

# CERTIFICATE OF SURVEY

## "BOUNDARY LINE ADJUSTMENT"

NE1/4, SECTION 6, T.34N., R.26W. AND SE1/4, SECTION 31 T.35N., R.26W., P.M., MT.  
 LINCOLN COUNTY, MONTANA  
 FOR: TUNGSTEN HOLDINGS, INC. DATE: APRIL 2005

### PURPOSE OF SURVEY & OWNER'S EXEMPTION CERTIFICATION

I, Jay Dinning, Treasurer of Tungsten Holdings Inc., record owner, hereby certify that the purpose of this survey and division of land is to include Parcels "A" and "H", excluding Parcel "D" by boundary line adjustment to the E 1/2 NW 1/4 NE 1/4, Section 6, T.34N. R.26W., that this survey is exempt from subdivision review pursuant to MCA 76-3-207(1)(a): "divisions made outside of a platted subdivision for the purpose of relocating common boundary lines between adjoining properties." I further certify that Parcels "A", "H", and Tract 2 are exempt from review by the Department of Environmental Quality pursuant to ARM 17.36.605 Exclusions 2(a): "a parcel that has no existing facilities for water supply, wastewater disposal, and solid waste disposal, if no new facilities will be constructed on the parcel."

*Jay Dinning* 5/12/05  
 Jay Dinning, Treasurer Tungsten Holdings Inc. Date

We, Thelma L. McKenzie and Kenneth W. McKenzie, record owners, hereby certify that the purpose of this survey and division of land is the addition of Parcels "C" and "D" to Tract 3; Parcel "B" to Tract 4, each Tract as shown on COS 3390 RB by boundary line adjustment and that this survey is exempt from subdivision review pursuant to MCA 76-3-207(1)(a): "divisions made outside of a platted subdivision for the purpose of relocating common boundary lines between adjoining properties." We further certify that Parcels "B", "C" and "D" are exempt from review by the Department of Environmental Quality pursuant to ARM 17.36.605 Exclusions 2(a): "a parcel that has no existing facilities for water supply, wastewater disposal, and solid waste disposal, if no new facilities will be constructed on the parcel."

*Thelma L. McKenzie* 5/12/05  
*Kenneth W. McKenzie* 5/12/05  
 Thelma L. McKenzie Date  
 Kenneth W. McKenzie Date

