

CERTIFICATE OF SURVEY

"BOUNDARY LINE ADJUSTMENT"

NE1/4, SECTION 10, T.30N., R.31W., P.M., MT.
LINCOLN COUNTY, MONTANA

FOR: LINCOLN COUNTY PORT AUTHORITY

DATE: JUNE 2011

PURPOSE OF SURVEY AND OWNER'S EXEMPTION CERTIFICATION

I, Lincoln County Port Authority Representative, 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 Parcel "A" is exempt from review by the Department of Environmental Quality pursuant to M.C.A. 76-4-125 Exclusions 2(c); division made for a purpose other than construction of water supply or sewage and solid waste disposal facilities as the department specifies by rule.

James E. Mayo
James Mayo, Lincoln County Port Authority Representative

1/6/11
Date

ACKNOWLEDGMENT

The foregoing Exemptions were subscribed and acknowledged before me

a Notary Public for the State of Montana

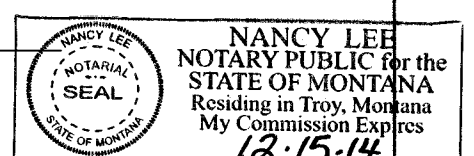
County of Lincoln, by JAMES MAYO

on this day of July 8th 2011. In witness whereof, I have hereunto set my hand and affixed my notarial seal.

Nancy Lee, Notary Public for the

State of Montana residing in: Troy

My Commission expires: 12-15-14



METHOD OF SURVEY

A total station with data collector and a Trimble RB GPS system was used with RTK radial procedures to tie the previously set controlling corners and road alignments by Kelly Rooney, April, 2011

BASIS OF BEARING

The basis of bearing for this survey is S00°11'36"W, as shown on Certificate of Survey No. 3468, between the Section Corner, common to Sections 2, 3, 10, and 11, a 2 inch brass cap marked 534ES set in concrete and Section Corner, common to Sections 10, 11, 14, and 15, a 4 inch diameter well casing with 4 inch diameter cap

