

CERTIFICATE OF SURVEY

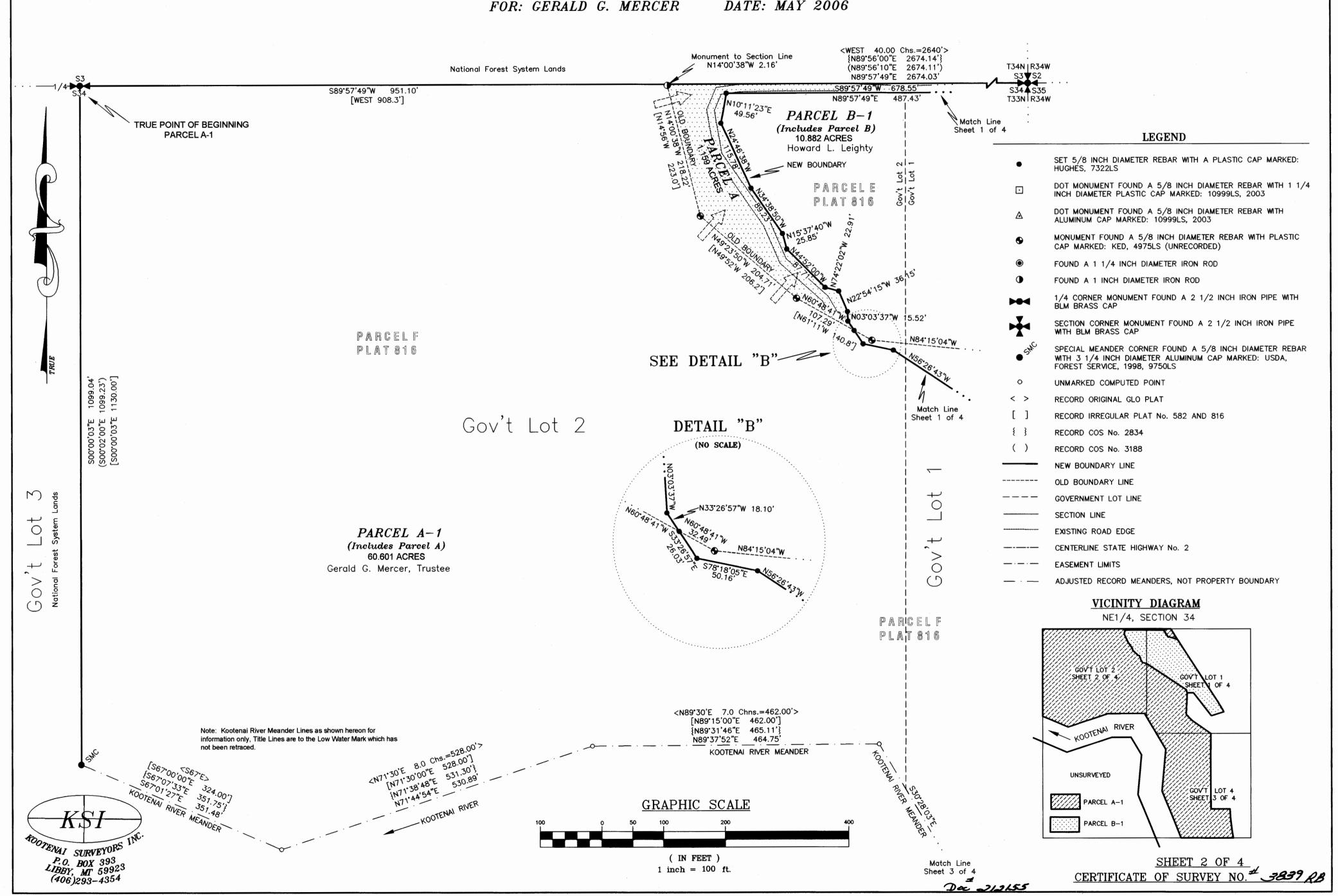
"BOUNDARY LINE ADJUSTMENT"

