

CERTIFICATE OF SURVEY

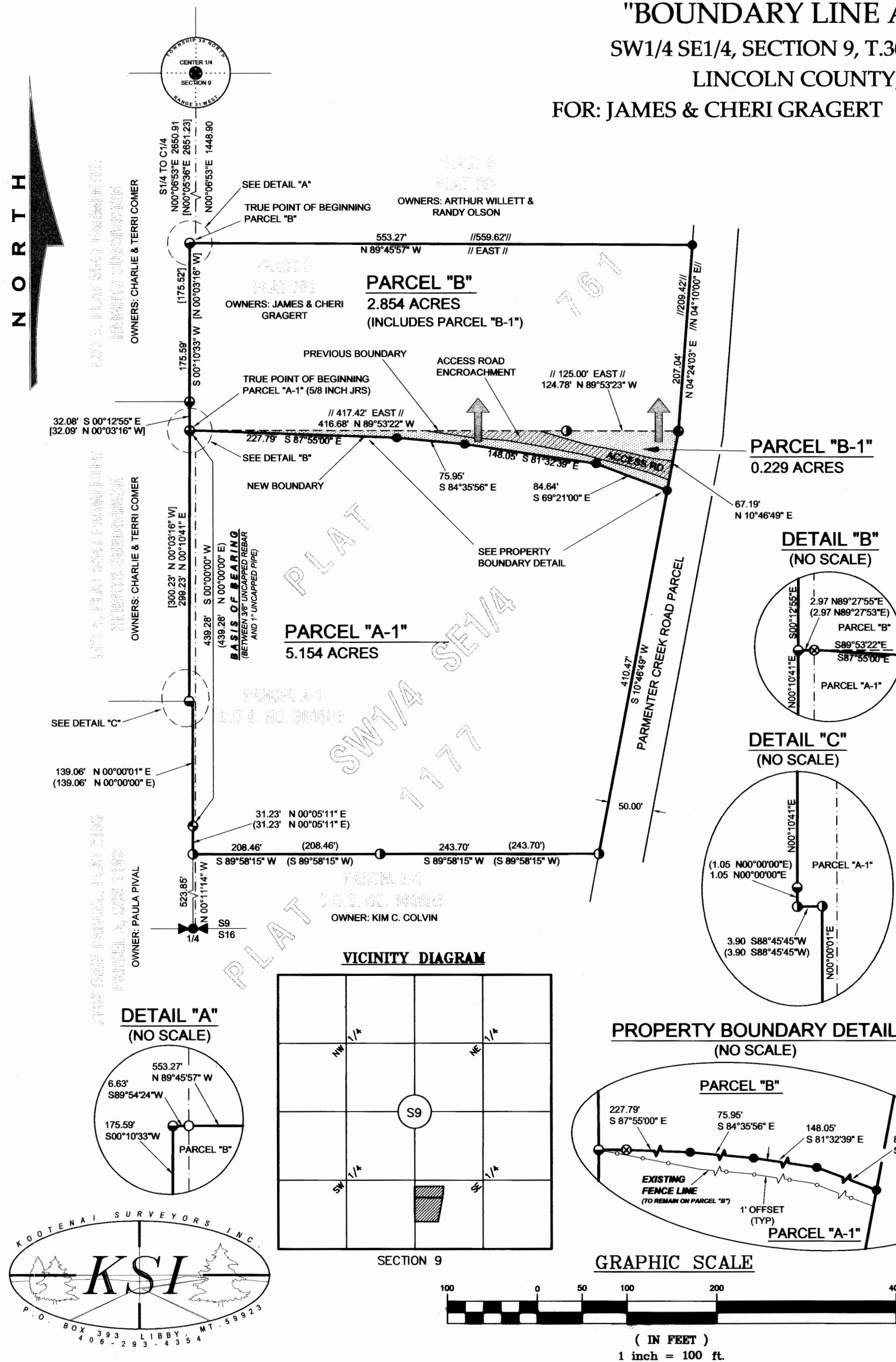
"BOUNDARY LINE ADJUSTMENT"

SW1/4 SE1/4, SECTION 9, T.30N., R.31W., P.M., MT.

