

# CERTIFICATE OF SURVEY

## "BOUNDARY LINE ADJUSTMENT"

SE1/4 SW1/4, SEC. 1 & SW1/4 NE1/4, NE1/4 NW1/4, W1/2 SE1/4, SEC. 12, T.29N. R.31W. P.M., MT.

LINCOLN COUNTY, MONTANA

FOR: SOUTH LIBBY, LLC

DATE: JANUARY 2007

### PURPOSE OF SURVEY AND OWNER'S EXEMPTION CERTIFICATION

We, "SOUTH LIBBY, LLC" record owner's, hereby certify that the purpose of this survey and division of land is to relocate a common boundary line 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 platted subdivision for the purpose of relocating common boundary lines between adjoining properties". We further certify that Tract 2-A and Parcel "A" are 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".

Stu Brinken, SOUTH LIBBY, LLC Representative

2/1/07  
Date

### ACKNOWLEDGMENT

The foregoing Exemption(s) were subscribed and acknowledged before me a Notary Public for the State of Montana

County of Lincoln, by the above named person(s), on this 1st day of Feb, 2007. In witness whereof, I have hereunto set my hand and affixed my notarial seal.

Stu Brinken, Notary Public for the State of Montana  
residing in: Libby My Commission expires: Dec 1st 2009

### LIBBY CREEK CENTERLINE DATA

LINE	BEARING	LENGTH
L42	N00°53'41"E	34.75
L43	N22°03'10"W	278.96
L44	N10°50'00"W	141.71
L45	N37°22'18"E	180.78
L46	N50°28'37"E	352.79
L47	N18°10'24"E	185.44
L48	N04°56'08"W	56.79
L49	N48°43'34"W	92.26
L50	N81°35'47"W	140.66
L51	N58°56'04"W	116.07
L52	N37°28'41"W	65.35
L53	N18°25'52"W	106.37

### LIBBY CREEK CENTERLINE DATA

LINE	BEARING	LENGTH
L55	N18°25'52"W	105.13
L56	N25°22'24"W	250.84
L57	N62°01'00"W	124.94
L58	N44°19'28"W	126.40
L59	N38°17'22"W	133.08
L60	N12°38'58"E	128.07
L61	N28°28'45"E	185.57
L62	N01°18'38"E	433.62
L63	N32°05'50"W	26.69

### LEGEND

- FOUND SECTION CORNER, A 1 1/2 INCH DIAMETER IRON PIPE WITH A 3/4 INCH BRASS CAP MARKED BLM
- FOUND 1/4 CORNER, A 1 1/2 INCH DIAMETER IRON PIPE MONUMENT WITH A 3/4 INCH BRASS CAP MARKED BLM
- FOUND 1/4 CORNER, A 1 1/2 INCH DIAMETER ALUMINUM PIPE MONUMENT WITH A 3/4 INCH ALUMINUM CAP MARKED USFS, 5612S
- SET 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED HUGHES 7322LS
- FOUND A 3/4 INCH DIAMETER ROD WITH A 3/4 INCH ALUMINUM CAP MARKED USFS, 5612S
- A 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED KED, 4975S
- WC WITNESS CORNER A 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED HUGHES 7322LS
- UNMARKED COMPUTED POINT
- ( ) RECORD PER COS No. 1453 AND 1455
- [ ] RECORD PER COS No. 3543RB
- { } RECORD PER COS No. 3576RB
- BOUNDARY LINE
- LIBBY CREEK CENTERLINE AND BOUNDARY
- OLD BOUNDARY LINE
- SECTION LINE
- SUBDIVISION LINE

### LIBBY CREEK CENTERLINE DATA

LINE	BEARING	LENGTH
L1	N07°47'39"W	30.69
L2	N26°44'17"W	114.28
L3	N50°43'48"W	49.45
L4	N02°37'48"W	191.23
L5	N18°48'08"E	50.51
L6	N12°22'52"W	96.96
L7	N28°15'35"W	152.93
L8	N22°50'50"W	96.79
L9	N57°48'34"W	82.83
L10	N71°57'00"W	77.81
L11	N78°14'41"W	23.28
L12	N38°02'25"W	109.24
L13	N14°05'10"W	81.98
L14	N10°22'41"W	70.22
L15	N25°16'41"W	253.08
L16	N14°47'57"E	115.06
L17	N38°49'31"W	94.69
L18	N58°13'57"W	47.39
L19	N47°28'17"W	27.85
L20	N74°48'51"W	113.34
L21	N47°03'42"W	94.04
L22	N41°37'32"W	185.37
L23	N47°38'28"W	73.45
L24	N58°03'15"W	20.90
L25	N18°31'06"W	162.96
L26	N47°14'12"W	92.61
L27	N65°04'32"W	101.82
L28	N61°22'22"W	159.08
L29	N07°21'03"W	120.93
L30	N05°55'18"E	245.88
L31	N15°32'01"E	149.06
L32	N08°37'01"E	131.49
L33	N08°42'17"W	136.43
L34	N32°50'13"W	144.08
L35	N42°20'53"W	89.57
L36	N35°19'58"W	96.82
L37	N17°49'44"W	174.92
L38	N27°51'40"W	101.94
L39	N15°30'58"W	165.07
L40	N08°01'34"E	236.84
L41	N00°53'41"E	177.81

