

# CERTIFICATE OF SURVEY

## "FAMILY TRANSFER"

NE1/4 NE1/4, SECTION 13, T.36N., R.28W., P.M., MT.

LINCOLN COUNTY, MONTANA

FOR: BOER

OCTOBER 2004

### DESCRIPTION PARCEL "A-2B"

An irregular tract of land easterly from Rexford, Montana, Lincoln County, in the NE1/4 NE1/4, Section 13, T.36N. R.28W., P.M., MT., containing ±3.821 acres, more particularly described as follows: Commencing at the N1/16th corner of said Section 13, a 5/8 inch rebar with a yellow plastic cap marked Larsen 3908S, located on the section line as shown on Certificate of Survey No. 1714; Thence along the east-west 1/16 subdivision line, N89°17'50"W, 600.00 feet to a 5/8 inch rebar with a yellow plastic cap marked Hughes 7322LS and the TRUE POINT OF BEGINNING; Thence along a boundary line between Parcel A-2B and Parcel A-1, COS 2814, N24°30'46"E, 264.15 feet to a set 5/8 inch rebar with a yellow plastic cap marked Hughes 322LS; Thence N78°20'25"W, 611.98 feet to a 5/8 inch rebar with a yellow plastic cap marked Hughes 7322LS; Thence along said east-west 1/16 subdivision line, S89°17'50"E, 489.58 feet to a 5/8 inch rebar with a yellow plastic cap marked Hughes 7322LS and the TRUE POINT OF BEGINNING, containing ±3.821 acres. Subject to and together with all appurtenant easements of record.

### DESCRIPTION PARCEL "A-2A"

An irregular tract of land easterly from Rexford, Montana, Lincoln County, in the NE1/4 NE1/4, Section 13, T.36N. R.28W., P.M., MT., containing ±5.165 acres, more particularly described as follows: Commencing at the N1/16th corner of said Section 13, a 5/8 inch rebar with a yellow plastic cap marked Larsen 3908S, located on the section line as shown on Certificate of Survey No. 1714; Thence along the east-west 1/16 subdivision line, N89°17'50"W, 600.00 feet to a 5/8 inch rebar with a yellow plastic cap marked Hughes 7322LS; Thence N24°30'46"E, 264.15 feet along the boundary line between Parcel A-2B and Parcel A-1, COS 2814 to a set 5/8 inch rebar with a yellow plastic cap marked Hughes 7322LS and the TRUE POINT OF BEGINNING; Thence N24°30'46"E, 136.04 feet to a 5/8 inch rebar with a yellow plastic cap marked Larsen 3908S, lying on the southerly right-of-way limit of a 60.00 foot road and utility easement; Thence on a line bearing N48°08'44"E, 30.02 feet to an unmarked point on the centerline of said road easement and the point of curvature; Thence along a curve to the left, a length of 138.75 feet, having a delta angle of 6°39'29", a radius of 1194.00 feet to an unmarked point and the point of tangency; Thence continuing along said centerline, N48°15'08"W, a length of 139.29 feet to an unmarked point and the point of curvature of a curve to the left 196.74 feet having a delta angle of 22°54'41", a radius of 492.00 feet to an unmarked point and the point of tangency; Thence along a tangent, N71°09'49"W, 148.94 feet to an unmarked point and the point of curvature of a curve to the right, a length of 87.92 feet having a delta angle of 15°27'07", a radius of 328.00 feet to an unmarked point and the point of tangency; Thence along a tangent, N55°42'42"W, 82.32 feet to an unmarked point on the centerline of said road; Thence along a radial line, S11°34'55"W, 32.36 feet to a 5/8 inch rebar with a yellow plastic cap marked Hughes 7322LS; Thence continuing along said line bearing S11°34'55"W, 219.50 feet to a 5/8 inch rebar with a yellow plastic cap marked Hughes 7322LS; Thence S10°09'40"E, 195.38 feet to a 5/8 inch rebar with a yellow plastic cap marked Hughes 7322LS; Thence, S78°20'25"E, 611.98 feet to a 5/8 inch rebar with yellow plastic cap marked Hughes 7322LS and the TRUE POINT OF BEGINNING, containing ±5.165 acres. Subject to and together with all appurtenant easements of record.

### PURPOSE OF SURVEY AND EXEMPTION CERTIFICATION

We, John A. Boer and Patricia S. Boer, owners of record, hereby certify that the purpose of this survey and division of land, outside a platted subdivision, is to transfer Parcel A-2B, ±3.821 acres, as shown hereon, to our son, Christopher John Boer; that this is the first and single gift or sale in this county to this member of our immediate family. Therefore this parcel is exempt from review as a subdivision pursuant to Section 76-3-207(1)(b), M.C.A. Furthermore we certify that Parcel "A-2A" is exempt from review by the department of Environment Quality pursuant to ARM 17.36.605 Exclusions 2(b)(i)(ii): a parcel that has no existing facilities for water supply, wastewater disposal, or solid waste disposal other than those that were previously approved by the reviewing authority under Title 76, Chapter 4, Part 1, MCA, or that were exempt from review, if: (i) no new facilities will be constructed on the parcel and (ii) the division of land will not cause approved facilities to violate any conditions of approval, and will not cause exempt facilities to violate any conditions of exemption.

