

CERTIFICATE OF SURVEY

"BOUNDARY LINE ADJUSTMENT"

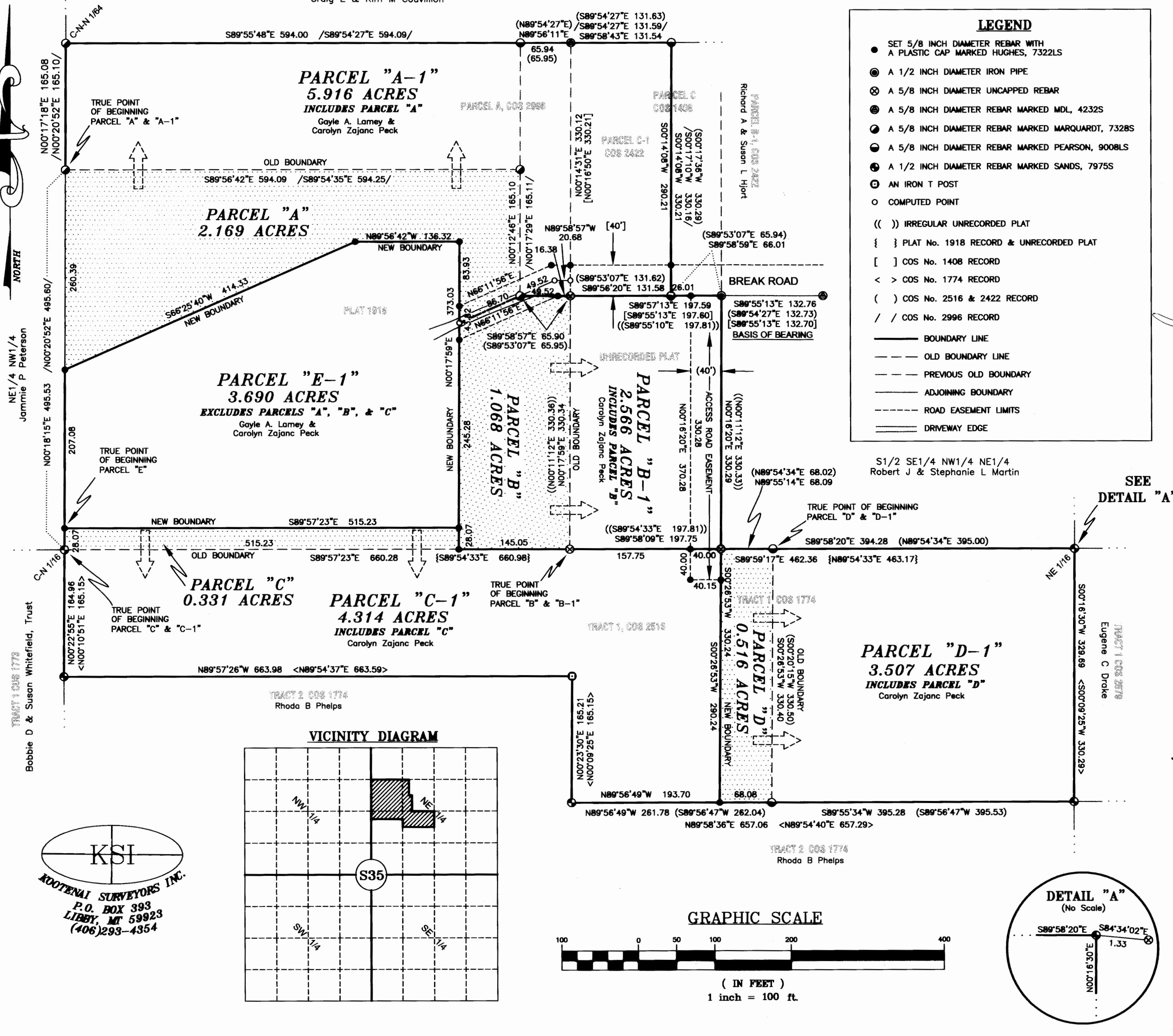
W1/2 NE1/4, SECTION 35, T.30N., R.31W., P.M., MT.

