

# CERTIFICATE of SURVEY

in the E1/2 OF SECTION 14,  
TOWNSHIP 29 NORTH, RANGE 31 WEST, P.M.M.  
LINCOLN COUNTY, MONTANA

## PURPOSE OF SURVEY

I, (we) certify that the purpose of this survey is to create two (2) parcels of land to be used exclusively for agricultural purposes, and that a covenant has been entered into by the parties to the transaction, running with the land and revocable only by mutual consent of the governing body and property owner, that the land will be used exclusively for agricultural purposes, and that this survey is, therefore, exempt from review as a subdivision pursuant to Section 76-3-207(1)(c), M.C.A. In addition, this division of land was made for agricultural use and no structures requiring water, and/or sewage facilities have been or are to be erected or utilized, provided the parties to the transaction enter into a covenant running with the land and revocable only by the governing body and property owner, pursuant to Section 17.36.605(2)(i) A.R.M.

## DECLARATION OF AGRICULTURAL COVENANT

This Declaration, made this 31st day of December, 2007, by Eugenia V. Cline, owner(s), hereinafter referred to as the "Declarant(s)";

That whereas, Declarant is the owner of certain property described as Parcel(s) A & B, certificate of survey number 3779 on file and of record in the office of the Clerk and Recorder of Lincoln County, Montana.

Now, therefore, Declarant hereby declares that the parcel(s) described above shall be held, sold, and conveyed in any matter subject to the following covenant, which shall run with the real property and be binding on all parties having any right, title or interest in the described property (properties) or any part thereof, their heirs, executors, successors, administrators, and assignees, and shall bind each owner thereof. This covenant may be revoked by mutual consent of the owners of the parcel(s) in question and the governing body of Lincoln County. The governing body is deemed to be a party and may enforce this covenant TO WIT.

The parcel(s) described above shall be used exclusively for agricultural purposes and no building, house, dwelling, or structures requiring water or sewage facilities may be erected or utilized.

IN WITNESS WHEREOF, the undersigned, being the Declarant(s), herein, has hereunto set her hand this 31st day of Dec, 2007.

Eugenia V. Cline  
Eugenia V. Cline

## PROPERTY DESCRIPTION - PARCEL "A"

A tract of land situated in the Southwest Quarter of the Northeast Quarter of the Northwest Quarter of the Southeast Quarter (SW1/4 SW1/4 NE1/4) and the Northwest Quarter of the Northwest Quarter of the Southeast Quarter (NW1/4 NW1/4 SE1/4) of Section Fourteen (14), Township Twenty-nine (29) North, Range Thirty-one (31) West, P.M.M., Lincoln County, Montana; more particularly described as follows:

Beginning at the northwest corner of the SW1/4 SW1/4 NE1/4 of Section 14, which is marked on the ground by a 5/8" rebar and plastic cap stamped 9958L5; thence, along the west line of said SW1/4 SW1/4 NE1/4, S 00°01'42" W, 660.89 feet to the center of Section 14, which is marked on the ground by an Aluminum Monument set by T. C. Hill; thence, along the north line of that parcel shown on Certificate of Survey No. 2673, N 89°09'14" E, 220.00 feet to the northeast corner of said Certificate of Survey No. 2673, which is marked on the ground by a 5/8" rebar and plastic cap stamped 9958L5; thence, along the east line of said Certificate of Survey No. 2673, S 00°03'01" W, 660.04 feet to the southeast corner thereof, which is marked on the ground by a 5/8" rebar and plastic cap stamped 9958L5; thence, along the south line of the NW1/4 NW1/4 SE1/4, N 89°12'55" E, 432.28 feet to the southeast corner of said NW1/4 NW1/4 SE1/4, which is marked on the ground by a 5/8" rebar and plastic cap stamped 9958L5; thence, along the east line of the NW1/4 NW1/4 SE1/4, N 00°00'35" E, 660.50 feet to the northeast corner thereof which is marked on the ground by a 5/8" rebar and plastic cap stamped 9958L5; thence, along the east line of the SW1/4 SW1/4 NE1/4, N 00°00'08" E, 661.06 feet to the northeast corner of said SW1/4 SW1/4 NE1/4, which is marked on the ground by a 5/8" rebar and plastic cap stamped 9958L5; thence, along the north line of the SW1/4 SW1/4 NE1/4, S 89°08'18" W, 651.52 feet to the TRUE POINT OF BEGINNING, encompassing an area of 16.44 acres.

