

By: SANDS SURVEYING, Inc.
2 Village Loop
Kalispell, MT 69901
(406) 755-6481

JOB NO: 358807
DRAWING DATE: MARCH 8, 2022
COMPLETED DATE: 12/7/2022
FOR: GROSSWILLER DAIRY
OWNER: STARLING DEVELOPMENT, LLC

Plat of STARLING, PHASES 1-3

A Subdivision Located In
SE1/4NE1/4 & NE1/4SE1/4 SEC. 35, T.29N., R.22W., P.M.,M.,
CITY OF KALISPELL, FLATHEAD COUNTY, MONTANA



| | |
|-----------------------|------------|
| Total Area: | 20.840 Ac. |
| Lots (72): | 9.455 Ac. |
| 41 sublots | |
| 31 single family lots | |
| Roads: | 6.405 Ac. |
| Common Area: | 4.532 Ac. |
| Future Dev.: | 0.448 Ac. |

CERTIFICATE OF DEDICATION

WE, THE UNDERSIGNED PROPERTY OWNERS DO HEREBY CERTIFY THAT WE HAVE CAUSED TO BE SURVEYED, SUBDIVIDED AND PLATTED INTO LOTS, BLOCKS, STREETS AND ALLEYS, AS SHOWN BY THE PLAT HERETO ANNEXED, THE FOLLOWING DESCRIBED LAND IN THE CITY OF KALISPELL, MONTANA, TO WIT:

A TRACT OF LAND, SITUATED, LYING AND BEING IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND IN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 29 NORTH RANGE 22 WEST, P.M.M., FLATHEAD COUNTY, MONTANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS TO WIT:

Tract 2 of Certificate of Survey No. 21978 (records of Flathead County, Montana) and containing 20.840 acres. Subject to and together with a 20 foot communication systems easement, a 40 foot road and utility easement, a 60 foot dedicated county road, a 30 foot utility easement, all as shown hereon. Together with temporary and permanent access, utility and alley easements, all as shown hereon. Subject to and together with all appurtenant easements of record.

THE ABOVE DESCRIBED TRACT OF LAND SHALL HEREAFTER BE KNOWN AS:
STARLING, PHASES 1-3
The roadways known as Timberwolf Parkway, Holstein Way, August Way, Jersey Way, Lexter Road, and the westerly 40 feet of Stillwater Road, shown hereon are hereby dedicated to the City of Kalispell forever.

All lots shown hereon are excluded from taxation review by the Department of Environmental Quality pursuant to ACA 70-4-120(1)(c) as certified pursuant to ACA 70-4-127. The certifying authority shall send notice of certification to the reviewing authority that adequate storm water drainage and adequate municipal facilities will be provided for the subdivision.

UTILITY EASEMENT CERTIFICATE
The undersigned hereby grants into each and every person, firm, or corporation, whether public or private, providing or offering to provide telephone, telegraph, electric power, gas, cable television, water or sewer service to the public, the right to the joint use of an easement for the construction, maintenance, repair, and removal of their lines and other facilities, in, over, under and across each acre designated on this plat as "UTILITY EASEMENT" to have and to hold forever.

Common Areas are also designated utility easements.

