

# CERTIFICATE OF SURVEY

## "RETRACEMENT"

S $\frac{1}{2}$  S $\frac{1}{2}$  SE  $\frac{1}{4}$ , SECTION 23, T.30N., R.31W., P.M., MT.

LOT 15 AND SOUTHERLY BOUNDARY OF LOTS 13 AND 14, BLOCK 1, "SOUTH HEAVEN ANNEX", PLATS No. 526 & 924

LINCOLN COUNTY, MONTANA

FOR: DELMAN GOSS DATE: SEPTEMBER 2009

### PURPOSE OF SURVEY

The purpose of this survey is the retracement of record parcels of land; the re-establishment of obliterated corners, and mark property boundaries. Therefore, no division of land is hereby created and is exempt from review as a subdivision pursuant to Section 76-3-404 MCA.

### HISTORY OF SURVEY

1893 - Original GLO Survey, D. Mumbrue  
1958 - Plat No. 526; "South Haven Annex", I. Miller, 402S  
1961 - Plat No. 777; creates an irregular parcel, J.W. Ninneman, 534ES  
1964 - Plat No. 924; "Lot 15, Block 1, South Haven Annex", I. Miller, 402S  
1975 - Certificate of Survey No. 176; Section 24, M.D. Lauteren, 4232S  
1995 - Plat No. 5360, Section 26; J. R. Staples, 9958 LS  
1998 - Certificate of Survey No. 134227; creates parcel "A", D. Marquardt, 7328S  
2006 - Certificate of Survey No. 3496; "Family Transfer", A.F. Hughes, 7322LS  
2008 - Certificate of Survey No. 3854; "Retracement", A.F. Hughes, 7322LS

### LEGAL DESCRIPTION - PLAT 777 PARCEL

An irregular tract of land located near Libby, Montana, Lincoln County, lying within the S $\frac{1}{2}$  S $\frac{1}{2}$  SE  $\frac{1}{4}$ , Section 23, T.30N., R.31W., P.M., MT., as shown on Irregular Plat No. 777, excluding Parcel A, COS No. 134227, Lincoln County Records, and more particularly described as follows:

COMMENCING at the C-S-S-S 1/256th corner said Section 23, a 5/8 inch diameter rebar with a plastic cap marked "Hughes 7322LS"; Thence along a 1/256th section subdivision line, S89°45'46"E, 1168.40 feet to a 5/8 inch diameter rebar with a plastic cap marked "Hughes 7322LS" and the TRUE POINT OF BEGINNING; Thence along said 1/256th subdivision line, S89°45'46"E, 50.13 feet to a set 5/8 inch diameter rebar with a plastic cap marked "Hughes 7322LS"; Thence S89°45'46"E, 123.99 feet to a set 5/8 inch diameter rebar with a plastic cap marked "Hughes 7322LS"; Thence along said subdivision line, S89°45'46"E, 123.99 feet to a 1/2 inch diameter, uncapped rebar; Thence S04°21'20"W, 331.40 feet intersecting the section line between Sections 23 and 26, an unmarked computed point; Thence along said section line, N89°44'08"W, 425.44 feet to an unmarked computed point on the easterly bank of "Cherry Creek"; Thence along said bank, through the following courses: N28°41'54"W, 213.83 feet; Thence N52°51'54"W, 80.31 feet; Thence N82°41'54"W, 170.66 feet; Thence N61°21'54"W, 155.60 feet intersecting said subdivision line; Thence along said line, S89°45'46"E, 625.05 feet to a 5/8 inch diameter rebar with a plastic cap marked "Hughes 7322LS" and the True Point of Beginning, containing 4.500 acres. Subject to and together with all appurtenant easements of record.

