

SURVEY REQUESTED BY SUBDIVIDER TO CREATE 100 SINGLE FAMILY RESIDENTIAL LOTS, 8 LOTS ZONED R-O AND 1 MULTI-FAMILY LOT.

OWNER: DMC INCORPORATED  
DEED REF: DOC. NO. 2188185

FINAL PLAT OF

# FLANDERS CREEK SUBDIVISION

LOCATED IN THE E 1/2 OF THE SE 1/4 OF SECTION 4, T. 2 S., R. 5 E.  
OF P.M.M., GALLATIN COUNTY, MONTANA

J434

VESTA B. ANDERSON  
(MARIE C. BAXTER LIFE ESTATE)

NE 1/4, SECTION 4  
VESTA B. ANDERSON  
(MARIE C. BAXTER LIFE ESTATE)

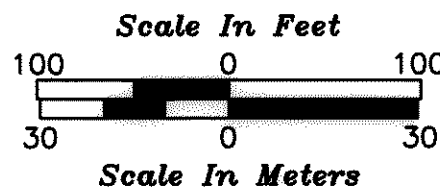
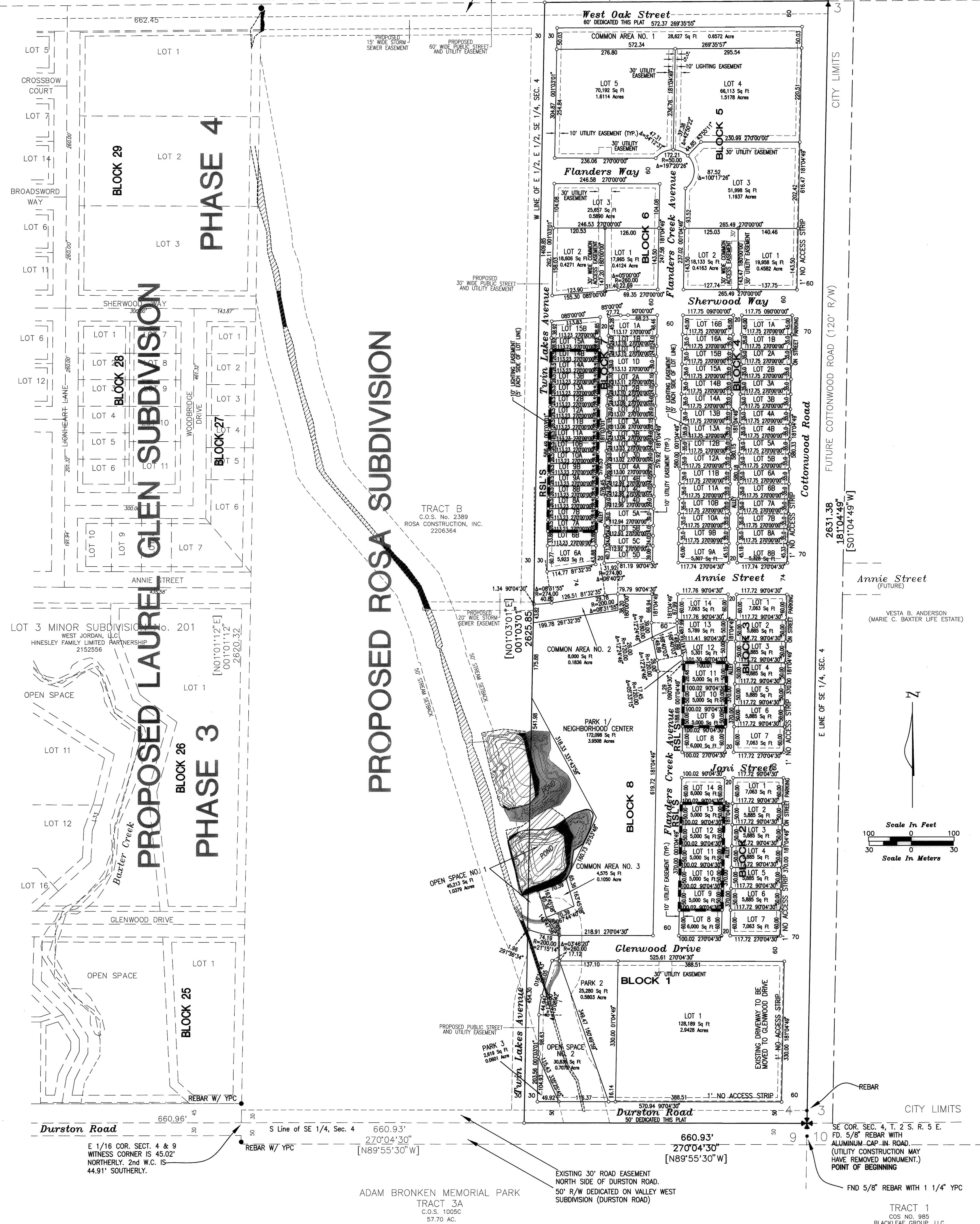
C-E 1/16 COR. SEC. 4  
FND. 5/8" REBAR W/-  
YPC AS W.C. SOUTHERLY  
9.58' FROM TRUE CORNER.

