

Bolinger Road 160

160 Acres Productive Agriculture Land
with Air Easement

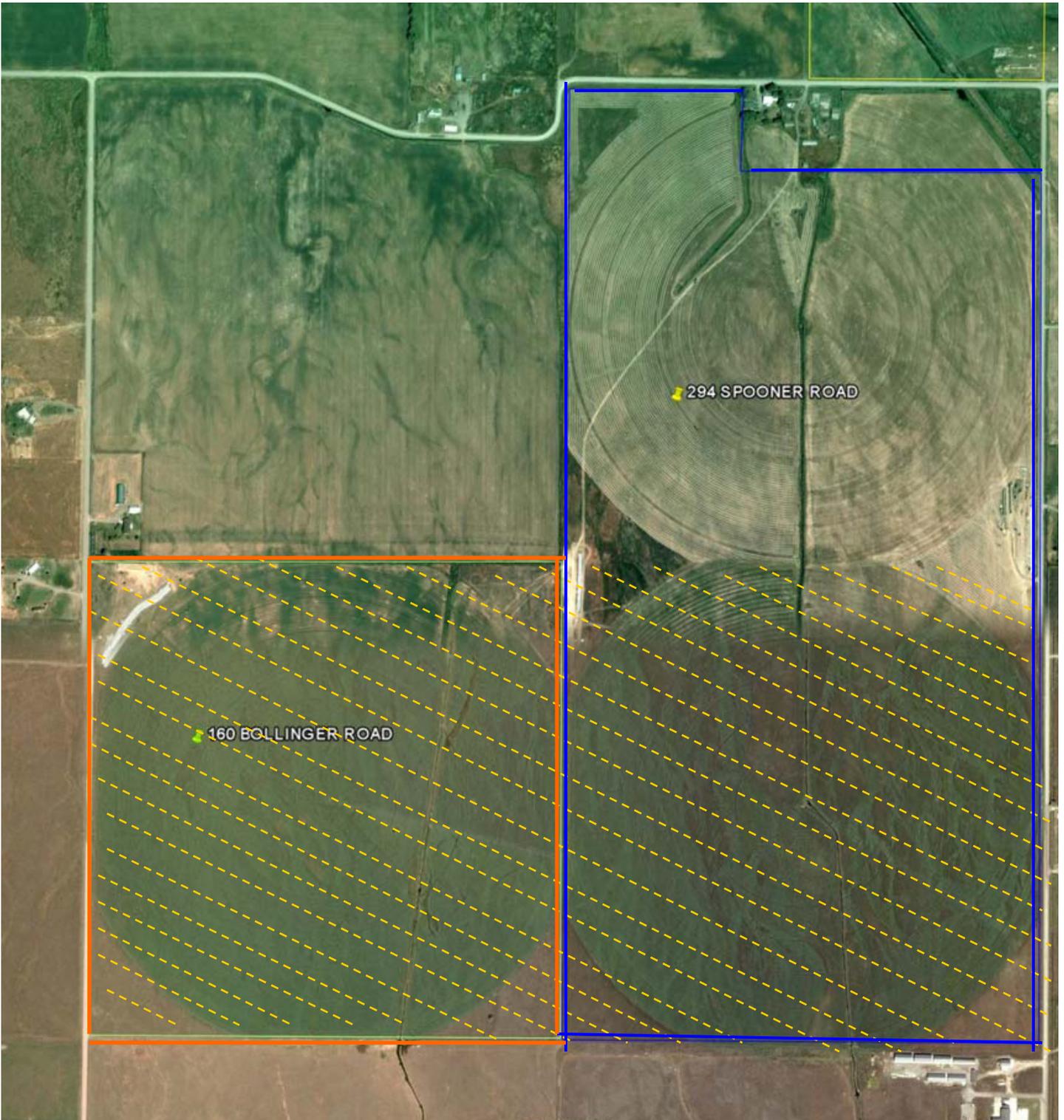
Listed at \$368,000.00



PEDE
and
Associates
Real Estate

For More Information Contact:

Patti Davis, Broker
406-570-1541
pedemt@gmail.com
90 West Central
Belgrade, MT 59714



Red out line is Bolinger 160 Acres
Blue is Spooner 294 Acres
Shows air easement
All boundaries are approximate!

