



**AGENDA
CITY OF LAUREL
CITY/COUNTY PLANNING BOARD
WEDNESDAY, JUNE 19, 2024
6:00 PM
COUNCIL CHAMBERS**

Public Input: *Citizens may address the committee regarding any item of business that is not on the agenda. The duration for an individual speaking under Public Input is limited to three minutes. While all comments are welcome, the committee will not take action on any item not on the agenda.*

Disclosure of Ex Parte Communication

Public Hearing

General Items

New Business

1. T Lazy M one lot minor subdivision.

Old Business

Other Items

2. Board Membership

Announcements

3. Next City/County Planning Board Meeting July 17, 2024.

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. 5100, 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. T Lazy M one lot minor subdivison.

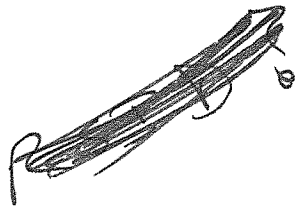
Subdivision Improvements Agreement

T Lazy M Subdivision

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Yellowstone County

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Subdivision Improvements Agreement

T Lazy M Subdivision

This agreement is made and entered into this ____ day of _____, 20__, by and between Richard D. Tebay whose address is 2980 Boggie Ln, Laurel, MT 59044 the purpose of this agreement is hereinafter referred to as “Subdivider,” and YELLOWSTONE COUNTY, Montana, hereinafter referred to as “County.”

WITNESSETH:

WHEREAS, the plat of **T Lazy M Subdivision** located in Yellowstone County, Montana, was submitted to the Yellowstone County Board of Planning as an expedited plat which was deemed to not require preliminary review; and

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

WHEREAS, the provisions of this agreement shall be effective and applicable to **T Lazy M Subdivision** 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 Yellowstone County Subdivision Regulations, the rules, regulations, policies, and resolutions of 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. No Variance

II. CONDITIONS THAT RUN WITH THE LAND

- A. 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.
- B. 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.
- C. No water rights have been transferred to the lot owners. Perimeter ditches and drains shall remain in place and shall not be altered by the Subdivider or subsequent owners.
- D. 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 will 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.
- E. Culverts and associated drainage swales shall not be filled in or altered by the subdivider or subsequent lot owners.
- F. When required by road improvements, all fences and irrigation ditches in the public right's-of way adjacent to this subdivision shall be removed or relocated outside of the public right-of-way and any relocation outside of the public right-of-way shall be subject to securing and recording easements.
- G. Future maintenance of all public (or common) improvements shall be done through one (1) or more RSID(s) created as part of the SIA for this subdivision.

H. Lot owners or their agent will obtain an Access Permit from County Public Works prior to any construction on any lot within the subdivision. The application will include a site plan showing the desired location of the access and show that it meets the requirements outlined by the DEQ storm water requirements for the subdivision. Failure to do so will result in the lot owner or their agent removing what has been installed and locating the access in an approved location at the lot owner's expense.

III. TRANSPORTATION

The subdivider agrees to guarantee all improvements for a period of one (1) year from the date of final acceptance by Yellowstone County.

- A. Access will be provided by existing Boggio Lane as depicted on the minor subdivision plat and is maintained by Yellowstone County.

IV. EMERGENCY SERVICES

- Fire service will be from the Laurel Fire Department. Access to the subdivision will be from Boggio Lane as shown on the plat. This subdivision is not required to provide any new fire suppression infrastructure.

V. STORM DRAINAGE

No new storm drainage improvements are required. The lot will continue to drain as it has historically done.

VI. UTILITIES

A. Water

Has Title 76 approval.

B. Septic System

Has Title 76 approval.

C. Power, Telephone, Gas, and Cable Television

- Services to be provided within the public right-of-way, existing or to be installed
- Width and location of required utility easements.

VII. PARKS/OPEN SPACE/POSTAL SERVICE

There is no parkland requirement for proposed **T Lazy M Subdivision**, as this is a minor subdivision [MCA 76-3-617(3) (a)].

Postal Service – Subdivider will contact the Laurel Post Office and coordinate with them to ensure safe mail delivery.

VIII. IRRIGATION

- There is no irrigation district affected by the proposed development, no necessary mitigation efforts, no water shares to be transferred and no proposed onsite easements for ditches.

IX. WEED MANAGEMENT

All noxious weeds on the latest Yellowstone County Noxious Weed List shall be controlled on all properties in the subdivision.

The weed plan shall include the following and shall be referenced in this SIA:

- A Weed Management Plan must be filed and updated as needed for approval by the Yellowstone County Weed Department. Said weed management plan shall contain the

noxious weeds being addressed and the plan for the control of those weeds. All associated cost for noxious weed control is the responsibility of the owner of record.

- A revegetation plan shall be submitted as part of the management plan. A seeding recommendation can be obtained from the Yellowstone County Weed Department pursuant to Section 7-22-2152, MCA. The Yellowstone County Weed Department reserves the right to revise these recommendations based on the required site inspection.

X. SOILS/GEOTECHNICAL STUDY

- No geotechnical study was performed.
- It is recommended that each property owner have a geo-tech study done before home construction.

XI. PHASING OF IMPROVEMENTS

No phasing of improvements planned.

XII. FINANCIAL GUARANTEES

- Any improvements on the lots will be the responsibility of the landowner at that time. No public improvements are required for this proposed subdivision.

XIII. LEGAL PROVISIONS

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



G. Subdivider agrees to create any required (or expansion of existing) RSID(s) for future maintenance of all public (or common) constructed improvements prior to final plat approval.

IN WITNESS WHEREOF, the parties hereto have set their hands and official seals on the date first above written.

“SUBDIVIDER”

Richard D. Tebay

Richard D. Tebay

STATE OF MONTANA)

: ss

County of Yellowstone

On this _____ day of _____, 20____, before me the undersigned, a Notary Public for the State of Montana, personally appeared, Richard D. Tebay known to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Notary Public in and for the State of Montana

This agreement is hereby approved and accepted by Yellowstone County, this _____ day of _____, 20____.

“COUNTY”
COUNTY OF YELLOWSTONE
MONTANA
County of Yellowstone
Board of County Commissioners

By: _____
Chairman

Commissioner

Commissioner

Attest: _____
County Clerk and Recorder

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 John Ostlund, Don Jones and Mark Morse, known to me to be the Board of County Commissioners, respectively, and the County Clerk and Recorder, Jeff Martin, of Yellowstone County, Montana, whose names are subscribed to the foregoing instrument in such capacity and acknowledged to me that they executed the same on behalf of Yellowstone County, Montana.

Notary Public in and for the State of Montana

**PRELIMINARY PLAT OF
T LAZY M SUBDIVISION**

BEING TRACT 11A OF AMENDED TRACT 11 OF CERTIFICATE OF SURVEY No. 1563 LOCATED IN A PORTION OF THE WEST 1/2 SECTION 25, TOWNSHIP 2 SOUTH, RANGE 23 EAST, P.M.M. YELLOWSTONE COUNTY, MONTANA

SURVEYED FOR: RICHARD D. TEBAY
 SURVEYED BY: ESSEX SURVEYING, LLC
 39 LIGHTNING LANE
 RED LODGE, MT 59068
 (406) 860-6043

Missing Date Plat was prepared

OWNER'S CERTIFICATION AND PROPERTY DESCRIPTION

I, the undersigned property owner, certify that I have caused to be surveyed, subdivided and platted into lots and blocks as shown by the plat hereunto annexed, the following described land, to-wit:

A tract of land located in a Portion of the West 1/2 Section 25, Township 2 South, Range 23 East, P.M.M. Yellowstone County, Montana, being more particularly described as follows:

Being Tract 11A of Amended Tract 11 of Certificate of Survey No. 1563 on file of the office of the Clerk and Recorder of said county under document No. 1548175. Containing 10.000 Acres more or less, and all according to the attached Subdivision Plat. Subject to all easements and/or rights-of-way of record, apparent on the ground or reserved per this survey.

No partland is being dedicated to the public pursuant to Section 76-3-621(3)(d), MCA. The herein described tract of land is to be known and designated as:

LOT 1 OF THE T LAZY M SUBDIVISION

Richard D. Tebay

STATE OF MONTANA)
) ss
 County of Yellowstone)

On this _____ day of _____, 2024, before me the undersigned, a Notary Public for the state of Montana, Personally appeared Richard D. Tebay known to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Notary Public for the State of Montana

CERTIFICATE OF SURVEYOR

STATE OF MONTANA)
) ss
 County of Yellowstone)

I, Zeman Z. Essex, a Licensed Land Surveyor, Montana License No. 40989LS, do hereby certify that the survey shown on the attached Plat of Lot 1 of the T LAZY M Subdivision was performed by me, or under my direct supervision, during the month of June, 2023, in accordance with the Montana Subdivision and Platting Act, Title 76, Chapter 3, MCA; and that said survey is true and complete as shown and that the monuments found and set are of the character described and occupy the positions shown thereon.

Zeman Z. Essex, Licensed Land Surveyor
 Montana License No. 40989LS

NOTICE OF PLANNING BOARD APPROVAL

State of Montana)
) ss
 County of Yellowstone)

The Plat of T LAZY M Subdivision, has been approved for filing by the Yellowstone County Board of Planning and Community Services and conforms to the recommendations of that Board.

Date _____

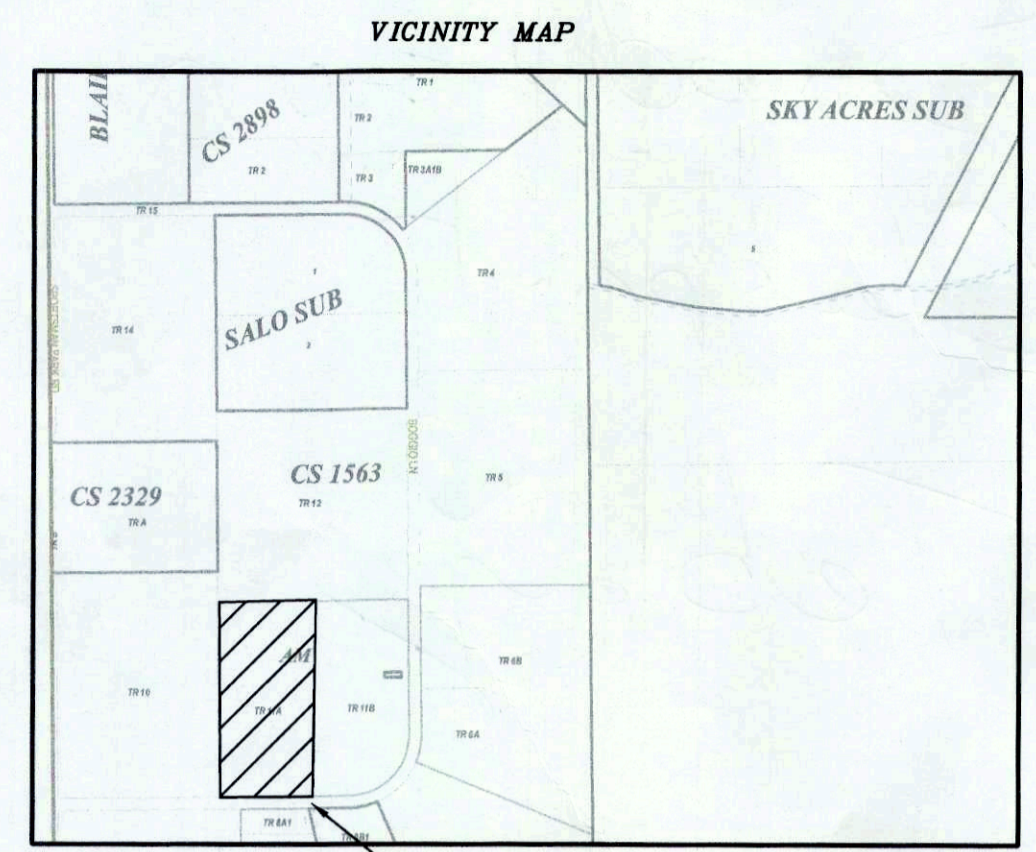
President _____ Executive Secretary _____

COUNTY TREASURER'S CERTIFICATION OF TAX PAYMENT

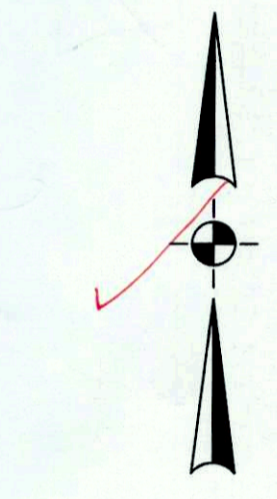
I hereby certify pursuant to 76-3-207(3)(b) M.C.A., that all real property taxes and special assessments levied on the land described above have been paid.