| LOT | ACRES | | |
|-------|-------|----------------|-------|
| 1 | 2.779 | | |
| 2A | 0.092 | C.A. A | 3.149 |
| 3A | 0.092 | C.A. B | 0.525 |
| 3B | 0.092 | C.A. C | 0.069 |
| 4A | 0.092 | C.A. D | 0.115 |
| 5A | 0.092 | C.A. E | 0.069 |
| 6A | 0.092 | C.A. F | 0.069 |
| 7A | 0.092 | C.A. G | 0.115 |
| 8A | 0.110 | C.A. H | 0.069 |
| 9A | 0.090 | C.A. I | 0.069 |
| 10A | 0.046 | C.A. J | 0.069 |
| 11A | 0.046 | C.A. K | 0.069 |
| 12A | 0.092 | C.A. L | 0.145 |
| 13A | 0.073 | TOTAL | 4.532 |
| 14 | 0.046 | | |
| 15 | 0.046 | Stillwater Rd. | 1.220 |
| 16 | 0.073 | Streets | 4.406 |
| 17 | 0.073 | Alleys | 0.772 |
| 18 | 0.046 | TOTAL | 6.405 |
| 19 | 0.073 | Future Dev. A | 0.418 |
| 20 | 0.063 | Future Dev. B | 0.030 |
| 21 | 0.046 | TOTAL | 0.448 |
| 22 | 0.046 | | |
| 23 | 0.090 | | |
| 24 | 0.046 | | |
| 25 | 0.046 | | |
| 26 | 0.073 | | |
| 27 | 0.046 | | |
| 28 | 0.046 | | |
| 29 | 0.046 | | |
| 30 | 0.046 | | |
| 31 | 0.090 | | |
| 32 | 0.046 | | |
| 33 | 0.046 | | |
| 34 | 0.073 | | |
| 35 | 0.046 | | |
| 36 | 0.046 | | |
| 37 | 0.046 | | |
| 38 | 0.046 | | |
| 39 | 0.113 | | |
| 40 | 0.046 | | |
| 41 | 0.046 | | |
| 42 | 0.046 | | |
| 43 | 0.046 | | |
| 44 | 0.046 | | |
| TOTAL | 9.455 | | |

By: STARLING DEVELOPMENT, LLC
By: Chad Kelley (Printed Name)
STATE OF MONTANA)
COUNTY OF FLATHEAD) SS
On this 26th day of October, 2022, before me a Notary Public for the State of Montana, personally appeared Chad Kelley, as Manager for Starling Development, LLC and known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledged to me that he/she/they executed the same.
Chad Kelley
Notary Public for the State of Montana

By: STARLING DEVELOPMENT, LLC
By: Mark Johnson (Printed Name)
STATE OF MONTANA)
COUNTY OF FLATHEAD) SS
On this 26th day of October, 2022, before me a Notary Public for the State of Montana, personally appeared Mark Johnson, as Mayor of Kalispell, Montana and known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledged to me that he/she/they executed the same.
Mark Johnson
Notary Public for the State of Montana

CERTIFICATE OF CITY COUNCIL
I, Mark Johnson, Mayor for the City of Kalispell, and Alice Brantley, City Clerk of the City of Kalispell, Montana do hereby certify that the accompanying plat of STARLING, PHASES 1-3 was duly examined and approved by the City Council of the City of Kalispell at its regular meeting held on the 26th day of October, 2022.
Alice Brantley
The roadways known as Timberwolf Parkway, Holstein Way, August Way, Jersey Way, Lexter Road, and the westerly 40 feet of Stillwater Road, shown hereon are hereby accepted by the City of Kalispell forever.
Alice Brantley
City Clerk of Kalispell, Montana

CERTIFICATE OF CITY ATTORNEY
I, Shelby Pizale, City Attorney for the City of Kalispell, Montana, do hereby certify that I have examined the Certificate of Title by a licensed title company on the land described in the Certificate of Dedication on the annexed Plat of STARLING, PHASES 1-3 and find that:
Starling Development, LLC
is the owners in fee simple of the land so platted. Dated this 26th day of October, 2022.
Shelby Pizale
City Attorney for the City of Kalispell

CERTIFICATE OF PRIVATE ROADSWAYS

The internal alleys shown on the final plat are intended to be privately owned and maintained and open to the public, including the use of the limited use of the alley and the alley's configuration, they are not subject to all-season maintenance by the public authority. The owners (and successors in interest) of the lots described in this plat will provide for all-season maintenance of the private alleys by creation of a corporation or association to administer and fund the maintenance. This dedication is made with the express understanding that the private alleys will never be maintained by any government agency or public authority. It is understood and agreed that the value of each described lot in this plat is enhanced by the private nature of said alleys. Thus, the area encompassed by said private alleys will not be separately sold or assessed by any government agency or public authority. Excepting and reserving the right to use all alleys shown on the final plat by the owners of the lots in this phase, the developer, its heirs and assigns, and any and all previous and future phases or subdivisions submitted by the developer.

