

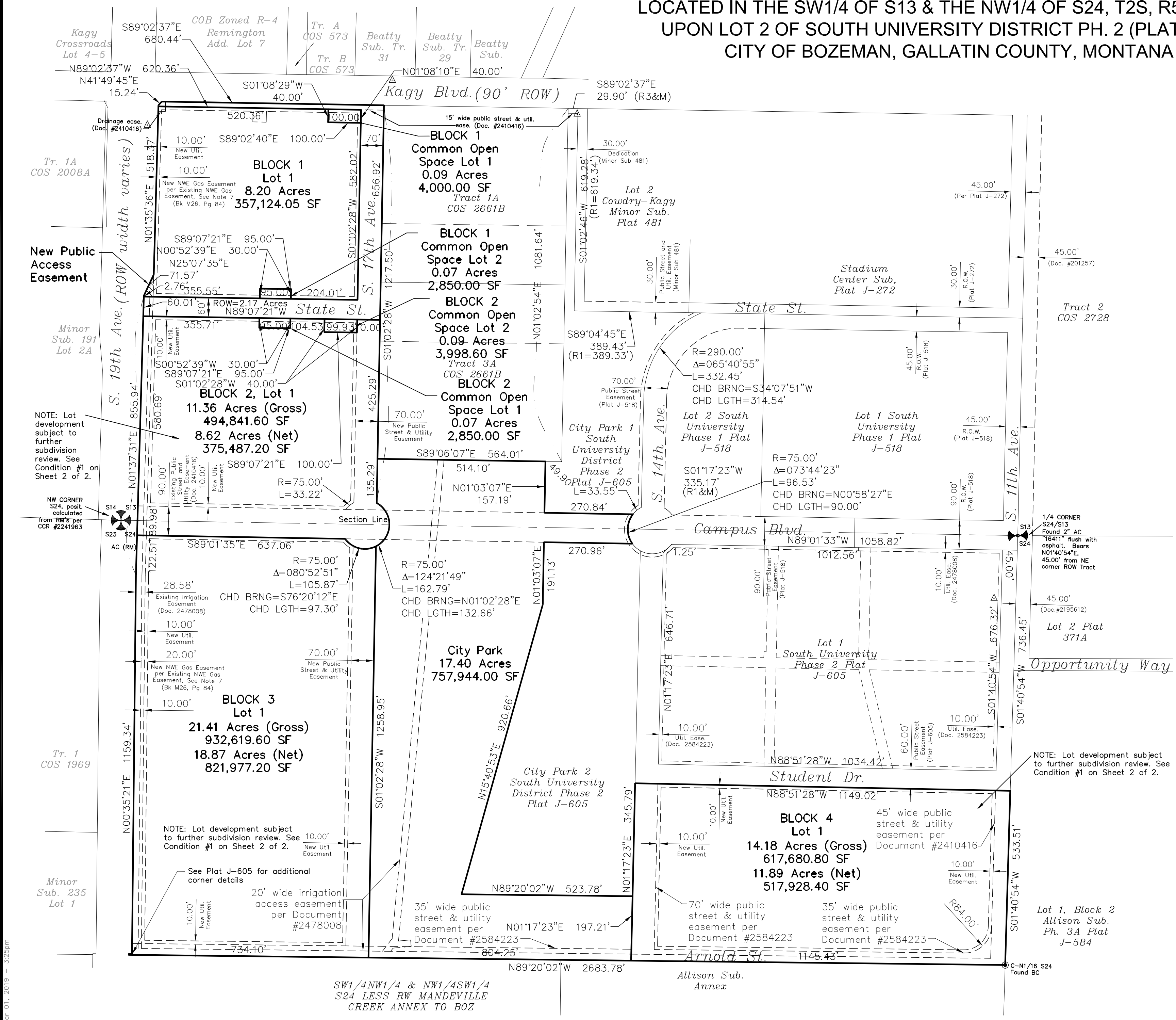
# PRELIMINARY SUBDIVISION PLAT

## SOUTH UNIVERSITY DISTRICT PHASE 3 MAJOR SUBDIVISION

### LOCATED IN THE SW1/4 OF S13 & THE NW1/4 OF S24, T2S, R5E, P.M.M.

### UPON LOT 2 OF SOUTH UNIVERSITY DISTRICT PH. 2 (PLAT J-605)

### CITY OF BOZEMAN, GALLATIN COUNTY, MONTANA



**NOTES:**

- Purpose of Survey: Major Subdivision.
- Date of Preparation: May 2018
- Owners/Developers: RTR Holdings II LLC, 22 Turtle Rock Court, Tiburon, CA 94920-1300
- Legal and Physical access is provided to all lots from South 17th Avenue, South 14th Avenue, South 11th Avenue, State Street and Campus Boulevard.
- Lot net areas shown exclude street easements only.
- Areas:
  - Right-of-Way (ROW) = 2.17 Acres
  - Lots 1-4 (Net) = 47.58 Acres
  - Public Street Easement = 9.59 Acres
  - Common Open Space Lots 1 - 4 = 0.32 Acres
  - City Park = 17.40 Acres
  - Gross Area = 74.87 Acres
- By field survey the existing gas line is determined to coincide with the east line of the existing irrigation ditch easement and used as the centerline of the new 20' wide easement.

**CERTIFICATE OF SURVEYOR**

I, the undersigned, Dan Stahly, Licensed Professional Land Surveyor, do hereby certify that I had direct supervision of the surveying and plotting of this subdivision and plotted the same as shown on the accompanying plat and as described in accordance with the provisions of the Montana Subdivision and Platting Act, Section 76-3-101 through 76-3-625, MCA, and the Bozeman Municipal Code.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2019.

(Not valid unless signed and stamped)  
Dan Stahly, PLS  
Stahly Engineering & Assoc.

**CERTIFICATE OF COUNTY TREASURER**

I, 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 subdivided have been paid.

Property Assessment Code: RGG61649

DATED this \_\_\_\_ day of \_\_\_\_\_, 2019.

Treasurer, Gallatin County

**CERTIFICATE OF DIRECTOR OF PUBLIC WORKS**

I, Director of Public Works, City of Bozeman, Montana, do hereby certify that the accompanying plat has been duly examined and has found the same to conform to the law, approves it, and hereby accepts the dedication to the City of Bozeman for the public use of any and all lands shown on the plat as being dedicated to such use.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_, Director of Public Works