### GRAPHIC SCALE



( IN FEET )  
1 inch = 400 ft.

### HISTORY OF SURVEY

- 1986 - COS No. 1453, Section 12 Subdivision, USFS, Thomas C. Hill, 5612S
- 1986 - COS No. 1455, Section 1 Subdivision, USFS, Thomas C. Hill, 5612S
- 2006 - COS No. 3517RB, Boundary Adjustment, Kenneth E. Davis, 4975S
- 2006 - COS No. 3543RB, Boundary Adjustment, Kenneth E. Davis, 4975S
- 2006 - COS No. 3575RB, Boundary Adjustment, Kenneth E. Davis, 4975S
- 2006 - COS No. 3576RB, Boundary Adjustment, Kenneth E. Davis, 4975S

### METHOD OF SURVEY

A total station and data collector was used with closed traverse procedures to tie the previously set controlling corners by Mike Tester, December 5, 2006

### BASIS OF BEARING

The basis of bearing for this survey is S89°42'47"W, as shown on COS No. 1453, between the northwest corner Section 12, a 1 1/2 inch diameter iron pipe with brass cap marked BLM and the north one-quarter corner Section 12, a 1 1/2 inch diameter aluminum pipe monument with aluminum cap marked USFS, 5612S.

CERTIFICATE OF SURVEY NO. 3640 SHEET 1 OF 2  
Dec 2007



# CERTIFICATE OF SURVEY

## "BOUNDARY LINE ADJUSTMENT"

SE1/4 SW1/4, SEC. 1 and SW1/4 NE1/4, NE1/4 NW1/4, W1/2 SE1/4, SEC. 12, T.29N. R.31W. P.M., MT.

LINCOLN COUNTY, MONTANA

FOR: SOUTH LIBBY, LLC

DATE: JANUARY 2007

### LEGAL DESCRIPTION, TRACT "2-A"

An irregular tract of land, lying southeasterly from Libby, Montana, Lincoln County and in the SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 1 and in the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 12, T.29N., R.31W. P.M., MT., and more particularly described as follows: Commencing at the one-quarter corner between Sections 1 and 12, said Township and Range, a 1 1/2 inch diameter aluminum pipe monument with a 3/4 inch aluminum cap marked USFS, 5612S and being the TRUE POINT OF BEGINNING; Thence along the Section line between Sections 1 and 12, said Township and Range, S89°42'47"W, 832.52 feet to a 5/8 inch diameter rebar with a plastic cap marked KED, 4975S, being a witness corner; Thence continue westerly along said Section line, S89°42'47"W, 50.28 feet, more or less to the Centerline of Libby Creek, an unmarked point; Thence along said creek centerline through the following unmarked courses: N16°25'52"W, 105.13 feet; Thence N25°22'24"W, 250.84 feet; Thence N62°01'00"W, 124.94 feet; Thence N44°19'29"W, 126.49 feet; Thence N39°17'22"W, 133.08 feet; Thence N12°39'58"E, 128.07 feet; Thence N28°26'45"E, 185.57 feet; Thence N01°18'38"E, 433.62 feet; Thence N32°05'50"W, 26.69 feet, intersecting a  $\frac{1}{8}$ th subdivisional line, an unmarked point; Thence along said  $\frac{1}{8}$ th line, N89°44'52"E, 75.17 feet, more or less to a 5/8 inch diameter rebar with plastic cap marked KED, 4975S, a witness corner; Thence continuing easterly along said  $\frac{1}{8}$ th line, N89°44'52"E, 668.29 feet, intersecting the westerly limits of a 60 foot road access and utility easement, to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence continue easterly along said line, N89°44'52"E, 60.34 feet, to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS and intersecting the easterly limits of said road easement; Thence continue easterly along said line, N89°44'52"E, 381.55 feet, to the C-S  $\frac{1}{8}$ th corner, a 3/4 inch diameter rod, with a 3/4 inch aluminum cap marked USFS, 5612S; Thence S00°14'10"E, 1,324.64 feet to said one-quarter corner between Sections 1 and 12, a 1 1/2 inch diameter aluminum pipe monument with a 3/4 inch aluminum cap marked USFS, 5612S and the True Point of Beginning, INCLUDING PARCEL "A", containing a total of 57.797 acres. Subject to and together with all appurtenant easements of record.