LINCOLN COUNTY, MONTANA

FOR: CAROLYN PECK

DATE: JANUARY 2009

NW1/4 NW1/4 NE1/4
Craig E & Kim M Couvillion



PURPOSE OF SURVEY AND OWNER'S EXEMPTION CERTIFICATION

I, Carolyn Zajanc Peck, record owner, 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", "B", "C", and "D" 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. We further certify that Parcels "A-1", "C-1", "E-1", and "D-1" are exempt from review by the Department of Environmental Quality pursuant to ARM 17.36.605 Exclusions 2(b)(iii); a parcel that has no existing facilities for water supply, wastewater disposal, or solid waste disposal other than those that were previously approved or that were exempt from such review because no new facilities will be constructed on the parcel and the division of land will not cause approved facilities to violate any conditions of approval, and will not cause exempt facilities to violate any condition of exemption.

Carolyn Zajanc Peck, Trustee
of Carolyn Zajanc Peck Revocable Living Trust, Carolyn Z. Peck and Gayle A. Lamey (owners)
Date: 1-29-09

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(s), on this 29 day of January, 2009. In witness whereof, I have hereunto set my hand and affixed my notarial seal.

Notary Public for the State of Montana
residing in: Shelby My Commission expires: Dec 1, 2009

HISTORY OF SURVEYS

1972 - PLAT No. 1918 record, J. W. Ninneman, 534ES

1985 - COS No. 1408, Lauteren, 4232S

1990 - COS No. 1774, Sands, 7975S

1996 - COS No. 2516 & 2422, Boundary Line Adjustment, Person, 9008LS

2001 - COS No. 2996, Boundary Line Adjustment, Marquardt, 7328S

METHOD OF SURVEY

A total station and data collector was used with closed traverse procedures to tie the previously set controlling corners by Kelly Rooney, November 21, 2008

BASIS OF BEARING

The basis of bearing for this survey is S89°55'13"E, as shown on COS No. 1408, between a 1/2 inch diameter iron pipe and a 5/8 inch diameter rebar marked MDL, 4232S

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 01-21-2009
Date

EXAMINING LAND SURVEYOR'S CERTIFICATION

Examined this 29th day of January, 2009 A.D.

Ronald A. Pearson, PLS 9008LS, Lincoln County Examining Land Surveyor

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), M.C.A.

Dancy Trethow Sutton By Corrie Vogel 3-11-09
Lincoln County Treasurer Date

CLERK AND RECORDER'S CERTIFICATION

State of Montana, County of Lincoln, filed this 11th day

of March, 2009, at 3:05 o'clock P.M.

Larry P. Lamm by Jeanne Lamm
Lincoln County Clerk & Recorder Deputy

CERTIFICATE OF SURVEY NO. 3914RB SHEET 1 OF 2
Doc# 217571

CERTIFICATE OF SURVEY

"BOUNDARY LINE ADJUSTMENT"

W1/2 NE1/4, SECTION 35, T.30N., R.31W., P.M.,MT.

LINCOLN COUNTY, MONTANA

FOR: CAROLYN PECK

DATE: JANUARY 2009

LEGAL DESCRIPTION PARCEL "A"

An irregular tract of land, lying southwesterly of Libby, Montana, in Lincoln County and in the W1/2 NE1/4, Section 35, T.30N., R.31W., P.M.,MT., containing 2.169 acres and more particularly described as follows:
Commencing at the C-N 1/16th corner, said Section 35, a 1/2 inch diameter rebar with plastic cap marked SANDS, 7975S; Thence, N00°18'15"E, 495.53 feet to a 5/8 inch diameter rebar with plastic cap marked MARQUARDT, 7328S and the TRUE POINT OF BEGINNING;
Thence along the old boundary of Parcel A, Certificate of Survey No. 2996, S89°56'42"E, 594.09 feet to a 5/8 inch diameter rebar with plastic cap marked MARQUARDT, 7328S; Thence along the old boundary of said Parcel A, S00°12'46"W, 165.10 feet to the centerline of "Break Road" easement, limits being 20 feet each side of centerline, a 5/8 inch diameter rebar with plastic cap marked MARQUARDT, 7328S; Thence along said centerline, S66°11'56"W, 86.70 feet to an unmarked computed point; Thence N00°17'59"E, 21.91 feet to the northerly limits of said easement, a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along new boundary, N00°17'59"E, 83.93 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence N89°56'42"W, 136.32 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along new boundary, S66°25'40"W, 414.33 feet to the mid-line of Section 35, a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along said line, N00°18'15"E, 260.39 feet to the TRUE POINT OF BEGINNING. Containing 2.169 acres, more or less. Subject to said "Break Road" easement also subject to and together with all appurtenant easements of record.

