

CERTIFICATE OF SURVEY

BOUNDARY LINE ADJUSTMENT

PARCEL A OF C.O.S. NO. 742
AND PARCEL A OF C.O.S. NO. 1805
IN THE W1/2 SE1/4 OF SECTION 22,
TWP. 28 N., R. 30 W., P.M.M.

FOR: DENNIS FRANK DATE: SEPTEMBER 2007
& SHERRY SMITH

LEGEND

- SET 5/8 INCH DIA. REBAR
CAPPED K.E.D. 4975-S
- FOUND 5/8 INCH DIA. REBAR
CAPPED MDL 4232-S
- FOUND 2 INCH DIA. ALUM.
M.D.O.H. 10999-L5
- () RECORD PER C.O.S. 1805
- { } RECORD PER C.O.S. 742

DESCRIPTION OF TRACT 1

A tract of land near Libby, Lincoln County Montana, lying in the W1/2 SE1/4 of Section 22, Twp. 28 N., R. 30 W., P.M.M., containing 9.75 acres, more or less and is more particularly described as follows:

Beginning at a found 5/8 inch dia. rebar capped MDL 4232-S which marks the southwest corner of Tract 1; thence, along the south line of Tract 1 N89°55'43"E 282.19 feet to a set 5/8 inch dia. rebar capped K.E.D. 4975-S; thence, N34°23'59"E 109.14 feet to a set 5/8 inch dia. rebar capped K.E.D. 4975-S; thence, S49°11'32"E 137.47 feet to a set 5/8 inch dia. rebar capped K.E.D. 4975-S; thence, N89°55'43"E 54.84 feet to a set 5/8 inch dia. rebar capped K.E.D. 4975-S located on the west right-of-way line of U.S. Highway No. 2; thence, along said right-of-way line N00°04'48"W 83.48 feet to a found 2 inch dia. Alum. M.D.O.H. 10999 LS; thence, N09°12'52"W 227.00 feet to a found 2 inch dia. Alum. M.D.O.H. 10999 LS; thence, N15°29'45"W 239.73 feet to a found 2 inch dia. Alum. M.D.O.H. 10999 LS; thence, on the arc of a curve to the right a distance of 451.17 feet, turning through a delta angle of 16°37'59", and having a radius of 1554.18 feet to a set 5/8 inch dia. rebar capped K.E.D. 4975-S; thence, leaving said right-of-way line S89°33'01"W 424.15 feet to a found 5/8 inch dia. rebar capped MDL 4232; thence, S00°13'41"E a total distance of 985.12 feet to the point of beginning.

The aforescribed Tract 1 contains 9.75 acres more or less and is subject to and together with all appurtenant easements of record.

DESCRIPTION OF TRACT 2

A tract of land near Libby, Lincoln County Montana, lying in the W1/2 SE1/4 of Section 22, Twp. 28 N., R. 30 W., P.M.M., contains 5.92 acres, more or less and is more particularly described as follows:

Beginning at a found 5/8 inch dia. rebar capped MDL 4232-S which marks the southwest corner of Tract 2; thence, along the west line of said Tract 2 N00°11'05"W 485.67 feet to a found 5/8 inch dia. rebar capped MDL 4232-S; thence, N89°55'43"E 282.19 feet to a set 5/8 inch dia. rebar capped K.E.D. 4975-S; thence, N34°23'59"E 109.14 feet to a set 5/8 inch dia. rebar capped K.E.D. 4975-S; thence, N89°55'43"E 54.84 feet to a set 5/8 inch dia. rebar capped K.E.D. 4975-S located on the west right-of-way line of U.S. Highway No. 2; thence, along said right-of-way line S00°04'48"E 289.96 feet to a found 2 inch dia. Alum. M.D.O.H. 10999 LS; thence, S10°36'45"E 52.49 feet to a set 5/8 inch dia. rebar capped K.E.D. 4975-S; thence, S24°38'55"E 158.97 feet to a set 5/8 inch dia. rebar capped K.E.D. 4975-S; thence, leaving said right-of-way line S89°58'28"W 577.55 feet to the point of beginning.