**CERTIFICATE OF EXCLUSION FROM MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY REVIEW**

The South University District Phase 3 Major Subdivision, Gallatin County, Montana, is within the City of Bozeman, Montana, a first-class municipality, and within the planning area of the Bozeman growth policy which was adopted pursuant to Section 76-1-601 et seq., MCA, and can be provided with adequate storm water drainage and adequate municipal facilities. Therefore, under the provisions of Section 76-4-125, MCA, this subdivision is excluded from the requirements for Montana Department of Environmental Quality Review.

DATED this \_\_\_\_ day of \_\_\_\_\_, A.D., 2019.

\_\_\_\_\_, Director of Public Works

**CERTIFICATE OF COMPLETION**

We, RTR Holdings II, LLC, and I, Cordell D. Pool, 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 a condition(s) of approval of South University District Phase 3 Major Subdivision, have been installed in conformance with the approved plans and specifications, or financially guaranteed and covered by the improvements agreement accompanying this plat.

**Installed Improvements:**

- State Street between S 19th Ave and S 17th Ave.- including street, water, sewer, storm, street lighting, and adjacent Block 1 sidewalks.
- S 17th Ave from Kagy Blvd to Campus Blvd.- including street, water, sewer, storm, street lighting, sidewalks along the east side of 17th and adjacent to Block 1.
- Campus Blvd from S 19th Ave to S 14th Ave.- including water, sewer, storm, street lighting and sidewalks adjacent to parkland and along the north side the entire length.
- Improvements to 19th Ave, including widening the eastern side, eastern 10-ft sidewalk, eastern street lighting, modification of existing traffic signal at Stucky, and striping.
- Temporary improvements to Kagy Blvd, including a temporary asphalt shared use path, temporary right-in, right-out access at S 18th Ave and S 17th Ave.

Financially guaranteed Improvements as listed above will be completed by the property owner. The subdivider hereby warrants said improvements against any and all defects for a period of two years from the date of acceptance by the City of Bozeman.

