

SMITH FAMILY TRANSFER

A PORTION OF HES NO. 1071
IN UNSURVEYED SECTIONS 17,18,19, AND 20, T.35N., R.33W., P.M.,MT.
LINCOLN COUNTY
NOVEMBER 1999

LEGAL DESCRIPTION PARCEL "B"

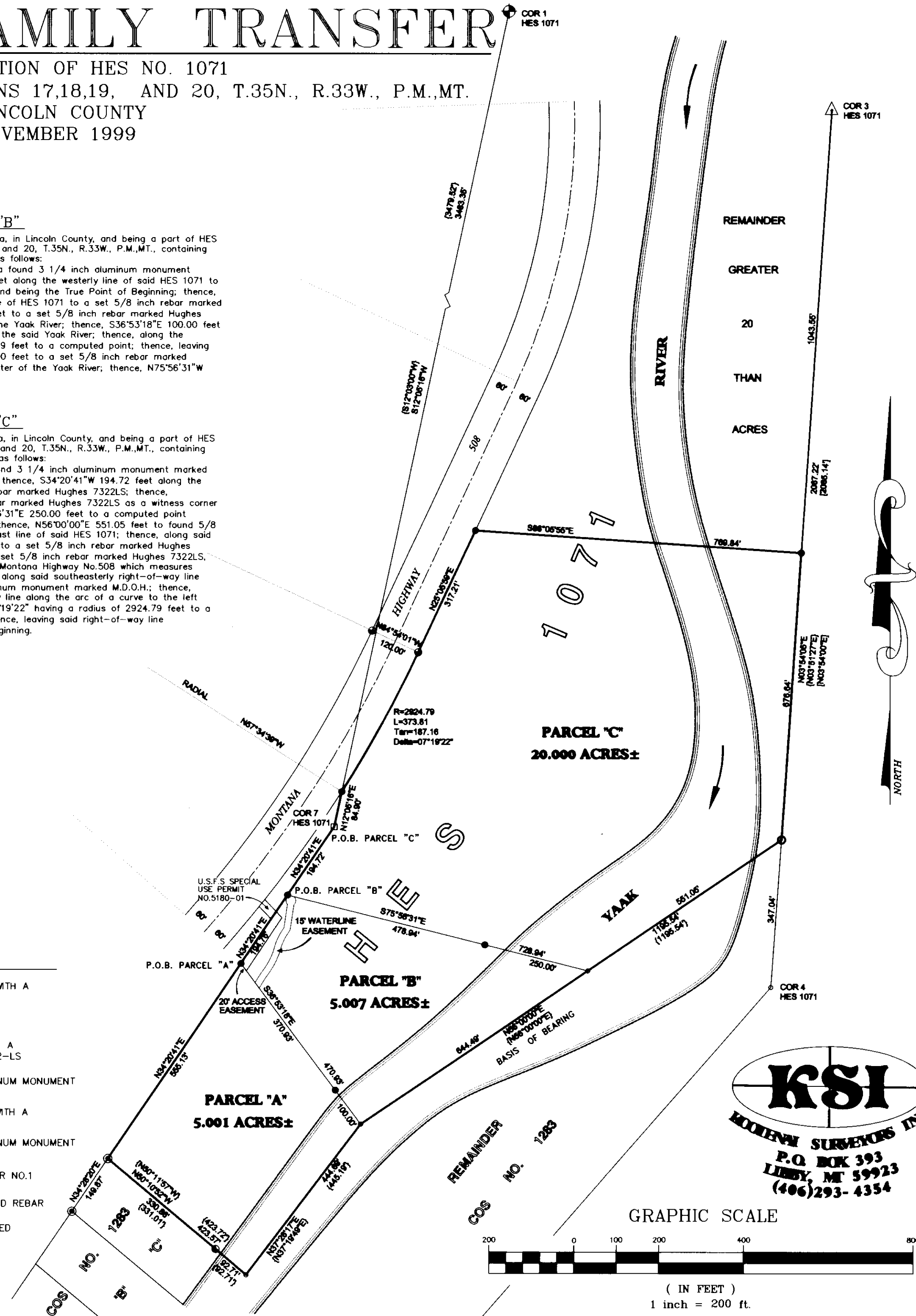
A tract of land, lying in south of Yaak, Montana, in Lincoln County, and being a part of HES 1071 and lying in unsurveyed sections 17,18,19, and 20, T.35N., R.33W., P.M.,MT., containing ±5.007 acres and more particularly described as follows:
Commencing at the Corner No.7 of HES 1071, a found 3 1/4 inch aluminum monument marked U.S.F.S.; thence, S34°20'41"W 194.72 feet along the westerly line of said HES 1071 to a set 5/8 inch rebar marked Hughes 7322LS and being the True Point of Beginning; thence, S34°20'41"W 194.76 feet along said westerly line of HES 1071 to a set 5/8 inch rebar marked Hughes 7322LS; thence, S36°53'18"E 370.93 feet to a set 5/8 inch rebar marked Hughes 7322LS as a witness corner to the center of the Yaak River; thence, S36°53'18"E 100.00 feet to a computed point marking the centerline of the said Yaak River; thence, along the centerline of said Yaak River N56°00'00"E 644.49 feet to a computed point; thence, leaving said centerline of Yaak River N75°56'31"W 250.00 feet to a set 5/8 inch rebar marked Hughes 7322LS as a witness corner to the Center of the Yaak River; thence, N75°56'31"W 478.94 feet to the True Point of Beginning.

