

# CERTIFICATE OF SURVEY

## "BOUNDARY LINE ADJUSTMENT"

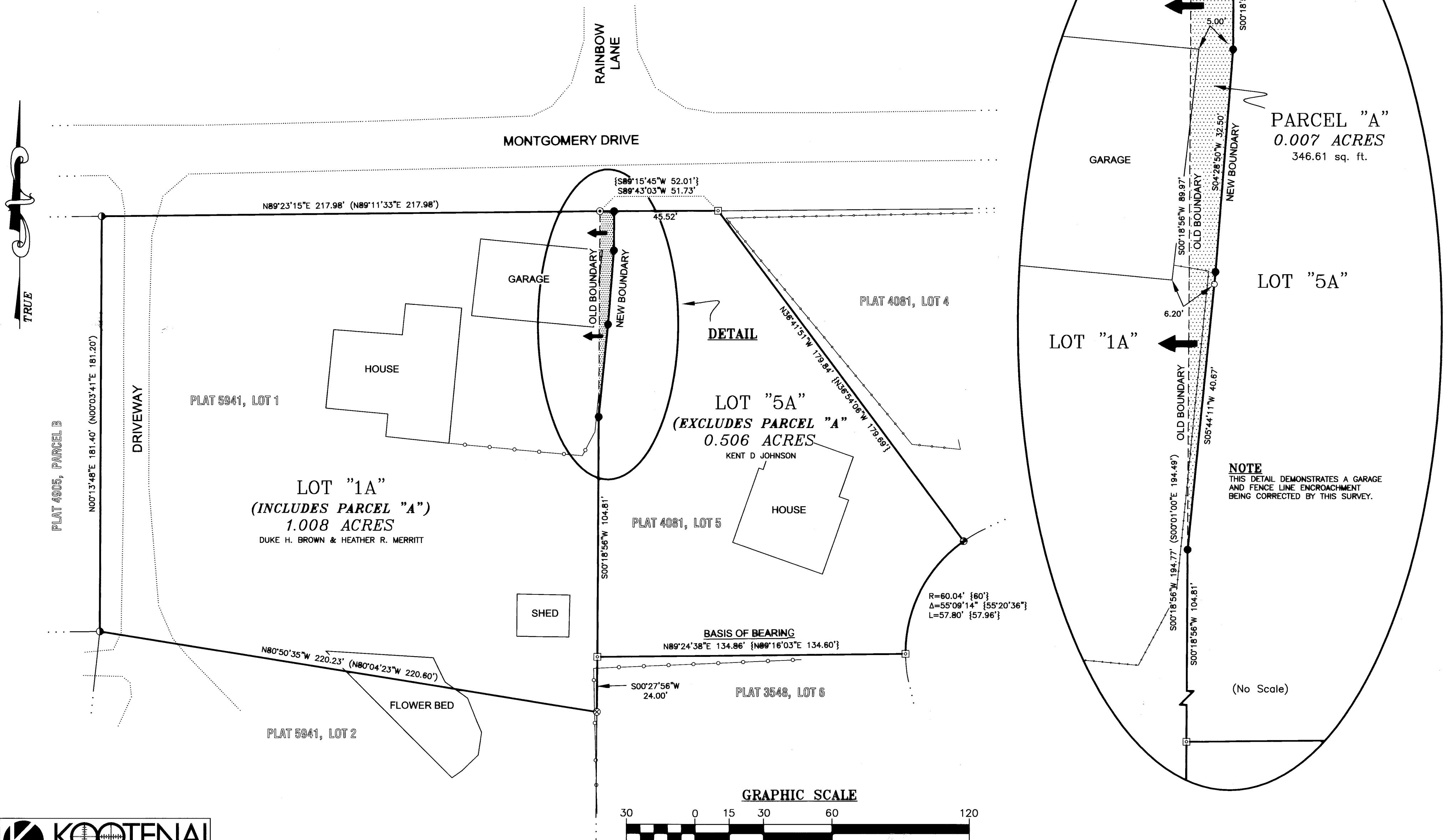
LOT 5, PLAT 4081, "LINCOLN WEST SUBDIVISION, FIRST ADDITION"

LOT 1, PLAT 5941, "KINZEY ACRES"

GOV'T. LOT 1, NE 1/4, SECTION 5, T.30N., R.31W., P.M.,MT.

