

For: Jack O. DeShazer, Debra  
K. DeShazer/Cernick,  
Susan Kukus, J.T.  
Sheely Family Trust

LINCOLN COUNTY MONTANA  
**CERTIFICATE OF SURVEY:**  
**COURT EXHIBIT:**  
**CAUSE NO. DV-03-163**  
In Amended H.E.S. 440, NW 1/4 Section 24, Twp. 31 N., R. 32 W., P.M.M.  
Date: February 2007

**DESCRIPTION OF PARCEL A**

A tract of land near Libby, in Lincoln County Montana, lying in Amended H.E.S. 440 in Section 24; Twp. 31 N., R. 32 W., P.M.M., being a part of Parcel A per C.O.S. 3195, containing .41 acres more or less and more particularly described as follows:

Beginning at a 5/8 inch dia. bare rebar which marks the southwest corner of Lot 1 of the J-R Ranch per Plat No. 6252; thence, S29°32'19"W 72.03 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S located on the meander line of Amended H.E.S. 440; thence along said meander line, S52°58'28"E 240.62 feet to a computed point located on the centerline of Quartz Creek; thence upstream, N22°50'48"E 59.64 feet to a computed point; thence, N43°55'08"E 22.75 feet to a computed point; thence leaving said centerline of Quartz Creek, N55°08'19"W 24.28 feet to a 5/8 inch dia. rebar capped J.R.S. 9958-LS; thence, N55°08'19"W 70.26 feet to a 5/8 inch dia. rebar capped J.R.S. 9958-LS; thence, N55°08'19"W 143.75 feet to the point of beginning.

The aforescribed tract of land contains .41 acres more or less and is subject to and together with all appurtenant easements of record.

**DESCRIPTION OF PARCEL B**

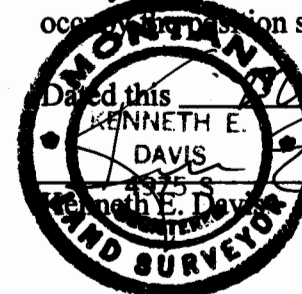
A tract of land near Libby, in Lincoln County Montana, lying in Amended H.E.S. 440 in Section 24; Twp. 31 N., R. 32 W., P.M.M., being a part of Parcel A per C.O.S. 3195, containing .34 acre more or less and more particularly described as follows:

Beginning at a steel rod which marks an MC corner of Amended H.E.S. 440; thence, N52°58'28"W 212.71 feet along the meander line of said Amended H.E.S. 440, to a computed point located on the centerline of Quartz Creek; thence upstream, N22°50'48"E 59.64 feet to a computed point; thence, N43°55'08"E 22.75 feet to a computed point; thence leaving said centerline of Quartz Creek, S46°33'14"E 226.64 feet to a computed point; thence, S37°40'37"W 55.07 feet to the point of beginning.

The aforescribed Parcel B contains .34 acre more or less and is subject to and together with all appurtenant easements of record.

**CERTIFICATE OF SURVEYOR**  
STATE OF MONTANA  
County of Lincoln

I, Kenneth E. Davis, a registered land surveyor do hereby certify that I have performed the survey shown on the attached Plat or that such a survey was performed under my supervision to my best knowledge and ability; that said survey is true and complete as shown and the monuments found and set according to the location shown hereon.



Dated this August day of 2007 A.D.  
4975-S  
Registered Land Surveyor No. 4975-S

**Legend**

- ◆ SET A 5/8 BY 30 INCH LONG REBAR WITH A 1 1/4 INCH DIA. PLASTIC CAP STAMPED K.E.D. 4975-S
- FOUND 5/8 INCH DIA. REBAR CAPPED LARSON 3980-S
- FOUND 5/8 INCH DIA. REBAR CAPPED HUGHES 7322-S
- FOUND 5/8 INCH DIA. REBAR CAPPED JRS 9958-LS
- FOUND STEEL ROD
- FOUND 5/8 INCH DIA. BARE REBAR
- △ FOUND 2 1/2 INCH DIA. BRASS CAP STAMPED SJS 2532-S
- COMPUTED POINTS
- ( ) RECORD PER PLAT NO. 3195

