

**319162 EASEMENT - R**

STATE OF MONTANA SANDERS COUNTY

RECORDED: 12/3/2020 3:11 PM

Nichol Scribner Clerk and Recorder

FEE: \$21.00 BY: Bruce Frank

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CFT20953BK

**AIRSTRIP EASEMENT AND WATER WELL AGREEMENT**

THIS AIRSTRIP EASEMENT AND WATER WELL AGREEMENT Is made and entered into this 15<sup>th</sup> day of December 2020, by and between **JOHN EDWIN MILLER**, hereinafter "Miller," Grantor, and **MARK LYON** and **SANTANA LYON**, hereinafter "Lyon," Grantee.

**WITNESSETH:**

**WHEREAS**, Miller is the Owner of the following described real property situate in Sanders County, Montana, viz:

**A portion of the NE¼ of Section 29, Township 23 North, Range 30 West, P.M.M., Sanders County, Montana, further described as Parcel B on Certificate of Survey No. 3510RB, on file in the office of the Clerk and Recorder of Sanders County, Montana hereinafter "Miller Tract."**

**AND WHEREAS**, Lyon is the Owner of the following described real property situate in Sanders County, Montana, viz:

**A parcel of land in the S½SE¼ of Section 20, Township 23 North, Range 30 West, P.M.M., Sanders County, Montana, further described as Parcel B on Certificate of Survey No. 3646, on file in the office of the Clerk and Recorder of Sanders County, Montana, hereinafter "Lyon Tract."**

**AND WHEREAS**, there exists an airstrip on Miller Tract;

**AND WHEREAS**, there exists a large well and a small well on the Lyon Tract;

**AND WHEREAS**, Miller desires to grant unto Lyon, access and use of the airstrip located on the Miller Tract for the benefit of the Lyon Tract.

**AND WHEREAS**, the parties hereto desire to equally divide the larger well and for the smaller well to be available exclusively for the Miller Tract, or Miller as hereafter provided;

**NOW THEREFORE**, For and in consideration of the sum of the mutual promises and covenants contained herein, the parties hereto do hereby mutually understand and agree, as follows:

1. Miller reserves one-half ownership of the large well located on the Lyon Tract for the benefit of the Miller Tract. In the event the purchaser of the Miller Tract elects not to purchase the one-half ownership of the large well, that one-half ownership will remain the property of Miller. Miller grants Lyon access to the well through an existing road on Miller property.
2. The smaller well is reserved to Miller and Lyon grants Miller an easement for its use and maintenance.
3. The easements, obligations and rights under this Airstrip Easement and Water Well Agreement shall run with the land and be binding on the current owners and their heirs, successors and assigns.

**IN WITNESS WHEREOF**, the parties have hereunto set their hands the day and date set forth below.

  
**JOHN EDWIN MILLER**

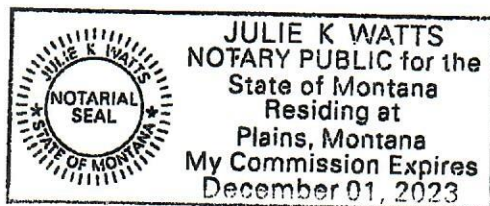
**STATE OF WASHINGTON )**

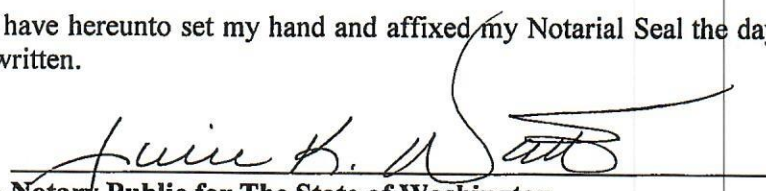
**COUNTY OF**

**:ss  
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On this 15<sup>th</sup> day of December 2020 before me, the undersigned, a Notary Public for the State aforesaid, personally appeared **JOHN EDWIN MILLER**, known to me to be the person described in and whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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



  
**Notary Public for The State of Washington**

**Printed Name of Notary**

**Residing at:**

**My commission expires:**

Mark Lyon  
 MARK LYON

Santana Lyon  
 SANTANA LYON

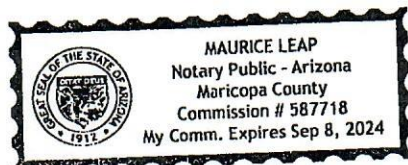
STATE OF ARIZONA )

COUNTY OF Maricopa )

:SS

On this 2nd day of December 2020 before me, the undersigned, a Notary Public for the State aforesaid, personally appeared MARK LYON and SANTANA LYON, known to me to be the persons described in and whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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



Maurice Leap

Notary Public for The State of Arizona

Maurice Leap

Printed Name of Notary

Residing at: MaricopaMy commission expires: 09/08/2024