

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, Hobbsin 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 sanitation 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.

By: STARLING DEVELOPMENT, LLC
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 acknowledged to me that he/she/they executed the same.
Chad Kelley
Notary Public for the State of Montana

By: STARLING DEVELOPMENT, LLC
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 acknowledged to me that he/she/they executed the same.
Chad Kelley
Notary Public for the State of Montana

CERTIFICATE OF CITY COUNCIL
We, Mark Johnson Mayor for the City of Kalispell, and Alicia 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 5th day of October, 2022.
Mark Johnson
Mayor of Kalispell, Montana
Alicia Brantley
City Clerk of Kalispell, Montana

CERTIFICATE OF CITY ATTORNEY
I, Shelene 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

are the owners in fee simple of the land so platted. Dated this 5th day of December, 2022.
Shelene Pizale
City Attorney for the City of Kalispell

date 12/07/2022 by [Signature]

CERTIFICATE OF PRIVATE ROADWAYS

The Internal alleys shown on the final plat are intended to be privately owned and maintained and open to the public, including, because of the limited use of the alley and the alley's configuration, they are not available for 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):

- 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 16, 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 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. 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 association default on the maintenance and opens 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 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.

LOT	ACRES		
1	2.779		
2A	0.092	C.A. A	3.149
2B	0.092	C.A. B	0.525
3A	0.092	C.A. C	0.069
3B	0.092	C.A. D	0.115
3A	0.092	C.A. E	0.069
3B	0.092	C.A. F	0.069
4A	0.092	C.A. G	0.115
4B	0.110	C.A. H	0.069
5A	0.092	C.A. I	0.069
6A	0.046	C.A. J	0.069
6B	0.046	C.A. K	0.069
6C	0.092	C.A. L	0.145
7A	0.073	TOTAL	4.532
7C	0.046		
7D	0.046	Stillwater Rd.	1.220
7E	0.073	Streets	4.406
7F	0.073	Alleys	0.779
8A	0.046	TOTAL	6.405
8C	0.073	Future Dev. A	0.418
8D	0.092	Future Dev. B	0.030
8E	0.046	TOTAL	0.448
8F	0.046		
8G	0.090		
8H	0.046		
8I	0.073		
8J	0.046		
8K	0.046		
8L	0.046		
8M	0.046		
8N	0.046		
8O	0.046		
8P	0.046		
8Q	0.046		
8R	0.046		
8S	0.046		
8T	0.046		
8U	0.046		
8V	0.046		
8W	0.046		
8X	0.046		
8Y	0.046		
8Z	0.046		
8AA	0.046		
8AB	0.046		
8AC	0.046		
8AD	0.046		
8AE	0.046		
8AF	0.046		
8AG	0.046		
8AH	0.046		
8AI	0.046		
8AJ	0.046		
8AK	0.046		
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8BD	0.046		
8BE	0.046		
8BF	0.046		
8BG	0.046		
8BH	0.046		
8BI	0.046		
8BJ	0.046		
8BK	0.046		
8BL	0.046		
8BM	0.046		
8BN	0.046		
8BO	0.046		
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8BQ	0.046		
8BR	0.046		
8BS	0.046		
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8BU	0.046		
8BV	0.046		
8BW	0.046		
8BX	0.046		
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8BZ	0.046		
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8CI	0.046		
8CJ	0.046		
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8CO	0.046		
8CP	0.046		
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8ET	0.046		
8EU	0.046		
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8EZ	0.046		
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8FD	0.046		
8FE	0.046		
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8FL	0.046		
8FM	0.046		
8FN	0.046		
8FO	0.046		
8FP	0.046		
8FQ	0.046		
8FR	0.046		
8FS	0.046		
8FT	0.046		
8FU	0.046		
8FV	0.046		
8FW	0.046		
8FX	0.046		
8FY	0.046		
8FZ	0.046		
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8GD	0.046		
8GE	0.046		
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8GJ	0.046		
8GK	0.046		
8GL	0.046		
8GM	0.046		
8GN	0.046		
8GO	0.046		
8GP	0.046		
8GQ	0.046		
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8IC	0.046		
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8IJ	0.046		

