

# CERTIFICATE OF SURVEY: BOUNDARY ADJUSTMENT

In Gov't Lot 1 of Section 33, Twp. 31 N., R. 31 W., P.M.M.  
For: Jacoby Development LLC & Timothy D. & Joanne Candler Linehan

Date: August 2006

### 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;"

Dated this 16<sup>th</sup> day of August, 2006 A.D.

*David O. Jacoby*, member  
Jacoby Development LLC Title

*Timothy D. Linehan*  
Timothy D. Linehan

*Joanne Candler Linehan*  
Joanne Candler Linehan

STATE OF MONTANA  
County of Lincoln

On this 16<sup>th</sup> day of August, 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.

*L Diane Smith*  
Notary Public # 399 871 My Commission Expires Jan 22, 2009

STATE OF MONTANA  
County of Lincoln

On this 19<sup>th</sup> day of August, 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.

*Christina M. [Signature]*  
Notary Public My Commission Expires Dec 30, 2007

### 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 in detail.

Dated this 9<sup>th</sup> day of August, 2006 A.D.  
*Kenneth E. Davis*  
Registered Land Surveyor No. 4975-S

### CERTIFICATION OF EXAMINING LAND SURVEYOR:

Approved this 9<sup>th</sup> day of August, 2006 A.D.

*[Signature]*  
County Examiner Registered Land Surveyor No. 4731/25

### 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 9<sup>th</sup> day of August, 2006.

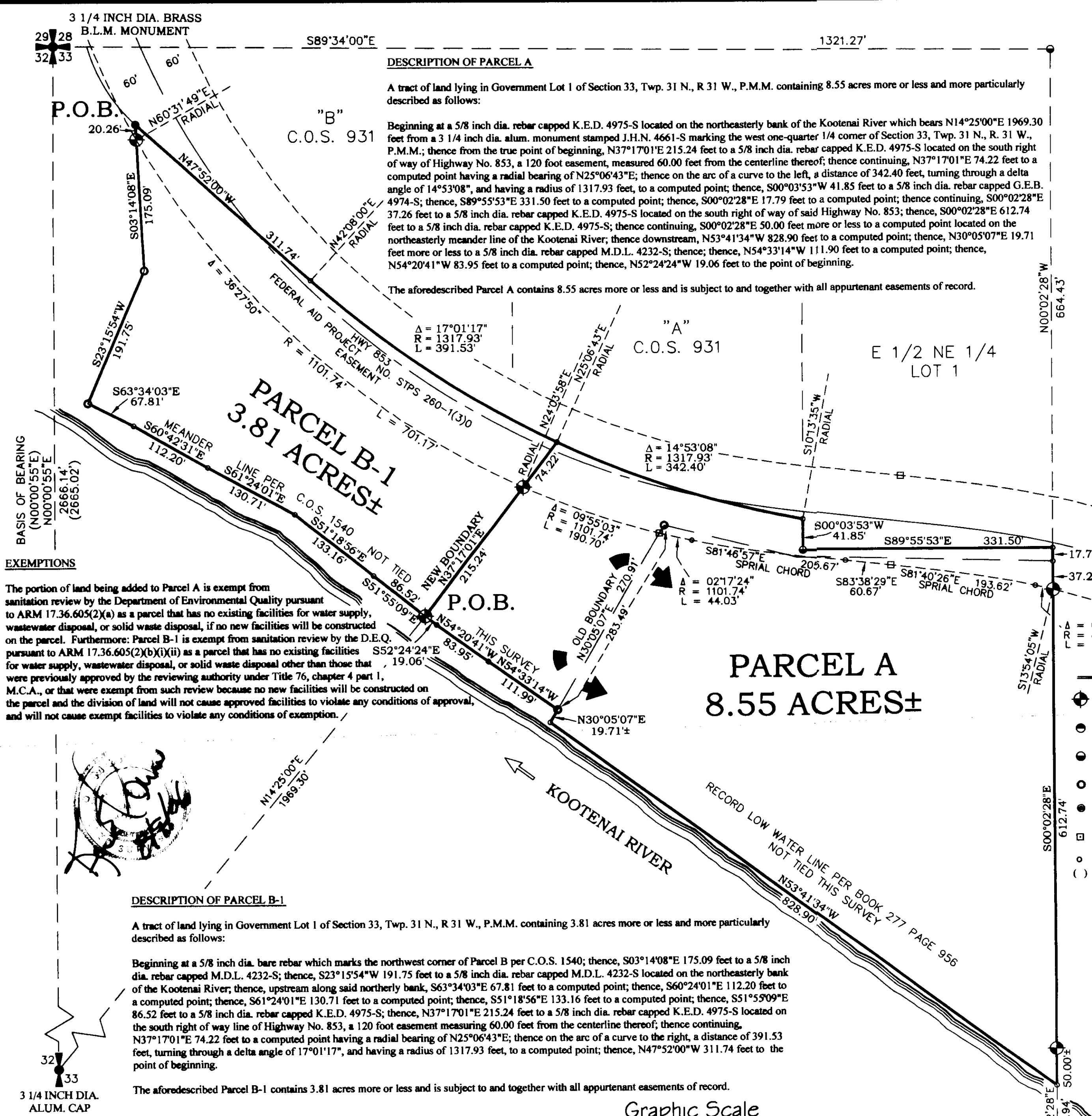
*[Signature]*  
Treasurer Lincoln County

STATE OF MONTANA  
COUNTY OF LINCOLN

Filed on this 11<sup>th</sup> day of September, 2006 A.D. at 9:15 O'clock a.m.

