

FINAL PLAT OF WEST WINDS SW SUBDIVISION P.U.D. J-640

BEING AN AMENDED PLAT OF LOTS 2, 3, & 4 of the AMENDED PLAT of LOT 1 and LOT 2 OF BLOCK 1 AND LOT 1 of BLOCK 4 of WEST WINDS MAJOR SUBDIVISION, PHASE 4 AND LOT 1 of BLOCK 3 AND LOT 1 of BLOCK 4 of WEST WINDS MAJOR SUBDIVISION, PHASE 5 LOCATED IN THE NW 1/4, SECTION 2, T. 2 S., R. 5 E. OF P.M.M., CITY OF BOZEMAN, GALLATIN COUNTY, MONTANA

SURVEY REQUESTED BY OWNER TO CREATE 72 LOTS AND ASSOCIATED RIGHT OF WAY AND OPEN SPACE PARCELS FROM 3 EXISTING TRACTS OF LAND WITHIN A PLATTED SUBDIVISION.

OWNER: ISLANDS, LLC.
DEED REF: DOC. NO. 2626430

- LEGEND**
- (R) RECORD DISTANCE OR AZIMUTH
 - (M) MEASURED DISTANCE OR AZIMUTH
 - FOUND REBAR W/ ORANGE PLASTIC CAP
 - SET 5/8" REBAR W/ YELLOW PLASTIC CAP MARKED "C&H ENGR #9518-ES", TO BE SET WITHIN 180 DAYS OF THE FILING OF THIS FINAL PLAT.
 - SET 5/8" REBAR W/ BLUE PLASTIC CAP MARKED "C&H 9518ES 1.00" W.C.", TO BE SET WITHIN 180 DAYS OF THE FILING OF THIS FINAL PLAT.
- PROPERTY BOUNDARY LINE
- - - SURROUNDING PROPERTY LINE
- - - EASEMENT LINE

BASIS FOR AZIMUTHS FROM NORTH:
THE SOUTH LINE OF LOTS 3 AND 4 BEING 270°51'03" [N89°08'57"W] AS SHOWN ON AMENDED PLAT J-493A

NOTE: THE RIGHT OF WAY LINES FOR THE WEST SIDE OF BORA WAY, THE SOUTH SIDE OF MISTRAL WAY, AND THE EAST SIDE OF ZEPHYR WAY ARE COINCIDENT WITH THE BACK OF CURB LOCATION ON THESE STREETS. THEREFORE, THE PROPERTY CORNER MONUMENTS ALONG THE ABOVE MENTIONED RIGHT OF WAY LINES ARE WITNESS CORNERS SET 1.00 FT. BACK FROM THE RIGHT-OF-WAY LINE ALONG THE INTERSECTING PROPERTY LINE. PROPERTY CORNER MONUMENTS THAT ARE WITNESS CORNER LOCATIONS ARE NOTED "1" W.C." ON THIS PLAT.