LEGAL DESCRIPTION PARCEL "C"

A tract of land, lying in south of Yaak, Montana, in Lincoln County, and being a part of HES 1071 and lying in unsurveyed sections 17,18,19, and 20, T.35N., R.33W., P.M.,MT., containing ±20.000 acres and more particularly described as follows:
Commencing at Corner No.7 of HES 1071, a found 3 1/4 inch aluminum monument marked U.S.F.S. and being the True Point of Beginning; thence, S34°20'41"W 194.72 feet along the westerly line of HES 1071 to a set 5/8 inch rebar marked Hughes 7322LS; thence, S75°56'31"E 478.94 feet to a set 5/8 inch rebar marked Hughes 7322LS as a witness corner to the center of the Yaak River; thence, S75°56'31"E 250.00 feet to a computed point marking the centerline of the said Yaak River; thence, N56°00'00"E 551.05 feet to found 5/8 inch rebar marked KED 4975-S, lying on the east line of said HES 1071; thence, along said east line of HES 1071 N03°54'05"E 676.64 feet to a set 5/8 inch rebar marked Hughes 7322LS; thence, N86°05'55"W 769.84 feet to a set 5/8 inch rebar marked Hughes 7322LS, lying on the southeasterly right-of-way line of Montana Highway No.508 which measures 60.00 feet from the centerline thereof; thence, along said southeasterly right-of-way line S25°05'59"W 317.21 feet to a 2 1/4 inch aluminum monument marked M.D.O.H.; thence, continuing along said southeasterly right-of-way line along the arc of a curve to the left 373.81 feet, turning through a Delta angle of 7°19'22" having a radius of 2924.79 feet to a set 5/8 inch rebar marked Hughes 7322LS; thence, leaving said right-of-way line S12°05'16"W 84.90 feet to the True Point of Beginning.

LEGEND

- FOUND 5/8 INCH DIAMETER REBAR WITH A PLASTIC CAP STAMPED MDL 4232-S
- COMPUTED POINT ONLY
- SET 5/8 INCH DIAMETER REBAR WITH A PLASTIC CAP STAMPED HUGHES 7322-LS
- FOUND 3 1/4 INCH DIAMETER ALUMINUM MONUMENT BY U.S.F.S. AS NOTED
- FOUND 5/8 INCH DIAMETER REBAR WITH A PLASTIC CAP STAMPED KED 4975-S
- FOUND 2 1/4 INCH DIAMETER ALUMINUM MONUMENT MARKED M.D.O.H.
- ◆ FOUND PK NAIL AS HES 1071 CORNER NO.1
- FOUND 1/2 INCH DIAMETER UNCAPPED REBAR
- △ FOUND ORIGINAL HES STONE AS NOTED
- () RECORD PER COS NO.230
- [] RECORD PER HES NO. 1071



PURPOSE OF SURVEY AND EXEMPTION CERTIFICATION

I, Wilbur Smith, owner of record, hereby certify that the purpose of this survey and division of land, outside a platted subdivision, is to transfer Parcel A, ±5.001 acres, to Patricia L. Smith, wife; Parcel B, ±5.007 acres, to Tammy S. Smith, a daughter; and Parcel C, 20.000 acres, to Michael D. Smith, a son, all shown hereon; that this is the first and single gift or sale in this county to these members of my immediate family. Therefore this parcel is exempt from review as a subdivision pursuant to Section 76-3-207(b), M.C.A.

