008 Founders Creek Ave Boz MT 59718

My commission expires April 10, 2027

*[Handwritten Signature]*

Date 03-28-2024

Claimant's Signature

State of Montana

County of Gallatin

Subscribed and sworn to before me on this 28 day of March, 2024.



*[Handwritten Signature]*

Notary Public for the State of Montana

Residing at 1008 Founders Creek Ave Boz MT 59718

My commission expires April 10, 2027

CLAIMANTS' INITIALS *[Handwritten Initials]*

# TRACT EXHIBIT

TRACT 1 AND TRACT 2 OF CERTIFICATE OF SURVEY NO. 1759A, LOCATED IN THE SOUTHEAST 1/4 OF SECTION 1, TOWNSHIP 1 NORTH, RANGE 3 EAST, AND IN THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 4 EAST, P.M.M., GALLATIN COUNTY, MONTANA



**LEGEND**

- New Property Boundary Line
- Old Property Boundary Line
- Proposed Home Location

DRAWN BY: GLL  
 DATE: 04/11/2024  
 PROJECT NO. 349-05  
 FILE NAME: TRACT EXHIB

**ALPINE**  
 SURVEYING & ENGINEERING

714 Stoneridge Dr.  
 Suite 3  
 Bozeman, MT 59718  
 586.5599 Office  
 www.alpinesurveying.net



SHEET  
 1 OF 1



**CERTIFICATE OF SURVEY NO. \_\_\_\_\_**  
**A RELOCATION OF COMMON BOUNDARIES BETWEEN**  
**TRACT 1 AND TRACT 2 OF CERTIFICATE OF SURVEY NO. 1759A, LOCATED IN THE**  
**SOUTHEAST 1/4 OF SECTION 1, TOWNSHIP 1 NORTH, RANGE 3 EAST, AND IN THE**  
**SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 4 EAST, P.M.M.,**  
**GALLATIN COUNTY, MONTANA**

THIS SURVEY WAS PERFORMED FOR LANCE JOHNSON AND JENNA MARIE JOHNSON

THE PURPOSE OF THIS SURVEY IS RELOCATE BOUNDARIES OF TWO EXISTING TRACTS OF RECORD

**LEGAL DESCRIPTION**

A tract of land located in the Southeast One-Quarter of Section 1, Township 1 North, Range 3 East, and in the Southwest One-Quarter of Section 6, Township 1 North, Range 4 East, P.M.M., Gallatin County, Montana, more particularly described as follows:

**BEGINNING** at a 2" Skyline aluminum cap "14456LS" at the Northwest corner of the described tract, also being the center 1/4 corner of Section 01;  
 thence N 89°43'35" E a distance of 339.74' to a 2" C&H aluminum cap "9518ES";  
 thence S 65°49'42" E a distance of 1658.02' to a 2" C&H aluminum cap "9518ES";  
 thence S 65°49'26" E a distance of 991.16' to a 5/8" Rebar;  
 thence S 01°31'38" E a distance of 666.88' to a Calculate Position;  
 thence S 89°20'19" W a distance of 2753.12' to a Calculated Position;  
 thence N 00°41'22" W a distance of 1781.77' to the point of beginning, containing 81.456 acres, more or less.

**SUBJECT** to all easements of record or apparent from visual inspection of the property.

**CERTIFICATE OF EXEMPTION**

We, the undersigned owners of record of the herein described property, do hereby certify that the purpose of this survey is to relocate the common boundary between existing tracts of record outside a platted subdivision, and that this exemption complies with all conditions imposed on its use. Therefore this survey is exempt from review as a subdivision pursuant to Section 76-3-207(1)(a), MCA, and the Gallatin County Subdivision Regulations.

Lance Johnson \_\_\_\_\_  
 Jenna Marie Johnson \_\_\_\_\_

State of \_\_\_\_\_ s.s.  
 County of \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_ before me, a Notary Public in and for said state, personally appeared Lance Johnson & Jenna Marie Johnson, known to me to be the people whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Signature \_\_\_\_\_

Printed Name \_\_\_\_\_

Notary Public for the State of \_\_\_\_\_

Residing at \_\_\_\_\_

My commission expires \_\_\_\_\_

**CERTIFICATE OF COUNTY TREASURER**

I, \_\_\_\_\_ Treasurer of Gallatin County, Montana do hereby certify that the accompanying Certificate of Survey has been duly examined and that all real property taxes and special assessments assessed and levied on the land to be surveyed have been paid. (REF44596 & REE891)

Dated this \_\_\_\_\_ day of \_\_\_\_\_.