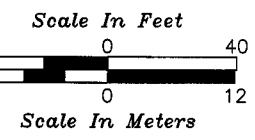
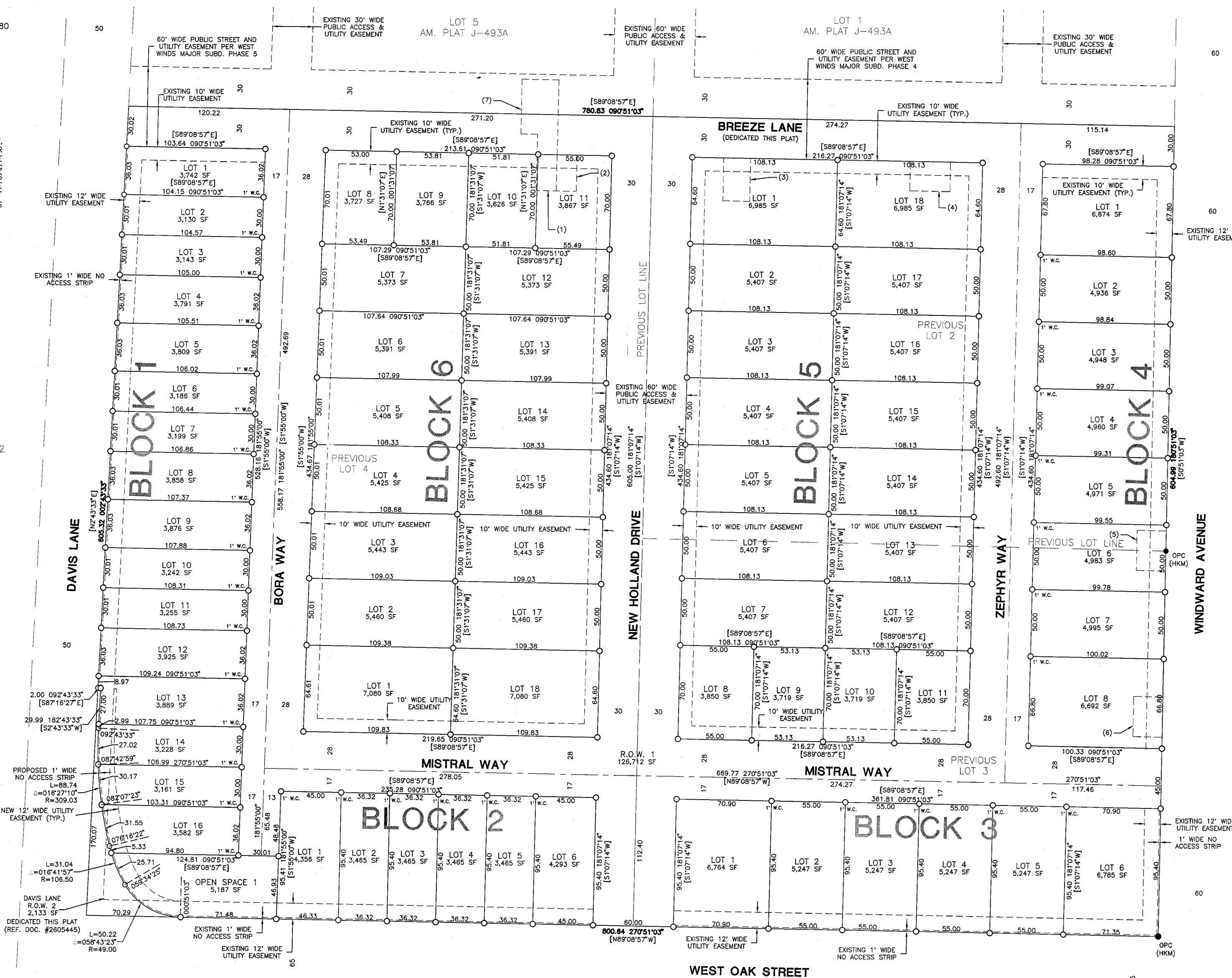
- EASEMENT NOTES:**
- (1) EXISTING 15'x27' WATER AND SEWER LINE EASEMENT PER DOC. #2311596 (TO BE ABANDONED)
 - (2) EXISTING 15'x27' WATER LINE EASEMENT PER PLAT J-493 (TO BE ABANDONED)
 - (3) EXISTING 32'x20' STORM SEWER EASEMENT PER PLAT J-493 (TO BE ABANDONED)
 - (4) EXISTING 32'x20' SANITARY SEWER EASEMENT PER PLAT J-493 (TO BE ABANDONED)
 - (5) EXISTING 30'x22' SANITARY SEWER EASEMENT PER PLAT J-493 (TO BE ABANDONED)
 - (6) EXISTING 30'x22' WATER LINE EASEMENT PER PLAT J-493 (TO BE ABANDONED)
 - (7) EXISTING WATER AND SEWER LINE EASEMENT PER DOC. #2311596