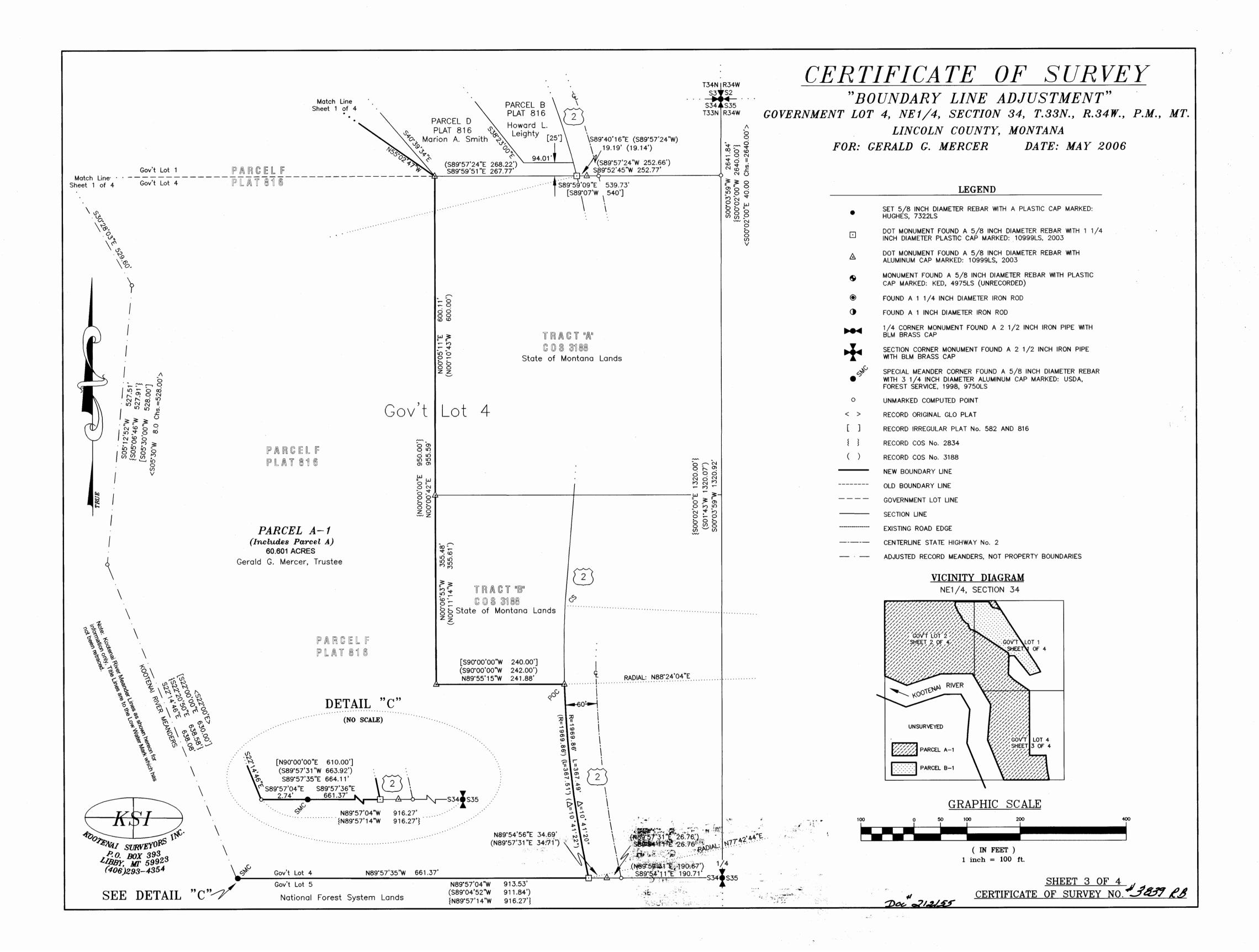
GOVERNMENT LOT 2, NE1/4, SECTION 34, T.33N., R.34W., P.M., MT.

LINCOLN COUNTY, MONTANA

FOR: GERALD G. MERCER

DATE: MAY 2006





CERTIFICATE OF SURVEY

"BOUNDARY LINE ADJUSTMENT"

GOVERNMENT LOT 4, NE1/4, SECTION 34, T.33N., R.34W., P.M., MT.