[N89°35'55"E]  
089°35'55"  
662.43'

EXISTING 30' EASEMENT  
SOUTH OF POWERLINE.  
(94 F 303)

[N89°35'55"E]  
089°35'55"  
662.43'

E 1/4 COR. OF SEC. 4  
FD. 5/8" REBAR 5" UP  
AT FENCE CORNER.





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UTILITY EASEMENTS

10' FRONT AT ALL STREETS  
10' BACK

AREA TABULATION

AREA OF LOTS = 843,771 SQ FT	19.3702 ACRES
AREA OF PUBLIC PARK = 199,997 SQ FT	4.5913 ACRES
AREA OF OPEN SPACE = 76,051 SQ FT	1.7459 ACRES
AREA OF COMMON AREA = 41,202 SQ FT	0.9459 ACRES
AREA OF PUBLIC STREET AND ALLEY = 577,866 SQ FT	13.2659 ACRES
TOTAL AREA = 1,738,886 SQ FT	39.9193 ACRES

LOT AREA TABLE

BLOCK 4		BLOCK 7	
LOT 1A	5,298 SQ FT	LOT 1A	5,425.4 SQ FT
LOT 1B	4,120.4 SQ FT	LOT 1B	2,715.6 SQ FT
LOT 2A	4,120.4 SQ FT	LOT 1C	2,715.2 SQ FT
LOT 2B	4,120.4 SQ FT	LOT 1D	4,411.6 SQ FT
LOT 3A	4,120.4 SQ FT	LOT 2A	3,291.3 SQ FT
LOT 3B	4,120.4 SQ FT	LOT 2B	2,714.1 SQ FT
LOT 4A	4,120.4 SQ FT	LOT 2C	2,713.8 SQ FT
LOT 4B	4,120.4 SQ FT	LOT 2D	3,278.8 SQ FT
LOT 5A	4,120.4 SQ FT	LOT 3A	3,295.5 SQ FT
LOT 5B	4,120.4 SQ FT	LOT 3B	2,712.8 SQ FT
LOT 6A	4,120.4 SQ FT	LOT 3C	2,712.5 SQ FT
LOT 6B	4,120.4 SQ FT	LOT 3D	3,277.2 SQ FT
LOT 7A	4,120.4 SQ FT	LOT 4A	3,299.8 SQ FT
LOT 7B	4,120.4 SQ FT	LOT 4B	2,711.4 SQ FT
LOT 8A	4,120.4 SQ FT	LOT 4C	2,711.1 SQ FT
LOT 8B	5,328 SQ FT	LOT 4D	3,275.5 SQ FT
LOT 9A	5,307 SQ FT	LOT 5A	4,404.3 SQ FT
LOT 9B	4,120.4 SQ FT	LOT 5B	2,709.9 SQ FT
LOT 10A	4,120.4 SQ FT	LOT 5C	2,709.7 SQ FT
LOT 10B	4,120.4 SQ FT	LOT 5D	4,413.8 SQ FT
LOT 11A	4,120.4 SQ FT	LOT 6A	5,923.5 SQ FT
LOT 11B	4,120.4 SQ FT	LOT 6B	3,835.5 SQ FT
LOT 12A	4,120.4 SQ FT	LOT 7A	3,000 SQ FT
LOT 12B	4,120.4 SQ FT	LOT 7B	3,000 SQ FT
LOT 13A	4,120.4 SQ FT	LOT 8A	3,000 SQ FT
LOT 13B	4,120.4 SQ FT	LOT 8B	3,000 SQ FT
LOT 14A	4,120.4 SQ FT	LOT 9A	3,000 SQ FT
LOT 14B	4,120.4 SQ FT	LOT 9B	3,000 SQ FT
LOT 15A	4,120.4 SQ FT	LOT 10A	3,000 SQ FT
LOT 15B	4,120.4 SQ FT	LOT 10B	3,000 SQ FT
LOT 16A	4,120.4 SQ FT	LOT 11A	3,000 SQ FT
LOT 16B	5,298 SQ FT	LOT 11B	3,000 SQ FT
		LOT 12A	3,000 SQ FT
		LOT 12B	3,000 SQ FT
		LOT 13A	3,000 SQ FT
		LOT 13B	3,000 SQ FT
		LOT 14A	3,000 SQ FT
		LOT 14B	3,000 SQ FT
		LOT 15A	3,274 SQ FT
		LOT 15B	4,968 SQ FT