TRACT 3A-1
COS 2202B
GALLATIN COUNTY
DOC. NO. 2256852

West Winds SW Sub. J-640

WEST WINDS
SUB PHASE 4

WEST WINDS SUB
PHASE 3



FINAL PLAT OF WEST WINDS SW SUBDIVISION P.U.D. J-640

BEING LOTS 2, 3, & 4 of the AMENDED PLAT of LOT 1 and LOT 2 OF BLOCK 1 AND LOT 1 of BLOCK 4 of WEST WINDS MAJOR SUBDIVISION, PHASE 4 AND LOT 1 of BLOCK 3 AND LOT 1 of BLOCK 4 OF WEST WINDS MAJOR SUBDIVISION, PHASE 5 LOCATED IN THE NW 1/4, SECTION 2, T. 2 S., R. 5 E. OF P.M.M., CITY OF BOZEMAN, GALLATIN COUNTY, MONTANA



VICINITY MAP (NTS)

PARCEL AREA CALC'S

Block	OS	R-3	ROW	Total
N/A			128,845.00	128,845.00
1	5,187.00	56,016.00		61,203.00
2		22,509.00		22,509.00
3		34,537.00		34,537.00
4		43,159.00		43,159.00
5		93,992.00		93,992.00
6		94,146.00		94,146.00
Total	5,187.00	344,359.00	128,845.00	478,391.00

CERTIFICATE OF DEDICATION

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

LEGAL DESCRIPTION

Lot 2, Lot 3, and Lot 4 of the AMENDED PLAT OF LOT 1 AND LOT 2 OF BLOCK 1 AND LOT 1 OF BLOCK 4 OF WEST WINDS MAJOR SUBDIVISION PHASE 4 AND LOT 1 OF BLOCK 3 AND LOT 1 OF BLOCK 4 OF WEST WINDS MAJOR SUBDIVISION PHASE 5, City of Bozeman [Plat J-493A], according to the plat thereof, on file and of record in the office of the Clerk and Recorder, Gallatin County, Montana, and located in the Northwest 1/4 of Section 2, Township 2 South, Range 5 East of P.M.M., City of Bozeman, Gallatin County, Montana.

Area = 478,391 sq. ft. or 10.9823 acres or 44,444.0 sq. meters. Subject to existing easements.

The above described tract of land is to be known and designated as WEST WINDS SW SUBDIVISION P.U.D., City of Bozeman, Gallatin County, Montana; and the lands included in all streets, avenues, alleys and parks or public lands shown on said plat are hereby granted and donated to the City of Bozeman for the public use and enjoyment. Unless specifically listed herein, the lands included in all streets, avenues, alleys, and parks or public lands dedicated to the public are accepted for public use, but the city accepts no responsibility for maintaining the same. The owner agrees that the City has no obligation to maintain the lands included in all streets, avenues, alleys, and parks or public lands hereby dedicated to public use. The lands included in all streets, avenues, alleys, and parks or public lands dedicated to the public for which the City accepts responsibility for maintenance include: Breeze Lane and New Holland Drive. The property owner's association shall maintain Bora Way, Zephyr Way, and Mistral Way. The property owner's association is also responsible for maintenance of the subdivision stormwater improvements.

The undersigned hereby grants unto each and every person, firm or corporation, whether public or private, providing or offering to provide telephone, electric power, gas, internet, cable television or other similar utility or service, the right to the joint use of an easement for the construction, maintenance, repair and removal of their lines and other facilities, in, over, under and across each area designated on this plat as 'Utility Easement' to have and to hold forever.

Dated this 14th day of November, 2018.

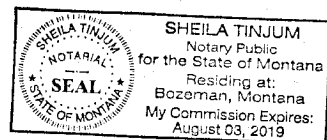
OWNER: ISLANDS, LLC., a Montana Limited Liability Company

By: W. Mark Easton, Member

STATE OF MONTANA
COUNTY OF GALLATIN

This instrument was signed or acknowledged before me on this 14th day of November, 2018, by W. Mark Easton, as Member of ISLANDS, LLC., a Montana Limited Liability Company.

