

CERTIFICATE OF SURVEY

- COURT ORDER SURVEY NO. DR-05-45 -

"AMENDED LOT 7, RIVERDALE TRACTS"

NE1/4, SEC. 2, T.30N., R.31W. & SE1/4, SEC. 35, T. 31N., R.31W. P.M., MT.

LINCOLN COUNTY, MONTANA

FOR: FLESHER / WILBURN

DATE: DECEMBER 2005

LEGEND

- SET 5/8 INCH DIAMETER REBAR WITH A PLASTIC CAP MARKED HUGHES 7322LS
- ⊗ FOUND 5/8 INCH DIAMETER UNCAPPED REBAR
- ⊙ FOUND 5/8 INCH DIAMETER REBAR WITH A PLASTIC CAP MARKED 49755
- FOUND 5/8 INCH DIAMETER REBAR WITH A PLASTIC CAP MARKED JHN 4661S
- UNMARKED POINT
- ⊕ A COE, 3 1/4 INCH DIAMETER BRASS CAP
- () RECORD PER PLAT No. 12
- < > RECORD PER PLAT No. 2318
- [] RECORD PER DEED EXHIBIT, BOOK 202, PAGE 283
- { } RECORD PER COS No. 166746
- PROPERTY BOUNDARY
- ++++ RAILWAY CENTERLINE

LEGAL DESCRIPTION - LOT 7A

An irregular tract of land, lying northeasterly from Libby, Montana, Lincoln County, lying partially within the NE1/4 NE 1/4, Section 2, T.30N., R.31W., P.M., MT. and partially within the SE1/4, Section 35, T.31N., R.31W., P.M., MT., containing ±3.146 acres and more particularly described as follows:
Commencing at the southeast Section corner, said Section 35, T.31N., R.31W., P.M., MT., a 2 1/2 inch diameter iron pipe with brass cap marked Corps of Engineers; Thence N81°41'12"W, 554.36 feet to a 5/8 inch diameter rebar marked Hughes, 7322LS and the True Point of Beginning; Thence S39°30'37"W, 150.01 feet to a 5/8 inch diameter rebar marked Hughes, 7322LS; Thence N50°27'23"W, 905.91 feet to a 5/8 inch diameter rebar marked Hughes, 7322LS; Thence N34°02'21"E, 137.49 feet to a 5/8 inch diameter rebar marked Hughes, 7322LS; Thence N32°07'21"E, 13.36 feet to a 5/8 inch diameter rebar marked Hughes, 7322LS; Thence S50°27'02"E, 920.74 feet to a 5/8 inch diameter rebar marked Hughes, 7322LS and the True Point of Beginning, containing ±3.146 acres. Subject To and together with all appurtenant easements of record.

PURPOSE OF SURVEY

The purpose of this resurvey and division of land is by Court Order and is exempt from review as a subdivision pursuant to 76-3-201(1)(a); and furthermore is exempt from review from the Department of Environmental Quality pursuant to ARW 17.36.805(1)(a); "divisions created by an Order of a Court of record in this state or by operation of law, or divisions which in the absence of agreement between parties to the sale, could be created by an order of any court in this state pursuant to the laws of eminent domain, Title 70, Chapter 30, parts 1, 2, and 3, MCA.

HISTORY OF SURVEY

- 1913 - Plat No. 12, "Riverdale Tracts", Paul D. Pratt
- 1977 - Plat No. 2318, "Amended Riverdale Plat, Lot 5" creates "Slauson Parcel" Jack H. Ninneman, 4661S
- 1994 - Deed Exhibit, Book 202, Page 283, Subdivision of Lots 12 and 13, Riverdale Tracts Kenneth E. Davis, 4975S
- 1998 - COS No. 133746, Retracement of Lot 5, Riverdale Tracts, Kenneth E. Davis, 4975S

LEGAL DESCRIPTION - LOT 7B

An irregular tract of land, lying northeasterly from Libby, Montana, Lincoln County, lying partially within the NE1/4 NE 1/4, Section 2, T.30N., R.31W., P.M., MT., and partially within the SE1/4, Section 35, T.31N., R.31W., P.M., MT., containing ±3.096 acres and more particularly described as follows:
Commencing at the southeast Section corner, said Section 35, T.31N., R.31W., P.M., MT., a 3 1/4 inch diameter iron pipe with brass cap marked Corps of Engineers; Thence N81°41'12"W, 554.36 feet to a 5/8 inch diameter rebar marked Hughes, 7322LS; Thence S39°30'37"W, 150.01 feet to a 5/8 inch diameter rebar marked Hughes, 7322LS and the True Point of Beginning; Thence S39°30'37"W, 150.01 feet to a 5/8 inch diameter rebar marked Hughes, 7322LS; Thence N50°27'45"W, 891.53 feet to a 5/8 inch diameter rebar marked Hughes, 7322LS; Thence N34°02'21"E, 150.80 feet to a 5/8 inch diameter rebar marked Hughes, 7322LS; Thence S50°27'23"E, 905.91 feet to a 5/8 inch diameter rebar marked Hughes, 7322LS and the True Point of Beginning, containing ±3.096 acres. Subject To and together with all appurtenant easements of record.

METHOD OF SURVEY

A total station and data collector was used with closed traverse procedures to tie the previously set controlling corners by Pete Landis, Aug. 2004.

BASIS OF BEARING

The basis of bearing for this survey is N34°03'00"E, as shown on Amended Plat No. 2318, between the northwesterly corner of "Lot 5, Riverdale Tracts" and southwesterly corner "Slauson Parcel", each being 5/8 inch iron rebars marked 4661S.

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.

Lincoln County Treasurer, Libby Montana

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, 7322LS Reg. 29245
Alvah F. Hughes, Montana Reg. No. 7322LS

Date



EXAMINING LAND SURVEYOR'S CERTIFICATION

Approved this 38 day of January 2006 A.D.
Examining Land Surveyor 14721 PLS

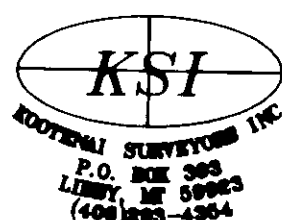
CLERK AND RECORDER'S CERTIFICATION

State of Montana, County of Lincoln, filed this 5 day

of January 2006 A.D. at 4:00 o'clock p.m.
Lincoln County Clerk and Recorder by Francis Bruner Deputy

CERTIFICATE OF SURVEY No. 548700

Doc # 70925



GRAPHIC SCALE



(IN FEET)
1 inch = 200 ft.

VICINITY DIAGRAM