The aforescribed Tract 2 contains 5.92 acres more or less and is subject to and together with all appurtenant easements of record.

EXEMPTION

Tract 1 is exempt from sanitation review by the Department of Environmental Quality pursuant to M.C.A. 76-4-125(2)(c)(ii) as a remainder of an original tract created by segregating a parcel from the tract for purposes of transfer because the remainder is 1 acre or larger and has an individual sewage system that was constructed prior to April 29, 1993, and if required when installed, was approved pursuant to local regulations or M.C.A. Title 76, Chapter 4.

AND the portion of land adjusted to Tract 2 is exempt from sanitation review by the Department of Environmental Quality pursuant to ARM 17.36.605(2)(a) as a parcel that has no existing facilities for water supply, wastewater disposal, or solid waste disposal, if no new facilities will be constructed on the parcel.

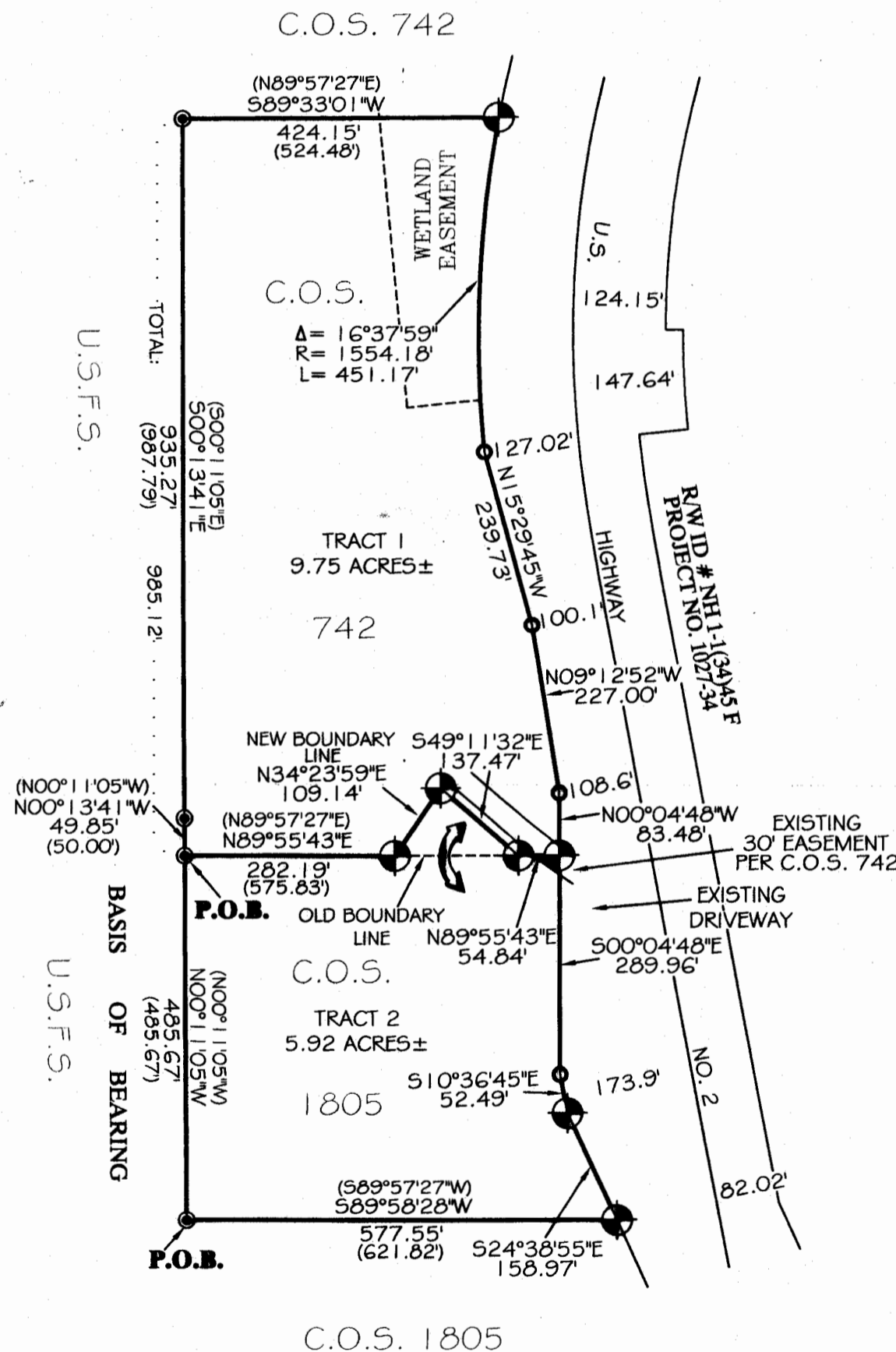
CERTIFICATE OF SURVEYOR

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 the best knowledge and ability; that said survey is complete as shown and the monuments found and set occupy the position as shown hereon.

Dated this 28th day of February, 2008 A.D.

 Kenneth E. Davis
Registered Land Surveyor No. 4975-S

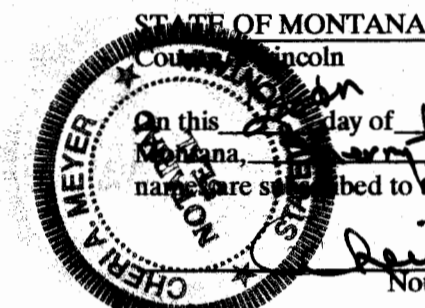


CERTIFICATE OF ADJUSTMENT/PURPOSE

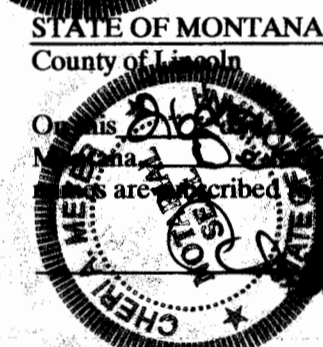
I/we, Dennis Frank, the undersigned property owner(s), do hereby certify that the purpose of this survey is to relocate a common boundary between two properties outside a platted subdivision; therefore this survey is exempt from review as a subdivision being completed pursuant to Section 76-3-207(1)(a) M.C.A., which states: "divisions made outside of platted subdivision for the purpose of relocating common boundary lines between adjoining properties."

