

# CERTIFICATE OF SURVEY:

## BOUNDARY ADJUSTMENT

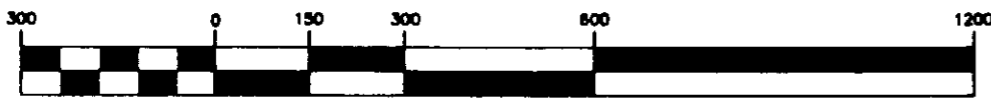
W 1/2 of Section 1, Twp. 29 N., R. 31 W., P.M.M. & SE 1/4 SW 1/4  
of Section 36, Twp. 30 N., R. 31 W., P.M.M.

For: Libby Creek S & J, L.L.C.  
South Libby, L.L.C.

Date: March 2006



Graphic Scale



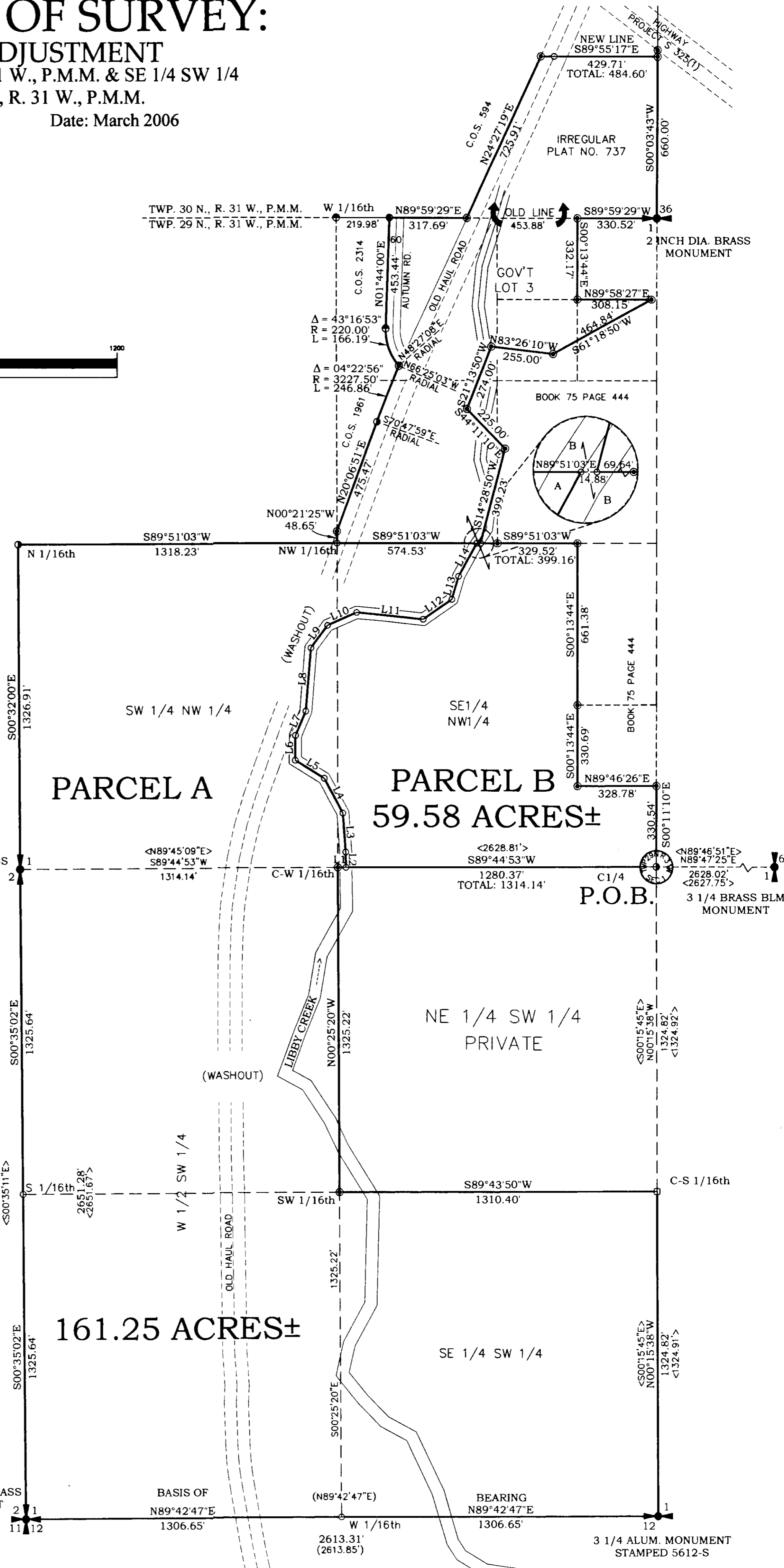
1 inch = 300 ft.