LEGEND

- (R) RECORD DISTANCE OR AZIMUTH  
(M) MEASURED DISTANCE OR AZIMUTH  
• FOUND 5/8 INCH REBAR WITH 1 1/4 INCH PLASTIC CAP OR AS NOTED  
○ SET 5/8 INCH REBAR WITH 1 1/4 INCH PLASTIC CAP MARKED (C&H #9518ES)

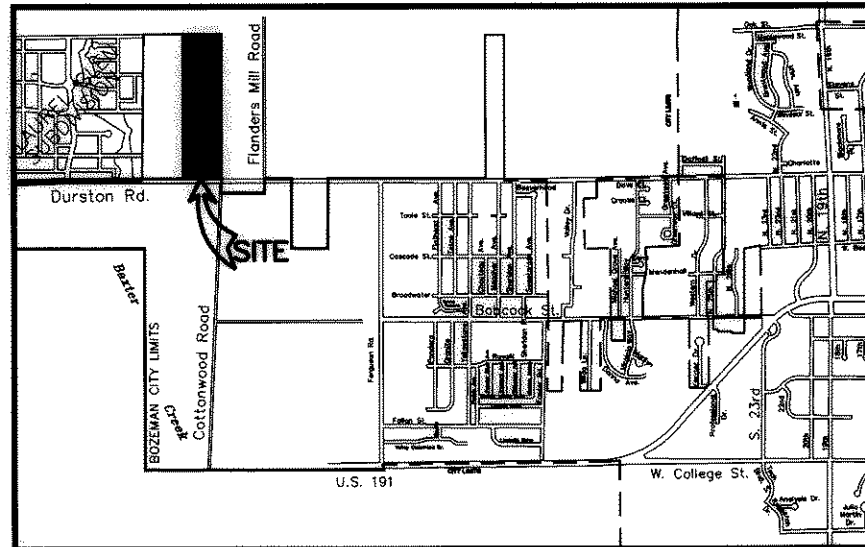
BASIS FOR AZIMUTHS FROM NORTH: THE EAST LINE OF THE SE 1/4, SECTION 4, T. 2 S., R. 5 E., BEING 181° 04' 49"

[N45°00'00"E] BEARING COMPUTED FROM AZIMUTH SHOWN

WETLAND CREATION AREA

EXISTING WETLANDS

NON-JURISDICTIONAL WETLAND BOUNDARY



VICINITY MAP

NOT TO SCALE

NOTES

- Property shown hereon was annexed to the City of Bozeman pursuant to Annexation Agreement dated 3/4/04 and recorded on Doc. No. 2148305, and Commission Resolution No. 3680 recorded on Doc. No. 2148306.
- All lot accesses shall be built to the standards contained in Section 18.44.090 of the Bozeman Unified Development Ordinance.
- Development of each phase will not interfere with any agricultural water user facility or irrigation ditches for downstream water user rights.
- City standard residential sidewalks shall be constructed on all public street frontages of a property prior to occupancy of any structure on the property. 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.
- Due to the potential of high ground water tables in the areas of the subdivision, it is not recommended that residential dwellings or commercial structures with full or partial basements be constructed without first consulting a professional engineer licensed in the State of Montana and qualified in the certification of residential and commercial construction.
- For each of the lots zoned R-O (Lots 1-5, Block 5 and Lots 1-3, Block 6) only 49% of lot area may be developed offices or any other permitted non-residential use.
- Block 2, Lots 9-13, Block 3, Lots 9-11, Block 7, Lots 7A, 7B, 8A, 8B, 9A, 9B, 10A, 10B, 11A, 11B, 12A, 12B, 13A, 13B, 14A, and 14B are designated as "Restricted Size Lots" and are subject to the building size restrictions of Section 18.16.030.B.1 of the Bozeman Unified Development Ordinance. A Total of 88,000 square feet of RSL Lots.
- Lot corners have not been set at this time due to future construction activity that would damage or destroy the corners. Corners will be set by Nov. 30, 2007.