FOR: BROWN, MERRITT, and JOHNSON

DATE: SEPTEMBER, 2015



# CERTIFICATE OF SURVEY

## "BOUNDARY LINE ADJUSTMENT"

LOT 5, PLAT 4081, "LINCOLN WEST SUBDIVISION, FIRST ADDITION"

LOT 1, PLAT 5941, "KINZEY ACRES"

GOV'T. LOT 1, NE 1/4, SECTION 5, T.30N., R.31W., P.M.,MT.

FOR: BROWN, MERRITT, and JOHNSON

DATE: SEPTEMBER, 2015

### LEGAL DESCRIPTION, PARCEL "A"

A tract of land, lying northwesterly of Libby, Montana, Lincoln County, lying in Government Lot 1, NE1/4, Section 5, T.30N., R.31W., P.M.,MT., and being within "Lot 5, Lincoln West Subdivision, First Addition", and more particularly described as follows: Commencing at the northwest corner of Lot 5, said subdivision, a 3/4 inch diameter rebar set in concrete, Thence along northerly boundary said Lot N89°43'03"E, 6.20 feet to a set 5/8 inch diameter rebar with a plastic cap marked HUGHES, 7322LS said point being the TRUE POINT OF BEGINNING:

Thence along a New Boundary between Lots "5A" and "1A", S00°18'56"W, 17.13 feet to a set 5/8 inch diameter rebar with a plastic cap marked HUGHES, 7322LS; Thence along said Boundary S04°28'50"W, 32.50 feet to a set 5/8 inch diameter rebar with a plastic cap marked HUGHES, 7322LS; Thence along said Boundary S05°44'11"W, 40.67 feet to a set 5/8 inch diameter rebar with a plastic cap marked HUGHES, 7322LS; Thence along Old Original Boundary between said Lot 5 and "Lot 1, Kinzey Acres Subdivision" N00°18'56"E, 89.97 feet to a 3/4 inch diameter rebar set in concrete, Thence along northerly boundary said Lot 5 N89°43'03"E, 6.20 feet to the TRUE POINT OF BEGINNING, containing 0.007 acres. Subject to and together with all appurtenant easements of record.

### LEGAL DESCRIPTION, LOT "1A"

A tract of land, lying northwesterly of Libby, Montana, Lincoln County, lying in Government Lot 1, NE1/4, Section 5, T.30N., R.31W., P.M.,MT., and being within "Lot 5, Lincoln West Subdivision, First Addition" and "Lot 1, Kinzey Acres Subdivision", and more particularly described as follows: Commencing at the northwest corner of Lot 5, said subdivision, a 3/4 inch diameter rebar set in concrete, Thence along northerly boundary said Lot N89°43'03"E, 6.20 feet to a set 5/8 inch diameter rebar with a plastic cap marked HUGHES, 7322LS said point being the TRUE POINT OF BEGINNING:

Thence along a New Boundary between Lots "5A" and "1A", S00°18'56"W, 17.13 feet to a set 5/8 inch diameter rebar with a plastic cap marked HUGHES, 7322LS; Thence along said Boundary S04°28'50"W, 32.50 feet to a set 5/8 inch diameter rebar with a plastic cap marked HUGHES, 7322LS; Thence along said Boundary S05°44'11"W, 40.67 feet to a set 5/8 inch diameter rebar with a plastic cap marked HUGHES, 7322LS; Thence along boundary between Lots "5A" and "1A" S00°18'56"W, 104.81 feet to a 5/8 inch diameter rebar with plastic cap marked "MDL 4232S"; Thence between Lot "1A" and "Lot 6, Lincoln West Subdivision, First Addition" S00°27'56"W, 24.00 feet to a 5/8 inch diameter rebar with an un-readable plastic cap; Thence between Lots "1A" and "Lot 2, Kinzey Acres Subdivision" N80°50'35"W, 220.23 feet to a 5/8 inch diameter rebar with plastic cap marked "KED 4975S"; Thence between Lots "1A" and "Parcel B, "Amended Lot 1, Rouge Tracts Subdivision" Plat No. 4905 N00°13'48"E, 181.40 feet to the southerly right-of-way limits of "Montgomery Drive" being 30 feet from said road centerline, a 5/8 inch diameter rebar with plastic cap marked "KED 4975S"; Thence along said limits N89°23'15"E, 217.98 feet to a 3/4 inch diameter rebar set in concrete, Thence along said limits N89°43'03"E, 6.20 to the TRUE POINT OF BEGINNING, containing 1.008 acres (includes Parcel "A" acres). Subject to and together with all appurtenant easements of record.

### LEGAL DESCRIPTION, LOT "5A"

A tract of land, lying northwesterly of Libby, Montana, Lincoln County, lying in Government Lot 1, NE1/4, Section 5, T.30N., R.31W., P.M.,MT., and being within "Lot 5, Lincoln West Subdivision, First Addition", and more particularly described as follows: Commencing at the northwest corner of Lot 5, said subdivision, a 3/4 inch diameter rebar set in concrete, Thence along northerly boundary said Lot N89°43'03"E, 6.20 feet to a set 5/8 inch diameter rebar with a plastic cap marked HUGHES, 7322LS said point being the TRUE POINT OF BEGINNING:

Thence along a New Boundary between Lots "5A" and "1A", S00°18'56"W, 17.13 feet to a set 5/8 inch diameter rebar with a plastic cap marked HUGHES, 7322LS; Thence along said Boundary S04°28'50"W, 32.50 feet to a set 5/8 inch diameter rebar with a plastic cap marked HUGHES, 7322LS; Thence along said Boundary S05°44'11"W, 40.67 feet to a set 5/8 inch diameter rebar with a plastic cap marked HUGHES, 7322LS; Thence along original boundary between "Lot 5, Lincoln West Subdivision, First Addition" and "Lot 1, Kinzey Acres Subdivision", S00°18'56"W, 104.81 feet to a 5/8 inch diameter rebar with plastic cap marked "MDL 4232S"; Thence along original boundary between "Lot 5 and Lot 6 said Lincoln West Subdivision N89°24'38"E, 134.86 feet to a 5/8 inch diameter rebar with plastic cap marked "MDL 4232S"; Thence along a Culdesac on a Curve right: radius 60.04 feet, Delta angle 55°09'14", arc length 57.80 feet; Thence between "Lots 4 and Lot 5, Lincoln West Subdivision, First Addition" N36°41'51"W, 179.84 feet to the southerly right-of-way limits of "Montgomery Drive" being 30 feet from said road centerline, a 5/8 inch diameter rebar with plastic cap marked "MDL 4232S"; Thence along said limits S89°43'03"W, 45.52 feet to the TRUE POINT OF BEGINNING, containing 0.505 acres. Subject to and together with all appurtenant easements of record.

### HISTORY OF SURVEY

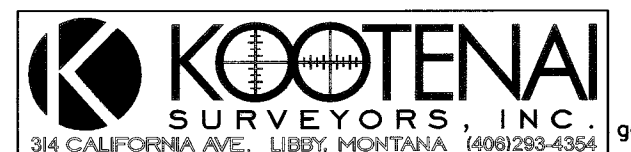
1981 - Plat No. 4081, "Lincoln West Subdivision, First Addition", Melvin D. Lauteren, 4232S  
1997 - Plat No. 5941, "Kinzey Acres", Kenneth E. Davis, 4975S  
2007 - Amended Plat No. 6846, "Lots 3 and 4, Lincoln West Subdivision, First Addition", Alvah F. Hughes, 7322LS

