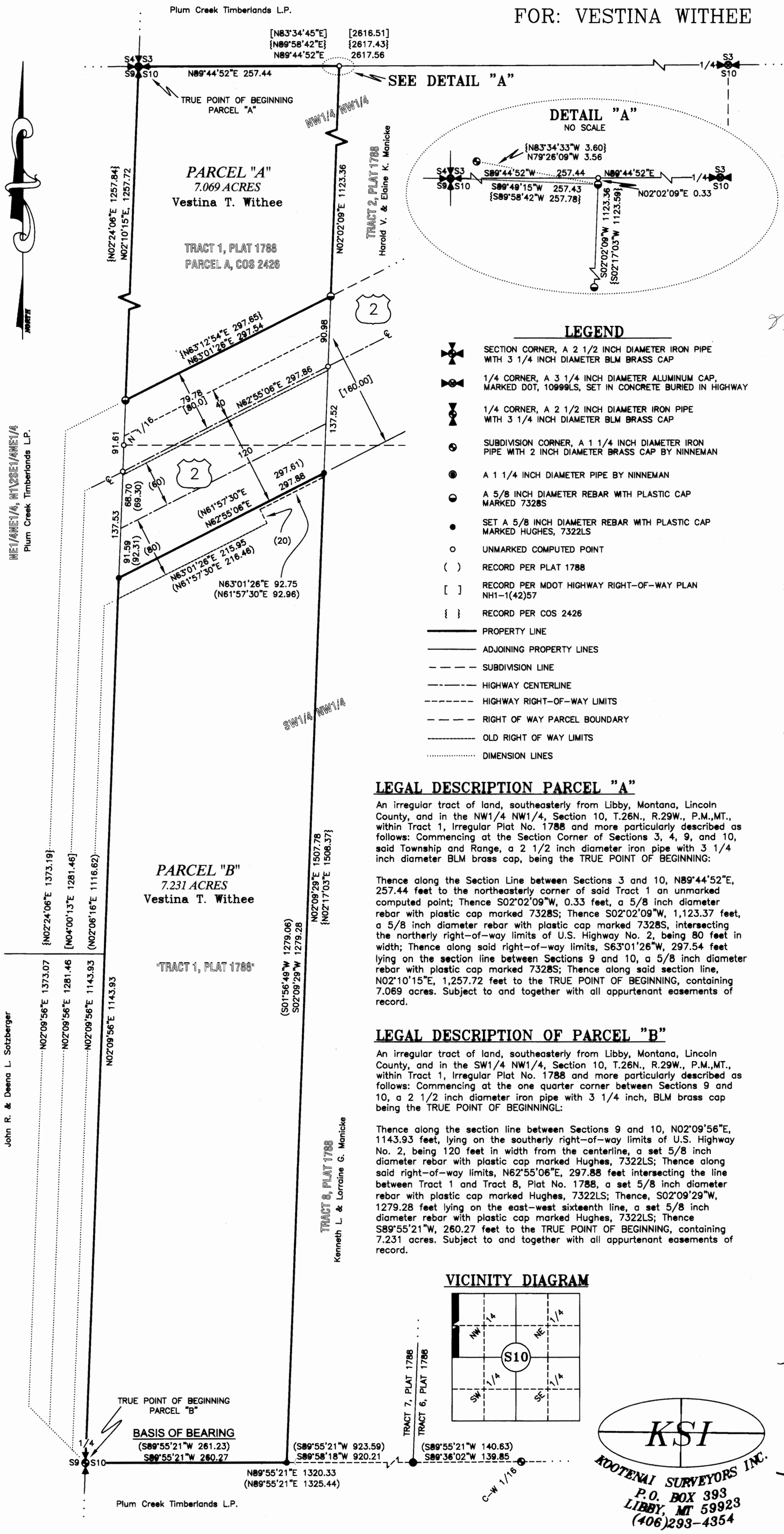
CERTIFICATE OF SURVEY

"FAMILY TRANSFER"

SW1/4 NW1/4, SECTION 10, T.26N., R.29W., P.M.,MT.
LINCOLN COUNTY, MONTANA
FOR: VESTINA WITHEE DATE: APRIL 2007



LEGEND

- SECTION CORNER, A 2 1/2 INCH DIAMETER IRON PIPE WITH 3 1/4 INCH DIAMETER BLM BRASS CAP
- 1/4 CORNER, A 3 1/4 INCH DIAMETER ALUMINUM CAP, MARKED DOT, 10999LS, SET IN CONCRETE BURIED IN HIGHWAY
- 1/4 CORNER, A 2 1/2 INCH DIAMETER IRON PIPE WITH 3 1/4 INCH DIAMETER BLM BRASS CAP
- SUBDIVISION CORNER, A 1 1/4 INCH DIAMETER IRON PIPE WITH 2 INCH DIAMETER BRASS CAP BY NINNEMAN
- A 1 1/4 INCH DIAMETER PIPE BY NINNEMAN
- A 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED 7328S
- SET A 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED HUGHES, 7322LS
- UNMARKED COMPUTED POINT
- ( ) RECORD PER PLAT 1788
- [ ] RECORD PER MDOT HIGHWAY RIGHT-OF-WAY PLAN NH1-1(42)57
- { } RECORD PER COS 2426
- PROPERTY LINE
- ADJOINING PROPERTY LINES
- SUBDIVISION LINE
- HIGHWAY CENTERLINE
- HIGHWAY RIGHT-OF-WAY LIMITS
- RIGHT OF WAY PARCEL BOUNDARY
- OLD RIGHT OF WAY LIMITS
- DIMENSION LINES

LEGAL DESCRIPTION PARCEL "A"

