Encroachment Permit Variance Application for 2415 South Hills Drive onto Peery Park – All Exhibits

October 18, 2021

Exhibit A - Meadowlark Acres Subdivision Plat (2 pages)

Exhibit B - Inspection Report on Property Owner at 2415 South Hills Drive blocking access to northern end of Peery Park (9 pages)

Exhibit C - Missoula City Building Permit # B98-1699 (4 pages)

Exhibit D - Property Boundary Survey of 2415 South Hills Dr, dated July 2021 (1 page)

Exhibit E - Area Covered by Permanent Encroachment Easement (1 page)

Exhibit F - An Appraisal Report of Tract 5, Hillview Heights No. 1 Missoula, Missoula County, MT 59803 (50 pages)

Exhibit G - Exhibit G – Map of potential additional trail construction and improvements for Peery Park (1 page)

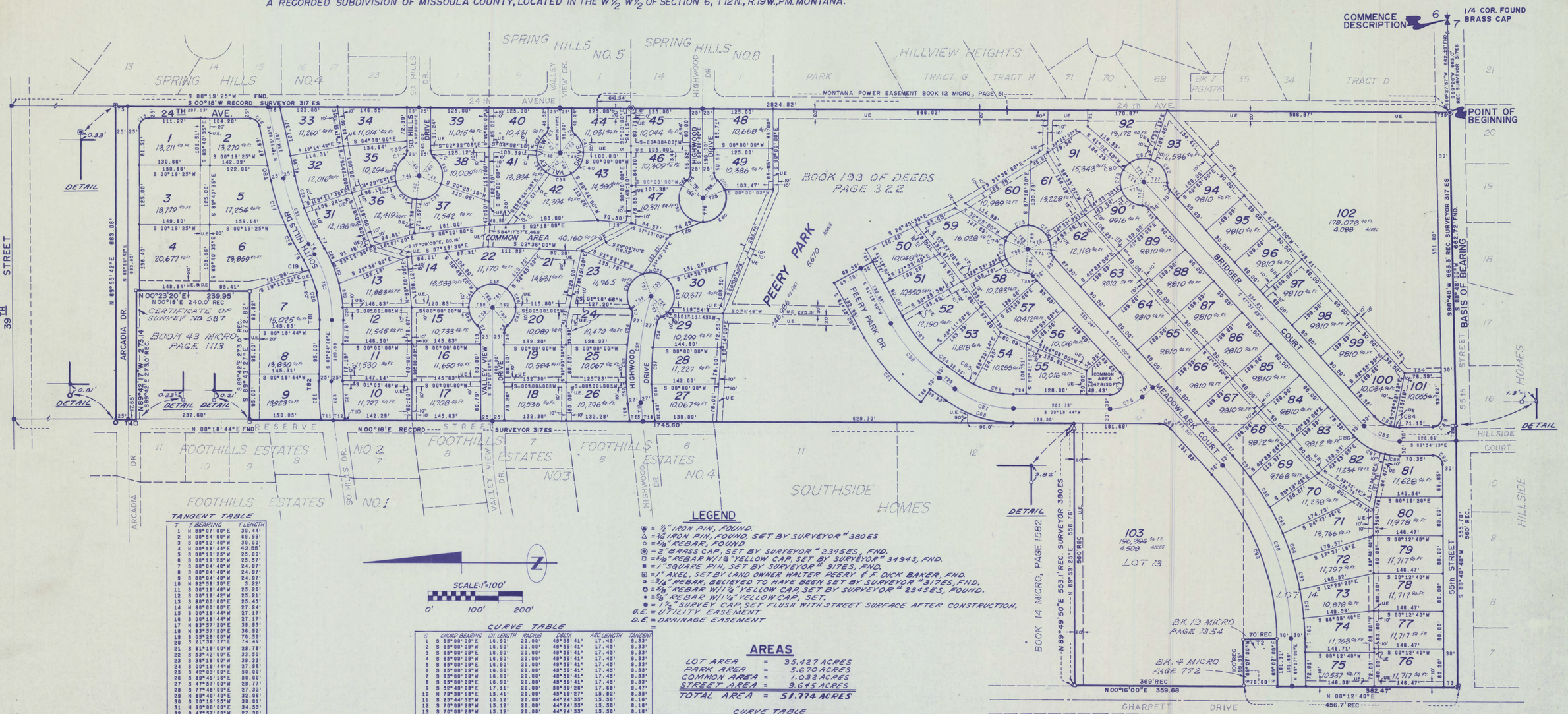
Exhibit A – Meadowlark Acres Subdivision Plat

2 pages

MEADOWLARK ACRES

A SUBDIVISION OF MISSOULA CO. MONTANA

LOCATED IN THE W½ OF SECTION 6, T. 12N., R.19W., PRINCIPAL MERIDIAN MONTANA AND LOTS 13 AND 14 SOUTHSIDE HOMES, A RECORDED SUBDIVISION OF MISSOULA COUNTY, LOCATED IN THE W½ W½ OF SECTION 6, T12N., R.19W., PM. MONTANA.



TANGENT TABLE

T	T BEARING	T LENGTH
1	N 89°07'00"E	39.44'
2	N 00°54'00"W	88.99'
3	S 00°12'40"W	30.00'
4	N 00°18'44"E	42.55'
5	S 00°19'25"W	25.00'
6	N 00°19'25"E	25.37'
7	S 89°04'40"W	24.97'
8	S 89°04'40"W	24.97'
9	S 89°04'40"W	24.97'
10	N 82°58'30"E	3.22'
11	S 00°18'48"W	25.20'
12	S 00°18'42"W	25.21'
13	S 89°00'00"E	25.45'
14	N 90°00'00"E	27.24'
15	S 00°18'44"W	27.17'
16	S 00°18'44"W	27.17'
17	N 83°37'20"E	38.93'
18	N 83°37'20"E	36.92'
19	S 05°26'00"W	76.50'
20	S 21°38'37"E	74.49'
21	S 61°18'00"W	28.78'
22	S 33°42'00"E	33.50'
23	S 57°18'00"W	39.33'
24	S 00°18'44"W	27.96'
25	S 42°03'00"E	50.00'
26	S 89°41'16"E	50.00'
27	S 47°57'00"W	28.77'
28	S 77°48'00"E	27.32'
29	N 89°40'40"E	32.08'
30	S 00°18'23"W	30.01'
31	N 00°00'00"E	34.53'
32	S 47°57'00"W	27.30'
33	S 47°57'00"W	27.30'
34	S 00°00'00"E	26.59'
35	S 47°57'00"W	14.54'
36	S 52°27'00"W	30.12'
37	S 42°03'00"E	30.00'
38	S 85°16'23"E	71.52'
39	N 90°00'00"E	16.13'
40	S 49°59'41"W	30.00'
41	S 14°28'04"E	50.00'
42	S 85°18'23"E	50.00'
43	S 20°25'16"W	30.00'
44	S 48°59'41"E	50.00'
45	S 49°59'41"W	30.00'
46	S 04°08'10"W	30.00'
47	S 33°44'48"E	30.00'
48	S 00°00'00"E	30.00'
49	S 00°00'00"E	50.00'
50	S 48°59'41"E	50.00'
51	S 49°59'41"W	30.00'
52	S 31°31'19"W	30.00'
53	S 62°30'35"W	30.00'
54	S 49°59'08"W	30.00'
55	S 47°07'23"E	30.00'
56	S 82°58'04"E	38.98'
57	S 68°33'43"W	30.00'
58	S 48°59'41"E	30.00'
59	S 00°00'00"E	30.00'
60	S 30°45'20"E	30.00'
61	S 30°00'00"E	30.00'
62	S 48°59'41"W	30.00'
63	S 49°59'41"E	30.00'
64	S 48°59'41"E	30.00'
65	N 86°27'53"W	30.00'
66	S 26°33'20"E	30.00'
67	S 26°52'43"W	30.00'
68	S 43°57'13"W	30.00'
69	S 87°18'00"E	30.00'
70	S 21°07'13"E	30.00'
71	S 02°21'53"W	30.00'
72	S 86°27'53"E	30.00'
73	S 00°40'12"E	30.00'
74	S 28°30'27"W	30.00'
75	S 32°34'53"W	30.00'
76	S 71°33'12"E	30.00'
77	S 02°21'53"W	30.00'
78	N 90°00'00"E	30.00'
79	S 41°28'08"E	30.00'
80	N 79°15'00"E	30.68'
81	S 89°24'00"E	22.24'
82	S 89°24'00"E	12.74'

SCALE: 1" = 100'

0' 100' 200'

CURVE TABLE

C	CHORD BEARING	CH. LENGTH	RADIUS	DELTA	ARC LENGTH	TANGENT
1	S 85°00'09"E	16.90'	20.00'	49°59'41"	17.45'	9.33'
2	S 85°00'09"W	16.90'	20.00'	49°59'41"	17.45'	9.33'
3	S 85°00'09"E	16.90'	20.00'	49°59'41"	17.45'	9.33'
4	S 85°00'09"W	16.90'	20.00'	49°59'41"	17.45'	9.33'
5	S 85°00'09"E	16.90'	20.00'	49°59'41"	17.45'	9.33'
6	S 85°00'09"W	16.90'	20.00'	49°59'41"	17.45'	9.33'
7	S 85°00'09"W	16.90'	20.00'	49°59'41"	17.45'	9.33'
8	S 85°00'09"E	16.90'	20.00'	49°59'41"	17.45'	9.33'
9	S 85°00'09"W	16.90'	20.00'	49°59'41"	17.45'	9.33'
10	N 78°18'18"E	15.41'	20.00'	45°18'27"	15.82'	8.35'
11	S 25°44'32"W	15.12'	20.00'	44°24'55"	15.50'	8.16'
12	S 70°09'28"W	15.12'	20.00'	44°24'55"	15.50'	8.16'
13	S 70°09'28"W	15.12'	20.00'	44°24'55"	15.50'	8.16'
14	S 25°44'32"W	15.12'	20.00'	44°24'55"	15.50'	8.16'
15	S 40°33'5"E	25.28'	20.00'	88°59'53"	31.42'	20.00'
16	S 38°17'12"W	25.15'	20.00'	77°55'35"	27.20'	16.17'
17	S 72°27'00"W	98.92'	494.00'	11°35'49"	99.99'	50.16'
18	S 63°21'58"W	56.68'	494.00'	06°34'32"	56.69'	28.38'
19	S 63°00'45"W	25.80'	250.00'	05°52'10"	25.81'	12.92'
20	S 78°18'25"W	108.74'	250.00'	24°39'10"	107.57'	54.93'
21	N 86°55'49"E	92.41'	643.82'	07°20'18"	92.48'	41.28'
22	S 86°49'48"W	80.13'	643.82'	07°08'14"	80.29'	40.15'
23	N 84°47'15"E	82.08'	818.82'	07°37'30"	82.33'	41.24'
24	N 86°47'15"E	78.97'	593.82'	07°37'30"	79.03'	39.57'
25	N 88°05'18"E	26.30'	300.00'	05°01'28"	26.31'	13.16'
26	S 82°32'38"E	52.63'	300.00'	10°04'52"	52.70'	26.42'
27	N 71°07'53"E	45.82'	300.00'	08°45'34"	45.87'	22.98'
28	S 63°24'53"W	34.92'	300.00'	06°40'26"	34.94'	17.49'
29	S 84°28'18"W	87.32'	444.00'	11°15'48"	87.59'	33.88'
30	S 73°31'29"W	73.13'	444.00'	09°27'02"	73.24'	36.70'
31	S 63°00'50"W	149.13'	468.00'	18°15'20"	148.75'	75.15'
32	N 75°20'20"E	144.77'	275.00'	30°31'20"	146.50'	75.03'
33	S 72°14'41"E	53.33'	50.00'	64°28'45"	56.27'	31.53'
34	S 49°07'18"W	57.92'	50.00'	74°47'18"	61.77'	35.33'
35	S 32°25'34"E	80.38'	50.00'	74°18'21"	64.84'	37.88'
36	N 75°12'47"E	57.85'	50.00'	79°24'37"	61.45'	35.28'
37	S 82°58'04"E	38.98'	50.00'	45°21'31"	40.02'	21.15'
38	S 83°11'41"W	48.39'	50.00'	57°52'58"	50.51'	27.53'
39	S 03°28'38"W	54.11'	50.00'	63°31'11"	57.18'	32.17'
40	S 39°38'09"E	50.35'	50.00'	60°44'00"	53.00'	28.39'
41	S 85°00'09"W	42.28'	50.00'	48°59'41"	43.83'	23.31'
42	S 49°14'30"E	16.05'	50.00'	18°38'23"	16.12'	8.13'
43	S 85°00'09"W	42.28'	50.00'	48°59'41"	43.83'	23.31'
44	S 84°37'20"E	42.88'	50.00'	50°45'20"	44.29'	23.72'
45	S 32°00'00"E	42.88'	50.00'	49°29'20"	43.49'	23.04'
46	S 84°37'20"W	42.88'	50.00'	50°45'20"	44.29'	23.72'
47	S 85°00'09"E	42.28'	50.00'	48°59'41"	43.83'	23.31'
48	S 35°18'40"E	13.81'	50.00'	15°39'28"	13.83'	6.97'
49	N 88°52'22"E	73.13'	50.00'	83°59'28"	82.02'	53.81'
50	S 71°43'50"E	78.04'	50.00'	102°33'11"	88.52'	62.38'
51	S 11°13'11"W	28.49'	50.00'	32°38'22"	28.23'	14.57'
52	N 88°08'32"E	44.11'	587.00'	04°18'23"	44.12'	22.07'
53	S 87°48'40"E	80.08'	587.00'	07°49'13"	80.12'	40.12'
54	S 80°40'12"E	83.67'	587.00'	08°16'35"	83.71'	41.88'
55	S 84°19'20"E	227.33'	560.00'	23°26'49"	228.14'	116.20'
56	N 85°48'41"E	34.52'	533.00'	03°42'49"	34.53'	17.27'
57	S 88°08'37"E	77.87'	533.00'	08°22'43"	77.94'	39.04'
58	S 81°03'03"E	54.00'	533.00'	05°48'25"	54.02'	27.03'

