

CERTIFICATE OF SURVEY

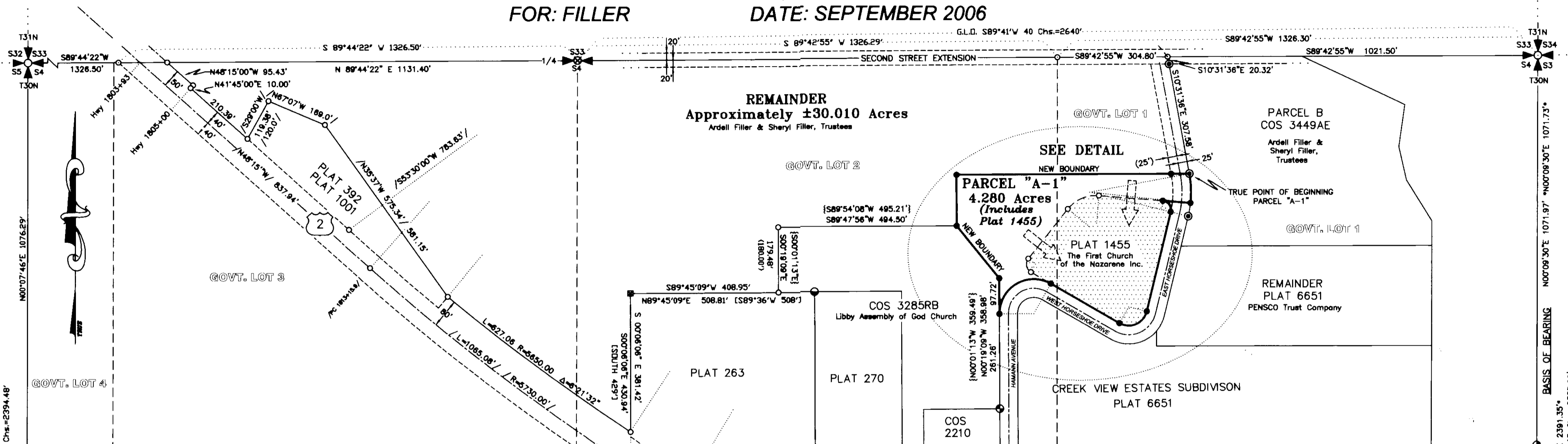
"BOUNDARY LINE ADJUSTMENT"

GOVT. LOTS: 1, 2, & 3, N 1/2 SECTION 4, T.30N., R.31W., P.M., MT.

LINCOLN COUNTY, MONTANA

FOR: FILLER

DATE: SEPTEMBER 2006



DETAIL
NO SCALE

LEGEND



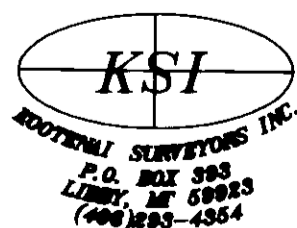
- FOUND SECTION CORNER, 2 1/2 INCH DIAMETER IRON PIPE WITH 3 1/4 INCH DIAMETER BLM BRASS CAP
- FOUND 1/4 CORNER - 3 1/4 INCH DIAMETER ALUMINUM CAP MARKED SMITH
- FOUND 1/4 CORNER - 5/8 INCH DIAMETER REBAR WITH CAP MARKED JRS 9958LS
- FOUND 1/4 CORNER - RAILROAD SPIKE, CENTERLINE SECOND ST.
- FOUND 5/8 INCH DIAMETER REBAR, PLASTIC CAP MARKED KED 4975S
- FOUND 1/2 INCH DIAMETER IRON PIPE
- FOUND 5/8 INCH DIAMETER REBAR, PLASTIC CAP MARKED JRS 9958LS
- FOUND FENCE CORNER
- FOUND 5/8 INCH DIAMETER REBAR, PLASTIC CAP MARKED HUGHES, 7322LS
- SET 5/8 INCH DIAMETER REBAR, PLASTIC CAP MARKED HUGHES, 7322LS
- COMPUTED POINT ONLY