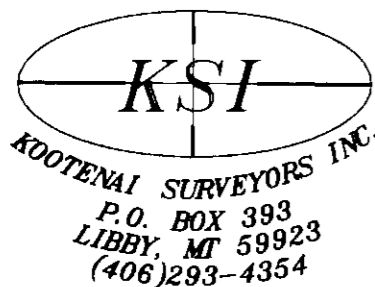
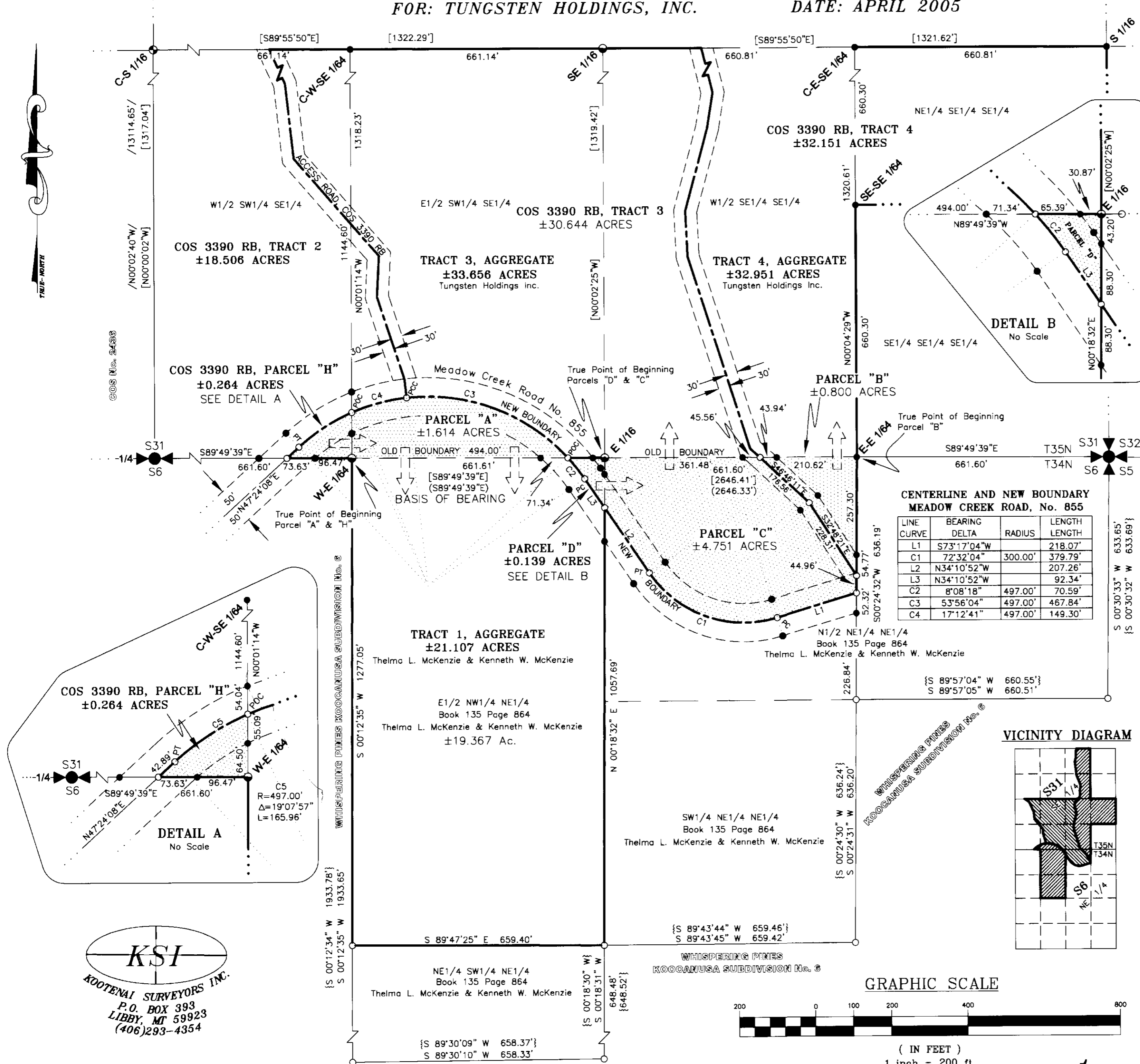
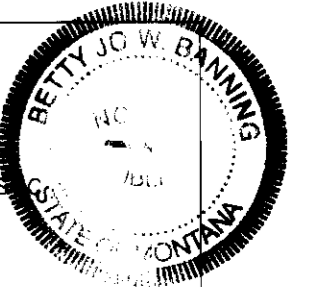
### ACKNOWLEDGMENT

The foregoing Certifications of Exemptions were subscribed and acknowledged before me, a Notary Public for the State of Montana, in Lincoln County of Montana, by the above named person(s), on this 12 day of May 2005, in witness whereof, I have hereunto set my hand and affixed my notarial seal.

*Betty Jo W. Banning* Notary Public for the State of Montana  
 residing in P. Carey, MT. My Commission expires: 5/06/2008

### LEGEND

- SET 5/8 INCH DIAMETER REBAR WITH A PLASTIC CAP MARKED HUGHES 7322LS
- FOUND A 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED HUGHES 7322LS
- FOUND A 2 1/2 INCH DIAMETER ALUMINUM PIPE WITH CAP MARKED 7322LS 1987
- UNMARKED COMPUTED POINT
- ⊕ FOUND 1/4 CORNER MONUMENT, A 2 1/2 INCH DIAMETER IRON PIPE WITH BLM BRASS CAP
- ⊕ FOUND SECTION CORNER MONUMENT, A 2 1/2 INCH DIAMETER IRON PIPE WITH BLM BRASS CAP
- ( ) RECORD PER COS No. 237
- / / RECORD PER COS No. 2436
- [ ] RECORD PER COS No. 3203
- { } RECORD PER PLAT No. 2652
- < > RECORD PER COS No. 3390 RB
- BOUNDARY LINES THIS SURVEY
- - - OLD BOUNDARY LINE
- - - EASEMENT LIMITS
- EASEMENT CENTERLINE, NEW BOUNDARY
- SUBDIVISION LINES