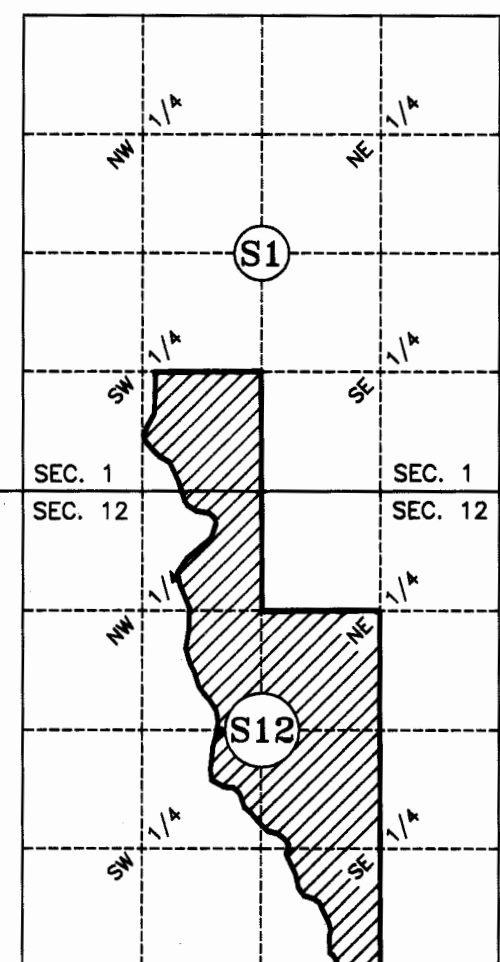
### LEGAL DESCRIPTION, PARCEL "A"

An irregular tract of land, lying southeasterly from Libby, Montana, Lincoln County and in the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 12, T.29N. R.31W. P.M., MT., and more particularly described as follows: Commencing at the one-quarter corner between Sections 1 and 12, said Township and Range, a 1 1/2 inch diameter aluminum pipe monument with a 3/4 inch aluminum cap marked USFS, 5612S and being the TRUE POINT OF BEGINNING; Thence along the mid-section line, S00°21'42"E, 1,324.98 feet to the CN $\frac{1}{8}$ th corner, a 3/4 inch diameter aluminum rod, with a 3/4 inch aluminum cap marked USFS, 5612S; Thence along a  $\frac{1}{8}$ th line, S89°41'48"W, 83.37 feet, intersecting the easterly limits of an 60 foot access and utility easement, to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence continuing westerly along said  $\frac{1}{8}$ th line, S89°41'48"W, 62.74 feet, intersecting the westerly limits of said 60 foot easement, a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence continuing westerly along said line, S89°41'48"W, 537.38 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS, a witness corner; Thence continuing westerly along said  $\frac{1}{8}$ th line, S89°41'48"W, 122.99 feet, more or less to an unmarked computed point lying along the centerline of Libby Creek; Thence along said Libby Creek centerline, through the following unmarked courses: N00°53'41"E, 34.75 feet; Thence N22°03'10"W, 278.96 feet; Thence N10°50'09"W, 141.71 feet; Thence N33°22'18"E, 180.78 feet; Thence N50°29'37"E, 352.79 feet; Thence N18°10'24"E, 165.44 feet; Thence N04°56'09"W, 59.79 feet; Thence N46°43'34"W, 92.26 feet; Thence N81°35'47"W, 140.66 feet; Thence N58°58'04"W, 116.07 feet; Thence N33°29'41"W, 65.35 feet; Thence N16°25'52"W, 106.37 feet, intersecting the section line between Sections 1 and 12, an unmarked point; Thence along said section line, N89°42'47"E, 50.28 feet, more or less to a 5/8 inch diameter rebar with plastic cap marked KED, 4975S; Thence continuing easterly along said section line, N89°42'47"W, 832.52 feet to the one-quarter corner between Sections 1 and 12, said Township and Range, a 1 1/2 inch diameter aluminum pipe monument with a 3/4 inch aluminum cap marked USFS, 5612S and being the TRUE POINT OF BEGINNING, containing 23.199 acres. Subject to and together with all appurtenant easements of record.

