

CERTIFICATE OF SURVEY

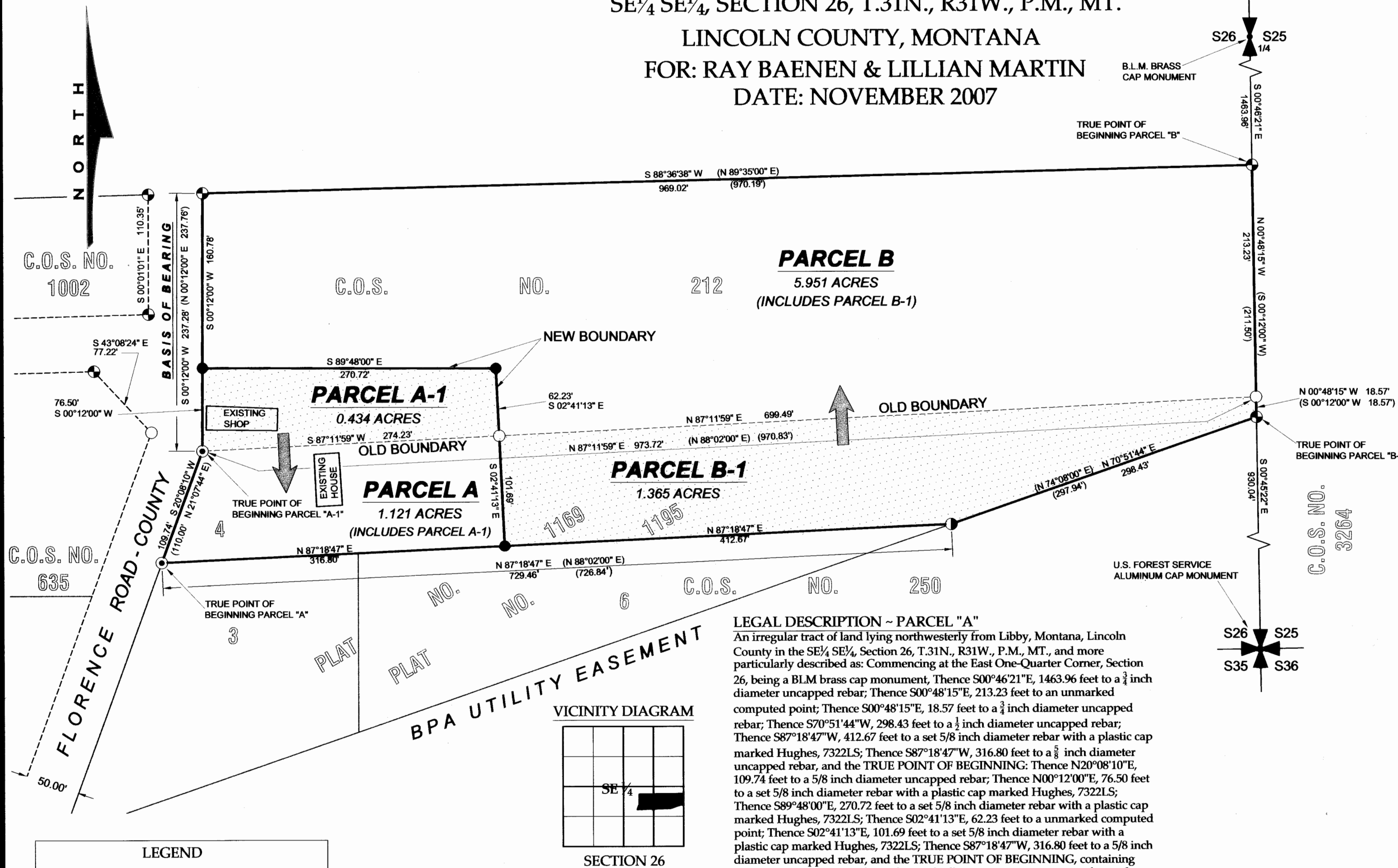
"BOUNDARY LINE ADJUSTMENT"

SE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 26, T.31N., R31W., P.M., MT.

