

# CERTIFICATE OF SURVEY

## RETRACEMENT OF A PORTION OF HES 1217

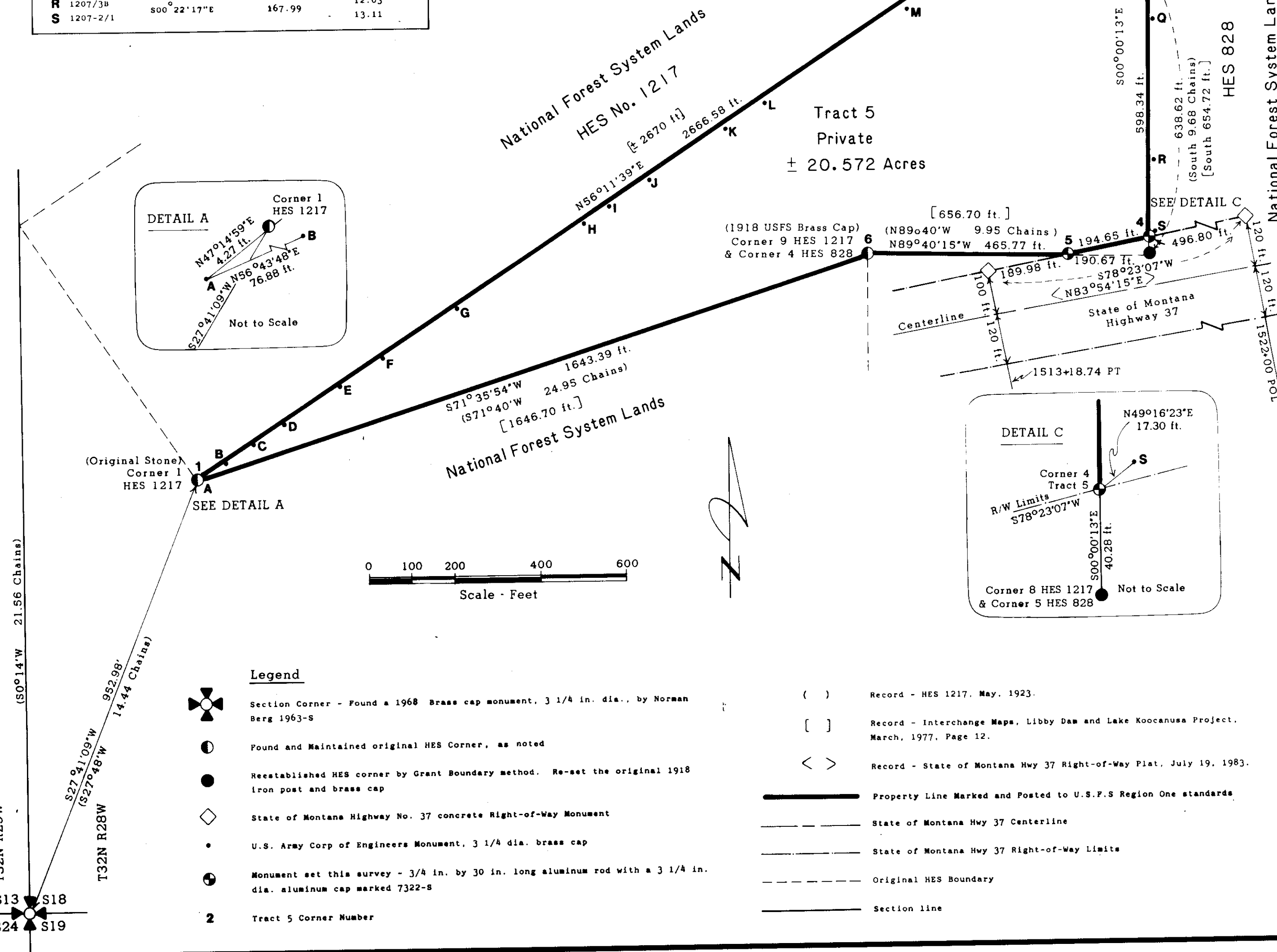
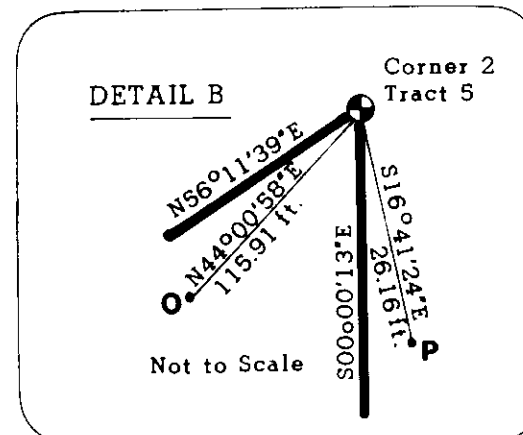
### SECTION 18, T.32N., R.28W., P.M.M.

