

CERTIFICATE OF SURVEY

"RETRACEMENT"

S1/2 SE1/4 SW1/4, SECTION 36, T.30N., R.31W., P.M., MT.

LINCOLN COUNTY, MONTANA

FOR: GLEN & CINDY PEEK DATE: MAY 2007

PURPOSE OF SURVEY

The purpose of this survey is the retracement of existing parcels, therefore no additional parcels are hereby created. This survey is exempt from review as a subdivision under the Montana Platting Act, pursuant to MCA 76-3-404.

METHOD OF SURVEY

A total station with data collector with closed traverse procedures was used to tie previously set controlling monuments by John Damon, August 2006.

BASIS OF BEARING

The basis of bearing for this survey is N89°57'00"E, as shown on Plat No. 5685-A, between the W 1/16 corner of Sections 1 and 36, a 5/8 inch diameter rebar marked 7318S and the quarter corner between said sections, a 3/4 diameter rod with 2 inch diameter brass cap, marked MDL.

HISTORY OF SURVEY

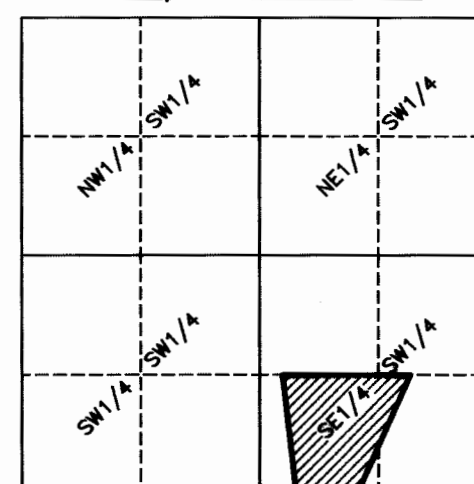
1911, Warranty Deed, Lincoln County Records, Book 1, Page 273
1930, Warranty Deed (Right-of-way), Lincoln County Records, Book 58, Page 627
1955, Warranty Deed, Lincoln County Records, Book 113, Page 139
1958, Executor Deed, Lincoln County Records, Book 118, Page 224
1959, Plat No. 563, Adjoining parcel, J. W. Ninneman, 534ES
1961, Plat No. 737, Adjoining parcel, J. W. Ninneman, 534ES
1979, COS No. 594, Adjoining parcel, J. W. Ninneman, 534ES
1992, COS No. 1961, Establish W 1/16, Secs. 1 & 36, Goacher, 7318S
1995, COS No. 2314, Adjoining parcel, Staples, 9958LS
1999, COS No. 2875, Adjoining parcel, Staples, 9958LS
2002, COS No. 3076, Adjoining parcel, Davis, 4975S
2006, COS No. 3532RB, Adjoining parcel, Davis, 4975S

LEGEND

- 1/4 CORNER: A 3/4 INCH DIAMETER ROD WITH 2 INCH DIAMETER BRASS CAP, MARKED MDL; CORNER RECORDATION FORM, BK. 1, PG. 487
- ⊙ A 1 INCH DIAMETER STEEL PIN; PLAT 563
- A 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED 9958LS; COS 2314
- ⊙ A 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED KED, 4975S; COS 3076
- A 3/4 INCH DIAMETER PIPE; PLAT 563
- ⊙ A 1 INCH DIAMETER PIPE; COS 594
- △ A 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED 7318S; COS 1961
- SET 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED HUGHES, 7322LS
- UNMARKED, COMPUTED POINT
- { } RECORD, BOOK 1, PAGE 273 (()) RECORD, COS NO. 1961
- << >> RECORD, BOOK 58, PAGE 627 / / RECORD, COS NO. 2314
- [] RECORD, PLAT NO. 563 {{ }} RECORD, COS NO. 2875
- // // RECORD, PLAT NO. 737 < > RECORD, COS NO. 3076
- () RECORD, BOOK 113, PAGE 139 & BOOK 118, PAGE 224 [[]] RECORD, COS NO. 3532RB
- * * RECORD, COS NO. 594
- ROAD CENTERLINE
- PROPERTY LINES
- PROPERTY LINES IN CONFLICT,
- ADJOINING PROPERTY LINES
- SECTION LINE
- RIGHT-OF-WAY LIMITS
- RIGHT-OF-WAY LIMITS, BOOK 58, PAGE 627
- DIMENSION LINES
- EXISTING AUTUMN ROAD