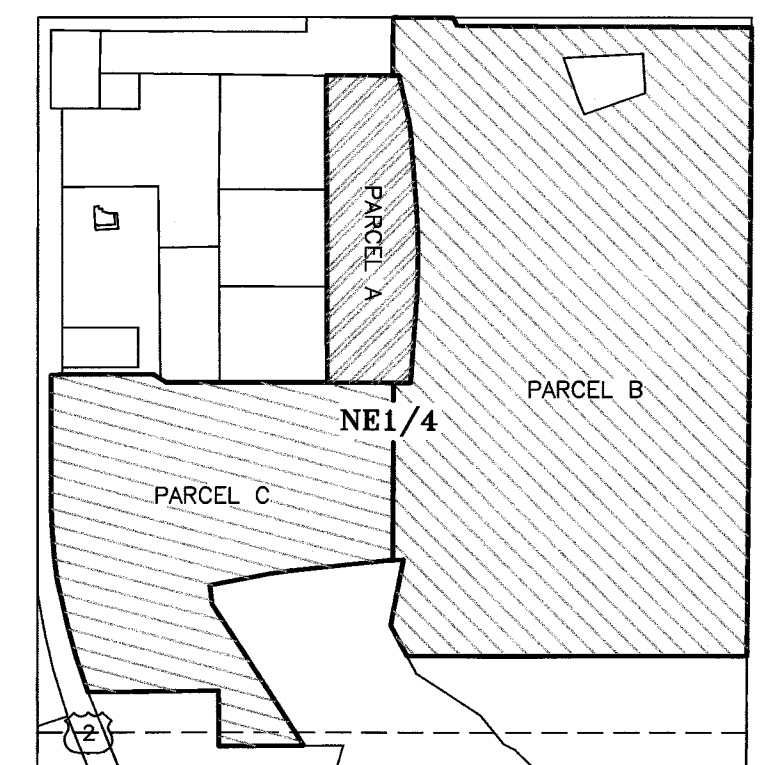
HISTORY OF SURVEYS

1972 - Corner Recordation Book 281 Page 1 (diagram on reverse side), Section Retrace, Jack W. Ninneman 534ES
1994 - Plat No. 5240, Amended Plat, "Libby Health Center Tracts", Dawn Marquardt 7328S
1995 - Plat No. 5473, "Stimson-Berget Subdivision", James R. Staples 9958S
1997 - COS No. 2546, Creates parcels, Dawn Marquardt 7328S
1998 - COS No. 2665, Aggregation of parcels, Lowell C. Hanson 2523ES
2005 - Plat No. 6632, Amended Plat, "Millwood Subdivision, Lot 4", Bryan B. Block 7918S
2005 - COS No. 3468, Retracement of parcels, Alvah F. Hughes 7322LS
2006 - Plat No. 6717, Amended Plat, "Millwood No. 2 Subdivision", Alvah F. Hughes 7322LS
2009 - COS No. 3953ME, Mortgage Survey, Parcel A, Robert A. Erickson 15272LS
2010 - COS No. 4033, Utility Site, Alvah F. Hughes 7322LS

LEGEND

- SECTION CORNER MONUMENT, 2 INCH BRASS CAP SET IN CONCRETE MARKED 534ES
- SECTION CORNER MONUMENT, 4 INCH DIAMETER WELL CASING WITH 4 INCH DIAMETER CAP
- 1/4 CORNER MONUMENT, A BURIED ALUMINUM CAP IN PAVED ROADWAY MARKED 9958LS
- 1/4 CORNER, AN UNMARKED COMPUTED POINT
- CENTER 1/4 CORNER MONUMENT, AN IRON PIPE WITH 2 INCH BRASS CAP MARKED 534ES
- A 5/8 INCH DIAMETER REBAR WITH A PLASTIC CAP MARKED 7328S
- A 5/8 INCH DIAMETER REBAR WITH A PLASTIC CAP MARKED 2523ES
- A 5/8 INCH DIAMETER REBAR WITH A PLASTIC CAP MARKED 9958LS
- A 5/8 INCH DIAMETER UNCAPPED REBAR
- A 4 X 4 INCH MDT R/W CONCRETE POST
- SET 5/8 INCH DIAMETER REBAR WITH A PLASTIC CAP MARKED HUGHES 7322LS
- AN UNMARKED COMPUTED POINT

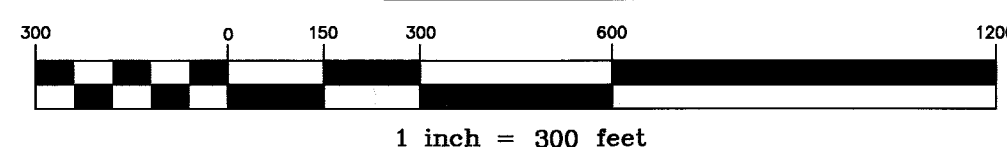
VICINITY DIAGRAM NE1/4, SEC. 10



LEGEND

- BOUNDARY LINES () CORNER RECORDATION BOOK 281, PAGE 1 RECORD
- OLD BOUNDARY LINE / / PLAT No. 5240 RECORD
- ADJACENT PROPERTY LINE < > COS No. 2665 RECORD
- SECTION SUBDIVISION LINE [] COS No. 3468 RECORD
- SECTION LINE { } PLAT No. 5473 RECORD
- RADIAL LINE

GRAPHIC SCALE



CERTIFICATE OF SURVEY NO. 4090RB
Doc 233584

SHEET 1 OF 2

CERTIFICATE OF SURVEY

"BOUNDARY LINE ADJUSTMENT"

NE1/4, SECTION 10, T.30N., R.31W., P.M., MT.

