AGENDA
CITY OF LAUREL
CITY COUNCIL MEETING
TUESDAY, SEPTEMBER 09, 2025
6:30 PM
COUNCIL CHAMBERS

***WELCOME** . . . By your presence in the City Council Chambers, you are participating in the process of representative government. To encourage that participation, the City Council has specified times for citizen comments on its agenda -- once following the Consent Agenda, at which time citizens may address the Council concerning any brief community announcement not to exceed one minute in duration for any speaker; and again following Items Removed from the Consent Agenda, at which time citizens may address the Council on any matter of City business that is not on tonight's agenda. Each speaker will be limited to three minutes, unless the time limit is extended by the Mayor with the consent of the Council. Citizens may also comment on any item removed from the consent agenda prior to council action, with each speaker limited to three minutes, unless the time limit is extended by the Mayor with the consent of the Council. If a citizen would like to comment on an agenda item, we ask that you wait until the agenda item is presented to the Council by the Mayor and the public is asked to comment by the Mayor.*

Any person who has any question concerning any agenda item may call the City Clerk-Treasurer's office to make an inquiry concerning the nature of the item described on the agenda. Your City government welcomes your interest and hopes you will attend the Laurel City Council meetings often.

Pledge of Allegiance

Roll Call of the Council

Approval of Minutes

1. Approval of Minutes of August 26, 2025.

Correspondence

2. Police Monthly Report - July 2025
3. Irwin Resignation Letter
4. Police Monthly Report - August 2025.

Council Disclosure of Ex Parte Communications

Public Hearing

5. On-premise sale and consumption of alcohol at 203 E. Main Street.
6. Zone Change from R-6000 to RMF Ironhorse Subdivision.
7. Annexation of Cherry Hill Fourth Filing and Zoning R7500
8. Variance for signage of Loves Travel Stops and Country Stores.

Consent Items

NOTICE TO THE PUBLIC

*The Consent Calendar adopting the printed Recommended Council Action will be enacted with one vote. **The Mayor will first ask the Council members if any Council member wishes to remove any item from the Consent Calendar for discussion and consideration.** The matters removed from the Consent Calendar will be considered individually at the end of this Agenda under "Items Removed from the Consent Calendar." (See Section 12.) The entire Consent Calendar, with the exception of items removed to be discussed under "Items Removed from the Consent Calendar," is then voted upon by roll call under one motion.*

9. Claims entered through September 5, 2025.
10. Approval of Payroll Register for PPE 8/31/2025 totaling $279,256.38.

Ceremonial Calendar

Reports of Boards and Commissions

11. Budget/Finance Committee Minutes of August 26, 2025.

12. Park Board Minutes of August 7, 2025.
13. Laurel Urban Renewal Agency Minutes of August 25, 2025.

Audience Participation (Three-Minute Limit)

Citizens may address the Council regarding any item of City business that is not on tonight's agenda. Comments regarding tonight's agenda items will be accepted under Scheduled Matters. The duration for an individual speaking under Audience Participation is limited to three minutes. While all comments are welcome, the Council will not take action on any item not on the agenda.

Scheduled Matters

14. Appointment of Michelle Mize to the Tree/Park Board for a four-year term ending December 31, 2028.
15. Appointments of Cody Olvera, Keith Guy, Justin Lackore, and Jarit Fitchener to the Laurel Volunteer Fire Department.
16. Appointment of Kay Wilcox to the Library Board for a five-year term ending June 30, 2030.
17. Resolution No. R25-78: Resolution Of The City Council To Approve A Conditional Use Permit For The Owl Café To Allow On-Site Sale And Consumption Of Alcohol At 203 East Main, Laurel, Montana.
18. Resolution No. R25-79: Resolution Of The City Council Approving The Preliminary Plat Of The Property Legally Described As Parcel 1a Of Certificate Of Survey 3034, Amended (24), Being The Proposed Cherry Hill Subdivision, 4th Filing, Adjacent To The City Of Laurel, As An Addition To The City Of Laurel, Yellowstone County, Montana, With Initial Annexation And Concurrent Approval Of Zoning Designation Upon Annexation Of The Property.
19. Resolution No. R25-80: A Resolution Of The City Council Approving The Variance Requested By Love's Travel Stops & Country Stores To Allow Signage Exceeding The Height Limitations Of The Highway Commercial Zoning District.
20. Resolution No. R25-81: A Resolution Of The City Council Approving A Conditional Use Permit For Love's Travel Stops & Country Stores, Based Upon The Recommendation Of The Laurel Zoning Commission.
21. Resolution No. R25-82: A Resolution Of The City Council Authorizing The Mayor To Execute An Independent Contractor Service Contract With True North Contracting.

Items Removed From the Consent Agenda

Community Announcements (One-Minute Limit)

This portion of the meeting is to provide an opportunity for citizens to address the Council regarding community announcements. The duration for an individual speaking under Community Announcements is limited to one minute. While all comments are welcome, the Council will not take action on any item not on the agenda.

Council Discussion

Council members may give the City Council a brief report regarding committees or groups in which they are involved.

Mayor Updates

Unscheduled Matters

Adjournment

The City makes reasonable accommodations for any known disability that may interfere with a person's ability to participate in this meeting. Persons needing accommodation must notify the City Clerk's Office to make needed arrangements. To make your request known, please call 406-628-7431, Ext. 2, or write to City Clerk, PO Box 10, Laurel, MT 59044, or present your request at City Hall, 115 West First Street, Laurel, Montana.

File Attachments for Item:

1. Approval of Minutes of August 26, 2025.

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MINUTES OF THE CITY COUNCIL OF LAUREL

August 26, 2025

A regular meeting of the City Council of the City of Laurel, Montana, was held in the Council Chambers and called to order by Mayor Dave Waggoner at 6:33 p.m. on August 26, 2025.

COUNCIL MEMBERS PRESENT:	Thomas Canape	Heidi Sparks
	Michelle Mize	
	Casey Wheeler	Irv Wilke
	Richard Klose(via Zoom)	Jodi Mackay
COUNCIL MEMBERS ABSENT:	Jessica Banks	
OTHER STAFF PRESENT:	Kelly Strecker, Clerk/Treasurer	
	Brittney Harakal, Administrative Assistant	
	Kurt Markegard, CAO	
	Jarred Anglin, Interim Police Chiefs	
	Kelly Gauslow, Accounts Payable	
	Nick Owens, City Prosecutor	
	Jean Kerr, Judge	
	Nancy Schmidt, Library Director	

Mayor Waggoner led the Pledge of Allegiance to the American flag.

MINUTES:

Motion by Council Member Wilke to approve the minutes of the regular meeting of August 12, 2025, as presented, seconded by Council Member Sparks. There was no public comment or Council discussion. A vote was taken on the motion. All seven Council Members present voted aye. Motion carried 7-0.

CORRESPONDENCE: None.

COUNCIL DISCLOSURE OF EX PARTE COMMUNICATIONS: None.

PUBLIC HEARING:

- Fiscal Year 24-25 Budget Amendments.

Mayor Waggoner opened the public hearing and asked Staff to present the item.

Mayor Waggoner opened the floor for public comment and stated that copies of the rules governing the public hearing were posted in the Council chambers.

The Clerk/Treasurer reviewed the attached budget amendments.

Mayor Waggoner asked three (3) times if there were any proponents. There were none.

Mayor Waggoner asked three (3) times if there were any opponents. There were none.

Mayor Waggoner stated that he would not have Staff respond to questions as there were none.

- Budget and Tax Resolutions Fiscal Year 25-26

Mayor Waggoner opened the public hearing and asked Staff to present the item.

Mayor Waggoner opened the floor for public comment and stated that copies of the rules governing the public hearing were posted in the Council chambers.

The Clerk/Treasurer reviewed the attached budget memo.

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Mayor Waggoner asked three (3) times if there were any proponents. There were none.

Mayor Waggoner asked three (3) times if there were any opponents. There were none.

Mayor Waggoner stated that he would not have Staff respond to questions as there were none.

CONSENT ITEMS:

- **Claims entered through August 22, 2025.**
  A complete listing of the claims and their amounts is on file in the Clerk/Treasurer's Office.

- **Approval of Payroll Register for PPE 8/17/2025 totaling $255,886.52.**

The Mayor asked if there was any separation of consent items. There was none.

Motion by Council Member Mize to approve the consent items as presented, seconded by Council Member Wilke. There was no public comment or Council discussion. A vote was taken on the motion. All seven Council Members present voted aye. Motion carried 7-0.

CEREMONIAL CALENDAR: None.

REPORTS OF BOARDS AND COMMISSIONS:

- Budget/Finance Committee Minutes of August 12, 2025.
- Emergency Services Committee Minutes of June 23, 2025.
- Emergency Services Committee Minutes of July 28, 2025.
- Public Works Committee Minutes of July 21, 2025.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT): None.

SCHEDULED MATTERS:

- **Resolution No. R25-55: A Resolution Of The City Council Approving Amendments To Appropriations And Revenues For The City Of Laurel's Fiscal Year 2024-2025 Budget.**

Motion by Council Member Canape to approve Resolution No. R25-55, seconded by Council Member Wilke. There was no public comment or Council discussion. A vote was taken on the motion. All seven Council Members present voted aye. Motion carried 7-0.

- **Resolution No. R25-58: A Resolution Approving And Adopting The Final Budget For The City Of Laurel For The Fiscal Year 2025-2026.**

Motion by Council Member Sparks to approve Resolution No. R25-58, seconded by Council Member Wilke. There was no public comment.

A Council Member expressed concern regarding taking mills from the Library. They questioned what the plan would be for next year. It was clarified that the funds taken from the Library were from their cash reserves. No other department has reserves. They further questioned the Library Director about the potential impact on the Library if its budget were cut by 40% next year, as it was this year. The Library Director stated she did not know what the impacts would be. Wages cannot be cut. She did note, however, that this is not the first time the Library has been used to balance the budget.

Motion by Council Mize to table this item for the next Council cycle. There was no second.

Council questioned how Department Heads receive communications regarding reserves. It was clarified that department heads receive monthly reports. It was also noted that the Library has always received enough funding to support the submitted budget. If the Library does not spend all of its budgeted funds, it has money that has been allocated to a cash reserve. The City has never taken that money back at the end of the fiscal year. It was further questioned what percentage of their budget the Library uses. It was clarified that they had 20k remaining from the previous fiscal year.

Council noted in the budget message that there are no projects scheduled. They noted the Southside Paving Project, the W. 7th Street Project, and questioned whether this was accurate. It was clarified

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that the Southside Paving Project will be paid out of Gas Tax funds and not Street Maintenance funds. The Street Maintenance fund has been saving for the W. Railroad Project. As of right now, there is no task order in place for the W. 7th Street Project, but those funds are budgeted for.

Council noted in the budget message that the new water reservoir cost is expected to be 20k instead of 20 million.

Council questioned the Planning Department and the contracted Planner. It was stated that the County assesses approximately 136k annually for planning purposes. As the City begins working on the Land Use Planning Act requirements, it will need to contract with a Planner. Currently, the City has contracted for Planning services on an as-needed basis. It was noted that the City will receive grant funds to help fund the Land Use Plan Act requirements.

Council questioned the Emergency Disaster fund and why there were no mills set aside for it. It was clarified that the City can only use those funds if there is a disaster. Currently, there is a good cash balance in that fund, and the City does not need to mill for that fund. The City only needs to mill two mills, and then the County and State provide additional funding.

A roll call vote was taken on the motion. Council Members Sparks, Wilke, Mackay, Klose, Wheeler, and Canape voted aye. Council Member Mize voted no. Motion carried 7-0.

- **Resolution No. R25-59: A Resolution Levying Taxes For General And Specific Purposes For The City Of Laurel, Montana, For The Fiscal Year Beginning July 1, 2025.**

Motion by Council Member Mackay to approve Resolution No. R25-59, seconded by Council Member Wilke. There was no public comment or Council discussion. A vote was taken on the motion. All seven Council Members present voted aye. Motion carried 7-0.

- **Resolution No. R25-60: A Resolution Levying And Assessing All Of The Property Embraced Within Special Improvement Lighting District No. 2 Of The City Of Laurel, Montana, For The Entire Cost Of Maintenance And Electrical Current For The Fiscal Year 2025-2026.**

Motion by Council Member Wheeler to approve Resolution No. R25-60, seconded by Council Member Wilke. There was no public comment or Council discussion. A vote was taken on the motion. All seven Council Members present voted aye. Motion carried 7-0.

- **Resolution No. R25-61: A Resolution Levying And Assessing All Of The Property Embraced Within Special Improvement Lighting District No. 3 Of The City Of Laurel, Montana, For The Entire Cost Of Maintenance And Electrical Current For The Fiscal Year 2025-2026.**

Motion by Council Member Wilke to approve Resolution No. R25-61, seconded by Council Member Sparks. There was no public comment or Council discussion. A vote was taken on the motion. All seven Council Members present voted aye. Motion carried 7-0.

- **Resolution No. R25-62: A Resolution Levying And Assessing All Of The Property Embraced Within Street Sweeping District No. 1 Of The City Of Laurel, Montana, For The Purpose Of The Sweeping Of Streets In The Downtown Or Business District For The Fiscal Year 2025-2026.**

Motion by Council Member Canape to approve Resolution No. R25-62, seconded by Council Member Wilke. There was no public comment or Council discussion. A vote was taken on the motion. All seven Council Members present voted aye. Motion carried 7-0.

- **Resolution No. R25-63: A Resolution Levying And Assessing The Cost Of Street Maintenance And/Or Improvements For Street Maintenance District No. 1 That Constitutes All Streets And Alleys Embraced Within The City Of Laurel, Montana, For Fiscal Year 2025-2026.**

Motion by Council Member Mackay to approve Resolution No. R25-63, seconded by Council Member Wilke. There was no public comment or Council discussion. A vote was taken on the motion. All seven Council Members present voted aye. Motion carried 7-0.

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- **Resolution No. R25-64: A Resolution Levying And Assessing The Cost Of Street Improvements For Special Improvement District No. 113 Within The City Of Laurel, Montana, For Fiscal Year 2025-2026.**

Motion by Council Member Sparks to approve Resolution No. R25-64, seconded by Council Member Wilke. There was no public comment or Council discussion. A vote was taken on the motion. All seven Council Members present voted aye. Motion carried 7-0.

- **Resolution No. R25-65: A Resolution Levying And Assessing The Cost Of Sidewalk Improvements For Special Improvement District No. 115 Within The City Of Laurel, Montana, For Fiscal Year 2025-2026.**

Motion by Council Member Mize to approve Resolution No. R25-65, seconded by Council Member Wilke. There was no public comment or Council discussion. A vote was taken on the motion. All seven Council Members present voted aye. Motion carried 7-0.

- **Resolution No. R25-66: A Resolution Levying And Assessing The Cost Of Sidewalk Improvements For Special Improvement District No. 116 Within The City Of Laurel, Montana, For Fiscal Year 2025-2026.**

Motion by Council Member Wheeler to approve Resolution No. R25-66, seconded by Council Member Canape. There was no public comment or Council discussion. A vote was taken on the motion. All seven Council Members present voted aye. Motion carried 7-0.

- **Resolution No. R25-67: A Resolution Levying And Assessing The Cost Of Sidewalk Improvements For Special Improvement District No. 117 Within The City Of Laurel, Montana, For Fiscal Year 2025-2026.**

Motion by Council Member Sparks to approve Resolution No. R25-67, seconded by Council Member Canape. There was no public comment or Council discussion. A vote was taken on the motion. All seven Council Members present voted aye. Motion carried 7-0.

- **Resolution No. R25-68: A Resolution Levying And Assessing The Cost Of Sidewalk Improvements For Special Improvement District No. 118 Within The City Of Laurel, Montana, For Fiscal Year 2025-2026.**

Motion by Council Member Canape to approve Resolution No. R25-68, seconded by Council Member Wilke. There was no public comment or Council discussion. A vote was taken on the motion. All seven Council Members present voted aye. Motion carried 7-0.

- **Resolution No. R25-69: A Resolution Levying And Assessing The Cost Of Sidewalk Improvements For Special Improvement District No. 119 Within The City Of Laurel, Montana, For Fiscal Year 2025-2026.**

Motion by Council Member Mackay to approve Resolution No. R25-69, seconded by Council Member Wilke. There was no public comment or Council discussion. A vote was taken on the motion. All seven Council Members present voted aye. Motion carried 7-0.

- **Resolution No. R25-70: A Resolution Levying And Assessing A Special Tax Against Certain Property In The City Of Laurel For Delinquent Water Charges.**

Motion by Council Member Wheeler to approve Resolution No. R25-70, seconded by Council Member Canape. There was no public comment or Council discussion. A vote was taken on the motion. All seven Council Members present voted aye. Motion carried 7-0.

- **Resolution No. R25-71: A Resolution Levying And Assessing A Special Tax Against Certain Property In The City Of Laurel For Delinquent Sewer Charges.**

Motion by Council Member Wilke to approve Resolution No. R25-71, seconded by Council Member Canape. There was no public comment or Council discussion. A vote was taken on the motion. All seven Council Members present voted aye. Motion carried 7-0.

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- **Resolution No. R25-72: A Resolution Levying And Assessing A Special Tax Against Certain Property Designated As Garbage Districts In The City Of Laurel, Montana, For The Removal Of Garbage And Refuse.**

Motion by Council Member Mize to approve Resolution No. R25-72, seconded by Council Member Wilke. There was no public comment or Council discussion. A vote was taken on the motion. All seven Council Members present voted aye. Motion carried 7-0.

- **Resolution No. R25-73: A Resolution Of The City Council Establishing The Method Of Levying Voted Mills As Required By Laws 2025, Chapters 674 And 767 Passed In The 69th Montana Legislative Session**

Motion by Council Member Wheeler to approve Resolution No. R25-73, seconded by Council Member Canape. There was no public comment or Council discussion. A vote was taken on the motion. All seven Council Members present voted aye. Motion carried 7-0.

- **Resolution No. R25-74: A Resolution Of The City Council Approving Agreement Regarding School Resource Officer Program By And Between The City Of Laurel And Laurel Public Schools, District 7 & 7-70.**

Motion by Council Member Sparks to approve Resolution No. R25-74, seconded by Council Member Canape. There was no public comment or Council discussion. A vote was taken on the motion. All seven Council Members present voted aye. Motion carried 7-0.

- **Resolution No. R25-75: A Resolution Authorizing The Mayor To Execute An Agreement With Morrison-Maierle Systems Technology Consultants For Managed Network Services.**

Motion by Council Member Mackay to approve Resolution No. R25-75, seconded by Council Member Canape. There was no public comment or Council discussion. A vote was taken on the motion. All seven Council Members present voted aye. Motion carried 7-0.

- **Resolution No. R25-76: A Resolution Of The City Council Approving Conversion Of The Laurel City Court To A Court Of Record.**

Motion by Council Member Canape to approve Resolution No. R25-76, seconded by Council Member Wilke. There was no public comment.

It was questioned if moving to a Court of Record would add a burden on the Court Clerk.

Judge Kerr stated that converting to a Court of Record will take additional work. There will be additional recordkeeping. There is currently one Court Clerk. The City has attempted to hire an additional Court Clerk; however, they have not yet found a suitable candidate. The Judge has been waiting for the Council to move forward with establishing a Court of Record, as the Council is responsible for setting up the Court. Microphones and the recording software have been purchased. These were order without a presentation to the Council from the Judge. She was not concerned with getting trained on how to use the software until the Court official transitioned to a Court of Record.

It was questioned whether there would be hard copies or digital copies of documents. It was clarified that the Judge was unsure, as different Courts have different procedures.

It was questioned what kind of overtime would be required by the Court Clerk to complete these additional duties, and whether staff burnout is a concern. It was stated that at this time, it is unknown what the additional workload will entail.

It was questioned what the expected implementation timeframe would be. It was clarified that there have been discussions with the Judge and City Prosecutor to discuss the timeline. The goal is to implement it in 2026 once Judge Kerr retires. Judge He Does It out of Red Lodge has a Court of Record, so Laurel can go and see how their Court is structured.

It was questioned if an addition Clerk is looking to be hired. It was clarified that the last discussion the Staff had on this matter was that there was no rush. Whenever the Judge is ready to hire for this position, the City can post the job.

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It was questioned whether two Court Clerks were budgeted for. It was clarified that both positions have been budgeted.

The City Prosecutor stated he is a proponent of this Resolution. It is the right decision for Laurel over the long term. There will be some burdens moving to a Court of Record. Records can be kept in both paper and digital copies. He added that if this Resolution passes tonight does not mean it becomes effective tomorrow. There does have to be a notice period published prior to moving forward.

Council Member Mize stated that because she is running for City Judge, she is recusing herself from this matter.

A vote was taken on the motion. Six Council Members present voted aye. Council Member Mize abstained from voting. Motion carried 6-0.

- **Resolution No. R25-77: A Resolution Of The City Council Approving The Execution Of The Authorization To Represent And Class Action Disclosure Agreement Related To The Fire Truck Antitrust Litigation.**

Motion by Council Member Wilke to approve Resolution No. R25-77, seconded by Council Member Mize. There was no public comment or Council discussion. A vote was taken on the motion. All seven Council Members present voted aye. Motion carried 7-0.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT):

On September 2nd, there will be a registration event at the High School for Hunter's Education. Class will begin September 8th.

COUNCIL DISCUSSION:

Council questioned: Since the budget has passed, will the sidewalk project at Nutting Park be completed soon? It was clarified that the small service contract for that project will be on the next Council cycle.

MAYOR UPDATES:

The overlay on the Southside will begin in September.

UNSCHEDULED MATTERS: None.

ADJOURNMENT:

Motion by Council Member Mize to adjourn the Council meeting, seconded by Council Member Canape. There was no public comment or Council discussion. A vote was taken on the motion. All seven Council Members present voted aye. Motion carried 7-0.

There being no further business to come before the Council at this time, the meeting was adjourned at 7:48 p.m.

Brittney Harakal, Administrative Assistant

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 9th day of September 2025.

Dave Waggoner, Mayor

Attest:

Kelly Strecker, Clerk/Treasurer

EXHIBIT A

Budget Amendment
Fiscal Year 2024-2025

Fund 2952 – Federal Equitable Sharing

Original Revenues	$	0.00
Amended Revenues		63,783.02
Increase in Revenue:	$	63,783.02
Original Appropriation		0.00
Amended Appropriation	$	52,445.08
Increase in Appropriation:	$	52,445.08

Per the Department of Justice Standard Operating Procedures, appropriations and revenues for the Federal Equitable Sharing Fund may not be budgeted using the fiscal year budgeting process. All appropriations and revenues must be budgeted after the end of the fiscal year, using the budget amendment process.

Fund 1000 – General Fund- Ambulance

Original Appropriation		1500.00
Amended Appropriation	$	1766.00
Increase in Appropriation:	$	266.00

Increase Appropriations, due to Ambulance staff reimbursing the city for the purchase of more uniform T-shirts.

Fund 2928 – Transit Grant

Original Appropriation	$	.00
Amended Appropriation	$	16,268.00
Increase in Appropriation:	$	16,268.00

Unanticipated Expenditure for Local Share payment, for the purchase of the Transit Van from 2020. The overage is funded by the cash reserve for the Transit Grand fund.

Fund 1000 – General Fund- Fire Department

Original Appropriation		$ 55,000.00
Amended Appropriation		$ 67,500.00
	Increase in Appropriation:	$ 12,500.00
Original Revenues		$ 3,000.00
Amended Revenues		$ 12,500.00
	Increase in Revenue:	$ 9,500.00

Increase Appropriations and Revenues, due to receiving a DNRC grant for the 2024 Volunteer Fire capacity for wildland clothing. This was a reimbursable grant.

Fund 2370 – Employer Contribution P.E.R.S

Original Appropriation		$ 138308.00
Amended Appropriation		$ 143408.00
	Increase in Appropriation :	$ 5,100.00

Unanticipated OT for the Ambulance Department. The overage is funded by the cash reserve for the Employer Contributions to P.E.R.S.

Fund 7850 – Airport Authority

Original Appropriation		$ 31,609.00
Amended Appropriation		$ 32,021.00
	Increase in Appropriation:	$ 412.00

Revenues for this fund were greater than anticipated so there were more transfers to the Airport Authority than budgeted.

Fund 7120 – Fire Disability

Original Appropriation		$ 39,826.00
Amended Appropriation		$ 69,616.00
	Increase in Appropriation:	$ 29,790.00

Revenues for this fund were greater than anticipated so there were more transfers to the Firemen's Relief Association than budgeted.

CITY HALL
115 W. 1st. St.
PUB WORKS: 628-4796
PWD FAX: 628-2241
WATER OFFICE: 628-7431
WTR FAX: 628-2289
MAYOR: 628-8456

City of Laurel

P.O. Box 10
Laurel, Montana 59044

MAYOR

DEPARTMENT



August 26, 2025

Dear City of Laurel Governing Body:

Transmitted herewith is the annual operating and capital budget recommendations for the City of Laurel for the fiscal year ending June 30, 2026. This year's budget was a difficult one, as you know. Hard decisions have already been made, and I anticipate additional ones will have to be made. However, wonderful things have come to fruition this past fiscal year, and I am incredibly proud of the City of Laurel staff, Council, and community for coming together to get these projects completed.

The mill value came in at $8,014.730/mill this year, which is a decrease of $1941.72/mill over last year. The mill value in 2024-2025 was $9,956.451/mill. Last year, the City's total mill levy was 151.66, and this year it is 195.70. Overall, the City will receive an increase of $58,487.30 in taxable revenue.

The following are the changes in apportionment of the levies from 2024-2025 to 2025-2026:

Fund:	25-26 Levy	24-25 Levy	Difference
General Fund	100.00	70.53	+29.47
Library	25.00	35.00	-10.00
Comprehensive Liability	14.70	11.00	+3.70
PERS	25.00	9.00	+16.00
Group Health	27.00	22.13	+4.87
Fire Disability	4.00	4.00	-0.00
Total	195.70	151.66	+44.04

The Comprehensive Liability Fund premiums have increased by $7,221.00. This is due to the increase in liability and workers' compensation claims against the City. The last fiscal period (by which our Montana Municipal Interlocal ("MMIA") claims are adjusted saw a slight increase in both liability and workers' compensation claims. Claims against the City are on a three-year rolling calendar. The City of Laurel received a $19,629.00 retro adjustment, due to excess reserves MMIA had at the end of the 2025 Fiscal Year. This was an increase in last year's adjustment of $7,770.00. With the passage of the Safety Plan, the city reduced the amount of Worker's Compensation claims, and safety is improving. We are actively working on increased safety and informative measures for all City employees. This year, the Comprehensive Liability Fund should have 17% reserves in preparation for next year. At this time last year, there were 18% reserves in this fund. So, we have seen a significant improvement in reserves for the City's liability fund.

PERS rates did not increase this year due to the contract statewide expiring. Per PERS, this amount would only increase on the City's side 0.1% per year through 2024. Please note that this fund only covers the General Fund employees. All other funds must budget for their employees' PERS. As wages increase in the General Fund, so does PERS. With the lack of additional tax revenues to support the General Fund, and other non-voted levied funds, the reserves in the PERS fund are at up to 16% this year. At this time last year, they were at 11%. This is not an amount controllable by the City, as it is set based solely upon wages. While we are

cognizant of increased wages, various factors have impacted those wages in the last fiscal period, and PERS automatically accounts for these changes. Of course, we will make it a focus to be very cognizant of General Fund employee wages for the City, while also ensuring we have a safe and functional employee pool.

Group Health, along with the Permissive Health Levy Fund, will provide insurance payments to the General Fund.

The Fire Disability Fund remains at 4.00 mills this year. The City has an obligation to fund the Fire Pension for volunteers. These 4.00 mills amount to $32,058.92 and will be given to the Firemen's Relief Association for pension payments. The total pension that is expected to be distributed this year is $32,058.92. The cash balance at the end of June 2025 was $0. The 4.00 mills are to supplement the balance of the Pension Fund.

Fund:	25-26 Levy	24-25 Levy	Difference
Airport Authority	3.37	2.61	+0.76

The Airport Authority Board has its own taxing authority. This year, the fund will receive 0.76 mills more than last fiscal year.

Fund:	25-26 Levy	24-25 Levy	Difference
Ambulance	57.34	46.14	+11.20

The Ambulance Department received their own mill levy this year to help cover some of the costs for their department. They are still in the General Fund but will receive 57.34 mills this year to help fund their budget or that number converted into dollars is $459,585.00.

Fund:	25-26 Levy	24-25 Levy	Difference
Permissive Levy for Health Ins. (HB409)	25.42	20.50	+4.92

The permissive mill value was $235,231.85 in 2023-2024, $166,497.80 in 2024-2025 and valued at $204,764.53 this fiscal year.

Employee Wages and Benefits

Unemployment insurance increased this year. This year's contribution rate is .0035%, on gross wages. This is set by the Montana Department of Labor, and the City does not control these contributions, except to the extent that we address UID claims. We have taken an active role, this past year, in working to reduce UID claims, by way of responding with reasons for discharge and other factors that may affect whether an employee receives UID benefits.

Workers' compensation rates overall went down this year by 10.68%. The City's mod factor, also, decreased from .9300 in 2024-2025 to .8400 in 2025-2026. Workers' compensation rates have decreased for all municipalities in Montana this past year, so this overall decrease was expected.

The Public Works Union budgeted a 3% wage increase, as per their Collective Bargaining Agreement. The Police Union was budgeted a 1.5% increase for police officers and 6% increase for dispatch and 4% increase for animal control, according to the terms of their Collective Bargaining Agreement.

I am recommending a 4% increase in wages for non-union employees. This is consistent with market wages, and it will allow the City to remain somewhat competitive in hiring and retaining non-bargaining employees. It is, in fact, less than the COLA recommended increase, but I feel it is a fair increase, considering the budget constraints the City is facing, while still acknowledging inflationary COLA for non-bargaining employees.

Fund 1000 - General Fund:

The General Fund appropriations are budgeted at $6,776,461.00, with revenues coming in at $6,776,461.00 A small percent of cash reserves were used this year. The General Fund should have 32% in reserves at the end of the Fiscal Year.

Notable changes to the General Fund this year include:

Revenues:

- General Fund tax revenue increased slightly this year.

Expenditures:

- Department Heads were asked to keep Expenditures fair and reasonable while we address budget concerns.



Fund 2220 – Library

Revenues:

- The projected tax revenues are $200,368.25 for this fiscal year.

Expenditures:

- The Library Board has submitted their budget to the governing body for approval.

Fund 2250 – Planning

Revenues:

- The projected revenues from the County are $126,000 for this fiscal year, which is the same amount as last year.

Expenditures:

- The City is using current staff, Kurt Markegard, as the planning director.
- The City is also contracting with Peaks Planning when needed. The City is currently cross-training with the building department as well.

Fund 2260 – Emergency Disaster

Revenues:

- The City will not levy 2 mills this fiscal year.

Fund 2310 - Tax Increment Financing

Revenues:

- Revenues are calculated at $1,607,244.00 for this fiscal year.

Expenditures:

- Zoning, Subdivision and growth expenditures should be expected.



Fund 2400 & 2401 – Light Districts #2 & 3

Revenues:

- Light District #2 will be assessed at a rate of $39,663.59, and Light District #3 will be assessed at a rate of $23,191.35.

Expenditures:

- Expenditures have increased slightly due to an increase in utility costs.

Fund 2500 – Street Maintenance

Revenues:

- The State is still responsible for street cleaning on Main Street and South 1st Avenue.
- The Street Maintenance assessment to the citizens of Laurel will be $1,160,965.84 for street maintenance and $18,116.02 for the sweeping districts.
- The Street Maintenance Fund will continue to receive the R-O-W fees.

Expenditures:

- Currently there are no projects scheduled.



Fund 2600 – Elena Park Maintenance District

Revenues:

- Elena Park Maintenance District will not be assessed this fiscal year due to excess cash reserves.

Expenditures:

- $9,500 has been budgeted for Elena Maintenance District.

Fund 2702 – Expendable Grant

- Amount available for reconstruction on the North Shore of the Yellowstone River is $150,000.

Fund 2820 – Gas Tax

Revenues:

- The total revenue for the gas tax allotment this year is $305,234.28, which is a slight increase from last year.

Expenditures:

- The Southside Paving project will be funded through gas tax.
- No other projects are scheduled currently.

Fund 2821 – HB 473-Gas Tax

Revenues:

- There is no revenue budgeted from the state this fiscal year as they have combined this account with Gas Tax.

Expenditures:

- $250,000 was budgeted for Street Maintenance project this fiscal year.

Fund 2917 – Crime Victims Assistance

- This fund has $110,211.00 budgeted for a Crime Victims Program. The City Prosecutor and the Civil City Attorney are working on defining the necessity of this program for Laurel, how funds can be used, and what would best serve the community, moving forward. If these funds cannot be used towards a Victim/Witness Advocate program, they will be returned to the State, by State law.

Fund 2928 – Transit Bus Grant

Revenues:

- The City's $43,936.00 grant to manage the bus transit system has been renewed for this fiscal year.
- General Fund will be transferring the City's match to the Transit Fund.

Expenditures:

- $40,369.00 has been budgeted for the bus drivers that are employed by the Adult Resource Alliance of Yellowstone County.

Fund 2952 – Federal Equitable Sharing

Revenues:

- These revenues come from property confiscated by the Department of Justice during drug seizures. The property is sold, and the revenues are distributed to those agencies that are part of the DEA program. The use of the revenues received by the City is left to the discretion of the Police Chief.
- The revenues can no longer be budgeted per the Department of Justice Standard Operating Procedure for this fund.

Expenditures:

- The expenditure for this fund can no longer be budgeted per the Department of Justice Standard Operating Procedure for this fund.

Fund 3400 – SID Revolving

Expenditures:

- The cash in this fund is held for purposes of possible defaults on SID property payments. If, for some reason, there is not enough cash in the SID Funds when debt service payments are due, the cash in this fund may be transferred to the Debt Service Fund (3500 funds) to make the payment.

Fund 3401 – SID 118 Reserve

Expenditures:

- The cash in this fund is held for purposes of possible defaults on SID No. 118 property payments. If, for some reason, a property owner defaults on their payment, the cash in this fund may be transferred to the Debt Service Fund 3508 to make the payment. SID No. 118 Reserve Fund may only be used for this purpose, and monies may not be transferred to any other SID Fund.

Funds 3503 – 3508 – SID Debt Service Funds

- These funds will handle the debt service for SID's. Money is collected through the tax rolls as assessments to pay the SID bond payments.

Fund 4000 – Capital Improvement Fund /CIP

Revenues:

- The General Fund will be transferring $180,074.00 to the cash operating account.

Expenditures:

- $794,383.00 was budget for capital improvement projects. $427,883.00 was budgeted for the new fire truck. There are also several parks improvement projects budgeted this year.

Fund 4001 – Capital Improvement, Streets, Sidewalks and Parks

Revenues:

- There will be no revenues received this year. Sidewalk Assessments assessed to this fund were paid in full last year.

Expenditures:

The sidewalk program will be expended out of this fund up to the available amount of $43,984.00.

Enterprise **Funds**



Fund 5210 – Water Fund

Revenues:

- The total anticipated revenue to be received is $4,472,940.00.

Expenditures:

- A new Water Tank project is in the works. This project will extend to 2028 and will cost about $20,000.00. The City will be applying for several grants to help fund this project.

Fund 5310 – Sewer Fund

Revenues:

- The total anticipated revenue to be received is $2,459,007.00.

Expenditures:

- Currently no projects are scheduled.

Fund 5410 – Solid Waste

Revenues:

- The total anticipated revenue to be received is $1,607,244.00.

Expenditures:

- Dumping Fees increased by about $20,000 this year.

7000 Funds – Trust and Agency Funds

These funds are considered pass-through accounts. The City collects the revenues and disperses the revenue to other entities (agencies).

The FY 2025 budget, as presented, will continue to support the City's endeavor to provide exceptional service to our community, adjust to growth and demand, and improve our facilities all while considering the impacts on the City's property taxpayers.

Should you have any further questions about this year's budget, feel free to contact Myself or Clerk/Treasurer Kelly Strecker. We have provided a responsible and balanced budget that meets all the needs of the Department Heads through this fiscal year, 2025-2026. We strive every year to utilize the public funds in the best interest of the citizens, and I hope that you feel we have succeeded.

With Appreciation,

Dave Waggoner
Mayor

File Attachments for Item:

2. Police Monthly Report - July 2025

Laurel Police Department

215 W. 1st Street Laurel, Mt. 59044 • Phone 406-628-8737 • Fax 406-628-4641

Total Calls

Printed on August 1, 2025

[CFS Date/Time] is between '2025-06-23 10:26' and '2025-07-28 10:20' and
[Primary Incident Code->Code : Description] All

Code : Description		Totals
10-15 : With Prisoner	1	1
: Abandoned Vehicle	17	17
: Agency Assist	109	109
: Alarm - Burglary	15	15
: Alarm - Fire	8	8
AMB : Ambulance	108	108
: Animal Complaint	13	13
: Area Check	5	5
: Assault	8	8
: Bad Checks	0	0
: Barking Dog	6	6
: Bomb Threat	0	0
: Burglary	0	0
: Child Abuse/Neglect	4	4
: Civil Complaint	18	18
: Code Enforcment Violation	6	6
: Community Integrated Health	2	2

Code : Description		Totals
: Counterfeiting	0	0
: Criminal Mischief	18	18
: Criminal Trespass	6	6
: Cruelty to Animals	7	7
: Curfew Violation	9	9
: Discharge Firearm	4	4
: Disorderly Conduct	8	8
: Dog at Large	37	37
: Dog Bite	5	5
DUI : DUI Driver	11	11
: Duplicate Call	6	6
: Escape	0	0
: Family Disturbance	25	25
: Fight	4	4
FIRE : Fire or Smoke	24	24
: Fireworks	35	35
: Forgery	0	0
: Found Property	20	20
: Fraud	5	5
: Harassment	3	3
: Hit & Run	3	3

Code : Description		Totals
: ICAC	4	4
: Identity Theft	1	1
: Indecent Exposure	0	0
: Insecure Premises	5	5
: Intoxicated Pedestrian	4	4
: Kidnapping	0	0
: Littering	0	0
: Loitering	0	0
: Lost or Stray Animal	18	18
: Lost Property	15	15
: Mental Health	6	6
: Missing Person	3	3
: Noise Complaint	3	3
: Open Container	0	0
: Order of Protection Violation	5	5
: Parking Complaint	26	26
: Possession of Alcohol	0	0
: Possession of Drugs	3	3
: Possession of Tobacco	0	0
: Privacy in Communications	3	3
: Prowler	0	0

Code : Description		Totals
: Public Assist	76	76
: Public Safety Complaint	9	9
: Public Works Call	15	15
: Report Not Needed	2	2
: Robbery	0	0
: Runaway Juvenile	1	1
: Sexual Assault	0	0
: Suicide	0	0
: Suicide - Attempt	1	1
: Suicide - Threat	3	3
: Suspicious Activity	74	74
: Suspicious Person	19	19
: Theft	17	17
: Threats	7	7
: Tow Call	7	7
: Traffic Accident	25	25
: Traffic Hazard	5	5
: Traffic Incident	28	28
: TRO Violation	1	1
: Truancy	0	0
T/S : Traffic Stop	132	132

Code : Description		Totals
: Unattended Death	1	1
: Unknown - Converted	0	0
: Unlawful Transactions w/Minors	0	0
: Unlawful Use of Motor Vehicle	0	0
: Vicious Dog	2	2
: Warrant	8	8
: Welfare Check	20	20
Totals	1099	1099

File Attachments for Item:

3. Irwin Resignation Letter

Brittney Harakal

From: Irwin, Jim <Jim.Irwin@chsinc.com>
Sent: Monday, August 25, 2025 3:29 PM
To: Ward 1A; Brittney Harakal; Bruce McGee; City Mayor; Jamie Swecker; Jarred Anglin; JW Hopper; Lyndy Gurchiek; Ward 3A; Ward 4A; Ward 4B
Cc: Civil Attorney
Subject: RE: Emergency Service committee meeting- 8/25

Good afternoon. I will not be able to attend tonight's meeting. I was hoping to be able to attend so I could let you know in person that I am moving into a new position within CHS. This move requires me to relocate to Minneapolis. Thank you for the opportunity to participate on this great committee. I have really enjoyed it. I hope you will consider allowing Laurel's new refinery manager to join. His name is Shane LaCasse. He has lived in Laurel and worked at CHS for 20 years and will be able to jump right in. Please let me know if there is something I can do to introduce Shane to the group.

Thanks,
Jim

From: Ward 1A <ward1a@laurel.mt.gov>
Sent: Tuesday, August 19, 2025 6:41 PM
To: Brittney Harakal <bharakal@laurel.mt.gov>; Bruce McGee <bruce.mcgee310@gmail.com>; City Mayor <citymayor@laurel.mt.gov>; Irwin, Jim <Jim.Irwin@chsinc.com>; Jamie Swecker <mtdiver3048@yahoo.com>; Jarred Anglin <janglin@laurel.mt.gov>; JW Hopper <jwhopper@laurel.mt.gov>; Lyndy Gurchiek <lgurchiek@laurel.mt.gov>; Ward 3A <ward3a@laurel.mt.gov>; Ward 4A <ward4a@laurel.mt.gov>; Ward 4B <ward4b@laurel.mt.gov>
Cc: Civil Attorney <civilattorney@laurel.mt.gov>
Subject: [EXTERNAL] Emergency Service committee meeting- 8/25

This Message Is From an External Sender Report Suspicious
This message came from outside your organization.

Good Evening-

The Emergency Service committee meeting will be Monday, August 25 at 6:00pm. I have the agenda and the minutes from last month attached.

Thank you!

Heidi Sparks- Council Member
City of Laurel- Ward 1
406-671-0911
Ward1a@laurel.mt.gov

File Attachments for Item:

4. Police Monthly Report - August 2025.

Laurel Police Department

215 W. 1st Street Laurel, Mt. 59044 • Phone 406-628-8737 • Fax 406-628-4641

Total Calls

Printed on September 1, 2025

[CFS Date/Time] is between '2025-07-28 10:20' and '2025-08-25 08:42' and
[Primary Incident Code->Code : Description] All

Code : Description		Totals
10-15 : With Prisoner	0	0
: Abandoned Vehicle	17	17
: Agency Assist	69	69
: Alarm - Burglary	14	14
: Alarm - Fire	2	2
AMB : Ambulance	90	90
: Animal Complaint	8	8
: Area Check	9	9
: Assault	1	1
: Bad Checks	0	0
: Barking Dog	4	4
: Bomb Threat	0	0
: Burglary	0	0
: Child Abuse/Neglect	0	0
: Civil Complaint	15	15
: Code Enforcment Violation	14	14
: Community Integrated Health	3	3

Code : Description		Totals
: Counterfeiting	0	0
: Criminal Mischief	5	5
: Criminal Trespass	25	25
: Cruelty to Animals	7	7
: Curfew Violation	8	8
: Discharge Firearm	3	3
: Disorderly Conduct	9	9
: Dog at Large	30	30
: Dog Bite	1	1
DUI : DUI Driver	8	8
: Duplicate Call	12	12
: Escape	0	0
: Family Disturbance	18	18
: Fight	2	2
FIRE : Fire or Smoke	29	29
: Fireworks	1	1
: Forgery	0	0
: Found Property	12	12
: Fraud	1	1
: Harassment	8	8
: Hit & Run	4	4

Code : Description		Totals
: ICAC	0	0
: Identity Theft	0	0
: Indecent Exposure	2	2
: Insecure Premises	5	5
: Intoxicated Pedestrian	2	2
: Kidnapping	0	0
: Littering	0	0
: Loitering	4	4
: Lost or Stray Animal	5	5
: Lost Property	6	6
: Mental Health	5	5
: Missing Person	3	3
: Noise Complaint	2	2
: Open Container	0	0
: Order of Protection Violation	4	4
: Parking Complaint	10	10
: Possession of Alcohol	0	0
: Possession of Drugs	3	3
: Possession of Tobacco	0	0
: Privacy in Communications	0	0
: Prowler	1	1

Code : Description		Totals
: Public Assist	58	58
: Public Safety Complaint	10	10
: Public Works Call	10	10
: Report Not Needed	0	0
: Robbery	0	0
: Runaway Juvenile	3	3
: Sexual Assault	2	2
: Suicide	0	0
: Suicide - Attempt	2	2
: Suicide - Threat	8	8
: Suspicious Activity	50	50
: Suspicious Person	20	20
: Theft	16	16
: Threats	8	8
: Tow Call	3	3
: Traffic Accident	19	19
: Traffic Hazard	9	9
: Traffic Incident	19	19
: TRO Violation	0	0
: Truancy	0	0
T/S : Traffic Stop	124	124

Code : Description		Totals
: Unattended Death	1	1
: Unknown - Converted	0	0
: Unlawful Transactions w/Minors	0	0
: Unlawful Use of Motor Vehicle	0	0
: Vicious Dog	3	3
: Warrant	14	14
: Welfare Check	20	20
Totals	880	880

File Attachments for Item:

6. Zone Change from R-6000 to RMF Ironhorse Subdivision.

CITY HALL
115 W. 1ST ST.
PLANNING: 628-4796
WATER OFC.: 628-7431
COURT: 628-1964
FAX 628-2241

City Of Laurel

P.O. Box 10
Laurel, Montana 59044

Office of the City Planner

ZONING COMMISSION RECOMMENDATION ZC-25-01
Marvin Brown - Iron Horse Station Subdivision Zone Change Request
August 27, 2025

R-6000 to RMF

BACKGROUND:

The City of Laurel is an incorporated City within the State of Montana with powers established under the Constitution of Montana XI.4. The power and processes for the City to establish zoning regulations are found in §76-2-301 et. seq. M.C.A.

Mr. Brown was the original developer for the Iron Horse Station Subdivision. The original intent was to create a mixture of lots and lot sizes that would accommodate a wide array of housing opportunities with the primary focus being on one- and two-family dwellings. Over time, the perceived demand for new lots within the City of Laurel have changed in the opinion of the owner but it is important to remember that just because the property is zoned multi-family that a purchaser of any given lot may construct a single family residence. Our charge is to consider the rational nexus for the adoption of zoning in the City of Laurel.

The application materials address several other points that outline the anticipated benefits of the project. The application materials are incorporated into this report by reference.

LEGAL DESCRIPTION:

All of Block 6, Lots 1 and 2, Block 7 Iron Horse Station Subdivision located in Section 9, Township 24 East, Range 2 South, P.M.M., City of Laurel, Yellowstone County, Montana. In general, the properties front along Great Northern Road.

APPLICANT(S):

Marvin Brown – Iron Horse LLC
PO Box 80661
Billings MT 59108

EXISTING CONDITION:

The subject property is a platted residential subdivision. The property is served by public water, sewer, streets, solid waste, is surrounded by RMF and CC Zoning Designations, and is greater than 2.07 acres in size.

PROCESS:

- The application for a Zoning Map Amendment (Zone Change) was submitted on June 30, 2025, and is scheduled for a public hearing on August 20, 2025 by the Laurel Zoning Commission.
- The Zoning Commission following the Public Hearing may not make changes to or conditional modifications to the zoning and map. The change may only be recommended for approval or denial. In either case, the decision must be supported by findings of fact and conclusions related to the rational nexus for the adoption of zoning or zoning amendments.
- Those findings of fact and conclusions as well as the record minutes of the public hearing will be submitted to the City Council for consideration, hearing and final decision.
- The City Council will conduct a duly noticed Public Hearing on the Zoning Commission recommendation and an Ordinance of the City Council on First Reading.
    - Should the Zoning Commission recommendation be denial and it is upheld by the City Council on First Reading, the request is deemed denied.
    - Should the Zoning Commission recommendation for approval pass on First Reading, another public hearing and Second Reading and adoption will be scheduled.
- If passed on Second Reading, the new zoning map assignment would become effective 30-days post Second Reading.

ZONES INVOLVED: Existing and Proposed

- R-6000 - Residential 6000 District.
    - The residential-6000 zone is intended to promote an area for a high, urban-density, duplex residential environment on lots that are usually served by a public water and sewer system.
- RMF – Residential Multifamily District.
    - The residential multifamily zone is intended to provide a suitable residential environment for medium to high density residential dwellings; and to establish, where possible, a buffer between residential and commercial zones.
- CC – Community Commercial District.
    - The community commercial classification is primarily to accommodate community retail, service, and office facilities offering a greater variety than would normally be found in a neighborhood or convenience retail development. Facilities within the classification will generally serve an area within a one-and-one-half-mile radius and are commensurate with the purchasing power and needs of the present and potential population within the trade area. It is intended that these business facilities

be provided in business corridors or islands rather than a strip development along arterials.

RATIONAL BASIS OF ZONING:

In the State of Montana, all jurisdictions proposing to zone or rezone property or to adopt or revise their zoning regulations must issue findings of fact on a twelve-point test that constitute the rational nexus/legal basis for the adoption of a zoning district, zoning regulations, or changes to zoning or zoning regulations. This rational nexus is called the "Lowe Test".

I. Is the zoning in accordance with the growth policy;

Findings of Fact:

- Both the RMF and R-6000 are generally applicable, City Established, zoning districts.
- The requested zoning is based in the Growth Policy. A simple look at the Growth Policy and future land use map will verify that the requested zone assignment is consistent with the text and mapping components of the Growth Policy.
- The Growth Policy, Future Land Use Map, designates the property as Residential. The Residential designation supports zoning assignment from R-7500 to RMF.
- The RMF designation is typically reserved for areas of proposed development, redevelopment or in areas where adaptive reuse of existing structures that are associated with significant land ownership is contemplated.
- Both the R-6000 and RMF have provisions for the creation of a Planned Unit Development (PUD). The proposed development could be proposed in the R-6000 via the PUD process.
- The requested zoning accomplishes several residential neighborhood goals and strategies are implemented. Diversity of Neighborhoods, historic to modern; accommodation of a diverse population both age and economic condition; Creation of zones where expansion of non-motorized routes and access to the core of the community. Residential districts protected from excessive noise and commercial impacts and the conversion of structures to new uses is encouraged.

Conclusion: The requested zoning is in accordance with the Growth Policy and other adopted rules and regulations of the City of Laurel.

II. Is the zoning designed to lessen congestion in the streets;

Findings of Fact:

- The proposed zoning encourages compact walkable development as well as expanded opportunities for new uses.
- The property is located within reasonable walking distance of the Central Business District and adjacent to Community Commercial. As such, the residents would be able to walk or bicycle to essential services which would by default reduce the vehicular traffic on the streets.
- The proposed zoning encourages compact urban development as such the need for vehicular travel is limited.

- The property is located where all the necessary public infrastructure exists.
- The proposed zoning in conjunction with the development standards adopted with the Subdivision Regulations will provide for flow through development, logical extension of the gridded infrastructure network, and encourage pedestrian- friendly growth.

Conclusion: The requested zone should lessen congestion in the streets by ensuring orderly growth and development of the property that is consistent with the proposed zoning and other regulations adopted by the City of Laurel.

III. Is the zoning designed to secure safety from fire, panic, and other dangers;

Findings of Fact:

- The proposed zoning will provide for consistency in development along with provision of police and fire protection.
- The proposed zoning incorporates enforcement of development standards, setbacks and compliance with the other development standards adopted by the City of Laurel.
- In addition to the zoning, the City of Laurel enforces the International Building Codes. The combination of regulations are life safety driven.
- The proposed zoning has restrictions on lot coverage, grading and development on steep slopes and other areas that are potentially hazardous. The difference between R-6000 and RMF is minimal.

Conclusion: The requested zoning along with other regulatory standards should provide safety for residents and visitors to the city from fire, panic and other dangers.

IV. Is the zoning designed to promote health and the general welfare;

Findings of Fact:

- The proposed zoning imposes setbacks, height limits and building restrictions.
- The proposed zoning groups together like and consistent uses within existing neighborhoods.
- The overall development standards of the RMF do not convey a significant benefit to the subject property that is not available in the R-6000.
- In addition to the zoning, the City of Laurel enforces the International Building Codes. The combination of regulations are life safety driven.
- The RMF and R-6000 are compatible residential districts. In fact, the RMF and R-6000 are adjacent to one another in multiple examples within the City of Laurel.
- The current zoning regulations restrict development in hazardous areas.

Conclusion: The grouping together of like and consistent uses promotes the health and general welfare of all citizens of the City of Laurel. Further, the requested zoning is substantially consistent with the land use in the surrounding neighborhoods.

V. Is the zoning designed to provide adequate light and air;

Findings of Fact:

- The proposed zoning imposes building setbacks, height limits, limits on the number of buildings on a single parcel, and reasonable area limits on new development.
- The only difference between the existing and proposed zoning is the building height limit and lot coverage.
- The issue of lot coverage was diminished, in part, by the passage of legislation in the 2023 session.
- The proposed zoning implements the concept that the City of Laurel was developed historically on a gridded network. Both the existing and proposed zoning requires the perpetuation of this pattern. In doing so as the City plans for growth, the spacing and layout of new development will facilitate provision of light and air to new development.

Conclusion: The proposed zoning ensures the provision of adequate light and air to residents of the City through a continuation of the dimensional standards and other development limitations.

VI. Is the zoning designed to prevent the overcrowding of land;

Findings of Fact:

- The proposed zoning imposes minimum lot size, use regulations and other limitations on development.
- The amenities and parking associated with the proposed zoning can be contained within the subject property.
- The RMF is a generally applicable zoning district within the City of Laurel with a minimum district size of 2.07 acres.
- The area involved in the proposed rezoning is in excess of 2.07 acres.

Conclusion: The existing development standards of the requested zoning prevents overcrowding of land.

VII. Is the zoning designed to avoid undue concentration of population;

Findings of Fact:

- The requested zoning is one of the generally applicable Laurel residential districts that represents a holistic approach to land use regulation for the entirety of the City of Laurel and is not focused on any single special interest.
- The overall maximum development densities are substantially similar between the R-600 and RMF.
- The requested zoning is one of four residential zoning districts that provide a continuum of residential densities and manage development to create land use compatibility.
- The requested zoning imposes minimum lot sizes, maximum number of residences on a single parcel and setback standards.
- The RMF is a generally applicable zoning district within the City of Laurel with a minimum district size of 2.07 acres.

- The area involved in the proposed rezoning is in excess of 2.07 acres.

Conclusion: The proposed zoning prevent the undue concentration of population by encouraging the most appropriate use and residential density at any given location within the jurisdiction.

VIII. Is the zoning designed to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements;

Findings of Fact:

- The requested zoning establishes minimum standards for the provision of infrastructure such as roads, sidewalks, water sewer, wire utilities and storm water management.
- The requested zoning encourages compact urban scale development and groups together similar uses that will not detract from the quality of life expected in Laurel while providing the economies of scale to extend water, sewer, streets, parks, quality schools and other public requirements.
- The property for the requested zoning is served by City streets, water and wastewater systems.
- The parent subdivision provided parkland as provided by the Laurel Subdivision Regulations and the city has numerous developed parks and recreational opportunities.

Conclusion: The area affected by the requested zoning is served by insure the adequate transportation, water, sewerage, school, parks, and other public requirements.

IX. Does the zoning give reasonable consideration to the character of the district and its peculiar suitability for particular uses;

Findings of Fact:

- The RMF is a generally applicable zoning district within the City of Laurel with a minimum district size of 2.07 acres.
- The area involved in the proposed rezoning is in excess of 2.07 acres. The property abuts additional RMF zoning designations.
- The uses and development patterns between R-6000 and RMF are subtle. It is for this reason that the Growth Policy supports a wide range of residential zoning designations within the City.
- The requested zoning is one of the generally applicable Laurel residential districts that represents a holistic approach to land use regulation for the entirety of the City of Laurel and is not focused on any single special interest.
- The overall development standards of the RMF do not convey a significant benefit to the subject property that is not available in the R-6000.
- The RMF and R-6000 are compatible residential districts. In fact, the RMF and R-6000 are adjacent to one another in multiple examples within the City of Laurel.

Conclusion: The requested zoning gives due consideration to the character of the existing neighborhoods within the city as well as suitability for the particular uses.

X. Does the zoning give reasonable consideration to the peculiar suitability of the property for its particular uses;

Findings of Fact:

- The RMF is a generally applicable zoning district within the City of Laurel.
- The requested zoning is one of the generally applicable Laurel residential districts that represents a holistic approach to land use regulation for the entirety of the City of Laurel and is not focused on any single special interest.
- The overall maximum development densities are substantially similar between the R-600 and RMF.
- The overall development standards of the RMF do not convey a significant benefit to the subject property that is not available in the R-6000.
- The RMF and R-6000 are compatible residential districts. In fact, the RMF and R-6000 are adjacent to one another in multiple examples within the City of Laurel.
- Both the R-6000 and RMF have provisions for the creation of a Planned Unit Development (PUD). The proposed development could be proposed in the R-6000 via the PUD process.
- The requested zoning accomplishes several residential neighborhood goals and strategies are implemented. Diversity of Neighborhoods, historic to modern; accommodation of a diverse population both age and economic condition; Creation of zones where expansion of non-motorized routes and access to the core of the community. Residential districts protected from excessive noise and commercial impacts and the conversion of structures to new uses is encouraged.

Conclusion: The requested zone gives reasonable consideration to the peculiar suitability of the property for its particular uses.

XI. Will the zoning conserve the value of buildings;

Findings of Fact:

- The requested zone groups together like and consistent uses and is consistent with the existing zoning in the various neighborhoods of the City of Laurel.
- The RMF and R-6000 are compatible residential districts. In fact, the RMF and R-6000 are adjacent to one another in multiple examples within the City of Laurel.
- Both the R-6000 and RMF have provisions for the creation of a Planned Unit Development (PUD). The proposed development could be proposed in the R-6000 via the PUD process.
- The requested zoning accomplishes several residential neighborhood goals and strategies are implemented. Diversity of Neighborhoods, historic to modern; accommodation of a diverse population both age and economic condition; Creation of zones where expansion of non-motorized routes and access to the core of the community. Residential districts protected from excessive noise and commercial impacts and the conversion of structures to new uses is encouraged.
- The proposed zoning reinforces that residential buildings will continue to be used for equal or greater potential residential purposes.

Conclusion: The requested zoning will conserve or in many cases enhance the value of buildings.

XII. Will the zoning encourage the most appropriate use of land throughout the municipality?

Findings of Fact:

- The proposed zoning and zoning map provide for transitional areas between uses that may be incompatible.
- The requested zoning expands an existing mixed-use residential district that is specifically intended to ease the transition between residential and commercial uses.
- The requested zoning is consistent with the type of development that exists and is occurring in the surrounding neighborhood.
- Providing a healthy mix of residential properties is in the best interest of the city, property owners and potential buyers.
- The requested zoning accomplishes several residential neighborhood goals and strategies are implemented. Diversity of Neighborhoods, historic to modern; accommodation of a diverse population both age and economic condition; Creation of zones where expansion of non-motorized routes and access to the core of the community. Residential districts protected from excessive noise and commercial impacts and the conversion of structures to new uses is encouraged.
- RMF is and has been assigned adjacent to both the R-7500 and R-6000 zoning assignments. With all but one of the current assignments being adjacent to R-6000.

Conclusion: The requested zoning should encourage the most appropriate use of land not only in the neighborhood but throughout the City of Laurel.

OTHER NOTABLE FACTORS:

- The mandates associated with SB 382 and other legislation passed during the 2023 Legislative Session requiring communities with greater than 5,000 population to increase opportunities and options for housing within the community.

RECOMMENDATION:

The Zoning Commission finds that the requested zoning is INCONSISTENT with the Laurel-Yellowstone Growth Policy; that the rational nexus for the adoption of zoning is not met, due to expressed concerns with traffic, lack of adequate infrastructure to support the increased density, and that the citizens of Laurel have participated in the creation of the proposed rezoning process. Further, that the Zoning Commission recommend that the City Council DENY the Zoning Classification of RMF on all of Block 6, Lots 1 and 2, Block 7 Iron Horse Station Subdivision located in Section 9, Township 24 East, Range 2 South, P.M.M., City of Laurel, Yellowstone County, Montana (on a 4-3 vote).

Zone Change Application

Iron Horse Subdivision
Yellowstone County, Montana

Client:

IRON HORSE STATION, LLC
PO BOX 80661
LAUREL, MT 59108

Prepared By:

550 N 31st St, Suite 111 • Billings, Montana • Phone (406) 545–6420 • Imegcorp.com

Project: 20001607.00

June 2025

ZONE CHANGE APPLICATION

IRON HORSE MAJOR SUBDIVISION ZONE CHANGE

IMEG #20001607

Docusign Envelope ID: F80B4567-703D-460B-A8AD-766F7E7DADA3

CITY HALL
115 W. 1st ST.
PLANNING: 628-4796
WATER OFC.: 628-7431
COURT: 628-1964
FAX 628-2241

City Of Laurel

P.O. Box 10
Laurel, Montana 59044

Office of the City Planner

Zone Change Application
Information Sheet

This is an application for a zoning amendment/change to the official zoning map and/or ordinance for the City of Laurel and its surrounding Zoning Jurisdiction. Such Applications to re-zone are considered first by the Laurel City-County Planning Board, which acts as the Zoning Commission, whose recommendations are then transmitted to the City Council for a final decision.

General Notes:

1. All Questions must be answered fully.
2. Information must be written or typed legibly.
3. Supporting documents may be attached as needed.
4. Applications not filled completely or properly will not be accepted.
5. Attaching site plans or related construction plans are helpful for zone changes on properties with new construction.
6. Photographs or other site images are helpful during the review process.

Required Documents:

1. Completed Application Form
2. 300-foot radius map of property under consideration for Zone Change. (Satellite, Plat, Survey, or site plan acceptable)
3. Organized, typed list and/or set of 3 (three) mailing labels for all property owners of record within 300-feet of the property under consideration for the Zone Change.
4. Letter stating the justification and reason for the Zone Change, including proposed use of the property.
5. Copies of any Covenants and/or deed restrictions on the property.
6. Zone Change Application Fee. (As specified in the Laurel Schedule of Fees)

Overview of the Zone Change Process:

1. The Applicant shall meet with the Planning Director to discuss the zone change, the zone change process, and the required documentation prior to the submittal of a completed application for zone change.

Docusign Envelope ID: F80B4567-703D-460B-A8AD-766F7E7DADA3

2. The Applicant shall submit the application form, zone change fee, addresses, maps, and any other supporting documents to the Planning Department at least 30 days prior to the Planning Board meeting at which it will be reviewed.
3. City Staff will notify the Applicant of any missing information in the Application.
4. City Staff will place the complete and sufficient Zone Change Application on the agenda of the next available Planning Board meeting.
5. City Staff will place a public hearing notice in a newspaper of record at least 15 (fifteen) days prior to the public hearing. City Staff will also mail public hearing notices to all property owners of record within 300 feet of the property at least 15 days prior to the public hearing.
6. The Planning Board, acting as the Zoning Commission, will hold a Public Hearing on the Zone Change. During the hearing, the applicant shall present their item and provide any additional information to the Planning Board. The Planning Board will also decide to approve or deny the Zone Change request.
7. City Staff will forward the recommendation of Planning Board to the Laurel City Council for their final decision.
8. Laurel City Council will hold a Public Hearing on the Zone Change Application.
9. Laurel City Council will decide to either approve or deny the zone change request.
10. City staff will work with the City Attorney to determine if an update to the Zoning Ordinance is required.
11. City staff will work with the applicable Yellowstone County Departments to ensure all zoning maps and mapping information is updated after the Zone Change occurs.

Docusign Envelope ID: F80B4567-703D-460B-A8AD-766F7E7DADA3

CITY HALL
115 W. 1st ST.
PLANNING: 628-4796
WATER OFC.: 628-7431
COURT: 628-1964
FAX 628-2241

City Of Laurel

P.O. Box 10
Laurel, Montana 59044

Office of the City Planner

Zone Change Request

The Undersigned as owner or agent of the following described property requests a Zone Change as outlined in the City of Laurel Zoning Ordinance.

Current Zoning District (if zoned): Residential 6000

Proposed Zoning District: Residential Multifamily

Legal Description of the Property: IRON HORSE STATION SUB, S09, T02 S, R24 E, BLOCK 6,

BLOCK 7 (Lots 1 & 2)

Address or General Location: Great Northern Road, Laurel, MT 59044

Owner(s)/Applicant(s):

Name: Marvin Brown - Iron Horse, LLC

Address: PO BOX 80661 Billings, MT 59108

Phone: _____

Email: mbrown@rockymtnranch.com

Name: _____

Address: _____

Phone: _____

Email: _____

DocuSign Envelope ID: F80B4067-703D-40CB-A3AD-766F7E7DADA3

Agent(s)/Representative(s):

Name: Kolten Knatterud

Address: 550 N 31st St - Suite 111, Billings, MT 59101

Phone: (406) 545-6420

Email: kolten.l.knatterud@imegcorp.com

Purpose/Reason for Zone change:

Please review the attached materials provided with this application

I understand that the application fee accompanying this application is non-refundable, that it pays the cost of processing, and that the fee does not constitute a payment for a zoning change approval. I further certify that all the information presented on this application and its supporting documentation is true and correct.

Owner/Applicant Signature: DocuSigned by: DF75BC798F0A4D6...

Date: 6/16/2025

Agent and/or Representative Signature:

Date: 6/19/25

ZONE CHANGE MEMO

IRON HORSE MAJOR SUBDIVISION ZONE CHANGE

IMEG #20001607

June 2025

City of Laurel Planning Department
City Hall
115 W 1st St | PO Box 10
Laurel, MT 59044

RE: Zone Change Request – Iron Horse Subdivision, Blocks 6 & 7 (Lots 1 & 2)

Dear City of Laurel Planning Team,

On behalf of the property owner, we respectfully submit this request to amend the zoning for Blocks 6 and Block 7 (Lots 1 & 2) of the Iron Horse Subdivision from Residential 6000 (R-6000) to Residential Multifamily (RMF). This request is consistent with the existing development pattern, surrounding zoning districts, and the City of Laurel's adopted Growth Management Policy.

The developer currently maintains ownership of all lots within Blocks 6 and 7, providing a cohesive opportunity to implement a unified multifamily development concept. The proposed zone change complements adjacent land uses and zoning designations. Notably:

- Block 1, Block 2, and majority of Block 7—all directly adjacent to the subject properties—are already zoned Residential Multifamily (RMF);
- The proposed zoning would establish continuity and eliminate a zoning island of R-6000 among RMF blocks.

The Iron Horse Subdivision was designed to support a range of residential types, and the existing infrastructure—roadways, utilities, and access—can adequately serve the densities permitted in the RMF district. The transition to RMF allows greater flexibility in building form while continuing to provide housing options within the intended residential context.

Furthermore, this request supports several goals outlined in the 2020 Laurel Growth Management Policy, including:

- Goal 1 of the Land Use Chapter: "Encourage infill and redevelopment that maximizes the use of existing infrastructure";
- Goal 1 of the Housing Chapter: "Encourage a mixture of housing types to meet the demand of all market sectors."

The requested change facilitates development that is compatible with neighboring uses and supports Laurel's goal of providing diverse housing choices within established neighborhoods.
We appreciate your consideration and look forward to presenting this request at the upcoming Planning Board meeting.

Sincerely,

Kolten L Knatterud, PE
IMEG | Principal, Client Executive

ADJOINING PROPERTY OWNERS LIST

IRON HORSE MAJOR SUBDIVISION ZONE CHANGE

IMEG #20001607

Proposal Iron Horse Proposed Zone Change

Property Owners

According to the notice requirements of the applicable zoning regulation.

	Legal Description of Property	Property Owner's Name	Mailing Address of Property Owner from Montana Dept. of Revenue
1	IRON HORSE STATION SUB, S09, T02 S, R24 E, BLOCK 6, Lot 11, AMD CORR (24)	IRON HORSE STATION LLC	PO BOX 80661 BILLINGS, MT 59108-0661
2	IRON HORSE STATION SUB, S09, T02 S, R24 E, BLOCK 1, Lot 5A, AMND (10)	RESIDENTIAL SUPPORT SERVICES INC	1018-1030 GREAT NORTHERN RD LAUREL, MT 59044
3	TENDER TOWNHOMES (18), S09, T02 S, R24 E, UNIT 411, 50% COMMON AREA INTEREST, LOC @ LT 3 BLK	KIRK W & JODY WARNER	411 ROUNDHOUSE DR LAUREL, MT 59044-2459
4	RH TOWHOMES (13), S09, T02 S, R24 E, UNIT 505, 50% COMMON AREA INTEREST, LOC @ LT 6 BLK 2	GERALD R JR THEIS	505 ROUNDHOUSE DR LAUREL, MT 59044-2458
5	RH TOWHOMES (13), S09, T02 S, R24 E, UNIT 507, 50% COMMON AREA INTEREST, LOC @ LT 6 BLK 2	MANFRED FABER	507 ROUNDHOUSE DR LAUREL, MT 59044-2458
6	OLD ENGINE NUMBER SEVEN TOWNHOMES (14), S09, T02 S, R24 E, UNIT 509, 50% COMMON AREA INT	CALVIN & MARLENE GRUBS	509 ROUNDHOUSE DR LAUREL, MT 59044-2458
7	WALLFLOWER TOWNHOMES (16), S09, T02 S, R24 E, UNIT 601, 50% COMMON AREA INTERESTLT 10, BLK 2	TIMOTHY & LINDA WALL	601 ROUNDHOUSE DR LAUREL, MT 59044-2457
8	FIREBOX TOWNHOMES (16), S09, T02 S, R24 E, UNIT 609, 50% COMMON AREA INTEREST, LOCLT12BL2	ST. JOHNS LUTHERAN MINISTRIES, INC	2429 MISSION WAY BILLINGS, MT 59102-0161
9	SPUR TOWNHOMES (15), S09, T02 S, R24 E, LOC @ LT 13 BLK 2 IRON HORSE STATION SUB (06)	SPUR INVESTMENTS	5272 MILLER RD LOWELLVILLE, OH 44436-8500
10	IRON HORSE STATION SUB, S09, T02 S, R24 E, BLOCK 2, Lot 14, (06) 8840 SQ FT	TIM & FRITZIE WALKER	701 ROUNDHOUSE DR LAUREL, MT 59044-2455

Proposal Iron Horse Proposed Zone Change

Property Owners

According to the notice requirements of the applicable zoning regulation.

	Legal Description of Property	Property Owner's Name	Mailing Address of Property Owner from Montana Dept. of Revenue
1	CABOOSE TOWNHOMES (16), S09, T02 S, R24 E, UNIT 709, 50% COMMON AREA INTEREST, LOC @ LT16BL2	MARGARET MARANCIK	902 3RD AVE LAUREL, MT 59044-2025
2	IRON HORSE STATION SUB, S09, T02 S, R24 E, BLOCK 4, Lot 12, (06) 8371 SQ FT	DAVID & KRAFT	1009 GREAT NORTHERN RD LAUREL, MT 59044-2400
3	IRON HORSE STATION SUB, S09, T02 S, R24 E, BLOCK 4, Lot 11, (06) 7421 SQ FT	SALVIN & LAURIE GEBHARD	7 PALISADE BASIN DR RED LODGE, MT 59068-9532
4	IRON HORSE STATION SUB, S09, T02 S, R24 E, BLOCK 4, Lot 10, (06) 7371 SQ FT	SHAW & LAURA LEKANG	406 ROUNDHOUSE DR LAUREL, MT 59044-2451
5	IRON HORSE STATION SUB, S09, T02 S, R24 E, BLOCK 4, Lot 9, (06) 6542 SQ FT	RYAN HAGLAN	408 ROUNDHOUSE DR LAUREL, MT 59044-2451
6	IRON HORSE STATION SUB, S09, T02 S, R24 E, BLOCK 4, Lot 8, (06) 6428 SQ FT	JENNA MASTERS	410 ROUNDHOUSE DR LAUREL, MT 59044-2451
7	IRON HORSE STATION SUB, S09, T02 S, R24 E, BLOCK 4, Lot 7, (06) 6739 SQ FT	6 LAZY W PROPERTIES LLC	2985 COLONIAL PL BILLINGS, MT 59102-6829
8	IRON HORSE STATION SUB, S09, T02 S, R24 E, BLOCK 4, Lot 6, (06) 6210 SQ FT	JOHN WARREN JR & SHAWNA HOPPER	504 ROUNDHOUSE DR LAUREL, MT 59044-2452
9	IRON HORSE STATION SUB, S09, T02 S, R24 E, BLOCK 4, Lot 5, (06) 6210 SQ FT	JESIAH CARL & GRABOWSKA	506 ROUNDHOUSE DR LAUREL, MT 59044-2452
10	IRON HORSE STATION SUB, S09, T02 S, R24 E, BLOCK 4, Lot 4, (06) 6210 SQ FT	JONATHON & REBECCA HILL	508 ROUNDHOUSE DR LAUREL, MT 59044-2452

Proposal Iron Horse Proposed Zone Change

Property Owners

According to the notice requirements of the applicable zoning regulation.

	Legal Description of Property	Property Owner's Name	Mailing Address of Property Owner from Montana Dept. of Revenue
1	IRON HORSE STATION SUB, S09, T02 S, R24 E, BLOCK 4, Lot 3, (06) 6210 SQ FT	YVONNE & DEBORAH PETERS	510 ROUNDHOUSE DR LAUREL, MT 59044-2452
2	IRON HORSE STATION SUB, S09, T02 S, R24 E, BLOCK 4, Lot 2, (06) 6210 SQ FT	DAVID & JUDY ZENT	512 ROUNDHOUSE DR LAUREL, MT 59044-2452
3	IRON HORSE STATION SUB, S09, T02 S, R24 E, BLOCK 4, Lot 1, (06) 6950 SQ FT	TRAVIS TETER	1014 GOLDEN SPIKE DR LAUREL, MT 59044-2432
4			
5			
6			
7			
8			
9			
10			

COVENANTS & RESTRICTIONS

IRON HORSE MAJOR SUBDIVISION ZONE CHANGE

IMEG #20001607

AFTER RECORDING RETURN TO:
MARVIN BROWN
2110 OVERLAND AVENUE #122
BILLINGS MT 59101
ST41552 / jw

Yellowstone County RES 72.00
3332549
Page: 1 of 12
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IRON HORSE STATION SUBDIVISION
DECLARATION OF
USE RESTRICTIONS AND COVENANTS

IRON HORSE STATION, LLC, being the Owner and Developer of the following described real property:

Parcel 1:
A tract of land in Section 9, Township 2 South, Range 24 East, P.M.M., described as Tracts 1 and 2 of Certificate of Survey No. 1943, according to the official plat on file in the office of the Clerk and Recorder of Yellowstone County, Montana, under Document No. 1143464.

Excepting therefrom the Southerly 50 feet of Tract 1 and the Northerly 50 feet of Tract 2 conveyed to Nutting Drain District by Warranty Deed recorded June 10, 1931, in Book 159, Page 81, records of Yellowstone County, Montana.

Parcel 2:
Lots 1, 2 and 3, Block 1,
Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17, Block 2,
Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24, Block 4,
Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24, Block 5,
of Iron Horse Station Subdivision, in the City of Laurel, Yellowstone County, Montana, according to the official plat thereof on file and of record in the office of the Clerk and Recorder of said County, under Document No. 3330583.

hereafter represented by Marvin J. Brown, Member, declares as follows:

The following restrictions for Iron Horse Station Subdivision shall run with the land to the benefit of all lots and the public, and shall be binding upon all owners and their successors in interest and assigns. All owners, by acceptance of a deed to any lot subject to this Declaration, and all purchasers under a contract for sale, agree to conform and be bound by these covenants and restrictions. The following are part of a general plan to sustain the value, desirability and attractiveness of the property:

1. DEFINITIONS. Unless otherwise expressly provided, the following words and phrases, when used in this Declaration of Restrictive Covenants shall have the following meanings:

a. "Owner" shall mean and refer to the record owner, whether one or more persons or entities, excluding those having such interest merely as security for the performance of an obligation. If any lot has been sold under a contract for deed or agreement for future delivery of title, the purchasers of that lot shall be deemed to be the only owner.

b. "Property" shall mean and refer to the legal description described above.

c. "Lot" shall mean and refer to any one of the above-described lots shown upon any recorded subdivision map of the Property.

d. "Subdivider" shall mean and refer to IRON HORSE STATION, LLC, subdivider of Iron Horse Station Subdivision.

e. "Developer" shall mean IRON HORSE STATION, LLC, its successors and assigns; provided, however that no successor or assignee of the Developer shall have any rights or obligations of the Developer hereunder, unless an assignment for such rights or obligations is specifically set forth in an instrument of succession or assignment or unless such rights and obligations pass by operation of law.

f. "Single Family" shall mean one or more persons living together as a single, non-profit housekeeping unit, as distinguished from a group occupying a hotel, motel, club, fraternity or sorority, commune and the like.

g. "Accessory Building" shall mean a building, such as a garage or shed, detached from a dwelling and used for purposes which are incidental and subordinate to residential or permitted commercial uses.

2. EASEMENTS. No structure of any kind shall be erected, permitted or maintained on any easements or on Nutting Drain right of way all as shown on the plat of this subdivision. See Exhibit "A" attached hereto.

3. PERMISSIBLE BUILDINGS. All buildings and other structures must comply with the City of Laurel zoning regulations and codes. Lots 1 through 24, Block 4, Lots 1 through 24, Block 5, shall each be used for single-family residential use and accompanying

structures only. The term "residential purposes" used herein shall be construed to exclude duplex houses, with the exception of Lots 1-17, Block 2, which may be used for duplexes. Lots 1, 2 and 3, Block 1, may be used for duplexes or triplexes. No store, office, or other place of business of any kind and no hospital, sanitarium, professional or commercial uses shall be erected or permitted upon any of said lots. However, an in-home business may be operated as long as it is not obvious to the public from the street, has no sign, and causes no noticeable increase in traffic over and above normal residential activity. In addition, the undersigned or their nominee may use any lot for a model home and office to promote sales.

The only permissible buildings on the lot or lots shall be the following:

a. Each dwelling shall be constructed so that the floor area enclosed within the perimeter of the exterior walls, exclusive of the basement, if any, shall not be less than:

(i) For single family homes: 1,160 square feet on the ground level, exclusive of open porches, decks, garages, breezeways, and other non-living areas.

(ii) Structures shall be limited to two and a half (2 1/2) stories in height on any side or elevation.

(iii) Each single family home shall have a minimum of an attached two (2) car garage.

(iv) For duplexes and triplexes: 600 square feet per living unit on the ground level, exclusive of open porches, decks, garages, breezeways and other non-living areas. Each unit in a duplex or triplex shall have a minimum of a single car garage.

b. An attached or detached accessory building may be constructed as long as it meets the following criteria and the approval of City Code: May be built not to exceed one hundred twenty (120) square feet in size nor exceed ten (10) feet in height. It shall be located on a concrete slab or foundation, and the siding and roofing matches that of the residence.

c. All roofing shall be of high quality masonite shingle, concrete tile, color coated metal, or composition asphalt shingle. No hot mop, tar and gravel, tin,

galvanized metal or sod roofs shall be allowed.

d. All structures to be erected on the subject property shall be of normal and traditional shape, design, style, materials and colors consistent with a quality residential architecture of attractive design. Geodesic domes, "A" frames, flat tops and other unconventional, modernistic or experimental styles shall not be allowed.

e. Exterior siding on residential structures shall be of low or no maintenance materials including vinyl, non-reflective metal, stucco, brick, stone, permacrete or glass or attractive combinations thereof. The siding on an accessory storage building shall match the siding of the house.

4. ALLOWED VARIANCES. Lots 4 and 5, Block 1, Iron Horse Station Subdivision, are zoned community commercial and are not subject to these restrictions and covenants. Lots 1, 2, 3, 4, 5, 6 and 7, Block 3, Iron Horse Station Subdivision, are zoned community commercial and designated as an "assisted living" area and are not subject to these restrictions. Blocks 6, 7, and 8, Iron Horse Station Subdivision, are not subject to these restrictions. However, Developer reserves the right and power, pursuant to 70-15-301 MCA in its sole discretion to subject Blocks 6, 7 and 8 and Lots 1, 2, 3, 4, 5 and 6, Block 3, of Iron Horse Station Subdivision to the provisions of this Declaration by executing and recording an Amendment to this Declaration, without consent or approval of any other owners of lots subject to this Declaration.

5. BUILDING AND USE RESTRICTIONS.

a. Any structure erected on any lot shall be of new construction, and no structure including manufactured homes of any type shall be moved onto any said lots.

b. Any structure erected on any lot shall be commenced within sixty (60) days after equipment and material to be used in the construction are moved onto the location, and all construction shall be pursued with reasonable diligence. All construction debris is to be removed within fourteen (14) days after finish of the exterior.

c. No trailer, mobile home, basement, tent, shack, garage, or other outbuilding situated or erected shall at any time be used for residential purposes, temporarily or permanently, and the exterior of the dwellings shall be finished in its entirety before the dwellings can be

occupied.

d. No antennas or satellite dishes exceeding one meter in diameter or diagonal measurement shall be installed on the exterior of any building, in a yard, or on common elements without prior written approval of the Architectural Review Committee. Owners may have a professionally installed small satellite dish or antenna, not exceeding one (1) meter in diameter or diagonal measurement, inconspicuously placed in the yard at the back or side of their home, duplex or triplex, or on the exterior surface of their home, without prior approval of the Architectural Review Committee. The location of the satellite dish must comply with the ordinances of the City of Laurel.

e. All residences shall conform to the setback requirements of the City of Laurel Zoning Ordinance and the following:

i. No residence or other structure shall be located on any of the lots so that any part of such structure, other than entrance vestibules, awnings, or minor decorative fixtures, is nearer than 20 feet from the front line of the lot on which the structure is located.

ii. No building shall be located less than five (5) feet from either side lot line of the lot on which the building is located, measured from the lot line to the nearest wall of the building, (the setback). In addition, two story homes must comply with the side setback restrictions set forth in the zoning ordinances of the City of Laurel in effect at the time of construction of the home.

f. Livestock or poultry shall not be kept or maintained on any lot, nor shall domestic pets be kept or maintained for breeding or commercial purposes on any lot. A maximum of two dogs or two cats can be kept by the owners of any one residence. Animal kennels must be placed within twenty (20) feet of the residence and in an area which is inconspicuous and removed from direct view of neighbors and the primary road and owners shall be responsible for cleaning up after their pets.

g. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which might become an annoyance or nuisance to the neighborhood, or that is unsightly, unclean or presents a hazardous condition. No trash or obsolete materials shall be allowed to accumulate on any of the

above described lots.

h. No non-operating or non-licensed vehicles or portions thereof shall be permitted on any lot, except inside a garage, nor shall any motor vehicles used in organized or unorganized automobile or stock races be stored or maintained on said premises, except inside a garage.

i. All trash or other refuse cans and containers shall be kept in garages or in enclosures such that they are concealed from view. No burning barrels shall be allowed in any of the areas. Garbage cans shall be located to the rear of the dwelling or within the garage, except on days garbage pickup is made.

j. No clothes line poles, wires or devices for hanging clothes shall be erected on any lot or building. A retractable clothes line is permissible if it is retracted when not in use.

k. Fences shall comply with all ordinances enacted by the City of Laurel in effect at the time the fence is erected. All fences shall be erected of plastic, masonry, stucco, or ornamental iron. No chain-link or wire material, railroad ties, rubber tires, rubble or salvaged material shall be used.

l. No trailer houses, boats, snowmobiles, motorcycles, motorbikes, touring vehicles, recreational vehicles, motor homes, or other similar vehicles, and no abandoned, junked, or wrecked vehicles, shall be stored for more than seven (7) consecutive days on any lot, unless the same are enclosed so that they will be concealed from the view of streets and lots which are adjacent to the lot on which they are located.

6. LANDSCAPING AND SIDEWALKS. Within six months after residence is occupied there shall be planted, maintained, and in case of death or destruction, replaced by the owner, two trees in the boulevard, or if there is no boulevard, in the front yard, and two trees in the back yard or side yards of the lot on which such residence is located. Corner lot owners must plant two trees in the boulevard on each of the street frontages. Each deciduous tree shall be at least six feet in height; evergreens shall be at least three feet in height. Also a lawn must be installed and maintained, and all weeds and noxious growths shall be abated or eradicated.

Lot owners are responsible for the cost of putting in

sidewalk which will meet the ordinance requirements of the City of Laurel. Trees placed in the boulevard shall be specified as to location and variety by the Developer. Lot owners must sod, irrigate and care for the boulevard area between their lot's sidewalk and street.

7. DEVELOPER OVERSIGHT. An Iron Horse Station Oversight Committee composed of three individuals may be appointed by the Iron Horse Station, LLC to enforce, oversee, and supervise the building and development of the subdivision. The majority of the Committee may designate a representative to act for it. In the event of death or resignation of any member or members of the Committee, Iron Horse Station LLC., shall have full authority to designate a successor or successors. Neither the members of the Committee nor its designated representative shall be entitled to any compensation for services performed pursuant to this covenant. The Oversight Committee shall be dissolved when the Homeowners Association is established.

8. FORMATION OF HOMEOWNERS ASSOCIATION. When eighty percent (80%) of the lots subject to this Declaration have been sold, the Homeowners Association shall be formed by the owners. The owners shall have the power to file Articles of Incorporation, form a Homeowners Association with Bylaws and record the documents with the Yellowstone County Clerk and Recorder.

9. MAINTENANCE. Upon purchase of a lot, maintenance fees of $75.00 per lot will be assessed in January of each calendar year. Lot owners adjacent to any parkland, or the Nutting Drain, or East Maryland Lane, will be responsible for mowing and trimming those areas until Homeowners Association is in place.

10. TRAILS/SIDEWALKS/PATHWAYS. Trails, sidewalks and pathways provide access throughout the subdivision: Pedestrian traffic shall be limited to the trail system as much as possible. No motorized vehicles shall be allowed on trails, sidewalks and pathways in the Iron Horse Station Subdivision.

11. ARCHITECTURAL REVIEW.

(a) Architectural Review Committee. So long as Developer owns any of the above-described lots, or any Lots in Iron Horse Station which are hereafter subjected to the

provisions of this Declaration, Developer shall have the sole authority to appoint an Architectural Review Committee (ARC), to review any and all plans for homes or for improvements to any lot subject to this Declaration. The initial members of the ARC shall be Marvin Brown, Janet Brown, and Jeanna Fry. Upon sale of all lots by Developer and Iron Horse Station, LLC, the Association shall appoint the members of the ARC. Iron Horse Station, LLC, in its sole discretion, may elect to turn over its power to appoint the ARC members to the Association at any time prior to sale of all lots.

(b) Required Plan Review. Except for homes and other improvements constructed by Iron Horse Station, LLC, no home or other improvement shall be erected, constructed, placed or maintained upon any lot, nor shall any remodeling, reconstruction or alteration of a building's exterior be made or continue to be made, unless and until the same has been approved in writing by the ARC. Owners must also obtain approval of the ARC to any changes to approved plans if those changes affect the exterior of the building or other exterior home or improvement.

(c) Review Application. Before beginning the construction of any home or other improvement, and before beginning any alteration of an existing building's exterior, the person desiring to erect, construct, or modify the same shall submit to the ARC two sets of the following plans for the proposed home or other improvements, and any other information requested by the ARC.

i. Site Plan: A site plan showing: 1) the location of all improvements including structures, fences, walls, driveways, parking areas, utilities, outbuildings, decks; and 2) existing topography and contour in relation to the proposed home or other improvement and cut and fill excavation requirements; and 3) other pertinent information relating to the home or other improvement.

ii. Building Plan: A building plan which shall consist of: 1) the Structures dimensions; and 2) elevation drawings or sketches of the exterior of the Structure(s); and 3) information concerning the exterior of the Structure(s) which shall indicate all exterior colors, materials and finishes, including roof, to be used.

The ARC may, in its discretion, require the Owner to furnish additional specifications, drawings, material samples or such other information as it deems necessary for the purpose of reviewing the

application.

(d) Basis of Approval. Approval by the ARC shall be based, among other things, on; a) conformity and harmony of external design with neighboring homes or other improvements, b) the effects of location of the proposed home or other improvements on neighboring Lots, c) relation of home or other improvements and finished ground elevations to existing topography and grades, d) the overall aesthetics of subdivision; and f) the conformity of Plans to the provisions of this Declaration.

(e) Decision. The ARC shall render its decision with respect to an application within ten (10) days after the receipt of a complete application. The decision of the ARC can be in the form of an approval, a conditional approval, or denial and shall be in writing. A copy shall be mailed to the applying Owner, and to the Association's Board of Directors.

(f) Non-Liability. Neither the ARC nor any member thereof, or the Developer or any partner, officer, employee, agent, successor or assign thereof, shall be liable to the Association, any Owner or any other person for any loss, damage or injury arising out of or connected with the performance by the ARC members of their duties and responsibilities by reason of a mistake in judgement, negligence or nonfeasance arising out of or in connection with the approval or disapproval or failure to approve an application. The aforementioned parties will not make decisions on, and assume no responsibility for; a) the structural capacity, safety features, or building code compliance of any home and other improvement, b) whether or not the location of a proposed home and other improvement is free from possible geologic or natural hazards, or other possible hazards caused by conditions occurring either on or off the subject property, c) the internal operation or functional integrity of any home and other improvement, or d) any City of Laurel, Montana zoning ordinance or building code violations.

Every person who submits an application to the ARC, by submission of such an application, and every Owner by acceptance of a deed to any lot agrees not to bring any action or suit against the Association, its Board, members of the ARC, or the Developer or its owners, officers, employees, agents, successors or assigns to recover damages resulting from the architectural review process set forth herein.

The decisions of the ARC and the requirement to obtain

approval of the ARC may be enforced by the Development Oversight Committee, the Association, or by any Owner, by bringing an action for specific performance, or for an injunction, prohibitory or mandatory. Such actions shall be timely if brought within four months after it becomes apparent that an owner has not obtained the required approval or has deviated from the approved plans, whichever occurs later. In any such action, the prevailing party shall be entitled to recover from the losing party all costs and attorney fees incurred.

(g) Homes Exempt From Review. Plans for homes to be constructed by Iron Horse Station, LLC shall not be subject to review by the ARC and Iron Horse Station, LLC need not submit its plans to the ARC.

12. RIGHT TO ENFORCE. The restrictions herein set forth shall run with the land and bind the present owners, their heirs, devisees, trustees, and assigns; and any and all parties claiming by, through or under them, shall be taken to hold, agree and covenant with the owners of said lots, their heirs, devisees, trustees, and assigns, and with each of the owners of said lots, to conform to and observe said restrictions as to the use of said lots and the construction of improvements thereon; but no restrictions herein set forth shall be personally binding upon any corporation or person except in respect to breaches committed during its or his ownership of or interest in said land.

The owner or owners of any of the above lands, the Developer Oversight Committee and IRON HORSE STATION, LLC shall have the right to sue for and obtain an injunction, prohibitive or mandatory, to prevent the breach of, or to enforce the observance of, the restrictions set forth above, or hereafter imposed, in addition to the ordinary legal action for damages. The failure of the present owners, or the owner or owners of any above-described lot to enforce the restrictions herein set forth at the time of any violation thereof shall not be construed as a waiver of the right to do so. When the initial sale of all lots is completed, IRON HORSE STATION, LLC's right to enforce these restrictions is terminated.

Invalidation of any one of these covenants or restrictions by judgment or court order shall in no way affect any of the other

provisions which shall remain in full force and effect.

The losing party in any action, lawsuit or arbitration proceeding brought to enforce these Restrictive Covenants shall be obligated to pay the reasonable attorney fees incurred by the prevailing party, together with costs incurred in the lawsuit or arbitration proceeding. Costs and attorney fees shall be a lien on the property of the violating owner and may be foreclosed in the same manner as a construction lien.

13. AMENDMENT. These restrictions and maintenance obligations may be amended or rescinded, in whole or in part, and additional provisions added, only with written consent of at least sixty-six (66%) percent of the lot owners of lots subject to these restrictions and obligations. No amendment shall be effective until it is recorded in the office of the Yellowstone County Clerk and Recorder. Each lot has only one vote. Co-ownership or joint ownership of a lot shall be considered as having only one vote. If any lots are still owned by the original Developer, the consent of the original Developer is required to change the Restrictions and Covenants in whole or in part.

DATED this 11th day of May, 2005.

IRON HORSE STATION, LLC

BY: Marin J. Brown.
Its: managing partner.

STATE OF MONTANA)
: ss.
County of Yellowstone)

This instrument was acknowledged before me on May 11, 2005, by IRON HORSE STATION, LLC.

Laura O'Bleness
(print or type name of notary)
Notary Public for the State of Montana
Residing at Billings, Montana
My Commission Expires March 7, 2005

(SEAL) LAURA O'BLENESS NOTARIAL SEAL STATE OF MONTANA
LAURA O'BLENESS
NOTARY PUBLIC for the State of Montana
Residing at Billings, Montana
My Commission Expires March 7, 2009

PLAT OF

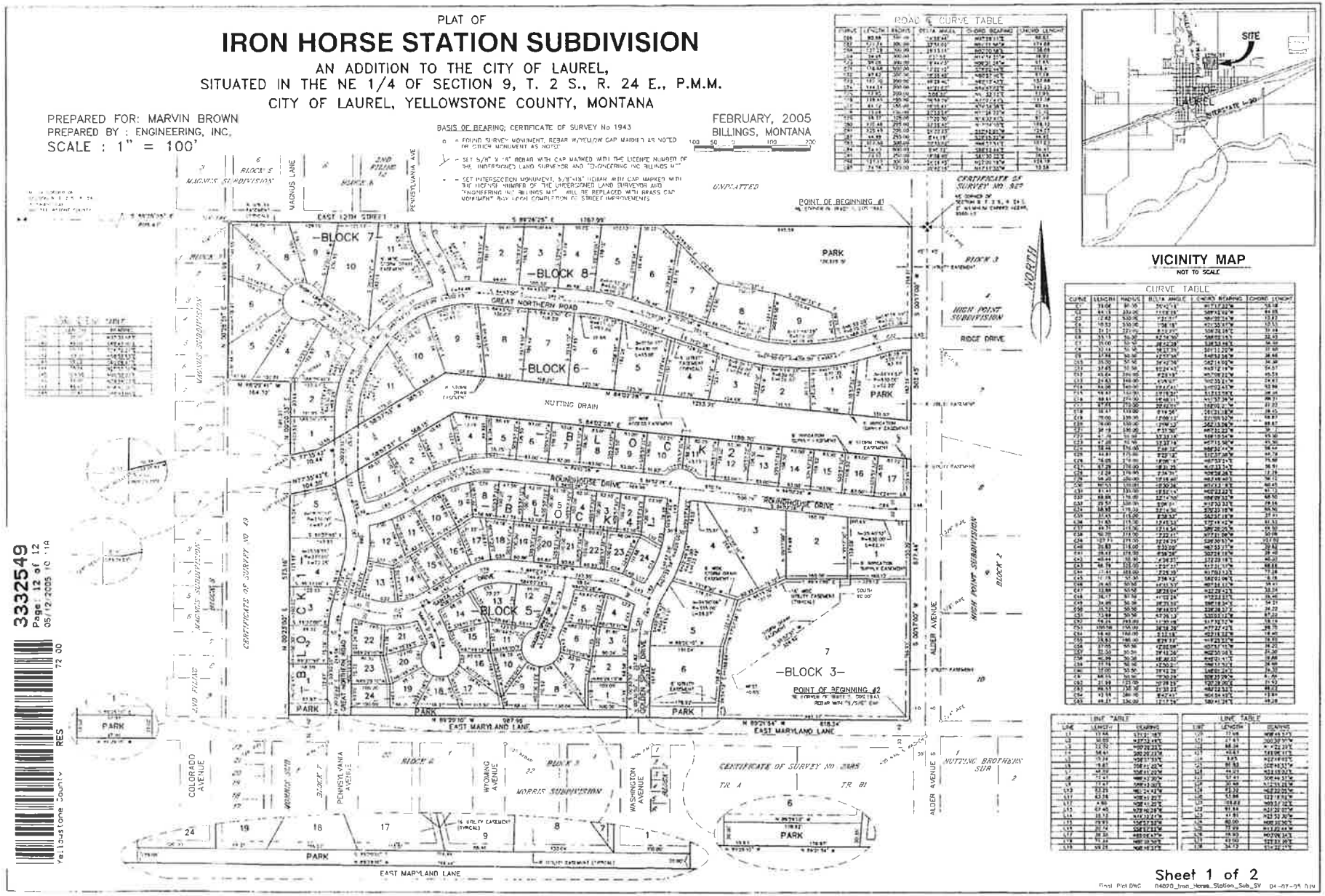
IRON HORSE STATION SUBDIVISION

AN ADDITION TO THE CITY OF LAUREL,
SITUATED IN THE NE 1/4 OF SECTION 9, T. 2 S., R. 24 E., P.M.M.
CITY OF LAUREL, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR: MARVIN BROWN
PREPARED BY : ENGINEERING, INC.
SCALE : 1" = 100'

FEBRUARY, 2005
BILLINGS, MONTANA

BASIS OF BEARING; CERTIFICATE OF SURVEY No 1943



3332549
Page: 12 of 12
05/12/2005 10:11A
72.00
RES
Yellowstone County

Sheet 1 of 2

Final Plat DWG N4020_Iron_Horse_Station_Sub_SV 04-07-05 DJN

Exhibit A

Return To:
Pedersen & Hardy, P.C.
1001 South 24th Street West, Suite 110
Billings MT 59102
File No. 34106

Yellowstone County RES 22.00
3374701
Page: 1 of 2
04/21/2006 02:45P

FIRST AMENDMENT TO IRON HORSE STATION SUBDIVISION DECLARATION OF USE RESTRICTIONS AND COVENANTS

THE UNDERSIGNED, being the owner of all of the lots in Iron Horse Station Subdivision, hereby amends the Declaration of Use Restrictions and Covenants recorded May 12, 2005, under Document No. 3332549, in the office of the Clerk and Recorder of Yellowstone County, Montana, as follows:

1. The following provision is hereby added to Section 3, Permissible Buildings:

> Duplex and tri-plex buildings and the lots on which they are located may be subdivided or subjected to the provisions of the Montana Unit Ownership Act, as amended from time to time.
>
> Duplex buildings are permitted on the following Lots:
>
> > Lots 1, 2 and 3, Block 1, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17, Block 2, of Iron Horse Station Subdivision, in the City of Laurel, Yellowstone County, Montana, according to the official plat thereof on file and of record in the office of the Clerk and Recorder of said County, under Document No. 3330583.
>
> Tri-plex buildings are permitted on the following Lots:
>
> > Lot 3, Block 1, of Iron Horse Station Subdivision, in the City of Laurel, Yellowstone County, Montana, according to the official plat thereof on file and of record in the office of the Clerk and Recorder of said County, under Document No. 3330583.

2. The following is hereby added:

14. Headings. The headings used in these Use Restrictions and Covenants are for convenience only and shall not be deemed to limit the provisions of these Use Restrictions and Covenants.

Iron Horse Station Subdivision Declaration of Use Restrictions and

Covenants, as amended from time to time, applies to the following described real property in Yellowstone County, Montana:

Parcel 1:
A tract of land in Section 9, Township 2 South, Range 24 East, P.M.M., described as Tracts 1 and 2 of Certificate of Survey No. 1943, according to the official plat on file in the office of the Clerk and Recorder of Yellowstone County, Montana, under Document No. 1143464.

Excepting therefrom the Southerly 50 feet of Tract 1 and the Northerly 50 feet of Tract 2 conveyed to Nutting Drain District by Warranty Deed recorded June 10, 1931, in Book 159, Page 81, records of Yellowstone County, Montana.

Parcel 2:
Lots 1, 2 and 3, Block 1,
Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17, Block 2,
Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24, Block 4,
Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24, Block 5,
of Iron Horse Station Subdivision, in the City of Laurel, Yellowstone County, Montana, according to the official plat thereof on file and of record in the office of the Clerk and Recorder of said County, under Document No. 3330583.

In all other respects, the Declaration of Use Restrictions and Covenants for Iron Horse Station Subdiyision described above, shall remain as written.

DATED this 18th day of April, 2006.

IRON HORSE STATION, LLC

BY: Marvin J. Brown
Its: partner / member

STATE OF MONTANA)
: ss.
County of Yellowstone)

This instrument was acknowledged before me on 18th day of April, 2006, by Marvin Brown as member of IRON HORSE STATION, LLC.

JEANNA S. FRY NOTARIAL SEAL STATE OF MONTANA

(SEAL)

Jeanna S Fry
Jeanna S Fry
(print or type name of notary)
Notary Public for the State of Montana
Residing at ~~Billings~~, Montana Park City
My Commission Expires June 1, 2009

Jeanna Fry
PO Box 80661
Billings, MT 59108

Stewart Title Company – Billings Division is recording this document as a courtesy only; therefore, no liability will be assumed.

SECOND AMENDMENT TO IRON HORSE STATION SUBDIVISION DECLARATION OF USE RESTRICTIONS AND COVENANTS

THIS SECOND AMENDMENT TO IRON HORSE STATION SUBDIVISIONDECLARATION OF USE RESTRICTIONS AND COVENANTS ("Declaration") is made as of this 31st day of May, 2022, by **IRON HORSE STATION, LLC**, P.O. Box 80661, Billings, MT 59108 ("Developer").

WITNESSETH:

WHEREAS, Developer executed and recorded a Declaration of Use Restrictions and Covenants in the office of the Yellowstone County Clerk and Recorder as Document No. 3332549.

WHEREAS, in Paragraph 4 of those Declarations, Developer provided that Blocks 6, 7 and 8 of Iron Horse Station Subdivision were not subject to the restrictions in the Declaration but Developer reserved the right amend the Declarations to subject Blocks 6, 7 and 8 to the restrictions in the Declarations pursuant to MCA § 70-15-301.

WHEREAS, Developer is exercising its right to amend the Declarations to subject Blocks 6, 7 and 8 to the restrictions in the Declarations and recorded this Second Amendment to Iron Horse Station Subdivision Declaration of Use Restrictions and Convents.

NOW, THEREFORE, Developer does hereby amend Paragraph 4 to provide that Blocks 6, 7 and 8 of Iron Horse Station Subdivision are subject to the restrictions in the Declaration.

Except as provided above, the remaining terms and conditions of the Declaration shall continue in full force and effect.

IN WITNESS WHEREOF, the Developer has executed this Second Amendment to Declaration the day and year first above written.

IRON HORSE STATION, LLC

Marvin J. Brown

By: Marvin Brown
Its: Managing Member

1 **4018805 RES**
06/01/2022 11:52 AM Page 1 of 2 Fees: $16.00
eRecorded For Yellowstone County, MT
Jeff Martin, Clerk & Recorder

STATE OF MONTANA)
: ss.
County of Yellowstone)

On this 31st day of May, 2022, before me, the undersigned Notary Public for the State of Montana, personally appeared Marvin Brown, known to me to be the Member of **IRON HORSE STATION, LLC**, who executed the foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

JEANNA S FRY
NOTARY PUBLIC for the
State of Montana
Residing at
Park City, Montana
My Commission Expires
June 01, 2025

Jeanna S Fry

Notary Public for the State of Montana

APPENDIX

PLAT OF

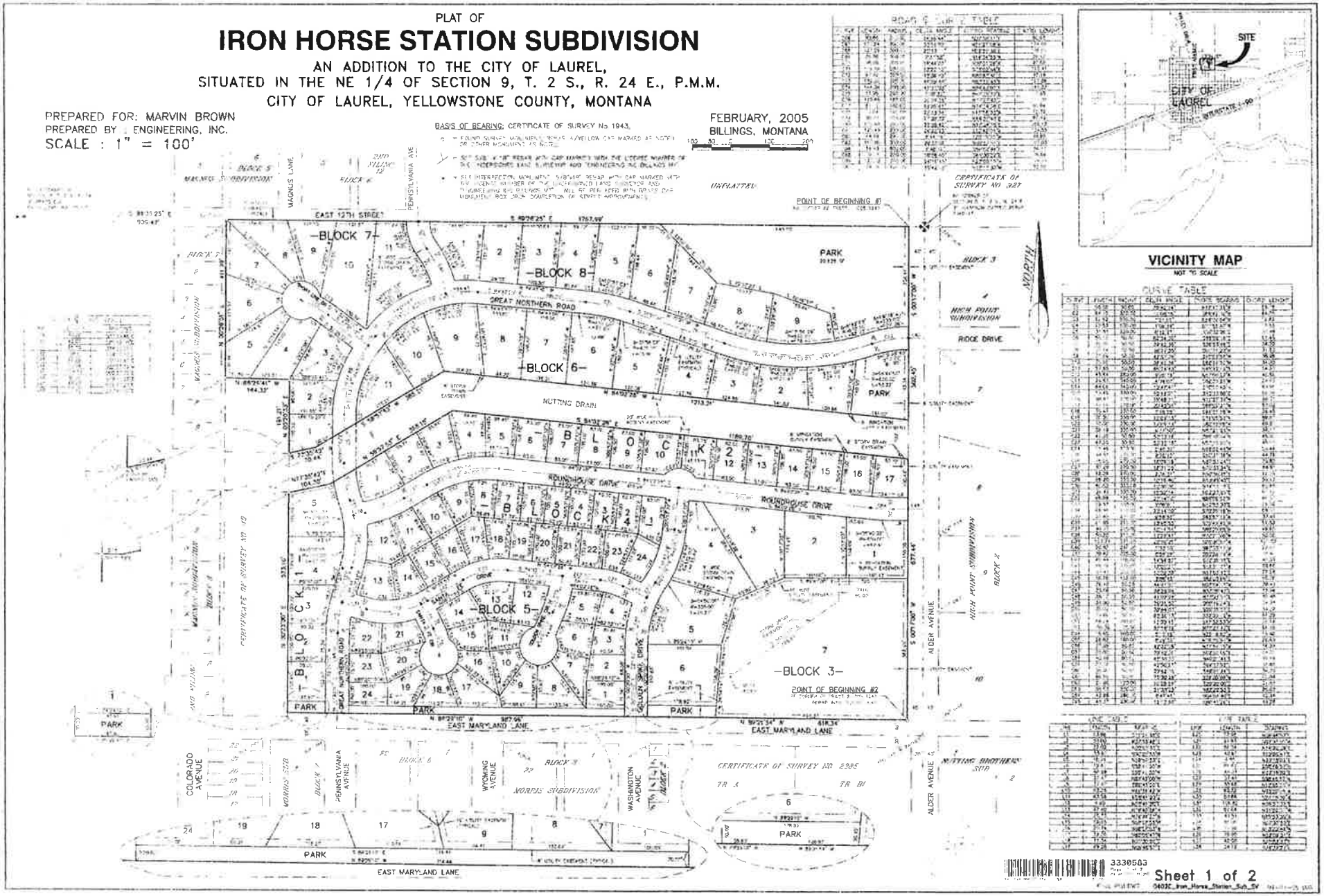
IRON HORSE STATION SUBDIVISION

AN ADDITION TO THE CITY OF LAUREL,
SITUATED IN THE NE 1/4 OF SECTION 9, T. 2 S., R. 24 E., P.M.M.
CITY OF LAUREL, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR: MARVIN BROWN
PREPARED BY: ENGINEERING, INC.
SCALE : 1" = 100'

FEBRUARY, 2005
BILLINGS, MONTANA

BASIS OF BEARING: CERTIFICATE OF SURVEY No 1943.