- () RECORD PER PLAT No. 1455
- / / RECORD PER PLAT No. 1001
- { } RECORD PER COS 3285
- [] RECORD PER PLAT No. 263
- * * RECORD PER PLAT No. 13374S
- GLO RECORD PER ORIGINAL GENERAL LAND OFFICE PLAT
- Hwy RECORD PER OWNERSHIP PLAT No. F-250 (7)
- PROPERTY LINE, THIS SURVEY
- - - OLD BOUNDARY LINE
- - - ADJOINING PROPERTY LINES
- - - SECTION OR SUBDIVISION LINE
- - - ROAD OR HIGHWAY CENTERLINE
- - - ROAD OR HIGHWAY RIGHT-OF-WAY LIMITS
- CURVE RADIAL OR TIE LINE

GRAPHIC SCALE



(IN FEET)
1 inch = 200 ft.



CERTIFICATE OF SURVEY NO. 3602 RB
Dec 11 2006

SHEET 1 OF 2

CERTIFICATE OF SURVEY

"BOUNDARY LINE ADJUSTMENT"

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LINCOLN COUNTY, MONTANA

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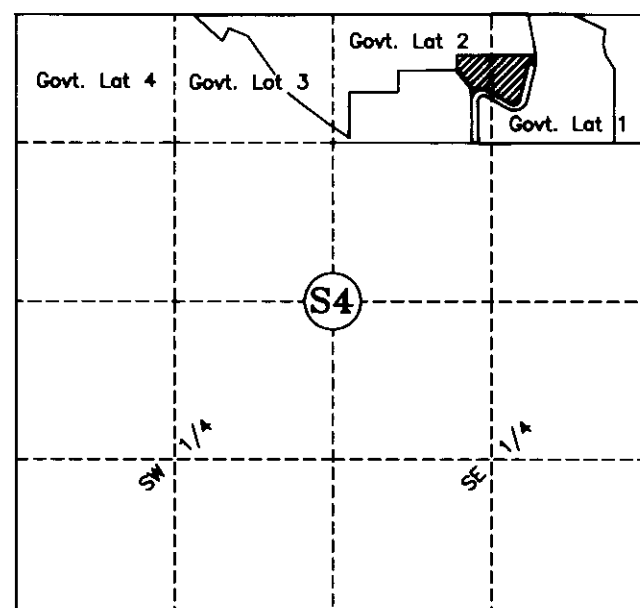
DESCRIPTION OF PARCEL "A-1"