LINCOLN COUNTY, MONTANA

FOR: RAY BAENEN & LILLIAN MARTIN

DATE: NOVEMBER 2007



LEGAL DESCRIPTION - PARCEL "A"

An irregular tract of land lying northwesterly from Libby, Montana, Lincoln County in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 26, T.31N., R31W., P.M., MT., and more particularly described as: Commencing at the East One-Quarter Corner, Section 26, being a BLM brass cap monument, Thence S00°46'21"E, 1463.96 feet to a $\frac{3}{4}$ inch diameter uncapped rebar; Thence S00°48'15"E, 18.57 feet to a $\frac{3}{4}$ inch diameter uncapped rebar; Thence S70°51'44"W, 298.43 feet to a $\frac{1}{2}$ inch diameter uncapped rebar; Thence S87°18'47"W, 412.67 feet to a set 5/8 inch diameter rebar with a plastic cap marked Hughes, 7322LS; Thence S87°18'47"W, 316.80 feet to a $\frac{3}{8}$ inch diameter uncapped rebar, and the TRUE POINT OF BEGINNING: Thence N20°08'10"E, 109.74 feet to a 5/8 inch diameter uncapped rebar; Thence N00°12'00"E, 76.50 feet to a set 5/8 inch diameter rebar with a plastic cap marked Hughes, 7322LS; Thence S89°48'00"E, 270.72 feet to a set 5/8 inch diameter rebar with a plastic cap marked Hughes, 7322LS; Thence S02°41'13"E, 62.23 feet to a unmarked computed point; Thence S02°41'13"E, 101.69 feet to a set 5/8 inch diameter rebar with a plastic cap marked Hughes, 7322LS; Thence S87°18'47"W, 316.80 feet to a 5/8 inch diameter uncapped rebar, and the TRUE POINT OF BEGINNING, containing 1.121 acres. Subject to and together with all appurtenant easements of record.

LEGAL DESCRIPTION - PARCEL "A-1"

An irregular tract of land lying northwesterly from Libby, Montana, Lincoln County in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 26, T.31N., R31W., P.M., MT., and more particularly described as: Commencing at the East One-Quarter Corner, Section 26, being a BLM brass cap monument, Thence S00°46'21"E, 1463.96 feet to a $\frac{3}{4}$ inch diameter uncapped rebar; Thence S00°48'15"E, 18.57 feet to a $\frac{3}{4}$ inch diameter uncapped rebar; Thence S70°51'44"W, 298.43 feet to a $\frac{1}{2}$ inch diameter uncapped rebar; Thence S87°18'47"W, 412.67 feet to a set 5/8 inch diameter rebar with a plastic cap marked Hughes, 7322LS; Thence S87°18'47"W, 316.80 feet to a 5/8 inch diameter uncapped rebar; Thence N20°08'10"E, 109.74 feet to a 5/8 inch diameter uncapped rebar, and the TRUE POINT OF BEGINNING: Thence N00°12'00"E, 76.50 feet to a set 5/8 inch diameter rebar with a plastic cap marked Hughes, 7322LS; Thence S89°48'00"E, 270.72 feet to a set 5/8 inch diameter rebar with a plastic cap marked Hughes, 7322LS; Thence S02°41'13"E, 62.23 feet to a unmarked computed point; Thence S87°11'59"W, 274.23 feet to a 5/8 inch diameter uncapped rebar, and the TRUE POINT OF BEGINNING, containing 0.434 acres. Subject to and together with all appurtenant easements of record.

LEGAL DESCRIPTION - PARCEL "B"

An irregular tract of land lying northwesterly from Libby, Montana, Lincoln County in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 26, T.31N., R31W., P.M., MT., and more particularly described as: Commencing at the East One-Quarter Corner, Section 26, being a BLM brass cap monument, Thence S00°46'21"E, 1463.96 feet to a $\frac{3}{4}$ inch diameter uncapped rebar and the TRUE POINT OF BEGINNING: Thence S00°48'15"E, 18.57 feet to a $\frac{3}{4}$ inch diameter uncapped rebar; Thence S70°51'44"W, 298.43 feet to a $\frac{1}{2}$ inch diameter uncapped rebar; Thence S87°18'47"W, 412.67 feet to a set 5/8 inch diameter rebar with a plastic cap marked Hughes, 7322LS; Thence N02°41'13"W, 101.69 feet to a unmarked computed point; Thence N02°41'13"W, 62.23 feet to a set 5/8 inch diameter rebar with a plastic cap marked Hughes, 7322LS; Thence N89°48'00"W, 270.72 feet to a set 5/8 inch diameter rebar with a plastic cap marked Hughes, 7322LS; Thence N00°12'00"E, 160.78 feet to a $\frac{3}{4}$ inch diameter uncapped rebar; Thence N88°36'38"E, 969.02 feet to the TRUE POINT OF BEGINNING, containing 5.951 acres. Subject to and together with all appurtenant easements of record.