LEGAL DESCRIPTION PARCEL "A-1"

An irregular tract of land, lying southwesterly of Libby, Montana, in Lincoln County and in the W1/2 NE1/4, Section 35, T.30N., R.31W., P.M.,MT., containing 5.916 acres and more particularly described as follows:
Commencing at the C-N 1/16th corner, said Section 35, a 1/2 inch diameter rebar with plastic cap marked SANDS, 7975S; Thence, N00°18'15"E, 495.53 feet to a 5/8 inch diameter rebar with plastic cap marked MARQUARDT, 7328S and the TRUE POINT OF BEGINNING;
Thence along said Section 35, mid-line, N00°17'18"E, 165.08 feet to the C-N-N 1/64th corner, a 5/8 inch diameter rebar with plastic cap marked MARQUARDT, 7328S; Thence along the northerly boundary of Parcel "A", Certificate of Survey No. 2996, S89°55'48"E, 594.00 feet to an old property corner, a 5/8 inch diameter rebar with plastic cap marked PEARSON, 9008LS;
Thence along said boundary, N89°56'11"E, 65.94 feet to an old property corner, a 5/8 inch diameter rebar with plastic cap marked MDL, 4232S; Thence along said boundary, S89°58'43"E, 131.54 feet to a 5/8 inch diameter rebar with plastic cap marked PEARSON, 9008LS; Thence along easterly boundary of said Parcel "A", S00°14'08"W, 290.21 feet to the northerly 40 foot, Easement Limits of "Break Road", a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along said boundary, S00°14'08"W, 40.0 feet to the southerly Easement Limits of said road, a 5/8 inch diameter rebar with plastic cap marked PEARSON, 9008LS;
Thence along the southerly boundary of said Parcel, N89°56'20"W, 131.58 feet to a 5/8 inch diameter uncapped rebar; Thence along said boundary, Thence N89°58'57"W, 16.38 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along said boundary, N89°58'57"W, 49.52 feet to a 5/8 inch diameter rebar with plastic cap marked MARQUARDT, 7328S; Thence along the old easterly boundary of said Parcel "A", N00°12'46"E, 165.10 feet to a 5/8 inch diameter rebar with plastic cap marked MARQUARDT, 7328S; Thence along the old southerly boundary of said Parcel "A", COS 2996, N89°56'42"W, 594.09 feet to the TRUE POINT OF BEGINNING, containing 3.747 acres, INCLUDING Parcel "A" as previously described, containing 2.169 acres. Total of 5.916 acres. Subject to and together with all appurtenant easements of record.

LEGAL DESCRIPTION PARCEL "B"

An irregular tract of land, lying southwesterly of Libby, Montana, in Lincoln County and in the W1/2 NE1/4, Section 35, T.30N., R.31W., P.M.,MT., containing 1.068 acres and more particularly described as follows:
Commencing at the C-N 1/16th corner, said Section 35, a 1/2 inch diameter rebar with plastic cap marked SANDS, 7975S; Thence S89°57'23"E, 660.28 feet to a 5/8 inch diameter uncapped rebar and the TRUE POINT OF BEGINNING;
Thence along the 1/16th Subdivision Line, N89°57'23"W, 145.05 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along a New Boundary, N00°17'59"E, 28.07 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along said boudary, N00°17'59"E, 245.28 to the southerly limits of "Break Road" easement, limits being 20 feet each side of centerline, a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along said line, N00°17'59"E, 21.91 feet to the centerline of said road, an unmarked computed point; Thence along the centerline of said road, N66°11'56"E, 86.70 feet to a 5/8 inch diameter rebar with plastic cap marked MARQUARDT, 7328S; Thence S89°58'57"E, 49.52 feet to the southerly limits of said road, a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along said line, S89°58'57"E, 16.38 feet to a 5/8 inch diameter uncapped rebar; Thence along an Old Boundary, S00°17'59"W, 330.34 feet to the TRUE POINT OF BEGINNING, containing 1.068 acres. Subject to said "Break Road" easement also subject to and together with all appurtenant easements of record.

