

DESCRIPTION OF TRACT 1

A tract of land near Libby, in Lincoln County Montana, lying in the SW 1/4 SE 1/4 of Section 25, the SE 1/4 SW 1/4 of Section 25, and the NW 1/4 NE 1/4 of the NE 1/4 NW 1/4 of Section 36, Twp. 31 N., R. 31 W., P.M.M., containing 7.18 acres more or less and more particularly described as follows:

Beginning at a 4 inch square highway right of way monument located on the south right of way line of Montana State Highway No. 37, which also marks the northeast corner of Parcel C per C.O.S. 1118; thence on a radial bearing of S20°39'10"W 71.49 feet to a 5/8 inch dia. rebar capped MDL 4232-S located on the north bank of the Kootenai River; thence along said north bank, N63°27'30"E 130.67 feet to a computed point; thence, S90°00'00"E 170.00 feet to a computed point; thence, S83°45'00"E 605.40 feet to a computed point; thence, S79°38'00"E 287.60 feet to a computed point; thence, S85°55'00"E 94.72 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S; thence leaving said north bank, N10°09'18"W 473.43 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S located on the south right of way line of said Montana State Highway No. 37 and having a radial bearing of N16°14'02"W; thence along said south right of way line on the arc of a curve to the right, a distance of 80.31 feet, turning through a delta angle of 01°34'04", and having a radius of 2934.79 feet to a bare 5/8 inch dia. rebar; thence, N14°39'58"W 20.00 feet to a bare 5/8 inch dia. rebar; thence, S75°20'02"W 878.94 feet to a 4 inch square right of way monument; thence on the arc of a curve to the left, a distance of 296.20 feet, turning through a delta angle of 05°59'12" and having a radius of 2834.29 feet to a 5/8 inch dia. rebar capped MDL 4232-S; thence on a radial bearing of S20°39'10"W 20.00 feet to the point of beginning. Together with any and all land lying between the previously described north bank of the Kootenai River and the low water line as approximately shown hereon.

The aforescribed Tract 1 contains 7.18 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 the SW 1/4 SE 1/4 of Section 25, and the NW 1/4 NE 1/4 of Section 36, both of Twp. 31 N., R. 31 W., P.M.M., containing 2.12 acres more or less and more particularly described as follows:

Beginning at a 5/8 inch dia. rebar capped K.E.D. 4975-S located on the north bank of the Kootenai River and which bears S42°29'13"W 360.99 feet from a 1/2 inch pipe by MDL 4232-S which marks the E 1/16th of Section 25, Twp. 31 N., R. 31 W., P.M.M. thence along said north bank S86°12'30"W 124.26 feet to a computed point; thence, N85°55'00"W 161.28 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S; thence leaving said north bank, N10°09'18"W 473.43 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S located on the south right of way line of Montana State Highway No. 37 and having a radial bearing of N16°14'02"; thence on the arc of a curve to the left, a distance of 132.99 feet, turning through a delta angle of 02°35'47", and having a radius of 2934.79 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S; thence leaving said south right of way line, S15°54'38"E 315.58 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S; thence, S39°59'03"E 164.83 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S; thence, N55°04'10"E 14.13 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S; thence, S33°00'14"E 55.85 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S; thence, S09°52'19"E 41.41 feet to the point of beginning. Together with any and all land lying between the previously described north bank of the Kootenai River and the low water line as approximately shown hereon.

The aforescribed Tract 2 contains 2.12 acres more or less and is subject to and together with all appurtenant easements of record.

DESCRIPTION OF TRACT 3

A tract of land near Libby, in Lincoln County Montana, lying in the SW 1/4 SE 1/4 of Section 25, and the NW 1/4 NE 1/4 of Section 36, both of Twp. 31 N., R. 31 W., P.M.M., containing 5.63 acres more or less and more particularly described as follows:

Beginning at a 1/2 inch pipe by MDL 4232-S which marks the E 1/16th of Section 25, Twp. 31 N., R. 31 W., P.M.M. thence, N00°24'20"E 461.32 feet to a 5/8 inch dia. rebar capped MDL 4232-S and located on the south right of way line of Montana State Highway No. 37, and having a radial bearing of N29°17'31"W; thence on the arc of a curve to the right, a distance of 535.87 feet, turning through a delta angle of 10°27'42", and having a radius of 2934.79 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S having a radial bearing of N18°49'49"W; thence leaving said south right of way, S15°54'38"E 315.58 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S; thence, S39°59'03"E 164.83 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S; thence, N55°04'10"E 14.13 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S; thence, S33°00'14"E 55.85 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S; thence, S09°52'19"E 41.41 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S located on the north bank of the Kootenai River; thence along said north bank, N86°12'30"E 244.14 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S; thence, N00°03'00"E 250.06 feet to the point of beginning. Together with any and all land lying between the previously described north bank of the Kootenai River and the low water line as approximately shown hereon.

