



**WOITH ENGINEERING, INC.
ENGINEERS & SURVEYORS**

MEMO

PLAT ADJUSTMENT
SEPTEMBER 17, 2021

TO: DAVE DEGRANDPRE, AICP
FROM: KODY SWARTZ, PE, LSI
DATE: SEPTEMBER 15, 2021
JOB: MSLA-1931 MCNETT FLATS SUBDIVISION
RE: PLAT ADJUSTMENT
CC: TROY MONROE, PE

☐ URGENT ☒ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ FOR YOUR USE

At its regularly scheduled meeting of March 8, 2021 the Missoula City Council voted to annex Tract 8A of Certificate of Survey No. 6109 into the municipal boundaries and apply the B2-2 Community Business zoning, subject to the conditions of annexation; and to approve the Mcnett Flats Subdivision. In addition, the City Council approved a request for a variance from Section 3-030.2.A(2) of the City of Missoula Subdivision Regulations (Subdivision Regulations) to allow a block length longer than 480 feet on Lot 1. As mitigation for this variance, a public access easement for pedestrian access across Lot 1 is depicted on the Plat of Mcnett Flats Subdivision. The property owner desires a minor adjustment to the location of the public access easement, which will need to be reviewed by City Council in accordance with Section 7-040 of the Subdivision Regulations. The proposed adjustment is shown on Exhibit A, enclosed with this letter.

The adjustment may affect the precise dimensions and siting of buildings eventually constructed on Lot 1 but will not affect the basic character or arrangement of the buildings. Additionally, the arrangement of lots, blocks, the density of Mcnett Flats, the open space requirement of the Conditions of Approval, and street design will not be affected by the adjustment. Enclosed with this request are an Affidavit of Correction and Exhibit, to be filed with the Missoula County Clerk and Recorder, depicting the adjustment. Thank you for your time and consideration of this request.

Sincerely,

Woith Engineering, Inc.

Kody Swartz, P.E.
Missoula Operations Manager

Return To: Woith Engineering, Inc.
3860 O'Leary Street, Suite A
Missoula, MT 59808

Affidavit of Correction

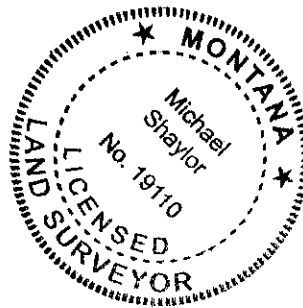
I, Michael D Shaylor, Professional Land Surveyor, do hereby certify that I have performed the survey as shown on the Final Plat of Mcnett Flats. I further certify that this Affidavit of Correction is given for the purpose of correcting the legal description of the 10' Public Access Easement depicted on the Plat of Mcnett Flats Subdivision.

The correction to the plat is as follows:

On Sheet 1 of the plat, the 10' Public Access Easement depicted by Key Note 8, shall be removed and replaced with the Public Access Easement depicted on Exhibit A, having a legal description as follows:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1 OF MCNETT FLATS, THENCE S87°31'36"E, A DISTANCE OF 219.98 FEET ALONG THE NORTH BOUNDARY OF SAID LOT 1 TO THE POINT OF BEGINNING; THENCE S87°00'03"E, A DISTANCE OF 10.00 FEET ALONG SAID NORTH BOUNDARY; THENCE S02°59'57"W, A DISTANCE OF 105.89 FEET; THENCE S48°19'35"W, A DISTANCE OF 8.11 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF SAID LOT 1; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 77.00 FEET, AN ARC LENGTH OF 10.01 FEET, AND A CHORD BEARING OF N41°40'25"W, 10.00 FEET ALONG SAID SOUTHERLY BOUNDARY TO A POINT; THENCE N48°19'35"E, A DISTANCE OF 3.94 FEET; THENCE N02°59'57"E, A DISTANCE OF 101.71 FEET TO THE POINT OF BEGINNING; SAID EASEMENT CONTAINING 1097 SF, MORE OR LESS.

SS Michael Shaylor 9/15/21
Michael Shaylor
Montana Registration No. 19110



STATE OF MONTANA)
) SS
County of Missoula)

On this 15th day of September, 2021, before me a Notary Public for the State of Montana, personally appeared Michael D. Shaylor, known to me to be the person named in and who executed the above instrument and acknowledged to me that he executed the same.