LINE TABLE		
LINE	LENGTH	BEARING
L1	33.77	S89°44'53"W
L2	63.52	N01°02'24"W
L3	159.30	N04°30'46"W
L4	161.25	N28°37'37"W
L5	141.45	N58°45'59"W
L6	101.44	N00°21'02"E
L7	107.32	N23°11'12"E
L8	258.81	N04°28'03"E
L9	116.06	N36°43'09"E
L10	131.10	N66°11'32"E
L11	274.59	S84°21'08"E
L12	142.86	N54°49'13"E
L13	98.14	N16°04'27"E
L14	154.36	N28°59'55"E

### LEGEND

- SET A 5/8 INCH DIA. REBAR WITH A 1 1/4 INCH PLASTIC CAP STAMPED K.E.D. 4975-S
- FOUND 5/8 INCH DIA. REBAR CAPPED K.E.D. 4975-S
- FOUND 5/8 INCH DIA. REBAR SANDS 7975-S
- FOUND 5/8 INCH DIA. REBAR CAPPED GOACHER 7318-S
- FOUND 5/8 INCH DIA. REBAR (UNCAPPED)
- FOUND 5/8 INCH DIA. REBAR CAPPED J.R.S. 9958-S
- FOUND 3/4 INCH DIA. ALUM. U.S.F.S. MONUMENT STAMPED 5612-S
- ⊕ MONUMENTS AS NOTED
- ⊖ MONUMENTS AS NOTED
- COMPUTED POINTS
- ( ) RECORD PER C.O.S. 3358
- < > RECORD PER C.O.S. 1455
- ↔ OWNERSHIP TIES

*Handwritten:*  
Troy  
5/5/06  
A775-S



Davis Surveying Inc.  
TROY MONTANA, (406)295-5441

DATE: 02/20/06 PROJECT: T2931S1,11,12.dwg  
DRAWN BY: CJR FILE: libbycrksubs.dwg

# CERTIFICATE OF SURVEY:

## BOUNDARY ADJUSTMENT

W 1/2 of Section 1, Twp. 29 N., R. 31 W., P.M.M. & SE 1/4 SW 1/4 of Section 36, Twp. 30 N., R. 31 W., P.M.M.

For: Libby Creek S & J, L.L.C.  
South Libby, L.L.C.

Date: March 2006

### DESCRIPTION OF PARCEL A

A tract of land near Libby, in Lincoln County Montana, lying in the W 1/2 of Section 1, Twp. 29 N., R. 31 W., P.M.M. containing 161.25 acres more or less and more particularly described as follows:

Beginning at a 3 1/4 inch dia. brass BLM monument which marks the W 1/4 corner of Section 1, Twp. 29 N., R. 31 W., P.M.M.; thence, S00°35'02"E 2651.28 feet along the west line of said Section 1, to a 3 1/4 inch dia. brass BLM monument which marks the south-west corner of said Section 1; thence, N89°42'47"E 2613.31 feet along the south line of said Section 1, to a 3 1/4 inch alum. monument stamped 5612-S and marks the S 1/4 corner of said Section 1; thence, N00°15'38"W 1324.82 feet to a 3 1/4 inch dia. alum. monument stamped 5612-S which marks the C-S 1/16th of said Section 1; thence, S89°43'50"W 1310.40 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S which marks the SW 1/16th of said Section 1; thence, N00°25'20"W 1325.22 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S which marks the C-W 1/16th of said Section 1; thence, S89°44'53"W 33.77 feet to a computed point located on the approximate centerline of Libby Creek; thence downstream the following thirteen (13) courses; N01°02'24"W 63.52 feet to a computed point; thence, N04°30'46"W 159.30 feet to a computed point; thence, N28°37'37"W 161.25 feet to a computed point; thence, N58°45'59"W 141.45 feet to a computed point; thence, N00°21'02"E 101.44 feet to a computed point; thence, N23°11'12"E 107.32 feet to a computed point; thence, N04°28'03"E 258.81 feet to a computed point; thence, N36°43'09"E 116.06 feet to a computed point; thence, N66°11'32"E 131.10 feet to a computed point; thence, S84°21'08"E 274.59 feet to a computed point; thence, N54°49'13"E 142.86 feet to a computed point; thence, N16°04'27"E 98.14 feet to a computed point; thence, N28°59'55"E 154.36 feet to a computed point; thence leaving said approximate centerline, S89°51'03"W 574.53 feet to a computed point which marks the NW 1/16th of said Section 1; thence, S89°51'03"W 1318.23 feet to a 5/8 inch dia. uncapped rebar which marks the N1/16th of said Section 1; thence, S00°32'00"E 1326.91 feet to the point of beginning.

The aforescribed Parcel A contains 161.25 acres more or less and is subject to and together with all appurtenant easements of record.

### DESCRIPTION OF PARCEL B

A tract of land near Libby, in Lincoln County Montana, lying in the W 1/2 of Section 1, Twp. 29 N., R. 31 W., P.M.M. and the SE 1/4 SW 1/4 of Section 36, Twp. 30 N., R. 31 W., P.M.M., containing 59.58 acres more or less and more particularly described as follows:

Beginning at an uncapped rebar which marks the C 1/4 corner of Section 1, Twp. 29 N., R. 31 W., P.M.M.; thence, S89°44'53"W 1280.37 feet to a computed point located on the approximate centerline of Libby Creek; thence downstream the following thirteen (13) courses; N01°02'24"W 63.52 feet to a computed point; thence, N04°30'46"W 159.30 feet to a computed point; thence, N28°37'37"W 161.25 feet to a computed point; thence, N58°45'59"W 141.45 feet to a computed point; thence, N00°21'02"E 101.44 feet to a computed point; thence, N23°11'12"E 107.32 feet to a computed point; thence, N04°28'03"E 258.81 feet to a computed point; thence, N36°43'09"E 116.06 feet to a computed point; thence, N66°11'32"E 131.10 feet to a computed point; thence, S84°21'08"E 274.59 feet to a computed point; thence, N54°49'13"E 142.86 feet to a computed point; thence, N16°04'27"E 98.14 feet to a computed point; thence, N28°59'55"E 154.36 feet to a computed point; thence leaving said approximate centerline, S89°51'03"W 574.53 feet to a computed point which marks the NW 1/16th of said Section 1; thence, N00°21'25"W 48.65 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S; thence, N20°06'51"E 475.47 feet to a 5/8 inch dia. uncapped rebar having a radial bearing of S70°47'59"E; thence on the arc of a non-tangent curve to the right, a distance of 246.86 feet, turning through a delta angle of 04°22'56", and having a radius of 3227.50 feet, to a 5/8 inch dia. rebar capped K.E.D. 4975-S having a radial bearing of S66°25'03"E; thence, on the arc of a curve to the right, a distance of 166.19 feet, turning through a delta angle of 43°16'53", and having a radius of 220.00 feet, to a 5/8 inch dia. rebar capped Goacher 7318-S; thence, N01°44'00"E 453.44 feet to a 5/8 inch dia. rebar capped J.R.S. 9958-S located on the north line of said Section 1; thence, N89°59'29"E 317.69 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S; thence, N24°27'19"E 725.91 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S; thence, S89°55'17"E 484.60 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S; thence, S00°03'43"W 660.00 feet to a 2 inch dia. brass cap which marks the N 1/4 of said Section 1; thence, S89°59'29"W 330.52 feet along the north line of said Section 1 to a 5/8 inch dia. rebar capped K.E.D. 4975-S; thence, S00°13'44"E 332.17 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S; thence, N89°58'27"E 308.15 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S; thence, S61°18'50"W 464.84 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S; thence, N83°26'10"W 255.00 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S; thence, S21°13'50"W 274.00 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S; thence, S44°11'10"E 225.00 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S; thence, S14°28'50"W 399.23 feet to a computed point; thence, S89°51'03"W a total distance of 399.16 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S; thence, S00°13'44"E 661.38 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S; thence, S00°13'44"E 330.69 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S; thence, N89°46'26"E 328.78 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S; thence, S00°11'10"E 330.54 feet to the point of beginning.

