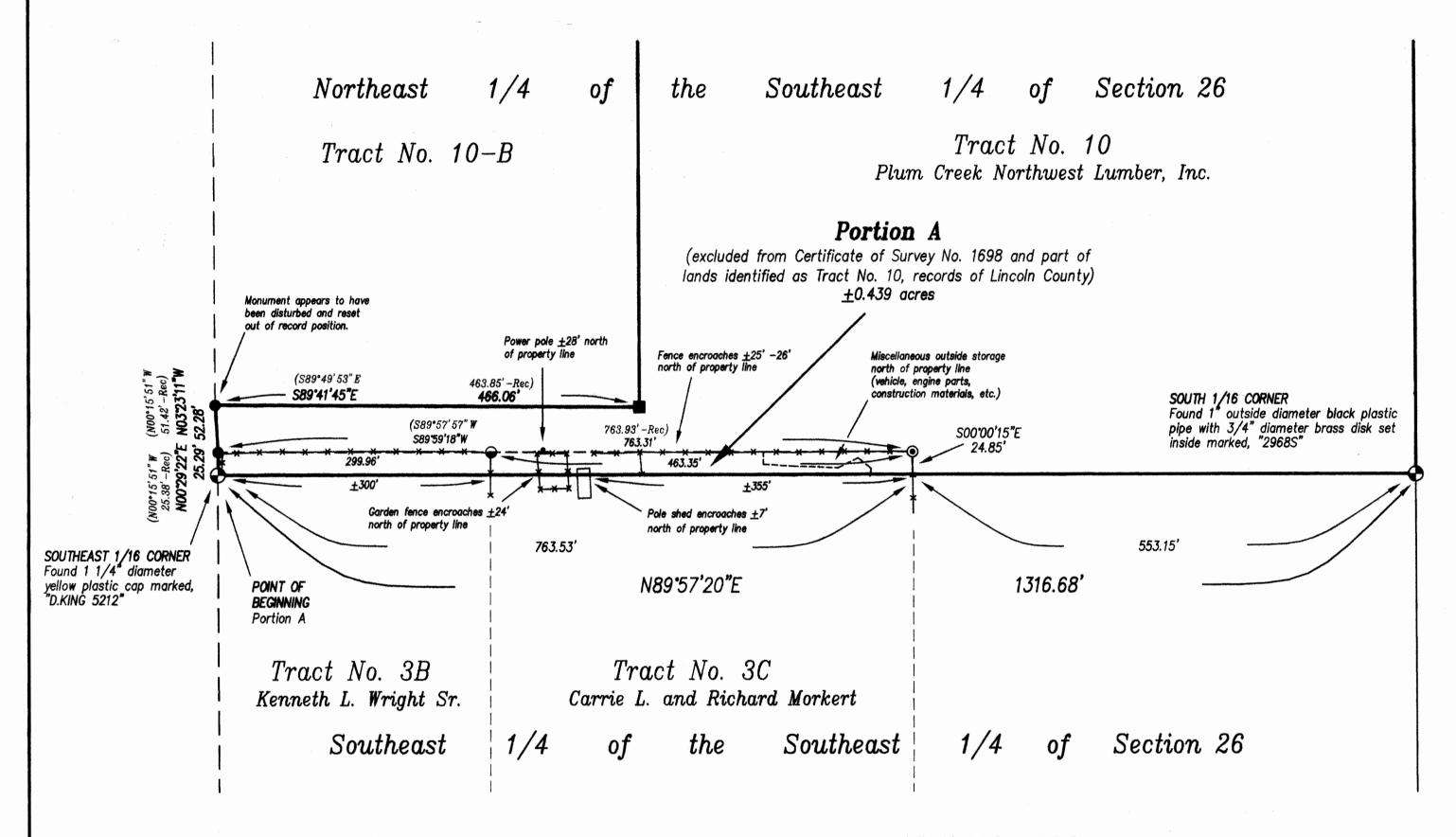
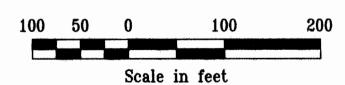
Certificate of Survey

Northeast 1/4 of the Southeast 1/4, Section 25, Township 35 North, Range 26 West Principal Meridian, Lincoln County, Montana



Basis of Bearing - Geodetic North per real time kinematic global positioning system survey single point calibration





## **LEGEND**

- Sixteenth section corner. Found monument as noted.
- Found <sup>1</sup>/<sub>2</sub> diameter rebar, with 1" diameter, yellow plastic, cap marked, "SANDS 7975S"
- Found  $\frac{5}{8}$ " diameter rebar, with  $1\frac{1}{4}$ " diameter, yellow plastic, cap marked, "MARQUARDT 7328S"
- Found  $\frac{7}{8}$  outside diameter galvanized iron pipe
- Found  $1\frac{3}{8}$ " outside diameter steel rod
- Record measurement per Certificate of Survey No. 1698