LEGEND

- = ½" IRON PIN, FOUND.
- △ = 3/8" IRON PIN, FOUND, SET BY SURVEYOR # 380ES
- ○ = 5/8" REBAR, FOUND
- ◎ = 2" BRASS CAP, SET BY SURVEYOR # 2345ES, FND.
- □ = 5/8" - REBAR W/1 1/8" YELLOW CAP, SET BY SURVEYOR # 34943, FND.
- ■ = 1" SQUARE PIN, SET BY SURVEYOR # 317ES, FND.
- ⊞ = 1" AXEL, SET BY LAND OWNER WALTER PEERY & F. DICK BAKER, FND.
- ⊙ = 3/4" REBAR, BELIEVED TO HAVE BEEN SET BY SURVEYOR # 317ES, FND.
- ⊙ = 5/8" REBAR W/1 1/8" YELLOW CAP, SET BY SURVEYOR # 2345ES, FOUND.
- • = 5/8" REBAR W/1 1/8" YELLOW CAP, SET.
- ● = 1 1/2" SURVEY CAP, SET FLUSH WITH STREET SURFACE AFTER CONSTRUCTION.
- U.E. = UTILITY EASEMENT
- D.E. = DRAINAGE EASEMENT

AREAS

LOT AREA	=	35.427 ACRES
PARK AREA	=	5.670 ACRES
COMMON AREA	=	1.032 ACRES
STREET AREA	=	9.645 ACRES
TOTAL AREA	=	51.774 ACRES

CURVE TABLE

C	CHORD BEARING	CH. LENGTH	RADIUS	DELTA	ARC	TANG
59	S 80°45'39"W	51.36'	50.00'	121°31'19"	106.05'	88.32'
60	S 55°44'03"E	82.64'	50.00'	111°28'06"	97.27'	73.39'
61	S 48°48'00"W	182.40'	421.38'	25°00'00"	183.85'	93.41'
62	S 48°48'00"W	154.81'	357.88'	25°00'00"	156.14'	79.33'
63	S 52°33'41"W	98.02'	327.88'	17°28'40"	100.01'	50.40'
64	S 40°03'38"W	43.01'	327.88'	07°31'20"	43.04'	21.55'
65	S 31°53'32"W	28.13'	183.38'	08°48'14"	28.18'	14.12'
66	S 13°54'13"W	88.18'	183.38'	27°11'01"	87.00'	44.33'
67	S 18°18'22"W	131.92'	213.38'	35°59'18"	134.02'	69.30'
68	S 18°18'22"W	150.38'	243.38'	35°59'18"	152.80'	79.00'
69	S 24°07'52"W	24.23'	30.00'	47°38'18"	24.84'	13.24'
70	S 20°52'08"E	72.28'	100.00'	42°21'44"	73.94'	38.75'
71	S 85°52'08"E	31.58'	28.18'	132°21'44"	65.10'	65.93'
72	S 39°29'22"W	48.93'	50.00'	59°54'35"	52.28'	28.02'
73	N 87°09'43"E	40.22'	50.00'	47°28'07"	41.40'	21.97'
74	S 57°35'00"E	20.00'	50.00'	23°04'26"	20.14'	10.21'
75	S 21°40'23"E	41.27'	50.00'	48°44'47"	42.54'	22.65'
76	S 35°40'24"W	34.80'	50.00'	66°10'47"	37.75'	20.59'
77	S 80°37'21"W	20.35'	50.00'	23°28'08"	20.50'	10.38'
78	S 36°12'31"W	53.89'	50.00'	63°20'52"	57.03'	32.07'
79	S 85°48'18"E	42.78'	50.00'	50°37'30"	44.18'	23.83'
80	S 48°57'20"E	20.00'	50.00'	23°04'26"	20.14'	10.21'
81	S 89°24'08"E	46.97'	50.00'	56°01'55"	48.88'	26.60'
82	S 35°28'22"W	80.01'	50.00'	73°43'07"	64.38'	37.51'
83	S 68°01'29"W	47.71'	70.00'	39°51'02"	48.69'	25.37'
84	S 84°53'52"W	10.99'	70.00'	09°00'13"	11.00'	5.51'
85	S 23°31'23"W	82.71'	100.00'	48°31'13"	83.27'	45.49'
86	S 45°22'21"W	11.68'	130.00'	05°08'18"	11.70'	5.85'
87	S 27°28'51"W	88.80'	130.00'	39°32'49"	88.42'	35.56'
88	S 05°38'53"W	28.67'	130.00'	13°08'15"	28.73'	14.83'
89	S 45°34'13"E	28.28'	20.00'	90°00'03"	31.42'	20.00'
90	S 44°23'13"W	28.43'	20.00'	90°34'55"	31.62'	20.30'
91	S 87°07'41"W	41.14'	592.78'	03°59'40"	41.13'	20.58'
92	S 82°08'33"W	61.97'	592.78'	03°59'34"	62.00'	31.03'
93	S 78°08'59"W	61.97'	592.78'	03°59'34"	62.00'	31.03'
94	S 74°09'24"W	61.97'	592.78'	03°59'34"	62.00'	31.03'
95	S 70°09'50"W	61.97'	592.78'	03°59'34"	62.00'	31.03'
96	S 57°28'28"W	78.35'	592.78'	07°23'08"	78.41'	39.28'
97	S 50°51'37"W	80.31'	592.78'	03°49'34"	80.33'	40.18'
98	S 88°53'00"W	385.70'	592.78'	37°16'00"	404.34'	211.34'
99	S 68°32'00"W	374.60'	592.78'	41°10'00"	392.78'	205.97'
100	N 54°18'07"E	24.64'	50.00'	28°31'36"	24.89'	12.71'

HOUSE NUMBERS

LOT	STREET	ADDRESS	LOT	STREET	ADDRESS	LOT	STREET	ADDRESS	LOT	STREET	ADDRESS
1	ARCADIA DR.		28	HIGHWOOD DR.		57	MEADOWLARK CT.		85	BRIDGER CT.	
1	24TH AVE		29	" "		58	" "		86	" "	
2	" "		30	" "		59	" "		87	" "	
2	SOUTH HILLS DR.		31	SOUTH HILLS DR.		60	" "		88	" "	
3	ARCADIA DR.		32	" " "		61	" "		89	" "	
4	" "		33	" " "		62	" "		90	" "	
5	SOUTH HILLS DR.		34	" " "		63	" "		91	" "	
6	" " "		35	" " "		64	" "		92	" "	
7	" " "		36	" " "		65	" "		93	" "	
8	" " "		37	" " "		66	" "		94	" "	
9	" " "		38	" " "		67	" "		95	" "	
10	" " "		39	" " "		68	" "		96	" "	
11	" " "		40	VALLEY VIEW DR.		69	" "		97	" "	
12	" " "		41	" " "		70	" "		98	" "	
13	" " "		42	" " "		71	" "		99	" "	
14	VALLEY VIEW DR.		43	" " "		72	" "		100	" "	
15	" " "		44	" " "		73	" "		101	" "	
16	" " "		45	HIGHWOOD DR.		74	" "		101	55TH ST.	
17	" " "		46	" "		75	" "		102	" "	
18	" " "		47	" "		76	55TH ST.		103	MEADOWLARK CT.	
19	" " "		48	" "		77	" "		103	GHARRETT DR.	
20	" " "		49	" "		78	" "				
21	" " "		50	PEERY PARK DR.		79	" "				
22	" " "		51	" " "		80	" "				
23	HIGHWOOD DR.		52	" " "		81	" "				
24	" "		53	" " "		81	BRIDGER CT.				
25	" "		54	" " "		82	" "				
26	" "		55	" " "		83	" "				
27	" "		56	MEADOWLARK CT.		84	" "				

1/4	SEC.	T.	R.
	6	12 N.	19 W.

SORENSON & COMPANY INC.
BOX 3418
MISSOULA, MONTANA 59801

BK11-Pg.26

BOOK 11 PG 26

BOOK 11, PAGE 26

SHEET 1 OF 2

MEADOWLARK ACRES

CERTIFICATE OF DEDICATION**********

MEADOWLARK ACRES INC., A MONTANA CORPORATION OF MISSOULA, MONTANA, DOES HEREBY CERTIFY THAT IT HAS CAUSED TO BE SURVEYED, SUBDIVIDED AND PLATTED INTO LOTS, AVENUES, COURTS, DRIVES, PEDESTRIAN THOROUGHFARES, PARKS AND COMMON AREAS AS SHOWN ON THE ACCOMPANYING PLAT HEREUNTO ANNEXED THE FOLLOWING DESCRIBED TRACT OF LAND, TO-WIT:

A TRACT OF LAND LOCATED IN THE W½ OF SECTION 6, T.12 N., R.19 W., PRINCIPAL MERIDIAN, MONTANA; BEING A PORTION OF THAT TRACT OF RECORD IN BOOK 193 OF DEEDS, PAGE 322, AND LOTS 13 AND 14 OF SOUTHSIDE HOMES, A RECORDED SUBDIVISION OF MISSOULA COUNTY, EXCEPTING THOSE TRACTS RECORDED IN BOOK 4 OF MICRO, PAGE 772 AND BOOK 19 OF MICRO, PAGE 1354; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE ¼ CORNER COMMON TO SECTIONS 6 AND 7, T.12 N., R.19 W., PRINCIPAL MERIDIAN, MONTANA; THENCE S 89°27'57"W, 662.28 FEET TO THE SOUTHEAST CORNER OF THAT TRACT RECORDED IN BOOK 193 OF DEEDS, PAGE 322 AND THE TRUE POINT OF BEGINNING; THENCE S 88°48'00"W, 662.72 FEET ALONG THE SOUTH LINE OF SAID TRACT TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE S 89°40'40"W, 555.70 FEET ALONG THE SOUTH LINE OF LOT 14, SOUTHSIDE HOMES TO THE SOUTHWEST CORNER OF SAID LOT 14; THENCE N 00°12'40"E, 382.47 FEET ALONG THE WEST LINE OF SAID LOT 14 TO THE SOUTHWEST CORNER OF THAT TRACT RECORDED IN BOOK 19 OF MICRO, PAGE 1354; THENCE N 89°07'00"E, 101.31 FEET ALONG THE SOUTH LINE OF SAID TRACT; THENCE N 00°54'00"W, 69.99 FEET ALONG THE EAST LINE OF SAID TRACT; THENCE S 89°07'00"W, 99.95 FEET ALONG THE NORTH LINE OF SAID TRACT AND THAT TRACT RECORDED IN BOOK 4 OF MICRO, PAGE 772; THENCE N 00°16'00"E, 359.68 FEET ALONG THE WEST LINE OF LOT 13 SOUTHSIDE HOMES TO THE SOUTHWEST CORNER OF THAT TRACT RECORDED IN BOOK 14 OF MICRO, PAGE 1582; THENCE N 89°53'25"E, 556.76 FEET ALONG THE SOUTH LINE OF THAT TRACT OF RECORD IN BOOK 14 OF MICRO, PAGE 1582 TO A POINT ON THE WEST LINE OF THAT TRACT RECORDED IN BOOK 193 OF DEEDS, PAGE 322; THENCE N 00°18'44"E, 1745.60 FEET TO THE SOUTHWEST CORNER OF THAT TRACT RECORDED IN BOOK 43 OF MICRO, PAGE 1113; THENCE S 89°43'27"E 272.82 FEET ALONG THE SOUTH LINE OF SAID TRACT; THENCE N 00°23'20"E, 239.95 FEET ALONG THE EAST LINE OF SAID TRACT; THENCE N 89°42'17"W, 273.14 FEET ALONG THE NORTH LINE OF SAID TRACT TO A POINT ON THE WEST LINE OF THAT TRACT RECORDED IN BOOK 193 OF DEEDS, PAGE 322; THENCE N 00°18'44"E, 42.55 FEET ALONG SAID WEST LINE; THENCE N 89°55'42"E, 663.06 FEET TO A POINT ON THE EAST LINE OF THAT TRACT RECORDED IN BOOK 193 OF DEEDS, PAGE 322; THENCE S 00°19'25"W, 2824.92 FEET ALONG THE EAST LINE OF SAID TRACT TO THE TRUE POINT OF BEGINNING; CONTAINING 51.774 ACRES MORE OR LESS BEING SURVEYED AND MONUMENTED ACCORDING TO THIS ATTACHED PLAT.

FURTHER THAT THE ABOVE DESCRIBED TRACT IS TO BE KNOWN AND DESIGNATED AS MEADOWLARK ACRES AND THE LANDS INCLUDED IN ALL DRIVES, COURTS, AVENUES, PEDESTRIAN THOROUGHFARES, PARKS AND COMMON AREAS, ARE DEDICATED, GRANTED AND DONATED TO THE USE OF THE PUBLIC FOREVER.

IN WITNESS WHEREOF, MEADOWLARK ACRES INC., HAS EXECUTED THIS CERTIFICATE THIS 20TH DAY OF JANUARY 19 77.

MEADOWLARK ACRES, INC.

Charles W. Isaly
PRESIDENT

James M. Goss
SECRETARY

ACKNOWLEDGEMENT**********

STATE OF MONTANA
COUNTY OF MISSOULA

ON THIS 20TH DAY OF JANUARY, 19 77, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF MONTANA, RESIDING AT MISSOULA, MONTANA, PERSONALLY APPEARED CHARLES W. ISALY AND JAMES M. GOSS; KNOWN TO ME TO BE THE PERSONS THAT EXECUTED THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR FIRST ABOVE WRITTEN.

Charles O Cordle
NOTARY PUBLIC FOR THE STATE OF MONTANA
RESIDING AT MISSOULA, MONTANA
MY COMMISSION EXPIRES: DECEMBER 1, 1979

SURVEYOR'S CERTIFICATE**********

STATE OF MONTANA
COUNTY OF MISSOULA

I, THE UNDERSIGNED, GORDON E. SORENSON, PROFESSIONAL ENGINEER AND LAND SURVEYOR, REGISTRATION NO. 2345ES, DO HEREBY CERTIFY THAT I SURVEYED THE LAND SHOWN ON THE ACCOMPANYING PLAT IN THE W½ OF SECTION 6, T.12 N., R.19 W., PRINCIPAL MERIDIAN, MONTANA, AND TO BE KNOWN AS MEADOWLARK ACRES AND FURTHER THAT THIS SURVEY WAS MADE IN THE MONTHS OF FEBRUARY AND MARCH 1975 ACCORDING TO THE PROVISIONS OF CHAPTER 6, TITLE 11, CHAPTER 38, OF THE REVISED CODES OF THE STATE OF MONTANA, 1947.

MONTANA
GORDON E. SORENSON
2345 ES
REGISTERED
PROF. ENGR. & LAND SURVEYOR

GORDON E. SORENSON, P.E., MONTANA REG. NO. 2345ES

STATE OF MONTANA

SUBSCRIBED AND SWORN TO BEFORE ME THIS 20TH DAY OF JANUARY, 19 77.

