

By: SANDS SURVEYING, Inc.
2 Village Loop
Kalispell, MT 59901
(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

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



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 SOUTHEAST QUARTER OF THE NORTHEAST QUARTER AND IN THE NORTHEAST QUARTER OF THE SOUTHEAST 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 utility easement, a 40 foot road and utility easement, a 60 foot driveway easement, a 30 foot utility easement, all as shown hereon. Subject to and together with all appurtenant easements of record.

THE ABOVE DESCRIBED TRACT OF LAND SHALL HEREINAFTER BE KNOWN AS: STARLING, PHASES 1-3

The roadways known as Timberwolf Parkway, Hobbsen Way, August Way, Jersey Way, Xavier 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 MCA 76-4-120(1)(c) as certified pursuant to MCA 76-4-127. 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 unto 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 area designated on this plat as "UTILITY EASEMENT" to have and to hold forever.

Common Areas are also designated utility easements.

By: Chad Kelley
Chad Kelley, Manager
(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 of 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

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 of 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

STATE OF MONTANA)
COUNTY OF FLATHEAD) SS
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Chad Kelley
Notary Public for the State of Montana

CERTIFICATE OF CITY COUNCIL
I, Mark Johnson, Mayor for the City of Kalispell, and Debbie Pierson, 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.

The roadways known as Timberwolf Parkway, Hobbsen Way, August Way, Jersey Way, Xavier Road, and the westerly 40 feet of Stillwater Road, shown hereon are hereby accepted by the City of Kalispell forever.

By: Mark Johnson
Mayor of Kalispell, Montana

By: Debbie Pierson
City Attorney for the City of Kalispell

CERTIFICATE OF CITY ATTORNEY
I, Debbie Pierson, City Attorney for the City of Kalispell, Montana, do hereby certify that I have examined the Certificate of Title by a bonded 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
the owners in fee simple of the land so platted. Dated this 26th day of October, 2022.

By: Debbie Pierson
City Attorney for the City of Kalispell

12/07/2022
date by

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 parking. Because of the limited use of the alley and the alley configuration, they are not suitable for all-season maintenance by the public authority. The owners (and successors in interest) of the lots described in the 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 used or assessed by any government agency or public authority. Respecting and reserving the right to use all alleys shown on the final plat by the owners of the lots in this plan, 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. 1660):

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 setback for principal structure; and (c) that the parking for the ADU would be one additional parking space relative to the lot. 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 RA-1 zone 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 5500 square feet per unit for parent lots with townhomes/sublots.
- Lot Ratio: Section 27.09.040(2) - The minimum lot width in the RA-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 RA-1 zone are 15 feet in the front, 5 feet on the side, 10 feet in the rear, 10 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 RA-1 zone is 45%. This deviation would allow a maximum lot coverage of 60%.

Deviations from Kalispell Subdivision Regulations allowed per Starling Phases 1-3 PUD (City of Kalispell Resolution No. 6004 and Ordinance No. 1660):

- Road: Sections 28.3.14(1) and 28.3.14(2) - This deviation would allow three alternative road sections: (a) 80-foot urban collector with 16-foot landscape boulevard; (b) 30-foot wide alley; and (c) the 32-foot wide easement.
- House Orientation: Section 28.3.14(7)(i) - This deviation allows homes to face Stillwater Road provided that access is provided only from the alley behind the homes.
- Alley as Primary Access: Section 28.3.11(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. 1660:

- No individual accesses to Stillwater Road are allowed.
- 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 of the approved stormwater facilities. 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.
- 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 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.
- 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, for roundabout 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.
- 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 conjunction with the plat and that buyers 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.