LEGAL DESCRIPTION PARCEL "B-1"

An irregular tract of land, lying southwesterly of Libby, Montana, in Lincoln County and in the W1/2 NE1/4, Section 35, T.30N., R.31W., P.M.,MT., containing 2.566 acres and more particularly described as follows:
Commencing at the C-N 1/16th corner, said Section 35, a 1/2 inch diameter rebar with plastic cap marked SANDS, 7975S; Thence S89°57'23"E, 660.28 feet to a 5/8 inch diameter uncapped rebar and the TRUE POINT OF BEGINNING;
Thence along the Old boundary of Plat 1918, N00°17'59"E, 330.34 feet to a 5/8 inch diameter uncapped rebar; Thence, along the southerly boundary of Parcel C-1, Certificate of Survey No. 2422, S89°56'20"E, 131.58 feet to a 5/8 inch diameter rebar with plastic cap marked PEARSON, 9008LS; Thence along said boundary, S89°58'59"E, 26.01 feet to the westerly 40 foot, Easement Limits of "Access Road Easement", Certificate of Survey No. 2516, a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along said boundary, S89°58'59"E, 40.00 feet to a 1/2 inch diameter iron pipe; Thence S00°16'20"W, 330.29 feet to a 1/16th subdivision Line said Section, a 5/8 inch diameter uncapped rebar; Thence along said line, N89°58'09"W, 40.00 feet to the westerly 40 foot, Easement Limits of "Access Road Easement", Certificate of Survey No. 2516, a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along said line, N89°8'09"W, 157.75 feet to the TRUE POINT OF BEGINNING, containing 1.498 acres. INCLUDING Parcel "B" as previously described, containing 1.068 acres. Total of 2.566 acres. Subject to and together with all appurtenant easements of record.

LEGAL DESCRIPTION PARCEL "C"

An irregular tract of land, lying southwesterly of Libby, Montana, in Lincoln County and in the W1/2 NE1/4, Section 35, T.30N., R.31W., P.M.,MT., containing 0.331 acres and more particularly described as follows:
Commencing at the C-N 1/16th corner, said Section 35, a 1/2 inch diameter rebar with plastic cap marked SANDS, 7975S, said point being the TRUE POINT OF BEGINNING;
Thence along Thence along, said Section mid-line, N00°18'15"E, 28.07 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along a New Boundary, S89°57'23"E, 515.23 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along a New Boundary, S00°17'59"W, 28.07 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along the Old Boundary of Irregular Plat No. 1918, N89°57'23"W, 515.23 feet to the TRUE POINT OF BEGINNING, containing 0.331 acres. Subject to and together with all appurtenant easements of record.

LEGAL DESCRIPTION PARCEL "C-1"

An irregular tract of land, lying southwesterly of Libby, Montana, in Lincoln County and in the W1/2 NE1/4, Section 35, T.30N., R.31W., P.M.,MT., containing 4.314 acres and more particularly described as follows:
Commencing at the C-N 1/16th corner, said Section 35, a 1/2 inch diameter rebar with plastic cap marked SANDS, 7975S, said point being the TRUE POINT OF BEGINNING;
Thence along 1/16th Subdivision Line of Said Section, S89°57'23"E, 515.23 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along said line, S89°57'23"E, 145.05 feet to a 5/8 inch diameter uncapped rebar; Thence along said line, S89°58'09"E, 157.75 feet to the westerly 40 foot, Easement Limits of "Access Road Easement", Certificate of Survey No. 2516, a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence continue along said 1/16th line, S89°58'09"E, 40.00 feet to a 5/8 inch diameter uncapped rebar; Thence along a New Boundary, S00°26'53"W, 40.00 feet to southerly 40 foot, Easement Limits of "Access Road Easement", Certificate of Survey No. 2516, a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along boundary, S00°26'53"W, 290.24 feet to the northerly boundary of Tract 2, Certificate of Survey No. 1774, a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along said boundary, N89°56'49"W, 193.70 feet to the easterly boundary of said Tract 2, a 1/2 inch diameter rebar with plastic cap marked SANDS, 7975S; Thence along said boundary, N00°23'30"E, 165.21 feet to an iron T post; Thence along southerly boundary of said Tract 2, N89°57'26"W, 663.98 feet to a 1/2 inch diameter rebar with plastic cap marked SANDS, 7975S; Thence along 1/16th Subdivision Line of Said Section, N00°22'55"E, 164.96 feet to the TRUE POINT OF BEGINNING, containing 3.983 acres. INCLUDING Parcel "C" as previously described, containing 0.331 acres. Total of 4.314 acres. Subject to and together with all appurtenant easements of record. Subject to and together with all appurtenant easements of record.