VICINITY MAP

NOT TO SCALE

CURVE TABLE

LINE TABLE

3330503

Sheet 1 of 2

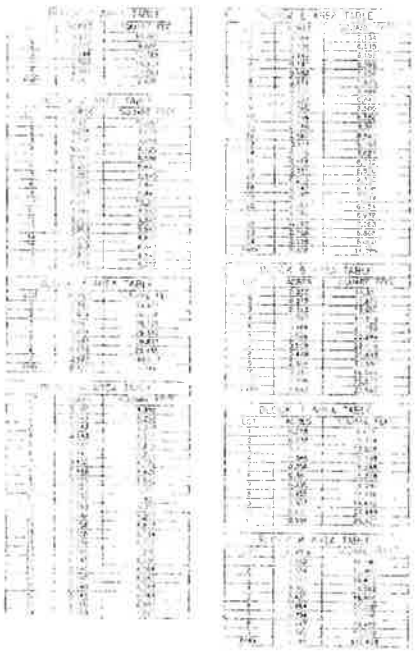
PLAT OF

IRON HORSE STATION SUBDIVISION

AN ADDITION TO THE CITY OF LAUREL,
SITUATED IN THE NE 1/4 OF SECTION 9, T. 2 S., R. 24 E., P.M.M.
CITY OF LAUREL, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR: MARVIN BROWN
PREPARED BY : ENGINEERING, INC.
SCALE : 1" = 100'

FEBRUARY, 2005
BILLINGS, MONTANA



ADDRESSES:

Block 1

Lot	1	1002	Great Northern Road
Lot	2	1004	Great Northern Road
Lot	3	1006	Great Northern Road
Lot	4	1008	Great Northern Road
Lot	5	1010	Great Northern Road

Block 2

Lot	1	1101	Great Northern Road
Lot	2	1021	Roundhouse Drive
Lot	3	1025	Roundhouse Drive
Lot	4	1031	Roundhouse Drive
Lot	5	1037	Roundhouse Drive
Lot	6	1043	Roundhouse Drive
Lot	7	1049	Roundhouse Drive
Lot	8	1055	Roundhouse Drive
Lot	9	1061	Roundhouse Drive
Lot	10	1067	Roundhouse Drive
Lot	11	1073	Roundhouse Drive
Lot	12	1079	Roundhouse Drive
Lot	13	1085	Roundhouse Drive
Lot	14	1091	Roundhouse Drive
Lot	15	1097	Roundhouse Drive
Lot	16	1103	Roundhouse Drive
Lot	17	1109	Roundhouse Drive

Block 3

Lot	1	701	Roundhouse Drive
Lot	2	707	Roundhouse Drive
Lot	3	607	Roundhouse Drive
Lot	4	1013	Golden Spike Drive
Lot	5	1015	Golden Spike Drive
Lot	6	1021	Golden Spike Drive
Lot	7	31	East Maryland Lane
		1009	Great Northern Road

Block 4

Lot	1	1014	Golden Spike Drive
Lot	2	512	Roundhouse Drive
Lot	3	510	Roundhouse Drive
Lot	4	506	Roundhouse Drive
Lot	5	502	Roundhouse Drive
Lot	6	504	Roundhouse Drive
Lot	7	502	Roundhouse Drive
Lot	8	410	Roundhouse Drive
Lot	9	408	Roundhouse Drive
Lot	10	406	Roundhouse Drive
Lot	11	404	Roundhouse Drive
Lot	12	402	Roundhouse Drive
		1000	Great Northern Road
Lot	13	1017	Great Northern Road
Lot	14	403	Santa Fe Drive
Lot	15	405	Santa Fe Drive
Lot	16	407	Santa Fe Drive
Lot	17	409	Santa Fe Drive
Lot	18	411	Santa Fe Drive
Lot	19	503	Santa Fe Drive
Lot	20	505	Santa Fe Drive
Lot	21	507	Santa Fe Drive
Lot	22	509	Santa Fe Drive
Lot	23	511	Santa Fe Drive
Lot	24	513	Santa Fe Drive
		1012	Golden Spike Drive

Block 4

Lot	1	1020	Golden Spike Drive
Lot	2	1006	Golden Spike Drive
Lot	3	1004	Golden Spike Drive
Lot	4	1008	Golden Spike Drive
		505	Santa Fe Drive
Lot	5	504	Santa Fe Drive
		1007	Golden Spike Circle
Lot	6	1005	Golden Spike Circle
Lot	7	1003	Golden Spike Circle
Lot	8	1001	Golden Spike Circle
Lot	9	1002	Golden Spike Circle
Lot	10	1004	Golden Spike Circle
Lot	11	1006	Golden Spike Circle
Lot	12	1008	Golden Spike Circle
		501	Santa Fe Drive
Lot	13	502	Santa Fe Drive
Lot	14	408	Santa Fe Drive
		1027	Santa Fe Circle
Lot	15	1025	Santa Fe Circle
Lot	16	1033	Santa Fe Circle
Lot	17	1031	Santa Fe Circle
Lot	18	1029	Santa Fe Circle
Lot	19	1034	Santa Fe Circle
Lot	20	1035	Santa Fe Circle
Lot	21	1036	Santa Fe Circle
		404	Santa Fe Drive
Lot	22	402	Santa Fe Drive
		1005	Great Northern Road
Lot	23	1003	Great Northern Road
Lot	24	1001	Great Northern Road

Block 5

Lot	1	704	Great Northern Road
Lot	2	702	Great Northern Road
Lot	3	700	Great Northern Road
Lot	4	606	Great Northern Road
Lot	5	602	Great Northern Road
Lot	6	506	Great Northern Road
Lot	7	504	Great Northern Road
Lot	8	502	Great Northern Road
Lot	9	406	Great Northern Road
Lot	10	404	Great Northern Road
Lot	11	402	Great Northern Road

Block 6

Lot	1	1102	Great Northern Road
Lot	2	1104	Great Northern Road
Lot	3	1106	Great Northern Road
		515	Scott Lane Drive
Lot	4	306	Scott Lane Drive
Lot	5	311	Scott Lane Drive
Lot	6	309	Scott Lane Drive
Lot	7	307	Scott Lane Drive
Lot	8	303	Scott Lane Drive
Lot	9	215	Scott Lane Drive
Lot	10	307	Scott Lane Drive
Lot	11	401	Great Northern Road
		1101	Pennsylvania Avenue

Block 8

Lot	1	110	Pennsylvania Avenue
		405	Great Northern Road Court
Lot	2	501	Great Northern Road Court
Lot	3	503	Great Northern Road Court
Lot	4	505	Great Northern Road Court
Lot	5	507	Great Northern Road Court
Lot	6	601	Great Northern Road Court
Lot	7	603	Great Northern Road Court
Lot	8	605	Great Northern Road Court
Lot	9	701	Great Northern Road Court

CONSENT TO PLATTING

The undersigned hereby consents to the platting of the lines of land hereon described and hereby release and removes all portions of the tract dedicated to the public.

IN WITNESS WHEREOF, the undersigned has caused this consent and release to be executed and acknowledged. This consent is made pursuant to Section 76-3-625(3), M.C.A.

Stockman Bank of Montana

By: _____

Title: _____

STATE OF MONTANA)
: ss
County of Yellowstone)

On this _____ day of _____, 20__, before me, a Notary Public in and for the State of Montana, personally appeared _____, known to me to be the person who signed the foregoing instrument as _____ of Stockman Bank of Montana, and who acknowledged to me that said corporation executed the same. Witness my hand and seal the day and year herein above written.

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

3330583

SUBDIVISION IMPROVEMENT AGREEMENT:

Document No. _____

NOTICE OF PLANNING BOARD APPROVAL:

STATE OF MONTANA)
: ss
County of Yellowstone)

This plat has been approved for filing by the Laurel City/County Planning Board and conforms to the recommendations of the board.

Planning Director

Date

CERTIFICATE OF LAUREL CITY ENGINEER'S OFFICE

I hereby certify that I have examined the annexed and foregoing plat for errors and omissions in computations and drafting and find that said plat conforms with the requirements of the laws of the State of Montana, and that said plat conforms to the adjoining additions and plats of the City of Laurel already platted or nearly as circumstances will permit.

I further certify that annexed and foregoing plat conforms with Section 76-4-125(2)(d), M.C.A., for the removal of sanitary restrictions since the plat is inside a master planning area and the lots will be provided with municipal facilities for the supply of water and the disposal of sewage and solid waste.

IN WITNESS WHEREOF, I have executed this CERTIFICATE OF APPROVAL this _____ day of _____, 2005.

City Engineer's Office

CERTIFICATE OF CITY/COUNTY HEALTH DEPARTMENT:

This Subdivision plat has been reviewed and approved by the Yellowstone City/County Health Department

Health Officer or Authorized Representative
Yellowstone City/County Health Department

CERTIFICATE OF COUNTY TREASURER:

I hereby certify that all real property taxes and special assessments have been paid per 76-3-611(1)(b), M.C.A.

Date: _____

Yellowstone County Treasurer

By _____
Deputy

CERTIFICATE OF CITY ATTORNEY:

This document has been reviewed by the Laurel City Attorney's office and is acceptable as to form.

By: _____

Date: _____

CERTIFICATE OF CITY COUNCIL APPROVAL:

STATE OF MONTANA)
: ss
County of Yellowstone)

We hereby certify that we have examined the annexed plat of IRON HORSE STATION SUBDIVISION and find that said plat conforms with the requirements of the laws of the State of Montana and is therefore approved and accepted.

IN WITNESS WHEREOF, we have set our hands and the seal of the City of Laurel, Montana, this _____ day of _____, 20__.

City of Laurel, Montana

By _____
Mayor

Attest: _____
City Clerk

CERTIFICATE OF DEDICATION:

STATE OF MONTANA)
: ss
County of Yellowstone)

KNOW ALL MEN BY THESE PRESENTS: That Iron Horse Station, L.L.C., the owner of the following described tract of land, does hereby certify that it has caused to be surveyed, subdivided and platted into lots, blocks and streets as shown by the annexed plat, said tract being situated in the Northeast 1/4 of Section 9, T. 2 S., R. 24 E., P.M.M., Yellowstone County, Montana, said tract being more particularly described as follows, to-wit:

Beginning at a point which is the northeast corner of Tract 1, Certificate of Survey 1843; thence from said point of beginning S 00°17'00" W a distance of 362.45 feet; thence N 64°02'28" W a distance of 1243.24 feet; thence S 58°37'53" W a distance of 269.21 feet; thence S 77°31'43" W a distance of 70.44 feet; thence N 00°26'39" E a distance of 184.21 feet; thence N 88°26'41" W a distance of 164.32 feet; thence N 00°26'39" E a distance of 419.39 feet; thence S 89°26'25" E a distance of 1767.92 feet to the point of beginning. Containing a gross area of 18.534 acres and a net area of 13.263 acres

AND

Beginning at a point which is the southeast corner of Tract 2, Certificate of Survey 1843; thence from said point of beginning N 89°21'54" W a distance of 818.14 feet; thence N 00°26'10" W a distance of 987.95 feet; thence N 00°21'30" E a distance of 973.16 feet; thence S 88°13'53" E a distance of 5.15 feet; thence N 73°19'47" E a distance of 104.30 feet; thence N 58°27'55" E a distance of 369.15 feet; thence S 84°02'29" E a distance of 1180.70 feet; thence S 00°17'00" W a distance of 877.44 feet to the point of beginning. Containing a gross area of 29.401 acres and a net area of 23.485 acres

This area was platted for the subdivision has been met by land dedication.

The undersigned hereby grants unto all utility companies, as such are defined and established by Montana Law, and cable television companies, an easement for the location, maintenance, repair and removal of their lines over, under and across the areas designated on this plat as "UTE" or "EASEMENT" to have and hold forever. Said tract to be known and designated as IRON HORSE STATION SUBDIVISION, and the uses included in all streets, avenues, parks and other open areas as shown on the annexed plat are hereby granted and dedicated to the use of the public forever.

IRON HORSE STATION, L.L.C.

By: _____

STATE OF MONTANA)
: ss
County of Yellowstone)

On this _____ day of _____, 20__, before me, a Notary Public in and for the State of Montana, personally appeared _____, known to me to be the person who signed the foregoing instrument as _____ of Iron Horse Station, L.L.C., and who acknowledged to me that said corporation executed the same. Witness my hand and seal the day and year herein above written.

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

CERTIFICATE OF SURVEYOR:

STATE OF MONTANA)
: ss
County of Yellowstone)

The undersigned, a Montana Registered Land Surveyor, being first duly sworn, deposes and says that during the month of February 2005, a survey was completed under his supervision of a tract of land to be known as IRON HORSE STATION SUBDIVISION, in accordance with the request of the owners thereof and in conformance with the Montana Subdivision and Platting Act; and establishes description of boundaries and dimensions being in accordance with the Certificate of Dedication and as shown on the annexed plat; that the monuments found and set are of the character and occupy the positions shown thereon and that the gross area is 44.934 acres and the net area is 36.748 acres.

ENGINEERING INC.

By _____

Montana Registration No. _____

Subscribed and sworn to before me, a Notary Public in and for the State of Montana, this _____ day of _____, 20__.

Notary Public for the State of Montana
Residing at Billings, Montana
My commission expires _____

Sheet 2 of 2

04030_Iron_Horse_Station_Sub_01

AMENDED PLAT OF BLOCK 6, 7, AND 8

IRON HORSE STATION SUBDIVISION

LOCATED IN THE NE1/4 OF SECTION 9, T.2S., R.24E., P.M.M. CITY OF LAUREL, YELLOWSTONE COUNTY, MONTANA

SURVEY COMMISSIONED BY: MACKEN DAVE

PREPARED BY: [illegible]

[illegible]

PURPOSE OF SURVEY

THE PURPOSE OF THIS SURVEY IS TO AMEND THE IRON HORSE STATION SUBDIVISION AND TO REMOVE THE BOUNDARY LINE ADJUSTMENT BETWEEN LOTS 1 AND 2 OF IRON HORSE STATION SUBDIVISION PURSUANT TO THE VACATION OF SHORT LINE DRIVE AND TO DEPICT THE PORTION OF THE PLAT THAT LIES PARALLEL TO SHORT LINE DRIVE AND SOUTH OF RIVER ROAD IN LOT 12 OF IRON HORSE STATION SUBDIVISION AS AN EASEMENT PURSUANT TO THAT "SETTLEMENT AGREEMENT" BETWEEN IRON HORSE STATION, LLC AND THE CITY OF LAUREL DATED FEBRUARY 2, 2021.

LEGAL DESCRIPTION

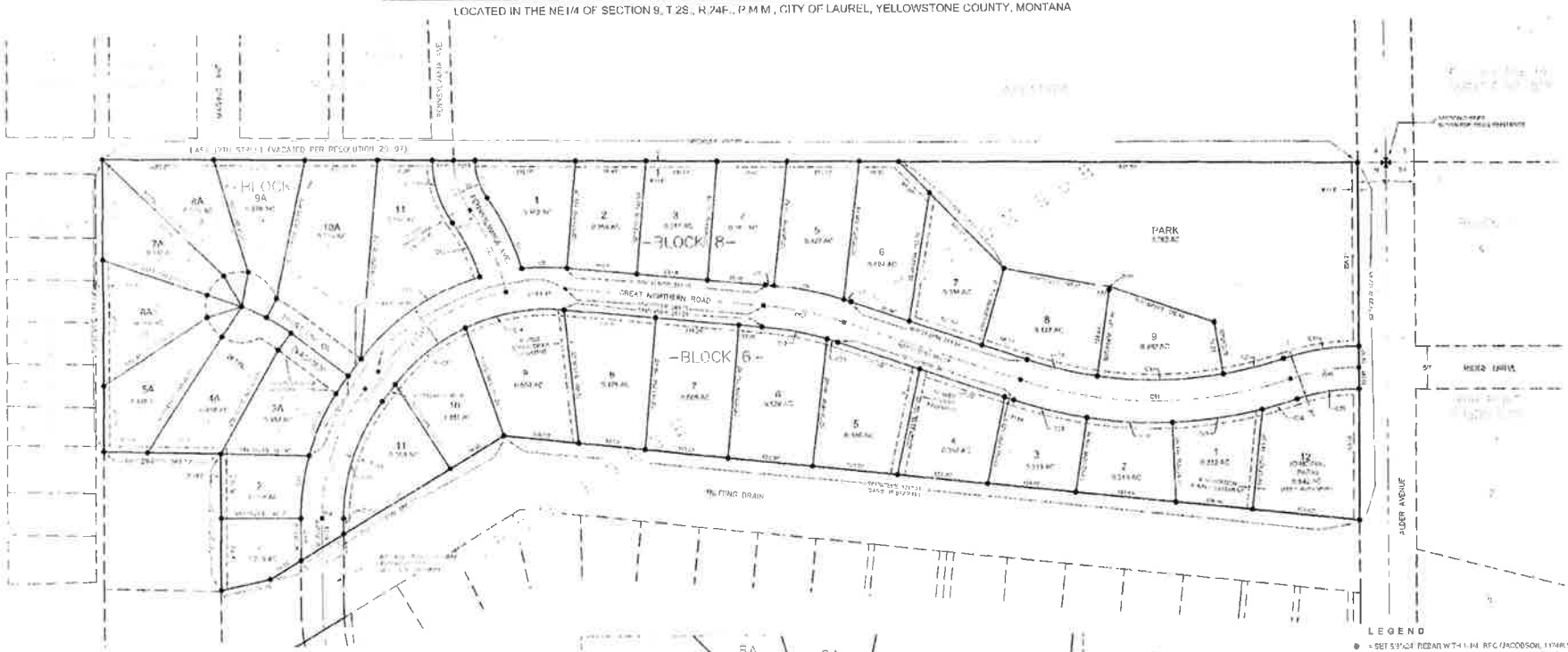
THAT PORTION OF THE NORTHEAST QUARTER (NE1/4) OF SECTION NINE (9), TOWNSHIP 2 SOUTH, RANGE 24 EAST, P.M.M., YELLOWSTONE COUNTY, MONTANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST ONE QUARTER (1/4) CORNER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 24 EAST, P.M.M., YELLOWSTONE COUNTY, MONTANA;

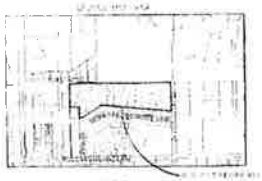
THENCE [illegible] FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 9, SAID POINT BEING [illegible] FEET EAST OF THE NORTH ONE QUARTER (1/4) CORNER OF SAID SECTION 9

AMENDED PLAT OF

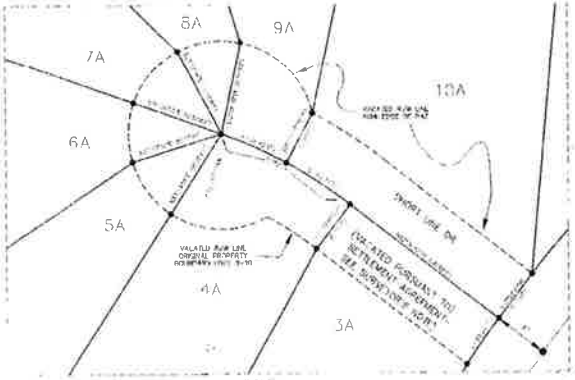
IRON HORSE STATION SUBDIVISION, BLOCKS 6, 7 AND 8

LOCATED IN THE NE1/4 OF SECTION 9, T 2S., R.24E., P.M.M., CITY OF LAUREL, YELLOWSTONE COUNTY, MONTANA




VICINITY MAP





DETAIL



LEGEND

- = SET 5/8"x24" REBAR WITH 1-1/4" REC./JACOBSON 17466 LS CAP
- = SET CENTERLINE MONUMENT WILL BE REPLACED WITH BRASS CAP MONUMENT IN BOX UPON COMPLETION OF STREET IMPROVEMENTS
- (R) = FOUND THIS SURVEY
- (R1) = RECORD PER PLAT OF IRON HORSE STATION SUBDIVISION
- COS = CERTIFICATE OF SURVEY
- R/W = RIGHT OF WAY
- PPC = PIPE PLASTIC CAP
- PAE = PRIVATE ACCESS EASEMENT
- U/E = UTILITY EASEMENT
- AC = ACRES
- ∠ = RADIAL BEARING
- RM = REFERENCE MONUMENT

NOTE:
ALL BEARINGS, DISTANCES, AND CURVE DATA SHOWN HEREON ARE RECORD AND FOUND OR ADJUSTED PER PLAT OF IRON HORSE STATION SUBDIVISION UNLESS OTHERWISE NOTED. ASPHALT OVERLAY, CURB AND GUTTER ON ALDER ROAD HAS NOT YET BEEN COMPLETED THE PLACEMENT OF MONUMENTS POINTED AS "SET CENTERLINE MONUMENT" HEREON BY ALL BE DETERMINED UNTIL SURFACE IMPROVEMENTS ARE COMPLETE. SAID MONUMENTS SHALL BE PLACED WITHIN 90 DAYS AFTER THE DATE OF RECORDATION OF THIS AMENDED PLAT.

SCALE IN FEET

BASIS OF BEARING:

DATE:

RECORD OWNERS:

SURVEY COMMISSIONED BY:

IMEG

1/4	SEC	T	R
NE	9	2S	24E

SP 4024525

SHEET 2 OF 2
AMENDED PLAT OF IRON HORSE STATION SUBDIVISION, BLOCKS 6, 7, AND 8
YELLOWSTONE COUNTY/ CITY OF LAUREL

WALL, TIMOTHY J & LINDA S (RLE)

81




RESIDENTIAL SUPPORT SERVICES INC
Great Northern Rd
KRAFT, DAVID B
HICKS, JONATHAN M
HON HORSE STATION LLC
MEADOWOOD APARTMENTS LP
SHARMON MCMILLEN
LARAY MEARS
JOSHUA & SAMANTHA BISTLINE
ROBERT & JOYCE BRATHOLE

CITY HALL
115 W. 1ST ST.
PLANNING: 628-4796
WATER OFC.: 628-7431
COURT: 628-1964
FAX 628-2241

City Of Laurel

P.O. Box 10
Laurel, Montana 59044

Office of the City Planner

PUBLIC HEARING NOTICE

The Laurel – Yellowstone City-County Planning Board and Zoning Commission will conduct a public hearing on Wednesday, August 20, 2025, on the following applications. The meeting will begin at 6:00 p.m. in the City Council Chambers at City Hall, 115 West First Street, Laurel, Montana.

1. Marvin Brown is proposing a zoning change from Residential R-6000 (Duplex) to Residential RMF (Multi-Family) for property described as Block 6, Lots 1 and 2, Block 7 Iron Horse Station Subdivision located in Section 9, Township 24 East, Range 2 South, P.M.M., City of Laurel, Yellowstone County, Montana. In general, the properties front along Great Northern Road.

Public comment is encouraged and can be provided in person at the public hearings on August 20th and again at the City Council meeting on September 9th. Public comment can also be made via email to the Planning Director, or via letter to the Planning Department office at 115 West 1st Street Laurel, MT 59044. A copy of the applications and supporting documentation is available for review upon request at the Planning Department office. Questions regarding this public hearing may be directed to the Planning Director at 628.4796 ext. 5302, or via email at cityplanner@laurel.mt.gov.

File Attachments for Item:

12. Park Board Minutes of August 7, 2025.

Laurel Park Board Minutes for August 7, 2025

The meeting was called to order at 5:31

In attendance were Irv Wilke, Michele Mize, Phyllis Bomgardner, Tom Canape, Paul Kober, and Jon Rutt.

No guests

1. LPB Minutes for July 3, 2025 – Tom Canape moved Michele Mize 2nd the motion. Approved
2. Budget items, nothing new
3. Exxon/Mobil Money – nothing new
4. Other Parks - Sidewalk in Nutting Park in budget. Ditch in Nutting Park to be covered?
5. Riverside Park Campground - Campground being used. Complaint about tent area has no picnic tables and toilets are far away. Is that something to address. Where does the phone go?
6. American Legion Building - Susan Burke dropped off Navy footlocker from father for American Legion Building
7. Riverside Hall/Lions Club - New windows are installed now, new blinds on the new windows, 2 air conditioners, possible electrical concern with breakers. No swamp coolers now. Drywall project for next spring. BBs have caused damage, (possibly 25 years old). Being rented every week or two. New kitchen countertops are installed also.
8. Billie Riddle Splash Park - Nothing new
9. Laurel Rod and Gun Club Building - When will the question of the Rod and Gun Building be answered to being able to use?
10. Tree Board Business – A new 4th grade principal has been hired. Tentatively Oct 7 tree planting. 3 trees will be planted.

The council voted on the Ordinance for merging Park Board and Tree Board, and it passed. It will be effective August 21st. Members will need to reapply for appointment to board, and we will need to elect officers.

Paul asked about the Rifle building. Mayor would like to see someone take it over. Possible ideas are for apartments to rent. Irv explained some of the recent history. Possible museum, host office.

Discussion followed on ideas for Riverside Park.

Adjourn 6:33

Submitted Jon Rutt

File Attachments for Item:

13. Laurel Urban Renewal Agency Minutes of August 25, 2025.

MINUTES
CITY OF LAUREL
LAUREL RENEWAL AGENCY
MONDAY, AUG 25, 2025
11:00 AM
CITY BOARDROOM

A LAUREL RENEWAL AGENCY meeting was held in City Boardroom and called to order by Cami Story

at 10:00 p.m. on Aug 25th, 2025

COMMITTEE MEMBERS PRESENT:

x	Judy Goldsby	x	Dean Rankin
x	Cami Story	x	Daniel Klein
x	Cheryl Hill		Diane Liem

OTHERS PRESENT:

x	Gaurav Thakur
x	Forrest Sanderson
	Doug Whitney
	Kurt Markegard
	Triple Tree Brad, Doug Bruce

General Items:

Roll Call

Approval of Minutes – All minutes were approved Judy and 2nd by Cami – all in favor

New Business:

Review of Updated ByLaws: We need to amend to accommodate the new bylaws which we need to have a representee from the school and one from the county.

Daniel made a motion to send to city Attorney and to council to change the ordinance in order to be compliance with city and state bylaws.

Annual Report: Due by Sept 30, 2025 – no change

Judy Made a motion to submit annual report and Dean made 2nd – all in favor

Old Business:

Update: Ditch Covering Taske #5– Kurt has been working out details and we are still in line with getting this project Start Nov of 2025

Update: E. Railroad Path – No update

Update: Lighting on SE 4th St. Task Order #6 – working on numbers to present to land owners.

Other updates:

Big Sky EDA & Beartooth RC&D –

Announcements: Next meeting will be Aug 11th, 2025

Adjourn Meeting: Cherylmade a motion to adjourn the meeting Judy 2nd at 11:24

Respectfully submitted,

Cheryl Hill

Cheryl Hill - LURA Secretary

The city makes reasonable accommodations for any known disability that may interfere with a person's ability to participate in this meeting. Persons needing accommodation must notify the City Clerk's Office to make needed arrangements. To make your request known, please call 406-628-7431, Ext. 2, or write to City Clerk, PO Box 10, Laurel, MT 59044, or present your request at City Hall, 115 West First Street, Laurel, Montana.

File Attachments for Item:

15. Appointments of Cody Olvera, Keith Guy, Justin Lackore, and Jarit Fitchener to the Laurel Volunteer Fire Department.

LAUREL FIRE DEPARTMENT

215 West 1st Street • Laurel, Mt •59044•Office 406.628.4911 • Fax 406.628.2185

8/20/2025

Brittney,

Please move forward with putting the following elected fire fighters in front of the Mayor and City Council.

- **Cody Olvera**
- **Keith Guy**
- **Justin Lackore**
- **Jarit Fitchener**

Thanks,

JW Hopper
Fire Chief
Laurel Volunteer Fire Department
(O) 406-628-4911
(C) 406-860-0782
jwhopper@laurel.mt.gov

File Attachments for Item:

16. Appointment of Kay Wilcox to the Library Board for a five-year term ending June 30, 2030.

August 13, 2025

To whom it may concern,

I am interested in the Trustee position at the Laurel Public Library.

I have 22 years as a Para-Educator, working in different schools, with children ages from kindergarten through the 12th grade. I also have experience working in the library from being employed at these schools.

It is important to me that the Laurel Library is always up to date in all aspects of technology. And available to everyone.

Thank you, Kay Wilcox
406-660-7239

Laurel Public Library

720 W 3rd St. • Laurel, MT 59044
(406) 628-4961 • library@laurelpubliclibrary.org • www.laurelpubliclibrary.org

September 2, 2025

Mayor Waggoner,

I would like to express my support in reappointing Kay Wilcox to the library board for a five-year term ending June 30, 2030. The seat Kay is interested in filling was left vacant when Arthur Vogele termed out on June 30, 2025. Kay has spent the last 2 years advocating for the library and our older patrons. She will be an asset to the board as we decide how we are going to move the library forward in the future.

Please, appoint Kay to her first full term as a trustee on the Laurel Public Library Board.

Thank you,

Nancy L Schmidt
Director
Laurel Public Library

File Attachments for Item:

17. Resolution No. R25-78: Resolution Of The City Council To Approve A Conditional Use Permit For The Owl Café To Allow On-Site Sale And Consumption Of Alcohol At 203 East Main, Laurel, Montana.

RESOLUTION NO. R25-78

RESOLUTION OF THE CITY COUNCIL TO APPROVE A CONDITIONAL USE PERMIT FOR THE OWL CAFÉ TO ALLOW ON-SITE SALE AND CONSUMPTION OF ALCOHOL AT 203 EAST MAIN, LAUREL, MONTANA.

WHEREAS, on June 27, 2025, Shelly Van Atta submitted a Special Review Application on behalf of property owner Jodi Roberg, requesting a Conditional Use Permit to allow on-site sale and consumption of alcohol at the Owl Café, located at 203 East Main, legally described as Laurel Realty Subdivision, Block 2, Lots 7, 8, and 9, Section 09, Township 02 South, Range 24 East, P.M.M., City of Laurel, Yellowstone County, Montana;

WHEREAS, pursuant to Laurel Municipal Code §17.68.040, the Zoning Commission held a duly noticed public hearing, evaluated the request against the applicable standards of review, and considered the effect of the proposed use on surrounding land use, city services, and the Laurel Comprehensive Plan;

WHEREAS, notice of the public hearing was properly advertised and mailed to surrounding property owners within 300 feet of the subject property in accordance with law;

WHEREAS, on August 20, 2025, after considering public comment, the Zoning Commission voted 5–2 to recommend that the City Council approve the requested Conditional Use Permit, finding that the application meets or exceeds all required standards; and

WHEREAS, the City Council finds that the proposed use is consistent with the objectives of Title 17 of the Laurel Municipal Code, is compatible with surrounding land uses, and will not adversely affect the public health, safety, and welfare.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Laurel, Montana, as follows:

1. Approval. The Conditional Use Permit for the Owl Café at 203 East Main, Laurel, Montana, to allow on-site sale and consumption of alcohol, is hereby approved.

2. Conditions. The use shall comply with all applicable provisions of the Laurel Municipal Code and any other requirements imposed by the State of Montana regarding alcohol sales and consumption. The City Council may impose additional conditions if necessary to ensure compatibility with surrounding uses.

3. Effective Date. This Resolution shall be effective immediately upon adoption.

Introduced at a regular meeting of the City Council on the 9th day of August, 2025, by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel the 9th day of August, 2025.

APPROVED by the Mayor the 9th day of August, 2025.

CITY OF LAUREL

_____
Dave Waggoner, Mayor

ATTEST:

_____
Kelly Strecker, Clerk-Treasurer

APPROVED AS TO FORM:

_____
Michele L. Braukmann, Civil City Attorney

CITY HALL
115 W. 1ST ST.
PUB. WORKS: 628-4796
WATER OFC.: 628-7431
COURT: 628-1964
FAX 628-2241

City Of Laurel

P.O. Box 10
Laurel, Montana 59044

Office of the Director of Public Works

Zoning Commission Recommendation
CONDITIONAL USE PERMIT REPORT CUP-25-02
Owl Café – On Premise Alcohol Sales and Consumption
August 25, 2025

INTRODUCTION

On Friday, June 27, 2025, Shelly Van Atta submitted a Special Review Application for onsite sales and consumption of alcohol within the Laurel Central Business Zoning District (CBZD). The property involved in the request is the Owl Café owned by Jodi Roberg, 203 East Main, and is described as Laurel Realty Subdivision, Block 2 Lots 7, 8, and 9, Section 09, Township 02 South, Range 24 East, P.M.M., City of Laurel, Yellowstone County, Montana.
The project will be presented to the Laurel – Yellowstone City County Planning Board on August 20, 2025, with a recommendation to the Laurel City Council for final decision in late September.

PLANNER RESPONSIBILITY

A. Consult with other departments of the City or County to evaluate the impact of the special review upon public facilities and services; ACCOMPLISHED
B. Study each application with reference to it appropriateness and effect on existing and proposed land use, and reference to the comprehensive plan; ACCOMPLISHED
C. Advertise twice in a newspaper of general circulation in the jurisdictional area of the Laurel – Yellowstone City County Planning Board; ACCOMPLISHED
D. Notify by mail, the applicant or his agent at least five days prior to the date of the public hearing of the date, time and place of such hearing; ACCOMPLISHED
E. Notify, by mail, all property owners within 300 feet of the exterior boundaries of the property subject to the special review of the date, time and location of the public hearing; ACCOMPLISHED
F. After the public hearing and as part of the public record, report findings and conclusions and recommendations to the Zoning Commission. ACCOMPLISHED

STANDARD OF REVIEW Zoning Commission/City Council

- The request complies with the requirements of §17.68.040 of the City of Laurel Zoning;
- The request is consistent with the objectives and purpose of Title 17 of the Laurel Municipal Code;
- The proposed use is compatible with surrounding land use or is otherwise screened and separated from adjacent land in such a way as to minimize adverse effects;
- The zoning commission shall consider and may impose modification or conditions concerning, but not limited to:
    - Street and road capacity,
    - Ingress and egress to adjoining streets,
    - Off-street parking,
    - Fencing, screening and landscaping.
    - Building bulk and location,
    - Usable open space,
    - Signs and lighting,
    - Noise, vibration, air pollution and similar environmental influences.

VARIANCES REQUESTED

N/A. None Requested.

RECOMMENDATION:

The Zoning Commission (on a 5-2 Vote) finds that the application, supporting documentation meet or exceeds the Standard of Review and Recommends that the City Council approve the Conditional Use for the onsite sale and consumption of alcohol at the Owl Café (203 East Main, and is described as Laurel Realty Subdivision, Block 2 Lots 7, 8, and 9, Section 09, Township 02 South, Range 24 East, P.M.M., City of Laurel, Yellowstone County, Montana).

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City Of Laurel

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Laurel, Montana 59044

Office of the City Planner

PUBLIC HEARING NOTICE

The Laurel – Yellowstone City-County Planning Board and Zoning Commission will conduct a public hearing on Wednesday, August 20, 2025, on the following applications. The meeting will begin at 6:00 p.m. in the City Council Chambers at City Hall, 115 West First Street, Laurel, Montana.

1. A conditional use request for the on premise sale and consumption of alcohol at the Owl Café located at 203 East Main Street, Laurel Montana. The property is a part of the Laurel Central Business District (CBD) and may be described as LAUREL REALTY SUBD, Section 09, Township 02 South, Range 24 East, BLOCK 2, Lots 7, 8, and 9.

   In addition to the requirements of the CBD, the Zoning Commission/City Council will consider the following items in the Special Review Process:
   - The request complies with the requirements of the City of Laurel Zoning;
   - The request is consistent with the objectives and purpose of Title 17 of the Laurel Municipal Code;
   - The proposed use is compatible with surrounding land use or is otherwise screened and separated from adjacent land in such a way as to minimize adverse effects;
   - The zoning commission shall consider and may impose modification or conditions concerning, but not limited to:
     - Street and road capacity,
     - Ingress and egress to adjoining streets,
     - Off-street parking,
     - Fencing, screening and landscaping.
     - Building bulk and location,
     - Usable open space,
     - Signs and lighting,
2. Noise, vibration, air pollution and similar environmental influences.

Public comment is encouraged and can be provided in person at the public hearings on August 20th and again at the City Council meeting on September 9th. Public comment can also be made via email to the Planning Director, or via letter to the Planning Department office at 115 West 1st Street Laurel, MT 59044. A copy of the applications and supporting documentation is available for review upon request at the Planning Department office. Questions regarding this public hearing may be directed to the Planning Director at 628.4796 ext. 5302, or via email at cityplanner@laurel.mt.gov.

June 27, 2025

Laurel City Council
115 West First Street
Laurel, MT 59044

Dear Friends,
In compliance with Laurel Municipal Code 17.68, this letter is a request for a Special Review to approve the Montana Department of Revenue's application to purchase the Sonny O'Day's, Inc., All-Alcoholic Beverages License, by the owners of the Owl Café: Jodi Roberg and her family.

In order to verify the truthfulness of all facts presented in this letter, we pre-submitted this letter to, and received approval to send it to you by, the Montana Departments of Revenue and Justice. This letter also was approved by the law offices of Crist, Krogh, Alke & Nord, PLLC.

In this letter, I will be providing a more extensive explanation than you might be expecting, but I am doing so with the sole intent of eliminating any preconceived ideas in the greater-Laurel community that are based on rumors instead of fact. I want to put to rest any falsehoods that might negatively affect Jodi Roberg and her family; their future purchase of this license; and, their future bar-and-casino operation using this license.

The Purchase Application submitted by Jodi Roberg and her family is the only Purchase Application the State of Montana has received and will consider for this license. Because Jodi Roberg and her family, owners of another bar-and casino in Montana, have an existing license that has been in, and remains in, good standing with the State of Montana, their Purchase Application for this license enjoys broad support from the Montana Departments of Revenue and Justice.

As you may be aware, this license is historic, being the longest solely-held liquor license in the State of Montana. It has been an integral part of the greater-Laurel community for nearly 80 years.

Because this license holds an irreplaceable chapter in Montana and Laurel history, I know well that its loss to the City of Laurel would be immeasurable. That is why, at my great expense, I have worked diligently to keep the license in Laurel.

Because of the license's historical importance, dating back decades, well before Montana established a quota system, I have been told that I may sell my license, without the gambling component, in Billings. The liquor license, alone, sells for more in Billings than I can get for both the liquor and gambling components in Laurel. I have had a number of inquiries from prospective Billings purchasers; however, I am reluctant to sell outside of Laurel because I know what a loss it would be to the City of Laurel, financially and historically. If I can keep the license in Laurel, adding to the city's tax base, I will.

I understand that the Montana Department of Revenue mistakenly allocated more liquor licenses than their quota system allows within the City of Laurel boundaries, and thus, the state will issue no new liquor licenses for the City of Laurel. This would mean that if I sell my license to a Billings purchaser, Laurel would have one less liquor license on which it may earn lucrative tax revenue; and, more importantly for me, it would be the end of celebrating a nearly 80-year legacy for my beloved father, Sonny O'Day.

My father would be extremely unhappy to know how very expensive his license has been for me to operate under the recent concessionnaire in Laurel. It has cost my family and me dearly. *I have earned absolutely no revenue—not one single penny of profit—from its use under the recent concessionaire.* I have paid, myself, for all the alcohol that was sold by the recent concessionaire, without receiving any of the profit he received: profit that the State of Montana laws require me to receive from the concessionaire. Even after the recent concessionaire was ordered by the State to pay me what I was owed, it never happened. In addition, I paid for insurance, license application-and-transfer fees, state and city fees, costs, expenses, attorneys' fees, and more, without receiving one single cent in return. This has been a tremendous financial burden, one I will not continue to impose on my family.

Taking care of the paperwork, alone, is exhausting at my age. Last fall, I paid thousands of dollars and spent over 100 hours of my time to draft, complete and submit the paperwork by myself, without help, to transfer this license, at the recent concessionaire's request, to a larger downtown facility that he owned.

Much to the State's and my dismay, the recent concessionaire decided to cancel the license transfer just one week prior to the State's assurance that the license transfer would be approved. Both the State and I tried hard to talk him into completing the license transfer. The State and I even collaborated on a legal way to force him to comply, but he remained steadfast. His decision was looked on very unfavorably by the State and generated for himself much negative will with the State of Montana, which could have compromised my license and jeopardized any chance he might have hoped for to purchase the license, himself. His decision to stop the license transfer devastated me. It wasted all the time and money I invested in the license-transfer process. It cost my family and me substantially, both financially and emotionally.

If the State and I thought the recent concessionaire stopped the transfer for an exigent reason, his decision might have been better tolerated, but we could not discern a cogent reason for his decision. We still are seeking answers, as explained more fully, below.

I cannot and will not go through that debilitating process again. This is why my professional advisors and I have asked the Montana Departments of Revenue and Justice, in collaboration with the IRS, to conduct a complete and thorough financial audit and investigation of my license and its use during the period of time it was operating with the recent concessionaire in Laurel; this includes the failed transfer of my license to the recent concessionaire's new building. Thus far, no bookkeeping or records from the concessionaire of any kind have been provided, as

requested, to the State or to me. We hope that through this audit and investigation, both the State and I will receive answers to questions we long have been asking.

My recent experience in my hometown, regarding this license, has not been a fortunate one, and if the rumors I hear are true, my actions have been falsely represented. The State will attest that I went above and beyond, at my sole expense, to make the operation of this license profitable for the recent concessionaire, receiving nothing in return.

Regardless of my financial loss, I recently was delighted to learn that history will be playing a positive, recurring role in saving the Sonny O'Day's license once again.

When my father died, in 2001, his dear friends, business neighbor, and owners of the Owl Café came to my family's rescue and offered to keep the license operating in good faith until we made other arrangements. Without the then-owners of the Owl Cafe, it is conceivable that our family, and the City of Laurel, would have lost this valuable license.

Recently, the Owl Cafe's owners, Jodi Roberg and her family, once again came to the rescue of the Sonny O'Day's license by offering to purchase it at a generous price that will help my family and me make a profitable return for the financial drain the license has cost us using a concessionnaire. The Owl's ownership will keep the license operating in Laurel, earning lucrative revenue, much of which will be spent in Laurel, in addition to decades of tax revenue that will be reinvested in the city.

Thank God for Jodi Roberg and family! Without them, I have no doubt that this important license will be in Billings before year's end.

I understand that there are rumors that my license could be purchased by a different Laurel purchaser. Based on the recent handling of my license, the State of Montana will not allow that to happen. The State's job is to protect this long-held license which, according to Montana law, belongs to the State of Montana, with me as only a temporary holder of that license. It is the State of Montana, not I, that will determine who will purchase this license.

The State will allow an all-alcoholic beverage license to be sold only to a purchaser who has submitted a Purchase Application, with the attendant required paperwork, and who is in good standing with the State. The only prospective purchaser to have submitted a Purchase Application and attendant required paperwork is Jodi Roberg and her family. They also are the only prospective purchasers who are in, and remain in, good standing with the State. They currently are owners of another bar and casino that has remained in exemplary standing with the State, and are, therefore, the only purchasers the State will consider.

The Sonny O'Day's license has passed two previous Special Reviews by the Laurel City Council, and we ask that the same approval be granted once more so that Sonny's legacy and his license may remain in Laurel, his and his family's treasured hometown.

Thank you in advance for your consideration of this Special Request. We ask that you place us on your July agenda, and we pray that you will grant us long and valued service in Laurel.

Warmest regards,



Shelley Van Atta
Owner, Sonny O'Day's, Inc.

Jodi Roberg
On Behalf of the Owners, The Owl Café

Cc: Departments of Revenue and Justice, Elizabeth Burns, Brett Krueger, et al.
Crist, Krogh, Alke & Nord, PLLC
David Sibley, Attorney for Purchasers
Bcc: Various

File Attachments for Item:

18. Resolution No. R25-79: Resolution Of The City Council Approving The Preliminary Plat Of The Property Legally Described As Parcel 1a Of Certificate Of Survey 3034, Amended (24), Being The Proposed Cherry Hill Subdivision, 4th Filing, Adjacent To The City Of Laurel, As An Addition To The City Of Laurel, Yellowstone County, Montana, With Initial Annexation And Concurrent Approval Of Zoning Designation Upon Annexation Of The Property.

RESOLUTION NO. R25-79

RESOLUTION OF THE CITY COUNCIL APPROVING THE PRELIMINARY PLAT OF THE PROPERTY LEGALLY DESCRIBED AS PARCEL 1A OF CERTIFICATE OF SURVEY 3034, AMENDED (24), BEING THE PROPOSED CHERRY HILL SUBDIVISION, 4TH FILING, ADJACENT TO THE CITY OF LAUREL, AS AN ADDITION TO THE CITY OF LAUREL, YELLOWSTONE COUNTY, MONTANA, WITH INITIAL ANNEXATION AND CONCURRENT APPROVAL OF ZONING DESIGNATION UPON ANNEXATION OF THE PROPERTY.

WHEREAS, Morrison-Maierle, Inc., on behalf of the property owner, Robert Stoltz (hereinafter "Petitioner"), submitted a Petition for Annexation, Request for Initial Zoning, and Preliminary Plat Application for the Cherry Hill Subdivision, 4th Filing, consisting of approximately 18.07 acres;

WHEREAS, the property is legally described as S08, T02S, R24E, C.O.S. 3034, Parcel 1A, AMD (24), Yellowstone County, Montana, generally located west of Cherry Hills Drive and West Maryland Lane;

WHEREAS, the proposed Cherry Hill Subdivision, 4th Filing, consists of 48 residential lots;

WHEREAS, the current zoning designation is County Residential Tracts, and Petitioner seeks annexation and concurrent zoning as Residential 7500 (R-7500);

WHEREAS, pursuant to the City of Laurel's Annexation Policy, the City Council shall consider various criteria when reviewing a Petition for Annexation;

WHEREAS, the Laurel City-County Planning Board/Zoning Commission held a duly advertised public hearing on August 20, 2025, and unanimously recommended approval of the Initial Annexation, Initial Zoning, and Preliminary Plat with stated conditions;

WHEREAS, the City Council of the City of Laurel held a duly advertised public hearing on the 9th day of September, 2025 at 6:30 p.m. regarding Petitioner's request for Initial Annexation, Initial Zoning, and Preliminary Plat with stated conditions;

WHEREAS, the City Council finds that annexation of the property is consistent with the City's Annexation Policy, Growth Policy, and surrounding land uses, and that the proposed zoning designation of R-7500 is appropriate and consistent with adjacent zoning; and

WHEREAS, the City Council further finds that all statutory and ordinance requirements, including public notice, have been met and that annexation will allow extension of City services, including water, wastewater, and streets, to the subject property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Laurel, Montana, as follows:

1. The following described territory is hereby approved for Preliminary Plat approval for Cherry Hill Subdivision 4th Filing and initial annexation to the City of Laurel: S08, T02S, R24E, C.O.S. 3034, Parcel 1A, Amended (24), consisting of 18.07 acres, together with all contiguous rights-of-way.

2. Upon final annexation of the property, the property shall be zoned as Residential 7500 (R-7500).

3. The final annexation is conditioned upon execution of an Annexation Agreement, Waiver of Right to Protest, and a Development Agreement, which terms are incorporated by reference herein.

4. All recommended mitigations and conditions identified by the Laurel City-County Planning Board, including but not limited to infrastructure improvements, stormwater management, geotechnical reporting, and weed management, shall be required as conditions of approval.

5. All required documents, including this Resolution, shall be filed with the Yellowstone County Clerk & Recorder within ninety (90) days of approval.

6. Connections to City of Laurel water, sewer, and street systems shall be approved by the City's Public Works Department.

7. Construction and installation of public improvements must be completed within two years of annexation or bonded at 125% of estimated cost, in accordance with Laurel Subdivision Regulations.

8. All improvements shall conform to City of Laurel and Montana Public Works standards.

9. Compliance with all mitigation measures and subdivision conditions set forth in the staff report and Planning Board recommendations, including requirements of the Montana Department of Environmental Quality and the Laurel Department of Public Works.

10. Submission of site-specific geotechnical reports prior to issuance of building permits for residential structures.

11. The property's Final Plat must be submitted within 3 years of the date of this Resolution, including with an approved Subdivision Improvement Agreement, a Waiver of Protest that includes participating in the cost to construct a bridge over the Big Ditch Irrigation

Canal, and all necessary documents for the Final Plat to be recorded with the Yellowstone County Clerk and Recorder.

The Mayor and City staff are authorized and directed to execute all documents necessary to effectuate the approval of the Preliminary Plat, Initial Annexation, and Initial and Concurrent Zoning Designation.

This Resolution shall be incorporated into the official minutes of the City Council, and the City Clerk-Treasurer shall file a true and correct certified copy of this Resolution and Meeting Minutes with the Yellowstone County Clerk and Recorder.

Introduced at a regular meeting of the City Council on the 9th day of September 2025, by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel the 9th day of September 2025.

APPROVED by the Mayor the 9th day of September 2025.

CITY OF LAUREL

_____
Dave Waggoner, Mayor

ATTEST:

_____
Kelly Strecker, Clerk-Treasurer

APPROVED AS TO FORM:

_____
Michele L. Braukmann, Civil City Attorney

LAUREL CITY-COUNTY PLANNING DEPARTMENT

ZONING COMMISSION RECOMMENDATION

TO: Laurel City Council
FROM: Laurel-Yellowstone Planning Board and Zoning Commission
RE: Annexation, Initial Zoning, and Preliminary Plat of the Cherry Hill Subdivision, 4th Filing
DATE: August 26, 2025

DESCRIPTION OF REQUEST

Morrison-Maierle has submitted an annexation application, request for initial zoning and preliminary plat application for the Cherry Hill Subdivision, 4thFiling on behalf of the property owner/developer. The proposed Cherry Hill Subdivision 4thFiling is a 48-lot residential subdivision located on property west of Cherry Hills Drive and W. Maryland Lane in north-west Laurel. Approval of annexation and zone change would bring 18.07 acres of land into the City of Laurel and enable the proposed Cherry Hill Subdivision, 4thFiling to connect to the City water, wastewater, and street system.

Agent:	Martin Gagnon PE – Morison – Maierle Inc
Owner:	Robert Stoltz
Legal Description:	S08, T02 S, R24 E, C.O.S. 3034, PARCEL 1A, AMD(24)
Address:	Approximately 1800 West Maryland Lane
Parcel Size:	18.07 acres
Existing Land Use:	Agricultural, vacant.
Proposed Land Use:	Residential Subdivision, 48 Lots
Existing Zoning:	County - Residential Tracts
Proposed Zoning:	Residential 7500 (R-7500)

BACKGROUND AND PROCEDURAL HISTORY

- April 16, 2025 - Pre-Application meeting with Morrison-Maierle and City/County Staff
- July 2, 2025 – Cherry Hill Subdivision, 4thFiling Annexation application and preliminary plat application submitted to the City.
- July 2-7, 2021 –Element Review letter to Morrison-Maierle. All elements required by LMC Chapter 16, Appendix F were present in the application.

- July 15, 2025 – Sufficiency Review letter to Morrison-Maierle. All elements required by LMC Chapter 16, Appendix F were deemed sufficient to move the application forward. Certain comments were noted by the Planning Director from city various departments.
- August 20, 2025 – A Public Hearing is scheduled by the Planning Board on the proposed Annexation, Initial Zoning, and Subdivision applications.

STAFF FINDINGS

1. Applicant has submitted an application for annexation and preliminary plat containing all the necessary components needed for both to move forward.
    a. The annexation petition is consistent with the City of Laurel Annexation Policy.
    b. The requested Zoning Assignment is R-7500.
        i. The R-7500 assignment is consistent with the Growth Policy, surrounding land uses, zoning, and is the minimum required by the Laurel Annexation Policy.
2. Applicant has provided additional details of subdivision plans and documents where necessary.
3. Applicant has worked with multiple city departments to determine effectiveness of the proposed utilities for the property.
4. Applicant has provided updated documents whenever required by City departments.
5. City staff determined that the applications for annexation and preliminary plat were sufficient to move forward to Planning Board and City Council.
6. City staff have found only minor issues with the applications that require conditions of approval prior to the final plat approval stage.
7. The public noticing requirements of LMC 16.03.030 have been met.

PLANNING BOARD AND GOVERNING BODY REVIEW CRITERIA

LMC Chapter 16.03.040 - Staff and Agency Review:

A. Review Procedure Schedule. Upon receipt of a complete and sufficient major preliminary plat application, the planning director or designee shall schedule the plat before the city-county planning board.

B. Submittal Distribution. Planning staff shall distribute the application to all affected city and county departments, local, state, and federal agencies, school districts and public utilities for review as appropriate and indicate the review timeframe. Failure of any agency to complete a review of a plat will not be the basis for denial of the plat by the AGB.

C. Plat Review. The planner shall review the major subdivision plat submittal and make a staff report of issues, concerns, conditions, or recommendations and send out the list to the planning board members with the agenda of the meeting at which the plat is to reviewed; a copy must also be sent to the subdivider or his representative.

D. Hearing Notice. The planning board shall hold a public hearing on all major and applicable subsequent minor preliminary plat applications, placing a notice in a newspaper of general circulation in Laurel not less than fifteen days prior to the date of a public hearing. The planner shall also notify the subdivider and each property owner of record, and each purchaser under contract for deed of record of property immediately adjoining land included in the plat and located within three hundred feet of the proposed subdivision by certified mail not less than fifteen days prior to the date of hearing (MCA § 76-3-605(3)).

E. Planner's Report. The planner shall prepare a draft findings of fact (the effect on agriculture, agricultural water user facilities, local services, the natural environment, wildlife and wildlife habitat, and public health and safety as per MCA § 76-3-608(3)(a)) for review by the planning board. The planner shall also forward the recommendation of the planning board to the AGB including basis for such recommendation and its compliance with adopted Growth Management Plan, the Bike/Ped Plan, and other adopted city and county plans and policies in writing no later than ten days after the public hearing (MCA § 76-3-605(4)).

F. Subsequent Hearing. Before acting on the subdivision application, the AGB shall determine whether, subsequent to the public hearing, new information has become available or information that the public has not had a reasonable opportunity to examine. If so, the AGB may act on the subdivision application in accordance with this chapter or schedule a subsequent public hearing for consideration of only the new information that may have an impact on the findings and conclusions that the AGB will rely upon in making its decision on the proposed subdivision. The AGB may chose to hold the subsequent public hearing or may direct the planning board to hold it. In either case, the subsequent public hearing shall be held at the next scheduled meeting for which proper notice for the public hearing on the subdivision application can be provided.

If a subsequent hearing is held, the sixty- or eighty-day working day review period is suspended, and the new hearing must be noticed and held within forty-five days of the AGB's determination to hold a subsequent public hearing. The sixty- or eighty- working day review period will resume from the date of the subsequent public hearing. The governing body may not consider any information that is presented after the subsequent hearing (MCA § 76-3-615).

G. Subdivider's Preference. The AGB shall give due weight and consideration to the subdivider's expressed preferences if the AGB requires mitigation of significant adverse impacts (MCA § 76-3-608(5)(b)).

In reviewing a subdivision and when requiring mitigation, the AGB may not unreasonably restrict a landowner's ability to develop land, but it is recognized that in some instances the unmitigated impacts of a proposed development may be unacceptable and will preclude approval of the plat (MCA §76-3-608(5)(a)).

The AGB shall send the subdivider written notice of its decision and the reason therefore. (MCA § 76-3-608(4)).

RECOMMENDATIONS

Advisory Recommendations to the City Council:

1. The Planning Board encourages the City Council to use the Cash-in-lieu of Parkland for the 4th Filing to improve the dedicated Parkland associated with the Cherry Hill Subdivision developments. Such improvements could include, irrigation systems and playground equipment.
2. That the City Council accept the offer to prepare all of the documentation to create a Special Improvement District for the installation of the bridge across the Big Ditch. The Planning Board recognizes that there are significant challenges that must be overcome, but the east -west connection of West Maryland and NW Maryland from 1st Ave to Golf Course Road are crucial to the future growth and development of the City of Laurel.
3. That the City Council accepts the minor street design modifications and allow for curb walk in those portions of the subdivision where the road network is located within regulated wetlands. This minor modification has been requested by the US Army Corps of Engineers and would require that the owners within the 4th filing ensure that the snow is removed from the sidewalks in addition to their individual lots.

The Planning Board recommends that the City Council approve the Annexation and Initial Zoning, and Preliminary Plat of the proposed Cherry Hill Subdivision, 4thFiling to Residential R-7500 with the following conditions.

1. The Annexation Agreement, Waiver of Right to Protest, and the City Council Resolution approving annexation shall be filed with the Yellowstone County Clerk & Recorder within 90-days of annexation approval.
2. All recommended mitigations contained in the subdivision application and supporting materials submitted for public review shall be required for Final Plat approval.
3. The Final Plat, plans and specifications shall substantially comply with what has been submitted and reviewed during preliminary plat review. The only exceptions would be to comply with stricter requirements in the MDEQ approval or imposed by the Laurel City Council either by condition or adopted city ordinance.
4. All construction and installation of public improvements must conform to the standards of the Laurel Department of Public Works and Montana Public Works standards.
5. All construction and installation of public improvements must be completed within two years of annexation or bonded for as provided by the Laurel Subdivision Regulations.
6. If the public improvements are not constructed at the time of annexation, the property owner shall provide the city a bond or letter of credit that equals 125% of the estimated engineering costs for the construction of improvements. If the property owner fails to construct the improvements or to obtain the agreed upon engineering, the city shall utilize the bond or letter of credit to pay for the construction, including engineering; In accordance with GASB-34, the Developer of Landowner shall provide the city the total cost and/or value of the improvements including, but not limited to, parks, sidewalks, curb and gutter, lift stations, and sewer and water lines, that are conveyed to the city.
7. As discussed in the geotechnical report, the soils within the subdivision are variable and not well suited for standard construction protocols. As such, any construction of public infrastructure or residential structures on the resulting lots will first require site specific geotechnical reports prior to the start of construction. In the case of residential

construction, a building permit should not be issued until a site-specific geotechnical report has been prepared and submitted along with the building permit application.

The Planning Board recommends that the City Council approve the preliminary plat for the Cherry Hill Subdivision 4thFiling with the following conditions:

1. The Preliminary Plat and supporting water and wastewater design will be approved by Montana Department of Environmental Quality (MDEQ).
2. The Preliminary Plat, Subdivision Improvements Agreement, and City Council Resolution granting approval shall be filed with the Yellowstone County Clerk & Recorder within 90-days of preliminary plat approval.
3. The Roadways and Right-of-Ways shall be constructed to the specifications presented in the plat plan and supporting documentation except as modified by these conditions.
4. This Preliminary Approval shall be valid for 3 calendar years from the date of approval.
5. Hydrant flow tests must be approved by the City and its contracted engineer.
6. Verification must be provided to the City for the water modelling noted by the engineer in the field
7. Water model exhibits must be provided to and approved by the City showing the system characteristics and modeled properties compared to measured properties
8. Wastewater/Sewer analysis must be provided to and approved by the City.
9. A map of pre-developed stormwater conditions including the boundary, routing, and calculations must be provided to and approved by the City.
10. Water quality storm volumes and calculation sheets shall be provided to the City.
11. Any construction of public infrastructure or residential structures on the resulting lots will first require site specific geotechnical reports prior to the start of construction. In the case of residential construction, a building permit should not be issued until a site-specific geotechnical report has been prepared and submitted along with the building permit application.
12. The conditions of the Geotechnical report shall be followed during the construction of the public infrastructure.
13. A Weed Management Plan shall be prepared for the project and approved by the Yellowstone County Weed District.

ATTACHMENTS

Annexation and Zone Change:

1. Annexation Application cover Letter
2. Annexation Application Form
3. Annexation Agreement
4. Waiver of Right to Protest

Cherry Hill Subdivision, 4thFiling:

1. Cover Sheet
2. Preliminary Plat Application

3. Adjacent Property owners list
4. Draft Subdivision Improvements Agreement
5. Environmental Assessment
6. Traffic Impact Study
7. Lot Layout
8. Geotechnical Report
9. Subdivision Bylaws
10. Homeowners Association Bylaw
11. ROW Easement documents
12. LMC 16.03 – Subdivision Review Procedures
13. LMC 16.04 – Development Requirements
14. KLJ. Inc Preliminary Plat Review Comments letter (July 2025)

Cherry Hill Subdivision – 4th Filing

Preliminary Plat Application

July 2025

Prepared for:

Western Holdings, LLC
PO Box 51330
Billings, MT 59105

Prepared by:

Morrison Maierle
engineers • surveyors • planners • scientists

Morrison Maierle
engineers ▪ surveyors ▪ planners ▪ scientists

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July 2nd, 2025

Kurt Markegard
City Planning Director
City of Laurel
PO Box 10
115 West First Street
Laurel, MT 59044-0010

Re: Cherry Hill Subdivision – 4th Filing
Preliminary Plat Application

Dear Mr. Markegard:
Enclosed is an application for Preliminary Plat for the Cherry Hill Subdivision – 4th Filing, located in the North ½ of Section 8, Township 2 South, Range 24 East, Yellowstone County, Montana as COS #3034. Please find the following information included with this letter for your review a Joint Application:

- Preliminary Plat Application Form
- Review Fee of $6,100.00 (includes pre-application meeting fee)
- Required Supplementary Information
- Preliminary Plat Drawings
  - 24” x 36” (Full Size) – 2 Copies (attached separately)
  - 11” x 17” (Reduced) – 6 Copies (in binder)
- Vicinity Map
- Preliminary Engineering Plans
- Conceptual Lot Layout
- Legal Description for Property (COS #3034)
- Existing Easement Documents

If you have any questions or comments about this project, please feel free to contact me at (406) 371-6052 or kkukes@m-m.net.

Sincerely,

Morrison Maierle
engineers ▪ surveyors ▪ planners ▪ scientists

Kolter Kukes

Kolter Kukes, PE

cc: MMI File # 6683.001.004

Bookmark Summary

Section 1 - Preliminary Plat Application Form	Page 5
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Section 3 - Adjoining Property Owners	Page 16
Section 3.5 - Draft Subdivision Improvements Agreement	Page 19
Section 4 - Environmental Assessment	Page 29
Section 5 - Traffic Accessibility Study (TAS)	Page 150
Section 6 - Geotechnical Report & Supplementary Memos	Page 195
Section 7 - Draft Declaration of Covenants and Restrictions	Page 218
Section 8 - Draft Bylaws	Page 230
Section 9 - Draft Articles of Incorporation	Page 244
Section 10 - Preliminary Plat	Page 247
Section 11 - Engineering Plans	Page 249
Section 12 - Conceptual Lot Layout	Page 274
Section 13 - Certificate of Survey	Page 277
Section 14 - Existing Utility Easements	Page 279
Section 15 - Perpetual ROW	Page 282

Highlighted Items pertain to Cherry Hills- 4th Filing

Subdivision

Item	Fee	Notes
Corrections or Adjustments to Plats, Conditions, and Supporting Documents after Preliminary Plat Approval:	$ 350.00	
Corrections or Vacations of Recorded Final Subdivision Plats or Supporting Documents	$ 350.00	
Exempt Subdivision	$ 400.00	
Preliminary Plat (Minor)	$ 1,950.00	+ $50.00/lot
Final Plat (Minor)	$ 1,350.00	
Preliminary Plat, Major Subdivision, 6 to 40 lots	$ 2,250.00	+ $25.00/lot
Final Plat, Major Subdivision, 6 to 40 lots	$ 1,750.00	
Preliminary Plat, Major Subdivision, 41 to 200 lots	$ 2,950.00	+ $25.00/lot
Final Plat, Major Subdivision, 41 to 200 lots	$ 2,500.00	
Preliminary Plat, Major Subdivision, Over 200 lots	$ 3,750.00	+ $25.00/lot
Final Plat, Major Subdivision, Over 200 lots	$ 3,500.00	
Major Adjustments for Minor Subdivisions	$ 750.00	
Major Adjustments for Major Subdivision, 6 to 40 lots	$ 1,350.00	
Major Adjustments for Major Subdivision, 41 to 200 lots	$ 1,850.00	
Major Adjustments for Major Subdivision, Over 200 lots	$ 2,350.00	
Minor Adjustments, Major and Minor Subdivisions	$ 350.00	
Pre-Application Meeting	$ 750.00	+ $25.00/lot
Subdivision for Rent or Lease, Final Plan	$ 1,500.00	
Subdivision for Rent or Lease, Preliminary Plan	$ 1,250.00	
All Appeals the same as the Application Fee		

Preliminary Plat, Major Subdivision, 41 to 200 Lots
48 Lots X $25.00/Lot = $1,200.00
Total = $1,200.00 + $2950.00 = $4,150.00

Pre-Application Meeting
48 Lots X $25.00/Lot = $1,200.00
Total = $1,200.00 + $750.00 = $1,950.00
Note - One lot was added after the Pre-Application Meeting

SECTION 1

PRELIMINARY PLAT APPLICATION FORM

Preliminary Plat Application

Subdivision Name: Cherry Hill Subdivision – 4th Filing
Date of Preapplication Meeting: April 16th, 2025 at 2 p.m.
Type: Major ☒ **First Minor** _____ **Subsequent Minor** _____
Tax Code: 000D125620
Location: COS 3034 – TRACT 1A
Legal Description: S08, T02 S, R24 E, C.O.S. 3034, PARCEL 1A, AMD (24)
¼ Section: NW 1/4, Township: 02S, Range: 24E
General Location: City of Laurel, Montana

Subdivider Information:
Name (Include a list of officers if corporation): **Western Holdings, LLC**
Address: **3329 McMasters Rd**
Billings, MT 59101
Telephone: **(307) 752-7003** E-mail: **jrcivil.com**

Owner Information:
Name: **Robert Stoltz**
Address: **PO Box 51330**
Billings, MT 59105

Telephone: **406-259-3741** Email: **jrcivil@jrcivil.com**

Plat Data:
Gross Area: **18.07 AC**
Net Area: **10.20 AC**
Number of Lots: **48**
Maximum Lot Size: **13,529 SF**
Minimum Lot Size: **7,532 SF**
Linear Feet of Streets: **2,956 LF**
Existing Zoning: **Residential**
Surrounding Zoning
North: **Residential**
South: **Residential 7500**
East: **Residential 7500**
West: **Residential 7500**
Existing Land Use: **Agricultural**
Proposed Land Use: **Residential**

Parkland Requirement:
Land: N/A Acres: N/A
Cash: ☒ Cash: $ 14,700

Variances Requested (list and attach Variance Request):
1. N/A

Service Providers for Proposed Subdivision

Gas: **Montana-Dakota Utilities Co.**
Electric: **Northwestern Energy**
Telephone: **Century Link**
School (Elementary, Middle, High): **Elementary – South, West, or Graff (dependent on grade level)**
Middle School – Laurel Middle School
High School – Laurel High School

Irrigation District: **N/A**
Cable Television: **TBD**

List of Materials Submitted with Application

1. **Preliminary Plat**
2. **Required Supporting Documents for Major Preliminary Plat Applications**
3. **Immediately Adjoining Property Owners List**
4. **Environmental Assessment**
5. **Traffic Impact Study**
6. **Conceptual Lot Layout**
7. **Geotechnical Report**
8. **Draft Protective Covenants**
9. **Draft Subdivision Bylaws**
10. **Draft HOA Articles of Incorporation**
11. **Preliminary Plat Drawings – 11" x 17" & 24" x 36"**
12. **Legal Description – COS 3034**
13. **Pipeline Easement**
14. **ROW Easement**

Agent Information

Name: **Martin E. Gagnon, PE – Morrison-Maierle Inc.**
Address: **2880 Technology Blvd W**
Bozeman, MT 59771
Telephone: **(406) 587-0721**
Email: **mgagnon@m-m.net**

I declare that I am the owner of record of the above-described property, and have examined all statements and information contained herein, and all attached exhibits, and to the best of my knowledge and belief, is true and correct.

Robert Stolt 6/24/25

Owner of Record Date

Robert Stolt 6/24/25

Owner Under Contract Date

The submission of a preliminary plat application constitutes a grant of permission by the subdivider to enter the
subject property.
(Ord. 07-01 (part), 2007)

SECTION 2

SUPPLEMENTARY INFORMATION SUMMARY

Morrison Maierle
engineers ▪ surveyors ▪ planners ▪ scientists

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406.587.0721 • www.m-m.net

Cherry Hill Subdivision – 4th Filing

Preliminary Plat Supplemental Information Summary According to Appendix F

The following document is intended to summarize the supporting documents required by Appendix F of the Subdivision Regulations for the City of Laurel. The requirements from the appendix have been reproduced with responses provided in **bold text.**

Required Supporting Documents for Major Preliminary Plat Applications

1. Names and addresses of immediately adjoining property owners typed or neatly printed on address labels.
   A list of immediately adjoining property owners has been prepared and is attached at the front of the package, as well as address labels.

2. Draft Subdivision Improvements Agreement (Appendix L).
   A subdivision improvements agreement has been included.

3. Environmental Assessment or Summary of Probable Impacts, when applicable (Article 23-900).
   An environmental assessment report has been prepared and is attached.

4. Traffic Accessibility Study (TAS) when applicable, containing the following information:
   a. Trip generation, using the Institute of Transportation Engineers Trip Generation Manual;
   b. Trip distribution;
   c. Traffic assignment;
   d. Capacity analysis;
   e. Evaluation; and
   f. Recommended access plan, including access points, modifications, and any mitigation techniques.
   g. Land use and trip generation in the form of a table of each type of land use, the number of units or square footage, as appropriate, the trip rates used (daily and peak) and resulting trip generation.
   h. Traffic graphics, which show:
      - AM peak hour site traffic;
      - PM peak hour site traffic;
      - AM peak hour total traffic;
      - PM peak hour total traffic;
      - Total daily traffic (with site generated traffic shown separately).
   i. AM and PM capacity analysis with an AM and PM peak hour capacity analysis provided for:
      - All major drive accesses that intersect collector or arterial streets or roads; and
      - All arterial-arterial, collector-collector and arterial-collector intersections within one mile of the site, or as required by the Director of Public Service during the pre-application review.

j. Capacity. Indicate the levels of service (before and after development) of existing and proposed streets and roads, including appropriate intersections, to safely handle any increased traffic. Describe any anticipated increased maintenance that will be necessary due to increased traffic and who will pay the cost of maintenance.
k. Bicycle and Pedestrian Pathways, Lanes and Routes. Describe bicycle and pedestrian pathways, lanes or routes to be developed with the development.
l. Traffic Calming. Detailed drawings of any proposed traffic calming installations, including locations and turning radius templates.

A Traffic Impact Study Report for the proposed subdivision has been completed by Morrison Maierle and is attached.

5. Preliminary water and sanitation information, including:
   a. A site plan or exhibit that shows:
      - The location, within 100 feet outside of the exterior property line of subdivision and on the proposed lots, of:
        - Floodplains
          None exist on or near the property.
        - Surface water features
          All are shown on preliminary plat.
        - Springs
          None exist on or near the property.
        - Irrigation ditches
          All are shown on preliminary plat.
        - Existing, previously approved, and, for parcels less than 20 acres, proposed water wells and wastewater treatment systems;
          None are proposed for the property.
        - For parcels less than 20 acres, mixing zones identified, and
          Not applicable – service provided by public water/sewer.
        - The representative drain field site used for the soil profile description, and
          Not applicable – no subsurface drain fields are proposed.
      - The location, within 500 feet outside of the exterior property line of the subdivision, of public water and sewer facilities.
        All are shown on preliminary plat.

      An independent site plan for the property has not been provided, as this information is provided by on the Preliminary Plat document. The subdivision is not proposing to utilize groundwater wells or septic drain fields.

   b. A description of the proposed subdivision's water supply systems, storm water systems, solid waste disposal systems, and wastewater treatment systems, including whether the water supply and wastewater treatment systems are individual, shared, multiple user, or public as those systems are defined in rules published by the Montana Department of Environmental Quality (MDEQ).

Water Supply System Description

The Cherry Hill 4th Filing Subdivision consists of 48 lots and is proposed to connect to existing 8" and 12" water main owned and operated by the City of Laurel. The existing 12" main is located in an existing easement through the southern portion of the property along the proposed extension of W. Maryland Lane. Two additional connections are proposed along the southern portion of the property along W. Maryland Lane to complete a looped water main that will serve the proposed subdivision. The subdivision is proposed downstream of an existing booster station.

The average daily demand is approximated to be 130 gallons per capita per day (gpcd). The 48 lots account for a single-family residence as well as an additional dwelling unit. The single-family home population estimate is 2.83 persons per dwelling and 1.5 persons per ADU since proposed lot areas will not provide a large ADU footprint area. The total population estimate for the proposed subdivision is 208 people. Maximum daily demands (MDD) for residential developments can be calculated by multiplying average demand by the MDD peaking factor of 2.5. Fire flows required by the Standards for low and medium density developments is 1,000 gallons per minute (gpm).

Using the parameters above, the demands for the subdivision were approximated as follows:

Table 1: Cherry Hill 4th Filing Proposed Demands

Demand Parameter	Demand (gpd)*	Demand (gpm)
Average Day Demand	27,259	18.9
Maximum Day Demand	68,148	47.3
Maximum Day + Fire Flow Demand	--	1,047.3

* Note: The average day demand per ADU was rounded from 195 to 200 gpd.

In addition to the water demands associated with the proposed subdivision, water demands from the existing Elena and Cherry Hill 3rd Filing subdivisions and Elena Park irrigation were included in a water model to verify the existing public water system is sufficient. The Elena subdivision contributes 62.7 gpm maximum day demand, Cherry Hill 3rd Filing development adds 17.4 gpm, and Elena Park was accounted for with 4.52 gpm of park irrigation. The total analyzed maximum day demand from the proposed and existing development is 132 gpm. The existing system is capable of supplying the water demand.

Storm Water Systems Description

Storm water collection is proposed via network of street curbs and inlets, conveyed via stormwater piping, and treated using an existing stormwater retention pond within the Utility Lot 1 of the Cherry Hill 3rd Filing Subdivision. The retention facility was oversized during the design of Cherry Hill 3rd Filing in anticipation of providing capacity for the future phase of development. The

facilities were designed using MDEQ Circular 8. Further information on the proposed system can be found in Section 4.

Wastewater Treatment System Description

There are 48 lots within the proposed subdivision. Based on an average flow value of 100 gpcd and 2.83 persons per single-family dwelling and 1.5 persons per ADU, there will be an average of approximately 20,784 gpd (14.4 gpm) generated by the subdivision. Peak flow assuming a population of 208 people, and a peaking factor of 4.1 (DEQ-2 Equation 10-1) is estimated at 59.8 gpm. The subdivision will convey waste to an existing 8" public sewer main located in an existing easement through the southern portion of the property along the proposed extension of Maryland Lane.

The Elena Subdivision is estimated to contribute an average flow of 27,734 gpd to the existing mains assuming the lot counts are 48 condominiums and 50 single family residences. The population assumed for this calculation is approximately 278 persons. The Cherry Hill 3rd filing contributes an estimated 7,700 gpd to the existing mains based on 77 persons. The total estimated population is 563 within the proposed Cherry Hill Subdivision 4th Filing, the existing Cherry Hill Subdivision 3rd Filing and the Elena Subdivision. The peaking factor based on a population of 563 people when calculated using DEQ-2 Equation 10-1 is 3.9. The average estimated flow from these combined populations is 56,300 gpd (39.1 gpm), with peak flow approximated to be 154.3 gpm. Eight-inch sewer mains installed at minimum slope are capable of conveying flows at 50% capacity of 167 gpm. There is a remaining capacity of 12.7 gpm of flow in existing 8" sewer mains downstream prior to connecting larger mains.

c. A drawing of the conceptual lot layout at a scale no smaller than 1 inch equal to 200 feet that shows all information required for a lot layout document in rules adopted by MDEQ pursuant to MCA §76-4-104.
A conceptual lot layout meeting the requirements above is attached.

d. Evidence of suitability for new onsite wastewater treatment systems that, at a minimum, includes:
   - A soil profile description from a representative drain field site identified on the vicinity map, as provided above, that complies with standards published by the MDEQ,
   - Demonstration that the soil profile contains a minimum of 4 feet of vertical separation distance between the bottom of the permeable surface of the proposed wastewater treatment system and a limiting layer, and
   - In cases in which the soil profile or other information indicates that groundwater is within 7 feet of the natural ground surface, evidence that the groundwater will not exceed the minimum vertical separation distance.

   Wastewater service will be provided by the City of Laurel via service connection to existing sewer mains. This section is not applicable.

e. For new water supply systems, unless cisterns are proposed, evidence of adequate water availability;
   - Obtained from well logs or testing of onsite or nearby wells;
   - Obtained from information contained in published hydro-geological reports; or
   - As otherwise specified by rules adopted by the MDEQ pursuant to MCA §76-4-104.

   Water service will be provided by the City of Laurel via service connection to existing water mains. This section is not applicable.

f. A preliminary analysis of potential impacts to the groundwater quality from new wastewater treatment systems, using as guidance rules adopted by the Board of Environmental Review pursuant to MCA §75-5-301 and MCA §75-5-303 related to standard mixing zones for groundwater, source specific mixing zones, and nonsignificant changes in water quality. The preliminary analysis may be based on currently available information and must consider the effects of overlapping mixing zones from proposed and existing wastewater treatment systems within and directly adjacent to the subdivision. Instead of performing the preliminary analysis required under this subsection, the subdivider may perform a complete nondegradation analysis in the same manner as is required for an application that is reviewed under Title 76, Chapter 4, Mont. Code Ann.
Wastewater service will be provided by the City of Laurel via service connection to existing sewer mains. This section is not applicable.

g. A subdivider whose land division is excluded from review under MCA §76-4-125(2) is not required to submit the water and sanitation information listed above.
Not applicable.

6. Geotechnical Report that includes:
   a. A summary of hazards present and recommended actions.
   b. A description of proposed construction.
   c. A description of the investigation methods, including field investigations, laboratory analysis and report preparation.
   d. A description of the site conditions, including soil, bedrock, groundwater and other physical features present that may limit development.
   e. Analysis of engineering properties and recommendations in relation to foundations; over-excavation and engineered fill; bearing capacity; lateral loads on basement walls; soil friction factor; earthwork; site grading and runoff control; foundation and retaining wall drainages; slabs on grade; reinforcing, utilities testing and concrete considerations; and ventilation and radon.
   f. Summary of engineering limitations.
   g. The report shall be accompanied by figures and tables sufficient to convey the results of each test hole and an overall site plan showing the location of each test hole. The spacing of test holes will be dependent of the horizontal and vertical variation of the subsurface material. In all cases, the spacing should result in a representation of all soils present on the subdivision.

   A geotechnical report was prepared by Rawhide Engineering, Inc. This report is attached. The report addresses excavation, backfill and imported fill requirements for the utility trenches and road construction. Analysis regarding foundations according to requirements of item 6.e. were not included in the report. This application includes a Geotechnical Requirements Memo that details the challenges with accurately fulfilling this requirement prior to the foundation type being selected for each lot. In lieu of providing geotechnical recommendations in accordance with item 6.e. for the entire subdivision, the memo proposes several solutions for informing each lot owner they are required to complete a Geotechnical Evaluation Report that includes information required in item 6.e. The solutions include language in the Preliminary Plat stating, "All Lot Owners will be required to provide a Geotechnical Evaluation Report that includes information required in Item 6e. The geotechnical report shall be prepared by a Licensed Professional Engineer in Montana, and be included in the Building Permit Application to the City of Laurel." The preceding language is also included in the Declaration of Covenants and Restrictions. The Geotechnical Evaluation Report must be submitted to the Architectural Review Committee and realtors will be informed of

the Geotechnical Evaluation requirements and required to inform all potential lot buyers of the requirement. The Geotechnical Requirements memo is included in the supplementary information of this application.

7. Draft protective and restrictive covenants, if any.
   A draft copy of protective and restrictive covenants is attached, along with draft bylaws.

8. Draft Articles of Incorporation when Homeowner's Association is proposed.
   A Draft Articles of Incorporation is attached.

9. When a tract of land is to be subdivided in separate filings, a Master Plan of the entire area to be developed.
   Not applicable. No further filings are proposed at this time.

SECTION 3

ADJOINING PROPERTY OWNERS

MARK W & JOYCE A CARLSON
PO BOX 216
LAUREL, MT 59044

TODD M & KIMBERLY N BENSON
1480 W 12TH STREET
LAUREL, MT 59044

JEROME P & HAZEL L KLEIN
411 W 14TH STREET
LAUREL, MT 59044

MARC A LACKMAN TRUSTEE
PO BOX 74
LAUREL, MT 59044

TY HEPPNER
11 BACKFORTY RD
PARK CITY, MT 59063

CHARLES JAMES S & KYLEE S EDGMOND
926 7TH AVE
LAUREL, MT 59044

WESTERN HOLDINGS COMPANY LLC
3329 MCMASTERS RD
BILLINGS, MT 59101

SPENCER & BEVERLY ZUAGG
235 S 41ST ST W
BILLINGS, MT 59106

AMISH HERITAGE HOMES INC
12715 HIDDEN VALLEY TRL
MOLT, MT 59057

JOHN CHARLES & LAURA BRYANT FLEMMING
2414 IVY LN
BILLINGS, MT 59102

BRENNAN & KATELYN WHITTMEYER
1019 JENEA DR
LAUREL, MT 59044

PAUL E & SANDRA L THOMAE
1013 JENEA DR
LAUREL, MT 59044

KAREN MEYER MARONEY
1008 JENEA DR
LAUREL, MT 59044

SETH D BYLER
1014 JENEA DR
LAUREL, MT 59044

ALINA & TAYLOR BLAESIUS
1020 JENEA DR
LAUREL, MT 59044

JAMES D & LAURA D KEMPER
1026 JENEA DR
LAUREL, MT 59044

NATHAN LEE CREEK
307 14TH AVE SW
SIDNEY, MT 59270

MATTHEW WILLIAM WHEELER
1310 HILL CREST AVE
LAUREL, MT 59044

JAMES L HOTCHKISS REVOCABLE TRUST
1603 W 9TH ST
LAUREL, MT 59044

KENNETH J & ROSALINA J SHERMAN
1649 W 9TH ST
LAUREL, MT 59044

MATTHEW WILLIAM WHEELER & JASON JOHN WHEELER
1310 HILL CREST AVE
LAUREL, MT 59044

JOHN P & MEGAN E WETENDORF
905 17TH AVE
LAUREL, MT 59044

KEITH W & NANCY E METZGER
1731 W MARYLAND LN
LAUREL, MT 59044

ROBERT & DEE BAXTER FAMILY TRUST
PO BOX 932
LAUREL, MT 59044

DRAKE & MICHAEL B WEBINGER
1001 DAVIS CIR
LAUREL, MT 59044

STACENE STRALEY
1003 DAVIS CIR
LAUREL, MT 59044

CHRISTOPHER B & CRYSTAL ANN GOMEZ
1785 PHEASANT BROOK DR
LAUREL, MT 59044

RUSSELL W & ROBBIN G NAUMAN
1007 DAVIS CIR
LAUREL, MT 59044

LANCE HULL
1107 2ND AVE
LAUREL, MT 59044

WILLIAM W & NICKOLETTE S HAGEMAN
1011 DAVIS CIR
LAUREL, MT 59044

RONALD W SLETTEN
1013 DAVIS CIR
LAUREL, MT 59044

STEVEN A & MARY ELIZABETH RIESINGER
1103 DAVIS CIR
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PATRICK & TERESA LYNCH
1105 DAVIS CIR
LAUREL, MT 59044

TYLER & KRISTIN NOSE
1107 DAVIS CIR
LAUREL, MT 59044

DAK ROY FIKE & JOY CROFT FIKE
1109 DAVIS CIR
LAUREL, MT 59044

CHRISTINE A GOODPASTER & KAREN R TUMBERG
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GEORGINA T CLEGG TRUSTEE
1106 DAVIS CIR
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CLINT & TRACI BOGGESS
1104 DAVIS CIR
LAUREL, MT 59044

TREVOR L & MARKI R KIRSCHENMANN
1102 DAVIS CIR
LAUREL, MT 59044

JESSE J & JILLIAN T STENSVAD
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LAUREL, MT 59044

CHRISTOPHER L ANDERSON
1010 DAVIS CIR
LAUREL, MT 59044

JAMIE D PLUHAR
1008 DAVIS CIR
LAUREL, MT 59044

PATRICK J & LANA L THOMPSON
1006 DAVIS CIR
LAUREL, MT 59044

DERRICK CHRISTOPHER & MARY JUNE SAMMONS
1007 ELS DR
LAUREL, MT 59044

CITY OF LAUREL
PO BOX 10
LAUREL, MT 59044

SECTION 3.5

DRAFT SUBDIVISION IMPROVEMENTS AGREEMENT

Subdivision Improvements Agreement

Cherry Hill Subdivision – 4th Filing

I. Variances (page #):

II. Conditions that Run with the Land:

III. Transportation:

A. Streets

B. Sidewalks

C. Street Lighting

D. Traffic Control Devices

E. Access

F. Heritage Trail Plan

G. Public Transit

IV. Emergency Services:

V. Storm Drainage:

VI. Utilities:

A. Water

B. Sanitary Sewer

C. Power, Telephone, Gas, and Cable Television

VII. Parks/Open Space:

VIII. Irrigation:

IX. Soils/Geotechnical Study:

X. Phasing of Improvements:

XI. Financial Guarantees:

XII. Legal Provisions:

This agreement is made and entered into this _____ day of _____, 20___, by and between **WESTERN HOLDINGS, LLC** *(Subdivider),* whose address for the purpose of this agreement is PO Box 51330, Billings, MT 59105, hereinafter referred to as "Subdivider," and the **CITY OF LAUREL,** 115 W 1st Street or PO Box 10, Laurel, MT 59044, hereinafter referred to as "City."

WITNESSETH:

WHEREAS, at a regular meeting conducted on _____ day of _____, 20___, the Laurel City-County Planning Board recommended conditional approval of a preliminary plat of **Cherry Hill Subdivision – 4th Filing**; and

WHEREAS, at a regular meeting conducted on _____ day of _____, 20___, the Laurel City Council conditionally approved a preliminary plat of **Cherry Hill Subdivision – 4th Filing***;* and

WHEREAS, a Subdivision Improvements Agreement is required by the City prior to the approval of the final plat.

WHEREAS, the provisions of this agreement shall be effective and applicable to **Cherry Hill Subdivision – 4th Filing** upon the filing of the final plat thereof in the Office of the Clerk and Recorder of Yellowstone County, Montana. The Subdivision shall comply with all requirements of the City of Laurel Subdivision Regulations, the rules, regulations, policies, and resolutions of the City of Laurel, Yellowstone County, and the laws and administrative rules of the State of Montana.

THEREFORE, THE PARTIES TO THIS AGREEMENT, for and in consideration of the mutual promises herein contained and for other good and valuable consideration, do hereby agree as follows:

I. VARIANCES

A. A variance to utilize 60-ft rights-of-way is being requested for the Residential Local Access Road (Table 16.4.C.1). The existing rights-of-way on adjacent subdivision roads are 60 feet, and this would allow the development to match and continue those to be consistent.

II. CONDITIONS THAT RUN WITH THE LAND *(Insert any applicable conditions in the provided A, B, C format. The following are typical conditions that run with the land, which may or may not be applicable to this subdivision):*

A. Lot owners shall be required to construct that segment of the required sidewalk that fronts their property at the time of lot development.

B. Lot owners should be aware that this subdivision is being built in close proximity to prime deer and antelope habitat and it is likely that homeowners will experience problems

with damage to landscaped shrubs, flowers, and gardens. The Montana Fish, Wildlife, and Parks Department does not provide damage assistance unless there is damage to commercial crops and/or a threat to public health and safety.

C. Lot owners should be aware that soil characteristics within the area of this subdivision, as described in the 1972 Yellowstone County Soil Survey, indicate that there could be potential limitations for proposed construction on the lots, which may require a geotechnical survey prior to construction.

D. No water rights have been transferred to the lot owners. Irrigation ditches that exist on the perimeter of this development are for the benefit of other properties. Perimeter ditches and drains shall remain in place and shall not be altered by the Subdivider or subsequent owners.

E. There is attached hereto a Waiver waiving the right to protest the creation of the special improvement district or districts, which by this reference is expressly incorporated herein and made as much a part hereof as though fully and completely set forth herein at this point. The Waiver shall be filed with the plat, shall run with the land, and shall constitute the guarantee by the Subdivider and property owner or owners of the developments described herein. Said Waiver is effective upon filing and is not conditioned on the completion of the conditions set forth in this Agreement. The Subdivider and owner specifically agree that they are waiving valuable rights and do so voluntarily.

III. TRANSPORTATION

A. Streets

Right-of-Way (ROW) dedications shall be made for extensions of Cherry Hills Drive (60 feet) and Maryland Lane (80 feet), as well as new internal roads Heather Drive (60 feet) and Rochelle Lane (60 feet). Streets shall have widths of 33 feet edge-of-pavement to edge-of-pavement (i.e., 37’ TBC to TBC) within 60-foot ROWs. 45 feet edge-of-pavement to edge-of-pavement (i.e., 49’ TBC to TBC) within 80-foot ROWs. Streets shall include standard 2’ catch curb and gutters on each side of the road. Some valley gutters may be required. These curb/gutter and valley gutter items shall be reviewed and approved by the City of Laurel Public Works Department prior to installation.

B. Bridges

The project owner will apply for a Subdivision Improvements District for the proposed future bridge that will cross the Big Ditch irrigation lateral.

C. Sidewalks

A standard 5’ sidewalk is proposed on both sides of each street. Sidewalks shall be located within the public Rights-of-Way and be located 1 foot offset from the Rights-of-Way extents.

D. Street Lighting

Streetlights are not anticipated or proposed for this development.

E. Traffic Control Devices

Stop signs shall be placed to control northbound and southbound traffic from Sophia Lane and Cherry Hills Drive onto Maryland Lane.

F. Access

Access to the subdivision will be by extensions of West Maryland Lane and Cherry Hills Drive. The extension of West Maryland Lane will provide a connection to the Elena Subdivision. Lots shall include single accesses from the public Rights-of-Way. Each lot shall be limited to a single access.

G. Bike or Pedestrian Trail Plans

West Maryland Lane appears to be a Primary Bikeway (on-street bikeway). The proposed 49' TBC-TBC section for the extension of Maryland Lane should provide a bike route to provide separation between vehicles and bicyclist. The bikeway should not require markings.

H. Public Transit

No locations for public transportation will be installed within the development.

IV. EMERGENCY SERVICE

Two emergency accesses to the subdivision are proposed using Cherry Hills Drive (37' TBC-TBC) and Maryland Lane (49' TBC-TBC). These shall be paved roadways constructed to City of Laurel standards.

V. STORM DRAINAGE

All drainage improvements shall comply with the provisions of the *Storm water Management Manual*, and a storm water management plan shall be submitted to and approved by the MDEQ.

No existing treatment facilities exist on the property. A retention pond constructed within the Cherry Hill Subdivision – 3rd Filing was over-sized to anticipate the retention storage requirement for the Cherry Hill Subdivision – 4th Filing. The Cherry Hill – 4th Filing subdivision will use the existing retention storage pond to treat stormwater runoff. No other improvements are proposed to existing storm drain systems.

VI. UTILITIES

The SIA does not constitute an approval for extension of or connection to water mains and sanitary sewers. The property owner shall make application for extension/connection of water mains and sanitary sewers to the Public Works Department. The extension/connection of/to water mains and sanitary sewers is subject to the approval of the applications and the conditions of approval. Applications shall be submitted for processing prior to the start of any construction and prior to review and approval of any project plans and specifications. The appropriate water and wastewater hookup fees in effect shall be submitted with the applications.

Fees shall be paid for the lots in Cherry Hill 4th Filing for the extension of services as per the first paragraph above. The Developer/Owner acknowledges that the subdivision shall be subject to the applicable System Development Fees in effect at the time new water and/or sanitary sewer service connections are made. The design/installation of sanitary sewers and appurtenances, and water mains and appurtenances (fire hydrants, etc.) shall be in accordance with design standards, specifications, rules, regulations of and as approved by the City of Laurel Public Works Department, Fire Department, the Montana Department of Environmental Quality, and Montana Public Works Standard Specifications.

A. Water

No unique water facilities are proposed for the subdivision. Water services are proposed to be extended from the existing City of Laurel public water mains located in West Maryland Lane and Cherry Hills Drive.

B. Sanitary Sewer

No unique sanitary sewer facilities are proposed for the subdivision. Sewer services shall be extended from the existing City of Laurel public sewer mains.

C. Power, Telephone, Gas, and Cable Television

No public services are proposed within the public right-of-way. Power, telephone, gas, and cable television services will be provided within 10-foot-wide public utility easements along lot frontages to proposed rights-of-way.

VII. PARKS/OPEN SPACE

The developer is proposing a cash-in-lieu payment of $14,700 as a substitution for parks/open space and shall be paid concurrently with Final Platting or as required by the City of Laurel.

VIII. IRRIGATION

No irrigation districts are proposed to be affected by the development. No existing easements exist for ditches within the property. Irrigation ditches (if encountered) shall be undisturbed during construction if possible or piped using culverts. If piping is proposed, those ditches will be evaluated to maintain the required capacity. Storm water best management practices shall be implemented to prevent impacts from construction runoff as applicable.

IX. SOILS/GEOTECHNICAL STUDY

Based on a geotechnical investigation, lean clay with sand was encountered at the site. Soils were generally medium stiff to soft with a moderate plastic index. Water table was not encountered during the exploration up to depths of 8.5 feet. The geotechnical investigation provided recommendations for excavations, utility trench backfill, structural fill material, compaction requirements and asphalt pavement sections that should be incorporated during construction.

All Lot Owners will be required to provide a Geotechnical Evaluation Report that includes the information required in Appendix F, Item 6.e, of the Laurel Subdivision Regulations. The geotechnical report shall be prepared by a Licensed Professional Engineer in Montana and be included in the Building Permit Application from the City of Laurel. The Geotechnical Evaluation Report must be submitted to and reviewed by the Cherry Hill Subdivision – 4th Filing Architecture and Building Development Group.

X. FINANCIAL GUARANTEES

Except as otherwise provided, Subdivider shall install and construct said required improvements with cash or by utilizing the mechanics of a special improvement district or private contracts secured by letters of credit or a letter of commitment to lend funds from a commercial lender. All engineering and legal work in connection with such improvements shall be paid by the contracting parties pursuant to said special improvement district or private contract, and the improvements shall be installed as approved by the Public Works and Public Utilities Department. At this time, no financial guarantees are anticipated for required infrastructure.

XI. LEGAL PROVISIONS

A. Subdivider agrees to guarantee all public improvements for a period of one year from the date of final acceptance by the AGB.

B. The owners of the properties involved in this proposed Subdivision by signature subscribed herein below agree, consent, and shall be bound by the provisions of this Agreement.

C. The covenants, agreements, and all statements in this Agreement apply to and shall be binding on the heirs, personal representatives, successors and assigns of the respective parties.

D. In the event it becomes necessary for either party to this Agreement to retain an attorney to enforce any of the terms or conditions of this Agreement or to give any notice required herein, then the prevailing party or the party giving notice shall be entitled to reasonable attorney fees and costs.

E. Any amendments or modifications of this Agreement or any provisions herein shall be made in writing and executed in the same manner as this original document and shall after execution become a part of this Agreement.

F. Subdivider shall comply with all applicable federal, state, and local statutes, ordinances, and administrative regulations during the performance and discharge of its obligations. Subdivider acknowledges and agrees that nothing contained herein shall relieve or exempt it from such compliance.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the _____ day of _____, 20____.

"SUBDIVIDER" WESTERN HOLDINGS, LLC

By: _____

Title: _____

STATE OF MONTANA)
:ss
County of Yellowstone)

On this ____ day of _____, 20___, before me, a Notary Public in and for the State of Montana, personally appeared _____, known to me to be the person who signed the foregoing instrument as_____ of (*Name of Subdivider)*, and who acknowledged to me that said Subdivider executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year hereinabove written.

_____
Notary Public in and for the State of Montana
Printed name:_____
Residing at:_____
My commission expires:_____

This Agreement is hereby approved and accepted by City of Laurel, this ___ day of _____, 20___.

"CITY" CITY OF LAUREL, MONTANA

By:_____
Mayor

Attest:_____
City Clerk

STATE OF MONTANA)
:ss
County of Yellowstone)

On this _____ day of_____, 20___, before me, a Notary Public for the State of Montana, personally appeared _____, and _____, known to me to be the Mayor and City Clerk, respectively, of the City of Laurel, Montana, whose names are subscribed to the foregoing instrument in such capacity and acknowledged to me that they executed the same on behalf of the City of Laurel, Montana.

_____
Notary Public in and for the State of Montana
Printed name:_____
Residing at:_____
My commission expires:_____

Approved as to Form:

_____
City Attorney

SECTION 4

ENVIRONMENTAL ASSESSMENT

Morrison Maierle
engineers ▪ surveyors ▪ planners ▪ scientists

Cherry Hill Subdivision – 4th Filing: 16.09 – Environmental Assessment

16.09.030 – Environmental Description Contents

A. Surface Water

1. Locate on a plat overlay or sketch map all surface water and the delineated floodways that may affect or be affected by the proposed subdivision including natural water systems (streams, lakes, rivers, or marshes), artificial water systems (canals, ditches, aqueducts, reservoirs, irrigation or drainage systems), and land subject to flooding (see also Section 16.04.140 and Appendix O, Flood Hazard Evaluation).

   Response: See Preliminary Plat, Section 10.

2. Describe all surface water that may affect or be affected by the proposed subdivision including name, approximate size, present use, and time of year that water is present.

   Response: A wetland delineation of the proposed subdivision, included in Appendix I, was performed by Morrison-Maierle on November 2, 2020, with a wetland delineation report date of March 2021. A 3.58-acre wetland was delineated within the proposed Cherry Hill 4th Filing Subdivision boundary. Construction disturbance in the wetlands will be minimized by lot boundaries that maximize the wetlands area within the open space lots. Maryland Lane and Cherry Hills Drive roadways will be constructed across the south and two north portions of the wetland. The Maryland Lane south wetland crossing traverses the wetland along an existing gravel road that crosses wetland to minimize disturbance. Maryland Lane will cross the Big Ditch Canal via a bridge to connect to the existing NW Maryland Lane dead end. The Big Ditch Canal surface water spans a width of around 18 feet. The Mayland lane connection will provide improved access for the proposed subdivision, existing subdivisions and emergency personnel to Interstate 90.

   The proposed subdivision does not lie within the FEMA floodway or 100-year floodplain. The property is located on FEMA Panel 300142 and 300086 and lies within Zone X (Area of Minimal Flood Hazard) and Zone D (Area of Undetermined Flood Hazard).

3. Describe the proximity of proposed construction (such as buildings, sewer systems, roads) to surface water.

   Response: The nearest surface water to Cherry Hill 4th Filing is the Big Ditch Canal that bounds the northern boundary of the proposed subdivision. The northern project boundary consists of an approximately 30-foot vegetative buffer from the Big Ditch Canal bank. Residential – 7500 zoning regulations require 5' side and rear building setbacks. Therefore, single-family home foundations will be at least 35 feet from the Big Ditch Canal. The construction of Cherry Hills Drive will be over 100 feet from the canal.

4. Describe any existing or proposed stream bank or shoreline alterations and/or any proposed construction or modification of lakebeds or stream channels. Provide information on the location, extent, type, and purpose of any proposed alteration.

Response: No lakes will be impacted by the proposed subdivision. There will be a proposed bridge constructed across the Big Ditch Canal to complete the NW Maryland Lane connection adjacent to Elena Subdivision. Response 5 reviews the permits required for the bridge across the Big Ditch irrigation canal.

5. Please indicate which of the following water quality permits have been or will be applied for and describe the reasons why these permits are required.

   Response: A Section 404 Permit with the US Army Corps of Engineers will be required to permit the disturbance of the wetland from the Maryland Lane and Cherry Hills Drive road wetland crossings. Maryland Lane will be extended across the Big Ditch irrigation canal via a bridge to connect to the existing NW Maryland Lane dead end. A 318 Authorization will be completed to account for short-term increases in turbidity and total suspended solids in the Big Ditch from bridge construction. The 318 Authorization is administered by either Montana Fish Wildlife and Parks or the Montana Department of Environmental Quality.

B. Ground Water

1. Using available information, provide the estimated seasonal minimum and maximum depth water table, dates on which these depths were determined, and the location and depth of all known aquifers that may be affected by the proposed subdivision.

   Response: The Montana Bureau of Mines and Geology (MBMG) maintains an interactive map of registered water wells in Montana. The well located near the northern subdivision boundary was completed on October 2, 2003, with a total depth of 40 feet and a static water level of 17.7 feet. The next closest well, located near the southwest corner of the subdivision, was completed on March 3, 1998, with a total depth of 74 feet and a static water level of 22 feet. See Appendix H for Well Logs and Locations.

   According to the MBMG Groundwater Assessment Atlas No. 3 (2014), the Laurel area is located within an alluvial aquifer.

2. Provide a description of any steps necessary to avoid the degradation of groundwater and groundwater recharge areas.

   Response: Water will be provided to the subdivision for domestic use and fire protection via the City of Laurel municipal services. Wastewater will be provided by the City of Laurel public wastewater treatment system.

C. Geology/Soils/Slopes

1. Using available information locate on a plat or overlay any known geologic hazards affecting the proposed subdivision which could result in property damage or personal injury due to any of the following: rock falls or slides; land, mud or snow slides; high water table, unstable or expansive soil conditions, slopes greater than twenty-five percent.

   Response: The Natural Resources Conservation Service (NRCS) Web Soil Survey was utilized for soil properties within the proposed subdivision. A map of the existing soil map units is provided in Appendix A. The following soil types are located within the project area: Arvada-Bone silty clay loams, 0 to 1 percent slopes (Ax), Haverson silty clay loam, 1 to 3 percent slope (He), and Hydro-Allentine complex, 2 to 7 percent slopes (Hv). See Appendix A for the full NRCS Soil Report.

2. Explain the measures that will be taken to prevent or materially lessen the danger of future property damage or injury due to existing geologic hazards.

   Response: No geologic hazards were identified on the subject property.

3. Provide a statement describing any unusual soil, topographic or geologic conditions on the property, which may limit the capability for construction or excavation using ordinary and reasonable techniques, The statement should address conditions such as shallow bedrock, high water table, unstable or expansive soil conditions, and slope. Describe the location and amount of any cut or fill three or more feet in depth. Where cuts or fills are necessary, describe prevention of erosion and the promotion of re-vegetation, such as replacement of topsoil and grading.

   Response: The site's topography includes gentle sloping from 0.5% to 4% grades. A Geotechnical Report for the site performed by Rawhide Engineering determined the site generally consisted of a 1' thick layer of topsoil over top of 6 to 8.5 feet of lean clay with sand. The lean clay was medium stiffness to soft with a moderate plasticity index. No groundwater nor bedrock was encountered during the test pit exploration in April 2025. Additionally, Montana Bureau of Mines and Geology groundwater wells onsite indicate the average depth to ground water is approximately 19.85 feet. Based on the preceding findings, ordinary construction and excavation techniques should be suitable for the site. The Cherry Hill Drive and W Maryland Lane wetland crossings require more than three feet of fill. The road fill slopes will be graded with topsoil, track walked and seeded to re-vegetate the slopes and prevent erosion.

4. Include soil reports obtained from the USDA, Natural Resource and Conservation Service (NRCS) containing the physical properties and engineering indexes for each type of soil, the soil limitations for sanitary facilities, building site development, and water features for each soil type. Describe any special design methods planned to overcome the soil limitations.

   Response: The NRCS soils report for the project is included in Appendix A. Sanitary facilities will be provided by a public sewer main. No septic drain fields are proposed. Water facilities will be provided by a public water main from the City of Laurel. No individual water wells are proposed. The onsite soil requires a known foundation type and location to enable a geotechnical engineer to provide lot specific geotechnical recommendations prior to the approval of building permits. Any special design methods for building site development will be provided in the geotechnical reports provided for each lot. The geotechnical report provided by Rawhide Engineering recommends minimum compaction of 97% of the maximum dry density as determined by ASTM D698 while within asphalt pavement, concrete or building envelope areas. Recommendations for the pavement structural sections as interior streets with 3 inches of asphalt on 6 inches of crushed base course on 8 inches of pit run gravel. Collector road pavement sections were recommended to consist of 4 inches of asphalt on 6 inches of crushed base course on 10 inches of pit run gravel. The geotechnical report is included in the Preliminary Plat Supplemental Documents.

D. Vegetation

1. Indicate the distribution of the major vegetation types and identify critical plant communities as identified by the NRCS.

   Response: The Montana State Digital Library Land Cover Interactive Map shows that the

majority of the project area consists of Great Plains Mixed grass Prairie.

The Natural Heritage Map Viewer was utilized to identify any state critical plant communities, and none were identified on or near the proposed subdivision property.

A wetland delineation was performed on November 4, 2020, and the following information was described in the report. The wetland vegetation was dominated by reed canary grass (Phalaris arundinacea, FACW), Russian Olive (Elaeagnus angustifolia, FAC), Nebraska sedge (Carex nebrascensis, OBL), and common cattail (Typha latifolia, OBL). The upland vegetation was dominated by smooth brome (Bromus inermus, UPL), intermediate wheatgrass (Thinopyrum intermedium, UPL), curlycup gumweed (Grindelia squarrosa, FACU), and sagebrush (Artemisia ludoviciana, FACU). See figure 5 in the wetland delineation report for data points. The wetland delineation report is included in Appendix I.

2. Describe measures to preserve trees and critical plant communities (e.g., design and location of roads, lots, and open spaces).

   Response: There will be no impacts to critical plant communities. The proposed subdivision is composed of 48 single family residential lots, roads, and open space. The maximum number of trees and wetlands will be preserved with designated open space.

E. Wildlife

1. Describe species of fish and wildlife that inhabit the area affected by the proposed subdivision.
   Response: There is no aquatic habitat located on the property; therefore, no fish species inhabit the area. An existing subdivision is located to both the east and west of the proposed subdivision. The other surrounding properties are rural with light residential development.

2. Identify on an exhibit map of any known critical or "key" wildlife areas, such as big game winter range, migration routes, waterfowl nesting areas, habitat for rare or endangered species, and wetlands.

   Response: The US Fish & Wildlife Service provides Information for Planning and Consultation (IPAC) that searches for species and habitat within a proposed project boundary. A search in IPAC was conducted for the Cherry Hill 4th Filing project.
   The IPAC search found the following species could potentially be affected by activities at the project location, the Monarch Butterfly (Danaus Plexippus) that is a proposed threatened species and Suckley's Cuckoo Bumblebee (Bombus suckleyi), which is a proposed endangered species. Neither of the insect species have critical habitat within the project area. The IPAC search did not find any critical habitat within the project area. IPAC also searched for conflicts between the project area and Bald and Golden Eagles. The search found that there have been no eagles observed in the area. Similarly for migratory birds, there is no data showing the project area conflicts with migratory birds. Morrison-Maierle completed a Wildlife Assessment for the proposed subdivision that confirms the property contains no critical wildlife habitat and contains limited habitat value for wildlife. The complete Wildlife Assessment is included in Appendix E.

3. Submit the impacts of the proposed development on fish and wildlife as identified by the Montana Department of Fish, Wildlife, and Parks (MFWP). Provide a written statement outlining any recommendations of MFWP and any mitigation efforts to mitigate adverse impacts.

Response: A wildlife assessment memo and Wildlife Assessment of the Proposed Cherry Hill Subdivision was sent by MMI on May 5, 2025, to MFWP. A response on the potential effects and their recommendations will be provided once received.

16.09.040 – Community Impact Report Contents

A. Impact on agriculture and agricultural water use facilities.

1. Describe the number of acres in crop production and whether the property is in whole or in part of a viable farm unit, e.g., was the property under production during the last regular season.

   Response: A review of aerial photography available on Google Earth Pro dating back to 1985 indicates that the property has not been developed previously. Based on a water right query on the Montana Department of Natural Resources and Conservation, no rights were discovered for the parcel (Appendix B). The site is currently vacant land.