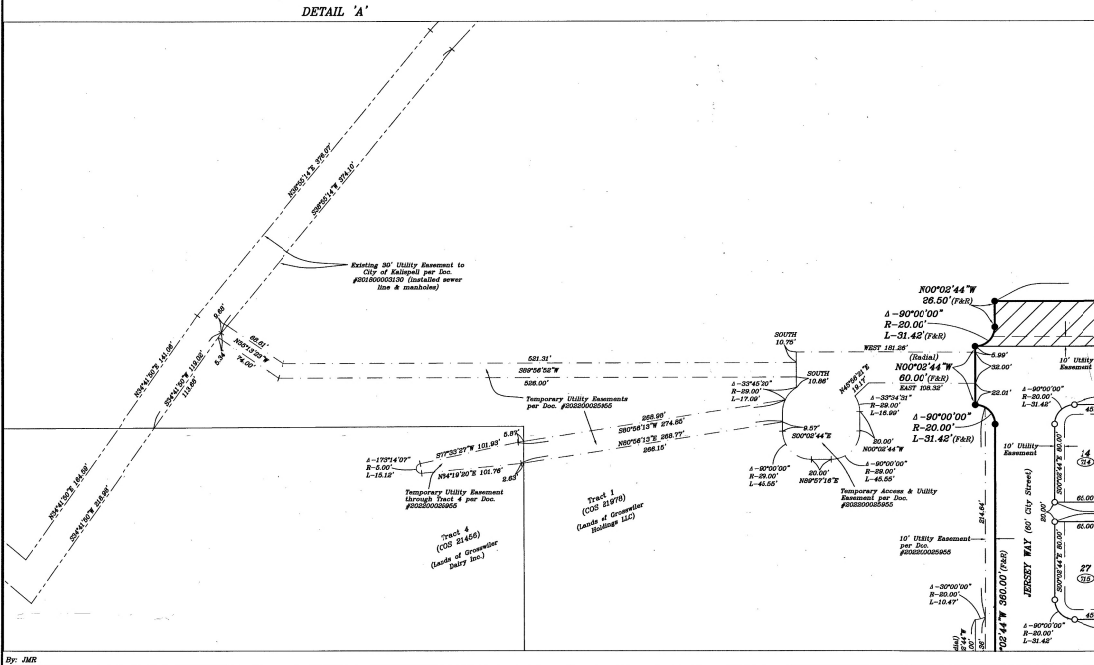
Due to construction and installation of improvements, the survey monuments shown in this survey will be set after construction is complete, and within 180 days of recording.

CERTIFICATE OF SURVEY
JOSHUA NELSON 1923061
APPROVED: 10-11-11 2022
EXAMINING LAND SURVEYOR
REG. No. 73983
STATE OF MONTANA) SS
COUNTY OF FLATHEAD)
FILED ON THE 26th DAY OF DEC, 2022
AT 2:15 PM, PAID FEE \$94.00
Debbie Pierson
CLERK & RECORDER
INSTRUMENT REC. No. 202200200095

Plat # 20220105 Abstract# N/A
2022003095; Fees: \$94.00 by: AH
by SANDS SURV
Date 12/8/2022 Time 2:15 PM
Debbie Pierson, Flathead County Montana

SHEET 1 OF 2 SHEETS

FILE No. 101210105



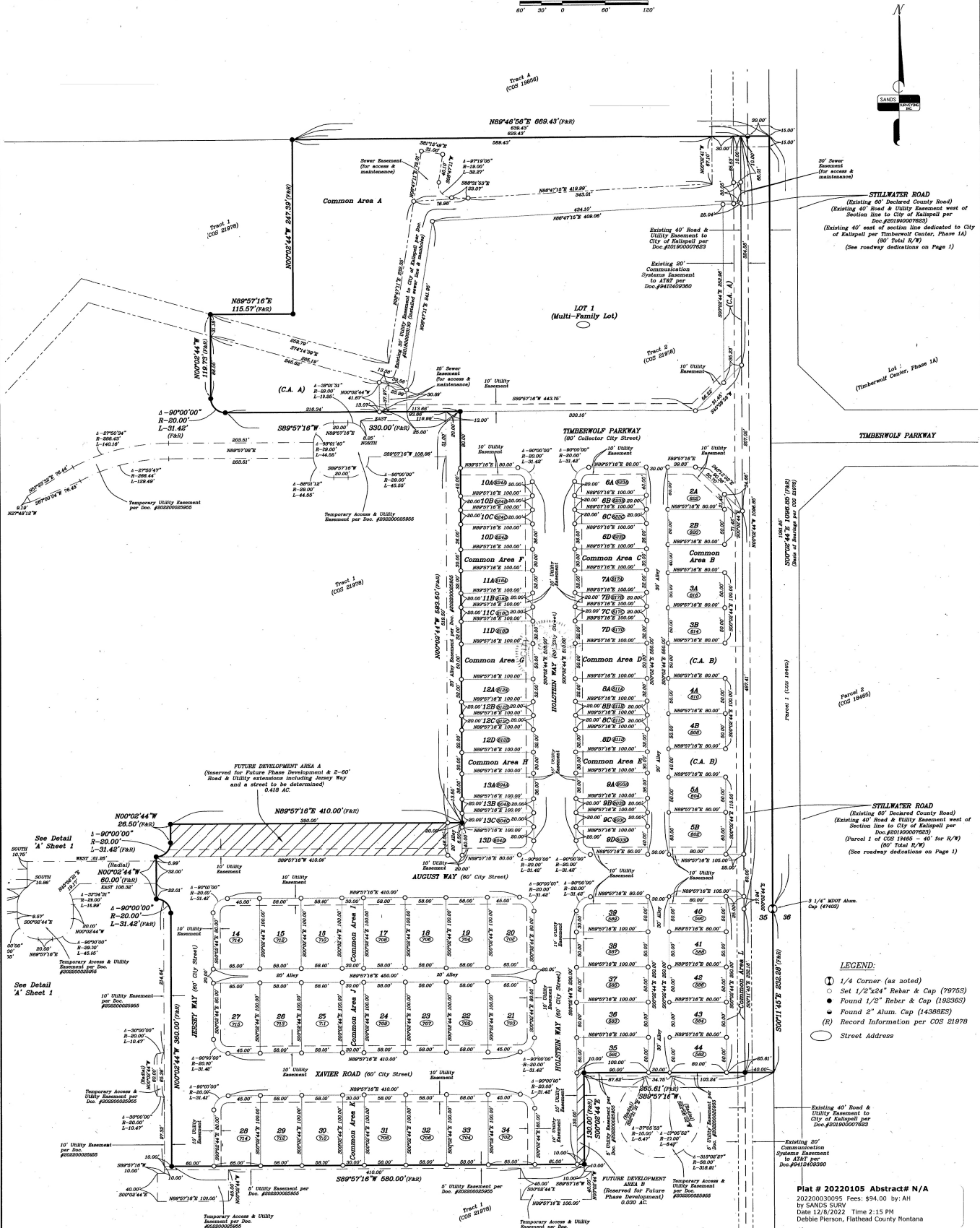
By: SANDS SURVEYING, Inc.
2 Village Loop
Kalispell, MT 59901
(406) 755-6481