This offering is based on information that is believed to be correct; however, PEDE and Associates recommends that a prospective buyer conduct an investigation for the correct information. The information was obtained from Sellers and other sources deemed reliable.

Clear Zone Easement

- After Recording, Please Return To:
Morrison-Maierle, Inc.
Attn: Mark Maierle
901 Technology Blvd.
Bozeman, MT 59718

DEVELOPMENT RIGHTS/CLEAR ZONE EASEMENT

WHEREAS, Prescott Ranches, LLC of Belgrade, Montana is the legal owner (hereinafter "Grantor") of that certain tract or parcel of land situated in the County of Gallatin, State of Montana, described in Paragraph 1 below; and

WHEREAS, Gallatin Airport Authority (hereinafter called the Grantee), is the owner and operator of the Gallatin Field, an airport situated in the said County of Gallatin, State of Montana, in close proximity to the said tract or parcel of land;

NOW, THEREFORE:

1. In consideration of the sum of ten dollars (\$10.00) and other valuable consideration in hand paid the Grantor by the Grantee, the Grantor, for itself, its heirs, successors and assigns, does hereby covenant and agree that it will not erect, maintain, or allow any buildings, structures, or objects, except as provided in Paragraph 2, or make any use other than that provided in Paragraph 2, of the real property situated in Gallatin County, State of Montana, described as follows:

A tract of land being the South ¼ of Section 26, Township 1 North, Range 4 East, Gallatin County, Montana.
Said tract contains 320 acres, more or less, along with and subject to all existing easements;

(Hereinafter called "the Property")

2. The following structures and uses of the Property are expressly excepted from this easement:
 - A. Agricultural use as presently farmed and maintained by Grantor, provided:
 - I. The growing of grain or any other bird-attracting crop is specifically excluded from "Agricultural use" and is prohibited due to the threat to aircraft safety;
 - B. Construction and use of a public use golf course, provided that if the property is developed into a Golf Course the following conditions apply:
 - I. No ponds or bodies of water shall be constructed or allowed on the Property due to the dangers posed by birds to aircraft safety;
 - ii. The Grantor's operational activities shall be conducted so as to not make it difficult to distinguish between airport or other navigational lights or cause glare to fliers using the airport.

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33.00

Shelley Vance-Belgrade, Gallatin Co MT 59718

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 Attn: Mark Maierle
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 Bozeman, MT 59718

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NOW, THEREFORE:

1. In consideration of the sum of ten dollars (\$10.00) and other valuable consideration in hand paid the Grantor by the Grantee, the Grantor, for itself, its heirs, successors and assigns, does hereby covenant and agree that it will not erect, maintain, or allow any buildings, structures, or objects, except as provided in Paragraph 2, or make any use other than that provided in Paragraph 2, of the real property situated in Gallatin County, State of Montana, described as follows:

A tract of land being the South 1/4 of Section 26, Township 1 North, Range 4 East, Gallatin County, Montana.
 Said tract contains 320 acres, more or less, along with and subject to all existing easements;

(Hereinafter called "the Property")

2. The following structures and uses of the Property are expressly excepted from this easement:
 - A. Agricultural use as presently farmed and maintained by Grantor, provided:
 - I. The growing of grain or any other bird-attracting crop is specifically excluded from "Agricultural use" and is prohibited due to the threat to aircraft safety;
 - B. Construction and use of a public use golf course, provided that if the property is developed into a Golf Course the following conditions apply:
 - I. No ponds or bodies of water shall be constructed or allowed on the Property due to the dangers posed by birds to aircraft safety;
 - ii. The Grantor's operational activities shall be conducted so as to not make it difficult to distinguish between airport or other navigational lights or cause glare to fliers using the airport.

