

CERTIFICATE OF SURVEY

TO RELOCATE THE COMMON BOUNDARY BETWEEN TWO PARCELS UNDER COMMON OWNERSHIP AS DESCRIBED IN GRANT DEED, BOOK 299 PAGE 588, ON FILE WITH THE LINCOLN COUNTY CLERK AND RECORDER. LOCATED IN THE NW1/4SE1/4 OF SECTION 3, TOWNSHIP 30 NORTH, RANGE 31 WEST, P.M.,M., CITY OF LIBBY, COUNTY OF LINCOLN, STATE OF MONTANA.

SURVEY MADE AT THE REQUEST OF KOOTENAI BUSINESS PARK INDUSTRIAL DISTRICT, IT BEING THEIR DESIRE TO RELOCATE THE COMMON BOUNDARY BETWEEN TWO OF THEIR PROPERTIES.

LEGAL DESCRIPTION PARCEL 1

A tract of land located in the NW1/4SE1/4 of Section 3, Township 30 North, Range 31 West, P.M.,M., City of Libby, County of Lincoln, State of Montana, more particularly described as follows:

Beginning at the intersection of the southerly boundary of 2nd Street with the centerline of Dakota Avenue extended, said intersection also being the northeast corner of Doak's Addition to Libby as recorded and on file with the Lincoln County Clerk and Recorder; thence S24°59'13"W along the east boundary of said Doak's Addition a distance of 275.58 feet to the north boundary of 3rd Street; thence S64°57'27"E along said north boundary a distance of 227.41 feet; thence N12°20'36"W a distance of 90.00 feet to the beginning of a curve to the right, having a radius of 533.30 feet; thence along said curve through a central angle of 24°24'51", a distance of 227.24 feet to the southerly boundary of 2nd Street; thence N64°58'41"W along said southerly boundary a distance of 77.08 feet to the Point of Beginning, containing 0.872 acres, more or less.

LEGAL DESCRIPTION PARCEL 2

A tract of land located in the NW1/4SE1/4 of Section 3, Township 30 North, Range 31 West, P.M.,M., City of Libby, County of Lincoln, State of Montana, more particularly described as follows:

Commencing at the intersection of the southerly boundary of 2nd Street with the centerline of Dakota Avenue extended, said intersection also being the northeast corner of Doak's Addition to Libby as recorded and on file with the Lincoln County Clerk and Recorder; thence S64°58'41"E along the southerly boundary of said 2nd Street a distance of 77.08 feet to the Point of Beginning for the following described parcel; thence S64°58'41"E along the southerly boundary of 2nd Street a distance of 257.96 feet to the northerly extension of the centerline of Minnesota Avenue; thence S25°01'44"W along said centerline extended, a distance of 399.86 feet to a point on the westerly boundary of the railroad right of way currently or previously owned by St. Regis Paper Company, said point also being the northeast corner of Decker's Additional Block 5 to Libby, recorded as Irregular Plat No. 200; thence N12°20'36"W along said railroad right of way and said plat a distance of 156.26 feet to the northerly boundary of 3rd Street; thence N64°57'27"W along said northerly boundary a distance of 12.58 feet; thence N12°20'36"W, 90.00 feet to the beginning of a curve to the right, having a radius of 533.30 feet; thence along said curve through a central angle of 24°24'51", a distance of 227.24 feet to the Point of Beginning, containing 1.382 acres, more or less.

Survey Notes

- 1) Basis of Bearings: OPUS Derived Geodetic North at Lat. N 48°23'35.89715", Long. W 115°32'44.83697", NAD_83(CORS96)(EPOCH:2002.0000)
- 2) Railroad right of way dimensions as it passes through Parcel 2 are as shown on Irregular Plat #200. Fifty feet of this right of way is set forth in an easement dated 6/15/1916 and recorded in Vol 1 Page 183/184. A lease recorded in Book 53 Page 379 between the First Holding Company and J. Neils Lumber Company describes that part of the railroad right of way bordering COS 494. The easement recorded in Vol. 1 Page 183 describes the east 50 feet of railroad right of way from the main line to the south section line of Section 3. An easement recorded in Book 39 Page 63 transfers a portion of the previously mentioned right of way and includes a plat.
- 3) The easternmost and westernmost sets of rails extend outside of the 70 foot right of way as shown on Irregular Plat #200 by approximately five to six feet on both sides, through Parcel 2.
- 4) Other documents used in the research for this survey include: Irregular plats #'s 138,516,517,822,886 and 1634.
- 5) Area of 2nd Street right of way between the centerline and Certificates of Survey 493 and 494 is fenced and is being occupied by City of Libby settling pond. This area appears to have been surveyed as monuments were found in the centerline of 2nd Street which coincide with the intersections of the boundaries of Certificates of Survey 493 and 494 projected to the centerline. A survey of this area was not found.
- 6) Monuments indicated as being set will be set within 240 days of the recording of this survey due to winter ground conditions.