John A. Boer Nov 8 2004  
 Patricia S. Boer Nov 8 2004  
 Date

### ACKNOWLEDGMENT

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 11th day of Nov, 2004. In witness whereof, I have hereunto set my hand and affixed my notarial seal.

Alvah F. Hughes, Notary Public for the State of Montana,  
 residing in: Rexford, MT My Commission expires: 12/31/07

### HISTORY OF SURVEY

1989 - COS No. 1714, creates Tract 1, Larsen, 3980S  
 1998 - COS No. 2725, divides Tract 1 into Parcels A & B, Hughes, 7322LS  
 1999 - COS No. 2814, divides Parcels A into Parcels A-1 & A-2, Hughes, 7322LS

### 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 by Kenneth Kern, May 2004

### BASIS OF BEARING

The basis of bearing for this survey is S10°09'40"E, as shown on COS No. 2725 and 2814. Monuments located on property line between Parcel B, COS 2725 and Parcel A-2 COS 2814 both are 5/8 inch rebar marked Hughes, 7322LS

### ACCESS CERTIFICATION

I hereby certify that physical and legal access to Parcel A-2B, shown hereon, is provided by a 30.00 foot private road and utility easement.

Alvah F. Hughes, PLS, 7322LS 11-08-2004  
 Alvah F. Hughes, PLS, 7322LS Date

### LEGEND

- Found a 5/8 inch rebar with a plastic cap, marked Larsen, 3980S.
- Found 5/8 inch rebar with a plastic cap, marked Hughes, 7322LS
- Set 5/8 inch rebar with a plastic cap, marked Hughes, 7322LS
- ( ) COS No. 1714 record, D.R. Larsen, 3980S
- [ ] COS No's 2725 and 2814 record, Alvah F. Hughes, 7322LS
- Property Boundaries
- - - Road and Utility Easement Limits
- ..... Radial Line
- ⊙ Existing Shored Water Well

### 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 11-08-2004  
 Alvah F. Hughes, Montana Reg. No. 7322LS Date



### EXAMINING LAND SURVEYOR'S CERTIFICATION

Approved this 10th day of Nov, 2004, A.D. at 10:30 o'clock A.M.  
Carol A. Cummings by Jeanie Starni  
 Examining Land Surveyor Deputy