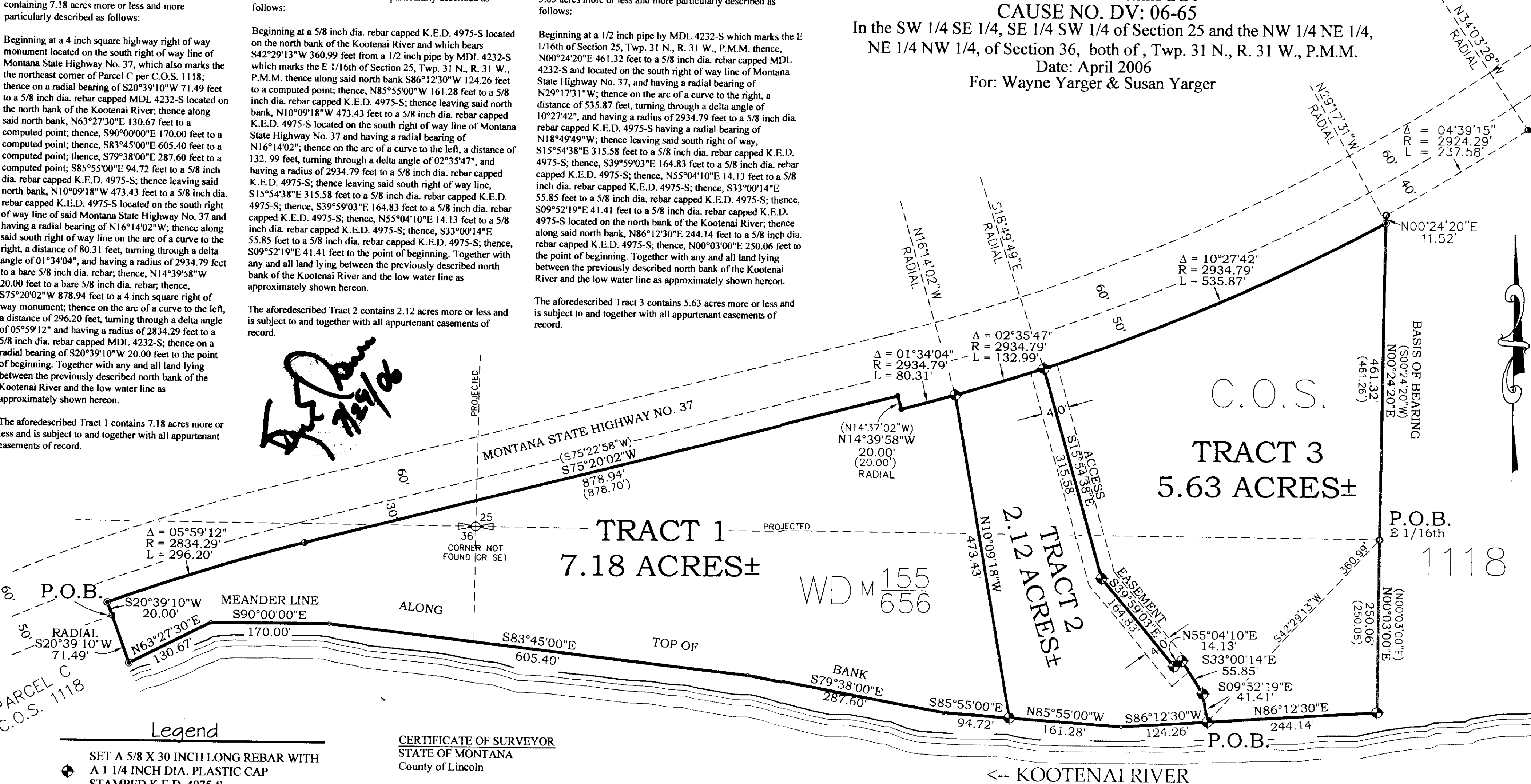
The aforescribed Tract 3 contains 5.63 acres more or less and is subject to and together with all appurtenant easements of record.

CERTIFICATE OF SURVEY: COURT EXHIBIT: CAUSE NO. DV: 06-65

In the SW 1/4 SE 1/4, SE 1/4 SW 1/4 of Section 25 and the NW 1/4 NE 1/4, NE 1/4 NW 1/4, of Section 36, both of, Twp. 31 N., R. 31 W., P.M.M.

Date: April 2006

For: Wayne Yarger & Susan Yarger



PURPOSE OF SURVEY

The purpose of this survey is to create a tract of land by order of the court, therefore this survey is exempt from review being completed pursuant to Section 76-3-201(1)(a) M.C.A.

Which states: "is created by order of any court of record in this state or by operation of law, 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;"

CERTIFICATION OF EXAMINING LAND SURVEYOR:

Approved this 19 day of July, 2006 A.D.

County Examiner Registered Land Surveyor No. 14731 PLS
STATE OF MONTANA
COUNTY OF LINCOLN

Filed on this 23 day of August, 2006 A.D. at 1:15 O'clock P.m.

County Clerk and Recorder by Jessie Davis Deputy

CERTIFICATE OF SURVEY NO. 357760

Doc# 796347

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

DATE: 04/23/06
DRAWN BY: C.J.R.
Land Projects 2005
FILE: t313136.dwg