2. Describe the uses of land within the vicinity of the proposed subdivision.

   Response: Land uses within the vicinity of the proposed subdivision include medium density to rural residential and agricultural.

3. Describe existing irrigation rights on the property and whether the rights will be transferred, retained by the original owner, or severed.

   Response: Based on a water right query on the Montana Department of Natural Resources and Conservation, no rights were discovered for the parcel. The parcel is within the place of use for the City of Laurel. A summary is provided as Appendix B.

4. Explain any modification or relocation of ditches or any easements to be provided with the subdivision. The subdivider shall notify the affected ditch company of the subdivision and shall obtain permission to reroute or alter the ditch in any way.

   Response: The Big Ditch is located to the north and west of the proposed subdivision. Aside from the future bridge that will convey NW Maryland Lane across The Big Ditch, no modification or relocation of ditches is anticipated to occur. There are no existing ditch easements through the development property. Any modification or relocation of ditches located on the property will require permission from the affected ditch company or owner prior to the modification or relocation of the ditch.

B. Impact on local services and public health and safety.

1. Water Supply.
   a. Describe how water will be provided for domestic use and fire protection.

      Response: Water will be provided to the subdivision for domestic use and fire protection via the City of Laurel municipal services.

   b. Indicate the number of gallons per day of water the proposed subdivision will require and whether the water supply is sufficient to meet the needs of the anticipated population of the subdivision. Describe any anticipated effects on existing water systems or wells within the area.

      Response: The Cherry Hill - 4th Filing development includes 48 lots with a single-family house and additional dwelling unit (ADU). Maximum daily demands (MDD)

for residential developments were calculated using an average day demand of 130 gpcd. Population estimates were allocated as 2.83 persons per single-family dwelling and 1.5 persons per ADU. A MDD peaking factor of 2.5 was used. Fire flows required by the Standards for low and medium density developments is 1,000 gallons per minute (gpm). Using the MDD parameters above, the proposed subdivision will require a MDD of 68,148 gpd or 47.3 gpm. Morrison-Maierle provided an onsite fire hydrant flow test on May 8th, 2025, that confirmed the existing water system is sufficient to meet the needs of the Cherry Hill – 4th Filing Subdivision. The fire hydrant flow test is provided in Appendix F. The water demands from the existing subdivisions and Elena Park irrigation were also considered while verifying the existing public water system has capacity to serve the proposed subdivision. The Elena subdivision maximum day demand is 62.7 gpm, Cherry Hill 3rd Filing development added 17.4 gpm and Elena Park irrigation requires 4.52 gpm for a total maximum day demand of 132 gpm from the existing and proposed subdivision. The existing City of Laurel Public Water System supply is sufficient to meet the needs of the existing and proposed subdivision.

c. Based on available information, specify whether the proposed water supply satisfies the standards set forth by MDEQ for quality, quantity and construction criteria.

Response: Because the subdivision would be connected to the existing City public system, it is assumed that the proposed water supply satisfies the standards set forth by MDEQ for quality and quantity. The design of the water system will adhere to construction criteria set forth by MDEQ.

d. If connection to an existing public, community, or shared water system is proposed, identify and describe the existing system and approximate distance to the connection from the proposed subdivision.

(1) Provide written evidence that permission to connect to that system has been obtained.

Response: A consultation letter was sent by MMI on May 21, 2025, regarding the project. Evidence of written permission to connect to the system will be provided as Appendix G once a response is received.

(2) Provide information regarding the capacity of the existing water system and its adequacy for serving the proposed subdivision.

Response: The proposed connection point for the system is to the existing 12-inch diameter PVC water main located within Maryland Lane in the southern portion of the subdivision boundary. Improvements proposed for the Cherry Hill Subdivision include installing new 8-inch water mains to provide potable water service and fire suppression. The information in Section "b." above provides evidence for supply adequacy for serving the proposed subdivision.

e. If a new community or shared water system is proposed, identify who will install that system, and how the system will be maintained.

Response: A new community or shared water system is not proposed for the Cherry Hill Subdivision 4th Filing.

f. If individual water systems are proposed, describe the adequacy of supply of ground water for individual wells or cisterns and the method used to determine adequacy.

Response: Individual water systems are not proposed for the Cherry Hill Subdivision 4th Filing.

2. Sewage Disposal.
   a. Describe the proposed method of sewage disposal.

Response: Sewage disposal services will be provided to the subdivision via the City of Laurel municipal services. All sewage waste will be treated by the City of Laurel Wastewater Treatment Plant.

   b. Indicate the number of gallons of effluent per day that will be generated by the proposed subdivision at full occupancy, whether the proposed method of sewage disposal is sufficient to meet the anticipated needs of the subdivision, and whether it meets the standards of MDEQ.

Response: There are 48 lots within the proposed subdivision. Based on an average flow value of 100 gpcd and 2.83 persons per dwelling unit and 1.5 persons per ADU there will be an average day flow of approximately 20,784 gpd (14.43 gpm) generated by the subdivision. Peak flow, assuming a population of 208 people and a peaking factor of 4.1 (DEQ-2 Equation 10-1) is estimated at 59.8 gpm. The subdivision will convey waste to an existing 8" public sewer main located in an existing easement through the southern portion of the property along the proposed extension of Maryland Lane.

   c. If connection to an existing public sewer system is proposed, provide a description of the system and the approximate distance from the proposed subdivision.

Response: Connection will be made to the existing sewer mains that serve the subdivision to the east of the property. The connection to the existing sewer main will occur within an existing easement along the southern portion of the property.

      (1) Provide written evidence from the appropriate sewer jurisdiction granting permission to connect to that system shall be submitted with the preliminary plat.

Response: A consultation letter was sent by MMI on May 21, 2025, regarding the public sewer connection for the project. Evidence of written permission to connect to the system will be provided as Appendix G once a response is received.

      (2) Provide information regarding the installation, maintenance, and phasing of any proposed public sewage disposal system.

Response: Gravity sewer main extensions from existing facilities located along Maryland Lane will be constructed to provide

sewage disposal. No phasing or maintenance of these facilities is expected at this time.

d. If a new community or shared sewer system is proposed, identify who will install that system, and how the system will be maintained.

Response: The proposed subdivision will be connected to an existing sewer main and therefore a new or shared sewer system is not proposed.

e. If individual septic systems are proposed, describe the location and specifications of septic systems.

Response: The proposed subdivision will be connected to an existing sewer main and therefore individual septic systems are not proposed.

3. Solid Waste Disposal.
   a. Provide evidence that there is an existing solid waste collection and disposal system available that can accommodate the anticipated additional volume.

Response: The City of Laurel Public Works Department provides exclusive solid waste collection services within city limits.

   b. If no existing collection and disposal system is available, describe the proposed method of solid waste collection and disposal.

Response: Solid waste disposal services will be provided by the City of Laurel.

   c. Describe how the proposed system satisfies the standards set forth by MDEQ.

Response: The City of Laurel meets the requirements for solid waste disposal as required by MDEQ.

4. Storm Water.
   a. Provide calculations indicating how much storm water run-off will be generated as a result of the proposed development.

Response: Storm water calculations were performing in accordance with current MDEQ Circular 8 requirements and are provided in Appendix C.

   b. Provide a description of the proposed storm water collection and drainage systems that satisfy the standards set forth by Section 16.04.070.

Response: Storm water collection is proposed via network of street curbs and inlets, conveyed via stormwater piping, and treated using a retention pond. The retention storage facility supplying adequate retention storage for Cherry Hill 4th Filing is located in Utility Lot 1 of the Cherry Hill 3rd Filing development. The existing retention pond was oversized during the Cherry Hill 3rd Filing design to account for the future phase of development. The facilities were designed using MDEQ Circular 8. Maintenance of the retention facility is currently performed by the Cherry Hill Subdivision – 3rd Filing Owner's Association.

5. Roads.

a. Describe any proposed access roads or substantial improvements to existing public or private access roads.

Response: Cherry Hill 4th Filing will be accessed by extending existing roads, Cherry Hills Drive and W. Maryland Lane.

b. If connections to any existing roads are proposed, identify all access permits that are necessary from the city, county or state.

Response: "Public Right of Way Permit" applications from the City of Laurel may be required at the connection points to W. Maryland Lane and Cherry Hills Drive.

c. Discuss whether any of the individual lots or tracts have access directly to arterial roads.

Response: No lots in within the Cherry Hill Subdivision - 4th Filing have direct access to arterial roads. Maryland Lane is identified as a collector.

d. Explain any proposed closure or modification of existing roads.

Response: Road closures are not required. Existing road modifications are not expected.

e. Describe provisions considered for dust control on roads.

Response: All roads within Cherry Hill 4th Filing will be paved. It is assumed that the City of Laurel will sweep these streets as a part of normal road maintenance.

f. Explain how road maintenance will be provided to meet MDEQ guidelines for prevention of water pollution and erosion.

Response: Stormwater BMPs will be installed during construction to prevent water pollution and erosion per MDEQ SWPPP requirements. The City of Laurel will maintain roads including cleaning and sweeping as necessary once complete.

g. Indicate who will pay the cost of installing and maintaining the roads.

Response: The installation cost of the proposed roadways will be paid for by the developer. Road maintenance will be the responsibility of the City of Laurel once roadways are completed and dedicated to the public.

h. Discuss how much daily traffic will be generated on existing local and neighborhood roads and main arterials when the subdivision is fully developed.

Response: The normal traffic impacts on streets indicate that W. Maryland Lane would see the largest impact, with an estimated 31% increase. NW. Maryland Lane is estimated to have an increased traffic increase of 30%. 8th Avenue is expected to experience an estimated increase in traffic of 16%. W. 12th Street and Cherry Hills Drive will experience the least estimated increase at 14%.

i. Indicate the capacity of existing and proposed roads and if they are capable of safely handling the increased traffic resulting from the proposed subdivision.

Describe any additional maintenance that will be necessary due to increased traffic and who will pay the cost of maintenance.

Response: Per the traffic study, all roads and intersections should be capable of safely handling the increased traffic. Increased traffic should not have an effect on the Level of Service (LOS) for the intersections.

j. Indicate ownership of any private access to the subdivision, including private driveway easements.

Response: Cherry Hill 4th Filing will be accessed via public rights-of-way.

6. Utilities.
   a. Indicate which utility companies are proposed to serve the subdivision.
   Response: Water, Sewer, and Solid Waste will be provided by the City of Laurel. Electricity will be provided by Northwestern Energy. Natural Gas will be provided by Montana-Dakota Utilities Company. Telephone and Cable/Internet services will be provided by Century Link.

   b. State the method of furnishing electric, natural gas or telephone service, where provided, the extent to which these utilities will be placed underground, and the estimated completion of each utility installation.

   Response: There are existing electric, natural gas, and telephone services located near the proposed subdivision. These utilities will be installed after the curb and gutter is placed for the proposed roadways. All utilities are estimated to be complete by Spring 2027.

   c. Indicate if there are any existing utility lines on the property such as transmission lines, pipelines, etc. and if so, describe the impacts they may have on the proposed subdivision.

   Response: Existing water and sewer utilities are located within an existing utility easement that will become an extension of Maryland Lane, which will be used to provide service for the proposed subdivision. There is existing overhead power located along the south boundary of the property; there is no expected impact on the subdivision.

7. Emergency Services.
   a. Describe the emergency services available to the subdivision including fire protection, police protection, ambulance, and medical services.

   Response: According to the Yellowstone County GIS Interactive Mapper and the City of Laurel Website, Cherry Hill Subdivision -4th Filing will be served by Laurel Fire District 7, Laurel Police Department, Laurel Emergency Medical Services, and Intermountain Health Clinic and Advanced Care Hospital of MT (Billings).

   b. Provide an estimate of the number of responses generated by the subdivision, and the method of determining those numbers.

   Response: Based on data received from the Laurel Police Department, from May 2020 thru May 2021, there were 2,413 emergency calls received by the department serving a population of 6,834. This equates to a per capita call

volume of 0.35 calls/person/year. Assuming 2.83 persons per household and 1.5 persons per ADU among 48 lots, the subdivision would have a population of 208 persons and generate approximately 73 calls per year.

c. Describe roads to the subdivision and provide information on compaction standards and widths that satisfy the requirements set forth for emergency vehicle access.

Response: Compaction for roadways shall comply with the current edition of Montana Public Works Standard Specifications. Road widths will comply with the Subdivision Regulations of the Laurel-Yellowstone City-County Planning Board requirements.

d. In the event that the proposed subdivision is located within the Wildland Urban Interface (WUI), the subdivider shall submit a plan to mitigate fire hazard in accordance with the fire department having jurisdiction.

Response: Cherry Hill Subdivision 4th Filing is not located within the Wildland Urban Interface.

e. Describe any health or safety hazards on or near the subdivision, such as mining activity, high pressure gas lines, dilapidated structures or high voltage powerlines. These conditions should be accurately described and their origin and location identified and any proposed mitigation.

Response: Buried natural gas and overhead electrical transmission lines exist within the proposed subdivision boundary. Natural gas and overhead power are located along the southern property boundary. Utility locates will be performed during construction.

8. Schools.
   a. Describe the available educational facilities that would service this subdivision.

Response: According to the Yellowstone County GIS website, Cherry Hill 4th Filing is served by Laurel Public Schools.

b. Provide an estimate of the number of school children that will be generated from the proposed subdivision and provide the basis for the estimate.

Response: A conservative estimate of the number of school age children can be calculated as 50% of the number of homes. With 48 homes, the estimated number of students will be 24 students. Of the 24 students, two-thirds, or 16 students, will be elementary age (K-8) and one-third, or 8 students, will be high school age.

c. Provide information regarding whether the increased enrollment can be accommodated by the present personnel, facilities and existing school bus system. This should include any recommendations of the administrator(s) and plans to mitigate adverse impacts of the proposed development on the provision of educational services.

Response: A consultation letter was sent by MMI on March 7, 2025, regarding the project. No response yet. The response will be provided once it is received.

9. Parks and Recreation Facilities.
    a. Describe any park and recreation facilities to be provided within the proposed subdivision and other recreational facilities that may serve the subdivision.

    Response: No park or recreation facilities will be provided within the proposed subdivision. It is assumed that parks near to the subdivision will adequately serve the subdivision.

    b. State how the required parkland dedication is being satisfied.

    Response: A cash-in-lieu payment will be provided by the developer to satisfy the parkland requirement. The parkland area requirement was calculated based on 11% of the 10.20 acres of lots and 0.11 acres of Open Space 03 that are parcels less than 0.5 acres. Additionally, 7.5% of the open space 01 area of 0.6 acres, 5% of the Open Space 2 area of 2.4 acres, and 2.5% of the ROW area of 4.43 acres contributed to the total parkland area requirement of 1.44 acres. The cash payment is based on an assumed market value of $10,208 per acre.

C. Land Use.
    1. Indicate compliance with zoning encompassing all or part of the proposed subdivision. If the proposed subdivision is located near the jurisdictional area of an incorporated city or town, state whether annexation is proposed.

    Response: According to the City of Laurel Growth Management Plan Existing Land Use Map (2020), the area surrounding the subject property is identified as single household residential and rural residential. Cherry Hill Subdivision – 4th Filing will create additional single-family residential lots.

    2. Describe how the subdivision will affect access to public lands. Where public lands are adjacent to or near the proposed development, describe present and anticipated uses for those lands.

    Response: The proposed subdivision will not affect access to public lands.

    3. Describe the effect of the subdivision on adjacent land uses.

    Response: The proposed subdivision will be residential. Cherry Hill 4th Filing will have similar land use to the adjacent lands, both residential areas to the East and West.

    4. Describe any on-site or off-site land uses creating a nuisance, such as unpleasant odors, unusual noises, dust or smoke.

    Response: There are currently no land uses surrounding the proposed subdivision that would create a nuisance.

D. Historical Features. Provide a letter from the State Historic Preservation Office (SHPO) indicating whether any historic features such as paleontological, archeological or cultural sites, structures, or objects are present on the subject property. If such features are present, provide a written statement outlining any recommendations of SHPO and any plans for inventory, study, and/or preservation and mitigation for any adverse impacts.

Response: A SHPO file search request was sent to the Cultural Records Manager, Damon

Murdo, on April 22, 2021, regarding COS 3034 Tract 1, which includes both Cherry Hill 3rd and 4th Filings. Mr. Murdo responded on April 26, 2021, and stated that a cultural resources inventory is unwarranted at this time. He stated that the Big Ditch, which runs north and west of the proposed subdivision boundary, is considered eligible for listing on the National Register of Historic Places. The results of the SHPO file search request and correspondence with Mr. Murdo are located in Appendix J.

E. Visual Impact.
   1. Describe any efforts to visually blend development activities with natural surroundings.

      Response: Roads and other facilities will be designed to mimic existing grades. Boulevards will be provided to include green space.

   2. If the subdivision is located near the Yellowstone River or the Rimrocks, describe any potential impacts to these natural amenities. Discuss any mitigation efforts to preserve the views.

      Response: The subdivision is not located near the Yellowstone River or the Rimrocks.

   3. Provide information regarding revegetation after construction and any proposed landscaping to be provided along streetscapes.

      Response: Areas disturbed during construction will be controlled for weeds and re-vegetated following construction. Boulevards will be seeded with grass.

16.09.050 – Summary of Probable Impacts

A. Describe the effects the proposed subdivision has on the following:
   1. Agriculture;

      Response: Cherry Hill Subdivision – 4th Filing anticipates no impacts to agriculture.

   2. Agricultural water user facilities;

      Response: Cherry Hill Subdivision – 4th Filing anticipates no impacts to agricultural water user facilities.

   3. Local services;

      Response: Water, sewer, and solid waste impacts are proposed to increase as a result of the proposed subdivision, all will be provided by the City of Laurel.

   4. The natural environment;

      Response: Natural environmental impacts will be minimized by utilizing public water and sewer services. Stormwater impacts will be minimized by using retention facilities to treat any additional runoff that is generated.

5. Wildlife and wildlife habitat; and

   Response: The subject property contains limited habitat value for wildlife. No Endangered Species Act-listed species or critical habitat was observed during the onsite visit from MMI Environmental Scientists. Several species of concern were documented in the broader area; however, these species are unlikely to occur on the property due to habitat constraints.

6. Public health and safety.

   Response: Cherry Hill Subdivision – 4th Filing anticipates no impacts to public health and safety.

References

Federal Emergency Management Administration (FEMA). 2024. FEMA Flood Map Service Center. https://msc.fema.gov/portal/home

Montana Bureau of Mines and Geology (MBMG). 2024. Groundwater Information Center (GWIC) Wells Mapper. https://mbmg.mtech.edu/mapper/mapper.asp?view=Wells&

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Montana Natural Heritage Program. 2024. Natural Heritage Map Viewer. http://mtnhp.org/mapviewer/?t=1

Natural Resource Conservation Service (NRCS). 2024. Web Soil Survey. https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx

U.S. Fish and Wildlife Service (USFWS). 2024. IPAC Information for Planning and Consultation. https://ipac.ecosphere.fws.gov/

Cherry Hill Subdivision – 4th Filing: 16.09 – Environmental Assessment

Exhibit 1:
Vicinity Map



N

Morrison Maierle
engineers ▪ surveyors ▪ planners ▪ scientists
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DRAWN BY: BLK
DSGN. BY: KCK
APPR. BY: MEG
DATE: 03/2025

CHERRY HILLS SUBDIVISION - 4TH FILING
LAUREL MONTANA

VICINITY MAP

PROJECT NO. 6683.001

FIGURE NO. 1

Plotted by haaken.svgud on May/21/2025

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Cherry Hill Subdivision – 4th Filing: 16.09 – Environmental Assessment

Appendix A:
NRCS Soil Resource Report

United States Department of Agriculture

NRCS

Natural Resources Conservation Service

A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for Yellowstone County, Montana

Cherry Hills 4th Filing Subdivision Boundary



Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (https://offices.sc.egov.usda.gov/locator/app?agency=nrcs) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

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How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.



Map Scale: 1:2,310 if printed on A landscape (11" x 8.5") sheet.

N

Meters
0 30 60 120 180

Feet
0 100 200 400 600

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 12N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Yellowstone County, Montana
Survey Area Data: Version 23, Aug 28, 2024

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 22, 2021—Oct 4, 2021

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Ax	Arvada-Bone silty clay loams, 0 to 1 percent slopes	6.9	37.9%
He	Haverson silty clay loam, 1 to 3 percent slopes	3.8	21.0%
Hv	Hydro-Allentine complex, 2 to 7 percent slopes	7.4	41.0%
Totals for Area of Interest		**18.1**	**100.0%**

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or

landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Yellowstone County, Montana

Ax—Arvada-Bone silty clay loams, 0 to 1 percent slopes

Map Unit Setting

National map unit symbol: clq3
Elevation: 2,500 to 4,700 feet
Mean annual precipitation: 12 to 15 inches
Mean annual air temperature: 39 to 48 degrees F
Frost-free period: 115 to 135 days
Farmland classification: Not prime farmland

Map Unit Composition

Arvada and similar soils: 60 percent
Bone and similar soils: 30 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Arvada

Setting

Landform: Terraces, fans
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium

Typical profile

E - 0 to 4 inches: loam
Btn - 4 to 28 inches: clay
Bkny - 28 to 60 inches: clay loam

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: 0 to 8 inches to natric
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 15 percent
Maximum salinity: Moderately saline to strongly saline (8.0 to 16.0 mmhos/cm)
Sodium adsorption ratio, maximum: 30.0
Available water supply, 0 to 60 inches: Very low (about 0.6 inches)

Interpretive groups

Land capability classification (irrigated): 7s
Land capability classification (nonirrigated): 7s
Hydrologic Soil Group: D
Ecological site: R058AC040MT - Silty (Si) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

Description of Bone

Setting

Landform: Lakebeds (relict), terraces, fans
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium

Typical profile

Btk - 0 to 3 inches: silty clay
C1 - 3 to 52 inches: silty clay
C2 - 52 to 62 inches: stratified loam to clay

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 5 percent
Maximum salinity: Strongly saline (16.0 mmhos/cm)
Sodium adsorption ratio, maximum: 70.0
Available water supply, 0 to 60 inches: Low (about 4.4 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 7s
Hydrologic Soil Group: D
Ecological site: R058AC050MT - Saline Upland (SU) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

Minor Components

Hydro

Percent of map unit: 10 percent
Landform: Fans, low hills
Landform position (two-dimensional): Footslope
Landform position (three-dimensional): Base slope
Down-slope shape: Linear, concave
Across-slope shape: Linear
Ecological site: R058AC041MT - Clayey (Cy) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

He—Haverson silty clay loam, 1 to 3 percent slopes

Map Unit Setting

National map unit symbol: clrk
Elevation: 1,900 to 6,000 feet
Mean annual precipitation: 12 to 15 inches
Mean annual air temperature: 37 to 45 degrees F
Frost-free period: 115 to 135 days
Farmland classification: Farmland of statewide importance

Map Unit Composition

Haverson and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Haverson

Setting

Landform: Flood plains, terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Concave, linear
Parent material: Alluvium

Typical profile

A - 0 to 12 inches: clay loam
C - 12 to 68 inches: stratified fine sandy loam to clay loam

Properties and qualities

Slope: 1 to 3 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high (0.20 to 0.57 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: Rare
Frequency of ponding: None
Calcium carbonate, maximum content: 5 percent
Maximum salinity: Nonsaline to slightly saline (0.0 to 4.0 mmhos/cm)
Available water supply, 0 to 60 inches: High (about 9.6 inches)

Interpretive groups

Land capability classification (irrigated): 2e
Land capability classification (nonirrigated): 3e
Hydrologic Soil Group: C
Ecological site: R058AC041MT - Clayey (Cy) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

Minor Components

Lohmiller

Percent of map unit: 9 percent
Landform: Terraces, flood plains
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear, concave
Ecological site: R058AY701MT - Clayey 10-14
Hydric soil rating: No

Grail

Percent of map unit: 6 percent
Landform: Hills, terraces, fans
Landform position (three-dimensional): Base slope, tread
Down-slope shape: Concave, linear
Across-slope shape: Linear
Ecological site: R058AC041MT - Clayey (Cy) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

Hv—Hydro-Allentine complex, 2 to 7 percent slopes

Map Unit Setting

National map unit symbol: clrx
Elevation: 1,900 to 4,500 feet
Mean annual precipitation: 11 to 15 inches
Mean annual air temperature: 39 to 48 degrees F
Frost-free period: 115 to 135 days
Farmland classification: Not prime farmland

Map Unit Composition

Hydro and similar soils: 60 percent
Allentine and similar soils: 30 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Hydro

Setting

Landform: Fans, low hills
Landform position (two-dimensional): Footslope
Landform position (three-dimensional): Base slope
Down-slope shape: Linear, concave
Across-slope shape: Linear
Parent material: Clayey alluvium

Typical profile

EB - 0 to 5 inches: clay loam
Btn - 5 to 19 inches: clay
Bky - 19 to 60 inches: clay loam

Properties and qualities

Slope: 2 to 7 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.20 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 15 percent
Maximum salinity: Slightly saline to strongly saline (4.0 to 16.0 mmhos/cm)
Sodium adsorption ratio, maximum: 30.0
Available water supply, 0 to 60 inches: Moderate (about 7.0 inches)

Interpretive groups

Land capability classification (irrigated): 3s
Land capability classification (nonirrigated): 3s
Hydrologic Soil Group: C
Ecological site: R058AC041MT - Clayey (Cy) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

Description of Allentine

Setting

Landform: Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium

Typical profile

A - 0 to 3 inches: clay
Btn - 3 to 13 inches: clay
Bkyz - 13 to 32 inches: clay
Cr - 32 to 60 inches: bedrock

Properties and qualities

Slope: 2 to 7 percent
Depth to restrictive feature: 3 to 10 inches to natric; 20 to 40 inches to paralithic bedrock
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 15 percent
Maximum salinity: Slightly saline to strongly saline (4.0 to 16.0 mmhos/cm)
Sodium adsorption ratio, maximum: 30.0
Available water supply, 0 to 60 inches: Very low (about 0.5 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 6e
Hydrologic Soil Group: D
Ecological site: R058AC041MT - Clayey (Cy) RRU 58A-C 11-14" p.z.

Hydric soil rating: No

Minor Components

Arvada

Percent of map unit: 10 percent
Landform: Terraces, fans
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: R058AC040MT - Silty (Si) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

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Cherry Hill Subdivision – 4th Filing: 16.09 – Environmental Assessment

Appendix B:
Water Rights Summary Memo

Morrison Maierle
engineers ▪ surveyors ▪ planners ▪ scientists

Technical Memo

To: Kolter Kukes, PE

From: Faith Doty, Environmental Scientist

Date: June 23, 2025

Job: 6683.001

Re: Cherry Hill Water Rights Memo

This memo documents the presence or absence of water rights on a parcel of land in Yellowstone County, Montana. This parcel is legally described as:

S08, T02 S, R24 E, C.O.S. 3034, PARCEL 1A, AMD (24)

The total area investigated is 18.07 acres. In addition to the desktop assessment, Morrison-Maierle environmental scientists conducted field visits to the subject property on November 4, 2020 and June 12, 2025. The results of our investigation are presented below. A vicinity and aerial map of the investigation areas are attached.

Type, Description, Ownership, and User Facilities

The following agricultural water facilities are present on, or adjacent to, the subject property:

Irrigation ditch lateral: Approximately 860 lineal feet of a man-made channel transects the eastern side of the investigation area before connecting to the Big Ditch canal. The Big Ditch canal borders the investigation area on the west and north sides (see attached map).

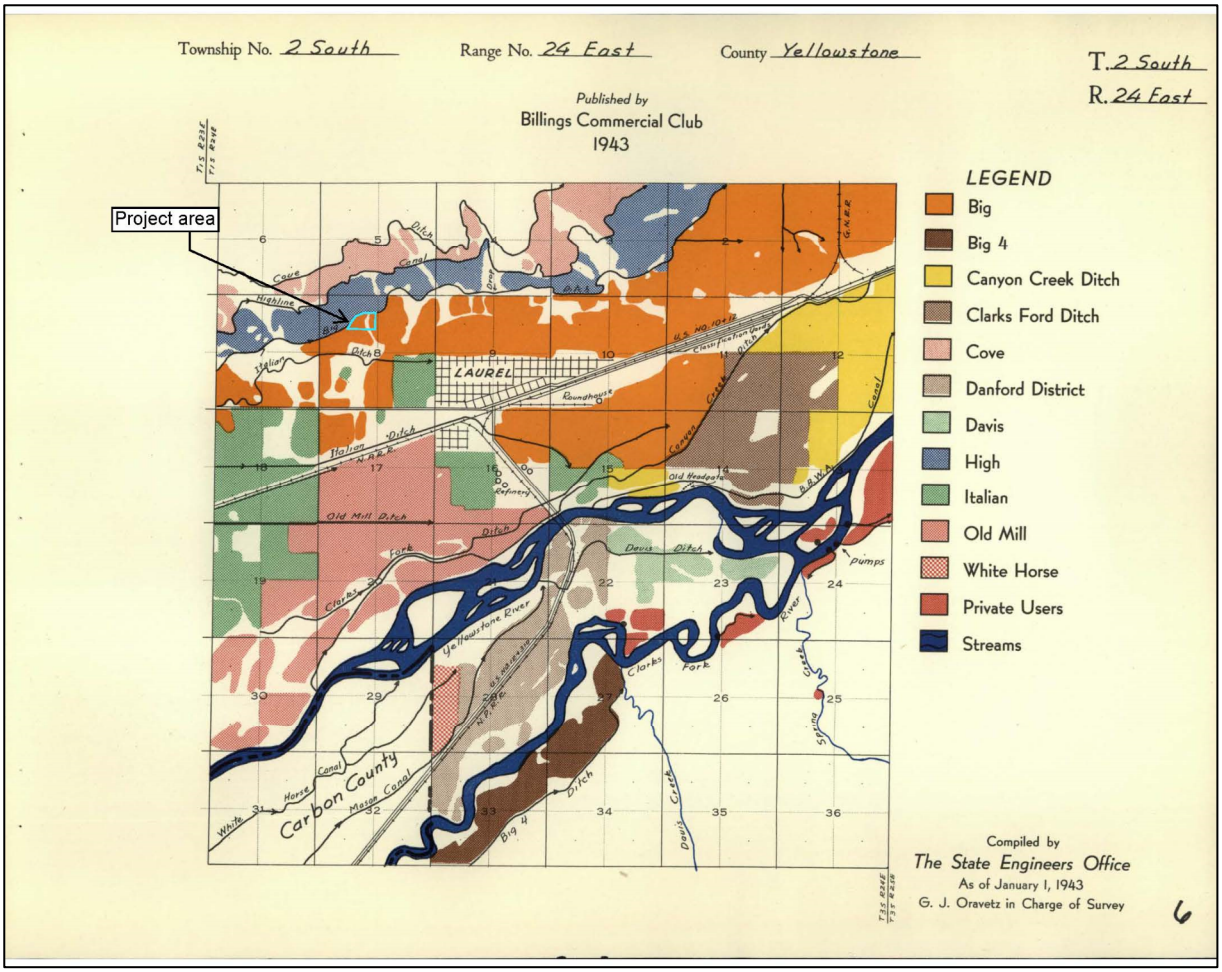
Big Ditch Canal: A wide irrigation canal borders the property along its west and north sides, flowing generally westward. The canal—commonly referred to as the Big Ditch—originates at the Yellowstone River in Laurel, Montana. It flows through Billings and continues via tunnel beneath the Rimrocks into the Billings Heights, eventually discharging back into the Yellowstone River near Shepherd.

The Billings Bench Water Association (BBWA), a nonprofit organization formed in 1915, operates and maintains the canal. The BBWA Canal is the largest in the Billings area and serves as a critical water source for regional agriculture. The system includes a 63-mile main canal and over 200 miles of lateral ditches. It delivers irrigation water to approximately 1,200 users, who also hold shares in the association.

Each year, BBWA initiates canal flow around April 15 and shuts it off around October 15. Flow rates typically range from 200 to 600 cubic feet per second. The system provides irrigation water to approximately 18,000 acres of agricultural land and also supplies water to golf courses, public parks, and private lawns.

The Yellowstone County Irrigated Area Maps from 1943 show that the subject property was partially irrigated by the Big Ditch at the time of publication. An annotated copy of the map showing the subject property is attached, and also shown in Figure 1.

Figure 1. Water Resources Survey for Gallatin County, MT, 1953



The Big Ditch Canal functions solely as an irrigation feature and is not considered a perennial stream. In a June 5, 2025 email, the Yellowstone Conservation District confirmed that it does not assert jurisdiction over irrigation ditches, canals, or drainage ditches—including the Big Ditch Canal.

The U.S. Army Corps of Engineers (USACE) stated in an Approved Jurisdictional Determination (AJD) letter on July 13, 2021 that the irrigation ditch that transects the property is not a regulated water of the United States and is therefore out of their jurisdiction. The AJD is attached to this memo.

Water Rights

The Montana Department of Natural Resources and Conservation (DNRC) manages the state's Water Rights Query System. In June 2025, Morrison-Maierle used the database to evaluate whether any water rights are associated with the subject property.

A geocode-based search (03-0821-08-2-40-01-0000) returned no results for either a point of diversion or a place of use located on the property. To supplement this query, we conducted a

location-based search using the property's Section, Township, and Range (T2S, R24E, Section 8) to identify any existing water rights within the surrounding area.

This broader search yielded 66 water rights, summarized in Table 1. However, none of these records identify the subject property as a place of use. Based on this result, we interpret that the documented rights belong to other landowners within the same section. The absence of parcel-specific water rights suggests that the property historically received water through shared use of irrigation ditch rights, rather than holding an independent water right. No private or sole-source water rights are currently recorded for the parcel.

Table 1. Water Right Query Results for Cherry Hill

Water Right	Status	Source	Purpose	Owner
43QJ 208 00	Active	GROUNDWATER	DOMESTIC	CATHERINE W TOOLEY; CREATH A TOOLEY
43QJ 4261 00	Active	GROUNDWATER	DOMESTIC	H R OXYGEN SUPPLY INC
43QJ 6132 00	Active	GROUNDWATER	DOMESTIC	RACHEL LESNIK; THADDEUS LESNIK
43QJ 11628 00	Active	GROUNDWATER	DOMESTIC	KENNETH HELMAN; SANDRA E HELMAN
43QJ 12501 00	Active	GROUNDWATER	DOMESTIC; STOCK	ALICIA M ANDERSON; TRAVIS R ANDERSON
43QJ 16610 00	Active	GROUNDWATER	DOMESTIC	RICHARD BLASKOVICH; SUSAN BLASKOVICH
43QJ 15920 00	Active	GROUNDWATER	DOMESTIC	CONWAY, DENNIS AND SANDRA TRUSTEES
43QJ 22305 00	Active	GROUNDWATER	DOMESTIC	KURT N JOHNSON
43QJ 25057 00	Active	GROUNDWATER	DOMESTIC	DAVID M YAKES; DAYNA M YAKES
43QJ 54036 00	Active	GROUNDWATER	LAWN AND GARDEN	YELLOWSTONE COUNTY SCHOOL DIST #7
43QJ 64401 00	Active	GROUNDWATER	IRRIGATION	TERRIE A CASEY; TIMOTHY J CASEY
43QJ 64421 00	Active	GROUNDWATER	DOMESTIC	RAGLAND FARMS INC
43QJ 80814 00	Active	GROUNDWATER	DOMESTIC; LAWN AND GARDEN	HEIDI MATELICH; NATHAN MATELICH
43QJ 88848 00	Active	GROUNDWATER	LAWN AND GARDEN	ROY K THURMAN; SUSAN E THURMAN
43QJ 94794 00	Active	GROUNDWATER	DOMESTIC; LAWN AND GARDEN	LAUREN E ROGERS; SELWYN P ROGERS
43QJ 101407 00	Active	GROUNDWATER	LAWN AND GARDEN	CYNTHIA M RIESINGER; JERRY RIESINGER
43Q 107025 00	Active	GROUNDWATER	DOMESTIC	GARY KENNEDY; MARTHA KENNEDY
43Q 111870 00	Active	GROUNDWATER	LAWN AND GARDEN	BRIDGET S MENNIE; KELLY L MENNIE
43Q 112008 00	Active	GROUNDWATER	DOMESTIC	CORTNEY G RUTH
43Q 116124 00	Active	GROUNDWATER	LAWN AND GARDEN	THOMAS S MONTGOMERY
43Q 116156 00	Active	GROUNDWATER	DOMESTIC	CHRISTINE N HOFSCHULTE; KENNETH J HOFSCHULTE

Water Right	Status	Source	Purpose	Owner
43Q 116165 00	Active	GROUNDWATER	LAWN AND GARDEN	ANTHONY ROBERG
43Q 116166 00	Active	GROUNDWATER	DOMESTIC	KATHLEEN A FURROW
43Q 115320 00	Active	GROUNDWATER	LAWN AND GARDEN	LAURA DIETZ; PHILLIP DIETZ
43Q 116235 00	Active	GROUNDWATER	LAWN AND GARDEN	CURTIS L ANDERSON; GERALDINE K ANDERSON
43QJ 28069 00	Active	GROUNDWATER	DOMESTIC	TJ SKE LLC
43Q 113537 00	Active	GROUNDWATER	LAWN AND GARDEN	MITCH WARDELL
43QJ 30004989	Active	GROUNDWATER	DOMESTIC; LAWN AND GARDEN	JANEL I ALLISON; MARK D ALLISON
43QJ 30007337	Active	GROUNDWATER	DOMESTIC	NATALIE CHANEY; NICHOLAS M CHANEY
43QJ 30006537	Active	GROUNDWATER	DOMESTIC; STOCK	GRACE FRAZIER; GRANT FRAZIER
43QJ 30007409	Active	GROUNDWATER	DOMESTIC; LAWN AND GARDEN	TERRY L RUFF
43Q 30007775	Active	GROUNDWATER	LAWN AND GARDEN	BRENDA L YOUNKIN
43QJ 38235 00	Active	YELLOWSTONE RIVER	STOCK	BIG DITCH CO INC; HIGH DITCH CO INC
43Q 30011001	Active	GROUNDWATER	DOMESTIC	SARAH L HARRIS
43Q 30012064	Active	GROUNDWATER	DOMESTIC	ROSS V KING
43Q 30012754	Active	GROUNDWATER	DOMESTIC	JEAN M KERR
43QJ 30006508	Active	UNNAMED TRIBUTARY OF YELLOWSTONE RIVER	IRRIGATION	GRACE FRAZIER; GRANT FRAZIER
43QJ 30007499	Active	GROUNDWATER	LAWN AND GARDEN	JODY BOHAN; MARK BOHAN
43Q 30014994	Active	GROUNDWATER	LAWN AND GARDEN	SIERRA L HARBISON; LEIF A RIESINGER
43QJ 772 00	Active	GROUNDWATER	DOMESTIC	CLYDE A BRAY
43QJ 14502 00	Active	GROUNDWATER	DOMESTIC	JEROLD CANTRELL; JUANITA CANTRELL
43QJ 10198 00	Active	YELLOWSTONE RIVER	IRRIGATION	BIG DITCH CO INC; HIGH DITCH CO INC
43QJ 21608 00	Active	GROUNDWATER	DOMESTIC	LES L MASSAD
43QJ 70815 00	Active	GROUNDWATER	DOMESTIC	CASEY MEIER; TIFFANY MEIER
43QJ 117626 00	Active	GROUNDWATER	LAWN AND GARDEN	WENDY CATHLEEN MEANS
43QJ 26376 00	Active	GROUNDWATER	DOMESTIC	KENNETH J SHERMAN; ROSALINA J SHERMAN
43QJ 62414 00	Active	UNNAMED TRIBUTARY OF YELLOWSTONE RIVER	LAWN AND GARDEN	JOHN MARSTAELLER
43Q 30011824	Active	GROUNDWATER	DOMESTIC	RANDY M MAYES
43Q 30000645	Active	GROUNDWATER	LAWN AND GARDEN	BARBARA J JOHNSON; MERTON O JOHNSON

Water Right	Status	Source	Purpose	Owner
43Q 30022253	Active	GROUNDWATER	IRRIGATION	LEONARD A COOK; AMANDA N VICK
43Q 30017826	Active	GROUNDWATER	DOMESTIC	APRIL BONHAM; KENNETH BONHAM
43QJ 30022859	Active	GROUNDWATER	DOMESTIC	JACKIE L BRILZ
43QJ 30025001	Active	UNNAMED TRIBUTARY OF YELLOWSTONE RIVER	LAWN AND GARDEN	DAVID GIGOUX
43QJ 30050849	Active	GROUNDWATER	LAWN AND GARDEN	WEST CONGREGATION OF JEHOVAS WITNESSES
43QJ 30050825	Active	GROUNDWATER	DOMESTIC; LAWN AND GARDEN	COREEN TOMEK; JOHN J TOMEK
43Q 30072162	Active	GROUNDWATER	LAWN AND GARDEN	DANIEL J KLEIN
43Q 30070469	Active	GROUNDWATER	LAWN AND GARDEN	JEFFREY L KOGELMANN; TIFFANY G KOGELMANN
43QJ 30107789	Active	GROUNDWATER	LAWN AND GARDEN	DON RUSSELL; LISA RUSSELL
43Q 45730 00	Active	YELLOWSTONE RIVER	MUNICIPAL	LAUREL, CITY OF
43QJ 30112847	Active	GROUNDWATER	LAWN AND GARDEN	TJ SKE LLC
43QJ 30134092	Active	GROUNDWATER	DOMESTIC; LAWN AND GARDEN; STOCK	DENNIS ALLWIN; GLORIA ALLWIN
43QJ 6531 00	Active	GROUNDWATER	DOMESTIC	ANTHONY R URQUIDI; KATHERINE V URQUIDI
43QJ 45735 00	Active	YELLOWSTONE RIVER	STOCK	COVE IRRIGATION CO
43QJ 6530 00	Active	SPRING, UNNAMED TRIBUTARY OF YELLOWSTONE RIVER	STOCK	ANTHONY R URQUIDI; KATHERINE V URQUIDI
43QJ 19149 00	Active	YELLOWSTONE RIVER	IRRIGATION	COVE IRRIGATION CO
43QJ 30163821	Active	GROUNDWATER	IRRIGATION; DOMESTIC	BAILEY DEMPSTER; JAY D DEMPSTER

Note: Because the water rights query search was completed using the Township/Range/Section of the subject property, some of the water rights in Table 1 may be for adjacent properties.

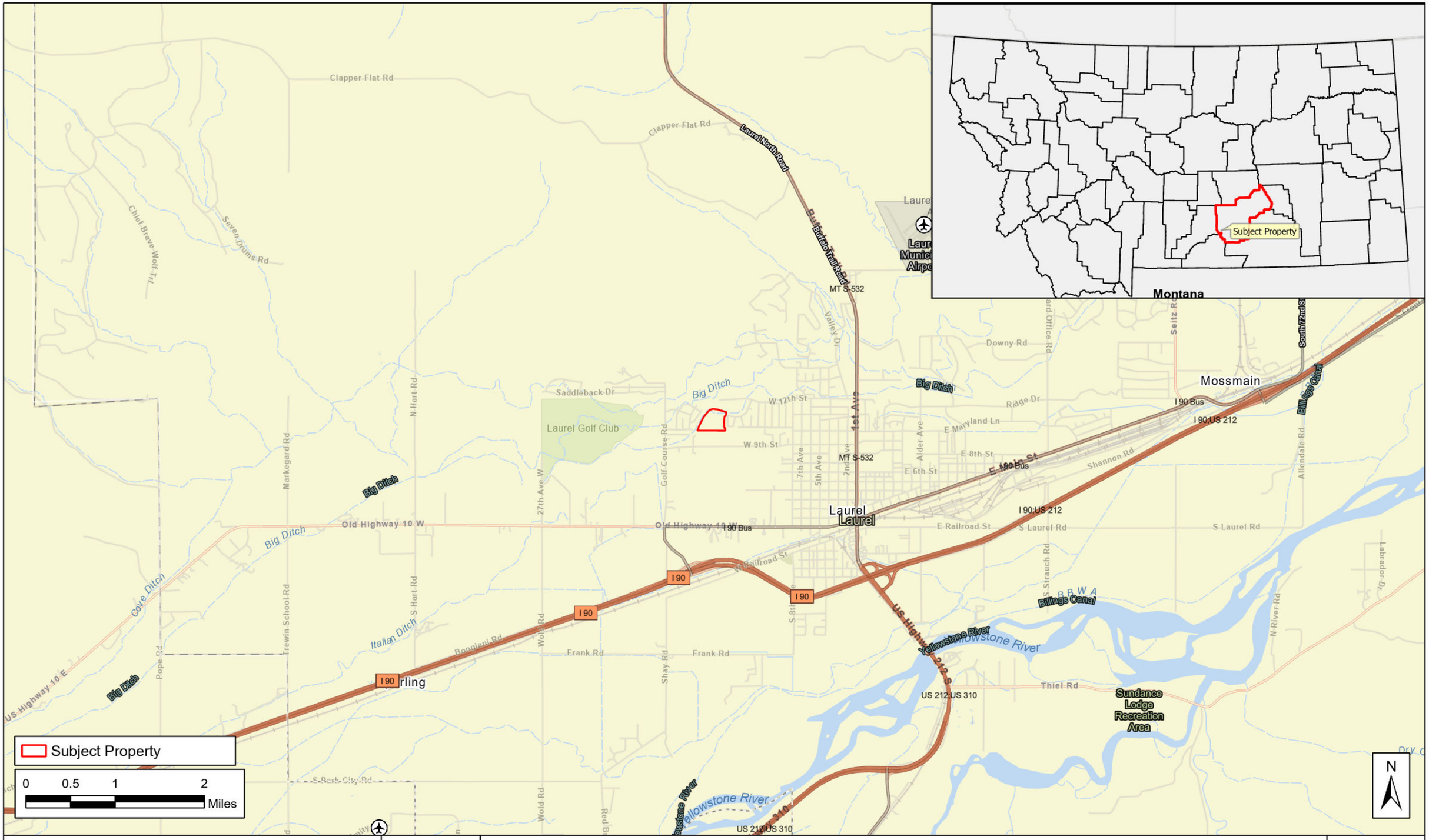
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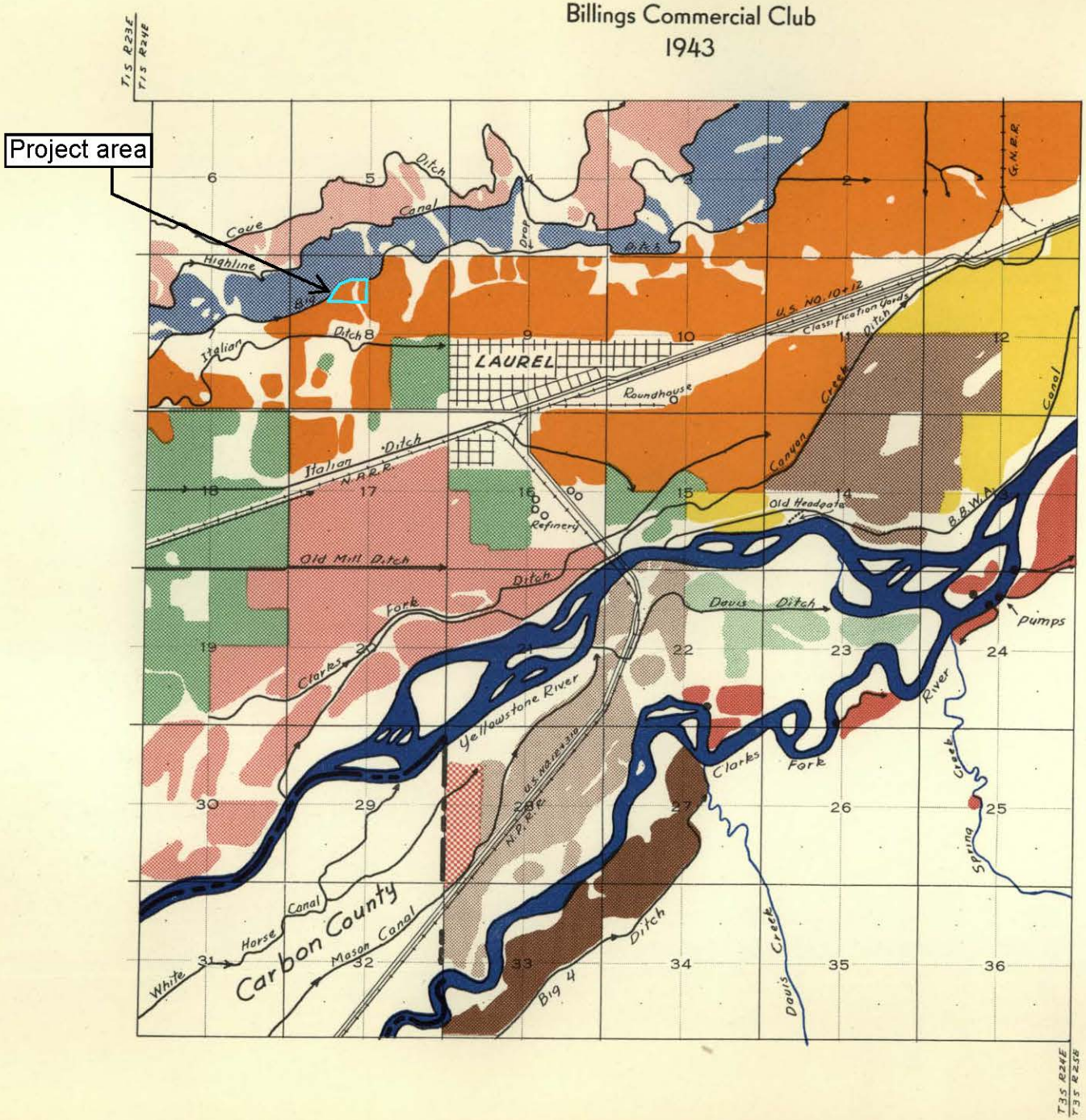


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Township No. 2 South Range No. 24 East County Yellowstone

T. 2 South
R. 24 East

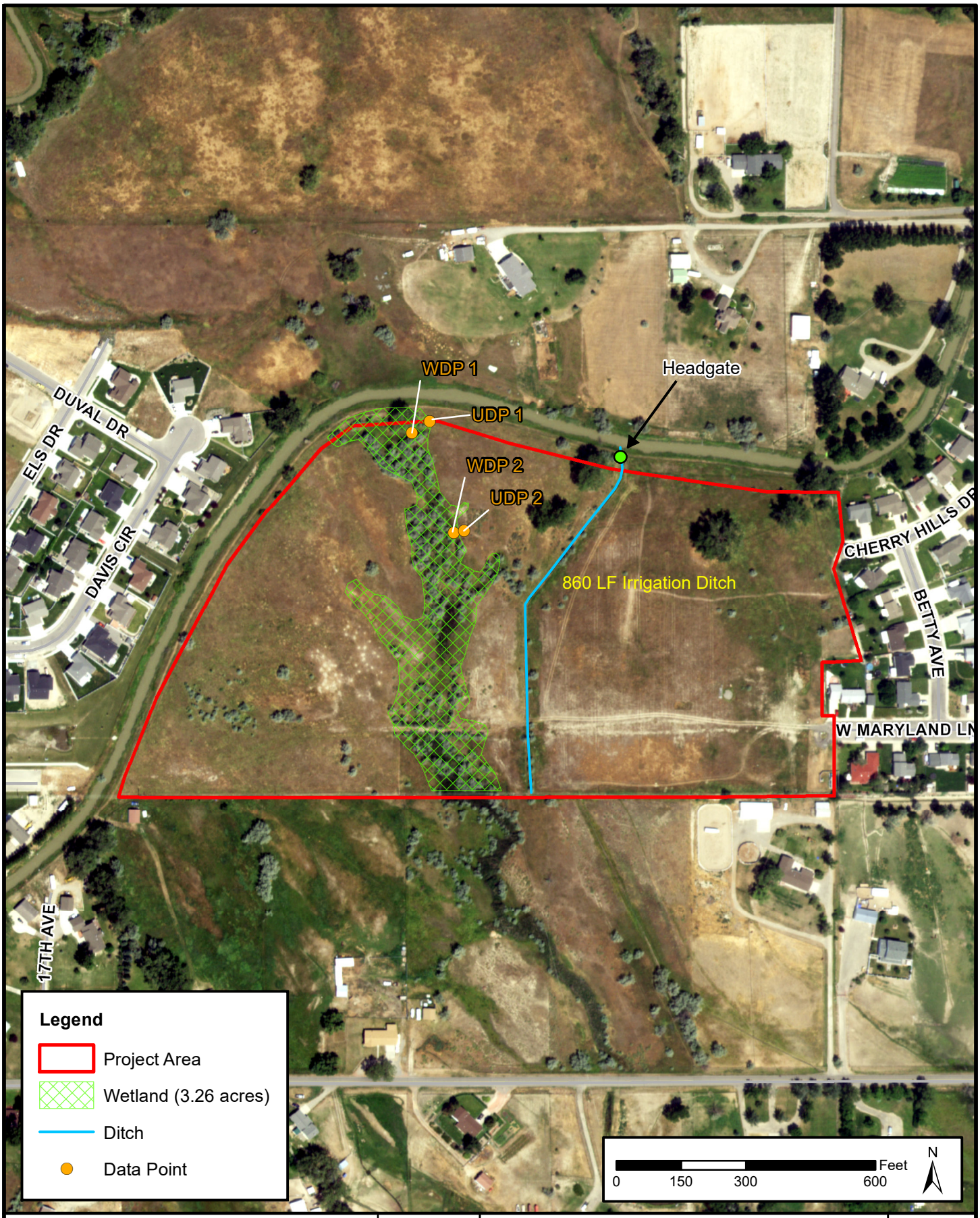
Published by
Billings Commercial Club
1943



LEGEND

- Big
- Big 4
- Canyon Creek Ditch
- Clarks Ford Ditch
- Cove
- Danford District
- Davis
- High
- Italian
- Old Mill
- White Horse
- Private Users
- Streams

Compiled by
The State Engineers Office
As of January 1, 1943
G. J. Oravetz in Charge of Survey



Morrison Maierle
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CHK'D BY: CP
APPR. BY: CP
DATE: 6/29/2021

WETLAND DELINEATION MAP
YELLOWSTONE COUNTY MT

Cherry Hills Subdivision Wetland Delineation

PROJECT NO. 6683.001
FIGURE NO. 5

N:\6683\001\GIS\Fig 5_WD Map.mxd

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
HELENA REGULATORY OFFICE
10 WEST 15TH STREET, SUITE 2200
HELENA, MONTANA 59626-9705

July 13, 2021

SUBJECT: Approved Jurisdictional Determination - Cherry Hills Subdivision; USACE No. **NWO-2021-00433-MTB**

Morrison-Maierle
Attn: Ms. Christine Pearcy
2880 Technology Boulevard W.
Bozeman, Montana 59718

Dear Ms. Pearcy:

We are responding to your request for an approved jurisdictional determination regarding the above-referenced project. The approximate 25-acre project site is located at Latitude 45.680435°, Longitude -108.794173°, within Section 8, Township 2 South, Range 24 East, Laurel, Yellowstone County, Montana.

Based on available information, an on-site approved jurisdictional determination has been completed for the areas identified in your request and is enclosed for your information. We concur with the estimate of aquatic resources, as depicted on the enclosed map, dated June 29, 2021, entitled Wetland Delineation Map, prepared by Morrison-Maierle. Approximately 3.26 acres of Palustrine Emergent Wetlands (Wetland 1) and approximately 860 linear feet (LF) an irrigation ditch are present within the survey area.

Wetland 1 is regulated under Section 404 of the Clean Water Act (33 U.S.C. 1344), since Wetland 1 is a slope wetland that abuts an a(2) water that flows directly into the Yellowstone River. The 860 LF of Irrigation Ditch is excluded as a b(5) water as the ditch does not relocate a tributary and was not constructed in a tributary or otherwise adjacent wetland. Thus, the irrigation ditch depicted on the attached map, is not a regulated water of the United States.

This letter contains an approved jurisdictional determination for your subject site. If you object to this determination, you may request an administrative appeal under USACE regulations at 33 CFR Part 331. A Notification of Appeal Process (NAP) and Request for Appeal (RFA) form is enclosed. If you request to appeal this determination you must submit a completed RFA form to the Northwestern Division Office, Regulatory Appeals Review Officer, Melinda Larsen at Melinda.M.Larsen@usace.army.mil. For any questions you may contact her at (503) 808-3888.

In order for an RFA to be accepted by USACE, it must be determine that it is complete, that it meets the criteria for appeal under 33 C.F.R. part 331.5, and that it has

been received by the Division Office within **60 days** of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by **60 days from the date of this letter**. It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this letter.

This determination has been conducted to identify the limits of Corps of Engineers' Clean Water Act jurisdiction for the particular site identified in this request. This determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985. If you or your tenant are U.S. Department of Agriculture (USDA) program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work.

This determination is valid for five (5) years from the date of this letter, unless new information warrants revision of the determination before the expiration date.

Please refer to identification number **NWO-2021-00433-MTB** in any correspondence concerning this project. If you have any questions, please contact Mr. Swade Hammond by email at swade.d.hammond@usace.army.mil or by telephone at 701-715-3179.

Sincerely,

Sage L. Joyce
Montana Section Chief

2 Enclosures:
1. Notification of Administrative Appeal Options & Process Request for Appeal (NAP/RFA)
2. Delineation Map

Cherry Hill Subdivision – 4th Filing: 16.09 – Environmental Assessment

Appendix C:
Draft Stormwater Calculations

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Cherry Hill 4th Filing – Preliminary Drainage Report

Pre-Development Conditions:
The Cherry Hill 4th Filing Subdivision in Laurel, Montana is located between the Elena and Cherry Hill 3rd Filing Subdivisions. The drainage basin analyzed for the subdivision is 18.07 acres and located on Tract 1A of COS 3034. Surrounding the northern proposed subdivision boundary is the Big Ditch irrigation lateral that serves as a boundary preventing offsite stormwater runoff from entering the project site. The drainage basin is currently vacant land consisting of short grass pasture and with a moderate number of trees. The existing drainage pattern generally flows to the central wetland that conveys water through the south property boundary at a grade of approximately 1% or less. The subdivision is not within the FEMA floodway or 100-year floodplain. A pre-development stormwater exhibit is attached that provides an aerial image and display of the pre-development drainage patterns.

Post-development Conditions:
The existing land is vacant; the proposed development plan will extend the existing residential roads to serve medium density single family residential lots that will meet the City of Laurel Residential – 7500 zoning requirements. As part of the development improvements, W. Maryland Lane will be extended to provide a critical local connection for residents, emergency services, recreation access and nearby businesses. The proposed development will not make changes to floodplains, however, will contribute drainage to the existing stormwater retention pond within Utility Lot 1 of the Cherry Hill 3rd Filing Subdivision. The design for the existing storage pond over-sized the storage volume in anticipation of providing retention storage for the future Cherry Hill 4th Filing Subdivision. The proposed subdivision will convey post-development drainage through a network of storm drain inlets and storm drain piping to the existing storage pond. Two 18-inch culverts will be installed to maintain the existing drainage pattern flowing south along the center of the subdivision by piping water below Cherry Hills Drive and W. Maryland Lane.

Drainage Analysis Methods:
Storm analysis for the project included 2, 10 and 100-year storm events. Hydrologic methods were completed in accordance with COL Standards and Montana Department of Environmental Quality Circular 8 (DEQ-8). The 2-year 24-hour precipitation depth of 1.57 inches from COL Standards Table 8.3 was employed to determine the preliminary retention storage requirement. Runoff coefficients for the pre- and post-development conditions were selected from Table 8.8 in the COL Standards and used in the DEQ-8 Standard Plan spreadsheet to find the required retention storage volume. The 10 and 100-year storms were analyzed using the Rational Method to ensure the 18-inch culvert size is adequate to properly convey the 100-year storm runoff. Time of concentration calculations were found using the TR-55 Method. The culvert calculations were completed in Hydraflow Express Extension for Autodesk Civil 3D by Autodesk, Inc and are attached to this report.

The hydraulic Analysis for the network of storm drain inlets and piping was completed using Storm and Sanitary Sewer Analysis (SSA) for Autodesk Civil 3D by Autodesk, Inc. All hydraulic analysis techniques were completed in accordance with COL Standards and DEQ-8. Gutter flow was analyzed to ensure compliance with allowable flow spread in accordance with Table 8.9 of the COL Standards.

Pre-development Hydraulic Analysis:
Pre-development runoff was calculated by evaluating the entire subdivision basin of 18.07 acres. The runoff coefficient used for the predevelopment condition was 0.2 (unimproved land). The pre-development runoff volume for a 2-year 24-hour storm event has been calculated to be 20,597 cubic feet of stormwater.

Post-development Drainage System:
As discussed previously, the existing drainage conditions drain runoff to the central drainage channel then directly south before exiting the southern subdivision boundary. Storm water collection for the subdivision is proposed via a network of street curbs and inlets, conveyed via stormwater piping, and treated using a retention pond. The retention facility was constructed during the Cherry Hill 3rd Filing and was oversized by 30,844 cubic feet to provide storage for the proposed Cherry Hill 4th Filing. The inlets and piping in the northern portion of the subdivision within Cherry Hills drive will collect and convey storm water through 12" PVC piping before transitioning to 18" PVC piping as stormwater is conveyed to the Cherry Hills Drive and Sophia Lane intersection. Drainage then flows south along Sophia Lane to the intersection of W. Maryland Lane. Then the drainage is piped east and will connect to existing storm drain piping installed during the Cherry Hill 3rd Filing that will convey water to the existing stormwater retention Pond in Utility Lot 1 of the 3rd Filing. Similarly, storm drain inlets located in the south-west portion of Cherry Hills Drive will capture stormwater and will drain east along W. Maryland Lane until reaching the existing storm piping connection that travels to the existing pond. The attached Stormwater Layout Exhibit displays the overall post-development drainage system.

The Big Ditch irrigation lateral provides a raised bank that serves as a barrier from offsite runoff entering the project site. There have been no reported issues of the Big Ditch irrigation lateral flooding into the existing Elena subdivision that is adjacent to the proposed subdivision. Therefore, offsite runoff is not a concern. A Geotechnical Report has been completed for this project. The finish grading will direct drainage away from single family dwellings and will be re-seeded post construction to reduce erosion.

Retention Storage Calculation:
The DEQ-8 standard plan spreadsheet was used to establish a preliminary retention storage volume for the subdivision. It was calculated that the total area of 18.07 acres would comprise approximately 3.34 acres of paved roadways, concrete curbs and sidewalks, 10.20 acres of single-family lots, a conservative lawn/landscaping area estimate of 2 acres that is less than 20% of the lot surface areas and 2.53 acres of unimproved area. Using these estimated areas, a weighted C coefficient of 0.50 was calculated. A post-development runoff volume of 50,945 cubic feet (CF) was calculated using the design storm depth of 1.57 inches and a weighted C value of 0.50. Per DEQ-8, the volume required to be retained onsite is either the difference between the pre-development and post-development volumes or the first 0.5 inch of runoff from the impervious area, whichever is greater. Since the first 0.5 inch of precipitation amounts to 15,318 CF, it is required to treat the total difference of the design storm event. The required retention volume for the proposed subdivision is 30,575 CF. The existing pond was oversized to provide an adequate 30,844 CF of storage for the Cherry Hill 4th Filing Subdivision.

Summary:
The existing site drains water to the center of the subdivision open space then south until exiting the southern property boundary. The subdivision open space will preserve the existing wetland and mimic the existing drainage pattern by implementing two culverts that will allow stormwater drainage to pass below the roads and travel along the existing drainage pattern and exit the southern property boundary. The proposed subdivision roads will be equipped with storm drain inlets, and storm drainage piping network that collects and conveys runoff from impervious surfaces to the existing stormwater retention pond within Cherry Hill Subdivision 3rd Filing. The existing storage pond had been oversized to meet the storage requirement of the proposed

subdivision with an excess of 269 CF. The existing retention pond is equipped with a gravel sub-surface infiltration system that directs water to a lift station that pumps and discharges the retained water into the Big Ditch irrigation lateral. The Cherry Hill 3rd Filling Subdivision solidified an agreement with the Big Ditch irrigation lateral operators that allows the existing stormwater pond to discharge into the Big Ditch irrigation lateral. All finish grading will be re-seeded post construction, and graded to drain runoff away from structures. Best management stormwater practices in accordance with the Stormwater Pollution Prevention Plan permit will be implemented and maintained throughout construction. All stormwater infrastructure for the Cherry Hill 4th Filing Subdivision will be designed in accordance with the COL Standards and DEQ-8.

LEGEND

PRE-DEVELOPMENT FLOW PATH

EXISTING GRADE MAJOR CONTOUR

EXISTING GRADE MINOR CONTOUR

BIG DITCH IRRIGATION LATERAL

WETLANDS (TYP.)

STORMWATER DRAINAGE BASIN BOUNDARY

3375 3370 3365 3360

SCALE IN FEET: 50 25 0 50 100

N:\6683\001\ACAD\Exhibits\6683.001_CHERRY HILLS 4TH FILING_PRE-DEVELOPEMENT STORMWATER.dwg

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APPR. BY: MEG
DATE: 6/2025

CHERRY HILL SUBDIVISION - 4TH FILING

LAUREL MONTANA

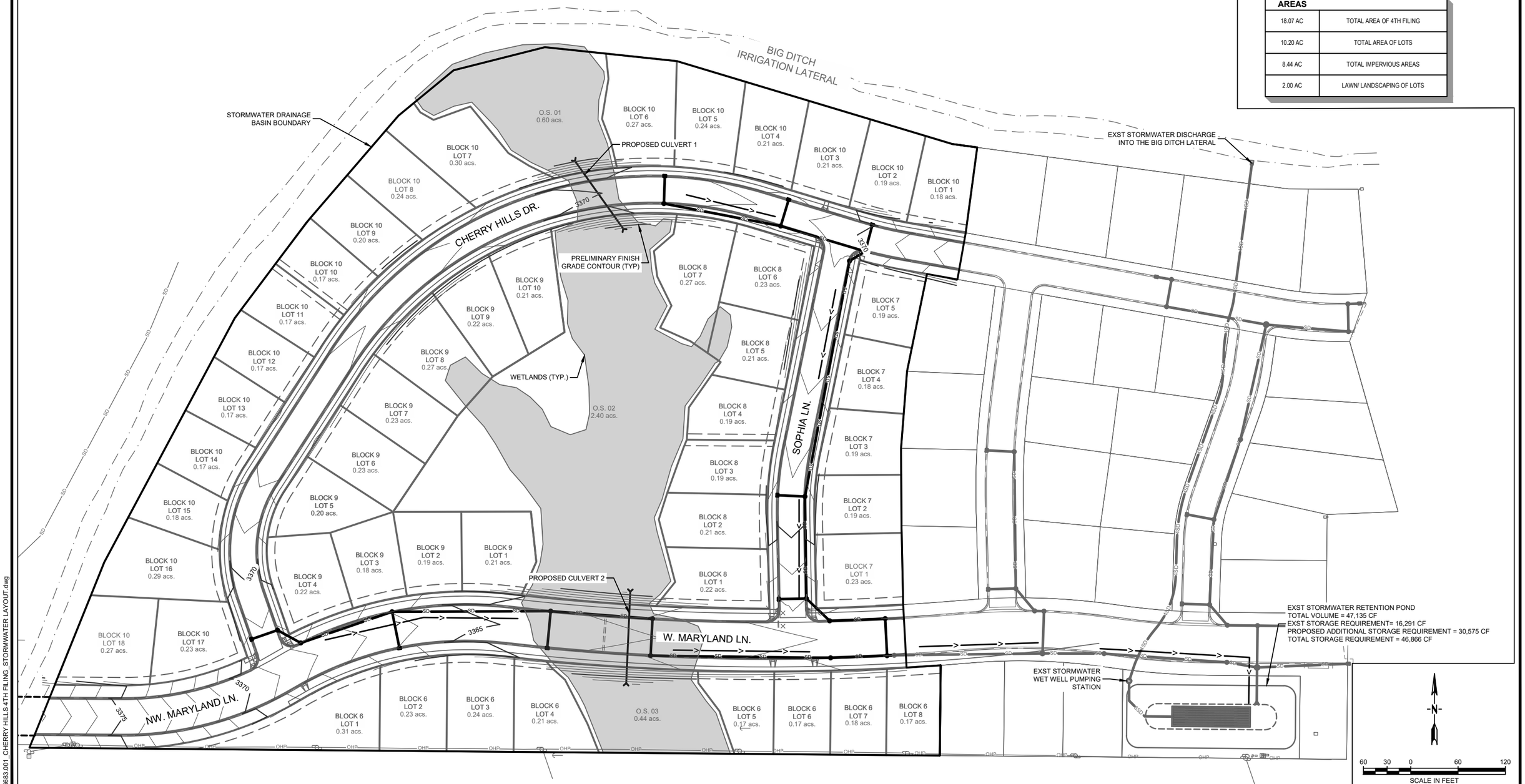
PROJECT NO. 6683.001

PRE-DEVELOPMENT STORMWATER EXHIBIT

FIGURE NO. 1/196

LEGEND	
SD	STORM SEWER PIPE
	STORM SEWER STRUCTURES
	STORM SEWER FLOW DIRECTION

AREAS	
18.07 AC	TOTAL AREA OF 4TH FILING
10.20 AC	TOTAL AREA OF LOTS
8.44 AC	TOTAL IMPERVIOUS AREAS
2.00 AC	LAWN/ LANDSCAPING OF LOTS



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DATE: 6/2025

CHERRY HILL SUBDIVISION - 4TH FILING
LAUREL MONTANA

STORMWATER LAYOUT EXHIBIT

PROJECT NO. 6683.001

FIGURE NO. 2/

N:\6683\001\ACAD\Exhibits\6683.001_CHERRY HILLS 4TH FILING_STORMWATER LAYOUT.dwg

Appendix G: Standard Storm Drainage Plan

DEQ Montana Department of Environmental Quality

Sudivision Name	Cherry Hill 4th Filing Subdivision
EQ#	
County	Yellowstone County
Location	City of Laurel
Lot/Area No.	Subdivision Boundary

Rational Method Co-Efficients (C)	
0.95	Paved/hard surfaces
0.8	Gravel surfaces
0.5	Single-family Areas
0.1	Lawn/landscaping
0.2	Unimproved areas

Q=C*i*A

Intensity Values

2-year, T_c		inches/hour
2-year, 24-hour	1.57	inches
10-year, T_c		inches/hour
100-year, T_c		inches/hour
100-year, 24-hour		inches

Total Area/Lot Size 18.07 acres = 787129.2 ft^2

Initial Stormwater Facility Volume (0.5" x Impervious Area) = 15318 ft^3

Pre-Development Characteristics			**2-year, T_c (flow rate)**	**2-year, 24-hour (volume)**	**10-year, T_c (flow rate)**	**100-year, T_c (flow rate)**	**100-year, 24-hour (volume)**
Paved/hard surface areas	0 acres	ft^2	Q= 0.000 ft^3/sec	V= 0.000 ft^3	Q= 0.000 ft^3/sec	Q= 0.000 ft^3/sec	V= 0.000 ft^3
Single-family Areas	0 acres	ft^2	Q= 0.000 ft^3/sec	V= 0.000 ft^3	Q= 0.000 ft^3/sec	Q= 0.000 ft^3/sec	V= 0.000 ft^3
Lawn/Landscaping	0 acres	ft^2	Q= 0.000 ft^3/sec	V= 0.000 ft^3	Q= 0.000 ft^3/sec	Q= 0.000 ft^3/sec	V= 0.000 ft^3
Unimproved Area	18.07 acres	787129.2 ft^2	Q= 0.000 ft^3/sec	V= 20596.547 ft^3	Q= 0.000 ft^3/sec	Q= 0.000 ft^3/sec	V= 0.000 ft^3
Total	18.07 acres	787129.2 ft^2	Q_{Total}= **0.000** ft^3/sec	V_{Total}= **20596.547** ft^3	Q_{Total}= **0.000** ft^3/sec	Q_{Total}= **0.000** ft^3/sec	V_{Total}= **0.000** ft^3

Post-Development Characteristics			**2-year, T_c (flow rate)**	**2-year, 24-hour volume)**	**10-year, T_c (flow rate)**	**100-year, T_c (flow rate)**	**100-year, 24-hour (volume)**
Paved/hard surface areas	3.339807163 acres	145482 ft^2	Q= 0.000 ft^3/sec	V= 18082.200 ft^3	Q= 0.000 ft^3/sec	Q= 0.000 ft^3/sec	V= 0.000 ft^3
Single-family Areas	10.2 acres	444312 ft^2	Q= 0.000 ft^3/sec	V= 29065.410 ft^3	Q= 0.000 ft^3/sec	Q= 0.000 ft^3/sec	V= 0.000 ft^3
Lawn/Landscaping	2 acres	87120 ft^2	Q= 0.000 ft^3/sec	V= 1139.820 ft^3	Q= 0.000 ft^3/sec	Q= 0.000 ft^3/sec	V= 0.000 ft^3
Unimproved Area	2.530192837 acres	110215.2 ft^2	Q= 0.000 ft^3/sec	V= 2883.964 ft^3	Q= 0.000 ft^3/sec	Q= 0.000 ft^3/sec	V= 0.000 ft^3
Total	18.07 acres	787129.2 ft^2	Q_{Total}= **0.000** ft^3/sec	V_{Total}= **51171.395** ft^3	Q_{Total}= **0.000** ft^3/sec	Q_{Total}= **0.000** ft^3/sec	V_{Total}= **0.000** ft^3

Runoff Flow/Volume Change	**2-year, T_c (flow rate)**	**2-year, 24-hour (volume)**	**10-year, T_c (flow rate)**	**100-year, T_c (flow rate)**	**100-year, 24-hour (volume)**
	ΔQ= **0.000** ft^3/sec	ΔV= **30574.847** ft^3	ΔQ= **0.000** ft^3/sec	ΔQ= **0.000** ft^3/sec	ΔV= **0.000** ft^3

Required Minimum Facility Volume: **30575** ft^3

= input field

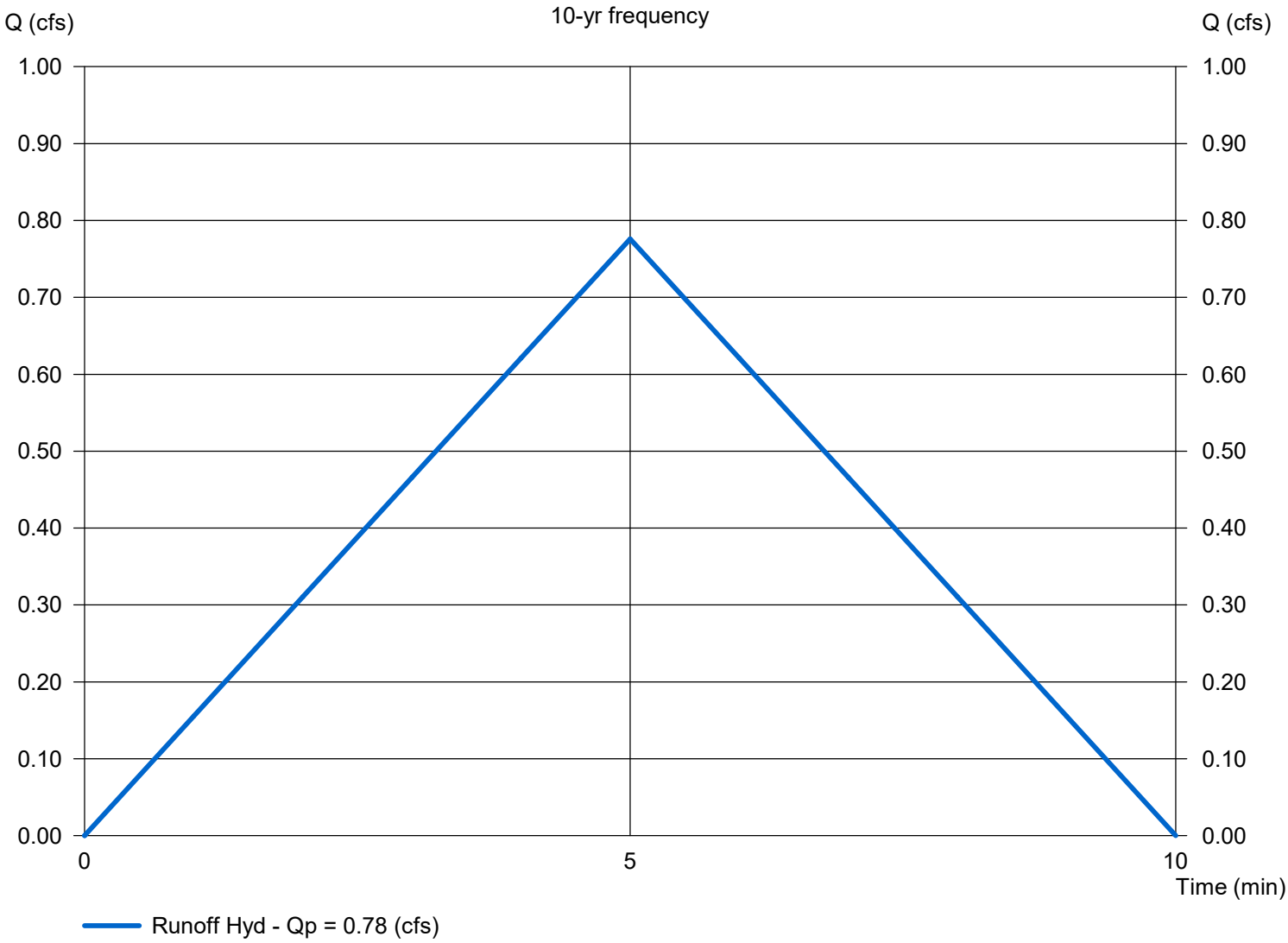
Hydrology Report

Cherry Hill 4th Filing - Culvert 1 (north culvert) Basin Hydrology

Hydrograph type	= Rational	Peak discharge (cfs)	= 0.776
Storm frequency (yrs)	= 10	Time interval (min)	= 1
Drainage area (ac)	= 0.790	Runoff coeff. (C)	= 0.2
Rainfall Inten (in/hr)	= 4.912	Tc by User (min)	= 5
IDF Curve	= Cherry Hill 4th Filing_IDF.IDF	Rec limb factor	= 1.00

Hydrograph Volume = 233 (cuft); 0.005 (acft)

Runoff Hydrograph



Hydrology Report

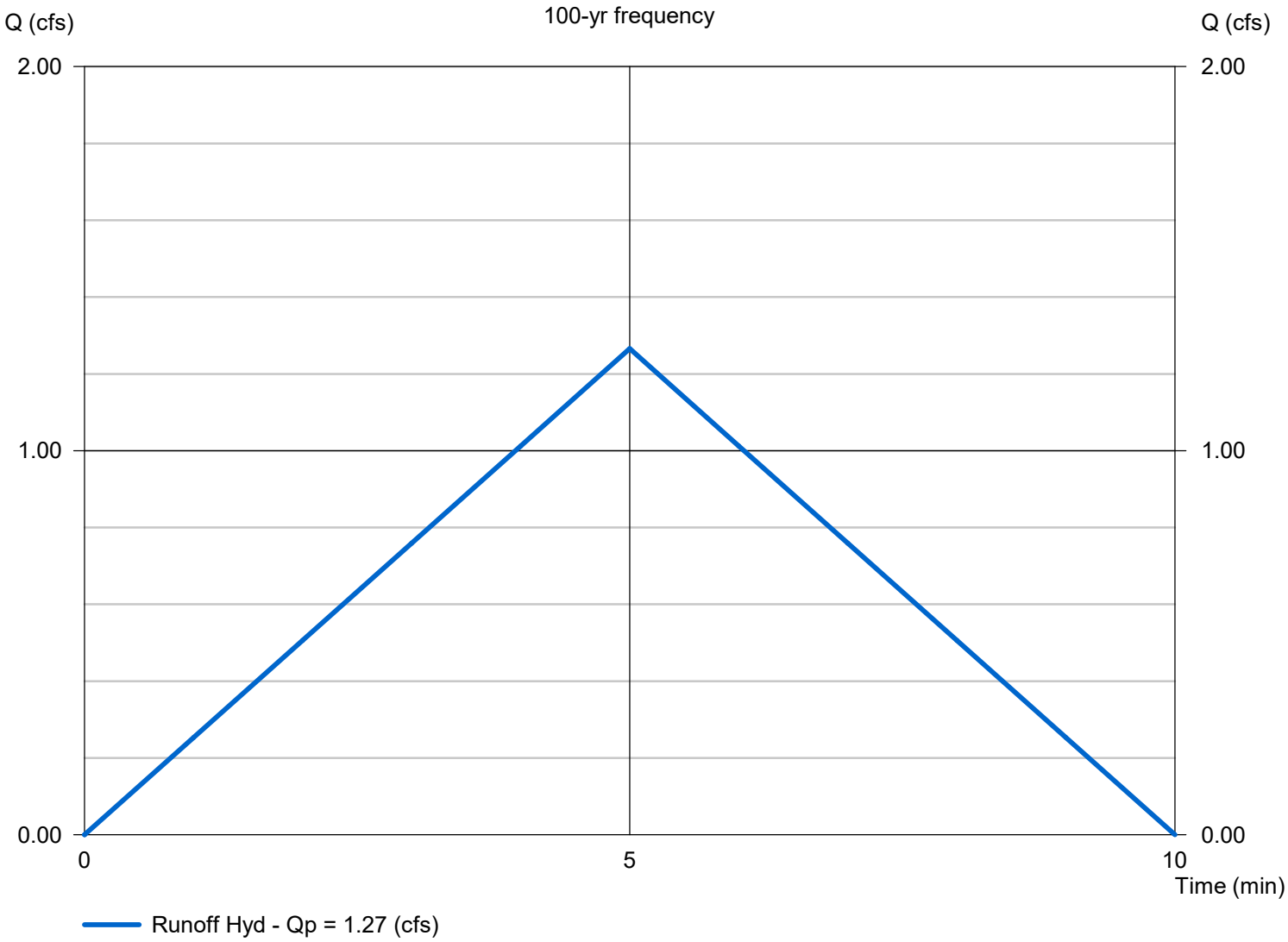
Hydraflow Express Extension for Autodesk® Civil 3D® by Autodesk, Inc. Wednesday, May 7 2025

Cherry Hill 4th Filing - Culvert 1 (north culvert) Basin Hydrology

Hydrograph type	=	Rational	Peak discharge (cfs)	=	1.266
Storm frequency (yrs)	=	100	Time interval (min)	=	1
Drainage area (ac)	=	0.790	Runoff coeff. (C)	=	0.2
Rainfall Inten (in/hr)	=	8.010	Tc by User (min)	=	5
IDF Curve	=	Cherry Hill 4th Filing_IDF.IDF	Rec limb factor	=	1.00

Hydrograph Volume = 380 (cuft); 0.009 (acft)

Runoff Hydrograph



Culvert Report

Hydraflow Express Extension for Autodesk® Civil 3D® by Autodesk, Inc. Wednesday, May 7 2025

Cherry Hill - 4th Filing_Culvert 1 (North)_10 YR

Invert Elev Dn (ft)	=	3363.10
Pipe Length (ft)	=	103.00
Slope (%)	=	1.00
Invert Elev Up (ft)	=	3364.13
Rise (in)	=	18.0
Shape	=	Circular
Span (in)	=	18.0
No. Barrels	=	1
n-Value	=	0.013
Culvert Type	=	Circular Corrugate Metal Pipe
Culvert Entrance	=	Headwall
Coeff. K,M,c,Y,k	=	0.0078, 2, 0.0379, 0.69, 0.5

Embankment

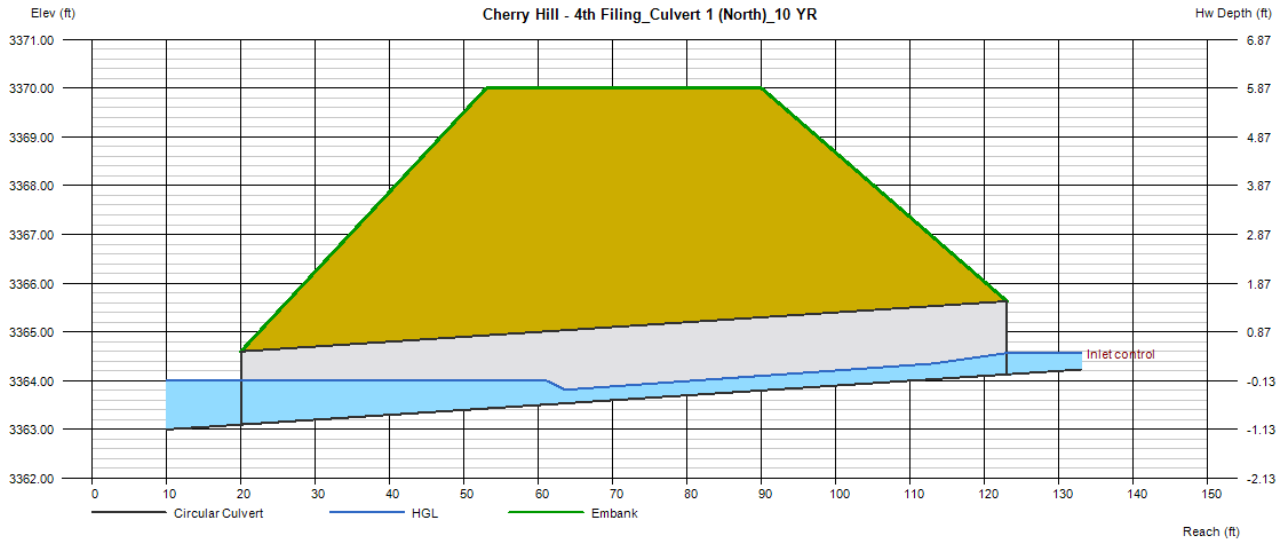
Top Elevation (ft)	=	3370.00
Top Width (ft)	=	37.00
Crest Width (ft)	=	0.00

Calculations

Qmin (cfs)	=	0.78
Qmax (cfs)	=	0.78
Tailwater Elev (ft)	=	(dc+D)/2

Highlighted

Qtotal (cfs)	=	0.78
Qpipe (cfs)	=	0.78
Qovertop (cfs)	=	0.00
Veloc Dn (ft/s)	=	0.69
Veloc Up (ft/s)	=	2.73
HGL Dn (ft)	=	3364.01
HGL Up (ft)	=	3364.46
Hw Elev (ft)	=	3364.57
Hw/D (ft)	=	0.29
Flow Regime	=	Inlet Control



Culvert Report

Cherry Hill - 4th Filing_Culvert 1 (North)_100 YR

Invert Elev Dn (ft)	=	3363.10
Pipe Length (ft)	=	103.00
Slope (%)	=	1.00
Invert Elev Up (ft)	=	3364.13
Rise (in)	=	18.0
Shape	=	Circular
Span (in)	=	18.0
No. Barrels	=	1
n-Value	=	0.013
Culvert Type	=	Circular Corrugate Metal Pipe
Culvert Entrance	=	Headwall
Coeff. K,M,c,Y,k	=	0.0078, 2, 0.0379, 0.69, 0.5

Embankment

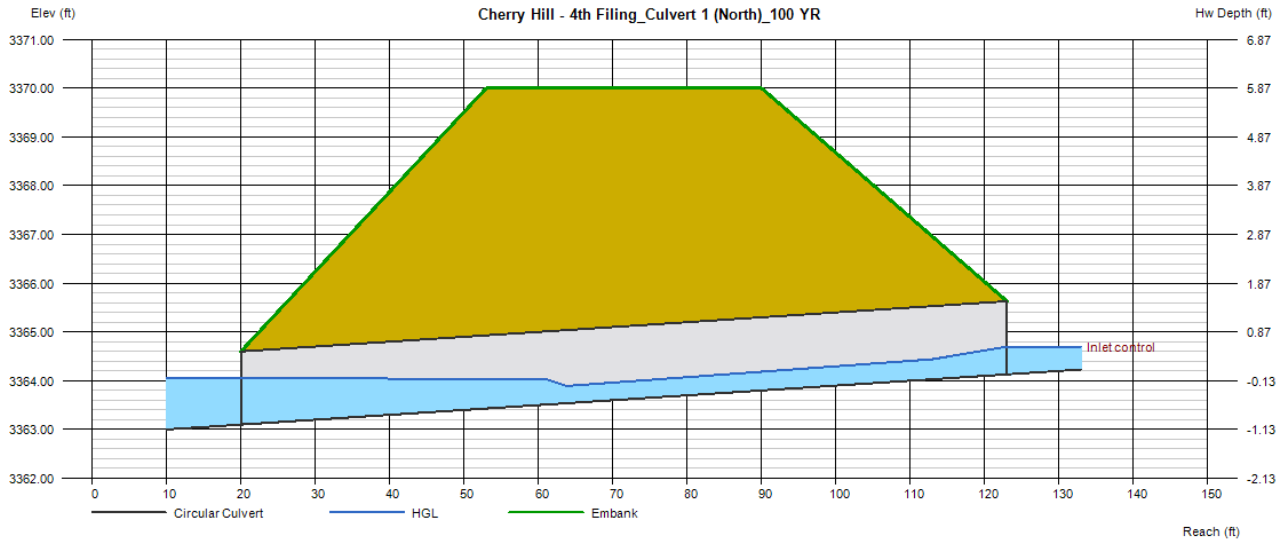
Top Elevation (ft)	=	3370.00
Top Width (ft)	=	37.00
Crest Width (ft)	=	0.00

Calculations

Qmin (cfs)	=	1.27
Qmax (cfs)	=	1.27
Tailwater Elev (ft)	=	(dc+D)/2

Highlighted

Qtotal (cfs)	=	1.27
Qpipe (cfs)	=	1.27
Qovertop (cfs)	=	0.00
Veloc Dn (ft/s)	=	1.06
Veloc Up (ft/s)	=	3.12
HGL Dn (ft)	=	3364.06
HGL Up (ft)	=	3364.55
Hw Elev (ft)	=	3364.70
Hw/D (ft)	=	0.38
Flow Regime	=	Inlet Control



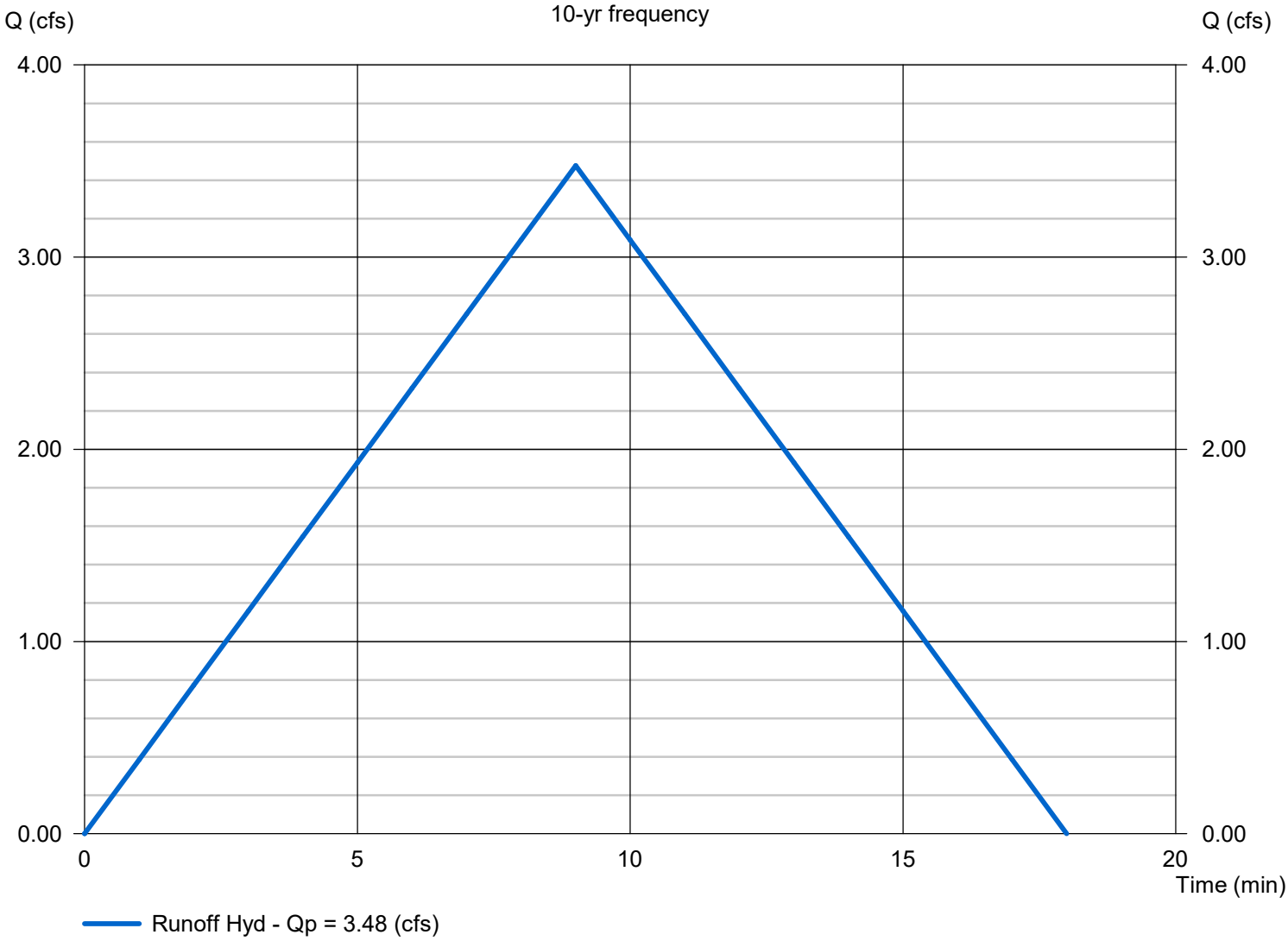
Hydrology Report

Cherry Hill 4th Filing - Culvert 2 (South Culvert) Basin Hydrology

Hydrograph type	= Rational	Peak discharge (cfs)	= 3.476
Storm frequency (yrs)	= 10	Time interval (min)	= 1
Drainage area (ac)	= 4.270	Runoff coeff. (C)	= 0.2
Rainfall Inten (in/hr)	= 4.070	Tc by TR55 (min)	= 9
IDF Curve	= Cherry Hill 4th Filing_IDF.IDF	Rec limb factor	= 1.00

Hydrograph Volume = 1,877 (cuft); 0.043 (acft)

Runoff Hydrograph



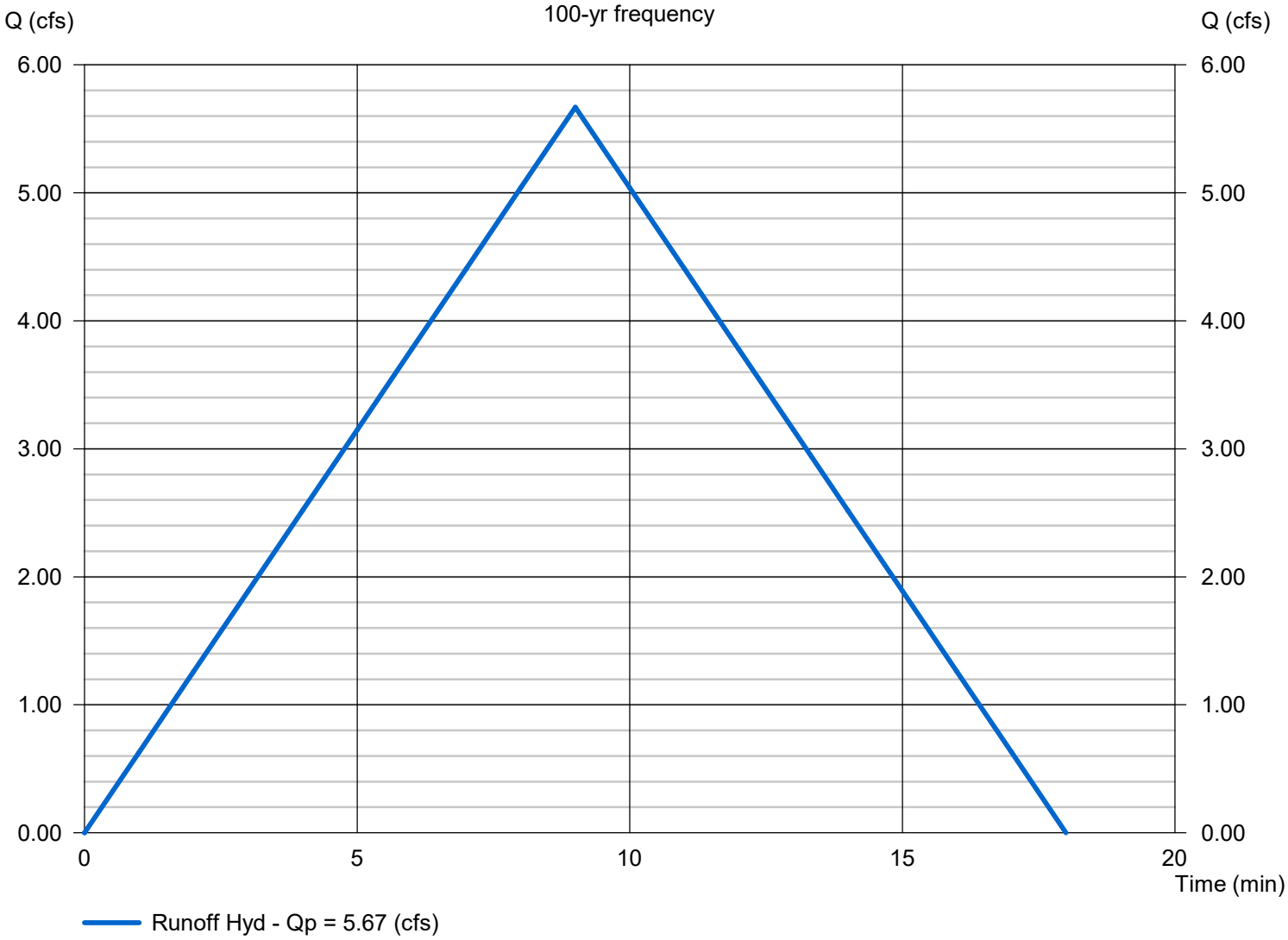
Hydrology Report

Cherry Hill 4th Filing - Culvert 2 (South Culvert) Basin Hydrology

Hydrograph type	= Rational	Peak discharge (cfs)	= 5.668
Storm frequency (yrs)	= 100	Time interval (min)	= 1
Drainage area (ac)	= 4.270	Runoff coeff. (C)	= 0.2
Rainfall Inten (in/hr)	= 6.637	Tc by TR55 (min)	= 9
IDF Curve	= Cherry Hill 4th Filing_IDF.IDF	Rec limb factor	= 1.00

Hydrograph Volume = 3,061 (cuft); 0.070 (acft)

Runoff Hydrograph



Culvert Report

Cherry Hill - 4th Filing_Culvert 2 (South)_10 YR

Invert Elev Dn (ft)	=	3357.50
Pipe Length (ft)	=	116.00
Slope (%)	=	1.22
Invert Elev Up (ft)	=	3358.91
Rise (in)	=	18.0
Shape	=	Circular
Span (in)	=	18.0
No. Barrels	=	1
n-Value	=	0.013
Culvert Type	=	Circular Corrugate Metal Pipe
Culvert Entrance	=	Headwall
Coeff. K,M,c,Y,k	=	0.0078, 2, 0.0379, 0.69, 0.5

Embankment

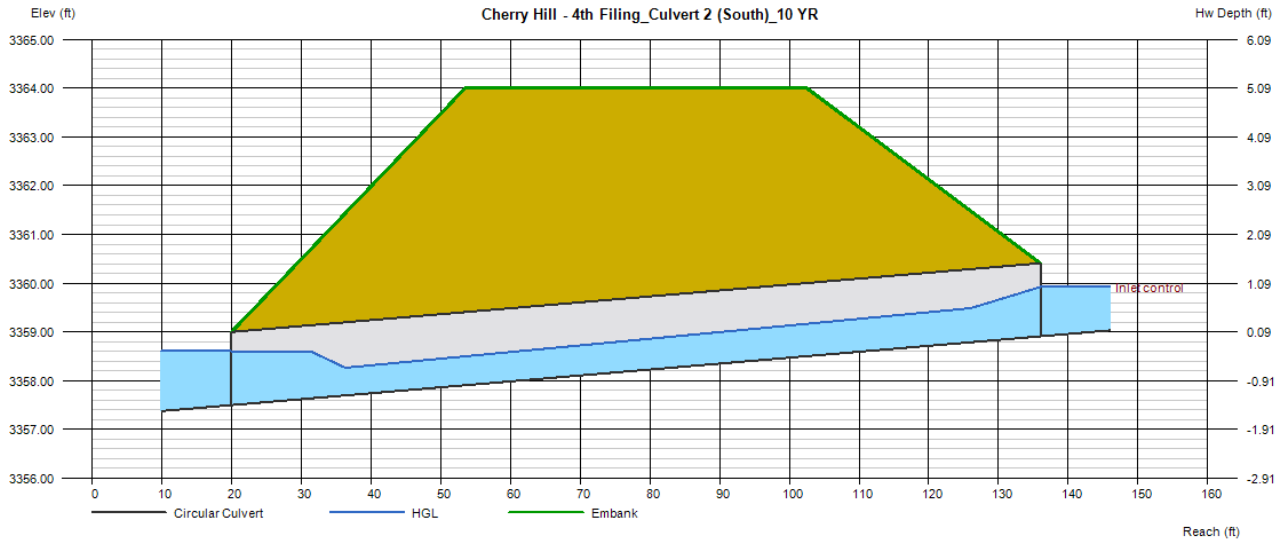
Top Elevation (ft)	=	3364.00
Top Width (ft)	=	49.00
Crest Width (ft)	=	0.00

Calculations

Qmin (cfs)	=	3.50
Qmax (cfs)	=	3.50
Tailwater Elev (ft)	=	(dc+D)/2

Highlighted

Qtotal (cfs)	=	3.50
Qpipe (cfs)	=	3.50
Qovertop (cfs)	=	0.00
Veloc Dn (ft/s)	=	2.50
Veloc Up (ft/s)	=	4.23
HGL Dn (ft)	=	3358.61
HGL Up (ft)	=	3359.62
Hw Elev (ft)	=	3359.92
Hw/D (ft)	=	0.67
Flow Regime	=	Inlet Control



Culvert Report

Cherry Hill - 4th Filing_Culvert 2 (South)_100 YR

Invert Elev Dn (ft)	=	3357.50
Pipe Length (ft)	=	116.00
Slope (%)	=	1.22
Invert Elev Up (ft)	=	3358.91
Rise (in)	=	18.0
Shape	=	Circular
Span (in)	=	18.0
No. Barrels	=	1
n-Value	=	0.013
Culvert Type	=	Circular Corrugate Metal Pipe
Culvert Entrance	=	Headwall
Coeff. K,M,c,Y,k	=	0.0078, 2, 0.0379, 0.69, 0.5

Embankment

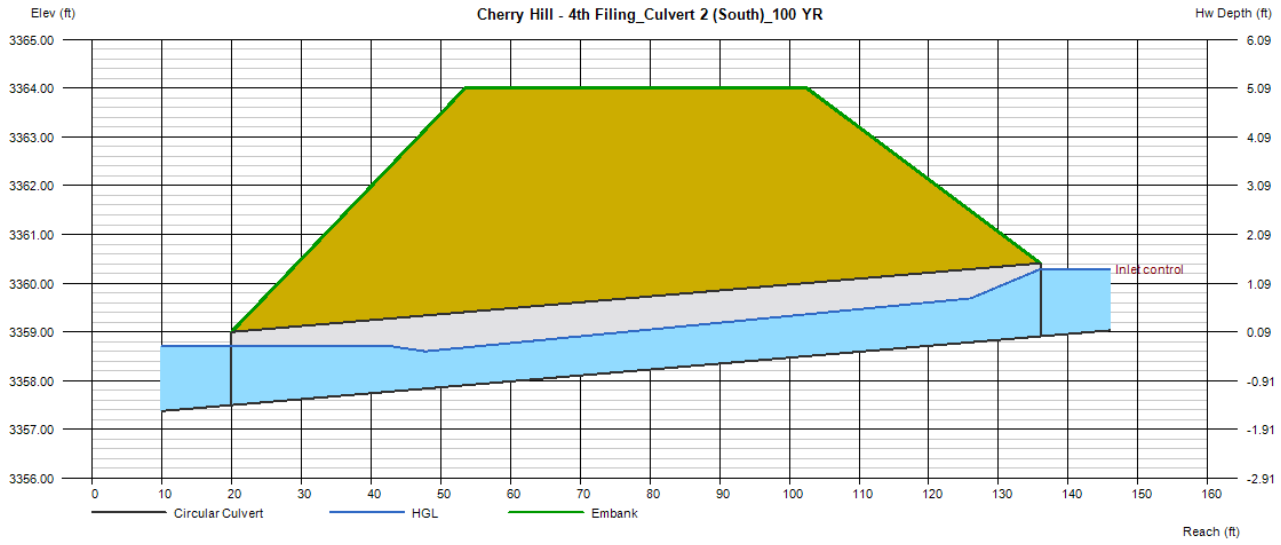
Top Elevation (ft)	=	3364.00
Top Width (ft)	=	49.00
Crest Width (ft)	=	0.00

Calculations

Qmin (cfs)	=	5.67
Qmax (cfs)	=	5.67
Tailwater Elev (ft)	=	(dc+D)/2

Highlighted

Qtotal (cfs)	=	5.67
Qpipe (cfs)	=	5.67
Qovertop (cfs)	=	0.00
Veloc Dn (ft/s)	=	3.71
Veloc Up (ft/s)	=	5.00
HGL Dn (ft)	=	3358.71
HGL Up (ft)	=	3359.83
Hw Elev (ft)	=	3360.29
Hw/D (ft)	=	0.92
Flow Regime	=	Inlet Control



Cherry Hill Subdivision – 4th Filing: 16.09 – Environmental Assessment

Appendix D:
Agency Responses

Morrison Maierle
engineers ▪ surveyors ▪ planners ▪ scientists

2880 TECHNOLOGY BLVD. W. • BOZEMAN, MT 59718
406.587.0721 • www.m-m.net

March 7, 2025

Laurel Public Schools
410 Colorado Avenue
Laurel, MT 59044

Re: Cherry Hills Subdivision – 4th Filing
MMI# 6683.001

To Whom It May Concern:

As a part of the subdivision application process, we are soliciting your comments regarding a proposed major subdivision northwest of the city center in Laurel, Montana. The objective is to subdivide Tract 1A of C.O.S. 3034 (amendment of Tract 1), an 18.07-acre parcel, into 47 single family, residential lots with several open space tracts. The proposed configuration and location of these lots is illustrated on the enclosed Concept Plan and Vicinity Map.

The proposed subdivision is projected to increase the enrollment of Laurel Public Schools (South Elementary, West Elementary, Graff Elementary, Laurel Middle School, and Laurel High School), thereby impacting the services of the present personnel, facilities, school bus system, etc.

We would be happy to provide any further information, if needed.

Please feel free to contact me at (406) 371-6052 or kkukes@m-m.net.

