

# CERTIFICATE OF SURVEY: COURT ORDERED SURVEY

CAUSE NO. DV-07-140 (Oct. 23 2008)

Nineteenth Judicial District Court of the State of Montana  
In W 1/2 W 1/2 Section 36, Twp. 31 N., R. 31 W., P.M.M.For: Marty Silva  
Donald Scott

Date: December 2008

LOT 1  
LABELLE SUBDIVISION  
PLAT NO. 5878

## DESCRIPTION OF TRACT 1

A tract of land near Libby, located in the W 1/2 W 1/2 of Section 36, Twp. 31 N., R. 31 W., P.M.M.; containing 2.00 acre more or less and more particularly described as follows:

Beginning at a 3 1/4 inch dia. brass BLM monument which marks the W 1/4 corner of Section 36, Twp. 31 N., R. 31 W., P.M.M.; thence, N00°03'30"E a total distance of 154.85 feet to a 1 3/4 inch dia. pipe; thence, S43°51'57"E a total distance of 473.44 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S; thence, S60°01'29"W 378.92 feet to a 5/8 inch dia. rebar capped K.E.D. 4975-S; thence, N00°00'00"E 375.81 feet to the point of beginning.

The aforescribed Tract 1 contains 2.00 acres more or less and is subject to and together with all appurtenant easements of record.

TRACT 1  
2.00 ACRES±

C.O.S. 2472

TRACT 2  
3.10 ACRES±

## Legend

- ◆ FOUND 5/8 INCH DIA. REBAR WITH A PLASTIC CAP STAMPED K.E.D. 4975-S
- FOUND 5/8 INCH DIA. REBAR STAMPED K.E.D. 4975-S
- FOUND 1 3/4 INCH DIA. PIPE
- COMPUTED POINTS
- ⚡ FOUND 3 1/4 INCH BRASS CAP BY U.S. ARMY CORPS OF ENGINEERS
- ( ) RECORD PER C.O.S. 2449

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

Subscribed and sworn to before me this 26<sup>th</sup> day of July, 2009 A.D.  
Kenneth E. Davis Registered Land Surveyor No. 4975-S

## PURPOSE OF SURVEY

The purpose of this survey is to create a tract of land by order of the court, therefore this survey is exempt from review being completed pursuant to Section 76-3-201(1)(a) M.C.A.

Which states: "is created by order of any court of record in this state or by operation of law, in the absence of agreement between the parties to the sale, could be created by an order of any court in this state pursuant to the law of eminent domain, Title 70, chapter 30;"

## EXAMINED FOR LINCOLN COUNTY BY:

Examined this 26<sup>th</sup> day of JUNE, 2009 A.D.  
Ronald A. Pearson Registration No. 9008LS

STATE OF MONTANA  
County of Lincoln

Filed on this 17 day of Aug, 2009 A.D. at 3:23 O'clock P.m.

Tammy Blauer by Paul Bondall  
County Clerk and Recorder Deputy

CERTIFICATE OF SURVEY NO. 3949 CO

Judgement doc.# 215175 P.F. 9870  
Judgement doc.# 219389 P.F. 10136

LOT 13  
RIVERDALE PLAT NO. 12

BASIS OF BEARING PER C.O.S. 2449  
(N00°00'00"E) (826.73')

A = 06°16'25"  
R = 139.77'  
L = 15.30'

A = 52°10'46"  
R = 79.77'  
L = 72.65'

A = 24°04'41"  
R = 87.02'  
L = 36.69'

(N41°31'50"E)  
S41°31'50"W  
682.52'  
(682.52')

## DESCRIPTION OF TRACT 2

A tract of land near Libby, located in the W 1/2 W 1/2 of Section 36, Twp. 31 N., R. 31 W., P.M.M.; containing 3.10 acre more or less and more particularly described as follows:

Beginning at a 1 3/4 inch dia. pipe which marks the south corner of Book 190 Page 772 as shown on C.O.S. 2449; thence, N41°31'50"E 682.52 feet to a 1 3/4 inch dia. pipe; thence, N43°51'57"W 124.17 feet to a computed point; thence continuing, N43°51'57"W 55.18 feet to 5/8 inch dia. rebar capped K.E.D. 4975-S; thence, S60°01'29"W 378.92 feet to a 5/8 inch dia. capped K.E.D. 4975-S; thence, S00°00'00"W 450.92 feet to the point of beginning.

The aforescribed Tract 2 contains 3.10 acres more or less and is subject to and together with all appurtenant easements of record.

Graphic Scale:



(1 inch = 50 ft.)

Davis Surveying Inc.

TROY MONTANA, (406)295-5441

DATE: 12/12/08

Land Projects 2008

DRAWN BY: CJR

FILE: T313136A.dwg