Charles O Cordle
NOTARY PUBLIC FOR THE STATE OF MONTANA
RESIDING AT MISSOULA, MONTANA
MY COMMISSION EXPIRES: DECEMBER 1, 1979

EXAMINED AND APPROVED**********

STATE OF MONTANA
CITY OF MISSOULA

DATED THIS 20th DAY OF January, 19 77.
ss Fred A Rodd
CITY ATTORNEY, MISSOULA, MONTANA

DATES THIS 20th DAY OF January, 19 77.
ss Thomas N Crowley
CITY ENGINEER, MISSOULA, MONTANA

THE HEREUNTO ANNEXED PLAT OF MEADOWLARK ACRES, A SUBDIVISION LOCATED IN THE W½ OF SECTION 6, TOWNSHIP 12 NORTH, RANGE 19 WEST, PRINCIPAL MERIDIAN, MONTANA, AND IT HAVING BEEN DETERMINED BY THE COUNCIL OF THE CITY OF MISSOULA THAT IT IS IN THE PUBLIC INTEREST TO APPROVE AND ACCEPT TO THE PUBLIC, DRIVES, COURTS, AVENUES, PEDESTRIAN THOROUGHFARES, PARKS AND COMMON AREAS, WITHIN THE SAID TRACT, HAVING BEEN DULY APPROVED BY THE COUNCIL OF THE CITY OF MISSOULA, MONTANA ON THE 22nd DAY OF November, 19 76, IS HEREBY CERTIFIED APPROVED BY THE UNDERSIGNED.

DATES THIS 20 DAY OF Jan, 19 77.
ss R E Brown
MAYOR, CITY OF MISSOULA, MONTANA

DATES THIS 20th DAY OF January, 19 77.
ss Bunnie Stokes
CLERK, CITY OF MISSOULA, MONTANA.

394318

I received and filed this instrument for record on the 26th day of Jan 19 77 at 9:10 o'clock A.M., permanent files of Missoula County, State of Montana
Witness my hand:
Robert E. Ayers, County Recorder
By Bailey L. Bloom Deputy
Fee $ 54.00 Paid

BOOK 11, PAGE 27, FILE # G-148
OWNERSHIP REPORT # 487
REMOVAL SANITARY RESTRICTIONS # 394

BK11-Pg.27

Date received Missoula County Clerk & Recorders office, Jan. 26, 1977 #3941
Letter filing of sanitation restrictions to D. tod Dec. 27, 1976 from the State Board of Health according to Chapter 95 of the Law of Montana 1961 reg. No. 136 Addition by name Meadowlark acres
filed by Dej B.B.

SORENSON & COMPANY INC.
BOX 3418
MISSOULA, MONTANA 59801

SHEET 2 OF 2

BOOK 11 PG 27

Exhibit B – Inspection Report on Property Owner at 2415 South Hills Drive blocking access to northern end of Peery Park

9 pages

Inspection Report on Property Owner at 2415 South Hills Drive blocking access to northern end of Peery Park

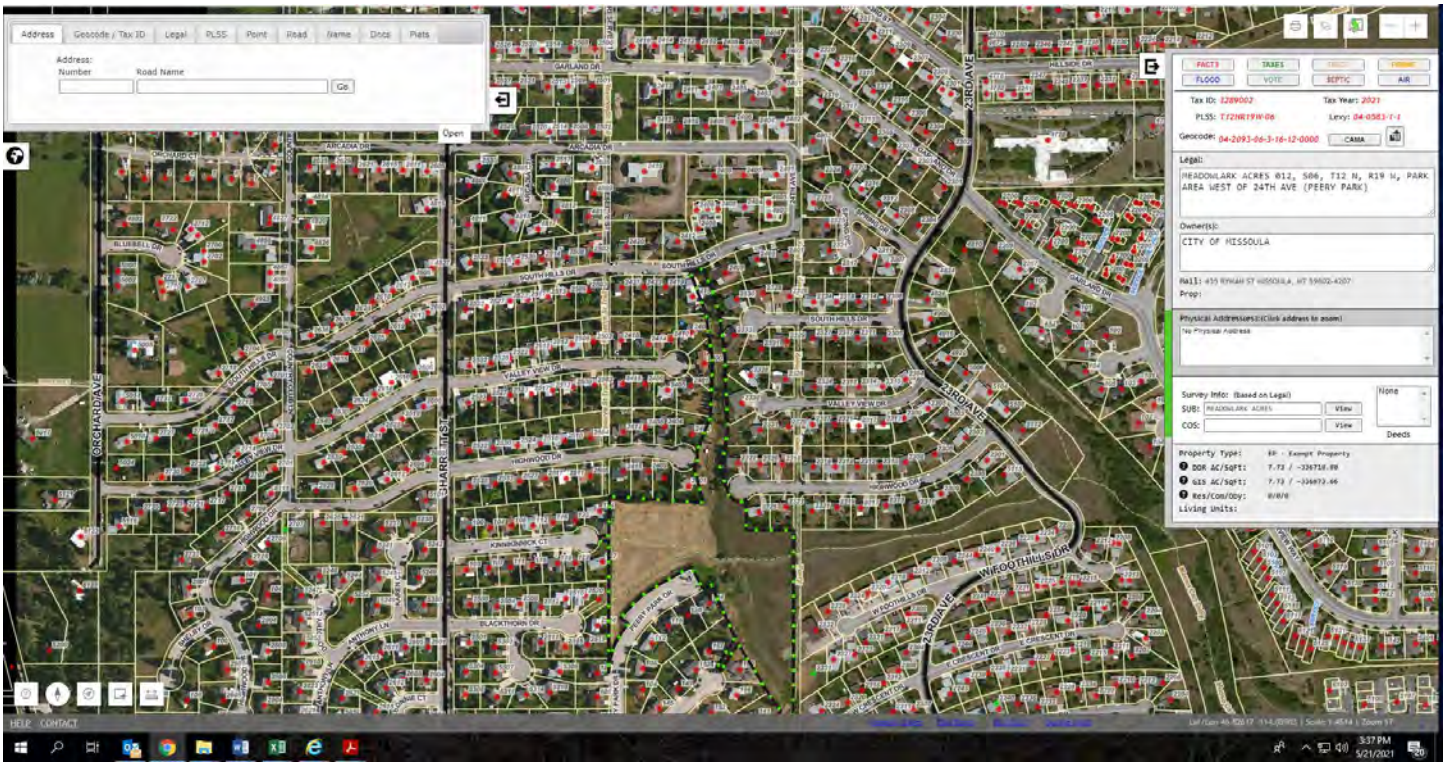
Jeff Gicklhorn, Conservation Lands Program Manager

May 21, 2021

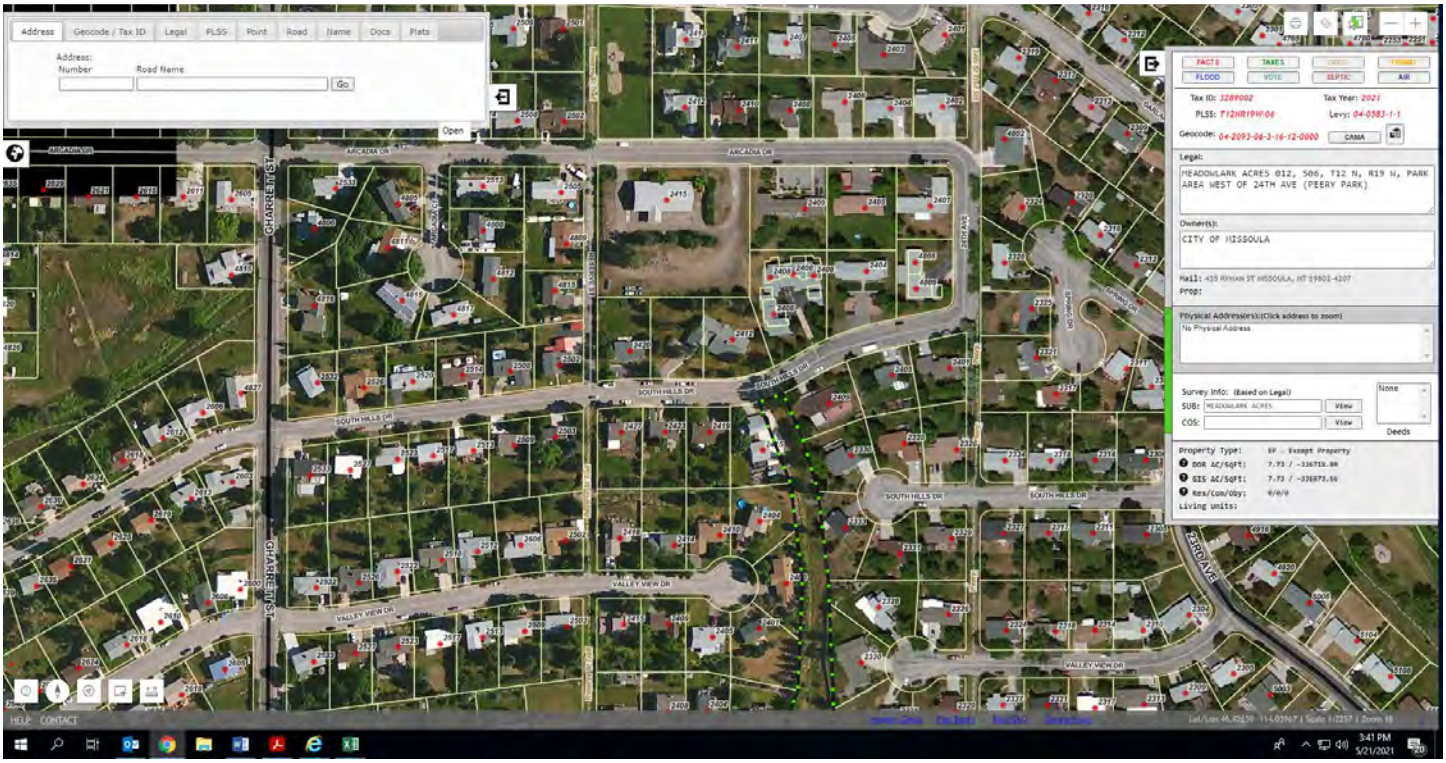
On April 13, 2021, Parks staff received a complaint that the homeowner at 2415 South Hills Drive had intimidated a neighbor and told them that there was not a trail on north end of Meadowlark Acres Park. On May 21, 2021 I visited the site in question and documented the incursion onto City property by the property owner at 2415 South Hills Drive. The following photos are annotated in addition to the narrative discussed below.

In reviewing the County Property Information System (first three images below), it is clear that the area in question and even a portion or the entirety of the paved driveway are located on Park lands. The trail marker bollard has been removed as reported by the neighbor, and it appears that the property owner has made significant changes to the landscaping in the area of interest. Immediately to the south of the sidewalk on South Hills Dr, the property owner has spread new topsoil and seeded grass to attempt to block the existing access trail. Just to the south (upslope) there is well-established irrigated lawn, suggesting that this was added at least several years ago. To the south of the lawn is a large, new pile of tumbled river rock placed across the entire width of the Park parcel. To the south of the rock is a small wood and cardboard “Not A Trail” sign, with an obvious access trail leading south further into the park.

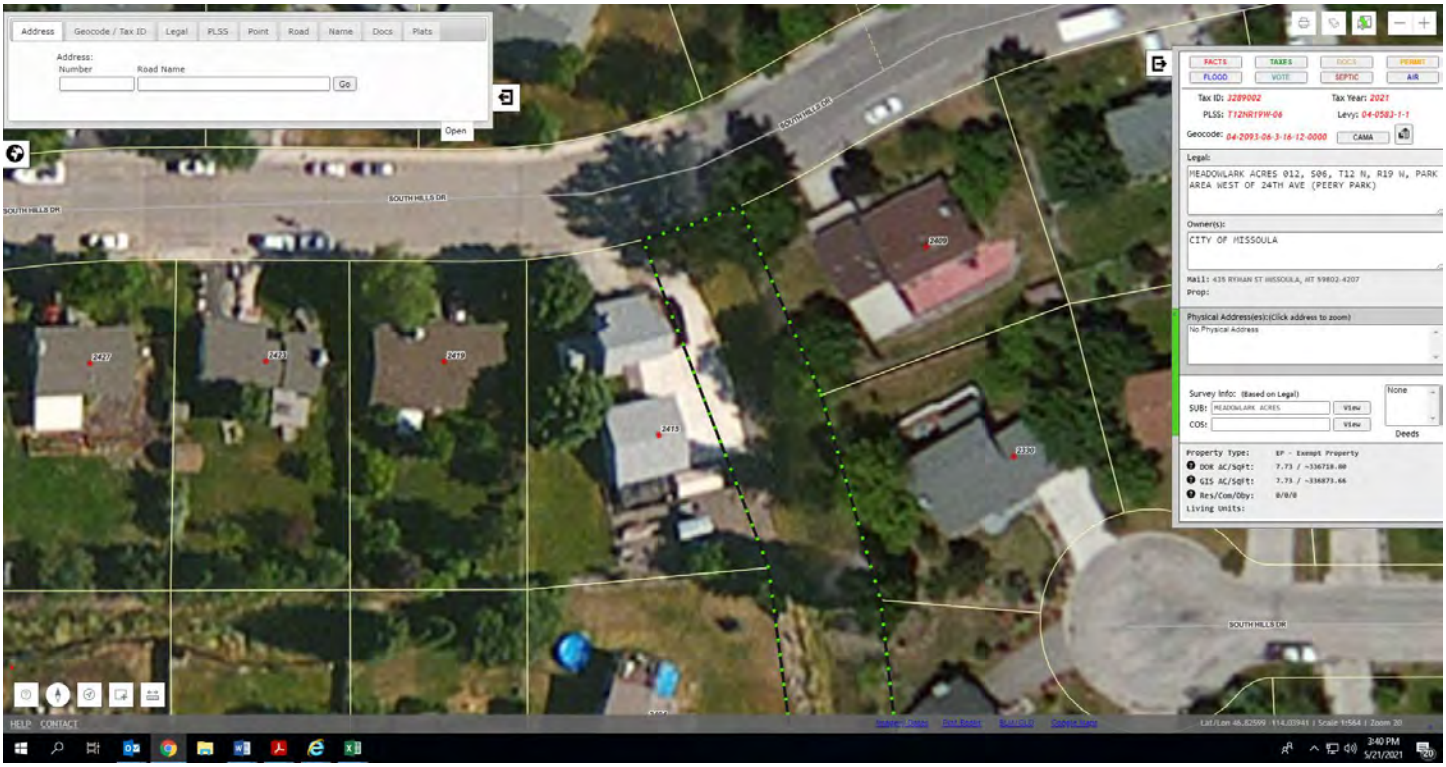
The area of interest is definitely on Meadowlark Acres Park property, and it appears that the adjacent property owner has made significant changes to City land through landscaping and posting a “Not A Trail” sign. Remedies should include complete removal of all developed infrastructure, rock, and pavement from Park property with reclamation of prior vegetation.