LINCOLN COUNTY, MONTANA

FOR: LINCOLN COUNTY PORT AUTHORITY

DATE: JUNE 2011

LEGAL DESCRIPTION, PARCEL "A"

An irregular tract of land, southerly from Libby, Montana, Lincoln County, and lying in the northeast quarter of Section 10, T.30N., R.31W., P.M.,MT., being 8.849 acres and more particularly described as follows:
Commencing at the northeast corner of said Section 10, a 2 inch brass cap marked 534ES set in concrete; Thence along the Section Line between Sections 3 and 10, N89°52'59"W, 1359.87 feet; Thence S00°09'15"W, 207.39 feet, set a 5/8 inch diameter rebar with a plastic cap marked HUGHES, 7322LS and the TRUE POINT OF BEGINNING;

Thence N89°18'41"W, 252.39 feet, a 5/8 inch diameter rebar with a plastic cap marked 9958LS; Thence along the easterly boundary of Plat No. 6717 and Certificate of Survey No. 6632 S00°34'19"W, 1167.80 feet, a 5/8 inch diameter uncapped rebar; Thence S89°11'31"E, 282.61 feet, set a 5/8 inch diameter rebar with a plastic cap marked HUGHES, 7322LS; Thence S89°11'31"E, 34.73 feet, set a 5/8 inch diameter rebar with a plastic cap marked HUGHES, 7322LS; Thence N05°03'01"E, 51.11 feet to a subdivision line and the Old Boundary, an unmarked computed point; Thence through set 5/8 inch diameter rebar with a plastic caps marked HUGHES 7322LS the following courses and curves: N05°03'01"E, 298.49 feet; Thence N01°51'51"E, 147.98 feet; Thence along a curve to the left radius 2385.55 feet, delta angle 4°23'14", arc length 182.67 feet; Thence N03°36'56"W, 254.60 feet; Thence along a curve to the left radius 811.57 feet, delta angle 7°45'53", arc length 109.98 feet; Thence N11°53'47"W, 130.02 feet; Thence N89°18'41"W, 26.12 feet to the TRUE POINT OF BEGINNING, containing 8.849 acres. Subject to and together with all appurtenant easements of record.

LEGAL DESCRIPTION, PARCEL "B"

An irregular tract of land, southerly from Libby, Montana, Lincoln County, and lying in the northeast quarter of Section 10, T.30N., R.31W., P.M.,MT., being 67.928 acres and more particularly described as follows:
Commencing at the northeast corner of said Section 10, a 2 inch brass cap marked 534ES set in concrete and the TRUE POINT OF BEGINNING;

Thence along Section Line between Sections 10 and 11, S00°11'36"W 1322.96 feet to the Old Boundary, an unmarked computed point; Thence S00°11'36"W 992.22 feet, set a 5/8 inch diameter rebar with a plastic cap marked HUGHES 7322LS; Thence S89°55'03"W, 1186.84 feet to the easterly boundary of Plat No. 2665, set a 5/8 inch diameter rebar with a plastic cap marked HUGHES 7322LS; Thence along said boundary N26°32'48"W, 189.70 feet, set a 5/8 inch diameter rebar with a plastic cap marked HUGHES 7322LS; Thence N11°55'38"E, 259.32 feet, a 5/8 inch diameter uncapped rebar; Thence along the northerly boundary, said plat N89°47'54"W, 60.91 feet, a 5/8 inch diameter rebar with a plastic cap marked 9958LS; Thence along said boundary S85°14'22"W, 57.34 feet, set a 5/8 inch diameter rebar with a plastic cap marked HUGHES 7322LS; Thence N00°13'14"E, 524.69 feet to the New Boundary, set a 5/8 inch diameter rebar with a plastic cap marked HUGHES 7322LS; Thence along said boundary S89°11'31"E, 34.73 feet, set a 5/8 inch diameter rebar with a plastic cap marked HUGHES, 7322LS; Thence N05°03'01"E, 51.11 feet to a subdivision line and the Old Boundary, an unmarked computed point; Thence through set 5/8 inch diameter rebar with a plastic caps marked HUGHES 7322LS the following courses and curves: N05°03'01"E, 298.49 feet; Thence N01°51'51"E, 147.98 feet; Thence along a curve to the left radius 2385.55 feet, delta angle 4°23'14", arc length 182.67 feet; Thence N03°36'56"W, 254.60 feet; Thence along a curve to the left radius 811.57 feet, delta angle 7°45'53", arc length 109.98 feet; Thence N11°53'47"W, 130.02 feet; Thence N89°18'41"W, 26.12 feet; Thence N00°09'15"E, 207.39 feet to the Section Line between Sections 3 and 10, set a 5/8 inch diameter rebar with a plastic cap marked HUGHES 7322LS; Thence along said Section Line S89°52'59"E, 1359.87 feet to the TRUE POINT OF BEGINNING, EXCLUDING: "Utility Site", Parcel A1, Certificate of Survey 4033, containing 1 acre, TOTAL 67.928 acres. Subject to and together with all appurtenant easements of record.