Dated this 28th day of Feb, 2008 A.D.

Sherry J. Smith and Dennis Frank
and



On this 28th day of Feb, 2008 A.D., before me, a Notary Public in and for the State of Montana, Sherry J. Smith and Dennis Frank personally appeared known to me to be the persons whose names are subscribed to the within instrument and acknowledge to me that they executed the same.
Cheryl Meyer, Notary Public, My Commission Expires 6/20/2011



On this 28th day of Feb, 2008 A.D., before me, a Notary Public in and for the State of Montana, Sherry J. Smith and Dennis Frank personally appeared known to me to be the persons whose names are subscribed to the within instrument and acknowledge to me that they executed the same.
Cheryl Meyer, Notary Public, My Commission Expires 6/20/2011

EXAMINED FOR LINCOLN COUNTY BY:

Ronald A. Pearson, FEB 4, 2008
Registration No. 9008 LS

STATE OF MONTANA
COUNTY OF LINCOLN

Filed on this 28th day of February, 2008, A.D. at 9:30 O'clock A.M.

Jammy S. Lawler by Jeanni Dennis
County Clerk and Recorder Deputy

TREASURER CERTIFICATION

I hereby certify that all real property taxes and special assessments assessed and levied on the land to be divided have been paid. Dated this 28th day of February 2008

Nancy Shetter Sutton by Lori Kenden, Clerk
Treasurer Lincoln County Montana



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

DATE: 10/11/07
DRAWN BY: mlgm FILE: T28R30S22.DWG

CERTIFICATE OF SURVEY NO. 3799RB D# 209631