

RESOLUTION NO. 2009-04

A CONSENT RESOLUTION OF BIG SKY COUNTY WATER & SEWER DISTRICT NO. 363; DECLARING IT TO BE THE INTENTION OF THE DISTRICT TO ESTABLISH THE SALES PRICE OF REAL PROPERTY TO BE SOLD TO NORTHWESTERN ENERGY FOR A ELECTRIC SUBSTATION UTILITY TRACT

WHEREAS, the Big Sky County Water & Sewer District No. 363 (the "District") is a county water and sewer district, validly organized pursuant to Title 7, Chapter 13, Parts 21 and 22 and was incorporated on August 5, 1993 as a political subdivisions of the State of Montana; and

WHEREAS, the Board has determined that a portion the real property currently owned by the District is not necessary for the exercise of the District's power and operations; and

WHEREAS, NorthWestern Energy contacted the District in order to pursue purchase of a portion of the District's real property for the establishment of an electrical substation; and

WHEREAS, the Board has determined that it is most efficient method to sell real property to approve a sales value range for the real property which will be subject to the sale and then grant to the General Manager and the President the ability to negotiation the final sales amount subject to the terms of the transfer.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors (the "Board") of the District as follows:

- 1 The Board has determined that the real property, roughly depicted on **Exhibit A**, should be sold for \$450,000.00.
- 2 The District hereby authorizes the General Manager and the President of the Board are authorized to negotiate the sales price and the terms of the sales agreement. The final terms of the sales agreement shall be subject to final approval of the Board at a noticed meeting.
- 3 Each Board member has reviewed this Consent Resolution and orally voted to accept the terms, statements of conditions herein.

Passed and approved this 13th day of August, 2009.



President, Board of Directors

ATTEST:



Secretary

EXHIBIT A

North as determined from GPS observations with survey grade receivers and referenced to the World Geodetic System of 1984 (WGS84).

CORNER MONUMENT LEGEND

BRG/DIST - PREVIOUS RECORD (from deeds or survey)

- = FOUND STONE
 ● = FOUND 5/8" REBAR & YELLOW PLASTIC CAP,
 MARKED 12251 S, EXCEPT AS NOTED
 ▲ = FOUND 5/8" REBAR & ALUMINUM CAP,
 MARKED 12251 S, EXCEPT AS NOTED
 ⊗ = SET 5/8" REBAR AND ORANGE PLASTIC CAP

NEW 60.00' ROAD AND
UTILITY EASEMENT

TRACT 1-B
3.54 ACRES
ZONED
COMMUNITY
FACILITIES

Subject
Property

Add 60 ft
Access Easement

DOWL HKM
130 N. MAIN ST.
SUITE 100
PO BOX 3588
BUTTE, MT 59701-2839
406-723-8213
406-723-8328 (FAX)
DOWLHKM.COM

BIG SKY MEADOW VILLAGE
NORTHWESTERN ENERGY
SUBSTATION - TRACT 1-B

CLIENT: NORTHWESTERN ENERGY		DATE: JUNE 2009
LOCATION: BIG SKY MEADOW VILLAGE		
DRAWN BY: SJE	SCALE: 1"=100'	COS NO. _____
PROJECT: 4028.10072.02		SHEET: 1 OF 2

LAND USE	AREA	DESCRIPTION
PROPERTY BOUNDARY	29.42 AC.	TRACT 1-A
PROPERTY BOUNDARY	3.54 AC.	TRACT 1-B
ROAD EASEMENT	1.277 AC.	NEW 60' ROAD EASEMENT WEST OF TRACT 1-B