CERTIFICATE OF DEDICATION

I, the undersigned property owner, do hereby certify that I have caused to be surveyed, subdivided and platted into lots, blocks, streets and alleys, and other divisions and dedications as shown by the plat hereunto included, the following described tract of land, to wit:

LEGAL DESCRIPTION

Tract A, Certificate of Survey No. 2389, according to the plat thereof, on file and of record in the office of the Clerk and Recorder, Gallatin County, Montana, located in the East Half of the Southeast Quarter of Section 4, Township 2 South, Range 5 East of P.M.M., Gallatin County, Montana, described as follows:

Beginning at the Southeast Corner of said Section 4;  
thence westerly 270° 04' 30", assumed azimuth from north, 660.93 feet along the south line of said Tract A;  
thence northerly 001° 03' 01" azimuth 2625.85 feet along the west line of said Tract A;  
thence easterly 089° 35' 55" azimuth 662.43 feet along the north line of said Tract A;  
thence southerly 181° 04' 49" azimuth 2631.38 feet along the east line of said Tract A,  
to the point of beginning.

Area = 1,738,886 square feet, 39.9193 acres or 161,547.8 square meters. Subject to existing easements.

the above-described tract of land is to be known and designated as FLANDERS CREEK SUBDIVISION, City of Bozeman, Gallatin County, Montana; and the lands included in all streets, avenues, alleys and parks or public squares shown on said plat are hereby granted, donated, and dedicated 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 squares dedicated to the public are accepted for public use, but the City accepts no responsibility for maintaining the same. The owner agrees that the City has no obligation to maintain the lands included in all streets, avenues, alleys, and parks or public squares hereby dedicated to public use. The lands included in all streets, avenues, alleys, and parks or public squares dedicated to the public for which the City accepts responsibility for maintenance include:

All dedicated streets including West Oak Street, Flanders Way, Twin Lakes Avenue, Flanders Creek Avenue, Joni Street, Annie Street, Glenwood Drive, Cottonwood Road, Sherwood Way, All Alleys, and Public Park, as shown hereon.

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.

DMC INCORPORATED

Dated this 9<sup>th</sup> day of June, 2006.

By: David M. MacDonald  
David M. MacDonald, President

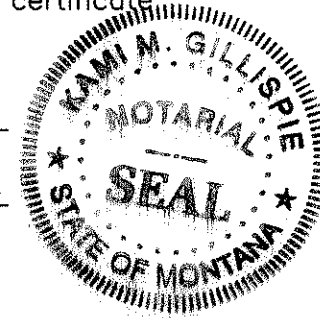
STATE OF MONTANA  
COUNTY OF GALLATIN

On this 9<sup>th</sup> day of June, in the year 2006, before me, a Notary Public for the State of Montana, personally appeared David M. MacDonald, known to me to be the president of DMC INCORPORATED, a Montana Corporation, and the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same, for and on behalf of said corporation.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Kami M. Gillespie  
NOTARY PUBLIC FOR THE STATE OF MONTANA  
PRINTED NAME

residing at Bozeman  
my commission expires Aug. 9, 2010



CONSENT OF MORTGAGEE

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

Dated this 9<sup>th</sup> day of June, 2006.

by: David M. MacDonald  
its: President

STATE OF MONTANA  
COUNTY OF GALLATIN

On this 9<sup>th</sup> day of June, in the year 2006, before me, a Notary Public for the State of Montana, personally appeared David M. MacDonald of Bozeman, a Montana Corporation, and known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same, for and on behalf of said Corporation. In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

David M. MacDonald  
NOTARY PUBLIC FOR THE STATE OF MONTANA  
PRINTED NAME

residing at Bozeman  
my commission expires September 24, 2009

CERTIFICATE OF SURVEYOR

I, Mark A. Chandler, Professional Engineer and Land Surveyor No. 9518-ES, do hereby certify that between Mar. 1, 2005 and Feb. 28, 2006, FLANDERS CREEK SUBDIVISION, was surveyed under my direct supervision and I have platted the same as shown on the accompanying plat and as described, in accordance with the Montana Subdivision and Platting Act, Sections 76-3-101 through 76-3-625 M.C.A., and the Bozeman Unified Development Ordinance.