Sincerely,

Morrison Maierle
engineers ▪ surveyors ▪ planners ▪ scientists

Kolter Kukes

Kolter Kukes, P.E.
Civil Engineer

Enclosure

cc: MMI File

Morrison Maierle
engineers ▪ surveyors ▪ planners ▪ scientists

2880 TECHNOLOGY BLVD. W. • P.O. BOX 1113 • BOZEMAN, MT 59771
406.587.0721 • www.m-m.net

May 5, 2025

Montana Fish, Wildlife & Parks
Submitted via email: fwpcomments@mt.gov

Subject: Request for Comment – Proposed Cherry Hill Subdivision, 4th Filing
MM Project No. 6683.001 | Laurel, MT

To Montana Fish, Wildlife & Parks,

On behalf of our client, Morrison-Maierle requests Montana Fish, Wildlife & Parks (FWP) review and comments on the proposed Cherry Hill Subdivision, 4th Filing, located in Laurel, Montana. Enclosed for your consideration are a conceptual site plan and a wildlife and habitat assessment memo prepared in accordance with the *Montana Fish, Wildlife & Parks Recommendations for Subdivision Development in Montana* (2012).

The proposed subdivision will develop a currently vacant parcel that is bordered by existing residential neighborhoods. As part of the proposed improvements, Maryland Lane will be extended to provide a critical local connection for residents, emergency services, recreation access, and nearby businesses.

The project is currently in the review stage. If approved, construction will be completed in compliance with all applicable regulations and best management practices. Prior to ground disturbance, a Joint Application will be submitted for review by the appropriate agencies. Anticipated wildlife and habitat related permits include:

- Section 404 Permit from the U.S. Army Corps of Engineers
- 310 Permit from the Yellowstone Conservation District
- 318 Authorization from Montana FWP

This packet includes the Wildlife Memo, conceptual development plan, and other supporting documentation. Please review the enclosed application at your earliest convenience. If you have any questions regarding the information provided, please contact me at (406) 922-6772 or fdoty@m-m.net.

Sincerely,

Morrison Maierle
engineers ▪ surveyors ▪ planners ▪ scientists

Faith C. Doty, PWS
Environmental Scientist

CC: India Rhinehardt, Environmental Scientist
Kolter Kukes, PE
Haaken Syvrud, EI

Cherry Hill Subdivision – 4th Filing: 16.09 – Environmental Assessment

Appendix E:
Wildlife Assessment

Morrison Maierle
engineers ▪ surveyors ▪ planners ▪ scientists

Technical Memo

To: Kolter Kukes, PE, Nic Amestoy

From: India Rhinehardt, Environmental Scientist, Faith Doty, Environmental Scientist,

Date: May 2, 2025

Job: 6683.001

Re: Wildlife Assessment of the Proposed Cherry Hill Subdivision

---

This memo documents the presence or absence of wildlife resources and US Fish and Wildlife Service (USFWS) Endangered Species Act (ESA) federally listed species on a parcel of land in Yellowstone County, Montana. This parcel is legally described as:

S08, T02 S, R24 E, C.O.S. 3034, PARCEL 1A, AMD (24)

The total area investigated is 18.07 acres. A vicinity, topographic, and aerial map of the investigation areas are attached to this memo. A field visit to the subject property was conducted by a Morrison-Maierle Environmental Scientist on November 4, 2020. The results of the data investigation and field visit are presented below. A vicinity map is included as figure 1 of this memo.

Data from the Montana Natural Heritage Program: The Montana Natural Heritage Program (MNHP) collects and manages data on species occurrences, biological communities, and habitat across the state. Data is aggregated into a model and customized reports for a specified project area are provided from the MNHP upon request. For these reports, the project area is buffered up to one square mile in all directions, and the data is summarized to allow for "consistent and rapid delivery of summaries based on a uniform grid that has been used for planning efforts across the western United States" (MNHP 2023). Thus, a species listed in a MNHP data set as occurring within the project area may in fact have habitat in the larger, buffered, search area, and does not necessarily indicate habitat on the subject property. Three categories of data are presented in this report:

1. Species occurrences for species of concern (this includes special status species and important animal habitat)
2. Other observed non-species of concern, or species of concern lacking enough data to be completely mapped
3. Other species that have not been documented in the buffered project area, but that could be present based on habitat distribution

Data from the MNHP was reviewed by a Morrison-Maierle Environmental Scientist and is presented in this memo. The complete MNHP report is attached for reference.

General Habitat: Historic aerial imagery of the subject property indicates that it has been undeveloped at least throughout the period of record (1985-2023) (Google Earth 2025). The U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) maps an unnamed ditch flowing through the properly southeastward from Big Ditch, which is located just north of the subject property. Vegetation consists of grasses such as smooth brome (*Bromus inermis*) and intermediate wheatgrass (*Thinopyrum intermedium*) in upland areas. Wetland zones are dominated by reed canary grass (*Phalaris arundinacea*), and Nebraska sedge (*Carex nebrascensis*), and Russian olive (*Elaeagnus angustifolia*). Sagebrush (*artemisia ludoviciana*) was also present in upland areas. These conditions create habitat for small mammals.

The Land Cover/Land Use database records managed by the MNHP indicate that this parcel is primarily Cultivated Crop cover and other roads. The MNHP environmental summary report listing the land cover present on the subject property is attached to this memo.

Species of Concern: The species of concern documented within the property area by the MNHP are summarized in Table 1.

Table 1

Common Name	Scientific Name	Species Group	Habitat	Distribution
Great Blue Heron	*Ardea herodias*	Birds	Riparian forest	Resident Year Round
Bald Eagle	*Haliaeetus leucocephalus*	Birds	Riparian forest	Resident Year Round
Burrowing Owl	*Athene cunicularia*	Birds	Grasslands	Migratory Summer Breeder
Rocky Mountain Cutthroat Trout	*Oncorhynchus virginalis*	Fish	Mountain streams, rivers, lakes	Resident Year Round
Monarch Butterfly	*Danaus plexippus*	Invertebrates	Milkweed	Migratory Summer Breeder
Alberta Snowfly	*Isocapnia integra*	Invertebrates	Mountain Streams to Rivers	Resident Year Round
Snapping Turtle	*Chelydra serpentina*	Reptiles	Prairie rivers and streams	Resident Year Round
Greater Short-horned Lizard	*Phrynosoma hernandesi*	Reptiles	Sandy / gravelly soils	Resident Year Round
Bat Roost (Non-Cave)	*Bat Roost (Non-Cave)*	Other	N/A	Species Group or Habitat

Most species listed in Table 1 are unlikely to have habitat on the subject property due to habitat constraints. The subject property is primarily undeveloped field, with a small wetland that bisects the parcel. Based on habitat, the species that have higher potential to occur on the subject property are the burrowing owl, and potentially the greater short-horned lizard.

Other MNHP Observed Species: Other observed species documented in the property vicinity by the MNHP are summarized in Table 2.

Table 2

Common Name	Scientific Name	Species Group	Habitat	Distribution
Hooded Merganser	*Lophodytes cucullatus*	Birds	Rivers, Riparian/Wetland	Resident Year Round
American White Pelican	*Pelecanus erythrorhynchos*	Birds	Lakes, ponds, reservoirs	Migratory Summer Breeder
Rufous Hummingbird	*Selasphorus rufus*	Birds	Riparian shrub	Migratory Summer Breeder

Common Name	Scientific Name	Species Group	Habitat	Distribution
Loggerhead Shrike	*Lanius ludovicianus*	Birds	Shrubland	Migratory Summer Breeder
Golden Eagle	*Aquila chrysaetos*	Birds	Grasslands	Resident Year Round
Caspian Tern	*Hydroprogne caspia*	Birds	Large rivers, lakes	Migratory Summer Breeder
Common Loon	*Gavia immer*	Birds	Mountain lakes w/ emergent veg	Migratory Summer Breeder
Common Tern	*Sterna hirundo*	Birds	Large rivers, lakes	Migratory Summer Breeder
North American Porcupine	*Erethizon dorsatum*	Mammals	Mixed forest	Resident Year Round

Potential Species: Species that have the potential to occur in the greater buffered subject property area are summarized in the MNHP report attached to this memo.

Wetland and Riparian Areas: The U.S. Fish and Wildlife Service (USFWS) maintains the National Wetland Inventory (NWI), which is a publicly available resource that provides detailed information on the abundance, characteristic, and distribution of US Wetlands. Data from the NWI database was analyzed to evaluate for the potential presence of wetland on the subject property.

An unnamed excavated ditch (R4SBCx) is mapped flowing southeastward through the subject property, from Big Ditch (NWI 2025). The NWI database is based on a model that predicts the presence of wetlands from various parameters and does not necessarily reflect ground conditions.

A subsequent field investigation in the fall of 2020 delineated approximately 3.58 acres of palustrine emergent and scrub/shrub wetland. There were no waterways delineated on the subject property. Figure 2 depicts the delineated wetland and is attached to this memo.

Observed Species:

A Morrison-Maierle Environmental Scientist assessed the property and found suitable habitat for small rodents, insects, and passing birds. The area has been influenced by human activity throughout the period of record; first by agriculture and later residential development. There are several agricultural operations still in use in the greater project vicinity. The proximity of ongoing residential development and agricultural activity reduces habitat suitability and limits the presence of species in the immediate project area.

Golden and Bald Eagle Occurrences:

The MNHP maintains a database of documented eagle nests in Montana. Documented nests are buffered by the normal range of the eagle species. There are five documented bald eagle range areas within the greater area of the subject property. However, none of the individual ranges come within one mile of immediate subject property (MNHP 2025). The closest documented nests are located south of I-90, near the Yellowstone River. The bald eagle occurrence summary report is attached to this memo.

US Fish and Wildlife Services (USFWS) Federally Listed Species: The Information for Planning and Consulting (IPaC) database was used to generate a list of Endangered Species Act (ESA) listed species that have the potential to occur within the investigation area. The results are summarized in Table 3 (USFWS 2025a). There is no critical habitat for any ESA-listed species in the investigation area. A copy of the IPaC report is attached to this memo.

Table 1

Species	ESA Status	Likelihood of Presence	Critical Habitat?
Monarch Butterfly (*Danaus plexippus*)	Proposed Threatened	Low	No
Suckley's Cuckoo Bumblebee (*Bombus suckleyi*)	Proposed Endangered	Low	No

No milkweed (*Asclepias* spp.), the essential host plant for monarch butterfly reproduction, was observed within the investigation area. While occasional monarchs may pass through, the site lacks suitable forage and breeding habitat. Similarly, the Suckley's cuckoo bumble bee, which depends on intact native plant communities and undisturbed environments away from human activity (MacKenzie and Winston 1984), is unlikely to find suitable habitat within the investigation area. Therefore, habitat for either of these proposed species is not expected to be present.

Sage Grouse Habitat Review: Data from the Montana Sage Grouse Habitat Conservation Program indicates that no sage grouse habitat is present on the subject property. See Figure 3 attached to this memo for a map of sage grouse habitat in the greater subject property area.

Montana Fish, Wildlife, and Parks (FWP) Directives: FWP's document of recommendations for subdivision development in Montana outlines six components of wildlife habitat considerations, which are listed in Table 4. No known critical or key wildlife areas are present on the property.

Table 4

Type	Critical or key area(s) present?		Description	Conservation Measures
	Yes	No		
Big game winter range		✔	No key or critical big game winter range habitat is present. The property is **outside** of priority areas identified for Department of the Interior Secretarial Order 3362, which aims to improve habitat quality in winter range and migration corridors for big game species (FWP 2020).	NA
Waterfowl nesting areas		✔	The lack of trees on the subject property limits waterfowl nesting areas. There are no critical or key waterfowl nesting sites on the property.	NA
Wetlands		✔	A 3.58 acre palustrine emergent/ scrub-shrub wetland bisects the east central portion of the property and empties into Big Ditch. The wetland likely exists due to irrigation infrastructure for agricultural operations surrounding the parcel.	Project design preserves most of the wetland area, although impacts will be necessary to construct roadways. A Joint Application will be prepared to minimize potential impacts and ensure compliance.
Native grasslands and native shrub habitats		✔	Historic farming and agricultural use of this property precludes designation of the property as critical or key native grassland.	NA
Critical habitat for T&E species		✔	No critical habitat for T&E species is present.	NA

Type	Critical or key area(s) present?		Description	Conservation Measures
	Yes	No		
Species of concern		✔	Several species of concern may pass through the property but are unlikely to have key habitat on the property due to habitat constraints and incompatibilities.	To support habitat connectivity, the wetland will be preserved and left undisturbed to the greatest extent practicable.

Summary: A desktop review and field visit confirmed that the subject property contains limited habitat value for wildlife. A 3.58-acre wetland bisects the parcel, but overall habitat is degraded due to past agricultural use, adjacent residential development, and dominance of non-native vegetation. No ESA-listed species or critical habitat were observed on site. While several species of concern are documented in the broader area, these species are unlikely to occur on the property due to habitat constraints.

REFERENCES

Montana Fish Wildlife and Parks. 2012. Fish and Wildlife Recommendations for Subdivision Development in Montana. Accessed April 2025

Montana Natural Heritage Program. Environmental Summary Report. for Latitude 45.65284 to 45.71126 and Longitude -108.75633 to -108.83852. Retrieved on May 1, 2025.

U.S. Fish and Wildlife Service (USFWS). 2025a. Information for Planning and Consulting (IPaC). 2025. IPaC Resource List for location in Yellowstone County, Montana. Accessed April 2025.

U.S. Fish and Wildlife Service (USFWS). 2025b. National Wetlands Inventory Data Set. Accessed April 2025.

Cherry Hill Subdivision – 4th Filing: 16.09 – Environmental Assessment

Appendix F:
Fire Hydrant Flow Test

Morrison Maierle
engineers ▪ surveyors ▪ planners ▪ scientists

FIRE HYDRANT FLOW TEST #1
(SINGLE HYDRANT)

Location:	Future Cherry Hill Subdivision - 4th Filing (Laurel, MT)
Date:	Thursday, May 8, 2025
Time:	10:20
Weather and Temp:	60's & Sunny
MM Project #:	6683.001

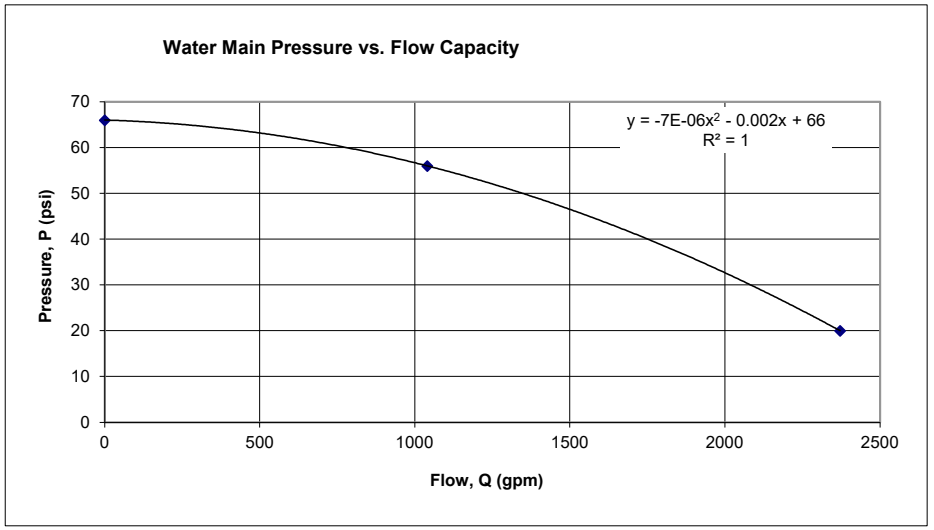
Data collected during the test:

Flowed Hydrant	Elena Sub. - Els Drive
Pitot Pressure, P (psi)	38
Flowrate at Hydrant 1 during test, Q_t (gpm)	1040
Residual Hydrant	Jenea and Maryland intersection
Static Pressure, P_s (psi)	66
Residual Pressure during test, P_t (psi)	56

Note- The residual fire hydrant is located upstream of the pump station.

Calculations:

Discharge Coefficient, Cd	0.9
Outlet diameter, D (in)	2.5
Unit conversion factor, Cf (29.8 English)	29.8
Hydrant discharge, Q (gpm)=$Cf*Cd*D^2(P)^{1/2}$	1033
Note: Hydrant discharge, Q, is calculated as a check for the reliability of Qt above	
Hazen-Williams Formula: $Q_R=Q_t*((P_s-P_r)/(P_s-P_t))^{0.54}$	
Desired residual pressure, P_r (psi)	20
Fire flow at residual pressure, Q_R (gpm) =	2,371
Note: Q_R is calculated to evaluate the capacity of the distribution system near the tested hydrant at a given residual pressure.	



Pressure vs. Flow curve data points: **2.5" Nozzle**

P (psi)	Q (gpm)
66	0
56	1040
20	2371

Test Conducted By:

Kolter Kukes and Haaken Syvrud

Equipment: Pollard Water 2.5" Swivel Piezo Diffuser

* Determined from Pollard Water Flow Test Gauge

Note - prior to the pump 4 fire flow pump turning on, the residual pressure was 42 psi.

Cherry Hill Subdivision – 4th Filing: 16.09 – Environmental Assessment

Appendix G:
City of Laurel Water and Sewer System Connection Permission

Morrison Maierle
engineers · surveyors · planners · scientists

2880 TECHNOLOGY BLVD. W. • P.O. BOX 1113 • BOZEMAN, MT 59771
406.587.0721 • www.m-m.net

June 17, 2025

City of Laurel
Public Works
Attn: Kurt Markegard, Public Works Director
PO Box 10
Laurel, MT 59044

RE: Cherry Hills Subdivision 4th Filing –Water and Sewer Service Connection Confirmation

Dear Mr. Markegard:

Morrison Maierle, Inc. is assisting Western Holdings, LLC in subdividing an 18.07-acre undeveloped parcel of property in Laurel, Montana. The legal location of this property is Section 8, Township 2 South, Range 24 East, Certificate of Survey 3034, TR1A, Yellowstone County. A Vicinity Map and draft Conceptual Lot Layout are included with this letter for your reference. It is the intent that the subject property will be subdivided for medium-density residential homes. As required by the City of Laurel's Subdivision Regulations Section 16.09.040 B. 1. d. (1) and 16.09.040 B. 2. c. (1), we are contacting the City of Laurel's Public Works Department to confirm the availability and permission to connect to the City of Laurel municipal water and sewer services for the proposed development.

Information Request
We are requesting written confirmation that there are adequate water and sewer services to serve this subdivision. The estimated average day water system demand for the proposed development is 18.9 gpm. The maximum day demand is estimated at 47.3 gpm. The sanitary sewer average daily flow is estimated as 14.4 gpm and peak flow is 59.8 gpm. Please send comments to:

Morrison-Maierle, Inc.
Attn: Kolter Kukes, PE
2880 Technology Blvd. West
Bozeman, Montana 59718
kkukes@m-m.net

If you have any questions pertaining to the information provided, please do not hesitate to contact me directly at (406) 922-6754 or at the email address noted above.

Sincerely,

Morrison-Maierle, Inc.

Kolter Kukes
Development Engineer
Enclosures

Cherry Hill Subdivision – 4th Filing: 16.09 – Environmental Assessment

Appendix H:
Groundwater Well Logs

MBMG GROUND WATER WELL MAP



3/3/2025, 3:25:44 PM

1:7,892

0 0.05 0.1 0.2 mi

0 0.1 0.2 0.4 km

Maxar

MONTANA WELL LOG REPORT

This well log reports the activities of a licensed Montana well driller, serves as the official record of work done within the borehole and casing, and describes the amount of water encountered. This report is compiled electronically from the contents of the Ground Water Information Center (GWIC) database for this site. Acquiring water rights is the well owner's responsibility and is NOT accomplished by the filing of this report.

Other Options

Go to GWIC website
Plot this site in State Library Digital Atlas
Plot this site in Google Maps
View scanned well log (6/10/2010 10:45:48 AM)

Site Name: ENDERBY JOHN
GWIC Id: 206957

Section 1: Well Owner(s)

1) ENDERBY, JOHN (MAIL)
1025 BETTY AVE
LAUREL MT 59044 [10/02/2003]

Section 2: Location

Township	Range	Section	Quarter Sections
02S	24E	8	NE¼ NW¼

County

YELLOWSTONE

Geocode

Latitude	Longitude	Geomethod	Datum
45.681232	-108.794701	TRS-SEC	NAD83

Ground Surface Altitude	Ground Surface Method	Datum	Date

Addition	Block	Lot
CHERRY HILL		

Section 3: Proposed Use of Water

IRRIGATION (1)

Section 4: Type of Work

Drilling Method: ROTARY
Status: NEW WELL

Section 5: Well Completion Date

Date well completed: Thursday, October 2, 2003

Section 6: Well Construction Details

Borehole dimensions

From	To	Diameter
0	40	6

Casing

Section 7: Well Test Data

Total Depth: 40
Static Water Level: 17.7
Water Temperature:

Pump Test *

Depth pump set for test 36.7 feet.
44 gpm pump rate with 5 feet of drawdown after 3 hours of pumping.
Time of recovery 0.25 hours.
Recovery water level 17.7 feet.
Pumping water level 22.7 feet.

** During the well test the discharge rate shall be as uniform as possible. This rate may or may not be the sustainable yield of the well. Sustainable yield does not include the reservoir of the well casing.*

Section 8: Remarks

Section 9: Well Log

Geologic Source

111ALVM - ALLUVIUM (HOLOCENE)

From	To	Description
0	2	TOPSOIL
2	11	DENSE CLAY
11	23	SANDY CLAY
23	24	BROWN / FINE / SAND
24	38	GRAVEL / SAND / WATER
38	39	SANDSTONE
39	40	SHALE

From	To	Diameter	Wall Thickness	Pressure Rating	Joint	Type
-1.5	37	6	0.250		WELDED	STEEL

Completion (Perf/Screen)

From	To	Diameter	# of Openings	Size of Openings	Description
40	40	6			OPEN BOTTOM

Annular Space (Seal/Grout/Packer)

From	To	Description	Cont. Fed?
0	36.7	#8 CASING SEAL	Y

Driller Certification

All work performed and reported in this well log is in compliance with the Montana well construction standards. This report is true to the best of my knowledge.

Name: MARVIN W. JEWETT
Company: A-1 DRILLING/BILLINGS DRILLING
License No: WWC-532
Date Completed: 10/2/2003

MONTANA WELL LOG REPORT

This well log reports the activities of a licensed Montana well driller, serves as the official record of work done within the borehole and casing, and describes the amount of water encountered. This report is compiled electronically from the contents of the Ground Water Information Center (GWIC) database for this site. Acquiring water rights is the well owner's responsibility and is NOT accomplished by the filing of this report.

Other Options

Go to GWIC website
Plot this site in State Library Digital Atlas
Plot this site in Google Maps
View scanned well log (6/10/2010 10:45:54 AM)

Site Name: MILLER DONALD D
GWIC Id: 192109

Section 1: Well Owner(s)

1) MILLER, DONALD (MAIL)
1107 GOLF COURSE RD
LAUREL MT 59044 [03/03/1998]

Section 2: Location

Township	Range	Section	Quarter Sections
02S	24E	8	NW¼

County

YELLOWSTONE

Latitude	Longitude	Geomethod	Datum
45.6794	-108.797293	TRS-SEC	NAD83

Ground Surface Altitude **Ground Surface Method** **Datum** **Date**

Addition	Block	Lot
SHAWN ESTATES		1A

Section 3: Proposed Use of Water

DOMESTIC (1)

Section 4: Type of Work

Drilling Method: ROTARY
Status: NEW WELL

Section 5: Well Completion Date

Date well completed: Tuesday, March 3, 1998

Section 6: Well Construction Details

Borehole dimensions

From	To	Diameter
0	74	7

Casing

Section 7: Well Test Data

Total Depth: 74
Static Water Level: 22
Water Temperature:

Pump Test *

Depth pump set for test _ feet.
15 gpm pump rate with _ feet of drawdown after 1 hours of pumping.
Time of recovery 1 hours.
Recovery water level 22 feet.
Pumping water level 46 feet.

** During the well test the discharge rate shall be as uniform as possible. This rate may or may not be the sustainable yield of the well. Sustainable yield does not include the reservoir of the well casing.*

Section 8: Remarks

Section 9: Well Log

Geologic Source

111TRRC - TERRACE DEPOSITS (HOLOCENE)

From	To	Description
0	2	TOPSOIL
2	18	SANDY CLAY
18	52	CLAY
52	74	SAND AND GRAVEL MIXED

From	To	Diameter	Wall Thickness	Pressure Rating	Joint	Type
-1.5	74	6	0.250			STEEL

Completion (Perf/Screen)

From	To	Diameter	# of Openings	Size of Openings	Description
74	74	6			OPEN BOTTOM

Annular Space (Seal/Grout/Packer)

From	To	Description	Cont. Fed?
0	74	BENTONITE	

Driller Certification

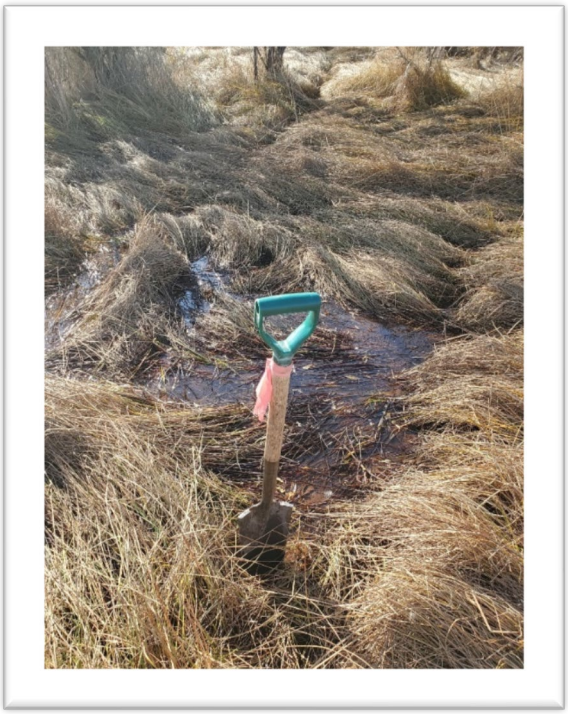
All work performed and reported in this well log is in compliance with the Montana well construction standards. This report is true to the best of my knowledge.

Name: CURTIS SCHELLE
Company: AMERICAN DRILLING & SUPPLY
License No: WWC-344
Date Completed: 3/3/1998

Cherry Hill Subdivision – 4th Filing: 16.09 – Environmental Assessment

Appendix I:
Wetland Delineation Report

Cherry Hills Subdivision
Wetland Delineation - November 4, 2020
Laurel, Montana



Prepared for:

Western Holdings LLC

Prepared by:

Morrison Maierle
engineers • surveyors • planners • scientists
2880 Technology Boulevard West
Bozeman, MT 59718

March 2021
Project No. 6683.001

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1 Introduction 1
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3.3.2 National Wetland Inventory 3
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4 Conclusions 3
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Appendices

Appendix A Figures
Appendix B USACE Wetland Determination Forms
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EXECUTIVE SUMMARY

A wetland delineation was performed by Morrison-Maierle, Inc. (Morrison-Maierle) for Western Holdings LLC (Client) on the Cherry Hills Subdivision. The project area consists of an undeveloped parcel of land west of Cherry Hills Drive in Laurel, Montana (Appendix A, Figure 1).

The subject property was evaluated for its content of potential jurisdictional wetlands and waterbodies, based on criteria set forth in the *2010 Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0)* (Environmental Laboratory 2010).

Prior to the site visit, Morrison-Maierle reviewed existing project area literature including historical aerial photography, topographic maps, and hydrology data. A subsequent field evaluation was performed to identify hydric soils, hydrology, and hydrophytic vegetation. Vegetation communities were evaluated and documented to delineate wetland and upland boundaries.

Based on the wetland delineation presented in this report and the data collected, it is Morrison-Maierle's professional judgement that waters of the U.S. were present within the project area. The project area contains 3.58 acres of wetlands, including palustrine emergent, scrub shrub, and forested wetlands.

The U.S. Army Corps of Engineers (USACE) and the U.S. Environmental Protection Agency (EPA) are the final authority over the jurisdictional status of both wetlands and waters of the U.S. per Section 404 of the Clean Water Act. The findings discussed in this report are solely the opinion of Morrison-Maierle and have not been verified by the aforementioned regulatory government agencies.

1 Introduction

At the request of the Client, Morrison-Maierle completed a wetland delineation for the Cherry Hills Subdivision. The area of investigation covered approximately 27.4 acres of undeveloped land in Laurel, Montana (Appendix A, Figure 1). This technical report summarizes the findings of the wetland delineation.

2 Methods

This wetland delineation utilized the methodology presented in the 1987 U.S. Army Corps of Engineers (USACE) *Wetlands Delineation Manual* (Environmental Laboratory 1987) and subsequent modifications outlined in the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0)* (Environmental Laboratory 2010). The methodology includes sampling procedures for vegetation, hydrology, and soil parameters.

Upland data points (UDP) and wetland data points (WDP) were established as needed during the field visit. Sample data points were labeled with an UDP or WDP, followed by the number associated with the data point, (e.g. noted here in bold (UDP **1**) to correspond to the sample points for that location. Data for vegetation, hydrology, and soils were recorded in the field and entered on Wetland Determination Data Forms. Corresponding photographs were taken at each data point.

Sample points and wetland boundaries (if present) were recorded using a Trimble® Geo 7X™ Global Positioning System (GPS) unit and post-processed to sub-meter accuracy. Locations were then converted to shapefiles uploaded into ArcMap 10.7.1 for display on figures included in Appendix A.

2.1 Vegetation

Vegetation at upland and wetland data points was classified based on its wetland indicator status derived from the 2018 National Wetland Plant List (USACE 2018). Using the current plant list, vegetation cover qualifies as hydrophytic when over 50% of the dominant plant species have an indicator status of obligate (OBL), facultative wet (FACW), and/or facultative (FAC). FAC plants, such as Canada thistle (*Cirsium arvense*), are equally likely to occur in wetlands and non-wetlands. Vegetation cover was considered as upland where over 50% of the dominant plant species were classified as upland (UPL), and/or facultative upland (FACU). Plants observed within each data plot were identified using *Montana Manual of Vascular Plants* (Lesica 2012) along with other reference books. Vegetation nomenclature follows Lichvar et al. (2018) and Lesica (2012).

2.2 Soil

Wetlands must meet the qualifications of at least one hydric soil indicator, or meet the definition of a hydric soil (a soil that formed under conditions of saturation, flooding or ponding long enough during the growing season to develop anaerobic conditions in the upper part (NRCS 2019a)). Soils at each data point were evaluated and described notating the depth, matrix color, mottle abundance and contrast (if present), texture, etc. (Environmental Laboratory, 1987 and 2010).

Moist matrix color and moist mottle color of the soils were determined utilizing the *Munsell Soil Color* Chart (Kollmorgan Instruments Corporation, 2009).

2.3 Hydrology

Primary and secondary hydrologic indicators were assessed at each wetland and upland data point; one primary indicator or two secondary indicators are required to qualify the area as containing wetland hydrology. Examples of primary hydrology indicators are saturation within 12 inches of the ground surface, surface water, and water table within 12 inches of the ground surface. Examples of secondary hydrology indicators are FAC-neutral test and geomorphic position on the landscape.

3 Results

A wetland delineation of the project area was performed by Morrison-Maierle environmental scientists on November 4, 2020. The vegetation, hydrology, and soil characteristics at each of 4 data points were documented in the field and recorded on Wetland Determination Data Forms for the *Western Mountains, Valleys, and Coast Region* (Supplement, 2010).

3.1 Vegetation

Vegetation communities were evaluated and documented to delineate wetland and upland boundaries. The wetland vegetation was dominated by reed canary grass (*Phalaris arundinacea*, FACW), Russian Olive (*Elaeagnus angustifolia*, FAC), Nebraska sedge (*Carex nebrascensis*, OBL), and common cattail (*Typha latifolia*, OBL). The upland vegetation was dominated by smooth brome (*Bromus inermus*, UPL), intermediate wheatgrass (*Thinopyrum intermedium*, UPL), curlycup gumweed (*Grindelia squarrosa,* FACU), and sagebrush (*Artemisia ludoviciana*, FACU). The location of all data points are identified on Figure 5 of Appendix A.

3.2 Soil

Mapped soil types within the project area were obtained from the *Web Soil Survey* (NRCS 2021). Three mapped soils were identified in the project area: Arvada-Bone silty clay loams, 0 to 1 percent slopes (Ax), Haverson silty clay loam, 1 to 3 percent slopes (He), and Hydro-Allentine complex, 2 to 7 percent slopes (Hv) (Appendix A, Figure 3).

Soils were analyzed in the field for texture and color using the Munsell Soil Color Charts (Munsell 2009). Soils within upland areas exhibited a 10YR 3/2 (very dark grayish brown) or 10YR 4/2 (dark grayish brown) clay loam matrix. Soil within the wetland areas exhibited a 10YR 3/2 organic surface layer approximately four to six inches thick with Gley1 2.5/N (black) clay loam. The soil within the wetland area meets the characteristics of a Loamy Gleyed Matrix (F2).

3.3 Hydrology

3.3.1 Topography

The project area lies within the *Laurel, Montana* (2020), U.S. Geological Survey (USGS) 7.5-minute Topographic Map. The project area is shown to be gently sloping to flat with elevations at approximately 3,360 feet above sea level (Appendix A, Figure 1). Additionally, an unnamed ditch is shown bordering the north boundary of the subject property. During the site evaluation, the

elevation and slope of the project area appeared to be consistent with the USGS topographic map.

3.3.2 National Wetland Inventory

The U.S. Fish and Wildlife Service maintains the National Wetlands Inventory (NWI), which serves as a publicly available resource that provides detailed information on the abundance, characteristics, and distribution of U.S. wetlands. According to the NWI database, freshwater emergent wetland features exist within the subject property (USFWS 2021). Appendix A, Figure 4 depicts the NWI features in the project vicinity.

3.3.3 Floodplains

The project area is located within the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) panel 30111C1420E, effective November 6, 2013. The project area lies within an area designated Zone X (area of minimal flood hazard) and Zone D (area with flood risk due to levee) (FEMA 2021). A map of the FIRM is located in Appendix A.

4 Conclusions

Based on the results of the wetland delineation performed according to USACE guidelines, it is Morrison-Maierle's professional judgement that portions of the project area meet the technical criteria to be classified as wetland. Approximately 3.58 acre of wetlands were delineated on the subject property (Appendix A, Figure 5). Wetlands on the subject property consisted of a combination of palustrine emergent and forested/scrub shrub willow wetlands. No waterways were delineated on the subject property.

5 References

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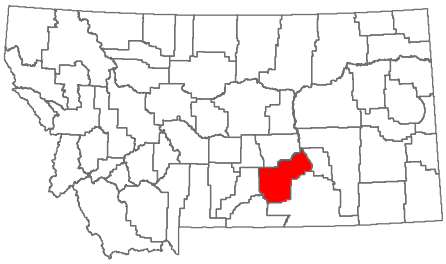
US Army Corps of Engineers (USACE) 2018. National Wetland Plant List 2018. http://wetland-plants.usace.army.mil/

US Fish and Wildlife Service (USFWS) 2021. National Wetland Inventory Wetlands Mapper. https://www.fws.gov/wetlands/data/mapper.html

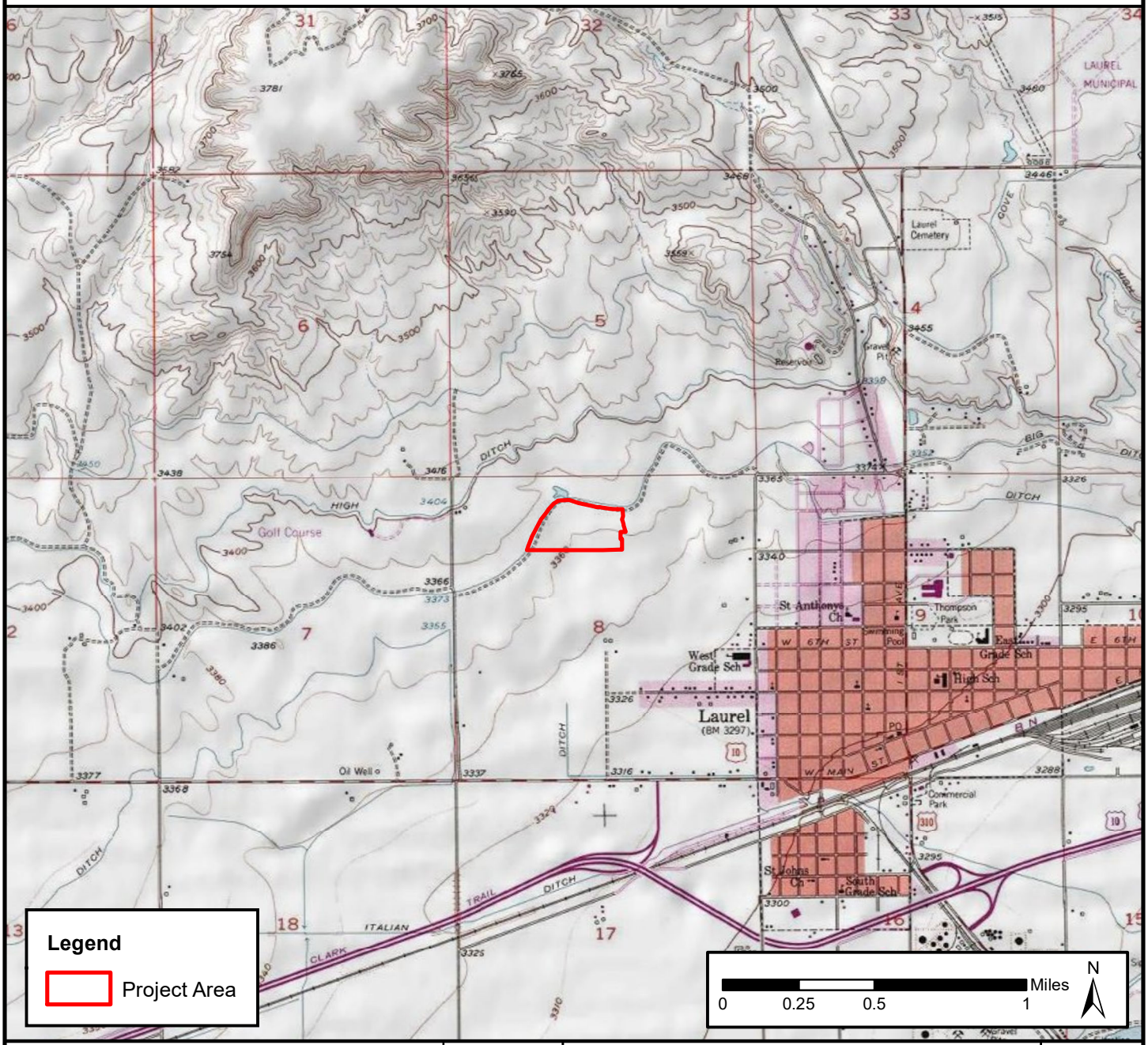
U.S. Geological Survey. 2020. Laurel, Montana, 7.5-minute Series Topographic Quadrangle Map.

APPENDIX A: FIGURES





Yellowstone County, Montana
Section 08, Township 02 South, Range 24 East
C.O.S. COS 3034, Parcel TR1, IN N2 (01)



Morrison Maierle
engineers • surveyors • planners • scientists
2880 Technology Blvd. W.
Bozeman, MT 59718
Phone: (406) 587-0721
Fax: (406) 922-6702
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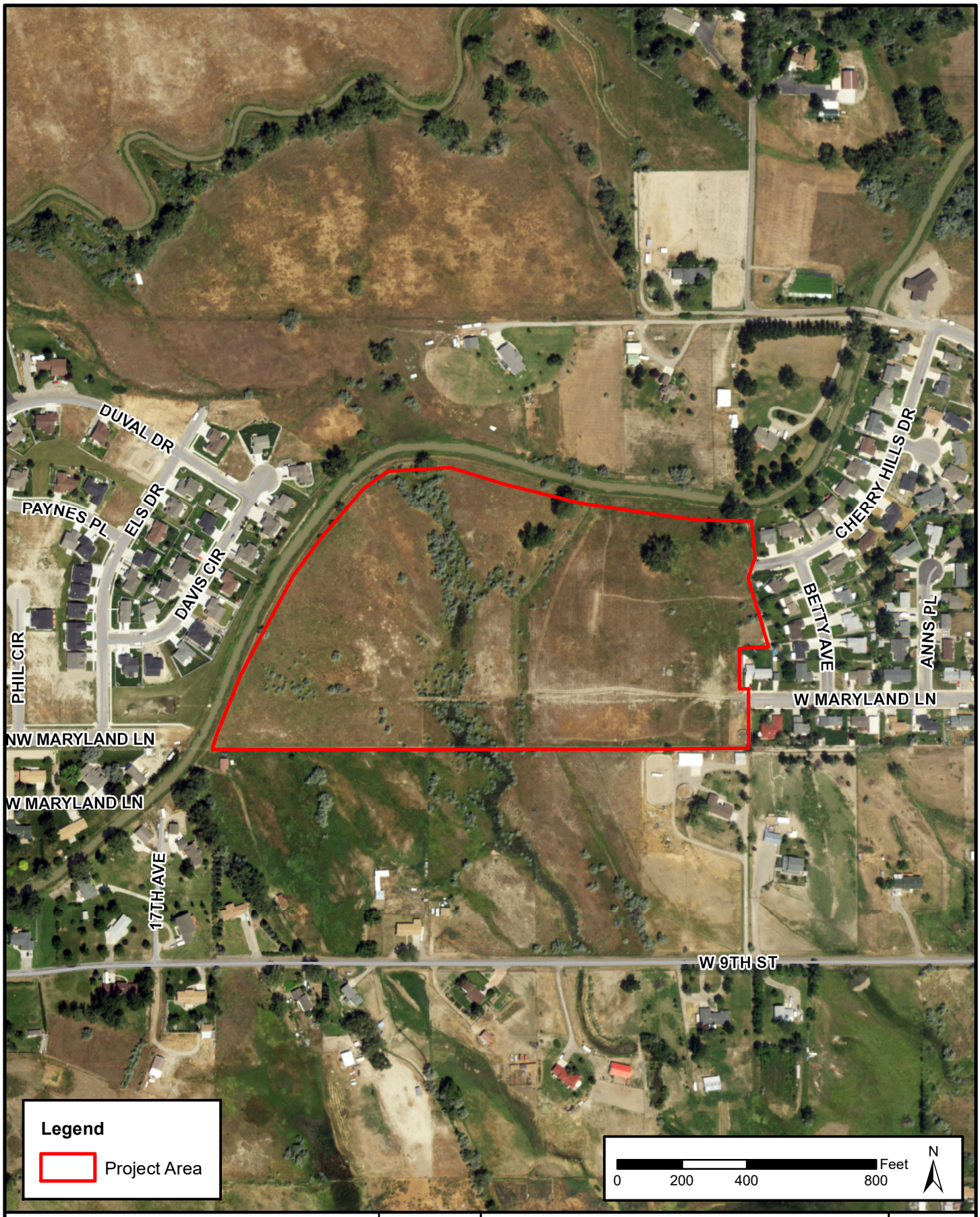
DRAWN BY: BC
CHK'D BY: CP
APPR. BY: CP
DATE: 1/19/2021

VICINITY MAP
YELLOWSTONE COUNTY MT

Cherry Hills Subdivision Wetland Delineation

PROJECT NO. 6683.001
FIGURE NO. 1

\\mmi\Share\Bozeman\Projects\6683\001\GIS\Fig 1_Topo Map.mxd



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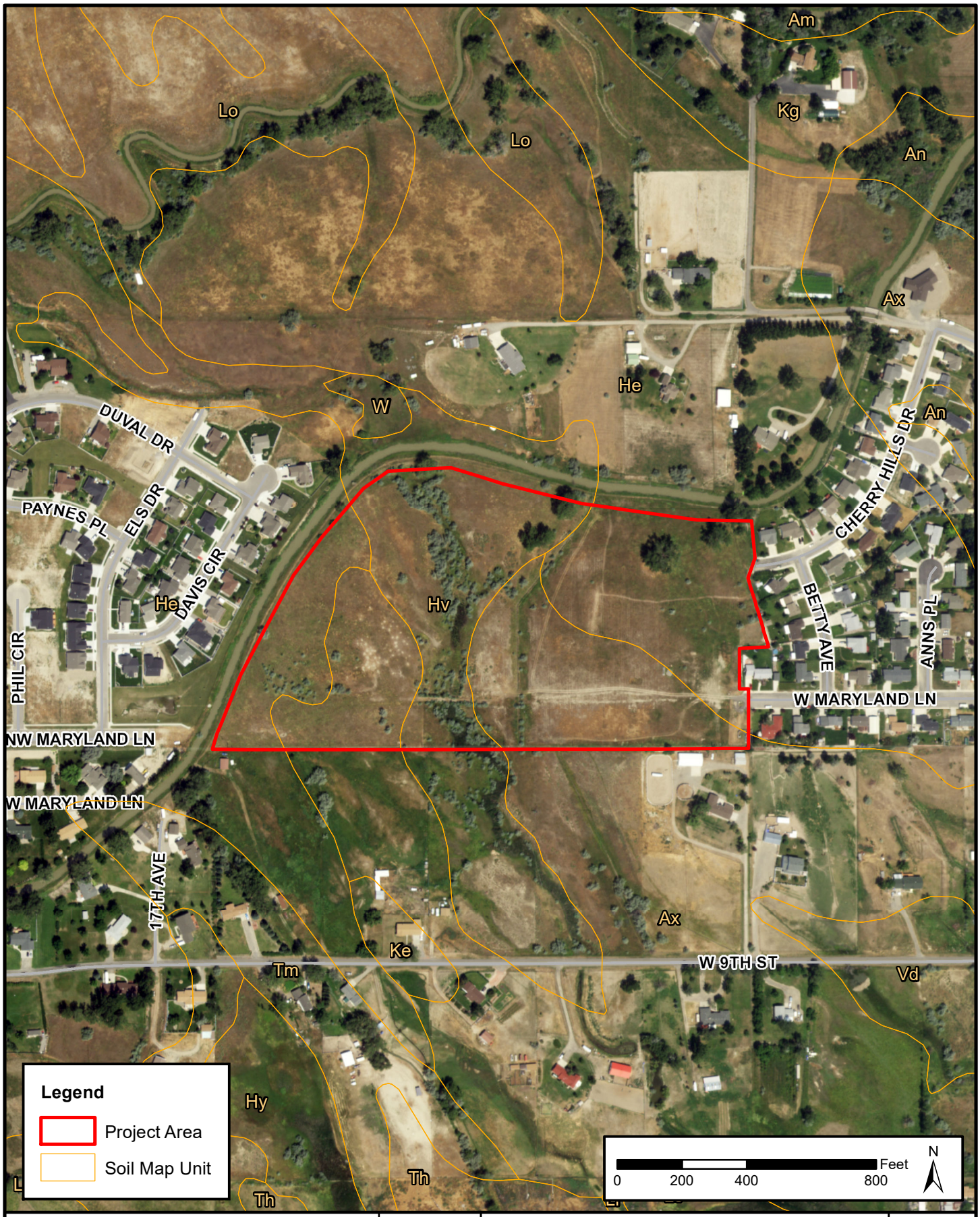
AERIAL MAP
YELLOWSTONE COUNTY MT

Cherry Hills Subdivision Wetland Delineation

PROJECT NO. 6683.001

FIGURE NO. 2

\\mmi\Share\Bozeman\Projects\6683\001\GIS\Fig 2_Aerial Map.mxd



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DATE: 1/20/2021

NRCS SOILS MAP

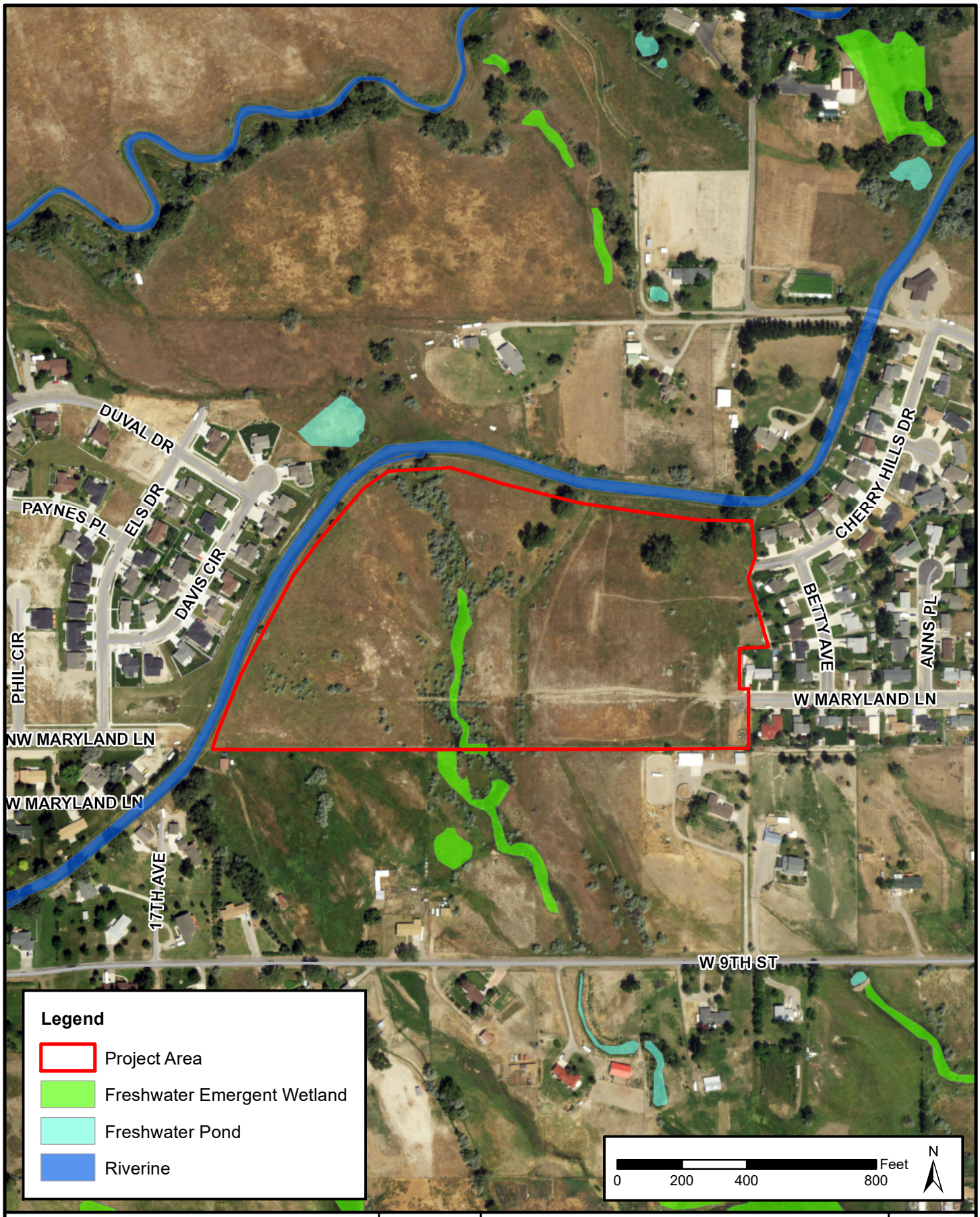
YELLOWSTONE COUNTY MT

Cherry Hills Subdivision Wetland Delineation

PROJECT NO. 6683.001

FIGURE NO. 3

\\mmi\Share\Bozeman\Projects\6683\001\GIS\Fig 3_Soils Map.mxd



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DATE: 1/20/2021

NATIONAL WETLANDS INVENTORY MAP
YELLOWSTONE COUNTY MT

Cherry Hills Subdivision Wetland Delineation

PROJECT NO. 6683.001

FIGURE NO. 4

N:\6683\001\GIS\Fig 4_NWI Map.mxd



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N:\6683\001\GIS\Fig 5_WD Map.mxd

DRAWN BY: BC
CHK'D BY: CP
APPR. BY: CP
DATE: 1/20/2021

WETLAND DELINEATION MAP
YELLOWSTONE COUNTY MT

Cherry Hills Subdivision Wetland Delineation

PROJECT NO. 6683.001

FIGURE NO. 5

National Flood Hazard Layer FIRMette

FEMA

108°47'58"W 45°41'2"N



108°47'20"W 45°40'37"N

Feet 1:6,000

0 250 500 1,000 1,500 2,000

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) *Zone A, V, A99*
- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*
- Future Conditions 1% Annual Chance Flood Hazard *Zone X*
- Area with Reduced Flood Risk due to Levee. See Notes. *Zone X*
- Area with Flood Risk due to Levee *Zone D*

OTHER AREAS
- NO SCREEN Area of Minimal Flood Hazard *Zone X*
- Effective LOMRs
- Area of Undetermined Flood Hazard *Zone D*

GENERAL STRUCTURES
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES
- 20.2 Cross Sections with 1% Annual Chance
- 17.5 Water Surface Elevation
- Coastal Transect
- 513 Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS
- Digital Data Available
- No Digital Data Available
- Unmapped

N

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 3/1/2021 at 11:29 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community id FIRM panel number, and FIRM effective date. Map i unmapped and unmodernized areas cannot be use regulatory purposes.

APPENDIX B: USACE WETLAND DETERMINATION FORMS

Morrison-Maierle, Inc.

WETLAND DETERMINATION DATA FORM - Western Mountains, Valleys, and Coast Region

Project Site:	Cherry Hills Subdivision	City/County:	Laurel/Yellowstone	Sampling Date:	11/4/2020
Applicant/Owner:	Western Holdings LLC	State:	Montana	Sampling Point:	UDP 1
Investigator(s):	C. Pearcy	Section/Range:	NE1/4, NW1/4 Section 8, T2S, R24E	Slope (%):	0 - 5
Landform (hillslope, terrace, etc.):	Plain	Local relief (concave, convex, none):	flat	Datum:	NAD83 SP MT
Subregion (LRR or MLRA):	Northern Rocky Mountain Valleys	Lat:	5 40.53' 93	Long:	108 47.39' 91"
Soil Map Unit Name:	(HV) Hydro-Allentine Complex 2 to 7 percent slopes			NWI classification:	

Are climatic/hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks)

Are Vegetation ____ Soil ____ Hydrology ____ significantly disturbed?

Are Vegetation ____ Soil ____ Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks)

Are "Normal Circumstances" present? Yes X No ____

SUMMARY OF FINDINGS- Attach site map showing sampling point locations, transects, important features, ect.

Hydrophytic Vegetation Present?	Yes		No	**X**	**Is the Sample Area within a Wetland?** Yes ____
Hydric Soils Present?	Yes		No	**X**	No **X**
Wetland Hydrology Present?	Yes		No	**X**	

Remarks: Based on the absence of hydrophytic vegetation, hydric soils and wetland hydrology, this location does not meet the criteria of a wetland.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required: check all that apply)		Secondary Indicators (minimum of two required)
____ Surface Water (A1)	____ Water-Stained Leaves (B9) **(except**	____ Water-Stained Leaves (B9) **(MLRA 1, 2,**
____ High Water Table (A2)	**MLRA 1, 2, 4A, an d4B)**	**4A, an d4B)**
____ Saturation (A3)	____ Salt Crust (B11)	____ Drainage Patterns (B10)
____ Water Marks (B1)	____ Aquatic Invertebrates (B13)	____ Dry-Season Water Table (C2)
____ Sediment Deposits (B2)	____ Hydrogen Sulfide Odor (C1)	____ Saturation Visible on Aerial Imagery (C9)
____ Drift Deposits (B3)	____ Oxidized Rhizospheres along Living Roots (C3)	____ Geomorphic Position (D2)
____ Algal Mat or Crust (B4)	____ Presence of Reduced Iron (C4)	____ Shallow Aquitard (D3)
____ Iron Deposits (B5)	____ Recent Iron Reduction in Tilled Soils (C6)	____ FAC-Neutral Test (D5)
____ Surface Soil Cracks (B6)	____ Stunted or Stressed Plants (D1) **(LRR A)**	____ Raised Ant Mounds (D6) (LRR A)
____ Inundation Visible on Aerial Imagery (B7)	____ Other (Explain in Remarks)	____ Frost-Heave Hummocks (D7) **(LRR F)**
____ Sparsely Vegetated Concave Surface (B8)		

Field Observations:

Surface Water Present?	Yes	____	No	**X**	Depth (inches) ____	
Water Table Present?	Yes	____	No	**X**	Depth (inches) ____	**Wetland Hydrology Present?**
Saturation Present?	Yes	____	No	**X**	Depth (inches) ____	Yes ____
(includes cappillary fringe)						No **X**

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: Hydrologic indicators were not observed at this location.

Vegetation- Use scientific names of plants

Montana **UDP 1**

Tree Stratum (Plot Sizes: 30')		Absolute % Cover	Dominant Species?	Indicator Status
1				
2				
3				
4				
5				
6				
7				
	Total Cover	0		

Sapling Stratum (30')		Absolute % Cover	Dominant Species?	Indicator Status
1				
2				
3				
4				
5				
6				
7				
	Total Cover	0		

Shrub Stratum (30')		Absolute % Cover	Dominant Species?	Indicator Status
1				
2				
3				
4				
5				
6				
7				
	Total Cover	0		

Herb Stratum (30')		Absolute % Cover	Dominant Species?	Indicator Status
1	Bromus inermis	95	YES	UPL
2	Thinopyrum intermedium	5	NO	#N/A
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
	Total Cover	100		

Woody Vine Stratum (30')		Absolute % Cover	Dominant Species?	Indicator Status
1				
2				
3				
4				
5				
	Total Cover	0		

Dominance Test Worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)

Total Number of Dominant Species Across All Strata: 1 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 0% (A/B)

Prevalance Index Worksheet:

Total % Cover of:		Multiply by:	
OBL species	**0**	x 1 =	**0**
FACW species	**0**	x 2 =	**0**
FAC species	**0**	x 3 =	**0**
FACU species	**0**	x 4 =	**0**
UPL species	**95**	x 5 =	**475**
Column Totals:	**95**	(A) (B)	**475**
Prevalence Index = B/A =			5

Hydrophytic Vegetation Indicators:

- Rapid Test for Hydrophytic Vegetation
- Dominance Test is >50%
- Prevalence Index ≤ 3.0[1]
- Morphological Adaptation[1] (Provide supporting data)
- Wetland Non-Vascular Plants[1]
- Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present.

Definitions for Four Vegetation Strata:

Tree - Woody plants, excluding vines, 3 inches or more in diameter at breast height (DBH), regardless of height

Sapling/Shrub - Woody plants, excluding vines less than 3 inch DBH and greater than 1 meter tall.

Herb - All herbaceous (non-woody) plants, regardless of size, and wood plants less than 1 meter tall.

Woody vine - All woody vines greater than 1 meter in height.

Hydrophytic Vegetation Present?

YES	NO
	X

Remarks: (If observed, list morphological adaptations below) Hydrophytic vegetation was not observed at this location.

SOIL

Profile Desription: (Describe to the depth needed to document the indicator or confirm the absence of indicators.) **Montana** **UDP 1**

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Fetures Color (moist)	Redox Fetures %	Type[1]	Loc[2]	Texture	Remarks
0-14	10YR 3/2	100					silty clay loam	

[1]Type: C= Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains

[2]Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators:

Histosol (A1)	Sandy Redox (S5)	2 cm Muck (A10)
Histic Epipedon (A2)	Stripped Matrix (S6)	Red Parent Material (TF2)
Black Histic (A3)	Loamy Mucky Mineral (F1) **(except MLRA 1)**	Very Shallow Dark Surface (TF12)
Hydrogen Sulfide (A4)	Loamy Gleyed Matrix (F2)	Other (Explain in Remarks)
Depleted Below Dark Surface (A11)	Depleted Matrix (F3)	
Thick Dark Surface (A12)	Redox Dark Surface (F6)	
Sandy Mucky Mineral (S1) **(LRR O, S)**	Depleted Dark Surface (F7)	
Sandy Gleyed Matrix (S4)	Redox Depressions (F8)	

Indicators for Problematic Hydric Soils[3]:

[3]Indicators of hydrolophytic vegetation and wetland hydrology must be present.

Restrictive Layer (if observed):

Type:

Depth (inches):

Hydric Soil Present?

Yes | **No** X

Remarks: Hydric soil indicators were not observed at this location.

Morrison-Maierle, Inc.

WETLAND DETERMINATION DATA FORM - Western Mountains, Valleys, and Coast Region

Project Site:	Cherry Hills Subdivision	City/County:	Laurel/Yellowstone	Sampling Date:	11/4/2020
Applicant/Owner:	Western Holdings LLC	State:	Montana	Sampling Point:	UDP 2
Investigator(s):	C. Pearcy	Section/Range:	NE1/4, NW1/4 Section 8, T2S, R24E	Slope (%):	0 - 5
Landform (hillslope, terrace, etc.):	Plain	Local relief (concave, convex, none):	flat	Datum:	NAD83 SP MT
Subregion (LRR or MLRA):	Northern Rocky Mountain Valleys	Lat:	5 40.51' 83	Long:	108 47.39' 49"
Soil Map Unit Name:	(HV) Hydro-Allentine Complex 2 to 7 percent slopes			NWI classification:	

Are climatic/hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks)

Are Vegetation ____ Soil ____ Hydrology ____ significantly disturbed?

Are Vegetation ____ Soil ____ Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks)

Are "Normal Circumstances" present? Yes X No ____

SUMMARY OF FINDINGS- Attach site map showing sampling point locations, transects, important features, ect.

Hydrophytic Vegetation Present?	Yes		No	**X**	**Is the Sample Area within a Wetland?** Yes ____
Hydric Soils Present?	Yes		No	**X**	No **X**
Wetland Hydrology Present?	Yes		No	**X**	

Remarks: Based on the absence of hydrophytic vegetation, hydric soils and wetland hydrology, this location does not meet the criteria of a wetland.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required: check all that apply)		Secondary Indicators (minimum of two required)
____ Surface Water (A1)	____ Water-Stained Leaves (B9) **(except**	____ Water-Stained Leaves (B9) **(MLRA 1, 2,**
____ High Water Table (A2)	**MLRA 1, 2, 4A, an d4B)**	**4A, an d4B)**
____ Saturation (A3)	____ Salt Crust (B11)	____ Drainage Patterns (B10)
____ Water Marks (B1)	____ Aquatic Invertebrates (B13)	____ Dry-Season Water Table (C2)
____ Sediment Deposits (B2)	____ Hydrogen Sulfide Odor (C1)	____ Saturation Visible on Aerial Imagery (C9)
____ Drift Deposits (B3)	____ Oxidized Rhizospheres along Living Roots (C3)	____ Geomorphic Position (D2)
____ Algal Mat or Crust (B4)	____ Presence of Reduced Iron (C4)	____ Shallow Aquitard (D3)
____ Iron Deposits (B5)	____ Recent Iron Reduction in Tilled Soils (C6)	____ FAC-Neutral Test (D5)
____ Surface Soil Cracks (B6)	____ Stunted or Stressed Plants (D1) **(LRR A)**	____ Raised Ant Mounds (D6) (LRR A)
____ Inundation Visible on Aerial Imagery (B7)	____ Other (Explain in Remarks)	____ Frost-Heave Hummocks (D7) **(LRR F)**
____ Sparsely Vegetated Concave Surface (B8)		

Field Observations:

Surface Water Present?	Yes	____	No	**X**	Depth (inches) ____	
Water Table Present?	Yes	____	No	**X**	Depth (inches) ____	**Wetland Hydrology Present?**
Saturation Present?	Yes	____	No	**X**	Depth (inches) ____	Yes ____
(includes cappillary fringe)						No **X**

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: Hydrologic indicators were not observed at this location.

Vegetation- Use scientific names of plants

Montana **UDP 2**

Tree Stratum (Plot Sizes: 30')		Absolute % Cover	Dominant Species?	Indicator Status
1				
2				
3				
4				
5				
6				
7				
	Total Cover	0		

Sapling Stratum (30')		Absolute % Cover	Dominant Species?	Indicator Status
1				
2				
3				
4				
5				
6				
7				
	Total Cover	0		

Shrub Stratum (30')		Absolute % Cover	Dominant Species?	Indicator Status
1				
2				
3				
4				
5				
6				
7				
	Total Cover	0		

Herb Stratum (30')		Absolute % Cover	Dominant Species?	Indicator Status
1	Grindelia squarrosa	10	NO	FACU
2	Thinopyrum intermedium	40	YES	#N/A
3	Artemisia tridentata	10	NO	#N/A
4	Alopecurus pratensis	20	YES	FAC
5				
6				
7				
8				
9				
10				
11				
12				
	Total Cover	80		

Woody Vine Stratum (30')		Absolute % Cover	Dominant Species?	Indicator Status
1				
2				
3				
4				
5				
	Total Cover	0		

Dominance Test Worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)

Total Number of Dominant Species Across All Strata: 2 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 50% (A/B)

Prevalance Index Worksheet:

Total % Cover of:		Multiply by:	
OBL species	**0**	x 1 =	**0**
FACW species	**0**	x 2 =	**0**
FAC species	**20**	x 3 =	**60**
FACU species	**10**	x 4 =	**40**
UPL species	**0**	x 5 =	**0**
Column Totals:	**30**	(A) (B)	**100**
Prevalence Index = B/A =			3

Hydrophytic Vegetation Indicators:

- Rapid Test for Hydrophytic Vegetation
- Dominance Test is >50%
- Prevalence Index ≤ 3.0[1]
- Morphological Adaptation[1] (Provide supporting data)
- Wetland Non-Vascular Plants[1]
- Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present.

Definitions for Four Vegetation Strata:

Tree - Woody plants, excluding vines, 3 inches or more in diameter at breast height (DBH), regardless of height

Sapling/Shrub - Woody plants, excluding vines less than 3 inch DBH and greater than 1 meter tall.

Herb - All herbaceous (non-woody) plants, regardless of size, and wood plants less than 1 meter tall.

Woody vine - All woody vines greater than 1 meter in height.

Hydrophytic Vegetation Present?

YES	NO
	X

Remarks: (If observed, list morphological adaptations below) Hydrophytic vegetation was not observed at this location.

SOIL

Profile Desription: (Describe to the depth needed to document the indicator or confirm the absence of indicators.) **Montana** **UDP 2**

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Fetures Color (moist)	Redox Fetures %	Type[1]	Loc[2]	Texture	Remarks
0-12	10YR 4/2	100					clay loam	

[1]Type: C= Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains

[2]Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators:

Histosol (A1)	Sandy Redox (S5)	
Histic Epipedon (A2)	Stripped Matrix (S6)	
Black Histic (A3)	Loamy Mucky Mineral (F1) **(except MLRA 1)**	
Hydrogen Sulfide (A4)	Loamy Gleyed Matrix (F2)	
Depleted Below Dark Surface (A11)	Depleted Matrix (F3)	
Thick Dark Surface (A12)	Redox Dark Surface (F6)	
Sandy Mucky Mineral (S1) **(LRR O, S)**	Depleted Dark Surface (F7)	
Sandy Gleyed Matrix (S4)	Redox Depressions (F8)	

Indicators for Problematic Hydric Soils[3]:

2 cm Muck (A10)
Red Parent Material (TF2)
Very Shallow Dark Surface (TF12)
Other (Explain in Remarks)

[3]Indicators of hydrolophytic vegetation and wetland hydrology must be present.

Restrictive Layer (if observed):

Type:

Depth (inches):

Hydric Soil Present?

Yes | **No** X

Remarks: Hydric soil indicators were not observed at this location.

Morrison-Maierle, Inc.

WETLAND DETERMINATION DATA FORM - Western Mountains, Valleys, and Coast Region

Project Site:	Cherry Hills Subdivision	City/County:	Laurel/Yellowstone	Sampling Date:	11/4/2020
Applicant/Owner:	Western Holdings LLC	State:	Montana	Sampling Point:	WDP 1
Investigator(s):	C. Pearcy	Section/Range:	NE1/4, NW1/4 Section 8, T2S, R24E	Slope (%):	0 - 5
Landform (hillslope, terrace, etc.):	Plain	Local relief (concave, convex, none):	flat	Datum:	NAD83 SP MT
Subregion (LRR or MLRA):	Northern Rocky Mountain Valleys	Lat:	5 40.53' 81	Long:	108 47.40' 67"
Soil Map Unit Name:	(HV) Hydro-Allentine Complex 2 to 7 percent slopes			NWI classification:	

Are climatic/hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks)

Are Vegetation ____ Soil ____ Hydrology ____ significantly disturbed?

Are Vegetation ____ Soil ____ Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks)

Are "Normal Circumstances" present? Yes X No ____

SUMMARY OF FINDINGS- Attach site map showing sampling point locations, transects, important features, ect.

Hydrophytic Vegetation Present?	Yes	x	No		
Hydric Soils Present?	Yes	x	No	**Is the Sample Area within a Wetland?**	Yes **X**
Wetland Hydrology Present?	Yes	x	No		No

Remarks: Hydrogen sulfide smell

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required: check all that apply)			Secondary Indicators (minimum of two required)
Surface Water (A1)		Water-Stained Leaves (B9) **(except**	Water-Stained Leaves (B9) **(MLRA 1, 2,**
High Water Table (A2)		**MLRA 1, 2, 4A, an d4B)**	**4A, an d4B)**
x Saturation (A3)		Salt Crust (B11)	Drainage Patterns (B10)
Water Marks (B1)		Aquatic Invertebrates (B13)	Dry-Season Water Table (C2)
Sediment Deposits (B2)	**x**	Hydrogen Sulfide Odor (C1)	Saturation Visible on Aerial Imagery (C9)
Drift Deposits (B3)		Oxidized Rhizospheres along Living Roots (C3)	Geomorphic Position (D2)
Algal Mat or Crust (B4)		Presence of Reduced Iron (C4)	Shallow Aquitard (D3)
Iron Deposits (B5)		Recent Iron Reduction in Tilled Soils (C6)	FAC-Neutral Test (D5)
Surface Soil Cracks (B6)		Stunted or Stressed Plants (D1) **(LRR A)**	Raised Ant Mounds (D6) (LRR A)
Inundation Visible on Aerial Imagery (B7)		Other (Explain in Remarks)	Frost-Heave Hummocks (D7) **(LRR F)**
Sparsely Vegetated Concave Surface (B8)			

Field Observations:

Surface Water Present?	Yes		No	**X**	Depth (inches)		
Water Table Present?	Yes	**x**	No		Depth (inches	**4**	**Wetland Hydrology Present?**
Saturation Present?	Yes	**x**	No	**X**	Depth (inches	**0**	Yes **X**
(includes cappillary fringe)							No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Vegetation- Use scientific names of plants

Montana **WDP 1**

Tree Stratum (Plot Sizes: 30')		Absolute % Cover	Dominant Species?	Indicator Status
1	Elaeagnus angustifolia	10	YES	FAC
2				
3				
4				
5				
6				
7				
	Total Cover	10		

Sapling Stratum (30')		Absolute % Cover	Dominant Species?	Indicator Status
1				
2				
3				
4				
5				
6				
7				
	Total Cover	0		

Shrub Stratum (30')		Absolute % Cover	Dominant Species?	Indicator Status
1				
2				
3				
4				
5				
6				
7				
	Total Cover	0		

Herb Stratum (30')		Absolute % Cover	Dominant Species?	Indicator Status
1	Phalaris arundinacea	100	YES	FACW
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
	Total Cover	100		

Woody Vine Stratum (30')		Absolute % Cover	Dominant Species?	Indicator Status
1				
2				
3				
4				
5				
	Total Cover	0		

Dominance Test Worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC:	2	(A)
Total Number of Dominant Species Across All Strata:	2	(B)
Percent of Dominant Species That Are OBL, FACW, or FAC:	100%	(A/B)

Prevalance Index Worksheet:

Total % Cover of:		Multiply by:	
OBL species	**0**	x 1 =	**0**
FACW species	**100**	x 2 =	**200**
FAC species	**10**	x 3 =	**30**
FACU species	**0**	x 4 =	**0**
UPL species	**0**	x 5 =	**0**
Column Totals:	**110**	(A) (B)	**230**
Prevalence Index = B/A =			2

Hydrophytic Vegetation Indicators:

	Rapid Test for Hydrophytic Vegetation
X	Dominance Test is >50%
X	Prevalence Index $\leq$ 3.0[1]
	Morphological Adaptation[1] (Provide supporting data)
	Wetland Non-Vascular Plants[1]
	Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present.

Definitions for Four Vegetation Strata:

Tree - Woody plants, excluding vines, 3 inches or more in diameter at breast height (DBH), regardless of height

Sapling/Shrub - Woody plants, excluding vines less than 3 inch DBH and greater than 1 meter tall.

Herb - All herbaceous (non-woody) plants, regardless of size, and wood plants less than 1 meter tall.

Woody vine - All woody vines greater than 1 meter in height.

Hydrophytic Vegetation Present?

X	
YES	**NO**

Remarks: (If observed, list morphological adaptations below) Hydrophytic vegetation was not observed at this location.

SOIL

Profile Desription: (Describe to the depth needed to document the indicator or confirm the absence of indicators.) **Montana** **WDP 1**

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Fetures Color (moist)	Redox Fetures %	Type[1]	Loc[2]	Texture	Remarks
0-4	10YR 3/2	100					clay loam	
4-12	Gley12.5/N	100					clay loam	

[1]Type: C= Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains

[2]Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators:

	Histosol (A1)		Sandy Redox (S5)		2 cm Muck (A10)
	Histic Epipedon (A2)		Stripped Matrix (S6)		Red Parent Material (TF2)
	Black Histic (A3)		Loamy Mucky Mineral (F1) **(except MLRA 1)**		Very Shallow Dark Surface (TF12)
x	Hydrogen Sulfide (A4)	**x**	Loamy Gleyed Matrix (F2)		Other (Explain in Remarks)
	Depleted Below Dark Surface (A11)		Depleted Matrix (F3)		
	Thick Dark Surface (A12)		Redox Dark Surface (F6)		
	Sandy Mucky Mineral (S1) **(LRR O, S)**		Depleted Dark Surface (F7)		
	Sandy Gleyed Matrix (S4)		Redox Depressions (F8)		

Indicators for Problematic Hydric Soils[3]:

[3]Indicators of hydrolophytic vegetation and wetland hydrology must be present.

Restrictive Layer (if observed):

Type:

Depth (inches):

Hydric Soil Present?

Yes **X** **No**

Remarks:

Morrison-Maierle, Inc.

WETLAND DETERMINATION DATA FORM - Western Mountains, Valleys, and Coast Region

Project Site:	Cherry Hills Subdivision	City/County:	Laurel/Yellowstone	Sampling Date:	11/4/2020
Applicant/Owner:	Western Holdings LLC	State:	Montana	Sampling Point:	WDP 2
Investigator(s):	C. Pearcy	Section/Range:	NE1/4, NW1/4 Section 8, T2S, R24E	Slope (%):	0 - 5
Landform (hillslope, terrace, etc.):	Plain	Local relief (concave, convex, none):	flat	Datum:	NAD83 SP MT
Subregion (LRR or MLRA):	Northern Rocky Mountain Valleys	Lat:	5 40.51' 50	Long:	108 47.39' 72"
Soil Map Unit Name:	(HV) Hydro-Allentine Complex 2 to 7 percent slopes			NWI classification:	

Are climatic/hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks)

Are Vegetation ____ Soil ____ Hydrology ____ significantly disturbed?

Are Vegetation ____ Soil ____ Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks)

Are "Normal Circumstances" present? Yes X No ____

SUMMARY OF FINDINGS- Attach site map showing sampling point locations, transects, important features, ect.

Hydrophytic Vegetation Present?	Yes	x	No		
Hydric Soils Present?	Yes	x	No	**Is the Sample Area within a Wetland?**	Yes **X**
Wetland Hydrology Present?	Yes	x	No		No

Remarks: Hydrogen sulfide smell

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required: check all that apply)			Secondary Indicators (minimum of two required)		
x	Surface Water (A1)		Water-Stained Leaves (B9) **(except**		Water-Stained Leaves (B9) **(MLRA 1, 2,**
	High Water Table (A2)		**MLRA 1, 2, 4A, an d4B)**		**4A, an d4B)**
x	Saturation (A3)		Salt Crust (B11)		Drainage Patterns (B10)
	Water Marks (B1)		Aquatic Invertebrates (B13)		Dry-Season Water Table (C2)
	Sediment Deposits (B2)	x	Hydrogen Sulfide Odor (C1)		Saturation Visible on Aerial Imagery (C9)
	Drift Deposits (B3)		Oxidized Rhizospheres along Living Roots (C3)		Geomorphic Position (D2)
	Algal Mat or Crust (B4)		Presence of Reduced Iron (C4)		Shallow Aquitard (D3)
x	Iron Deposits (B5)		Recent Iron Reduction in Tilled Soils (C6)		FAC-Neutral Test (D5)
	Surface Soil Cracks (B6)		Stunted or Stressed Plants (D1) **(LRR A)**		Raised Ant Mounds (D6) (LRR A)
	Inundation Visible on Aerial Imagery (B7)		Other (Explain in Remarks)		Frost-Heave Hummocks (D7) **(LRR F)**
	Sparsely Vegetated Concave Surface (B8)				

Field Observations:

Surface Water Present?	Yes	x	No		Depth (inches	**0**	
Water Table Present?	Yes	x	No		Depth (inches	**0**	**Wetland Hydrology Present?**
Saturation Present?	Yes	x	No		Depth (inches	**0**	Yes **X**
(includes cappillary fringe)							No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Vegetation- Use scientific names of plants

Montana **WDP 2**

Tree Stratum (Plot Sizes: 30')		Absolute % Cover	Dominant Species?	Indicator Status
1	Elaeagnus angustifolia	20	YES	FAC
2				
3				
4				
5				
6				
7				
	Total Cover	20		

Sapling Stratum (30')		Absolute % Cover	Dominant Species?	Indicator Status
1				
2				
3				
4				
5				
6				
7				
	Total Cover	0		

Shrub Stratum (30')		Absolute % Cover	Dominant Species?	Indicator Status
1				
2				
3				
4				
5				
6				
7				
	Total Cover	0		

Herb Stratum (30')		Absolute % Cover	Dominant Species?	Indicator Status
1	Typha latifolia	30	YES	OBL
2	carex nebrascensis	50	YES	OBL
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
	Total Cover	80		

Woody Vine Stratum (30')		Absolute % Cover	Dominant Species?	Indicator Status
1				
2				
3				
4				
5				
	Total Cover	0		

Dominance Test Worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 3 (A)

Total Number of Dominant Species Across All Strata: 3 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100% (A/B)

Prevalance Index Worksheet:

Total % Cover of:		Multiply by:	
OBL species	**80**	x 1 =	**80**
FACW species	**0**	x 2 =	**0**
FAC species	**20**	x 3 =	**60**
FACU species	**0**	x 4 =	**0**
UPL species	**0**	x 5 =	**0**
Column Totals:	**100** (A)	(B)	**140**
Prevalence Index = B/A =			1

Hydrophytic Vegetation Indicators:

	Rapid Test for Hydrophytic Vegetation
X	Dominance Test is >50%
X	Prevalence Index $\leq$ 3.0[1]
	Morphological Adaptation[1] (Provide supporting data)
	Wetland Non-Vascular Plants[1]
	Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present.

Definitions for Four Vegetation Strata:

Tree - Woody plants, excluding vines, 3 inches or more in diameter at breast height (DBH), regardless of height

Sapling/Shrub - Woody plants, excluding vines less than 3 inch DBH and greater than 1 meter tall.

Herb - All herbaceous (non-woody) plants, regardless of size, and wood plants less than 1 meter tall.

Woody vine - All woody vines greater than 1 meter in height.

Hydrophytic Vegetation Present?

X	
YES	**NO**

Remarks: (If observed, list morphological adaptations below) Hydrophytic vegetation was not observed at this location.

SOIL

Profile Desription: (Describe to the depth needed to document the indicator or confirm the absence of indicators.) **Montana** **WDP 2**

Depth (inches)	Matrix Color (moist)	%	Redox Fetures Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
								soil so saturated
								hard to color

[1]Type: C= Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains

[2]Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators:

	Histosol (A1)		Sandy Redox (S5)		2 cm Muck (A10)
	Histic Epipedon (A2)		Stripped Matrix (S6)		Red Parent Material (TF2)
	Black Histic (A3)		Loamy Mucky Mineral (F1) **(except MLRA 1)**		Very Shallow Dark Surface (TF12)
x	Hydrogen Sulfide (A4)		Loamy Gleyed Matrix (F2)		Other (Explain in Remarks)
	Depleted Below Dark Surface (A11)		Depleted Matrix (F3)		
	Thick Dark Surface (A12)		Redox Dark Surface (F6)		
	Sandy Mucky Mineral (S1) **(LRR O, S)**		Depleted Dark Surface (F7)		
	Sandy Gleyed Matrix (S4)		Redox Depressions (F8)		

Indicators for Problematic Hydric Soils[3]:

[3]Indicators of hydrolophytic vegetation and wetland hydrology must be present.

Restrictive Layer (if observed):

Type:

Depth (inches):

Hydric Soil Present?

Yes **X** **No**

Remarks:

APPENDIX C: SITE PHOTOGRAPHS



Photo 1: An unvegetated portion of the wetland on the subject property



Photo 2: Wetland Data Point (WDP-1)



Photo 3: Upland Data Point (UDP-1)



Photo 4: Wetland Data Point (WDP-2)



Photo 5: Upland Data Point (UDP-2)



Photo 6: Small dry ditch that runs along the fence line.
Channel is almost vegetated in. No longer appears in use.

Cherry Hill Subdivision – 4th Filing: 16.09 – Environmental Assessment

Appendix J:
State Historic Preservation Office Report

STATE HISTORIC PRESERVATION OFFICE
Cultural Resource Information Systems
CRIS Township, Range, Section Report
Report Date:4/26/2021

Site #	Twp	Rng	Sec	Qs	Site Type 1	Site Type 2	Time Period	Owner	NR Status
24YL0662	2S	24E	8		Historic Irrigation System		Historic More Than One Decade	Private	Eligible
24YL0663	2S	24E	8	Comb	Historic Irrigation System		Historic More Than One Decade	Private	Eligible
24YL0664	2S	24E	8	Comb	Historic Irrigation System		Historic More Than One Decade	Private	Eligible
24YL0989	2S	24E	8	NE	Historic Building Foundation		Historic More Than One Decade	Private	Undetermined*
24YL1508	2S	24E	8	SE	Historic Homestead/Farmstead		Historic More Than One Decade	Private	Ineligible
24YL1509	2S	24E	8	SE	Historic Residence		Historic More Than One Decade	Private	Ineligible
24YL1510	2S	24E	8	NE	Historic Residence		Historic More Than One Decade	Private	Ineligible
24YL1512	2S	24E	8	SE	Historic Residence		Historic More Than One Decade	Private	Ineligible
24YL1513	2S	24E	8	SE	Historic Residence		Historic More Than One Decade	Private	Ineligible
24YL1514	2S	24E	8	SE	Historic School		Historic More Than One Decade	Other	Ineligible
24YL1664	2S	24E	8	SE	Historic Residence		Historic More Than One Decade	Private	Ineligible
24YL1665	2S	24E	8	SE	Historic Residence		Historic More Than One Decade	Private	Ineligible

Township:2 S Range:24 E Section: 8

CAYWOOD JANENE M., ET AL.

1/6/1984 CULTURAL RESOURCE INVENTORY BRIDGER TO LAUREL TRANSMISSION LINE PROJECT

CRABS Document Number: CB 6 1609 Agency Document Number:

Township:2 S Range:24 E Section: 8

FANDRICH BLAIN ET AL.

7/4/2000 LAUREL MONTANA: CULTURAL RESOURCE INVENTORY ALONG EIGHTH AVENUE WEST BETWEEN MAIN STREET AND WEST EIGHTH STREET, YELLOWSTONE COUNTY

CRABS Document Number: YL 4 23065 Agency Document Number:

Township:2 S Range:24 E Section: 8

HOPE SHANE, AND LYNELLE PETERSEN

3/1/2007 WEST LAUREL INTERCHANGE: A CLASS III CULTURAL RESOURCE INVENTORY NEAR INTERSTATE 90, YELLOWSTONE COUNTY, MONTANA

CRABS Document Number: YL 4 29363 Agency Document Number:

Township:2 S Range:24 E Section: 8

HOGAN MATTHEW C

5/21/2009 EIGHTH STREET LAUREL MONTANA: A CLASS III INVENTORY OF TWO PROPOSED CONTAINMENT PONDS

CRABS Document Number: YL 2 30877 Agency Document Number: 3927-005

Township:2 S Range:24 E Section: 8

MANDELKO SIERRA A.

3/1/2011 WEST LAUREL INTERCHANGE: AN ADDENDUM TO THE 2007 CLASS III CULTURAL RESOURCE INVENTORY NEAR INTERSTATE 90, YELLOWSTONE COUNTY, MONTANA

CRABS Document Number: YL 4 32807 Agency Document Number:

Township:2 S Range:24 E Section: 8

KUNTZ PATRICK J.

9/13/2020 NORTH FORK AFFORDABLE HOUSING DEVELOPMENT CLASS III CULTURAL RESOURCE INVENTORY IN YELLOWSTONE COUNTY, MONTANA.

CRABS Document Number: YL 6 40703 Agency Document Number:

SECTION 5

TRAFFIC ACCESSIBILITY STUDY (TAS)

Morrison Maierle
engineers ▪ surveyors ▪ planners ▪ scientists

2880 Technology Blvd. W • Bozeman, MT 59718
(406) 587-0721 • www.m-m.net

Traffic Impact Study

Cherry Hill Subdivision

4th Filing

Laurel, Montana

June 2025

MMI Project No. 6683.001

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Executive Summary

This Traffic Impact Study evaluates the anticipated effects of the proposed Cherry Hill Subdivision – 4th Filing on the surrounding transportation network in Laurel, Montana. The subdivision is planned to include 48 single-family homes, with full buildout expected by the year 2030. The study focuses on projected traffic volumes, intersection operations, and the need for potential infrastructure improvements.

Four key intersections were analyzed:

1. NW Maryland Lane & Golf Course Road
2. W 12th Street & 8th Avenue
3. W Maryland Lane & 8th Avenue (North)
4. W Maryland Lane & 8th Avenue (South)

Using McTrans Highway Capacity Software (HCS), the study assessed traffic conditions under both 2030 no-build and 2030 full-buildout scenarios. Metrics such as Level of Service (LOS) and vehicle delay were evaluated to quantify intersection performance.

Key findings include:

- The proposed development is expected to generate approximately **514** daily vehicle trips, including **38** AM peak hour trips and **50** PM peak hour trips.
- Traffic generated by the development was distributed across the existing roadway network with consideration of expected travel patterns and access points.
- All four analyzed intersections are projected to operate at **LOS A or B**, both in the no-build and full buildout conditions, indicating minimal congestion and delay.
- The new east-west connection formed by the extension of NW Maryland Lane and W Maryland Lane is expected to slightly redistribute existing traffic patterns, enhancing overall local connectivity.
- No mitigation measures or intersection improvements are warranted as a result of this development.
- The subdivision includes multimodal enhancements such as **5' sidewalks with boulevards**, aligning with City of Laurel design standards and supporting pedestrian connectivity.

Overall, the traffic generated by the Cherry Hill Subdivision – 4th Filing is consistent with expectations for a low-density residential area and will not adversely impact traffic operations in the study area. The development complements the existing transportation network and adheres to applicable planning guidelines.

Introduction

This report analyzes the traffic impacts of the Cherry Hill Subdivision – 4th Filing on the surrounding transportation network. Traffic volumes, intersection delay, and other traffic characteristics were studied and analyzed, and recommendations of any warranted improvements are discussed.

Proposed Development/Study Area

At full buildout, the Cherry Hill Subdivision – 4th Filing is proposed to include 48 single family homes. The development site is located in Laurel, Montana at the current termination of Cherry Hills Drive and W Maryland Lane, to the west of Betty Avenue and east of Golf Course Road. Full buildout of this development is expected to require five years, thus the design year for this traffic analysis is 2030.

Currently, the development site consists of a singular, 18.07 acre parcel. Bordering this proposed development in all directions are low density residential lots. More specifically, to the south are single family housing lots, to the west is the Elena Subdivision, to the east is the 3rd Filing of Cherry Hill Subdivision, consisting of single family housing, and to the north is a residential lot with single family housing.

Proposed access to this development is provided through three approaches, NW Maryland Lane from the west, W Maryland Lane from the east, and Cherry Hills Drive from the east. There will be 3 streets constructed throughout the proposed development site. Cherry Hills Drive, designed as a local street, will extend further west from its current termination point, just west of Jenea Drive, and will continue to the southwest until it reaches Maryland Lane. Sophia Lane, also designed as a local street, will run north/south between Cherry Hills Drive and W Maryland Lane. W Maryland Lane, designed as a collector street, will extend west until its intersection with Cherry Hills Drive. NW Maryland Lane, designed as a collector street, will extend east to the T-intersection with Cherry Hills Drive and W Maryland Lane. Figure 1, below, shows the location of the proposed development, streets, accesses, study area, and locations of the intersections to be analyzed for existing and future conditions.

Through consultation with the City of Laurel Planning Department, the following intersections were identified for detailed traffic analysis:

1. NW Maryland Lane & Golf Course Road
2. W 12th Street & 8th Avenue
3. W Maryland Lane & 8th Avenue (North)
4. W Maryland Lane & 8th Avenue (South)

Figure 1: Site Location & Study Area

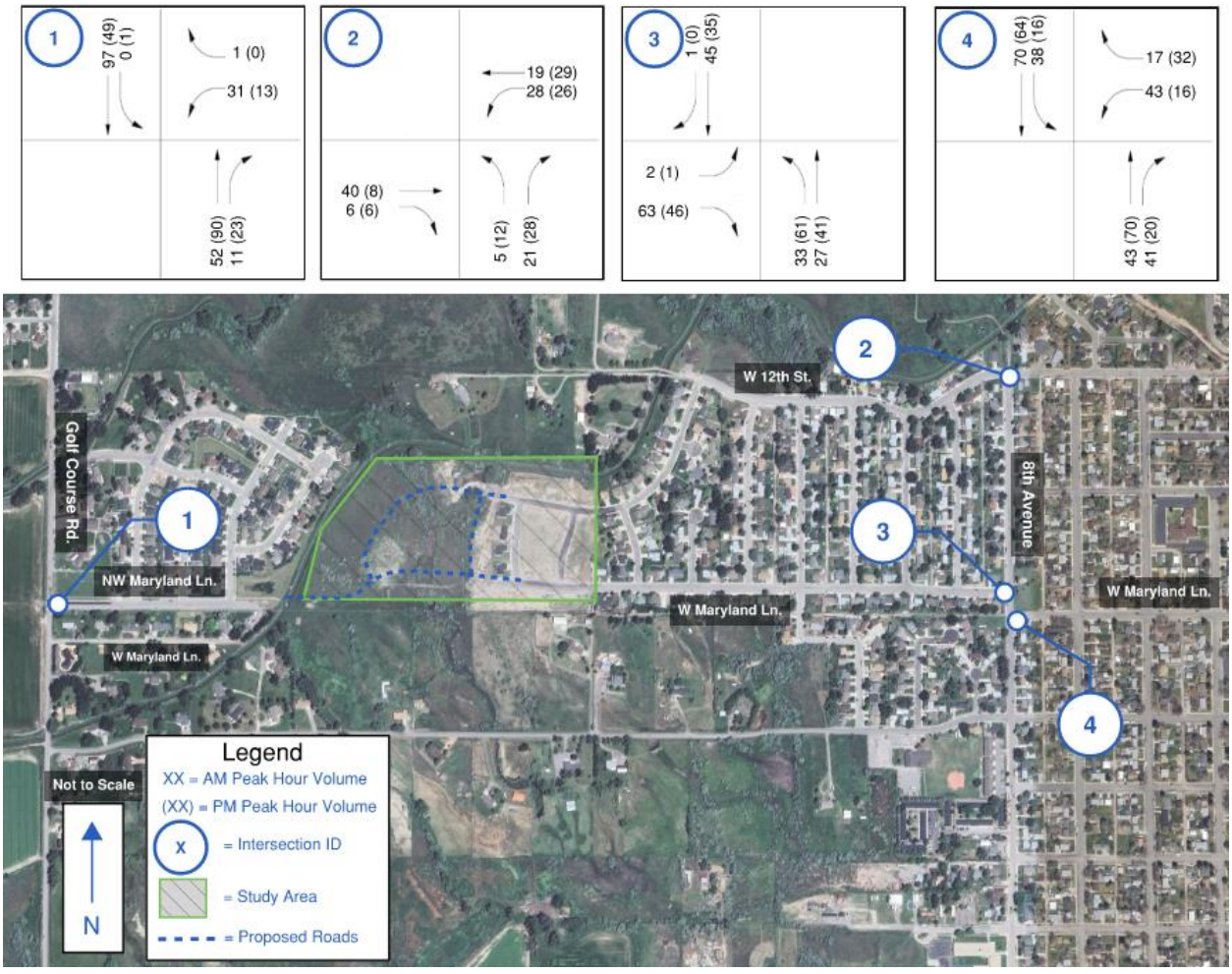


Study Area Traffic Characteristics

Existing Conditions

To determine current vehicle and pedestrian volumes within the study area, data collection via CountCam video systems provided counts during the typical AM and PM peak periods for the four study intersections on Tuesday, May 20, 2025 Figure 2 displays the vehicular volume data collected for all intersections within the study area.

Figure 2: Study Area Existing Volumes



Development-Induced Traffic Characteristics

Trip Generation

Trip generation is a forecast of the number of trips that will be generated by the proposed development. The traffic generated is a function of the quantity and type of proposed land use. This study utilizes trip generation rates found in the Trip Generation Manual, (11th Edition) published by the Institute of Transportation Engineers (ITE). The total estimated trip generation for the site is provided in Table 1.

Table 1: Estimated Site Trip Generation

Land Use	Units	Average Weekday Trips			Average Weekday, AM Peak Hour Trips			Average Weekday, PM Peak Hour Trips		
		Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total
Estimated Total Site Generated Trips (Units = 1 Dwelling Unit, 1,000 sq. ft. GFA, or 1 Employee)										
Single-Family Detached Housing (210)	48 DU	257	257	514	10	28	38	31	19	50

Trip Distribution

The existing peak hour turning movements at the study intersections, along with Average Annual Daily Traffic (AADT) values pulled from MDT's Traffic AADT Maps for each major corridor was analyzed to determine trip directionality through the study area. Trip distribution at the site access points was estimated based on the distribution of development within the site relative to the three access locations. Figures 3 & 4 below display a visual reference for the estimated trip approach/departure distribution for Cherry Hill Subdivision – 4th Filing.

Figure 3: Arrival Trip Distribution

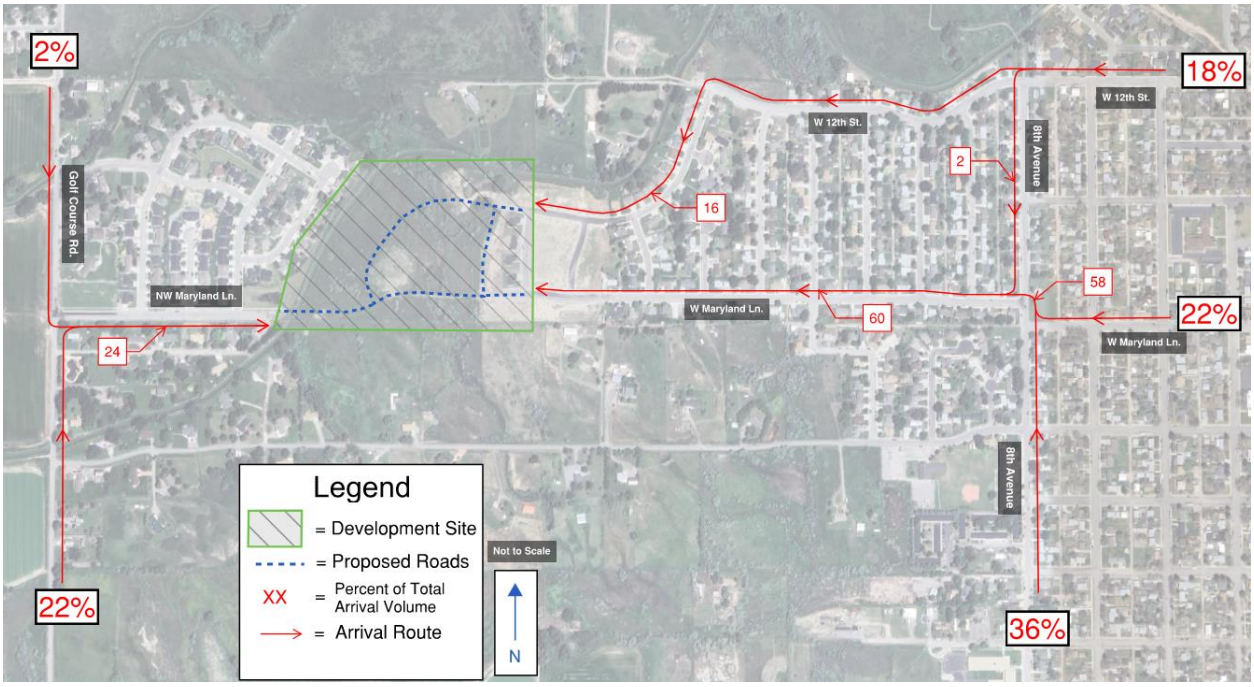
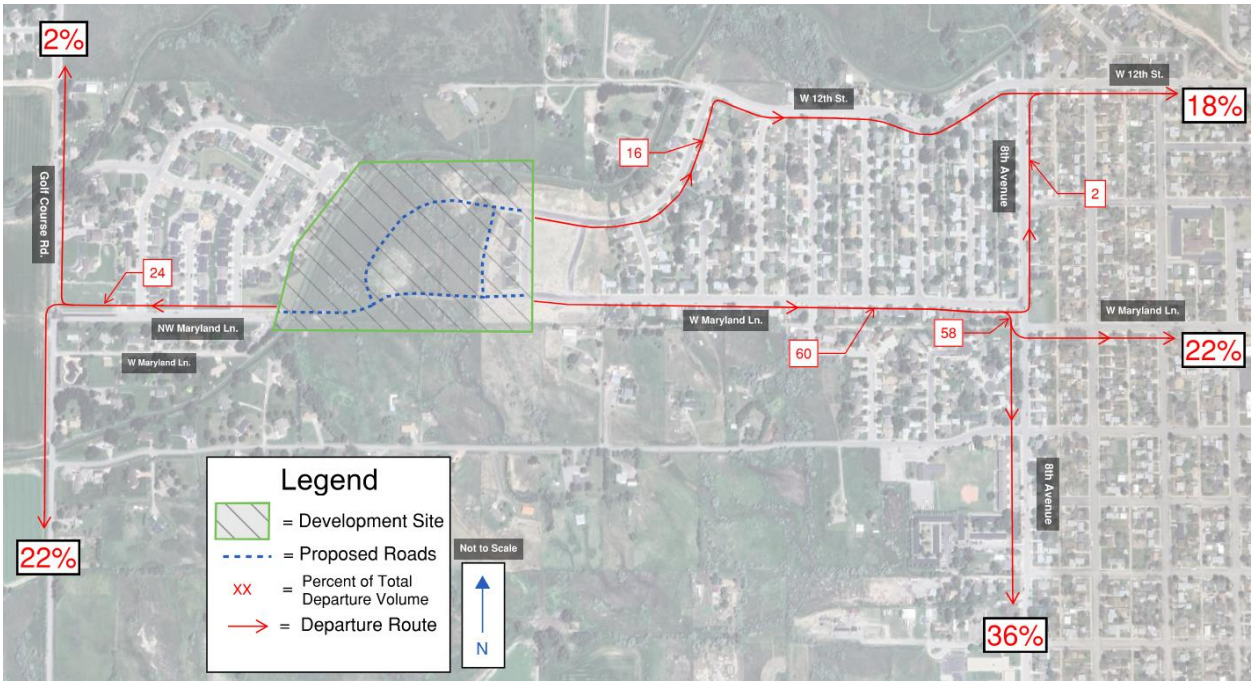
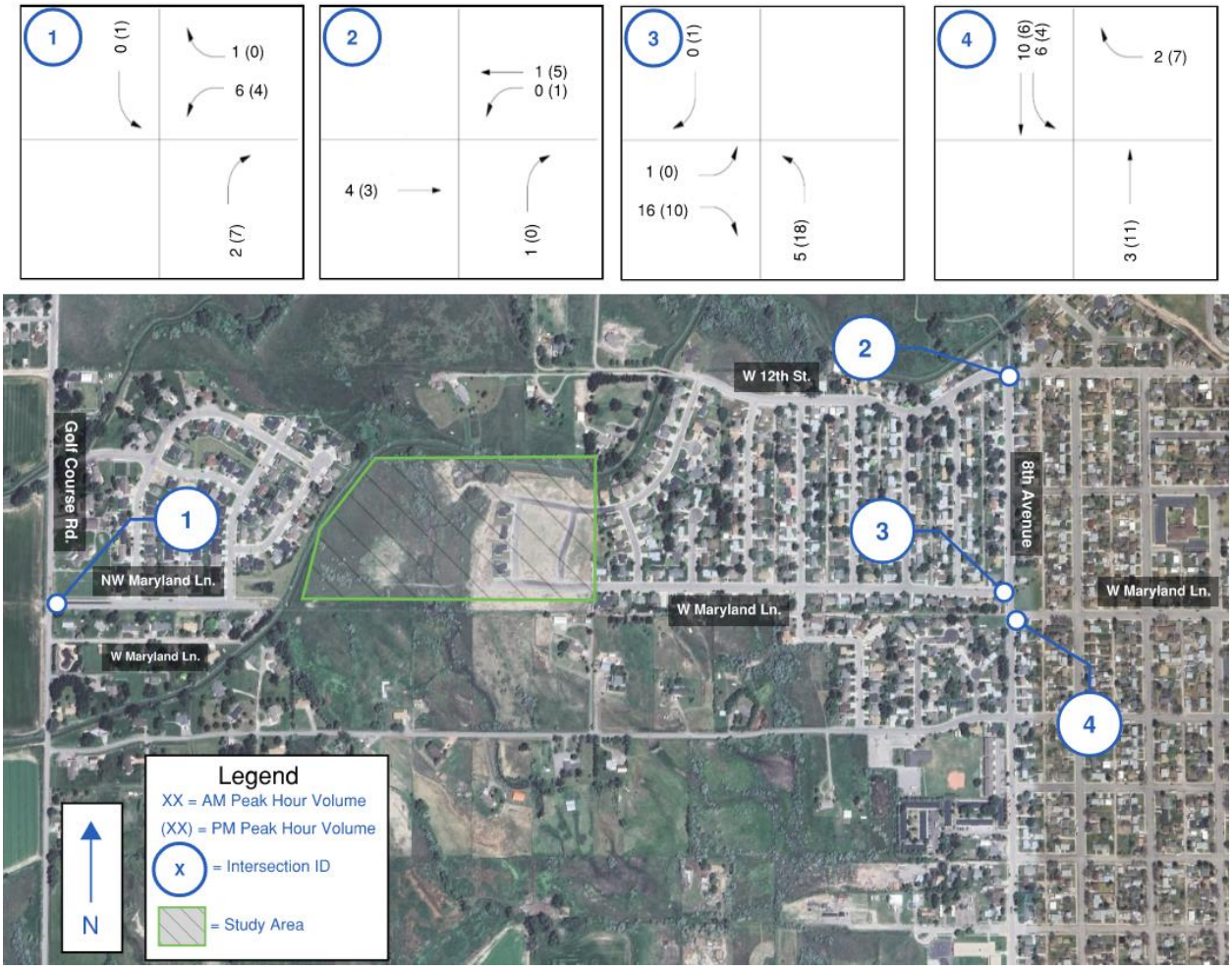


Figure 4: Departure Trip Distribution



The vehicle trips generated from Cherry Hill Subdivision– 4th Filing were distributed throughout the study intersections in accordance with the estimated trip distribution for both AM and PM peak hours. These vehicle trips are new to the roadway network after the full buildout of the proposed development. See Figure 5 below.

Figure 5: Site Generated Trips

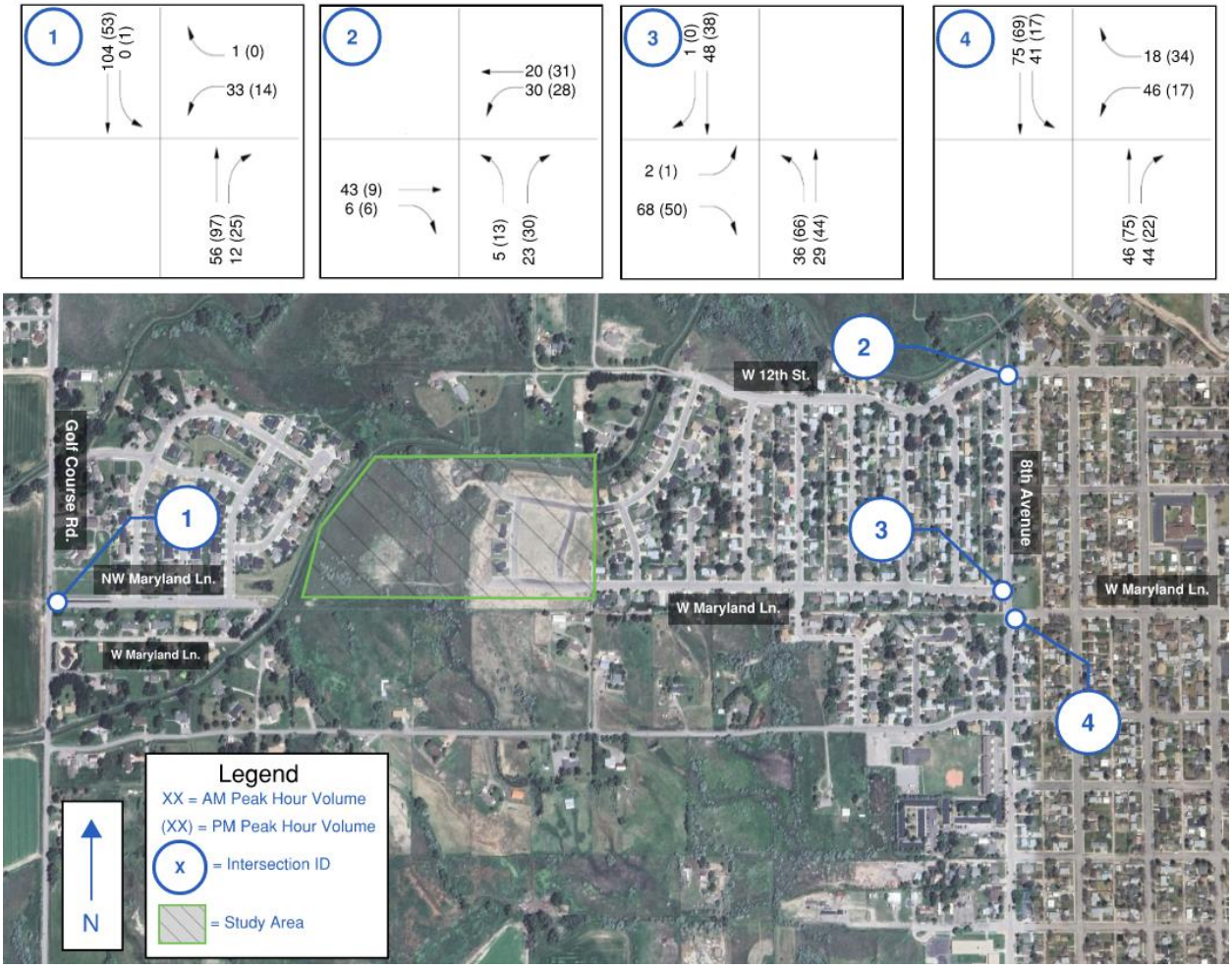


Forecasted Traffic Volumes

Without Proposed Development (2030 No-build)

To understand the future implications of the proposed development, it is necessary to first forecast the traffic volumes of the study area without the generation of traffic from the new development. To do this, the three corridors with available MDT Traffic Data were utilized for average growth calculations, resulting in an average growth factor of +1.50%. Figure 6, on the following page, displays the forecast traffic volumes for the transportation network within the study area.