Neighborhood-level view of Meadowlark Acres Park on Missoula County Property Information System



Street-level view of Meadowlark Acres Park on Missoula County Property Information System



Property-level view of Meadowlark Acres Park on Missoula County Property Information System. The property in question (2415 South Hills Dr) is immediately to the west of the area of interest. It appears that the driveway for the property may be placed on Parks land, however this would need to be confirmed with a property survey.

Area of interest as viewed looking southeast from South Hills Dr. The entire area between the driveway and fence, and possibly some or all of the driveway is on Meadowlark Acres Park.

Area of interest as viewed looking southwest from South Hills Dr. The property line is approximately the middle of the driveway.

Recently placed top soil covering user trail. Looking southeast from street.

Area of interest with brand new topsoil and recently seeded with grass. Looking south from street.

Area of interest to the south of the recently seeded area looking directly south. All of the area in the center of the image with irrigated grass is on Meadowlark Acres Park.

Recently seeded area (all Park land) looking north with South Hills Drive in distance.

Driveway for 2415 South Hills looking west. All grass and gravel is on Park land, and a portion of the driveway may also be.

Area of river stone placed north of irrigated lawn looking south. All area up to fence line in background is Park land.

Looking south, upslope in Meadowlark Acres Park, with back of "Not a Trail" sign.

"Not a Trail" sign posted near property boundary. All land behind sign is Park land with valid public access.

User trail visible looking south, upslope into Meadowlark Acres Park.

Irrigated grass and recently seeded area looking north, with South Hills Dr in distance.

Recently seeded area and covered user trail looking north, with South Hills Dr in background.

Exhibit C – Missoula City Building Permit # B98-1699

4 pages

BUILDING PERMIT APPLICATION

Building Division

MISSOULA 435 Ryman Missoula, MT 59802 (406) 523-4629

PERMIT NO. B98-499

THIS SECTION TO BE COMPLETED BY APPLICANT — TYPE OR PRINT CLEARLY

6/1/98

NAME	PHONE NO.	STREET ADDRESS	CITY	STATE	ZIP CODE	STATE LIC. NO.	CITY LIC. NO.
PROPERTY OWNER: Charles F. Petrietz		2415 South Hills Drive	Missoula	MT	59803		
TENANT:							
GENERAL CONTRACTOR: Self		2415 South Hills Drive	Missoula	MT	59803		
ARCHITECT OR ENGINEER:							
OTHER:							
OTHER:							

DESCRIPTION OF WORK:

FOR OFFICE USE ONLY — ZONE: RT-7 — MAX HT: 30'-7" — CITY LIMITS: YES / NO — PERMIT: 16727

MINIMUM SETBACKS IN FEET — NO. OF OFFSTREET PARKING SPACES

FRONT: 20 — SIDE: 7 1/2 — REAR: 20 — REQUIRED: 2 — EXISTING: 2 — PROPOSED: 2

BUILDING PERIMETER METHOD: A ABSOLUTE METHOD: B MODIFIED METHOD: C

Approved by: Date: 6/2/98 — Approved by: Date: 6/2/98

Plan Check Fee: $ 0.00 — Permit Fee: $ 180.00 — Total: $ 180.00

BUILDING DEPARTMENT COMMENTS:

PLANS EXAMINER SIGNATURE:

Charles F. Petrietz Owner 5/21/98
SIGNATURE OF CONTRACTOR OR AUTHORIZED AGENT — DATE

Charles F. Petrietz 5-21-98
SIGNATURE OF OWNER — DATE

☐ CASH ☒ CHECK NUMBER: 8833

☐ EXPLOSIVE HAZARDOUS MATERIALS ☐ BUILDING ☐ ELECTRICAL

Inspection History Report
City of Missoula, MT

Inspection Report Date: 08-01-2002
Site Address: 2415 SOUTH HILLS DR MSS
Location:

A/P/O Information

Key Nbr: 096-1669 Type: BLDG Sub Type: Status: EXPIRED
Const Type: VN Occupancy: Use: Insp Area:
Contractor: OWNER
Owner: PETRITZ CHARLES F

Comments

Work Description

NEW CONSTRUCT/INSTALL - BUILDING - NEW RESIDENTIAL GARAGE DETACHED/SETBACKS FRONT & REAR 2/SIDES 7 1/2/VHUD-1

Inspection History

Item: 00111 FOOTING/SLAB
07/13/1998 BY: DIVERRUS Action: APP Comments: APPROVED DW/ts
07/13/1998 BY: Action: INF Comments: Cancel
Item: 00180 MISCELLANEOUS
07/14/1998 By: ANDERS Action: RED Comments: RED TAG/SEE NOTES ********RED TAG ITEMS**********
(1) GAS TEST/LEAKS
(2) ADD FIREPLACE TO PERMIT-21 K BTU
GAS FIREPLACE IN
MASONRY OPENING
FURNACE 100K BTU
WATER HEATER 40 K BTU
6" ROUND OK - HI & LO - OK

FURNACE INSULATION OK-DW/ts **********

Page _____ of _____

SUB-STANDARD QUALITY WHEN FILMED

2415 South Hills Dr

APPROVED garage cannot be used for any commercial or industrial use

20' minimum

garage

house

APPROVED as noted on Site Plan City Engineering

Date

Signature

The contractor is responsible for dust and debris control during construction

PAVING PERMIT REQUIRED

South Hills Drive

DRIVEWAY MUST BE PAVED MAXIMUM CURB CUT IS 12 FEET FOR SINGLE GARAGE AND 20 FEET FOR DOUBLE GARAGE

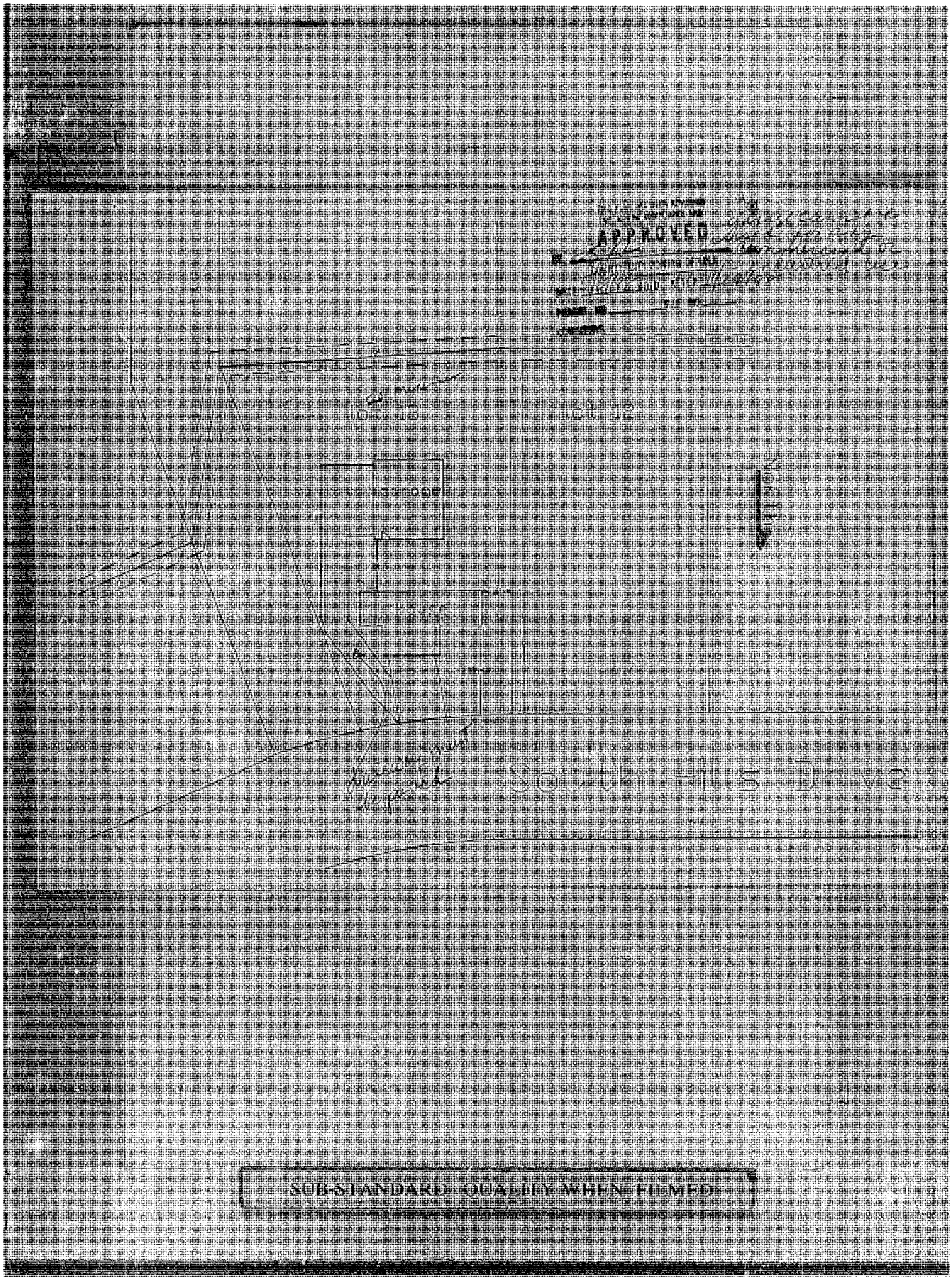
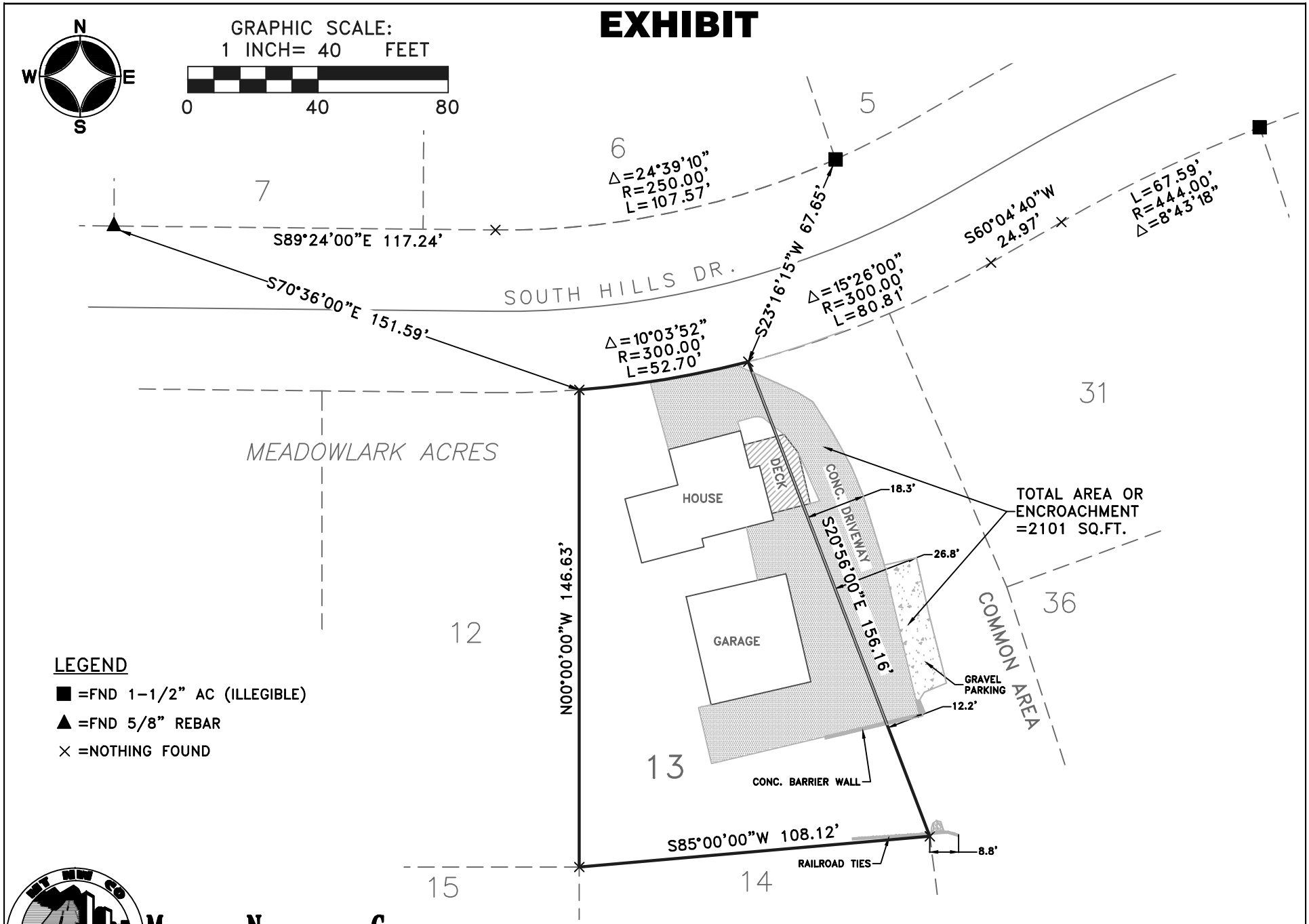


Exhibit D – Property Boundary Survey of 2415 South Hills Dr (dated July 2021)