Treasurer of Gallatin County \_\_\_\_\_

**CERTIFICATE OF COUNTY COMMISSIONERS**

I, \_\_\_\_\_ Chairman of the Board of County Commissioners, do hereby certify that the use of the exemption claimed on the accompanying Certificate of Survey has been duly reviewed, and has been found to conform to the requirements of the Montana Subdivision and Platting Act, §76-3-101 et. seq. MCA and the Gallatin County Subdivision Regulations.

Dated this \_\_\_\_\_ day of \_\_\_\_\_.

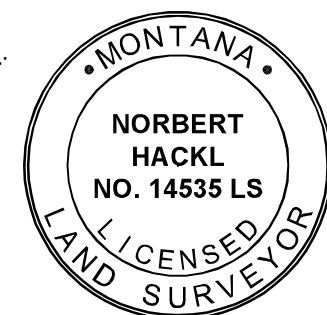
Chairman, Board of County Commissioners \_\_\_\_\_

**CERTIFICATE OF SURVEYOR**

I, Norbert Hackl, the undersigned Professional Land Surveyor, do hereby certify that between June 27, 2023 and \_\_\_\_\_, 2023 the accompanying Certificate of Survey was surveyed by me, or under my supervision, and the same was platted as shown on the accompanying plat and as described, in accordance with the Montana Subdivision and Platting Act, §76-3-101 through §76-3-625 M.C.A., and the Gallatin County Subdivision Regulations.

Dated this \_\_\_\_\_ day of \_\_\_\_\_.

Norbert Hackl, PLS  
 Montana Registration No. 14,535 L.S.