Yellowstone County Treasurer, Deputy

CLERK AND RECORDER FILING INFORMATION



THIS SURVEY



SCALE: 1" = 50'
 SURVEYED: JUNE, 2023

BASIS OF BEARING
 GEODETIC NORTH OBSERVED AT THE SOUTHEAST CORNER OF TRACT 10 OF CERTIFICATE OF SURVEY No. 1563 SHOWN HEREIN

LEGEND

- FOUND PROPERTY CORNER AS NOTED
- PROPERTY CORNER SET - 5/8" X 24" REBAR WITH YELLOW PLASTIC CAP MARKED "ESSEX - 40989LS"
- R RECORD DISTANCE

CERTIFICATE OF RIVERSTONE HEALTH

This document has been reviewed by the County Health Department and is acceptable as to form.

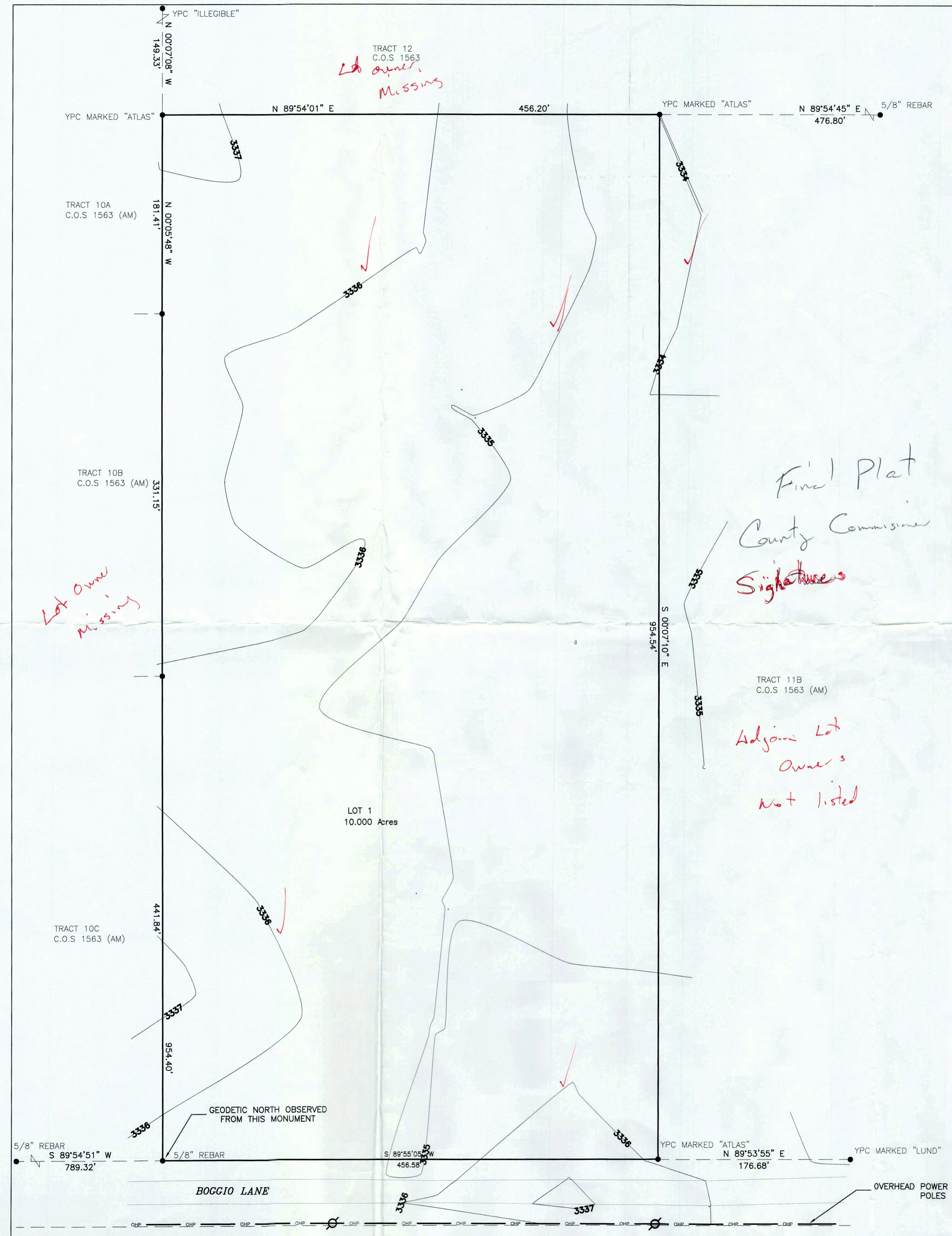
Dated this _____ day of _____, 2024.

Reviewed by: _____

COUNTY ATTORNEY APPROVAL

This Document has been reviewed by the County Attorney's office and is acceptable to form.

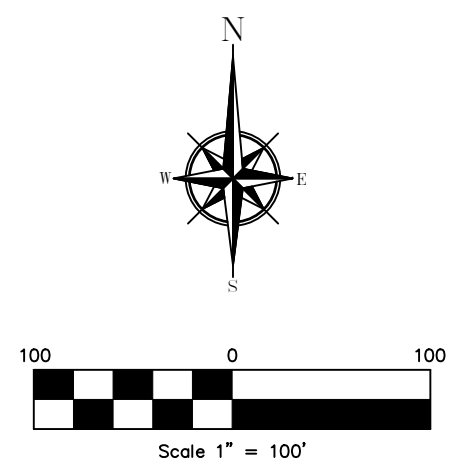
County Attorney _____ Date _____





SITE LAYOUT LEGEND

	PROPOSED DRAINFIELD
	PROPOSED FULL REPLACEMENT DRAINFIELD
	PROPOSED ACCESS / DRIVE - GRAVEL
	SOILS TEST PIT / GROUND WATER MONITORING
	SEPTIC TANK/DOSING TANK
	CISTERN
	PERCOLATION TEST
	PROPOSED/EXISTING WATER WELL



STAHLION
 STAHLION LLC
 9 ASPEN WAY
 PARK CITY, MT 59063
 PHONE: (406) 861-8005
 EMAIL: STAHLION21@OUTLOOK.COM

REVISIONS

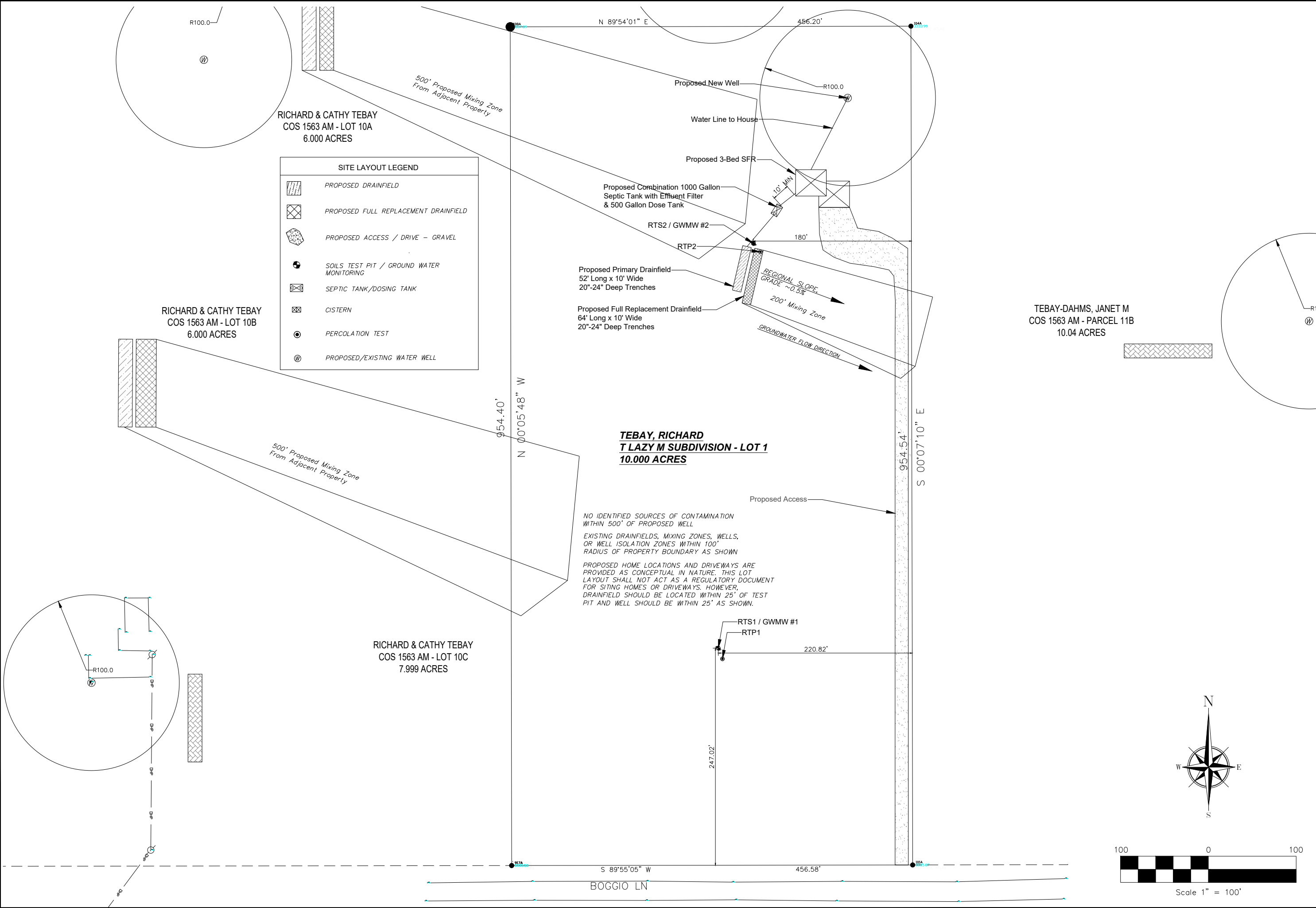
NO.	DATE
1	3/18/24

JOB: 844-100
 DATE: 1/16/24
 DRAWN BY: ERS
 CHECKED BY: ERS
 SCALE: 1"=100'
 DRAWING: SITE LAYOUT

TEBAY - REMOVING SANITARY RESTRICTIONS
 2952 BOGGIO LN, LAUREL, MT 59044
 T LAZY M SUBDIVISION - LOT 1 - S25, T02S, R23E
 YELLOWSTONE COUNTY - 10.000 ACRES
 SITE LAYOUT

REVISIONS	
NO.	DATE
1	3/18/24
JOB:	844-100
DATE:	1/16/24
DRAWN BY:	ERS
CHECKED BY:	ERS
SCALE:	1" = 100'
DRAWING:	SITE LAYOUT 2

TEBAY - REMOVING SANITARY RESTRICTIONS
 2952 BOGGIO LN, LAUREL, MT 59044
 T LAZY M SUBDIVISION - LOT 1 - S25, T02S, R23E
 YELLOWSTONE COUNTY - 10.000 ACRES
 SITE LAYOUT