Notary Public for the State of Montana
Printed Name: Sheela Tinjum
Residing at: _____
My commission expires: _____



CERTIFICATE OF COMPLETION OF IMPROVEMENTS

I, W. Mark Easton, Member of ISLANDS, LLC., and I, Mark A. Chandler, a professional engineer licensed to practice in the State of Montana, hereby certify that the following improvements, required to meet the requirements of this title or as a condition of approval of the WEST WINDS SW SUBDIVISION, have been installed in conformance with the approved plans and specifications, or financially guaranteed and covered by the improvements agreement accompanying this plat.

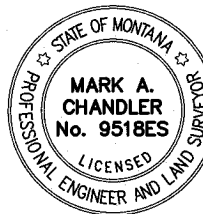
Installed Improvements: Water, Sanitary Sewer, Storm Sewer, Concrete Curb and Gutter, and Asphalt Pavement, Public Sidewalks, Pedestrian Ramps, Striping, Signage, and Street Lighting on Breeze Lane, New Holland Drive, Bora Way, Zephyr Way, and Mistral Way.

Financially Guaranteed Improvements: Private Sidewalks along Bora Way, Zephyr Way, and New Holland Drive. Park and Playground Improvements

The subdivider hereby warrants against defects in these improvements for a period of two years from the date of acceptance by the City of Bozeman. The subdivider grants possession of all public infrastructure improvements to the City of Bozeman, and the City hereby accepts possession of all public infrastructure improvements installed in conformance with approved plans and specifications, subject to the above indicated warranty.

By: W. Mark Easton, Member
Date: 11/14/18

By: Mark A. Chandler, Professional Engineer
Date: 11/14/18



APPROVED AS TO FORM
By: Tom Cooper, City Attorney

CERTIFICATE OF TRANSFER OF OWNERSHIP & COMPLETION OF NON PUBLIC IMPROVEMENTS

The following are hereby granted and donated to the property owners association noted below for their use and enjoyment: Open Space 1. Unless specifically listed in the Certificate of Dedication, the city accepts no responsibility for maintaining the same. I, W. Mark Easton, hereby further certify that the following non-public improvements, required to meet the requirements of Chapter 38 of the Bozeman Municipal Code, or as a condition(s) of approval of the subdivision plotted herewith, have been installed in conformance with any approved plans and specifications prepared in accordance with the standards of Chapter 38 or other City design standards, or have been financially guaranteed and are covered by the subdivision improvements agreement accompanying and recorded with this plat.

Installed Improvements: None
Financially Guaranteed Improvements: Open Space Landscaping.

The subdivider hereby grants ownership of all non-public infrastructure improvements to the West Winds Major Homeowner's Association, Inc.

OWNER: ISLANDS, LLC., a Montana Limited Liability Company

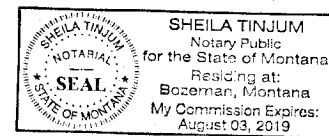
Dated this 14th day of November, 2018.

By: W. Mark Easton, Member

STATE OF MONTANA
COUNTY OF GALLATIN

This instrument was signed or acknowledged before me on this 14th day of November, 2018, by W. Mark Easton, as Member of ISLANDS, LLC., a Montana Limited Liability Company.

Notary Public for the State of Montana
Printed Name: Sheela Tinjum
Residing at: _____
My commission expires: _____

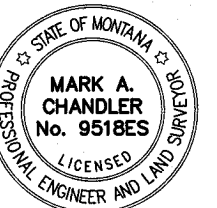


CERTIFICATE OF SURVEYOR

I, Mark A. Chandler, Professional Engineer and Land Surveyor No. 9518ES, do hereby certify that between June 5, 2018 and Nov. 14, 2018, WEST WINDS SW SUBDIVISION P.U.D., was surveyed under my direct supervision, and I have plotted the same as shown on the accompanying plat, and as described, in accordance with the provisions of the Montana Subdivision and Platting Act, Sections 76-3-101 through 76-3-625, M.C.A., and the Bozeman Municipal Code.

Dated this 14th day of November, 2018.