### LINCOLN COUNTY TREASURER'S CERTIFICATION

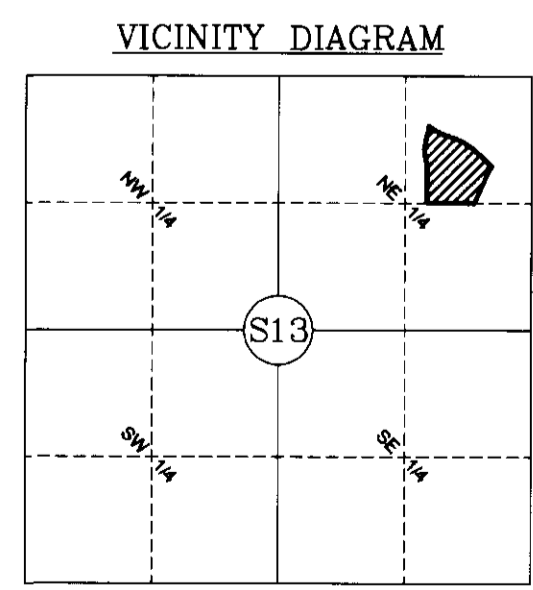
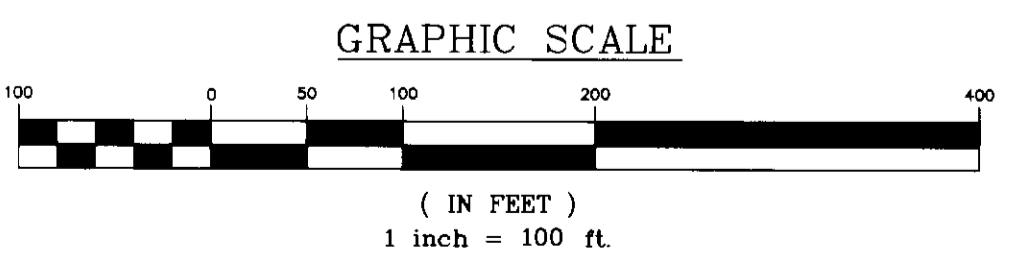
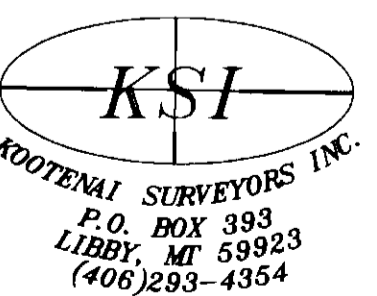
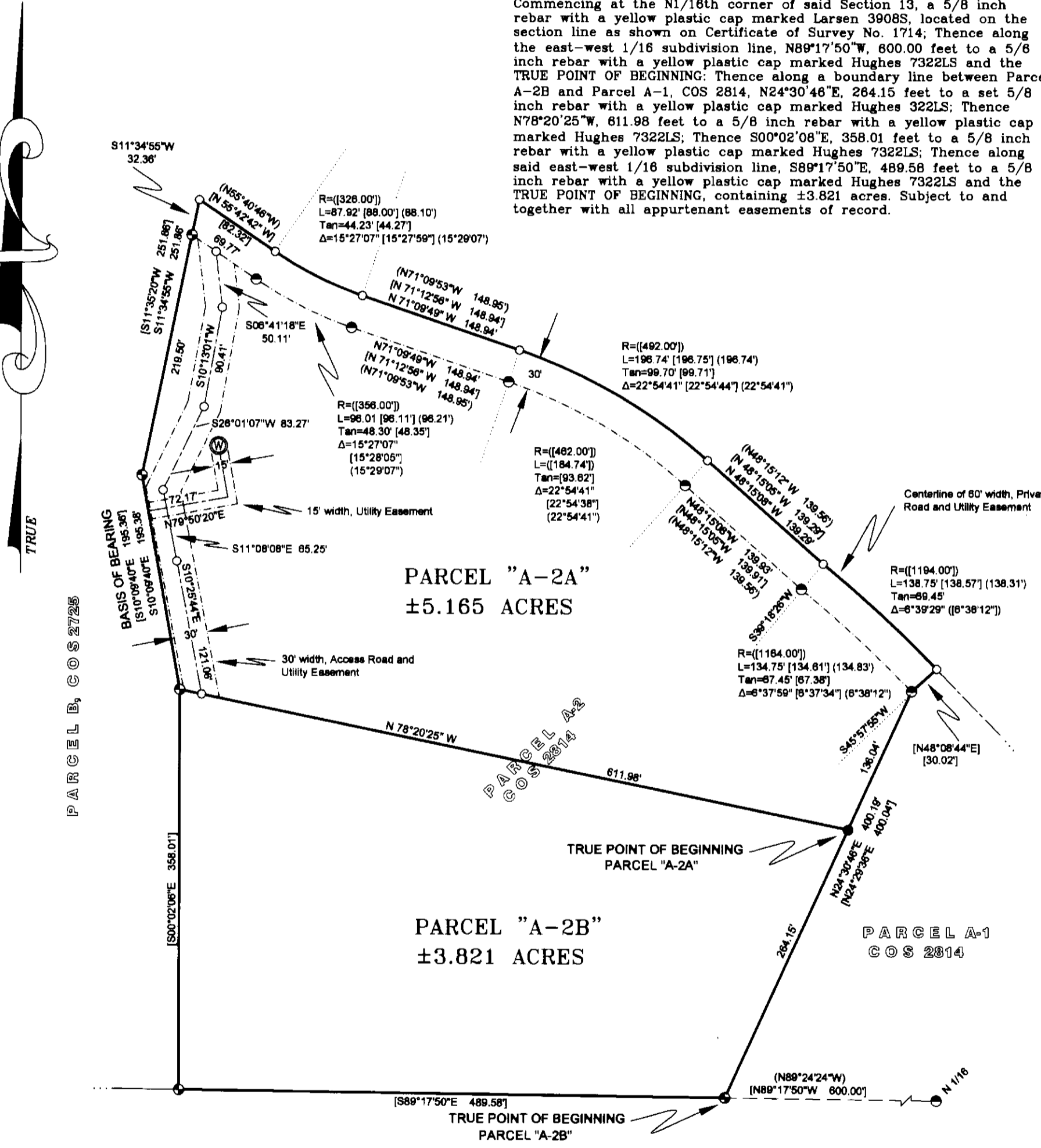
I hereby certify, pursuant to Section 76-3-207(3), MCA, that all real property taxes and special assessments assessed and levied on the parcel shown hereon are paid.

Mari A. Miller DeAnna R. Henshel Nov 8, 2004  
 Lincoln County Treasurer, Libby, Montana Deputy Date

### CLERK AND RECORDER'S CERTIFICATION

State of Montana, County of Lincoln, filed this 30th day  
Nov, 2004, A.D. at 10:30 o'clock A.M.  
Carol A. Cummings by Jeanie Starni  
 County Clerk Recorder Deputy

CERTIFICATE OF SURVEY NO. 3349 FC Doc # 180925



*Sanitary Restrictions Removed p.F. # 7777 Doc # 180924*