VICINITY DIAGRAM

SW1/4, SECTION 36



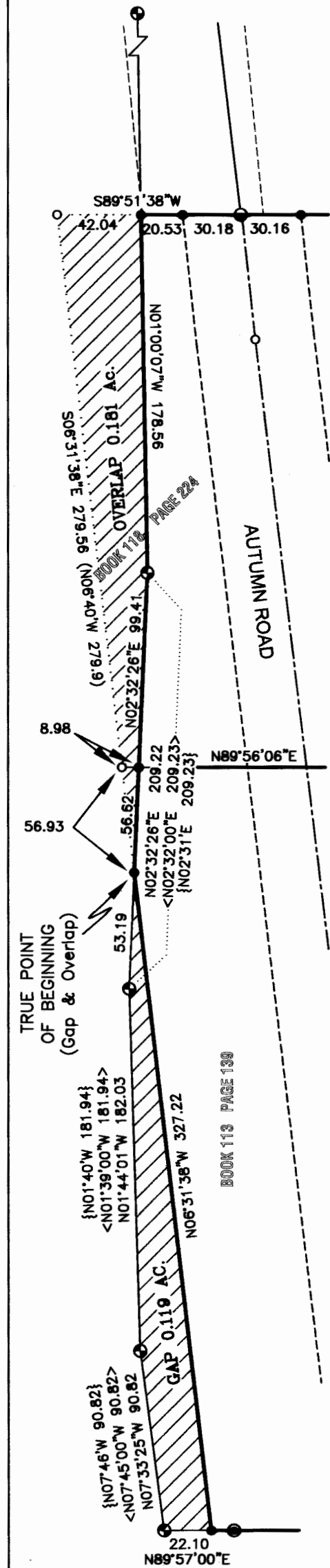
GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

DETAIL A

No Scale



COS No. 3076
Mildred I. Graham

PLAT No. 563
Teresa L. Edwards

COS No. 594
John & Maggie Clemons

PLAT No. 737
COS No. 3532RB
South Libby LLC

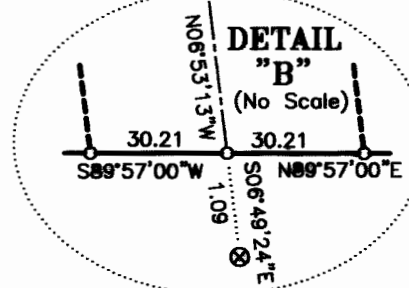
PARCEL "A"
3.858 acres
Glen A. & Cindy L. Peek

PARCEL "B"
3.887 acres
Glen A. & Cindy L. Peek

PARCEL A
COS No. 3076
Mildred I. Graham

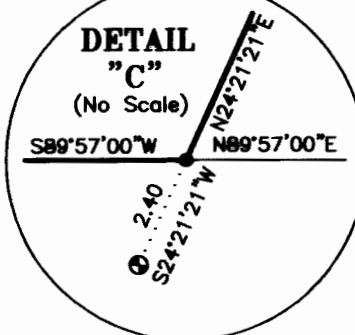
DETAIL "B"

(No Scale)



DETAIL "C"

(No Scale)



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

CERTIFICATE OF SURVEY NO. 3672 SHT 1 OF 2

Doc 202247

CERTIFICATE OF SURVEY

"RETRACEMENT"

S1/2 SE1/4 SW1/4, SECTION 36, T.30N., R.31W., P.M.,MT.

LINCOLN COUNTY, MONTANA

FOR: GLEN & CINDY PEEK DATE: MAY 2007

DESCRIPTION OF "GAP"