LEGAL DESCRIPTION PARCEL "D"

An irregular tract of land, lying southwesterly of Libby, Montana, in Lincoln County and in the W1/2 NE1/4, Section 35, T.30N., R.31W., P.M.,MT., containing 0.516 acres and more particularly described as follows:
Commencing at the C-N 1/16th corner, said Section 35, a 1/2 inch diameter rebar with plastic cap marked SANDS, 7975S; Thence S89°57'23"E, 660.28 feet to a 5/8 inch diameter uncapped rebar; Thence S89°58'09"E, 197.75 feet to a 1/2 inch diameter pipe; Thence along said line, S89°55'14"E, 68.09 feet, a 5/8 inch diameter rebar with plastic cap marked PEARSON, 9008LS and the TRUE POINT OF BEGINNING;
Thence along the Old Boundary of Tract 1A, Certificate of Survey No. 2516, S00°26'53"W, 330.40 feet to a 5/8 inch diameter rebar with plastic cap marked PEARSON, 9008LS; Thence along the northerly boundary of Tract 2, Certificate of Survey No. 1774, N89°56'49"W, 68.08 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along a New Boundary, N00°26'53"E, 290.24 feet to the southerly 40 foot, Easement Limits of "Access Road Easement", Certificate of Survey No. 2516, a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along said boundary, N00°26'53"E, 40.00 feet to a 5/8 inch diameter uncapped rebar; Thence N89°55'14"E, 68.09 feet to the TRUE POINT OF BEGINNING, containing 0.516 acres. Subject to and together with all appurtenant easements of record.

LEGAL DESCRIPTION PARCEL "D-1"

An irregular tract of land, lying southwesterly of Libby, Montana, in Lincoln County and in the W1/2 NE1/4, Section 35, T.30N., R.31W., P.M.,MT., containing 3.507 acres and more particularly described as follows:
Commencing at the C-N 1/16th corner, said Section 35, a 1/2 inch diameter rebar with plastic cap marked SANDS, 7975S; Thence S89°57'23"E, 660.28 feet to a 5/8 inch diameter uncapped rebar; Thence S89°58'09"E, 197.75 feet to a 1/2 inch diameter pipe; Thence along said line, S89°55'14"E, 68.09 feet, a 5/8 inch diameter rebar with plastic cap marked PEARSON, 9008LS and the TRUE POINT OF BEGINNING;
Thence along the northerly boundary of Tract A-1, Certificate of Survey No. 2516, S89°58'20"E, 394.28 feet to the NE 1/16th corner, said Section, a 1/2 inch diameter rebar with plastic cap marked SANDS, 7975S; Thence along the easterly boundary of said Tract A-1, S00°16'30"W, 329.69 feet to a 1/2 inch diameter rebar with plastic cap marked SANDS, 7975S; Thence along the southerly boundary of said Tract, S89°55'34"W, 395.28 feet to a 5/8 inch diameter rebar with plastic cap marked PEARSON, 9008LS; Thence along the old boundary westerly boundary of said Tract, N00°26'53"E, 330.40 feet to the TRUE POINT OF BEGINNING, containing 2.991 acres. INCLUDING Parcel "D" as previously described, containing 0.516 acres. Total of 3.507 acres. Subject to and together with all appurtenant easements of record.

LEGAL DESCRIPTION PARCEL "E-1"

An irregular tract of land, lying southwesterly of Libby, Montana, in Lincoln County and in the W1/2 NE1/4, Section 35, T.30N., R.31W., P.M.,MT., containing 3.690 acres and more particularly described as follows:
Commencing at the C-N 1/16th corner, said Section 35, a 1/2 inch diameter rebar with plastic cap marked SANDS, 7975S; Thence N00°18'15"E, 28.07 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS to the TRUE POINT OF BEGINNING;
Thence along said Section 35, mid-line, N00°18'15"E, 207.08 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along New Boundary, N66°25'40"E, 414.33 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence S89°56'42"E, 136.32 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along new boundary, S00°17'59"W, 83.93 feet to the the northerly easement limits of "Break Road", a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along said boundary, S00°17'59"W, 21.91 feet to the centerline of said road easement an unmarked computed point; Thence along said boundary, S00°17'59"W, 21.91 feet to the southerly boundary of said easement, a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along said boundary, S00°17'59"W, 21.91 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along said boundary, S00°17'59"W, 245.28 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence N89°57'23"W, 515.23 feet to the TRUE POINT OF BEGINNING, containing 3.690 acres. Subject to and together with all appurtenant easements of record.