LEGAL DESCRIPTION - PARCEL "B-1"

An irregular tract of land lying northwesterly from Libby, Montana, Lincoln County in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 26, T.31N., R31W., P.M., MT., and more particularly described as: Commencing at the East One-Quarter Corner, Section 26, being a BLM brass cap monument, Thence S00°46'21"E, 1463.96 feet to a $\frac{3}{4}$ inch diameter uncapped rebar; Thence S00°48'15"E, 18.57 feet to a unmarked computed point; Thence S70°51'44"W, 298.43 feet to a $\frac{1}{2}$ inch diameter uncapped rebar; Thence S87°18'47"W, 412.67 feet to a set 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS; Thence N02°41'13"W, 101.69 feet to a unmarked computed point; Thence N87°11'59"E, 699.49 feet to a unmarked computed point; Thence S00°48'15"E, 18.57 feet to the TRUE POINT OF BEGINNING, containing 1.365 acres. Subject to and together with all appurtenant easements of record.

PURPOSE OF SURVEY AND OWNER'S CERTIFICATION

We, Raymond J. Baenen and Lillian Trevino Martin, record owners, hereby certify that the purpose of this survey and division of land is to "relocate a common boundary line between record parcels, as to aggregate the existing home and shop onto a common property. 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 parcel is exempt from review by the Montana Department of Environmental Quality pursuant to 76-4-125 (2) (b) "divisions made for the purpose of acquiring additional land to become part of an approval 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 subdivision or approved subdivision".

Raymond J. Baenen 12-14-07
Raymond J. Baenen Date
Lillian Trevino Martin 12-14-07
Lillian Trevino Martin Date

ACKNOWLEDGMENT

The foregoing Exemption(s) were subscribed and acknowledged before me

Jenny M. Hoelscher a Notary Public for
the State of Montana, County of Lincoln
by the above named person(s), on this 14 day of December, 2007
In witness whereof, I have hereunto set my hand and affixed my notarial seal
Jenny M. Hoelscher, Notary Public for
the State of Montana
residing in Sidney My Commission expires Dec 1, 2010

HISTORY OF SURVEY

1966 - Plat No. 1169, Tracts 1-4, J.B. Reynolds, 1867S
No Date - Plat No. 1195, Amend Plat No. 1169, J.B. Reynolds, 1867S
1976 - C.O.S. No. 212, Agricultural Parcel, J.B. Reynolds, 1867S
1976 - C.O.S. No. 250, Agricultural Parcel, J.B. Reynolds, 1867S

METHOD OF SURVEY

A total station and data collector were used with closed traverse procedures to tie previously set controlling corners by Kelly Rooney, July 2007.

BASIS OF BEARING

The basis of bearing for this survey is S00°12'00"W, between a found 3/4 inch diameter uncapped rebar and a found 5/8 inch diameter uncapped rebar as shown on C.O.S. No. 212, filed with the Lincoln County Clerk and Recorder.

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 76-3-1 through 76-3-625 and the Lincoln County regulations adopted pursuant thereto.

Alvah F. Hughes, PLS, 7322LS Nov. 29, 2007
Alvah F. Hughes, PLS, 7322LS Date

EXAMINING LAND SURVEYOR'S CERTIFICATION

Examined this 20 day of NOVEMBER 2007
Ronald A. Pearson, PLS, 9008LS Examining Land Surveyor

LINCOLN COUNTY TREASURER'S CERTIFICATION

I hereby certify that all real property taxes and special assessments assessed and levied on the parcel shown hereon are paid, pursuant to Section 76-3-207(3)(a), MCA.

Nancy J. Sutton by Joni Kiden, Clerk
Lincoln County Treasurer Date 12/14/07

CLERK AND RECORDER'S CERTIFICATION

State of Montana, County of Lincoln, filed this 27 day of Dec. 2007, A.D.

at 10:38 o'clock
Tammy D. Lauer by Jill Blomdahl
Lincoln County Clerk and Recorder Deputy

CERTIFICATE OF SURVEY NO. 3768 RB 208289