1 page

EXHIBIT



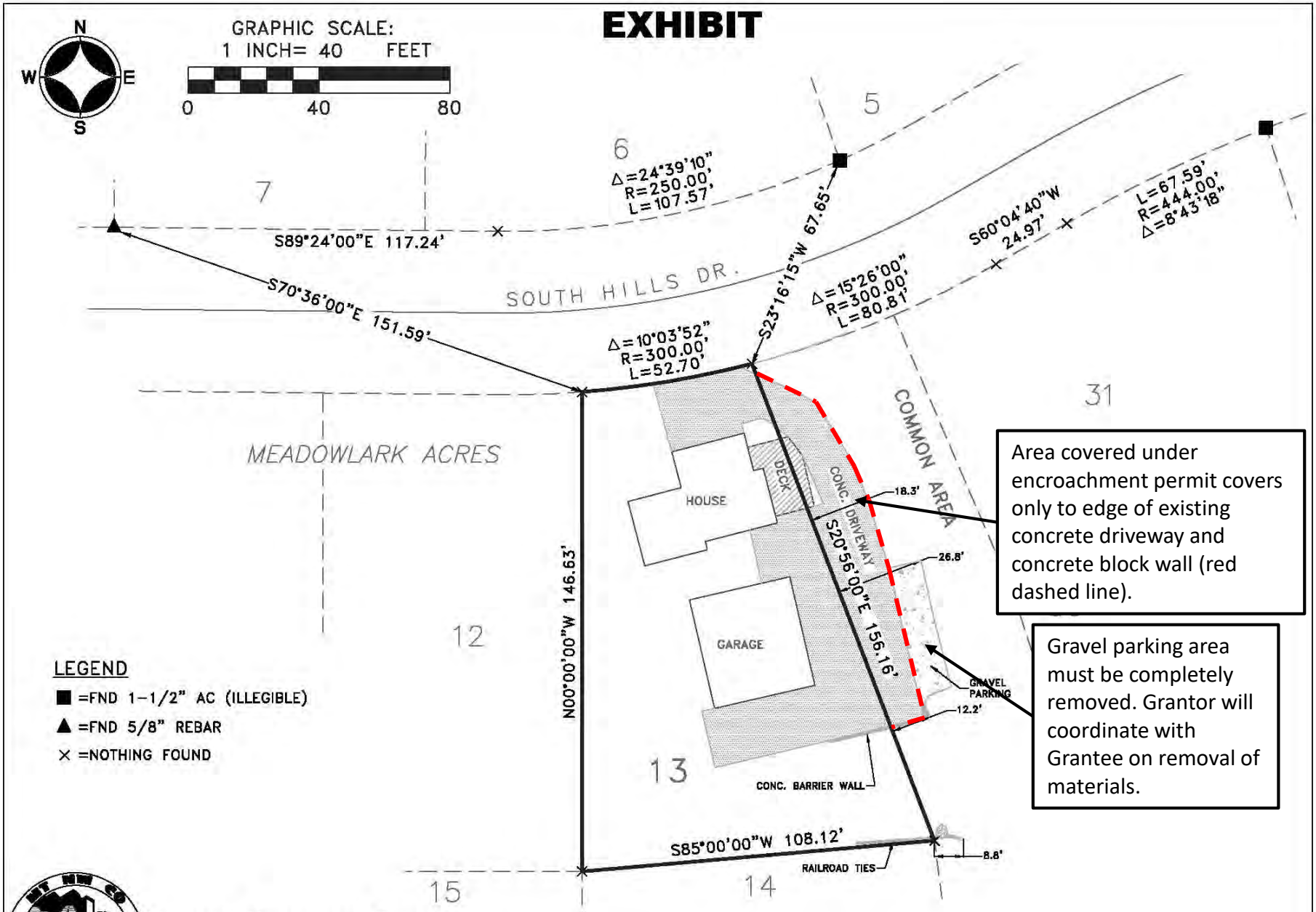
MONTANA NORTHWEST COMPANY
SURVEYING MAPPING PLANNING CONSULTING
P.O. BOX 8777, MISSOULA, MT 59807 PHONE 406-721-4033 FAX 406-721-4066 MTNWCO.COM
P.O. BOX 177, ANACONDA, MT 59802 PHONE 406-559-5005 FAX 406-559-5006 MTNWCO.COM

PREPARED AT THE REQUEST OF: BRIAN WESTON
MTNWCO PROJECT NO. 2988-21 D-1798

Exhibit E – Area Covered by Permanent Encroachment Easement

1 page

EXHIBIT



Area covered under encroachment permit covers only to edge of existing concrete driveway and concrete block wall (red dashed line).

Gravel parking area must be completely removed. Grantor will coordinate with Grantee on removal of materials.

MONTANA NORTHWEST COMPANY
SURVEYING MAPPING PLANNING CONSULTING
P.O. BOX 8777, MISSOULA, MT 59807 PHONE 406-721-4033 FAX 406-721-4066 MTNWCO.COM
P.O. BOX 177, ANACONDA, MT 59802 PHONE 406-559-5005 FAX 406-559-5006 MTNWCO.COM

PREPARED AT THE REQUEST OF: BRIAN WESTON
MTNWCO PROJECT NO. 2988-21 D-1798

Exhibit F – An Appraisal Report of Tract 5, Hillview Heights No. 1 Missoula, Missoula County, MT 59803

50 pages

An Appraisal Report

of

Tract 5, Hillview Heights No. 1
Missoula, Missoula County, MT 59803

for

Mr. Dennis Bowman, Deputy Public Works Director - Utilities
City of Missoula
P.O Box 5388
Missoula, MT 59806

as of

August 19, 2020 (Date of Observation)
September 4, 2020 (Date of Report)

by

Megan L. Garland and Kraig P. Kosena, MAI
Kembel, Kosena & Company, Inc.
West Spruce Commons, 432 West Spruce Street, Suite 101
P.O. Box 16653
Missoula, MT 59808-6653

Table of Contents

INTRODUCTION

September 4, 2020

Mr. Dennis Bowman, Deputy Public Works Director - Utilities
City of Missoula
P.O. Box 5388
Missoula, MT 59806

Re: The appraisal of the property located at Tract 5 of Hillview Heights No. 1, Missoula, Missoula County, Montana.

Dear Dennis:

In accordance with your request for an appraisal report setting forth the **market value** of the property under study, we are submitting the following report containing 50 pages.

The value opinion reported below is qualified by certain assumptions, limiting conditions, certifications, and definitions, which are set forth in the report. We particularly call your attention to the following extraordinary assumptions and hypothetical conditions:

extraordinary assumptions:	this appraisal employs no extraordinary assumptions; and
hypothetical conditions:	this appraisal employs no hypothetical conditions.

Based on the information gathered, the property under study is described legally on page 15 of this report.

The property rights appraised are the unencumbered fee simple estate. We assume no responsibility for the marketability of the title.

POST OFFICE BOX 16653 ❖ 432 WEST SPRUCE STREET, SUITE 101 ❖ MISSOULA, MT 59808-6653
TELEPHONE 406-549-6151 ❖ WEBSITE: KKMONTANA.COM

Mr. Dennis Bowman
September 4, 2020

To the best of our knowledge, this report is in conformance with the 2020-2021 Edition of the *Uniform Standards of Professional Appraisal Practice* (*USPAP*) which is effective through December 31, 2021.

An environmental assessment of the property has not been provided and it is assumed there are no environmental concerns related to the subject property. We are not qualified to detect hazardous materials or toxic waste. Any environmental risk discovered at a later date may or may not require a revised estimate of value, which may or may not simply be a reduction of the value by the estimated cost-to-cure of the environmental condition. Properties known to have environmental risk may carry a stigma in the marketplace which may or may not affect the value.

By reason of our investigations, studies, and analyses, an opinion has been formed that the **market value** of the subject property, as of August 19, 2020, assuming a reasonable marketing time of greater than one year, is as follows:

Two Thousand Five Hundred Dollars
($2,500)

Your attention is invited to the data and discussions that follow and which are the foundations of this conclusion. The information that is retained in our office files, which was used in conjunction with this appraisal report, can be provided to you for an additional fee.

I, the undersigned project appraiser, Kraig P. Kosena, hold the MAI designation and am current in the Continuing Education Program of the Appraisal Institute. My member number is 10,933.

We, Kraig P. Kosena and Megan L. Garland, are licensed by the State of Montana as Certified General Real Estate Appraisers. Our license numbers are 225 and 9314, respectively, and expire March 31, 2021. Our licenses have never been suspended, revoked, canceled, or restricted.

Mr. Dennis Bowman
September 4, 2020

We appreciate the opportunity to be of service to you. Please contact us if you have any questions or if we can be of further service.

Respectfully submitted,
Kembel, Kosena & Company, Inc.

Megan L. Garland, Candidate for Designation
REA-RAG-LIC-9314

Kraig P. Kosena, MAI
REA-RAG-LIC-225

Summary of Salient Facts and Conclusions

Record Owner	:	City of Missoula.
Location of Property	:	Northwest of West Vista Drive and southwest of West Crescent Drive, Missoula, Missoula County, Montana.
Property Rights Appraised	:	Unencumbered fee simple estate.
Historical Use	:	Vacant.
Present Use	:	Vacant.
Highest and Best Use		
As Though Vacant	:	Assemblage.
As Improved	:	Not applicable.
Date of Value	:	August 19, 2020.
Date(s) of Observation	:	August 19, 2020.
Date of Report	:	September 4, 2020.
Exposure Time	:	The estimated reasonable exposure time of the subject property is approximately six months to one year.
Marketing Time	:	In excess of exposure time estimate – greater than one year.
Site	:	Per the State of Montana Department of Revenue (DOR), the site totals ± 1,600 sf. The property fronts a public easement to the west and is private property to the north, south, and east.

Topography is level and at grade with adjacent streets and developments.

The property is zoned R5.4 Residential District.

As an urban parcel, all utilities are available and to the site.

The property is located in the 0.2% Annual Chance Flood Hazard Zone.

Based on our research, the subject property has minimal, if any, development potential as a result of the zoning requirements.

Site Improvements	:	None.
Structural Improvements	:	None.

Market Value by the Sales Comparison Approach - $2,500.

Final Indication of Market Value - $2,500.

Assumptions and Limiting Conditions

This is to certify that we, in submitting these statements and opinions of value, acted in accordance with and was bound by the following principles, limiting conditions, and assumptions:

- This is an appraisal report which is intended to comply with the reporting requirements set forth under Standard Rule 2-2(a) of *USPAP*. As such, it might not include full discussions of the data, reasoning, and analyses that were used in the appraisal process to develop our opinions of value. Supporting documentation concerning the data, reasoning, and analyses is retained in our file. The information contained in this report is specific to the needs of the client and for the intended use stated in this report. We are not responsible for the unauthorized use of this report.

- No responsibility is assumed for matters that are legal in nature nor is any opinion rendered on title of lands appraised.

- Unless otherwise noted, the property has been appraised as though free and clear of all encumbrances.

- All maps, areas, and other data furnished to us have been assumed to be correct. We have not made, or commissioned, a survey of the property.

- Neither the employment to make this appraisal nor the compensation is contingent upon the amount of valuation reported.

- We have made a personal observation of the property that is the subject matter of this report.

- To the best of our knowledge and belief, the statements of fact contained in this appraisal report upon which the analysis, opinions, and conclusions expressed herein are based are true and correct. Furthermore, no important facts have knowingly been withheld or overlooked.

- There shall be no obligation to give testimony or attendance in court by reason of this appraisal with reference to the property in question unless arrangements have been made previously.

- This appraisal report has been made in conformity with and is subject to the requirements of the *Code of Professional Ethics and Standards of Professional Conduct* of the Appraisal Institute and conforms to the *USPAP* adopted by the Appraisal Standards Board of the Appraisal Foundation.

- Disclosure of the contents of this appraisal report is governed by the bylaws and regulations of the Appraisal Institute.

- The liability of the appraisal firm of Kembel, Kosena & Company, Inc. and its employees are limited to the client and to the fee collected. Further, there is no accountability, obligation, or liability to any third party. If this report is placed in the hands of anyone other than the client, the client shall make such party aware of all limiting conditions and assumptions of the assignment and related discussions. We assume no responsibility for any cost incurred to discover or correct any deficiencies of any type present in the property: physically, financially, or legally.

- We have inspected as far as possible, by observation, the lands. However, it was not possible to personally observe conditions beneath the soil. The appraisal is based on there being no hidden, unapparent, or apparent conditions of the property site, subsoil, or toxic materials which would render it more or less valuable. No responsibility is assumed for any such conditions or for any expertise or engineering to discover them.

- It is assumed that the property which is the subject of this report will be under prudent and competent ownership and management: neither inefficient nor super-efficient.

- Unless otherwise stated in this report, we have no knowledge concerning the presence or absence of toxic materials on the subject site. If such are present the value of the property may be adversely affected and re-

appraisal at additional cost maybe necessary to estimate the effects of such.

- The appraisal is based on the premise that, there is full compliance with all applicable federal, state, and local environmental regulations, and laws unless otherwise stated in the report. Further, that all applicable zoning, building, building codes, use regulations, and restrictions of all types have been complied-with unless otherwise stated in the report. Further, it is assumed that all required licenses, consents, permits, or other legislative or administrative authority, local, state, federal, and/or private entity or organization have been or can be obtained or renewed for any use considered in the value estimate.

Neither all nor any part of the contents of this report (especially the conclusion as to the value, our identity, or the firm with which we are connected) or any reference to the MAI designation and/or the Appraisal Institute shall be disseminated to the public through advertising media, sales media, news media, public relations media, or any other public means of communication without our prior written consent and approval.

Privacy Notice

Pursuant to the *Gramm-Leach-Bliley Act of 1999*, effective July 1, 2001, appraisers, along with all providers of personal financial services are now required by federal law to inform their clients of the policies of the firm with regard to the privacy of client nonpublic information. As professionals, we understand that privacy is very important and are pleased to provide this information.

Types of Nonpublic Personal Information We Collect:

In the course of performing appraisals, we may collect what is known as "nonpublic personal information." This information is used to facilitate the services that we provide and may include the information provided to us.

Parties to Whom We Disclose Information:

We do not disclose any nonpublic personal information obtained in the course of our engagement with our clients to non-affiliated third parties, except as necessary or as required by law. By way of example, a necessary disclosure would be to our employees, and in certain situations, to unrelated third-party consultants who need to know that information to assist us in providing appraisal services. All of our employees and any third-party consultants we employ are informed that any information they see as part of an appraisal assignment is to be maintained in strict confidence within the firm. A disclosure required by law would be a disclosure by us that is ordered by a court of competent jurisdiction with regard to a legal action.

Confidentiality and Security:

We will retain records relating to professional services that we have provided for a reasonable time so that we are better able to assist you. In order to protect nonpublic personal information from unauthorized access by third parties, we maintain physical, electronic, and procedural safeguards that comply with our professional standards to ensure the security and integrity of information.

Please feel free to call us at any time if you have any questions about the confidentiality of the information that you provide.

DESCRIPTION, ANALYSIS, AND CONCLUSION

Record Owner and Brief Property History

According to the Missoula County Clerk and Recorder's Office, the subject property is owned by the City of Missoula and has been for many years.

Regarding the history of the property, to the best of our knowledge the site has never been improved.

Location of the Property

The subject property is located in the northern portion of the City of Missoula. To the best of our knowledge, the property does not have a county-assigned physical address. The subject property zip code is 59803.

A map showing the general location of the property relative to Missoula follows.

