

# LEGAL DESCRIPTION - TRACT "A"

An irregular tract of land lying southeasterly from Libby, Montana, Lincoln County and in the NW1/4 NE1/4, Section 31, T.29N., R.30W., P.M., MT., containing 1.585 acres and more particularly described as follows:

Commencing at the northeast one-sixteenth corner, Section 31, T.29N., R.30W., a 5/8 inch diameter rebar with plastic cap marked 7322LS; Thence S89°58'15"W, 479.19 feet along an east-west 1/16th subdivisional line to a 5/8 inch diameter rebar with plastic cap marked 7322LS, being a point on curve along the westerly right-of-way limits of a 80 foot wide county road known as Champion Road, a radial bearing being N58°28'48"W; Thence along said right-of-way limits through a 676.20 foot radius curve to the left, a delta angle of 23°08'37", an arc length of 273.14 feet to a 5/8 inch diameter rebar with plastic cap marked 7322LS; Thence leaving said right-of-way limits, S88°15'39"W, 106.31 feet to a 5/8 inch diameter rebar with plastic cap marked 7322LS; Thence S76°59'32"W, 239.84 feet to a 5/8 inch diameter rebar with plastic cap marked 7322LS; Thence S03°10'57"E, 198.22 feet to a 5/8 inch diameter rebar with plastic cap marked 7322LS lying along an east-west 1/16th subdivisional line; Thence along said subdivisional line N89°58'15"E, 236.39 feet to the TRUE POINT OF BEGINNING, containing 1.585 acres.

Subject to and together with all appurtenant easements of record.

# LEGAL DESCRIPTION - TRACT "B"

An irregular tract of land lying southeasterly from Libby, Montana, Lincoln County and in the NW1/4 NE1/4, Section 31, T.29N., R.30W., P.M., MT., containing 13.404 acres and more particularly described as follows:

Commencing at the north one-quarter corner, Section 31, a 3 1/4 inch diameter BLM brass capped monument; Thence S89°56'45"E, 329.28 feet along the northerly section line, Section 31, T.29N., R.30W., P.M., MT., to a 5/8 inch diameter rebar with plastic cap marked 7322LS and the TRUE POINT OF BEGINNING; Thence along said right-of-way limits S06°56'00"E, 40.30 feet to a 5/8 inch diameter rebar with plastic cap marked 7322LS; Thence continuing S06°56'00"E, 1294.46 feet to a 5/8 inch diameter rebar with plastic cap marked 7322LS lying at the intersection with a east-west 1/16th subdivisional line; Thence leaving said right-of-way limits along said subdivisional line N89°58'15"E, 121.00 feet along said subdivisional line to a 5/8 inch diameter rebar with plastic cap marked 7322LS; Thence leaving said subdivisional line N03°10'57"W, 198.22 feet to a 5/8 inch diameter rebar with plastic cap marked 7322LS; Thence N76°59'32"E, 239.84 feet to a 5/8 inch diameter rebar with plastic cap marked 7322LS; Thence N88°15'39"E, 106.31 feet to a 5/8 inch diameter rebar with plastic cap marked 7322LS being a point on curve and lying on the westerly right-of-way limits of a 80 foot wide county road known as "Champion Road"; Thence along said right-of-way limits through a 676.20 foot radius curve to the left, a delta angle of 11°37'43", an arc length of 137.24 feet to a 5/8 inch diameter rebar with plastic cap marked 7322LS and the point of tangency; Thence N03°12'06"W, 893.80 feet to a 5/8 inch diameter rebar with plastic cap marked 7322LS lying along the southerly limits of a 40 foot wide "Reserved Road" as shown on Plat No. 904 and recorded in Book 135, Page 431, Lincoln County records; Thence along said southerly limits S89°56'45"E, 562.41 feet to a 5/8 inch diameter rebar with plastic cap marked 7322LS lying on the the easterly right-of-way limits of U. S. Highway No. 2 and the TRUE POINT OF BEGINNING, containing 13.404 acres.

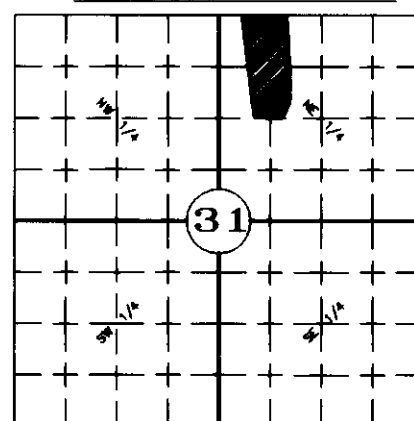
Subject To and together with all appurtenant easements of record.