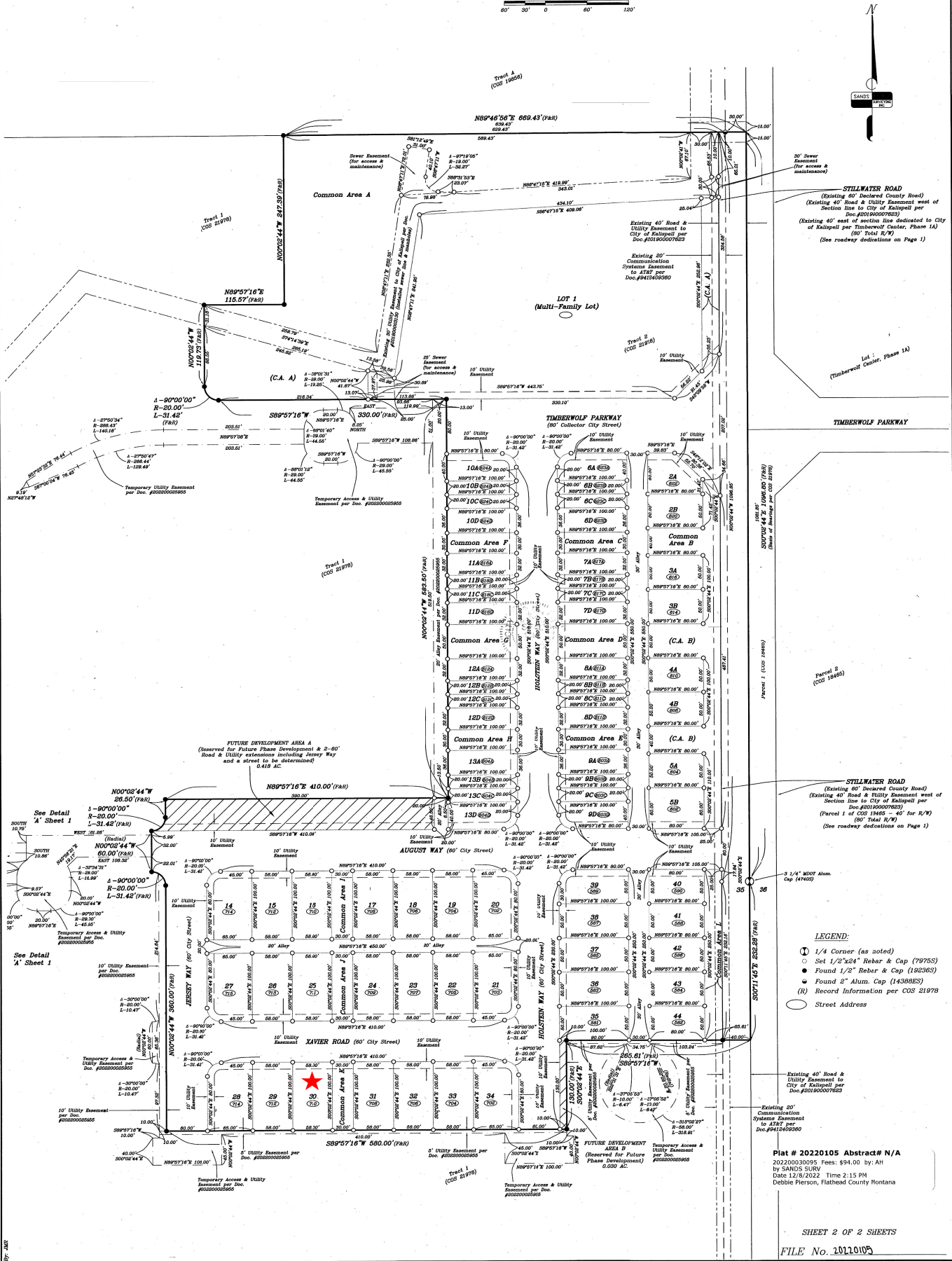
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JOB NO: 358807
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Plat of STARLING, PHASES 1-3

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 (1438825)
- (R) Record Information per COS 21878
- Street Address

Plat # 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