SUBJECT PROPERTY GENERAL AREA MAP

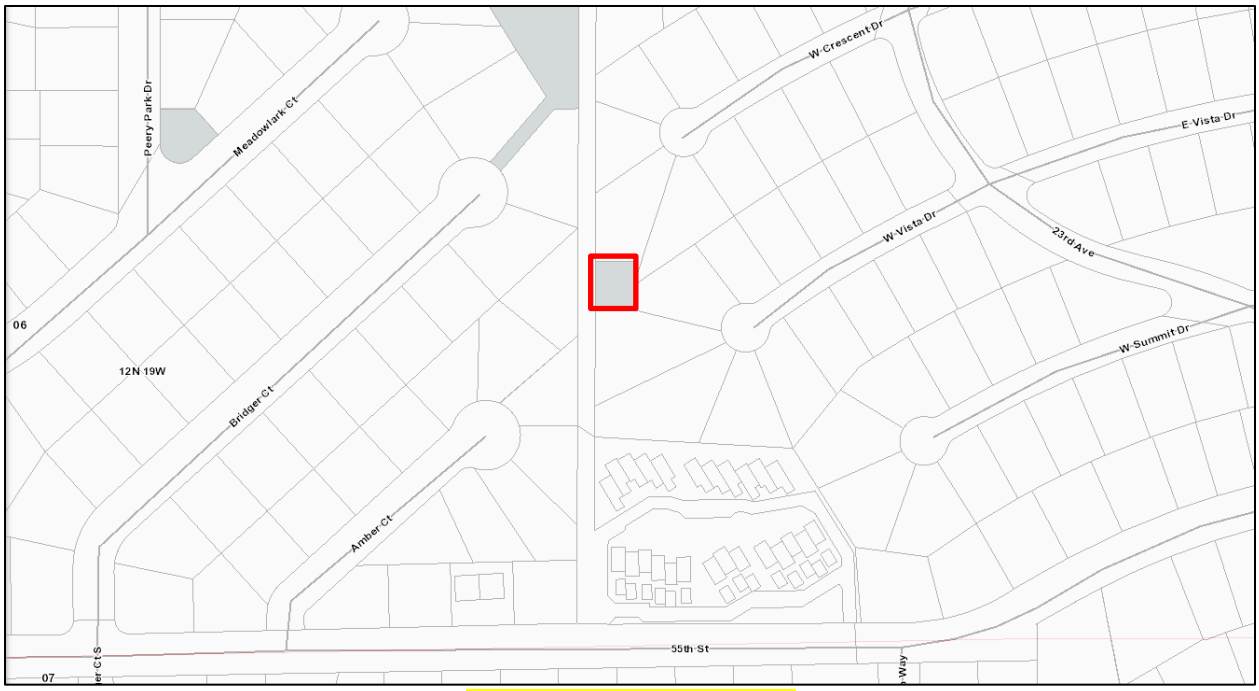
The location of the subject property is illustrated by a Subject Property General Area Map, a Subject Property Location and Neighborhood Map, and a Subject Property Aerial Photograph (Google Earth) in the Addenda of this report.

Legal Description

Based on the information available, the legal description of the site is as follows:

Hillview Heights No. 1, S06, T12N, R19W, Tract 5.

A subject property site map follows as obtained from the State of Montana Cadastral website:



SUBJECT PROPERTY SITE MAP

Definition of an Appraisal

As recognized by the 14th Edition of the Appraisal Institute's *The Appraisal of Real Estate*, the following definition of an appraisal is hereby presented to aid the reader in understanding exactly what is meant by the term:

Appraisal: The act or process of developing an opinion of value.

Intended User of the Appraisal Report

The intended users of this product are our client, the City of Missoula.

Intended Use of the Appraisal Report

The intended use of this appraisal report is to assist our client in establishing the **market value** of the subject property to be used in conjunction with a potential sale of the property.

Scope of the Appraisal

General Information: The client in this assignment is the City of Missoula and our point of contact is Mr. Dennis Bowman, Deputy Public Works Director – Utilities, City of Missoula.

Regardless of who pays for this appraisal, the intended user is the client(s) only. This appraisal may not be appropriate for other users. Therefore, this appraisal may not be used for relied on by anyone other than the stated intended user(s), regardless of the means of possession of this report, without our express written consent. We, the firm of Kembel, Kosena & Company, Inc., and related parties assume no obligation, liability, or accountability to any third party without such written consent.

We have diagnosed the intended user(s) problem and have generated the following primary appraiser information as a means of assisting in its solution: an opinion of **market value** of the unencumbered fee simple estate, the related exposure time, and the highest and best use.

The property was identified by the client providing the name of the property owner and the general location of the site. This information was used to access the DOR property record card (PRC).

The opinion of **market value** is as of the most recent date of observation, August 19, 2020.

The property rights appraised are the unencumbered fee simple estate.

This appraisal is intended to conform to the supplemental standards associated with an "appraisal" as defined by the Federal Banking Regulatory Agencies.

Considering the subject property is vacant land, the sales comparison approach is considered most relevant and, therefore, the only approach we fully developed in this appraisal assignment.

Within the sales comparison approach, an overall dollars per square foot ($/sf) technique was developed for the property. Given the unique physical characteristics of the subject property site and the perceived lack of utility to anyone other than an adjacent property owner, the data set for this approach involves just two closed sales.

We are competent in terms of training and experience in the type of property and market area that is the subject of this appraisal, the analytical methods used, and the use(s) of the appraisal.

Much of the scope of work is discussed throughout the report (limiting conditions, general assumptions, final reconciliation, etc.).

This appraisal is intended to comply with *USPAP*, the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute, and local State laws.

For appraisal purposes, an extraordinary assumption is defined in *USPAP* as follows:

> **Extraordinary Assumption:** An assignment-specific assumption as of the effective date regarding uncertain information used in an analysis which, if found to be false, could alter the appraiser's opinions or conclusions.

This appraisal employs no extraordinary assumptions.

Per the same source, a hypothetical condition is defined as:

> **Hypothetical Condition:** A condition, directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the assignment results but is used for purposes of analysis.

Similarly, no hypothetical conditions were considered in this appraisal assignment.

Subject Property Data Gathering: The subject property's data was obtained from research, interviews, an on-site property observation, and from plans and specifications (when available).

The DOR PRC was obtained directly from the DOR and the most recent transferring document was obtained from the Missoula County Clerk and Recorder's Office. The zoning was checked from a map published by the City of Missoula Office of Development Services which is reportedly kept current. The flood zone information was also checked through the City of Missoula Office of Development Services. The local multiple listing service (MLS) was searched for previous sales and listings of the subject property.

An on-site observation was conducted on August 19, 2020.

In conjunction with this appraisal, we did drive through the neighborhood noting types of properties, their ages, and conditions.

The secondhand information was verified depending on the perceived credibility of the initial source. In most cases, the initial source was considered to be credible and reliable.

Market Data Gathering: The data was located through a search of the local MLS and a network of professional associates including real estate agents and brokers and other real estate appraisers. Generally speaking, the data researched is current within the past five years.

The sales price, date of sale, and days on market information were found either on the MLS sheet or through the interview process. Recording documents show buyer and seller information as well as date of sale. As a non-disclosure state, actual sales price information is not available through either the State of Montana or local counties.

PRCs, the local MLS system, and office files were checked for the previous sales of the comparable sale properties.

The physical characteristics were gathered from the local MLS system, the PRC, as well as from a visual observation taken from curb-side of each comparable used in conjunction with this appraisal. In some cases, office files are referenced if this firm has previously appraised one of the properties being considered as a comparable in this report.

Most all of the secondhand data was corroborated from at least two sources. Transfer documents, PRCs, and the local MLS were used to check completeness and consistency.

Analysis: The valuation approach which was considered herein includes just the sales comparison approach.

Sales Comparison Approach: Within the sales comparison approach, sales of similar (to varying degrees given the size and location of the subject property and the limitations of the small market) properties were researched. The sales comparison analysis was based on local data and the unit of comparison that we considered was the overall dollars per square foot ($/sf). Other units of measure that are sometimes considered for land valuation are dollars per acre ($/acre), typically used for larger and more rural tracts, and dollars per front foot ($/ff), typically used for waterfront parcels, etc.

The results of our research efforts culminated in two closed sales that were considered to be reasonable comparables and which were felt to result in a reliable indicator of current **market value**. Other sales were considered in the analysis but were removed from direct consideration for various reasons.

The sale properties were analyzed and compared to the subject property, differences recognized, and adjustments made (to the extent that the available data will allow). Overall, the indication of current **market value** by this approach was felt to be reasonable and reasonably well supported by the data available.

Purpose of the Appraisal and Definition of Market Value

The purpose of this appraisal is to estimate the **market value** of the subject property. **Market value**, as defined by the Appraisal Standards Board of The Appraisal Foundation for the purposes of the *USPAP* and used in this report, is:

> **Market Value:** The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus.
>
> Implicit in this definition are the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:
>
> 1. buyer and seller are typically motivated;
> 2. both parties are well informed or well advised, and acting in what they consider their own best interests;
> 3. a reasonable time is allowed for exposure in the open market;
> 4. payment is made in terms of cash in United States dollars or in terms of financial arrangements comparable thereto; and
> 5. the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.
>
> Source: 12 C.F.R. Part 34.42(g); 55 Federal Register 34696, August 24, 1990, as amended at 57 Federal Register 12202, April 9, 1992; 59 Federal Register 29499, June 7, 1994.

Date of Valuation

The estimate of **market value** is as of the most recent date of observation, August 19, 2020.

Exposure Time

Exposure time is always presumed to precede the effective date of the appraisal. Exposure time is defined as follows in the 6th Edition of *The Dictionary of Real Estate Appraisal* as published by the Appraisal Institute:

> **Exposure Time:** 1. the time a property remains on the market; and 2. the estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at **market value** on the effective date of the appraisal.

The typical method of estimating exposure times is to investigate exposure times of comparable sales. The logic being that if the sales are current and comparable, the exposure time expectation for the subject property should be within the range indicated by the comparable sales, if the subject property was made available for sale and priced reasonably and competitively.

In this case, in an effort to estimate a reasonable exposure time for the subject property, we have relied mainly on the reported exposure times of the sales presented for consideration in the sales comparison approach. Based mainly on this data as well as significant anecdotal information including numerous real estate agent and broker interviews, we have concluded that a reasonable exposure time for the subject property would be approximately six months to one year assuming that the property would be actively marketed at a reasonable and competitive price.

Marketing Time

Unlike exposure time, the marketing time estimate is prospective in nature. Marketing time is defined as:

> **Marketing Time:** An opinion of the amount of time it might take to sell a real or personal property interest at the concluded **market value** level during the period immediately after the effective date of an appraisal. Marketing time differs from exposure time, which is always presumed to precede the effective date of an appraisal.

This definition is also per the 6th Edition of *The Dictionary of Real Estate Appraisal* as published by the Appraisal Institute.

Given the date of this report, September 4, 2020, and the current worldwide health and economic crisis as a result the COVID-19 virus, it seems reasonable to expect that a marketing time in excess of the estimated exposure time would be reasonable, i.e., more than one year.

Property Rights Appraised

The property rights being appraised are the unencumbered fee simple estate.

According to the 6th Edition of the Appraisal Institute's *The Dictionary of Real Estate Appraisal*:

> **Fee Simple Estate:** Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.

No responsibility for the marketability of the title of the subject property in this report is assumed.

Regional, City, and Neighborhood Data and Analysis

This section of the report has been intentionally omitted due to the summary nature of this report as well as the client's familiarity with the region, city, and neighborhood.

Property Description

The following description of the subject property is based on our research of the records of the State of Montana and Missoula County as well as a thorough property observation. Again, due to the summary nature of this report and the maps and photographs included in the Addenda of this report as exhibit items, this narrative discussion of the property is admittedly and intentionally brief.

Site:

Per the DOR, the site totals ± 1,600 sf.

The property fronts a public easement to the west and is private property to the north, south, and east.

Topography is level and at grade with adjacent streets and developments.

The property is zoned R5.4 Residential District.

As an urban parcel, all utilities are available and to the site.

The property is located in the 0.2% Annual Chance Flood Hazard Zone. The flood hazard area map which pertains to the subject property, Panel No. 30063C1460E.

Based on our research, the subject property has minimal, if any, development potential as a result of the zoning requirements.

For the purposes of this report, the soils have not been independently studied nor do we make any representation as to their suitability. However, based on existing developments in the area, it appears that the soils in the area offer adequate load-bearing qualities for most types of development. There do not appear to be any drainage problems associated with the site.

On the issue of soil degradation, an Environmental Site Assessment Report has not been performed. **It is assumed there are no environmental concerns related to the subject. We are not qualified to detect hazardous materials or toxic waste.** Any environmental risk discovered at a later date may or may not require a revised estimate of value, which may or may not simply be a reduction of the value by the estimated cost-to-cure of the environmental condition. Properties known to have environmental risk may carry a stigma in the marketplace, which may or may not affect the value. For more specific environmental site information, it is recommended that, at a minimum, a phase one audit be completed by a qualified soils engineer.

Site Improvements:

None.

Structural Improvements:

None.

Taxes and Assessments

The following tabulation details the parcel number, assessed value, and current property taxes for the subject property.

TABULATION OF SUBJECT PROPERTY TAXES AND ASSESSMENTS				
PARCEL NO.	GEO CODE	LAND AREA (SF)	ASSESSED VALUE	2019 PROPERTY TAXES
5830561	04-2093-06-3-27-06	1,600	$99,080	$1,013.25

Complete copies of the DOR records and the Missoula County 2019 real property tax bill is retained in our office work file.

Worth noting, the aforementioned property taxes include various other properties owned by the City of Missoula.

Highest and Best Use

The following definition of highest and best use is taken from the 14th Edition of the Appraisal Institute's *The Appraisal of Real Estate*:

> **Highest and Best Use:** The reasonably probable and legal use of vacant land or an unimproved property that is physically possible, legally permissible, appropriately supported, financially feasible, and that results in the highest value.

Implied in this definition is the recognition of the contribution of that specific use to community environment or to community development goals in addition to wealth maximization of individual property owners.

Also implied is that the determination of highest and best use results from the appraiser's judgment and analytical skill, i.e., that the use determined from analysis represents an opinion, not a fact to be found. In appraisal practice, the concept of highest and best use represents the premise upon which value is based. In the context of most probable selling price (**market value**), another appropriate term to reflect highest and best use would be most "probable use." In the context of investment value, an alternative term would be most "profitable use."

As Though Vacant:

In considering the highest and best use of the subject property, as though vacant and available to be developed to its highest and best use, we gave consideration to any and all uses to which the property is capable of being adapted, or developed, if vacant and unimproved.

The five categories of use recognized are residential, commercial, industrial, agricultural, and special-purpose.

The residential classification typically includes single family residences, duplexes, and four-plexes.

Commercial developments generally include such things as office buildings, retail centers, restaurants, hotels, motels, and multi-family housing developments.

The industrial classification includes such uses as manufacturing parks, warehouses, etc.

Agricultural land uses include cropland, pastureland, timberland, and orchards.

