

# AMENDED PLAT of OTHORP JUNCTION SUBDIVISION

## "BOUNDARY LINE ADJUSTMENT"

W1/2 SE1/4 SE1/4 NW1/4, SECTION 23, T.36N., R.27W., P.M.,MT.

LINCOLN COUNTY, MONTANA

FOR: EPM INVESTMENTS, LLC DATE: OCTOBER 2007

Nate Calvin and Troy McClain  
COS 2735  
NE1/4 SE1/4 NW1/4

### METHOD OF SURVEY

A total station with data collector with closed traverse procedures was used to tie previously set controlling monuments by Kelly Rooney, October 2007.

### BASIS OF BEARING

The Basis of Bearing for this survey is N00°20'00"E, as shown on COS No. 3522, between a 5/8 inch diameter rebar with plastic cap marked HUGHES and a 5/8 inch diameter rebar with plastic cap marked Marquardt.

### HISTORY OF SURVEY

1973, COS No. 1, Aliquot Subdivision, Section 23, Sorenson, 2345ES  
1987, COS No. 1480, Adjoining Parcel, Marquardt, 2989ES  
1991, COS No. 1845-A, Adjoining Parcel, Marquardt, 2989ES  
1998, COS No. 2735, Retracement - E1/2 NW1/4, Davis, 4975S  
2006, COS No. 3522, Retracement - SE1/4 NW1/4, Hughes, 7322LS  
2006, COS No. 3590 RB, Boundary Line Adjustment, Hughes, 7322LS  
2007, COS No. 3636 RB, Boundary Line Adjustment, Hughes, 7322LS  
2007, Plat No. 6831, Othorp Junction Subdivision, Hughes, 7322LS

### LEGAL DESCRIPTION LOT 1A

An irregular tract of land within the City of Eureka, Montana, Lincoln County, and lying in the W1/2 SE1/4 SE1/4 NW1/4, Section 23, T36N, R27W, PM, MT, and more particularly described as follows:  
Commencing at the C-E-W 1/64th corner of said Section 23, a 5/8 inch diameter rebar with plastic cap marked KED, 4975S; Thence N00°09'09"E, 319.19 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS, lying on the southerly right-of-way limits of said county road; Thence S00°10'26"W, 37.40 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence S34°48'14"W, 111.98 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence S73°07'29"W, 150.89 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence S89°02'12"W, 118.96 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS and the TRUE POINT OF BEGINNING, containing 2.342 acres. Subject to a 30.00 foot wide private access and a 20.00 foot wide waterline easement and together with all appurtenant easements of record.

### LEGAL DESCRIPTION LOT 2A (Includes Parcel "A")

An irregular tract of land within the City of Eureka, Montana, Lincoln County, and lying in the W1/2 SE1/4 SE1/4 NW1/4, Section 23, T36N, R27W, PM, MT, and more particularly described as follows:  
Commencing at the C-E-W 1/64th corner, a 5/8 inch diameter rebar with plastic cap marked KED, 4975S, and the TRUE POINT OF BEGINNING:  
Thence N00°09'09"E, 319.19 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence N89°02'12"E, 118.96 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence N73°07'29"E, 150.89 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence N34°48'14"E, 111.98 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence S00°10'26"W, 132.25 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence S00°10'26"W, 322.91 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence S89°41'20"W, 326.72 feet to the C-E-W 1/64th corner, a 5/8 inch diameter rebar with plastic cap marked KED, 4975S and the TRUE POINT OF BEGINNING, containing 2.603 acres.  
Subject to and together with all appurtenant easements of record.

### PURPOSE OF SURVEY AND OWNER'S DEDICATION

I, Edwin J. Clinton, Manager of EPM Investments, LLC, record owner, hereby certify that the purpose of this survey and division of land is to relocate a common boundary between five or fewer lots within "Othorp Junction Subdivision", a platted subdivision. Therefore this division is exempt from review as a subdivision, pursuant to MCA 76-3-207(1)(d); Furthermore, this land is exempt from review by the Montana Department of Environmental Quality pursuant to ARM 17.36.605(2)(b)(i)(ii), "a parcel that has no existing facilities for water supply, wastewater disposal, or solid waste disposal other than those that were previously approved by the reviewing authority under Title 76, Chapter 4, Part 1, MCA, or that were exempt from such review, if no new facilities will be constructed on the parcel; and the division of land will not cause approved facilities to violate any conditions of approval, and will not cause exempt facilities to violate any conditions of exemption."

Edwin J. Clinton, Manager of EPM Investments, LLC  
Date: Nov. 6, 07

### ACKNOWLEDGMENT

The foregoing Dedication 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 6th day of November 2007. In witness whereof, I have hereunto set my hand and affixed my notarial seal.

My Commission expires: Dec 1st 2009

### 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: Nov 05 2007

### EXAMINING LAND SURVEYOR'S CERTIFICATION

Examined this 5th day of November 2007 A.D.  
Ronald A. Pearson, PLS 9008LS, Examining Land Surveyor

### COUNTY TREASURER'S CERTIFICATION

I hereby certify, pursuant to Section 76-3-611(1)(b), MCA, that all real property taxes and special assessments assessed and levied on the parcel, shown hereon are paid.