An irregular tract of land, northwesterly from Libby, Montana, Lincoln County, and lying in Government Lots 1 and 2, Section 4, T.30N., R.31W., P.M.,MT., and more particularly described as follows:
Commencing at the corner of Sections 3 and 4, T.30N., R.31W and Sections 33 and 34, T.31N., R.31W, a 2 1/2 inch diameter iron pipe with a 3/4 inch BLM brass cap; Thence along the Section line between Sections 33, T.31N. and 4, T.30N., also being the centerline of "Second Street Extension", a 40 foot wide right-of-way, S89°42'55"W, 1021.50, an unmarked point; Thence, S10°31'36"W, 20.32 feet, intersecting the southerly limits of said street and easterly limits of "East Horseshoe Drive", a 50 foot wide right-of-way, a 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS; Thence along easement limits, S10°31'36"W, 307.58 feet, a 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS being the True Point of Beginning;
Thence along said limits through a 280.00 foot radius curve to the right, through a delta angle of 16°31'59" creating a arc length of 80.80 feet;
Thence N85°28'56"W, 77.10 feet intersecting the northerly boundary line of Plat 1455; Thence along said boundary through a non-tangent, 24.69 foot radius curve to the right, radial point bears S04°30'53"W, through a delta angle of 99°03'06", radial point bears S76°26'01"E, creating a arc length of 42.68 feet intersecting the westerly limits of "East Horseshoe Drive" a 50 foot wide right-of-way, also being the easterly boundary of Plat 1455, a set 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS; Thence along said limits and boundary, S13°34'10"W, 281.08 feet, a set 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS; Thence along said limits and boundary through a non-tangent, 51.45 foot radius curve to the right, radial point bears N76°19'30"W, through a delta angle of 106°06'00", radial point bears N29°46'30"E, creating a arc length of 95.27 feet intersecting the northerly limits of "West Horseshoe Drive", a 50 foot wide right-of-way, also being the southerly boundary of said plat, a set 5/8 inch diameter rebar with plastic cap marked Hughes 7322LS; Thence along said limits and boundary N60°15'03"W, 218.35 feet, a set 5/8 inch diameter rebar with plastic cap marked Hughes 7322LS; Thence along said limits and boundary through a 95.00 foot radius curve to the left, through a delta angle of 120°03'24" creating a arc length of 199.06 feet intersecting the easterly boundary line of COS 3285RB, a set 5/8 inch diameter rebar with plastic cap marked Hughes 7322LS; Thence along said boundary, N00°19'09"W, 97.72 feet, a set 5/8 inch diameter rebar with plastic cap marked Hughes 7322LS; Thence along said boundary N39°11'01"W, 185.82 feet intersecting the westerly boundary of Parcel "A-1", a set 5/8 inch diameter rebar with plastic cap marked Hughes 7322LS; Thence along said boundary, N00°17'05"W, 140.20 feet intersecting the northerly boundary of said parcel, a set 5/8 inch diameter rebar with plastic cap marked Hughes 7322LS; Thence along said boundary, N89°42'55"E, 592.65 feet intersecting the westerly limits of "East Horseshoe Drive heretofore described, a set 5/8 inch diameter rebar with plastic cap marked Hughes 7322LS; Thence, N89°42'55"E, 50.81 feet intersecting the easterly limits of said drive and the True Point of Beginning, containing 4.280 acres. Subject to and together with all appurtenant easements of record.

DESCRIPTION OF "REMAINDER"

An irregular tract of land, northwesterly from Libby, Montana, Lincoln County, and lying in Government Lots 1 and 2, Section 4, T.30N., R.31W., P.M.,MT., and more particularly described as follows:
Commencing at the corner of Sections 3 and 4, T.30N., R.31W and Sections 33 and 34, T.31N., R.31W, a 2 1/2 inch diameter iron pipe with a 3/4 inch BLM brass cap; Thence along the Section line between Sections 33, T.31N. and 4, T.30N., also being the centerline of "Second Street Extension", a 40 foot wide right-of-way, S89°42'55"W 1021.50, an unmarked point; Thence, S10°31'36"W, 20.32 feet, intersecting the southerly limits of said street and easterly limits of "East Horseshoe Drive", a 50 foot wide right-of-way, a 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS; Thence along easement limits, S10°31'36"W 307.58 feet, set 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS being the True Point of Beginning;
Thence along the northerly boundary of Parcel "A-1", S89°42'55"W, 50.81 feet intersecting the westerly right-of-way limits of East Horseshoe Drive, set 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS;
Thence continuing along said boundary, S89°42'55"W 592.65 feet intersecting the westerly boundary of said parcel, set 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS; Thence along said boundary, S00°17'05"E 140.20 feet, intersecting the northerly boundary of Certificate of Survey No. 3285RB, set 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS; Thence along said boundary, S89°47'56"W 494.50 feet, intersecting the westerly boundary of said Certificate of Survey, a computed point; Thence along said boundary, S00°19'09"E 179.48 feet, intersecting the northerly boundary of Plat No. 263, a computed point; Thence along said boundary, S89°45'09"W 408.95 feet intersecting the westerly boundary of said Plat, a fence corner; Thence along said boundary S00°06'06"E 381.42 feet intersecting the northerly limits of U.S. Highway No. 2, a computed point; Thence along said limits through a 5650.00 foot radius curve to the right, through a delta angle of 6°21'32" creating an arc length of 627.06 feet intersecting the northerly boundary of Plat No. 392, a computed point; Thence along said boundary, N35°37'00"W 581.15 feet to a computed point; Thence along said boundary, N67°07'00"W 169.00 feet to a computed point; Thence along westerly boundary of said plat, S29°00'W 119.38 feet intersecting the northerly limits of U.S. Highway No. 2, a computed point; Thence along said limits 40 feet from said highway centerline, N48°15'00"W 210.39 feet, a computed point; Thence N41°45'00"E 10.00 feet intersecting northerly limits 50 feet from said centerline, a computed point; Thence along said limits, N48°15'00"W 95.43 feet intersecting the boundary line between section 4, T.30N, R.31W. and section 33, T.31N, R.31W., a computed point; Thence along said section line, N89°44'22"E 1131.40 feet to the quarter corner of said sections, a railroad spike in the center of Second Street; Thence along said section line and centerline of said street, N89°42'55"E 1326.29 feet intersecting the line between Government Lots 1 and 2, a computed point; Thence continuing along said section line and centerline, N89°42'55"E 304.80 feet intersecting the westerly boundary of Parcel B, Certificate of Survey, No. 3449AE, a computed point; Thence along said boundary, S10°31'36"E 20.32 feet intersecting the southerly limits of Second Street Extension, a 5/8 inch diameter rebar with plastic cap marked: Hughes, 7322LS; Thence along said boundary, S10°31'36"E 307.58 feet to the True Point of Beginning, containing ±30.010 acres. Subject to and together with all appurtenant easements of record.