By: Mark A. Chandler, Professional Engineer and Land Surveyor
Montana License No. 9518ES



CERTIFICATE OF EXCLUSION FROM MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY REVIEW

West Winds SW Subdivision P.U.D., located in Gallatin County, Montana, is within the City of Bozeman, Montana, a first-class municipality, and within the planning area of the Bozeman growth policy which was adopted pursuant to Section 76-1-601 et seq, M.C.A., and pursuant to 76-4-127 M.C.A. will be provided with adequate storm water drainage and adequate municipal facilities. Therefore, under the provisions of Section 76-4-125(1)(d) M.C.A., this subdivision is excluded from the requirement for Montana Department of Environmental Quality review.

Dated this 27th day of December, 2018.

By: Tom Cooper, Director of Public Works, City of Bozeman, Montana

APPROVED AS TO FORM
By: Tom Cooper, City Attorney

CERTIFICATE OF DIRECTOR OF PUBLIC WORKS

I, Shawn A. Kohler, Director of Public Works, City of Bozeman, Montana, do hereby certify that the accompanying Plat has been duly examined and have found the same to conform to the law, approves it, and hereby accepts the dedication to the City of Bozeman for the public use of any and all lands shown on the plat as being dedicated to such use.

Dated this 27th day of December, 2018.

By: Shawn A. Kohler, Director of Public Works, City of Bozeman, Montana

APPROVED AS TO FORM
By: Tom Cooper, City Attorney

CERTIFICATE ACCEPTING CASH DONATION IN-LIEU OF LAND DEDICATION

Finding dedication of parkland within the platted area of West Winds SW Subdivision would be undesirable for park and playground purposes, it is hereby ordered by the city commission of the City of Bozeman, that land dedication for park purposes be waived and that cash-in-lieu in the form of improvements to the existing West Winds Subdivision Park, at an estimated value of \$46,383.00, be accepted in accordance with the provisions of the Montana, Subdivision and Platting Act (MCA 76-3-101 through 76-3-625) and the Bozeman Municipal Code.

Dated this 21st day of December, 2018.

By: Mitch Overton, Director of Parks and Recreation, City of Bozeman, Montana

APPROVED AS TO FORM
By: Tom Cooper, City Attorney

CONSENT OF MORTGAGEE(S)

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

Dated this 14th day of November, 2018.

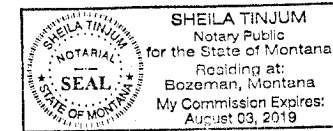
Opportunity Bank of Montana

STATE OF MONTANA
COUNTY OF:

Printed Name: Dustin Barber
its: VP/SCLO

This instrument was signed or acknowledged before me on this 14th day of November, 2018, by Dustin Barber, as VP/SCLO of Opportunity Bank of Montana.

Notary Public for the State of Montana
Printed Name: Sheela Tinjum
Residing at: _____
My commission expires: _____



Dated this 14th day of Nov., 2018.

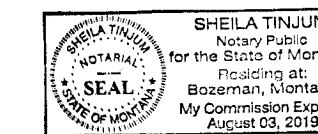
SID 716, LLC., a Montana Limited Liability Company

STATE OF MONTANA
COUNTY OF GALLATIN

Printed Name: W. Mark Easton
its: Member

This instrument was signed or acknowledged before me on this 14th day of November, 2018, by Mark Easton, as Member of SID 716, LLC., a Montana Limited Liability Company.

Notary Public for the State of Montana
Printed Name: Sheela Tinjum
Residing at: _____
My commission expires: _____



CERTIFICATE OF COUNTY TREASURER

I, Kimberly Buchanan, Treasurer of Gallatin County, Montana, do hereby certify that the accompanying plat has been duly examined and that all real property taxes and special assessments assessed and levied on the land to be subdivided have been paid. \$2661943 \$2661944 \$2662021

Dated this 5th day of November, 2018.

By: Denise Dahl, Deputy Treasurer of Gallatin County

CERTIFICATE OF CLERK AND RECORDER

I, Charlotte Mills, Clerk and Recorder of Gallatin County, Montana, do hereby certify that the foregoing instrument was filed in my office at 12:25 o'clock P.M. this 28th day of December, A.D., 2018 and recorded in Book 3 of Plats, on Page 1040, records of the Clerk and Recorder, Gallatin County, Montana.