Dated this 9<sup>th</sup> day of June, 2006.

Mark A. Chandler  
Mark A. Chandler  
Montana Registration No. 9518ES

CERTIFICATE OF DIRECTOR OF PUBLIC SERVICE

I, Director of Public Service, City of Bozeman, Montana, do hereby certify that the accompanying plat has been duly examined and has found the same to conform to 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 17<sup>th</sup> day of July, 2006.

Debra H. Harkins  
Director of Public Service  
City of Bozeman, Montana

APPROVED AS TO FORM  
Tim Cooper  
City Attorney

CERTIFICATE OF EXCLUSION FROM MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY REVIEW

FLANDERS CREEK 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., M.C.A., and can be provided with adequate storm water drainage and adequate municipal facilities. Therefore, under the provisions of Section 76-4-125(2)(d) M.C.A., this subdivision is excluded from the requirement for Montana Department of Environmental Quality review.

Dated this 17<sup>th</sup> day of July, 2006.

Debra H. Harkins  
Director of Public Service  
City of Bozeman, Montana

APPROVED AS TO FORM  
Tim Cooper  
City Attorney

CERTIFICATE OF COMPLETION OF IMPROVEMENTS

I, David M. MacDonald, and I, Mark A. Chandler, a registered professional engineer licensed to practice in the State of Montana, hereby certify that the following improvements, required as a condition of approval of FLANDERS CREEK SUBDIVISION, have been installed in conformance with the approved plans and specifications:

SANITARY SEWER MAINS AND SERVICES, WATER MAINS AND SERVICES, AND STORM DRAINAGE

The subdivider hereby warrants against defects in these improvements for a period of one year from the date the improvements are accepted by the City.

The following improvements have NOT been completed, but are financially guaranteed by an Improvements Agreement:

PUBLIC ROAD IMPROVEMENTS, SIDEWALKS, LIGHTING, SEWER MAIN EXTENSION AND LIFT STATION

The subdivider hereby certifies that he will warrant against defects in these improvements for a period of one year from the date the improvements are accepted by the City. The subdivider grants possession of all public infrastructure improvements to the City of Bozeman, and the City hereby accepts possession of all public infrastructure improvements, subject to the above indicated completion and warranty.

Mark A. Chandler  
Mark A. Chandler  
Montana Registration No. 9518ES

6/09/2006  
Date

DMC INCORPORATED

By: David M. MacDonald 6/9/06  
David M. MacDonald, President Date

Debra H. Harkins  
Director of Public Service  
City of Bozeman, Montana

7-17-2006  
Date  
APPROVED AS TO FORM  
Tim Cooper  
City Attorney

CERTIFICATE OF COUNTY TREASURER

I, Kimberly Buchanan, 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.

Dated this 9<sup>th</sup> day of June, 2006.

By: Kimberly Buchanan  
Deputy Treasurer of Gallatin County

CLERK AND RECORDER

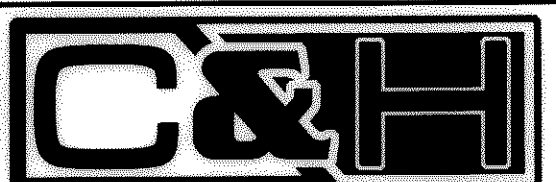
I, Shelley Vance, Clerk and Recorder of Gallatin County, Montana, do hereby certify that the foregoing instrument was filed in my office at 4:05 o'clock P.M. this 19<sup>th</sup> day of July, A.D., 2006, and recorded in Book 5 of plats, Page 434, records of the Clerk and Recorder, Gallatin County, Montana.

Document Number 2235246

By: \_\_\_\_\_  
Deputy Clerk and Recorder



2235246  
Shelley Vance-Gallatin Co MT PLAT 57.50  
07/19/2006 04:05P



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#05189(MJ)