SS [Signature]

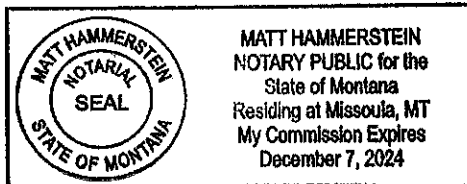
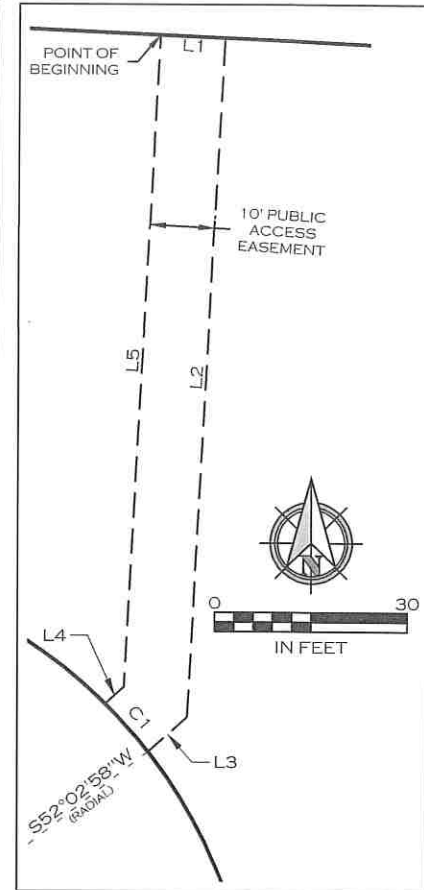


EXHIBIT 'A'

LOT 1 OF MCNETT FLATS, LOCATED IN THE SOUTH ONE-HALF OF SECTION 12, TOWNSHIP 13 NORTH, RANGE 20 WEST, P.M.M., CITY OF MISSOULA, MISSOULA COUNTY, MONTANA



LINE TABLE

| LINE # | BEARING & DISTANCE |
|--------|-----------------------|
| L1 | S87°00'03\"E, 10.00' |
| L2 | S02°59'57\"W, 105.89' |
| L3 | S48°19'35\"W, 8.11' |
| L4 | N48°19'35\"E, 3.94' |
| L5 | N02°59'57\"E, 101.71' |

CURVE TABLE

| CURVE # | RADIUS | LENGTH | DELTA | CHORD |
|---------|--------|--------|-------------|----------------------|
| C1 | 77.00' | 10.01' | 007°26'46\" | N41°40'25\"W, 10.00' |

LEGAL DESCRIPTION

COMMENCING AT THE NORTHWEST CORNER OF LOT 1 OF MCNETT FLATS, THENCE S87°31'36\"E, A DISTANCE OF 219.98 FEET ALONG THE NORTH BOUNDARY OF SAID LOT 1 TO THE POINT OF BEGINNING; THENCE S87°00'03\"E, A DISTANCE OF 10.00 FEET ALONG SAID NORTH BOUNDARY; THENCE S02°59'57\"W, A DISTANCE OF 105.89 FEET; THENCE S48°19'35\"W, A DISTANCE OF 8.11 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF SAID LOT 1; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 77.00 FEET, AN ARC LENGTH OF 10.01 FEET, AND A CHORD BEARING OF N41°40'25\"W, 10.00 FEET ALONG SAID SOUTHERLY BOUNDARY TO A POINT; THENCE N48°19'35\"E, A DISTANCE OF 3.94 FEET; THENCE N02°59'57\"E, A DISTANCE OF 101.71 FEET TO THE POINT OF BEGINNING; SAID EASEMENT CONTAINING 1097 SF, MORE OR LESS.

EX-A

OF

LOT 1
MCNETT FLATS



WOITH ENGINEERING, INC.
ENGINEERS & SURVEYORS

405 3RD STREET NW, SUITE 208 • GREAT FALLS, MT 59404 • 406-781-1955
3980 O'LEARY STREET, SUITE A • MISSOULA, MT 59808 • 406-203-9555
• WWW.WOITHENG.COM •

| | |
|--------|-----------|
| JOB #: | 1931 |
| DRAWN: | CRH |
| QA: | MDS |
| DATE: | 9/13/2021 |