Doc 104620

# CERTIFICATE OF SURVEY

## "BOUNDARY LINE ADJUSTMENT"

NE1/4, SECTION 6, T.34N., R.26W. AND SE1/4, SECTION 31 T.35N., R.26W., P.M.,MT.

LINCOLN COUNTY, MONTANA

FOR: TUNGSTEN HOLDINGS, INC.

DATE: APRIL 2005

### LEGAL DESCRIPTION PARCEL "A"

An irregular tract of land, lying southwesterly from Fortine, Montana, Lincoln County in the SE1/4 SW1/4 SE1/4, Section 31, T.35N., R.26W., P.M., Mt., containing ±1.614 acres and more particularly described as follows:  
Commencing at the W-E 1/64th corner between Section 6, T.34N., R.26W., and Section 31, T.35N., R.26W., a 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS and the True Point of Beginning;  
Thence along the section line between said Section 6 and Section 31, S89°49'39"E, 494.00 feet to a 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS, lying on the southerly right-of-way limits of a 100 foot wide road known as "Meadow Creek Road No. 855"; Thence continuing along said section line, S89°49'39"E, 71.34 feet to an unmarked point on curve, lying on the centerline of said road; Thence along said road centerline, through a curve to the left having a radius of 497.00 foot, a delta angle of 53°56'04", an arc length of 467.84 feet, to an unmarked point of compound curve and at the intersection of a road centerline, shown as Access Road; Thence continuing along said road centerline, through a curve to the left having a radius of 497.00 foot, a delta angle of 17°12'41", an arc length of 149.30 feet to an unmarked point on curve, lying on the north-south 1/64 subdivision line; Thence along said subdivision line, S00°01'14"E, 55.09 feet to a 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS, lying on the southerly right-of-way limits of said road; Thence continuing along said subdivision line, S00°01'14"E, 64.50 feet to the W-E 1/64th corner, a 5/8 inch diameter rebar with plastic cap marked Hughes and the True Point of Beginning.  
Subject to and together with all appurtenant easements of record.

### LEGAL DESCRIPTION PARCEL "B"

An irregular tract of land, lying southwesterly from Fortine, Montana, Lincoln County in the N1/2 NE1/4 NE1/4, Section 6, T.34N., R.26W., P.M., Mt., containing ±0.800 acres and more particularly described as follows:  
Commencing at the E-E 1/64th corner between Section 6, T.34N., R.26W., and Section 31, T.35N., R.26W., a 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS and the True Point of Beginning;  
Thence along the section line between said Sections 6 and 31, N89°49'39"W, 210.62 feet to a 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS, lying on the easterly right-of-way limits of a 60 foot wide strip shown as "Old Road"; Thence along said section line, N89°49'39"W, 43.94 feet to an unmarked point, lying on the centerline of said road; Thence along said centerline, S46°46'11"E, 176.56 feet to an unmarked point; Thence continuing along said centerline, S32°48'21"E, 228.31 feet to an unmarked point, lying on a north-south 1/64th subdivision line; Thence along said subdivision line, N00°24'32"E, 54.77 feet to a 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS, lying on the northerly right-of-way limits of said road; Thence continuing along said subdivision line, N00°24'32"E, 257.30 feet to said E-E 1/64th corner, said 5/8 inch diameter rebar with plastic cap marked Hughes and the True Point of Beginning.  
Subject to and together with all appurtenant easements of record.