Deviations from Zoning Regulations allowed per Starling Phases 1-3 PUD (City of Kalispell Resolution No. 6004 and Ordinance No. 1805):
These are subject to change. Check with the Kalispell City Planning Office to see if any PUD amendments have been approved.

- Use Sections 27.09.010 and 27.09.030 - Phase 3 [Lot 1 of this Plat] uses may include any permitted uses allowed under B-1 zoning. Accessory dwelling units are allowed on lots 14, 20, 21, 27, 28 & 34 on this plat and future phases subject to review. ADUs would be subject to general zoning requirements as well as a requirement that (a) any lot with an ADU be a minimum width of 50 feet with a minimum depth of 100 feet; (b) they meet the setbacks for principal structure; and (c) that the parking for the ADU would be one additional parking space relative to the two. The proposal would allow the ADU to be attached or detached from the principal structure.
- Lot Area: Section 27.09.040(1) - The minimum lot size in the R-1 is 6000 square feet minimum lot size. This deviation would allow a minimum lot size of 4000 square feet for single-family lots and a minimum lot size of 2500 square feet per unit for parent lots with townhomes/sublots.
- Lot Width: Section 27.09.040(2) - The minimum lot width in the R-1 zone is 50 feet. This deviation would allow a minimum width of 40 feet.
- Setbacks: Section 27.09.040(3) - General setbacks in the R-1 are 15 feet in the front, 5 feet on the side, 10 feet in the rear, 15 feet on the side corner, and 20 feet to the garage from a street right-of-way. This deviation would allow for a side setback of 3 feet.
- Furnished Lot Coverage: Section 27.09.040(5) - The maximum lot coverage in the R-1 zone is 4%. This deviation would allow a maximum lot coverage of 6%.

Deviations from Kalispell Subdivision Regulations allowed per Starling Phases 1-3 PUD (City of Kalispell Resolution No. 6004 and Ordinance No. 1805):

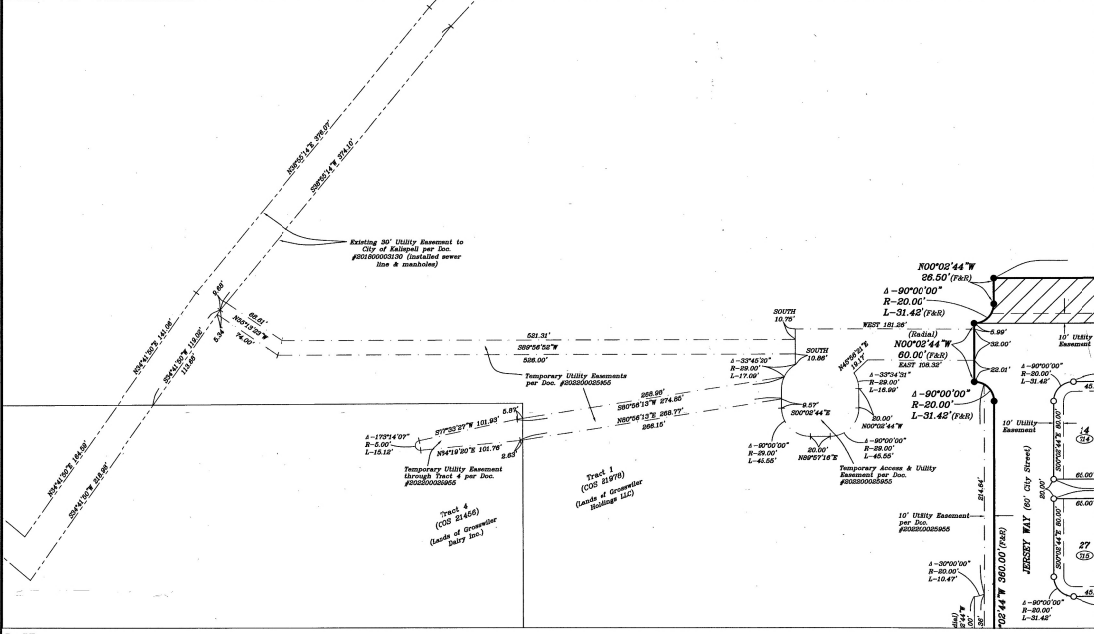
1. Road Sections: Section 28.31.4 - This deviation would allow three alternative road sections: (a) 80-foot urban collector with 16-foot landscape boulevards; (b) 30-foot wide alleys; and (c) the 32-foot wide easement.
2. House Orientation: Section 28.31.4(7)(1) - This deviation allows homes to face Stillwater Road provided that access is provided only from the alley behind the homes.
3. Alley as Primary Access: Section 28.31.8 and (C) - This deviation allows homes along Stillwater Road to be accessed only from an alley.

