

CERTIFICATE OF SURVEY

RETRACEMENT AND DEPENDENT RESURVEY

OF A PORTION OF THE

SE 1/4 NE 1/4 AND N 1/2 SE 1/4

OF SECTION 35, T.37N., R.28W., P.M.M.

KOOTENAI NATIONAL FOREST

LINCOLN COUNTY, MONTANA

OCTOBER 1987

Forest Supervisor's Certificate:

THIS SURVEY WAS MADE AT MY REQUEST FOR NATIONAL FOREST MANAGEMENT PURPOSES.

James F. Rathbun
JAMES F. RATHBUN, FOREST SUPERVISOR

Purpose of Survey:

THE PURPOSE OF THIS SURVEY IS TO LOCATE UPON THE GROUND THE TITLE LINES OF RECORD BETWEEN NATIONAL FOREST SYSTEM LAND AND PRIVATE LANDS, AND NO DIVISION OF LAND IS HEREBY CREATED.

History:

THE ORIGINAL G.L.O. SURVEY OF THE SECTION 35 AND THE 9TH STANDARD PARALLEL WAS PERFORMED BY FRANK L. SIZER IN SEPTEMBER OF 1894 AND APPROVED MAY 3, 1895. THE U.S. ARMY CORPS OF ENGINEERS REMONUMENTED THE CORNER OF SECTIONS 25, 26, 35 AND 36, IN 1968 (THEIR RECORDS INDICATE THAT NO ORIGINAL EVIDENCE WAS FOUND FOR THE CORNER AND A FENCE POST WAS ACCEPTED FOR THE POSITION). KENNETH HASKELL (270ES) ESTABLISHED POSITIONS FOR CORNERS ON AND ALONG THE NATIONAL FOREST BOUNDARY IN 1971, 1972 AND 1973 AS SHOWN ON PLAT NOS. 1475, 1740, 1750, 1764, 1786, 1791, 1794, 1839, 1851, 1910, 1928 AND CERTIFICATE OF SURVEY NO. 123, RECORDS OF LINCOLN COUNTY. CARL MCILLAN (4659S) SUBDIVIDED THE PORTION OF SECTION 35 RESULTING IN THE ESTABLISHMENT OF CERTAIN CORNERS AS SHOWN ON CERTIFICATE OF SURVEY NO. 1240, RECORDS OF LINCOLN COUNTY.

Surveyor's Notes:

THE FIRST DEEDS ESTABLISHING THE IRREGULAR NATIONAL FOREST BOUNDARY IN SECTION 35 WERE PREPARED BY THE U.S. ARMY CORPS OF ENGINEERS (THE U.S. ARMY CORPS OF ENGINEERS BEING THE GRANTEE) THEIR BOOK AND PAGE NOS. ARE: BOOK 5, PAGES 76 AND 77, BOOK 9, PAGES 173 AND 174, BOOK 9, PAGES 179 AND 180, RECORDS OF LINCOLN COUNTY. THE LEGAL DESCRIPTIONS ON THESE WARRANTY DEEDS CONSIST OF AN EXHIBIT SHOWING POSITIONS FOR PROPERTY CORNERS TO BE AT 60 FOOT, 165 FOOT, 250 FOOT, 330 FOOT AND 660 FOOT DISTANCES. THE EXHIBITS CLEARLY SHOW DISTANCES BETWEEN ONE-QUARTER AND ONE-SIXTEENTH CORNERS TO ALSO BE 1320 FEET. I DETERMINE THE INTENT OF THESE EXHIBITS IS TO ESTABLISH THE PROPERTY CORNERS AT PROPORTIONAL POSITIONS WHEN DISTANCES ARE 165 FEET, 330 FEET, 660 FEET AND 1320 FEET. THE SURVEYS PERFORMED BY KENNETH HASKELL ESTABLISHED CORNERS AT DISTANCES OF 165 FOOT, 330 FOOT, 660 FOOT AND 1320 FOOT POSITIONS. NEITHER CARL MCILLAN NOR MYSELF ACCEPT THE ONE-SIXTEENTH CORNER POSITIONS ESTABLISHED BY KENNETH HASKELL. CERTIFICATE OF SURVEY NO. 1240 DOES NOT SHOW THE WITNESS CORNER FOR THE ONE-QUARTER CORNER OF SECTIONS 35 AND 36 (ESTABLISHED BY THE U.S. ARMY CORPS OF ENGINEERS) AS BEING USED TO ESTABLISH THE POSITION FOR THE ONE-QUARTER CORNER (INSTEAD IT SHOWS A PROJECTED POSITION BASED UPON BEARINGS AND DISTANCES, FROM SHEET NO. 33 OF U.S. ARMY CORPS OF ENGINEERS DISTRICT FILE NO. E 53-1-154 DATED 1972, BEGINNING AT THE SOUTH ONE-QUARTER CORNER OF SECTION 35). I UTILIZED THIS WITNESS CORNER TO ESTABLISH THE ONE-QUARTER CORNER POSITION, THEREFORE CREATING A NEW POSITION FOR THE NORTH ONE-SIXTEENTH CORNER FOR SECTIONS 35 AND 36. FOR FURTHER INFORMATION ON CORNERS SET BY THIS SURVEY, SEE CERTIFIED CORNER RECORDATIONS FILED WITH THE LINCOLN COUNTY CLERK AND RECORDER.

Survey Method:

CORNER POSITIONS AS SHOWN ON THIS CERTIFICATE OF SURVEY ARE BASED UPON CLOSED TRAVERSES PERFORMED WITH A TOTAL STATION INSTRUMENT IN JUNE AND JULY OF 1987.

Basis of Bearing (B.O.B.):

THE LINE BETWEEN THE CORNER OF SECTIONS 25, 26, 35 AND 36, AND THE NORTH SIXTEENTH CORNER BETWEEN SECTIONS 35 AND 36 AS ESTABLISHED AND SHOWN ON CERTIFICATE OF SURVEY NO. 1240, RECORDS OF LINCOLN COUNTY, WHICH IS BASED UPON A ROTATION OF THE CORPS OF ENGINEERS PROJECT DATUM OF $-4^{\circ}13'10''$.

Certificate:

I HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF MONTANA, THAT THE SURVEY SHOWN ON THIS CERTIFICATE HAS BEEN PREPARED IN ACCORDANCE WITH THE MONTANA CODE ANNOTATED (SECTIONS 76-3-101 THROUGH 76-3-614) AND THE LINCOLN COUNTY REGULATIONS ADOPTED PURSUANT THERETO.

Linda S. Smith LINDA S. SMITH MONTANA REGISTRATION NO 6296S

Certificate of Examining Land Surveyor:

APPROVED THIS 16th DAY OF Dec. 1987, A.D.

Bill Busch EXAMINING LAND SURVEYOR REGISTRATION NO. _____

APPROVED *Jim R. Mow* Acting CHAIRMAN, LINCOLN COUNTY COMMISSIONERS

Certificate of Clerk and Recorder:

STATE OF MONTANA, COUNTY OF LINCOLN, FILED THIS 16th DAY OF December 1987 A.D. AT 1:10 O'CLOCK P. M.

Janet B. Riegel BY *Joanne Dennis*
COUNTY CLERK RECORDER DEPUTY

Certificate of Survey No. 1616