### BASIS OF BEARING

The basis of bearing for this survey is N89°24'38"E derived from Survey Grade GPS system calibrated to local control on the southerly boundary of Lot 5, Plat No. 4081, both corners are 5/8 inch diameter rebar with plastic cap marked "MDL 4232S"

### METHOD OF SURVEY

A Nikon total station with data collector and a Trimble R8 GNSS GPS system was used with RTK radial procedures to tie the previously set controlling corners and road alignments by Byron Sanderson, April, 2015



### LEGEND

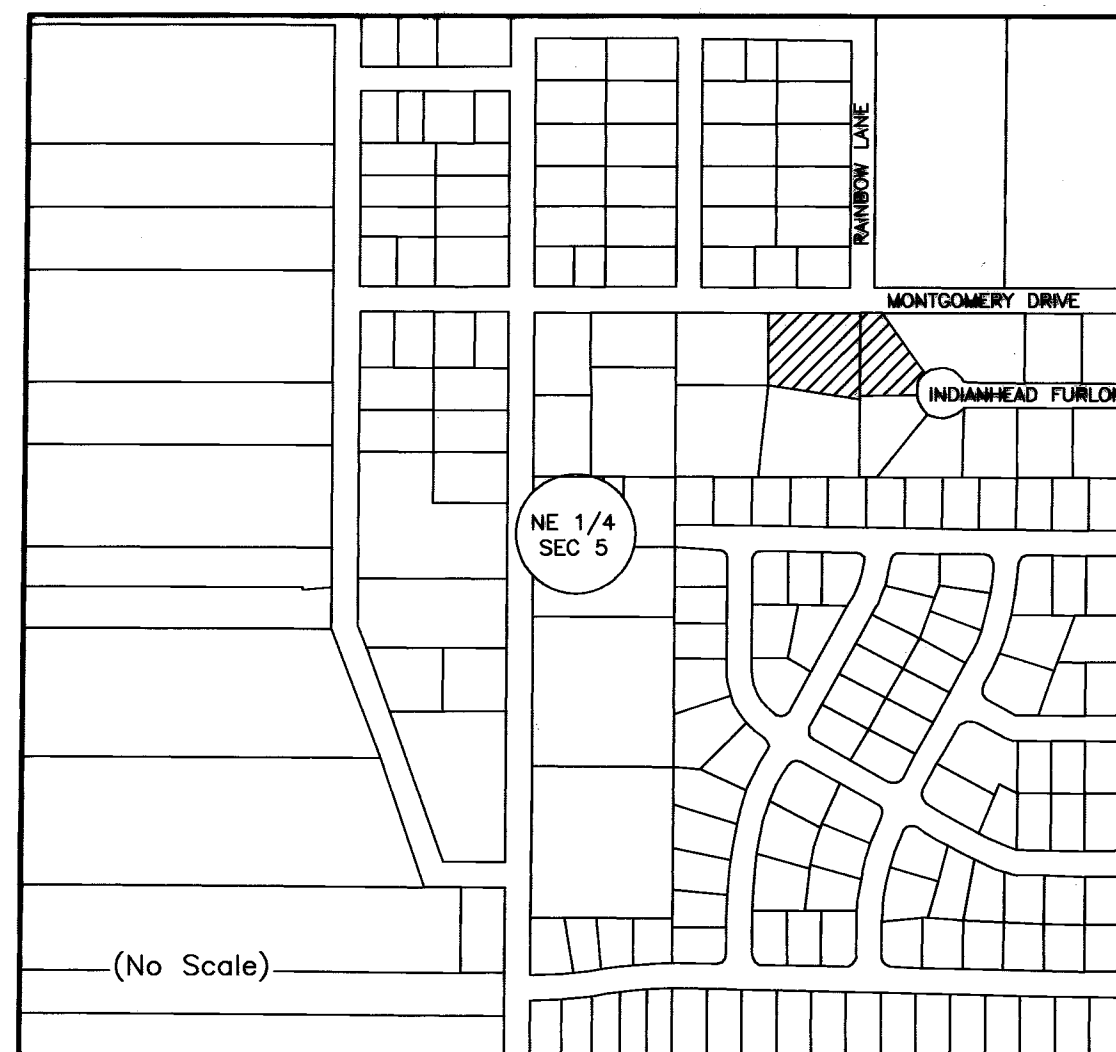
- ☐ A 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED "MDL 4232S"
- ⊙ A 3/4 INCH DIAMETER REBAR SET IN CONCRETE
- ① A 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED "KED 4975S"
- ⊕ A 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED "HUGHES 7322LS"
- ⊗ A 5/8 INCH DIAMETER REBAR WITH UN UN-READABLE PLASTIC CAP
- SET A 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED "HUGHES 7322LS"
- AN UNMARKED COMPUTED POINT
- { } PLAT No. 4081 RECORD ( ) PLAT No. 5941 RECORD
- PROPERTY BOUNDARY LINES — — — OLD BOUNDARY LINE
- ADJOINING BOUNDARY LINES — — — FENCE LINE
- ..... ROAD EDGE