Figure 6: 2030 Traffic Volumes, No-Build



Trip Re-Distribution

The construction of NW Maryland Lane and W Maryland Lane with this proposed development provides a new east/west connection between Golf Course Road and 8th Avenue. It can be expected that some traffic that exists in the area surrounding this proposed development will alter their driving patterns to utilize this new connection. In order to account for this in the 2030 full buildout condition, an anlysis and redistribution was completed and the results are displayed in Figure 7, below.

With Full Buildout of Proposed Development (2030 Full Buildout)

The 2030 Full buildout volumes are calculated from the volumes estimated from the trip generation analysis combined with the forecast traffic volumes in the no-build condition, and with the redistributed trips induced by the connection of NW Maryland Lane and W Maryland Lane considered. Figure 8 displays the total forecast traffic volumes upon full buildout of the proposed development.

Figure 7: 2030 Redistributed Volumes, Full Buildout of Proposed Development

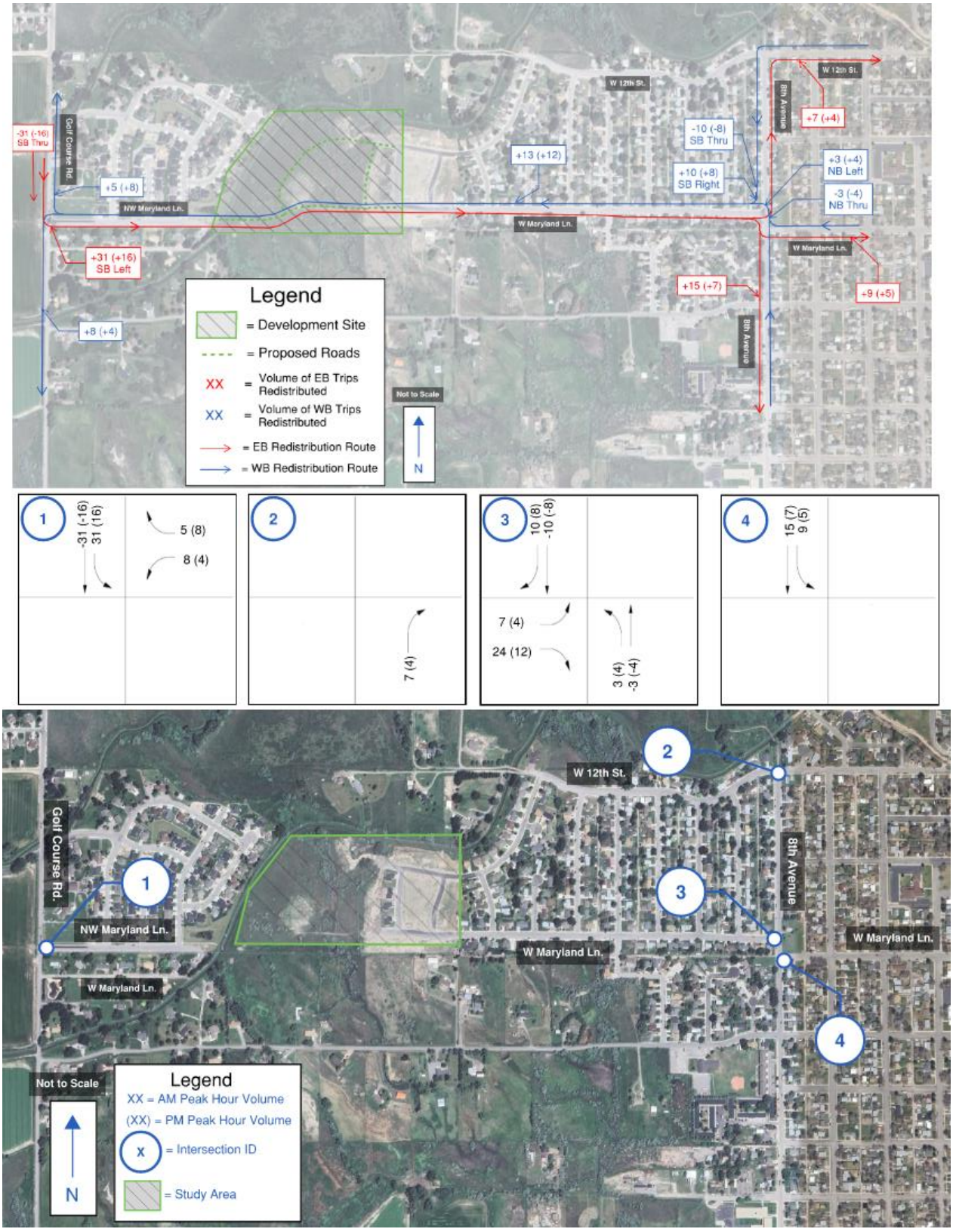
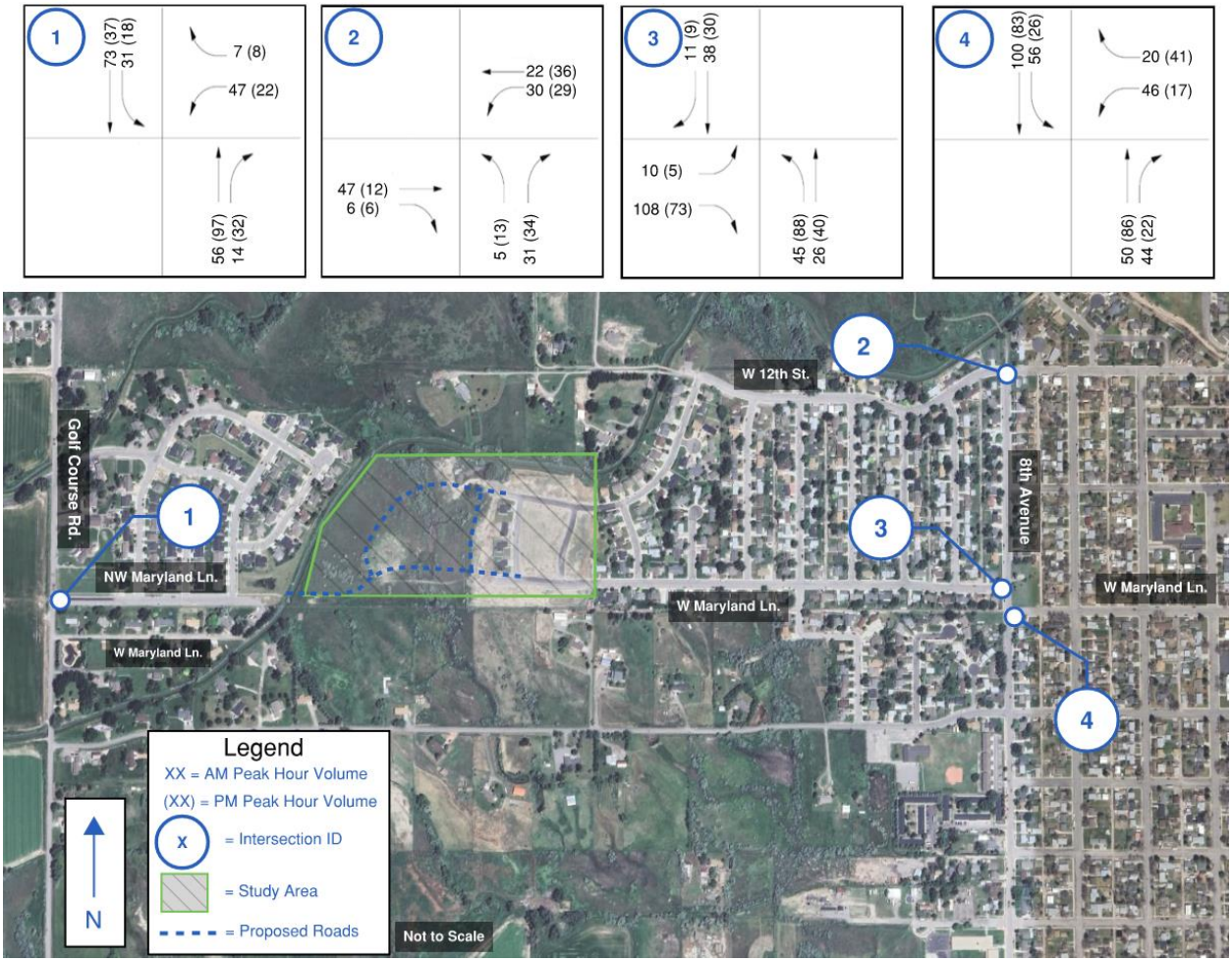


Figure 8: 2030 Traffic Volumes, Full Buildout of Proposed Development



Intersection Capacity Analysis

To provide objective analysis-based recommendations and provide insight into the future operations of the surrounding transportation network, capacity analyses of the study intersections were completed. The future conditions analyzed are 2030 No-Build and 2030 Full Buildout, discussed in the above sections.

Average Vehicle Delay & Level of Service (LOS)

The analysis of intersection capacity within the study area was conducted using McTrans Highway Capacity Software (HCS), which applies concepts from the Highway Capacity Manual (HCM) to evaluate traffic conditions. This software is utilized to assess key metrics such as Level of Service (LOS), which quantifies average vehicle delay, and Volume to Capacity (V/C) ratios, which indicate the degree of congestion at each intersection. By utilizing HCS, the study provides a standardized and reliable evaluation and comparison of future traffic operations, ensuring that projected traffic conditions are accurately represented and appropriate mitigation measures are identified if necessary.

1 NW Maryland Lane & Golf Course Road

Existing Conditions

Golf Course Road is a north/south collector street with one travel lane in each direction. NW Maryland Lane is a east/west local street with one travel lane in each direction. NW Maryland Lane intersects Golf Course Road from the east at a full movement, 3-way intersection with no eastbound approach. There are no turn lanes present, and stop control on NW Maryland Lane. At this intersection, the speed limits for Golf Course Road and NW Maryland Lane are 45 mph and 25 mph, respectively.

Capacity Analysis

Capacity of this intersection was conducted using the 2030 no-build and 2030 full buildout traffic volumes derived earlier within this report and the intersection layout described above. The HCS Two-way Stop Control Analysis tool was utilized to provide an objective comparison of the future conditions. The results of this analysis are summarized in Table 2.

Table 2: Golf Course Road & NW Maryland Lane – Average Vehicle Delay & LOS

Direction - Movement	AM Peak Hour				PM Peak Hour			
	No-Build		Full Buildout		No-Build		Full Buildout	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
Westbound	9.8	A	10.2	B	9.5	A	9.6	A
Southbound	7.4	A	7.5	A	7.5	A	7.5	A

The analysis summarized in Table 2 shows that site-generated traffic will have no significant impact on delay or operations at this intersection. No intersection improvements are required.

2 W 12th Street & 8th Avenue

Existing Conditions

W 12th Street is a east/west local street with one travel lane in each direction. 8th Avenue is a north/south collector street with one travel lane in each direction. 8th Avenue intersects W 12th Street at a full movement, 3-way intersection with no southbound approach, no turn lanes present, and stop control on the northbound approach. At this intersection, the speed limit for both W 12th Street and 8th Avenue is 25 mph.

Capacity Analysis

Capacity of this intersection was conducted using the 2030 no-build and full buildout traffic volumes derived earlier within this report and the aforementioned intersection layout. The HCS Two-way Stop Control Analysis tool was utilized to provide an objective comparison of the future conditions. The results of this analysis are summarized in Table 3.

Table 3: W 12th Street & 8th Avenue – Average Vehicle Delay & LOS

Direction - Movement	AM Peak Hour				PM Peak Hour			
	No-Build		Full Buildout		No-Build		Full Buildout	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
Westbound	7.4	A	7.4	A	7.3	A	7.3	A
Northbound	8.9	A	8.9	A	8.8	A	8.9	A

The analysis summarized above shows that site-generated traffic will have no significant impact on delay or operations at this intersection. No intersection improvements are required.

3 W Maryland Lane & 8th Avenue (North)

Existing Conditions

W Maryland Lane, west of 8th Avenue, is a east/west local street with one travel lane in each direction. 8th Avenue is a north/south collector street with one travel lane in each direction. W Maryland Lane intersects 8th Avenue at a full movement, 3-way intersection with no westbound approach, no turn lanes present, and stop control on W Maryland Lane. At this intersection, the speed limit for both W Maryland Lane and 8th Avenue is 25 mph.

Capacity Analysis

Capacity of this intersection was conducted using the 2030 no-build and full buildout traffic volumes derived earlier within this report and the proposed intersection layout. The HCS Two-way Stop Control Analysis tool was utilized to provide an objective comparison of the future conditions. The results of this analysis are summarized in Table 4.

Table 4: W Maryland Lane & 8th Avenue (North) – Average Vehicle Delay & LOS

Direction - Movement	AM Peak Hour				PM Peak Hour			
	No-Build		Full Buildout		No-Build		Full Buildout	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
Eastbound	9.0	A	9.3	A	8.8	A	8.9	A
Northbound	7.4	A	7.4	A	7.4	A	7.4	A

The analysis summarized above shows that site-generated traffic will have no significant impact on delay or operations at this intersection. No intersection improvements are required.

4 W Maryland Lane & 8th Avenue (South)

Existing Conditions

W Maryland Lane, east of 8th Avenue, is a east/west collector street with one travel lane in each direction. 8th Avenue is a north/south collector street with one travel lane in each direction. W Maryland Lane intersects 8th Avenue at a full movement, 3-way intersection with no eastbound approach, no turn lanes present, and stop control on W Maryland Lane. At this intersection, the speed limit for both W Maryland Lane and 8th Avenue is 25 mph.

Capacity Analysis

Capacity of this intersection was conducted using the 2030 full buildout traffic volumes derived earlier within this report and the aforementioned intersection layout. The HCS Two-way Stop Control Analysis tool was utilized to provide an objective comparison of the future conditions. The results of this analysis are summarized in Table 5.

Table 5: W Maryland Lane & 8th Avenue (South) – Average Vehicle Delay & LOS

Direction - Movement	AM Peak Hour				PM Peak Hour			
	No-Build		Full Buildout		No-Build		Full Buildout	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
Westbound	10.6	B	11.2	B	9.4	A	9.5	A
Southbound	7.6	A	7.6	A	7.5	A	7.5	A

The analysis summarized above shows that the proposed intersection will have no significant impact on delay or operations at this intersection. No intersection improvements are required.

Adopted Transportation Plans

The City of Laurel Long Range Transportation Plan - 2014 applies to the Cherry Hill Subdivision – 4th Filing study area. This report analyzes the operations of the multi-modal transportation system and provides recommendations in the form of improvement projects and programs with the intent to address existing problems and meet future demands. No specific projects or programs are recommended within the the study area discussed in this report.

Multimodal Transportation

Multimodal transportation is an important consideration for the sustainable development of transportation networks. Throughout the study area, there exists sidewalk along all developed lots with consistent width of 5' and no boulevard. Upon full buildout, Cherry Hill Subdivision– 4th Filing will have two typical sections regarding the pedestrian facilities. On Sophia Lane and the continuation of Cherry Hills Drive there will be a 5' wide concrete sidewalk with 5.5' of boulevard between curb and sidewalk on both sides of the streets. On W Maryland Lane and NW Maryland Lane, there will be a 5' wide concrete sidewalk with 9.5' of boulevard between curb and sidewalk on both sides of the roadway. These will provide safe, multimodal transportation avenues for pedestrians within and surrounding the development area and are consistent with the standards outlined in the City of Laurel Municipal Code Table 16.4.C.1.

Conclusions

- The proposed development is expected to generate approximately **514** daily vehicle trips, including **38** AM peak hour trips and **50** PM peak hour trips.
- Traffic generated by the development was distributed across the existing roadway network with consideration of expected travel patterns and access points.
- All four analyzed intersections are projected to operate at **LOS A or B**, both in the no-build and full buildout conditions.
- The new east-west connection formed by the extension of NW Maryland Lane and W Maryland Lane is expected to slightly redistribute existing traffic patterns, enhancing overall local connectivity.
- No mitigation measures or intersection improvements are warranted as a result of this development.
- The subdivision includes multimodal enhancements such as **5' sidewalks with boulevards**, aligning with City of Laurel design standards and supporting pedestrian connectivity.

Appendix A
On-site Count Data

Traffic Impact Study for
Cherry Hill Subdivision -
4th Filing

Turn Movement Counts
NW Maryland Ln & Golf Course Rd.
Laurel, MT
Tuesday, May 20, 2025

$$PHF = \frac{V}{V_{15} * 4}$$

Peak AM Period

		Southbound			Westbound			Northbound			Eastbound			Interval	Hourly	
		Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Total	Total	
7:00 AM	7:15 AM	0	13	0	7	0	0	0	5	2	0	0	0	27		
7:15 AM	7:30 AM	0	21	0	4	0	0	0	8	2	0	0	0	35		
7:30 AM	7:45 AM	0	25	0	7	0	0	0	10	3	0	0	0	45		
7:45 AM	8:00 AM	0	32	0	12	0	0	0	6	3	0	0	0	53	160	
8:00 AM	8:15 AM	0	27	0	5	0	1	0	21	4	0	0	0	58	191	
8:15 AM	8:30 AM	0	13	0	7	0	0	0	15	1	0	0	0	36	192	<-- Peak Hour
8:30 AM	8:45 AM	0	7	0	6	0	0	0	15	2	0	0	0	30	177	
8:45 AM	9:00 AM	0	7	0	2	0	0	0	13	3	0	0	0	25	149	
	Peak Hour Volume	0	97	0	31	0	1	0	52	11	0	0	0			
													PHF =	**0.83**		
	AM PH HV	0	0	0	1	0	0	0	0	1	0	0	0			
	%HV	**0.00**	**0.00**	**0.00**	**3.23**	**0.00**	**0.00**	**0.00**	**0.00**	**9.09**	**0.00**	**0.00**	**0.00**			
	AM Ped Vol		**0**			**0**			**0**			**0**				

Peak PM Period

		Southbound			Westbound			Northbound			Eastbound			Interval	Hourly	
		Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Total	Total	
4:00 PM	4:15 PM	0	9	0	1	0	0	0	19	7	0	0	0	36		
4:15 PM	4:30 PM	0	11	0	1	0	0	0	14	6	0	0	0	32		
4:30 PM	4:45 PM	0	14	0	0	0	0	0	19	4	0	0	0	37		
4:45 PM	5:00 PM	1	15	0	3	0	0	0	23	8	0	0	0	50	155	
5:00 PM	5:15 PM	0	11	0	5	0	0	0	21	3	0	0	0	40	159	
5:15 PM	5:30 PM	0	9	0	5	0	0	0	27	8	0	0	0	49	176	
5:30 PM	5:45 PM	0	13	0	5	0	0	0	20	7	0	0	0	45	184	<-- Peak Hour
5:45 PM	6:00 PM	0	21	0	4	0	0	0	19	6	0	0	0	50	184	<-- Peak Hour
	Peak Hour Volume	1	49	0	13	0	0	0	90	23	0	0	0			
	PMPH HV	0	0	0	0	0	0	0	0	0	0	0	0			
	%HV	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**			
	PM Ped Vol		**0**			**0**			**0**			**0**				
													PHF =	**0.92**		

Turn Movement Counts
12th St. & 8th Ave.
Laurel, MT
Tuesday, May 20, 2025

$$PHF = \frac{V}{V_{15} * 4}$$

Peak AM Period

		Southbound			Westbound			Northbound			Eastbound			Interval	Hourly	
		Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Total	Total	
7:00 AM	7:15 AM	0	0	0	4	0	0	0	0	2	0	3	5	14		
7:15 AM	7:30 AM	0	0	0	4	1	0	3	0	3	0	6	3	20		
7:30 AM	7:45 AM	0	0	0	3	3	0	1	0	2	0	15	3	27		
7:45 AM	8:00 AM	0	0	0	8	7	0	3	0	4	0	16	1	39	100	
8:00 AM	8:15 AM	0	0	0	9	4	0	0	0	9	0	4	0	26	112	
8:15 AM	8:30 AM	0	0	0	8	5	0	1	0	6	0	5	2	27	119	<-- Peak Hour
8:30 AM	8:45 AM	0	0	0	4	1	0	2	0	0	0	3	0	10	102	
8:45 AM	9:00 AM	0	0	0	1	7	0	2	0	1	0	5	1	17	80	
	Peak Hour Volume	0	0	0	28	19	0	5	0	21	0	40	6			
													PHF =	**0.76**		
	AM PH HV	0	0	0	0	0	0	0	0	0	0	0	0			
	%HV	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**			
	AM Ped Vol		**0**			**0**			**3**			**0**				

Peak PM Period

		Southbound			Westbound			Northbound			Eastbound			Interval	Hourly	
		Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Total	Total	
4:00 PM	4:15 PM	0	0	0	1	6	0	4	0	4	0	5	1	21		
4:15 PM	4:30 PM	0	0	0	5	2	0	0	0	10	0	2	3	22		
4:30 PM	4:45 PM	0	0	0	5	5	0	0	0	9	0	4	0	23		
4:45 PM	5:00 PM	0	0	0	10	8	0	2	0	8	0	2	2	32	98	
5:00 PM	5:15 PM	0	0	0	4	10	0	2	0	7	0	2	1	26	103	
5:15 PM	5:30 PM	0	0	0	7	6	0	8	0	4	0	0	3	28	109	<-- Peak Hour
5:30 PM	5:45 PM	0	0	0	3	9	0	1	0	6	0	2	1	22	108	
5:45 PM	6:00 PM	0	0	0	6	8	0	4	0	6	0	2	4	30	106	
	Peak Hour Volume	0	0	0	26	29	0	12	0	28	0	8	6			
	PMPH HV	0	0	0	0	0	0	0	0	0	0	0	0			
	%HV	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**			
	PM Ped Vol		**0**			**0**			**4**			**0**				
													PHF =	**0.85**		

Turn Movement Counts
W Maryland Ln & 8th Ave. (North)
Laurel, MT
Tuesday, May 20, 2025

$$PHF = \frac{V}{V_{15} * 4}$$

Peak AM Period

		Southbound			Westbound			Northbound			Eastbound			Interval	Hourly	
		Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Total	Total	
7:00 AM	7:15 AM	0	11	0	0	0	0	1	1	0	1	0	7	21		
7:15 AM	7:30 AM	0	7	1	0	0	0	1	6	0	0	0	22	37		
7:30 AM	7:45 AM	0	8	0	0	0	0	6	3	0	0	0	16	33		
7:45 AM	8:00 AM	0	14	1	0	0	0	5	9	0	0	0	21	50	141	
8:00 AM	8:15 AM	0	9	0	0	0	0	14	10	0	1	0	16	50	170	
8:15 AM	8:30 AM	0	14	0	0	0	0	8	5	0	1	0	10	38	171	<-- Peak Hour
8:30 AM	8:45 AM	0	3	0	0	0	0	4	4	0	0	0	5	16	154	
8:45 AM	9:00 AM	0	1	1	0	0	0	6	4	0	0	0	15	27	131	
	Peak Hour Volume	0	45	1	0	0	0	33	27	0	2	0	63			
													PHF =	**0.86**		
	AM PH HV	0	0	0	0	0	0	0	0	0	0	0	0			
	%HV	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**			
	AM Ped Vol		**0**			**0**			**0**			**1**				

Peak PM Period

		Southbound			Westbound			Northbound			Eastbound			Interval	Hourly	
		Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Total	Total	
4:00 PM	4:15 PM	0	3	0	0	0	0	16	8	0	1	0	8	36		
4:15 PM	4:30 PM	0	8	1	0	0	0	13	13	0	1	0	6	42		
4:30 PM	4:45 PM	0	4	0	0	0	0	16	10	0	0	0	12	42		
4:45 PM	5:00 PM	0	14	0	0	0	0	20	9	0	0	0	7	50	170	
5:00 PM	5:15 PM	0	6	0	0	0	0	18	9	0	1	0	13	47	181	
5:15 PM	5:30 PM	0	11	0	0	0	0	7	13	0	0	0	14	45	184	<-- Peak Hour
5:30 PM	5:45 PM	0	5	1	0	0	0	16	8	0	1	0	4	35	177	
5:45 PM	6:00 PM	0	13	1	0	0	0	17	12	0	1	0	7	51	178	
	Peak Hour Volume	0	35	0	0	0	0	61	41	0	1	0	46			
	PMPH HV	0	0	0	0	0	0	0	0	0	0	0	0			
	%HV	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**			
	PM Ped Vol		**4**			**0**			**0**			**1**				
													PHF =	**0.92**		

Turn Movement Counts
W Maryland Ln & 8th Ave. (South)
Laurel, MT
Tuesday, May 20, 2025

$$PHF = \frac{V}{V_{15} * 4}$$

Peak AM Period

		Southbound			Westbound			Northbound			Eastbound			Interval	Hourly	
		Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Total	Total	
7:00 AM	7:15 AM	2	16	0	1	0	1	0	1	1	0	0	0	22		
7:15 AM	7:30 AM	7	23	0	3	0	0	0	7	4	0	0	0	44		
7:30 AM	7:45 AM	9	15	0	9	0	3	0	6	6	0	0	0	48		
7:45 AM	8:00 AM	14	21	0	14	0	2	0	12	16	0	0	0	79	193	
8:00 AM	8:15 AM	10	15	0	18	0	8	0	16	17	0	0	0	84	255	<-- Peak Hour
8:15 AM	8:30 AM	5	19	0	2	0	4	0	9	2	0	0	0	41	252	<- Adjusted PH to match rest of study area
8:30 AM	8:45 AM	1	7	0	3	0	3	0	5	4	0	0	0	23	227	
8:45 AM	9:00 AM	5	11	0	2	0	4	0	6	0	0	0	0	28	176	
	Peak Hour Volume	38	70	0	43	0	17	0	43	41	0	0	0			
													PHF =	**0.75**		
	AM PH HV	0	1	0	1	0	0	0	0	0	0	0	0			
	%HV	**0.00**	**1.43**	**0.00**	**2.33**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**			
	AM Ped Vol		1			1			0			0				

Peak PM Period

		Southbound			Westbound			Northbound			Eastbound			Interval	Hourly	
		Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Total	Total	
4:00 PM	4:15 PM	3	8	0	6	0	7	0	18	1	0	0	0	43		
4:15 PM	4:30 PM	1	12	0	4	0	7	0	20	6	0	0	0	50		
4:30 PM	4:45 PM	5	10	0	6	0	6	0	21	5	0	0	0	53		
4:45 PM	5:00 PM	5	16	0	6	0	12	0	16	7	0	0	0	62	208	
5:00 PM	5:15 PM	4	15	0	3	0	8	0	19	5	0	0	0	54	219	<-- Peak Hour
5:15 PM	5:30 PM	2	23	0	1	0	6	0	14	3	0	0	0	49	218	<- Adjusted PH to match rest of study area
5:30 PM	5:45 PM	2	7	0	3	0	6	0	17	6	0	0	0	41	206	
5:45 PM	6:00 PM	4	16	0	4	0	11	0	18	0	0	0	0	53	197	
	Peak Hour Volume	16	64	0	16	0	32	0	70	20	0	0	0			
	PMPH HV	0	0	0	0	0	0	0	0	0	0	0	0			
	%HV	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**			
	PM Ped Vol		**0**			**2**			**0**			**0**				
													PHF =	**0.88**		

Appendix B
HCS Analysis Reports

Traffic Impact Study for
Cherry Hill Subdivision -
4th Filing

HCS Two-Way Stop-Control Report

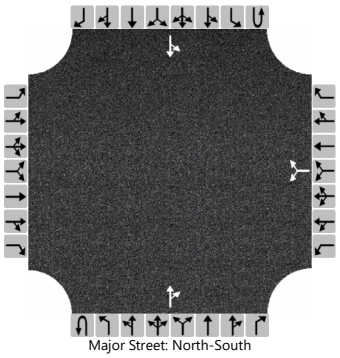
General Information

Analyst	C. Grant Duininck
Agency/Co.	Morrison-Maierle
Date Performed	5/20/2025
Analysis Year	2025
Time Analyzed	AMPH - 2030 No Build
Intersection Orientation	North-South
Project Description	Cherry Hill - 4th Filing

Site Information

Intersection	NW Maryland Ln & Golf Course Rd.
Jurisdiction	City of Laurel, Montana
East/West Street	NW Maryland Ln
North/South Street	Golf Course Rd
Peak Hour Factor	0.83
Analysis Time Period (hrs)	0.25

Lanes


Major Street: North-South

Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	0		0	1	0	0	0	1	0	0	0	1	0
Configuration							LR					TR		LT		
Volume (veh/h)						33		1			56	12		0	104	
Percent Heavy Vehicles (%)						0		3						3		
Proportion Time Blocked																
Percent Grade (%)						0										
Right Turn Channelized																
Median Type | Storage		Undivided														

Critical and Follow-up Headways

Base Critical Headway (sec)						7.1		6.2						4.1		
Critical Headway (sec)						6.40		6.23						4.13		
Base Follow-Up Headway (sec)						3.5		3.3						2.2		
Follow-Up Headway (sec)						3.50		3.33						2.23		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)							41							0		
Capacity, c (veh/h)							798							1509		
v/c Ratio							0.05							0.00		
95% Queue Length, Q_{95} (veh)							0.2							0.0		
95% Queue Length, Q_{95} (ft)							5.0							0.0		
Control Delay (s/veh)							9.8							7.4	0.0	
Level of Service (LOS)							A							A	A	
Approach Delay (s/veh)						9.8								0.0		
Approach LOS						A								A		

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HCS Two-Way Stop-Control Report

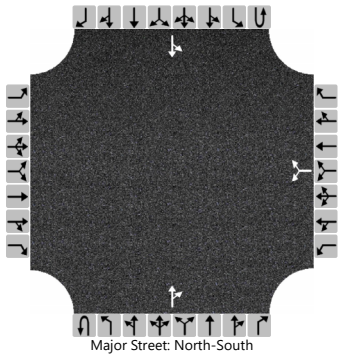
General Information

Analyst	C. Grant Duininck
Agency/Co.	Morrison-Maierle
Date Performed	5/20/2025
Analysis Year	2025
Time Analyzed	AMPH - 2030 Full Buildout
Intersection Orientation	North-South
Project Description	Cherry Hill - 4th Filing

Site Information

Intersection	NW Maryland Ln & Golf Course Rd.
Jurisdiction	City of Laurel, Montana
East/West Street	NW Maryland Ln
North/South Street	Golf Course Rd
Peak Hour Factor	0.83
Analysis Time Period (hrs)	0.25

Lanes


Major Street: North-South

Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	0		0	1	0	0	0	1	0	0	0	1	0
Configuration							LR					TR		LT		
Volume (veh/h)						47		7			56	14		31	73	
Percent Heavy Vehicles (%)						0		3						3		
Proportion Time Blocked																
Percent Grade (%)						0										
Right Turn Channelized																
Median Type | Storage		Undivided														

Critical and Follow-up Headways

Base Critical Headway (sec)						7.1		6.2						4.1		
Critical Headway (sec)						6.40		6.23						4.13		
Base Follow-Up Headway (sec)						3.5		3.3						2.2		
Follow-Up Headway (sec)						3.50		3.33						2.23		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)							65							37		
Capacity, c (veh/h)							759							1506		
v/c Ratio							0.09							0.02		
95% Queue Length, Q_{95} (veh)							0.3							0.1		
95% Queue Length, Q_{95} (ft)							7.5							2.6		
Control Delay (s/veh)							10.2							7.5	0.2	
Level of Service (LOS)							B							A	A	
Approach Delay (s/veh)						10.2								2.4		
Approach LOS						B								A		

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HCS Two-Way Stop-Control Report

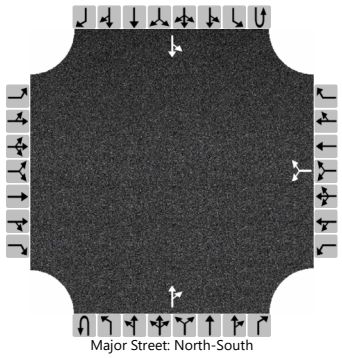
General Information

Analyst	C. Grant Duininck
Agency/Co.	Morrison-Maierle
Date Performed	5/20/2025
Analysis Year	2025
Time Analyzed	PMPH - 2030 No Build
Intersection Orientation	North-South
Project Description	Cherry Hill - 4th Filing

Site Information

Intersection	NW Maryland Ln & Golf Course Rd.
Jurisdiction	City of Laurel, Montana
East/West Street	NW Maryland Ln
North/South Street	Golf Course Rd
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes


Major Street: North-South

Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	0		0	1	0	0	0	1	0	0	0	1	0
Configuration							LR					TR		LT		
Volume (veh/h)						14		0			97	25		1	53	
Percent Heavy Vehicles (%)						0		3						3		
Proportion Time Blocked																
Percent Grade (%)						0										
Right Turn Channelized																
Median Type | Storage		Undivided														

Critical and Follow-up Headways

Base Critical Headway (sec)						7.1		6.2						4.1		
Critical Headway (sec)						6.40		6.23						4.13		
Base Follow-Up Headway (sec)						3.5		3.3						2.2		
Follow-Up Headway (sec)						3.50		3.33						2.23		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)							15							1		
Capacity, c (veh/h)							815							1446		
v/c Ratio							0.02							0.00		
95% Queue Length, Q_{95} (veh)							0.1							0.0		
95% Queue Length, Q_{95} (ft)							2.5							0.0		
Control Delay (s/veh)							9.5							7.5	0.0	
Level of Service (LOS)							A							A	A	
Approach Delay (s/veh)						9.5								0.1		
Approach LOS						A								A		

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HCS Two-Way Stop-Control Report

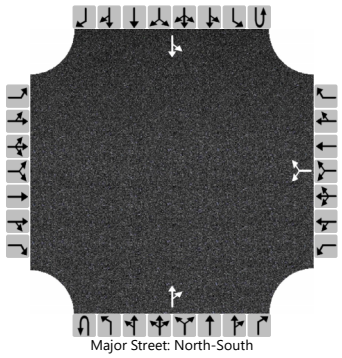
General Information

Analyst	C. Grant Duininck
Agency/Co.	Morrison-Maierle
Date Performed	5/20/2025
Analysis Year	2025
Time Analyzed	PMPH - 2030 Full Buildout
Intersection Orientation	North-South
Project Description	Cherry Hill - 4th Filing

Site Information

Intersection	NW Maryland Ln & Golf Course Rd.
Jurisdiction	City of Laurel, Montana
East/West Street	NW Maryland Ln
North/South Street	Golf Course Rd
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes


Major Street: North-South

Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	0		0	1	0	0	0	1	0	0	0	1	0
Configuration							LR					TR		LT		
Volume (veh/h)						22		8			97	32		18	37	
Percent Heavy Vehicles (%)						0		3						3		
Proportion Time Blocked																
Percent Grade (%)						0										
Right Turn Channelized																
Median Type | Storage		Undivided														

Critical and Follow-up Headways

Base Critical Headway (sec)						7.1		6.2						4.1		
Critical Headway (sec)						6.40		6.23						4.13		
Base Follow-Up Headway (sec)						3.5		3.3						2.2		
Follow-Up Headway (sec)						3.50		3.33						2.23		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)							33							20		
Capacity, c (veh/h)							814							1437		
v/c Ratio							0.04							0.01		
95% Queue Length, Q_{95} (veh)							0.1							0.0		
95% Queue Length, Q_{95} (ft)							2.5							0.0		
Control Delay (s/veh)							9.6							7.5	0.1	
Level of Service (LOS)							A							A	A	
Approach Delay (s/veh)						9.6								2.5		
Approach LOS						A								A		

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HCS Two-Way Stop-Control Report

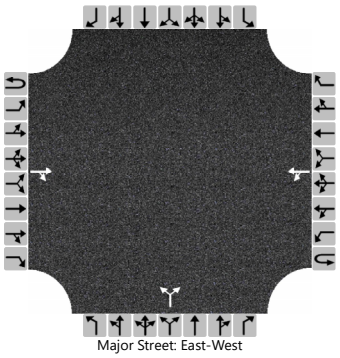
General Information

Analyst	C. Grant Duininck
Agency/Co.	Morrison-Maierle
Date Performed	5/20/2025
Analysis Year	2025
Time Analyzed	AMPH 2030 No Build
Intersection Orientation	East-West
Project Description	Cherry Hill - 4th Filing

Site Information

Intersection	W 12th St & 8th Ave
Jurisdiction	City of Laurel, Montana
East/West Street	W 12th Street
North/South Street	8th Avenue
Peak Hour Factor	0.76
Analysis Time Period (hrs)	0.25

Lanes


Major Street: East-West

Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	1	0	0	0	1	0		0	1	0		0	0	0
Configuration				TR		LT					LR					
Volume (veh/h)			43	6		30	20			5		23				
Percent Heavy Vehicles (%)						0				0		0				
Proportion Time Blocked																
Percent Grade (%)										0						
Right Turn Channelized																
Median Type | Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)						4.1				7.1		6.2				
Critical Headway (sec)						4.10				6.40		6.20				
Base Follow-Up Headway (sec)						2.2				3.5		3.3				
Follow-Up Headway (sec)						2.20				3.50		3.30				

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)						39					37					
Capacity, c (veh/h)						1539					959					
v/c Ratio						0.03					0.04					
95% Queue Length, Q_{95} (veh)						0.1					0.1					
95% Queue Length, Q_{95} (ft)						2.5					2.5					
Control Delay (s/veh)						7.4	0.2				8.9					
Level of Service (LOS)						A	A				A					
Approach Delay (s/veh)					4.5				8.9							
Approach LOS					A				A							

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HCS Two-Way Stop-Control Report

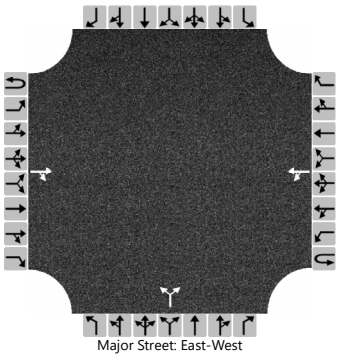
General Information

Analyst	C. Grant Duininck
Agency/Co.	Morrison-Maierle
Date Performed	5/20/2025
Analysis Year	2025
Time Analyzed	AMPH 2030 Full Buildout
Intersection Orientation	East-West
Project Description	Cherry Hill - 4th Filing

Site Information

Intersection	W 12th St & 8th Ave
Jurisdiction	City of Laurel, Montana
East/West Street	W 12th Street
North/South Street	8th Avenue
Peak Hour Factor	0.76
Analysis Time Period (hrs)	0.25

Lanes


Major Street: East-West

Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	1	0	0	0	1	0		0	1	0		0	0	0
Configuration				TR		LT					LR					
Volume (veh/h)			47	6		30	22			5		31				
Percent Heavy Vehicles (%)						0				0		0				
Proportion Time Blocked																
Percent Grade (%)										0						
Right Turn Channelized																
Median Type | Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)						4.1				7.1		6.2				
Critical Headway (sec)						4.10				6.40		6.20				
Base Follow-Up Headway (sec)						2.2				3.5		3.3				
Follow-Up Headway (sec)						2.20				3.50		3.30				

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)						39					47					
Capacity, c (veh/h)						1533					961					
v/c Ratio						0.03					0.05					
95% Queue Length, Q_{95} (veh)						0.1					0.2					
95% Queue Length, Q_{95} (ft)						2.5					5.0					
Control Delay (s/veh)						7.4	0.2				8.9					
Level of Service (LOS)						A	A				A					
Approach Delay (s/veh)					4.4				8.9							
Approach LOS					A				A							

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HCS Two-Way Stop-Control Report

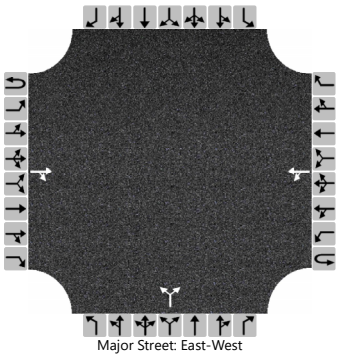
General Information

Analyst	C. Grant Duininck
Agency/Co.	Morrison-Maierle
Date Performed	5/20/2025
Analysis Year	2025
Time Analyzed	PMPH 2030 No Build
Intersection Orientation	East-West
Project Description	Cherry Hill - 4th Filing

Site Information

Intersection	W 12th St & 8th Ave
Jurisdiction	City of Laurel, Montana
East/West Street	W 12th Street
North/South Street	8th Avenue
Peak Hour Factor	0.85
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	1	0	0	0	1	0		0	1	0		0	0	0
Configuration				TR		LT					LR					
Volume (veh/h)			9	6		28	31			13		30				
Percent Heavy Vehicles (%)						0				0		0				
Proportion Time Blocked																
Percent Grade (%)										0						
Right Turn Channelized																
Median Type | Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)						4.1				7.1		6.2				
Critical Headway (sec)						4.10				6.40		6.20				
Base Follow-Up Headway (sec)						2.2				3.5		3.3				
Follow-Up Headway (sec)						2.20				3.50		3.30				

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)						33					51					
Capacity, c (veh/h)						1597					988					
v/c Ratio						0.02					0.05					
95% Queue Length, Q_{95} (veh)						0.1					0.2					
95% Queue Length, Q_{95} (ft)						2.5					5.0					
Control Delay (s/veh)						7.3	0.2				8.8					
Level of Service (LOS)						A	A				A					
Approach Delay (s/veh)					3.5				8.8							
Approach LOS					A				A							

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HCS Two-Way Stop-Control Report

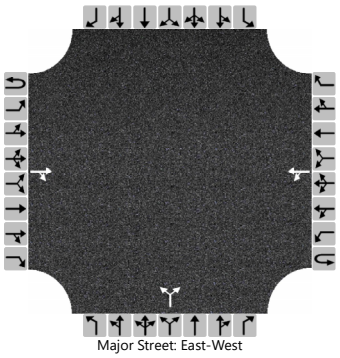
General Information

Analyst	C. Grant Duininck
Agency/Co.	Morrison-Maierle
Date Performed	5/20/2025
Analysis Year	2025
Time Analyzed	PMPH 2030 Full Buildout
Intersection Orientation	East-West
Project Description	Cherry Hill - 4th Filing

Site Information

Intersection	W 12th St & 8th Ave
Jurisdiction	City of Laurel, Montana
East/West Street	W 12th Street
North/South Street	8th Avenue
Peak Hour Factor	0.85
Analysis Time Period (hrs)	0.25

Lanes


Major Street: East-West

Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	1	0	0	0	1	0		0	1	0		0	0	0
Configuration				TR		LT					LR					
Volume (veh/h)			12	6		29	36			13		34				
Percent Heavy Vehicles (%)						0				0		0				
Proportion Time Blocked																
Percent Grade (%)										0						
Right Turn Channelized																
Median Type | Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)						4.1				7.1		6.2				
Critical Headway (sec)						4.10				6.40		6.20				
Base Follow-Up Headway (sec)						2.2				3.5		3.3				
Follow-Up Headway (sec)						2.20				3.50		3.30				

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)						34					55					
Capacity, c (veh/h)						1592					986					
v/c Ratio						0.02					0.06					
95% Queue Length, Q_{95} (veh)						0.1					0.2					
95% Queue Length, Q_{95} (ft)						2.5					5.0					
Control Delay (s/veh)						7.3	0.2				8.9					
Level of Service (LOS)						A	A				A					
Approach Delay (s/veh)					3.4				8.9							
Approach LOS					A				A							

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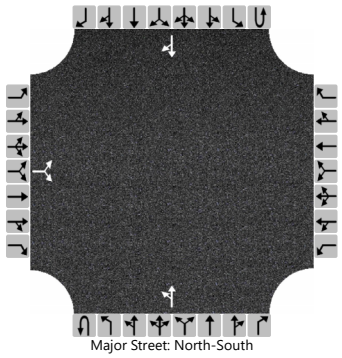
General Information

Analyst	C. Grant Duininck
Agency/Co.	Morrison-Maierle
Date Performed	5/20/2025
Analysis Year	2025
Time Analyzed	AMPH 2030 No Build
Intersection Orientation	North-South
Project Description	Cherry Hill - 4th Filing

Site Information

Intersection	W Maryland Ln & 8th Ave (North)
Jurisdiction	City of Laurel, Montana
East/West Street	NW Maryland Ln
North/South Street	Golf Course Rd
Peak Hour Factor	0.83
Analysis Time Period (hrs)	0.25

Lanes


Major Street: North-South

Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	1	0		0	0	0	0	0	1	0	0	0	1	0
Configuration			LR							LT						TR
Volume (veh/h)		2		68						36	29				48	1
Percent Heavy Vehicles (%)		3		3						0						
Proportion Time Blocked																
Percent Grade (%)		0														
Right Turn Channelized																
Median Type | Storage		Undivided														

Critical and Follow-up Headways

Base Critical Headway (sec)		7.1		6.2						4.1						
Critical Headway (sec)		6.43		6.23						4.10						
Base Follow-Up Headway (sec)		3.5		3.3						2.2						
Follow-Up Headway (sec)		3.53		3.33						2.20						

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)			84							43						
Capacity, c (veh/h)			994							1554						
v/c Ratio			0.08							0.03						
95% Queue Length, Q_{95} (veh)			0.3							0.1						
95% Queue Length, Q_{95} (ft)			7.7							2.5						
Control Delay (s/veh)			9.0							7.4	0.2					
Level of Service (LOS)			A							A	A					
Approach Delay (s/veh)		9.0								4.2						
Approach LOS		A								A						

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HCS Two-Way Stop-Control Report

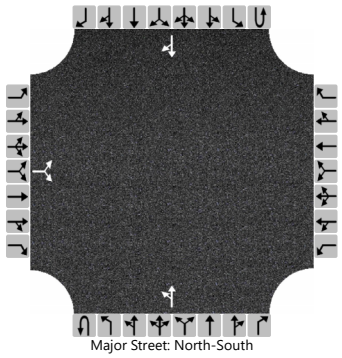
General Information

Analyst	C. Grant Duininck
Agency/Co.	Morrison-Maierle
Date Performed	5/20/2025
Analysis Year	2025
Time Analyzed	AMPH 2030 Full Buildout
Intersection Orientation	North-South
Project Description	Cherry Hill - 4th Filing

Site Information

Intersection	W Maryland Ln & 8th Ave (North)
Jurisdiction	City of Laurel, Montana
East/West Street	NW Maryland Ln
North/South Street	Golf Course Rd
Peak Hour Factor	0.83
Analysis Time Period (hrs)	0.25

Lanes


Major Street: North-South

Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	1	0		0	0	0	0	0	1	0	0	0	1	0
Configuration			LR							LT						TR
Volume (veh/h)		10		108						45	26				38	11
Percent Heavy Vehicles (%)		3		3						0						
Proportion Time Blocked																
Percent Grade (%)		0														
Right Turn Channelized																
Median Type | Storage		Undivided														

Critical and Follow-up Headways

Base Critical Headway (sec)		7.1		6.2						4.1						
Critical Headway (sec)		6.43		6.23						4.10						
Base Follow-Up Headway (sec)		3.5		3.3						2.2						
Follow-Up Headway (sec)		3.53		3.33						2.20						

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)			142							54						
Capacity, c (veh/h)			983							1554						
v/c Ratio			0.14							0.03						
95% Queue Length, Q_{95} (veh)			0.5							0.1						
95% Queue Length, Q_{95} (ft)			12.8							2.5						
Control Delay (s/veh)			9.3							7.4	0.3					
Level of Service (LOS)			A							A	A					
Approach Delay (s/veh)		9.3								4.8						
Approach LOS		A								A						

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HCS Two-Way Stop-Control Report

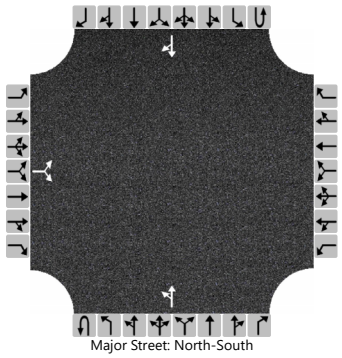
General Information

Analyst	C. Grant Duininck
Agency/Co.	Morrison-Maierle
Date Performed	5/20/2025
Analysis Year	2025
Time Analyzed	PMPH 2030 No Build
Intersection Orientation	North-South
Project Description	Cherry Hill - 4th Filing

Site Information

Intersection	W Maryland Ln & 8th Ave (North)
Jurisdiction	City of Laurel, Montana
East/West Street	NW Maryland Ln
North/South Street	Golf Course Rd
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes


Major Street: North-South

Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	1	0		0	0	0	0	0	1	0	0	0	1	0
Configuration			LR							LT						TR
Volume (veh/h)		1		50						66	44				38	0
Percent Heavy Vehicles (%)		3		3						0						
Proportion Time Blocked																
Percent Grade (%)		0														
Right Turn Channelized																
Median Type | Storage		Undivided														

Critical and Follow-up Headways

Base Critical Headway (sec)		7.1		6.2						4.1						
Critical Headway (sec)		6.43		6.23						4.10						
Base Follow-Up Headway (sec)		3.5		3.3						2.2						
Follow-Up Headway (sec)		3.53		3.33						2.20						

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)			55							72						
Capacity, c (veh/h)			1015							1577						
v/c Ratio			0.05							0.05						
95% Queue Length, Q_{95} (veh)			0.2							0.1						
95% Queue Length, Q_{95} (ft)			5.1							2.5						
Control Delay (s/veh)			8.8							7.4	0.3					
Level of Service (LOS)			A							A	A					
Approach Delay (s/veh)		8.8								4.6						
Approach LOS		A								A						

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HCS Two-Way Stop-Control Report

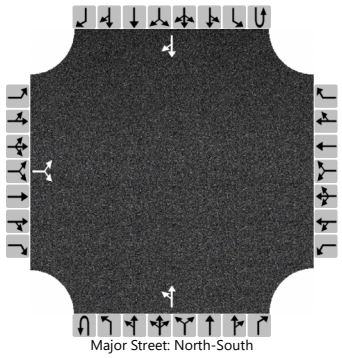
General Information

Analyst	C. Grant Duininck
Agency/Co.	Morrison-Maierle
Date Performed	5/20/2025
Analysis Year	2025
Time Analyzed	PMPH 2030 Full Buildout
Intersection Orientation	North-South
Project Description	Cherry Hill - 4th Filing

Site Information

Intersection	W Maryland Ln & 8th Ave (North)
Jurisdiction	City of Laurel, Montana
East/West Street	NW Maryland Ln
North/South Street	Golf Course Rd
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes


Major Street: North-South

Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	1	0		0	0	0	0	0	1	0	0	0	1	0
Configuration			LR							LT						TR
Volume (veh/h)		5		73						45	26				38	9
Percent Heavy Vehicles (%)		3		3						0						
Proportion Time Blocked																
Percent Grade (%)		0														
Right Turn Channelized																
Median Type | Storage		Undivided														

Critical and Follow-up Headways

Base Critical Headway (sec)		7.1		6.2						4.1						
Critical Headway (sec)		6.43		6.23						4.10						
Base Follow-Up Headway (sec)		3.5		3.3						2.2						
Follow-Up Headway (sec)		3.53		3.33						2.20						

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)			85							49						
Capacity, c (veh/h)			998							1564						
v/c Ratio			0.08							0.03						
95% Queue Length, Q_{95} (veh)			0.3							0.1						
95% Queue Length, Q_{95} (ft)			7.7							2.5						
Control Delay (s/veh)			8.9							7.4	0.2					
Level of Service (LOS)			A							A	A					
Approach Delay (s/veh)		8.9								4.8						
Approach LOS		A								A						

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HCS Two-Way Stop-Control Report

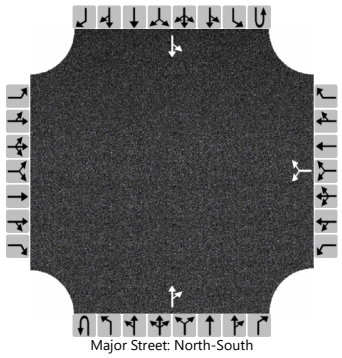
General Information

Analyst	C. Grant Duininck
Agency/Co.	Morrison-Maierle
Date Performed	5/20/2025
Analysis Year	2025
Time Analyzed	AMPH 2030 No Build
Intersection Orientation	North-South
Project Description	Cherry Hill - 4th Filing

Site Information

Intersection	W Maryland Ln & 8th Ave (South)
Jurisdiction	City of Laurel, Montana
East/West Street	W Maryland Ln
North/South Street	8th Ave
Peak Hour Factor	0.75
Analysis Time Period (hrs)	0.25

Lanes


Major Street: North-South

Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	0		0	1	0	0	0	1	0	0	0	1	0
Configuration							LR					TR		LT		
Volume (veh/h)						46		18			46	44		41	75	
Percent Heavy Vehicles (%)						2		0						3		
Proportion Time Blocked																
Percent Grade (%)						0										
Right Turn Channelized																
Median Type | Storage		Undivided														

Critical and Follow-up Headways

Base Critical Headway (sec)						7.1		6.2						4.1		
Critical Headway (sec)						6.42		6.20						4.13		
Base Follow-Up Headway (sec)						3.5		3.3						2.2		
Follow-Up Headway (sec)						3.52		3.30						2.23		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)							85							55		
Capacity, c (veh/h)							726							1458		
v/c Ratio							0.12							0.04		
95% Queue Length, Q_{95} (veh)							0.4							0.1		
95% Queue Length, Q_{95} (ft)							10.1							2.6		
Control Delay (s/veh)							10.6							7.6	0.3	
Level of Service (LOS)							B							A	A	
Approach Delay (s/veh)					10.6								2.9			
Approach LOS					B								A			

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HCS Two-Way Stop-Control Report

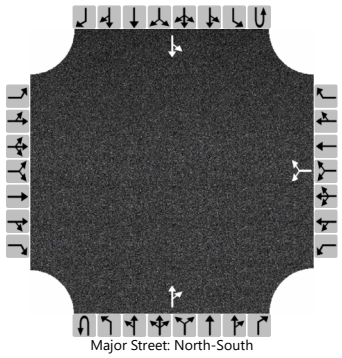
General Information

Analyst	C. Grant Duininck
Agency/Co.	Morrison-Maierle
Date Performed	5/20/2025
Analysis Year	2025
Time Analyzed	AMPH 2030 Full Buildout
Intersection Orientation	North-South
Project Description	Cherry Hill - 4th Filing

Site Information

Intersection	W Maryland Ln & 8th Ave (South)
Jurisdiction	City of Laurel, Montana
East/West Street	W Maryland Ln
North/South Street	8th Ave
Peak Hour Factor	0.75
Analysis Time Period (hrs)	0.25

Lanes


Major Street: North-South

Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	0		0	1	0	0	0	1	0	0	0	1	0
Configuration							LR					TR		LT		
Volume (veh/h)						46		20			50	44		56	100	
Percent Heavy Vehicles (%)						2		0						3		
Proportion Time Blocked																
Percent Grade (%)						0										
Right Turn Channelized																
Median Type | Storage		Undivided														

Critical and Follow-up Headways

Base Critical Headway (sec)						7.1		6.2						4.1		
Critical Headway (sec)						6.42		6.20						4.13		
Base Follow-Up Headway (sec)						3.5		3.3						2.2		
Follow-Up Headway (sec)						3.52		3.30						2.23		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)							88							75		
Capacity, c (veh/h)							665							1451		
v/c Ratio							0.13							0.05		
95% Queue Length, Q_{95} (veh)							0.5							0.2		
95% Queue Length, Q_{95} (ft)							12.7							5.1		
Control Delay (s/veh)							11.2							7.6	0.4	
Level of Service (LOS)							B							A	A	
Approach Delay (s/veh)						11.2								3.0		
Approach LOS						B								A		

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HCS Two-Way Stop-Control Report

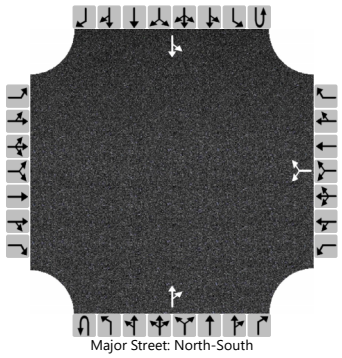
General Information

Analyst	C. Grant Duininck
Agency/Co.	Morrison-Maierle
Date Performed	5/20/2025
Analysis Year	2025
Time Analyzed	PMPH 2030 No Build
Intersection Orientation	North-South
Project Description	Cherry Hill - 4th Filing

Site Information

Intersection	W Maryland Ln & 8th Ave (South)
Jurisdiction	City of Laurel, Montana
East/West Street	W Maryland Ln
North/South Street	8th Ave
Peak Hour Factor	0.88
Analysis Time Period (hrs)	0.25

Lanes


Major Street: North-South

Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	0		0	1	0	0	0	1	0	0	0	1	0
Configuration							LR					TR		LT		
Volume (veh/h)						17		34			75	22		17	69	
Percent Heavy Vehicles (%)						2		0						3		
Proportion Time Blocked																
Percent Grade (%)						0										
Right Turn Channelized																
Median Type | Storage		Undivided														

Critical and Follow-up Headways

Base Critical Headway (sec)						7.1		6.2						4.1		
Critical Headway (sec)						6.42		6.20						4.13		
Base Follow-Up Headway (sec)						3.5		3.3						2.2		
Follow-Up Headway (sec)						3.52		3.30						2.23		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)							58							19		
Capacity, c (veh/h)							881							1466		
v/c Ratio							0.07							0.01		
95% Queue Length, Q_{95} (veh)							0.2							0.0		
95% Queue Length, Q_{95} (ft)							5.0							0.0		
Control Delay (s/veh)							9.4							7.5	0.1	
Level of Service (LOS)							A							A	A	
Approach Delay (s/veh)						9.4								1.6		
Approach LOS						A								A		

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HCS Two-Way Stop-Control Report

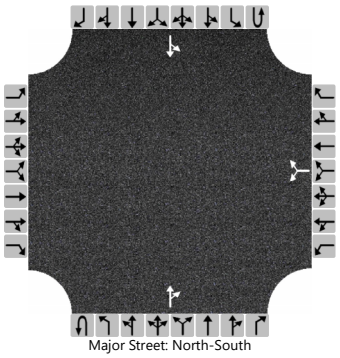
General Information

Analyst	C. Grant Duininck
Agency/Co.	Morrison-Maierle
Date Performed	5/20/2025
Analysis Year	2025
Time Analyzed	PMPH 2030 Full Buildout
Intersection Orientation	North-South
Project Description	Cherry Hill - 4th Filing

Site Information

Intersection	W Maryland Ln & 8th Ave (South)
Jurisdiction	City of Laurel, Montana
East/West Street	W Maryland Ln
North/South Street	8th Ave
Peak Hour Factor	0.88
Analysis Time Period (hrs)	0.25

Lanes


Major Street: North-South

Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	0		0	1	0	0	0	1	0	0	0	1	0
Configuration							LR					TR		LT		
Volume (veh/h)						17		41			86	22		26	83	
Percent Heavy Vehicles (%)						2		0						3		
Proportion Time Blocked																
Percent Grade (%)						0										
Right Turn Channelized																
Median Type | Storage		Undivided														

Critical and Follow-up Headways

Base Critical Headway (sec)						7.1		6.2						4.1		
Critical Headway (sec)						6.42		6.20						4.13		
Base Follow-Up Headway (sec)						3.5		3.3						2.2		
Follow-Up Headway (sec)						3.52		3.30						2.23		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)							66							30		
Capacity, c (veh/h)							858							1451		
v/c Ratio							0.08							0.02		
95% Queue Length, Q_{95} (veh)							0.2							0.1		
95% Queue Length, Q_{95} (ft)							5.0							2.6		
Control Delay (s/veh)							9.5							7.5	0.2	
Level of Service (LOS)							A							A	A	
Approach Delay (s/veh)						9.5								1.9		
Approach LOS						A								A		

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Appendix C
Level of Service Definitions

Traffic Impact Study for
Cherry Hill Subdivision -
4th Filing

LEVEL OF SERVICE DEFINITION

Level of service (LOS) is determined by the control delay experienced by drivers and is calculated for each movement, each approach, and for the intersection as a whole in signalized conditions. Control delay is defined as the total delay experienced by a driver and include initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay.

In unsignalized conditions the delay a vehicle experiences is determined by the capacity of the approach, the degree of saturation on the uncontrolled roadway, and the number of acceptable gaps in the passing traffic stream. The delay a vehicle experiences is a function of the capacity of the approach, the volume of traffic, and the signal timing in signalized conditions.

LOS values range from A to F. The delay range for each LOS value under unsignalized and signalized conditions is shown in the following tables.

UNSIGNALIZED INTERSECTION LEVEL OF SERVICE

LOS	AVERAGE CONTROL DELAY (SECONDS/VEHICLE)
A	0-10
B	>10-15
C	>15-25
D	>25-35
E	>35-50
F	>50

Source: Transportation Research Board, *Highway Capacity Manual, 6th Edition*

SIGNALIZED INTERSECTION LEVEL OF SERVICE

LOS	AVERAGE CONTROL DELAY (SECONDS/VEHICLE)
A	0-10
B	>10-20
C	>20-35
D	>35-55
E	>55-80
F	>80

Source: Transportation Research Board, *Highway Capacity Manual, 6th Edition*

SECTION 6

GEOTECHNICAL REPORT & SUPPLEMENTARY MEMOS

Morrison Maierle
engineers • surveyors • planners • scientists

Preliminary Plat Application Memo

TO: City of Laurel Planning Department

FROM: Morrison-Maierle

RE: Cherry Hill 4th Filing Preliminary Plat Application – Geotechnical Requirements

The purpose of this memo is to request alternative timing for providing the information required in the City of Laurel Code of Ordinances, Title 16 Subdivisions, Appendix F.6.e. The required information within Appendix F, Item 6.e, is listed below:

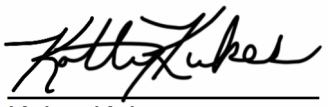
- Analysis of engineering properties and recommendations in relation to foundations; over-excavation and engineered fill; bearing capacity; lateral loads on basement walls; soil friction factor; earthwork; site grading and runoff control; foundation and retaining wall drainages; slabs on grade; reinforcing, utilities testing and concrete considerations; and ventilation and radon.

We agree that this information is necessary for proper foundation design and construction and to protect future owners within the development. However, to accurately fulfill this requirement, specific site information and detailed foundation information are necessary. Without knowing the type of foundation planned for each specific site, it is not possible to provide the detailed information required under item 6.e. Once the lot owner has selected the home plan and associated foundation layout, geotechnical foundation recommendations based on site specific information can be provided. The timing for the provision of this sort of information is typically at the building permit stage. Since this is not a current requirement of the City of Laurel Building Permit, the following solutions are proposed:

- Language will be included on the Plat stating, “All Lot Owners will be required to provide a Geotechnical Evaluation Report that includes the information required in Item 6.e. The geotechnical report shall be prepared by a Licensed Professional Engineer in Montana and be included in the Building Permit Application from the City of Laurel.”
- The above language will also be included within the Subdivision Covenants.
- The Geotechnical Evaluation Report must be submitted to the Architectural Review Committee in addition to the items already reviewed by this committee.
- Realtors will be informed of this requirement by the Owner and must inform all potential buyers of this requirement during the showing of the property.

We are open to any additional recommendations from the City of Laurel that will ensure future lot owners are aware that a geotechnical report is required for each lot.

Sincerely,



Kolter Kukes
Development Engineer

Rawhide Engineering Inc.
6871 King Avenue West, Suite G1K, Billings, MT 59106 (406) 969-5305

June 23, 2025

Morrison-Maierle
PO Box 1113
Bozeman, MT 59771

SUBJECT: Geotechnical Investigation Report
Cherry Hill Subdivision, 4th Filing
Collector and Interior Streets
Laurel, Montana

Dear Mr. Gagnon:

This letter was requested by the City of Laurel for soil conditions on the Cherry Hills Subdivision, 4th Filing located on West Maryland Lane in Laurel, Montana. The soil conditions for the streets were detailed in our report from April 28, 2025.

The soil conditions on the site consist of sandy lean clay as deep as we explored for the streets. The clay soils were medium stiff to soft and have a moderate plastic index. At this time we do not have information on the structures which will be constructed so we cannot provide soil modifications for the foundations.

In any case, the soils for residential structure foundations will have to be modified by over excavation and replacement with structural fill or some type of piers. Basement depths may be limited depending on site location and proximity to the irrigation canal. The bearing capacity of the soils will be approximately 1,500 psf and will need to be confirmed.

These lots will require a site specific geotechnical investigation prior to design. The type of structure and location will determine the recommendations for each lot.

We appreciate this opportunity to be of service to you, and look forward to future endeavors. If you have any questions regarding this letter or need additional information or services, please feel free to call the undersigned.

Sincerely,
RAWHIDE ENGINEERING, INC.

Robert W. Kukes, P.E.
Principal

Rawhide
Engineering Inc.
6871 King Avenue West, Suite G1K, Billings, MT 59106 (406) 969-5305

GEOTECHNICAL INVESTIGATION REPORT
CHERRY HILL SUBDIVISION, 4th FILING
COLLECTOR AND INTERIOR STREETS
LAUREL, MONTANA

PREPARED FOR:

Mr. Marty Gagnon
Morrison-Maierle, Inc.
PO Box 1113
Bozeman, Montana 59771

April 28, 2025

Rawhide Engineering Inc.

Morrison-Maierle
PO Box 1113
Bozeman, MT 59771

SUBJECT: **Geotechnical Investigation Report**
Cherry Hill Subdivision, 4th Filing
Collector and Interior Streets
Laurel, Montana

Dear Mr. Gagnon:

This report presents the results of our geotechnical investigation for the Cherry Hills Subdivision, 4th Filing located on West Maryland Lane in Laurel, Montana. The site location and test pit locations are shown on the Vicinity/Site Map shown on Plate 1 at the end of this report. The projects consists of constructing two collector streets and one interior street in Laurel, Montana.

Our recommendations contained in this report are based on exploratory test pits, laboratory testing, engineering analysis and preparation of this report. The recommendations required to design the subdivision streets the attached report. These conclusions and recommendations, along with restrictions and limitations on these conclusions, are discussed in the attached report.

We appreciate this opportunity to be of service to you, and look forward to future endeavors. If you have any questions regarding this report or need additional information or services, please feel free to call the undersigned.

Sincerely,
RAWHIDE ENGINEERING, INC.

Jason A. Frank
Principal

MONTANA
ROBERT WAYNE KUKES
No. 60950PE
LICENSED PROFESSIONAL ENGINEER

Robert W. Kukes, P.E.
Principal

4-28-25

Enclosures: Report (1 hard copy, 1 pdf)

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GEOTECHNICAL INVESTIGATION REPORT
CHERRY HILL SUBDIVISION, 4TH FILING
COLLECTOR STREETS AND INTERIOR STREET
LAUREL, MONTANA

INTRODUCTION

Project Description

This construction project consists of constructing two collector streets and one interior street on West Maryland Lane in Laurel, Montana. The site is currently covered by vegetation and has interior wet lands.

Scope of Services

Our scope of services for this project consisted of the following:

1. Excavating four exploratory test pits in the proposed building envelopes to a depth of 6 to 8.5 feet below existing site grades.
2. Laboratory testing to determine the characteristics of the site soils for use in engineering design.
3. Engineering analysis to aid in the design of structure foundations and asphalt pavement sections.
4. Provide information as to the existing groundwater conditions at the time of our exploration.
5. Provide recommendations for earthwork and construction on the site.

This study did not include evaluations of site seismicity, liquefaction, faulting, or other potential geologic or environmental hazards. This study did not include a groundwater study or the design of a dewatering system.

Authorization

Authorization to proceed with our work on this project was provided on April 7, 2025.

Professional Statements and Limitations

Recommendations presented in this report are governed by the physical properties of the soils encountered in the exploratory test pits, laboratory testing, current groundwater conditions, the project layout and design data described in the following proposed construction section.

The recommendations presented in this report are based on exploratory test pit location shown on the site map. Variations in soils may exist between the explored location and the nature and extent of soil variations may not be evident until construction occurs. If subsurface conditions other than those described in this report are encountered and if project design and layout is substantially altered from the information in this report, Rawhide Engineering should be notified so that recommendations can be reviewed and amended, if necessary.

This report has been prepared for design purposes for our client and specifically for this project in accordance with the generally accepted standards of practice at the time the report was written. No warranty, either expressed or implied, are intended or made.

Other standards or documents referenced in any given standard cited in this report, or otherwise relied upon by the authors of this report, are only mentioned in the given standard; they are not incorporated into it or "included by reference," as that latter term is used relative to contracts or other matters of law.

PROPOSED CONSTRUCTION

It is our understanding that this project will include the design and construction of two collector streets and one interior street in the subdivision. The utility recommendations are also included. Some utilities have already been installed on West Maryland Lane.

FIELD INVESTIGATION

In order to determine and evaluate the subsurface conditions across the site, four exploratory test pits were completed the subdivision with a track hoe provided by Rawhide Engineering. Test pit depth was 6.0 to 8.5 feet below the existing ground surface. The location of the test pits are shown on the Vicinity/Site Map. This location should be considered accurate only to the degree implied by the method used.

The field investigation was under the direct control of an experienced member of our geotechnical staff who logged the soil conditions for each test pit. Bulk samples were obtained for further testing. The bulk samples were examined by field personnel, logged and sealed to prevent moisture loss prior to laboratory testing. After completion, the groundwater level in the test pit was recorded and the test pits were backfilled using drill cuttings.

The test pit logs are included at the end of this report is labelled TP-1 through TP-4. A test pit log legend and a description of the Unified Soil Classification System used to identify the soils are included with the test pit log.

LABORATORY TESTING

A laboratory testing program was utilized to provide the necessary data for engineering analysis of this project. The testing was used to evaluate the index and engineering properties specifically for the conditions encountered during our field exploration. The following program was used for this project.

Moisture Content Tests – ASTM D2216

Moisture content tests were conducted on selected samples obtained from the site. These tests were used to aid in identifying the current soil conditions and aid in classifying the soils. Moisture content tests are shown on the test pit logs.

Soil Classification Tests – ASTM D422, D1140, D4318, D2487 and D2488

In order to classify the soils according to the Unified Classification System, soil gradations and Atterberg Limits test were conducted on selected samples. The results of this testing is shown below and on the test pit log.

Gradations and Atterberg Limits Tests

Percent Passing	
Sieve Size	TP-3 @ 2.0-4.0'
No. 4	100
No. 10	100
No. 20	97
No. 40	86
No. 80	82
No. 200	78
Plastic Index	15.0
Unified Classification	Lean Clay with Sand (CL)

SITE CONDITIONS

The site is located on West Maryland Lane in the Cherry Hill Subdivision, 4th Filing in Laurel, Montana. The site is currently has vegetation and some wetlands. A total relief of approximately 3 to 5 feet is currently present across the site. The site slopes to the southeast. The site is

bordered by developed residential properties on the east and vacant land on the remaining sides. Drainage on the site consists of infiltration and runoff to the south and east

SUBSURFACE SOILS AND GROUNDWATER

The soil conditions encountered on the site generally consist of a layer of vegetated topsoil with organics extending to a depth of 1.0 foot below the existing surface. Beneath the topsoil we encountered lean clay with sand to depths explored of 6.0 to 8.5 feet below existing site grades. The lean clay was medium stiff to soft with a moderate plastic index. Groundwater was not encountered in the test pits during our exploration in April 2025. Changes in groundwater elevations will change during the year based on precipitation and irrigation water in the ditch to the north and west. The irrigation canals usually leak some water down into the site during the year.

RECOMMENDATIONS

Prior to construction, surface soils should be removed from the site or stockpiled for use in non-structural areas. It appears about 1.0 feet can be used as a reasonable estimate for average depth of stripping. All tree root balls should be removed and backfilled with compacted native soils. Excavations resulting from removal operations should be cleaned of all loose material and widened as necessary to permit access to compaction equipment.

Excavations

The contractor is ultimately responsible for the safety of workers and should strictly observe federal and local OSHA requirements for excavation shoring and safety. All temporary slopes should comply with OSHA requirements for Type A soils. During wet weather, runoff water should be prevented from entering excavations.

It appears that excavation for footings and utility trenches can be readily made with either a conventional backhoe or excavator in the native soil materials. If trenches are extended deeper than five feet or are allowed to dry out, the excavations may become unstable and should be evaluated to verify their stability prior to occupation by construction personnel. Shoring or sloping of any deep trench walls may be necessary to protect personnel and provide temporary stability. All excavations should comply with current OSHA safety requirements for Type A soils. (Federal Register 29 CFR, Part 1926).

Backfills for trenches or other excavations within building envelope should be compacted in six to eight inch layers with mechanical tampers. Jetting and flooding should not be permitted. We recommend all backfill be compacted to a minimum compaction of 97% of the maximum dry density as determined by ASTM D698. The moisture content of compacted backfill soils should be within 2% of the optimum. Poor compaction in utility trench backfill may cause excessive settlements resulting in damage to the pavement structural section or other overlying

improvements. Compaction of trench backfill outside of improvement areas should be a minimum of 90% relative compaction.

Material - Pipe bedding shall be defined as all material within six inches of the perimeter of the pipe. Backfill shall be classified as all material within the remainder of the trench. Material for use as bedding shall consist of clean, granular materials, and shall conform to requirements for bedding material listed in Section 02221 of the Standard Specifications.

Placement and Compaction - Pipe bedding shall be placed in thin layers not exceeding eight inches in loose thickness, and conditioned to the proper moisture content for compaction.

All other trench backfill shall be placed in thin layers not exceeding eight inches in loose thickness, conditioned to the proper moisture content, and compacted as required for adjacent fill. If not specified, backfill should be compacted to at least 97% relative compaction in areas under structures, utilities, roadways, parking areas, concrete flatwork, and to 90% relative compaction in undeveloped areas.

Residential Housing

The City of Laurel requested to Morrison Maierle that the recommendations for residential structures were added to this investigation. Rawhide Engineering did not include the lots in our investigation for the following reasons. The City of Laurel does not complete any inspection of the excavations to ensure that recommendation provided by Rawhide were indeed followed so there is no documentation that things were completed correctly. They do not require density testing that insure the fill and structural fill are compacted properly.

Structural Fill

Structural fill will be used on the site should consist of dense gravel with sand and conforming to the following gradation and plastic index.

Sieve Size	Percent Passing
3 Inch	100%
No. 4	25-65%
No. 200	<20%
Plastic Index	12 or less

All structural fill shall be placed in eight inch loose lifts and uniformly moisture conditioned to within +/-2% of optimum moisture content. The contractor shall provide and use sufficient equipment of a type and weight suitable for the conditions encountered in the field. The

equipment shall be capable of obtaining the required compaction in all areas, including those that are inaccessible to ordinary rolling equipment.

Compaction Requirements

The following table lists the compaction requirements for structural fill, foundation backfill, utility trench backfill and street subgrade preparation.

COMPACTION REQUIREMENTS	
Utility Trench Backfill	97% of ASTM D698

Asphalt Pavement Sections

The recommended asphalt and concrete structural section for the project presented below was calculated using the AASHTO pavement design procedure. Traffic loading information was not available at the issue of this report. If traffic loading information becomes available or if loading is anticipated to exceed assumed loading conditions, alternative pavement structural sections should be determined based on the provided loading information. In our analysis, we have assumed a light duty section of 150,000 ESAL's and a collector traffic loading of 350,000 Esal's for the lifetime of the pavement. A CBR value of 3.0 was used for design of the pavement section.

PAVEMENT STRUCTURAL SECTIONS	
Traffic Condition	**Recommended Minimum Structural Section**
Interior Street Asphalt Section	3" of Asphalt Pavement on 6 inches of Crushed Base Course on 8 inches of pitrun gravel
Collector Street Pavement Section	4" of Asphalt Pavement with 6 inches of crushed base course on 10 inches of pitrun gravel

It should be noted that the subgrade soils are likely to be prone to frost action during the winter and saturation during the wet spring months. The primary impact of frost action and subgrade saturation is the loss of subgrade and aggregate base strength. The parking/driving areas life will be increased if efforts are made to reduce the accumulation of excess moisture in the subgrade soils. There were areas where it was evident that surface water ponds. These areas should be regarded to drain to preserve the life of the gravel parking section.

Subgrade and Aggregate Base

Subgrade Preparation – Prior to placement of aggregate base, the upper six inches of subgrade soil shall be uniformly compacted to at least 95% relative compaction. This may require scarifying, moisture conditioning, and compacting in both cut and fill areas.

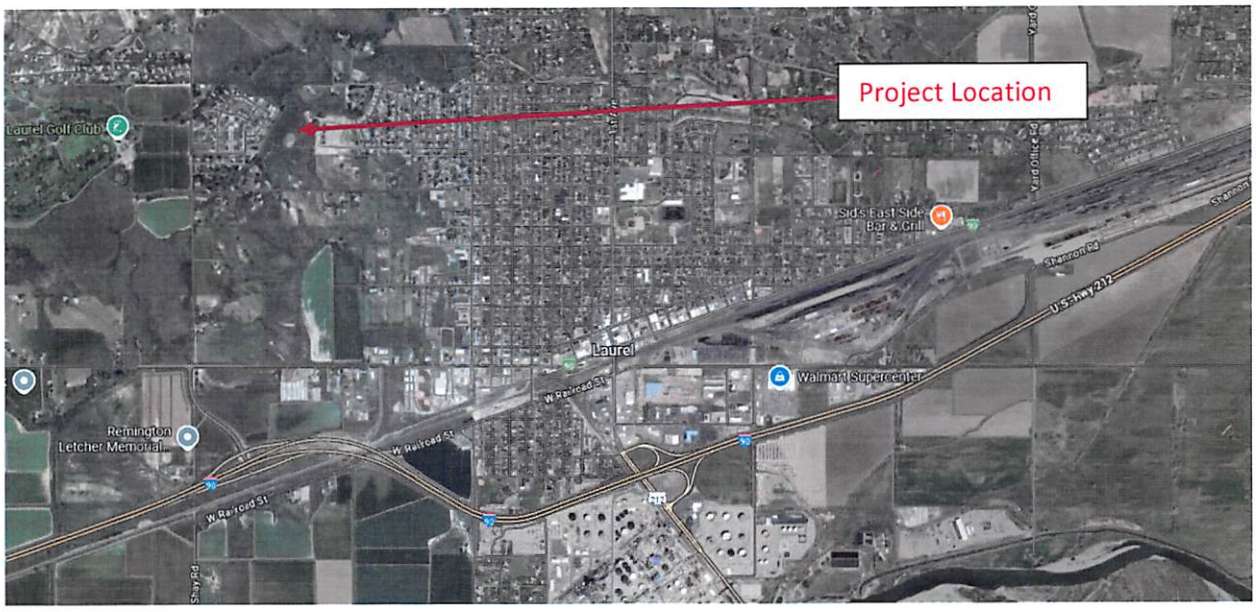
Aggregate Base - Aggregate materials shall meet the requirements of the appropriate sections of the "Standard Specifications" for 1 ½" Crushed Base Course. The aggregate base materials must be approved by the Geotechnical Engineer prior to use.

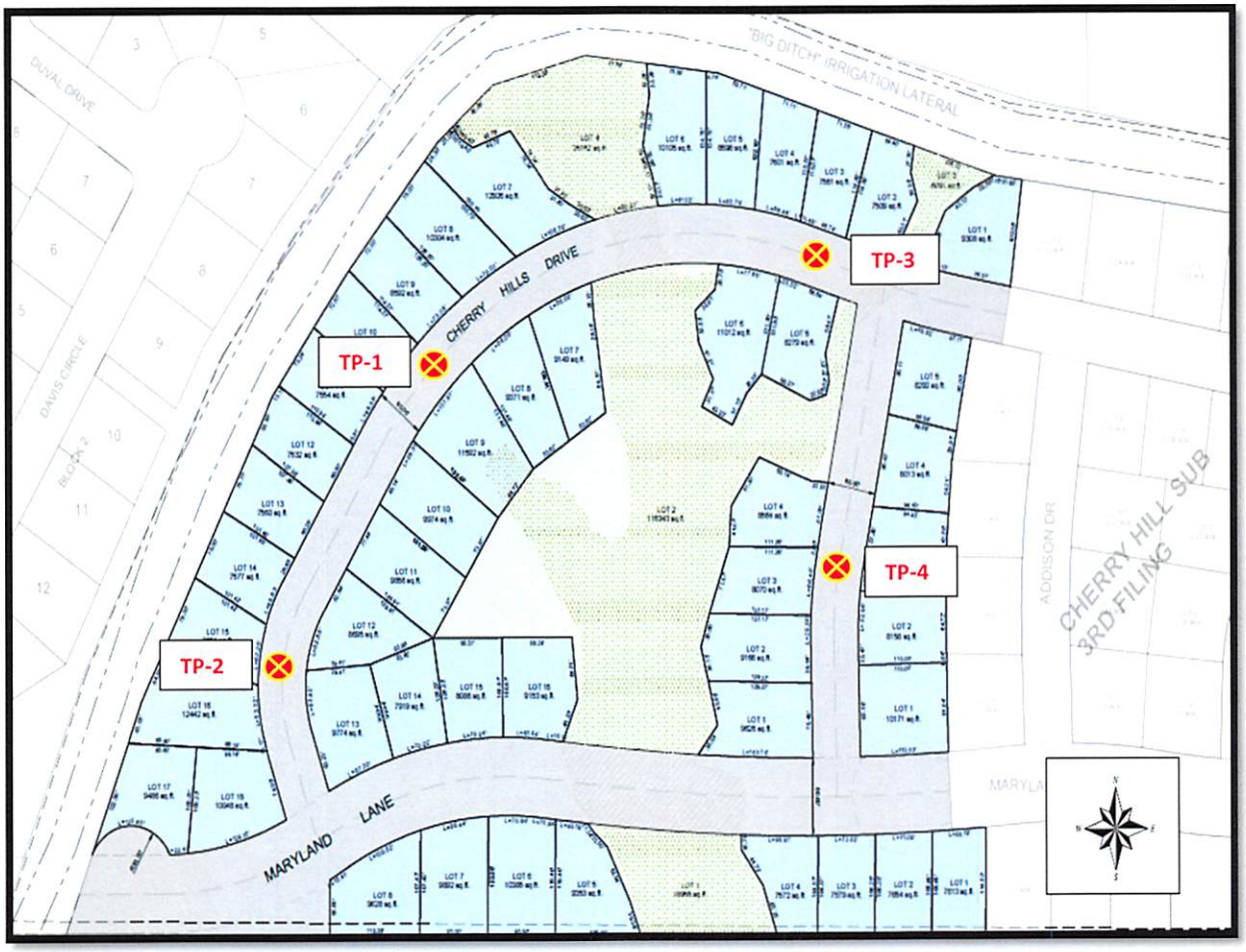
After the subgrade is properly prepared, the aggregate base shall be placed in layers, moisture conditioned as necessary, and compacted by rolling to at least 95% relative compaction. The compaction thickness of aggregate base shall be as shown on the approved plans.

APPENDIX A

Plates

Site / Vicinity Map





Rawhide Engineering Inc.

TEST PIT LOG

Rawhide Engineering Inc.

PROJECT: Cherry Hill Subdivision 4th Filing
CLIENT: Morrison Maierle - Bozeman
LOCATION: Laurel, Montana

LOGGED BY: J. Frank
DRILL METHOD: Excavator
DRILLER: Schessler Ex.
DATE: 4/18/25
ELEVATION:

TEST PIT NUMBER: 1

Depth (ft)	SAMPLES: Sample Type	SAMPLES: Blows / 6 in.	SAMPLES: Soil Pattern	USCS Symbol	MATERIAL DESCRIPTION AND COMMENTS	Consistency	LABORATORY TESTING: Water Content (%)	LABORATORY TESTING: Plastic Index (PI)	LABORATORY TESTING: Minus #200 (%)	LABORATORY TESTING: Sample Recovery
1					Topsoil with Some Vegetation and Organics - Dark Brown, Moist, Medium Stiff					
2				CL	Lean Clay with Sand - Brown, Moist, Medium Stiff to Soft, Moderate Plastic Index					
3										
4										
5										
6					Test Pit Ends at Approximately 6.0 Feet Depth Groundwater Was Not Encountered					
7										
8										
9										
10										
11										
12										
13										
14										
15										
16										
17										
18										
19										
20										

TEST PIT LOG

Rawhide Engineering Inc.

PROJECT: Cherry Hill Subdivision 4th Filing
CLIENT: Morrison Maierle - Bozeman
LOCATION: Laurel, Montana

LOGGED BY: J. Frank
DRILL METHOD: Excavator
DRILLER: Schessler Ex.
DATE: 4/18/25
ELEVATION:

TEST PIT NUMBER: 2

Depth (ft)	SAMPLES: Sample Type	SAMPLES: Blows / 6 in.	SAMPLES: Soil Pattern	USCS Symbol	MATERIAL DESCRIPTION AND COMMENTS	Consistency	LABORATORY TESTING: Water Content (%)	LABORATORY TESTING: Plastic Index (PI)	LABORATORY TESTING: Minus #200 (%)	LABORATORY TESTING: Sample Recovery
1					Topsoil with Vegetation and Organics - Dark Brown, Moist, Medium Stiff					
2				CL	Lean Clay with Sand - Brown, Moist, Medium Stiff to Soft, Moderate Plastic Index					
3										
4										
5										
6										
7					Test Pit Ends at Approximately 6.5 Feet Depth Groundwater Was Not Encountered					
8										
9										
10										
11										
12										
13										
14										
15										
16										
17										
18										
19										
20										

6871 King Ave. West, Suite G1K, Billings, MT 59106 (406) 969-5305 Fax:(406) 969-5307

TEST PIT LOG

Rawhide Engineering Inc.

PROJECT: Cherry Hill Subdivision 4th Filing
CLIENT: Morrison Maierle - Bozeman
LOCATION: Laurel, Montana

LOGGED BY: J. Frank
DRILL METHOD: Excavator
DRILLER: Schessler Ex.
DATE: 4/18/25
ELEVATION:

TEST PIT NUMBER: 3

Depth (ft)	SAMPLES: Sample Type	SAMPLES: Blows / 6 in.	SAMPLES: Soil Pattern	USCS Symbol	MATERIAL DESCRIPTION AND COMMENTS	Consistency	LABORATORY TESTING: Water Content (%)	LABORATORY TESTING: Plastic Index (PI)	LABORATORY TESTING: Minus #200 (%)	LABORATORY TESTING: Sample Recovery
1					Topsoil with Vegetation and Organics - Dark Brown, Moist, Medium Stiff					
2	X			CL	Lean Clay with Sand - Brown, Moist, Medium Stiff to Soft, Moderate Plastic Index	F	22.6	15.0	78.3	2.0
3	X									
4	X									
5										
6					Test Pit Ends at Approximately 6.0 Feet Depth Groundwater Was Not Encountered					
7										
8										
9										
10										
11										
12										
13										
14										
15										
16										
17										
18										
19										
20										

TEST PIT LOG

Rawhide Engineering Inc.

PROJECT: Cherry Hill Subdivision 4th Filing
CLIENT: Morrison Maierle - Bozeman
LOCATION: Laurel, Montana

LOGGED BY: J. Frank
DRILL METHOD: Excavator
DRILLER: Schessler Ex.
DATE: 4/18/25
ELEVATION:

TEST PIT NUMBER: 4

Depth (ft)	SAMPLES: Sample Type	SAMPLES: Blows / 6 in.	SAMPLES: Soil Pattern	USCS Symbol	MATERIAL DESCRIPTION AND COMMENTS	Consistency	LABORATORY TESTING: Water Content (%)	LABORATORY TESTING: Plastic Index (PI)	LABORATORY TESTING: Minus #200 (%)	LABORATORY TESTING: Sample Recovery
1					Topsoil with Vegetation and Organics - Dark Brown, Moist, Medium Stiff					
2				CL	Lean Clay with Sand - Brown, Moist, Medium Stiff to Soft, Moderate Plastic Index					
3										
4										
5										
6										
7										
8										
9					Test Pit Ends at Approximately 8.5 Feet Depth Groundwater Was Not Encountered					
10										
11										
12										
13										
14										
15										
16										
17										
18										
19										
20										

TEST PIT LOG LEGEND

MATERIAL DESCRIPTION		
Soil Pattern	**USCS Symbol**	**USCS Classification**
	FILL	Artificial Fill
	GP or GW	Poorly/Well graded GRAVEL
	GM	Silty GRAVEL
	GC	Clayey GRAVEL
	GP-GM	Poorly graded GRAVEL with Silt
	GP-GC	Poorly graded GRAVEL with Clay
	SP or SW	Poorly/Well graded SAND
	SM	Silty SAND
	SC	Clayey SAND
	SP-SM	Poorly graded SAND with Silt
	SP-SC	Poorly graded SAND with Clay
	SC-SM	Silty Clayey SAND
	ML	SILT
	MH	Elastic SILT
	CL-ML	Silty CLAY
	CL	Lean CLAY
	CH	Fat CLAY
	PCEM	PARTIALLY CEMENTED
	CEM	CEMENTED
	BDR	BEDROCK

CONSISTENCY					
Cohesionless Soils		**Cohesive Soils**		**Cementation**	
VL	Very Loose	So	Soft	MH	Moderately Hard
L	Loose	F	Firm	H	Hard
MD	Medium Dense	S	Stiff	VH	Very Hard
D	Dense	VS	Very Stiff		
VD	Very Dense				

SAMPLING	
	SPT
	Shelby Tube
NR	No Recovery
	Bulk Sample
	Water Table

RE *Rawhide Engineering Inc.*

UNIFIED SOIL CLASSIFICATION SYSTEM

Criteria for Assigning Group Symbols and Group Names Using Laboratory Tests[A]					Soil Classification	
					Group Symbol	Group Name[B]
Coarse Grained Soils More than 50% retained on No. 200 sieve	Gravels More than 50% of coarse fraction retained on No. 4 sieve	Clean Gravels Less than 5% fines[C]	$Cu \geq 4$ and $1 \leq Cc \leq 3$[E]		GW	Well-graded gravel[F]
			$Cu < 4$ and/or $1 > Cc > 3$[E]		GP	Poorly graded gravel[F]
		Gravels with Fines More than 12% fines[C]	Fines classify as ML or MH		GM	Silty gravel[F,G,H]
			Fines classify as CL or CH		GC	Clayey gravel[F,G,H]
	Sands 50% or more of coarse fraction passes No. 4 sieve	Clean Sands Less than 5% fines[D]	$Cu \geq 6$ and $1 \leq Cc \leq 3$[E]		SW	Well-graded sand[I]
			$Cu < 6$ and/or $1 > Cc > 3$[E]		SP	Poorly graded sand[I]
		Sands with Fines More than 12% fines[D]	Fines classify as ML or MH		SM	Silty sand[G,H,I]
			Fines Classify as CL or CH		SC	Clayey sand[G,H,I]
Fine-Grained Soils 50% or more passes the No. 200 sieve	Silts and Clays Liquid limit less than 50	Inorganic	PI > 7 and plots on or above "A" line[J]		CL	Lean clay[K,L,M]
			PI < 4 or plots below "A" line[J]		ML	Silt[K,L,M]
		organic	Liquid limit - oven dried / Liquid limit - not dried	< 0.75	OL	Organic clay[K,L,M,N] Organic silt[K,L,M,O]
	Silts and Clays Liquid limit 50 or more	Inorganic	PI plots on or above "A" line		CH	Fat clay[K,L,M]
			PI plots below "A" line		MH	Elastic Silt[K,L,M]
		organic	Liquid limit - oven dried / Liquid limit - not dried	< 0.75	OH	Organic clay[K,L,M,P] Organic silt[K,L,M,Q]
Highly organic soils	Primarily organic matter, dark in color, and organic odor				PT	Peat

[A] Based on the material passing the 3-in. (75-mm) sieve

[B] If field sample contained cobbles or boulders, or both, add "with cobbles or boulders, or both" to group name.

[C] Gravels with 5 to 12% fines require dual symbols: GW-GM well-graded gravel with silt, GW-GC well-graded gravel with clay, GP-GM poorly graded gravel with silt, GP-GC poorly graded gravel with clay.

[D] Sands with 5 to 12% fines require dual symbols: SW-SM well-graded sand with silt, SW-SC well-graded sand with clay, SP-SM poorly graded sand with silt, SP-SC poorly graded sand with clay

[E] $Cu = D_{60}/D_{10}$ $Cc = \frac{(D_{30})^2}{D_{10} \times D_{60}}$

[F] If soil contains ≥ 15% sand, add "with sand" to group name.

[G] If fines classify as CL-ML, use dual symbol GC-GM, or SC-SM.

[H] If fines are organic, add "with organic fines" to group name.

[I] If soil contains ≥ 15% gravel, add "with gravel" to group name.

[J] If Atterberg limits plot in shaded area, soil is a CL-ML, silty clay.

[K] If soil contains 15 to 29% plus No. 200, add "with sand" or "with gravel," whichever is predominant.

[L] If soil contains ≥ 30% plus No. 200 predominantly sand, add "sandy" to group name.

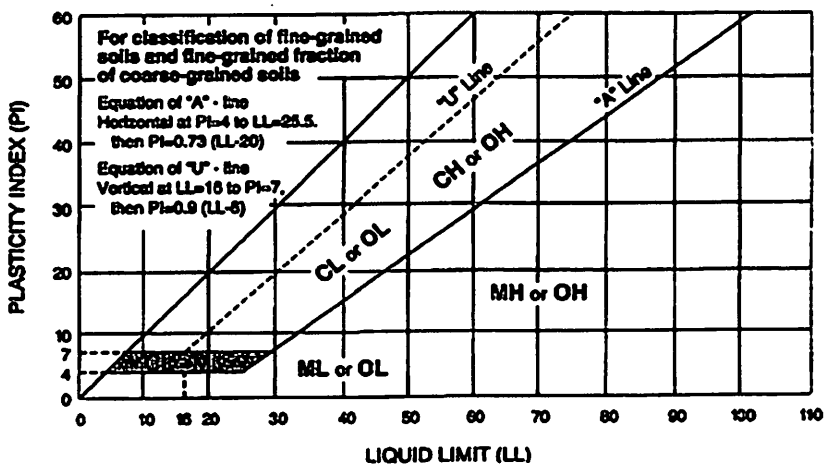
[M] If soil contains ≥ 30% plus No. 200, predominantly gravel, add "gravelly" to group name.

[N] PI ≥ 4 and plots on or above "A" line.

[O] PI < 4 or plots below "A" line.

[P] PI plots on or above "A" line.

[Q] PI plots below "A" line.



Rawhide Engineering Inc.

SECTION 7

DRAFT DECLARATION OF COVENANTS AND RESTRICTIONS

RETURN AFTER RECORDING:
Western Holdings Company, LLC
PO Box 51330
Billings, MT 59105

DECLARATION OF COVENANTS AND RESTRICTIONS
FOR CHERRY HILL SUBDIVISION – 4TH FILING

THIS DECLARATION is made this ____ day of _____, 2025, by Western Holdings Company, LLC, a Montana limited liability company, hereinafter referred to as "Declarant".

WHEREAS, Declarant is the owner of real property situated in Yellowstone County, Montana, more particularly described on Exhibit "A" attached hereto and incorporated herein ("Property");

WHEREAS, Declarant intends to develop, sell, and convey the above-described real property, hereinafter referred to as the "Cherry Hill Subdivision- 4th Filing"; and,

WHEREAS, Declarant desires to subject all of said real property, together with the Lots contained therein to the covenants, conditions, restrictions, and reservations herein set forth and referred to as "Covenants";

NOW THEREFORE, Declarant does hereby establish, dedicate, declare, publish and impose upon the Property the following Protective Covenants, Conditions and Restrictions which shall nm with the land, and shall be binding upon and be for the benefit of all persons claiming such Property, their grantors, legal representatives, heirs, successors and assigns, and shall be for the purpose of maintaining a uniform and stable value, character, architectural design use, and development of the Property. Such Covenants shall apply to the entire Property, including but not limited to all Lots, Utility Lot and improvements placed or erected thereon, unless otherwise specifically excepted herein. The Covenants shall inure to and pass with each and every parcel, tract, Lot, or division.

Said Covenants shall be as follows:

I. DEFINITIONS

1. Unless otherwise expressly provided, the following terms when used in this Declaration *of* Covenants and Restrictions shall have the following meanings:

(a) "Accessory Building" shall mean a building, such as a garage or shed, detached from a dwelling.

(b) "Dwelling" shall mean any single-family structure permitted to be constructed upon a Lot.

(c) "Lot" shall mean and refer to any of the above-described Lots which are subject to this Declaration. It does not refer to the Utility Lot which is excluded from the provisions of this Declaration.

(d) "Owner" or "Lot Owner" shall mean and refer to the record owners of each Lot, whether one or more persons or entities, excluding those having such interest merely as security for the performance of an obligation. If any Lot has been sold under a contract for deed or agreement for future delivery of title, the purchasers of that Lot shall be deemed to be the only owner.

(e) "Property" shall mean and refer to the Lots subject to this Declaration.

(f) "Residential Purpose" shall mean uses for private single-family living and shall exclude professional and commercial uses of any character.

(g) "Single Family" shall mean one or more persons living together as a single, non-profit housekeeping unit, as distinguished from a group occupying a hotel, motel, club, fraternity or sorority, commune, or the like.

II. USE RESTRICTIONS

2. The following use restrictions shall be applicable to the Property:

(a) Each of the Lots shall be used and improved for single-family residential purposes only.

(b) No more than one (1) dwelling is allowed on any Lot. No buildings used as multifamily housing or for any commercial or business use shall be allowed on any Lot. None of the Lots nor any accessory building or other improvements erected

thereon shall at any time be used for the purpose of any trade, profession, manufacturing, or business of any description. Any uses of the foregoing nature are expressly prohibited.

(c) An owner may use a portion of his unit for an office so long as the activities therein shall not interfere with the quiet enjoyment or comfort of any other owner or occupant, and there are no employees at work at the unit. In addition, the Developer shall have the right to maintain a construction office and a sales office on the property until all units are sold.

(d) All Lot Owners will be required to provide a Geotechnical Evaluation Report that includes the information required in Appendix F Item 6.e, of the Laurel Subdivision Regulations. The geotechnical report shall be prepared by a Licensed Professional Engineer in Montana, and be included in the Building Permit Application to the City of Laurel.

(e) The Geotechnical Evaluation Report must be submitted to and reviewed by the Cherry Hill Subdivision – 4th Filing Architecture and Building Development Group.

(f) Accessory buildings shall only be used for purposes which are incidental and subordinate to residential uses.

(g) Accessory buildings may not be used as a residence, temporarily or permanently, nor shall trailers, RVs, mobile homes or temporary structures be used as a residence or dwelling.

(h) Mobile homes, modular homes, manufactured homes, trailers, guest houses, servant quarters, and hospitals are not permitted on any Lot. Log homes, A-Frame homes, and Geodesic Dome homes are prohibited on all Lots.

(i) No junk (including non-operable motor vehicles or parts thereof), trash, debris, organic or inorganic waste shall be permitted to accumulate on any Lot or tract or in any street adjacent thereto, but shall be promptly and effectively disposed of. Vacant or other Lots or Tracts shall not be used as a dumping ground or burial pit. Storage tanks for fuel or water are not allowed.

(j) No noxious or offensive activity shall be conducted or permitted upon any Lot, nor shall any unsightly object, nuisance, or sign be erected, placed, or permitted upon any Lot. The Property shall not be used in any way or for any purpose which may unreasonably disturb the neighborhood or endanger the health of its residents.

(k) No signs, billboards. posters or advertising displays or devices of any kind or

character shall be erected or displayed, excepting subdivision promotion signs, "for sale" signs, and mailbox and house numbers in conformity with applicable laws, regulations, and codes to identify the address of a dwelling.

(l) Street lights shall remain lighted from sunset to the following sunrise.

(m) Lot Owners shall not permit recreational vehicles, boats, campers, House trailers, trailers, unlicensed vehicles, or junked or otherwise inoperable vehicles to be parked upon a Lot for more than a 72-hour period for more than five days in any calendar year.

(n) Noise by residences of the Lot or their guests which may disturb other residents of Cherry Hill Subdivision – 4th Filing, between the hours of 11:00 p.m. and the following 7:00 a.m. is not permitted.

(o) Lot owners shall be allowed domestic pets only. Livestock, chickens/roosters, and other non-domestic pets shall be prohibited. Commercial breeding of pets is prohibited.

III. BUILDING RESTRICTIONS

3. The following building restrictions shall be applicable to the Property:

(a) All improvements erected on a Lot shall be of new construction, and no old buildings of any kind may be moved upon a Lot. Erection of newly-constructed modular, manufactured, or factory-built residences or other structures is prohibited. Subject to prior written approval of the Cherry Hill Subdivision - 4th Filing Architecture & Building development Group (ABDG), one prefabricated storage unit is permitted on the Lot if it is no larger than 10' x 15' and no more than 10' in height. The exterior finish shall blend and be compatible with the dwelling.

(b) Only those materials commonly used in standard construction shall be permitted on the exterior of any building. The use of sheet or galvanized steel, corrugated siding, vinyl siding, or asphalt siding on the outside of any structure is prohibited.

(c) Siding, roofing, and trim must be white or a lightened neutral earth-tone color; the color must be approved in advance, in writing, by the Cherry Hill Subdivision - 4th Filing ABDG.

(d) No plastic or vinyl basement window wells are allowed on any building.

(e) Two story dwellings are only permitted on Lots 1-6 on Block 5 in Phase 1 of the subdivision.

(f) Single story dwellings and split-level dwellings with daylight basements are permitted on all Lots subject to this Declaration.

(g) The minimum finished square footage for the gro1md level of any single story or split-level dwelling constructed, exclusive of open porches and garages, shall be 1,400 square feet. The minimum finished square footage for a bi-level or tri-level home shall be 2,200 square feet, excluding basements, porches, and garages measured at the intersection of a plane passing at right angles through a vertical projection of such walls of not less than 2,200 sq. ft. with a full basement, 2,200 sq. ft. if no or partial basement.

(h) Accessory buildings shall not be erected, altered, placed, or permitted to remain on a Lot prior to the construction of a dwelling on that Lot.

(i) All construction on any Lot shall be in accord with all state, federal, and local laws, and regulations, including setback and height restrictions imposed by the Laurel Municipal Code.

(j) All Lot Owners will be required to provide a Geotechnical Evaluation Report that includes the information required in Appendix F Item 6.e, of the Laurel Subdivision Regulations. The geotechnical report shall be prepared by a Licensed Professional Engineer in Montana, and be included in the Building Permit Application to the City of Laurel.

(k) The Geotechnical Evaluation report must be submitted to and reviewed by the Cherry Hill Subdivision – 4th Filing ABDG.

(l) Prior to beginning construction, all building plans shall be submitted for review and shall be approved by the by the Cherry Hill Subdivision - 4th Filing ABDG. Once approved by the ABDG, plans should be submitted to the City of Laurel and any other agencies having jurisdiction regarding building permitting.

(m) Addresses shall be posted as provided by the Uniform Fire Code, Article 9, Section 901.4.4.

(n) Any fences installed upon any Lot shall be in compliance with all applicable laws and regulations, including the Laurel Municipal Code.

(o) Under no circumstances shall a fence of any kind be placed in the front of any dwelling or on the side of any Lot between the dwelling and a public street. Exceptions may be permitted with prior written approval of the Architecture & Building Development Group.

(p) Fences may be colored or white PVC, or black or colored chain link and posts. No other fencing materials may be used on any of the Lots, including but not limited to

galvanized chain link, wood, barbed wire, and brick or stone.

(q) Flat roofs and nearly flat roofs are prohibited on all dwellings and accessory buildings located upon a Lot

(r) All accessory buildings constructed upon any Lot shall be of the same color and shall have the same siding and roofing material as the dwelling constructed upon the Lot.

(s) All dwellings shall be constructed with an attached garage for two or more vehicles.

(t) At the time a dwelling is constructed on any Lot, the Lot Owners shall install sidewalks along all street frontages, whether said street frontage runs along the front or side of the Lot

(u) Lot Owners shall install and maintain landscaping on their Lots; landscaping shall be complete within six months of completion of construction weather permitting.

(v) Lot owners must utilize grass or other natural vegetation as the primary final surfacing of lawns. Landscaping rock is prohibited to be more than 30% of front, rear, and side lawns, separately. Grasses shall be mowed and/or otherwise maintained to provide a pleasing aesthetic. Landscaping rock may be used in the boulevard and as a supplementary landscaping feature within the lawn of the residence.

(w) At the time a dwelling is constructed on any Lot, the Lot Owner shall install on his or her Lot the mailbox of the type and style shown on Exhibit "B", attached hereto and incorporated by this reference. The mailbox shall be installed on the left side of the driveway as determined by facing the garage door(s). The mailbox must be located at least five (5) feet from the edge of the driveway approach. and shall be installed in compliance with all United States Postal Service requirements.

(x) Any structures constructed upon any Lot shall be completed within one year from the date construction commences. Construction is deemed to have commenced when equipment and/or materials to be used in construction arrives at or the Lot.

IV. CHERRY HILL 4TH FILING SUBDIVISIONARCHITECTURE & BUILDING DEVELOPMENT GROUP

4. The Cherry Hill Subdivision - 4th Filing Architecture & Building Development Group (the ABDG) shall include Western Holdings, LLC as its' sole member upon initial final platting of the subdivision. Additional members may be added to ABDG and may consist of Lot owners and/or licensed Architectural professionals. A list of members shall be incorporated as Exhibit "C" to this document and updated as necessary with the effective date the list was updated.

5. **Required Plan Review.** No dwelling or other improvement shall be erected, constructed, placed, or maintained upon any Lot, nor shall any additions, remodeling, reconstruction, or alteration of the exterior of any residence or improvement be made or continue to be made, unless and until the same has been approved in writing by the ABDG. Lot owners must also obtain ABDG approval for an changes to the approved Plans if those changes affect the exterior of a dwelling or any improvement.

6. **Review Application.** Before beginning the construction of any dwelling or other improvement, or before any alteration of the exterior thereof, the person desiring to erect, construct, or modify the same shall submit to the ABDG two sets of the following Plans for the proposed dwelling or other improvement in addition to any other information the ABDG requests:

(a) Site Plan: A site plan showing:

1) The location of all improvements, including structures, fences, walls, driveways, parking areas, utilities, outbuildings, and decks.

2) Other pertinent information relating to the dwelling or other improvement.

(b) Building Plan: A building plan consisting of:_

1) The structure's dimensions.

2) Elevation drawings or sketches of the exterior of the structure(s).

3) Information concerning the exterior of the structure(s) including all exterior colors, materials, finishes, roofing materials to be used.

The ABDG may, in its sole discretion, require the Lot owner to furnish additional specifications, drawings, material samples, and such other information as it deems necessary for the purpose of reviewing the application.

7. **Basis of Approval.** Approval by the ABDG shall be based upon, among other things, the following:

(a) Conformity and harmony of external design with neighboring dwellings or other improvements.

(b) Effects of location of the proposed dwelling or other improvements on neighboring Lots.

(c) Relation of dwelling or other improvements and finished ground elevations to existing topography and grades.

(d) The overall aesthetic of cherry Hill Subdivision – 4th Filing.

(e) Conformity of Plans to the provisions of this Declaration.

The review will include subjective judgments about aesthetics which cannot be clearly defined in this Declaration. Each Lot owner, by acceptance of a deed to any Lot subject to this Declaration, agrees to accept the decisions of the ABDG as final and binding, and waives any right to challenge those decisions through legal action.

8. **Decision.** The ABDG shall render its decision with respect to an application within 15 business days after the receipt of a complete application. The decision of the ABDG can be in the form of an approval, a conditional approval, or denial and shall be in writing. A copy shall be mailed to the applying Lot owner and to the Association's Board of Directors.