RICHARD & CATHY TEBAY
 COS 1563 AM - LOT 10A
 6.000 ACRES

RICHARD & CATHY TEBAY
 COS 1563 AM - LOT 10B
 6.000 ACRES

RICHARD & CATHY TEBAY
 COS 1563 AM - LOT 10C
 7.999 ACRES

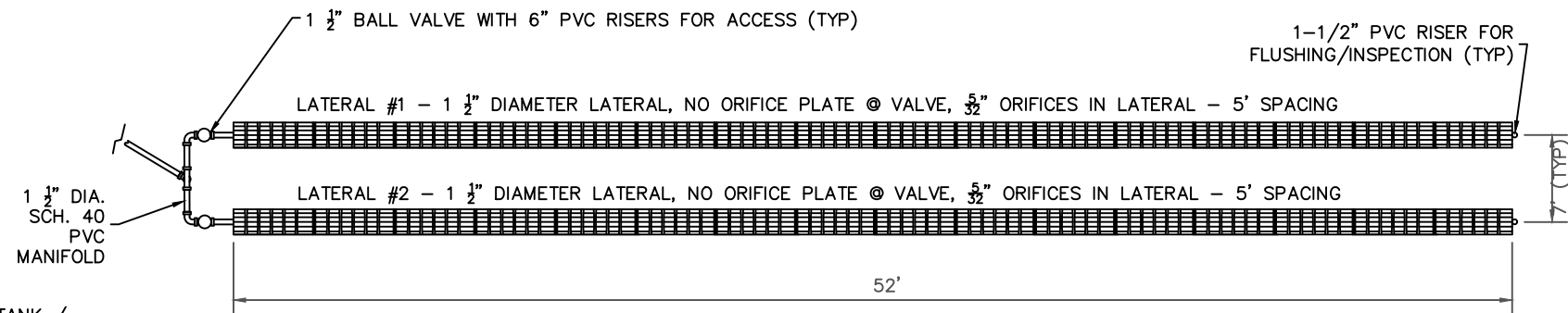
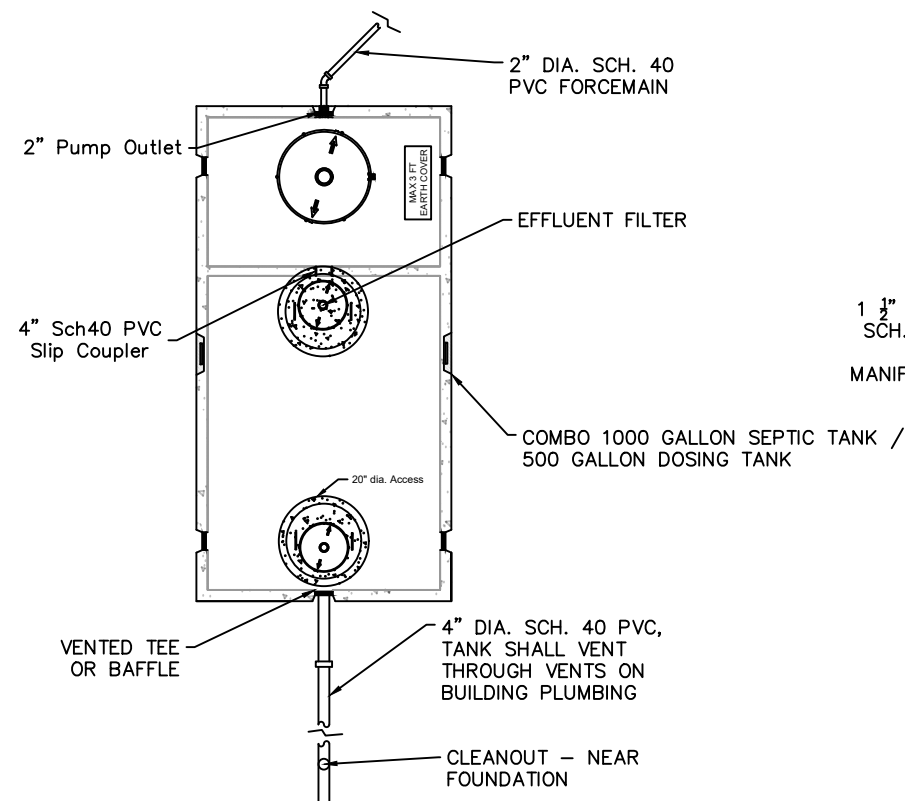
TEBAY-DAHMS, JANET M
 COS 1563 AM - PARCEL 11B
 10.04 ACRES

N 89°54'01" E 456.20'

N 00°05'48" W 954.40'

S 00°07'10" E 954.54'

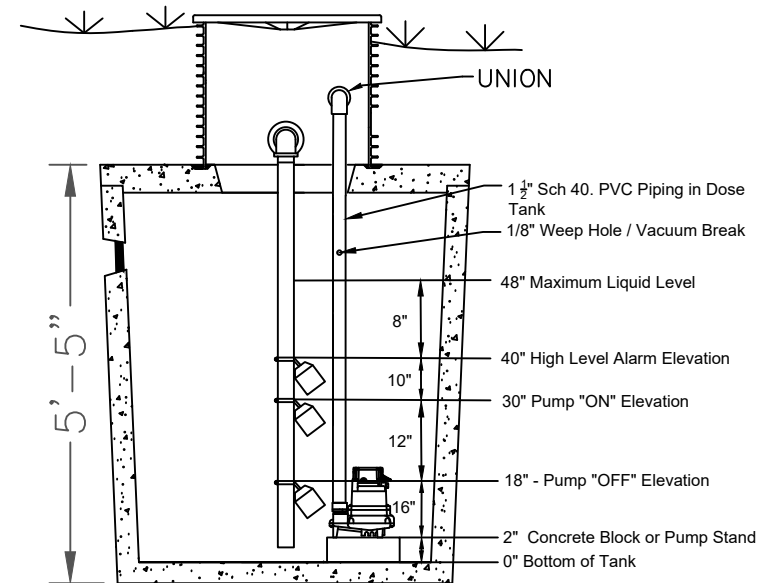
S 89°55'05" W 456.58'



**DRAINFIELD LAYOUT DETAIL - LOT 1
(FIELD FIT TANK AND ORIENTATIONS, MAINTAIN
PROPER SETBACKS, NOT TO SCALE)**

Construction Notes - Septic System:

- 1) Drainfield shall consist of two laterals (2) - 52 linear foot absorption trenches. Total of 104 linear feet (312 sq ft).
- 2) A minimum of 12 inch of backfill must be placed on top of the gravelless chambers per drawings.
- 3) Septic tank to include safety screens and Polylok PL-122 or Tuf-Tite EF-6 effluent filters or equivalent.
- 4) Refer to lot layout drawing for septic tank and drain field locations and orientations.
- 5) Drain field shall consist of 36" wide trenches and laterals shall be laid level at (0% slope). Location where drain field sits has approximately .5% slope.
- 6) Contractor to check with utility companies prior to excavating.
- 7) Check for any utility line crossings that may be in the area including private line routings before excavating.
- 8) Install any sewer piping with enough cover from surface to prevent freezing and wrap or cover with waterproof insulation (Dow Styrofoam Board) in areas where depth of cover might be shallower than the recommended depth of 4'. 1" styrofoam approximately equivalent to 1' of soil cover.
- 9) Sewer pipe from foundation to septic tank and septic tanks to dose tank shall be a minimum of 1/4 inch per foot slope.
- 10) Septic tank/s shall be installed greater than 25' from cistern/s, 50' from wells, 10' from drainfields, foundation walls, property boundaries, and storm water ponds.
- 11) Drainfield/s shall be installed greater than 50' from cistern/s, 100' from wells, 25' from storm water ponds and slopes greater than 35%, 10' from foundation walls, property boundaries, and septic tanks.
- 12) All tank depths shall be field fitted and installed per manufacturer's recommendations. Tank risers will need to be field fit for proper depth depending on tank installation depth from surface grade.
- 13) Make sure plumbing venting back to dwelling is vented properly as this is critical for septic system to function correctly.
- 14) Piping Sizes: 1 1/2" Discharge, 1 1/2" Manifold, 1 1/2" Forcemain, 1 1/2" Laterals
- 15) Lateral: Insert 5/32" orifices on top of lateral so that squirt will be directed to the top of the gravelless chambers except for every fourth orifice which will be placed on the bottom of the lateral. **Orifices to be spaced every 5 linear feet.**
- 16) Install force main (delivery pipe) 5'-6' below surface to prevent freezing and wrap with waterproof insulation in areas where depth of cover might be shallower than the recommended depth.
- 17) Install a 6" diameter PVC sleeve over vertical force main and fill with water resistant insulation.
- 18) Make sure sprinkler box risers are above or at grade and marked with an iron rod for future access and locating.
- 19) Install two layers of 2" Dow Styrofoam Board over drainfield manifold prior to backfilling to prevent freezing. Also insulate access riser lid above dosing tank piping.
- 20) A flexible PVC pipe connection or equivalent is recommended when exiting the dosing tank to allow for settlement and resist shear on pressure piping.
- 21) Drill 1/8" hole in discharge piping downstream of union but above high water alarm elevation inside dosing tank to provide a vacuum break/drain and install vented "T" fittings in dosing and septic tanks.



**500-GAL DOSING TANK COMPARTMENT DETAIL -
LOT 1
(NOT TO SCALE)**

Septic Tank Specifications:

Septic Tank Size: 1000 Gallons = Billings Precast SDC15S or equivalent

Dosing Tank Specifications:

Dosing Tank Size: 500 Gallons = Billings Precast SDC15S or equivalent
 Dosing Volume: 53 Gallons (Min) - Suggested 113 gallons (12" of depth)
 Dosing Tank: 1" Depth = Approx. 9.5 Gallons

Dosing Pump Float Settings from Bottom of Tank (Tracts 1 & 2):

- | | |
|-------------------------------|------------------|
| 1) Pump Height = | 14 inches |
| 2) Lowest float setting = | 16 inches* |
| 3) Depth of effluent min = | 16 inches |
| 4) High-Level alarm setting = | 40 inches |
| 5) "ON" Level = | 30 inches |
| 6) "OFF" Level = | 18 inches |

*Dimension includes placing pump on 2" concrete block or pump stand to prevent pumping settled sludge and/or sediment at bottom of tank. Keeping pump fully submerged helps to reduce corrosion on pump by means of not being exposed to oxygen repeatedly.

Suggested Pump:

Liberty FL30 Single Phase (115V/230V), .33-hp with pump control box and float system to match, 1 1/2" piping connection.

Suggested Control Box:

SJE Rhombus (NEMA 4X), Simplex (115V/230V single phase), or equivalent - paired to pump, 3 float minimum (start, stop, alarm)

Lateral Orifice Sizing:

Orifice Sizing in laterals to be 5/32" diameter, spaced 5' apart, with beginning and ending orifices 1' spacing from ends of laterals, 11 orifices per lateral

Drain Field Trench Depth:

Lot 1 - Drain field trench depth = 20"-24" below grade.

Gravelless Chambers:

Low profile gravelless chambers required - 12" minimum cover over chambers or per manufacturers recommendation.

REVISIONS

NO.	DATE

JOB: 844-100

DATE: 1/16/24

DRAWN BY: ERS

CHECKED BY: ERS

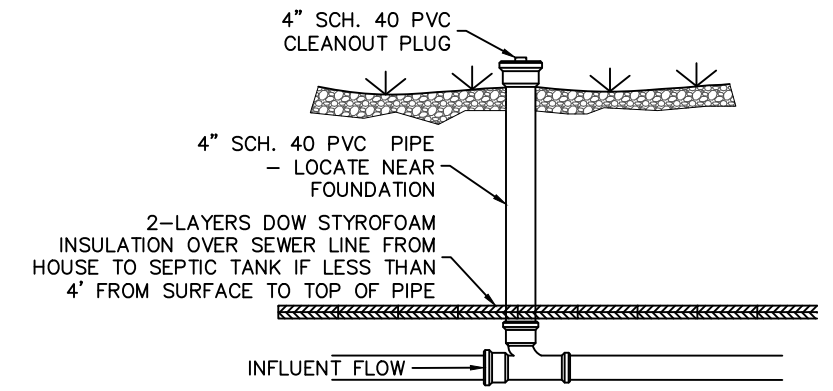
SCALE: N/A

DRAWING: DETAILS

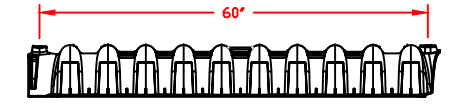
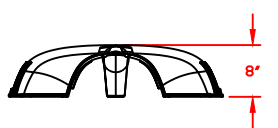
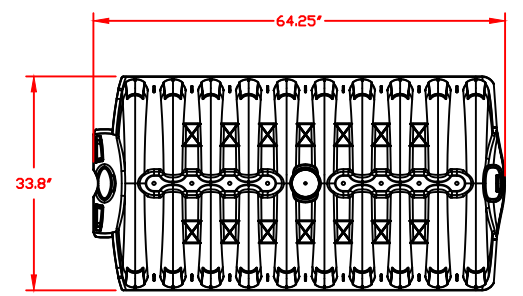
TEBAY - REMOVING SANITARY RESTRICTIONS
 2952 BOGGIO LN, LAUREL, MT 59044
 T LAZY M SUBDIVISION - LOT 1 - S25, T02S, R23E
 YELLOWSTONE COUNTY - 10.000 ACRES
 SANITARY DETAILS

