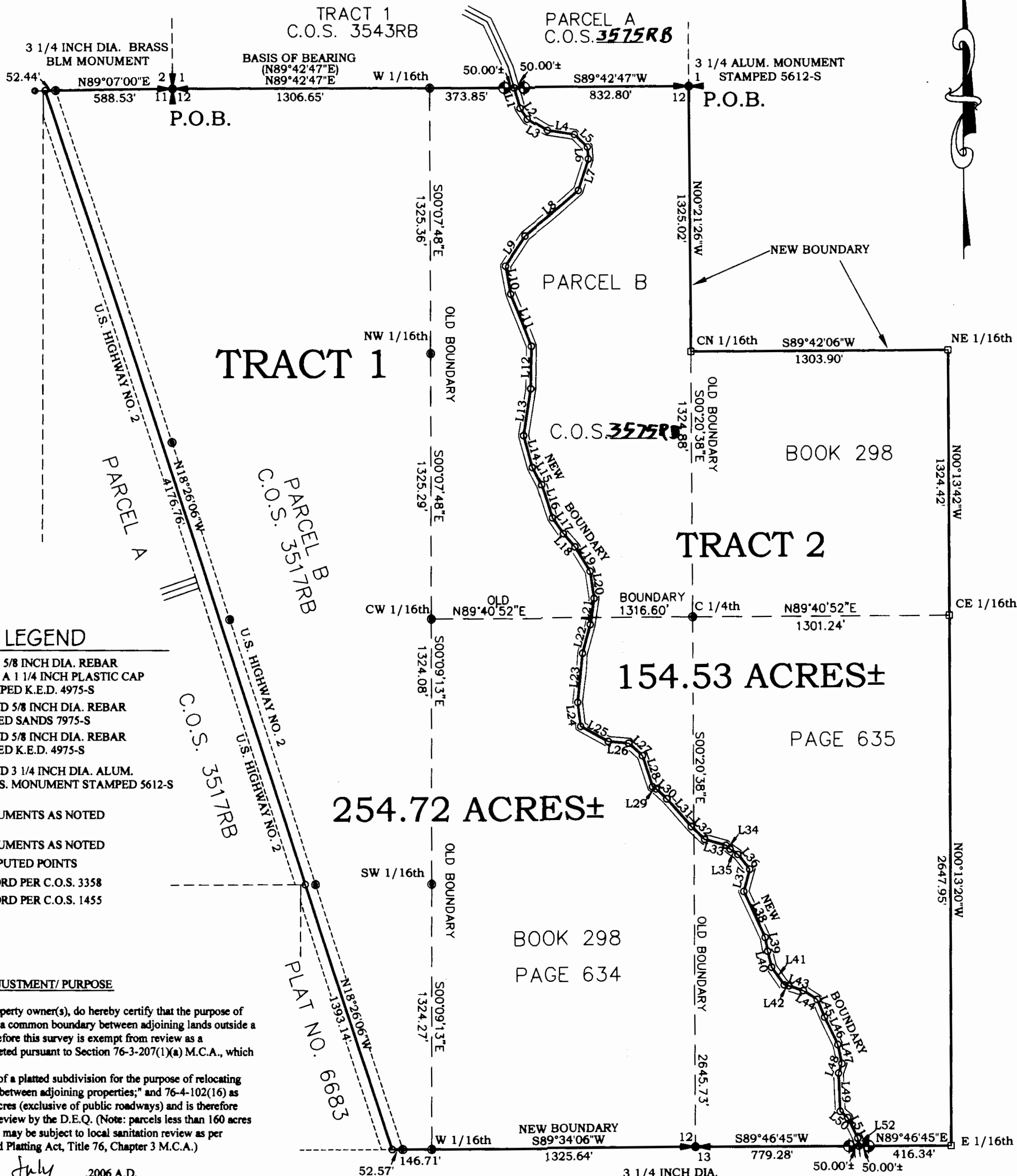


# CERTIFICATE OF SURVEY: BOUNDARY ADJUSTMENT

NE 1/4 of Section 11 & Section 12, Twp. 29 N., R. 31 W., P.M.M.

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

Date: June 2006



## LEGEND

- SET A 5/8 INCH DIA. REBAR WITH A 1/4 INCH PLASTIC CAP STAMPED K.E.D. 4975-S
- FOUND 5/8 INCH DIA. REBAR CAPPED SANDS 7975-S
- FOUND 5/8 INCH DIA. REBAR CAPPED K.E.D. 4975-S
- FOUND 3 1/4 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

## 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 12<sup>th</sup> day of July, 2006 A.D.

Libby Creek S & J, L.L.C. and South Libby, L.L.C.  
Title Title

STATE OF MONTANA  
County of Lincoln

On this 12<sup>th</sup> day of July, 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.