## LEGEND

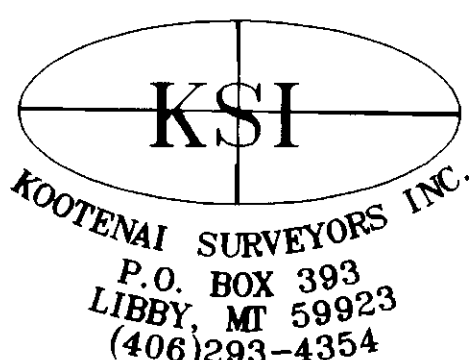
- FOUND ONE-QUARTER CORNER, A 3 1/4 INCH DIAMETER BLM BRASS CAPPED MONUMENT
- FOUND A 3 1/4 INCH DIAMETER USFS ALUMINUM CAPPED MONUMENT MARKED 5612S
- ⊙ FOUND 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED HUGHES 7322LS
- FOUND A 1 INCH T-BAR WITH CHROME CAP
- SET A 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED HUGHES, 7322LS
- UNMARKED COMPUTED POINT

- { } COS NO. 1442
- ( ) COS NO. 843
- < > COS NO. 3479ME
- [ ] PLAT NO. 1107
- [ ] PLAT NO. 904
- [ ] Book 135, Page 431
- BOUNDARY LINES THIS SURVEY

## VICINITY DIAGRAM



SECTION 31



# CERTIFICATE OF SURVEY

NW1/4 NE1/4, SECTION 31, T.29N., R.30W., P.M., MT.