~SHEET~

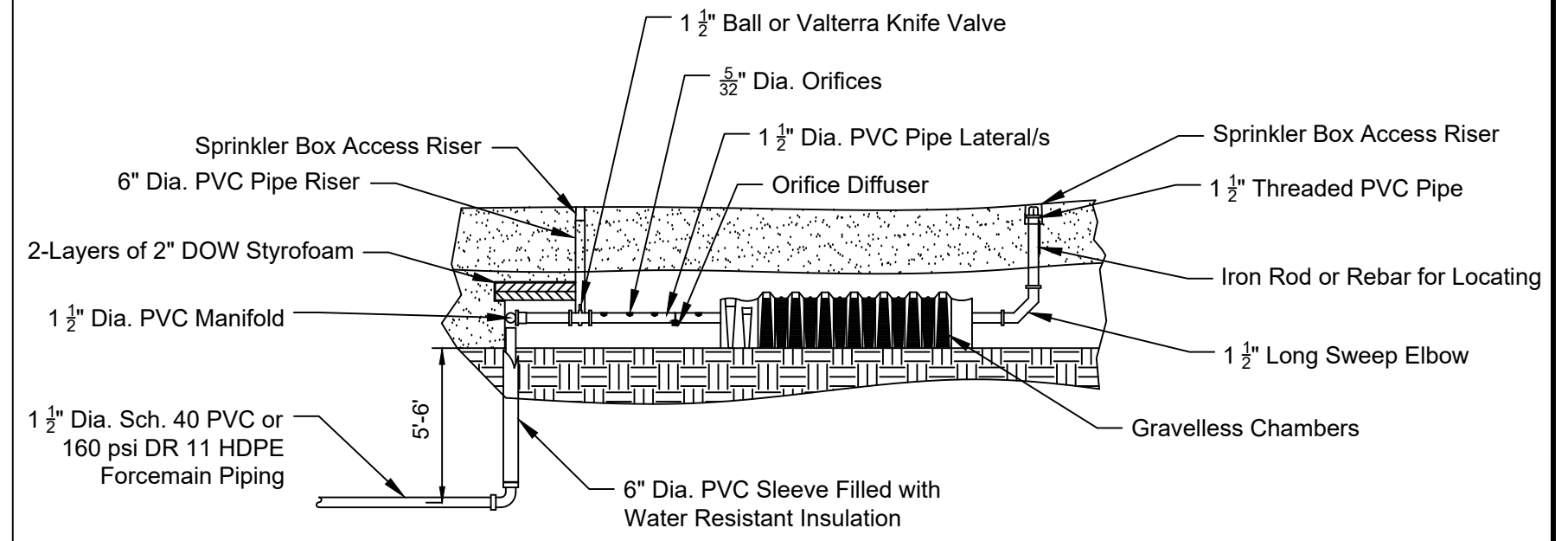
REVISIONS	
NO.	DATE
JOB:	844-100
DATE:	1/16/24
DRAWN BY:	ERS
CHECKED BY:	ERS
SCALE:	N/A
DRAWING:	DETAILS 2



CLEANOUT DETAIL
NOT TO SCALE

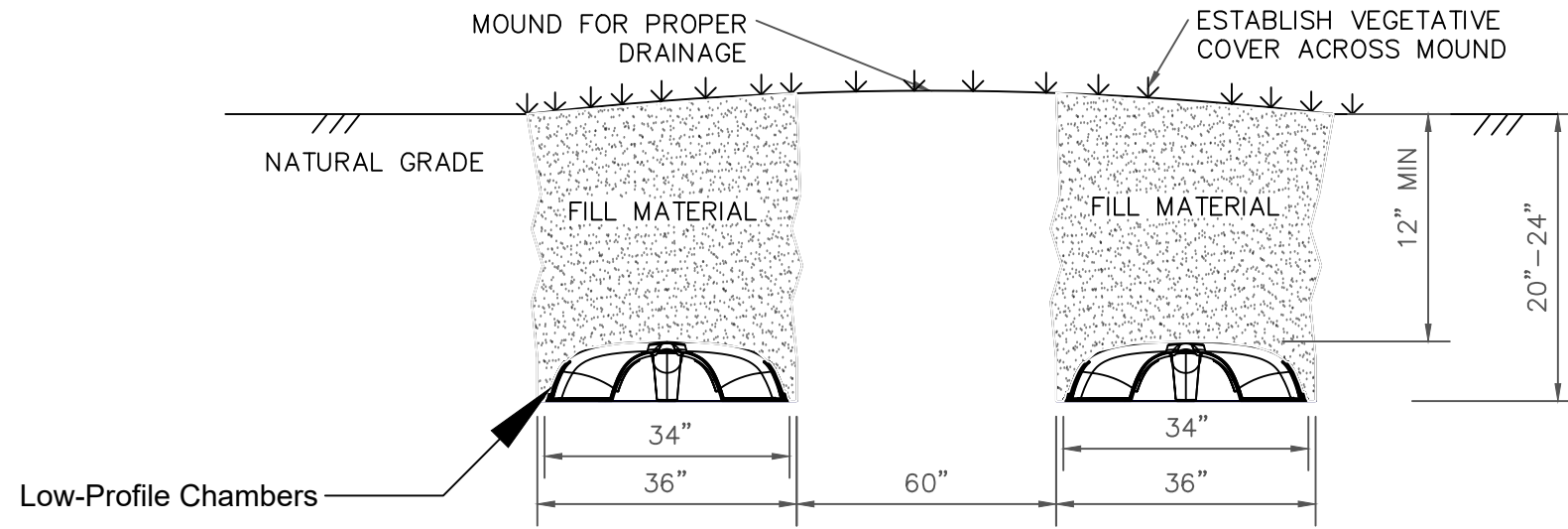


ARC36LP - Low Profile Chambers

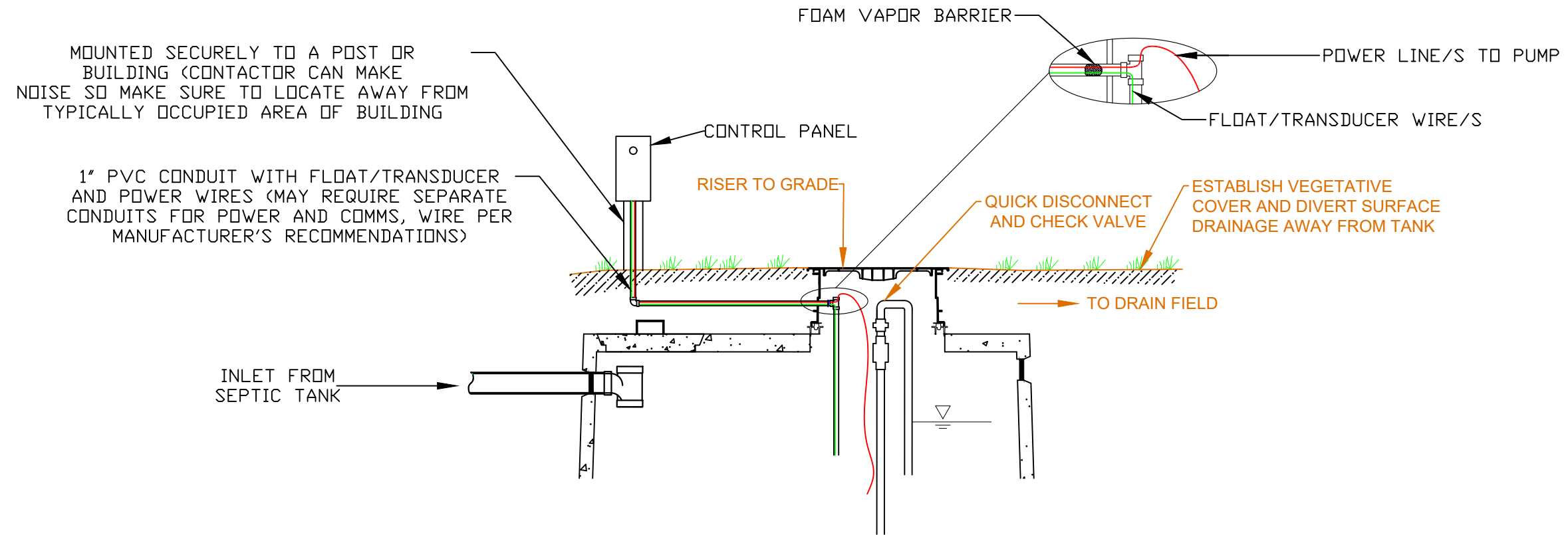


PRESSURIZED LATERAL DETAIL (TYP)
NOT TO SCALE

TEBAY - REMOVING SANITARY RESTRICTIONS
 2952 BOGGIO LN, LAUREL, MT 59044
 T LAZY M SUBDIVISION - LOT 1 - S25, T02S, R23E
 YELLOWSTONE COUNTY - 10,000 ACRES
 SANITARY DETAILS SHEET 2



PRESSURE LATERAL SECTION DETAIL
(NOT TO SCALE)



CONTROL PANEL W/ELECTRICAL LAYOUT (GENERIC DOSING TANK)
NOT TO SCALE

REVISIONS

NO.	DATE

JOB: 844-100

DATE: 1/16/24

DRAWN BY: ERS

CHECKED BY: ERS

SCALE: N/A

DRAWING: DETAILS 3

TEBAY - REMOVING SANITARY RESTRICTIONS
2952 BOGGIO LN, LAUREL, MT 59044
T LAZY M SUBDIVISION - LOT 1 - S25, T02S, R23E
YELLOWSTONE COUNTY - 10,000 ACRES
SANITARY DETAILS SHEET 3