Notary Public My Commission Expires 12/08/08

STATE OF MONTANA  
County of Lincoln

On this 12<sup>th</sup> day of July, 2006 A.D. before me, a Notary Public in and for the State of Montana, South Libby, 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.

Notary Public My Commission Expires 12/08/2008

Davis Surveying Inc.

TROY MONTANA, (406)295-5441

DATE: 06/23/06

PROJECT: T2931S1,11,12.dwg

DRAWN BY: CJR

FILE: libbycrksubs.dwg

## Graphic Scale



1 inch = 400 ft.

## 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 12<sup>th</sup> day of July, 2006

Treasurer Lincoln County Montana

SHT 1 OF 2

## 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 correct and that the monuments found and set occupy the position shown hereon.

Dated this 12<sup>th</sup> day of July, 2006 A.D.

Registered Land Surveyor No. 4975-S

## CERTIFICATION OF EXAMINING LAND SURVEYOR:

Approved this 11 day of July, 2006 A.D.

County Examiner Registered Land Surveyor No. 14731PLS

STATE OF MONTANA  
COUNTY OF LINCOLN

Filed on this 12<sup>th</sup> day of August, 2006 A.D. at 2:20 O'clock P.M.

County Clerk and Recorder Deputy

CERTIFICATE OF SURVEY NO. 3576RB

DO NOT WRITE

CERTIFICATE OF SURVEY:  
BOUNDARY ADJUSTMENT

NE 1/4 of Section 11 & Section 12, Twp. 29 N., R. 31 W., P.M.M.  
For: Libby Creek S & J, L.L.C.      Date: June 2006  
South Libby, L.L.C.

DESCRIPTION OF TRACT 1

A tract of land near Libby, in Lincoln County Montana, lying in the NE 1/4 of Section 11 and Section 12, both of Twp. 29 N., R. 31 W., P.M.M. containing 254.72 acres more or less and more particularly described as follows:

Beginning at a 3 1/4 inch dia. brass BLM monument which marks the common corner to Sections 1, 2, 11, and 12, all of Twp. 29 N., R. 31 W., P.M.M., thence, N89°42'47"E 1306.65 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S which marks the W 1/16th of Section 12; thence continuing, N89°42'47"E 373.85 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S; thence continuing, N89°42'47"E 50.00± feet to a computed point located on the approximate centerline of Libby Creek; thence upstream, along said approximate centerline the following fifty-two (52) courses; S16°25'52"E 106.37 feet to a computed point; thence, S33°29'41"E 65.35 feet to a computed point; thence, S58°58'04"E 116.07 feet to a computed point; thence, S81°35'47"E 140.66 feet to a computed point; thence, S46°43'34"E 92.26 feet to a computed point; thence, S04°56'09"E 59.79 feet to a computed point; thence, S18°10'24"W 165.44 feet to a computed point; thence, S50°29'37"W 352.79 feet to a computed point; thence, S33°22'18"W 180.78 feet to a computed point; thence, S10°50'09"E 141.71 feet to a computed point; thence, S22°03'10"E 278.96 feet to a computed point; thence, S00°53'41"W 212.56 feet to a computed point; thence, S09°01'34"W 236.84 feet to a computed point; thence, S15°30'58"E 165.07 feet to a computed point; thence, S27°51'40"E 101.94 feet to a computed point; thence, S17°49'44"E 174.92 feet to a computed point; thence, S35°19'58"E 96.82 feet to a computed point; thence, S42°20'53"E 89.57 feet to a computed point; thence, S32°50'13"E 144.08 feet to a computed point; thence, S08°42'17"E 136.43 feet to a computed point; thence, S08°37'01"W 131.49 feet to a computed point; thence, S15°32'01"W 149.06 feet to a computed point; thence, S05°55'18"W 245.88 feet to a computed point; thence, S07°21'03"E 120.93 feet to a computed point; thence, S61°22'22"E 159.08 feet to a computed point; thence, S85°04'32"E 101.82 feet to a computed point; thence, S47°14'12"E 92.61 feet to a computed point; thence, S18°31'06"E 162.96 feet to a computed point; thence, S58°03'15"E 20.90 feet to a computed point; thence, S47°39'28"E 73.45 feet to a computed point; thence, S41°37'32"E 185.37 feet to a computed point; thence, S47°03'42"E 94.04 feet to a computed point; thence, S74°48'51"E 113.34 feet to a computed point; thence, S47°26'17"E 27.85 feet to a computed point; thence, S56°13'57"E 47.39 feet to a computed point; thence, S38°49'31"E 94.69 feet to a computed point; thence, S14°47'57"E 115.06 feet to a computed point; thence, S25°16'41"E 253.08 feet to a computed point; thence, S10°22'41"E 70.22 feet to a computed point; thence, S14°05'10"E 81.98 feet to a computed point; thence, S36°02'25"E 109.24 feet to a computed point; thence, S78°14'41"E 23.28 feet to a computed point; thence, S71°57'00"E 77.61 feet to a computed point; thence, S57°46'34"E 82.83 feet to a computed point; thence, S22°50'50"E 96.79 feet to a computed point; thence, S26°15'35"E 152.93 feet to a computed point; thence, S12°22'52"E 96.86 feet to a computed point; thence, S19°48'08"W 50.51 feet to a computed point; thence, S02°37'46"E 191.23 feet to a computed point; thence, S50°43'48"E 49.45 feet to a computed point; thence, S26°44'17"E 114.28 feet to a computed point; thence, S07°47'39"E 39.91 feet to a computed point located on the south line of said Section 12; thence leaving said approximate Libby Creek centerline, along the south line of said Section 12, S89°46'45"W 50.00 ± feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S; thence continuing, S89°46'45"W 779.28 feet to a 3 1/4 inch dia. brass BLM cap which marks the S 1/4 corner of said Section 12; thence continuing along the south line of said Section 12, S89°34'06"W 1325.64 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S marking the W 1/16th of said Section 12; thence continuing, S89°34'06"W 146.71 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S located on the east right of way of U.S. Highway No. 2; thence continuing, S89°34'06"W 52.57 feet to a computed point located on the centerline of said U.S. Highway No. 2; thence along said centerline, N18°26'06"W 1393.14 feet to a computed point; thence continuing, N18°26'06"W 4176.76 feet to a computed point; thence leaving said centerline, N89°07'00"E 52.44 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S located on the east right of way of said U.S. Highway No. 2; thence continuing, N89°07'00"E 588.53 feet to the point of beginning.