An irregular tract of land, southerly from Libby, Montana, Lincoln County, and lying in the S1/2 SE1/4 SW1/4, Section 36, T.30N., R.31W., P.M.,MT., and more particularly described as follows:
COMMENCING at the quarter corner between Section 1, T.29N., R.31W. and Section 36, T.30N., R.31W., a 3/4 inch diameter rod with a 2 inch diameter cap, marked MDL; Thence S89°57'00"W, 1,119.51 feet; Thence N06°31'38"W, 327.22 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS and the TRUE POINT OF BEGINNING;
Thence along the westerly boundary of a Parcel per Book 113, Page 139, S06°31'38"E, 327.22 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along the Section line between Sections 1 and 36, S89°57'00"W, 22.10 feet to a 5/8 inch diameter rebar with plastic cap marked KED, 4975S; Thence along the easterly boundary of Parcel A, COS 3076, N07°33'25"W, 90.82 feet to a 5/8 inch diameter rebar with plastic cap marked KED, 4975S; Thence along said easterly boundary, N01°44'01"W, 182.03 feet to a 5/8 inch diameter rebar with plastic cap marked KED, 4975S; Thence along said boundary, N02°32'26"E, 53.19 feet to the TRUE POINT OF BEGINNING, containing 0.119 acres. Subject to and together with all appurtenant easements of record.

DESCRIPTION OF "OVERLAP"

An irregular tract of land, southerly from Libby, Montana, Lincoln County, and lying in the S1/2 SE1/4 SW1/4, Section 36, T.30N., R.31W., P.M.,MT., and more particularly described as follows:
COMMENCING at the quarter corner between Section 1, T.29N., R.31W. and Section 36, T.30N., R.31W., a 3/4 inch diameter rod with 2 inch diameter brass cap, marked MDL; Thence S89°57'00"W, 783.58 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence N24°21'21"E, 419.31 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS and the TRUE POINT OF BEGINNING;
Thence, between Parcels "A" and "B", S89°56'06"W, 428.51 feet to the easterly right-of-way limits per Book 58, Page 627, a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence between said Parcels, S89°56'06"W, 60.43 feet to the westerly limits of said right-of-way a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along said Parcel boundary, S89°56'06"W, 54.80 feet intersecting the easterly boundary of Parcel A, COS 3076, a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along said boundary, N02°32'26"E, 99.41 feet to a 5/8 inch diameter rebar with plastic cap marked KED, 4975S; Thence along said boundary, N01°00'07"W, 178.56 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along the northerly boundary of Parcel "A", N08°51'38"E, 20.53 feet to westerly right-of-way limits per Book 58, Page 627, a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along said boundary, N08°51'38"E, 30.18 feet to a the centerline of said right-of-way, a 3/4 inch diameter pipe; Thence along southerly boundary of Plat No. 563, N08°51'38"E, 30.16 feet to easterly limits of said right-of-way, a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along said boundary, N08°51'38"E, 406.80 feet to a 1 inch diameter pipe; Thence along southerly boundary of COS No. 594, N08°46'06"E, 180.95 feet to a 5/8 inch diameter rebar with plastic cap marked KED, 4975S; Thence along the easterly boundary of Parcel "A", S24°21'21"W, 306.41 feet to the POINT OF BEGINNING, containing 3.858 acres. Subject to and together with all appurtenant easements of record.

DESCRIPTION OF PARCEL "A"

An irregular tract of land, southerly from Libby, Montana, Lincoln County, and lying in the S1/2 SE1/4 SW1/4, Section 36, T.30N., R.31W., P.M.,MT., and more particularly described as follows:
COMMENCING at the 1/4 corner between Section 1, T.29N., R.31W. and Section 36, T.30N., R.31W., a 3/4 inch diameter rod with 2 inch diameter brass cap, marked MDL; Thence S89°57'00"W, 783.58 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence N24°21'21"E, 419.31 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS and the TRUE POINT OF BEGINNING;
Thence, between Parcels "A" and "B", S89°56'06"W, 428.51 feet to the easterly right-of-way limits per Book 58, Page 627, a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence between said Parcels, S89°56'06"W, 60.43 feet to the westerly limits of said right-of-way a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along said Parcel boundary, S89°56'06"W, 54.80 feet intersecting the easterly boundary of Parcel A, COS 3076, a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along said boundary, N02°32'26"E, 99.41 feet to a 5/8 inch diameter rebar with plastic cap marked KED, 4975S; Thence along said boundary, N01°00'07"W, 178.56 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along the northerly boundary of Parcel "A", N08°51'38"E, 20.53 feet to westerly right-of-way limits per Book 58, Page 627, a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along said boundary, N08°51'38"E, 30.18 feet to a the centerline of said right-of-way, a 3/4 inch diameter pipe; Thence along southerly boundary of Plat No. 563, N08°51'38"E, 30.16 feet to easterly limits of said right-of-way, a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along said boundary, N08°51'38"E, 406.80 feet to a 1 inch diameter pipe; Thence along southerly boundary of COS No. 594, N08°46'06"E, 180.95 feet to a 5/8 inch diameter rebar with plastic cap marked KED, 4975S; Thence along the easterly boundary of Parcel "A", S24°21'21"W, 306.41 feet to the POINT OF BEGINNING, containing 3.858 acres. Subject to and together with all appurtenant easements of record.