Conditions of Approval per City of Kalispell Resolution No. 6004 and Ordinance No. 1805:

1. No individual accesses to Stillwater Road are allowed.
2. The owner waives the right to protest creation of a park maintenance district. This district shall only be activated in the event that the property owner(s) default on the maintenance or open space amenity conditions. The assessments levied within the maintenance district shall be determined by the Parks and Recreation Department with approval by the Kalispell City Council. The owner agrees that this covenant shall run to, with and be binding on the title of the real property described above and shall be binding on the heirs, assigns, successors in interest, purchasers, and any and all subsequent holders or owners of the real property shown on the subdivision plat for Starling, Phases 1-3 Subdivision.
3. The owner waives the right to protest creation of a stormwater maintenance district. This district shall only be activated in the event that the property owner(s) default on the maintenance of the approved stormwater facilities. The assessments levied within the maintenance district shall be determined by the Public Works Department with approval by the Kalispell City Council. The owner agrees that this covenant shall run to, with and be binding on the title of the real property described above and shall be binding on the heirs, assigns, successors in interest, purchasers, and any and all subsequent holders or owners of the real property shown on the subdivision plat for Starling, Phases 1-3 Subdivision.
4. The owner hereby waives any and all right to protest which it may have in regards to any attempt to be made by a local governmental entity, to initiate a Special Improvement District which includes Starling, Phases 1-3 Subdivision, shown on the plat therefore. The owner agrees that construction at the intersection of Stillwater Road and Timberwolf Parkway. The owner agrees that this covenant shall run to, with and be binding on the title of the real property described above and shall be binding on the heirs, assigns, successors in interest, purchasers, and any and all subsequent holders or owners of the real property shown on the subdivision plat for Starling, Phases 1-3 Subdivision.
5. The owner hereby waives the right to protest the creation of an SID for the purpose of financing improvements to area roads which will specifically benefit the subdivision.

Note: Buyers of property should ensure that they have obtained and reviewed all sheets of the plat and all documents recorded and filed in connection with the plat and that buyers of property are strongly encouraged to contact the local planning department and become informed of any limitations on the use of the property prior to closing.
Note: Common Areas are also designated utility easements.

DETAIL 'A'



Due to construction and installation of improvements, the survey monuments shown in this survey will be set after construction is complete, and within 180 days of recording.

CERTIFICATE OF SURVEY
JOSHUA NELSON 1923645
APPROVED: 10-11-2022
EXAMINING LAND SURVEYOR
REG. No. 79283

STATE OF MONTANA) SS
COUNTY OF FLATHEAD)
FILED ON THE 26th DAY OF DEC, 2021
AT 2:15 PM, PAID FEE \$94.00
Debbie Person
CLERK & RECORDER

INSTRUMENT REC. No. 202200300995
Plat # 20221015 Abstract# N/A
20220030095 Fees: \$94.00 by AH
by SANDS SURV
Date 12/8/2022 Time 2:15 PM
Debbie Person, Flathead County Montana

