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January 2, 2002

Jeff Tiberi
The Montana Heritage Preservation
and Development Commission
P.O. Box 201204
Helena, MT 59601

RE: The ALLEY, LLC
Our File No.11-565-001

G.W.
GMAA N

Dear Jeff:

I enclose the original recorded deed that we received last week for the property deeded to the Montana Heritage Preservation and Development Commission from The Alley, Inc. I have retained a copy of the deed for my file and sent copies to Darrel Gustin, Bob Gustin, and George Olsen.

I am sending the lease assignments to Darrel for his signature this week. If you have any questions, please give me a call.

Very truly yours,

CROWLEY, HAUGHEY, HANSON,
TOOLE & DIETRICH P.L.L.P.

Dan McLean

Daniel N. McLean

DNM/ajb
Enclosures

cc: Darrel & Kathleen Gustin
George Olsen
Bob Gustin



Lewis & Clark County

DEED

3011615

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WARRANTY DEED

FOR A VALUABLE CONSIDERATION, the receipt of which is acknowledged, the undersigned,

THE ALLEY, LLC, a Montana limited liability company
Apartment 3N, Vista Square
1701 Prospect Avenue
Helena, MT 59601

hereby grants to:

THE MONTANA HERITAGE PRESERVATION AND DEVELOPMENT COMMISSION
P.O. Box 201204
Helena, MT 59620-1204

for permanent endowment purposes, all of the Grantor's right, title and interest in the following-described real property situated in **Lewis and Clark County, Montana,**

Parcels 1, 2, 3, 4, and 5, Certificate of Survey No. 3011503, recorded December 18, 2001 (being the same parcels 1, 2, 3, 4, and 5 shown on Certificate of Survey filed under Document Number 413051/T, records of Lewis and Clark County, Montana).

By execution and delivery of this deed, Grantor makes a charitable contribution to a qualified endowment, as defined in Section 15-30-165, Montana Code Annotated, in order to qualify for the credit allowed by Section 15-31-162, Montana Code Annotated.

TO HAVE AND TO HOLD to the Grantee, for qualified endowment purposes, and Grantee's successors and assigns, forever, **SUBJECT TO:**

- (a) Reservations and exceptions in patents from the United States and the State of Montana.
- (b) Existing easements and rights-of-way.
- (c) Mineral and royalty reservations and conveyances of record.
- (d) Building, use, zoning, sanitary and environmental restrictions.
- (e) Taxes and assessments for 2002 and subsequent years.
- (f) The Scenic Easement Deed dated September 4, 1975, between Reeder's Alley & Co. and the city of Helena, recorded September 29, 1975 in Book 281 of Deeds, Page 923 in the records of Lewis and Clark County, Montana.
- (g) Easement Agreement and Deed dated October 12, 1977 between Reeder's Alley & Company, a Montana corporation, and Robert R. Johnson and Shirley

Johnson, husband and wife, recorded November 2, 1977 in Book 292 of Deeds, Page 399, records of Lewis and Clark County, Montana.

- (h) Contract and Encroachment Agreement dated November 7, 1975, between the city of Helena, a municipal corporation and Norwest Bank of Helena, recorded December 9, 1985 in M Book 6, Page 2230, records of Lewis and Clark County, Montana.
- (i) Resolutions and Ordinances of the city of Helena, Montana.
- (j) An unrecorded lease agreement between Grantee as Lessor, and Grantor and Skoosk, Inc., as Lessee for operation of a restaurant in the building located on Parcel 3, and for an office located in Space 127 of the building partially located in Parcel 2.

Dated: December 19, 2001.

THE ALLEY, LLC

By: *Darrel Gustin*
Darrel Gustin, Member

By: *Kathleen R Gustin*
Kathleen R. Gustin, Member

STATE OF NEW MEXICO)
 : ss.
County of Bernillo)

Darrel Gustin and Kathleen R. Gustin, acknowledged to me on December 19, 2001 they signed this instrument as members of THE ALLEY, LLC, a Montana limited liability company.

Troyce A. Aycox
Troyce A. Aycox (printed name of notary)
Notary Public for the State of New Mexico
Residing at ALBUQUERQUE, New Mexico
My commission expires 1-25-04

(SEAL)



OFFICIAL SEAL
Troyce A. Aycox
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 1-25-04



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WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that the Grantor, LAST CHANCE GULCH RESTORATION ASSOCIATION, whose address is 706 Touchstone Drive, Helena, MT 59624, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant and convey, with warranty of title, to the Grantee, MONTANA HERITAGE PRESERVATION AND DEVELOPMENT COMMISSION, whose address is P.O. Box 201204, Helena, MT 59620-1204, and its successors and assigns, the following described property located in Lewis and Clark County, Montana:

Lots 2, 3 and 4 in Block 12 and Lots 19, 20, 25, 26, 27 and 28 in Block 61 of the Original Helena Townsite; TOGETHER WITH that portion of closed and vacated Jefferson Street as disclosed in Ordinance No. 2050 recorded in M Book 6, Page 410 and Resolution No. 9903 in M Book 7, Page 5474 and corrected in M Book 7, Page 6252, records of Lewis and Clark County, Montana.

TO HAVE AND TO HOLD the said land with all appurtenances thereto unto the said Grantee, its successors and assigns.

RESERVING AND EXCEPTING TO THE GRANTOR all minerals in and to the above-described property;

PROVIDED THAT THE ABOVE-DESCRIBED GRANT IS SUBJECT TO THE EXPRESS CONDITION that the above-described property is to hereafter be used exclusively for the public purpose of the historic preservation of the Pioneer Cabin and Caretaker's House, and public display of the Pioneer Cabin and the artifacts contained therein. That should the above-described property cease to be used for the above-described purpose, that the same shall revert to the Grantor;

AND FURTHER SUBJECT TO any and all prior reservations, exceptions, restrictions, limitations, conditions, or provisions, of record, as may be contained in prior Patents, Deeds, or Grants, or which may be imposed by law;

IN TESTIMONY WHEREOF, the Last Chance Gulch Restoration Association has caused these presents to be executed by its President and to be attested by its Secretary and the Seal of the Association to be hereunto affixed this day of June, 2006.

LAST CHANCE GULCH RESTORATION ASSOCIATION

By: _____
President

SEAL:

Attested by: _____
Secretary

State of Montana)
County of Lewis and Clark) ss:

On this _____ day _____, 2006 before me, the undersigned, a Notary Public for the State of Montana, personally appeared _____, known and acknowledged to me to be the persons that executed the within instrument on behalf of the Last Chance Gulch Restoration Association.

(Seal, if any)

(Signature of Notarial officer)
Residing at _____, MT
My commission expires: _____