### LEGAL DESCRIPTION - LOT 15, BLOCK 1, SOUTH HEAVEN ANNEX

An irregular tract of land located near Libby, Montana, Lincoln County, lying within the S $\frac{1}{2}$  S $\frac{1}{2}$  SE  $\frac{1}{4}$ , Section 23, T.30N., R.31W., P.M., MT., known as Lot 15, Block 1, South Haven Annex Plat No. 924, Lincoln County Records, and more particularly described as follows:

COMMENCING at the C-S-S-S 1/256th corner said Section 23, a 5/8 inch diameter rebar with a plastic cap marked "Hughes 7322LS"; Thence along a 1/256th section subdivision line, S89°45'46"E, 1168.40 feet to a 5/8 inch diameter rebar with a plastic cap marked "Hughes 7322LS" and the TRUE POINT OF BEGINNING; Thence N04°21'20"E, 74.36 feet to a set 5/8 inch diameter rebar with a plastic cap marked "Hughes 7322LS"; Thence S89°46'25"E, 50.13 feet to a set 5/8 inch diameter rebar with a plastic cap marked "Hughes 7322LS"; Thence S04°21'20"W, 74.37 feet to a 1/256th section subdivision line and a set 5/8 inch diameter rebar with a plastic cap marked "Hughes 7322LS"; Thence along said line, N89°45'46"W, 50.13 feet to a 5/8 inch diameter rebar with a plastic cap marked "Hughes 7322LS" and the True Point of Beginning, containing 0.085 Acres. Subject to and together with all appurtenant easements of record.

### 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*  
Alvah F. Hughes, PLS, 7322LS

Date  
09-23-09

### EXAMINING LAND SURVEYOR'S CERTIFICATION

Examined this 23 day of SEPT, 2009, A.D.

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

### CLERK AND RECORDER'S CERTIFICATION

State of Montana, County of Lincoln, filed this 21<sup>st</sup> day  
of October, 2009, A.D. at 3:55 o'clock p.m.

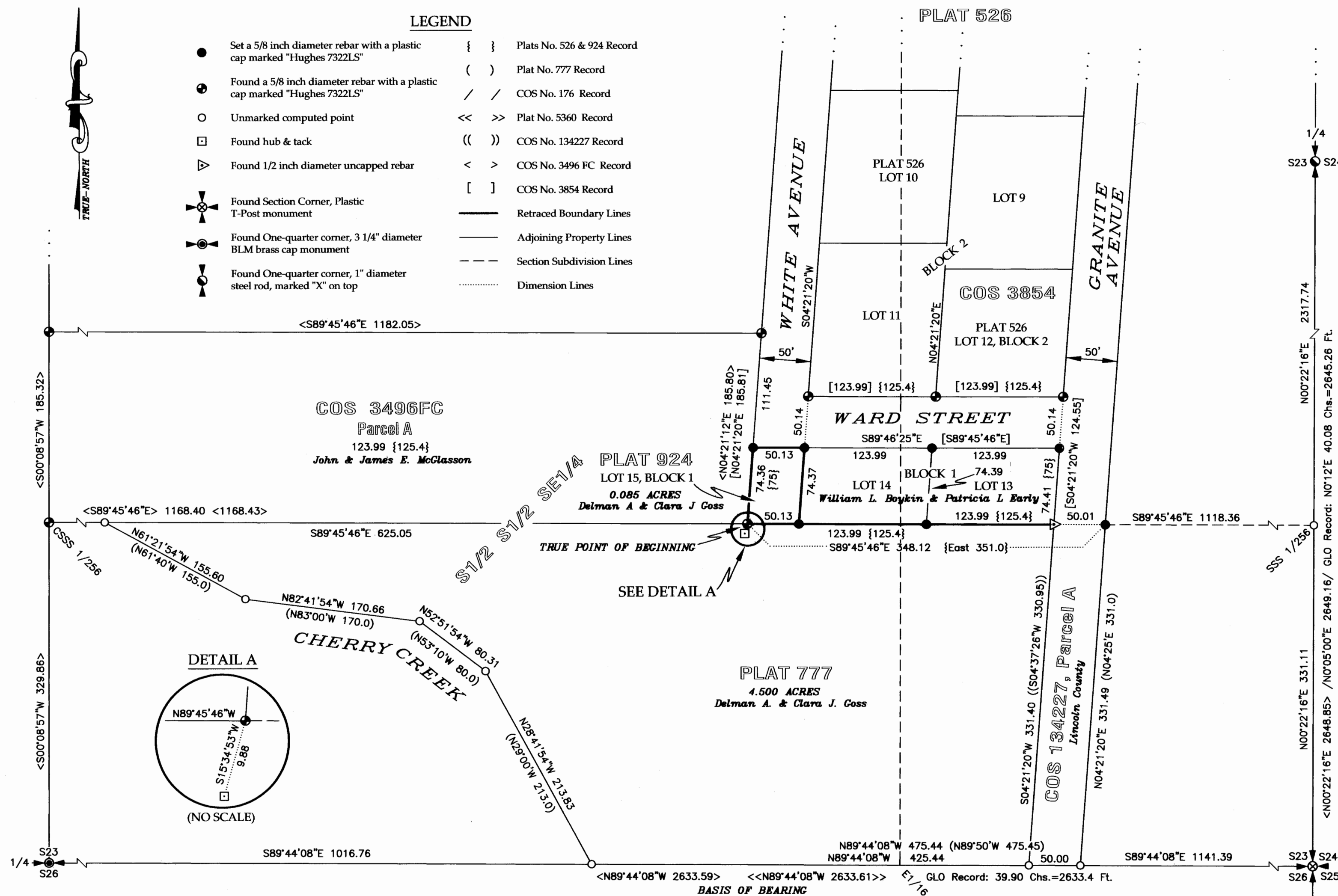
*Sammy D. Lauer* by *Joanne Kinnis*  
Lincoln County Clerk & Recorder Deputy

