

320121 BOOK: PF PERM/FILES PAGE: 15560 Pages: 3  
STATE OF MONTANA LINCOLN COUNTY  
RECORDED: 03/19/2026 9:16 KOI: RESOLUTION  
CORRINA BROWN CLERK AND RECORDER  
FEE: \$0.00 BY: *Stacieha Storkson*  
FOR: LINCOLN COUNTY BOARD OF COMMISSIONERS 512 CALIFORNIA AVE,



# LINCOLN COUNTY MONTANA



## RESOLUTION 2026-12

**A Resolution Authorizing Transfer by Boundary Line Adjustment of a County-Owned Fee Strip of Land Approximately .042 Acres in Size Located in Section 11, Township 36 North, Range 27 West, Certificate of Survey No. 4950, Parcel A1, to Magnolia Properties, LLC, for its Appraised Fair Market Value of \$21,000.00 and Ratifying Settlement Terms Regarding *Magnolia Properties, LLC et al. v. Lincoln County, Montana et al.*, DV-27-2025-42.**

THE BOARD OF COUNTY COMMISSIONERS FOR LINCOLN COUNTY, MONTANA,  
FINDS:

**WHEREAS**, a dispute has developed between Magnolia Properties, LLC (“Magnolia”), and Lincoln County regarding the ownership of certain disputed property located in Section 11, Township 36 North, Range 27 West, Certificate of Survey No. 4950, Parcel A1 (the “Property”), as depicted on the attached Exhibit 2; and

**WHEREAS**, Magnolia initiated a lawsuit, Cause No. DV-27-2025-42 in the Montana Nineteenth Judicial District Court, Lincoln County, against Lincoln County (the “Lawsuit”) asserting ownership of the Property; and

**WHEREAS**, Lincoln County retained outside counsel to defend the Lawsuit and assert ownership of the Property; and

**WHEREAS**, Lincoln County retained a disinterested, qualified, licensed third-party real estate appraiser who has opined that the fair market value of the Property is Twenty-One Thousand Dollars (\$ 21,000.00); and

**WHEREAS**, retained counsel for Lincoln County negotiated the potential resolution of the Lawsuit, which includes the transfer of the Property to Magnolia for its fair market value of \$21,000.00, the particulars of said terms are attached and incorporated as Exhibit 1; and

**WHEREAS**, Lincoln County is authorized by Montana Code Annotated § 7-8-2521 to sell real property by resolution; and

**WHEREAS**, pursuant to Montana Code Annotated § 7-8-2513(5), MCA, Lincoln County is selling the disputed property for its appraised fair market value; and



# LINCOLN COUNTY MONTANA



**WHEREAS**, Magnolia intends to make productive use of the disputed property by providing housing in both the under-construction duplexes and future planned buildings, which will benefit the citizens of Lincoln County; and

**WHEREAS**, the Board finds that the conveyance of the Property to Magnolia will not adversely affect the public's use and enjoyment of the Lincoln County Fairgrounds, will not adversely affect public access, does not create encumbrances for adjoining property owners, and serves the public interest; and

**WHEREAS**, resolution of the Lawsuit avoids costly and time-consuming litigation.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS FOR LINCOLN COUNTY, MONTANA:**

The Board of County Commissioners hereby approves and authorizes conveyance of the Property to Magnola Properties, LLC, through a boundary line adjustment as authorized by Montana Code Annotated § 76-3-207(1)(a).

The Board of County Commissioners hereby adopts and ratifies the settlement terms contained in Exhibit 1 and its associated Purchase and Sale Agreement.

Each County Commissioner is authorized to sign the Purchase and Sale Agreement.

Lincoln County officials, including the Board Chair and the Clerk and Recorder, are authorized to execute all deeds, conveyances, certificates of survey, and other supporting documents necessary to complete the transfer of the Property and the boundary line adjustment contemplated and authorized hereby.

**THE BOARD FURTHER RESOLVES:**

1. If a portion of this resolution conflicts with a provision of a previously adopted resolution, this resolution will prevail.
2. This resolution and its various sections, clauses, and paragraphs are severable. If any part, sentence, cause, or phrase is adjudged to be unconstitutional or invalid, the remainder of the resolution will not be affected.

PASSED AND ADOPTED by the Lincoln County Board of Commissioners this 18<sup>th</sup> day of March, 2025.

Approved as to form:



Marcia Boris, County Attorney

Date presented to the Board: March 18, 2026

Approved  Disapproved [ ] Amended [ ]

Adopted this 18 day of March, 2026.

**LINCOLN COUNTY BOARD OF COMMISSIONERS**



Brent Teske, Chair

ATTEST:



Corrina

Brown, Clerk of the Board.