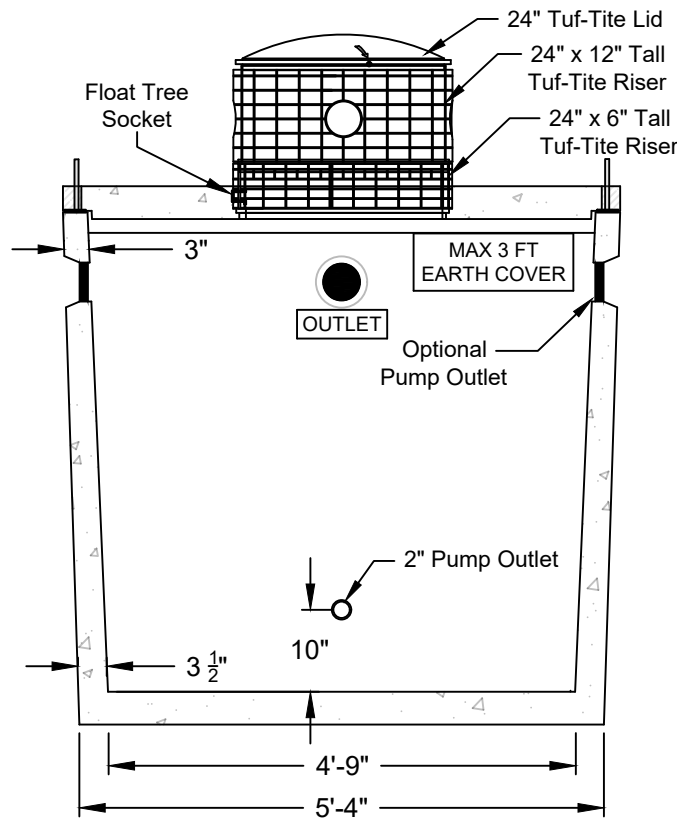
~SHEET~



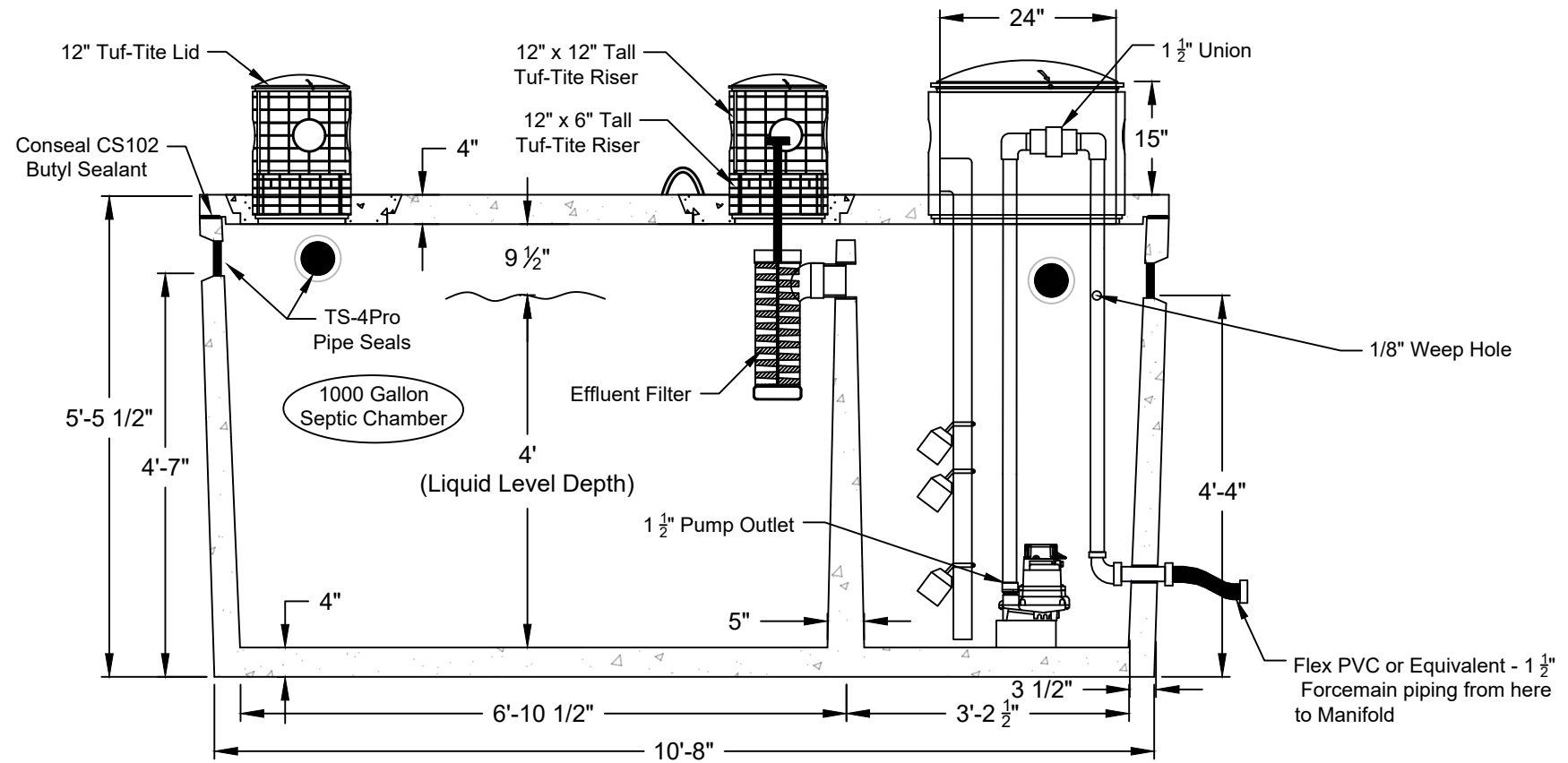
5815 Interstate Ave
Billings, MT 59101
Phone (406) 656-6098
Fax (406) 656-4942
www.billingsprecast.com

Drawing No. **SDC15S**
1000 / 500 Gallon Combination Septic / Dosing Tank
- Single Piece Tank / Non-Traffic Rated -

Cross Section A--A



Cross Section B--B



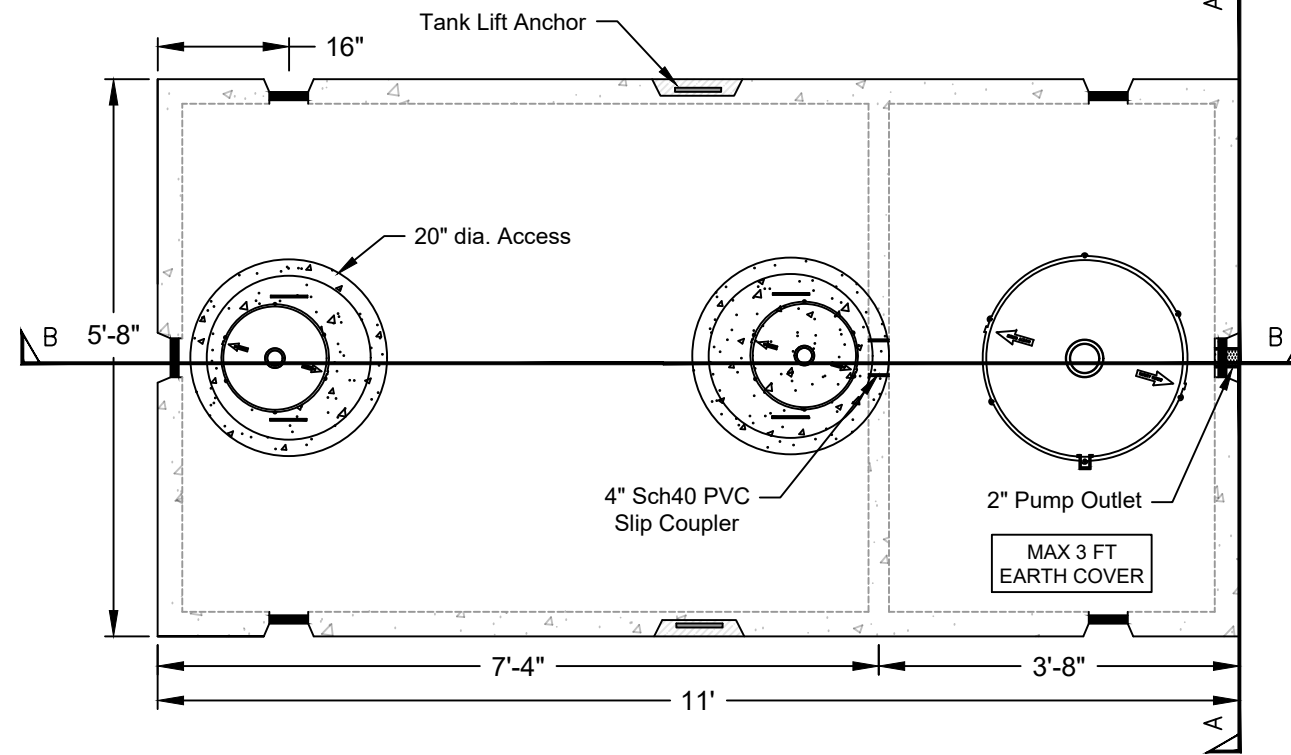
SPECIFICATIONS

TANK: Manufactured per 2013 Montana Circular DEQ-4 Chapter 5 design standards for septic tanks, 2 EA 9500 lb. wire rope tank lift anchors, 1 EA 24" dia. x 6" tall Tuf-Tite access riser cast into tank lid, 2 EA 12" dia. x 6" tall Tuf-Tite access risers cast into 20" dia. cleanout access lids, 6 EA Tuf-Tite TS-4Pro pipe seals cast in for inlet and outlet pipe penetrations, 4" Sch40 PVC slip coupler cast into compartment wall for septic chamber outlet, 1" PVC float tree socket, 2" Sch40 PVC coupler cast into tank wall for pump outlet connection, ConSeal CS-102 1" butyl rubber sealant to seal tank lid.

STANDARD COMPONENTS: 1 EA 24" dia. x 12" tall and 2 EA 12" dia. x 12" tall Tuf-Tite access riser extensions, 1 EA 24" dia. and 2 EA 12" dia. Tuf-Tite lids, SS screws, 5/16" butyl sealant to seal between access risers, Tuf-Tite EF-6 Combo (1500 GPD) effluent filter with 1/2" dia. PVC handle extension.

NOTE 1): Tank must be installed per Billings Precast's 'Tank Installation Guide' or warranty will be VOID.

NOTE 2): Tank shall not be placed in a traffic area (ie. parking lot, driveway, etc.) - Warranty will be VOID if driven on.



Top View

WEIGHTS: Tank - 10,300 lb.; Lid - 2850 lb. [Total Assembled - 13,150 lb.]



STAHLION LLC
9 ASPEN WAY
PARK CITY, MT 59063
PHONE: (406) 861-8005
EMAIL: STAHLION21@OUTLOOK.COM

REVISIONS	
NO.	DATE
JOB:	844-100
DATE:	1/16/24
DRAWN BY:	ERS
CHECKED BY:	ERS
SCALE:	N/A
DRAWING: TANK DETAILS	

TEBAY - REMOVING SANITARY RESTRICTIONS
2952 BOGGIO LN, LAUREL, MT 59044
T LAZY M SUBDIVISION - LOT 1 - S25, T02S, R23E
YELLOWSTONE COUNTY - 10.000 ACRES
SEPTIC TANK DETAILS

SEPTIC SYSTEM OPERATION AND MAINTENANCE NOTES:

- Regularly pump-out your septic tank when needed. Every 3-4 years is a commonly recommended interval, but as with most systems, this may vary dependent upon actual use. If you use significant amounts of water and many people use your system, consider a more frequent pumping schedule.
- **Clean your effluent filter every 3-4 months if your tank has an effluent filter!** If it does not, ask your local septic tank installer if one can be retrofitted to your tank. Most new tanks will come with a filter. Effluent filters are the single most helpful piece of equipment that can extend the life of your absorption field. They are also very economical.
- Keep a record of pumping, inspections, maintenance, and repairs.
- Map out septic tank and other system components. Either have a map or locate components with permanent stakes. This is useful for accessing the system and will prevent damaging system components when doing home maintenance or yard work.
- Do not park or drive heavy vehicles or equipment over the septic system or any of its components. Aerobic bacteria are an important requirement for treatment that occurs in the soil. Pores in the soil hold air. Compaction will reduce porosity, and therefore reduce the amount of air available in the soil.
- Do not build structures, such as decks, patios, or swimming pools, that would cover the absorption field or limit access to the septic tank and distribution box.
- Do not flush or use strong chemicals and bacteria-destroying products, such as drain cleaners, solvents, paint, paint thinners, floor cleaners, sink cleaners, motor oil, antifreeze, pesticides, and photo chemicals. These may disrupt septic tank or absorption system operation. Household bleach, disinfectants, cleansers, antibacterial soaps, when used in normal household applications should not affect system operations, although excessive use of these products can kill necessary organisms that act to break down waste.
- Do not flush materials that do not easily degrade, such as paper towels, cotton swabs, personal or feminine hygiene products, condoms, medications, disposable diapers, coffee grounds, cat litter, cooking fats/oils, facial tissues, dental floss, cigarette butts, plastics, grease, or bones.
- Avoid septic tank additives. A septic tank that is properly sized and maintained will adequately manage household wastewater without the use of additives. Additives can contaminate soils and will not avoid pumping your system. In fact, most additives are rather costly and if cost is examined throughout the years, likely you'll pay more for additives than for pumping your system on regular multiyear schedule.
- Avoid garbage disposals or grinders because these substantially increase the accumulation of solids in the septic tank and in the absorption field. If they are used, the septic tank size should be increased and pumped out more often. Solids in the wastewater become scum or sludge. Therefore, more solids in the wastewater result in more frequent pumping due to scum and sludge buildup.
- Direct water treatment system discharges to a separate soil absorption system, if possible, to minimize discharges to the septic system. However, if the system is well maintained and can accommodate the additional flow, water treatment system discharges can be directed to the septic tank in many cases.
- If your home has a sump pump such as a basement that regularly pumps to your septic tank, ensure you have a baffle or sanitary tee installed at the inlet of the tank. Regular pumping into the tank will disturb the scum/crust upper layer and disrupt proper settling and digestion within the tank.
- Direct drainage away from the septic system from roof, cellar/footing (sump pump) and surface water run-off. Mound slightly over the absorption field to direct rainwater from entering. This also helps with natural insulation in areas where freezing is a potential concern.
- Plant grass and other shallow-rooted plants over the absorption field. Keep trees and long-rooted plants and shrubs away from the immediate area of the absorption area. Roots can grow into the pipes and clog the system.
- Conserve water. Check for defective toilet tank valves, repair leaky fixtures, and install appliances and fixtures that use less water and avoid wasteful practices. Leaking water fixtures can continually overload the drainfield absorptive capacity.
- For every gallon of wastewater that enters the tank, a gallon of effluent leaves, entering the drain field. In the tank, approximately 24 hours of retention time is needed for the solids to separate.
- Heavy water use over a short period of time may not allow settling to occur. Solids may move out of the tank with the effluent.
- Rapid water movement in the tank may start a wave motion, scouring the bottom and resuspending sludge, which can then move out of the tank with effluent.
- Regularly inspect and maintain any effluent pumps and alarms that may be part of your septic system. These are commonly found on pressure-dosed systems.

