

CERTIFICATE OF SURVEY

"FAMILY TRANSFER"

NW 1/4 SE 1/4, SECTION 5, T.31N., R.31W., P.M., MT.

LINCOLN COUNTY, MONTANA

FOR: BRIAN TODD

DATE: AUGUST 2006

TRACT 6
COS NO. 415

"BASIS OF BEARING"
(S89°59'13"E - 1330.84')
(S89°59'13"E - 1330.84')

LEGAL DESCRIPTION, PARCEL "A"

A tract of land lying northerly of Libby, Montana, Lincoln County, and in the NW 1/4 SE 1/4, Section 5, T. 31N., R. 31W., P.M., MT., being the W1/2 of Tract No. 4 as shown on Certificate of Survey No. 415, containing 8.065 acres and more particularly described as follows:

Commencing at the Center one-quarter corner, Section 5, T. 31N., R. 31W., P.M., MT., a 2 inch diameter brass cap monument marked JHN 4661S;
Thence S00°14'03"W, 362.08 feet to a 5/8 inch diameter rebar with plastic cap marked JHN 4661S and the TRUE POINT OF BEGINNING;
Thence S00°14'58"W, 529.42 feet to a 5/8 inch diameter rebar with plastic cap marked JHN 4661S;
Thence N89°51'35"E, 664.40 feet to a 5/8 inch diameter rebar with plastic cap marked Hughes 7322LS;
Thence N00°18'12"E, 527.74 feet to a 5/8 inch diameter rebar with plastic cap marked Hughes 7322LS;
Thence N89°59'44"W, 664.89 feet to a 5/8 inch diameter rebar with plastic cap marked JHN 4661S and the TRUE POINT OF BEGINNING, containing 8.065 acres.

Subject to and together with all appurtenant easements of record.

TRUE POINT OF BEGINNING, PARCEL "A"

N89°59'44"W - 664.89'

PARCEL "A"
8.065 Acres

LEGAL DESCRIPTION, REMAINDER

A tract of land lying northerly of Libby, Montana, Lincoln County, and in the NW 1/4 SE 1/4, Section 5, T. 31N., R. 31W., P.M., MT., being the E1/2 of Tract No. 4 as shown on Certificate of Survey No. 415, containing 8.039 acres and more particularly described as follows:

Commencing at the Center one-quarter corner, Section 5, T. 31N., R. 31W., P.M., MT., a 2 inch diameter brass cap monument marked JHN 4661S;
Thence S00°14'03"W, 362.08 feet to a 5/8 inch diameter rebar with plastic cap marked JHN 4661S;
Thence S89°59'44"E, 664.89 feet to a 5/8 inch diameter rebar with plastic cap marked 7322LS and the TRUE POINT OF BEGINNING;
Thence S89°59'44"E, 664.89 feet to a 5/8 inch diameter rebar with plastic cap marked JHN 4661S;
Thence S00°21'28"W, 526.07 feet to a 5/8 inch diameter rebar with plastic cap marked JHN 4661S;
Thence S89°51'35"W, 664.40 feet to a 5/8 inch diameter rebar with plastic cap marked Hughes 7322LS;
Thence N00°18'12"E, 527.74 feet to a 5/8 inch diameter rebar with plastic cap marked Hughes 7322LS and the TRUE POINT OF BEGINNING, containing 8.039 acres.

Subject to and together with all appurtenant easements of record.

TRUE POINT OF BEGINNING, REMAINDER

N89°59'44"W - 664.89'