The special-purpose use refers to properties with unique design, or construction, which restricts their utility to the intended use for which they were built and generally includes such things as schools, churches, parks, museums, airports, etc.

Consideration must be given to these uses, recognizing the limitations imposed by the four generally-accepted criteria for highest and best use. These are physically possible, legally permissible, financially feasible, and maximally productive.
To elaborate on these, physically possible recognizes such factors as size, shape, area, terrain, and utilities available.

Legally permissible involves restrictions such as homeowners associations, zoning regulations, building codes, historic district controls, and environmental regulations.

Financially feasible relates to all uses that are expected to produce a positive return.

Maximally productive relates to those uses which satisfy the other three criteria and produce the highest price or value consistent with the return expected by investors in the area.

Legally Permissible: This criterion relates to zoning designations or other governmental restrictions for the site, but also recognizes any declaration of covenants, conditions, or restrictions. Conservation easements would be included here as legally limiting the potential development of a property.

Currently, the subject property is zoned R5.4 Residential District. As the name implies, this zoning district allows mainly for residential uses.

Furthermore, this zoning requires a minimum parcel size of ± 5,400 sf. As was mentioned before, as this minimum parcel size is larger than the subject property land area, this parcel has minimal, if any, development potential. As such it seems that the

property offers very little, if any, benefit to anyone other than an adjacent landowner that may be able to increase development density on their property by assembling the subject property.

To the best of our knowledge, there are no other legal considerations that would limit the potential of the sites, i.e., covenants, deed restrictions, easements (including conservation easements), etc.

Physically Possible: The physical features of a site which may affect the potential use(s) include, but are not limited to, location, frontage, size, shape, access, availability of utilities, easements, soils and subsoils, topography, and designated flood hazard considerations.

The subject property involves a land area of ± 1,600 sf located in the central portion of the City of Missoula. Land uses in the immediate area are mostly residential.

Overall, the property is felt to have good physical attributes for many, but not all, types of development. Those uses that are felt to be culled out at this point include potential developments with large land requirements, i.e., agricultural.

Financially Feasible and Maximally Productive: Financial feasibility relates to the investment in the land producing a positive return to the investor, or developer. A positive return to the investment suggests a financially feasible use of the property. This may be a cash return or a return as measured by the utility of the land to the owner.

The highest, or maximum, return on the investment indicates the maximum productivity of the property. This factor is more difficult to measure, as different investors may have differing return requirements. In the case of vacant land, this may be measured by the highest price the land will bring when exposed to the open market.

Conclusion: Recognizing the subject's site size, the location, the topography, the current local and national economy, and especially the demand for property in the area, it is our opinion that the highest and best use of the property, as if vacant, would be for assemblage with an adjacent property.

As Improved:

Recognizing that the subject property involves vacant land, this subsection of highest and best use is not applicable.

Property Valuation

The appraisal process is a systematic process in which the problem is defined, the work necessary to solve the problem is planned, and the data involved is acquired, classified, analyzed, and interpreted into an estimate of value.

There are three traditional, or generally-accepted, techniques used in estimating the **market value** of real property. These are generally referred to as the cost approach, the sales comparison approach, and the income capitalization approach.

The cost approach is an estimation of the value of the land, as if vacant and available to be developed to its highest and best use, by market comparisons to which the depreciated, or contributory, value of the improvements is added.

The sales comparison approach is a technique that produces an indication of value by a direct comparison of similar property types that have recently sold, to the subject property; appropriate adjustments for differences are made when and where necessary.

The income capitalization approach produces a value indication by capitalizing the net income, or earning power, of the property by a rate reflected by market transactions or behaviors.

The three approaches to value do not necessarily apply to all types of property. A decision must be made whether a particular approach is applicable in each instance. The key to this decision is whether or not the approach is practical as a yardstick of market performance, or merely a theoretical application. These observations are particularly pertinent in the appraisal of properties in transition to a higher and better use, as well as special use properties where value-in-use is more applicable than **market value**.

In this case, recognizing the type of property under consideration in this appraisal assignment, we have concluded that just the sales comparison approach is pertinent to the process.

Sales Comparison Approach

According to the 14th Edition of the Appraisal Institute's *The Appraisal of Real Estate*,

> **Sales Comparison Approach:** The process of deriving a value indication for the subject property by comparing similar properties that have been recently sold with the property being appraised, identifying appropriate units of comparison, and making adjustments to the sales prices (or unit prices, as appropriate) of the comparable properties based on relevant, market-derived elements of comparison. The sales comparison approach may be used to value improved properties, vacant land, or land being considered as though vacant when an adequate supply of comparable sales is available.

Inherent to the sales comparison approach is the principle of substitution. According to the 14th Edition of the Appraisal Institute's *The Appraisal of Real Estate*,

> **Principle of Substitution:** The appraisal principle that states that when several similar or commensurate commodities, goods, or services are available, the one with the lowest price will attract the greatest demand and widest distribution. This is the primary principle upon which the cost and sales comparison approaches are based.

Before getting into the actual valuation analysis, we first want to point out that it is our experience that, in our small market, a bracketing technique works well. Contemporary appraisal texts have begun to recognize bracketing as a valuation technique. Overall, we are of the opinion that the bracketing technique recognizes the imperfect data found in the marketplace. The 14th Edition of the Appraisal Institute's *The Appraisal of Real Estate* defines bracketing as:

> **Bracketing:** A process in which an appraiser determines a probable range of values for a property by applying qualitative techniques of comparative analysis to a group of comparable sales. The array of comparables may be divided into three groups - those superior to the subject, those similar to the subject, and those inferior to the subject. The adjusted sale prices reflected by the sales requiring downward adjustment and those requiring upward adjustment refine the

probable range of values for the subject and identify a value bracket in which the final value opinion will fall.

Because of the many variables involved in comparing sale properties to the subject property, the importance of the appraiser's judgment and opinion becomes obvious. In other words, the sales themselves do not alone directly indicate a value for the subject property, but these sales, once totally analyzed and correlated with experience and judgment, do help us appraisers in our final value estimate.

Last Sale of the Subject Property:

At this juncture, before discussing the comparisons and analyses of the improved sales, we typically first discuss and analyze the most recent sale of the subject property. In this case, the subject property has been in the current ownership for many years.

Site Valuation:

Land sales with similar amenities located within the immediate neighborhood of the subject property allow for the best comparison and value conclusion. In comparison to the subject property, factors considered include property rights, terms of the sale, location, size, frontage, shape, zoning, topography, etc.

The unit of comparison used in this analysis is based upon a $/sf. To determine this indication, the sales price (or estimated contributory value of the land) is divided by the total size of the land (in square feet).

$$\frac{\text{confirmed sales price}}{\text{size in square feet}} = \$/\text{sf indication}$$

Regarding the sales themselves and the adjustment process, it has been our experience that all sales differ somewhat from one another. To the extent possible, the differences should be recognized and adjusted for based on the data available. However, in the market it is often difficult, and sometimes impossible, to accurately isolate a given factor. In short, one very seldom finds sale properties which are identical in all respects but one, and thus is able to prove conclusively the value, or lack of, for any one factor due to a difference in sale price. Often, there are positive and

negative factors which offset each other. Nevertheless, the differences in values are real and an attempt, based on as much fact as can be found, will be made to determine the value of these factors. Then, the appraiser may call upon his/her experience to make more subjective judgments. The following generalities are cited to acquaint the reader with a background for our reasoning and judgment to follow:

- value increases per unit of comparison as the size of the parcel decreases;

- value tends to decrease as distance from an urban center increases (an exception to this generalization might be certain recreational properties);

- value tends to decrease as the topography becomes steeper, more rocky, more barren, more arid, etc.;

- value tends to decrease as access becomes more difficult;

- value tends to increase with amenities such as creek or lake frontage, or a good view; and

- value tends to increase when zoning allows greater density and/or a more optimum use of the land.

Obviously, the inverse may be said of each of these statements.

The data set relates to two sales in Missoula. While two sales are thought to represent a bare minimum, fortunately, after confirmation these two sales are believed to be extremely comparable to the subject property.

Rather than tabulate two sales, we would submit that a brief narrative of the sales is more appropriate.

Land Sale No. 1: This land sale took place during July of 2018 and involved an assemblage parcel located along the north side of Burlington Avenue.

The sale property involved ± 3,125 sf of vacant land that was zoned RM2.7.

The site has an existing irrigation ditch which occupies ± 100% of the property and, therefore, had minimal, if any, development potential.

The property sold for $3,500 which indicates ± **$1.12/sf**.

The sale was memorialized with a Warranty Deed recorded as Document No. 201812300, a copy of which was reviewed for appraisal purposes and is retained in our office work file.

The buyer motivation was for assemblage to their residential property to the west.

Land Sale No. 2: This July 2011 land sale involved an assemblage parcel of ± 3,175 sf located along the north side of South 2nd Street West. The land was zoned RM2.7 but due to topographical issues was felt to have little value to anyone other than an adjacent property owner.

The confirmed sales price was $5,000 which indicates **$1.57/sf**.

The sale was memorialized with a Warranty Deed recorded as Document No. 201110959, a copy of which was reviewed for appraisal purposes and is retained in our office work file.

The buyer motivation was for assemblage to their residential property to the east.

Correlation and Conclusion of Site Valuation:

Having identified and analyzed what we feel are the best sales in the local market for the purposes of this analysis, we must now reconcile the data into an indication of value for the subject property land area. Typically, the data set would be analyzed on a tabulation/adjustment grid in an attempt to recognize and quantity those specific adjustments that are felt to pertain when we compare the comparable sale properties to the subject property. In this case, the data set of two sales neither lends itself nor warrants an adjustment grid. That said, recognizing a slight adjustment upward for size, we have concluded that the information is very supportive of the following value conclusion:

± 1,600 sf at $1.60/sf = $2,560, rounded to **$2,500**.

Certification

We certify that, to the best of our knowledge and belief:

- The statements of fact contained in this report are true and correct;
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are our personal, impartial, and unbiased professional analyses, opinions and conclusions;
- We have no present or prospective interest in the property that is the subject of this report and have no personal interest or bias with respect to the parties involved;
- We have not performed any services, as appraisers or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- We have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment;
- Our engagement in this assignment was not contingent upon developing or reporting predetermined results;
- Our compensation for completing this assignment is not contingent upon the developing or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of the appraisal;
- Our analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the *USPAP*;
- We made a personal observation of the property that is the subject of this report; and

- Rhesa E. Sutton Weston, Research Assistant, provided significant real property appraisal assistance to the persons signing this certification;

- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Code of Professional Ethics and Standards of Professional Practice of the Appraisal Institute;

- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives;

- As of the date of this report, Kraig P. Kosena has completed the continuing education program for Designated Members of the Appraisal Institute; and

- As of the date of this report, Megan L. Garland has completed the Standards and Ethics Education Requirements for Candidates of the Appraisal Institute.

By reason of our investigations, studies, and analyses, an opinion has been formed that the current **market value** of the subject property, as of August 19, 2020, assuming a reasonable marketing time of greater than one year, is as follows:

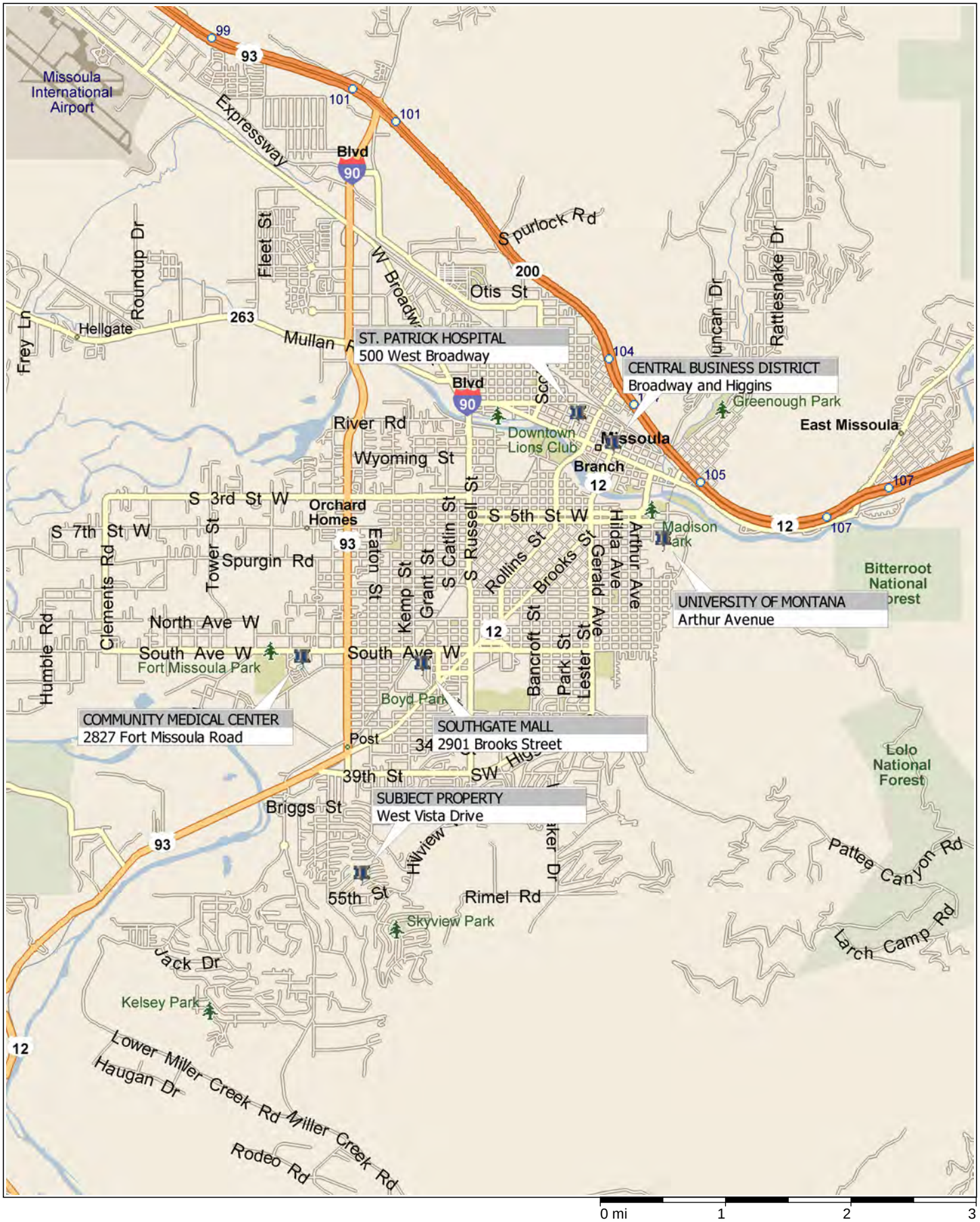
Two Thousand Five Hundred Dollars
($2,500)

