

# CERTIFICATE OF SURVEY

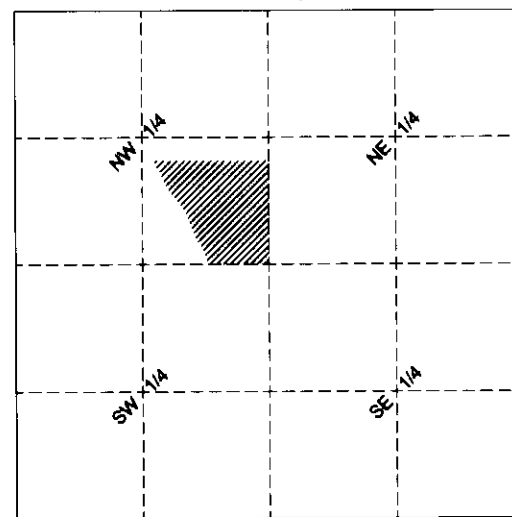
"FAMILY TRANSFER"

SE1/4 NW1/4, SECTION 22, T.32N., R.34W., P.M.MT.

LINCOLN COUNTY, MONTANA

FOR: JOHN DE CARLO DATE: NOVEMBER 2004

SECTION 22, DIAGRAM



## LEGAL DESCRIPTION PARCEL "A"

An irregular tract of land, northwest of Troy, Montana, Lincoln County, and in the SE1/4 NW1/4, Section 22, T.32N., R.34W., P.M.MT., containing  $\pm 3.862$  acres, more particularly described as follows:  
Commencing at the C 1/4 Corner, Section 22, T.32N., R.34W., P.M.MT. a 5/8 inch diameter rebar with plastic cap marked KED, 4975S; Thence along the north-south midsection line, N00°06'29"W, 834.77 feet to a set 5/8 inch diameter rebar with plastic cap marked Hughes 7322LS, being the TRUE POINT OF BEGINNING;  
Thence along the south boundary of Parcel "A", N89°58'48"W, 808.00 feet to a set 5/8 inch diameter rebar with plastic cap marked Hughes 7322LS; Thence along westerly boundary of said Parcel, N28°13'28"W, 283.79 feet intersecting the south boundary of Parcel A, COS 2777, a set 5/8 inch diameter rebar with plastic cap marked Hughes 7322LS; Thence along said boundary, S89°58'48"E, 739.74 feet intersecting said midsection line, a 5/8 inch diameter rebar with plastic cap marked KED 7322LS; Thence along said line, S00°06'29"E, 250.00 feet to the TRUE POINT OF BEGINNING. Parcel containing  $\pm 3.862$ , subject to all appurtenant easements of record.

## LEGAL DESCRIPTION PARCEL "B"

An irregular tract of land, northwest of Troy, Montana, Lincoln County, and in the SE1/4 NW1/4, Section 22, T.32N., R.34W., P.M.MT., containing  $\pm 3.094$  acres, more particularly described as follows:  
Commencing at the C 1/4 Corner, Section 22, T.32N., R.34W., P.M.MT. a 5/8 inch diameter rebar with plastic cap marked KED, 4975S; Thence along the north-south midsection line, N00°06'29"W, 384.77 feet to a set 5/8 inch diameter rebar with plastic cap marked Hughes 7322LS, being the TRUE POINT OF BEGINNING;  
Thence along the south boundary of Parcel "B", N89°58'48"W, 472.27 feet to a set 5/8 inch diameter rebar with plastic cap marked Hughes 7322LS; Thence along westerly boundary of said Parcel, N28°13'28"W, 283.79 feet intersecting the boundary between Parcels "A" and "B", a set 5/8 inch diameter rebar with plastic cap marked Hughes 7322LS; Thence along said boundary, S89°58'48"E, 606.00 feet intersecting said midsection line, a set 5/8 inch diameter rebar with plastic cap marked Hughes 7322LS; Thence along said line, S00°06'29"E, 250.00 feet to the TRUE POINT OF BEGINNING. Parcel containing  $\pm 3.094$ , subject to all appurtenant easements of record.