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 PAGE: 1 of 3
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 33.00
 Shelby Vance-Baljet@n.com MT 59718

- 9. Grantor acknowledges that any violation of this Development Rights/Clear Zone Easement will cause irreparable injury to Grantee, and Grantee shall be entitled to extraordinary relief in court, including, but not limited to, equitable relief.
- 10. It is understood and agreed that these covenants and agreements shall be binding upon the heirs, administrators, executors, and assigns of the parties, that these covenants and agreements shall run with the land, and that for the purposes of this instrument, the real estate described in Paragraph 1 and owned by the Grantor shall be the servient tenement, and the Gallatin Field owned by the Grantees, shall be the dominant tenement.

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 33.00
 Shelley Vance-Gallatin Co MT MISC

IN WITNESS WHEREOF, the parties have executed this instrument as of the day and year written below.

DATED: May 2, 2006

GRANTOR Prescott Ranches, LLC:

Dolores Prescott, President

STATE OF Montana)

County of Gallatin)^{SS}

This instrument was acknowledged before me on May 2, 2006 by Dolores Prescott, President of Prescott Ranches, LLC.

Cherie D. Ferguson
 Notary Public for the State of Montana
 Residing at Bozeman, Montana
 My commission expires January 24, 2009

(Seal)

Water Rights

ABRIDGED SUMMARY

Today's Date 10/19/2009 **Note: Issue Remarks Exist For this Water Right**

THIS ABRIDGED SUMMARY DOES NOT INCLUDE EVERY PIECE OF INFORMATION ABOUT THIS WATER RIGHT

TO REQUEST AN OFFICIAL ABSTRACT WATER RIGHT 41H 39115 00

STATE OF MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9th AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

Water Right Number: 41H 39115 00 STATEMENT OF CLAIM

Version: 1

Status: ACTV

Priority Date:(yyymmdd): 18870615

Type of Historical Right: DECR

Max Flow Rate: 9.28

Max Volume:

Max Acres: 317.290008544922

Owner Name Address 1 Address 2 City State Zip Code

PRESCOTT RANCH LLC 525 WEAVER RD BELGRADE MT 59714

Owners:

ID Source Name Res Source Type Means of Div TR Sec QS GovtLot County Well Depth

1 WEST GALLATIN RIVER N SURFACE HEADGATE 1S4E 22 SWNWSE GALLATIN

Sources:

ID Irrigation Type Purpose ClimArea VolAmt Acreage TR Sec QS GovtLot County

1 FLOOD IRRIGATION 4 - MODERATELY LOW 317.29 1N4E 26 E2 GALLATIN

ABRIDGED SUMMARY

Today's Date 10/19/2009 **Note: Issue Remarks Exist For this Water Right**

THIS ABRIDGED SUMMARY DOES NOT INCLUDE EVERY PIECE OF INFORMATION ABOUT THIS WATER RIGHT

TO REQUEST AN OFFICIAL ABSTRACT WATER RIGHT 41H 39118 00

STATE OF MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1424 9th AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

Water Right Number: 41H 39118 00 STATEMENT OF CLAIM

Version: 1

Status: ACTV

Priority Date:(yyymmdd): 19010615

Type of Historical Right: DECR

Max Flow Rate: 4.33

Max Volume:

Max Acres: 317.290008544922

Owner Name Address 1 Address 2 City State Zip Code

PRESCOTT RANCH LLC 525 WEAVER RD BELGRADE MT 59714

Owners:

ID Source Name Res Source Type Means of Div TR Sec QS GovtLot County Well Depth

1 WEST GALLATIN RIVER N SURFACE HEADGATE 1S4E 22 SWNWSE GALLATIN

Sources:

ID Irrigation Type Purpose ClimArea VolAmt Acreage TR Sec QS GovtLot County

1 FLOOD IRRIGATION 4 - MODERATELY LOW 969.00 317.29 1N4E 26 E2 GALLATIN

For More Information or a viewing of this property please contact:

Patti Davis, Broker
PEDE and Associates
406-570-1541
pedemr@gmail.com

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