The subdivider grants possession of all public infrastructure improvements to the City of Bozeman and the city hereby accepts ownership of all public infrastructure improvements, subject to the above indicated warranty.

Subdivider \_\_\_\_\_ Dated \_\_\_\_\_

Cordell D. Pool, PE  
Stahly Engineering & Assoc. \_\_\_\_\_ Dated \_\_\_\_\_

Director of Public Works \_\_\_\_\_ Dated \_\_\_\_\_

**CONSENT OF MORTGAGEE(S)**

I(We), the undersigned mortgagee(s) or encumbrancer(s), do hereby join in and consent to the described plat, releasing (my)(our) respective liens, claims or encumbrances as to any portion of said lands now being platted into streets, avenues, parks or other public areas which are dedicated to the City of Bozeman for the public use and enjoyment.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2019.

State of \_\_\_\_\_  
County of \_\_\_\_\_

This instrument was acknowledged before me by \_\_\_\_\_

(Name of signee) \_\_\_\_\_ as \_\_\_\_\_

(Type of authority) \_\_\_\_\_ of \_\_\_\_\_

(Party or entity) \_\_\_\_\_

(Notary - printed) \_\_\_\_\_

(Notary - signed) \_\_\_\_\_

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

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

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

**CERTIFICATE OF CONSENT**

I, the undersigned property owner, do hereby certify that I have caused to be surveyed, subdivided and platted into lots, parcels, Phases, roads and alleys, and other divisions and dedications, as shown by this plat here unto included, the following tract of land, being described as follows.

**Record Property Description:**

A tract of land located in the southwest quarter (SW 1/4) of Section 13 and the northeast quarter (NE 1/4) of Section 24, Township 2 South, Range 5 East, Principal Meridian Montana, City of Bozeman, Gallatin County, Montana, being Lot 2 of the South University District Phase 2 Minor Subdivision (Reference Plat J-605).

**DEDICATION**

The above-described tract of land is to be known and designated as South University District Phase 3 Major Subdivision, 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 listed 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 accepts no responsibility for maintaining the same. The undersigned agrees that the city has no obligation to maintain the 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 dedicated to the public for which the city accepts responsibility for maintenance include:

- South 17th Avenue and associated stormwater infrastructure in the dedicated right of way and public street easement;
- State Street and associated stormwater infrastructure in the dedicated right of way; Campus Boulevard and associated stormwater infrastructure in the public street easement;
- All water mains;
- All sanitary sewer mains.

**UTILITY EASEMENTS**

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 joint use of an easement 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.

**WAIVER OF RIGHT TO PROTEST**

The undersigned further waives the right to protest creation of Special Improvement Districts (SID's) for the following:

- Street improvements to South 19th Avenue including paving, curb/gutter, sidewalk, lighting, and storm drainage.
- Street improvements to West Kagy Boulevard including paving, curb/gutter, sidewalk, lighting, and storm drainage.
- Intersection improvements to the intersection of South 19th Avenue and West Kagy Boulevard.

In doing so, the owners do not waive any right to comment on, protest, and/or appeal any assessment formula which may be proposed if it believes that formula to be inequitable. This waiver shall be binding upon the heirs, assigns, and purchasers of all tracts within this subdivision.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2019.

Property Owner  
RTR HOLDINGS II, LLC  
By: Three River Capital, LLC, its manager

State of \_\_\_\_\_  
County of \_\_\_\_\_

This instrument was acknowledged before me by \_\_\_\_\_

(Name of signee) \_\_\_\_\_ as \_\_\_\_\_

(Type of authority) \_\_\_\_\_ of \_\_\_\_\_

(Party or entity) \_\_\_\_\_

(Notary - printed) \_\_\_\_\_

(Notary - signed) \_\_\_\_\_

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

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

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

**CERTIFICATE OF CLERK AND RECORDER**

I, Clerk and Recorder of Gallatin County, Montana, do hereby certify that the foregoing instrument was filed in my office at \_\_\_\_ o'clock, \_\_\_\_ m., this \_\_\_\_ day of \_\_\_\_\_, 2019, and recorded in Book \_\_\_\_\_ of Plats on Page \_\_\_\_\_, as Document No. \_\_\_\_\_, Records of the Clerk and Recorder, Gallatin County, Montana.