By: Charlotte Mills, Deputy Clerk and Recorder

Doc 2634913
MPE 2634915
Exemption

2634913
12/28/2018 12:25:42 PM Fee \$28.00
Charlotte Mills - Gallatin County, MT

West Winds SW Sub. J-640



FINAL PLAT OF WEST WINDS SW SUBDIVISION P.U.D. J-640

BEING LOTS 2, 3, & 4 of the AMENDED PLAT of LOT 1 and LOT 2 OF BLOCK 1 AND LOT 1 of BLOCK 4 of WEST WINDS MAJOR SUBDIVISION, PHASE 4 AND LOT 1 of BLOCK 3 AND LOT 1 of BLOCK 4 OF WEST WINDS MAJOR SUBDIVISION, PHASE 5 LOCATED IN THE NW 1/4, SECTION 2, T. 2 S., R. 5 E. OF P.M.M., CITY OF BOZEMAN, GALLATIN COUNTY, MONTANA

CONDITIONS OF APPROVAL FOR WEST WINDS SW SUBDIVISION P.U.D.,
LOCATED IN THE NW 1/4 OF SEC. 2, T. 2 S., R. 5 E. OF P.M.M.,
CITY OF BOZEMAN, GALLATIN COUNTY, MONTANA

Pursuant to ARM 24.183.1107 (4):
(a) Any text and/or graphic representations of requirements by the governing body for final plat approval including, but not limited to, setbacks from streams or riparian areas, floodplain boundaries, no-build areas, building envelopes, or the use of particular parcels, are shown on the Conditions of Approval sheet;
(b) The Landowner hereby certifies that the text and/or graphics shown on the Conditions of Approval sheet represents requirements by the governing body for final plat approval and that all conditions of subdivision application have been satisfied; and
(c) The information shown is current as of the date of the certification required in (4)(b), and that changes to any land-use restrictions or encumbrances may be made by amendments to covenants, zoning regulations, easements, or other documents as allowed by law or by local regulations.

Pursuant to A.R.M. 24.183.1107 UNIFORM STANDARDS FOR FINAL SUBDIVISION PLATS: Section (2)(e)(viii)(A): "Federal, state and local plans, policies, regulations, and/or conditions of subdivision approval that may limit the use of the property, including the location, size, and use are shown on the Conditions of Approval sheet or as stated. (B): Buyers of the property should ensure that they have obtained and reviewed all sheets of the plat and all documents recorded and filed in conjunction with the plat and that buyers of the property are strongly encouraged to contact local planning department and become informed of any limitations on the use of the property prior to closing."

Dated this 14th day of November, 2018.

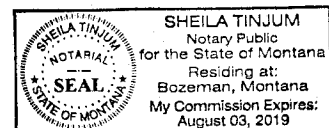
OWNER:
ISLANDS, LLC., a Montana Limited Liability Company

W. Mark Easton
By: W. Mark Easton, Member

STATE OF MONTANA
COUNTY OF GALLATIN

This instrument was signed or acknowledged before me on this 14th day of November, 2018,
by W. Mark Easton as Member of ISLANDS, LLC., a Montana Limited Liability Company.

Sheila Tinjum
Notary Public for the State of Montana
Printed Name: _____
Residing at: _____
My commission expires: _____