LEGAL DESCRIPTION, PARCEL "B-1"

An irregular tract of land, southerly from Libby, Montana, Lincoln County, and lying in the northeast quarter of Section 10, T.30N., R.31W., P.M.,MT., being 38.429 acres and more particularly described as follows:
Commencing at the northeast corner of said Section 10, a 2 inch brass cap marked 534ES set in concrete and the TRUE POINT OF BEGINNING;

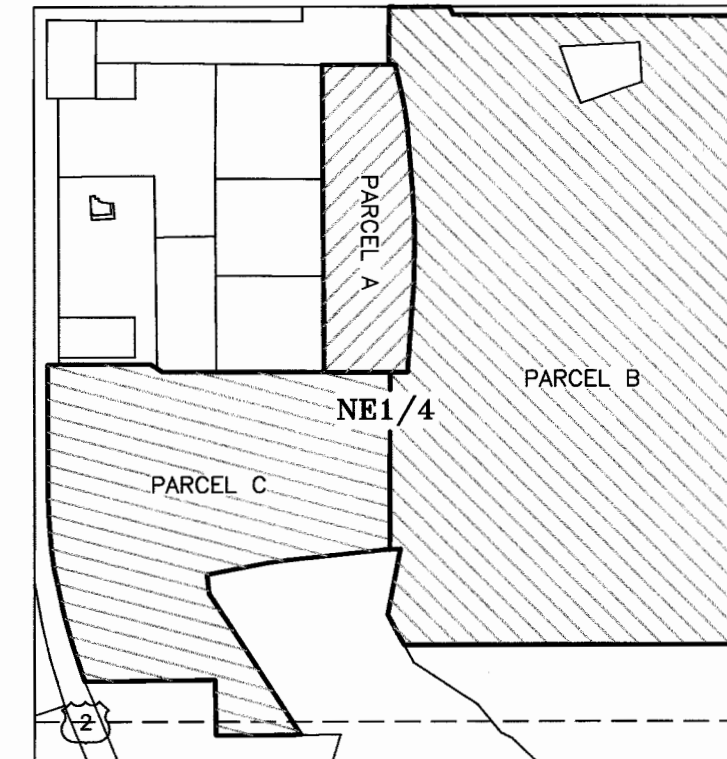
Thence along Section Line between Sections 10 and 11, S00°11'36"W 1322.96 feet to the Old Boundary, an unmarked computed point; Thence along said boundary N89°59'50"W, 1298.18 feet, an unmarked computed point; Thence through set 5/8 inch diameter rebar with a plastic caps marked HUGHES 7322LS the following courses and curves: N05°03'01"E, 298.49 feet; Thence N01°51'51"E, 147.98 feet; Thence along a curve to the left radius 2385.55 feet, delta angle 4°23'14", arc length 182.67 feet; Thence N03°36'56"W, 254.60 feet; Thence along a curve to the left radius 811.57 feet, delta angle 7°45'53", arc length 109.98 feet; Thence N11°53'47"W, 130.02 feet; Thence N89°18'41"W, 26.12 feet; Thence N00°09'15"E, 207.39 feet to the Section Line between Sections 3 and 10, set a 5/8 inch diameter rebar with a plastic cap marked HUGHES 7322LS; Thence along said Section Line S89°52'59"E, 1359.87 feet to the TRUE POINT OF BEGINNING, EXCLUDING: "Utility Site", Parcel A1, Certificate of Survey 4033, containing 1 acre, TOTAL: 38.429 acres. Subject to and together with all appurtenant easements of record.