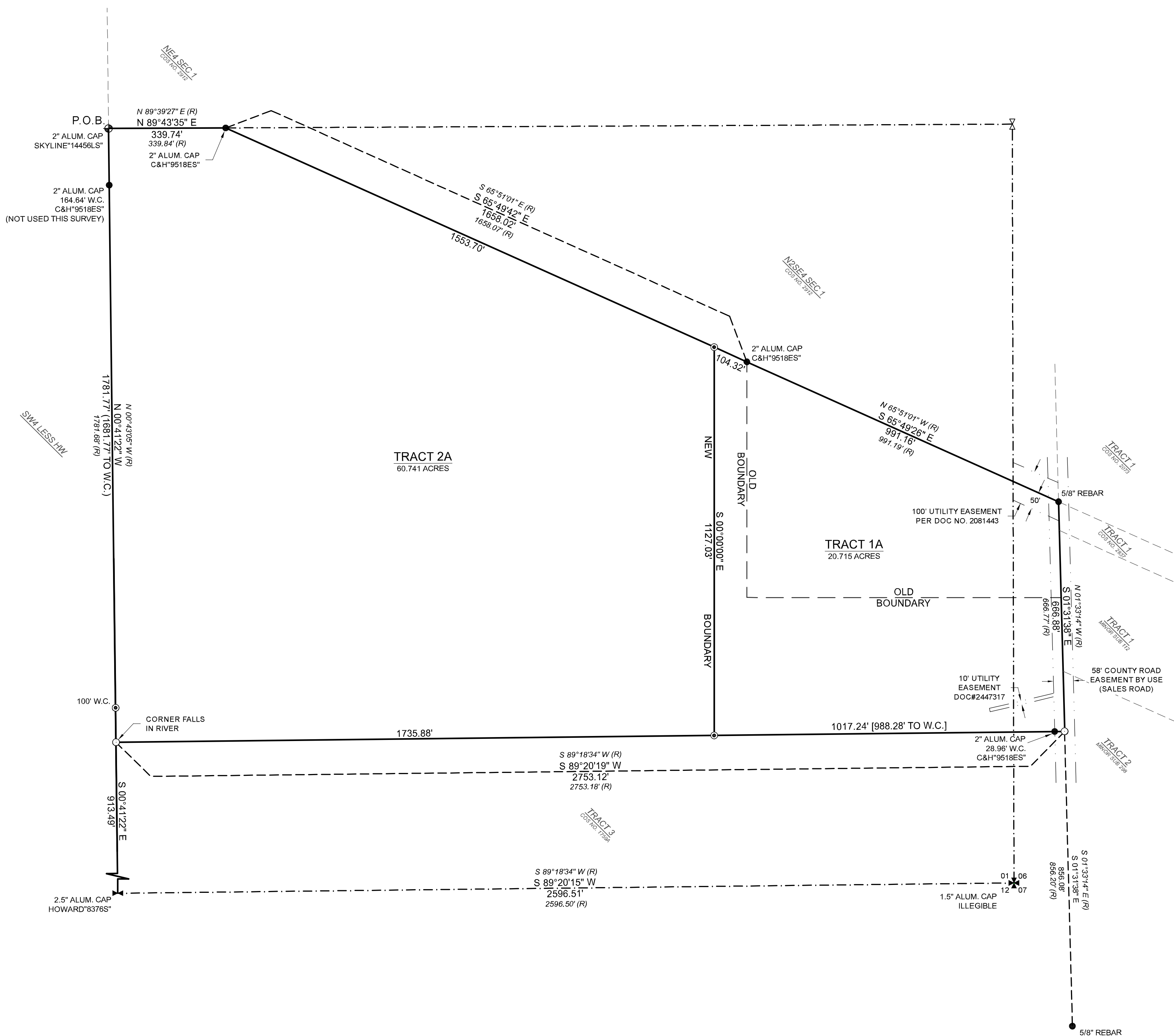


**CERTIFICATE OF CLERK AND RECORDER**

I, \_\_\_\_\_ Clerk and Recorder of Gallatin County, Montana, hereby certify that the foregoing instrument was filed in my office at \_\_\_\_\_ o'clock \_\_\_\_\_ M. this \_\_\_\_\_ day of \_\_\_\_\_ A.D., and recorded as Certificate of Survey No. \_\_\_\_\_ records of the Clerk and Recorder, Gallatin County, Montana.

Document Number \_\_\_\_\_

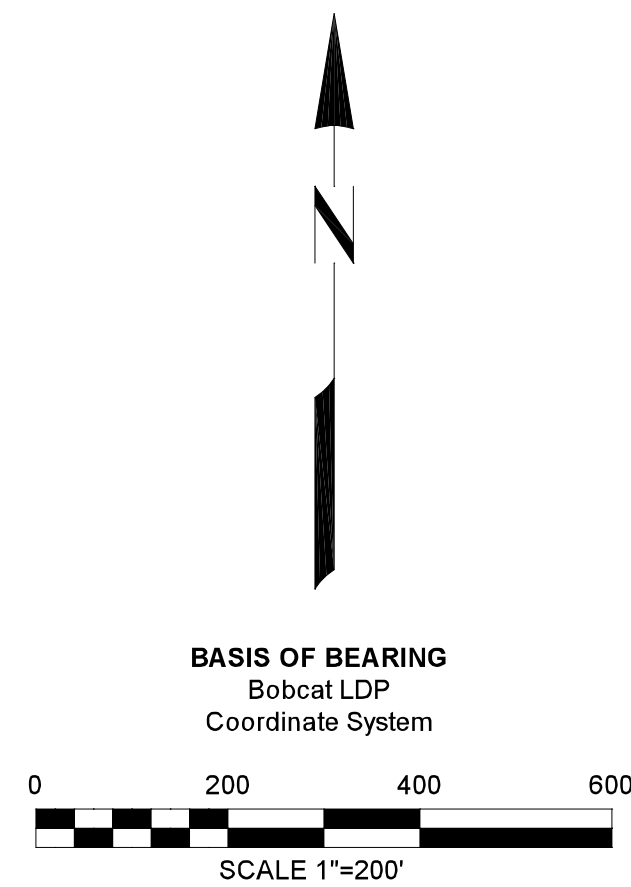
Clerk and Recorder of Gallatin County \_\_\_\_\_



THE AREA THAT IS BEING REMOVED FROM ONE TRACT OF RECORD AND MERGED WITH ANOTHER TRACT OF RECORD IS NOT ITSELF A TRACT OF RECORD. SAID AREA SHALL NOT BE AVAILABLE AS A REFERENCED LEGAL DESCRIPTION IN ANY SUBSEQUENT REAL PROPERTY TRANSFER AFTER THE INITIAL TRANSFER ASSOCIATED WITH THE AMENDED PLAT ON WHICH SAID AREA IS DESCRIBED.