Clerk and Recorder, Gallatin County

1/4	Sec.	T	R		<b>PRELIMINARY SUBDIVISION PLAT</b>	 <b>STAHLY ENGINEERING &amp; ASSOCIATES</b> PROFESSIONAL ENGINEERS & SURVEYORS www.seoeng.com	2223 MONTANA AVE BOZEMAN, MT 59701 Phone (406) 591-4000 Fax (406) 591-4002	3530 CENTENNIAL DR. BOZEMAN, MT 59703 Phone (406) 442-8884 Fax (406) 442-8887	851 BRIDGER DR., STE. 1 BOZEMAN, MT 59713 Phone (406) 252-8528 Fax (406) 252-8528	
13	2S	5E					CADD: MPJ CHECKED: DRS DATE: 01-29-2019	SHEET NO. 1 OF 2		
24	2S	5E	COUNTY: GALLATIN PRINCIPAL MERIDIAN, MONTANA							
13	2S	5E								

NW1/4SW1/4 S24 Block 3 Subdivision Preliminary Plat, 24x38 PLOT, Project: Map 01, 2019 - 3256m  
 BASIS OF BEARING: NGS OPUS SOLUTION  
 US STATE PLANE 1983  
 MONTANA 2500  
 NAD 1983 CONUS MOLDOGENSKI  
 WITH GROUND PROJECTION AT:  
 NORTH LATITUDE: 45°-39'-21.833800"  
 WEST LONGITUDE: 111°-03'-08.590321"  
 ELLIPSOID: HT: 4920.810  
 VERTICAL DATUM: NAVD83 (GEOID12A)  
 MERIDIAN CONVERGENCE ANGLE = -1°08'08"



# CONDITIONS OF APPROVAL

## SOUTH UNIVERSITY DISTRICT PHASE 3 MAJOR SUBDIVISION LOCATED IN THE SW1/4 OF S13 & THE NW1/4 OF S24, T2S, R5E, P.M.M. CITY OF BOZEMAN, GALLATIN COUNTY, MONTANA

**CONDITIONS OF APPROVAL**

- NOTICE IS HEREBY GIVEN to all potential purchasers of tracts within Blocks 2, 3, and 4 of the South University District Phase 3 Major Subdivision, City of Bozeman, Gallatin County, Montana, that the final plat of the subdivision was approved by the Bozeman City Commission 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 tracts within Blocks 2, 3, or 4 of the South University District Phase 3 Major Subdivision, 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 the restriction is lifted. This restriction runs with the land and is revocable only by further subdivision or the written consent of the City of Bozeman.
- The proposed development falls within a known area of high groundwater. 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 a safety hazard for pedestrians and vehicles.
- Upon the third anniversary of the plat recordation of any phase of the subdivision, any lot owner who has not constructed said sidewalk shall, without further notice, construct within 30 days, said sidewalk for their lot(s), regardless of whether other improvements have been made upon the lot.

**CASH-IN-LIEU OF WATER RIGHTS**

It is hereby affirmed that cash-in-lieu of water rights has been provided as detailed below prior to the filing of the Final Plat of SOUTH UNIVERSITY DISTRICT PHASE 3 MAJOR SUBDIVISION pursuant to Section 38.23.180 of the Bozeman Municipal Code. Annual unit water demand for the purposes of calculating cash-in-lieu of water rights at the time of Final Plat filing is \$6,000/AF as established by City Commission Resolution No. 4095.

- Phase 3 Street Boulevard and Common Open Space Lot Landscaping Irrigation, \$26,385
- BLOCK 1, cash-in-lieu of water rights payment to be deferred to a future site plan application.
- BLOCK 2, cash-in-lieu of water rights payment to be deferred to a future site plan application or subdivision review.
- BLOCK 3, cash-in-lieu of water rights payment to be deferred to a future site plan application or subdivision review.
- BLOCK 4, cash-in-lieu of water rights payment to be deferred to a future site plan application or subdivision review.