LEGAL DESCRIPTION, PARCEL "C"

An irregular tract of land, southerly from Libby, Montana, Lincoln County, and lying in the northeast quarter of Section 10, T.30N., R.31W., P.M.,MT., being 25.147 acres and more particularly described as follows:
Commencing at the northeast corner of said Section 10, a 2 inch brass cap marked 534ES set in concrete; Thence along the Section Line between Sections 3 and 10, N89°52'59"W, 1359.87 feet; Thence S00°09'15"W, 207.39 feet; Thence N89°18'41"W, 252.39 feet; Thence S00°34'19"W, 1167.80 feet, a 5/8 inch diameter uncapped rebar and the TRUE POINT OF BEGINNING;

Thence along New Boundary, S89°11'31"E, 282.61 feet, set a 5/8 inch diameter rebar with a plastic cap marked HUGHES 7322LS; Thence S00°13'14"W, 524.69 feet to northerly boundary, Plat No. 2665, set a 5/8 inch diameter rebar with a plastic cap marked HUGHES 7322LS; Thence along said boundary S85°14'22"W, 311.75 feet, a 5/8 inch diameter rebar with a plastic cap marked 9958LS; Thence along said boundary S84°45'02"W, 76.58 feet, a 5/8 inch diameter rebar with a plastic cap marked 9958LS; Thence along said boundary S81°47'39"W, 231.89 feet, a 5/8 inch diameter rebar with a plastic cap marked 2523ES; Thence along the westerly boundary, Plat No. 2665 S05°20'57"E, 71.57 feet, a 5/8 inch diameter rebar with a plastic cap marked 9958LS; Thence along said boundary S32°22'00"E 212.87 feet, a 5/8 inch diameter rebar with a plastic cap marked 9958LS; Thence along said boundary S31°25'20"E, 408.95 feet to the northerly boundary, COS No. 2546, a 5/8 inch diameter rebar with a plastic cap marked 2523ES; Thence along said boundary N89°59'34"W, 391.61 feet, a 5/8 inch diameter rebar with a plastic cap marked 7328S; Thence N00°01'43"E, 209.01 feet, a 5/8 inch diameter rebar with a plastic cap marked 7328S; Thence, along said boundary, N89°58'45"W, 505.86 feet intersecting the easterly easement limits of U.S. Highway 2, a 5/8 inch diameter rebar with a plastic cap marked 7328S; Thence along said limits through a curve right: radius 2815.00, delta 15°04'48", arc length 740.90 feet, a 4 X 4 inch concrete post; Thence along said limits N00°44'12"E, 203.11 feet, a 4 X 4 inch concrete post; Thence along said limits N00°52'48"E, 97.19 feet to the southerly boundary of Plat No. 6437, a 5/8 inch diameter rebar with a plastic cap marked 9958LS; Thence along said boundary S88°54'24"E, 359.71 feet, a 5/8 inch diameter rebar with a plastic cap marked 9958LS; Thence S54°23'08"E, 57.36 feet, a 5/8 inch diameter rebar with a plastic cap marked 9958LS; Thence along said boundary S89°24'15"E, 591.68 feet to said TRUE POINT OF BEGINNING, containing 25.147 acres. Subject to and together with all appurtenant easements of record.

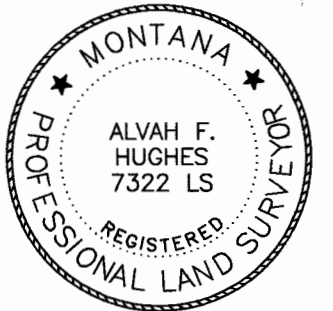
VICINITY DIAGRAM
NE1/4, SEC. 10



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 June 26, 2011
Alvah F. Hughes, PLS 7322LS Date



EXAMINING LAND SURVEYOR'S CERTIFICATION:

Examined this 25th day of June 2011

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 12th day

Tammy D. Lawler 2011, A.D. at 11:30 o'clock A.M.
Lincoln County Clerk Recorder & Recorder by *Deanna Pearson* Deputy