The aforescribed Parcel B contains 59.58 acres more or less and is subject to and together with all appurtenant easements of record.

### CERTIFICATE OF ADJUSTMENT/PURPOSE

I/we the undersigned property owner(s), do hereby certify that the purpose of this survey is to relocate a common boundary between adjoining lands outside a platted subdivision; therefore this survey is exempt from review as a subdivision being completed pursuant to Section 76-3-207(1)(a) M.C.A., which states:

"divisions made outside of a platted subdivision for the purpose of relocating common boundary lines between adjoining properties;" and 76-4-102(16) as parcels greater than 20 acres (exclusive of public roadways) and is therefore exempt from sanitation review by the D.E.Q. (Note: parcels less than 160 acres and greater than 20 acres may be subject to local sanitation review as per Montana Subdivision and Platting Act, Title 76, Chapter 3 M.C.A.)

Dated this 8 day of May, 2006 A.D.

*[Signature]*  
Libby Creek SJ, L.L.C. Member  
Title

*[Signature]*  
South Libby Member  
Title

STATE OF MONTANA  
County of Lincoln

On this 8<sup>th</sup> day of May, 2006 A.D. before me, a Notary Public in and for the State of Montana, Libby Creek S J, L.L.C. personally appeared known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

*[Signature]*  
Notary Public My Commission Expires 7/12/07

STATE OF MONTANA  
County of Lincoln

On this 8<sup>th</sup> day of May, 2006 A.D. before me, a Notary Public in and for the State of Montana, South Highway 2 L.L.C. personally appeared, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

*[Signature]*  
Notary Public My Commission Expires 7/12/07

### CERTIFICATE OF SURVEYOR

STATE OF MONTANA  
County of Lincoln

I Kenneth E. Davis, do hereby certify that I have performed the survey shown on the attached plat or that such a survey was performed under my direct supervision to my best knowledge and ability; that said survey is true and complete as shown and the monuments found and set occupy the position shown hereon.

Dated this 5 day of May, 2006 A.D.

*[Signature]*  
Kenneth E. Davis Registered Land Surveyor No. 4975-S

### TREASURER CERTIFICATION

I hereby certify that all real property taxes and special assessments assessed and levied on the land to be divided have been paid. Dated this 8<sup>th</sup> day of May, 2006

*[Signature]*  
Treasurer Lincoln County Montana

### CERTIFICATION OF EXAMINING LAND SURVEYOR:

Approved this 26 day of April, 2006 A.D.

*[Signature]*  
County Examiner Registered Land Surveyor No. 14731 P.S.

STATE OF MONTANA  
COUNTY OF LINCOLN

Filed on this 3<sup>rd</sup> day of May, 2006 A.D. at 3:20 O'clock P.M.

*[Signature]* by *[Signature]*  
County Clerk and Recorder Deputy

*[Handwritten]*  
Davis  
5/5/06  
4975-S

Davis Surveying Inc.

TROY MONTANA, (406)295-5441

DATE: 02/20/06 PROJECT: T2931S1,11,12.dwg  
DRAWN BY: CJR FILE: libbycrksubs.dwg