Megan L. Garland, Candidate for Designation
REA-RAG-LIC-9314

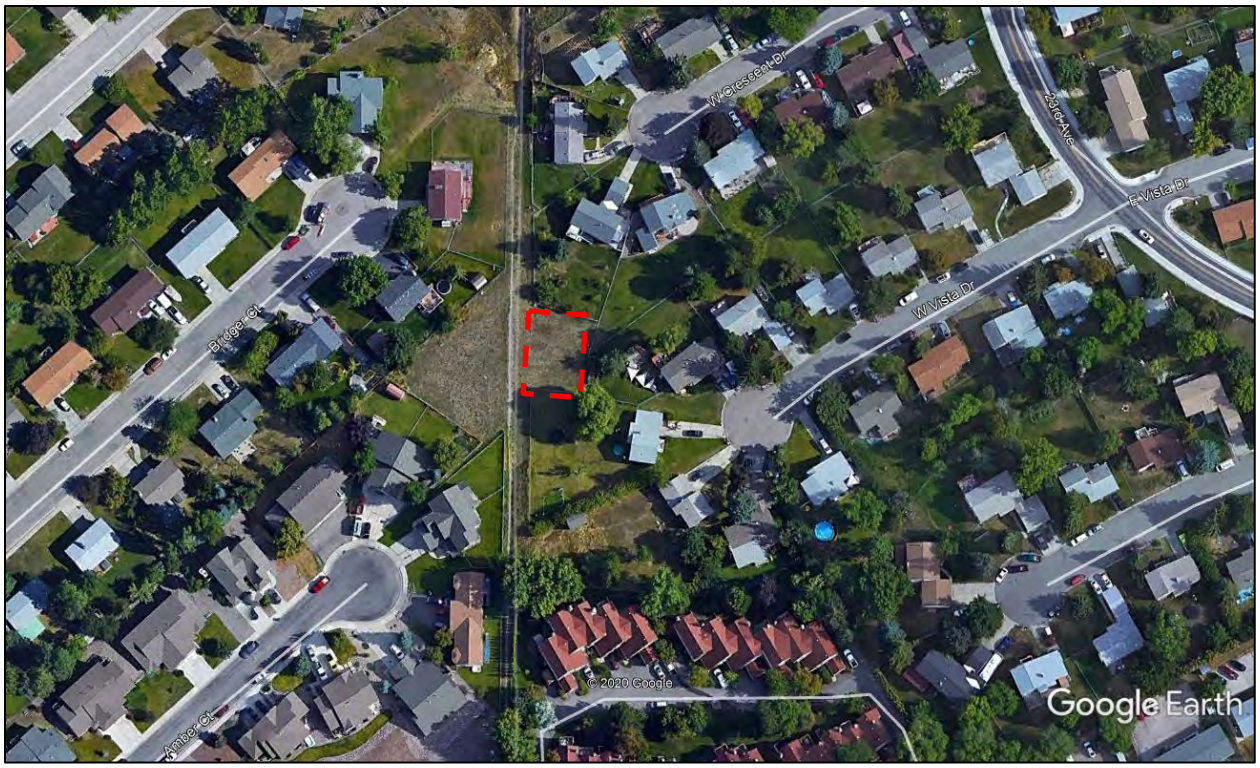
Kraig P. Kosena, MAI
REA-RAG-LIC-225

ADDENDA

SUBJECT PROPERTY GENERAL AREA MAP



SUBJECT PROPERTY NEIGHBORHOOD MAP



SUBJECT PROPERTY AERIAL PHOTOGRAPH (GOOGLE EARTH)

Subject Property Photographs

Tract 5, Hillview Heights No. 1, Missoula, Missoula County, Montana

Photograph No. 1

Description:
View facing northerly along easement.

Date Taken:
8/19/20

Photograph No. 2

Description:
Site overview facing southwesterly.

Date Taken:
8/19/20

Appraiser's Qualifications - Megan L. Garland

Business Experience: Since July 2013 I have been employed by the full-service appraisal and consulting firm of Kembel, Kosena & Company, Inc. in Missoula, Montana. Having begun as a Research Assistant and transitioned to an Appraiser Trainee, I became a Certified General Appraiser in the State of Montana in 2017. I am currently a candidate for designation with The Appraisal Institute working with Kraig P. Kosena, MAI, as my mentor.

In December 2009 I earned a Bachelor of Science Degree in Business Administration with an emphasis in Finance from the University of Montana.

Clients: The following is a partial, representative client list.

Bank of Montana	TrailWest Bank
Farmers State Bank	First Interstate Bank, N.A.
First Security Bank	Glacier Bank
Stockman Bank	Treasure State Bank

Education: The following is a summary of real estate appraisal related educational offerings that I have attended.

Graduate of the University of Montana

AI Course	Uniform Standards of Professional Appraisal Practice
AI Course	Basic Appraisal Principles
AI Course	Basic Appraisal Procedures
AI Course	General Appraiser Sales Comparison Approach
AI Course	Real Estate Finance, Statistics Valuation Modeling
AI Course	Online Business Practices and Ethics
AI Course	General Appraiser Income Approach - Part 1
AI Course	General Appraiser Income Approach - Part 2
AI Course	General Appraiser Market Analysis and Highest & Best Use
AI Course	General Appraiser Site Valuation and Cost Approach
AI Course	Advanced Income Capitalization
AI Course	General Appraiser Report Writing and Case Studies
AI Course	Quantitative Analysis

AI Course	Uniform Appraisal Standards for Federal Land Acquisitions
AI Course	Advanced Concepts & Case Studies
AI Course	Advanced Market Analysis and Highest and Best Use

Certifications:

Montana Certified General Real Estate Appraiser (Certification No. REA-RAG-LIC-9314)

State of Montana
Business Standards Division
Board of Real Estate Appraisers

This certificate verifies licensure as:

CERTIFIED GENERAL APPRAISER

REA-RAG-LIC-9314

Status: **Active**
Expires: **03/31/2021**

MEGAN LYNN GARLAND
KEMBEL KOSENA & COMPANY INC
PO BOX 16653
MISSOULA, MT 59808

Montana Department of
LABOR & INDUSTRY
RENEW OR VERIFY YOUR LICENSE AT:
https://ebiz.mt.gov/pol

Appraiser's Qualifications - Kraig P. Kosena, MAI

Business Experience: Since June 1996 I have been operating my own full-service appraisal and consulting firm known as Kembel, Kosena & Company, Inc. in Missoula, Montana.

From January 1989 to May 1996 I was employed by R.D. Kembel & Associates, Inc., a full-service real estate appraisal and consulting firm also in Missoula, as an Associate Appraiser. My appraisal work included mainly commercial, agricultural, subdivision, conservation easement, and right-of-way appraisals.

In January 1987 I enlisted in the United States Navy and received an honorable discharge in December 1988.

From May until December 1986 I worked as an Associate Appraiser for R.D. Kembel & Associates, Inc.

Clients: The following is a partial, representative client list.

Bank of Montana
Farmers State Bank
First Security Bank
Glacier Bank
Missoula International Airport Authority
Mountain West Bank
Stockman Bank
Treasure State Bank
Washington Trust Bank
Bitterroot Valley Bank
First Interstate Bank, N.A.
Garlington, Lohn & Robinson, PLLP
Missoula Federal Credit Union
Montana Department of Transportation
Rocky Mountain Bank
Sullivan, Tabaracci & Rhoades, PC
US Bank
Worden Thane, PC

Fee appraising for various other banks, attorneys, and private parties.

Education: The following is a summary of real estate appraisal related educational offerings that I have attended.

Graduate of the University of Montana
Real Estate Fundamentals - University of Montana

AI Course 101	An Introduction to Appraising Real Property
AI Course SPP	Standards of Professional Practice
AI Course 1BA	Capitalization Theory and Techniques, Part A
AI Course 1BB	Capitalization Theory and Techniques, Part B
AI Course 540	Report Writing & Valuation Analysis
AI Course 550	Advanced Applications
AI Course 700	The Appraiser as an Expert Witness
AI Course 833	Fundamentals of Separating Real Property, Personal Property, and Intangible Business Assets
AI Course	General Appraiser Market Analysis and Highest & Best Use
AI Seminar	Rates, Ratios & Reasonableness
AI Seminar	Non-Residential Demonstration Appraisal Report Writing
AI Seminar	Subdivision Analysis
AI Seminar	Timberland Valuation
AI Seminar	Eminent Domain and Condemnation Appraising
AI Seminar	Small Hotel/Motel Valuation
AI Seminal	Sales Comparison Valuation of Small Mixed-Use Properties
AI Seminar	Litigation Skills for the Appraiser
AI Seminar	Partial Interest Valuation - Divided
AI Seminar	Partial Interest Valuation - Undivided
AI Seminar	Case Studies in Commercial Highest and Best Use
AI Seminar	Regression Analysis in Appraisal: Concepts and Applications
AI Seminar	Appraisal Review
AI Seminar	Uniform Standards for Federal Land Acquisitions (Yellow Book)
AI Seminar	Evaluating Commercial Construction
AI Seminar	The Professional’s Guide to the Uniform Residential Appraisal Report
AI Seminar	Business Practices and Ethics
AI Seminar	Appraisal Curriculum Overview (2-Day General)
AI Seminar	Introduction to Valuation for Financial Reporting
AI Seminar	Using Spreadsheet Programs in Real Estate Appraisals
AI Seminar	The Discounted Cash Flow Model: Concepts, Issues and Applications
AI Seminar	Water Rights
AI Seminar	Practical Regression Using Microsoft Excel

Certifications:

Member of the Appraisal Institute (MAI No. 10,933)
Montana Certified General Real Estate Appraiser (Certification No. REA-RAG-LIC-225)

Community Involvement:

Volunteer, Hugh O'Brian Youth Leadership Foundation
Former President, Missoula Exchange Club
Former Member, Board of Directors, Missoula Exchange Club
Former Banquet Committee Volunteer, Rocky Mountain Elk Foundation
Guest Speaker, University of Montana Business School

Court Experience:

I have qualified in State and Federal Court as an expert witness in the matter of real estate valuation.

Other:

Education Chairman, Montana Chapter of the Appraisal Institute
Former President, Montana Chapter of the Appraisal Institute
Former Member, Board of Directors, Montana Chapter of the Appraisal Institute
Ex-Officio Member and Chairman, Montana Board of Real Estate Appraisers (Governor appointment)

State of Montana
Business Standards Division
Board of Real Estate Appraisers

REA-RAG-LIC-225

Status: **Active**
Expires: **03/31/2021**

This certificate verifies licensure as:

CERTIFIED GENERAL APPRAISER

Supervises: DANE WILLEY

With endorsements of:
** REAL ESTATE APPRAISER MENTOR*

KRAIG P KOSENA
KEMBEL KOSENA AND CO INC
PO BOX 16653
MISSOULA, MT 59808

Montana Department of
LABOR & INDUSTRY
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LIA Administrators & Insurance Services

ASPEN

APPRAISAL, VALUATION AND PROPERTY SERVICES PROFESSIONAL LIABILITY INSURANCE POLICY

DECLARATIONS - MONTANA

Aspen American Insurance Company

(Referred to below as the "Company")
590 Madison Avenue, 7th Floor
New York, NY 10022
877-245-3510

Date Issued	Policy Number	Previous Policy Number
8/21/2020	AAI002470-06	AAI002470-05

THIS IS A **CLAIMS** MADE AND REPORTED POLICY. COVERAGE IS LIMITED TO LIABILITY FOR ONLY THOSE **CLAIMS** THAT ARE FIRST MADE AGAINST THE **INSURED** DURING THE **POLICY PERIOD** AND THEN REPORTED TO THE COMPANY IN WRITING NO LATER THAN SIXTY (60) DAYS AFTER EXPIRATION OR TERMINATION OF THIS POLICY, OR DURING THE **EXTENDED REPORTING PERIOD**, IF APPLICABLE, FOR A **WRONGFUL ACT** COMMITTED ON OR AFTER THE **RETROACTIVE DATE** AND BEFORE THE END OF THE **POLICY PERIOD**. **CLAIMS EXPENSES** ARE INCLUDED IN, WILL REDUCE, AND MAY EXHAUST, THE LIMITS OF LIABILITY. PLEASE READ THE POLICY CAREFULLY.

1. Customer ID: 147463
Named **Insured**:
KEMBEL, KOSENA & COMPANY, INC.
Kraig P. Kosena, MAI
432 West Spruce Street, #101
Missoula, MT 59802

2. **Policy Period:** From: 09/08/2020 To: 09/08/2021

12:01 A.M. Standard Time at the address stated in 1 above.

3. **Deductible:** $1000 Each **Claim**

4. **Retroactive Date:** 09/08/1999

5. **Inception Date:** 09/08/2015

6. **Limits of Liability:**
A. $1,000,000 Each Claim
B. $2,000,000 Aggregate

Subpoena Response: $5,000 Supplemental Payment Coverage
Pre-Claim Assistance: $5,000 Supplemental Payment Coverage
Disciplinary Proceeding: $12,500 Supplemental Payment Coverage
Loss of Earnings: $500 per day Supplemental Payment Coverage

7. **Covered Professional Services (as defined in the Policy and/or by Endorsement):**

Real Estate Appraisal and Valuation:	Yes	X	No		
Residential Property:	Yes	X	No		
Commercial Property:	Yes	X	No		
Bodily Injury and Property Damage Caused During Appraisal Inspection ($100,000 Sub-Limit):	Yes	X	No		(If "yes", added by endorsement)
Right of Way Agent and Relocation:	Yes		No	X	
Machinery and Equipment Valuation:	Yes		No	X	
Personal Property Appraisal:	Yes		No	X	(If "yes", added by endorsement)
Real Estate Sales/Brokerage:	Yes		No	X	(If "yes", added by endorsement)

8.	Report **Claims** to: LIA Administrators & Insurance Services, 800-334-0652, P.O. Box 1319, 1600 Anacapa St, Santa Barbara, California 93101	
9.	**Annual Premium:**	**$2,109.00**
10.	**Forms attached at issue:**	LIA002 (04/19) LIA MT (09/19) LIA012 (05/19) LIA164 (05/19) LIA165 (05/19)

This Declarations Page, together with the completed and signed Policy Application including all attachments and exhibits thereto, and the Policy shall constitute the contract between the Named **Insured** and the Company.

08/21/2020

Date

By

Authorized Representative

Exhibit G – Map of potential additional trail construction and improvements for Peery Park

1 page

Map of potential additional trail construction and improvements Peery Park