LINCOLN COUNTY, MONTANA

FOR: GERALD G. MERCER

DATE: MAY 2006

DESCRIPTION PARCEL A

An irregular tract of land northwesterly from Troy, Montana, Lincoln County, and lying in Government Lots 1, and 2, NE1/4, Section 34, T.33N., R.34W., P.M. MT., and more particularly described as follows:

Commencing at the Section Corner of Sections 34, 35, T.33N. R.34W. and sections 3, 4, T.34N., R.34W., a 2 1/2 inch diameter iron pipe with brass cap marked BLM; Thence along the section line of sections 3 and 34, S89*57'49"W, 999.82 feet intersecting the westerly right—of—way limits of Montana State Highway No. 2, being 40 feet from the centerline of said highway, a computed point; Thence along said limits, S33*02'17"E, 0.68 feet, a 5/8 inch diameter rebar with plastic cap marked, 10999LS being the TRUE POINT OF BEGINNING;

Thence along said limits, S33°02'17"E, 157.75 feet intersecting the southerly boundary of Parcel A this Certificate of Survey, a 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS; Thence continuing along the southerly boundary of said Parcel A, through 5/8 inch diameter rebars with plastic caps marked Hughes, 7322LS the following courses;

Thence, N71'07'10"W, 59.92 feet, Thence, N77'31'38"W, 51.43 feet; Thence, S78'15'43"W, 10.99 feet; Thence, N34'03'41"W, 108.04 feet;

Thence, S89°57′49″W, 487.43 feet; Thence along easterly boundary of said Parcel A, S10°11′23″W,

49.56 feet; Thence, S24'46'38"E, 115.78 feet; Thence, S34'38'50"E, 89.23 feet; Thence, S15'37'40"E, 25.85 feet; Thence, S44'52'00"E, 87.71 feet;

Thence, S74*22'02"E, 22.91 feet; Thence, S22*54'13"E, 36.15 feet; Thence, S03*03'37"E, 15.52 feet; Thence, S33*26'57"E, 18.10 feet;

Thence along the old boundary of Parcel E, Plat No. 816, N60°48'41"W, 107.29 feet, a 5/8 inch diameter rebar with plastic cap marked KED, 7975S; Thence along said boundary, N49°23'50"W, 204.71 feet, a 5/8 inch diameter rebar with plastic cap marked KED, 7975S; Thence along said boundary, N14°00'38"W, 218.22 feet, a 1 inch diameter iron rod; Thence extending along said boundary to intersect with the section line of said sections 3 and 34, N14°00'38"W, 2.16 feet, a computed point; Thence along said section line, N89°57'49"E, 675.42 feet intersecting the westerly right—of—way limits of Montana State Highway No. 2, being 40 feet from the centerline of said highway, a computed point; Thence along said limits, S33°02'17"E, 0.68 feet, a 5/8 inch diameter rebar with plastic cap marked, 10999LS being the True Point of Beginning, containing 1.159 acres. Subject to all appurtenant easements of record.

DESCRIPTION PARCEL A-1

An irregular tract of land northwesterly from Troy, Montana, Lincoln County, and lying in Government Lots 1, 2, and 4, NE1/4, Section 34, T.33N., R.34W., P.M. MT., and more particularly described as follows:

Commencing at the Quarter corner between Sections 3, T.34N. and 34, T.33N., a 2 1/2 inch diameter iron pipe with brass cap marked BLM also being the TRUE POINT OF BEGINNING: Thence along the line between government lots 2 and 3, S00°00'03"E, 1099.04 feet intersecting the northeast meander line of the Kootenai river, a 5/8 inch diameter rebar with aluminum cap marked USDA Forest Service, 9750LS; Thence, the original deed quote: "following the meander line of the northeast bank of the Kootenai River, upstream", S67'01'27'E, 351.48 feet to a computed point; Thence continuing along said meander line, N71°44'54'E, 530.89 feet to a computed point: Thence continuing along said meander line, N89'37'52'E, 464.75 feet to a computed point; Thence continuing along said meander line, S30°28'03'E, 529.60 feet to a computed point; Thence continuing along said meander line, S05'12'52'W, 527.51 feet to a computed point; Thence continuing along said meander line, S22*14'46'E, 638.08 feet intersecting line between government lots 4 and 5, a computed point; Thence along said lot line, S89.57'04"E, 2.74 feet, a 5/8 inch diameter rebar with aluminum cap marked USDA Forest Service, 9750LS; Thence along said lot line line, S89*57'36"E, 661.37 feet intersecting westerly right-of-way limits of Montana State Highway No. 2 being 60 feet from the centerline of said highway, a 5/8 inch diameter rebar with plastic cap marked, 10999LS; Thence along said limits, through a curve to the right having a radius 1969.86 feet, delta angle 10°41'20", arc length 367.49 feet intersecting the southerly boundary of Tract B, COS No. 3188, a 5/8 inch diameter rebar with aluminum cap marked, 10999LS; Thence along said boundary, N89'55'15"W, 241.88 feet to the southwest corner of said tract, a 5/8 inch diameter rebar with aluminum cap marked, 10999LS; Thence along said westerly boundary of said tract, N00°06'53"W, 355.48 feet to the southwest corner of Tract A, COS No. 3188, a 5/8 inch diameter rebar with aluminum cap marked, 10999LS; Thence along said tract boundary, N00°05'11"E, 600.11 feet intersecting the line between Government lots 1 and 4, a 5/8 inch diameter rebar with aluminum cap marked, 10999LS; Thence along the westerly boundary of Parcel A, Plat No. 816, N55*02'47"W, 288.84 feet, a 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS; Thence along said boundary, N44'29'21"W, 106.10 feet: a 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS; Thence along said boundary, NO2*24'39"E, 272.78 feet, to the northwesterly corner of said Parcel A, a 5/8 inch diameter rebar with plastic cap marked 4975LS; Thence, N16*55'47"W, 43.12 feet to the southeasterly corner of Parcel B this Certificate of Survey, a 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS; Thence along southwesterly boundary of said Parcel, N56°26'43"W, 604.29 feet, a 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS; Thence continuing along said boundary, N78 18 05 W, 50.16 feet, a 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS; Thence continuing along said boundary, N33°26'57"W, 26.03 feet to the southeasterly corner of Parcel A this Certificate of Survey, a 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS; Thence continuing along the northeasterly boundary of said Parcel A, through 5/8 inch diameter rebars with plastic caps marked Hughes, 7322LS the following courses;

Thence, N33°26'57"W, 18.10 feet; Thence, N03°03'37"W, 15.52 feet; Thence, N22°54'13"W, 36.15 feet; Thence, N74°22'02"W, 22.91 feet; Thence, N44°52'00"W, 87.71 feet; Thence, N15°37'40"W, 25.85 feet; Thence, N34°38'50"W, 89.23 feet; Thence, N24°46'38"W, 115.78 feet; Thence, N10°11'23"E, 49.56 feet; Thence, N89°57'49"E, 487.43 feet; Thence, S34°03'41"E, 108.04 feet; Thence, N78°15'43"E, 10.99 feet; Thence, S73°34'37"E, 51.43 fee

Thence, S77'31'38"E, 51.43 feet; Thence, S71'07'10"E, 59.92 feet, intersecting the westerly right—of—way limits of Montana State Highway No. 2, being 40 feet from the centerline of said highway, a 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS; Thence along said limits, N33'02'17"W, 157.75 feet, a 5/8 inch diameter rebar with plastic cap marked, 10999LS; Thence along said limits and extending to the line of Sections 34, T.33N. and 3, T.34N., N33'02'17"W, 0.68 feet, a computed point; Thence along said section line, S89'57'49"W, 675.42 feet, a computed point at the extended westerly boundary of Parcel A this Certificate of Survey; Thence along said section line, S89'57'49"W, 951.10 feet to the Quarter Corner of Sections 34, T.33N. and 3, T.34N. and the True Point of Beginning, containing 60.601 acres. Subject to all appurtenant easements of record.

DESCRIPTION PARCEL B

An irregular tract of land northwesterly from Troy, Montana, Lincoln County, and lying in Government Lots 1, and 2, NE1/4, Section 34, T.33N., R.34W., P.M. MT., and more particularly described as follows:

Commencing at the Quarter Corner of Section 34, T.33N. R.34W. and section 3, T.34N., R.34W., a 2 1/2 inch diameter iron pipe with brass cap marked BLM; Thence along the section line of sections 3 and 34, N89*57'49"E, 951.10 feet intersecting the extended old boundary, Parcel E, Plat No. 816, a computed point; Thence along said boundary, S14*00'38"E, 2.16 feet, a 1 inch diameter iron bar, Thence along said boundary, S14*00'38"E, 218.22 feet, a 5/8 inch diameter rebar with plastic cap marked KED, 4975LS; Thence along said boundary, S49*23'50"E, 204.71 feet, a 5/8 inch diameter rebar with plastic cap marked KED, 4975LS; Thence along said boundary, S60*48'41"E, 107.29 feet, a 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS being the TRUE POINT OF BEGINNING:

Thence along the old boundary, Parcel E, Plat No. 816, S60*48'41"E, 32.49 feet, a 5/8 inch diameter rebar with plastic cap marked KED, 4975LS; Thence along said boundary, S84*15'04"E, 244.11 feet, a 5/8 inch diameter rebar with plastic cap marked KED, 4975LS; Thence along said boundary, S63*33'50"E, 150.73 feet, a 5/8 inch diameter rebar with plastic cap marked KED, 4975LS; Thence along said boundary, S40*07'21"E, 199.56 feet, a 5/8 inch diameter rebar with plastic cap marked KED, 4975LS; Thence along said boundary, S16*55'47"E, 110.70 feet, a 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS; Thence along southwesterly boundary of Parcel B this Certificate of Survey, N56*26'43"W, 604.29 feet, a 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS; Thence along said boundary, N78*18'05"W, 50.16 feet, a 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS; Thence along said boundary, N33*26'57"W, 26.03 feet, a 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS being the True Point of Beginning, containing 1.168 acres. Subject to all appurtenant easements of record.

DESCRIPTION PARCEL B-1

An irregular tract of land northwesterly from Troy, Montana, Lincoln County, and lying in Government Lots 1, and 2, NE1/4, Section 34, T.33N., R.34W., P.M. MT., and more particularly described as follows:

Commencing at the Section Corner of Sections 34, 35, T.33N. R.34W. and sections 3, 4, T.34N, R.34W, a 2 1/2 inch diameter iron pipe with brass cap marked BLM; Thence along the section line of sections 3 and 34, S89*57'49"W, 999.82 feet intersecting the westerly right-of-way limits of Montana State Highway No. 2, being 40 feet from the centerline of said highway, a computed point; Thence along said limits, S33'02'17"E, 0.68 feet, a 5/8 inch diameter rebar with plastic cap marked 10999LS; Thence along said limits, S33°02'17"E. 157.75 feet, a 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS being the TRUE POINT OF BEGINNING; Thence along the southerly boundary of Parcel A this Certificate of Survey, through 5/8 inch diameter rebars with plastic caps marked Hughes, 7322LS the following courses; Thence, N71°07'10"W, 59.92 feet, Thence, N77°31'38"W, 51.43 feet; Thence, S78°15'43"W, 10.99 feet; Thence, N34°03'41"W, 108.04 feet; Thence, S89°57'49"W, 487.43 feet; Thence along easterly boundary of said Parcel A. S10°11'23"W. 49.56 feet; Thence, S24'46'38"E, 115.78 feet; Thence. \$34'38'50"E, 89.23 feet; Thence, \$15'37'40"E, 25.85 feet; Thence, \$44'52'00"E, 87.71 feet; Thence, S74'22'02"E, 22.91 feet; Thence, S22'54'13"E, 36.15 feet; Thence, S03'03'37"E, 15.52 feet; Thence, S33°26'57"E, 18.10 feet; Thence along the new boundary, southwesterly boundary of Parcel B this Certificate of Survey, S33°26'57"E, 26.03 feet, a 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS; Thence along said boundary, S78*18'05"E, 50.16 feet, a 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS; Thence along said boundary, S56°26'43"E, 604.29 feet, a 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS; Thence, S16*55'47"E, 43.12 feet, a 5/8 inch diameter rebar with plastic cap marked KED, 4975 LS; Thence along boundary between Parcel C and E, Plat No. 816, N89*56'21"E, 79.81 feet, a 5/8 inch diameter rebar with plastic cap marked KED, 4975LS; Thence along said boundary, \$38°23'00"E, 367.00 feet, a 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS; Thence along the northerly boundary of a "Helmin" Parcel, Plat No. 582, N72°30'00"E, 164.02 feet, intersecting the westerly right-of-way limits of Montana State Highway No. 2, being 40 feet from the centerline of said highway, a 5/8 inch diameter rebar with plastic cap marked Hughes, 7322LS; Thence along said limits and curve to the left, radius 1233.24 feet through an angle of 0°13'37" creating an arc length of 4.88 feet, a 5/8 inch diameter rebar with plastic cap marked 10999LS; Thence along said limits and transitional spiral to the left through an angle of 5°02'48" creating a spiral length of 235.99 feet and chord length of 235.91 feet, a 5/8 inch diameter rebar with plastic cap marked 10999LS; Thence along said limits, N33°02'17"W, 810.38 feet intersecting easement boundary, Book 276 Page 916, exhibit C, a 5/8 inch diameter rebar with plastic cap marked Hughes 7322LS; Thence along said highway limits, N33°02'17"W, 32.43 feet, a 5/8 inch diameter rebar with plastic cap marked Hughes 7322LS being the True Point of Beginning, containing 10.882 acres. Subject to all appurtenant easements of record.

