

# CERTIFICATE OF SURVEY

## "BOUNDARY LINE ADJUSTMENT"

"WOODLAND HEIGHTS SUBDIVISION", LOT 28, PLAT No. 1347 AND  
 "CHERRY CREEK HEIGHTS SUBDIVISION", LOT 2, PLAT No. 6873  
 E1/2 NE1/4 SW1/4, SECTION 23, T.30N., R.31W., P.M., MT.  
 FOR: HERSMAN DATE: NOVEMBER, 2016

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

We, Dan L. Derby and Donna E. Anderson, Jerry D. and Debra L. Hersman, being the record owners, hereby certify that the purpose of this survey and division of land is the relocation of common boundaries and is therefore exempt from subdivision review pursuant to MCA 76-3-207(1)(d): "for five or fewer lots within a platted subdivision, the relocation of common boundaries". We further certify that Parcel "A" is exempt from review by the Department of Environmental Quality pursuant to ARM 17.36.605 Exclusions 2(a): "a parcel that has no existing facilities for water supply, wastewater disposal, and solid waste disposal, if no new facilities will be constructed on the parcel".

*Dan L. Derby* 12-6-16  
 Dan L. Derby Date  
*Donna E. Anderson* 12-6-16  
 Donna E. Anderson Date  
*Jerry D. Hersman* 12-6-16  
 Jerry D. Hersman Date  
*Debra L. Hersman* 12-6-16  
 Debra L. Hersman Date

**ACKNOWLEDGMENT**

The foregoing Exemptions were subscribed and acknowledged before me  
 a Notary Public for the State of Montana  
 County of Lincoln by **DAN L. DERBY**  
 on this 6th day of December 2016 In witness whereof,  
 I have hereunto set my hand and affixed my notarial seal.  
*Cheri Meger*  
 residing in: Libby My Commission expires: 6/20/2019

**ACKNOWLEDGMENT**

The foregoing Exemptions were subscribed and acknowledged before me  
 a Notary Public for the State of Montana  
 County of Lincoln by **DONNA E. ANDERSON**  
 on this 6th day of December 2016 In witness whereof,  
 I have hereunto set my hand and affixed my notarial seal.  
*Cheri Meger*  
 residing in: Libby My Commission expires: 6/20/2019

**ACKNOWLEDGMENT**

The foregoing Exemptions were subscribed and acknowledged before me  
 a Notary Public for the State of Montana  
 County of Lincoln by **JERRY D. HERSMAN AND**  
**DEBRA L. HERSMAN**  
 on this 6th day of Dec 2016 In witness whereof,  
 I have hereunto set my hand and affixed my notarial seal.  
*Cheri Meger*  
 residing in: Libby My Commission expires: 6/20/2019

**HISTORY OF SURVEYS**

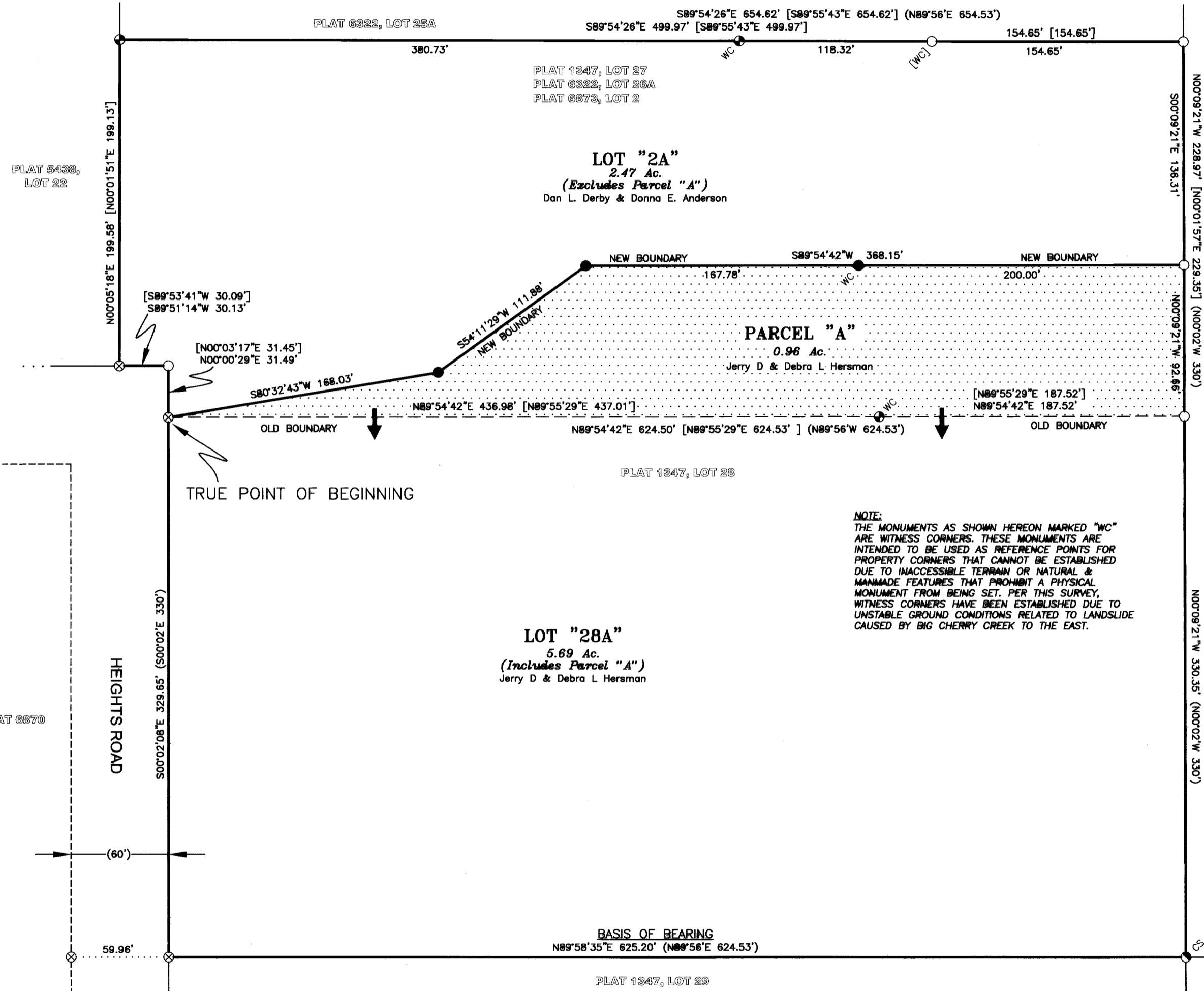
- 1967 - Plat No. 1347, "Woodland Heights Subdivision", Donald C. Dahl, 798S
- 1995 - Plat No. 5438 Amends "Lot 22, Woodland Heights Subdivision", Kenneth E. Davis, 4975S
- 2000 - Plat No. 6322 Amends "Woodland Heights Subdivision", Aggregates portion Lot 26 into Lot 27 renamed Lot 26A, Alvah H. Hughes, 7322LS
- 2006 - COS No. 3496, Adjoining Parcel, Section Subdivision SE 1/4, Alvah H. Hughes, 7322LS
- 2008 - Plat No. 6870 Amends "Woodland Heights Subdivision", Lots 19 and 21, Alvah H. Hughes, 7322LS
- 2008 - Plat No. 6873, "Cherry Creek Heights Subdivision" within Lot 26A, Kenneth E. Davis, 4975S