For Phase 3 Street Boulevard and Common Open Space Lot Landscaping Irrigation; a total payment of \_\_\_\_\_ was received by the City of Bozeman on this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 2019. (City of Bozeman Receipt No. \_\_\_\_\_)

**ASSESSMENT FOR LOCAL SHARE OF MEADOW CREEK PAYBACK DISTRICTS**

It is hereby affirmed that payback for the local share of the Meadow Creek Payback Districts as detailed within the Certificate of Completion, has been provided prior to the filing of the Final Plat of SOUTH UNIVERSITY DISTRICT PHASE 3 MAJOR SUBDIVISION.

- Meadow Creek Payback Districts Water: \$68,172.64
- Meadow Creek Payback Districts Sewer: \$58,027.38
- Meadow Creek Payback Districts Signal: \$50,404.13

A total payment of \_\_\_\_\_ was received by the City of Bozeman on this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 2019. (City of Bozeman Receipt No. \_\_\_\_\_)

**CITY PARK IMPROVEMENTS — 17.40 ACRES**

Because final lot use is not known, minimum City Park improvements to be completed at the time of Site Plan Application for any development on Blocks 2, 3, or 4 of the South University District Phase 3 Major Subdivision shall be proportioned by net lot area as follows:

- BLOCK 2, improve minimum of 25% of City Park area
- BLOCK 3, improve minimum of 45% of City Park area
- BLOCK 4, improve minimum of 30% of City Park area

Any improvements on City Park of the South University District Phase 3 Major Subdivision may be subject to Cash-in-Lieu of Water Rights, to be determined and paid at the time of Site Plan Application.

**CONDITIONS OF APPROVAL NOTIFICATIONS AND CERTIFICATIONS**

(I), (We), the undersigned property owner(s), do hereby certify that the text and/or graphics shown on this Conditions of Approval sheet(s) represent(s) requirements by the governing body for final plat approval and that all conditions of subdivision application have been satisfied. The information shown is current, and changes to any land-use restrictions or encumbrances may be made by amendments to covenants, zoning regulations, easements, or other documents as allowed by law or by local regulations.

(I), (We), the undersigned property owner(s), do hereby certify that the information shown is current as of the date of this certification, and that changes to any land-use restrictions or encumbrances may be made by amendments to covenants, zoning regulations, easements, or other documents as allowed by law or by local regulations.

(I), (We), the undersigned property owner(s), do hereby certify that (I) (We) acknowledge that federal, state, and local plans, policies, regulations, and/or conditions of subdivision approval may limit the use of the property, including the location, size, and use as shown on the Conditions of Approval sheet or as otherwise stated. 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. buyers of property are strongly encouraged to contact the local planning department and become informed of any limitations on the use of ht property prior to closing.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2019.

Property Owner  
RTR HOLDINGS II, LLC  
By: Three Rivers Capital, LLC, its manager

State of \_\_\_\_\_  
County of \_\_\_\_\_

This instrument was acknowledged before me by

\_\_\_\_\_, as

\_\_\_\_\_, of

\_\_\_\_\_,

Notary seal/stamp (REQUIRED)

\_\_\_\_\_,

\_\_\_\_\_,

Notary Public for the State of:

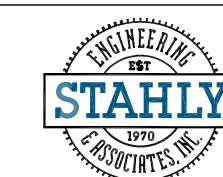
Residing at:

My commission expires:

1/4	Sec.	T	R
<input checked="" type="checkbox"/>	13	2S	5E
<input checked="" type="checkbox"/>	24	2S	5E
<input type="checkbox"/>			

**CONDITIONS OF APPROVAL**

COUNTY: GALLATIN  
PRINCIPAL MERIDIAN, MONTANA



**STAHLY ENGINEERING & ASSOCIATES**  
PROFESSIONAL ENGINEERS & SURVEYORS  
www.seoeng.com

404 W. BROADWAY  
LEWISTOWN, MT 59047  
Phone (409)532-8884

3530 CENTENNIAL DR.  
HELENA, MT 59601  
Phone (409)442-8881

851 BRIDGE DR. STE. 1  
BOZEMAN, MT 59715  
Phone (409)532-8838  
Fax (409)532-8838

CADD: MPJ  
CHECKED: ZWL  
DATE: 01-29-2019

SHEET NO.  
2 OF 2

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