### LEGAL DESCRIPTION, TRACT "2 (REMAINDER)"

An irregular tract of land, lying southeasterly from Libby, Montana, Lincoln County and in the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , SW $\frac{1}{4}$  NE $\frac{1}{4}$ , W $\frac{1}{2}$  SE $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 12, T.29N. R.31W. P.M., MT., and more particularly described as follows: Commencing at the northeast one-sixteenth corner, said Section 12 of said Township and Range, a 3/4 inch diameter aluminum rod with a 3/4 inch aluminum cap marked USFS, 5612S and being the TRUE POINT OF BEGINNING; Thence S00°13'30"E, 1,324.45 feet to the CE  $\frac{1}{8}$ th corner, a 3/4 inch diameter aluminum rod with a 3/4 inch aluminum cap marked USFS, 5612S; Thence along said section line, S89°46'23"W, 416.21 feet to a witness corner, a 5/8 inch diameter rebar with plastic cap marked KED, 4975S; Thence continuing westerly along said section line, S89°46'23"W, 50.24 feet, more or less to the centerline of Libby Creek, an unmarked point; Thence along said Libby Creek centerline through the following unmarked courses: N07°47'39"W, 39.69 feet; Thence N26°44'17"W, 114.28 feet; Thence N50°43'48"W, 49.45 feet; Thence N02°37'46"W, 191.23 feet; Thence N19°48'08"E, 50.51 feet; Thence N12°22'52"W, 96.86 feet; Thence N26°15'35"W, 152.93 feet; Thence N22°50'50"W, 96.79 feet; Thence N57°46'34"W, 82.83 feet; Thence N71°57'00"W, 77.61 feet; Thence N78°14'41"W, 23.28 feet; Thence N36°02'25"W, 109.24 feet; Thence N14°05'10"W, 81.98 feet; Thence N10°22'41"W, 70.22 feet; Thence N25°16'41"W, 253.08 feet; Thence N14°47'57"E, 115.06 feet; Thence N38°49'31"W, 94.69 feet; Thence N56°13'57"W, 47.39 feet; Thence N47°26'17"W, 27.85 feet; Thence N74°48'51"W, 113.34 feet; Thence N47°03'42"W, 94.04 feet; Thence N41°37'32"W, 185.37 feet; Thence N47°39'28"W, 73.45 feet; Thence N58°03'15"W, 20.90 feet; Thence N18°31'06"W, 162.96 feet; Thence N47°14'12"W, 92.61 feet; Thence N85°04'32"W, 101.82 feet; Thence N61°22'22"W, 159.08 feet; Thence N07°21'03"W, 120.93 feet; Thence N05°55'18"E, 245.88 feet; Thence N15°32'01"E, 149.06 feet; Thence N08°37'01"E, 131.49 feet; Thence N08°42'17"W, 136.43 feet; Thence N32°50'13"W, 144.08 feet; Thence N42°20'53"W, 89.57 feet; Thence N35°19'58"W, 96.82 feet; Thence N17°49'44"W, 174.92 feet; Thence N27°51'40"W, 101.94 feet; Thence N15°30'58"W, 165.07 feet; Thence N09°01'34"E, 236.84 feet; Thence N00°53'41"E, 177.81 feet, lying on a 1/16th line; Thence N89°41'48"E, 122.99 feet, more or less to a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence continuing easterly along said  $\frac{1}{8}$ th line, N89°41'48"E, 537.38 feet intersecting the westerly limits of a access and utility road easement to the north, being a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence continue easterly along said line, 62.74 feet intersecting the easterly limits of said road, a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence continuing easterly along said line, 83.37 feet to the CN  $\frac{1}{8}$ th corner, a 3/4 inch diameter aluminum rod, with a 3/4 inch aluminum cap marked USFS, 5612S; Thence N89°42'11"E, 1,303.94 feet to the northeast one-sixteenth corner, said Section 12, a 3/4 inch diameter aluminum rod with a 3/4 inch aluminum cap marked USFS, 5612S and being the TRUE POINT OF BEGINNING, containing 131.336 acres. Subject to and together with all appurtenant easements of record.

VICINITY DIAGRAM  
SECTIONS 1 & 12



### 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.

*Alvan F. Hughes, PLS, 7322LS* 01/19/07  
Alvan F. Hughes, PLS, 7322LS Date

### EXAMINING LAND SURVEYOR'S CERTIFICATION

Approved this 30 day of Jan 2007, 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.

*Nancy Trotter Sutton* by *Shirley A. D'Amico* 2-13-2007  
Lincoln County Treasurer, Libby Montana Date

### CLERK AND RECORDER'S CERTIFICATION

State of Montana, County of Lincoln, filed this 13 day

of February 2007, A.D. at 2:00 o'clock P.M.  
*Tommy D. Lane* by *Francis D'Amico*  
County Clerk Recorder Deputy

CERTIFICATE OF SURVEY NO. 3640 RB SHEET 2 OF 2  
Doc 200997