#### KOOTENAI NATIONAL FOREST LINCOLN COUNTY, MONTANA

#### DECEMBER 1987

##### Corps of Engineers Retracement

| C.O.E. Monument | Bearing     | Distance (ft.) | Perpendicular Offset (ft.) |
|-----------------|-------------|----------------|----------------------------|
| A 1207/1        | N56°43'48"E | 76.88          | 1.38                       |
| B 1207/1A       | N56°16'56"E | 82.13          | 0.08                       |
| C 1207/1H       | N56°08'51"E | 81.92          | 2.87                       |
| D 1207/1C       | N56°39'20"E | 158.23         | 4.14                       |
| E 1207/1D       | N56°48'41"E | 119.23         | 5.43                       |
| F 1207/1E       | N56°48'21"E | 207.16         | 7.64                       |
| G 1207/1F       | N56°41'15"E | 352.74         | 10.68                      |
| H 1207/2        | N56°39'10"E | 71.33          | 11.25                      |
| I 1207/2A       | N56°43'41"E | 112.50         | 12.30                      |
| J 1207/2B       | N56°43'45"E | 212.26         | 14.28                      |
| K 1207/2C       | N56°44'46"E | 108.51         | 15.32                      |
| L 1207/2D       | N56°44'02"E | 396.44         | 19.06                      |
| M 1207/2E       | N56°43'10"E | 235.58         | 21.22                      |
| N 1207/2F       | N56°44'04"E | 342.74         | 24.45                      |
| O 1207/2G       | N56°29'23"E | 105.61         | 7.51                       |
| P 1207/3        | S00°21'33"E | 398.13         | 9.98                       |
| Q 1207/3A       | S00°21'49"E | 325.90         | 12.03                      |
| R 1207/3B       | S00°22'17"E | 167.99         | 13.11                      |
| S 1207-2/1      |             |                |                            |



##### Legend

- Section Corner - Found a 1968 Brass cap monument, 3 1/4 in. dia., by Norman Berg 1963-S
- Found and Maintained original HES Corner, as noted
- Reestablished HES corner by Grant Boundary method. Re-set the original 1918 iron post and brass cap
- State of Montana Highway No. 37 concrete Right-of-Way Monument
- U.S. Army Corp of Engineers Monument, 3 1/4 dia. brass cap
- Monument set this survey - 3/4 in. by 30 in. long aluminum rod with a 3 1/4 in. dia. aluminum cap marked 7322-S
- 2 Tract 5 Corner Number

- ( ) Record - HES 1217, May, 1923.
- [ ] Record - Interchange Maps, Libby Dam and Lake Kootenai Project, March, 1977, Page 12.
- < > Record - State of Montana Hwy 37 Right-of-Way Plat, July 19, 1983.
- Property Line Marked and Posted to U.S.F.S Region One standards.
- State of Montana Hwy 37 Centerline
- State of Montana Hwy 37 Right-of-Way Limits
- Original HES Boundary
- Section line

##### Forest Supervisor's Certificate

This Survey was made at my request for National Forest management purposes.

*James P. Rathbun*  
James P. Rathbun, Forest Supervisor

##### Purpose of Survey

The purpose of this survey is to locate upon the ground, the title lines of record between private lands and National Forest System Lands. No division of land is hereby created.

##### Method of Survey

A Lietz Set 2 Total Station with a Lietz SDR2 Electronic Field Book was used by running conventional closed traverse procedures to tie appropriate section, homestead and right-of-way corners. Offsets to true line were computed for marking and posting the property lines.

##### Basis of Bearing

The basis of bearing for this Certificate of Survey is a solar observation.