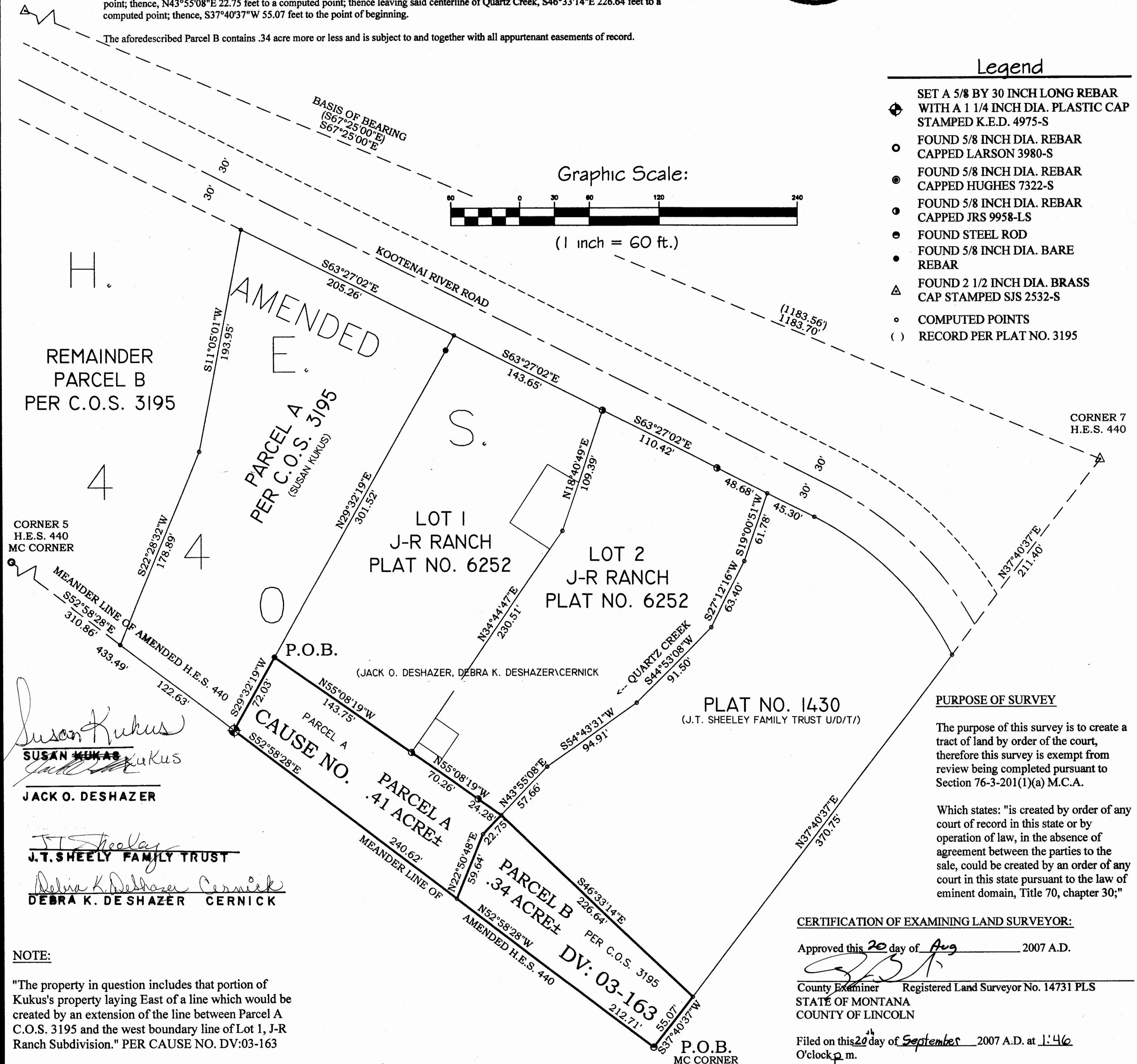
Graphic Scale:



(1 inch = 60 ft.)

CORNER 6  
H.E.S. 440

CORNER 7  
H.E.S. 440



**PURPOSE OF SURVEY**

The purpose of this survey is to create a tract of land by order of the court, therefore this survey is exempt from review being completed pursuant to Section 76-3-201(1)(a) M.C.A.