LINCOLN COUNTY, MONTANA

FOR: JAMES & CHERI GRAGERT

DATE: OCTOBER 2007

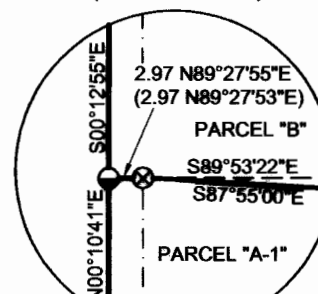


LEGAL DESCRIPTION ~ PARCEL "B"

An irregular tract of land lying southerly from Libby, Montana, Lincoln County, and in the SW1/4 SE1/4, Section 9, Township 30 North, Range 31 West, P.M., MT. and more particularly described as follows:

Commencing at the Center One-Quarter Corner, Section 9, a 2 1/2 inch diameter iron pipe with a BLM brass cap marked "1973"; Thence S00°06'53"W, 1448.90 feet to an unmarked computed point; Thence S89°54'24"W, 6.63 feet to a 5/8 inch diameter rebar with cap marked JRS 9958LS; and the TRUE POINT OF BEGINNING; Thence N89°54'24"E, 6.63 feet to an unmarked computed point; Thence N89°45'57"E, 553.27 feet to a set 5/8 inch diameter rebar with a plastic cap marked Hughes 7322LS; Thence S04°24'03"W, 207.04 feet to a 3/8 inch diameter uncapped rebar; Thence S10°46'49"W, 67.19 feet to a set 5/8 inch diameter rebar with a plastic cap marked Hughes 7322LS; Thence N69°21'00"W, 84.64 feet to a set 5/8 inch diameter rebar with a plastic cap marked Hughes 7322LS; Thence N81°32'39"W, 148.05 feet to a set 5/8 inch diameter rebar with a plastic cap marked Hughes 7322LS; Thence N84°35'56"W, 75.95 feet to a set 5/8 inch diameter rebar with a plastic cap marked Hughes 7322LS; Thence N87°55'00"W, 227.79 feet to a 1 inch diameter uncapped iron pipe; Thence S89°27'55"W, 2.97 feet to a 5/8 inch diameter rebar with cap marked JRS 9958LS; Thence N00°12'55"W, 32.08 feet to a 5/8 inch diameter rebar with cap marked JRS 9958LS; Thence N00°10'33"E, 175.59 feet to a 5/8 inch diameter rebar with cap marked JRS 9958LS, and the TRUE POINT OF BEGINNING, containing 2.854 acres. Subject to and together with all appurtenant easements of record.

DETAIL "B" (NO SCALE)

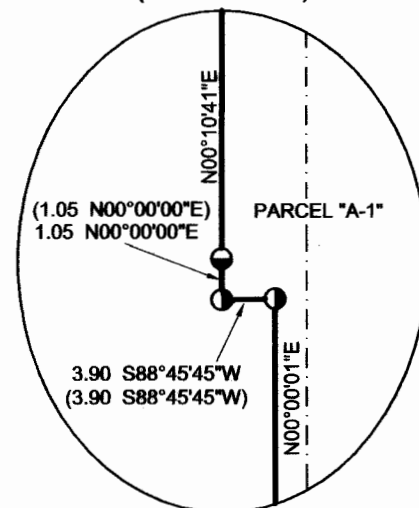


LEGAL DESCRIPTION ~ PARCEL "A-1"

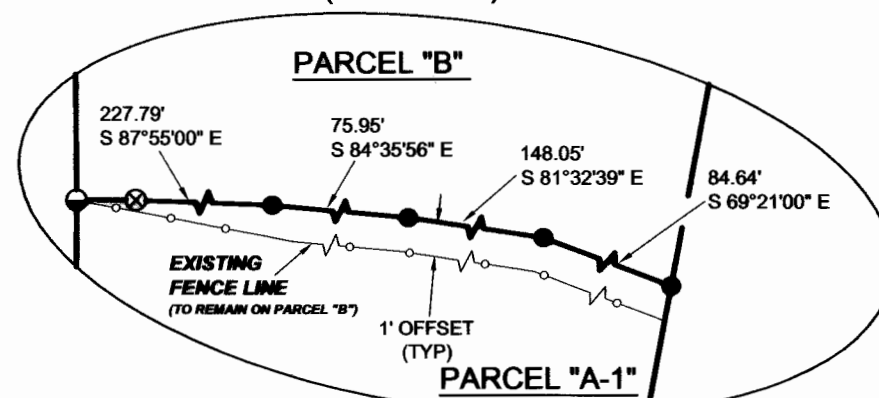
An irregular tract of land lying southerly from Libby, Montana, Lincoln County, and in the SW1/4 SE1/4, Section 9, Township 30 North, Range 31 West, P.M., MT. and more particularly described as follows:

Commencing at the Center One-Quarter Corner, Section 9, a 2 1/2 inch diameter iron pipe with a BLM brass cap marked "1973"; Thence S00°14'31"W, 1656.56 feet to a 1 inch diameter iron pipe; Thence S89°27'55"W, 2.97 feet to a 5/8 inch diameter rebar with cap marked JRS 9958LS and the TRUE POINT OF BEGINNING; Thence N89°27'55"E, 2.97 feet to a 1 inch diameter iron pipe; Thence S87°55'00"E, 227.79 feet to a set 5/8 inch diameter rebar with a plastic cap marked Hughes 7322LS; Thence S84°35'56"E, 75.95 feet to a set 5/8 inch diameter rebar with a plastic cap marked Hughes 7322LS; Thence S69°21'00"E, 84.64 feet to a set 5/8 inch diameter rebar with a plastic cap marked Hughes 7322LS; Thence S89°58'15"W, 243.70 feet to a 5/8 inch diameter rebar with a plastic cap marked Hughes 7322LS; Thence S10°46'49"W, 410.47 feet to a 5/8 inch diameter rebar with a plastic cap marked Hughes 7322LS; Thence S89°58'15"W, 208.46 feet to a 5/8 inch diameter rebar with a plastic cap marked Hughes 7322LS; Thence N00°05'11"E, 31.23 feet to a 3/8 inch diameter uncapped rebar; Thence N00°00'01"E, 139.06 feet to a 5/8 inch diameter rebar with a plastic cap marked Hughes 7322LS; Thence S88°45'45"W, 3.90 feet to a 5/8 inch diameter rebar with a plastic cap marked Hughes 7322LS; Thence N00°10'41"E, 299.23 feet to a 5/8 inch diameter rebar with cap marked JRS 9958LS, and the TRUE POINT OF BEGINNING, containing 5.154 acres. Subject to and together with all appurtenant easements of record.

DETAIL "C" (NO SCALE)



PROPERTY BOUNDARY DETAIL (NO SCALE)



GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

PURPOSE OF SURVEY AND OWNER'S EXEMPTION CERTIFICATION

We, James P. Gragert, Cheri A. Gragert, David L. Bennett, & Diane J. Bennett, record owners, hereby certify that the purpose of this survey and division of land is to "relocate a common boundary between record parcels" due to an access road encroachment. Therefore this division is 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". Furthermore, this land is exempt from review by the Montana Department of Environmental Quality pursuant to MCA 76-4-125(2)(b): "divisions made for the purpose of acquiring additional land to become part of an approved parcel, provided that water or sewage disposal facilities may not be constructed on the additional acquired parcel and that the division does not fall within a previously platted or approved subdivision."

James P. Gragert 11/25/07
Cheri A. Gragert 11/25/07
David L. Bennett 11-9-07
Diane J. Bennett 11-9-07

ACKNOWLEDGMENT

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

the State of MONTANA, County of LINCOLN, by James P.

Gragert & Cheri A. Gragert, on this 25th day of NOVEMBER, 2007. In witness whereof,

I have hereunto set my hand and affixed my notarial seal.

Dawn Sanderson, Notary Public for

the State of MONTANA

residing in: LIBBY, MT. My Commission expires: 12/1/09

ACKNOWLEDGMENT

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

the State of MONTANA, County of LINCOLN, by David L.

Bennett & Diane J. Bennett, on this 9th day of NOVEMBER, 2007. In witness whereof,

I have hereunto set my hand and affixed my notarial seal.

Dawn Sanderson, Notary Public for

the State of MONTANA

residing in: LIBBY, MT. My Commission expires: 12/1/09

METHOD OF SURVEY

A total station and data collector was used with closed traverse procedures to tie the previously set controlling corners by Levi Powell, May, 2007.

BASIS OF BEARING

The basis of bearing for this survey is N00°00'00"E, as shown on Plat No. 1177 between the northwest corner of Tract B-1, Plat 1177, a 3/8 inch diameter rebar and the northwest corner of Tract C, Plat 761, a 1 inch diameter iron pipe.

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 Nov. 15 2007
Alvah F. Hughes, PLS, 7322LS Date

EXAMINING LAND SURVEYOR'S CERTIFICATION

Approved this 6 day of Nov, 2007, A.D.

Andrew Belski, PLS, 14581LS - 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 Kottelsohn 11/28/07
Lincoln County Treasurer, Libby Montana Date

CLERK AND RECORDER'S CERTIFICATION

State of Montana, County of Lincoln, filed this 28th day

of November, 2007, A.D. at 1:43 o'clock

Tammy D. Lauer by File Blomdahl
County Clerk Recorder Deputy

CERTIFICATE OF SURVEY NO. 3745RB doc# 207694