9. **Non-Liability.** Neither the ABDG nor any member thereof, nor the Developer nor any member, officer, employee, agent, successor, or assign thereof, shall be liable to the Association, any Lot owner, or any other person for any loss, damage, or injury arising out of or connected with the ABDG members' performance of their duties and responsibilities by reason of a mistake in judgement, negligence, or nonfeasance arising out of or in connection with the approval. disapproval, or failure to approve an application. The aforementioned parties will not make decisions on and assume no responsibility for the following:

(a) The structural capacity, safety features, or building code compliance of any dwelling or other improvement

(b) Whether the proposed location of a dwelling or other improvement is free from possible geologic or natural hazards or other possible hazards caused by conditions occurring either on or off the subject property.

(c) The internal operation or functional integrity of any dwelling or other improvement.

(d) Conformity with or violation of any City of Laurel zoning ordinance or any applicable building code.

Every person who submits an application to the ARBG, by submission of such an application, and every Lot owner by acceptance of a deed to any Lot agrees not to bring any action or suit against the Association, its Board, members of the ARBG, or the Developer or its members, officers, employees, agents, successors, or assigns to recover damages resulting from the architectural review process set forth herein.

The decisions of the ABDG and the requirement to obtain approval of the ABDG may be enforced by the Association or by any Lot owner by bringing an action for specific perfo1mance or for an injunction, prohibitory or mandatory. Such actions shall be timely if brought within four months after it becomes apparent that any Lot owner has not obtained the required approval or has deviated from the approved Plans, whichever occurs later. In any such action, the prevailing patty shall be entitled to recover from the losing party all costs and attorney fees incurred.

V. MAINTENANCE AND REPAIRS

10. A stormwater pond shall be required to treat stormwater runoff from the subdivision and will be located on a dedicated Utility Lot. The cost of maintaining said stormwater facilities and the lot shall be paid by the Cherry Hill Subdivision - 4th Filing Owners' Association, Inc.

11. Each Lot and the exterior appearance of improvements which are part of the Lot shall be maintained in a clean, neat, and orderly condition at all times.

    (a) **General Maintenance.** Each Lot Owner shall maintain both the exterior of all improvements on the Owner's Lot, including buildings, fences, and the landscaping in good repair. Owners shall keep the buildings painted or stained, lawns cut, shrubbery trimmed, rubbish and debris removed, and shall otherwise maintain the same in a neat and aesthetically pleasing condition. All damage to any exterior part of a building or other improvement shall be repaired as promptly as is reasonably possible.

    (b) All costs of repairs, construction, and maintenance pertaining to each Lot, dwelling, and all other accessory buildings upon the Lot shall be at the Owner's expense.

    (c) All noxious weeds listed on the latest Yellowstone County noxious weed list must be controlled on all Lots in the Cherry Hill Subdivision - 4th Filing. All costs for noxious weed control shall be paid by the Lot Owners of record.

IV. RIGHT TO ENFORCE

The restrictions herein set forth shall run with the land and bind the present Owners, their heirs, devisees, trustees, and assigns; and to any and all parties claiming by, through, or under them shall be taken to hold, agree and covenant with the Owners of said Lots, their heirs, devisees, trustees, and assigns, and with each of the Owners of said Lots, to conform with and observe said Covenants and Restrictions. No restrictions herein set forth shall be personally binding upon any business entity or person except in respect to breaches committed during the entity's or person's ownership of or interest in said Lot.

In addition to an action for damages, the Owner(s) of any Lot and Developer shall have the right to sue for and obtain an injunction, prohibitive or mandatory, to prevent the breach or enforce the observance of the Covenants and Restrictions set forth above or hereafter imposed. The failure of any Owner to enforce these Covenants and Restrictions at the time of any violation thereof shall not be construed as a waiver of the right to do so. When the initial sale of all Lots is completed, Developer's right to enforce these Covenants and Restrictions is terminated.

Invalidation of any one of these covenants or restrictions by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

The losing party in any action, lawsuit. or arbitration proceeding brought to enforce this Declaration shall be obligated to pay the reasonable attorney fees incurred by the prevailing party, together with costs incurred in the action, lawsuit, or arbitration proceeding. Costs and attorney fees shall be a lien on the property of the violating Owner and may be foreclosed in the same manner as the lien for common expenses.

IV.AMENDMENT

Any provision herein may be amended or revoked, and additional provisions added at any time by a written instrument recorded in the office of the Clerk and Recorder of Yellowstone County, Montana, duly signed and acknowledged by the Owners of record of not less than 75% of the Lots subject to this Declaration. Notwithstanding the foregoing, as long as Developer owns any Lot in the Property, Developer's consent shall be required before these Covenants and Restrictions may be altered or amended. Developer's consent shall be considered in the calculation and determination of the said 75% minimum consent requirement.

IN WITNESS WHEREOF, Declarant has hereunto set its hand as of this _____ day of _____, 20____.

DECLARANT:

Western Holdings Company, LLC

_____

By: _____

Its: _____

STATE OF MONTANA)
: ss
County of Yellowstone)

On this _____ day of _____, 20____, before me, a Notary Public for the State of Montana, personally appeared_____ (name) , known to me to be the person whose name is subscribed to the above instrument and acknowledged to me that they he/she is the _____ (capacity) of Western Holdings Company, LLC and executed the same.

_____

Notary Public for the State of _____

Printed Name _____

Affix seal to the left

SECTION 8

DRAFT BYLAWS

RETURN AFTER RECORDING:
Western Holdings Company, LLC
PO Box 51330
Billings, MT 59105

DRAFT

BYLAWS FOR
CHERRY HILL SUBDIVISION – 4th FILING OWNERS' ASSOCIATION, INC.

1. PURPOSE AND APPLICATION

These Bylaws are and shall be the Bylaws for the Cherry Hill Subdivision – 4th Filing Owners' Association Owners' Association, Inc.

These Bylaws shall govern and control the administration of the Cherry Hill Subdivision – 4th Filing Owners' Association, Inc. ("Association"). All Members in the Association, their guests, invitees, lessees and/or sublessees present and future shall be subject to the provisions of these Bylaws along with the provisions of the Declaration of Protective Covenants, Conditions and Restrictions for Cherry Hill Subdivision – 4th Filing Owners' Association ("Covenants"), incorporated in its entirety by reference herein.

The acquisition of an ownership interest in a Lot in the Cherry Hill Subdivision – 4th Filing ("Subdivision") signifies that the Owner ("Owner") accepts, ratifies and agrees to comply with these Bylaws.

2. MEMBERSHIP

Persons owning a Lot in the Subdivision ("Lot") or owning a Lot in the Subdivision in any real estate tenancy relationship recognized by the State of Montana, including, but not limited to, contract purchasers, shall be Members of the Association ("Member"). The legal title retained by the Seller under a contract for deed shall not qualify such Seller as a Member. In the event of ownership by more than one person or entity, the Owners shall designate one person or

entity to be the agent for receiving notices hereunder, and for the purpose of voting. Each Owner shall be responsible for advising the Association, in writing, of their current address and the person designated to vote.

Membership in the Association begins concurrently with the acquisition of an ownership interest in a Lot and terminates at the time such ownership interest is terminated, but such termination shall not relieve any Owner of liability for obligations incurred while a Member of the Association. No Member shall be expelled, nor shall any Member be permitted to withdraw or resign while possessing an ownership interest in a Lot. Membership in the Association does not, in any way, negate or impair any Member's legal remedies, right to bring legal action, or defenses to any and all actions involving the Association, or the Management which may arise from or be incident to ownership.

3. OBLIGATIONS

Each Member shall be obligated to comply with these Bylaws, the Covenants, and the laws of the City of Laurel, County of Yellowstone, and State of Montana. Such obligation shall include, but not be limited to, the paying of assessments to the Association. Failure of any Member to abide by these Bylaws and all rules made pursuant thereto, the Covenants, and the laws of the City of Laure, County of Yellowstone, and the State of Montana, shall be grounds for appropriate legal action by the Association or by an aggrieved Member against such non-complying Member.

4. MEETINGS AND VOTING

A. Regular Meetings: There shall be a regular meeting of the Association annually on such date as determined by the Board of Directors of the Association ("Board") and properly announced by the Board. Any first lienholder shall have the right to have a representative attend any regular meeting and shall be given notice thereof, provided that such lienholder requests notice to be given. The first meeting of the Association shall take place not more than one year following the date of signing these Bylaws, if not sooner held.

B. Special Meetings: Pursuant to these Bylaws, the Association may, at any time, hold special meetings, notice of which must be sent to first lienholders who so request notice, who shall have the right to have a representative attend. Such special meetings may be called on the initiative of the President of the Association, or a signed request of the Manager, or a petition signed by 25% of the total votes of the Members of the Association. Notice of any special meetings must specify the reason for such meeting and the matters to be raised. Only matters set forth in the petition or request may be brought before such meeting, unless 75% of the aggregate votes present agree otherwise.

C. Notice: Written or printed stating the place, day, and hour of the meeting, and, in case of a special meeting, the purpose or purposes for which the meeting is called shall be delivered personally, by mail or electronically. Said notices shall be personally delivered, mailed or

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delivered electronically to each Member of record entitled to vote at such meeting at least ten (10) days prior to the date of the meeting and not more than sixty (60) days prior to the date of the meeting. Such notices shall make provision to allow for the voting of each Member's interest by proxy at the discretion of the Member. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail, addressed to the Member at his, her or its address as it appears on the books of the Association, with postage thereon prepaid. If delivered electronically, such notice shall be deemed to be delivered upon the Association's transmittal of the electronic communication to the Member at the authenticated electronic identification designated by the Member for such communications. The Members shall have the responsibility of keeping the Association notified of their current mailing and electronic mail addresses. In the absence of such notice, the Member's address shall be the address of record with the Yellowstone County Assessor's Office.

D. Quorum: No Association meeting, regular or special shall be convened to conduct business unless a quorum of Members is present in person or by proxy. A quorum shall consist of at least fifty percent (50%) of the total votes of the Members. At any time, during any meeting that a quorum is not present, such meeting shall be adjourned forthwith; provided, however, that in the event a quorum cannot be established for a properly notice meeting, then the Board may postpone the meeting to a date no more than thirty (30) days later. In the event that the meeting is postponed in accordance with the preceding sentence, a quorum for the second meeting shall consist of at least forty percent (40%) of the total votes of the Members.

E. Directors Meeting: The Board of Directors shall have an annual meeting to elect officers and to take care of such annual business as preparing a budget and other matters. The President or a majority of the Board may call a special meeting of the Board at any time upon seven days written or printed notice. Notice of any meeting may be waived in writing. The Board of Directors shall act by a majority vote.

F. Telephonic Participation: So long as the Association has 50 or fewer Members, Members may participate in a meeting of the Members by means of a conference telephone call or similar communications equipment through which all persons participating in the meeting can hear each other at the same time. Participation in this manner constitutes presence in person at a meeting.

5. VOTING INTEREST; PROXY

An Owner shall have one (1) vote for each Lot owned in the Subdivision. Multiple Owners of a Lot will collectively have only one vote, and shall decide amongst themselves how to vote. If more than one Lot is owned within the Subdivision, the Owner or Owners thereof would have one vote for each separate Lot. In no event shall more than one vote be cast with respect to any Lot. Pursuant to the Covenants, voting privileges may be suspended by the Board for failure to pay assessments when due. Whenever a quorum is present at a meeting of the Association, those present may do any and all acts they are empowered to do unless specific provision of these Bylaws, the Covenants, or the laws of the State of Montana direct otherwise.

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At all meetings of Members, each Member may vote in person or by proxy. All proxies shall be in writing and filed with the Secretary of the Association before the appointed time of each meeting. Every proxy shall be revocable and shall automatically cease upon conveyance by the Member of the Member's Lot, or upon receipt of written notice by the secretary of the Association of the death or judicially declared incompetence of a Member, or upon the expiration of eleven (11) months from the date of the proxy. The proxy shall identify the person or persons authorized to exercise the proxy and the length of time it will be valid. If the Member specifies a choice of his or her proxy, the vote shall be cast in accordance with that choice. In addition, voting by proxy shall comply with any other applicable requirements of the Montana Code Annotated § 35-2-539.

6. BOARD OF DIRECTORS

The governance of the Subdivision shall be by a Board of Directors. Such Board shall have all powers and responsibilities attendant to the general administration and control of the Subdivision. Additionally, the Board shall have the authority necessary to carry into effect the powers and duties specified by these Bylaws. The Association shall have no less than three (3) directors ("Directors") who shall constitute the Board of Directors as the governing body of the Association. The number of Directors may be increased or decreased, but not to fewer than three (3) Directors, from time to time, as determined by the Members of the Association.

Upon the expiration of the term of the Initial Directors (hereinafter defined), the election of the Board shall be conducted at the annual meeting of the Association with three (3) Directors being elected from among the Members, with two (2) Directors elected to terms of two (2) years, and one (1) Director elected to a one (1) year term. Unless otherwise provided herein, a Director must be a Member in good standing. At such election, the Members or their proxies may cast their vote(s) for each vacancy. The persons receiving the largest number of votes shall be elected. There shall be no cumulative voting. Voting for Directors or their removal may be by secret written ballot. After the expiration of the term of the Initial Directors, any vacancy in the Board shall be filled by the remaining Board at a duly held meeting or by the sole remaining director; provided, however, a vacancy created by the removal of a director by the Members can only be filled by election by the Members. A successor Director shall serve for the unexpired term of his or her predecessor.

The initial Directors shall be appointed by the Declarant and need not be Members (the "Initial Directors"). Each Initial Director shall serve until the earlier of the time when (1) Declarant no longer owns any Lots in the Subdivision or (ii) Declarant voluntarily relinquishes its rights to appoint Initial Directors. Until the earlier of the time when (i) Declarant no longer owns any Lots in the Subdivision or (ii) Declarant voluntarily relinquishes its rights to appoint Initial Directors, the Declarant, in its sole and absolute discretion, shall be entitled to fill by appointment any vacancy in the Initial Directors or to remove any Initial Director. Notwithstanding any other provision of these Bylaws to the contrary, the Members shall have no power to remove the Initial Directors nor to appoint any additional or successor Director until the

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earlier of the time when (i) Declarant no longer owns any Lots in the Subdivision or (ii) Declarant voluntarily relinquishes its rights to appoint Initial Directors.

The Association shall indemnify any present or former Director or officer of the Association to the fullest extent authorized under Montana Code Annotated §§ 35-2-447 and 352-452, or any successor statutes.

7. OFFICERS OF THE BOARD OF DIRECTORS

The officers of the Association shall be a President, Secretary and Treasurer, each of whom shall be appointed by the Board. Such other officers and assistant officers as may be deemed necessary may be appointed by the Board. Each officer shall hold office until the earlier of the officer's successor being duly appointed, or his death, resignation or removal. Any officer or agent appointed by the Board may be removed by the Board whenever in their judgment the best interests of the Association would be served thereby. Any officer may resign at any time by giving written notice to the Board. Such resignation shall take effect at the date of receipt of such notice or at any later time specified therein, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective. A vacancy in any office may be filled by the Board. The officer appointed to such vacancy shall serve the remainder of the term of the officer he or she replaces.

A. President: The President shall be the principal executive officer of the Association, and, subject to the control of the Board, shall in general supervise and control all the business and affairs of the Association, including the filing of liens for unpaid assessments in accordance with the Covenants and the enforcement activities of the Association. The President, when present, shall preside at all meetings of the Association and meetings of the Board. The President may sign, with the Secretary or any other proper officer of the Association authorized by the Board, any deeds, mortgages, bonds, contracts, or other instruments which the Board has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board or by the Covenants to some other officer or agent of the Association, or shall be required by law to be otherwise signed or executed, and in general shall perform all duties incident to the office of President and such other duties as may be prescribed by the Board from time to time.

B. Secretary: The Secretary shall keep the minutes of the Board meetings in one or more books provided for that purpose, see that all notices are duly given in accordance with the provisions of the Covenants and these Bylaws, be custodian of the Association records, regulations, rules and resolutions and keep a register or the post office address of each Director which shall be furnished to the Secretary by each Director, and in general perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned to him or her by the Board or by the Association.

C. Treasurer: The Treasurer shall be responsible for the funds of the Association and shall be responsible for keeping and having kept full and accurate financial records and books

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of account showing all receipts and disbursements of the Association and any other financial data required by the Board. He or she shall be responsible for the deposit of all funds in the name of the Association in such depositories as may be designated by the Board from time to time. The Treasurer shall be responsible for the collection of periodic assessments to be collected. Further, the Treasurer shall record the assessments due and paid and shall prepare quarterly reports reflecting the Association's assets, including the assessments due and paid and shall mail or otherwise provide a copy of the quarterly reports to each Director. In general, the Treasurer shall perform all of the duties incident to the office of Treasurer and such other duties as from time to time may be assigned to him or her by the Board or by the Association. The Board may delegate such of the Treasurer's powers and duties to a manager as it deems advisable.

8. POWERS AND DUTIES OF THE BOARD OF DIRECTORS

The Board of Directors shall have the following powers and duties:

A. To call annual meetings of the Association and give due notice thereof.

B. To conduct elections of the Board.

C. To enforce the provisions of the Articles of Incorporation, the Bylaws, and the Covenants of the Subdivision by appropriate action.

D. To promulgate and adopt rules and regulations for the use of the Utility Lot and for the occupancy of the Lots so as to not interfere with the peace and quiet of all the Members. Such rules must be approved by fifty-one percent (51%) of the total votes of the Members, voting in person or by proxy, at any regular or special meeting of the Association.

E. The Board may provide for the management of the Subdivision by hiring or contracting with suitable and capable management personnel ("Manager") for the day-today operation, maintenance, upkeep and repair of the Subdivision and its' facilities, open space, and utilities.

F. To levy assessments as allowed by the Covenants, these Bylaws, and the State of Montana, and to provide for the collection, expenditure, and accounting of said assessments.

G. To collect the assessments for the Association for the operation, maintenance, repair, utilities and insurance related to the Utility Lot within the Subdivision.

H. To pay for the expenses of the operation, maintenance, improvement, repair, and insurance related to easements, common areas, Utility Lot, mail boxes, community signs

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or identification, and community boulevard trees and landscaping within the Subdivision, general maintenance, management and administration of common areas, Utility Lot, and, taxes for open space, and weed control in the Utility Lot or common areas, and for any other purposes, expressed or implied, in the Covenants and to approve payment vouchers, either at regular or special meetings.

I. To delegate authority to the Manager for the conduct of Subdivision business, to carry out the duties and powers of the Board; however, such authority shall be precisely defined with ultimate authority at all times residing in the Board of Directors.

J. To provide a means of hearing grievances and foreclosure proceedings of Members and to observe all due process requirements imposed upon the Association and non-profit corporations.

K. To meet at regularly scheduled times and hold such meetings open to all Members or said Member's representative.

L. To prepare an annual budget for the Subdivision in order to determine the amount of the assessments payable by Members, to meet the expenses, and to allocate and assess such charges among the Members for their pro-rata share of the budget each year, and to submit such budget to the Members on or before the date of the annual meeting.

M. To levy and collect special assessments whenever, in the opinion of the Board, it is necessary to do so in order to meet increases in expenses or costs related to the operation, maintenance, and repair of the Subdivision, or related to additional capital expenses or emergencies expenses.

N. To file liens and to foreclose liens and to otherwise take appropriate legal action to collect any delinquent assessments, payments of amounts due from Members or from any person or persons owing money to the Subdivision, and to levy a penalty and to charge interest up to the legal rate on unpaid amounts due and owing.

O. To defend in the name of the Association any and all lawsuits wherein the the Subdivision is a party defendant.

P. To enter into contracts with third parties to carry out the duties set forth, for and on behalf of the Board and the Association.

Q. To establish a bank account for the Subdivision and to keep therein all funds of the Association. Withdrawal of monies from such accounts shall only be by checks signed by such persons as are authorized by the Board of Directors.

R. In general, to act for and carry on the administration and affairs of the Association as authorized and prescribed by the Covenants and to do all those things which are

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necessary and reasonable in order to carry out the governance and operation of the Subdivision.

S. To arrange, keep, maintain, and renew adequate liability insurance for the Association and the Board.

T. To carry out the duties and responsibilities of the Board in all other matters as may be authorized, needed or required by the Covenants.

U. To allow first lienholders to inspect Association and Board records upon proper notice and during reasonable business hours.

V. To serve as the Design Review Committee of the Association or to appoint Members to such Committee and to carry out the duties thereof as described in the Covenants.

9. VACANCIES AND REMOVAL

After the expiration of the term of the Initial Directors, any vacancy in the Board shall be filled by the remaining Board at a duly held meeting or by the sole remaining director; provided, however, a vacancy created by the removal of a Director by the Members by a majority vote can only be filled by election by the Members. A successor Director shall serve for the unexpired term of his or her predecessor. Voting for Directors or their removal may be by secret written ballot.

10. COMPENSATION

No member of the Board of Directors shall receive any compensation for acting as such, except to be reimbursed for approved expenses incurred in attending Board meetings or carrying out Board functions. Nothing herein however, shall be construed to preclude compensation being paid to any Manager who is hired by the Board.

11. LIABILITY OF MEMBERS OF BOARD OF DIRECTORS

No Member of the Board shall be liable to the Association or any of the Members or any third party for harm, injury, loss or damage suffered because of any action taken or omitted to be taken by any Board of Director serving as a Director in good faith if the Board of Director:

A. exercised and used the same degree of care and skill as a prudent man or woman would have exercised or used under the circumstances in the conduct of his own affairs; or

B. took or did not take action in reliance upon advise of counsel or upon statements or information of other Members, the Manager or employees of the Association which he or she has reasonable grounds to believe.

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12. MANAGEMENT AND BUDGET

A Manager may be appointed and/or removed by the Board of Directors. The Manager or any Member of the Board or Association handling Association funds or having power to withdraw or spend such funds shall be bonded, and shall have maintained records of the financial affairs of the Subdivision. Such records shall also detail all assessments made by the Association and the status of payments of said assessments by all Members. All records shall be available for examination during normal business hours by any Member or the Member's representative. All functions and duties herein provided for the Manager may be performed by the Board, or the President, if the Board should decide not to have a Manager.

A. The receipts and expenditures of the Association shall be under the direction of the Board or the Manager and shall include a provision for:

1. Current Expenses: Which shall include all receipts and expenditures to be made within the year for which the budget is made, including a reasonable allowance for contingencies and working funds, except expenditures chargeable to reserve or to betterments. The balance in this fund at the end of each year shall be applied to reduce the assessments for current expenses for the succeeding year.

2. Reserve for Deferred Maintenance: Which shall include funds for maintenance and items which occur less frequently than annually.

3. Reserve for Replacement: Which shall include funds for repair or replacement required because of damage, depreciation or obsolescence.

4. Betterments: Which shall include the funds to be used for capital expenditures for additional improvements or additional personal property which shall be a part of the common elements of Subdivision.

B. The Manager, if any, shall prepare and submit to the Board a budget, or the Board must prepare the budget each calendar year. The budget shall include the estimated funds required to carry out the functions of the Association, including a reserve for contingencies, to pay for services and materials furnished to the Association, and to provide and maintain funds for the foregoing accounts according to good accounting practices.

Copies of the budget and proposed assessments shall be transmitted to each Member on or before the date of the annual meeting of the Association preceding the year for which the budget is made. If the budget is subsequently amended, a copy of the amended budget shall be furnished to each Member. The budget shall be amended if necessary and approved by a majority of the total votes of the Members voting in person or by proxy at the annual meeting.

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C. A financial report of the accounts of the Association shall be made annually by an accountant, and a copy of the report shall be furnished to each Member at the annual meeting.

The Board or the Manager shall generally operate and manage the Subdivision for and on behalf of the Members and shall have such other powers and authority as the Members may designate. If there is no Manager or if the Manager resigns, is terminated or the Manager's contract expires and a successor is not chosen, the Board shall perform all the duties of the Manager until a Manager shall be replaced.

13. AMENDMENT OF BYLAWS

These Bylaws may be amended at any regular or special meeting of the Association providing that a copy of the proposed amendment is included in the notice of such meeting. Upon a vote of seventy-five (75%) of the votes of Members present and voting in person or by proxy at such meeting, based on one vote per Lot, the amendment shall be declared adopted. The Bylaws may also be amended by the execution and acknowledgment of such amendment by seventy-five (75%) of the total votes, based on one vote per Lot.

The Secretary shall as soon as practicable after adoption, prepare a copy of these Bylaws as amended for certification by the President and Secretary of the Association and recording with the Office of the Clerk and Recorder of Yellowstone County. Bylaws as amended shall become effective at the time of recording, and a copy shall be mailed or delivered to each Member.

14. ASSESSMENTS

The Association, acting through the Board of Directors, shall have the power to levy assessments on its Members for capital and operating expenses. The assessments levied by the Association shall be used exclusively to promote health, safety and welfare of the residents of the Subdivision, including, but not limited to, the maintenance of the common areas, open space, utility lines, and common area landscaping, property liability insurance, Association employees' wages, mailing costs and other related expenses incurred on behalf of the Association as further described hereafter. In addition, assessments may be levied for any necessary capital improvements. Notice of each Member's assessments shall be mailed to said Member at the Member's address of record. The assessments shall be levied consistent with the Covenants.

15. NOTICE OF DEFAULT TO LIENHOLDERS

A first lienholder, upon request, will be entitled to written notification from the Association of any default in the performance by an individual Member borrower of any obligation under the Covenants or these Bylaws that is not cured within sixty (60) days.

16. FISCAL YEAR

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The fiscal year of the Association shall commence on January 1 of each year and end on December 31 of each year, unless changed by the Board of Directors.

17. DUE PROCESS BY THE ASSOCIATION

In the event there shall be a default, except in the payment of assessments, by a Member or a violation of any of the provisions of the Covenants or these Bylaws, or non-compliance, notice of the same shall be sent to the Member in writing by the Board of Directors setting forth the nature of the violation or non-compliance and providing for a time certain when the Member shall be confronted by the Board to respond. At such hearing the Member shall be confronted by the person or persons bringing the charges if they are individuals other than the Board of Directors; the Member shall have an opportunity to cross-examine such individuals and present his or her own witnesses, exhibits or testimony in his or her own behalf. At such hearing, if the Member desires, he or she may request an impartial hearing examiner to be present and conduct the proceedings. Following such a hearing, the Board shall enter its findings of fact following the recommendations of any examiner, if any, and setting forth its decision and any actions it deems appropriate if it finds in fact that a violation or default has occurred.

18. MISCELLANEOUS

A. Costs and Attorney's Fees: In any proceeding arising because of an alleged default by a Member, the prevailing party shall be entitled to recover the costs of the proceedings and such reasonable attorney's fees as may be determined by the Court.

B. No Waiver of Rights: The failure of the Association or of a Member to enforce any right, provision, covenant or condition which may be granted by the Subdivision documents, including, but not limited to, the Covenants and these Bylaw, shall not constitute a waiver of the right of the Association or Member to enforce such right, provision, covenant or condition in the future.

C. Election of Remedies: All rights, remedies and privileges granted to the Association or a Member pursuant to any term, provision, covenant or condition of the Subdivision documents, including, but not limited to, the Covenants and these Bylaw shall be deemed cumulative and the exercise of any one or more shall not be deemed to constitute an election of remedies nor shall it preclude the party thus exercising the same from exercising such other and additional rights, remedies or privileges as may be granted to such other party by the subdivision documents, or at law or in equity.

D. Surplus: Any surplus of the common expense payment by the Members over the actual expenses (including the reserve for contingencies and replacements) during a fiscal year of the Association shall be applied toward the common expenses for the following year, or shall be applied in any other manner which shall benefit the Association and which, on the basis of the United States Federal Income Tax Law, regulations and interpretations existing from time to time, in the sole discretion of the Board, is most likely to avoid taxation of such surplus.

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E. Parliamentary Rules: Roberts Rules of Order (latest edition) shall govern the conduct of the Association's meetings when not in conflict with the Articles of Incorporation, the Covenants, or these Bylaws.

F. Invalidity: The invalidity of any part of these Bylaws shall not impair of affect in any manner the validity, enforceability or effect of the balance hereof, nor shall it affect the validity, enforceability, or effect of the Covenants.

19. THE COVENANTS

The Declarant has recorded the Declaration of Covenants, Conditions and Restrictions of the Cherry Hill Subdivision – 4th Filing. These Covenants shall govern the acts, powers, duties and responsibilities of the Association and in the event these Bylaws and Covenants are in conflict, the Covenants shall prevail.

The definition of terms set forth in the Covenants shall be applicable throughout these Bylaws and the interpretation thereof.

By virtue of these Bylaws and the Covenants, each Owner has the right to membership in the Association and any Owner is eligible to be elected to the Board of Directors of the Association.

The Association and its Board of Directors shall have the primary and final authority on all matters solely affecting the Subdivision area, subject to the laws, rules and regulations of the County of Yellowstone, and the State of Montana.

IN WITNESS WHEREOF, _____, authorized representatives of, the owner of record of Cherry Hill Subdivision – 4th Filing and having a majority of the voting interest of the said Subdivision as of the date hereof, hereby appoints the following persons to serve on the initial Board of Directors until the first meeting of the Association, to-wit:

President: _____

Secretary: _____

Treasurer: _____

and the undersigned record owner and the said Board hereby certify, declare and affirm the adoption of the foregoing Bylaws on the _____ day of _____, 2025.

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DECLARANT:

WESTERN HOLDINGS COMPANY, LLC

BY:_____

ITS:_____

STATE OF MONTANA)
: ss
County of Yellowstone)

On this _____ day of _____, 20____, before me, a Notary Public for the State of Montana, personally appeared_____ (name) , known to me to be the person whose name is subscribed to the above instrument and acknowledged to me that they he/she is the _____ (capacity) of Western Holdings Company, LLC and executed the same.

_____

Notary Public for the State of _____

Printed Name _____

Affix seal to the left

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SECTION 9

DRAFT ARTICLES OF INCORPORATION

(SEAL) STATE OF MONTANA

Montana Secretary of State
Filed:_____
BID: _____

Articles of Incorporation

Cherry Hill Subdivision – 4th Filing Owner's Association, Inc

General Details

Handling Option	_____
Delayed Effective Date	
Corporate Type	Mutual Benefit Corporation with members
Business Entity Name	Cherry Hill Subdivision – 4th Filing Owner's Association, Inc.

Registered Agent in Montana

Name	_____
Street Address	_____
Mailing Address	_____
Registered Agent	_____

The appointment of the registered agent listed above is an affirmation by the represented entity that the agent has consented to serve as a registered agent.

_____

Business Mailing Address of Principal Office

Postal Address	PO Box 51330 Billings, MT 59105
Term	Perpetual
Purpose	Property Homeowner's Association
This Nonprofit Corporation	a) Is not applying through the IRS for 501©(3)

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	Status and upon dissolution, the assets shall be distributed in the following manner:
Manner of asset distribution On dissolution	Upon the dissolution of the Corporation, the Board of Directors shall use the assets to pay all expenses of the Corporation and any remaining assets shall be distributed to the members of the Corporation as tenants in common.

Incorporators

Registered Business Entity	
Entity Name	Western Holdings Company, LLC
Business Identifier	_____
Status	Active
Business Mailing Address	PO Box 51330 Billings, MT 59105, United States

Signature

I have been authorized by the business entity to file this document online.

_____

I, HEREBY SWEAR AND/OR AFFIRM, under penalty of law, including criminal prosecution, that the facts contained in this document are true. I certify that I am signing this document as the person(s) whose signature is required, or as an agent of the person(s) whose signature is required, who has authorized me to place his/her signature on this document.

_____

Daytime Contact

Phone	_____
Email	_____

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SECTION 10

PRELIMINARY PLAT

PRELIMINARY PLAT

CHERRY HILL SUBDIVISION - 4th FILING

TRACT 1A OF CERTIFICATE OF SURVEY No. 3034,
SITUATED IN THE N1/2 OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 24 EAST,
PRINCIPAL MERIDIAN, YELLOWSTONE COUNTY, MONTANA.

ZONING
CITY OF LAUREL
RESIDENTIAL - 7500

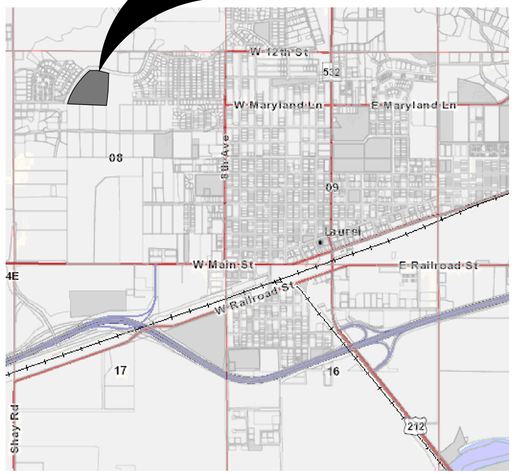
OWNER
WESTERN HOLDINGS COMPANY, LLC
3329 McMASTERS RD.
BILLINGS, MT 59101

SUBDIVIDER
WESTERN HOLDINGS COMPANY, LLC
3329 McMASTERS RD.
BILLINGS, MT 59101

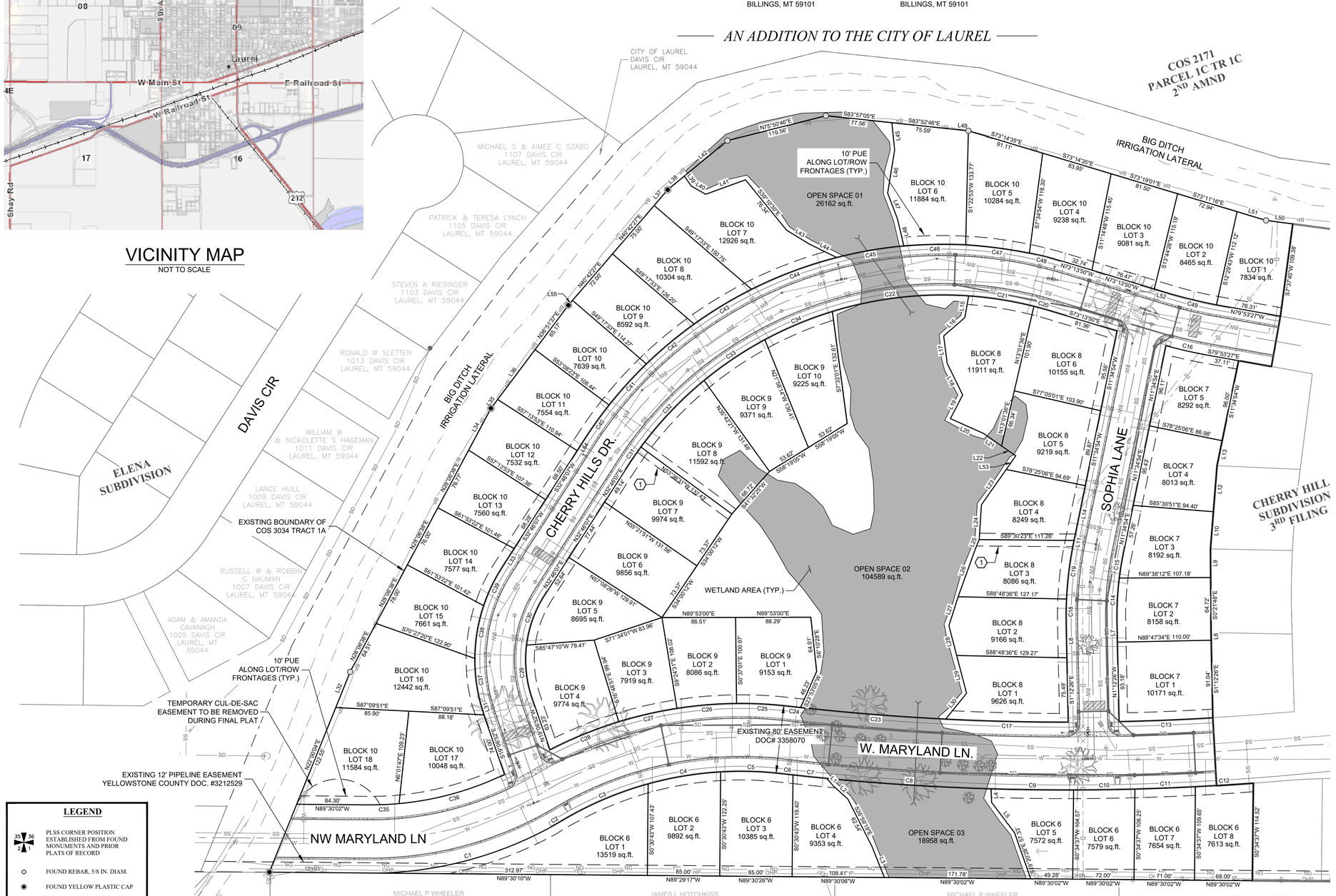
PURPOSE
TO CREATE A SUBDIVISION FOR RESIDENTIAL USE

AN ADDITION TO THE CITY OF LAUREL

PROJECT AREA



VICINITY MAP
NOT TO SCALE



LEGEND

- PLSS CORNER POSITION ESTABLISHED FROM FOUND MONUMENTS AND PRIOR PLATS OF RECORD
- FOUND REBAR, 5/8 IN. DIAM.
- FOUND YELLOW PLASTIC CAP
- PROPERTY CORNER; SET REBAR, 5/8 IN. DIAM. WITH 2" ALUMINUM CAP MARKED 13108 LS
- SET REBAR, 5/8 IN. DIAM. WITH 2" ALUMINUM CAP MARKED 13108 LS; PC-PT CURVE POINT ON RIGHT-OF-WAY.
- PROPOSED SEWER MAIN
- PROPOSED WATER MAIN
- PROPOSED STORM MAIN

AREA SUMMARY

LOT AREAS:	10.21 ACRES
OPEN SPACE & PARKLAND:	3.44 ACRES
PROPOSED RIGHTS-OF-WAY:	4.42 ACRES
TOTAL AREA:	18.07 ACRES

SITE DATA

PROPOSED LOTS = 48
MIN. LOT AREA = 7,532.39 SQ.FT.
MAX. LOT AREA = 13,518.85 SQ.FT.
EXISTING ZONING = RESIDENTIAL
PROPOSED ZONING = RESIDENTIAL 7500
EXISTING LAND USE = AGRICULTURAL
PROPOSED LAND USE = RESIDENTIAL 7500

ROAD LENGTH SUMMARY

CHERRY HILLS DR:	1,313.74 LF
W. MARYLAND LN:	807.38 LF
NW. MARYLAND LN:	309.17 LF
SOPHIA LANE:	526.31 LF
TOTAL LENGTH:	2,956.60 LF

LOT SETBACKS PER R-7500 ZONING

FRONT: 20.0'
REAR: 5.0'
SIDE: 5.0'

60 0 30 60
(IN FEET)

BASIS OF BEARINGS

Bearings for this plat are grid, derived from GPS observations with survey-grade receivers and referenced to the Montana coordinate system, single zone, NAD83.

ENGINEER: MORRISON-MAIERLE INC.
SURVEYOR: MORRISON-MAIERLE INC.

PARCEL CURVE DATA			
SEGMENT	LENGTH	RADIUS	DELTA
C1	209.22	444.83	026°56'55"
C2	15.41	440.00	002°00'25"
C3	109.52	410.01	015°18'19"
C4	86.44	410.01	012°04'48"
C5	70.94	410.00	009°54'48"
C6	14.24	2940.00	000°16'39"
C7	40.18	2940.00	000°46'59"
C8	193.00	2940.00	003°45'41"
C9	96.91	2940.00	001°53'19"
C10	72.02	2940.00	001°24'13"
C11	71.09	2940.00	001°23'07"
C12	68.18	2940.00	001°19'44"
C13	110.03	2860.00	002°12'15"
C14	52.96	370.00	008°12'04"
C15	29.63	369.99	004°35'17"
C16	49.92	530.00	005°23'47"
C17	143.74	2860.00	002°52'46"
C18	29.50	430.00	003°55'51"
C19	66.48	429.49	008°52'07"
C20	20.32	440.00	002°38'44"
C21	77.65	440.00	010°06'39"
C22	161.93	440.00	021°05'08"
C23	170.88	2860.00	003°25'24"
C24	14.14	2860.05	000°17'00"
C25	61.44	490.00	007°11'03"
C26	70.24	490.00	008°12'48"
C27	70.22	502.73	008°00'11"

PARCEL CURVE DATA			
SEGMENT	LENGTH	RADIUS	DELTA
C28	87.30	498.16	010°02'28"
C29	63.92	140.00	026°09'32"
C30	62.86	140.00	025°43'27"
C31	28.31	440.00	003°41'13"
C32	107.97	440.00	014°03'33"
C33	86.06	440.00	011°12'23"
C34	86.06	440.00	011°12'23"
C35	35.99	360.00	005°43'40"
C36	129.15	360.00	020°33'17"
C37	52.32	200.00	014°59'21"
C38	63.25	200.00	018°07'10"
C39	49.63	200.00	014°13'07"
C40	49.58	500.00	005°40'54"
C41	65.33	500.00	007°29'10"
C42	73.05	500.00	008°22'14"
C43	79.00	500.00	009°03'09"
C44	106.79	500.00	012°14'12"
C45	80.27	500.00	009°11'54"
C46	72.69	595.50	006°59'38"
C47	75.55	621.43	006°57'56"
C48	32.01	273.77	006°41'57"
C49	54.62	710.48	004°24'16"

PARCEL LINE DATA		
SEGMENT	LENGTH	DIRECTION
L1	11.34	S40° 17' 26"E
L2	22.90	S48° 00' 24"E
L3	39.34	S21° 51' 17"E
L4	15.70	S2° 21' 36"E
L5	44.72	S37° 01' 54"E
L6	8.96	S1° 12' 26"E
L7	22.47	N1° 12' 26"W
L8	39.54	S1° 12' 26"E
L9	33.60	S0° 21' 48"E
L10	43.80	S4° 29' 09"W
L11	3.00	S11° 31' 25"W
L12	54.21	S4° 29' 09"W
L13	29.97	S11° 34' 54"W
L14	65.70	S11° 34' 54"W
L15	25.75	N9° 54' 48"E
L16	32.91	N49° 04' 33"E
L17	32.53	N7° 20' 41"W
L18	41.21	N26° 08' 05"W
L19	31.37	N27° 21' 45"E
L20	42.33	N65° 53' 27"W
L21	26.04	N55° 21' 17"W
L22	20.28	N55° 21' 17"W
L23	50.58	N35° 00' 09"E
L24	41.07	N3° 44' 01"E
L25	10.85	N22° 31' 52"E
L26	60.73	N19° 49' 45"E
L27	35.66	N17° 34' 30"E
L28	36.15	N14° 36' 08"W

PARCEL LINE DATA		
SEGMENT	LENGTH	DIRECTION
L29	45.86	N14° 36' 08"W
L30	38.83	N38° 56' 24"E
L31	15.17	S16° 43' 37"E
L32	45.18	N21° 56' 21"E
L33	26.63	S32° 46' 07"W
L34	55.56	N28° 06' 38"E
L35	13.15	N36° 51' 37"E
L36	73.24	N36° 51' 37"E
L37	24.38	N40° 42' 27"E
L38	25.26	N50° 28' 13"E
L39	14.35	S35° 03' 13"E
L40	19.40	S60° 18' 49"E
L41	49.78	N70° 01' 52"E
L42	65.68	N50° 32' 30"E
L43	31.20	S58° 35' 00"E
L44	35.63	S63° 50' 14"E
L45	32.28	S5° 44' 39"E
L46	51.36	S9° 11' 12"W
L47	32.65	S20° 49' 00"E
L48	32.17	S13° 10' 38"E
L49	14.74	S83° 58' 40"E
L50	31.83	S82° 23' 29"E
L51	35.35	S73° 11' 16"E
L52	20.70	N73° 13' 50"W
L53	19.65	N35° 00' 09"E
L54	15.81	S32° 46' 07"W
L55	7.51	N40° 42' 27"E

GENERAL NOTES

1. ALL LOT OWNERS WILL BE REQUIRED TO PROVIDE A GEOTECHNICAL EVALUATION REPORT THAT INCLUDES THE INFORMATION REQUIRED IN APPENDIX F, ITEM 6.E, OF THE LAUREL SUBDIVISION REGULATIONS. THE GEOTECHNICAL REPORT SHALL BE PREPARED BY A LICENSED PROFESSIONAL ENGINEER IN MONTANA AND BE INCLUDED IN THE BUILDING PERMIT APPLICATION FROM THE CITY OF LAUREL.

KEY NOTES

(1) 15.0' EMERGENCY ACCESS EASEMENT CENTERED ON LOT LINE.

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1/4 SEC.	SECTION	TOWNSHIP	RANGE
NW NE	8	2S	24E

PRINCIPAL MERIDIAN, MONTANA
YELLOWSTONE COUNTY, **MONTANA**

FIELD WORK: MMI
DRAWN BY: CJF
CHECKED BY: KCK

DATE: 06/2025
SCALE: 1" = 80'
PROJ. #: 6683.001

PLOTTED DATE: Jun/19/2025 PLOTTED BY: cody farley
CLIENT: WESTERN HOLDINGS, LLC SHEET 1 OF 1

DRAWING NAME: N:\6683\001\ACAD\Concept\PreliminaryPlat\6683.001_CherryHills-4thFiling-PPlat.dwg

SECTION 11

ENGINEERING PLANS

AGENCY REVIEW DRAWINGS FOR

CHERRY HILL SUBDIVISION - FOURTH FILING

LAUREL, MONTANA

JUNE 2025

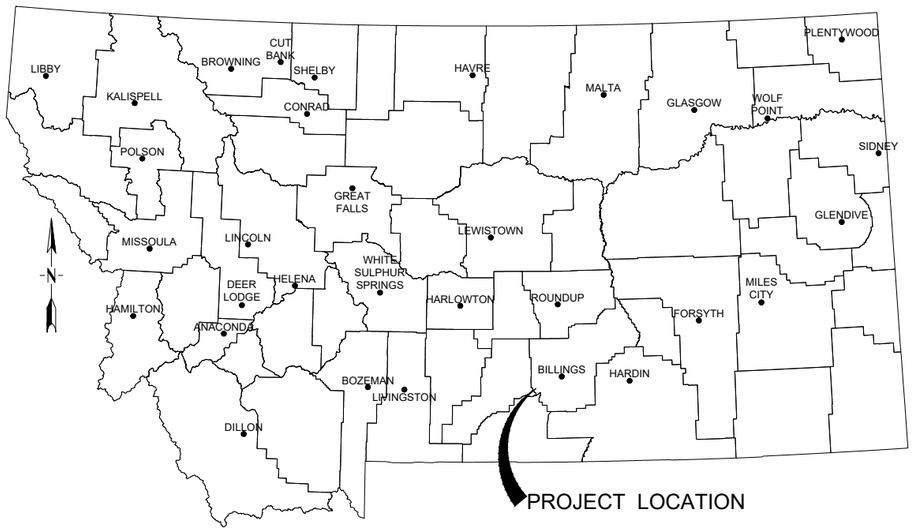
PREPARED BY:

Morrison Maierle

engineers ▪ surveyors ▪ planners ▪ scientists

2880 Technology Boulevard West, Bozeman, MT 59718

406.587.0721 www.m-m.net



LOCATION MAP

NOT TO SCALE

Sheet List Table		
SHT. No.	DWG. No.	TITLE
0		COVER SHEET
1	G-1	GENERAL NOTES
2	C-1	SHEET INDEX
3	R-1	W. MARYLAND LANE ROAD IMPROVEMENTS - STA. 6+25 TO 12+25
4	R-2	W. MARYLAND LANE ROAD IMPROVEMENTS - STA. 12+25 TO 18+00
5	R-3	CHERRY HILLS DRIVE ROAD IMPROVEMENTS - STA. 0+00 TO 6+00
6	R-4	CHERRY HILLS DRIVE ROAD IMPROVEMENTS - STA. 6+00 TO 11+00
7	R-5	CHERRY HILLS DRIVE ROAD IMPROVEMENTS - STA. 11+00 TO 13+43
8	R-6	SOPHIA LANE ROAD IMPROVEMENTS - STA. 0+00 TO 5+26
9	W-1	W. MARYLAND LANE WATER IMPROVEMENTS - STA. 6+25 TO 12+25
10	W-2	W. MARYLAND LANE WATER IMPROVEMENTS - STA. 12+25 TO 18+00
11	W-3	CHERRY HILLS DRIVE WATER IMPROVEMENTS - STA. 0+00 TO 6+00
12	W-4	CHERRY HILLS DRIVE WATER IMPROVEMENTS - STA. 6+00 TO 11+00
13	W-5	CHERRY HILLS DRIVE WATER IMPROVEMENTS - STA. 11+00 TO 13+43
14	W-6	SOPHIA LANE WATER IMPROVEMENTS - STA. 0+00 TO 5+26
15	S-1	W. MARYLAND LANE SEWER IMPROVEMENTS - STA. 6+50 TO 12+50
16	S-2	W. MARYLAND LANE SEWER IMPROVEMENTS - STA. 12+50 TO 18+00
17	S-3	CHERRY HILLS DRIVE SEWER IMPROVEMENTS - STA. 0+00 TO 6+00
18	S-4	CHERRY HILLS DRIVE SEWER IMPROVEMENTS - STA. 6+00 TO 11+00
19	S-5	CHERRY HILLS DRIVE SEWER IMPROVEMENTS - STA. 11+00 TO 13+43
20	S-6	SOPHIA LANE SEWER IMPROVEMENTS - STA. 0+00 TO 5+26
21	D-1	WATER AND UTILITY DETAILS (1 OF 2)
22	D-2	WATER AND UTILITY DETAILS (2 OF 2)
23	D-3	STANDARD ROAD CROSS SECTIONS



VICINITY MAP

NOT TO SCALE

PRELIMINARY DRAFT - NOT FOR CONSTRUCTION

JUNE 2025

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APPROVED BY: _____

MARTIN E. GAGNON, PE
PROJECT MANAGER

APPROVED BY: _____

ROB STOLTZ
OWNER/CONTRACTOR

Morrison Maierle

engineers ▪ surveyors ▪ planners ▪ scientists

QUALITY ASSURANCE	
MARTIN E. GAGNON	XX\XX\XX
PROJECT MANAGER	Q.A. APPROVAL DATE
JAMES A. ULLMAN	6683.001.088-000318
OFFICE QUALITY ASSURANCE COORDINATOR	Q.A. PROJECT NUMBER
XXX	
PEER REVIEWER	

SET NO. _____

MORRISON-MAIERLE PROJECT NO. 6683.001

362

N:\6683\001\ACAD\SHEETS\CHERRY HILLS 4TH FILING\6683.001_CHERRY HILLS 4TH FILING_COVER SHEET.DWG PLOTTED BY HAAKEN SYVRUD ON Jun/09/2025

GENERAL UTILITY NOTES:

1. THE LOCATION, DEPTH, AND SIZE OF EXISTING UTILITIES SHOWN ON THESE PLANS IS APPROXIMATE. THE CONTRACTOR SHALL FIELD VERIFY THE EXISTENCE, LOCATION, DEPTH, SIZE, LINE, AND GRADE OF EXISTING UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ANY DAMAGE TO THE EXISTING FACILITIES DUE TO FAILURE TO LOCATE OR PROVIDE PROPER PROTECTION WHEN LOCATION IS KNOWN. CONTRACTOR SHALL MAINTAIN SERVICE OF ALL EXISTING UTILITIES. IF SAID SERVICE IS DAMAGED, THE CONTRACTOR SHALL IMMEDIATELY REPAIR THE DAMAGE AT CONTRACTOR'S EXPENSE.
2. LOCATION OF SITE UTILITIES SHALL BE VERIFIED BY GENERAL CONTRACTOR AND THE UTILITY COMPANY PROVIDING SERVICE. ANY PROPOSED ADJUSTMENTS TO DRY UTILITY LOCATION SHALL BE COORDINATED WITH UTILITY COMPANIES.
3. THE CONTRACTOR SHALL NOTIFY THE MONTANA ONE CALL CENTER @ 811 OR (800) 551-8344 FOR ON-SITE UTILITY LOCATION. ALL KNOWN EXISTING UTILITIES SHALL BE MARKED BEFORE DIGGING.
4. SITE TO BE ROUGH GRADED PRIOR TO INSTALLATION OF UTILITIES TO ASSURE 6.5 FEET (78 INCHES) OF MINIMUM COVER ON BURIED WATER PIPING OR DEEPER AS SPECIFIED. IF 6.5 FEET OF MINIMUM COVER CANNOT BE OBTAINED, INSULATION OF BURIED WATER PIPING SHALL BE REQUIRED.
5. GENERAL CONTRACTOR SHALL HAVE APPROVAL OF ALL GOVERNING AGENCIES HAVING JURISDICTION OVER ANY UTILITY SYSTEM PRIOR TO INSTALLATION.
6. CONTRACTOR TO COORDINATE WITH CITY ENGINEER PRIOR TO CONNECTING TO EXISTING WATER LINES OWNED AND MAINTAINED BY THE CITY OF LAUREL.
7. ALL WATER VALVES OWNED AND OPERATED BY THE CITY OF LAUREL SHALL BE OPERATED BY CITY OF LAUREL PUBLIC WORKS DEPARTMENT PERSONNEL ONLY.
8. SEWER AND WATER CONNECTIONS SHALL BE PERFORMED BY A LICENSED PLUMBER.
9. GENERAL CONTRACTOR WILL BE RESPONSIBLE FOR ALL TAP AND TIE-IN FEES REQUIRED, AS WELL AS THE COST OF UNDERGROUND SERVICE CONNECTIONS TO THE BUILDING.
10. ALL GRAVITY SANITARY SEWER PIPING SHALL BE SDR 35 PVC IN ACCORDANCE WITH ASTM D 3034, UNLESS OTHERWISE NOTED.
11. ALL SANITARY SEWER PIPING SHALL HAVE A MINIMUM COVER OF 5 FEET (60 INCHES) OR DEEPER AS SPECIFIED. IF 5 FEET OF MINIMUM COVER CANNOT BE OBTAINED, INSULATION OF BURIED SANTIARY SEWER PIPING SHALL BE REQUIRED.
12. DOMESTIC WATER SERVICE PIPE MATERIAL SHALL BE TYPE SDR-7 PE FOR SERVICES LESS THAN 1" AND SDR-9 PE FOR SERVICES GREATER THAN 1" AND LESS THAN 2" , UNLESS OTHERWISE NOTED.
13. DIMENSIONS SHOWN ARE TO CENTERLINE OF PIPE OR FITTING.
14. THE PIPE GRADES SHOWN ARE CALCULATED FROM ACTUAL DISTANCES, EDGE-OF-MANHOLE TO EDGE-OF-MANHOLE FOR BOTH SANITARY SEWER AND STORM DRAIN AS APPLICABLE. THE DISPLAYED PIPE LINEAL FEET REFLECTS THE DISTANCE FROM CENTER-OF-MANHOLE TO CENTER-OF-MANHOLE ON ALL GRAVITY PIPING.
15. LAY PIPE TO UNIFORM GRADE BETWEEN INDICATED ELEVATION POINTS.
16. SIZE OF FITTINGS SHOWN ON DRAWINGS SHALL CORRESPOND TO ADJACENT STRAIGHT RUN OF PIPE, UNLESS OTHERWISE INDICATED. TYPE OF JOINT AND FITTING MATERIAL SHALL BE THE SAME AS SHOWN FOR ADJACENT STRAIGHT RUN OF PIPE.
17. THRUST BLOCKS ARE NOT GENERALLY SHOWN ON THE DRAWINGS. ALL FITTINGS, INCLUDING BENDS EQUAL TO OR GREATER THAN ELEVEN AND ONE-QUARTER DEGREES (11.25°), TEES, AND PLUGS, SHALL BE THRUST BLOCKED IN CONFORMANCE WITH MPWSS, CITY OF LAUREL MODIFICATIONS TO THE MPWSS, OR MUST HAVE MECHANICALLY RESTRAINED JOINTS WHERE INDICATED ON THE PLANS.
18. ALL VALVES SHALL BE INSTALLED WITH THRUST BLOCKING AND VALVE BOXES IN ACCORDANCE WITH MPWSS AND CITY OF LAUREL STANDARDS.
19. VALVE BOXES ARE REQUIRED FOR ALL VALVES IN A BURIED SERVICE.
22. THE CONTRACTOR SHALL ADJUST ALL NEW AND EXISTING VALVE BOXES, CURB BOXES, AND MANHOLES TO FINAL GRADE UPON COMPLETION OF ALL CONSTRUCTION. ANY BOXES OR MANHOLES DAMAGED OR OTHERWISE DISTURBED BY THE CONTRACTOR OR ANY SUBCONTRACTOR SHALL BE REPAIRED AT THE EXPENSE OF THE CONTRACTOR. THIS WORK SHALL BE INCIDENTAL TO THE PROJECT. SEPARATE PAYMENT WILL NOT BE MADE.
23. THE CONTRACTOR SHALL NOTIFY THE CITY OF LAUREL WATER DEPARTMENT 24 HOURS PRIOR TO BEGINNING ANY WORK.

ROAD & STORM GENERAL NOTES:

* THE BELOW NOTES APPLY ONLY TO R-1 THROUGH R-6.

1. STORM SEWER MAIN SHALL BE INSTALLED IN TYPICAL UTILITY TRENCH UTILIZING TYPE 1 TRENCH BACKFILL UNLESS OTHERWISE NOTED PER MPWSS DETAIL 02221-1.
2. WATER MAIN AND STORM SEWER MAINS SHALL BE INSTALLED WITH A MINIMUM HORIZONTAL EDGE TO EDGE SEPARATION OF 10 FEET. WHERE SEWER MAIN AND WATER MAINS CROSS A MINIMUM 18 INCHES OF VERTICAL SEPARATION IS REQUIRED. SEE MPWSS DETAIL 02660-2.
3. STORM SEWER MANHOLES SHALL BE INSTALLED PER MPWSS DETAIL 02720-3.
4. MANHOLE COVER SHALL BE ROTATED TOWARD CENTERLINE OF ROAD.
5. INLETS SHALL BE EJIW 7030Z1 FRAME & 7030MG GRATE (OR APPROVED EQUAL) UNLESS NOTED OTHERWISE.
6. ALL STORM DRAIN STRUCTURES SHALL INCLUDE A 1.5-FT SUMP.
7. MANHOLE FRAMES SHALL BE ADJUSTED TO FINISHED GRADE PER MPWSS DETAIL 02213-1.
8. CONTRACTOR TO VERIFY CONNECTIONS TO ALL EXISTING UTILITIES.
9. ALL PEDESTRIAN RAMPS SHALL BE INSTALLED BY THE DEVELOPER. LOT OWNERS SHALL INSTALL SIDEWALK FRONTAGES WHEN RESIDENCE IS BUILT.

SANITARY SEWER GENERAL NOTES:

* THE BELOW NOTES APPLY ONLY TO S-1 THROUGH S-6.

1. CLEANOUTS SHALL BE INSTALLED INSIDE OF PROTECTIVE ROAD BOX WHEN LOCATED WITHIN ASPHALT ROADWAY AND BE ADJUSTED TO FINISHED GRADE PER MPWSS DETAIL 02213-2.
2. SANITARY SEWER MAIN AND SERVICE SHALL BE INSTALLED IN TYPICAL UTILITY TRENCH UTILIZING TYPE 1 TRENCH BACKFILL UNLESS OTHERWISE NOTED PER MPWSS DETAIL 02221-1.
3. WATER MAIN AND SEWER MAINS SHALL BE INSTALLED WITH A MINIMUM HORIZONTAL EDGE TO EDGE SEPARATION OF 10 FEET. WHERE SEWER MAIN AND WATER MAINS CROSS A MINIMUM 18 INCHES OF VERTICAL SEPARATION IS REQUIRED. SEE MPWSS DETAIL 02660-2.
4. SANITARY SEWER MANHOLES SHALL BE INSTALLED PER MPWSS DETAIL 02720-3.
5. ECCENTRIC SANITARY SEWER MANHOLES SHALL BE UTILIZED UNLESS OTHERWISE NOTED PER MPWSS DETAIL 02720-5. MANHOLE COVER SHALL BE ROTATED TOWARD CENTERLINE OF ROAD.
6. SANITARY SEWER MANHOLE COVERS SHALL BE PER MPWSS DETAILS 02720-8 & 9.
7. SANITARY SEWER MANHOLE CHANNELS SHALL HAVE MINIMUM 0.2 FOOT DROP ACROSS MANHOLE AND CHANNELS GROUTED PER MPWSS DETAIL 02720-7.
8. SANITARY SEWER MANHOLES SHALL BE ADJUSTED TO FINISHED GRADE PER MPWSS DETAIL 02213-1.
9. SANITARY SEWER SERVICE STUBS SHALL BE INSTALLED PER MPWSS DETAIL 02730-2 AND 3.
10. CONTRACTOR TO VERIFY CONNECTIONS TO ALL EXISTING UTILITIES.

LEGEND

EXISTING FIRE HYDRANT	PROPOSED GRAVITY SAN SEWER SERVICE
EXISTING WATER VALVE	PROPOSED PRESSURIZED SAN SEWER SERVICE
EXISTING SANITARY SEWER MANHOLE	PROPOSED DOMESTIC WATER SERVICE
EXISTING STORM DRAIN FACILITIES	PROPOSED FIRE SERVICE
EXISTING FIBER/TELEPHONE FACILITIES	PROPOSED UTILITY CONDUIT
EXISTING ELECTRICAL FACILITIES	PROPOSED IRRIGATION SLEEVE
EXISTING GAS FACILITIES	EXISTING BUILDING
EXISTING WELL	EXISTING BUILDING ROOF
EXISTING TRAFFIC SIGN	EXISTING CONCRETE
EXISTING CMP CULVERT	EXISTING CURB FACE
EXISTING RCP CULVERT	EXISTING CURB FLOWLINE
EXISTING STORM SEWER MAIN	EXISTING TOP BACK OF CURB
EXISTING SAN SEWER MAIN	EXISTING PARKING STRIPE
EXISTING SAN SEWER SERVICE	EXISTING ASPHALT
EXISTING FIBER OPTIC	EXISTING GRAVEL EDGE
EXISTING UNDERGROUND POWER	EXISTING SIDEWALK
EXISTING UNDERGROUND TELEPHONE	PROPOSED BUILDING
EXISTING UNDERGROUND CABLE	PROPOSED CONCRETE
EXISTING GAS LINE	PROPOSED CURB FLOWLINE
EXISTING OVERHEAD POWER	PROPOSED TOP BACK OF CURB
EXISTING OVERHEAD TELEPHONE	PROPOSED PARKING STRIPE
EXISTING PETROLEUM LINE	PROPOSED ASPHALT
EXISTING WATER MAIN	PROPOSED GRAVEL EDGE
EXISTING WATER SERVICE	PROPOSED SIDEWALK
PROPOSED SAN SEWER CLEANOUTS	GRAPHICAL SIDEWALK JOINT
PROPOSED STORM DRAIN INLET	PROPOSED ASPHALT GRADE BREAK
PROPOSED STORM DRAIN MANHOLE	EXISTING MAJOR CONTOUR (4654)
PROPOSED STORM DRAIN	EXISTING MINOR CONTOUR (4653.50)
PROPOSED ROOF DRAIN	PROPOSED MAJOR CONTOUR (4656)
PROPOSED PERFORATED DRAIN PIPE	PROPOSED MINOR CONTOUR (4655.50)
PROPOSED UTILITY CONDUIT	

NOTE: SOME LINE TYPES AND SYMBOLS SHOWN MAY NOT BE SHOWN IN THE PLANS.

CONSTRUCTION NOTES:

1. ALL IMPROVEMENTS ON THIS PROJECT SHALL BE COMPLETED IN ACCORDANCE WITH THE MONTANA PUBLIC WORKS STANDARD SPECIFICATIONS, SEVENTH EDITION DATED APRIL 2021 (MPWSS); THE CITY OF LAUREL MODIFICATIONS TO THE MPWSS, INCLUDING ADDENDA; AND THE PROJECT SPECIFICATIONS.
2. CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE DIVISION OF INDUSTRIAL REGULATIONS (OSHA) SAFETY STANDARDS. IF REQUESTED BY THE INSPECTOR, THE CONTRACTOR SHALL PROVIDE PROOF OF A PERMIT FROM SAID DIVISION.
3. THE CONTRACTOR'S OPERATIONS SHALL BE CONFINED WITHIN THE PROJECT LIMITS. MATERIALS AND EQUIPMENT SHALL BE STORED ON THE PROJECT SITE WHERE APPROVED BY THE OWNER. IT SHALL BE UNDERSTOOD THAT THE RESPONSIBILITY FOR PROTECTION AND SAFEKEEPING OF EQUIPMENT AND MATERIALS ON OR NEAR THE SITE WILL BE ENTIRELY THAT OF THE CONTRACTOR AND THAT NO CLAIM SHALL BE MADE AGAINST THE OWNER BY REASON OF ANY ACT OF AN EMPLOYEE OR TRESPASSER.
4. CONTRACTOR SHALL VERIFY LINE AND GRADE OF EXISTING CONDITIONS PRIOR TO CONSTRUCTION. ANY DISCREPANCIES FOUND ARE TO BE BROUGHT TO THE ENGINEER'S ATTENTION PRIOR TO COMMENCEMENT OR CONTINUATION OF CONSTRUCTION ACTIVITIES.
5. REFERENCE ALL SURVEY MONUMENTS, SECTION CORNERS, 1/4 CORNERS, AND PROPERTY CORNERS PRIOR TO BEING DISTURBED BY CONSTRUCTION. ANY MONUMENTS AND CORNERS DISTURBED DURING CONSTRUCTION SHALL BE REPLACED BY A PROFESSIONAL LAND SURVEYOR (PLS) REGISTERED IN THE STATE OF MONTANA.
6. A PRE-CONSTRUCTION MEETING (AS REQUIRED) SHALL BE HELD WITH THE GENERAL CONTRACTOR, SITE SUBCONTRACTOR, CITY OF LAUREL, OWNER, AND MORRISON-MAIERLE, INC. PRIOR TO THE START OF CONSTRUCTION.
7. THE CONTRACTOR SHALL NOTIFY THE ENGINEER AND THE CITY, COUNTY, AND/OR STATE INSPECTOR 48 HOURS PRIOR TO COMMENCING CONSTRUCTION AND 24 HOURS IN ADVANCE OF SPECIFIC INSPECTION NEEDS DURING THE COURSE OF THE WORK. ALL WORK SHALL BE PERFORMED DURING NORMAL WORKING HOURS AND SUBJECT TO THE AVAILABILITY OF AN INSPECTOR AND APPROVED BY THE ENGINEER. THE CONTRACTOR WILL BE BILLED FOR SAID INSPECTION SERVICES AS PROVIDED IN THE MOST RECENTLY ADOPTED FEES FOR SUCH SERVICES.
8. IF THE CONTRACTOR UTILIZES A COMPUTERIZED GRADE CONTROL SYSTEM WHEN GRADING/FINISHING SUBGRADE, SUB-BASE AND BASE COURSE, UTILITIES, ETC., THE CONTRACTOR IS RESPONSIBLE FOR DEVELOPING THEIR OWN MACHINE CONTROL FILES. THE CONTRACTOR MAY CREATE THIS DATA FROM SUPPLEMENTAL CAD INFORMATION AND THE INFORMATION PROVIDED ON THE PLANS IN THE CONTRACT DOCUMENTS. THE ENGINEER MAY PROVIDE THE CONTRACTOR SUPPLEMENTAL CAD INFORMATION IN THE FORM OF AN XML SURFACE AND/OR CAD LINE WORK (DERIVED FROM AUTOCAD CIVIL 3D.) THE CONTRACTOR SHALL SIGN AN ELECTRONIC RELEASE..
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL PUBLIC AND PRIVATE PROPERTY INSOFAR AS IT MAY BE AFFECTED BY THESE OPERATIONS, ALL COSTS FOR PROTECTING, REMOVING, AND RESTORING EXISTING IMPROVEMENTS SHALL BE BORNE SOLELY BY THE CONTRACTOR.
10. THE CONTRACTOR SHALL AT ALL TIMES TAKE WHATEVER MEASURES ARE NECESSARY TO ASSURE THE PROPER CONTAINMENT AND DISPOSAL OF POLLUTANTS ON THE SITE IN ACCORDANCE WITH ANY AND ALL APPLICABLE LOCAL, STATE, AND FEDERAL REGULATIONS.
11. THE CONTRACTOR SHALL IMMEDIATELY CLEAN UP ANY CONSTRUCTION MATERIALS INADVERTENTLY DEPOSITED ON EXISTING STREETS, SIDEWALKS, OR OTHER PUBLIC RIGHTS-OF-WAY AND MAKE SURE STREETS AND WALKWAYS ARE CLEANED AT THE END OF EACH WORKING DAY. CONTRACTOR SHALL REMOVE ALL CONCRETE WASTE FROM PROJECT SITE RESULTING FROM CURBS, SIDEWALKS AND OTHER INSTALLATIONS.
12. CONSTRUCTION WORK ZONE TRAFFIC SIGNS SHALL BE FURNISHED, INSTALLED, AND MAINTAINED IN ACCORDANCE WITH APPLICABLE REQUIREMENTS OF THE REGULATORY AGENCIES HAVING JURISDICTION. A TRAFFIC CONTROL PLAN, PREPARED BY THE CONTRACTOR, MAY BE REQUIRED BY THE CITY OR STATE. "CONSTRUCTION AHEAD" WARNING SIGNS ARE TO TO BE INSTALLED ALONG ADJACENT ROADS OR DRIVEWAYS. FLASHERS WITH CAUTION TAPE ARE TO BE INSTALLED WHERE ANY CONSTRUCTION ACTIVITY CROSSES A SIDEWALK OR PEDESTRIAN PATH IN ACCORDANCE WITH THE SPECIFICATIONS AND ANY OR ALL LOCAL REGULATIONS.
13. AREAS ON THE SITE TO BE GRADED SHALL BE CLEARED AND GRUBBED OF ALL VEGETATION AND DEBRIS. THESE MATERIALS SHALL BE REMOVED FROM THE SITE BY THE CONTRACTOR.
14. SURFACE SOILS WITHIN THE PROJECT LIMITS CONTAINING ROOTS AND ORGANIC MATTER SHALL BE STRIPPED DOWN AND STOCKPILED OR DISCARDED AS DIRECTED BY THE OWNER OR ENGINEER. DEEPER STRIPPING WHERE REQUIRED TO REMOVE WEAK SOILS OR ACCUMULATIONS OR ORGANIC MATTER, SHALL BE PERFORMED WHEN DETERMINED BY THE ENGINEER OR OWNER'S AUTHORIZED REPRESENTATIVE. STRIPPING SHALL BE REMOVED FROM THE SITE OR STOCKPILED AT A LOCATION DESIGNATED BY THE OWNER.
15. THE GROUND SURFACE EXPOSED BY STRIPPING SHALL BE SCARIFIED TO A MINIMUM DEPTH OF EIGHT INCHES (8"), MOISTURE CONDITIONED TO THE PROPER MOISTURE CONTENT FOR COMPACTION, AND COMPACTED AS REQUIRED FOR COMPACTED FILL. RECOMPACTION SHALL BE APPROVED BY THE ENGINEER PRIOR TO PLACING FILL.
16. THE CONTRACTOR SHALL RESTORE ALL ROADWAY SURFACES TO EQUAL OR BETTER CONDITION THAN EXISTED PRIOR TO EXCAVATION AS DETERMINED BY AGENCY, OWNER, AND/OR ENGINEER.
17. ASPHALT AND CONCRETE SHALL BE SAW CUT OR NEAT CUT AS APPROVED BY THE ENGINEER. CONTRACTOR SHALL REPLACE CURB/GUTTER AND/OR SIDEWALK TO THE NEAREST PANEL CONSTRUCTION JOINT WHEN DISTURBED BY CONSTRUCTION.
18. THE CONTRACTOR SHALL UTILIZE COMPACTION EQUIPMENT SUITABLE FOR THE SOIL TYPES AND SURFACE MATERIALS ENCOUNTERED ON THE PROJECT.
19. SUBGRADE, SUB-BASE, BASE, AND SURFACE COURSE COMPACTION SHALL CONFORM TO ALL APPLICABLE SPECIFICATIONS NOTED IN THE MPWSS; CITY OF LAUREL MODIFICATIONS TO THE MPWSS; AND/OR THE GEOTECHNICAL INVESTIGATION BY RAWHIDE ENGINEERING.
20. CONCRETE SHALL BE CLASS M-4000 UNLESS OTHERWISE SPECIFIED.
21. CONTRACTION JOINTS SHALL BE CONSTRUCTED BY SAWING OR SCORING. WHEN SCORING, A TOOL SHALL BE USED THAT WILL LEAVE CORNERS ROUNDED AND TO DESTROY AGGREGATE INTERLOCK FOR SPECIFIED MINIMUM DEPTH.
22. GRADE ELEVATIONS INDICATED BY "XX.XX" ON PLANS ARE +3300' TO PROJECT DATUM. THE HORIZONTAL DATUM = ROCKY MOUNTAIN TRIBAL CRS 2011: BILLINGS INTERNATIONAL FEET, VERTICAL DATUM = NAVD 88.
23. SIDE SLOPES FROM DRIVE AND PARKING AREAS SHALL BE 4:1 MAX UNLESS OTHERWISE SPECIFIED.
24. CONTRACTOR IS RESPONSIBLE FOR VERIFYING THAT THERE IS A CONSTRUCTION PERMIT APPROVED BY THE MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY (MDEQ) OR LOCAL GOVERNING AGENCY AS APPROPRIATE FOR THE CONTROL OF STORM WATER RUNOFF. IF THERE IS NOT AN APPROVED PERMIT, THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY APPROVALS FROM MDEQ OR THE LOCAL GOVERNING AGENCY.
25. CONTRACTOR IS RESPONSIBLE FOR PROJECT DUST CONTROL.
26. ACCESSIBLE ROUTES SHALL HAVE A MAXIMUM. RUNNING SLOPE OF 5%.
27. CONTRACTOR SHALL TACK ALL JOINTS AND BETWEEN ASPHALT LIFTS PRIOR TO PAVING.
28. ALL QUALITY CONTROL TESTING RESULTS FOR ROADS AND UTILITIES SHALL BE PROVIDED TO THE CITY OF LAUREL FOR THEIR RECORDS. THIS INCLUDES COMPACTION, PRESSURE TESTING, VACUUM TESTING, ETC.

WATER GENERAL NOTES:

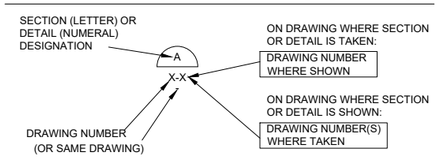
* THE BELOW NOTES APPLY ONLY TO W-1 THROUGH W-6.

1. WATER VALVES SHOULD BE INSTALLED INSIDE OF PROTECTIVE ROAD BOX AND BE ADJUSTED TO FINISHED GRADE PER MPWSS DETAIL 02213-2.
2. WATER MAINS AND SERVICES SHALL BE INSTALLED IN TYPICAL UTILITY TRENCH UTILIZING TYPE 1 TRENCH BACKFILL UNLESS OTHERWISE NOTED PER MPWSS DETAIL 02221-1.
3. WATER FITTINGS AND APPURTENANCE SHALL BE OF MECHANICAL JOINT TYPE AND FULLY RESTRAINED (EBAA MEGALUG®, SIGMA ONE-LOC™, APPROVED EQUIVALENT) UNLESS OTHERWISE SPECIFIED. FITTINGS SHALL MEET AWWA C153 OR C110.
4. IF CONCRETE THRUST BLOCKS ARE REQUIRED OR ELECTED:
   - 4.1. THRUST BLOCKS FOR FITTINGS AND BENDS GREATER THAN 22.5° SHALL BE INSTALLED PER MPWSS DETAIL 02660-1.
   - 4.2. THRUST BLOCKS FOR APPURTENANCES AND VALVES SHALL BE INSTALLED PER MPWSS DETAIL 02660-3.
5. WATER MAIN AND SEWER MAINS SHALL BE INSTALLED WITH A MINIMUM HORIZONTAL EDGE TO EDGE SEPARATION OF 10 FEET. WHERE SEWER MAIN AND WATER MAINS CROSS A MINIMUM 18 INCHES OF VERTICAL SEPARATION IS REQUIRED. SEE MPWSS DETAIL 02660-2.
6. BLOWOFF VALVES SHALL BE INSTALLED INSIDE OF PROTECTIVE ROAD BOX AND INSTALLED PER MPWSS DETAIL 02660-7.
7. CONTRACTOR TO VERIFY CONNECTIONS TO ALL EXISTING FACILITIES.
8. WATER SERVICES SHALL BE CONSTRUCTED OF SDR-7 PE PIPE AND INCLUDE CURB STOP AT THEIR TERMINATION POINT SHOWN. SERVICES SHALL BE INSTALLED IN GENERAL CONFORMANCE WITH MPWSS DETAIL 02660-6 EXCEPT THE LOCATION OF THE CURB STOP SHALL BE LOCATED 10 FEET BEYOND THE PROPERTY BOUNDARY. CURB STOP/BOX SHALL BE LOCATED AS DESIGNATED ABOVE BY STATION AND OFFSET. CORPORATION STOP AND CURB STOP/BOX MATERIALS SHALL BE PER CITY OF LAUREL REQUIREMENTS.
9. TRACER WIRE MUST BE INSTALLED ALONG ALL NEW WATER PIPING PER CITY OF LAUREL REQUIREMENTS AND BE INSPECTED AND CERTIFIED BY CITY PERSONNEL PRIOR TO PAVEMENT.
10. THE CONTRACTOR SHALL SCHEDULE A PRE-PAVE WALKTHROUGH WITH THE CITY PRIOR TO FINAL ASPHALT PLACEMENT.
11. ONCE ALL PIPING IS COMPLETE AND TESTED, THE CONTRACTOR AND CITY OF LAUREL PERSONNEL SHALL SCHEDULE A FINAL WALKTHROUGH TO VERIFY ALL VALVES ARE OPEN.

PROJECT CONTACT LIST

ENTITY	FIRM OR AGENCY	ADDRESS	CONTACT	PHONE & EMAIL
POWER & GAS	NORTHWESTERN ENERGY	1944 MONAD ROAD BILLINGS, MT 59102	TAYLOR ERSKINE CONSTRUCTION ENGINEER	(406) 655-2539 Taylor.Erskine@northwestern.com
POWER & GAS	YELLOWSTONE VALLEY ELECTRIC COOPERATIVE	150 COOPERATIVE WAY HUNTLEY, MT 59037	BRENT KOCH	(406) 208-8323 b.koch@yvec.com
TELEPHONE	CENTURYLINK	2525 KING AVE WEST BILLINGS, MT 59102	CHRIS WILLIAMS (FIELD ENGINEER)	(406) 598-8554 christopher.williams1@centurlink.com
BROADBAND CABLE	CHARTER COMMUNICATIONS	1860 MONAD ROAD BILLINGS, MT 59102	MATT COLE	(406) 200-7725 matthew.cole@charter.com
GAS	MONTANA-DAKOTA UTILITIES CO.	5181 SOUTHGATE DRIVE BILLINGS, MT 59101	ERIN ROBBINS (ENERGY SERVICES REPRESENTATIVE)	(406) 896-4241 erin.king@mdu.com
CITY ENGINEERING	CITY OF LAUREL PUBLIC WORKS DEPARTMENT	115 WEST 1ST STREET LAUREL, MT 59044	KURT MARKEGARD (DIRECTOR)	(406) 628-4796 kmarkegard@laurel.mt.gov
CITY PLANNING & ZONING	CITY OF LAUREL PLANNING DEPARTMENT	115 WEST 1ST STREET LAUREL, MT 59044	FORREST SANDERSON (KLJ ENGINEERING)	(406) 245-5499 forrest.sanderson@kljeng.com
WATER & SANITARY SEWER	CITY OF LAUREL UTILITY DIVISION	115 WEST 1ST STREET LAUREL, MT 59044	NATHAN HERMAN	(406) 628-4410 nherman@laurel.mt.gov
ENGINEER OF CONTENT	MORRISON-MAIERLE, INC.	2880 TECHNOLOGY BLVD W BOZEMAN, MT 59718	MARTIN GAGNON	(406) 587-0721 mgagnon@m-m.net
ENVIRONMENTAL	MORRISON-MAIERLE, INC.	2880 TECHNOLOGY BLVD W BOZEMAN, MT 59718	CHRISTINE PEARCY	(406) 587-0721 cpearcy@m-m.net

DETAIL AND SECTION DESIGNATION



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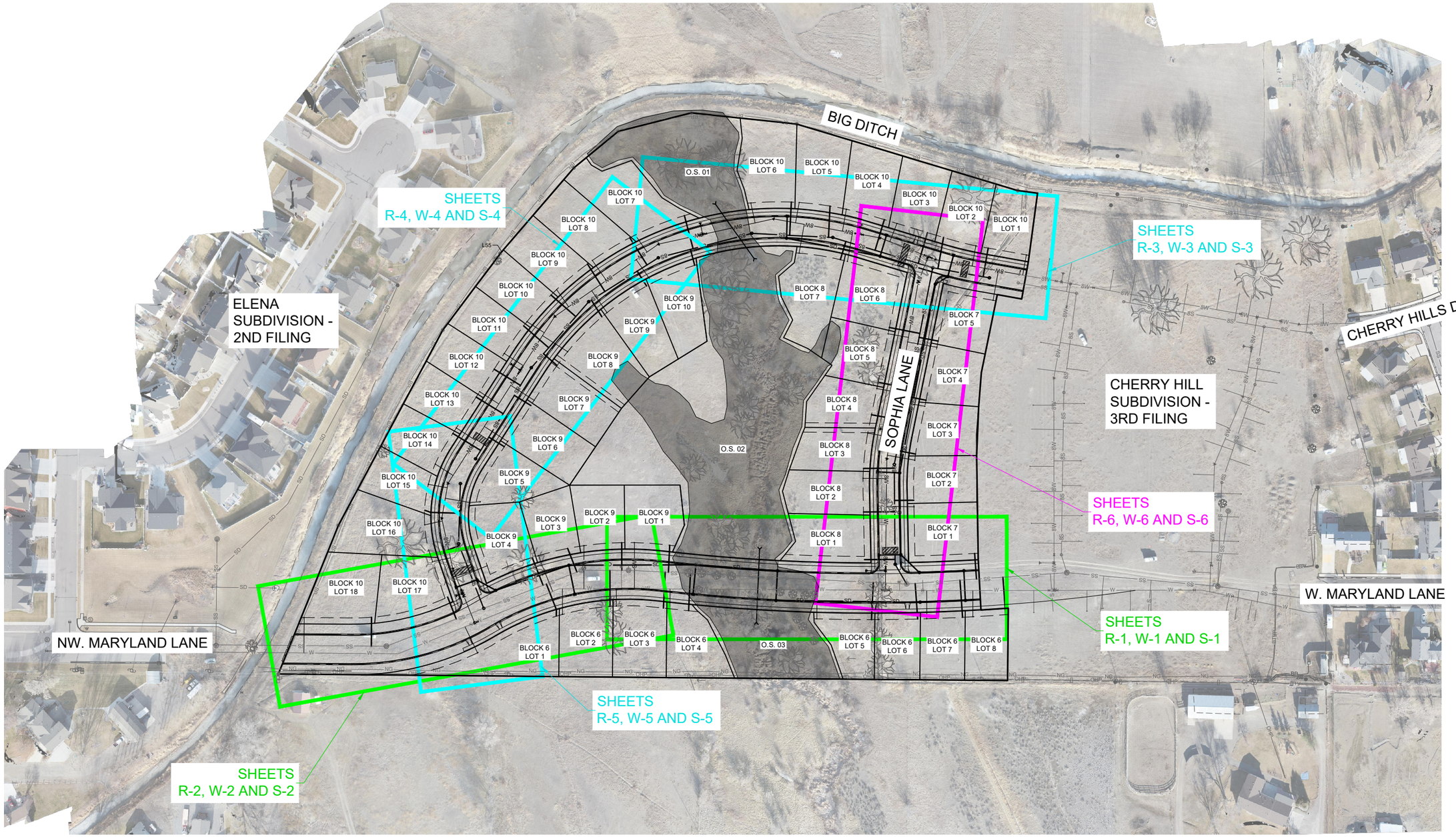
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CHERRY HILL SUBDIVISION - 4TH FILING
LAUREL MONTANA
GENERAL NOTES

PROJECT NUMBER 6683.001
SHEET NUMBER 1
DRAWING G-363

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80 40 0 80 160
SCALE IN FEET

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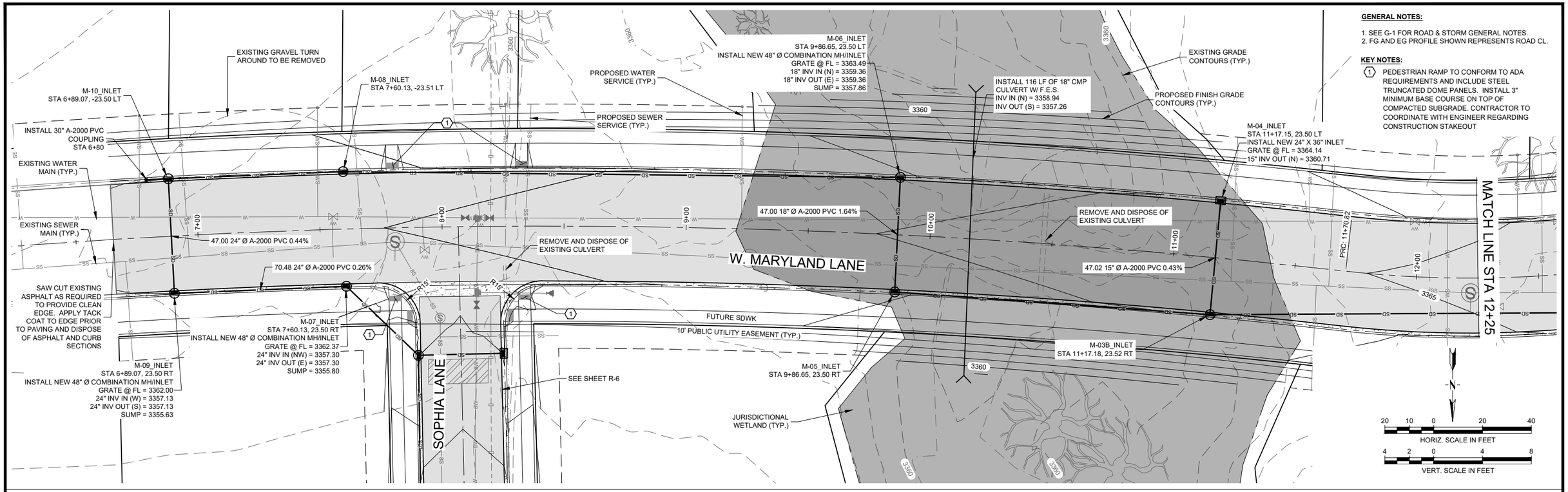
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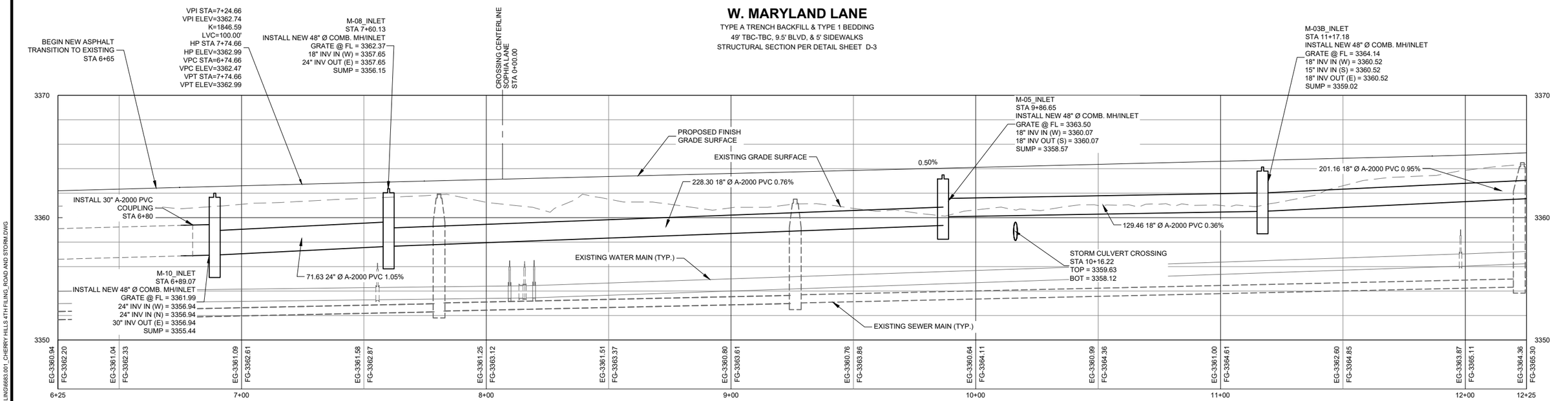
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CHERRY HILL SUBDIVISION - 4TH FILING
LAUREL MONTANA
SHEET INDEX

PROJECT NUMBER 6683.001
SHEET NUMBER 2
DRAWING C-364

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LAUREL MONTANA

W. MARYLAND LANE ROAD IMPROVEMENTS - STA. 6+25 TO 12+25

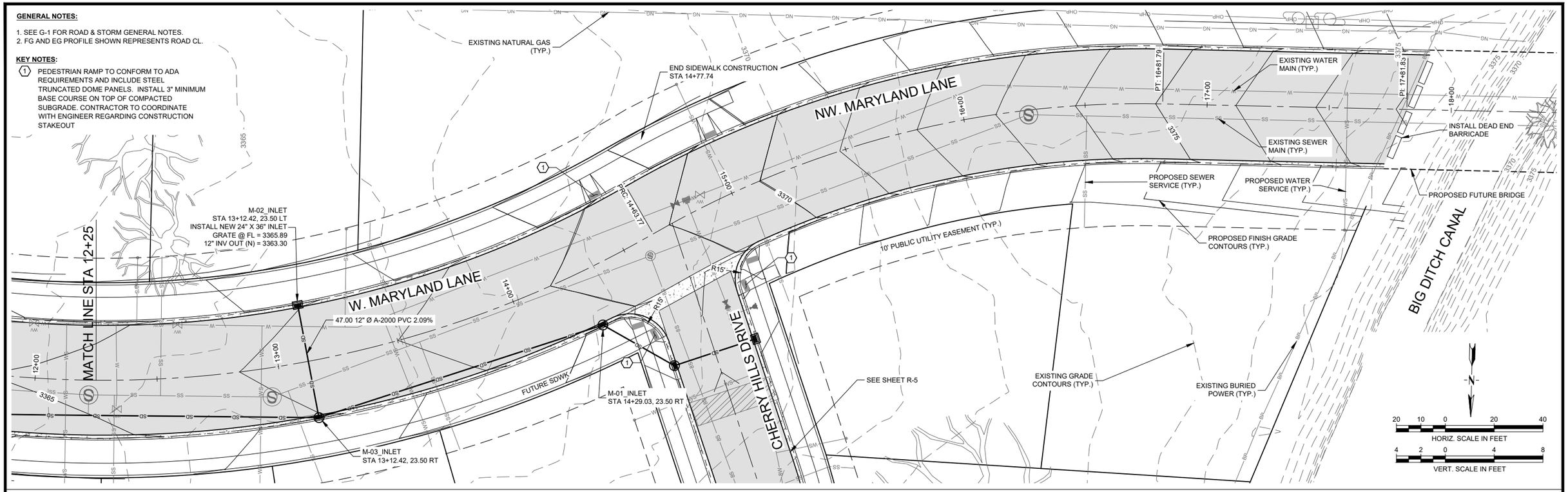
PROJECT NUMBER 6683.001
SHEET NUMBER 3
DRAWING R-365

GENERAL NOTES:

1. SEE G-1 FOR ROAD & STORM GENERAL NOTES.
2. FG AND EG PROFILE SHOWN REPRESENTS ROAD CL.

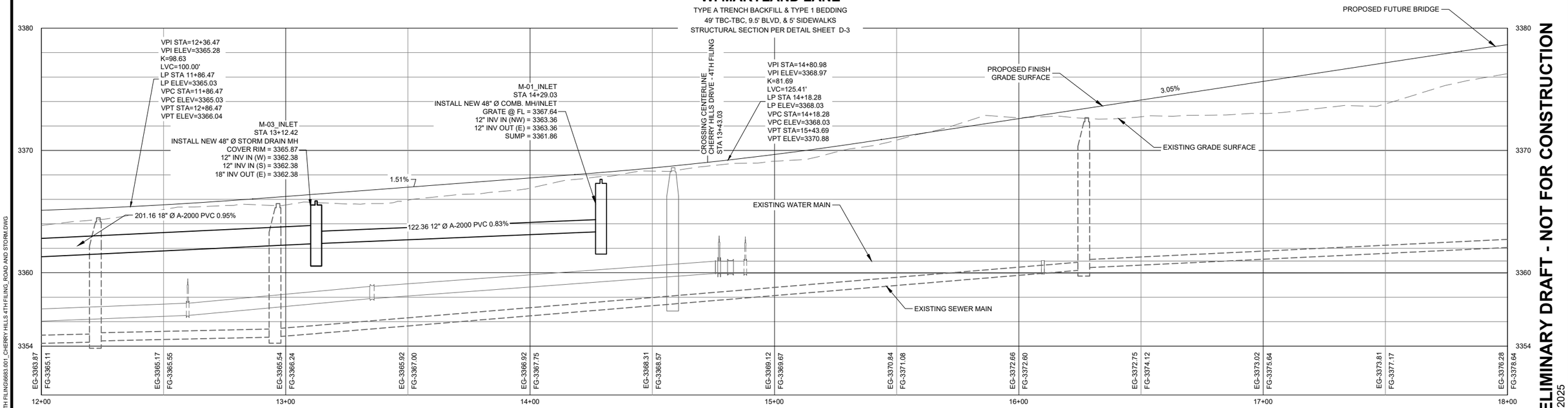
KEY NOTES:

(1) PEDESTRIAN RAMP TO CONFORM TO ADA REQUIREMENTS AND INCLUDE STEEL TRUNCATED DOME PANELS. INSTALL 3" MINIMUM BASE COURSE ON TOP OF COMPACTED SUBGRADE. CONTRACTOR TO COORDINATE WITH ENGINEER REGARDING CONSTRUCTION STAKEOUT



W. MARYLAND LANE

TYPE A TRENCH BACKFILL & TYPE 1 BEDDING
49' TBC-TBC, 9.5' BLVD, & 5' SIDEWALKS
STRUCTURAL SECTION PER DETAIL SHEET D-3



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W. MARYLAND LANE ROAD IMPROVEMENTS - STA. 12+25 TO 18+00

PROJECT NUMBER 6683.001
SHEET NUMBER 4
DRAWING R-366

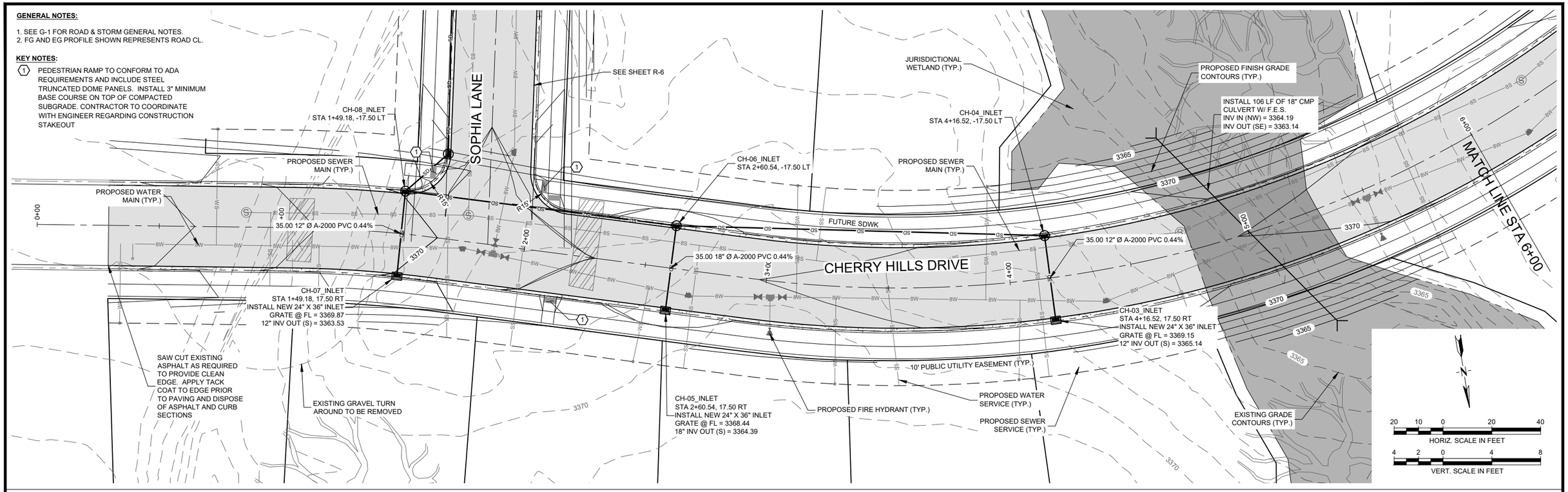
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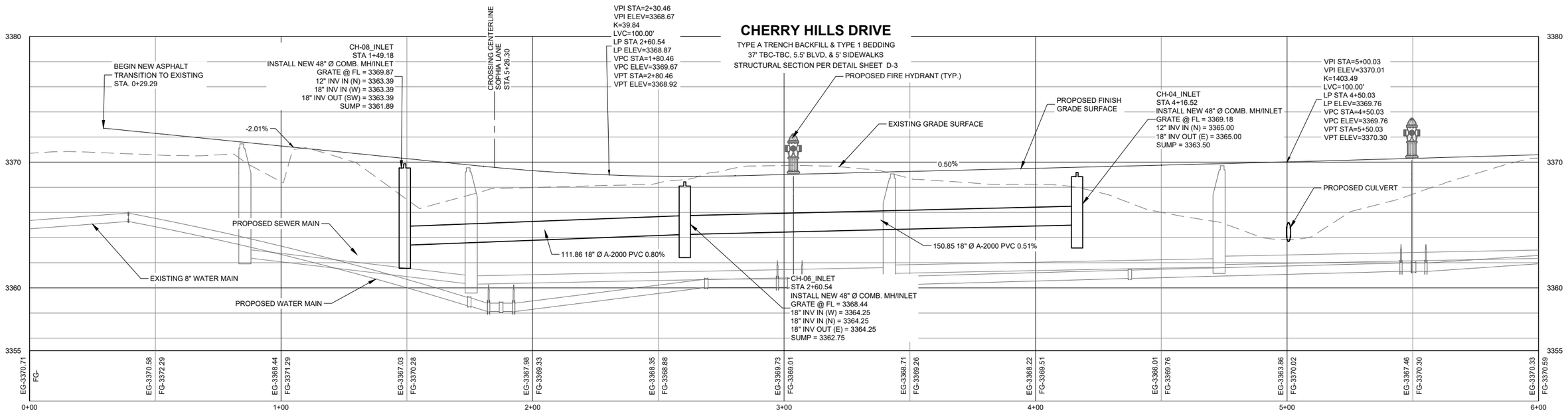
GENERAL NOTES:

1. SEE G-1 FOR ROAD & STORM GENERAL NOTES.
2. FG AND EG PROFILE SHOWN REPRESENTS ROAD CL.

KEY NOTES:

(1) PEDESTRIAN RAMP TO CONFORM TO ADA REQUIREMENTS AND INCLUDE STEEL TRUNCATED DOME PANELS. INSTALL 3" MINIMUM BASE COURSE ON TOP OF COMPACTED SUBGRADE. CONTRACTOR TO COORDINATE WITH ENGINEER REGARDING CONSTRUCTION STAKEOUT





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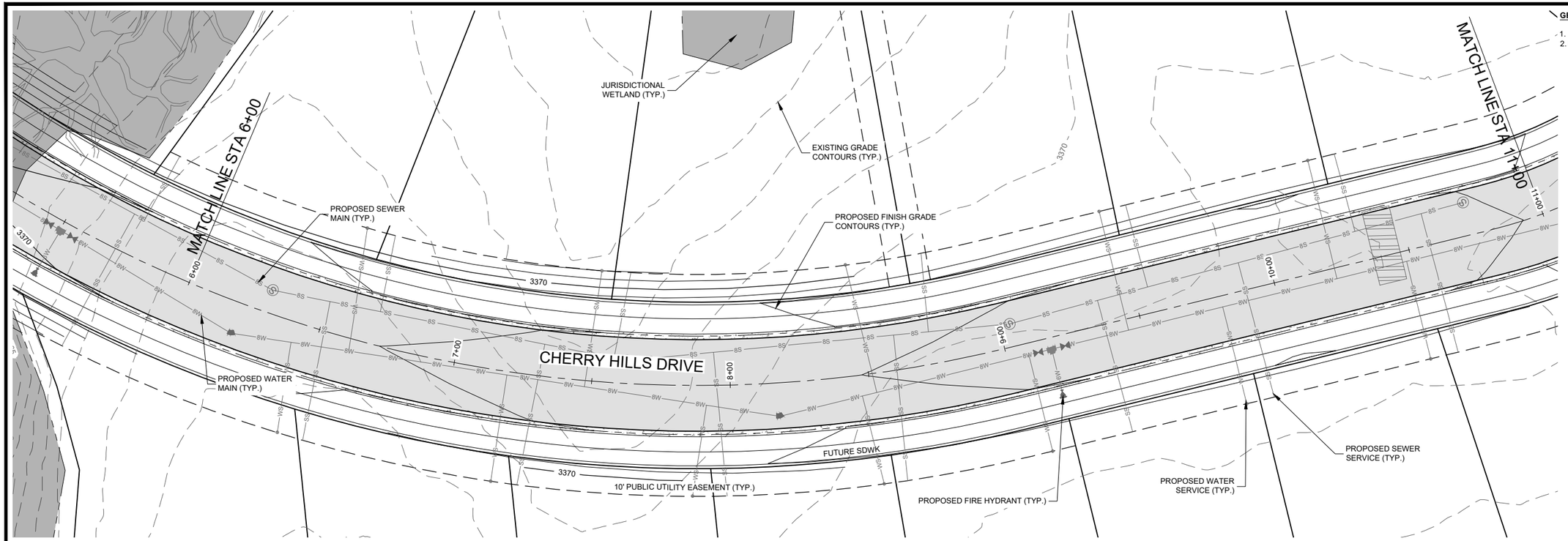
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CHERRY HILL SUBDIVISION - 4TH FILING
LAUREL MONTANA
CHERRY HILLS DRIVE ROAD IMPROVEMENTS - STA. 0+00 TO 6+00

PROJECT NUMBER 6683.001
SHEET NUMBER 5
DRAWING R-367

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GENERAL NOTES:

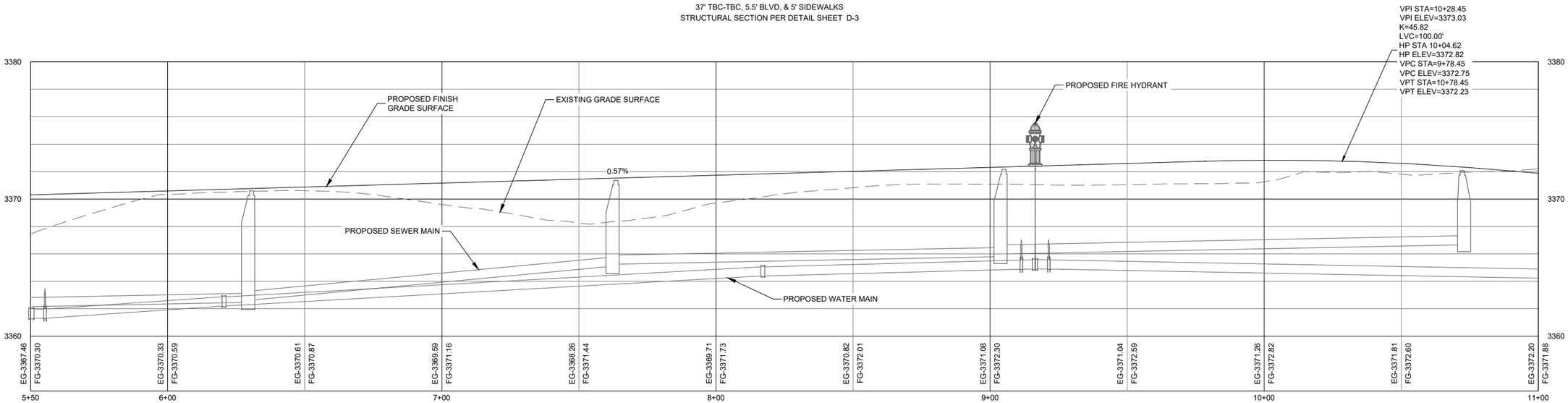
1. SEE G-1 FOR ROAD & STORM GENERAL NOTES.
2. FG AND EG PROFILE SHOWN REPRESENTS ROAD CL.