### EXAMINING LAND SURVEYOR'S CERTIFICATION

Examined this 18<sup>th</sup> September 2015 A.D.

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

### VICINITY DIAGRAM



### PURPOSE OF SURVEY AND OWNER'S EXEMPTION CERTIFICATION

We, Duke H. Brown, Heather R. Merritt and Kent D. Johnson, record owners, hereby certify that the purpose of survey and division of land is to relocate a common boundary between record parcels and is therefore exempt from subdivision review pursuant to MCA 76-3-207(1)(d): "divisions made for five or fewer lots within a platted subdivision, relocation of common boundaries and the aggregation of lots." We further certify that Parcel "A" is exempt from review by the Department of Environmental Quality pursuant to ARM 17.36.605 Exclusions 2(b): "A parcel that has no existing facilities for water supply, wastewater disposal, and solid waste disposal other than those that were previously approved by the reviewing authority or that were exempt from such review because (i) no new facilities will be constructed on the parcel and (ii) the division of land will not cause approved facilities to violate any conditions of approval, and will not cause exempt facilities to violate any condition of exemption."

Duke H. Brown 9-22-15  
Heather R. Merritt 9/22/15  
Kent D. Johnson 9/21/15

### ACKNOWLEDGMENT

The foregoing Exemptions were subscribed and acknowledged before me

a Notary Public for the State of Montana  
County of Lincoln, by DUKE H. BROWN  
on this 22 day of September 2015. In witness whereof,  
I have hereunto set my hand and affixed my notarial seal.

residing in Libby My Commission expires: Dec 1, 2017

### ACKNOWLEDGMENT

The foregoing Exemptions were subscribed and acknowledged before me

a Notary Public for the State of Montana  
County of Lincoln, by HEATHER R. MERRITT  
on this 22 day of September 2015. In witness whereof,  
I have hereunto set my hand and affixed my notarial seal.

residing in Libby My Commission expires: Dec 1, 2017

### ACKNOWLEDGMENT

The foregoing Exemptions were subscribed and acknowledged before me

a Notary Public for the State of Montana  
County of Lincoln, by KENT D. JOHNSON  
on this 21 day of September 2015. In witness whereof,  
I have hereunto set my hand and affixed my notarial seal.

residing in Libby My Commission expires: Dec 1, 2017

### 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, PLS, 7322LS 09-21-15  
Date

### COUNTY TREASURER'S CERTIFICATION

I hereby certify that all real property taxes and special assessments assessed on the parcel shown hereon are paid pursuant to Section 76-3-207(3), M.C.A.

Nancy Foster Higgins By Candice Campbell 9/18/15  
Lincoln County Treasurer Date

### CLERK AND RECORDER'S CERTIFICATION

State of Montana, County of Lincoln, filed this 25<sup>th</sup> day of September 2015 A.D. at 9:30 o'clock A.M.

Robert A. Pearson by Joannee Pearson  
Lincoln County Clerk Recorder Deputy

CERTIFICATE OF SURVEY No. 4380 RB SHEET 2 OF 2

Doc#259529