CERTIFICATE OF SURVEY No. 3960

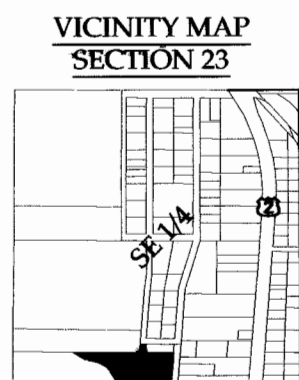
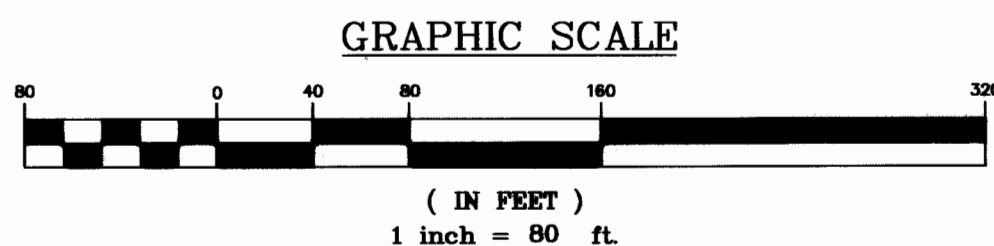
Doc # 222371

### LEGEND

- |   |   |       |                            |
|---|---|-------|----------------------------|
| ● | Set a 5/8 inch diameter rebar with a plastic cap marked "Hughes 7322LS"   | { }   | Plats No. 526 & 924 Record |
| ○ | Found a 5/8 inch diameter rebar with a plastic cap marked "Hughes 7322LS" | ( )   | Plat No. 777 Record        |
| ○ | Unmarked computed point   | / /   | COS No. 176 Record         |
| □ | Found hub & tack  | << >> | Plat No. 5360 Record       |
| ▽ | Found 1/2 inch diameter uncapped rebar                                    | (( )) | COS No. 134227 Record      |
| ○ | Found Section Corner, Plastic T-Post monument                             | < >   | COS No. 3496 FC Record     |
| ⊕ | Found One-quarter corner, 3 1/4" diameter BLM brass cap monument          | [ ]   | COS No. 3854 Record        |
| ⊕ | Found One-quarter corner, 1" diameter steel rod, marked "X" on top        | —     | Retraced Boundary Lines    |
|   |   | —     | Adjoining Property Lines   |
|   |   | - - - | Section Subdivision Lines  |
|   |   | ..... | Dimension Lines            |



**KOOTENAI**  
SURVEYORS, INC.  
314 CALIFORNIA AVE., LIBBY, MONTANA (406)293-4354



### METHOD OF SURVEY

A total station instrument and data collector were used with close traverse practices to tie previously set controlling corners by Kelly Rooney, August 2009.

### BASIS OF BEARING

The Basis of Bearing for this survey is N89°44'08"W, between the South One-quarter Corner, Section 23, a 3 1/4 inch diameter BLM brass cap and the Southeast Section Corner, Section 23, a found T-Bar, as shown on Plat File No. 5360 by J. R. Staples, 9958S.