20 10 0 20 40
HORIZ. SCALE IN FEET

5 2.5 0 5 10
VERT. SCALE IN FEET

CHERRY HILLS DRIVE

TYPE A TRENCH BACKFILL & TYPE 1 BEDDING
37' TBC-TBC, 5.5' BLVD, & 5' SIDEWALKS
STRUCTURAL SECTION PER DETAIL SHEET D-3



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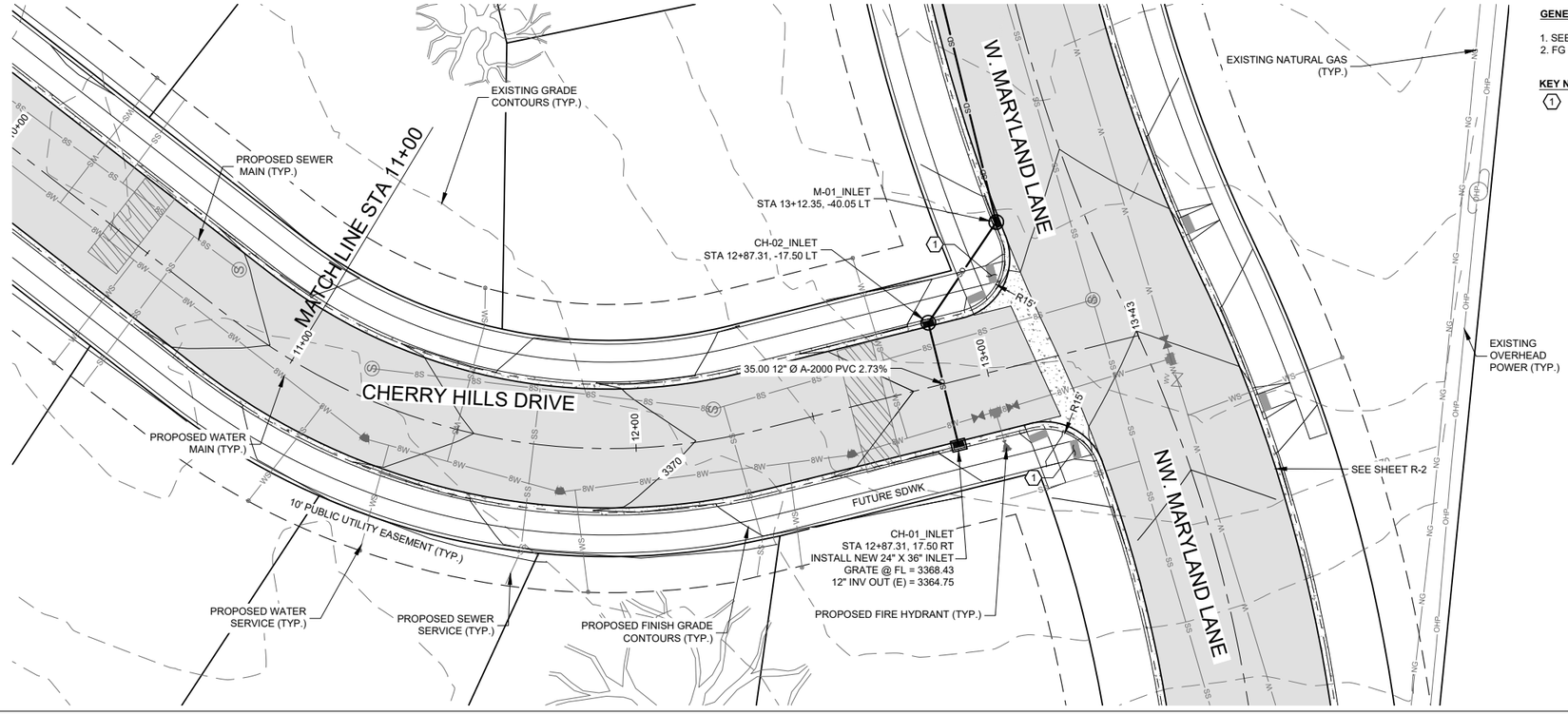
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CHERRY HILL SUBDIVISION - 4TH FILING
LAUREL MONTANA
CHERRY HILLS DRIVE ROAD IMPROVEMENTS - STA. 6+00 TO 11+00

PROJECT NUMBER 6683.001
SHEET NUMBER 6
DRAWING R-368

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GENERAL NOTES:

1. SEE G-1 FOR ROAD & STORM GENERAL NOTES.
2. FG AND EG PROFILE SHOWN REPRESENTS ROAD CL.

KEY NOTES:

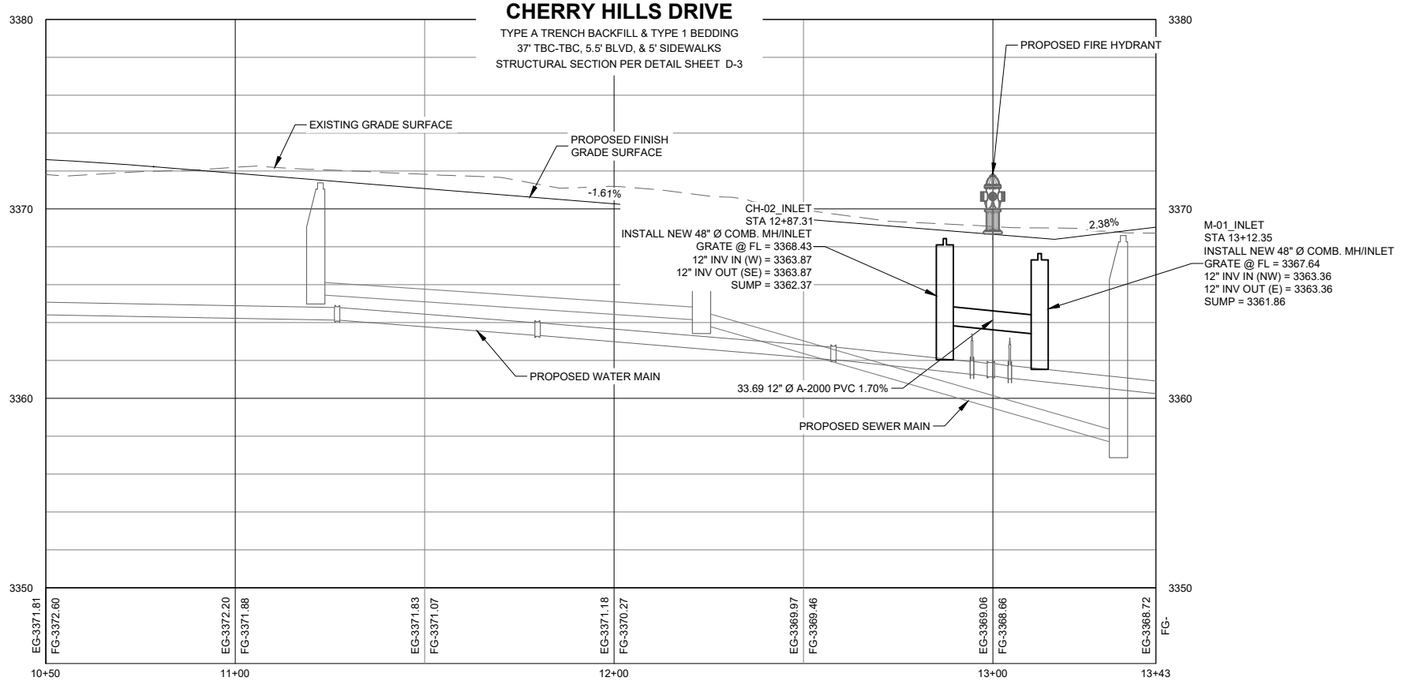
1. PEDESTRIAN RAMP TO CONFORM TO ADA REQUIREMENTS AND INCLUDE STEEL TRUNCATED DOME PANELS. INSTALL 3" MINIMUM BASE COURSE ON TOP OF COMPACTED SUBGRADE. CONTRACTOR TO COORDINATE WITH ENGINEER REGARDING CONSTRUCTION STAKEOUT

20 10 0 20 40
HORIZ. SCALE IN FEET

4 2 0 4 8
VERT. SCALE IN FEET

CHERRY HILLS DRIVE

TYPE A TRENCH BACKFILL & TYPE 1 BEDDING
37' TBC-TBC, 5.5' BLVD, & 5' SIDEWALKS
STRUCTURAL SECTION PER DETAIL SHEET D-3



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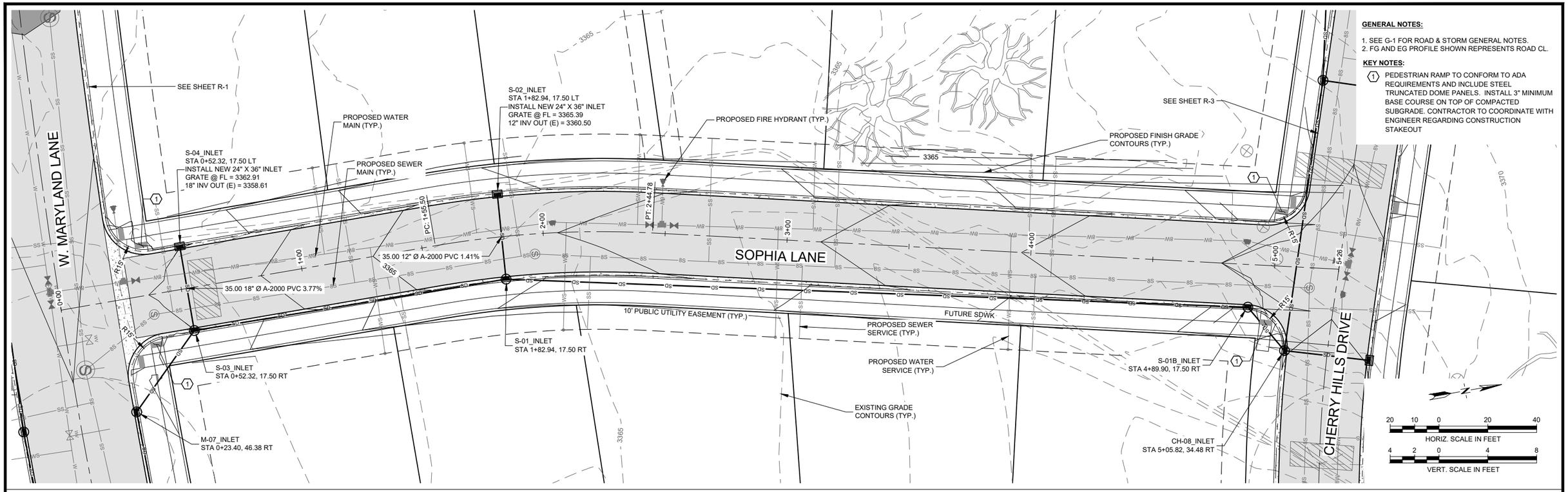
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CHERRY HILL SUBDIVISION - 4TH FILING
LAUREL MONTANA
CHERRY HILLS DRIVE ROAD IMPROVEMENTS - STA. 11+00 TO 13+43

PROJECT NUMBER 6683.001
SHEET NUMBER 7
DRAWING R-369

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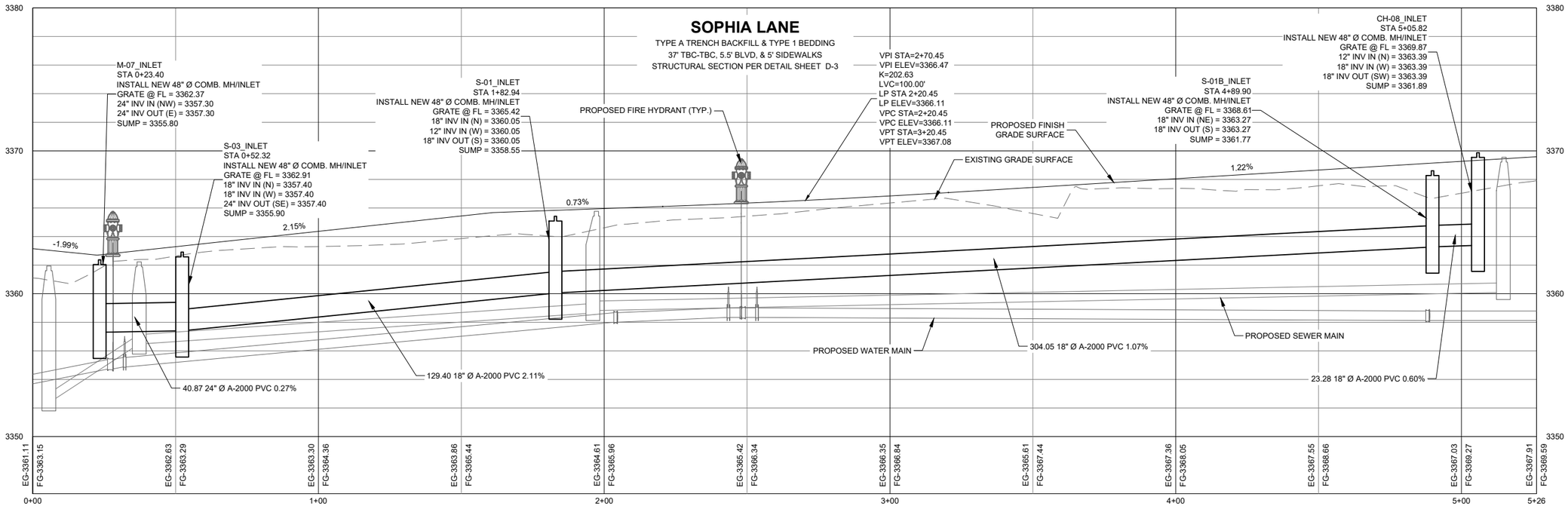


GENERAL NOTES:

1. SEE G-1 FOR ROAD & STORM GENERAL NOTES.
2. FG AND EG PROFILE SHOWN REPRESENTS ROAD CL.

KEY NOTES:

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JUNE 2025

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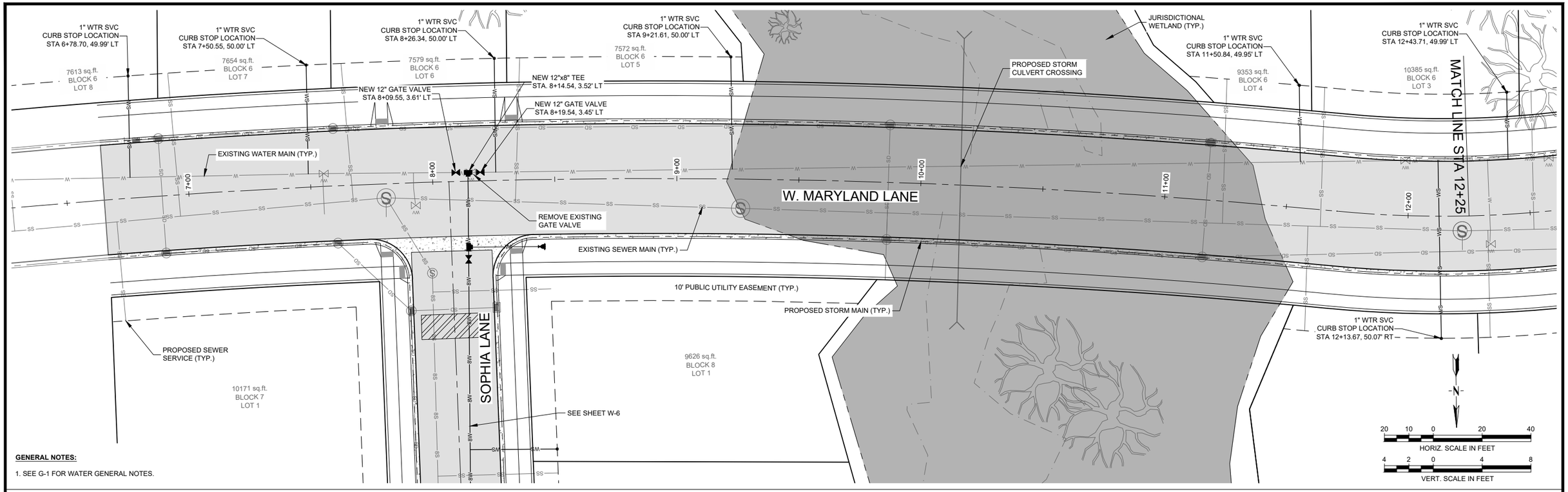
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CHERRY HILL SUBDIVISION - 4TH FILING
LAUREL MONTANA
SOPHIA LANE ROAD IMPROVEMENTS - STA. 0+00 TO 5+26

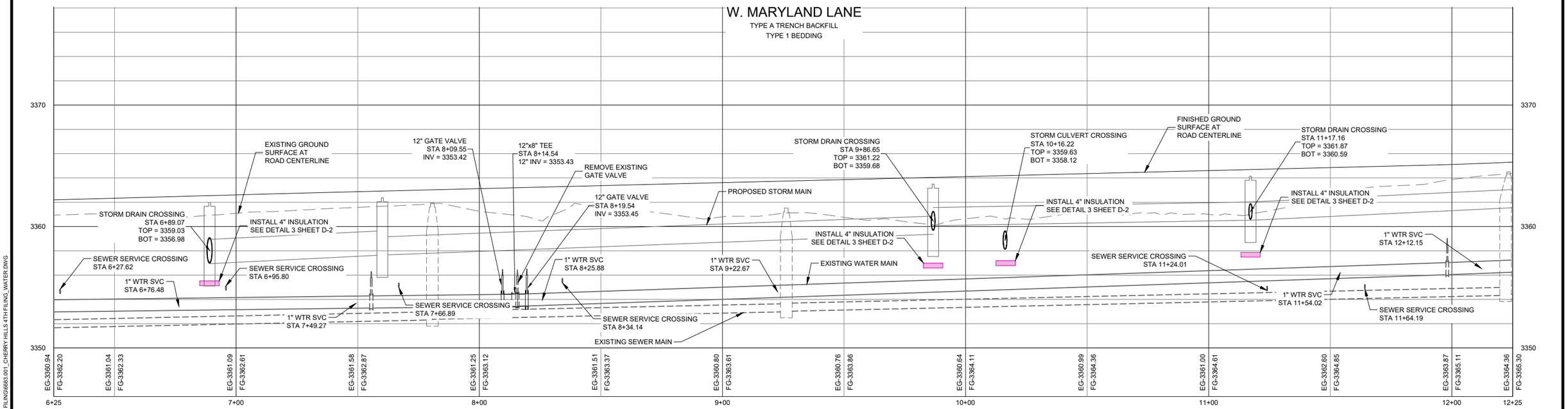
PROJECT NUMBER 6683.001
SHEET NUMBER 8
DRAWING R-370

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GENERAL NOTES:

1. SEE G-1 FOR WATER GENERAL NOTES.



PRELIMINARY DRAFT - NOT FOR CONSTRUCTION

JUNE 2025

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DATE: _____

CHERRY HILL SUBDIVISION - 4TH FILING
LAUREL MONTANA

W. MARYLAND LANE WATER IMPROVEMENTS - STA. 6+25 TO 12+25

PROJECT NUMBER 6683.001
SHEET NUMBER 9
DRAWING W 371

N:\6683\001\ACAD\SHEETS\CHERRY HILLS 4TH FILING\6683.001_CHERRY HILLS 4TH FILING_WATER.DWG

GENERAL NOTES:

1. SEE G-1 FOR WATER GENERAL NOTES.

1" WTR SVC CURB STOP LOCATION STA 12+43.71, 49.99' LT

1" WTR SVC CURB STOP LOCATION STA 13+40.93, 49.66' LT

NEW 12"x8" TEE STA. 14+82.03, 5.72' LT

NEW 12" GATE VALVE STA 14+77.36, 6.25' LT

1" WTR SVC CURB STOP LOCATION STA 14+98.30, 50.00' LT

EXISTING NATURAL GAS (TYP).

EXISTING OVERHEAD POWER (TYP).

MATCH LINE STA 12+25

10' PUBLIC UTILITY EASEMENT (TYP.)

NW. MARYLAND LANE

W. MARYLAND LANE

EXISTING WATER MAIN (TYP.)

EXISTING GATE VALVE (TYP.)

EXISTING SEWER MAIN (TYP.)

PROPOSED STORM MAIN (TYP.)

CHERRY HILLS DRIVE

1" WTR SVC CURB STOP LOCATION STA 12+85.89, 49.90' RT

1" WTR SVC CURB STOP LOCATION STA 13+51.72, 50.05' RT

10' PUBLIC UTILITY EASEMENT (TYP.)

PROPOSED SEWER SERVICE (TYP.)

1" WTR SVC CURB STOP LOCATION STA 17+57.47, 50.00' RT

PROPOSED FUTURE BRIDGE

EXISTING BURIED POWER (TYP).

10385 sq.ft. BLOCK 6 LOT 3

9892 sq.ft. BLOCK 6 LOT 2

13519 sq.ft. BLOCK 6 LOT 1

10048 sq.ft. BLOCK 10 LOT 17

11584 sq.ft. BLOCK 10 LOT 18

8086 sq.ft. BLOCK 9 LOT 2

7919 sq.ft. BLOCK 9 LOT 3

9774 sq.ft. BLOCK 9 LOT 4

HORIZ. SCALE IN FEET: 20 10 0 20 40

VERT. SCALE IN FEET: 5 2.5 0 5 10

W. MARYLAND LANE

TYPE A TRENCH BACKFILL
TYPE 1 BEDDING

EXISTING GROUND SURFACE AT ROAD CENTERLINE

FINISHED GROUND SURFACE AT ROAD CENTERLINE

PROPOSED STORM MAIN

STORM DRAIN CROSSING STA 13+12.42 TOP = 3363.84 BOT = 3362.82

INSTALL 4" INSULATION SEE DETAIL 3 SHEET D-2

1" WTR SVC STA 13+30.21

1" WTR SVC STA 12+95.84

1" WTR SVC STA 13+46.63

1" WTR SVC STA 12+42.36

EXISTING GATE VALVE (TYP.)

EXISTING WATER MAIN

1" WTR SVC STA 17+57.45

1" WTR SVC STA 14+98.30

12" GATE VALVE STA 14+77.36 INV = 3359.95

12"x8" TEE STA 14+82.03 12" INV = 3359.95

SEWER SERVICE CROSSING STA 12+51.47

EXISTING SEWER MAIN

SEWER SERVICE CROSSING STA 13+52.65

3380 / 3370 / 3360 / 3350

EG-3363.87 FG-3365.11 EG-3365.17 FG-3365.55 EG-3365.54 FG-3366.24 EG-3365.92 FG-3367.00 EG-3366.92 FG-3367.75 EG-3368.31 FG-3368.57 EG-3369.12 FG-3369.67 EG-3370.84 FG-3371.08 EG-3372.66 FG-3372.60 EG-3372.75 FG-3374.12 EG-3373.02 FG-3375.64 EG-3373.81 FG-3377.17 EG-3376.28 FG-3378.64

12+00 13+00 14+00 15+00 16+00 17+00 18+00

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JUNE 2025

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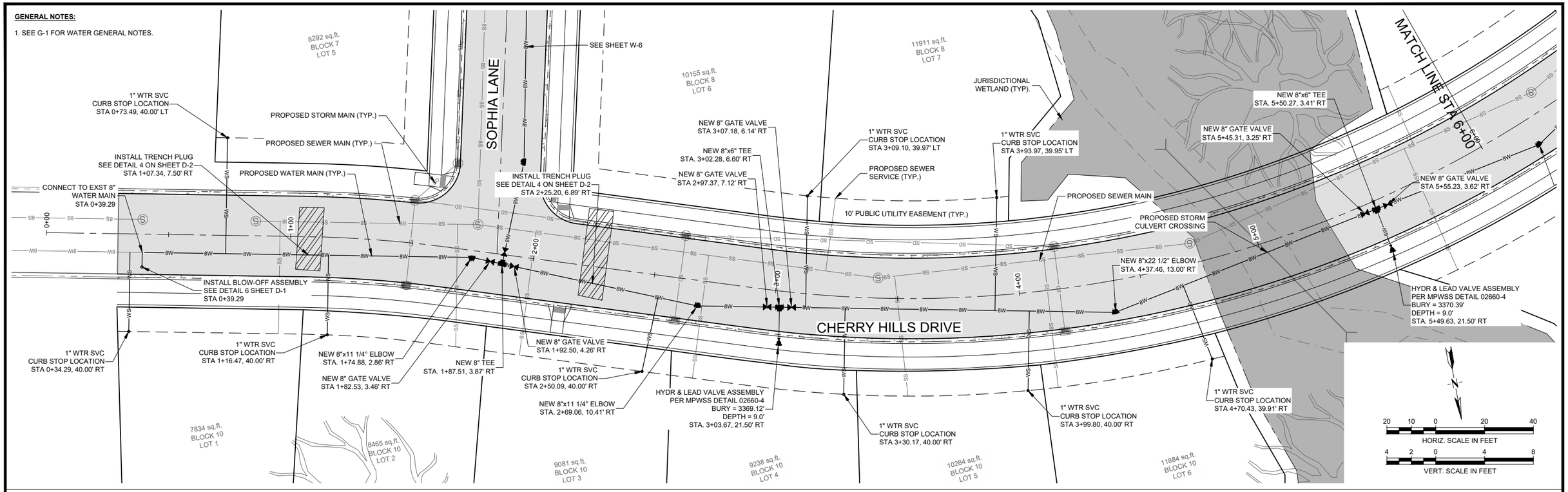
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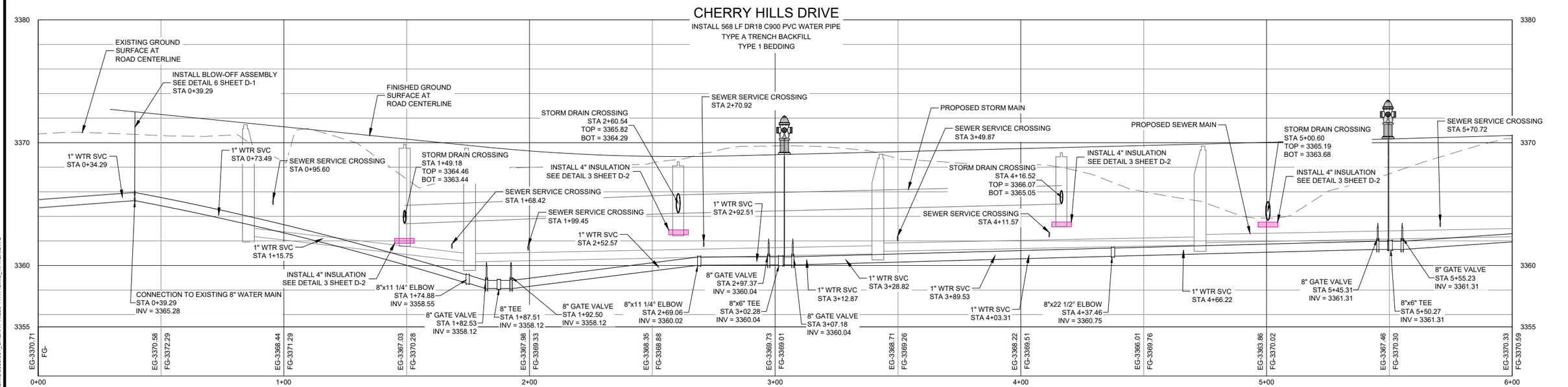
CHERRY HILL SUBDIVISION - 4TH FILING
LAUREL MONTANA
W. MARYLAND LANE WATER IMPROVEMENTS - STA. 12+25 TO 18+00

PROJECT NUMBER 6683.001
SHEET NUMBER 10
DRAWING W 372

GENERAL NOTES:

1. SEE G-1 FOR WATER GENERAL NOTES.





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CHERRY HILL SUBDIVISION - 4TH FILING

LAUREL MONTANA

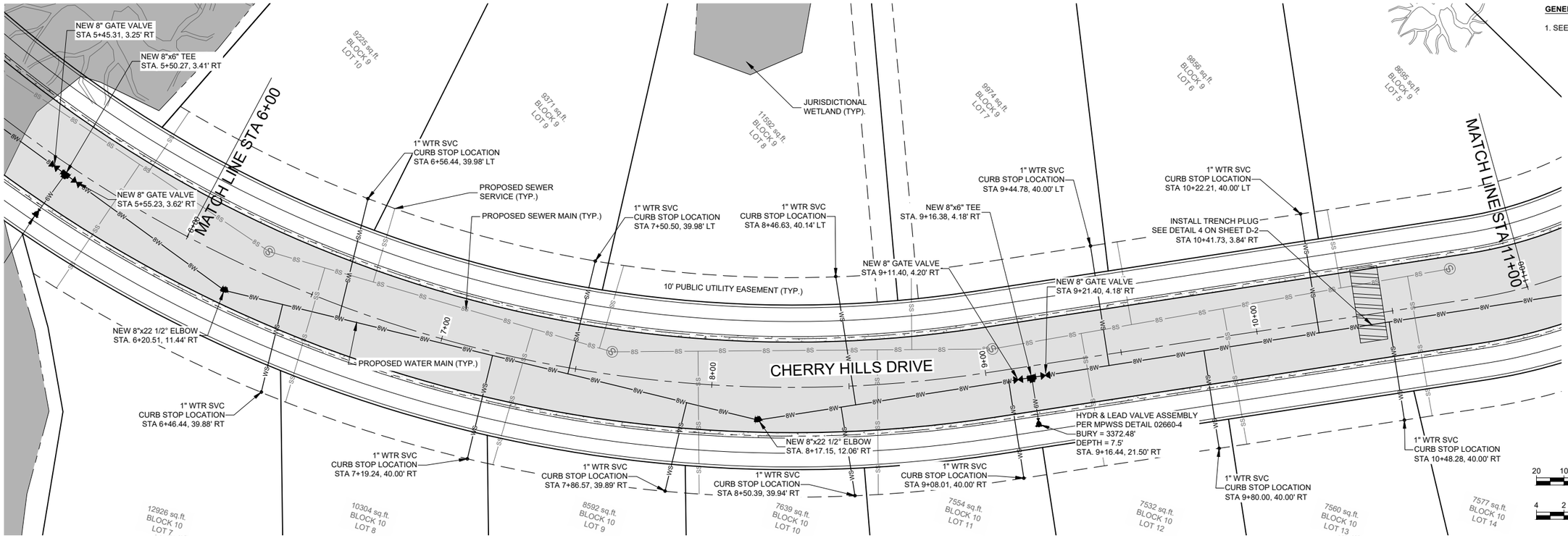
CHERRY HILLS DRIVE WATER IMPROVEMENTS - STA. 0+00 TO 6+00

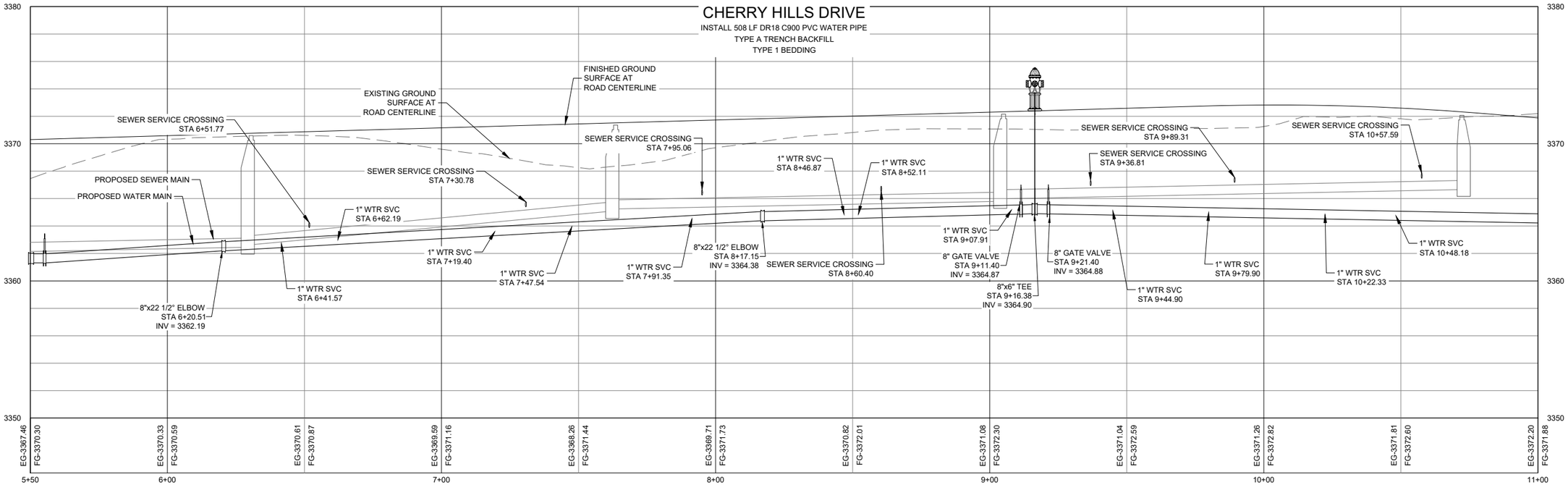
PROJECT NUMBER 6683.001
SHEET NUMBER 11
DRAWING W 373

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GENERAL NOTES:

1. SEE G-1 FOR WATER GENERAL NOTES.





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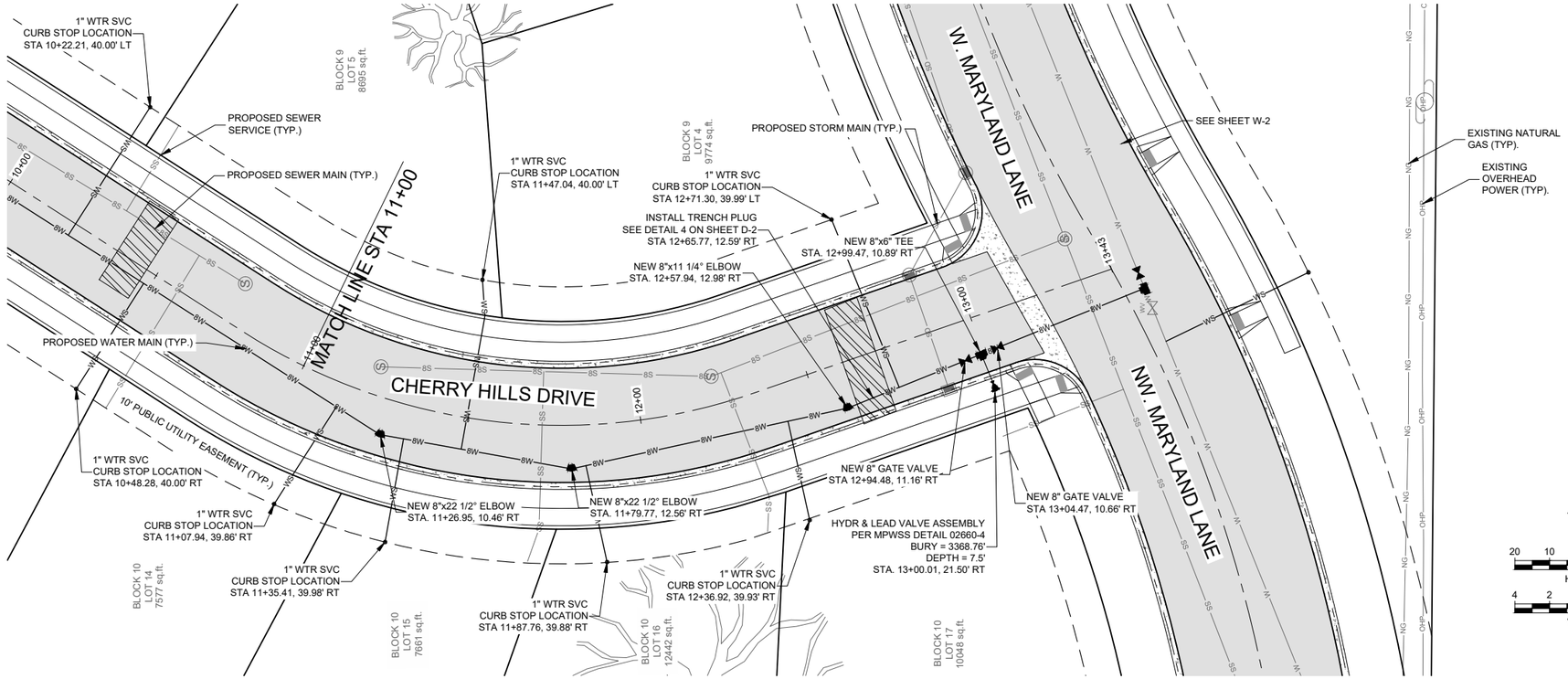
CHERRY HILL SUBDIVISION - 4TH FILING
LAUREL MONTANA
CHERRY HILLS DRIVE WATER IMPROVEMENTS - STA. 6+00 TO 11+00

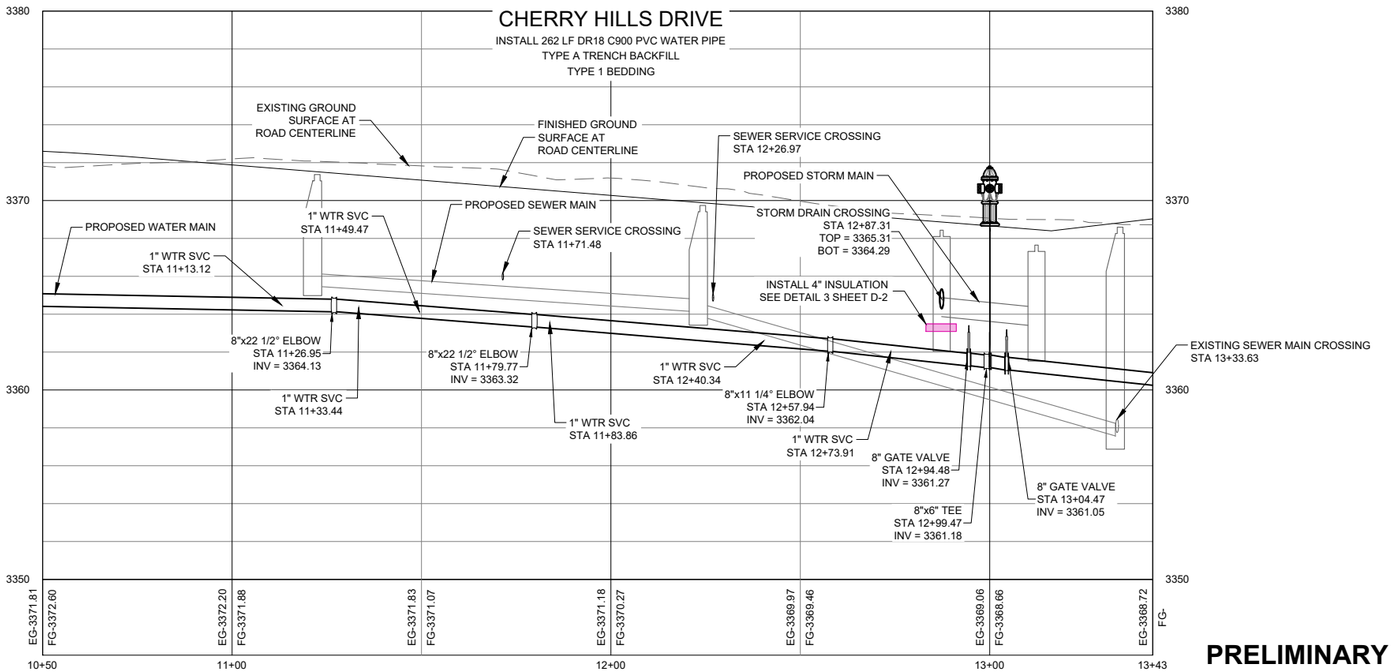
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SHEET NUMBER 12
DRAWING W 374

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GENERAL NOTES:

1. SEE G-1 FOR WATER GENERAL NOTES.





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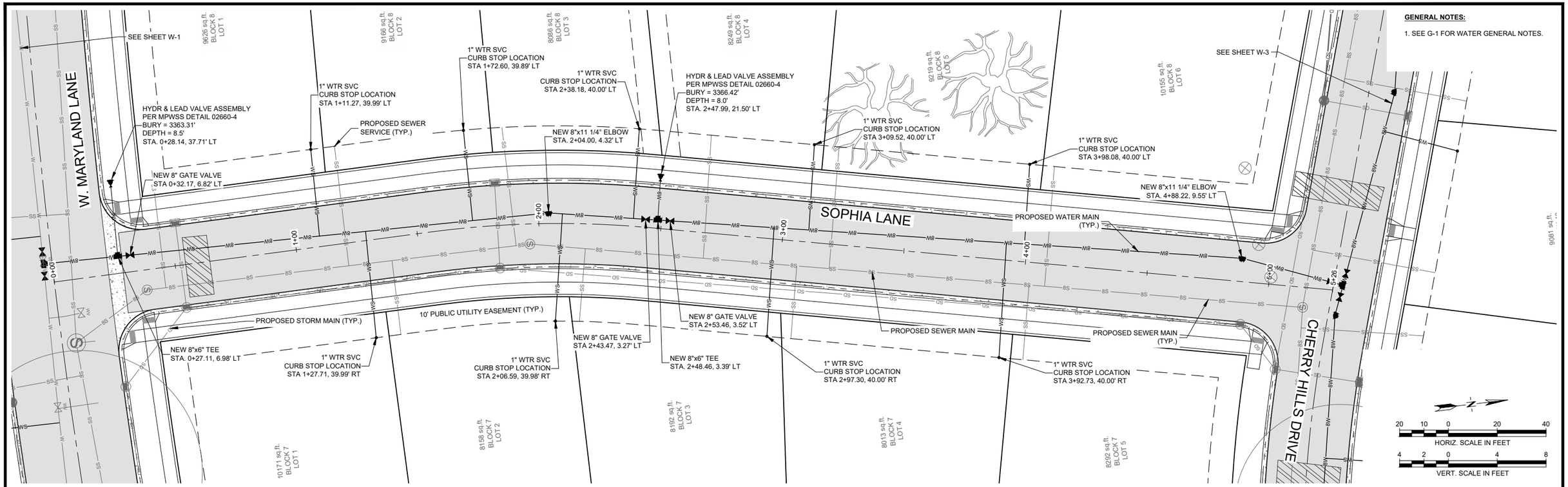
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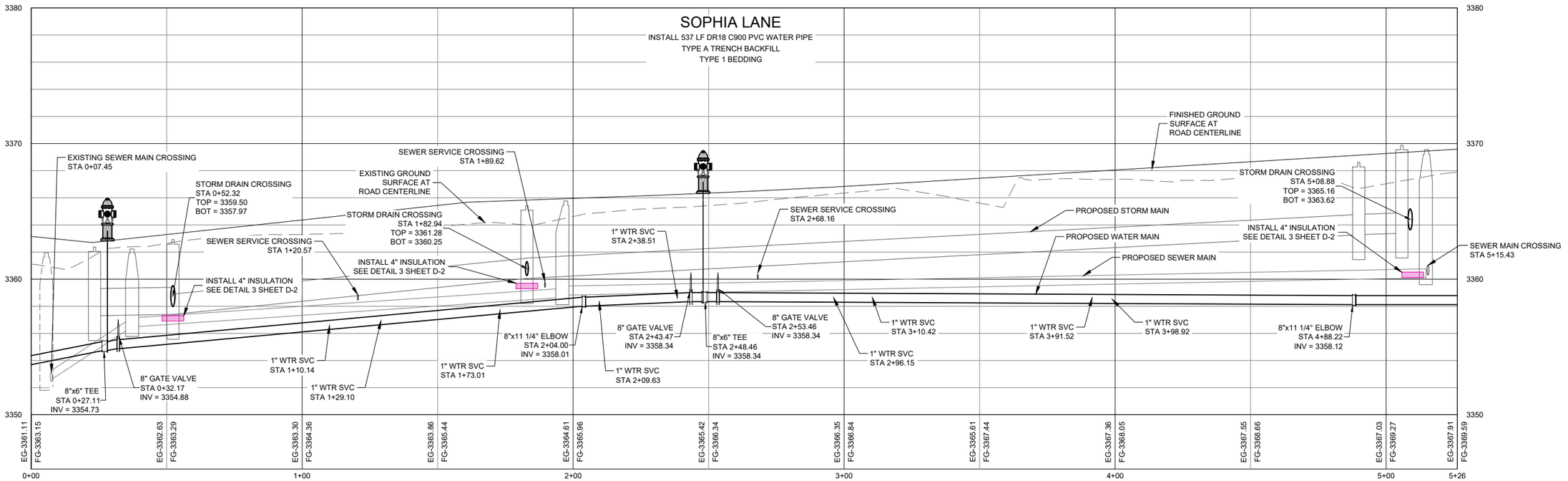
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CHERRY HILL SUBDIVISION - 4TH FILING
LAUREL MONTANA
CHERRY HILLS DRIVE WATER IMPROVEMENTS - STA. 11+00 TO 13+43

PROJECT NUMBER 6683.001
SHEET NUMBER 13
DRAWING W 375

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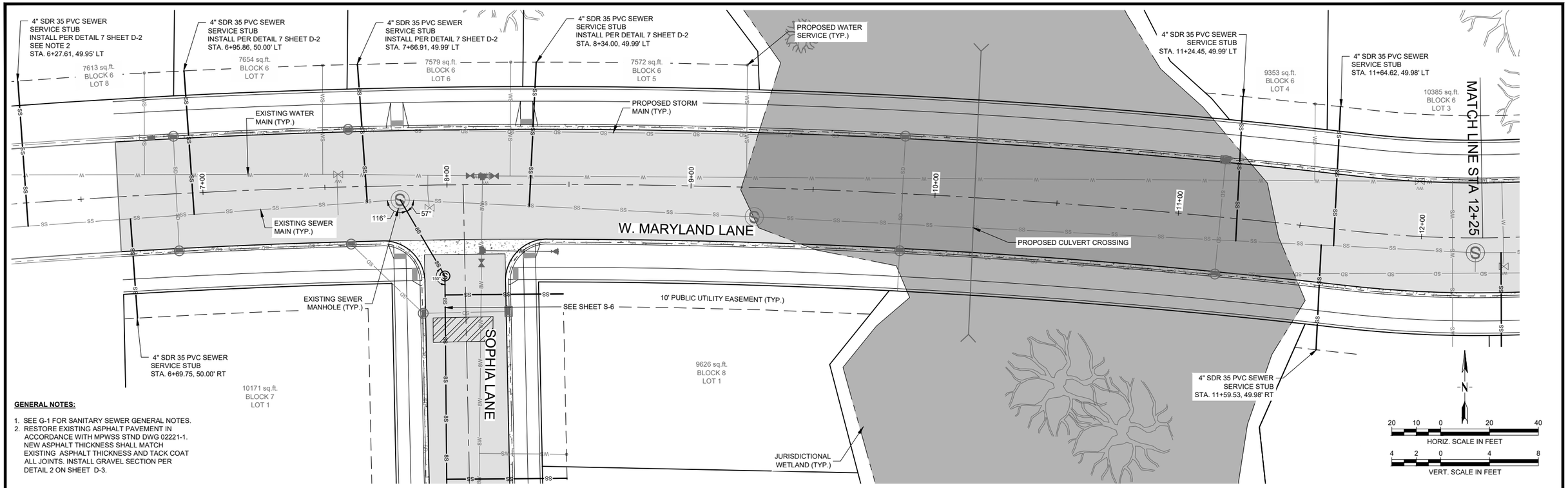
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CHERRY HILL SUBDIVISION - 4TH FILING
LAUREL MONTANA
SOPHIA LANE WATER IMPROVEMENTS - STA. 0+00 TO 5+26

PROJECT NUMBER 6683.001
SHEET NUMBER 14
DRAWING W 376

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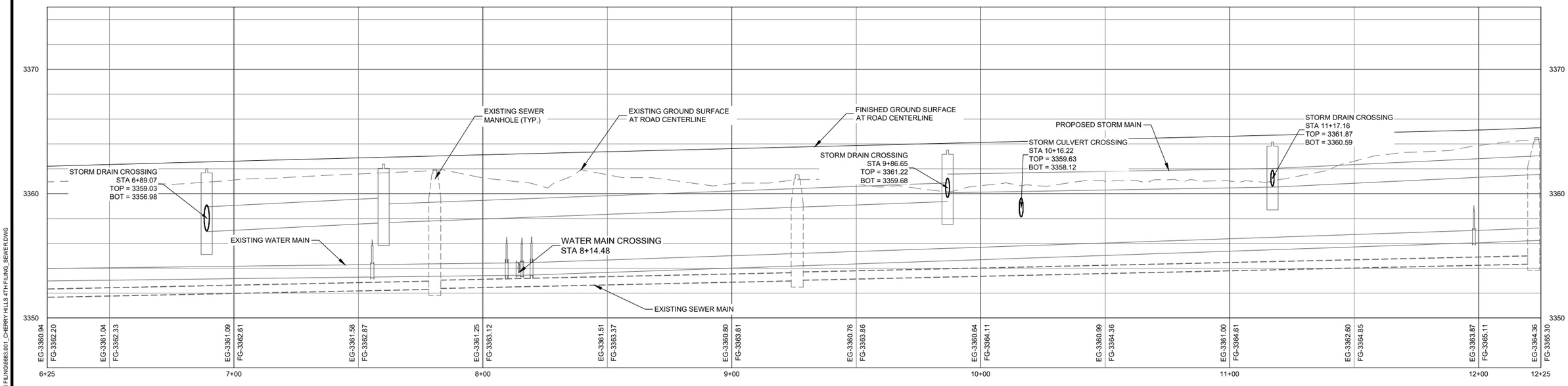


GENERAL NOTES:

1. SEE G-1 FOR SANITARY SEWER GENERAL NOTES.
2. RESTORE EXISTING ASPHALT PAVEMENT IN ACCORDANCE WITH MPWSS STND DWG 02221-1. NEW ASPHALT THICKNESS SHALL MATCH EXISTING ASPHALT THICKNESS AND TACK COAT ALL JOINTS. INSTALL GRAVEL SECTION PER DETAIL 2 ON SHEET D-3.

W. MARYLAND LANE

TYPE A TRENCH BACKFILL
TYPE 1 BEDDING



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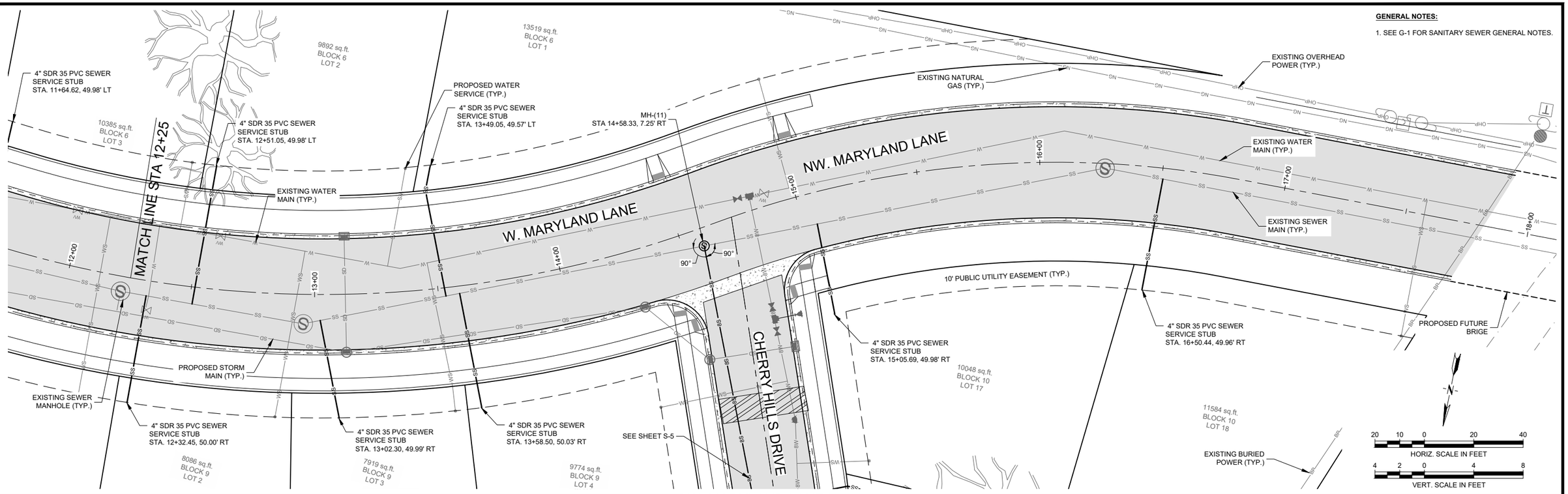
CHERRY HILL SUBDIVISION - 4TH FILING
LAUREL MONTANA
W. MARYLAND LANE SEWER IMPROVEMENTS - STA. 6+50 TO 12+50

PROJECT NUMBER 6683.001
SHEET NUMBER 15
DRAWING S-377

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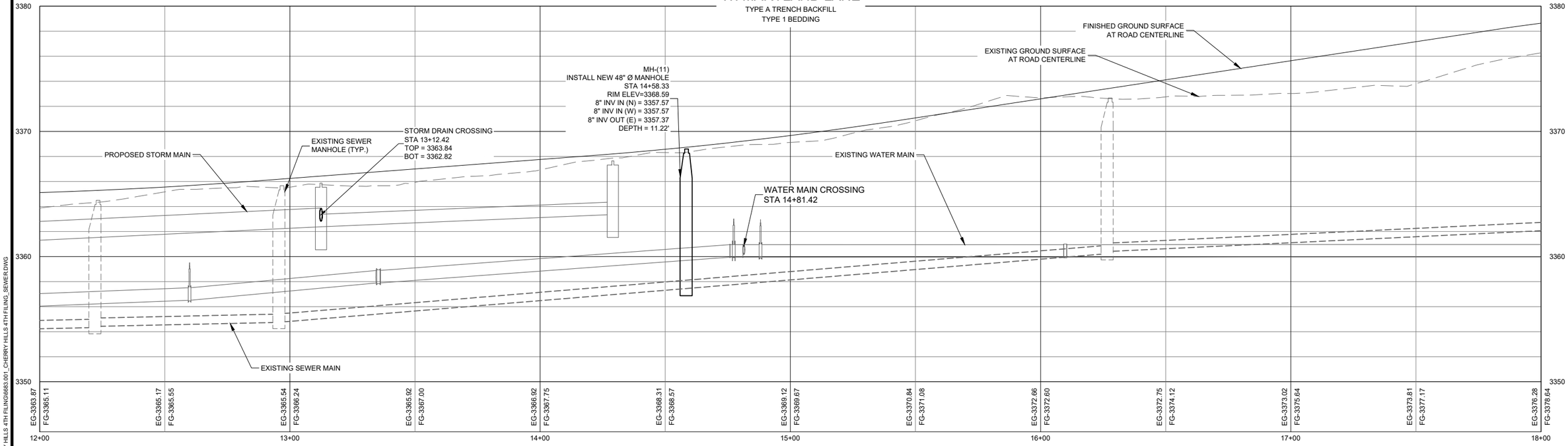
GENERAL NOTES:

1. SEE G-1 FOR SANITARY SEWER GENERAL NOTES.



W. MARYLAND LANE

TYPE A TRENCH BACKFILL
TYPE 1 BEDDING



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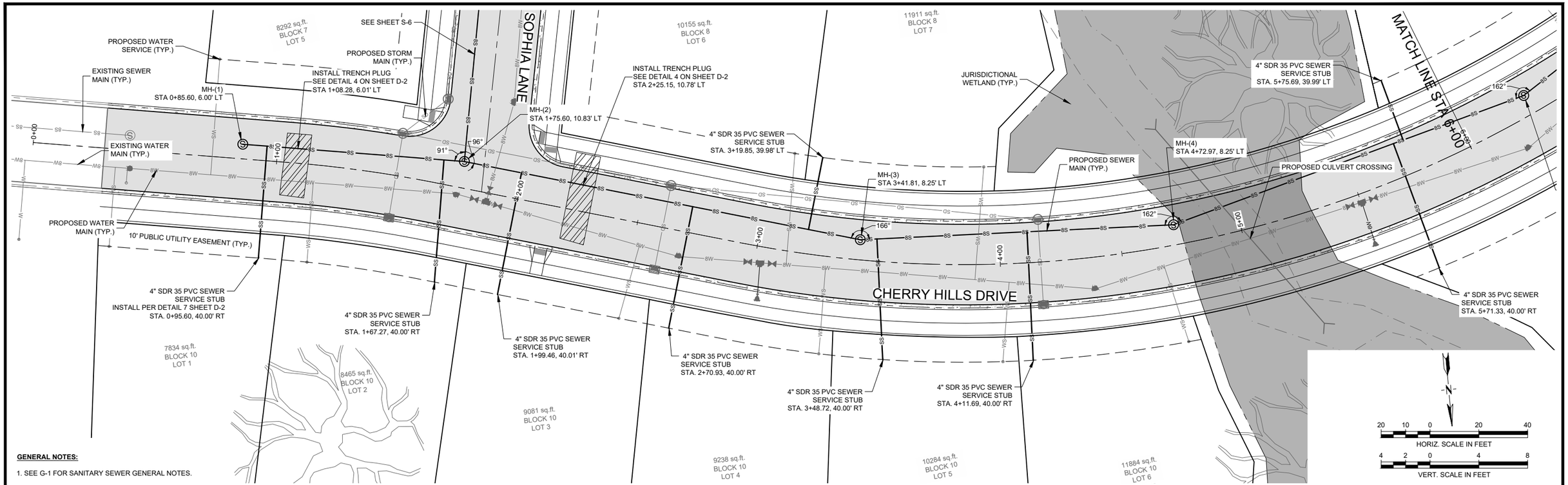
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CHERRY HILL SUBDIVISION - 4TH FILING
LAUREL MONTANA
W. MARYLAND LANE SEWER IMPROVEMENTS - STA. 12+50 TO 18+00

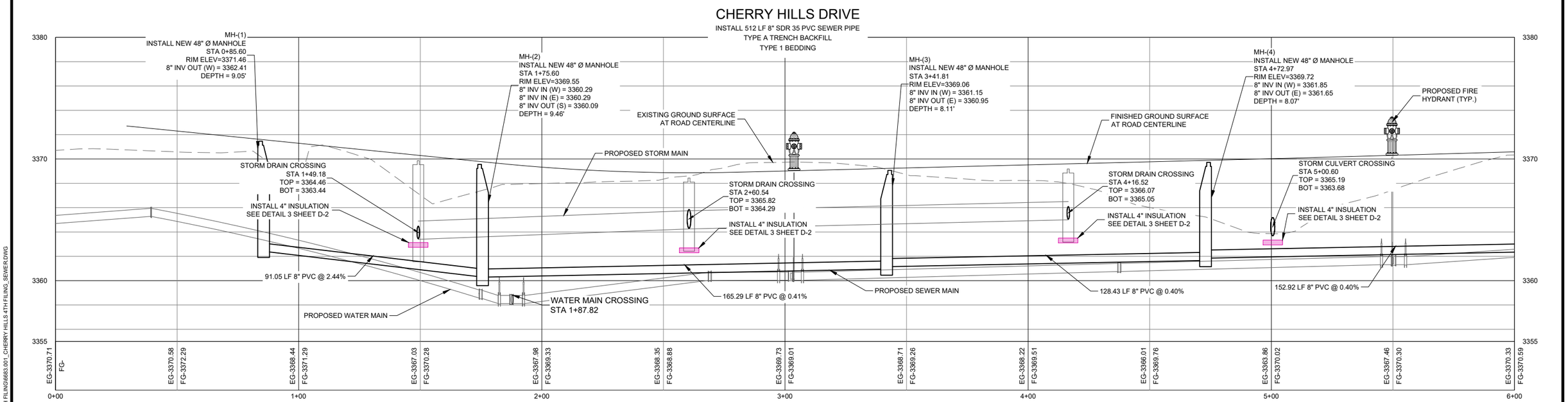
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SHEET NUMBER 16
DRAWING S-378

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GENERAL NOTES:

1. SEE G-1 FOR SANITARY SEWER GENERAL NOTES.



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CHERRY HILL SUBDIVISION - 4TH FILING

LAUREL MONTANA

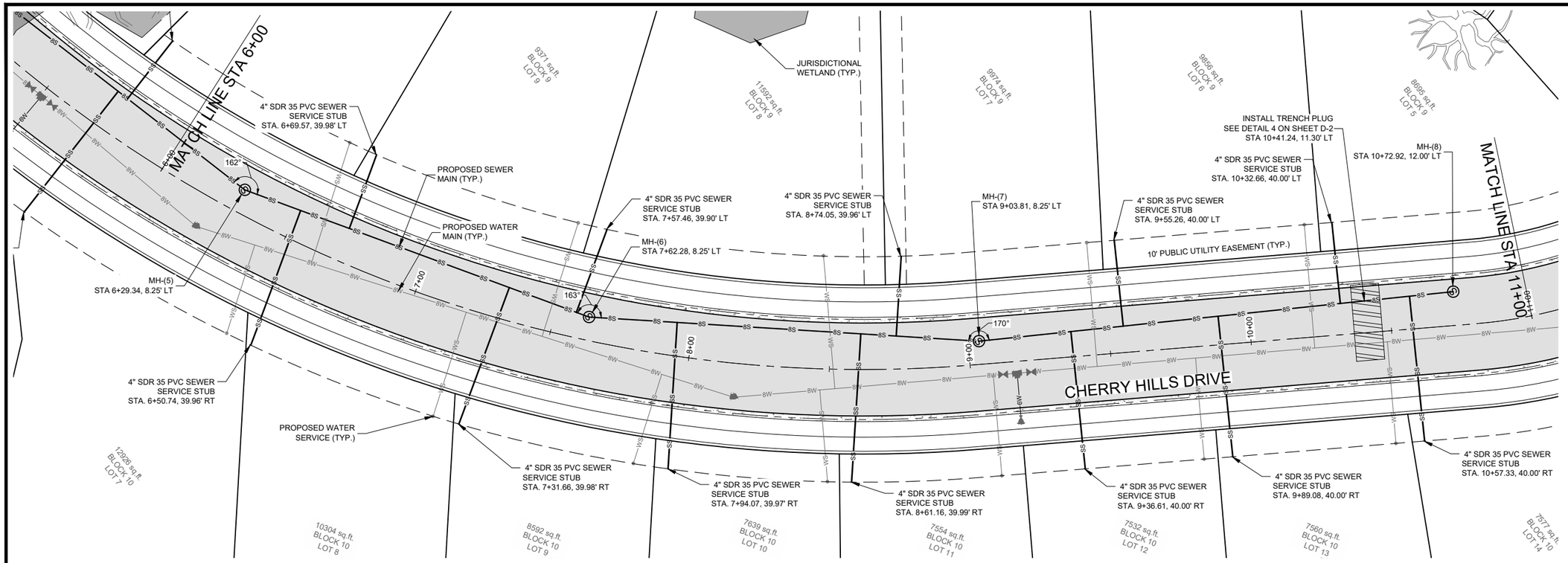
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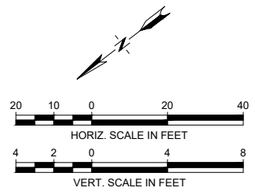
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SHEET NUMBER 17
DRAWING S-379

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GENERAL NOTES:

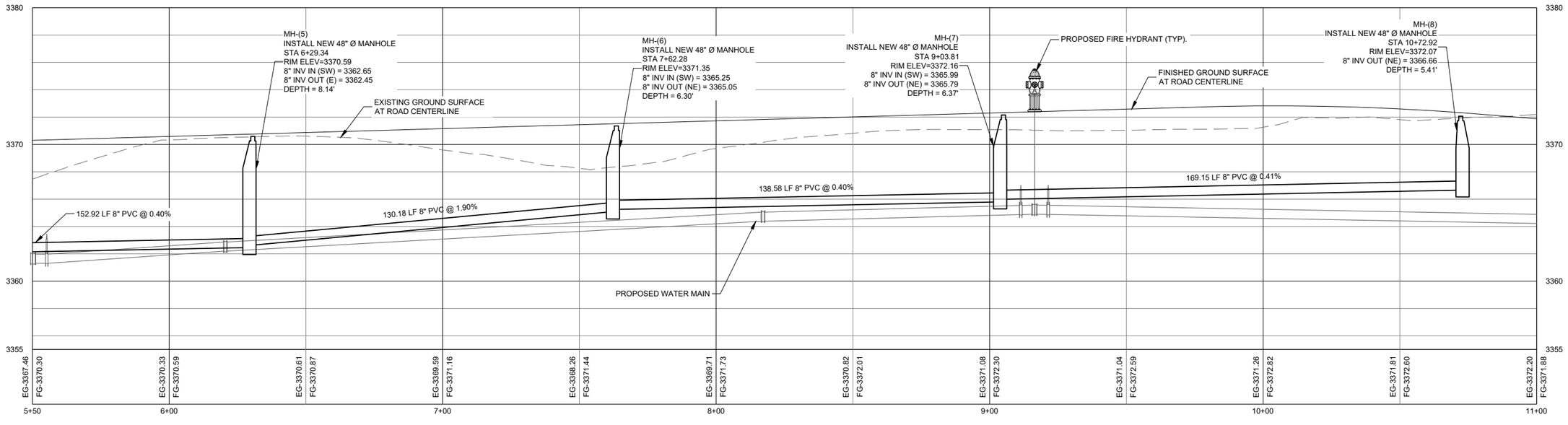
1. SEE G-1 FOR SANITARY SEWER GENERAL NOTES.





CHERRY HILLS DRIVE

INSTALL 465 LF 8" SDR 35 PVC SEWER PIPE
TYPE A TRENCH BACKFILL
TYPE 1 BEDDING



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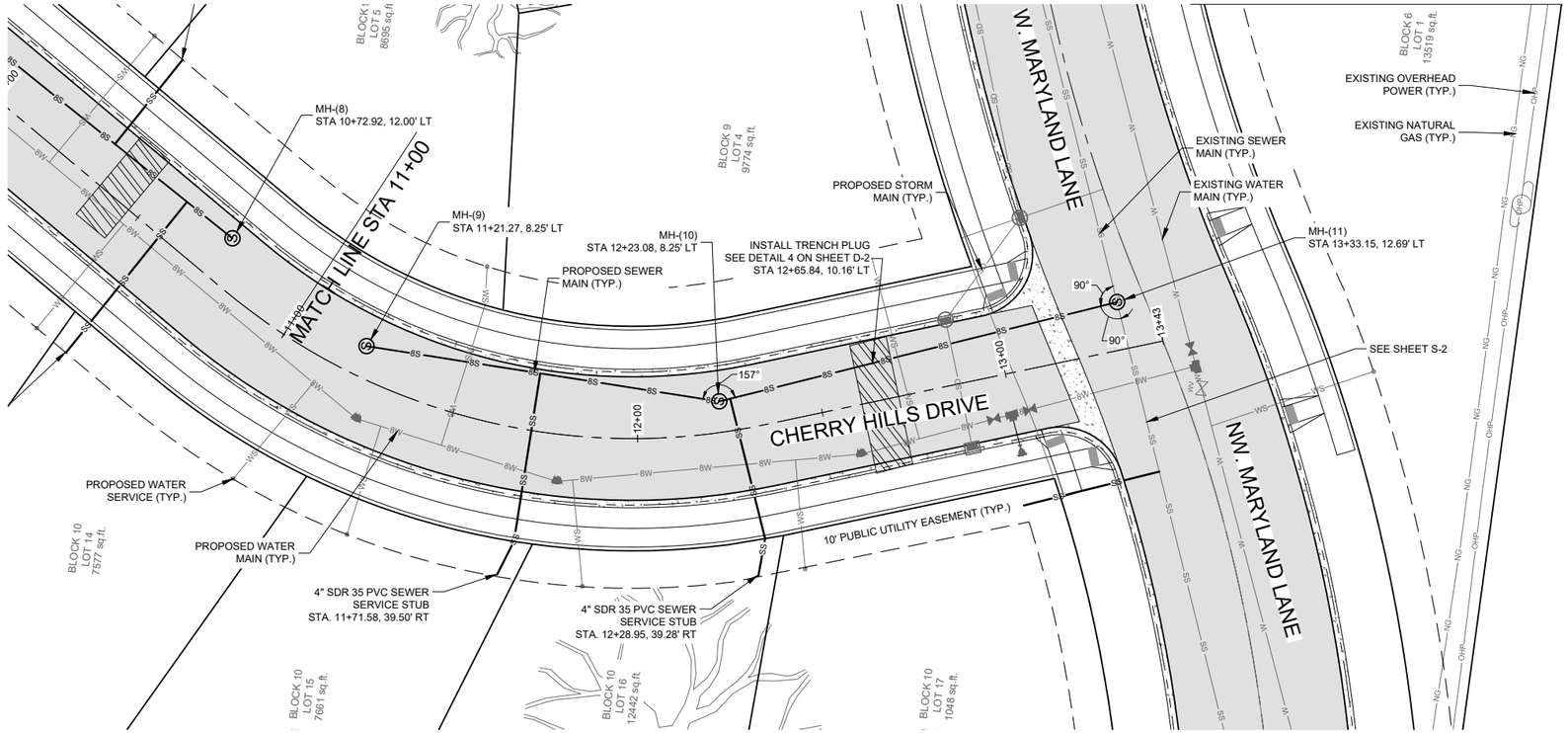
CHERRY HILL SUBDIVISION - 4TH FILING
LAUREL MONTANA
CHERRY HILLS DRIVE SEWER IMPROVEMENTS - STA. 6+00 TO 11+00

PROJECT NUMBER 6683.001
SHEET NUMBER 18
DRAWING S-380

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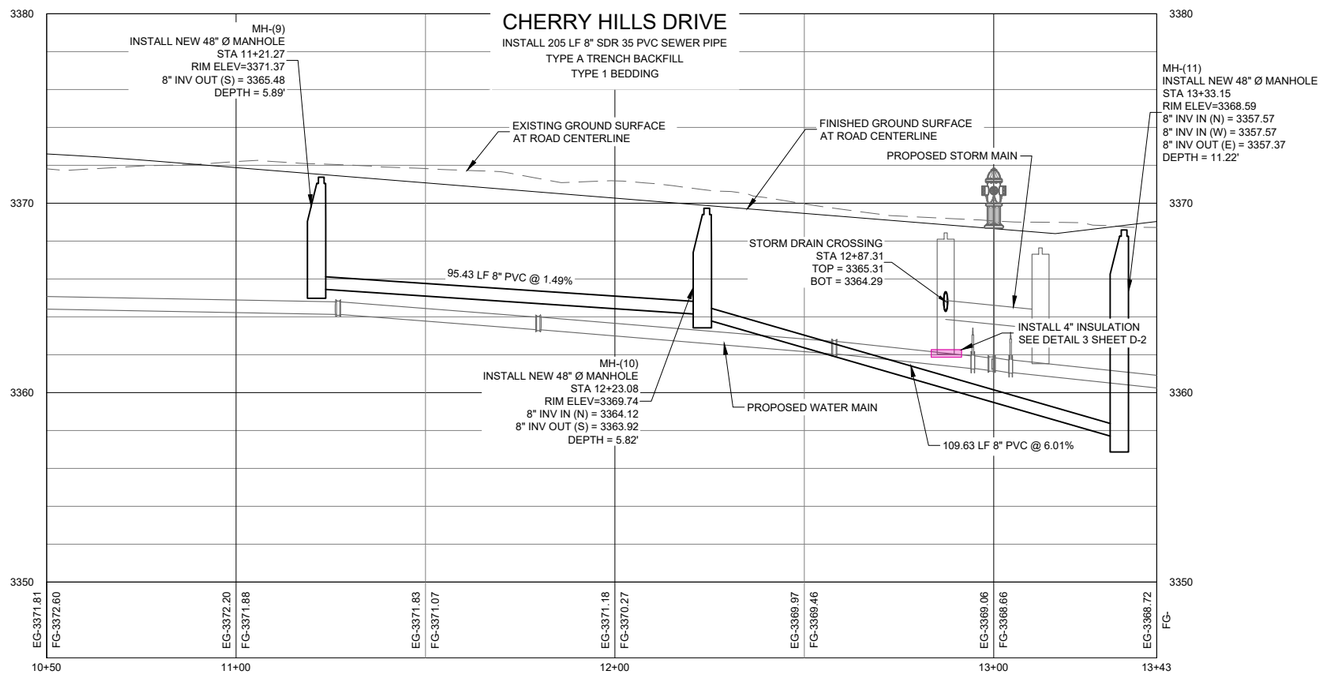
GENERAL NOTES:

1. SEE G-1 FOR SANITARY SEWER GENERAL NOTES.



20 10 0 20 40
HORIZ. SCALE IN FEET

4 2 0 4 8
VERT. SCALE IN FEET



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JUNE 2025

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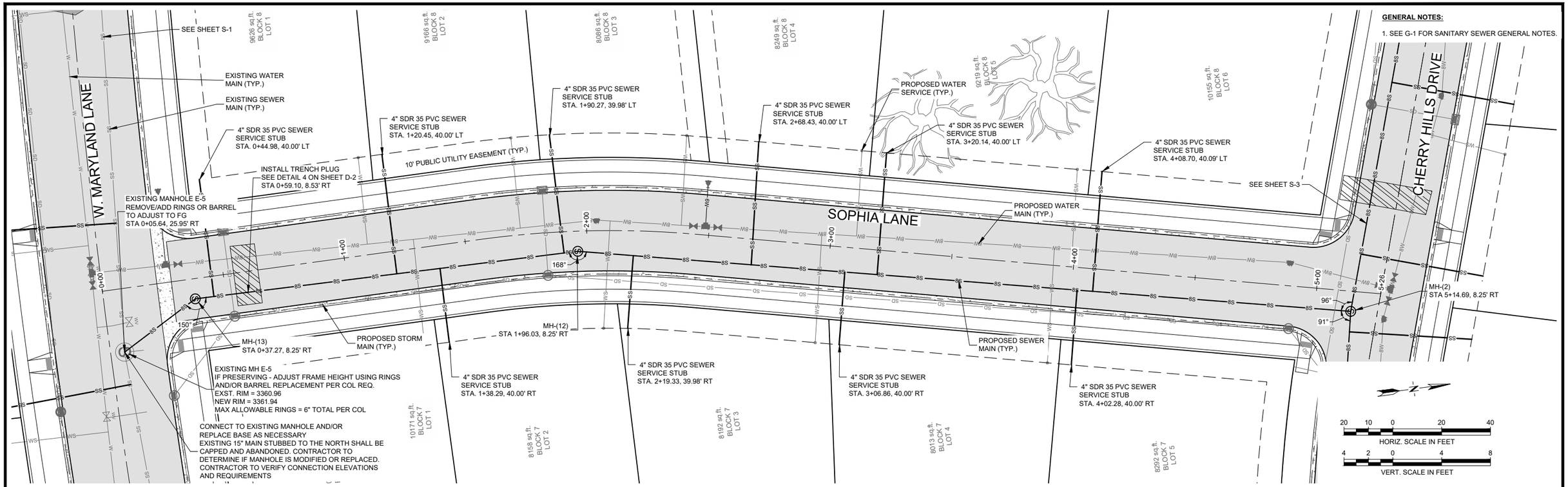
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CHERRY HILL SUBDIVISION - 4TH FILING
LAUREL MONTANA
CHERRY HILLS DRIVE SEWER IMPROVEMENTS - STA. 11+00 TO 13+43

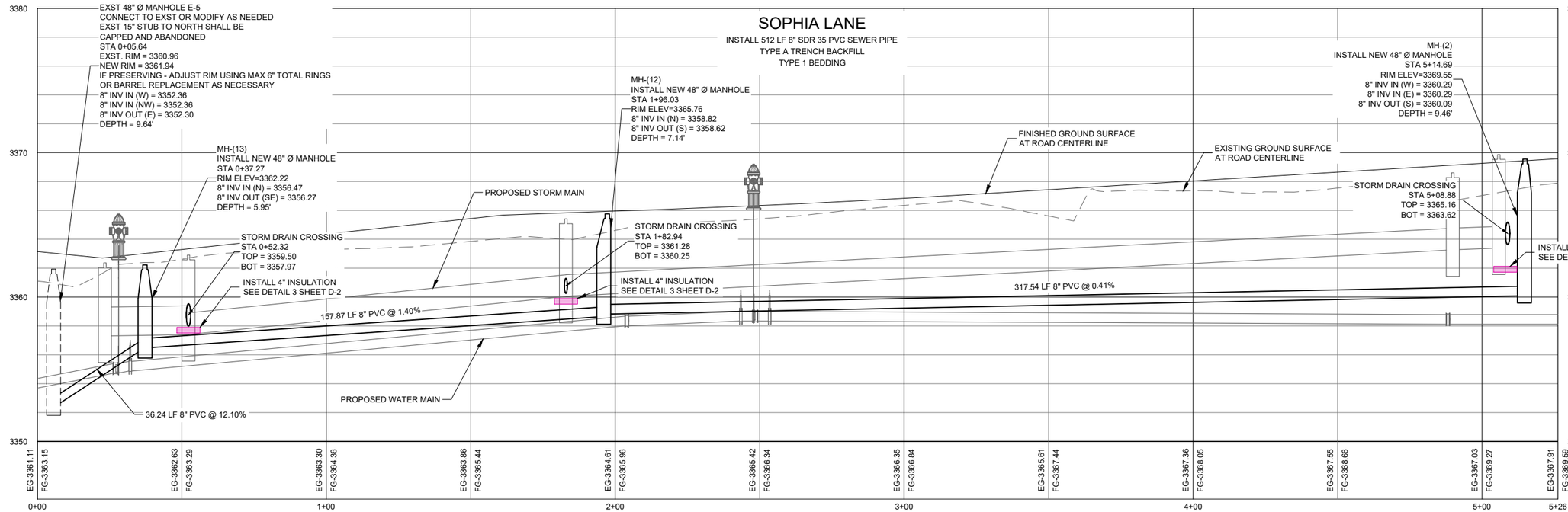
PROJECT NUMBER 6683.001
SHEET NUMBER 19
DRAWING S-381

N:\6683\001\ACAD\SHEETS\CHERRY HILLS 4TH FILING\6683.001_CHERRY HILLS 4TH FILING_SEWER - S-5 AND S-6.DWG



GENERAL NOTES:

1. SEE G-1 FOR SANITARY SEWER GENERAL NOTES.



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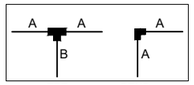
CHERRY HILL SUBDIVISION - 4TH FILING
LAUREL MONTANA
SOPHIA LANE SEWER IMPROVEMENTS - STA. 0+00 TO 5+26

PROJECT NUMBER 6683.001
SHEET NUMBER 20
DRAWING S-382

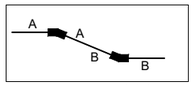
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DUCTILE IRON RESTRAINT LENGTHS FOR JOINT RESTRAINT (IN FEET)

DESCRIPTION	A	B
8" TEE - STANDARD	8.00	4.00
8" X 6" TEE (SEE NOTE 4 BELOW FOR HYDRANT LEADS)	4.00	9.00
12" X 8" TEE	5.00	7.00
12" X 6" TEE (SEE NOTE 4 BELOW FOR HYDRANT LEADS)	3.00	5.00
8" HORIZONTAL 90° BEND (EACH SIDE OF BEND)	20.00	--
8" HORIZONTAL 45° BEND (EACH SIDE OF BEND)	8.00	--
8" HORIZONTAL 22.5° BEND (EACH SIDE OF BEND)	4.00	--
8" HORIZONTAL 11.25° BEND (EACH SIDE OF BEND)	2.00	--
8" VERTICAL OFFSET 22.5° BEND (EACH SIDE OF BEND)	16.00	4.00
8" VERTICAL 11.25° BEND (EACH SIDE OF BEND)	8.00	2.00
8" DEAD END (CAPS)	57.00	
8" GATE VALVE	57.00	



HORIZONTAL RESTRAINT LENGTH LOCATION FIGURE



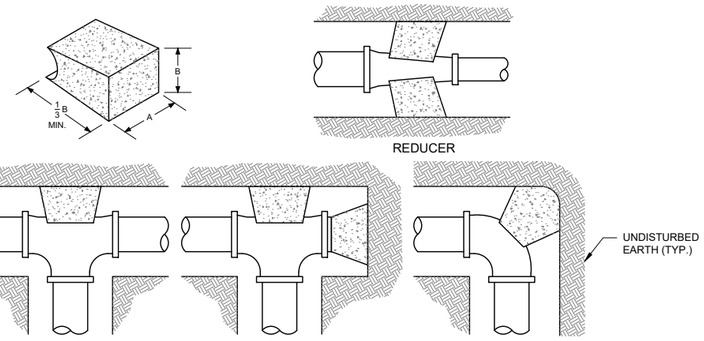
VERTICAL RESTRAINT LENGTH LOCATION FIGURE

NOTES

1. RESTRAINT LENGTHS ASSUME A 6.5' BURY DEPTH IN LEAN CLAY (LC) SOILS WITH 200 PSI TEST PRESSURE. ASSUME MEGALUG OR EQUIVALENT FITTINGS AND ALL RESTRAINTS REQUIRED. ALL JOINTS WITHIN THE RESTRAINT LENGTH MUST BE RESTRAINED. IF THE DISTANCE BETWEEN FITTINGS IS LESS THAN OR EQUAL TO THE CALCULATED RESTRAINT LENGTH, RESTRAIN ALL JOINTS BETWEEN SAID FITTINGS.
2. IF JOINT RESTRAINT IS NOT FEASIBLE INSTALL THRUST BLOCKS PER MPWSS.
3. INSTALL PER CURRENT EDITIONS OF CITY OF LAUREL (COL) STANDARDS AND MONTANA PUBLIC WORKS STANDARD SPECIFICATIONS (MPWSS).
4. ALL HYDRANT LEADS SHALL BE FULLY RESTRAINED.

1 JOINT RESTRAINT TABLE - MINIMUM RESTRAINT LENGTHS

SCALE: NTS

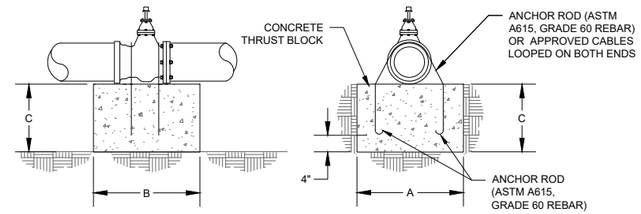


FITTING SIZES	DIMENSIONS FOR THRUST BLOCKING							
	TEES & PLUGS		90° BEND		45° BEND & WYES		REDUCERS & 22 1/2° BEND	
	A	B	A	B	A	B	A	B
4" & 6"	2'-0"	1'-11"	2'-5"	2'-2"	1'-10"	1'-7"	1'-9"	0'-10"
8"	2'-8"	2'-6"	3'-2"	3'-0"	2'-5"	2'-1"	1'-9"	1'-6"
10"	4'-0"	3'-3"	4'-0"	3'-10"	3'-0"	2'-9"	2'-2"	1'-11"
12"	4'-0"	3'-10"	4'-8"	4'-8"	3'-8"	3'-3"	2'-7"	2'-3"
16"	4'-6"	4'-0"	5'-0"	4'-8"	4'-0"	3'-0"	3'-0"	2'-6"
20"	5'-0"	5'-0"	7'-0"	5'-0"	4'-6"	4'-0"	3'-0"	3'-0"
24"	6'-10"	5'-0"	10'-0"	5'-0"	5'-8"	4'-6"	3'-8"	3'-8"

NOTES:
1. THIS TABLE IS BASED ON 2000 PSF SOIL BEARING PRESSURE AND 150 PSI MAIN PRESSURE.
2. WRAP ALL FITTINGS WITH POLYETHLENE PRIOR TO PLACING CONCRETE.
3. MECHANICAL JOINT RESTRAINT ALONG WITH PIPE JOINT RESTRAINT MAY BE USED IN LIEU OF CONCRETE THRUST BLOCKING. CONTRACTOR TO NOTIFY ENGINEER IF ELECTING TO USE.

2 THRUST BLOCK DETAIL

SCALE: NTS



NOTES:

1. DIAGRAM DEPICTS GATE VALVES ONLY, VALVES 12 INCH AND LARGER TO BE BUTTERFLY, AND INSTALLED PER MANUFACTURERS RECOMMENDATIONS WITH BLOCKS CENTERED UNDER LOAD BEARING PORTION OF VALVE.
2. STEEL CABLE (3/4" MINIMUM DIA. OR AS APPROVED BY THE ENGINEER) W/ANCHOR BOLTS MAY BE SUBSTITUTED FOR ANCHOR ROD.

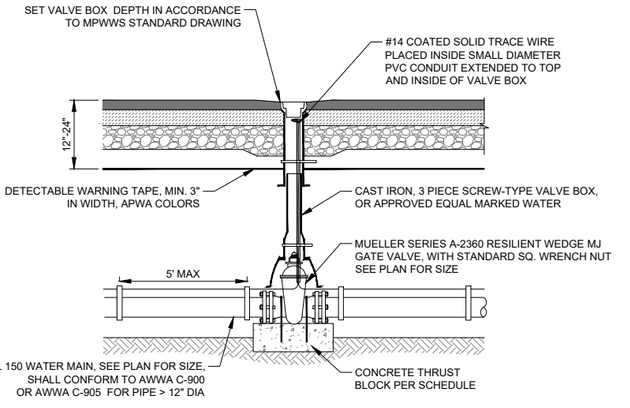
STANDARD THRUST BLOCK DIMENSIONS

ANCHOR ROD SIZE	VALVE SIZE	100 PSI			150 PSI			200 PSI			250 PSI			300 PSI	
		"A"	"B"	"C"	"A"	"B"	"C"	"A"	"B"	"C"	"A"	"B"	"C"	"A"	"B"
3/4"	6" & 8"	2'-0"	2'-0"	2'-0"	2'-0"	2'-0"	2'-0"	2'-0"	2'-0"	2'-0"	2'-0"	2'-0"	2'-0"	2'-0"	2'-0"
3/4"	10"	2'-0"	2'-0"	2'-0"	2'-6"	2'-6"	2'-0"	2'-9"	2'-6"	2'-6"	3'-0"	3'-0"	3'-0"	3'-7"	3'-0"
3/4"	12"	2'-3"	2'-0"	2'-0"	3'-0"	3'-0"	2'-8"	3'-5"	3'-0"	3'-0"	4'-3"	3'-0"	3'-0"	5'-1"	3'-0"
1"	14"	2'-3"	2'-0"	2'-4"	3'-5"	3'-0"	3'-0"	4'-6"	3'-0"	3'-0"	4'-0"	4'-0"	4'-0"	4'-9"	4'-0"
1 1/8"	16"	3'-0"	3'-0"	2'-11"	4'-4"	3'-0"	3'-0"	4'-1"	4'-0"	4'-0"	5'-1"	4'-0"	4'-0"	6'-1"	4'-0"
1 1/4"	18"	3'-8"	3'-0"	3'-0"	5'-5"	3'-0"	3'-0"	5'-1"	4'-0"	4'-0"	6'-4"	4'-0"	4'-0"	5'-9"	5'-0"
1 3/8"	24"	4'-4"	4'-0"	4'-0"	6'-5"	4'-0"	4'-0"	6'-6"	5'-0"	5'-0"	6'-5"	6'-0"	6'-0"	7'-8"	6'-0"

NOTES:
1. PRESSURES SHOWN ABOVE ARE MAXIMUM WORKING PRESSURE IN SYSTEM.
2. WRAP ALL APPURTENANCES WITH POLYETHLENE PRIOR TO PLACING CONCRETE.
3. MECHANICAL JOINT RESTRAINT ALONG WITH PIPE JOINT RESTRAINT MAY BE USED IN LIEU OF CONCRETE THRUST BLOCKING. CONTRACTOR TO NOTIFY ENGINEER IF ELECTING TO USE.

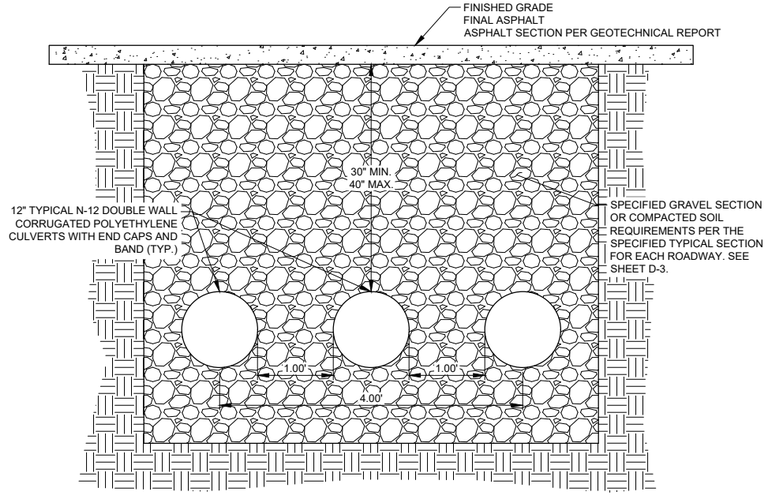
3 VALVE THRUST BLOCKING DETAIL

SCALE: NTS



4 TYPICAL MJ GATE VALVE SECTION DETAIL

SCALE: NTS

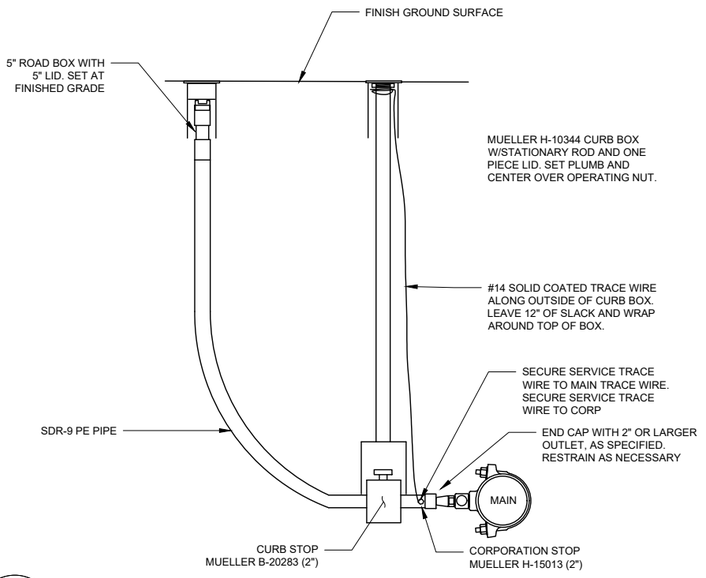


NOTES:.

1. ONE CULVERT FOR ELECTRIC.
2. ONE CULVERT FOR COMMUNICATIONS.
3. ONE CULVERT FOR NATURAL GAS.
4. CONDUIT SHALL EXTEND A MINIMUM 3' FROM BACK OF SIDEWALK.
5. CONDUIT SHALL BE A MINIMUM 4' AWAY FROM SIDEWALK RUNNING PARALLEL TO CONDUIT.

5 DRY UTILITY CONDUIT SECTION DETAIL

SCALE: NTS



6 TYPICAL BLOW-OFF ASSEMBLY

SCALE: NTS

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JUNE 2025

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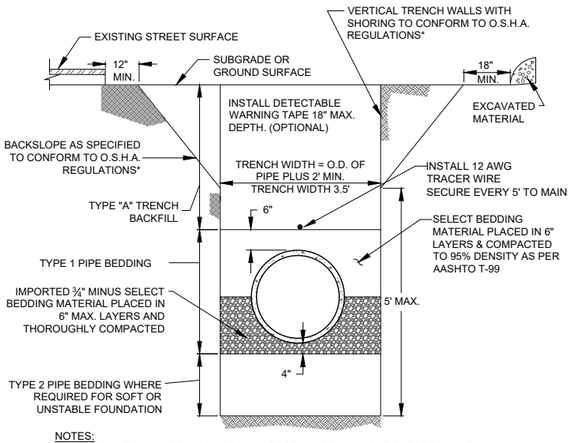
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DATE:

CHERRY HILL SUBDIVISION - 4TH FILING
LAUREL MONTANA
WATER AND UTILITY DETAILS (1 OF 2)

PROJECT NUMBER 6683.001
SHEET NUMBER 21
DRAWING D-383

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NOTE:
WHERE TRENCH PASSES THROUGH EXISTING PAVEMENT THE PAVEMENT SHALL BE CUT ALONG A NEAT VERTICAL LINE A MINIMUM OF 12" FROM THE EDGE OF THE TRENCH OPENING. WHERE NEAT LINE IS LESS THAN 3' FROM EDGE OF EXISTING PAVEMENT OR CURB AND GUTTER SECTION, REMOVE AND REPLACE ENTIRE PAVEMENT SECTION BETWEEN TRENCH AND EDGE OF PAVEMENT.

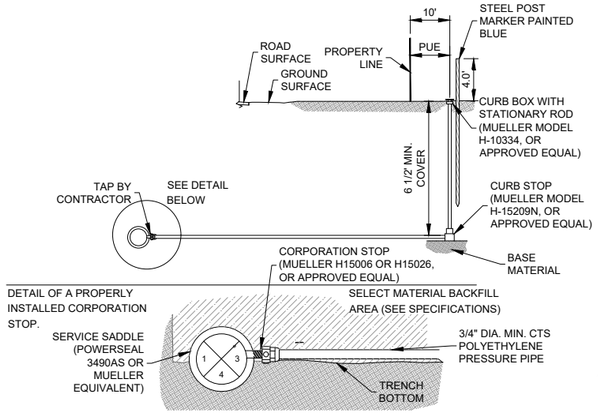


NOTES:
TRACER WIRE SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF LAUREL REQUIREMENTS. CITY OF LAUREL PERSONNEL SHALL CERTIFY INSTALLATION OF TRACER WIRE PRIOR TO PAVING.

WHEN IN UNSTABLE OR SOFT MATERIAL, TRENCH WALLS SHALL BE BACKSLOPED FROM THE BOTTOM OF THE TRENCH.

* SEE O.S.H.A. SAFETY AND HEALTH REGULATIONS.

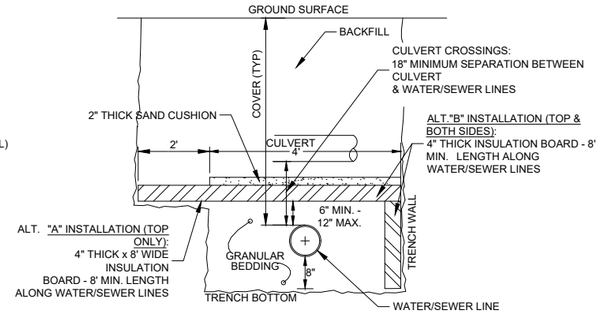
1 STANDARD WATER CROSS SECTION
SCALE: NTS



GENERAL NOTES:
1. WATER SERVICE LINES SHALL HAVE A MINIMUM 6 1/2 FOOT COVER MEASURED FROM THE EXISTING GROUND SURFACE.
2. WATER SERVICE LINES SHALL BE INSTALLED WHERE SHOWN ON THE DRAWINGS OR AS SPECIFIED.
3. BEDDING SHALL BE 1" DIA. MAXIMUM WITHIN 6" OF SERVICE PIPE.

2 TYPICAL WATER SERVICE
SCALE: NTS

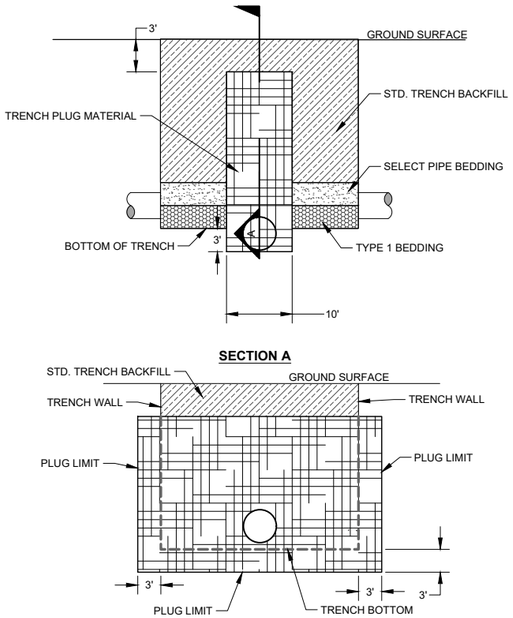
NOTES:
1. INSTALL INSULATION OVER ALL WATER OR SEWER LINES WITH LESS THAN 6.5' OR 4.0' COVER, RESPECTIVELY, TO FINISHED GRADE OR CULVERT.
2. INSTALL INSULATION IN TWO 2"-THICK LAYERS. ROTATE ORIENTATION OR STAGGER JOINTS TO PROVIDE 2' MIN. OVERLAP BETWEEN JOINTS.
3. INSULATION BOARD SHALL BE 2" THICK EXTRUDED POLYSTYRENE INSULATION BOARD PER AASHTO M230-70.



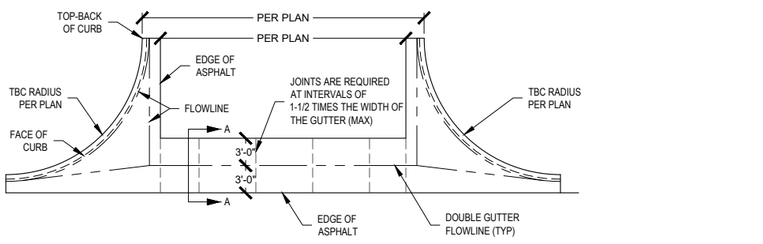
INSULATION TABLE FOR WATER/SEWER LINE (SIZES 2" TO 12")

VERTICAL SEPARATION BETWEEN WATER/SEWER AND FINISHED GRADE/CULVERT	WIDTH OF INSULATION TO BE INSTALLED
2.5'-4.5'	8.0'
4.5'-6.5'	4.0'

3 INSULATION DETAIL
SCALE: NTS

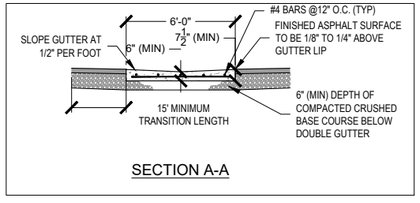


4 TYPICAL TRENCH PLUG
SCALE: NTS



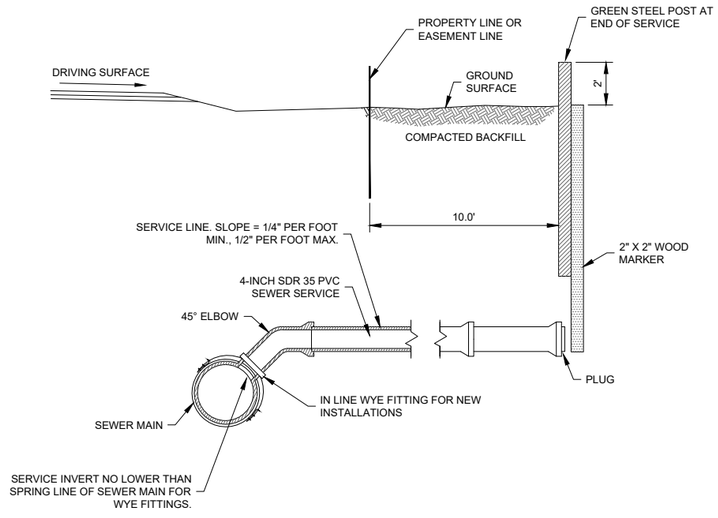
PLAN VIEW

NOTES:
1. BASE COURSE AND SUBGRADE SHALL BE COMPACTED TO A MINIMUM OF 95% OF THE MAXIMUM DRY DENSITY AS DETERMINED BY ASTM D 698.
2. CONCRETE SHALL BE CLASS M-4000 REINFORCED WITH 1.5 LBS OF FIBERMESH PER CUBIC YARD OR WITH 6X6X10 GAUGE WIRE MESH.
3. ALL GEOTECHNICAL RECOMMENDATIONS FOR MINIMUM ROAD SECTIONS SHALL BE FOLLOWED THROUGHOUT VALLEY GUTTER.

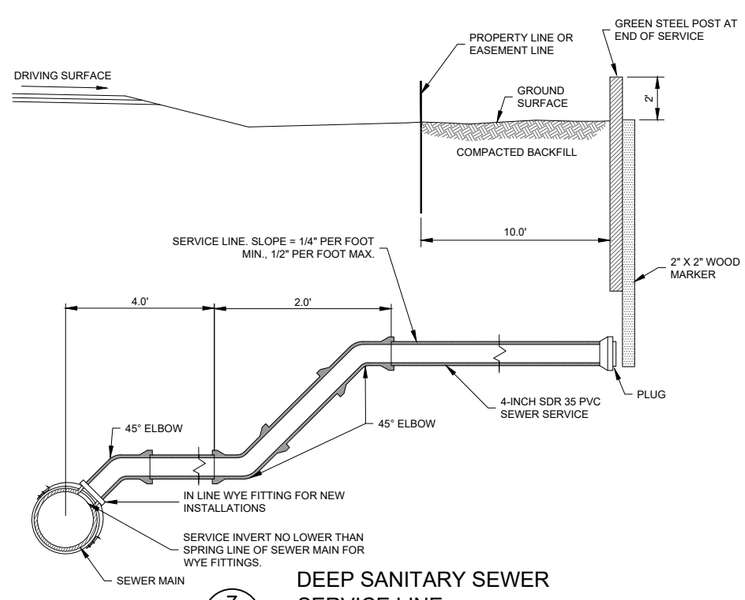


SECTION A-A

5 STANDARD VALLEY GUTTER DETAIL
SCALE: NTS



6 SANITARY SEWER SERVICE LINE
SCALE: NTS



7 DEEP SANITARY SEWER SERVICE LINE
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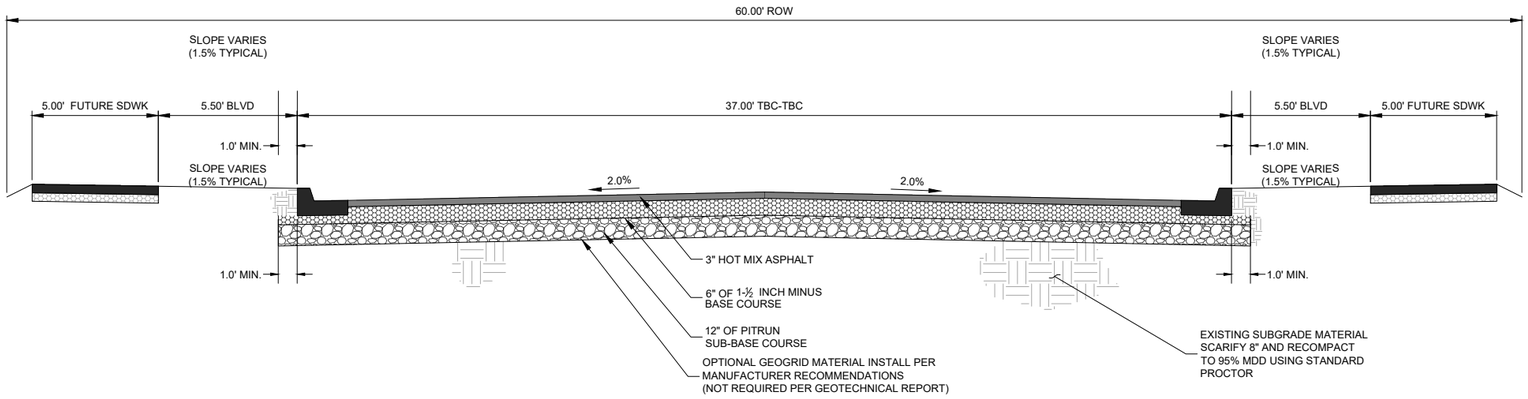
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LAUREL MONTANA
WATER AND UTILITY DETAILS (2 OF 2)

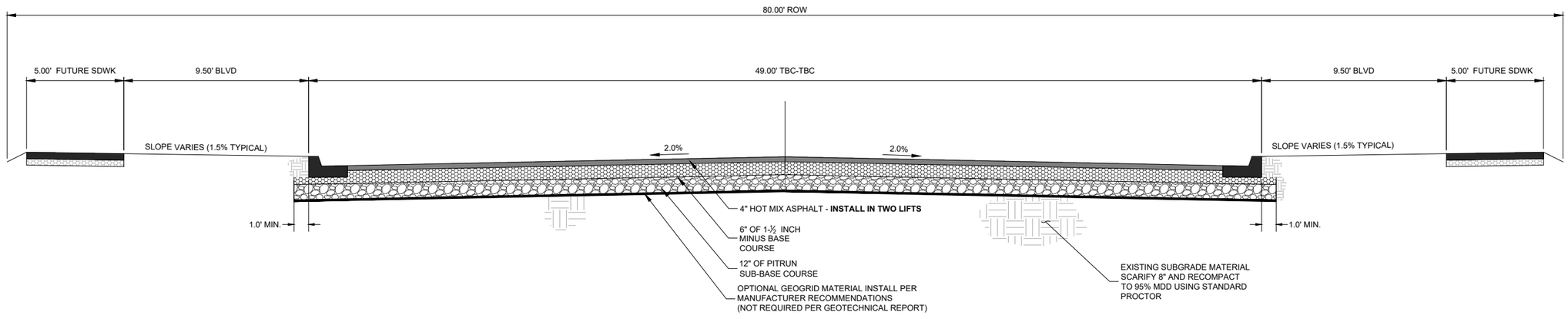
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SHEET NUMBER 22
DRAWING D-384

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1 TYPICAL 37' TBC-TBC LOCAL ROAD CROSS SECTION (SOPHIA LN AND CHERRY HILLS DR)

SCALE: NTS



2 TYPICAL 49' TBC-TBC ROAD CROSS SECTION (W. MARYLAND LANE)

SCALE: NTS

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CHERRY HILL SUBDIVISION - 4TH FILING

LAUREL MONTANA

STANDARD ROAD CROSS SECTIONS

PROJECT NUMBER 6683.001

SHEET NUMBER 23

DRAWING D 385

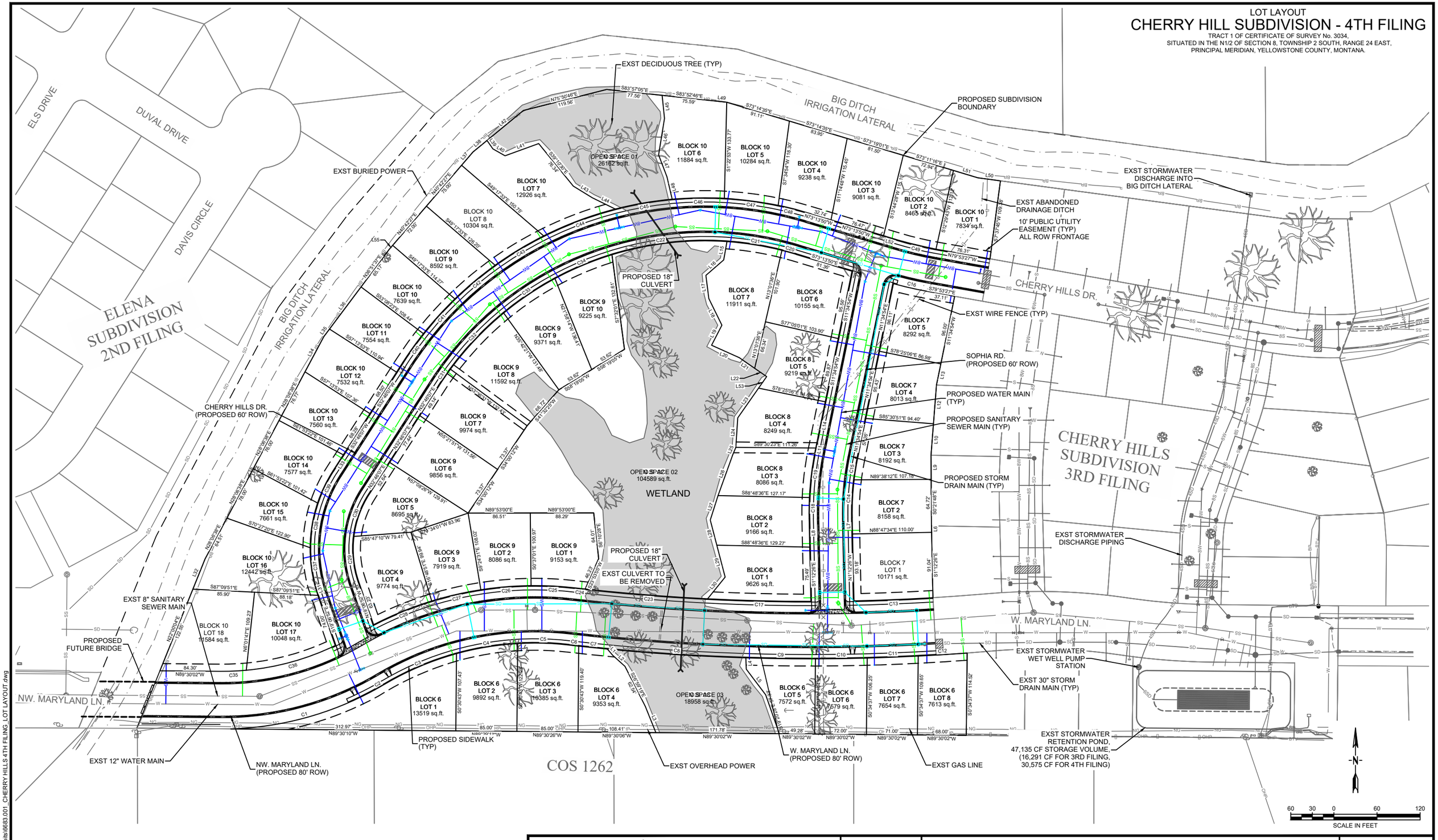
SECTION 12

CONCEPTUAL LOT LAYOUT

LOT LAYOUT

CHERRY HILL SUBDIVISION - 4TH FILING

TRACT 1 OF CERTIFICATE OF SURVEY No. 3034,
SITUATED IN THE N1/2 OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 24 EAST,
PRINCIPAL MERIDIAN, YELLOWSTONE COUNTY, MONTANA.