TOGETHER WITH AND SUBJECT TO an easement for access and utilities in the East Half (E1/2) of Section Fourteen (14), Township Twenty-nine (29) North, Range Thirty-one (31) West, P.M.M., Lincoln County, Montana, being Thirty (30) feet in width and lying Fifteen (15) feet on each side of the following described centerline:

Commencing at the intersection of the east line of the West Half of the Northwest Quarter of the Southeast Quarter of the Northeast Quarter (W1/2 NW1/4 SE1/4) of Section 14 and the centerline of Bear Creek Road No. 278, which is S 00°02'10" E, 107.98 feet from the northeast corner of said W1/2 NW1/4 SE1/4 NE1/4; thence, leaving said east line and along said centerline S 18°51'41" W, 215.33 feet to the TRUE POINT OF BEGINNING; thence, leaving said centerline and along the centerline of an existing road the following Ten (10) courses: S 77°24'07" W, 301.00 feet; thence S 65°17'58" W, 92.84 feet; thence S 53°10'04" W, 192.96 feet; thence S 87°39'22" W, 60.60 feet; thence N 71°33'25" W, 157.45 feet; thence N 89°40'43" W, 100.14 feet; thence S 78°36'03" W, 227.11 feet; thence S 09°37'04" W, 152.01 feet to the north line of the above described tract; thence continuing S 09°37'04" W, 618.17 feet; thence S 47°36'38" W, 196.64 feet to the west line of the above described tract and the east line of that tract shown on Certificate of Survey No. 2673, and the terminus of this easement, with the sidelines extended or shortened to intersect adjacent boundaries.

## PROPERTY DESCRIPTION - PARCEL "B"

A tract of land situated in the Northeast Quarter of the Northwest Quarter of the Southeast Quarter (NE1/4 NW1/4 SE1/4) of Section Fourteen (14), Township Twenty-nine (29) North, Range Thirty-one (31) West, P.M.M., Lincoln County, Montana; more particularly described as follows:

Beginning at the southwest corner of the NE1/4 NW1/4 SE1/4 of Section 14, which is marked on the ground by a 5/8" rebar and plastic cap stamped 9958L5; thence, along the west line of said NE1/4 NW1/4 SE1/4, N 00°00'35" E, 515.91 feet to a 5/8" rebar and plastic cap stamped 9958L5; thence, leaving said west line and along the south line of Lot 4 of Cline Subdivision Plat No. 6104, Lincoln County, Montana records N 89°11'04" E, 471.73 feet to the intersection with the westerly right of way of Bear Creek Road, which is marked on the ground by a 5/8" rebar and plastic cap stamped 9958L5; thence, continuing along said south line N 89°11'04" E, 35.07 feet to the southeast corner of said Lot 4; thence, along the centerline of Bear Creek Road and the westerly line of Lot 1 of said Cline Subdivision S 18°59'17" W, 548.47 feet to the southwest corner of said Lot 1; thence, along the south line of the NE1/4 NW1/4 SE1/4, S 89°12'55" W, 35.07 feet to the intersection with the westerly right of way of Bear Creek Road, which is marked on the ground by a 5/8" rebar and plastic cap stamped 9958L5; thence, continuing along said south line S 89°12'55" W, 293.34 feet to the TRUE POINT OF BEGINNING, encompassing an area of 4.95 acres.

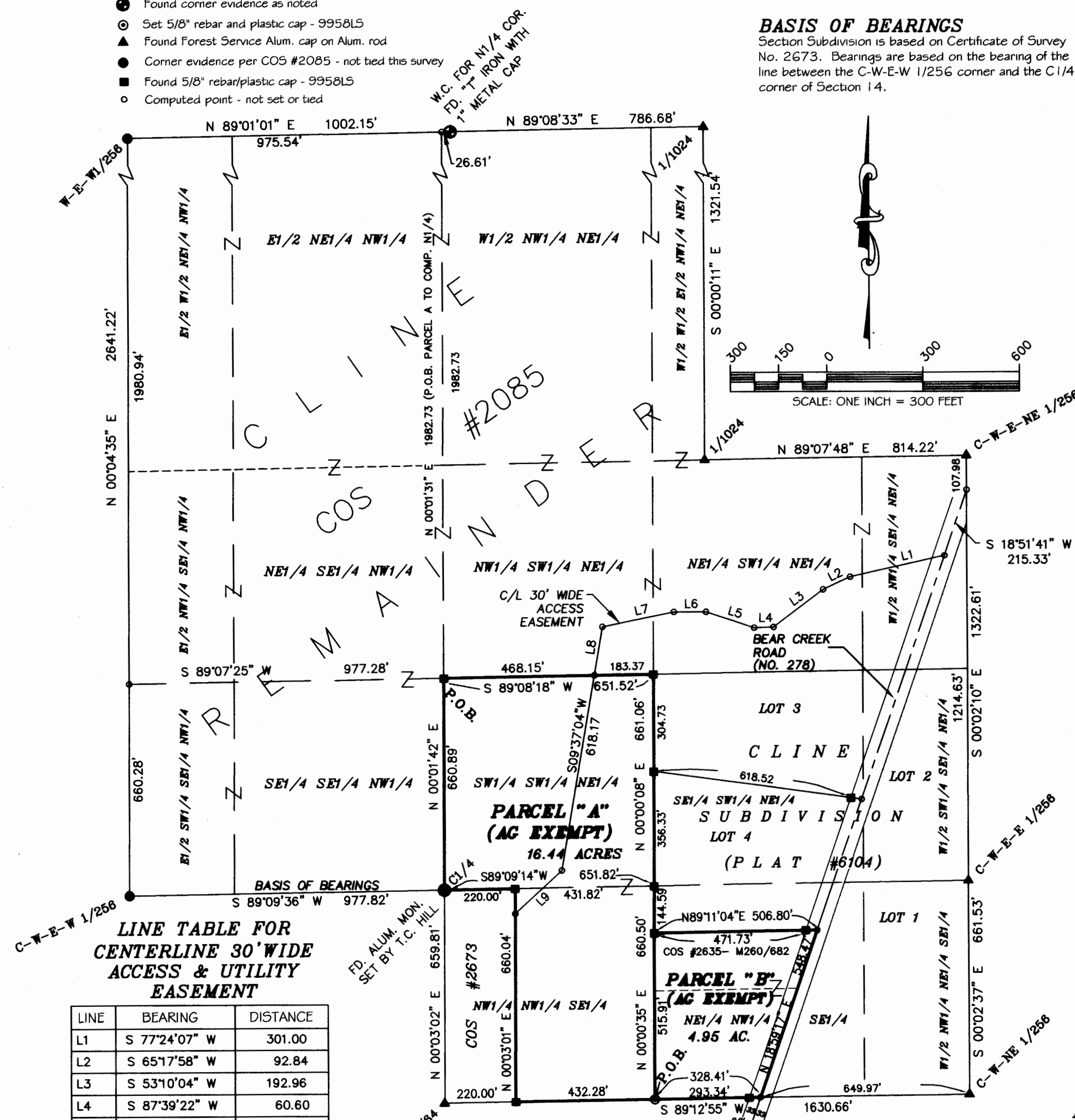
SUBJECT TO the right of way of Bear Creek Road No. 278, being Sixty-six (66) feet in width as described in M195/147 Lincoln County, Montana Records.