Wilbur Smith 3/9/2000
Date

LEGAL DESCRIPTION PARCEL "A"

A tract of land, lying in south of Yaak, Montana, in Lincoln County, and being a part of HES 1071 and lying in unsurveyed sections 19 and 20, T.35N., R.33W., P.M.,MT., containing ±5.001 acres and more particularly described as follows:
Commencing at the Corner No.7 of HES 1071, a found 3 1/4 inch aluminum monument marked U.S.F.S.; thence, S34°20'41"W 389.48 feet along the westerly line of said HES 1071 to a set 5/8 inch rebar marked Hughes 7322LS and being the True Point of Beginning; thence, S34°20'41"W 555.13 feet along said westerly line of HES 1071 to a found 5/8 inch rebar marked MDL 4232-S being the northwest corner of Parcel "C" of COS No.1283; thence, S50°10'52"E 330.86 feet to a found 1/2 inch rebar; thence, S50°10'52"E 92.71 feet to a computed point marking the centerline of the Yaak River; thence, along the centerline of said Yaak River N37°28'17"E 444.69 feet to a computed point; thence, leaving said centerline of Yaak River N36°53'18"W 100.00 feet to a set 5/8 inch rebar marked Hughes 7322LS as a witness corner to the Center of the Yaak River; thence, N36°53'18"W 370.93 feet to the True Point of Beginning.

ACKNOWLEDGEMENT

The foregoing Exemption was subscribed and acknowledged before me, a Notary Public for the State of Montana, County of Lincoln, by the above named person(s), on this 3rd day of March, 2000. In witness whereof, I have hereunto set my hand and affixed my notary seal.

Burt Cully, Notary Public for the State of Montana.
residing in: Troy, MT My Commission expires: 2/22/2000

HISTORY OF SURVEY

1922 - HES 1071, Grant Higgins
1974 - COS No. 230, by MDL, 4232-S
1981 - COS No. 1283, by MOL, 4232-S

METHOD OF SURVEY

A total station and data collector was used with closed traverse procedures to tie the previously set controlling corners and right-of-way monuments.

BASIS OF BEARING

The basis of bearing for this survey is N56°00'00"E, as shown on CS No. 230.

COUNTY TREASURER CERTIFICATION

I hereby certify, pursuant to Section 76-3-611(1)(b), MCA, that all real property taxes and special assessments assessed and levied on the parcel shown hereon are delinquent.

David J. Hill 4/5/2000
Lincoln County Treasurer, Lincoln County, Montana Date

ACCESS CERTIFICATION

I hereby certify that physical and legal access to Parcel A and B, shown hereon, is provided by a 20.00 foot private road and utility easement and that the driving surface is a minimum of 14 feet wide and access to Parcel "C" is Montana Highway No. 508.

Alvah F. Hughes PLS 7322LS 2-15-00
Alvah F. Hughes, PLS, 7322LS Date

LAND SURVEYOR'S CERTIFICATION

I hereby certify that I am a Registered Land Surveyor in the State of Montana, that the survey shown on this Certificate of Survey has been prepared under my supervision and in accordance with the Montana Code Annotated, Sections 76-3-101 through 76-3-625, and the Lincoln County regulations adopted pursuant thereto.

Alvah F. Hughes PLS 7322LS 2-15-00
Alvah F. Hughes, Montana Reg. No. 7322LS Date

EXAMINING OFFICIAL CERTIFICATION

Approved this 5th day of April, 2000, A.D.
Alvah F. Hughes
Examining Official

COUNTY COMMISSIONER'S CERTIFICATION

Marianne B. Rose 4-5-00
Chairman, Lincoln County Commissioners Date

CLERK AND RECORDER'S CERTIFICATION

State of Montana, County of Lincoln, filed this 5th day of April, 2000, A.D. at 2:05 o'clock p.m.
Cori A. Cummings by *Frankie Alvarni*
County Clerk Recorder Deputy

Sanitary Restrictions Removed P.F. # 6697 Doc # 146217

C.S. # 2914
Doc # 146218