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CHERRY HILL SUBDIVISION - FOURTH FILING
LAUREL MONTANA
LOT LAYOUT

PROJECT NO. 6683.001
FIGURE NO. 1
387

Plotted by haaken.sygrud on Jun/25/2025

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LOT LAYOUT

CHERRY HILL SUBDIVISION - 4TH FILING

TRACT 1 OF CERTIFICATE OF SURVEY No. 3034,
SITUATED IN THE N1/2 OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 24 EAST,
PRINCIPAL MERIDIAN, YELLOWSTONE COUNTY, MONTANA.

PARCEL CURVE DATA			
SEGMENT	LENGTH	RADIUS	DELTA
C1	209.22	444.83	026°56'55"
C2	15.41	440.00	002°00'25"
C3	109.52	410.01	015°18'19"
C4	86.44	410.01	012°04'48"
C5	70.94	410.00	009°54'48"
C6	14.24	2940.00	000°16'39"
C7	40.18	2940.00	000°46'59"
C8	193.00	2940.00	003°45'41"
C9	96.91	2940.00	001°53'19"
C10	72.02	2940.00	001°24'13"
C11	71.09	2940.00	001°23'07"
C12	68.18	2940.00	001°19'44"
C13	110.03	2860.00	002°12'15"
C14	52.96	370.00	008°12'04"
C15	29.63	369.99	004°35'17"
C16	49.92	530.00	005°23'47"
C17	143.74	2860.00	002°52'46"
C18	29.50	430.00	003°55'51"
C19	66.48	429.49	008°52'07"
C20	20.32	440.00	002°38'44"
C21	77.65	440.00	010°06'39"
C22	161.93	440.00	021°05'08"
C23	170.88	2860.00	003°25'24"
C24	14.14	2860.05	000°17'00"
C25	61.44	490.00	007°11'03"
C26	70.24	490.00	008°12'48"
C27	70.22	502.73	008°00'11"

PARCEL CURVE DATA			
SEGMENT	LENGTH	RADIUS	DELTA
C28	87.30	498.16	010°02'28"
C29	63.92	140.00	026°09'32"
C30	62.86	140.00	025°43'27"
C31	28.31	440.00	003°41'13"
C32	107.97	440.00	014°03'33"
C33	86.06	440.00	011°12'23"
C34	86.06	440.00	011°12'23"
C35	35.99	360.00	005°43'40"
C36	129.15	360.00	020°33'17"
C37	52.32	200.00	014°59'21"
C38	63.25	200.00	018°07'10"
C39	49.63	200.00	014°13'07"
C40	49.58	500.00	005°40'54"
C41	65.33	500.00	007°29'10"
C42	73.05	500.00	008°22'14"
C43	79.00	500.00	009°03'09"
C44	106.79	500.00	012°14'12"
C45	80.27	500.00	009°11'54"
C46	72.69	595.50	006°59'38"
C47	75.55	621.43	006°57'56"
C48	32.01	273.77	006°41'57"
C49	54.62	710.48	004°24'16"

PARCEL LINE DATA		
SEGMENT	LENGTH	DIRECTION
L1	11.34	S40° 17' 26"E
L2	22.90	S48° 00' 24"E
L3	39.34	S21° 51' 17"E
L4	15.70	S2° 21' 36"E
L5	44.72	S37° 01' 54"E
L6	8.96	S1° 12' 26"E
L7	22.47	N1° 12' 26"W
L8	39.54	S1° 12' 26"E
L9	33.60	S0° 21' 48"E
L10	43.80	S4° 29' 09"W
L11	3.00	S11° 31' 25"W
L12	54.21	S4° 29' 09"W
L13	29.97	S11° 34' 54"W
L14	65.70	S11° 34' 54"W
L15	25.75	N9° 54' 48"E
L16	32.91	N49° 04' 33"E
L17	32.53	N7° 20' 41"W
L18	41.21	N26° 08' 05"W
L19	31.37	N27° 21' 45"E
L20	42.33	N65° 53' 27"W
L21	26.04	N55° 21' 17"W
L22	20.28	N55° 21' 17"W
L23	50.58	N35° 00' 09"E
L24	41.07	N3° 44' 01"E
L25	10.85	N22° 31' 52"E
L26	60.73	N19° 49' 45"E
L27	35.66	N17° 34' 30"E
L28	36.15	N14° 36' 08"W

PARCEL LINE DATA		
SEGMENT	LENGTH	DIRECTION
L29	45.86	N14° 36' 08"W
L30	38.83	N38° 56' 24"E
L31	15.17	S16° 43' 37"E
L32	45.18	N21° 56' 21"E
L33	26.63	S32° 46' 07"W
L34	55.56	N28° 06' 38"E
L35	13.15	N36° 51' 37"E
L36	73.24	N36° 51' 37"E
L37	24.38	N40° 42' 27"E
L38	25.26	N50° 28' 13"E
L39	14.35	S35° 03' 13"E
L40	19.40	S60° 18' 49"E
L41	49.78	N70° 01' 52"E
L42	65.68	N50° 32' 30"E
L43	31.20	S58° 35' 00"E
L44	35.63	S63° 50' 14"E
L45	32.28	S5° 44' 39"E
L46	51.36	S9° 11' 12"W
L47	32.65	S20° 49' 00"E
L48	32.17	S13° 10' 38"E
L49	14.74	S83° 58' 40"E
L50	31.83	S82° 23' 29"E
L51	35.35	S73° 11' 16"E
L52	20.70	N73° 13' 50"W
L53	19.65	N35° 00' 09"E
L54	15.81	S32° 46' 07"W
L55	7.51	N40° 42' 27"E

STORMWATER DETAIL NOTES

1. STORM SEWER MAIN SHALL BE INSTALLED IN TYPICAL UTILITY TRENCH UTILIZING TYPE 1 TRENCH BACKFILL PER MPWSS DETAIL 02221-1.
2. WATER MAIN AND STORM SEWER MAINS SHALL BE INSTALLED WITH A MINIMUM HORIZONTAL EDGE TO EDGE SEPARATION OF 10 FEET. WHERE SEWER MAIN AND WATER MAINS CROSS A MINIMUM 18 INCHES OF VERTICAL SEPARATION IS REQUIRED. SEE MPWSS DETAIL 02660-2.
3. STORM SEWER MANHOLES SHALL BE INSTALLED PER MPWSS DETAIL 02720-3.
4. MANHOLE COVER SHALL BE ROTATED TOWARD CENTERLINE OF ROAD.
5. INLETS SHALL BE EJIW 7030Z1 FRAME & 7030MG GRATE (OR APPROVED EQUAL).
6. ALL STORM DRAIN STRUCTURES SHALL INCLUDE A 1.5-FT SUMP.
7. MANHOLE FRAMES SHALL BE ADJUSTED TO FINISH GRADE PER MPWSS DETAIL 02213-1.

N

60 30 0 60 120
SCALE IN FEET

Morrison Maierle
engineers ▪ surveyors ▪ planners ▪ scientists
2880 Technology Blvd West
Bozeman, MT 59718
406.587.0721
www.m-m.net
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DRAWN BY: HPS
DSGN. BY: KCK
APPR. BY: MEG
DATE: 06/2025

CHERRY HILL SUBDIVISION - FOURTH FILING
LAUREL MONTANA

LOT LAYOUT

PROJECT NO. 6683.001

FIGURE NO. 2/388

Plotted by haaken.swrud on Jun/24/2025

N:\6683\001\ACAD\Exhibits\6683.001_CHERRY HILLS 4TH FILING_LOT LAYOUT.dwg

SECTION 13

CERTIFICATE OF SURVEY

AMENDED TRACT 1, CERTIFICATE OF SURVEY No. 3034

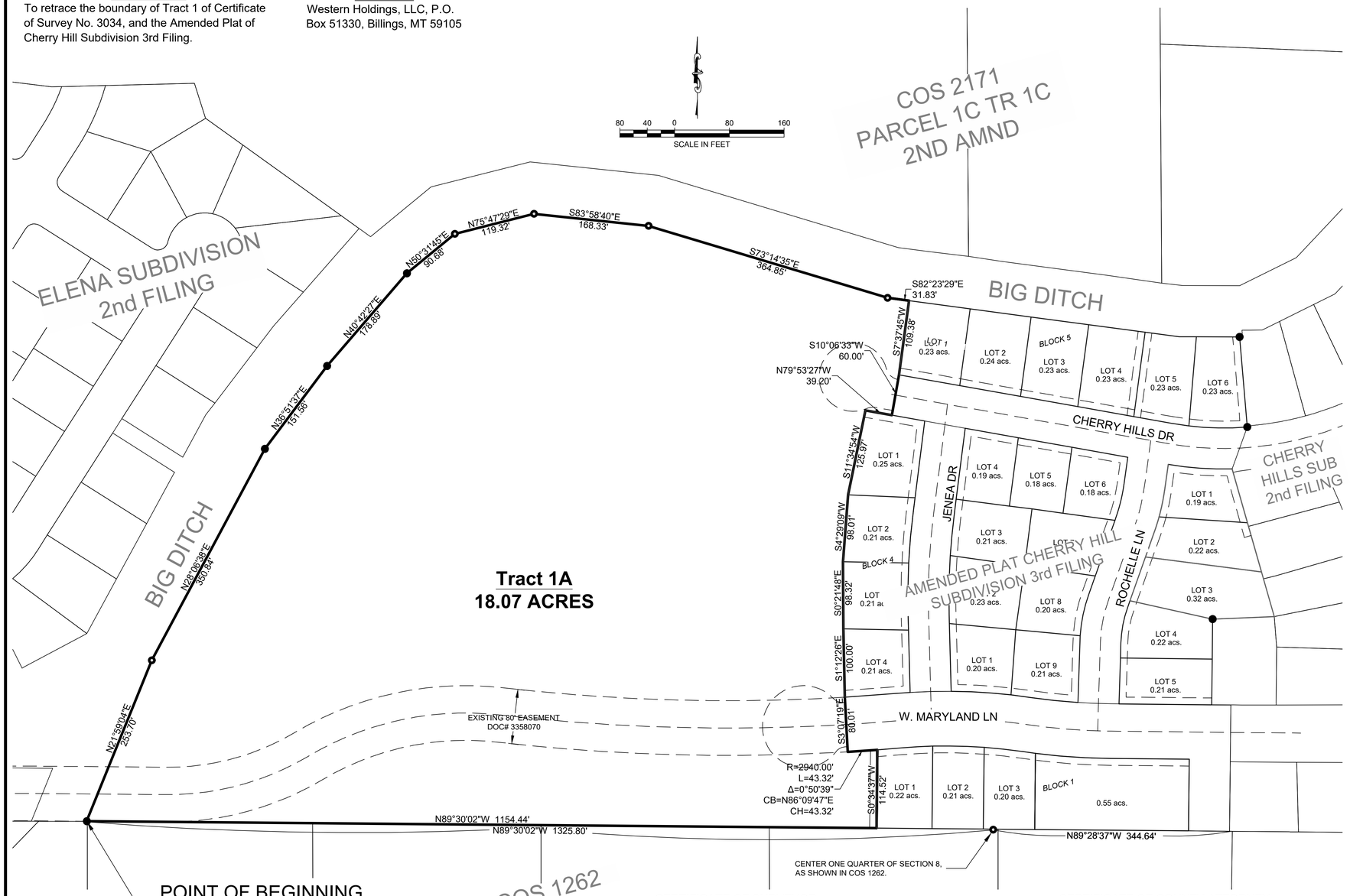
BEING A PORTION OF TRACT 1 OF CERTIFICATE OF SURVEY No. 3034.
LOCATED IN THE NORTHEAST ONE-QUARTER OF THE NORTHWEST ONE QUARTER OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 24 EAST, PRINCIPAL MERIDIAN,
IN THE CITY OF LAUREL, YELLOWSTONE COUNTY, MONTANA

PURPOSE

To retrace the boundary of Tract 1 of Certificate of Survey No. 3034, and the Amended Plat of Cherry Hill Subdivision 3rd Filing.

OWNER

Western Holdings, LLC, P.O. Box 51330, Billings, MT 59105



BASIS OF BEARINGS

Billings Coordinate System, NAD83(2011) per the "Rocky Mountain Tribal Coordinate Reference System" Handbook and User Guide, Published September 30th, 2014 and subsequent revisions, established by observations with survey-grade GNSS receivers.

LEGEND

- PLSS CORNER POSITION ESTABLISHED FROM FOUND MONUMENTS AND PRIOR PLATS OF RECORD
- Found Rebar, 5/8 in. diam.
- Found Yellow Plastic Cap

CERTIFICATE OF SURVEYOR

I, the undersigned, Kyle I. Thompson, Professional Land Surveyor, do hereby certify that this Certificate of Survey was surveyed under my direct supervision and platted the same as shown on the accompanying Certificate of Survey and platted in accordance with the provisions of the Montana Subdivision and Platting ACT, Section 76-3-101 through 76-3-365 MCA and the Yellowstone County Subdivision Regulations.

DATED this _____ day of _____, 2023.

Kyle I. Thompson
Montana Registration No. 13108LS

MONTANA KYLE I. THOMPSON No.13108LS REGISTERED PROFESSIONAL LAND SURVEYOR

CERTIFICATE OF COUNTY ATTORNEY

This document has been reviewed by the County Attorney's office and is acceptable as to form.

Dated this _____ day of _____, 2023.

_____
County Attorney

LEGAL DESCRIPTION

The described tract of land is the retracement of a portion of; "**Tract 1 of Certificate Of Survey No. 3034**", City of Laurel, Yellowstone County, Montana.

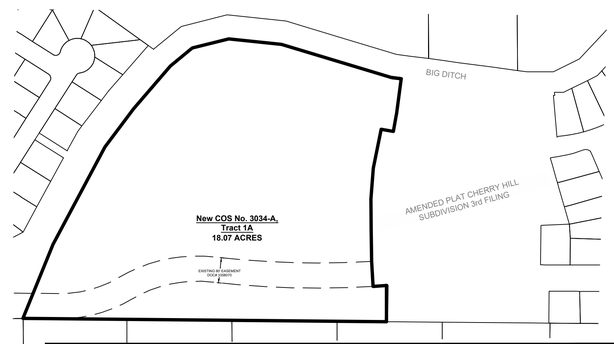
The described Tract of land is to be known and designated as "**Tract 1A of Certificate Of Survey No. 3034-A**", City of Laurel, Yellowstone County, Montana.

Tract 1A,
Being a portion of Tract 1 of Certificate of Survey No. 3034, Situated in the Northeast One Quarter of the Northwest One Quarter of Section 8, Township 2 South, Range 24 East, Principal Meridian, Yellowstone County, Montana.
The subject property is more particularly described as follows:

Beginning at the Southwest Corner of Tract 1 of Certificate of Survey No. 3034, also being a point on the Northwest corner of Certificate of Survey No.1262 and, **the True Point of Beginning**; thence along the exterior boundary line of said Certificate of Survey No. 3034; thence N21°59'04"E a distance of 253.70 feet; thence N28°06'38"E a distance of 350.84 feet; thence N36°51'37"E a distance of 151.56 feet; thence N40°42'27"E a distance of 178.89 feet; thence N50°31'45"E a distance of 90.68 feet; thence N75°47'29"E for a distance of 119.32 feet; thence S83°58'40"E a distance of 168.33 feet; thence S73°14'35"E a distance of 364.85 feet; thence S82°23'29"E a distance of 31.83 feet to a point being the northwest corner of Lot 1, Block 5 of Amended Plat Cherry Hill Subdivision 3rd Filing; thence along the west boundary of Lot 1 Block 5 of said Amended Plat S07°37'45"W a distance of 109.38 feet to the southwest corner of said Lot 1 and the north right-of-way of Cherry Hills Dr; thence S10°06'33"W a distance of 60.00 feet to a point on the south right-of-way of said Cherry Hills Dr and on the north line of Lot 1 Block 4; thence N79°53'27"W a distance of 39.20 feet to the northwest corner of said Lot 1; thence along the west line of said Lot 1 S11°34'54"W a distance of 125.97 feet to a corner common to Lots 1 and Lot 2 Block 4; thence along the west line of said Lot 2 S4°29'09"W a distance of 98.01 feet to a point common to Lots 2 and 3 block 4; thence S0°21'48"E along the west line of Lot 3 a distance of 98.32 feet to a point common to Lots 3 and 4; thence S1°12'26"E along the west line of said lot 4 a distance of 100.00 feet to the southwest corner of said Lot 4 also being a point on the north right-of-way of West Maryland Ln; thence S3°07'19"E a distance of 80.01 feet to a point on the south right-of-way of West Maryland Ln; thence east along a non-tangent curve to the left with a radius of 2940.00 feet with a central angle of 0°50'39" an arc length of 43.32 feet and having a chord bearing of N86°09'47"E and a chord distance of 43.32 feet being a point on the south right-of-way of said West Maryland Ln and the northwest corner of Lot 1 Block 1; thence along the west line of said Lot 1 S0°34'37"W a distance of 114.52 feet to the southwest corner of said lot 1 also being a point on the north line of Certificate of Survey No. 1262; thence along the north line of said Certificate of Survey No. 1262 N89°30'02"W a distance of 1154.44 feet to the **Point of Beginning.**
The area of the tract described is 18.07 acres, more or less.

PROPERTY OWNERS CERTIFICATE

We hereby certify the purpose of this survey is to retrace the existing Certificate of Survey No. 3034, and the Amended Plat of Cherry Hill Subdivision - 3rd Filing. No new tracts are hereby created; therefore this survey is exempt from review under both the Montana Subdivision and Platting ACT and the Montana Sanitation in Subdivisions ACT. This Certificate of Survey is filed in accordance under the provisions of MCA Section 76-3-404.



Morrison Maierle
engineers • surveyors • planners • scientists
2880 Technology Blvd West
Bozeman, MT 59718
Phone: 406.587.0721
www.m-m.net

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1/4 SEC.	SECTION	TOWNSHIP	RANGE
NE, NW	8	2 SOUTH	24 EAST

PRINCIPAL MERIDIAN, MONTANA
YELLOWSTONE COUNTY, MONTANA

FIELD WORK: MMI
DRAWN BY: NJM
CHECKED BY: KIT

DATE: 08/2023
SCALE: 1"=80'
PROJ. #: 6683.001

PLOTTED DATE: Dec/03/2023 PLOTTED BY: kyle thompson
CLIENT: WESTERN HOLDINGS, LLC
SHEET 1 OF 1

DRAWING NAME: N:\6683\001\ACAD\Survey\6683.001_COS 3034 Retracement Plat.dwg

SECTION 14

EXISTING UTILITY EASEMENTS

Montana-Dakota Utilities Co.
400 North Fourth St
Bismarck, ND 58501

MONTANA-DAKOTA UTILITIES CO.
PIPELINE EASEMENT BY OWNER

THIS INDENTURE, made this 16th day of December, A.D., 2002, between MONTANA-DAKOTA UTILITIES O., A DIVISION OF MDU RESOURCES GROUP, INC., a corporation, 400 North Fourth Street, Bismarck, North Dakota 58501, hereinafter called "COMPANY," its successors and assigns, and the following named persons, herein, whether singular or plural, called "OWNER," namely:

GERALD A. NEUMANN and ARDIS M. NEUMANN, husband and wife as Joint Tenants with Right of Survivorship, of 2609 Selvig Lane, Billings, Montana 59102

WITNESSETH, that for valuable considerations received, OWNER does hereby grant, bargain, sell and convey unto COMPANY, its successors and assigns, an easement see below feet in width, being see below feet left, and see below feet right of the center line as laid out and/or surveyed, or as finally installed on the hereinafter described lands, together with the right to construct, operate, maintain, repair, increase the capacity of, remove, and replace a gas pipeline or lines, including necessary pipes, poles, and fixtures, through, over, under and across the following described real estate, situated in the County of Yellowstone, State of Montana, namely:

A strip of land in that part of the North half of Section 8, Township 2 South, Range 24 East, of the Principal Montana Meridian, in Yellowstone County, Montana, described as Tract 1 of Certificate of Survey No. 3034 on file in the office of the Clerk and Recorder of said county, under Document No. 30855270.

PER ATTACHED EXHIBIT "A"

Should additional pipelines be laid under this grant, at any time, an additional consideration equal to the consideration paid for this grant, calculated on a lineal rod basis, shall be paid for each additional line.

OWNER, its successors and assigns, agrees not to build, create or construct or permit to be built, created or constructed, any obstruction, building, engineering works or other structures upon, over, or under the strip of land herein described or that would interfere with said pipeline or lines or COMPANY'S rights hereunder.

OWNER, its successors and assigns, hereby grants to COMPANY, its successors and assigns, the right at all reasonable times to enter upon said premises for the purpose of laying, constructing, maintaining, operating, replacing, increasing the capacity of, repairing or removing said gas pipeline or lines and for the purpose of doing all necessary work in connection therewith.

COMPANY hereby agrees that it will pay any and all damages that may result to the crops, fences, buildings and improvements on said premises caused by constructing, reconstructing, maintaining, repairing, increasing the capacity of, operating or removing said pipeline or lines. The damages, it not mutually agreed upon, may be determined by three disinterested persons, one to be selected by COMPANY and one by OWNER; these two shall select the third person. The award of these three persons shall be final and conclusive.

If the herein described lands are in the State of North Dakota, this easement is limited to a term of 99 years.

If the herein described lands are in the State of Wyoming, OWNER does hereby release and waive all rights under and by virtue of the homestead exemption laws of that state.

IN WITNESS WHEREOF, OWNER has executed these presents as of the day and year first above written.

Gerald A. Neumann
GERALD A. NEUMANN

Ardis M. Neumann
ARDIS M. NEUMANN

STATE OF Montana)
: ss.
County Of Yellowstone)

On this 16th day of December, 2002, before me personally appeared GERALD A. NEUMANN and ARDIS M. NEUMANN, husband and wife known to me to be the same person(s) described in and who executed the above and foregoing instrument and acknowledged to me that they executed the same.

(THIS SPACE FOR RECORDING DATA ONLY)

Dennis C. LaRango
Notary Public, Yellowstone County,
State of Montana
Residing at Billings
(SEAL) Dennis C. LaRango

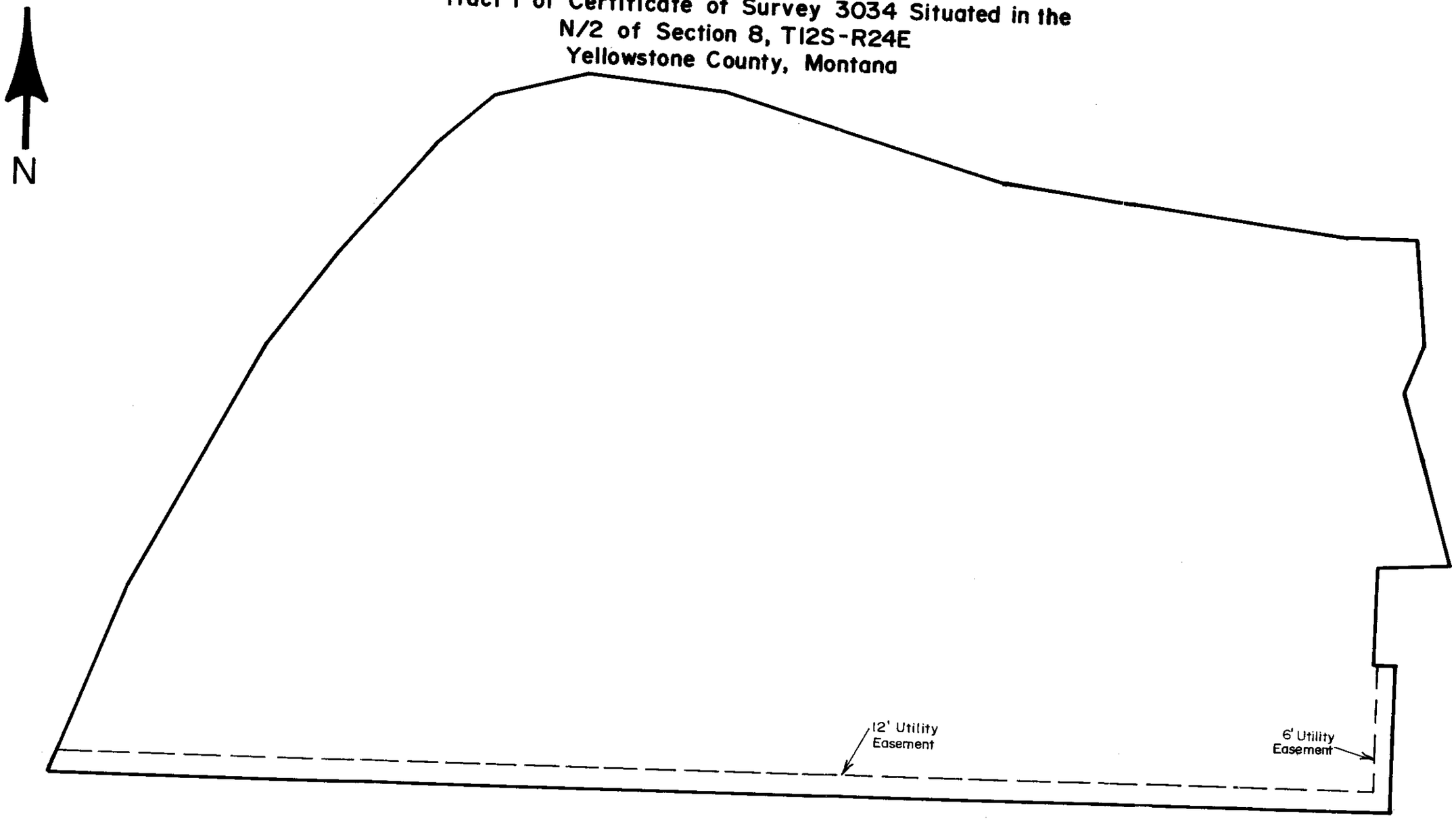
My Commission Expires: June 20, 2004
W.O. _____ TRACT NO. _____ L.R.R. No. _____

Yellowstone County EASE 12.00

3212529
Page: 1 of 2
01/29/2003 11:00A

EXHIBIT 'A'

Tract I of Certificate of Survey 3034 Situated in the N/2 of Section 8, T12S-R24E Yellowstone County, Montana



3212529
Page: 2 of 2
01/29/2003 11:00A
Yellowstone County EASE
12.00

SECTION 15

PERPETUAL ROW

Return to:
City of Laurel
City Clerk
P.O. Box 10
Laurel, MT 59044

Yellowstone County EASE 62.00
3358070
Page: 1 of 6
11/23/2005 01:51P

PERPETUAL RIGHT-OF-WAY EASEMENT

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged on this 15th day of November, 2005, the undersigned, **GERALD A. NEUMANN AND ARDIS M. NEUMANN,** of the address of 2609 Selvig Lane, Billings, Montana 59102, hereinafter called "Grantors," hereby grant and convey unto the **CITY OF LAUREL,** a municipal corporation and political subdivision of the State of Montana, of the address of 115 West First Street, Laurel, Montana 59044, hereinafter called "Grantee," a perpetual easement and right-of-way over, across, under, and through the following described tracts of real property in Yellowstone County, Montana:

A strip of land 80.0 feet in width situated in Tract 1 of Certificate of Survey 3034, the centerline of which is more particularly described as shown on attached "Exhibit A."

This perpetual easement to Grantee is for the purpose of constructing, reconstructing, maintaining, operating, servicing, repairing and replacing sanitary sewers and/or water lines over, across, under and through the said real property, together with the right of free ingress and egress at all times for the purpose of constructing, reconstructing, maintaining, operating, servicing, repairing and replacing said sanitary sewers and/or water lines and appurtenances, and adding additional sanitary sewer and/or water lines.

Grantors shall continue to have the right to use and enjoy the above-described property, except as to the rights herein granted, subject to the following restrictions:

(a) Grantors and their successors agree not to construct, nor cause to be constructed, within the easement right-of-way, any type of building or structure, such as, but not limited to, houses, garages, sheds, kennels, fences, nor any other fixed objects of any kind, shape or form, except as may be licensed by Grantee.

(b) Grantors agree not to plant, nor cause to be planted within the easement right-of-way any trees, bushes, shrubs, hedges nor any other plantings of a similar nature, except as may be licensed by Grantee.

(c) Grantors agree that authorized representatives of the City of Laurel can freely travel within the easement right-of-way with their equipment in the performance of their duties at any time, day or night, regardless of outside weather conditions.

(d) Grantors agree to obtain the permission of the Public Utilities Department or Grantee prior to placing or removing any fill dirt within the easement right-of-way and, in addition, in the event such permission is granted, the Grantors agree to perform any work necessary to modify the existing sanitary sewers and/or water lines and appurtenances, which work may be required prior to placing or

removing any fill dirt within the easement right-of-way and all such work shall be done at the Grantor's expense and without expense to the City.

(e) Grantors agree that the sole responsibility of the City of Laurel for any surface restoration due to any construction, replacement, repair or service work to the sanitary sewer and/or water lines by the City of Laurel, shall be limited to trench backfill compaction and placement of backfill material to existing grade by the City of Laurel.

(f) HOLD HARMLESS AGREEMENT:

1. Grantors agree that the owner or owners of the above-described property shall at all times fully relieve and save harmless the City of Laurel and its authorized representatives for any and all damages of property that may be caused within said easement right-of-way, such as, but not limited to, ruts or deep tracks in lawns, gardens, or flower beds, broken or crushed shrubs, bushes, hedges, trees or any other type of plantings; crushed, cracked, split or otherwise damaged, irrigation piping and appurtenances; and, any other damage to any other type of object, material or equipment located within the easement right-of-way which cannot, with a minimum of human effort and within a few minutes time period, be removed from the easement right-of-way by authorized representatives of the City of Laurel in exercise of any of their rights under this easement right-of-way.

2. Grantors agree the owners of the above-described real property shall reimburse the City of Laurel for any and all damage claims paid by the City for damages of any type or nature to any and all persons and entities in the event such damage results from or was caused to happen by such owner's failure to comply with any portion of the rights, restrictions, obligations or responsibilities contained in this Agreement.

(g) The Restrictions, Covenants, and Hold Harmless Agreements herein contained shall attach to and run with the land and shall bind the parties hereto and all persons claiming thereunder.

Grantors warrant and covenant that there are no liens or other encumbrance on the described tract or tracts.

"GRANTORS"

GERALD A. NEUMANN

ARDIS M. NEUMANN

STATE OF MONTANA)
: ss
County of Yellowstone)

On this 12th day of October, 2005, before me, a Notary Public for the State of Montana, personally appeared GERALD A. NEUMANN AND ARDIS M. NEUMANN, known to me to be thepersons who executed the foregoing instrument and acknowledged to me that they executed the same. Witness my hand and seal the day and year herein above written.

NANCY JOHNSON NOTARIAL SEAL STATE OF MONTANA

Nancy Johnson
Notary Public for the State of Montana
Printed Name: NANCY JOHNSON
Residing at Billings, Montana
My commission expires: 5 Sep 2008

Yellowstone County EASE 62.00
3358070
Page: 4 of 6
11/23/2005 01:51P

"CITY"
THE CITY OF LAUREL
MONTANA

By: _____
Mayor

Attest: _____
City Clerk

STATE OF MONTANA)
: ss
County of Yellowstone)

On this 15 day of November, 2005, before me, a Notary Public for the State of Montana, personally appeared Kenneth E Olson Jr and Mary K Embleton, known to me to be the Mayor and City Clerk, respectively, of the City of Laurel, Montana, whose names are subscribed to the foregoing instrument in such capacity and acknowledged to me that they executed the same on behalf of the City of Laurel, Montana. Witness my hand and seal the day and year herein above written.

Margarita McCormick
Notary Public for the State of Montana
Printed Name: MARGARITA McCORMICK
Residing at: NOTARY
My commission expires: MONTANA
BILLINGS
OCTOBER 6, 2009

TRACT 1
CERTIFICATE OF SURVEY 3034

PROPOSED
CHERRY HILL SUBDIVISION
FUTURE FILINGS

CENTERLINE OF A 80' PERPETUAL
RIGHT-OF-WAY EASEMENT

MATCHLINE SEE SHEET 2

Δ=11°31'08"
R=2860.00'
L=574.98'
CHB=S89°42'43"E
CHD=574.01'

Δ=13°23'08"
R=840.00'
L=196.24'
CHB=S88°46'43"E
CHD=195.80

Δ=7°51'18"
R=860.00'
L=117.90'
CHB=S86°00'48"E
CHD=117.81'

S89°56'27"E
175.16'

40'

Δ=11°31'08"
R=2940.00'
L=591.07'
CHB=N89°42'43"W
CHD=590.07'

Δ=13°23'08"
R=760.00'
L=177.55'
CHB=N88°46'43"W
CHD=177.15'

Δ=7°51'18"
R=940.00'
L=128.87'
CHB=N86°00'48"W
CHD=128.77'

115.15'
N89°56'27"W

N00°03'54"E
105.07'

145.00'
185.00'
S00°03'54"W

60.00'
S89°59'32"W

POINT OF BEGINNING
SOUTHWEST CORNER OF
LOT 10, BLOCK 13,
CHERRY HILLS SUBDIVISION
SECOND FILING, SECOND
AMENDED

NW1/16 CORNER SECTION 8,
T. 2 S., R. 24 E., P.M.M.
FOUND "LUND" YELLOW CAPPED REBAR
N32°52'37"W A DISTANCE OF 0.15'
FROM CALCULATED POSITION

CERTIFICATE OF SURVEY 1262

TRACT 6 | TRACT 5 | TRACT 4 | TRACT 3

BLOCK 15
CHERRY HILLS DR.
BETTY AVENUE
CHERRY HILL SUBDIVISION
2nd FILING, 2nd AMENDED
BLOCK 11
BLOCK 9
MARYLAND LANE
BLOCK 13

NORTH

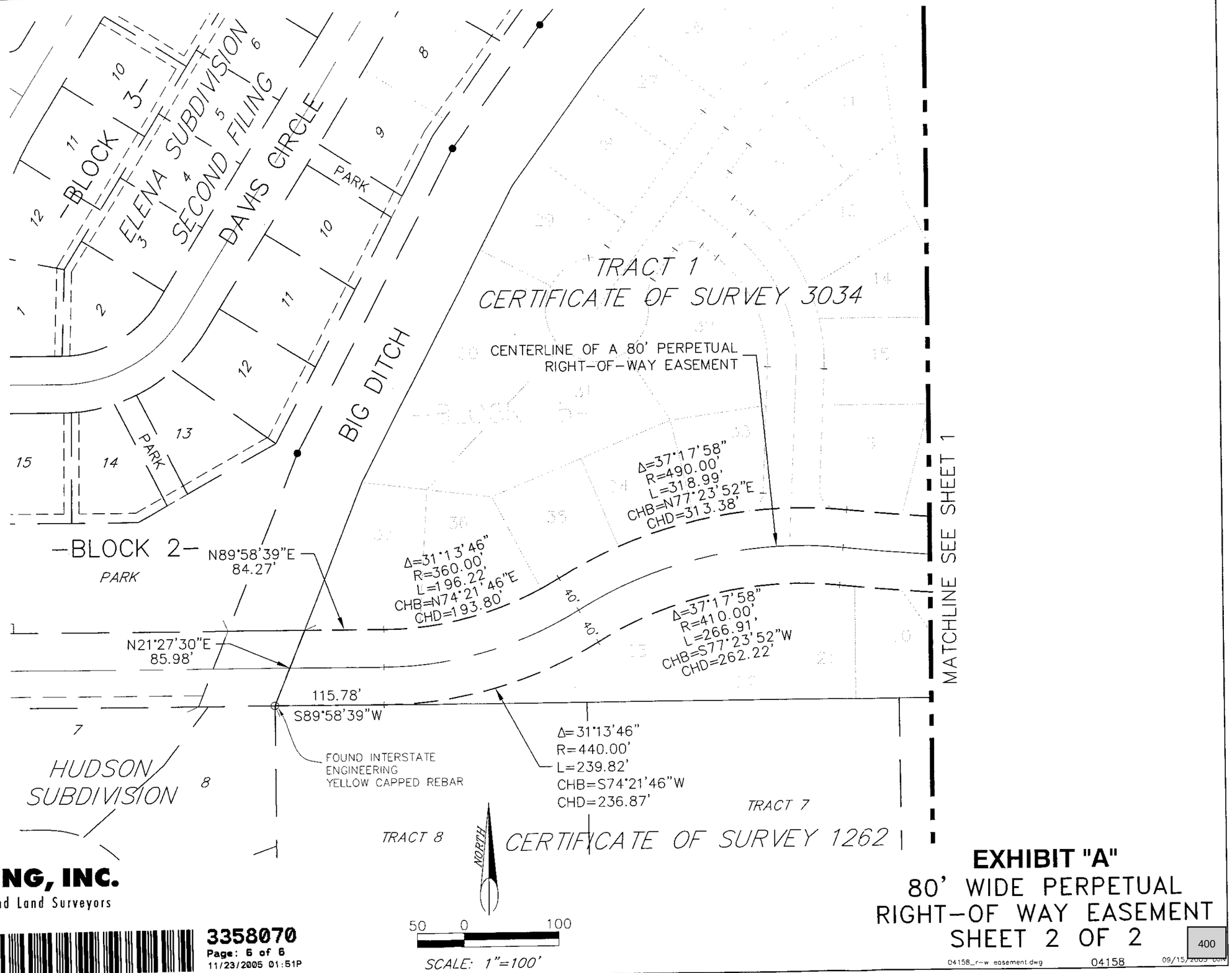
50 0 100
SCALE: 1"=100'

ENGINEERING, INC.
Consulting Engineers and Land Surveyors
1300 North Transtech Wa
Billings, Montana 59102
Phone (406) 656-525
www.enginc.com

Yellowstone County EASE 62.00
3358070
Page: 5 of 6
11/23/2005 01:51P

EXHIBIT "A"
80' WIDE PERPETUAL
RIGHT-OF WAY EASEMENT
SHEET 1 OF 2

04158_r-w easement.dwg 04158 09/20/2005 DJN



ENGINEERING, INC.
Consulting Engineers and Land Surveyors
1300 North Transtech
Billings, Montana 591
Phone (406) 656-5
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Yellowstone County EASE 62.00

3358070
Page: 6 of 6
11/23/2005 01:51P

EXHIBIT "A"
80' WIDE PERPETUAL RIGHT-OF WAY EASEMENT
SHEET 2 OF 2

400

04158_r-w easement.dwg 04158 09/15/2005

CITY HALL
115 W. 1ST ST.
PLANNING: 628-4796
WATER OFC.: 628-7431
COURT: 628-1964
FAX 628-2241

City Of Laurel

P.O. Box 10
Laurel, Montana 59044

Office of the City Planner

PUBLIC HEARING NOTICE

The Laurel – Yellowstone City-County Planning Board and Zoning Commission will conduct a public hearing on Wednesday, August 20, 2025, on the following applications. The meeting will begin at 6:00 p.m. in the City Council Chambers at City Hall, 115 West First Street, Laurel, Montana.

1. Proposed Annexation, Initial Zoning and Preliminary Subdivision Approval for the proposed Cherry Hill 4th Filing, a major subdivision. Cherry Hill 4th Filing is a proposed 48-lot residential subdivision located on property west of Cherry Hills Drive and W. Maryland Lane in north-west Laurel. Approval of annexation and R-7500 Initial Zoning would bring 18.07 acres of land into the City of Laurel and enable the proposed Cherry Hills Subdivision, 4thFiling to connect to the City water, wastewater, and street system. The application was submitted by Morrison -Maierle Engineering on behalf of the owner/subdivider. The property may be described as Section 08, Township 02 South, Range 24 East, C.O.S. 3034, PARCEL 1A, AMD(24).

Public comment is encouraged and can be provided in person at the public hearings on August 20th and again at the City Council meeting on September 9th. Public comment can also be made via email to the Planning Director, or via letter to the Planning Department office at 115 West 1st Street Laurel, MT 59044. A copy of the applications and supporting documentation is available for review upon request at the Planning Department office. Questions regarding this public hearing may be directed to the Planning Director at 628.4796 ext. 5302, or via email at cityplanner@laurel.mt.gov.

File Attachments for Item:

19. Resolution No. R25-80: A Resolution Of The City Council Approving The Variance Requested By Love's Travel Stops & Country Stores To Allow Signage Exceeding The Height Limitations Of The Highway Commercial Zoning District.

RESOLUTION NO. R25-80

A RESOLUTION OF THE CITY COUNCIL APPROVING THE VARIANCE REQUESTED BY LOVE'S TRAVEL STOPS & COUNTRY STORES TO ALLOW SIGNAGE EXCEEDING THE HEIGHT LIMITATIONS OF THE HIGHWAY COMMERCIAL ZONING DISTRICT.

WHEREAS, the City of Laurel has adopted zoning regulations pursuant to §76-2-301 et seq., MCA, which establish standards for height, bulk, and location of structures including outdoor advertising signs;

WHEREAS, Love's Travel Stops & Country Stores, the Applicant, requested a variance from the maximum height requirement of 45 feet in the Highway Commercial (HC) District to allow outdoor signage exceeding this limitation;

WHEREAS, the application was duly submitted on July 25, 2025, and the Laurel Zoning Commission held a public hearing on August 20, 2025, to consider the variance request;

WHEREAS, the Zoning Commission reviewed the application, supporting documentation, and testimony presented at the public hearing;

WHEREAS, the Zoning Commission, based upon its findings of fact, determined that the variance request met the applicable standards of review for approval of a variance under the City's zoning ordinance;

WHEREAS, on August 25, 2025, the Zoning Commission voted 6-1 to recommend approval of the variance request by Love's Travel Stops & Country Stores to the City Council;

WHEREAS, the City Council considered this matter by way of public hearing on the 9th day of September, 2025 at 6:30 p.m.; and

WHEREAS, the City Council has reviewed the Zoning Commission's recommendation, findings of fact, and supporting documentation, and determined that the variance request met the applicable standards of review for approval of a variance under the City's zoning ordinance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Laurel, Montana, as follows:

1. The City Council hereby approves the variance request submitted by Love's Travel Stops & Country Stores to allow signage in excess of the 45-foot height limitation established for the Highway Commercial (HC) District.

2. The variance approval is granted based upon the findings of fact and recommendation of the Laurel Zoning Commission.

3. The variance shall expire one (1) year from the date of approval if the next logical step in the development process is not commenced, including but not limited to applying for a building permit, commencing the use, or applying for a Development Permit.

Introduced at a regular meeting of the City Council on the 9th day of September 2025 by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel, Montana on the 9th day of September 2025.

APPROVED by the Mayor on the 9th day of September 2025.

CITY OF LAUREL

_____
Dave Waggoner, Mayor

ATTEST:

_____
Kelly Strecker, Clerk-Treasurer

APPROVED AS TO FORM:

_____
Michele L. Braukmann, Civil City Attorney

CITY HALL
115 W. 1ST ST.
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WATER OFC.: 628-7431
COURT: 628-1964
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City Of Laurel

P.O. Box 10
Laurel, Montana 59044

Office of the City Planner

Zoning Commission Recommendation
VARIANCE REPORT VAR-25-01
Love's Travel Stops & Country Stores
Height of Outdoor Advertising
August 25, 2025

BACKGROUND:

The City of Laurel has had zoning since the early 1970's as authorized by §76-2-301 et. seq MCA. These regulations set minimum and maximum standards for all lands located with the jurisdiction of the City of Laurel. These regulations establish standards for the height, bulk, and location of structures (including outdoor advertising signs).

The subject property was recently annexed into the City of Laurel and was assigned the initial zoning of Highway Commercial (HC). The HC District imposes a maximum structure height of 45 feet. The applicant was aware of this standard at the time of annexation and has requested a variance as outlined in their application.

The application materials address several other points that outline the anticipated benefits of the project. The application materials are incorporated into this report by reference.

LEGAL DESCRIPTION:

Westbrook Subdivision, Lot 7A1, Amended Tract 6A and 7A and a portion of Tract 5 less Highway right-of-way in Section 17, Township 02 South, Range 24 East, P.M.M., City of Laurel, Yellowstone County, Montana.

APPLICANT(S):

Love's Travel Stops & Community Stores, Corporate Office
10601 N Pennsylvania Ave
Oklahoma City, OK 73120

AGENT:
Effective Images, Inc
Kevin Keup
1027 5th Ave NW
Watertown, SD 57201

EXISTING CONDITION:

The subject property is a platted subdivision within the City of Laurel. The property is undeveloped and is intended to be served by public water, sewer, streets, and solid waste collection. The property is 34.239 acres in size.

PROCESS:

- The application for a Variance was submitted on July 25, 2025, and is scheduled for a public hearing on August 20, 2025 by the Laurel Zoning Commission.
- The Zoning Commission following the Public Hearing must adopt findings of fact and issue a formal recommendation to the City Council on the requested variance. The Zoning Commission may propose conditions or modifications to the request so long as the findings of fact support the condition(s).
- Those findings of fact and conclusions as well as the record minutes of the public hearing will be submitted to the City Council for consideration, hearing and final decision.
- The City Council will conduct a duly noticed Public Hearing on the Zoning Commission recommendation, findings of fact, and any conditions mitigating the impacts associated with the request. This hearing will occur later in September.

ZONES INVOLVED: Existing and Proposed

- HC – Highway Commercial District.
    - The maximum height for a structure in the HC District is 45 feet.

RATIONAL BASIS FOR VARIANCE:

"Variance" **means an adjustment in the application of the specific regulations of this title to a particular piece of property which property, because of special circumstances applicable to it, is deprived of privileges commonly enjoyed by other properties in the same vicinity or zone.**

Findings of Fact: Standard of Review

A recommendation for Approval or Conditional Approval of a Variance shall require the Board of Adjustment making each of the following Findings of Fact:

1. Special Conditions
   There are special circumstances or conditions that are peculiar to the land or building for which the Variance is sought that do not apply generally to land or buildings in the neighborhood; and
2. Not Result of Applicant
   The special circumstances or conditions have not resulted from an act of the applicant or been established to circumvent this Ordinance; and

3. Strict Application Unreasonable

   Due to the special circumstances or conditions, the strict application of this Ordinance would deprive the applicant of reasonable use of the land or building or create an undue hardship on the landowner; and

4. Necessary to Provide Reasonable Use

   Granting the Variance is necessary to provide a reasonable use of the land or building; and

5. Minimum Variance

   The Variance is the minimum variance necessary to allow a reasonable use of the land or building; and

6. Not Injurious

   Granting the Variance will not be injurious to the neighborhood or detrimental to the public welfare; and

7. Consistent with Ordinance

   Granting the Variance is consistent with the purposes and intent of this Ordinance. A variance to the Allowed Uses of a zoning district is prohibited.

CONDITIONS

Conditions or restrictions may be placed on the approval of a Variance.

EXPIRATION

A Variance shall expire one (1) year from the date of approval if the next logical step in the development process is not commenced. The next step in the development process includes but is not limited to applying for a building permit, commencing the use, or applying for a Development Permit.

Findings of Fact:

<u>RECOMMENDATION:</u>

The Zoning Commission (on a 6-1 Vote) Recommends that the City Council APPROVE the variance request and allow for signage at the Love's Travel Stops and Country Store that exceeds the limits of the Highway Commercial Zoning District.

CITY HALL
115 W. 1ST ST.
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City Of Laurel

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Laurel, Montana 59044

Office of the City Planner

PUBLIC HEARING NOTICE

The Laurel – Yellowstone City-County Planning Board and Zoning Commission will conduct a public hearing on Wednesday, August 20, 2025, on the following applications. The meeting will begin at 6:00 p.m. in the City Council Chambers at City Hall, 115 West First Street, Laurel, Montana.

1. A variance request submitted by Love's Travel Stops & Country Stores Inc. to the maximum height limit for an on-premise sign in the Laurel Highway Commercial (HC) Zoning District. The request is to install a sign that is 145 feet in overall height and is intended to provide visibility of the facility for approximately 1 mile for both east and westbound traffic along Interstate 90. The subject property is located at 415 19th Avenue West Laurel (the West Laurel Interchange). The property may be described as Westbrooks Subdivision, Lot 7A1, Amended Tract 6A and 7A and a portion of Track 5 less Highway Right-of-Way in Section 17, Township 02 South, Range 24 East.

Public comment is encouraged and can be provided in person at the public hearings on August 20th and again at the City Council meeting on September 9th. Public comment can also be made via email to the Planning Director, or via letter to the Planning Department office at 115 West 1st Street Laurel, MT 59044. A copy of the applications and supporting documentation is available for review upon request at the Planning Department office. Questions regarding this public hearing may be directed to the Planning Director at 628.4796 ext. 5302, or via email at cityplanner@laurel.mt.gov.

effective images, inc. 1027 5th Ave. NW | Watertown, SD 57201 | 605.753.9700

August 25th, 2023

Re: Sign Survey – Laurel, MT

Property Location: Northeast quadrant of I-90 and Hwy 90 Intersection; Exit 432

Survey Date: July 25th, 2023

Blimp Information: Located on the Southwest corner of the property, 105' OAH
Latitude: 45.664800 / Longitude: 108.798960 / Google Earth Elevation: 3322'

The blimp used in this survey was at 105' OAH located at the Southwest corner of the property. The Hi-Rise sign superimposed in this survey reflects a structure that is 145' OAH located at the spot of the property.

Westbound traffic will have a full read on the sign 0.8 miles from the exit and will continue to have a full read on the sign until they reach the off-ramp exit.

Eastbound traffic will have their initial read on the Hi-Rise sign at 1 mile from the exit. They will have a read on the top portion of the sign as they head over a bridge. As they approach 0.9 miles from the exit, they will have a full read on the sign. Traffic will continue to have a full read on the sign until they reach a stretch of trees between 0.7 and 0.4 miles where the sign will intermittently appear from the tree obstructions. Once they reach 0.3 miles from the exit they will have a full read on the sign until they approach the off-ramp exit.

The property is located within the county, and they do not have a sign code.

We would recommend a sign that is 145' OAH located at the Southwest corner of the property. This will provide a good read on the sign for both Westbound and Eastbound traffic. 145' OAH will allow better visibility over the trees and billboard while traveling Eastbound.

A preliminary filing with the FAA was submitted and we were given a no-hazard determination for the proposed sign structure's height and location. No additional follow-up will be required, however, any height and/or location change of the structure would require a new filing to confirm compliance with the FAA requirements.

Once you have had a chance to review the information, please let us know if you have any questions.

Thank You,

Kevin Keup
Effective Images, Inc.

Emailed: Greg Love, Chad Bruner, Frank Ille, Shawn Baker, Kari Keup

LAUREL, MT



✸ = BLIMP & RECOMMENDED SIGN LOCATION

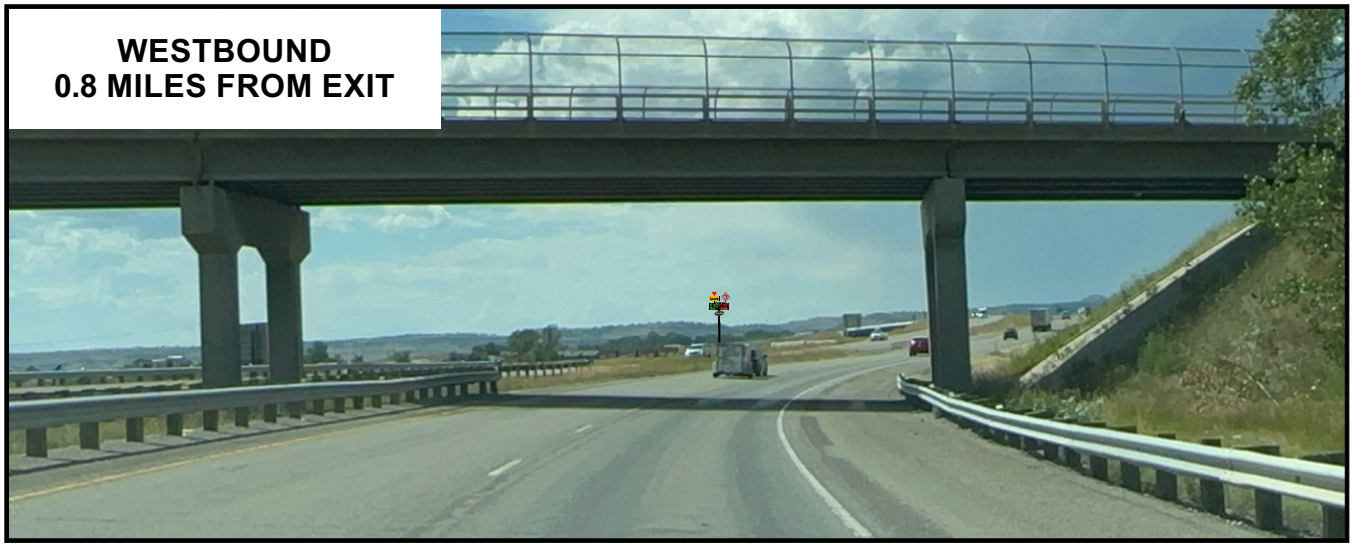
WESTBOUND
1.0 MILES FROM EXIT



WESTBOUND
0.9 MILES FROM EXIT



WESTBOUND
0.8 MILES FROM EXIT



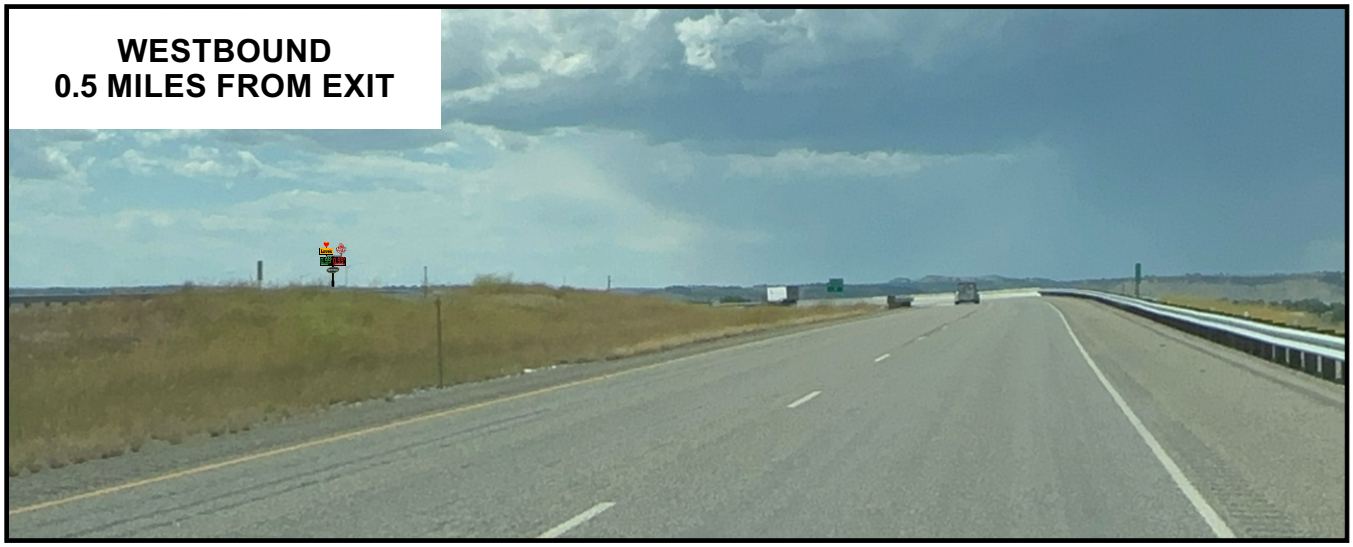
WESTBOUND
0.7 MILES FROM EXIT



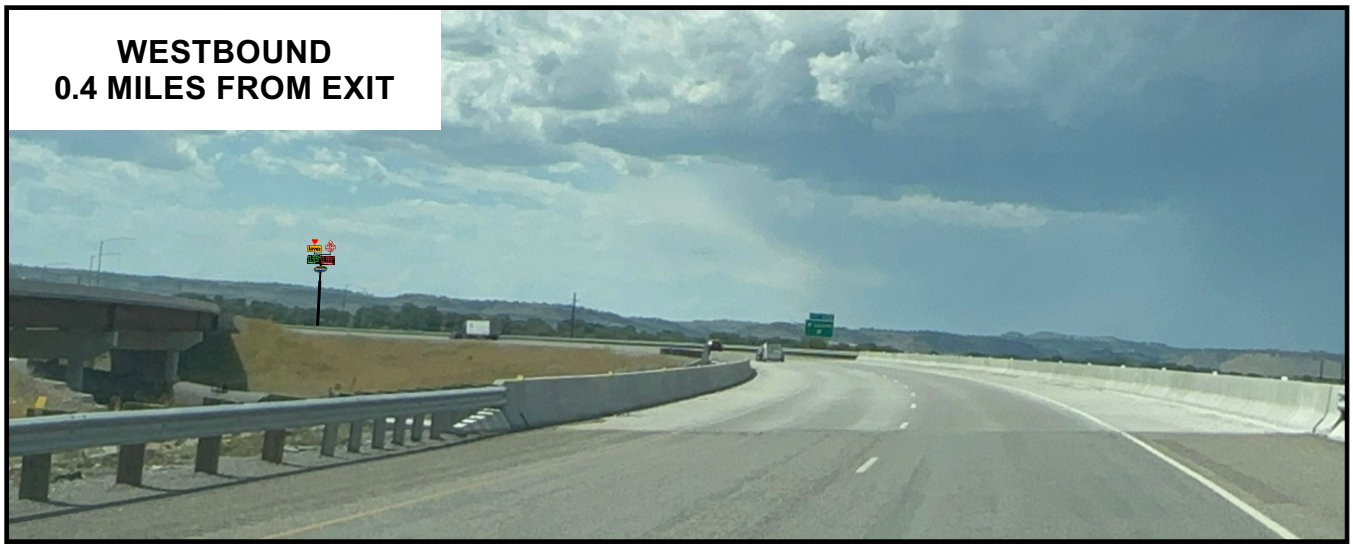
WESTBOUND
0.6 MILES FROM EXIT



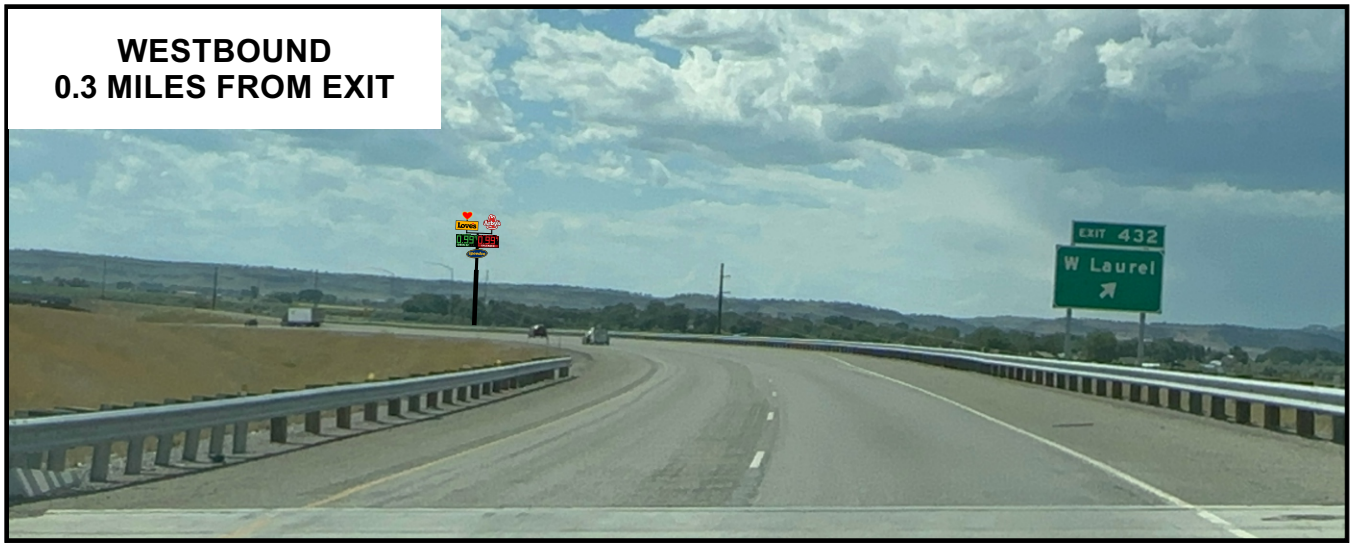
WESTBOUND
0.5 MILES FROM EXIT



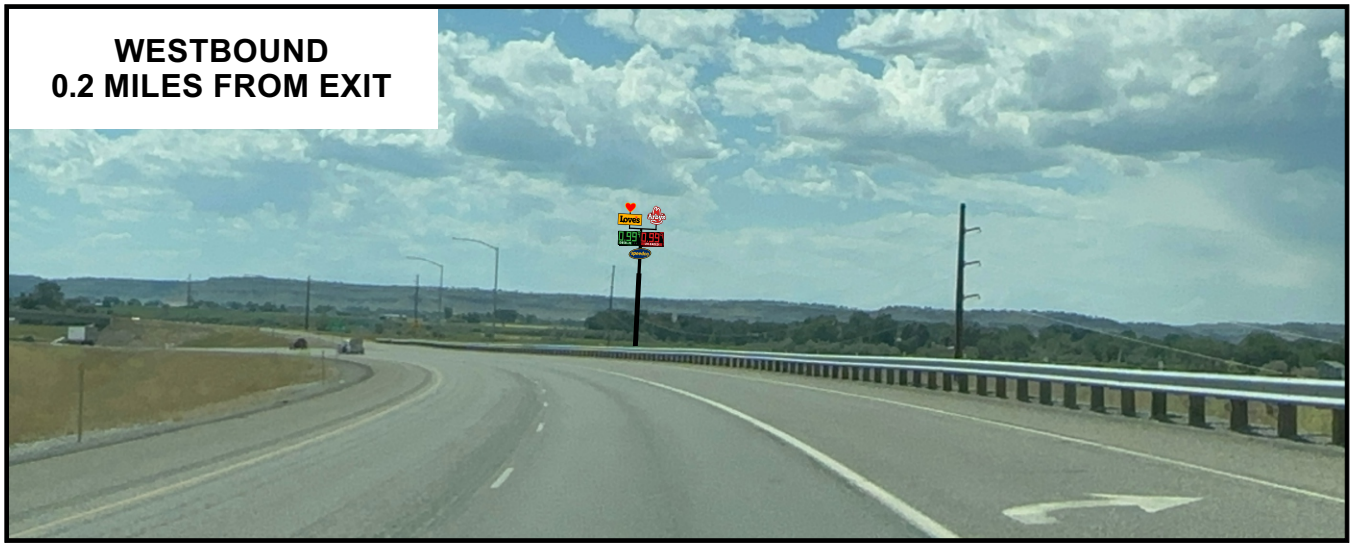
WESTBOUND
0.4 MILES FROM EXIT



WESTBOUND
0.3 MILES FROM EXIT



WESTBOUND
0.2 MILES FROM EXIT



WESTBOUND
0.1 MILES FROM EXIT



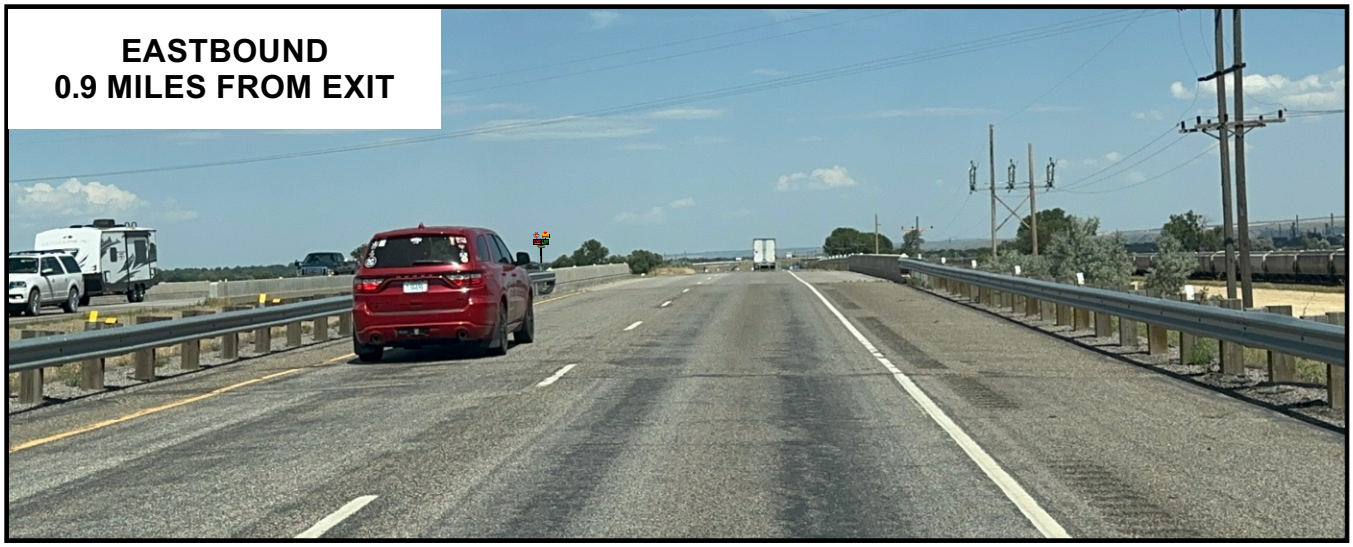
WESTBOUND
AT EXIT



EASTBOUND
1.0 MILES FROM EXIT



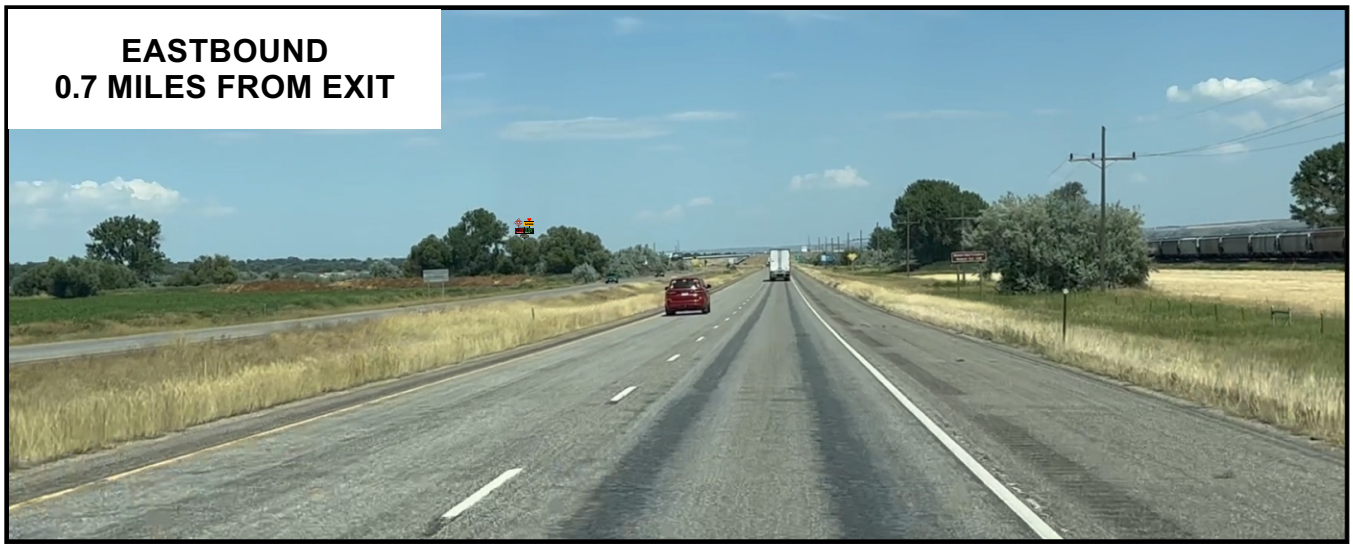
EASTBOUND
0.9 MILES FROM EXIT



EASTBOUND
0.8 MILES FROM EXIT



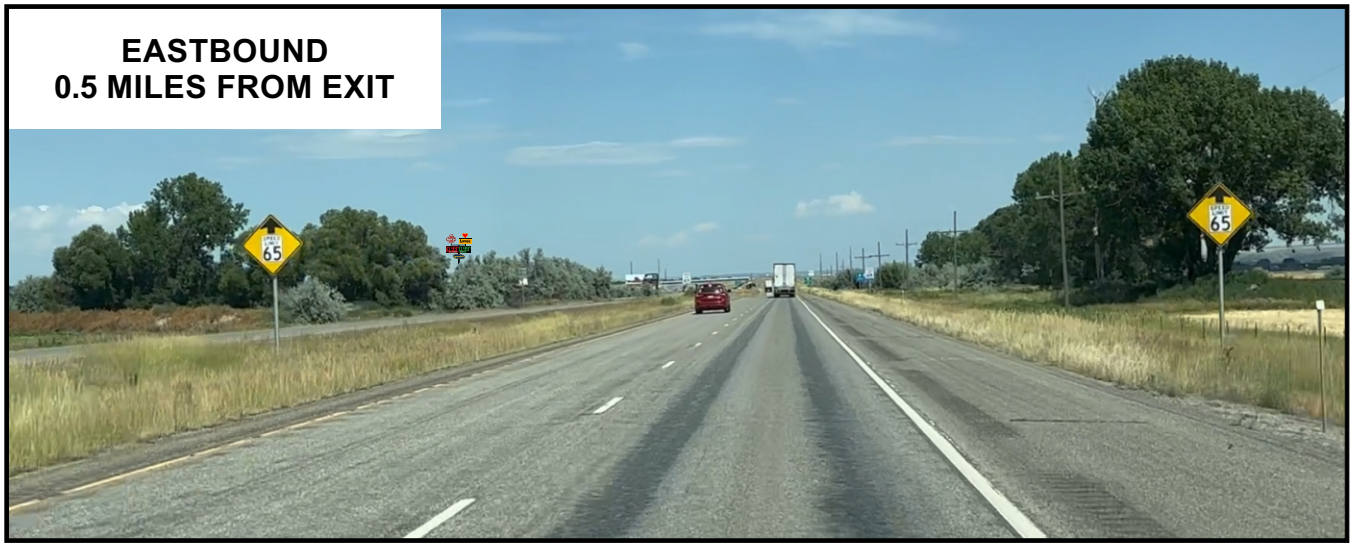
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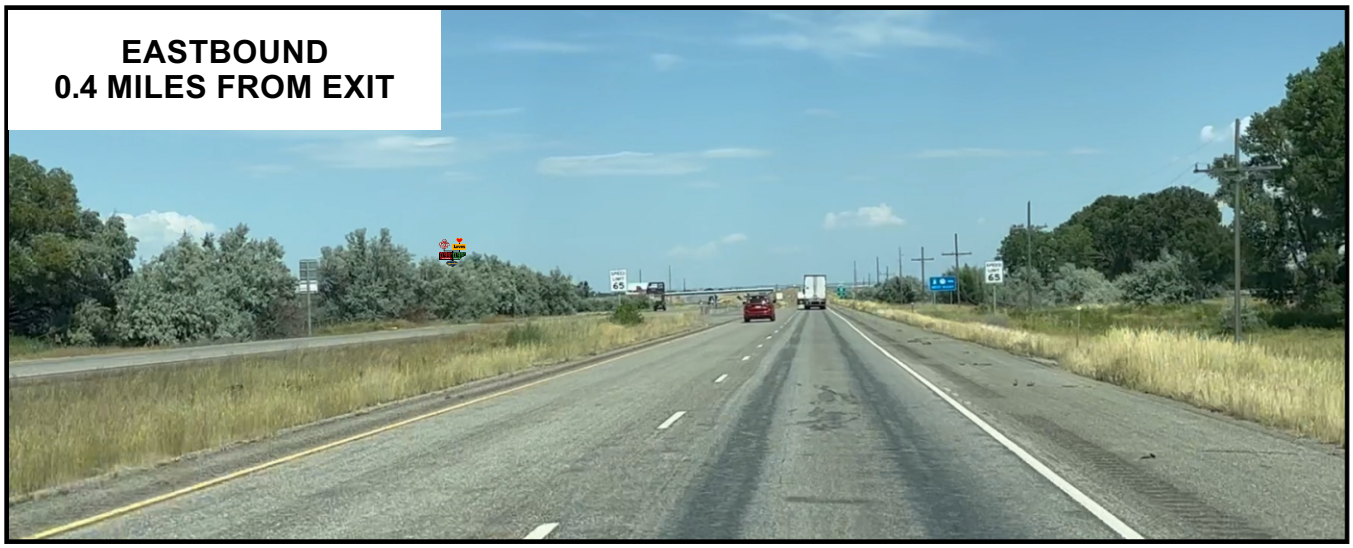
EASTBOUND
0.6 MILES FROM EXIT



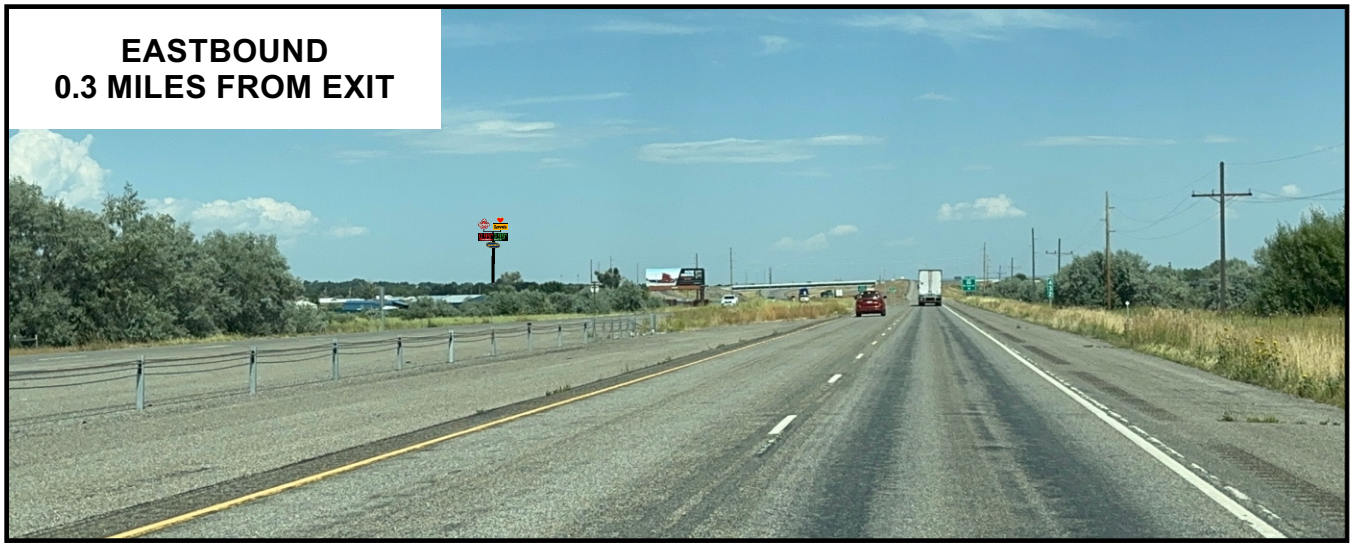
EASTBOUND
0.5 MILES FROM EXIT



EASTBOUND
0.4 MILES FROM EXIT



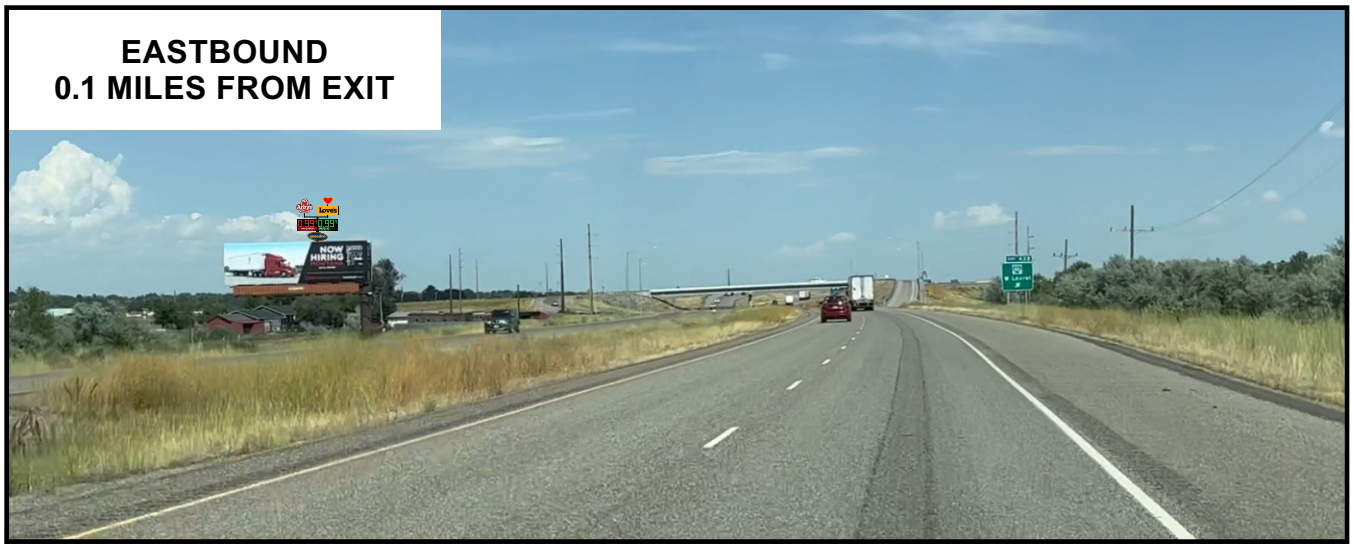
EASTBOUND
0.3 MILES FROM EXIT



EASTBOUND
0.2 MILES FROM EXIT



EASTBOUND
0.1 MILES FROM EXIT



EASTBOUND
AT EXIT



Overall Height: 145'
Total Square Feet: 1167.88

Love's Hi Rise

effective images inc.
Phone: 605.753.9700

Client:	Love's
Location:	Laurel, MT
Drawing #:	E23551
Date:	08/24/23
Revision:	.
Drawn By:	MP
Scale:	3/32" = 1'
Sales Order #:	.

8' x 10' Love's
Led Heart
(80 Sq. Ft.)

1' Separation

9' x 22' Love's
(198 Sq. Ft.)

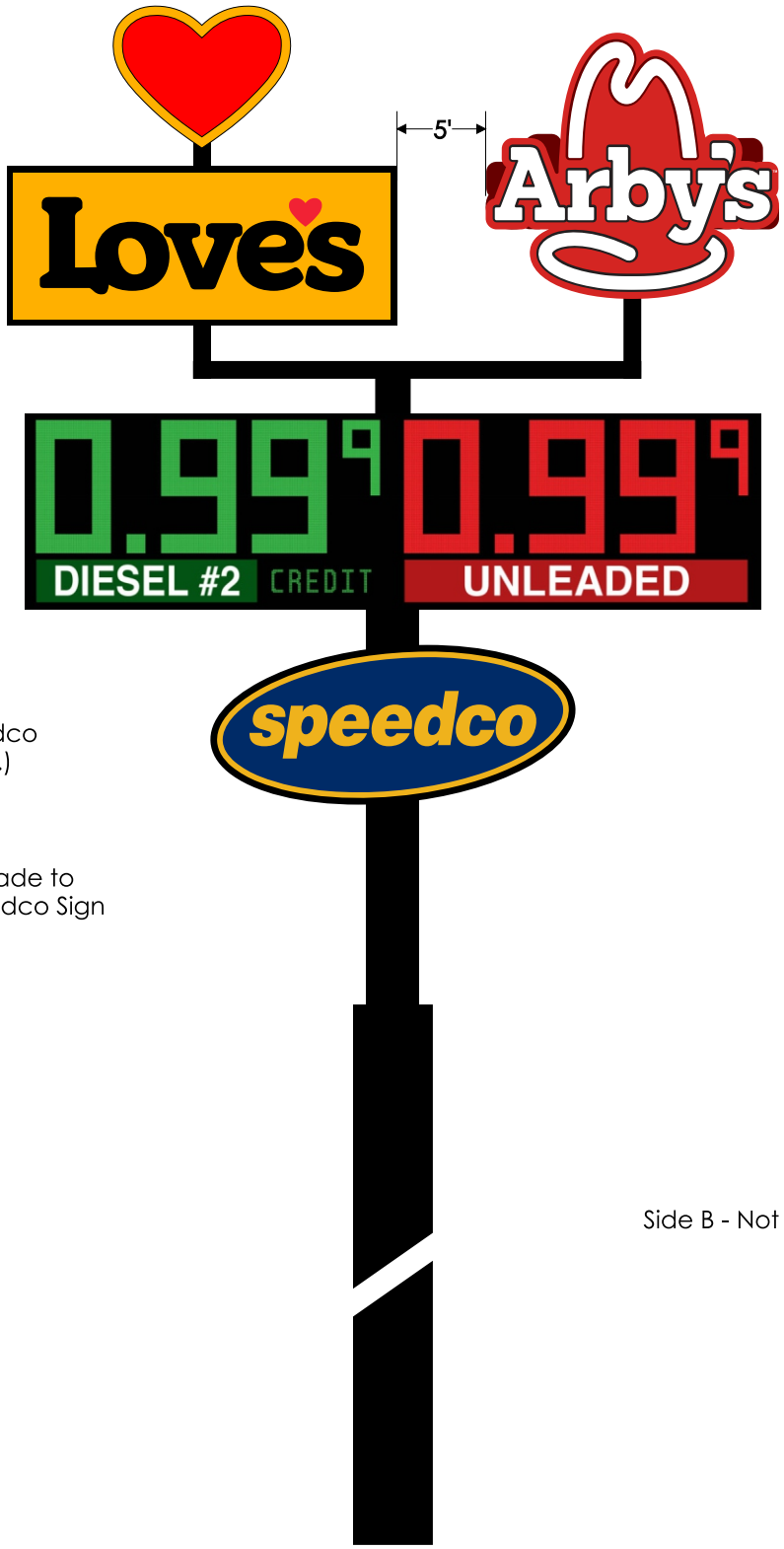
5' Separation

11' x 41' 6"
Price Sign
By Sunshine
89" Numerals
(456.5 Sq. Ft.)

2' Separation

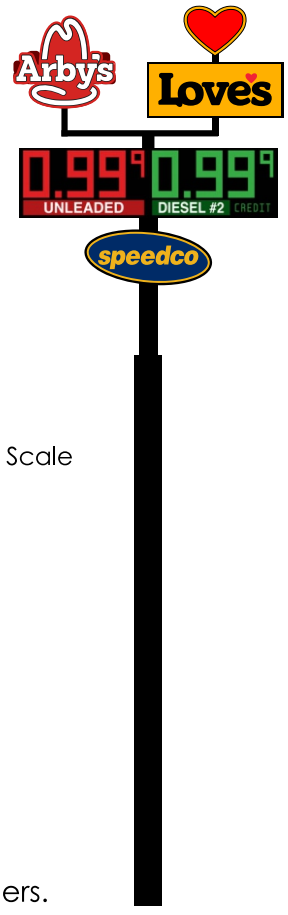
9' x 20' 7" Speedco
(185.25 Sq. Ft.)

100' From Grade to
Bottom of Speedco Sign



15' x 16' 6½"
Arby's B-18 Concept
Drawing Only
(248.13 Sq. Ft.)

6' 6" Separation

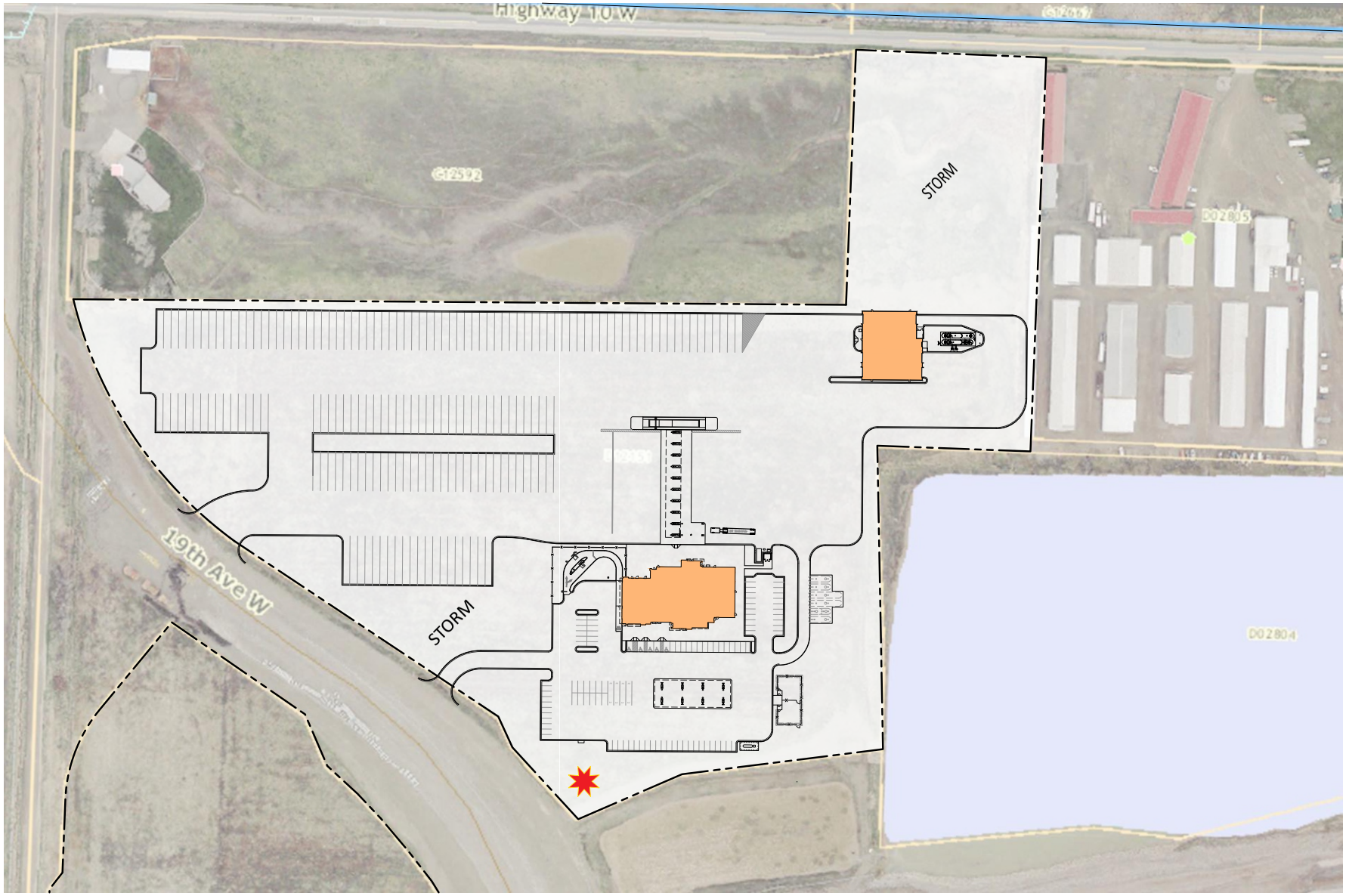


Side B - Not To Scale

Diesel, Love's & Led Heart to be Installed Toward Interstate/Highway
** Note: Product panel copy and numeral details to be confirmed by others.

APPROVAL:_____ **Date:**_____

Computer generated colors in this artwork are not an exact match to the finished sign colors. Material samples are available upon request. This drawing is the property of Effective Images. Any reproduction is prohibited.



JSA CIVIL
Engineering | Planning | Management



VICINITY MAP (NTS)

SITE DATA

TAX ID	D12151
NEW PARCEL SIZE	± 22.47 ACRES

LANDUSE DATA

USE	TRUCK STOP
ZONING	HIGWAYL COMMERCIAL
C-STORE SIZE	± 17,000 SF
TIRE CARE	± 11,000 SF

PARKING DATA

TYPE	TOTAL	ADA
TRUCK	177	
AUTO	101	5
RV PARKING	4	

ISSUE:

REV.	DATE	COMMENT	BY
0	06/02/22	ISSUED FOR REVIEW	BLJ

AUTHOR:

DRAWN BY:	C. SEVERS
CHECKED BY:	B. JOHNSON

SEAL:

PRELIMINARY

SCALE:

0 80 160
SCALE IN FEET

PROJECT NAME:

TRAVEL STOP
LAUREL, MT

SHEET TITLE:

SITE PLAN

SHEET NO.

SP-01

File Attachments for Item:

20. Resolution No. R25-81: A Resolution Of The City Council Approving A Conditional Use Permit For Love's Travel Stops & Country Stores, Based Upon The Recommendation Of The Laurel Zoning Commission.

RESOLUTION NO. R25-81

A RESOLUTION OF THE CITY COUNCIL APPROVING A CONDITIONAL USE PERMIT FOR LOVE'S TRAVEL STOPS & COUNTRY STORES, BASED UPON THE RECOMMENDATION OF THE LAUREL ZONING COMMISSION.

WHEREAS, the City of Laurel has adopted zoning regulations pursuant to §76-2-301, et seq., MCA, establishing standards for land use, building, and development within the City;

WHEREAS, Love's Travel Stops & Country Stores, through its authorized agent, submitted an application for a Conditional Use Permit for recreational vehicle parking in the Highway Commercial (HC) zoning district, located in Westbrook Subdivision, Lot 7A1, Amended Tract 6A and 7A and a portion of Tract 5 less Highway right-of-way in Section 17, Township 02 South, Range 24 East, P.M.M., City of Laurel, Yellowstone County, Montana;

WHEREAS, the Laurel Zoning Commission held its duly noticed public hearing on August 20, 2025, reviewed the application, supporting documentation, and public comment, and adopted findings of fact in accordance with the Standard of Review established by the City Council;

WHEREAS, the Laurel Zoning Commission, on a unanimous vote, found that the application and supporting documentation meet or exceed the Standard of Review and recommended approval of the Conditional Use Permit for Love's Travel Stops & Country Stores; and

WHEREAS, the City Council considered this matter by way of public hearing on the 9th day of September, 2025 at 6:30 p.m.; and

WHEREAS, the City Council has reviewed the Zoning Commission's recommendation, findings of fact, and supporting documentation, and determined that the application meets the requirements of the Laurel Zoning Regulations, including consistency with the Growth Policy, compatibility with surrounding uses, minimization of adverse impacts, protection of public health and safety, and compliance with applicable codes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Laurel, Montana, as follows:

1. The Conditional Use Permit application of Love's Travel Stops & Country Stores for recreational vehicle parking in the Highway Commercial zoning district is hereby APPROVED.

2. This approval is subject to compliance with all applicable provisions of the Laurel Municipal Code, zoning regulations, and any conditions deemed necessary by the City to preserve public health, safety, and welfare.

3. The Conditional Use Permit shall expire one (1) year from the date of approval if the next step in the development process is not commenced, including but not limited to application for a building permit, commencement of the use, or application for a Development Permit.

Introduced at a regular meeting of the City Council on the 9th day of September 2025, by Council Member _____.

PASSED and APPROVED by the City Council of the City of Laurel the 9th day of September 2025.

APPROVED by the Mayor the 9th day of September 2025.

CITY OF LAUREL

_____
Dave Waggoner, Mayor

ATTEST:

_____
Kelly Strecker, Clerk-Treasurer

APPROVED AS TO FORM:

_____
Michele L. Braukmann, Civil City Attorney

CITY HALL
115 W. 1ST ST.
PLANNING: 628-4796
WATER OFC.: 628-7431
COURT: 628-1964
FAX 628-2241

City Of Laurel

P.O. Box 10
Laurel, Montana 59044

Office of the City Planner

Zoning Commission Recommendation
CONDITIONAL USE PERMIT REPORT CUP-25-01
Love's Travel Stops & Country Stores
RV Parking – Highway Commercial District
August 25, 2025

BACKGROUND:

The City of Laurel has had zoning since the early 1970's as authorized by §76-2-301 et. seq MCA. These regulations set minimum and maximum standards for all lands located with the jurisdiction of the City of Laurel. These regulations establish standards for the height, bulk, and location of structures as well as the intended use of to property.

The subject property was recently annexed into the City of Laurel and was assigned the initial zoning of Highway Commercial (HC).

The application materials address several other points that outline the anticipated benefits of the project. The application materials are incorporated into this report by reference.

LEGAL DESCRIPTION:

Westbrook Subdivision, Lot 7A1, Amended Tract 6A and 7A and a portion of Tract 5 less Highway right-of-way in Section 17, Township 02 South, Range 24 East, P.M.M., City of Laurel, Yellowstone County, Montana.

APPLICANT(S):

Love's Travel Stops & Community Stores, Corporate Office
10601 N Pennsylvania Ave
Oklahoma City, OK 73120

AGENT:
JSA Civil
Charlie Severs, PE
111 Tumwater BLVD SE, Ste B203
Tumwater WA 98501

EXISTING CONDITION:

The subject property is a platted subdivision within the City of Laurel. The property is undeveloped and is intended to be served by public water, sewer, streets, and solid waste collection. The property is 34.239 acres in size.

PROCESS:

- The application for a Conditional Use was submitted on July 25, 2025, and is scheduled for review and recommendation on August 20, 2025 by the Laurel Zoning Commission.
- The Zoning Commission following the Public Comment must adopt findings of fact and issue a formal recommendation to the City Council on the requested conditional use. The Zoning Commission may propose conditions or modifications to the request so long as the findings of fact support the condition(s).
- Those findings of fact and conclusions as well as the record minutes of the public comments will be submitted to the City Council for consideration, hearing and final decision.
- The City Council will consider the Zoning Commission recommendation, findings of fact, and any conditions mitigating the impacts associated with the request.

ZONES INVOLVED: Existing and Proposed

- HC – Highway Commercial District.
    - Recreational Vehicle camping is a Conditionally Permitted use in the HC District.

RATIONAL NEXUS FOR CONDITIONAL USES:

"Conditional Use" The purpose of Conditional Uses is to allow uses that may be suitable in some but not all locations in the zoning district in which they are allowed or require special consideration because of unusual operational or physical characteristics or must be designed and developed with conditions to assure compatibility

Findings of Fact: Standard of Review – REQUIRED.

A recommendation for Approval or Conditional Approval of a Conditional Use shall require the Planning Board and City Council to consider and address each of the following Findings of Fact:

CONSISTENT WITH GROWTH POLICY

The Conditional Use is consistent with the policies, goals, objectives, and strategies of the Laurel Growth Policy.

COMPATIBILITY

The Conditional Use is compatible with the character of the immediate vicinity including the bulk, scale, and general appearance of neighboring buildings and uses.

MINIMIZES ADVERSE IMPACT

The design, development, and operation of the Conditional Use minimizes and mitigate adverse effects, including visual impact of the proposed use on adjacent lands.

MINIMIZES ADVERSE ENVIRONMENTAL IMPACT

The development and operation of the proposed Conditional Use minimizes adverse environmental impacts. Environmental resources to be assessed include, but are not limited to wetlands, riparian areas, steep slopes, mature vegetation, and the floodplain.

IMPACT ON PUBLIC FACILITIES AND SERVICES

The Conditional Use does not have a significant adverse impact on public facilities and services, including, but not limited to, transportation systems, potable water and wastewater facilities, storm drainage, solid waste and recycling, parks, trails, sidewalks, schools, police, fire, and EMT facilities.

HAZARD, NUISANCE

The proposed Conditional Use will not create a hazard to persons or property and will not create a nuisance arising from, but not limited to traffic, noise, smoke, odors, dust, vibration, or illumination.

OTHER CODES

The Conditional use complies with all applicable City codes and ordinances.

CONDITIONS

Conditions or restrictions may be placed on the approval of a Conditional Use. Such items include but are not limited to:

A. OPEN SPACES; AND
B. BUFFERS; AND
C. FENCES; AND
D. WALLS; AND
E. REQUIRING INSTALLATION AND MAINTENANCE OF LANDSCAPING; AND
F. REQUIRING STREET DEDICATIONS AND IMPROVEMENTS; AND
G. REGULATING POINTS OF VEHICULAR INGRESS AND EGRESS; AND
H. REGULATING TRAFFIC CIRCULATION; AND
I. REGULATING SIGNS; AND
J. REGULATING HOURS OF OPERATION AND METHODS OF OPERATIONS; AND
K. CONTROLLING POTENTIAL NUISANCES; AND
L. PRESCRIBING STANDARDS FOR MAINTENANCE OF BUILDINGS AND GROUNDS; AND
M. PRESCRIBING DEVELOPMENT SCHEDULES AND DEVELOPMENT STANDARDS; AND
N. SUCH OTHER CONDITIONS AS THE COUNCIL MAY DEEM NECESSARY TO ENSURE COMPATIBILITY OF THE USE WITH SURROUNDING

DEVELOPMENTS AND USES AND TO PRESERVE THE PUBLIC HEALTH, SAFETY, AND WELFARE.

EXPIRATION
A Conditional Use shall expire one (1) year from the date of approval if the next logical step in the development process is not commenced. The next step in the development process includes but is not limited to applying for a building permit, commencing the use, or applying for a Development Permit.

RECOMMENDATION:

This is the first requested conditional use with the newly adopted STANDARD OF REVIEW established by the City Council as part of the updated Zoning Regulations.

The Zoning Commission (on a UNANIMOUS vote) finds that the application, supporting documentation meet or exceeds the Standard of Review and Recommends that the City Council approve the Conditional Use for Love's Travel Stops & Country Stores.

File Attachments for Item:

21. Resolution No. R25-82: A Resolution Of The City Council Authorizing The Mayor To Execute An Independent Contractor Service Contract With True North Contracting.

RESOLUTION NO. R25-82

A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE MAYOR TO EXECUTE AN INDEPENDENT CONTRACTOR SERVICE CONTRACT WITH TRUE NORTH CONTRACTING.

BE IT RESOLVED by the City Council of the City of Laurel, Montana,

Section 1: Approval. The Independent Contractor Service Contract by and between the City of Laurel (hereinafter "the City") and True North Contracting, a copy attached hereto and incorporated herein, is hereby approved.

Section 2: Execution. The Mayor is hereby given authority to execute the Independent Contractor Service Contract with True North Contracting on behalf of the City.

Introduced at a regular meeting of the City Council on the 9th day of September 2025, by Council Member ____.

PASSED and APPROVED by the City Council of the City of Laurel the 9th day of September 2025.

APPROVED by the Mayor the 9th day of September 2025.

CITY OF LAUREL

_____
Dave Waggoner, Mayor

ATTEST:

_____
Kelly Strecker, Clerk-Treasurer

APPROVED AS TO FORM:

_____
Michele L. Braukmann, Civil City Attorney

INDEPENDENT CONTRACTOR SERVICE CONTRACT

This Contract is made and entered into this 9th day of September, 2025, between the City of Laurel, a municipal corporation organized and existing under the laws of the State of Montana whose address is P.O. Box 10, Laurel, Montana 59044, hereinafter referred to as "City" and True North, a contractor licensed to conduct business in the State of Montana, whose address is 9431 Anglers Way, Billings, Montana 59101, hereinafter referred to as "Contractor".

SECTION ONE
DESCRIPTION OF SERVICES

A. Purpose. City shall hire Contractor as an independent contractor to perform for City the services described in the Bid dated June 4, 2025, attached hereto as Exhibit "A" and by this reference made part of this contract.

B. Effective Date. This contract is effective upon the date of its execution by both Parties. Contractor shall complete the services within 60 days of commencing work. The parties may extend the term of this contract in writing prior to its termination for good cause.

C. Scope of Work. Contractor shall perform his/her work and provide services in accordance with the specifications and requirements of this contract, any applicable Montana Public Work Standard(s) and Exhibit "A".

SECTION TWO
CONTRACT PRICE

Payment. City shall pay Contractor fourteen thousand four hundred dollars and no cents ($14,400.00) for the work described in Exhibit A. Any alteration or deviation form the described work that involves extra costs must be executed only upon written request by the City to Contractor and will become an extra charge over and above the contract amount. The parties must agree to extra payments or charges in writing. Prior to final payment, Contractor shall provide City with an invoice for all charges.

SECTION THREE
CITY'S RESPONSIBILITIES

Upon completion of the contract and acceptance of the work, City shall pay Contractor the contract price, plus or minus any additions or deductions agreed upon between the parties in accordance with Sections one and two, if any.

SECTION FOUR
CONTRACTOR'S WARRANTIES AND RESPONSIBILITIES

A. Independent Contractor Status. The parties agree that Contractor is an independent contractor for purposes of this contract and is not to be considered an employee of the City for any purpose hereunder. Contractor is not subject to the terms and provisions of the City's personnel policies or handbook and shall not be considered a City employee for workers' compensation or any other purpose. Contractor is not authorized to represent the City or otherwise bind the City in any dealings, agreements or sub-contracts in any dealings between Contractor and any third parties. The City is interested solely in the

results of this contract. Contractor is solely responsible for all work and work product under this contract, including techniques, sequences, procedures, and means. Contractor shall supervise and direct the work to the best of his/her ability.

B. Wages and Employment. Contractor shall abide by all applicable State of Montana Rules, Regulations and/or Statutes in regards to prevailing wages and employment requirements. Contractor shall comply with the applicable requirements of the Workers' Compensation Act. Contractor shall maintain workers' compensation coverage for all members and employees of his/her business, except for those members who are exempted as independent contractors under the provisions of §39-71-401, MCA. Contractor understands that all contractors or subcontractors working on publicly funded projects are required to have withheld from earnings a license fee of one percent (1%) of the gross contract price if the gross contract price is Five Thousand Dollars ($5,000) or more. This license fee is paid to the Montana Department of Revenue pursuant to Montana law.

C. Unless otherwise specified by the terms of this Agreement, all materials and equipment used by Contractor on the Construction Project shall be new and where not otherwise specified, of the most suitable grade for their intended uses.

D. All workmanship and materials shall be of a kind and nature acceptable to the City.

E. All equipment, materials, and labor provided to, on, or for the Contract must be free of defects and nonconformities in design, materials, and workmanship for a minimum period beginning with the commencement of the work and ending one (1) year from completion and final acceptance by the City. Upon receipt of City's written notice of a defective or nonconforming condition during the warranty period, Contractor shall take all actions, including redesign and replacement, to correct the defective or nonconforming condition within a time frame acceptable to the City and at no additional cost to the City. Contractor shall also, at its sole cost, perform any tests required by City to verify that such defective or nonconforming condition has been corrected. Contractor warrants the corrective action taken against defective and nonconforming conditions for a period of an additional one (1) year from the date of City's acceptance of the corrective action.

F. Contractor and its sureties are liable for the satisfaction and full performance of all warranties.

G. Contractor has examined the facilities and/or has made field examinations. Contractor has knowledge of the services or project sought under this Contract and he/she further understands the site conditions to be encountered during the performance of this Contract. Contractor has knowledge of the types and character of equipment necessary for the work, the types of materials needed and the sources of such materials, and the condition of the local labor market.

H**.** Contractor is responsible for the safety of the work and shall maintain all lights, guards, signs, temporary passages, or other protections necessary for that purpose at all times.

I. All work is performed at Contractor's risk, and Contractor shall promptly repair or replace all damage and loss at its sole cost and expense regardless of the reason or cause of the damage or loss; provided, however, should the damage or loss be caused by an intentional or negligent act of the City, the risk of such loss shall be placed on the City.

J. Contractor is responsible for any loss or damage to materials, tools, work product or other articles

used or held for use in the completion or performance of the Contract.

K. Title to all work, work product, materials and equipment covered by any payment of Contractor's compensation by City, whether directly incorporated into the Contract or not, passes to City at the time of payment, free and clear of all liens and encumbrances.

SECTION FIVE
INDEMNITY AND INSURANCE

Contractor shall indemnify, defend and save City, its officers, agents and employees harmless from any and all losses, damage and liability occasioned by, growing out of, or in any way arising or resulting from any intentional or negligent act on the part of Contractor or its agents or employees.

SECTION SIX
COMPLIANCE WITH LAWS

Contractor shall comply with all federal, state, local laws, ordinances, rules and regulations. Contractor shall either possess a City business license or shall purchase one, if a City Code requires a business license.

SECTION SEVEN
NONDISCRIMINATION

Contractor agrees that any hiring of persons as a result of this contract must be on the basis of merit and qualification and further that Contractor shall not discriminate on the basis of race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability or national origin.

SECTION EIGHT
DEFAULT

If either party fails to comply with any term or condition of this Contract at the time or in the manner provided for, the other party may, at its option, terminate this Contract and be released from all obligations if the default is not cured within ten (10) days after written notice is provided to the defaulting party. Said notice shall set forth the items to be cured. Additionally, the non-defaulting party may bring suit for damages, specific performance, and any other remedy provided by law except for punitive damages. The Parties hereby waive their respective claims for punitive damages. These remedies are cumulative and not exclusive. Use of one remedy does not preclude use of the others. Notices shall be provided in writing and hand-delivered or mailed to the parties at the addresses set forth in the first paragraph of this Contract.

SECTION NINE
TERMINATION

Either party may terminate the contract for their convenience upon thirty days written notice sent postage prepaid, to the addresses provided herein.

SECTION TEN
GOVERNING LAW AND DISPUTE RESOLUTION

The Parties agree that the laws of the State of Montana govern this Contract. The Parties agree that venue is proper within the Courts of Yellowstone County, Montana. If a dispute arises, the Parties, through a representative(s) with full authority to settle a dispute, shall meet and attempt to negotiate a resolution of the dispute in good faith no later than ten business days after the dispute arises. If negotiations fail, the Parties may utilize a third-party mediator and equally share the costs of the mediator or file suit.

SECTION ELEVEN
ATTORNEY FEES

If any action is filed in relation to this agreement, the unsuccessful party in the action shall pay to the successful party, in addition to all sums that either is ordered to pay, a reasonable sum for the successful party's attorney's fees and all costs charges and expenses related to the action.

SECTION TWELVE
ENTIRE AGREEMENT

This contract and its referenced attachment and Exhibit A contain the entire agreement and understanding of the parties and supersede any and all prior negotiations or understandings relating to this project. This contract shall not be modified, amended, or changed in any respect except through a written document signed by each party's authorized respective agents.

SECTION THIRTEENTH
ASSIGNMENT OF RIGHTS

The rights of each party under this Contract are personal to that party and may not be assigned or transferred to any other person, firm, corporation, or other entity without the prior, express, and written consent of the other party.

SECTION FOURTEEN
SEVERABILITY

Each provision, section, or subsection of this Contract shall stand separate and independent of every other. In the event that a court of competent jurisdiction shall find any provision, section, or subsection of this contract to be invalid, the remaining provisions, sections, and subsections of this contract shall remain in full force and effect.

SECTION FIFTEEN
PARAGRAPH HEADINGS

The titles to the paragraphs of this contract are solely for the convenience of the parties and shall not be used to explain, simplify, or aid in the interpretation of the provisions of this agreement.

SIGNED AND AGREED BY BOTH PARTIES ON THE 9th DAY OF SEPTEMBER 2025.

CITY OF LAUREL	CONTRACTOR
_____	_____
Dave Waggoner, Mayor	True North
ATTEST:	Employer Identification Number
_____	_____
Kelly Strecker, Clerk/Treasurer	

9431 Anglers Way
Billings Mt 59101
jb.tnc@outlook.com
406-850-8745

PROPOSAL

Date	Estimate #
6/4/2025	12-91

TRUE NORTH CONTRACTING

City Of Laurel
P.O. Box 10
Laurel, MT
59044

Baseball Field Sidewalk

Description	Total
Sub excavate and haul away native dirt and grass Place 8" thick base material Pour 270 LF of 5' wide sidewalk	14,400.00

1.Bid does not include price for bond or traffic control.

2.The signing of this proposal will serve as a binding contract between True North Contracting LLC and signing party.

3.Thank you for the opportunity to earn your business

Total $14,400.00

ACCEPTANCE OF PROPOSAL_____

DATE OF ACCEPTANCE_____