

John & Meggen Fitchett
453 Elk Creek Rd
Heron, MT 59844

331512 TERMINATION OF EASEMENT

STATE OF MONTANA SANDERS COUNTY

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Pages: 3

Lisa Wadsworth Clerk and Recorder

FEE: \$24.00 BY:

Return To: JOHN & MEGGEN FITCHETT

Camu Hays

ABANDONMENT and EXTINGUISHMENT OF EASEMENT

THIS INSTRUMENT is made the 7th day of Feb, 2024, by and between **JOHNEY SHANE FITCHETT and MEGGEN JANE FITCHETT, Trustees of the JOHN AND MEGGEN FITCHETT REVOCABLE INTER VIVOS TRUST**, of 453 Elk Creek Road, Heron, Montana 59844, hereinafter referred to as "FITCHETT", and **C-5 SUNSET, LLC**, of 557 South Main Street, Colville, Washington 99114, hereinafter referred to as "LLC".

WHEREAS, FITCHETT owns the following described real property situate in Sanders County, Montana, to-wit:

Tracts of land located in the E1/2 of Section 3, Township 25 North, Range 32 West, P.M.M., Sanders County, Montana, further shown and described as Amended Tracts 5 and 7 on Certificate of Survey No. 3829, on file in the office of the Clerk and Recorder of Sanders County Records.

WHEREAS, LLC owns the following described real property situate in Sanders County, Montana, to-wit:

Three tracts of land lying within the East half (E1/2) of Section 3, Township 25 North, Range 32 West, PMM, Sanders County, Montana, more particularly described as Tract 2, Tract 3 and Tract 6 on Certificate of Survey No. 567, Sanders County records.

WHEREAS LLC's above described real property is benefitted by a roadway and utility easement which traverses FITCHETT's above-described real property and is shown and described on Certificate of Survey No. 3829 and in Abandonment of Easement & Grant of Easements, recorded at Documents No. 329121, records of Sanders County, Montana.

WHEREAS the parties desire to relocate the roadway and utility easement and abandon and extinguish said easement depicted on Certificate of Survey No. 3829, records of Sanders County, Montana

NOW, THEREFORE, for and in consideration of the mutual promises contained herein, and other good and valuable consideration, the parties agree as follows:

1. LLC does hereby abandon, quitclaim, and terminate all interest in FITCHETT's property, including roadway, access, and utility easements described on Certificate of Survey 3829 and described in Abandonment of Easement & Grant of Easements, recorded at Documents No. 329121, records of Sanders County, Montana.
2. The easements described on Certificate of Survey No. 3829 is extinguished and of no further affect or benefit to any parcel of real property described above.

IN WITNESS WHEREOF, the FITCHETT and LLC sign and executes this instrument the day and year first above written.

**JOHN AND MEGGEN FITCHETT
REVOCABLE INTER VIVOS TRUST:**

C-5 SUNSET, LLC

BY: *Johney Shane Fitchett*
JOHNEY SHANE FITCHETT, Trustee

BY: *Meggen Jane Fitchett*
MEGGEN JANE FITCHETT, Trustee

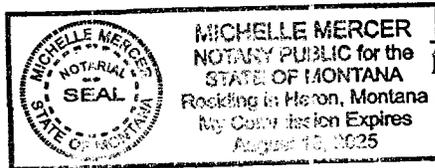
BY: *Ray Clark*
RAY CLARK, Member

BY: *Julie Clark*
JULIE CLARK, Member

STATE OF MONTANA)
 :SS.
County of Sanders)

On this 7th day of Feb, 2023, before me, the undersigned, a Notary Public for the State aforesaid, personally appeared, **JOHNEY SHANE FITCHETT and MEGGEN JANE FITCHETT**, known to me to be the Trustees of the **JOHN AND MEGGEN FITCHETT REVOCABLE INTER VIVOS TRUST**, that executed the within instrument and acknowledged to me that they executed the same in that capacity.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and date in this Certificate first above written.



Michelle Mercer
Notary Public for the State of Montana

STATE OF MONTANA)
 :SS.
County of Sanders)

On this 7th day Feb, ²⁰²⁴~~2023~~, before me, the undersigned, a Notary Public for the State aforesaid, personally appeared **RAY CLARK and JULIE CLARK**, known to me to be the Members of **C-5 SUNSET, LLC**, 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 Notarial Seal the day and date in this certificate first above written.

Michelle Mercer

Notary Public for the State of Montana