LINCOLN COUNTY, MONTANA

FOR: HARRY BEEBE DATE: MARCH 2006

COURT ORDER NO. DV-06-55

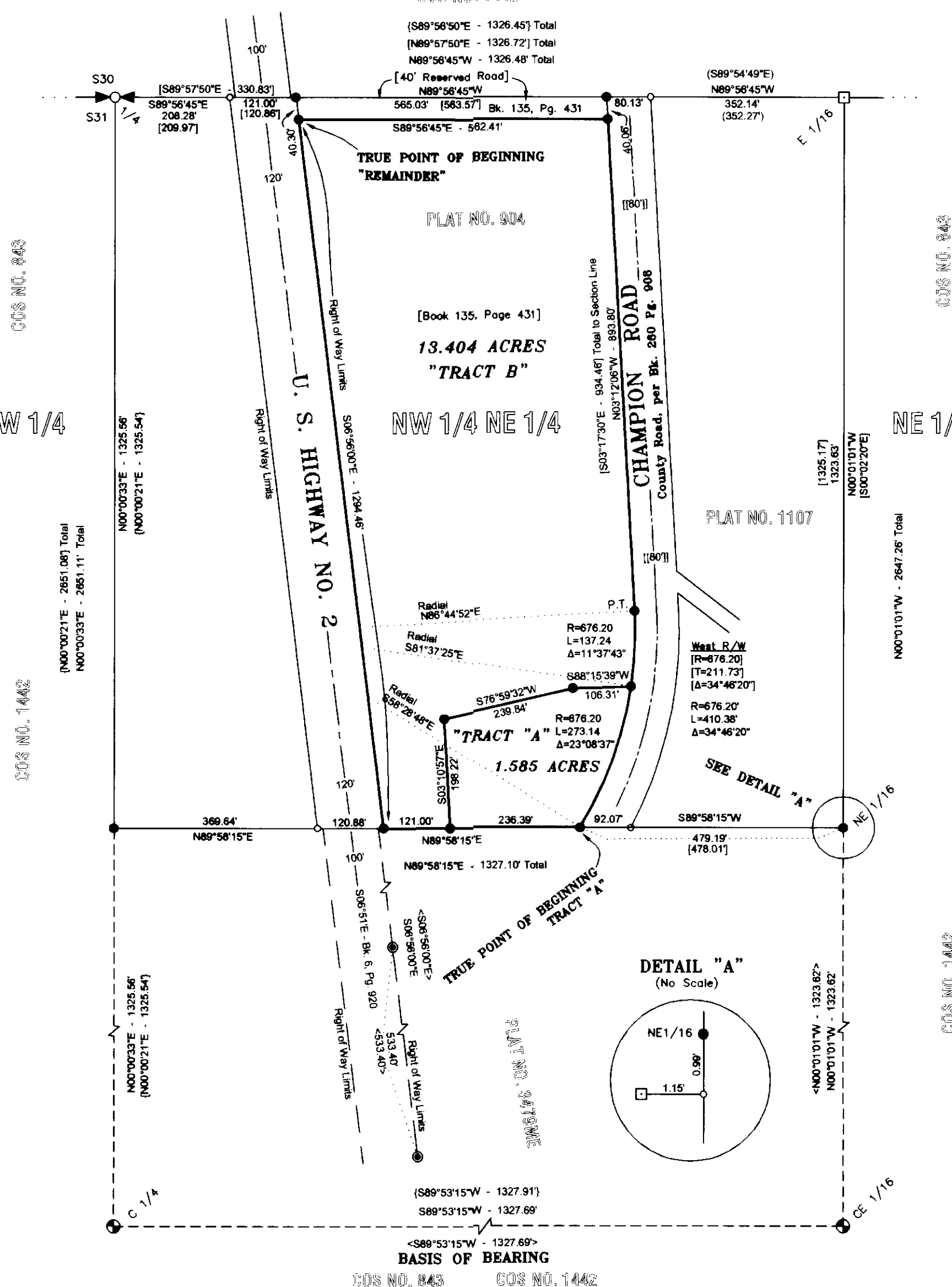
## GRAPHIC SCALE



( IN FEET )

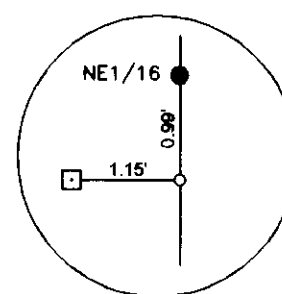
1 inch = 200 ft.

COS NO. 1442



## DETAIL "A"

(No Scale)



BASEIS OF BEARING

COS NO. 843 COS NO. 1442

## PURPOSE OF SURVEY AND OWNER'S CERTIFICATION

We, Mark R. Morain and Charlotte A. Morain, owners of record hereby certify that the purpose of this survey and division of land is by order of a court and is therefore exempt from review as a subdivision pursuant to 76-3-201(1)(a); and furthermore is exempt from Department of Environmental Quality review pursuant to ARM 17.36.605(1)(a); divisions created by order of any court of record in this state or by operation of law, or divisions which, in the absence of agreement between the parties to the sale, could be created by an order of any court in this state pursuant to the law of eminent domain, Title 70, Chapter 30, Parts 1, 2 and 3, MCA.

Mark R. Morain

Date

7/10/06

Charlotte A. Morain

Date

7-10-06

## ACKNOWLEDGMENT

The foregoing Exemptions were subscribed and acknowledge before me,

a Notary Public for the State of Montana

County of Lincoln, by the above named person(s), on this 10

day of July, 2006 In witness whereof, I have hereunto set

my hand and affixed my notarial seal.

Notary Public for the State of Montana  
residing in Libby My Commission expires: Dec 1, 2009

## METHOD OF SURVEY

A total station and data collector was used with closed traverse procedures to tie the previously set controlling corners by Kelly Rooney, March 2006.

## HISTORY OF SURVEY

- 1963 - Plat No. 1107 & 904, Correction Plats, R. F. Burdick, 649S
- 1980 - COS No. 843, Retracement Survey, D. K. Marquardt, 2989ES
- 1986 - COS No. 1442, Dependent Resurvey & Section Subdivision, T. Hill, 5612S
- 2005 - COS No. 3479ME, Mortgage Survey, A. F. Hughes, 7322LS

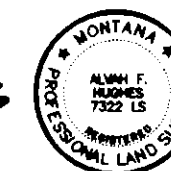
## BASIS OF BEARING

The Basis of Bearing for this survey is N89°53'15"E, between the Center one-quarter corner and the Center-east one-sixteenth corner, Section 31, both 3 1/4 inch diameter USFS aluminum capped monuments marked 5612S, as shown on Certificate of Survey No. 1442.

## 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, PLS, 7322LS Date: 7/2/06



## EXAMINING LAND SURVEYOR'S CERTIFICATION

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

Examining Land Surveyor

## CLERK AND RECORDER'S CERTIFICATION

State of Montana, County of Lincoln, filed this 12 day

of June, 2006, A.D. at 10:10 o'clock A.M. by Paul A. Commey, Lincoln County Clerk & Recorder, Deputy

CERTIFICATE OF SURVEY NO. 256/CO

Offident P.R. 8693 Doc 195725