### LEGAL DESCRIPTION PARCEL "C"

An irregular tract of land, lying southwesterly from Fortine, Montana, Lincoln County in the N1/2 NE1/4 NE1/4, Section 6, T.34N., R.26W., P.M., Mt., containing ±4.751 acres and more particularly described as follows:  
Commencing at the E 1/16th corner between Section 6, T.34N., R.26W., and Section 31, T.35N., R.26W., a 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS and the True Point of Beginning;  
Thence along the section line between said Sections 6 and 31, S89°49'39"E, 361.48 feet to a 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS, lying on the westerly right-of-way limits of a 60 foot wide strip, shown as "Old Road"; Thence continuing along said section line, S89°49'39"E, 45.56 feet to the centerline of said road, an unmarked point; Thence continuing along said road centerline S46°46'11"E, 176.56 feet to an unmarked point; Thence continuing along said road centerline S32°48'21"E, 228.31 feet to an unmarked point, lying on a north-south 1/64th subdivision line; Thence along said subdivision line, S00°24'32"W, 44.96 feet to an unmarked point, lying on the centerline of a 100 foot wide strip, shown as "Meadow Creek Road No. 855"; Thence along said road centerline, S73°17'04"W, 218.07 feet to an unmarked point of curvature; Thence along said road centerline, through a curve to the right, having a 300.00 foot radius, a delta angle of 72°32'04", an arc length of 379.79 feet to an unmarked point and the point of tangency; Thence continuing along said centerline, N34°10'52"W, 207.26 to an unmarked point, lying on a north-south 1/16th subdivision line; Thence along said subdivision line, N00°18'32"E, 88.30 feet to a 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS, lying on the northerly right-of-way limits of said road; Thence along said subdivision line, N00°18'32"E, 43.20 feet to the E 1/16th corner, a 5/8 inch diameter rebar with plastic cap marked Hughes and the True Point of Beginning.  
Subject to and together with all appurtenant easements of record.

### LEGAL DESCRIPTION PARCEL "D"

An irregular tract of land, lying southwesterly from Fortine, Montana, Lincoln County in the E1/2 NW1/4 NE1/4, Section 6, T.34N., R.26W., P.M., Mt., containing ±0.139 acres and more particularly described as follows:  
Commencing at the E 1/16th corner between Section 6, T.34N., R.26W., and Section 31, T.35N., R.26W., a 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS and the True Point of Beginning;  
Thence along a north-south 1/16th subdivision line in said Section 6, S00°18'32"W, 43.20 feet to a 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS, lying on the northerly right-of-way limits of a 100 foot wide strip, shown as "Meadow Creek Road No. 855"; Thence continuing along said subdivision line, S00°18'32"W, 88.30 feet to an unmarked point, lying on the centerline of said road; Thence along said road centerline, N34°10'52"W, 92.34 feet to a unmarked point of curvature; Thence along said road centerline, through a curve to the left, having a 497.00 foot radius, through a delta angle 8°08'18", an arc length of 70.59 feet to an unmarked point on curve, lying on the section line between said Sections 6 and 31; Thence along said Section line, S89°49'39"E, 65.39 feet to a 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS, lying on the northerly right-of-way limits of said road; Thence continuing along said Section line, S89°49'39"E, 30.87 feet to said E 1/16th corner, a 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS and the True Point of Beginning.  
Subject to and together with all appurtenant easements of record.

### LEGAL DESCRIPTION PARCEL "H"

An irregular tract of land, lying southwesterly from Fortine, Montana, Lincoln County within the SW1/4 SE1/4, Section 31, T.35N., R.26W., P.M.,Mt., containing ±0.264 acres and more particularly described as follows:  
Commencing at the W-E 1/64th corner, Section 31, a 5/8 inch rebar with plastic cap marked Hughes 7322LS, and the True Point of Beginning; Thence along the east-west Section line between Section 31 and Section 6, N89°49'39"W, 96.47 feet to a 5/8 inch rebar with plastic cap marked Hughes 7322LS; Thence continuing along said section line, N89°49'39"W, 73.63 feet to an unmarked point, lying on the centerline of Meadow Creek Road No. 855; Thence along said road centerline N47°24'08"E, 42.89 feet to an unmarked point and the point of curvature of a 497.00 foot radius curve to the right through a delta angle of 19°07'57" creating an arc length of 165.96 foot arc length to an unmarked point, lying on a north-south 1/16th subdivision line; Thence along said subdivision line, S00°01'14"E, 55.09 feet to a 5/8 inch diameter rebar with plastic cap marked Hughes 7322LS, lying on the southerly right-of-way limits of said road; Thence continuing along said subdivision line, S00°01'14"E, 64.50 feet to a 5/8 inch diameter rebar with plastic cap marked Hughes 7322LS and the W-E 1/64 corner and being the True Point of Beginning.  
Subject to and together with all appurtenant easements of record.