JOB NO: 358807
DRAWING DATE: MARCH 8, 2022
COMPLETED DATE: 12/7/2022
FOR: GROSSWILER 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

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 (143885)
 - (R) Record Information per COS 21878
 - Street Address

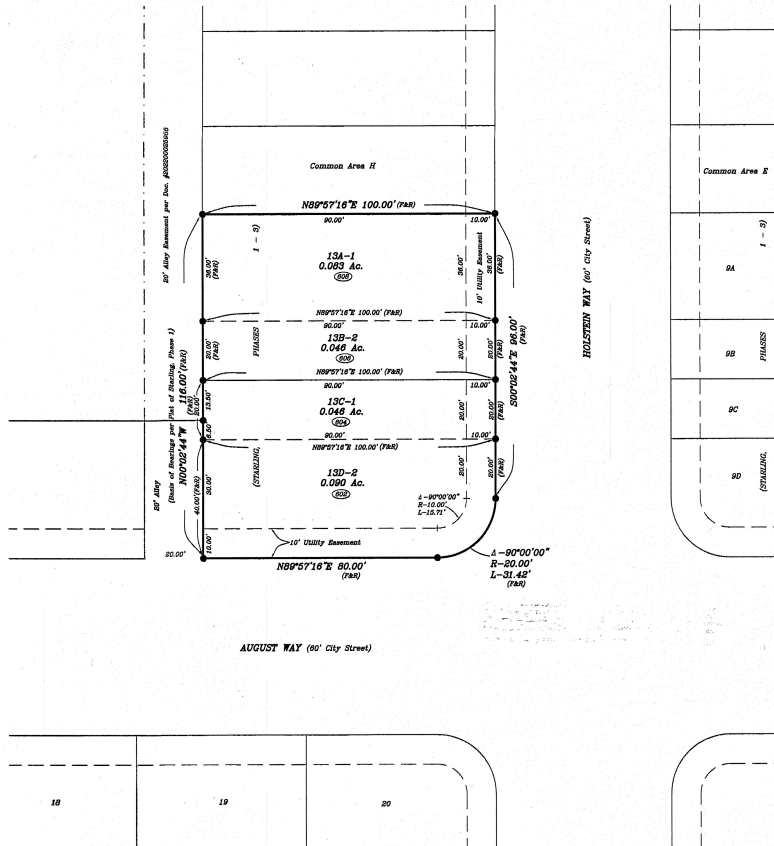
Plat # 20220105 Abstract# N/A
20220003095 Fees: \$94.00 by: AH
by SANDS SURV
Date 12/8/2022 Time 2:15 PM
Debbie Pierson, Flathead County Montana