PREVENTION FROM FREEZING

- Insulate the ground above any of the septic system components. Landscape materials are recommended but anything that insulates will help frost from driving deeper into the soil and potentially your septic system. Styrofoam insulation in the ground above piping and components helps to prevent freezing. 1" styrofoam is approximately equal to 1' of soil in terms of insulation value. This is particularly important on newer systems without vegetative cover established.
- Use warm water. Spread out warm water cycles throughout the days and nights. Do not leave water running. If you anticipate extended periods where your system will not be used, consider a house-sitter or automatic timer for warm water runs. These suggestions are especially important on colder weather days.
- Avoid driving equipment and vehicles over the leach field or septic system components. Not only for potential collapse/damage reasons, but also because compacted soils help drive frost deeper into the ground.
- Make sure all covers are in working order and seal correctly. Insulating them is also recommended.

DISCLAIMER

STAHLION LLC does not guarantee installation, quality of construction, and/or the usage of your septic system. Septic systems require professional installation and STAHLION LLC can NOT be held responsible for damage during installation or thereafter. Septic systems require maintenance and if used improperly or neglected, may fail. All responsibility shall be borne by the user.



STAHLION LLC
9 ASPEN WAY
PARK CITY, MT 59063
PHONE: (406) 861-8005
EMAIL: STAHLION21@OUTLOOK.COM

REVISIONS

NO.	DATE

JOB: 844-100

DATE: 1/16/24

DRAWN BY: ERS

CHECKED BY: ERS

SCALE: NA

DRAWING: O & M

TEBAY - REMOVING SANITARY RESTRICTIONS
2952 BOGGIO LN, LAUREL, MT 59044
T LAZY M SUBDIVISION - LOT 1 - S25, T02S, R23E
YELLOWSTONE COUNTY - 10.000 ACRES
SEPTIC OPERATION & MAINTENANCE

~ SHEET ~

**PRELIMINARY PLAT OF
T LAZY M SUBDIVISION**

BEING TRACT 11A OF AMENDED TRACT 11 OF CERTIFICATE OF SURVEY No. 1563 LOCATED IN A PORTION OF THE WEST 1/2 SECTION 25, TOWNSHIP 2 SOUTH, RANGE 23 EAST, P.M.M. YELLOWSTONE COUNTY, MONTANA

SURVEYED FOR: RICHARD D. TEBAY
SURVEYED BY: ESSEX SURVEYING, LLC
39 LIGHTNING LANE
RED LODGE, MT 59068
(406) 860-6043

OWNER'S CERTIFICATION AND PROPERTY DESCRIPTION

State of Montana)
County of Yellowstone)
I, the undersigned property owner, certify that I have caused to be surveyed, subdivided and platted into lots and blocks as shown by the plat hereunto annexed, the following described land, to-wit:
A tract of land located in a Portion of the West 1/2 Section 25, Township 2 South, Range 23 East, P.M.M. Yellowstone County, Montana, being more particularly described as follows:
Being Tract 11A of Amended Tract 11 of Certificate of Survey No. 1563 on file of the office of the Clerk and Recorder of said county under document No. 1548175, Containing 10.000 Acres more or less, and all according to the attached Subdivision Plat. Subject to all easements and/or rights-of-way of record, apparent on the ground or reserved per this survey.

No parkland is being dedicated to the public pursuant to Section 76-3-621(3)(d), MCA. The herein described tract of land is to be known and designated as:

LOT 1 OF THE T LAZY M SUBDIVISION

Richard D. Tebay

STATE OF MONTANA)
County of Yellowstone)

On this _____ day of _____, 2024, before me the undersigned, a Notary Public for the state of Montana, Personally appeared Richard D. Tebay known to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Notary Public for the State of Montana

CERTIFICATE OF SURVEYOR

State of Montana)
County of Yellowstone)

I, Zamian Z. Essex, a Licensed Land Surveyor, Montana License No. 40989LS, do hereby certify that the survey shown on the attached Plat of Lot 1 of the T LAZY M Subdivision was performed by me, or under my direct supervision, during the month of June, 2023, in accordance with the Montana Subdivision and Platting Act, Title 76, Chapter 3, MCA; and that said survey is true and complete as shown and that the monuments found and set are of the character described and occupy the positions shown thereon.

Zamian Z. Essex, Licensed Land Surveyor
Montana License No. 40989LS

NOTICE OF PLANNING BOARD APPROVAL

State of Montana)
County of Yellowstone)

The Plat of T LAZY M Subdivision, has been approved for filing by the Yellowstone County Board of Planning and Community Services and conforms to the recommendations of that Board.

Date _____

President _____ Executive Secretary _____

CERTIFICATE OF RIVERSTONE HEALTH

This document has been reviewed by the County Health Department and is acceptable as to form.

Dated this _____ day of _____, 2024.

Reviewed by: _____

COUNTY ATTORNEY APPROVAL

This Document has been reviewed by the County Attorney's office and is acceptable to form.

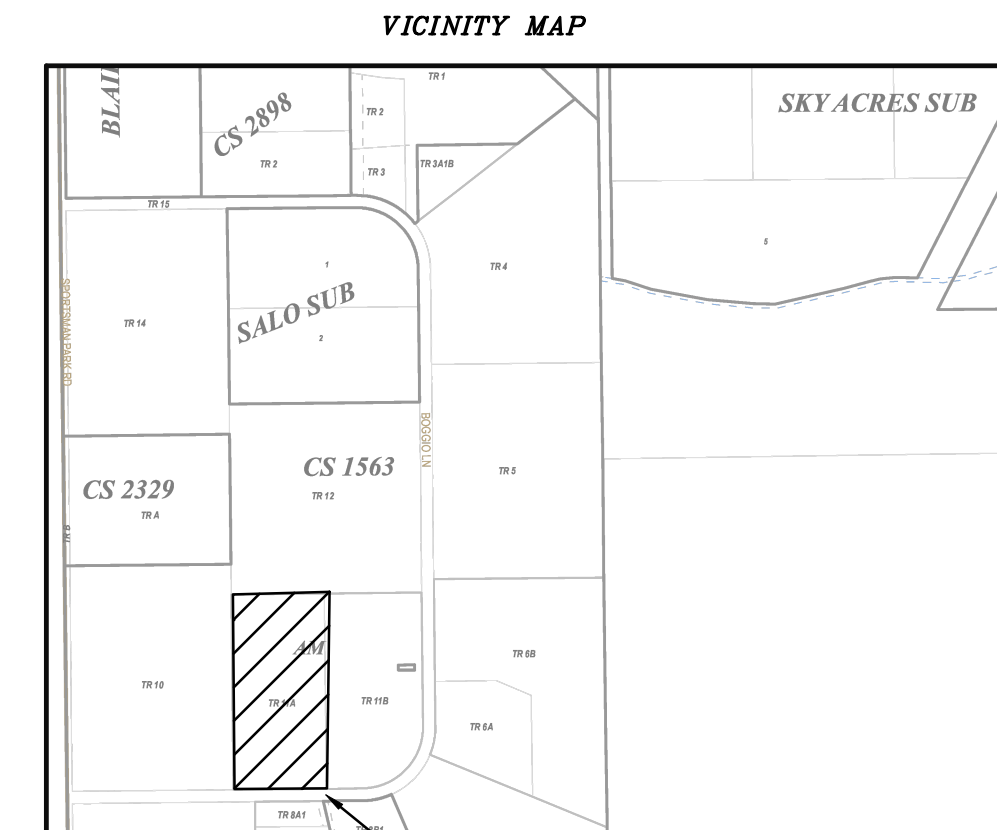
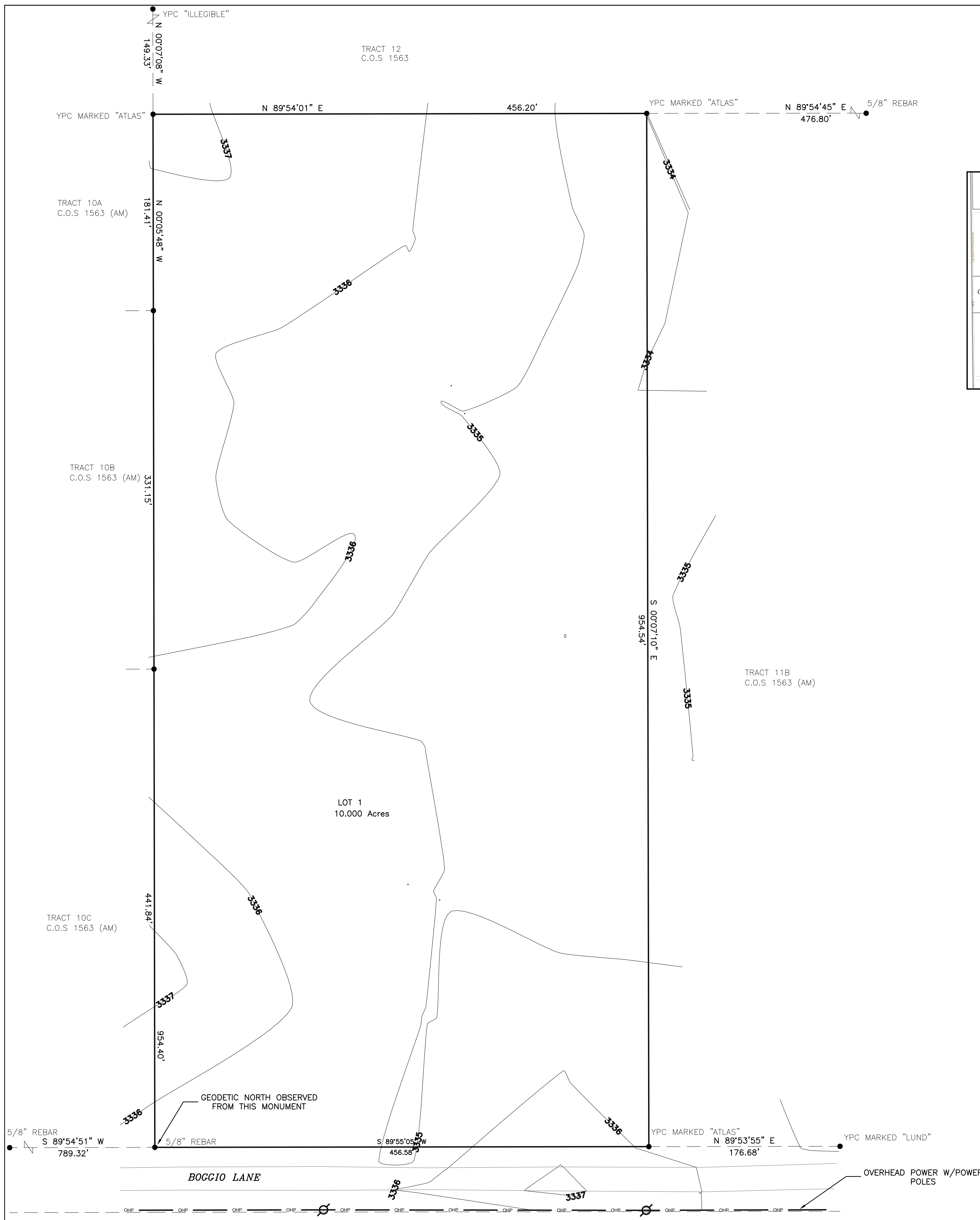
County Attorney _____ Date _____

COUNTY TREASURER'S CERTIFICATION OF TAX PAYMENT

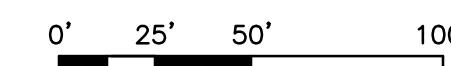
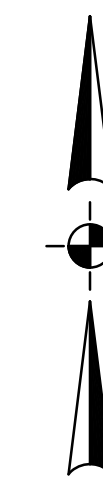
I hereby certify pursuant to 76-3-207(3)(b) M.C.A., that all real property taxes and special assessments levied on the land described above have been paid.