## LEGEND

- Found corner evidence as noted
- ▲ Set 5/8" rebar and plastic cap - 9958L5
- ▲ Found Forest Service Alum. cap on Alum. rod
- Corner evidence per COS #2085 - not tied this survey
- Found 5/8" rebar/plastic cap - 9958L5
- Computed point - not set or tied

## BASIS OF BEARINGS

Section Subdivision is based on Certificate of Survey No. 2673. Bearings are based on the bearing of the line between the C-W-E-W 1/256 corner and the C1/4 corner of Section 14.



## LINE TABLE FOR CENTERLINE 30' WIDE ACCESS & UTILITY EASEMENT

LINE	BEARING	DISTANCE
L1	S 77°24'07" W	301.00
L2	S 65°17'58" W	92.84
L3	S 53°10'04" W	192.96
L4	S 87°39'22" W	60.60
L5	N 71°33'25" W	157.45
L6	N 89°40'43" W	100.14
L7	S 78°36'03" W	227.11
L8	S 09°37'04" W	152.01
L9	S 47°36'38" W	196.64

## ACKNOWLEDGEMENT

Subscribed to and acknowledged before me, a Notary Public for the State of Montana, County of Lincoln, by the above named person(s), on this 31 day of Dec, 2007. In witness whereof I have hereunto set my hand and affixed my notarial seal.

Robin A. Benson, Notary Public for the State of MT, residing at Libby



## EXAMINING LAND SURVEYOR CERTIFICATION

I, [Signature], acting as an Examining Land Surveyor for Lincoln County, Montana, do hereby certify that I have examined this plat and find that the survey data shown thereon meet the conditions set forth be or pursuant to Title 76, Chapter 3 - 611(2)(a), M.C.A. Dated this 28 day of Nov, 2007.

## LINCOLN COUNTY TREASURER

I hereby certify that all real property taxes assessed and levied on the land to be divided described hereon and paid.

Nancy J. Latta, Treasurer, Lincoln County  
Date 1/8/08

## CERTIFICATE OF RECORDER

Filed for record this 24 day of January, 2008 at 1:09 o'clock P.M.

Tammy D. Hauer, Lincoln County Recorder  
By Reel Blomdall, Deputy

DATE: 4-13-2007

JOB NO. M05-90

DWN. BY: JDM/SO

REVISION

SHEET 1 OF 1

SECTION 14

TOWNSHIP 29N

RANGE 31W

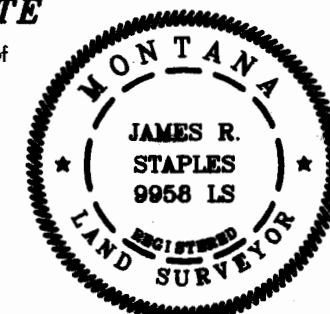
PRINCIPAL MERIDIAN MT.

LINCOLN COUNTY

## SURVEYOR'S CERTIFICATE

I, James R. Staples, do hereby certify that this Certificate of Survey has been prepared in conformance to the Montana Subdivision & Platting Act (Sections 76-3-101 thru 76-3-614 M.C.A.) and the regulations adopted pursuant thereto, and that the map shown hereon is a true representation of a survey made by me.

James R. Staples, 9958L5  
Date 10/8/07



## J.R.S. SURVEYING, INC.

P.O. BOX 1050

317 MINERAL AVE.

LIBBY, MONTANA 59923

(406) 293-5059