SHEET 1 OF 2 SHEETS
FILE No. 20221015

17-114 - 0016180
OK by 12/15/2022

By: SANDS SURVEYING, Inc.
2 Village Loop
Kalispell, MT 59901
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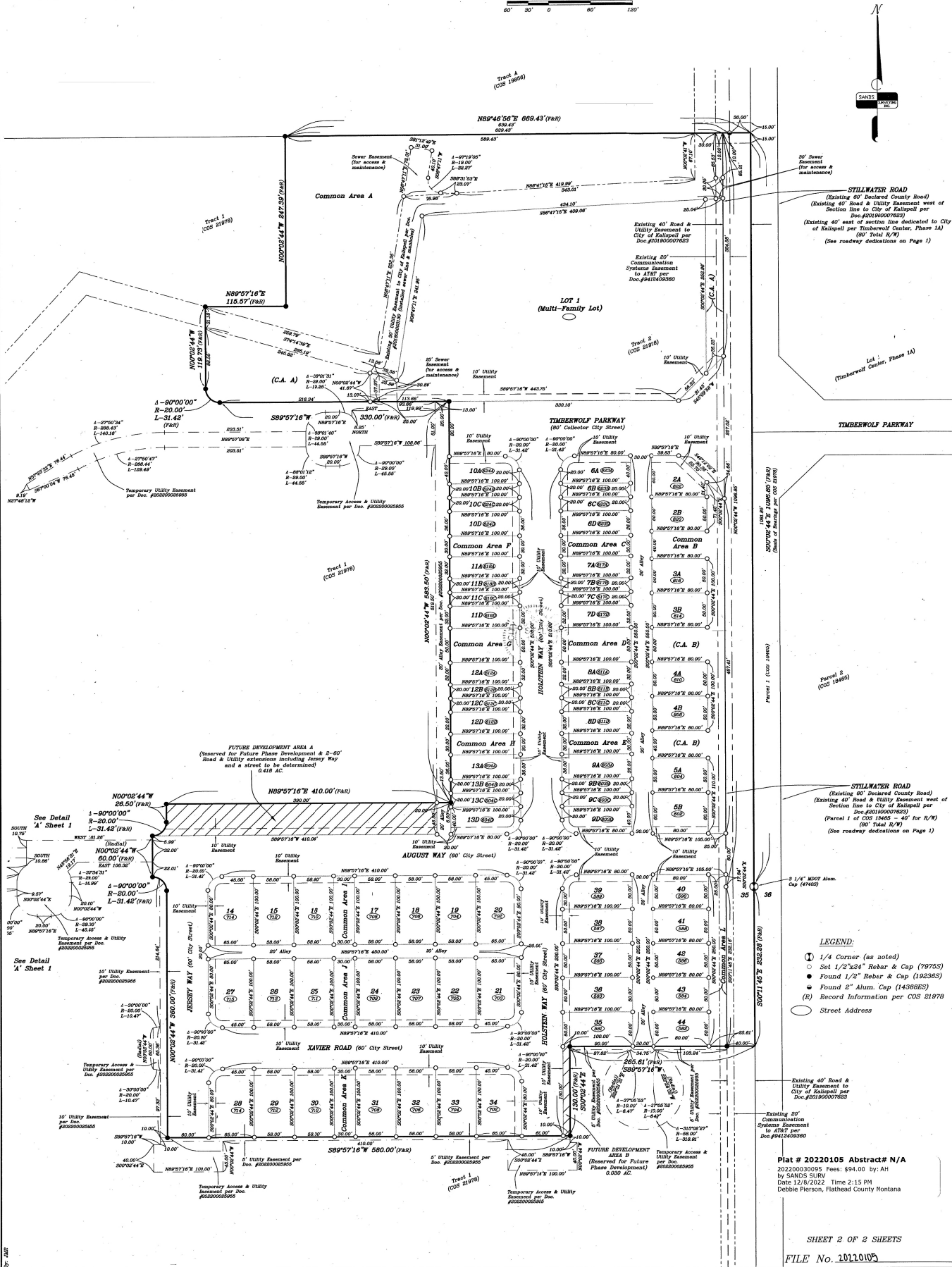
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CITY OF KALISPELL, FLATHEAD COUNTY, MONTANA



SCALE: 1" = 60'
60' 30' 0' 30' 60'



LEGEND:
 ○ 1/4 Corner (as noted)
 ● Set 1/2"x24" Rebar & Cap (79755)
 ● Found 1/2" Rebar & Cap (192365)
 ● Found 2" Alum. Cap (143882S)
 (R) Record Information per COS 21878
 ○ Street Address

Pat # 20220105 Abstract# N/A
20220003095 Fees: \$94.00; by: AH
by SANDS SURV
Date: 12/07/2022 Time: 2:15 PM
Debbie Pierson, Flathead County Montana