

# CERTIFICATE OF SURVEY

## AMENDING "LOTS 1 AND 4, HARRELL'S SUBDIVISION"

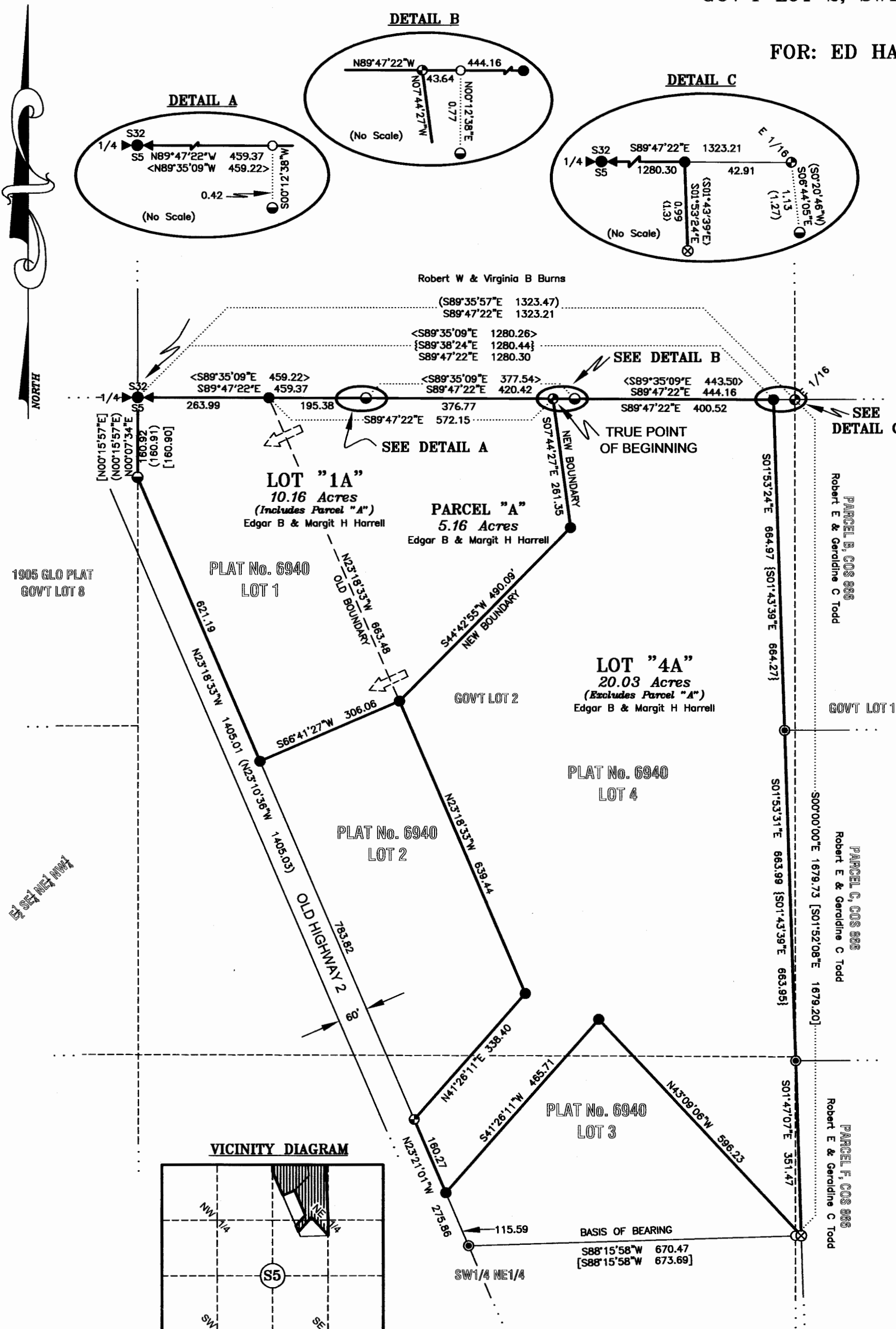
### "BOUNDARY LINE ADJUSTMENT"

GOV'T LOT 2, SW1/4 NE1/4, SECTION 5, T.33N., R.34W., P.M., MT.