GENERAL NOTES

1. All common open space parcels shown are also public access easements.
2. Utility easements are 10' wide along street lines, or as shown.
3. The proposed development lies in a known high groundwater area. To minimize the chances for high groundwater to enter the crawl space, the depth of the crawl space should be limited to about 3.0 feet below existing grade. As an added precaution, the floor of the crawl space should be filled with clean crushed rock up to the top of the footings to further raise the bottom of the crawl space to shallower depths. See the geotechnical report for 2016 groundwater monitoring data and some additional moisture protection recommendations for crawl spaces.
4. Due to the potential of high ground water tables in the areas of the subdivision, it is not recommended that residential dwellings or other structures with full or partial basements be constructed without first consulting a professional engineer licensed in the State of Montana and qualified in the certification of residential and commercial construction.
5. According to the current City of Bozeman policy, no crawl spaces or basements may be constructed such that sump pumps are required to pump water from these spaces. Sump pumps are not allowed to be connected to the sanitary sewer system. Sump pumps are also not allowed to be connected to the drainage system. Water from sump pumps shall not be discharged onto streets, such as into the curb and gutters where they may create a safety hazard for pedestrians and vehicles.
6. Building finished floor grades must be at a higher finished grade calculated by a minimum of 2% slope above the adjacent curb and gutter to allow drainage and avoid placement of spoil materials onto adjacent lots as homes are constructed. Lots may not be constructed at significantly higher grades than the adjacent lots, which subsequently creates a drainage issue from one lot to another.
7. Ownership of all common open space areas and trails, and responsibility of maintenance thereof and for city assessments levied on the common open space lands shall be that of the property owner's association. Maintenance responsibility shall include, in addition to the common open space and trails, all vegetative ground cover, boulevard trees and irrigation systems in the public right-of-way boulevard strips along all external perimeter development streets, i.e. Davis Lane and Oak Street, and as adjacent to public parks or other common open space areas. All areas within the subdivision that are designated herein as common open space including trails are for the use and enjoyment by residents of the development and the general public. The property owner's association shall be responsible for levying annual assessments to provide for the maintenance, repair, and upkeep of all common open space areas and trails.
8. City standard sidewalks (including a concrete sidewalk section through all private drive approaches) shall be constructed on all public and private street frontages prior to occupancy of any structure on individual lots. Upon the third anniversary of the plat recordation of any phase of the subdivision, any lot owner who has not constructed the required sidewalk shall, without further notice, construct within 30 days, the sidewalk for their lot(s), regardless of whether other improvements have been made upon the lot.
9. The approved plans and specifications for the streets, water, sewer, and storm sewer for West Winds SW Subdivision P.U.D. are available for review at the Engineering Division of the City of Bozeman.

NOTICE OF AFFORDABLE HOUSING REQUIREMENTS

Notice is Hereby Given to all potential purchasers of Lot 8 and Lot 9, Block 5, and Lot 8, Lot 9, Lot 10, and Lot 11, Block 6, of the plat of the West Winds SW Subdivision P.U.D., City of Bozeman, Gallatin County, Montana, that the final plat of the subdivision was approved by the City Commission with requirements of an affordable housing plan required under Article 38.380 of the Bozeman Municipal Code.

As such, this Restriction is filed with the final plat that stipulates that any use of these lots is subject to the requirements of the fulfillment of the approved Affordable Housing Plan as required under the Bozeman Municipal Code. The affordable Housing Plan is on record with the Community Development Department and is available for review.

Therefore, be advised, that permits will be issued for Lot 8 and Lot 9, Block 5, and Lot 8, Lot 9, Lot 10, and Lot 11, Block 6, of the plat of the West Winds SW Subdivision, P.U.D., City of Bozeman, Gallatin County, Montana in compliance with the Affordable Housing Plan submitted and accepted by the City of Bozeman. This restriction runs with the land and is revocable only by written consent of the City of Bozeman.

West Winds Parkland Dedication			
Original Allocation		Proposed Appropriation	
Lots	Park Dedicated (ac.)	Lots (1 d.u./lot)	Required Dedication (ac.)
Lot 1 Block 1 Phase 4 WW	0.54	17	0.5100
Lot 2 Block 1 Phase 4 WW	0.54	15	0.4500
Lot 1 Block 1 Phase 5 WW	0.48	40	1.2000
Total	1.56	72	2.16

Required Parkland Dedication (ac.): 0.60
(sf): 26136

Required Improvements-In-Lieu (\$1.5/sf): \$ 39,204.00

Provided Improvements-In-Lieu: \$ 46,383.00

West Winds SW Sub. J-640



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1081 Stoneridge Drive • Bozeman, MT 59718
Phone (406) 587-1115 • Fax (406) 587-9788
www.chengineers.com • info@chengineers.com