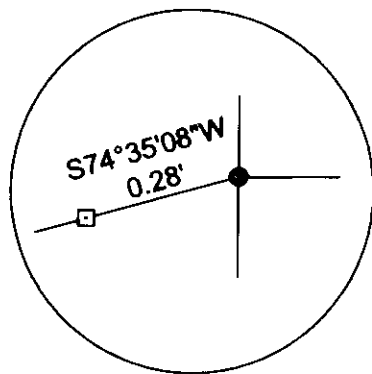
30' ACCESS EASEMENT

REMAINDER
8.039 Acres

TRACT 5
COS NO. 415

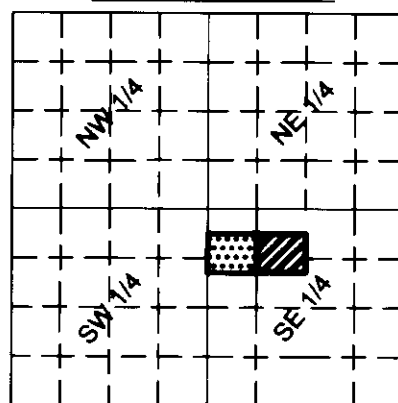
TRACT 4
COS NO. 415

DETAIL "A"
No Scale



SEE DETAIL "A"

VICINITY MAP



SECTION 5

GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

LEGEND

- SET 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED 7322LS
- FOUND 5/8 INCH DIAMETER REBAR WITH A PLASTIC CAP MARKED JHN 4661S
- FOUND 2 INCH DIAMETER BRASS CAPPED MONUMENT MARKED 4661S
- FOUND 3/4 INCH DIAMETER UNCAPPED REBAR
- () RECORD COS NO. 415

PURPOSE OF SURVEY AND OWNER'S EXEMPTION

We, Brian L. Todd and Nancy M. Todd, owners of record, hereby certify that the purpose of this survey and division of land is to transfer Parcel "A", 8.065 acres as shown hereon, to my son, John R. Todd; that this is the first and single gift or sale in this county to this member of our immediate family and the owner of record certification of compliance that the parcel will not be transferred back to the grantor within 24 months of filing without written consent of the governing body. Therefore this parcel is exempt from review as a subdivision pursuant to Section 76-3-207(1)(b), M.C.A. Furthermore, the "Remainder" parcel is exempt from Department of Environmental Quality review pursuant to ARM 17.36.605(2)(b)(i)(ii) - 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.

Brian L. Todd 9-28-06
Brian L. Todd Date

Nancy M. Todd 9-28-06
Nancy M. Todd Date

ACKNOWLEDGMENT

The foregoing Exemption was subscribed and acknowledged before me

a Notary Public for the State of MONTANA

County of LINCOLN, by the above named person(s), on this 28TH day of SEP. 2006. In witness whereof, I have hereunto

hand and affixed my notarial seal.

Sam Sanderson, Notary Public for the State of
residing in: LIBBY, MT. My Commission expires: 12-1-09

HISTORY OF SURVEY

1977 - COS No. 415, Section Subdivision and creates Family Transfer, Tracts 1 - 7, J. H. Ninneman, 4661S

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.

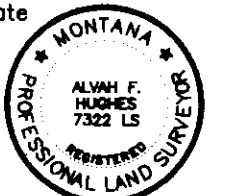
BASIS OF BEARING

The Basis of Bearing for this survey is S89°59'13"E between the Center one-quarter corner and the Center East one-sixteenth corner, Section 5, both found 2 inch diameter brass capped monument marked 4661S, as shown on Certificate of Survey No. 415.

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, 7322LS 09/11/2006
Alvah F. Hughes, PLS, 7322LS Date



EXAMINING LAND SURVEYOR'S CERTIFICATION

Approved this 31 day of Aug, 2006, A.D.

14731 PLS
Examining Land Surveyor

COUNTY TREASURER'S CERTIFICATION

I hereby certify, pursuant to Section 76-3-207(3), M.C.A., that all real property taxes and special assessments assessed and levied on the parcel shown hereon are paid.

Donna Miller October 4, 2006
Lincoln County Treasurer, Lincoln County, Montana Date

CLERK AND RECORDER'S CERTIFICATION

State of Montana, County of Lincoln, filed this 11 day of October, 2006, A.D. at 9:30 o'clock A.M.

Coral A. Cummings by Francie Deane
Lincoln County Clerk & Recorder Deputy

CERTIFICATE OF SURVEY NO. 3599 FC Dec 19715

Sanitary Pastureland Rmnd p.F.# 8787 Doc# 197917
Waste water DISPOSAL System Permit p.F.# 8788 Doc# 197934