The aforescribed Tract 1 contains 254.72 acres more or less and is subject to and together with all appurtenant easements of record.

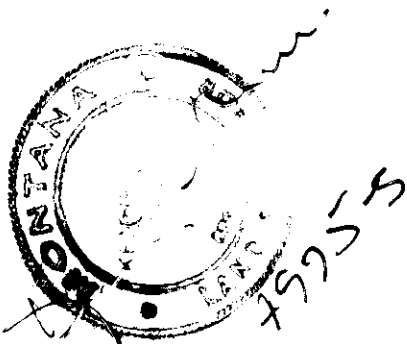
DESCRIPTION OF TRACT 2

A tract of land near Libby, in Lincoln County Montana, lying in Section 12, Twp. 29 N., R. 31 W., P.M.M. containing 154.53 acres more or less and more particularly described as follows:

Beginning at a 3 1/4 inch dia. alum. cap stamped 5612-S which marks the N1/4 corner of Section 12, Twp. 29 N., R. 31 W., P.M.M.; thence, S89°42'47"W 832.80 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S; thence continuing, S89°42'47"W 50.00± feet to a computed point located on the approximate centerline of Libby Creek; thence upstream, along said approximate centerline the following fifty-two (52) courses; S16°25'52"E 106.37 feet to a computed point; thence, S33°29'41"E 65.35 feet to a computed point; thence, S58°58'04"E 116.07 feet to a computed point; thence, S81°35'47"E 140.66 feet to a computed point; thence, S46°43'34"E 92.26 feet to a computed point; thence, S04°56'09"E 59.79 feet to a computed point; thence, S18°10'24"W 165.44 feet to a computed point; thence, S50°29'37"W 352.79 feet to a computed point; thence, S33°22'18"W 180.78 feet to a computed point; thence, S10°50'09"E 141.71 feet to a computed point; thence, S22°03'10"E 278.96 feet to a computed point; thence, S00°53'41"W 212.56 feet to a computed point; thence, S09°01'34"W 236.84 feet to a computed point; thence, S15°30'58"E 165.07 feet to a computed point; thence, S27°51'40"E 101.94 feet to a computed point; thence, S17°49'44"E 174.92 feet to a computed point; thence, S35°19'58"E 96.82 feet to a computed point; thence, S42°20'53"E 89.57 feet to a computed point; thence, S32°50'13"E 144.08 feet to a computed point; thence, S08°42'17"E 136.43 feet to a computed point; thence, S08°37'01"W 131.49 feet to a computed point; thence, S15°32'01"W 149.06 feet to a computed point; thence, S05°55'18"W 245.88 feet to a computed point; thence, S07°21'03"E 120.93 feet to a computed point; thence, S61°22'22"E 159.08 feet to a computed point; thence, S85°04'32"E 101.82 feet to a computed point; thence, S47°14'12"E 92.61 feet to a computed point; thence, S18°31'06"E 162.96 feet to a computed point; thence, S58°03'15"E 20.90 feet to a computed point; thence, S47°39'28"E 73.45 feet to a computed point; thence, S41°37'32"E 185.37 feet to a computed point; thence, S47°03'42"E 94.04 feet to a computed point; thence, S74°48'51"E 113.34 feet to a computed point; thence, S47°26'17"E 27.85 feet to a computed point; thence, S56°13'57"E 47.39 feet to a computed point; thence, S38°49'31"E 94.69 feet to a computed point; thence, S14°47'57"E 115.06 feet to a computed point; thence, S25°16'41"E 253.08 feet to a computed point; thence, S10°22'41"E 70.22 feet