Nancy Potter Sutton, by Joni Kuden, Clerk 11/06/07  
Lincoln County Treasurer

### CITY OF EUREKA CERTIFICATION

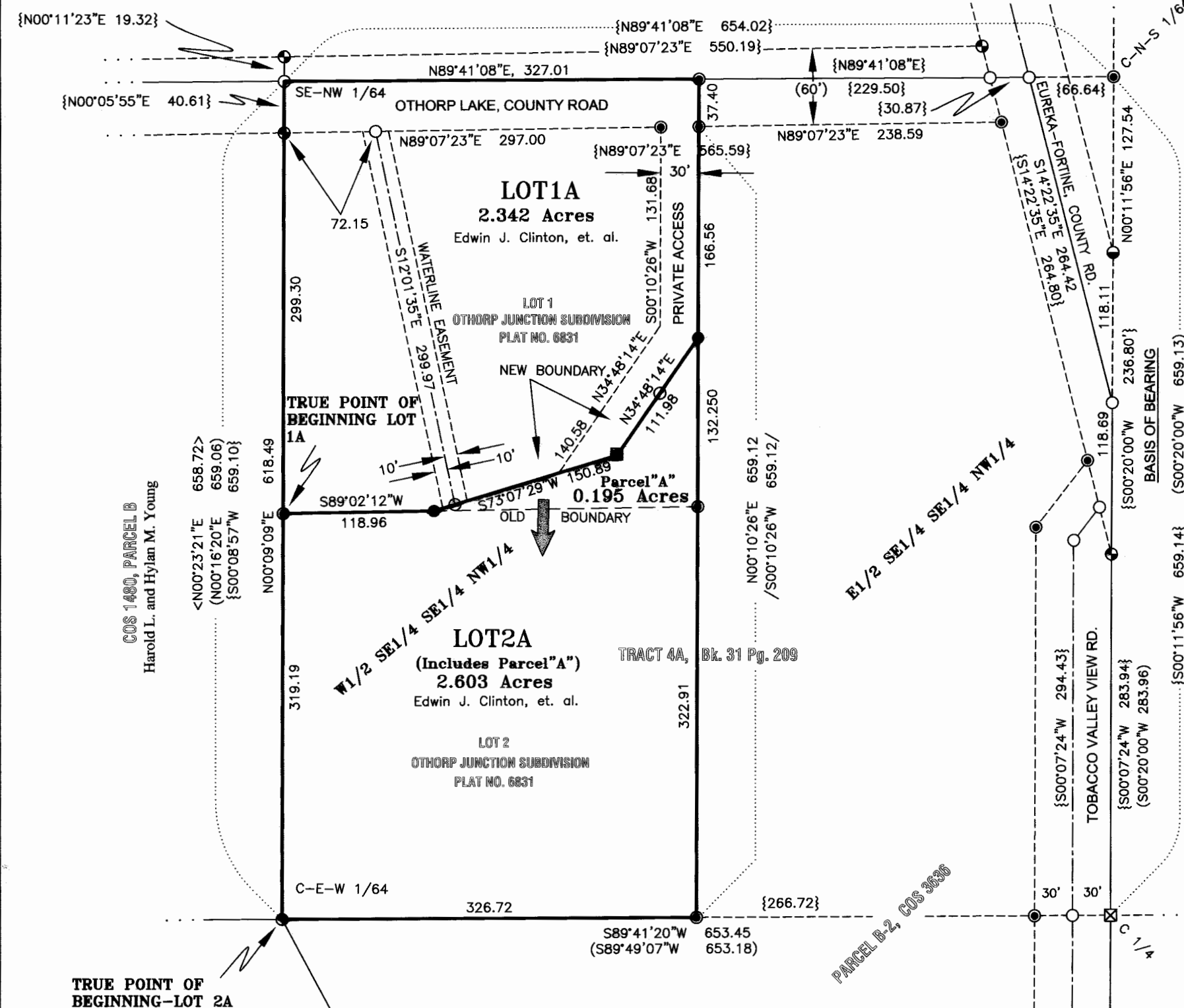
Approved this 6th day of November 2007, A.D.  
City of Eureka

### CLERK AND RECORDER'S CERTIFICATION

State of Montana, County of Lincoln, filed this 6th day of November 2007, A.D. at 2:10 o'clock P.M.  
Lincoln County Clerk & Recorder by Francis D. Davis, Deputy

### CERTIFICATE OF SURVEY NO. 3737 RB

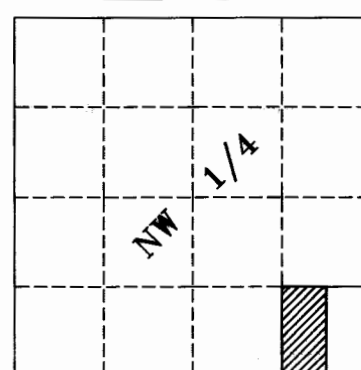
Doc # 207276



### LEGEND

- 5/8 INCH DIAMETER REBAR, PLASTIC CAP MARKED KED, 4975S
- 5/8 INCH DIAMETER REBAR, PLASTIC CAP MARKED MARQUARDT, 7322LS
- 5/8 INCH DIAMETER REBAR ALONGSIDE A RAILROAD TIE
- 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED HUGHES, 7322LS
- SET 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED HUGHES, 7322LS
- UNMARKED COMPUTED POINT
- PARCEL BOUNDARY
- EASEMENT CENTERLINE
- ROAD AND UTILITY EASEMENT LIMITS
- DIMENSION LINE
- SUBDIVISION LINE
- OLD BOUNDARY LINE
- NEW BOUNDARY LINE
- RECORD PER COS 1480
- RECORD PER COS 2735
- RECORD PER COS 3590 RB
- RECORD PER COS 3636 RB

### VICINITY DIAGRAM SECTION 23



### GRAPHIC SCALE