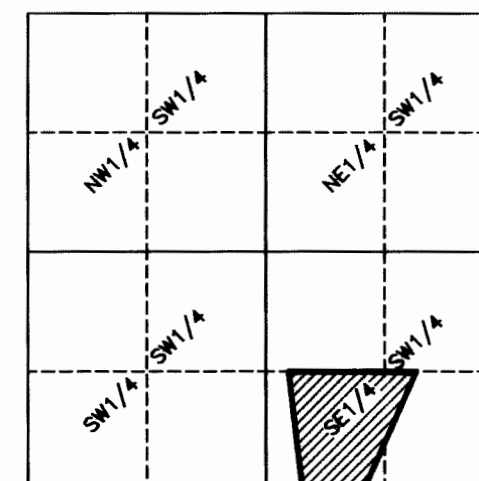
DESCRIPTION OF PARCEL "B"

An irregular tract of land, southerly from Libby, Montana, Lincoln County, and lying in the S1/2 SE1/4 SW1/4, Section 36, T.30N., R.31W., P.M.,MT., and more particularly described as follows:
COMMENCING at the 1/4 corner between Section 1, T.29N., R.31W. and Section 36, T.30N., R.31W., a 3/4 inch diameter rod with 2 inch diameter brass cap, marked MDL; Thence along the Section Line between said Sections, S89°57'00"W, 783.58 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence N24°21'21"E, 419.31 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS to the TRUE POINT OF BEGINNING;
Thence along the westerly boundary of Plat No. 737 and westerly right-of-way limits of St. Regis Haul Road, S24°21'21"W, 419.31 feet, a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along the Section Line between said Sections, S89°57'00"W, 209.48 feet to easterly right-of-way limits per Book 58, Page 627, a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along said Section Line, S89°57'00"W, 30.21 feet to the centerline of said right-of-way, an unmarked, computed point; Thence along said line, S89°57'00"W, 30.21 feet to westerly limits of said right-of-way, a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along said Section Line, S89°57'00"W, 48.88 feet, a 5/8 inch diameter rebar with plastic cap marked 5958LS; Thence along said line, S89°57'00"W, 17.14 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along the westerly boundary of Parcel "B", N06°31'38"W, 327.22 feet, a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along the easterly boundary of Parcel A, COS 3076, N02°32'26"E, 56.62 feet, a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence between said parcels, N08°56'06"E, 60.43 feet to easterly limits of said right-of-way, a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence between said parcels, N08°56'06"E, 428.51 feet to the TRUE POINT OF BEGINNING, containing 3.887 acres. Subject to and together with all appurtenant easements of record.

LAND SURVEYOR'S NOTES:

A property Overlap and Gap was created when the westerly boundary of property as described in Lincoln County Courthouse Deeds: Book 113, Page 139 (recorded 1955) and Book 118, Page 224 (recorded 1958) failed to match the easterly boundary of property described in Courthouse Deed; Book 1, Page 273 (recorded 1911), also shown on Certificate of Survey, No. 3076. Ownership of Gap and Overlap needs to be determined by legal council. Also an encroachment of the existing "Autumn Road" outside of the Right-of-Way limits as described in Lincoln County Courthouse Deed; Book 58, Page 627 may require legal council.

VICINITY DIAGRAM SW1/4, SECTION 36



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 Date: *05/01/07*

EXAMINING LAND SURVEYOR'S CERTIFICATION:

Approved this *9* day of *May* 200 *7*

Examining Land Surveyor

CLERK AND RECORDER'S CERTIFICATION

State of Montana, County of Lincoln, filed this *16* day

of *May* 200 *7* A.D. at *2:00* o'clock *P.M.*

Thomas D. Lane by *Jeannette Lane*
Lincoln County Clerk & Recorder Deputy

CERTIFICATE OF SURVEY NO. *3672* SHT 2 OF 2

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Doc # 202947