LINCOLN COUNTY, MONTANA

FOR: ED HARRELL

DATE: SEPTEMBER 2014



#### LEGAL DESCRIPTION, PARCEL "A"

An irregular parcel of land, lying northwesterly from Troy, Montana, Lincoln County, Gov't Lot 2, Section 5, T.33N., R.34W., P.M., MT., within Lots 1 and 4, "Harrell's Subdivision" Plat No. 6940 and more particularly described as follows: Commencing at the One-Quarter Corner between Section 5, T.33N., R.34W. and Section 32, T.34N., R.34W., P.M., MT., a 2 1/2 inch diameter iron post with a BLM brass cap; Thence along the Section line, said Sections, S89°47'22"E, 836.14 feet to a 5/8 inch diameter rebar with plastic cap marked KED, 4975S and the TRUE POINT OF BEGINNING;

Thence along easterly boundary Lot "1A" S07°44'27"E, 261.35 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along southerly boundary Lot "1A" S44°42'55"W, 490.09 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along "Old Boundary" N23°18'33"W, 663.48 feet to said Section Line a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along said Section Line S89°47'22"E, 195.38 feet to a 5/8 inch diameter rebar with plastic cap marked JHN, 4661S; Thence along said Line S89°47'22"E, 376.77 feet to the TRUE POINT OF BEGINNING, containing 5.16 acres. Subject to and together with all appurtenant easements of record.

#### LEGAL DESCRIPTION, LOT "1A"

An irregular parcel of land, lying northwesterly from Troy, Montana, Lincoln County, Gov't Lot 2, Section 5, T.33N., R.34W., P.M., MT., within Lots 1 and 4, "Harrell's Subdivision" Plat No. 6940 and more particularly described as follows: Commencing at the One-Quarter Corner between Section 5, T.33N., R.34W. and Section 32, T.34N., R.34W., P.M., MT., a 2 1/2 inch diameter iron post with a BLM brass cap; Thence along the Section line, said Sections, S89°47'22"E, 836.14 feet to a 5/8 inch diameter rebar with plastic cap marked KED, 4975S and the TRUE POINT OF BEGINNING;

Thence along easterly boundary Lot "1A" S07°44'27"E, 261.35 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along southerly boundary Lot "1A" S44°42'55"W, 490.09 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along boundary, Lots 1 and 2, Plat No. 6940 S66°41'27"W, 306.06 feet to easterly right-of-way limits of "Old Highway 2", being 60 feet in width, a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along said limits N23°18'33"W, 621.19 feet to the north-south midline, said Section, a 5/8 inch diameter rebar with plastic cap marked JHN, 4661S; Thence along said line N00°07'34"E, 160.92 feet to said Section Line and Quarter Corner, a 2 1/2 inch diameter iron post with a BLM brass cap; Thence along Section line S89°47'22"E, 263.99 feet, a 5/8 inch diameter rebar with plastic cap marked JHN, 4661S; Thence along the Section line S89°47'22"E, 195.38 feet to a 5/8 inch diameter rebar with plastic cap marked JHN, 4661S; Thence along the Section line S89°47'22"E, 376.77 feet to the TRUE POINT OF BEGINNING, containing 10.16 acres. Subject to and together with all appurtenant easements of record.

#### LEGAL DESCRIPTION, LOT "4A"

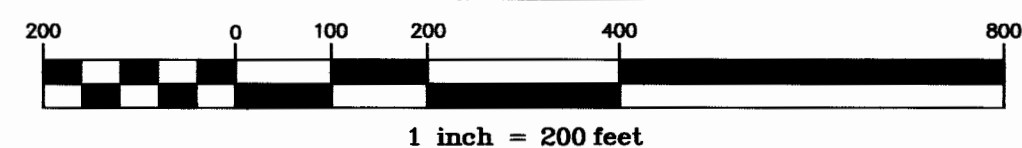
An irregular parcel of land, lying northwesterly from Troy, Montana, Lincoln County, Gov't Lot 2 and SW1/4 NE1/4, Section 5, T.33N., R.34W., P.M., MT., within Lots 1 and 4, "Harrell's Subdivision" Plat No. 6940 and more particularly described as follows: Commencing at One-Quarter Corner between Section 5, T.33N., R.34W. and Section 32, T.34N., R.34W., P.M., MT., a 2 1/2 inch diameter iron post with a BLM brass cap; Thence along the Section line, said Sections S89°47'22"E, 836.14 feet to a 5/8 inch diameter rebar with plastic cap marked KED, 4975S and the TRUE POINT OF BEGINNING;

Thence along the said Section Line, S89°47'22"E, 43.64 feet, a 5/8 inch diameter rebar with plastic cap marked JHN, 4661S; Thence along said line S89°47'22"E, 400.52 feet a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along easterly boundary Lot "4A" S01°53'24"E, 664.97 feet, a 1/2 inch diameter rebar with plastic cap marked EDDLEMAN 820LS; Thence along said boundary S01°53'31"E, 663.99 feet, a 1/2 inch diameter rebar with plastic cap marked EDDLEMAN 820LS; Thence along said boundary S01°47'07"E, 351.47 feet, a 1/2 inch diameter uncapped rebar; Thence along boundary between Lot "4A" and Lot 3, Plat No. 6940 N43°09'06"W, 596.23 feet, a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along said boundary S41°26'11"W, 465.71 feet to easterly Right-of-Way limits of "Old Highway 2" being 60 feet in width, a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along said limits N23°18'33"W, 160.27 feet to a 5/8 inch diameter rebar with plastic cap marked KED, 4975S; Thence along boundary between Lot "4A" and Lot 2, Plat No. 6940 N41°26'11"E, 338.40 feet, a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along said boundary N23°18'33"W, 639.44 feet, a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along southerly boundary Lot "1A" N44°42'55"E, 490.09 feet, a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along easterly boundary said Lot N07°44'27"W, 261.35 feet to the TRUE POINT OF BEGINNING, containing 20.03 acres. Subject to and together with all appurtenant easements of record.