## LEGAL DESCRIPTION PARCEL "C"

An irregular tract of land, northwest of Troy, Montana, Lincoln County, and in the SE1/4 NW1/4, Section 22, T.32N., R.34W., P.M.MT., containing  $\pm 3.263$  acres, more particularly described as follows:  
Commencing at the C 1/4 Corner, Section 22, T.32N., R.34W., P.M.MT. a 5/8 inch diameter rebar with plastic cap marked KED, 4975S and being the TRUE POINT OF BEGINNING;  
Thence along the east-west midsection line, N89°58'50"W, 266.43 feet to a set 5/8 inch diameter rebar with plastic cap marked Hughes 7322LS; Thence along westerly boundary of said Parcel "C", N28°13'28"W, 438.78 feet intersecting the boundary between Parcels "B" and "C", a set 5/8 inch diameter rebar with plastic cap marked Hughes 7322LS; Thence along said boundary, S89°58'48"E, 472.27 feet intersecting north-south midsection line, a set 5/8 inch diameter rebar with plastic cap marked Hughes 7322LS; Thence along said line, S00°06'29"E, 384.77 feet to the TRUE POINT OF BEGINNING. Parcel containing  $\pm 3.263$ , subject to all appurtenant easements of record.

## LEGAL DESCRIPTION PARCEL "D" AND REMAINDER

An irregular tract of land, northwest of Troy, Montana, Lincoln County, and in the SE1/4 NW1/4, Section 22, T.32N., R.34W., P.M.MT., containing  $\pm 6.860$  acres, more particularly described as follows:  
Commencing at the C 1/4 Corner, Section 22, T.32N., R.34W., P.M.MT. a 5/8 inch diameter rebar with plastic cap marked KED, 4975S; Thence along the east-west midsection line, N89°58'50"W, 266.43 feet to a set 5/8 inch diameter rebar with plastic cap marked Hughes 7322LS and the TRUE POINT OF BEGINNING;  
Thence along southerly boundary of Parcel "D", N89°58'50"W, 350.21 feet intersecting the easterly right-of-way limit of the East Side Road, width 60 feet; Thence along said limit, N38°20'24"W, 38.72 feet to a 5/8 inch diameter rebar with plastic cap marked KED, 4975S and beginning of a 187.00 foot radius curve to the right, turning through a delta angle of 15°57'53" creating an arc length of 46.53 feet to a 5/8 inch diameter rebar with plastic cap marked KED, 4975S; Thence along said limit, N18°20'54"W, 34.81 feet to a 5/8 inch diameter rebar with plastic cap marked KED, 4975S and beginning of a 233.00 foot radius curve to the left turning through a delta angle of 16°59'38" creating an arc length of 89.11 feet to a 5/8 inch diameter rebar with plastic cap marked KED, 4975S; Thence along said limit, N33°23'33"W, 128.56 feet to a 5/8 inch diameter rebar with plastic cap marked KED, 4975S and beginning of a 167.00 foot radius curve to the right turning through a delta angle of 14°42'32" creating an arc length of 42.87 feet to a 5/8 inch diameter rebar with plastic cap marked KED, 4975S; Thence along said limit, N18°40'37"W, 165.32 feet to a 5/8 inch diameter rebar with plastic cap marked KED, 4975S and beginning of a 533.00 foot radius curve to the left turning through a delta angle of 22°04'04" creating an arc length of 205.29 feet to a 5/8 inch diameter rebar with plastic cap marked KED, 4975S; Thence along said limit, N40°43'20"W, 101.39 feet to a set 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS and beginning of a 587.00 foot radius curve to the right turning through a delta angle of 17°18'15" creating an arc length of 171.24 feet to a 5/8 inch diameter rebar with plastic cap marked KED, 4975S; Thence along said limit and a 2033.00 foot radius curve to the left turning through a delta angle of 0°28'30" creating an arc length of 16.85 feet intersecting the southerly boundary line of Parcel A, COS 2777, a 5/8 inch diameter rebar with plastic cap marked KED, 4975S; Thence along said boundary line, S89°58'48"E, 358.83 feet to a set 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS; Thence along the westerly boundary of Parcel "A", S28°13'28"E, 283.79 feet to a set 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS; Thence along the westerly boundary of Parcel "B", S28°13'28"E, 283.79 feet to a set 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS; Thence along the westerly boundary of Parcel "C", S28°13'28"E, 438.78 feet to the TRUE POINT OF BEGINNING. Parcel containing  $\pm 6.860$ , subject to all appurtenant easements of record.