TAXES AND SPECIAL ASSESSMENTS ASSESSED AND LEVIED ON THE LAND TO BE DIVIDED HAVE BEEN PAID.

DATED THIS 16 DAY OF JUNE 2008

Pancy trutter Author By Comit
TREASURER, LINCOLN COUNTY, MONTANA VO gel

PURPOSE OF SURVEY AND OWNER'S EXEMPTION CERTIFICATION

We, Howard L. Leighty and Gerald G. Mercer., and record owners, hereby certify that this survey is exempt from subdivision review 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. We further certify that Parcels A and B are exempt from review by the Department of Environmental Quality pursuant to ARM 17.36.605 Exclusions 2(a): a parcel that has no existing facilities for water supply, wastewater disposal, and solid waste disposal, if no new facilities will be constructed on the parcel.

ward L. Leighty

Date

Trail G. Mercer, Trustee of Gerald G. Mercer Revocable Trust

Date

ACKNOWLEDGMENT

The foregoing Exemption was subscribed and acknowledged before me

a Notary Public for the State of MONTANA

County of LINCOLN, by the above named person, HOWARD L. LEIGHTY

on this 6 TH day of July 200 6. In witness whereof, I have hereunto set my hand and affixed my notorial seal.

Syran Sundas Notary Public for the State of MONTANA

residing in: <u>LIBBY</u>, <u>MT</u>. My Commission expires: <u>12-1-09</u>

ACKNOWLEDGMENT

The foregoing Exemption was subscribed and acknowledged before me

a Notary Public for the State of MONTANA

County of LINCOLN, by the above named person, GERNA 6. MERCER

on this **26 th** day of **TUNE** 200 **6**. In witness whereof, I have hereunto set my hand and affixed my notorial seal.

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

HISTORY OF SURVEY

1903 — Original GLO Plat, Township Subdivision and Meanders, Benedict

1958 — Irregular Plat No. 582, creates parcels in Government Lots 1, 2, and 3, Section 34, Ninneman, 534ES

1960 - Irregular Plat No. 816, creates parcels within Plat No. 5821, Ninneman, 534ES

1999 — COS No. 2864, Dependent Resurvey and Section Subdivision, Boyer, 9750LS

2003 - COS No. 3188, Retracement of Highway Right of Way and Easement, Roedel, 10999 LS

2006 - Book 276, Page 919, Waterline Drainfield Easement

METHOD OF SURVEY

A total station and data collector was used with closed traverse procedures to tie the previously set controlling corners by Mike Tester, February 21, 2006

BASIS OF BEARING

The basis of bearing for this survey is West, as shown on Irregular Plat No. 582, S90°00'00'W, 679.67 feet between a 1 inch diameter iron pipe at the intersection of old highway No. 2 right—of—way limits to a 1" diameter iron pipe on the breaks to the Kootenai River. Refer to Detail "A", Sheet 1 of 4, this Certificate of Survey.

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.

Wah 7 Jugks 7322U 07/03/06

Alvah F. Hughes, PLS/7322LS Date

EXAMINING LAND SURVEYOR'S CERTIFICATION

Approved this 9 day of scrober 2006

Examining Land Surveyor

CLERK AND RECORDER'S CERTIFICATION

State of Montana, County of Lincoln, filed this _____day

of Scene 2008, A.D. at 3:00 o'clock p.m.

Timmy Clerk Recorder Deputy

SHEET 4 OF 4

CERTIFICATE OF SURVEY NO. 3839 RB