VICINITY DIAGRAM



PURPOSE OF SURVEY AND OWNER'S EXEMPTION CERTIFICATION

We, Ardell Filler and Sheryl Filler, Trustees of the Filler Family Trust, record owners, hereby certify that the purpose of this survey and division of land is to relocate common boundary between record parcels and is therefore exempt from review as a subdivision, pursuant to MCA 76-3-207(1)(a): divisions made outside of a plotted subdivision for the purpose of relocating common boundary lines between adjoining properties. We further certify that Parcel "A-1" is exempt from review by the Department of Environmental Quality pursuant to ARM 17.36.605 Exclusions 2(a): a parcel that has no existing facilities for water supply, wastewater disposal, and solid waste disposal, if no new facilities will be constructed on the parcel.

Ardell Filler, 10/11/06
Sheryl Filler, 10/12/06

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 day of October, 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: 12/31/08

HISTORY OF SURVEY

- 1893, Original GLO Plat, Daniel P. Mumbrue
- 1954, Irregular Plat No. 263, Ira C. Miller, 402S
- 1964, Irregular Plat No. 1001, Jack W. Ninneman, 534ES
- 1968, Irregular Plat No. 1455, Lawrence J. McCarthy, 1741S
- 1971, Ownership Plat No. F-250 (7), Montana State Highway Commission
- 1976, Certificate of Survey No. 270, Melvin D. Lauteren, 4232S
- 1994, Certificate of Survey No. 2210, Kenneth E. Davis, 4975S
- 1998, Plat No. 13374S, Westland Subdivision, James R. Staples, 9958LS
- 2005, Certificate of Survey No. 3449, Alvah Hughes, 7322LS
- 2005, Plat No. 6651, Creek View Estates Subdivision, Alvah Hughes, 7322LS

METHOD OF SURVEY

A total station with data collector with closed traverse procedures was used to tie previously set controlling monuments by Kenneth Kern, June 2005.

BASIS OF BEARING

The basis of bearing for this survey is N00°09'30"E, as shown on Plat No. 13374S, between N1/16 corner, Sections 3 and 4, a 5/8 inch diameter rebar marked 9958LS and the Northeast corner of Section 4, a BLM brass cap.

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 09/10/2006
Date

EXAMINING LAND SURVEYOR'S CERTIFICATION

Approved this 19 day of Sept 2006 A.D.
Examining Land Surveyor 14731 PLS

LINCOLN 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.
Debi Ameller By Bonnie Vogel 10-12-06
Lincoln County Treasurer, Libby Montana Date

CLERK AND RECORDER'S CERTIFICATION

State of Montana, County of Lincoln, filed this 18th day of October, 2006 A.D. at 4:03 o'clock p.m.
County Clerk Recorder Deputy

CERTIFICATE OF SURVEY NO. 3602 R.B. 100° 19' 00" 04
SHEET 2 OF 2