Which states: "is created by order of any court of record in this state or by operation of law, in the absence of agreement between the parties to the sale, could be created by an order of any court in this state pursuant to the law of eminent domain, Title 70, chapter 30;"

**CERTIFICATION OF EXAMINING LAND SURVEYOR:**

Approved this 20 day of Aug 2007 A.D.

County Examiner Registered Land Surveyor No. 14731 PLS  
STATE OF MONTANA  
COUNTY OF LINCOLN

Filed on this 20 day of September 2007 A.D. at 1:46 O'clock p. m.

Tammy Louer by Wicki French  
County Clerk and Recorder Deputy

CERTIFICATE OF SURVEY NO. 3714 CO

Doc # 206146

**NOTE:**

"The property in question includes that portion of Kukus's property laying East of a line which would be created by an extension of the line between Parcel A C.O.S. 3195 and the west boundary line of Lot 1, J-R Ranch Subdivision." PER CAUSE NO. DV:03-163

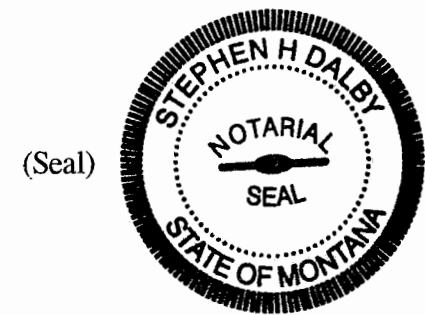
Davis Surveying Inc.  
TROY MONTANA, (406)295-5441

DATE: 08/26/05 REV: 10/06  
DRAWN BY: CJR  
Old Land Projects  
FILE: t313234.dwg

STATE OF MONTANA )  
 )  
County of Lincoln ) SS:

On this 15 day of June, 2007, before me, the undersigned, a Notary Public for the State of Montana, personally appeared J. T. Sheely, known to me to be the Trustee for the J.T. Sheely Family Trust whose name is subscribed to the within and foregoing instrument and acknowledged to me that \_\_\_\_\_ executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.



Stephen H. Dalby  
Notary Public for the State of Montana  
Residing at: Libby  
My Commission Expires: 10-5-09.

STATE OF MONTANA )  
 )  
County of Lincoln ) SS:

On this 21st day of June, 2007, before me, the undersigned, a Notary Public for the State of Montana, personally appeared Jack O. DeShazer, known to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.

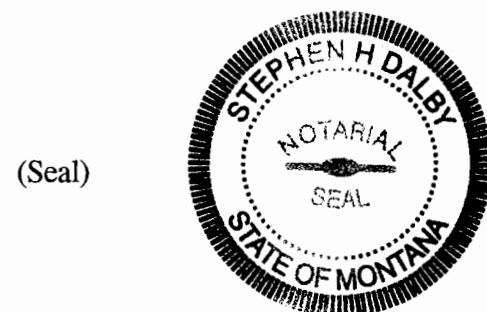


Michelle L. Allyn  
Notary Public for the State of Montana  
Residing at: Libby  
My Commission Expires: 6-30-09.

STATE OF MONTANA )  
 )  
County of Lincoln ) SS:

On this 5 day of June, 2007, before me, the undersigned, a Notary Public for the State of Montana, personally appeared Susan Kukas, known to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.

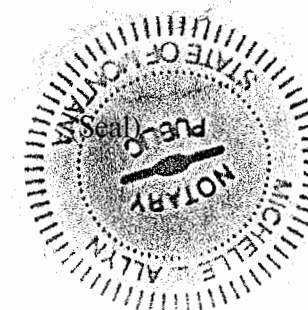


Stephen H. Dalby  
Notary Public for the State of Montana  
Residing at: Libby  
My Commission Expires: 10-5-09.

STATE OF MONTANA )  
 )  
County of Lincoln ) SS:

On this 21st day of June, 2007, before me, the undersigned, a Notary Public for the State of Montana, personally appeared Debra K. DeShazer - Cernick, known to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.



Michelle L. Allyn  
Notary Public for the State of Montana  
Residing at: Libby  
My Commission Expires: 6-30-09.