##### History of Surveys and Records

September, 1902 - Original range line, T32N R28W, by Paul Bickel.  
September, 1911 - Original Subdivisions, T32N R28W, by W.C. Perkins  
June, 1918 - Homestead Entry Survey No. 828 by Harold Townsend.  
May, 1923 - Homestead Entry Survey No. 1217 by J. F. Pfau.  
October, 1968 - Warranty Deed - Herbert S. Daniel to U.S. Army; Tract 1207 (Portions of HES 1217) filed Book 3 pages 767-769. Transferred to USFS by Interchange #3, October, 1974.  
December, 1968 - Warranty Deed - St. Regis Corp. to U.S. Army; Tract 1201-1 (HES 828), filed Book 4 page 304 and Book 5 page 529. Transferred to USFS by Interchange #4, pending approval of Congress.  
February, 1971 - Warranty Deed - Herbert S. Daniel to U.S. Army; Tract 1207-2, filed Book 12 page 282. Transferred to USFS by Interchange #3, October, 1974.  
September, 1971 - Warranty Deed - St. Regis Corp. to U.S. Army; Tract 1201-4, filed Book 15 page 526 and Book 18 page 222. Transferred to USFS by Interchange #3, October, 1974.  
December, 1972 - Warranty Deed - St. Regis Corp. to U.S. Forest Service; remainder of HES 828, filed Book 20 pages 964-966.  
April, 1976 - Warranty Deed - Herbert S. Daniel to Jimmie R. Morey et al.; Tract 5 in HES 1217, filed Book 35 page 652.  
1982 - U.S. Army Corp of Engineers survey and monumentation of a portion of Tract 5.

##### Surveyor's Notes

Tract 5 in HES 1217 is described in the Warranty Deed, as recorded in Lincoln County, Book 35 - Page 652, as "according to the map or plat thereof on file and of record in the office of the Clerk and Recorder". There was no exhibit attached, however a C.O.E. Real Estate map referring to this parcel was found in the court house titled Segment 12, Libby Dam and Lake Kootenai Project, Kootenai River, Montana, March 15, 1977.

Tract 5 is a remainder of HES 1217. When HES 1217 was surveyed, a portion of HES 828 was retraced and common corners were used. As a result of the retracement, the distance between line 6 and 5 of HES 828 (common to line 7 and 8 of HES 1217) was discovered to be 9.68 chains instead of 9.92 chains as erroneously reported in notes of HES 828. The "Interchange Map" used to describe Tract 5 mistakenly reports the erroneous HES 828 distance, 654.72 ft. (9.92 ch.) for line 7 and 8. My findings in the field support the distance reported in HES 1217, 9.68 chains.

In 1982, the U.S. Army Corp of Engineers placed monuments along two sides of Tract 5, as shown on the certificate. The positions for these monuments were calculated by the subdivision of section 18 into aliquot parts and by using the record tie from the SW corner of section 18 to Corner 1 HES 1217. I do not accept the position of these Corp monuments because the HES 1217 corners were not used or incorporated into that survey. The original HES 1217 monuments are accepted as found and were used to delineate the true property boundary of HES 1217 and Tract 5.

Corners 4 and 5 of Tract 5 were established by intersection of HES 1217 boundary lines with the Montana Highway 37 right-of-way limits, as shown on the highway Right-of-Way Plat, July, 1983. An easement for the highway, from the USFS to the State of Montana is pending at this time. Corner 2 of Tract 5 is shown on the "Interchange Map" as "330 feet North" of Corner 7 of HES 1217. The distance of 330 feet implies an aliquot part and therefore, a proportionate measurement. The Corp of Engineers set monument 1207/3, using the section subdivision rationale at 330 feet. The boundary of HES 1217 does not follow the section subdivision line. I establish Corner 2 by projecting line 8-7 of HES 1217, N 00°00'13" W, the record distance of 330 feet.

This survey conforms to the USFS Region One Cadastral Survey Contract Specifications. Corner recordation forms for each corner shown hereon are on file with the Clerk and Recorder, Lincoln County Courthouse, Libby, Montana.

##### 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.

*Alvah F. Hughes* 7322LS 1-22-88  
Alvah F. Hughes, Montana Registration No. 7322LS

##### Certificate of Examining Land Surveyor

Approved this 26th day of January 1988 A.D.  
*David Brachy* Examining Land Surveyor, Registration No. \_\_\_\_\_  
Approved *James P. Rathbun*  
Chairman, Lincoln County Commissioners

##### Certificate of Clerk and Recorder

State of Montana, County of Lincoln, filed this 28th day of January 1988 A.D. at 8:40 o'clock A.M.  
*Janet B. F. Sigel* County Clerk Recorder  
*Debbie Dennis* Deputy

Certificate of Survey No. 1628