By: SANDS SURVEYING, Inc.
2 Village Loop
Kalispell, MT 59901
(406) 755-8481

JOB NO: 358807
DRAWING DATE: MARCH 29, 2024
COMPLETED DATE: 5/13/2024
FOR: GROSSWILER DAIRY
OWNER: STARLING DEVELOPMENT, LLC

Amended Plat of
LOTS 13A, 13B, 13C & 13D OF STARLING, PHASES 1-3
A Subdivision Located In
SE1/4NE1/4 SEC. 35, T.29N., R.22W., P.M.M.,
CITY OF KALISPELL, FLATHEAD COUNTY, MONTANA

SCALE: 1" = 20'
20' 10' 0' 20' 40'



TOTAL AREA: 0.265 Ac.

PURPOSE: SEE SURVEYOR'S NOTE

DESCRIPTION:

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

Lots 13A, 13B, 13C and 13D of the Plat of Starling, Phases 1-3 (records of Flathead County, Montana) and containing 0.265 ACRES. Subject to and together with a 10 foot utility easement as shown hereon. Together with 20 foot alleys and 60 foot city streets as shown hereon. Subject to and together with all appurtenant easements of record.

THE ABOVE DESCRIBED TRACT OF LAND SHALL HEREAFTER BE KNOWN AS: AMENDED PLAT OF LOTS 13A, 13B, 13C & 13D OF STARLING, PHASES 1-3

OWNER'S CERTIFICATION

This division of land is exempt from review as a subdivision pursuant to Section 76-3-203(1), M.C.A. As the condominium, townhome, or townhouse, as those terms are defined in 76-3-102, constructed on land subdivided in compliance with parts 5 and 6 of this chapter or on lots within incorporated cities and towns are exempt from the provisions of this chapter if:

(i) the approval of the original subdivision of land expressly contemplated the construction of the condominiums, townhomes, or townhouses and any applicable park dedication requirements in 76-3-621 are complied with.

ALSO

LOTS 13A, 13B, 13C & 13D are excluded from sanitation review by the Department of Environmental Quality pursuant to ADM (17-28.600(2)(b)) as a parcel that has a previous approval (19469-2892 & 455-1971) issued under Title 76, chapter 4, part 1, MCA if: (i) no facilities other than those previously approved exist or will be constructed on the parcel; and (ii) the division of land will not cause approved facilities to deviate from the conditions of approval, in violation of 76-4-130, MCA.

STARLING DEVELOPMENT, LLC
By: Chad Pelley, President
(Printed Name)

STATE OF MONTANA
COUNTY OF FLATHEAD

On this 1st day of May, 2024, before me a Notary Public for the State of Montana, personally appeared Chad Pelley

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.

Notary Public for the State of Montana TOWA



SURVEYOR'S NOTE:

The City of Kalispell, in reference to Section 27.20.150 of the Kalispell Zoning Ordinance, is requiring this survey to be filed to change the use of the sublots depicted. No boundaries are created nor are any dimensional changes being made as part of this process. The sublots shown hereon were previously created by the Plat of Starling, Phases 1-3. Instead of one 4-plex on sublots 13A-13D, sublots 13A-1 and 13B-2 will be used for one townhome, and sublots 13C-1 and 13D-2 will be used for one townhome.

NOTE: Buyers of property should ensure that they have obtained and reviewed all sheets of the plat and all documents recorded and filed in conjunction 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. Pursuant to ADM 24.163.1107(2)(c)(iii)(B).

LEGEND:

- Found 1/2" Rebar & Cap (192365)
- (R) Record Information Per Plat of Starling, Phase 1
- Street Address



CERTIFICATE OF SURVEYOR

J. Nelson 5-13-2024
JOSHUA NELSON 192365

APPROVED: 4-22, 2024

EXAMINING LAND SURVEYOR

REG. No. _____

STATE OF MONTANA

COUNTY OF FLATHEAD, SS

FILED ON THE 13th DAY OF MAY, 2024.

AT 4:00 pm, PAID FEE \$30.00

Debbie Pierson

CLERK & RECORDER

BY: Debbie Pierson

DEPUTY

INSTRUMENT REC. No. 20240007891

Plat # 20240024 Abstract# N/A
20240007891 Fees: \$30.00 by: AH
by SANDS SURV
Date 5/13/2024 Time 4:08 PM
Debbie Pierson, Flathead County Montana

SHEET 1 OF 1 SHEETS

FILE No. 20240014