Yellowstone County Treasurer _____ Date _____

CLERK AND RECORDER FILING INFORMATION



THIS SURVEY



SCALE: 1" = 50'

SURVEYED: JUNE, 2023

BASIS OF BEARING

GEODETC NORTH OBSERVED AT THE SOUTHEAST CORNER OF TRACT 10 OF CERTIFICATE OF SURVEY No. 1563 SHOWN HEREIN

LEGEND

- FOUND PROPERTY CORNER AS NOTED
- PROPERTY CORNER SET - 5/8" X 24" REBAR WITH YELLOW PLASTIC CAP MARKED "ESSEX - 40989LS"
- R RECORD DISTANCE

**PRELIMINARY PLAT OF
T LAZY M SUBDIVISION**

BEING TRACT 11A OF AMENDED TRACT 11 OF CERTIFICATE OF SURVEY No. 1563 LOCATED IN A PORTION OF THE WEST 1/2 SECTION 25, TOWNSHIP 2 SOUTH, RANGE 23 EAST, P.M.M. YELLOWSTONE COUNTY, MONTANA

SURVEYED FOR: RICHARD D. TEBAY
 SURVEYED BY: ESSEX SURVEYING, LLC
 39 LIGHTNING LANE
 RED LODGE, MT 59068
 (406) 860-6043

Missing Date Plat was prepared

OWNER'S CERTIFICATION AND PROPERTY DESCRIPTION

I, the undersigned property owner, certify that I have caused to be surveyed, subdivided and platted into lots and blocks as shown by the plat hereunto annexed, the following described land, to-wit:

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LOT 1 OF THE T LAZY M SUBDIVISION

Richard D. Tebay

STATE OF MONTANA)
) ss
 County of Yellowstone)

On this _____ day of _____, 2024, before me the undersigned, a Notary Public for the state of Montana, Personally appeared Richard D. Tebay known to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Notary Public for the State of Montana

CERTIFICATE OF SURVEYOR

STATE OF MONTANA)
) ss
 County of Yellowstone)

I, Zeman Z. Essex, a Licensed Land Surveyor, Montana License No. 40989LS, do hereby certify that the survey shown on the attached Plat of Lot 1 of the T LAZY M Subdivision was performed by me, or under my direct supervision, during the month of June, 2023, in accordance with the Montana Subdivision and Platting Act, Title 76, Chapter 3, MCA; and that said survey is true and complete as shown and that the monuments found and set are of the character described and occupy the positions shown thereon.

Zeman Z. Essex, Licensed Land Surveyor
 Montana License No. 40989LS

NOTICE OF PLANNING BOARD APPROVAL

State of Montana)
) ss
 County of Yellowstone)

The Plat of T LAZY M Subdivision, has been approved for filing by the Yellowstone County Board of Planning and Community Services and conforms to the recommendations of that Board.

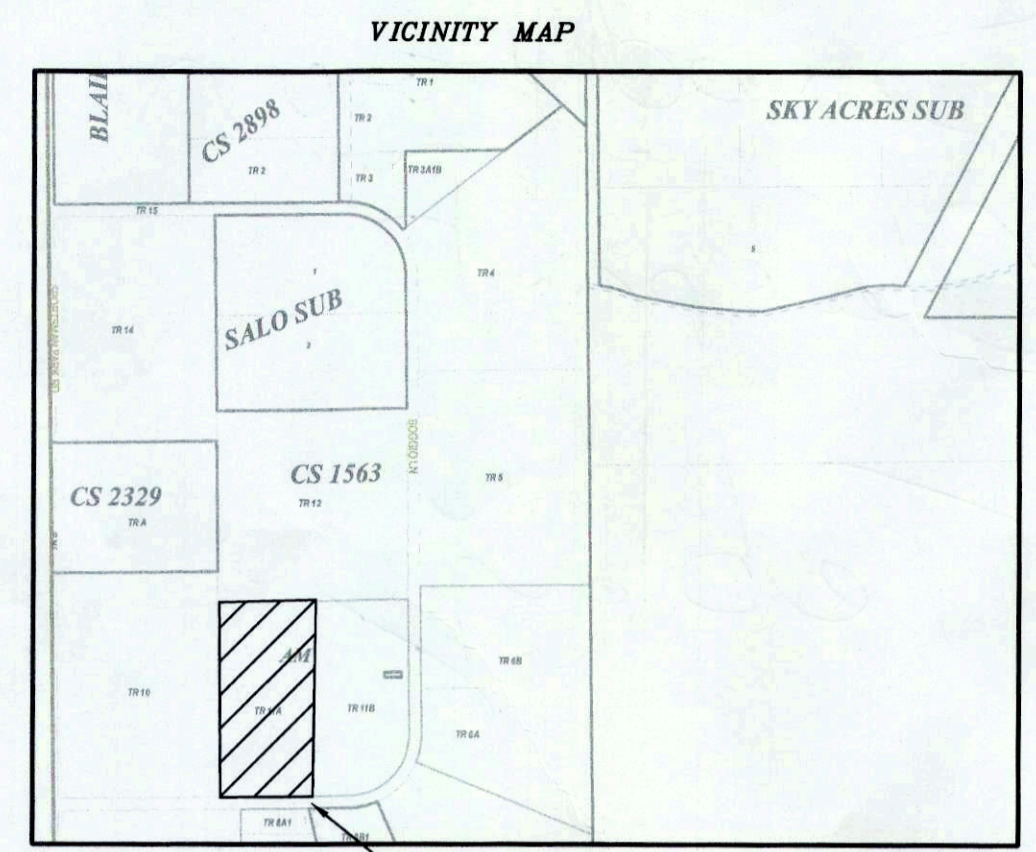
Date _____
 President _____ Executive Secretary _____

COUNTY TREASURER'S CERTIFICATION OF TAX PAYMENT

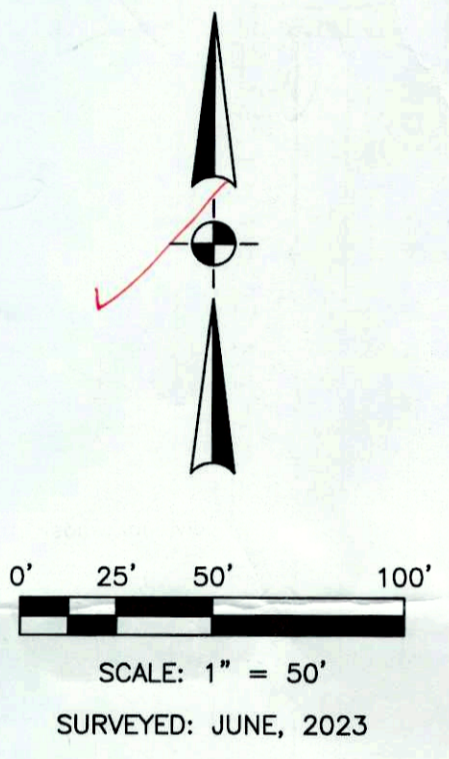
I hereby certify pursuant to 76-3-207(3)(b) M.C.A., that all real property taxes and special assessments levied on the land described above have been paid.

Yellowstone County Treasurer, Deputy

CLERK AND RECORDER FILING INFORMATION



THIS SURVEY



BASIS OF BEARING
 GEODETIC NORTH OBSERVED AT THE SOUTHEAST CORNER OF TRACT 10 OF CERTIFICATE OF SURVEY No. 1563 SHOWN HEREIN

LEGEND

- FOUND PROPERTY CORNER AS NOTED
- PROPERTY CORNER SET - 5/8" X 24" REBAR WITH YELLOW PLASTIC CAP MARKED "ESSEX - 40989LS"
- R RECORD DISTANCE

CERTIFICATE OF RIVERSTONE HEALTH

This document has been reviewed by the County Health Department and is acceptable as to form.

Dated this _____ day of _____, 2024.
 Reviewed by: _____

COUNTY ATTORNEY APPROVAL

This Document has been reviewed by the County Attorney's office and is acceptable to form.

County Attorney _____ Date _____



TRACT 12
 C.O.S 1563
Lot owner Missing

Lot Owner Missing

*Final Plat
 County Commission
 Signatures*

*Adjoining Lot
 Owners
 Not Listed*

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

June 17, 2024

Amber Essex

Regarding of the Sufficiency of the Application for the T Lazy M subdivision

The preliminary subdivision application for the T Lazy M Subdivision appears sufficient to proceed with but will need modifications prior to final plat. I received the application in the mail on June 17, 2024. Comments on the subdivision application are as follows.

Preliminary Plat

1. Signature blocks for the County Commissioner need to be added.

Subdivision Improvement Agreement

1. A Weed Management Plan needs to be submitted.

Agriculture Release

1. Add and "E" to the First Whereas.
2. Change legal description to "Tract 11A of Amended Tract 11, Certificate of Survey 1563
3. Remove "Title: Member" from signature line.
4. Notary lines need work

Water and Sewer Report

1. Division requires either a COSA or an Applicable DEQ exemption.

Taxes

1. All taxes will need to be paid on the tract prior to recording.

The subdivision application will be discussed at the June 19 planning board meeting at 6pm. I will complete a staff report for the County Commissioners once the Planning Board makes its decision to recommend the subdivision.

Kurt Markegard
Planning Director
City of Laurel

City of Laurel Planning Department

115 West First Street
Laurel, Montana 59044
Phone: (406)628-4796

ROUTING/COMMENT REQUEST FORM

Attached are a plat and documents submitted to our office for review and comment. Please review these documents and forward it to the next department. Comments can be made in the project text section for this project. For further information contact Kurt Markegard 628-4796 ext. 5305 or via e-mail at kmarkegard@laurel.mt.gov

<i>COS 1563</i> - T Lazy M Subdivision <i>MA & Amended Tract</i>		Yellowstone County	
Status	Type of Subdivision/Survey <i>ll</i>		Gross Acreage
Check print	Minor Sub lifting Agriculture Restrictions		10 acres
Applicant	Phone	Surveyor/Engineer	Phone
Richard D. Tebay	406-628-4796 ext. 5305 Kurt Markegard	Essex	406-860-6043
Attachments			
<input checked="" type="checkbox"/> Check Print Preliminary Sub, (SIA), Waiver of Protest, Water and Sewer Plan, Recorded Plat			
Planning Department	Reviewed By	Date R/C	Date out
	Kurt Markegard	April 18, 2024	May 8, 2024
Comments: <i>Plat comments in red,</i>			
Riverstone Health	Reviewed By	Date R/C	Date Out
	<i>Blamit/lan</i>	<i>5/9</i>	<i>5/9</i>
Comments: <i>Division Requires either: 1) COSA or 2) Applicable DEQ Exception</i>			
County Treasurer	Reviewed By	Date R/C	Date Out
	<i>Hank Peters</i>	<i>5/10</i>	<i>5/10</i>
Comments: <i>Complete. Taxes are paid on 002484, the underlying parcel.</i>			
GIS Department	Reviewed By	Date R/C	Date Out
	<i>Mike Powell</i>	<i>5-10</i>	<i>5-10</i>
Comments: <i>Boggio Ln is a road tract (TR15 CS 1563) and hence private (never dedicated) might need permission to add burden to it.</i>			
County Attorney	Reviewed By	Date R/C	Date Out
		<i>5-10</i>	<i>5-13</i>
Comments: <i>see attached</i>			
County Public Works	Reviewed By <i>RT, MP</i>	Date R/C <i>5/14/24</i>	Date Out <i>5/14/24</i>
Comments: <i>Boggio LN is Private so RSD is not allowed, appears sufficient</i>			
Clerk and Recorder	Reviewed By	Date R/C	Date Out
Comments:			

May 16, 2024 (Jeff Martin)

Reviewed the check print for the Plat of T Lazy M Subdivision prepared by Essex. The purpose of the plat is to create a 1-lot subdivision and release an existing agricultural covenant. Richard D. Tebay owns the tract. An SIA and a Release of Agricultural Covenant accompany the check print. The waiver of right to protest will need to be included as part of the SIA. A subdivision guarantee and any necessary consent to plat documents will need to be submitted with the final. The proper legal description of the tract will need to be included in the release. The proper legal description is Tract 11A of Amended Tract 11, COS 1563. The notary block on the release will need to be corrected. There are comments regarding access. No additional burden is being placed on the access. An RSID cannot be created for a private road. Taxes have been paid. (Laurel – T Lazy M)

May 13, 2024

Robison reviewed a checkprint of a proposed T Lazy M subdivision. Richard Tebay owns the land. Essex Surveying prepared the plat and associated documents. T Lazy M Subdivision is a minor subdivision of 1 lot connected to existing roads with a existing water and septic. The purpose of the subdivision is to lift an agricultural covenant. There is a subdivision improvement agreement included with the plat. There is no parkland dedication requirement, it is a minor subdivision. There is no dry hydrant requirement because it is only 1 lot. All the taxes on the original, underlying parcel will have to be paid prior to filing. The sanitation will be reviewed. There are no major, apparent problems with the subdivision. **Laurel**

Return Address:
Richard D. Tebay
2952 Boggio Ln
Laurel, MT 59044

**TERMINATION AND REVOCATION OF
DECLARATION OF AGRICULTURAL COVENANT**

THIS AGREEMENT is made and entered into by and between Richard D. Tebay, as owner of the herein described real property and **YELLOWSTONE COUNTY**, Montana, as the governing body.