## LEGAL DESCRIPTION

That portion of the Northeast 1/4 of the Southeast 1/4, Section 25, Township 35 North, Range 26 West, Principal Meridian, Lincoln County, Montana described as follows:

BEGINNING at the southwest corner of the Northeast 1/4 of the Southeast 1/4 of Section 25, Township 35 North, Range 26 West; thence along the westerly boundary of said aliquot part, North 00°29'22" East 25.29 feet; thence North 89°59'18 East 763.31 feet; thence South 00°00'15 East 24.85 feet to the southerly boundary of said aliquot part; thence along said southerly boundary of said aliquot part, South 89'57'20 West 763.53 feet to the Point of Beginning containing 0.439 acres of land, more or less, as shown on this Certificate of Survey which is herewith incorporated in and made a part of this legal description.

CERTIFICATE OF PROFESSIONAL LAND SURVEYOR

I hereby certify that I am a Licensed Professional Land Surveyor in the State of Montana, that the survey shown on this Certificate of Survey has been prepared in accordance with Montana Code Annotated Title 76 Chapter 3 and the Montana Department of Labor and Industry Rules for the Montana Subdivision and Platting Act, Uniform Standards for Survey Monumentation, Certificates of Survey and Final Subdivision Plats.

Montana License No. 10684LS

Surveyor has made no investigative or independent search for easements of record encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.

Owner and

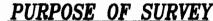
Purpose:

Commissioned by: Plum Creek Northwest Lumber, Inc., a Delarware corporation

Date of survey:

April 2010 Partial retracement

(as shown on Certificate of Survey No. 1698, Tract No. 10)



Pursuant to 76-3-404 MCA, the purpose of this survey is to show a material discrepancy in Certificate of Survey No. 1698, filed on June 7, 1989.

## SURVEYOR'S NOTE

Certificate of Survey No. 1698 was filed in 1989. In 1989, certain sections in 8.94.3002 ARM (Administrative Rules of Montana) addressed the required descriptive contents of a Certificate of Survey invoking a relocation of common boundary exemption, commonly referred to as a "boundary line agreement" or "BLA" as follows:

"8.94.3002 (5)(a) Certificates of survey of a division of land which would otherwise be a subdivision but which is exempted from public review under section 76-3-207, MCA, may not be filed by the county clerk and recorder unless it bears the acknowledged certificate of the property owner stating that the division of land in question is exempted from review as a subdivision and citing the applicable exemption."

"8.94.3005(5)(d)(A) For an exemption as a relocation of common boundary line, the certificate of survey must bear the signatures of all landowners whose parcels are changed by the relocation."

The purpose of Tract 1 shown on Certificate of Survey No. 1698 is stated as a retracement. However, the survey adds a "Boundary Line Agreement" note after the legal descriptions addressing the south line of Tract 1 in the Northeast 1/4 of the Southeast 1/4 as follows:

"We, the undersigned property owners, do hereby agree to the boundaries shown on this survey as 'by boundary line agreement' in the areas shown thereon in the Northeast 1/4 of the Southeast 1/4 of Section 25, Township 35 North, Range 26 West....

This Certificate of Survey was signed by David D. Leland and Susanna N. Lyman, both being employees of Plum Creek Timber Co., Inc. on the date of the survey.

The note in Detail "A" on Certificate of Survey No. 1698 points to a line drawn between a found 1" pipe and a found 1.5" steel pin and reads, "this line accepted by boundary line agreement." A fence follows this line and is approximately 25 to 26 feet north of the sixteenth section line. The line drawn between the found pipe and found steel pin leaves a strip of land within the Northeast 1/4 of the Southeast 1/4 outside the perimeter boundary of the survey.

Certificate of Survey No. 1698 does not contain a certificate signed by all landowners whose parcels would be affected by the boundary line agreement. Certificate of Survey No. 1698 does not contain the acknowledgment that the boundary line agreement is exempted from review. Certificate of Survey No. 1698 does not cite an applicable exemption. Lincoln County plat room records have shown continuous ownership of the strip of land by Plum Creek since 1989. No deed(s) was filed with the county Clerk and Recorder transferring title to any portion of the strip of land to the adjoining landowners to the south. It is this surveyor's opinion that Certificate of Survey No. 1698 is in error and incorrectly retraces the boundary lines in the Northeast 1/4 of the Southeast 1/4 of Section 25. It is this surveyor's opinion that the correct boundary line follows the sixteenth section line from the Southeast 1/16 corner to the South 1/16 corner on the east side of the section as shown on this survey.

## CERTIFICATE OF EXAMINING LAND SURVEYOR

Dated Nov 25 ,2011

Montana License No. 9008LS

CERTIFICATE OF CLERK AND RECORDER

State of Montana County of Lincoln

Filed on the 25 day of Povember, 2011 A.D. at/100 clock A.m.

Sounty Clerk and Recorder

By Deputy

Instrument Rec. No. 236092

CERTIFICATE OF SURVEY NO. 4118