to a computed point; thence, S14°05'10"E 81.98 feet to a computed point; thence, S36°02'25"E 109.24 feet to a computed point; thence, S78°14'41"E 23.28 feet to a computed point; thence, S71°57'00"E 77.61 feet to a computed point; thence, S57°46'34"E 82.83 feet to a computed point; thence, S22°50'50"E 96.79 feet to a computed point; thence, S26°15'35"E 152.93 feet to a computed point; thence, S12°22'52"E 96.86 feet to a computed point; thence, S19°48'08"W 50.51 feet to a computed point; thence, S02°37'46"E 191.23 feet to a computed point; thence, S50°43'48"E 49.45 feet to a computed point; thence, S26°44'17"E 114.28 feet to a computed point; thence, S07°47'39"E 39.91 feet to a computed point located on the south line of said Section 12; thence leaving said approximate Libby Creek centerline, along the south line of said Section 12, N89°46'45"E 50.00 ± feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S; thence continuing, N89°46'45"E 416.34 feet to a 3 1/4 inch dia. alum. cap stamped 5612-S which marks the E 1/16th of said Section 12; thence, N00°13'20"W 2647.95 feet to a 3 1/4 inch dia. alum. cap stamped 5612-S which marks the CE 1/16th of said Section 12; thence, S89°42'06"W 1303.90 feet to a 3 1/4 inch dia. alum. cap stamped 5612-S which marks the CN 1/16th of said Section 12; thence, N00°21'26"W 1325.02 feet to the point of beginning.

The aforescribed Tract 2 contains 154.53 acres more or less and is subject to and together with all appurtenant easements of record.

LINE TABLE		
LINE	LENGTH	BEARING
L1	106.37	S16°25'52"E
L2	65.35	S33°29'41"E
L3	116.07	S58°58'04"E
L4	140.66	S81°35'47"E
L5	92.26	S46°43'34"E
L6	59.79	S04°56'09"E
L7	165.44	S18°10'24"W
L8	352.79	S50°29'37"W
L9	180.78	S33°22'18"W
L10	141.71	S10°50'09"E
L11	278.96	S22°03'10"E
L12	212.56	S00°53'41"W
L13	236.84	S09°01'34"W
L14	165.07	S15°30'58"E
L15	101.94	S27°51'40"E
L16	174.92	S17°49'44"E
L17	96.82	S35°19'58"E
L18	89.57	S42°20'53"E
L19	144.08	S32°50'13"E
L20	136.43	S08°42'17"E
L21	131.49	S08°37'01"W
L22	149.06	S15°32'01"W
L23	245.88	S05°55'18"W
L24	120.93	S07°21'03"E
L25	159.08	S61°22'22"E
L26	101.82	S85°04'32"E
L27	92.61	S47°14'12"E
L28	162.96	S18°31'06"E
L29	20.90	S58°03'15"E
L30	73.45	S47°39'28"E
L31	185.37	S41°37'32"E
L32	94.04	S47°03'42"E
L33	113.34	S74°48'51"E
L34	27.85	S47°26'17"E
L35	47.39	S56°13'57"E
L36	94.69	S38°49'31"E
L37	115.06	S14°47'57"W
L38	253.08	S25°16'41"E
L39	70.22	S10°22'41"E
L40	81.98	S14°05'10"E
L41	109.24	S36°02'25"E
L42	23.28	S78°14'41"E
L43	77.61	S71°57'00"E
L44	82.83	S57°46'34"E
L45	96.79	S22°50'50"E
L46	152.93	S26°15'35"E
L47	96.86	S12°22'52"E
L48	50.51	S19°48'08"W
L49	191.23	S02°37'46"E
L50	49.45	S50°43'48"E
L51	114.28	S26°44'17"E
L52	39.91	S07°47'39"E



Davis Surveying Inc.	
TROY MONTANA, (406)295-5441	
DATE: 06/23/06	PROJECT: T2931S1,11,12.dwg
DRAWN BY: CJR	FILE: libbycrksubs.dwg