WHEREAS, ~~Amended Tract 11, COS 1563~~, *TRACT 11A OF AMENDED TRACT 11, CERTIFICATE OF SURVEY 1563,* situated in the W ½ of Section 25, T. 2S., R. 23E., P.M.M., Yellowstone County, Montana, was subject to a Declaration of Agricultural Use Covenant; and

WHEREAS, said tract was surveyed and platted as T Lazy M Subdivision which complied with all requirements, rules, regulations, policies, and resolutions of Yellowstone County, and the laws and administrative rules of the State of Montana; and,

WHEREAS, the Plat of T Lazy M Subdivision was filed under Document No. _____, records of Yellowstone County Montana; and

WHEREAS, T Lazy M Subdivision consists of 1 lot and the owners desire to lift the agricultural covenant on said tract;

THEREFORE, the parties to this agreement do hereby agree that the provisions of the Declaration of Agricultural Covenant imposed upon Amended Tract 11, COS 1563, is hereby terminated and revoked.

Richard D. Tebay

Richard D. Tebay ~~Title: Member~~

STATE OF MONTANA)
 : ss
County of Yellowstone)

This instrument was acknowledged before me on _____, 20____,
by _____, as _____, of Richard D. Tebay.

COUNTY OF YELLOWSTONE
BOARD OF COMMISSIONERS

By: _____

By: _____

By: _____

Attest: _____
Clerk and Recorder

STATE OF MONTANA)
 : ss
County of Yellowstone)

This instrument was acknowledged before me on _____, 20____,
by John Ostlund, Don Jones, and Mark Morse known to me to be the representatives of the Yellowstone County
Board of Commissioners and Jeff Martin, Yellowstone County Clerk and Recorder.

PRELIMINARY PLAT APPLICATION

Subdivision Name: T Lazy M

Date of Preapplication Meeting: _____

Type: Major _____ First Minor Subsequent Minor _____

Tax Code: _____

Location: _____

Legal Description: Being Tract 11A of Amended Tract 11

1/4 Section: 25 Township: 25 Range: 23 E

General Location: _____

Subdivider Information:

Name (Include a list of officers, if corporation): _____

Richard D. Tebay

Address: 2980 Boggie Ln Laurel, mt 59044

Telephone: 406-670-3599 Email: _____

Owner Information:

Name _____

Address _____

Telephone: _____ Email: _____

Plat Data:

Gross Area: 10 acres Net Area: _____

Number of Lots: 1

Maximum Lot Size: 10 acres Minimum Lot Size: 10 acres

Existing Zoning: _____

Surrounding Zoning:

North: _____

South: _____

East: _____

West: _____

Existing Land Use: _____

Proposed Land Use: _____

Parkland Requirement:

Land: none Acres: _____

Cash: _____ Cash: \$ _____

Variations Requested (list and attach Variance Request):

1. None
2. _____
3. _____

Service Providers for Proposed Subdivision

Gas: _____
Electric: _____
Telephone: _____
School (Elementary, Middle, High School): _____
Irrigation District: _____
Cable Television: _____

List of Materials Submitted with Application

1. _____
2. _____
3. _____
4. _____

Agent Information

Name: _____
Address: _____
Telephone: _____ Email: _____

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.

Richard D. Tilly 6-4-2024
Owner of Record **Date**

Owner Under Contract **Date**

The submission of a preliminary plat application constitutes a grant of permission by the subdivider to enter the subject property (Sec. 23-109).

Subdivision Improvements Agreement

T Lazy M Subdivision

Table of Contents

Yellowstone County

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Subdivision Improvements Agreement

T Lazy M Subdivision

This agreement is made and entered into this ____ day of _____, 20__, by and between Richard D. Tebay whose address is 2980 Boggie Ln, Laurel, MT 59044 the purpose of this agreement is hereinafter referred to as “Subdivider,” and YELLOWSTONE COUNTY, Montana, hereinafter referred to as “County.”

WITNESSETH:

WHEREAS, the plat of **T Lazy M Subdivision** located in Yellowstone County, Montana, was submitted to the Yellowstone County Board of Planning as an expedited plat which was deemed to not require preliminary review; and

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

WHEREAS, the provisions of this agreement shall be effective and applicable to **T Lazy M Subdivision** 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 Yellowstone County Subdivision Regulations, the rules, regulations, policies, and resolutions of 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. No Variance

II. CONDITIONS THAT RUN WITH THE LAND

- A. 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.
- B. 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.
- C. No water rights have been transferred to the lot owners. Perimeter ditches and drains shall remain in place and shall not be altered by the Subdivider or subsequent owners.
- D. 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 will 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.
- E. Culverts and associated drainage swales shall not be filled in or altered by the subdivider or subsequent lot owners.
- F. When required by road improvements, all fences and irrigation ditches in the public right-of-way adjacent to this subdivision shall be removed or relocated outside of the public right-of-way and any relocation outside of the public right-of-way shall be subject to securing and recording easements.
- G. Future maintenance of all public (or common) improvements shall be done through one (1) or more RSID(s) created as part of the SIA for this subdivision.
- H. Lot owners or their agent will obtain an Access Permit from County Public Works prior to any construction on any lot within the subdivision. The application will include a site plan showing the desired location of the access and show that it meets the requirements outlined by the DEQ storm water requirements for the subdivision. Failure to do so will result in the lot owner or their agent removing what has been installed and locating the access in an approved location at the lot owner's expense.

III. TRANSPORTATION

The subdivider agrees to guarantee all improvements for a period of one (1) year from the date of final acceptance by Yellowstone County.

- A. Access will be provided by existing Boggio Lane as depicted on the minor subdivision plat and is maintained by Yellowstone County.

IV. EMERGENCY SERVICES

- Fire service will be from the Laurel Fire Department. Access to the subdivision will be from Boggio Lane as shown on the plat. This subdivision is not required to provide any new fire suppression infrastructure.

V. STORM DRAINAGE

No new storm drainage improvements are required. The lot will continue to drain as it has historically done.

VI. UTILITIES

A. Water

Has Title 76 approval.

B. Septic System

Has Title 76 approval.

C. Power, Telephone, Gas, and Cable Television

- Services to be provided within the public right-of-way, existing or to be installed
- Width and location of required utility easements.

VII. PARKS/OPEN SPACE/POSTAL SERVICE

There is no parkland requirement for proposed **T Lazy M Subdivision**, as this is a minor subdivision [MCA 76-3-617(3) (a)].

Postal Service – Subdivider will contact the Laurel Post Office and coordinate with them to ensure safe mail delivery.

VIII. IRRIGATION

- There is no irrigation district affected by the proposed development, no necessary mitigation efforts, no water shares to be transferred and no proposed onsite easements for ditches.

IX. WEED MANAGEMENT

All noxious weeds on the latest Yellowstone County Noxious Weed List shall be controlled on all properties in the subdivision.

The weed plan shall include the following and shall be referenced in this SIA:

- A Weed Management Plan must be filed and updated as needed for approval by the Yellowstone County Weed Department. Said weed management plan shall contain the

noxious weeds being addressed and the plan for the control of those weeds. All associated cost for noxious weed control is the responsibility of the owner of record.

- A revegetation plan shall be submitted as part of the management plan. A seeding recommendation can be obtained from the Yellowstone County Weed Department pursuant to Section 7-22-2152, MCA. The Yellowstone County Weed Department reserves the right to revise these recommendations based on the required site inspection.

X. SOILS/GEOTECHNICAL STUDY

- No geotechnical study was performed.
- It is recommended that each property owner have a geo-tech study done before home construction.

XI. PHASING OF IMPROVEMENTS

No phasing of improvements planned.

XII. FINANCIAL GUARANTEES

- Any improvements on the lots will be the responsibility of the landowner at that time. No public improvements are required for this proposed subdivision.

XIII. LEGAL PROVISIONS

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

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.

G. Subdivider agrees to create any required (or expansion of existing) RSID(s) for future maintenance of all public (or common) constructed improvements prior to final plat approval.

IN WITNESS WHEREOF, the parties hereto have set their hands and official seals on the date first above written.

“SUBDIVIDER”

Richard D. Tebay

Richard D. Tebay

STATE OF MONTANA)

: ss

County of Yellowstone

On this _____ day of _____, 20__, before me the undersigned, a Notary Public for the State of Montana, personally appeared, Richard D. Tebay known to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Notary Public in and for the State of Montana

This agreement is hereby approved and accepted by Yellowstone County, this _____ day of _____, 20__.

“COUNTY”
COUNTY OF YELLOWSTONE
MONTANA
County of Yellowstone
Board of County Commissioners

By: _____
Chairman

Commissioner

Commissioner

Attest: _____
County Clerk and Recorder

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 John Ostlund, Don Jones and Mark Morse, known to me to be the Board of County Commissioners, respectively, and the County Clerk and Recorder, Jeff Martin, of Yellowstone County, Montana, whose names are subscribed to the foregoing instrument in such capacity and acknowledged to me that they executed the same on behalf of Yellowstone County, Montana.

Notary Public in and for the State of Montana

Waiver of Right to Protest

FOR VALUABLE CONSIDERATION, the undersigned, being the Subdivider and all of the owners of the hereinafter described real property, do hereby waive the right to protest the formation of one or more Rural Special Improvement Districts (RSID's), which Yellowstone County may require for a period of 20 years from the date of this document's recording.

This Waiver and Agreement is independent from all other agreements and is supported by sufficient independent consideration to which the undersigned are parties, and shall run with the land and shall be binding upon the undersigned, their successors and assigns, and the same shall be recorded in the office of the County Clerk and Recorder of Yellowstone County, Montana.

The real property hereinabove mentioned is more particularly described as follows:

T Lazy M Subdivision

Signed and dated this _____ day of _____, 20__.

“SUBDIVIDER”

Richard D. Tebay

Richard D. Tebay

STATE OF MONTANA)

: ss

County of Yellowstone

On this _____ day of _____, 20__, before me the undersigned, a Notary Public for the State of Montana, personally appeared, Richard D. Tebay known to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Notary Public in and for the State of Montana

Return Address:
Richard D. Tebay
2952 Boggio Ln
Laurel, MT 59044

**TERMINATION AND REVOCATION OF
DECLARATION OF AGRICULTURAL COVENANT**

THIS AGREEMENT is made and entered into by and between Richard D. Tebay, as owner of the herein described real property and **YELLOWSTONE COUNTY**, Montana, as the governing body.

WHEREAS, Amended Tract 11, COS 1563, situated in the W ½ of Section 25, T. 2S., R. 23E., P.M.M., Yellowstone County, Montana, was subject to a Declaration of Agricultural Use Covenant; and

WHEREAS, said tract was surveyed and platted as T Lazy M Subdivision which complied with all requirements, rules, regulations, policies, and resolutions of Yellowstone County, and the laws and administrative rules of the State of Montana; and,

WHEREAS, the Plat of T Lazy M Subdivision was filed under Document No. _____, records of Yellowstone County Montana; and

WHEREAS, T Lazy M Subdivision consists of 1 lot and the owners desire to lift the agricultural covenant on said tract;

THEREFORE, the parties to this agreement do hereby agree that the provisions of the Declaration of Agricultural Covenant imposed upon Amended Tract 11, COS 1563, is hereby terminated and revoked.

Richard D. Tebay

Richard D. Tebay Title: Member

STATE OF MONTANA)
 : ss
County of Yellowstone)

This instrument was acknowledged before me on _____, 20_____,
by _____, as _____, of Richard D. Tebay.

COUNTY OF YELLOWSTONE
BOARD OF COMMISSIONERS

By: _____

By: _____

By: _____

Attest: _____
Clerk and Recorder

STATE OF MONTANA)
 : ss
County of Yellowstone)

This instrument was acknowledged before me on _____, 20____,
by John Ostlund, Don Jones, and Mark Morse known to me to be the representatives of the Yellowstone County
Board of Commissioners and Jeff Martin, Yellowstone County Clerk and Recorder.