PARCEL A, COS2777  
Charles and Esthelita Keiser

PARCEL "A"  
 $\pm 3.862$  Acres  
Linda K. DeCarlo

PARCEL "D"  
REMAINDER  
 $\pm 6.860$  Acres  
John R. DeCarlo

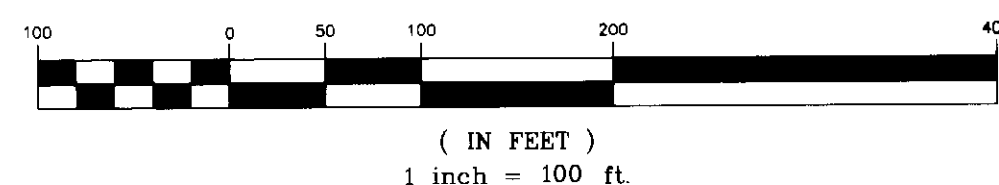
PARCEL "B"  
 $\pm 3.094$  Acres  
Ricky P. DeCarlo

PARCEL "C"  
 $\pm 3.263$  Acres  
Lori L. Hadlock

## LEGEND

- FOUND 5/8 INCH DIAMETER REBAR WITH AN ALUMINUM CAP STAMPED KED 4975S
- FOUND 5/8 INCH DIAMETER REBAR WITH A PLASTIC CAP STAMPED KED 4975S
- SET 5/8 INCH DIAMETER REBAR WITH A PLASTIC CAP STAMPED HUGHES 7322-LS
- RECORD PER COS No. 2777
- RECORD PER IRREGULAR PLAT No. 935
- PROPERTY LINE
- RIGHT-OF-WAY LIMITS
- CURVE RADIAL LINE

## GRAPHIC SCALE



## PURPOSE OF SURVEY AND OWNERS EXEMPTION CERTIFICATION

I, John R. DeCarlo, owner of record, hereby certify that the purpose of this survey and division of land, outside a platted subdivision, is to transfer Parcel "A",  $\pm 3.862$  acres, to my wife, Linda K. DeCarlo; transfer Parcel "B",  $\pm 3.094$  acres, to my son, Ricky P. DeCarlo; and to transfer Parcel "C",  $\pm 3.263$  acres to my daughter, Lori L. Hadlock; 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(1)(b), M.C.A.. We further certify that Parcel "D" is exempt from review by the Department of Environmental 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 R. DeCarlo Date

## ACKNOWLEDGMENT

The foregoing Exemption was subscribed and acknowledged before me a Notary Public for the State of Montana, by the above named persons on this day of 2004. In witness whereof, I have my hand and affixed my notarial seal.

## HISTORY OF SURVEY

1964 - Plat No. 935 creates "Starr Parcel" by Jack W. Ninneman, 534ES  
1998 - Plat No. 6086, Eagle View Subdivision, creates Lot 1 and "Remainder" within "Starr Parcel" by Ken Davis, 4975S  
1999 - COS No. 2777, creates Parcel A and B within the "Remainder" by Ken Davis, 4975S

## METHOD OF SURVEY

A total station and data collector was used with closed traverse procedures to tie the previously set controlling corners by Kenneth Kern, August 2004.

## BASIS OF BEARING

The basis of bearing for this survey is N00°03'32"W, per COS No. 2777, between the C 1/4 of Section 22 and the CN 1/16 between Sections 15 and 22 both found monuments.

## ACCESS CERTIFICATION

I hereby certify that physical and legal access to Parcels "A" through "B", shown hereon, is provided by the extension of an existing 40 foot road and utilities easement shown on Plat No. 2777 and that the driving surface is a minimum of 20 feet wide.

## 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.

## EXAMINING LAND SURVEYOR'S CERTIFICATION

Approved this day of 2004, by Donald H. Wester, Jr., Examining Land Surveyor.

## 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 parcels shown hereon are paid.

## CLERK AND RECORDER'S CERTIFICATION

State of Montana, County of Lincoln, filed this day of July 2004, A.D. at 10:45 o'clock A.M. by County Clerk Recorder by Deputy

CERTIFICATE OF SURVEY NO. 3464 FC