#### LEGEND

- ONE-QUARTER CORNER, A 2 1/2 INCH DIAMETER IRON POST WITH BRASS CAP MARKED BLM
  - A 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED JHN 4661S (COS 549)
  - A 1/2 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED EDDLEMAN 820LS (COS 782 & 866)
  - A 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED KED 4975S (COS 1468)
  - A 1/2 INCH DIAMETER UNCAPPED REBAR
  - A 5/8 INCH DIAMETER REBAR WITH A PLASTIC CAP MARKED HUGHES 7322LS
  - AN UNMARKED COMPUTED POINT
- < > COS 549 RECORD  
[ ] COS 782 RECORD  
{ } COS 866 RECORD  
( ) COS 1468 RECORD
- PROPERTY BOUNDARY  
— ADJOINING BOUNDARY  
- - - DEMINION LINE  
- - - SECTION SUBDIVISION LINE  
- - - OLD BOUNDARY

#### GRAPHIC SCALE



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

We, Edgar B. Harrell and Margit H. Harrell, 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 Lot "1A" 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." Lot "4A" is exempt from review pursuant to MCA 76-4-103 "A subdivision shall comprise only those parcels of less than 20 acres"

Edgar B. Harrell 5-9-16 Date  
Margit H. Harrell 5-9-16 Date

#### ACKNOWLEDGMENT

The foregoing Certification was subscribed and acknowledged before me

a Notary Public for the State of Montana  
County of Lincoln by the above named person(s), on this 9<sup>th</sup> day of May, 2014, in witness whereof, I have hereunto set my hand and affixed my notarial seal.  
Stephanie L. Dill, Notary Public for the State of Montana  
residing in: Libby My Commission expires: 9-30-2017

#### BASIS OF BEARING

The "BASIS OF BEARING" for this survey is S88°15'58"W, between the southeasterly corner, a 1/2 inch diameter uncapped rebar and the southwesterly corner, a 1/2 inch diameter rebar with plastic cap marked Eddleman, 820LS, as shown on Certificate of Survey No. 782.

#### METHOD OF SURVEY

A total station survey with closed traverse procedures was used to tie previously set controlling monuments by Kelly Rooney, June 2007.

#### HISTORY OF SURVEYS

1905, GLO "Supplemental Plat, Sec. 5" correction of original Government Lot 3  
1975, COS No. 153, Boundary Agreement, Jack W. Nimmerman, 534ES  
1978, COS No. 549, Original Parcel, Jack H. Nimmerman, 4661S  
1980, COS No. 782, Original excluding Agricultural Parcel, John J. Allen, 3491S  
1981, COS No. 866, Adjoining Survey, John J. Allen, 3491S  
1986, COS No. 1468, Original Parcel excluding Agricultural Parcel with Remainder, Kenneth E. Davis, 4975S  
2008, Plat No. 6940, "Harrell's Subdivision", Alvah F. Hughes, 7322LS

#### 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 Montana Code Annotated, Sections 76-3-101 through 76-3-625 and the Lincoln County regulations adopted pursuant thereto.

Alvah F. Hughes, 7322LS 12-12-14 Date  
Alvah F. Hughes, PLS, 7322LS

#### EXAMINING LAND SURVEYOR'S CERTIFICATION

Examined this 12<sup>th</sup> day of December, 2014, A.D.  
Ronald A. Pearson, PLS 9008LS  
Lincoln County Examining Land Surveyor

#### COUNTY TREASURER'S CERTIFICATION

I hereby certify that all real property taxes and special assessments assessed and levied on the parcel shown herein have been paid pursuant to Section 76-3-107, MCA.  
Lincoln County Treasurer 5/19/16 Date

#### CLERK AND RECORDER'S CERTIFICATION

State of Montana, County of Lincoln, filed this 9<sup>th</sup> day of May, 2014 at 1:59 o'clock P.M.  
Robin A. Benson by Vicki French  
Lincoln County Clerk & Recorder Deputy  
Doc # 262894  
CERTIFICATE OF SURVEY No. 4428 RB