**LEGEND**

- ✱ FOUND SECTION CORNER AS NOTED
- ✱ FOUND 1/4 CORNER AS NOTED
- ⊕ FOUND CENTER 1/4 CORNER AS NOTED
- FOUND SURVEY MONUMENT AS NOTED
- ⊙ SET 5/8"X24" REBAR W/ 2" ALUM. CAP "14535LS"
- CALCULATED POSITION
- ⊠ 1/4 CORNER NOT SEARCHED FOR
- PROPERTY BOUNDARY RETRACED THIS SURVEY
- - - OLD BOUNDARY EXTINGUISHED THIS SURVEY
- - - ADJOINING LOT BOUNDARY
- - - SURVEY TIES
- - - SECTION LINE
- P.O.B. POINT OF BEGINNING
- (R) RECORD COS NO. 1759A
- 167.83' MEASURED BEARINGS AND DISTANCES



X 1/4	Sec.	T.	R.	X 1/4	Sec.	T.	R.
☒	1	1N	3E	☒	6	1N	4E
☒				☒			
☒				☒			



714 Stoneridge Dr.  
 Suite 3  
 Bozeman, MT 59718  
 586.5599 Office  
 www.alpinesurveying.net

PROJECT SURVEYOR: MD	SHEET
DRAWN BY: GLL	1 OF 1
REVIEWED BY: MB	JOHNSON
DATE: 08/02/23	PROJECT NO. 349 - 05

**AND WHEN RECORDED MAIL TO:**

Lance Johnson and Jenna Marie Johnson  
3055 Sales Road  
Belgrade, MT 59714

Filed for Record at Request of:  
First American Title Company

Space Above This Line for Recorder's Use Only

Order No.: 1000374-BZ  
Parcel No.: REF44596

**WARRANTY DEED  
(Joint Tenancy)**

FOR VALUE RECEIVED,

**David L. Genter and Heidemarie McLoughlin**

hereinafter called Grantor(s), do(es) hereby grant, bargain, sell and convey unto

**Lance Johnson and Jenna Marie Johnson**

whose address is: **3055 Sales Road, Belgrade, MT 59714**

hereinafter called Grantees, as joint tenants (and not as tenants in common) and to the survivor of said named joint tenants, and to the heirs and assigns of such survivor, the following described premises, in **Gallatin County, Montana**, to-wit:

Tracts 1 and 2 of Certificate of Survey No. 1759A, located in the SE¼ of Section 1, Township 1 North, Range 3 East and the SW¼ of Section 6, Township 1 North, Range 4 East of P.M.M, Gallatin County, Montana, according to the official plat thereof on file and of record in the office of the County Clerk and Recorder, Gallatin County, Montana.

AND

Tract 1 of Certificate of Survey No. 2837, located in the SW¼ of Section 6, Township 1 North, Range 4 East of P.M.M., Gallatin County, Montana, according to the official plat thereof on file and of record in the office of the County Clerk and Recorder, Gallatin County, Montana.

SUBJECT TO Covenants, Conditions, Restrictions, Provisions, Easements and encumbrances apparent or of record.



# Gallatin CCHD Comments by Shared Record No

Shared Record No	2765	Quarter	<input type="text"/>	Quarter2	<input type="text"/>
Date Record creat	4/17/2024 9:43:48 AM	Section	<input type="text" value="1"/>	Section2	<input type="text" value="6"/>
PLAN File No		Township	<input type="text" value="1N"/>	Township	<input type="text" value="1N"/>
CR Document No	0	Range	<input type="text" value="3E"/>	Range2	<input type="text" value="4E"/>
CR File No					
Other Legal Desc	Tract 1A & 2A of COS 1759A				
Survey Type	<input type="text" value="COS"/>				
Plat Title					
Purpose	BLA				
Owner/Dev Name	Lance & Jenna Marie Johnson				
# Lots on survey	2				
Action Due Date	Planning Staff	<input type="text" value="Scott Hazelton"/>			

GCCHD Response Date	4/17/2024	GCCHD Staff	<input type="text" value="Nicholas Haskell"/>
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4/17/24: Tract 1 and 2 of COS 1759A are moving boundary lines. Tract 1 becomes Tract 1A and goes from 10.0089 acres to 20.715 acres.

Tract 2 becomes Tract 2A and changes from 71.4499 acres to 60.741 acres. Due to both lots being greater than 20 acres, no Certificate of Subdivision Approval is required for this BLA. (NH)