CERTIFICATE OF EXEMPTION

(Relocation of Common Boundary, Lot Aggregation). Two parcels under common ownership as described in Grant Deed, Book 299 Page 588, on file with the Lincoln County Clerk and Recorder, both located in the NW1/4SE1/4 of Section 3, Township 30 North, Range 31 West, P.M.,M., City of Libby, County of Lincoln, State of Montana, are held by Kootenai Business Park Industrial District. The purpose of this survey is to relocate the common boundary between these properties.

I, the undersigned property owner, do hereby certify that this survey is exempt from review as a subdivision under the Subdivision and Platting Act pursuant to 76-3-207(1)(a) M.C.A., divisions made outside of platted subdivisions for the purpose of relocating common boundary lines between adjoining properties, and under the Sanitation in Subdivisions Act pursuant to 17-38.605(2)(b) A.R.M., (a parcel that has no existing facilities for water supply, wastewater disposal, or solid waste disposal other than those that were previously approved by the reviewing authority under Title 76, chapter 4, part 1, M.C.A.).

DATED this _____ day of _____, 2009.

Amy E. ...
Agent, Kootenai Business Park Industrial District

ACKNOWLEDGEMENT

State of Montana County of Lincoln

DATED this 12 day of May, 2009.

Before me, the undersigned, a Notary Public for the State of Montana, personally appeared *Amy E. ...* Agent, Kootenai Business Park Industrial District, known to me to be the persons whose names are subscribed to the above certificate and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official Notarial Seal.

[Signature]
Notary Public for the State of Montana
residing at *Libby, MT*
My commission expires: *7/12/11*

CERTIFICATE OF TREASURER

I, *Wiley Sutton*, Treasurer of Lincoln County, Montana, do hereby certify that the accompanying Certificate has been duly examined and that all real property taxes and special assessments assessed and levied on the subject land have been paid.

DATED this 3rd day of June, 2009.

Wiley Sutton
Treasurer of Lincoln County, Montana

CERTIFICATE OF GOVERNING BODY

I, _____, the undersigned, Chairperson of the Libby City Council, do hereby certify that this Certificate of Survey for the Relocation of Common Boundaries has been submitted for review, and has been found by us to conform to Montana Statutes and Lincoln County Subdivision regulations and is approved by us at our meeting held on this date.

DATED this _____ day of _____, 2009.

N/A
Chairperson
City Council, Libby, Montana

CERTIFICATE OF EXAMINING LAND SURVEYOR

I, *Ronny A. Peterson*, 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 by or pursuant to Montana Subdivision and Platting Act 76-3-611(2)(a).

DATED this 19th day of May, 2009.

Ronny A. Peterson
Examining Land Surveyor, Lincoln County

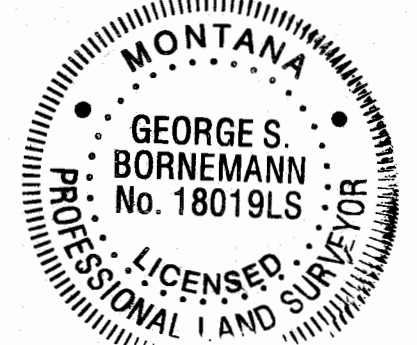
CERTIFICATE OF SURVEYOR

State of Montana County of Park

I, George Bornemann, a registered Land Surveyor do hereby certify that I have performed the survey shown on the attached Certificate; that the field work for this survey was completed in November 2008; that said survey is true and complete as shown and that the monuments found are of the character and occupy the positions shown thereon. I further certify that any monuments indicated on this plat as being set, shall be set within 240 days of the recording date of this survey due to winter ground conditions.

Dated this 13th day of February, 2009.

George Bornemann
George Bornemann
Registration No. 18019LS
CTA Architects Engineers
P.O. Box 1153
Livingston, Montana
406-222-0104



LEGEND

- FOUND REBAR WITH OR WITHOUT UNREADABLE CAP
- UNMONUMENTED SURVEY POINT
- ⊙ FOUND REBAR WITH ORANGE PLASTIC CAP "BOYER 9750LS"
- ⊕ FOUND REBAR WITH YELLOW PLASTIC CAP "KED 4975S"
- △ FOUND REBAR WITH YELLOW PLASTIC CAP "JHN 4661 S"
- SET 2" ALUMINUM CAP "CTA INC 18019LS"
- (30.01') RECORD DISTANCE

CERTIFICATE OF FILING BY CLERK AND RECORDER

State of Montana County of Lincoln

Filed for record this 9th day of September, 2009, at 3:00 o'clock P.M.

Timothy D. Lawrence
Clerk and Recorder, Lincoln County, Montana

Document No. *221510* Fee: _____

CERTIFICATE OF SURVEY NO. *3954 RB*

REVISIONS:

CERTIFICATE OF SURVEY

PRINCIPAL MERIDIAN
MONTANA
LINCOLN COUNTY, MT

1/4	Sec.	T.	R.
3	30N	31W	

DRAWN BY: *CDK*
CHECKED BY: *GSB*
DATE: *02-11-2009*
CTA # *STJOHNHOS SURV*
CAD FILE: *STOSCO01.dwg*
DIR: *K:STJOHNHOSISURV*



121 South Main Street
Livingston, Montana 59047
406-222-0140
www.ctagroup.com

RELOCATION
OF
COMMON
BOUNDARIES

SHEET

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