### LEGAL DESCRIPTION TRACT 1 AGGREGATE

An irregular tract of land, lying southwesterly from Fortine, Montana, Lincoln County, in the S1/2 SW1/4 SE1/4, Section 31, T.35N., R.26W., P.M., Mt. and the E1/2 NW1/4 NE1/4, Section 6, T.34N., R.26W., P.M., MT., containing ±21.107 acres and more particularly described as follows:  
The E1/2 NW1/4 NE1/4, Section 6 being ±19.367 acres; EXCLUDING Parcel "D", containing ±0.139 acres; INCLUDING Parcel "A", containing ±1.614 acres and Parcel "H", containing ±0.264 acres, as shown on COS No. 3390 RB, totaling ±21.107 acres.  
Subject to and together with all appurtenant easements of record.

### LEGAL DESCRIPTION TRACT 3 AGGREGATE

An irregular tract of land, lying southwesterly from Fortine, Montana, Lincoln County, in the SW1/4 SE1/4 and W1/2 SE1/4 SE1/4, Section 31, T.35N., R.26W., P.M., Mt. and the N1/2 NE1/4 NE1/4, Section 6, T.34N., R.26W., P.M.,MT., containing ±33.656 acres and more particularly described as follows:  
Tract 3, COS 3390 RB, containing ±30.644 acres and EXCLUDING Parcel "A" containing 1.614 acres and Parcel "H", COS 3390 RB, containing ±0.264; INCLUDING Parcel "C", containing ±4.751 acres and Parcel "D", containing ±0.139 acres, totaling ±33.656 acres.  
Subject to and together with all appurtenant easements of record.

### LEGAL DESCRIPTION TRACT 4 AGGREGATE

An irregular tract of land, lying southwesterly from Fortine, Montana, Lincoln County, in the W1/2 SE1/4 SE1/4; NE1/4 SE1/4 SE1/4, Section 31, T.35N., R.26W., P.M., Mt. and the N1/2 NE1/4 NE1/4, Section 6, T.34N., R.26W., P.M.,MT., containing ±32.951 acres and more particularly described as follows:  
Tract 4, COS No. 3390 RB, containing ±32.151 acres; INCLUDING Parcel "B", containing ±0.800 acres, as shown on COS No. 3390 RB, totaling ±32.951 acres.  
Subject to and together with all appurtenant easements of record.

### LINCOLN COUNTY TREASURER'S CERTIFICATION

I hereby certify, pursuant to Section 76-3-207(3), M.C.A., that all real property taxes and special assessments assessed and levied on the parcel shown hereon are paid.  
*Don A. Miller* Lincoln County Treasurer Date *May 23, 2005*

### 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 76-4-625, and the Lincoln County regulations adopted pursuant thereto.  
*Alvah F. Hughes, 7322LS 5/15/05*  
Alvah F. Hughes, Montana Reg. No. 7322LS Date

### EXAMINING LAND SURVEYOR'S CERTIFICATION

Approved this *20th* day of *May*, 2005, A.D.  
*Donald*  
Examining Land Surveyor

### CLERK AND RECORDER'S CERTIFICATION

State of Montana, County of Lincoln, filed this *23rd* day  
of *May*, 2005, A.D. at *2:30* o'clock *p.m.*  
*Carol A. Cummins* by *Jeanne K. Kinn*  
County Clerk Recorder Deputy

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