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

## CERTIFICATE OF SURVEY NO. # 55888 Doc # 197154



### DESCRIPTION OF PARCEL A

A tract of land lying in Government Lot 1 of Section 33, Twp. 31 N., R 31 W., P.M.M. containing 8.55 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 northeasterly bank of the Kootenai River which bears N14°25'00"E 1969.30 feet from a 3 1/4 inch dia. alum. monument stamped J.H.N. 4661-S marking the west one-quarter 1/4 corner of Section 33, Twp. 31 N., R. 31 W., P.M.M.; thence from the true point of beginning, N37°17'01"E 215.24 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S located on the south right of way of Highway No. 853, a 120 foot easement, measured 60.00 feet from the centerline thereof; thence continuing, N37°17'01"E 74.22 feet to a computed point having a radial bearing of N25°06'43"E; thence on the arc of a curve to the left, a distance of 342.40 feet, turning through a delta angle of 14°53'08", and having a radius of 1317.93 feet, to a computed point; thence, S00°03'53"W 41.85 feet to a 5/8 inch dia. rebar capped G.E.B. 4974-S; thence, S89°55'53"E 331.50 feet to a computed point; thence, S00°02'28"E 17.79 feet to a computed point; thence continuing, S00°02'28"E 37.26 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S located on the south right of way of said Highway No. 853; thence, S00°02'28"E 612.74 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S; thence continuing, S00°02'28"E 50.00 feet more or less to a computed point located on the northeasterly meander line of the Kootenai River; thence downstream, N53°41'34"W 828.90 feet to a computed point; thence, N30°05'07"E 19.71 feet more or less to a 5/8 inch dia. rebar capped M.D.L. 4232-S; thence, thence, N54°33'14"W 111.90 feet to a computed point; thence, N54°20'41"W 83.95 feet to a computed point; thence, N52°24'24"W 19.06 feet to the point of beginning.

The aforescribed Parcel A contains 8.55 acres more or less and is subject to and together with all appurtenant easements of record.

### PARCEL B-1 3.81 ACRES±

### DESCRIPTION OF PARCEL B-1

A tract of land lying in Government Lot 1 of Section 33, Twp. 31 N., R 31 W., P.M.M. containing 3.81 acres more or less and more particularly described as follows:

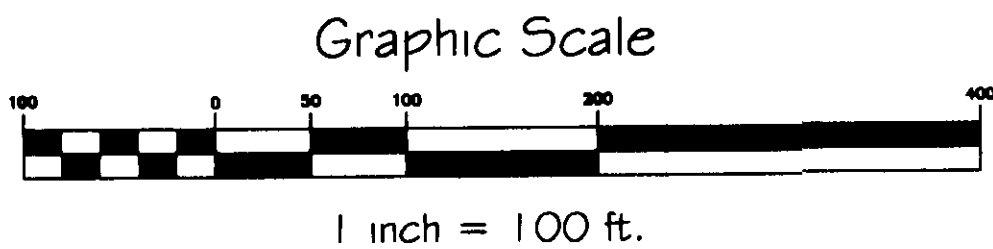
Beginning at a 5/8 inch dia. bare rebar which marks the northwest corner of Parcel B per C.O.S. 1540; thence, S03°14'08"E 175.09 feet to a 5/8 inch dia. rebar capped M.D.L. 4232-S; thence, S23°15'54"W 191.75 feet to a 5/8 inch dia. rebar capped M.D.L. 4232-S located on the northeasterly bank of the Kootenai River; thence, upstream along said northerly bank, S63°34'03"E 67.81 feet to a computed point; thence, S60°24'01"E 112.20 feet to a computed point; thence, S61°24'01"E 130.71 feet to a computed point; thence, S51°18'56"E 133.16 feet to a computed point; thence, S51°55'09"E 86.52 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S; thence, N37°17'01"E 215.24 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S located on the south right of way line of Highway No. 853, a 120 foot easement measuring 60.00 feet from the centerline thereof; thence continuing, N37°17'01"E 74.22 feet to a computed point having a radial bearing of N25°06'43"E; thence on the arc of a curve to the right, a distance of 391.53 feet, turning through a delta angle of 17°01'17", and having a radius of 1317.93 feet, to a computed point; thence, N47°52'00"W 311.74 feet to the point of beginning.

The aforescribed Parcel B-1 contains 3.81 acres more or less and is subject to and together with all appurtenant easements of record.

### EXEMPTIONS

The portion of land being added to Parcel A is exempt from sanitation review by the Department of Environmental Quality pursuant to ARM 17.36.605(2)(a) as a parcel that has no existing facilities for water supply, wastewater disposal, or solid waste disposal, if no new facilities will be constructed on the parcel. Furthermore: Parcel B-1 is exempt from sanitation review by the D.E.Q. pursuant to ARM 17.36.605(2)(b)(i)(ii) as a parcel that has no existing facilities for water supply, wastewater disposal, or solid waste disposal other than those that were previously approved by the reviewing authority under Title 76, chapter 4 part 1, M.C.A., or that were exempt from such review because no new facilities will be constructed on the parcel and the division of land will not cause approved facilities to violate any conditions of approval, and will not cause exempt facilities to violate any conditions of exemption.

Davis Surveying Inc.  
TROY MONTANA, (406)295-5441  
DATE: 08/02/06 PROJECT: T313133LD  
DRAWN BY: CJR FILE: T313133LD.dwg



Brainfield Instrument Doc # 171156 S-306/967  
Instrument Doc # 171157 S-306/968