An irregular tract of land, southeasterly from Libby, Montana, Lincoln County, and in the NW1/4 NW1/4, Section 10, T.26N., R.29W., P.M.,MT., within Tract 1, Irregular Plat No. 1788 and more particularly described as follows: Commencing at the Section Corner of Sections 3, 4, 9, and 10, said Township and Range, a 2 1/2 inch diameter iron pipe with 3 1/4 inch diameter BLM brass cap, being the TRUE POINT OF BEGINNING:

Thence along the Section Line between Sections 3 and 10, N89°44'52"E, 257.44 feet to the northeasterly corner of said Tract 1 an unmarked computed point; Thence S02°02'09"W, 0.33 feet, a 5/8 inch diameter rebar with plastic cap marked 7328S; Thence S02°02'09"W, 1,123.37 feet, a 5/8 inch diameter rebar with plastic cap marked 7328S, intersecting the northerly right-of-way limits of U.S. Highway No. 2, being 80 feet in width; Thence along said right-of-way limits, S63°01'26"W, 297.54 feet lying on the section line between Sections 9 and 10, a 5/8 inch diameter rebar with plastic cap marked 7328S; Thence along said section line, N02°10'15"E, 1,257.72 feet to the TRUE POINT OF BEGINNING, containing 7.069 acres. Subject to and together with all appurtenant easements of record.

LEGAL DESCRIPTION OF PARCEL "B"

An irregular tract of land, southeasterly from Libby, Montana, Lincoln County, and in the SW1/4 NW1/4, Section 10, T.26N., R.29W., P.M.,MT., within Tract 1, Irregular Plat No. 1788 and more particularly described as follows: Commencing at the one quarter corner between Sections 9 and 10, a 2 1/2 inch diameter iron pipe with 3 1/4 inch, BLM brass cap being the TRUE POINT OF BEGINNINGL:

Thence along the section line between Sections 9 and 10, N02°09'56"E, 1143.93 feet, lying on the southerly right-of-way limits of U.S. Highway No. 2, being 120 feet in width from the centerline, a set 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS; Thence along said right-of-way limits, N62°55'06"E, 297.88 feet intersecting the line between Tract 1 and Tract 8, Plat No. 1788, a set 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS; Thence, S02°09'29"W, 1279.28 feet lying on the east-west sixteenth line, a set 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS; Thence S89°55'21"W, 260.27 feet to the TRUE POINT OF BEGINNING, containing 7.231 acres. Subject to and together with all appurtenant easements of record.

VICINITY DIAGRAM

KSI
KOOTENAI SURVEYORS INC.
P.O. BOX 393
LIBBY, MT 59923
(406)293-4354

PURPOSE OF SURVEY AND OWNER'S EXEMPTION CERTIFICATION

I, Vestina T. Withee, owner of record, hereby certify that the purpose of this survey and division of land is to transfer Parcel "B", 7.231 acres, as shown hereon, to my son, Kenneth Withee; "that this is the first and single gift or sale in this county to this member of my immediate family". Therefore this parcel is exempt from review as a subdivision pursuant to Section 76-3-207(1)(b), M.C.A. Furthermore, Parcel "A" is exempt from review by the Department of Environmental Quality prusuant to MCA 76-4-125(2)(e)(ii) which exempts a parcel if it is "a remainder of an original tract created by segregating a parcel from the tract for purposes of transfer if the remainder is 1 acre or larger and has an individual sewage system that was constructed prior to April 29, 1993, and, if required when installed, was approved pursuant to local regulations or this chapter. Furthermore, Parcel "B" is exempt from review by the Depatment of Environmental Qualty 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."

Vestina T. Withee — Date: 4-18-07

ACKNOWLEDGMENT

DARA STEAD
COMM. NO. 1572189
NOTARY PUBLIC - CALIFORNIA
SHASTA COUNTY
MY COMMISSION EXPIRES
APRIL 23, 2009

The foregoing Exemptions were subscribed and acknowledged before me a Notary Public for the State of CALIFORNIA County of SHASTA, by the above named person(s), on this 18th day of APRIL 2007. In witness whereof, I have hereunto set my hand and affixed my notorial seal.

Dara Stead, Notary Public for the State of CALIFORNIA residing in: REDDING My Commission expires: 4-23-09

METHOD OF SURVEY

A total station with data collector with closed traverse procedures was used to tie previously set controlling monuments by Mike Tester, September 2006.

BASIS OF BEARING

The basis of bearing for this survey is N89°55'21"E, as shown on Plat No. 1788, between the C-W 1/16 and the West 1/4 corner, both being brass cap monuments.

HISTORY OF SURVEY

1971, Plat No. 1788, Creates tracts within NW 1/4, Section 10, Ninneman, 534ES

1979, COS No. 605, Tract 1 divided in north and south portions, Ninneman, 4661S

1993, "Pleasant Valley Highway Right-of-Way Plan" No. NH1-1(42)57 by Montana State Highway Commission

1996, COS No. 2426, Partial Retracement of Tract 1, Marquardt, 7328S

GRAPHIC SCALE

100 0 50 100 200 400

(IN FEET)
1 inch = 100 ft.

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 04/24/2007
Alvah F. Hughes, PLS, 7322LS — Date

MONTANA PROFESSIONAL LAND SURVEYOR ALVAH F. HUGHES 7322 LS REGISTERED

EXAMINING LAND SURVEYOR'S CERTIFICATION:

Approved this 27 day of May 2007

Examining Land Surveyor

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 5/4/07
Lincoln County Treasurer

CLERK AND RECORDER'S CERTIFICATION

State of Montana, County of Lincoln, filed this 2nd day of May 2007, A.D. at 3:25 o'clock

Tammy D. Lenz by Jeanie Dennis
Lincoln County Clerk & Recorder — Deputy

CERTIFICATE OF SURVEY NO. 3646 FC

Doc # 203620