**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, October, 2016.

**BASIS OF BEARING**

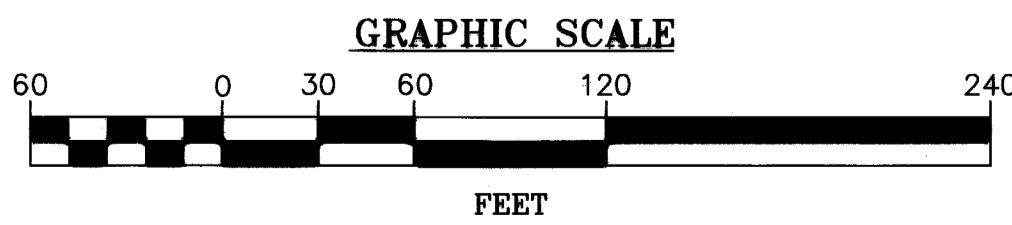
The basis of bearing for this survey is S89°58'35"W derived from GNSS survey grade GPS system calibrated to local control between the CS 1/16 Corner, Section 23, a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS and southwest Corner, Lot "28A" a 5/8 inch diameter uncapped rebar.



**NOTE:**  
 THE MONUMENTS AS SHOWN HEREON MARKED "WC" ARE WITNESS CORNERS. THESE MONUMENTS ARE INTENDED TO BE USED AS REFERENCE POINTS FOR PROPERTY CORNERS THAT CANNOT BE ESTABLISHED DUE TO INACCESSIBLE TERRAIN OR NATURAL & MANMADE FEATURES THAT PROHIBIT A PHYSICAL MONUMENT FROM BEING SET. PER THIS SURVEY, WITNESS CORNERS HAVE BEEN ESTABLISHED DUE TO UNSTABLE GROUND CONDITIONS RELATED TO LANDSLIDE CAUSED BY BIG CHERRY CREEK TO THE EAST.

- LEGEND**
- ⊙ 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 UNCAPPED REBAR
  - SET A 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED HUGHES 7322LS
  - AN UNMARKED COMPUTED POINT
  - ( ) PLAT 1347 RECORD [ ] PLAT 6873 RECORD

- LEGEND**
- PROPERTY BOUNDARY LINES
  - - - OLD BOUNDARY LINES
  - ADJOINING BOUNDARIES
  - - - - ROAD EASEMENT LIMITS
  - ⋯ DIMENSION LINE



# CERTIFICATE OF SURVEY

## "BOUNDARY LINE ADJUSTMENT"

"WOODLAND HEIGHTS SUBDIVISION", LOT 28, PLAT No. 1347 AND

"CHERRY CREEK HEIGHTS SUBDIVISION", LOT 2, PLAT No. 6873

E1/2 NE1/4 SW1/4, SECTION 23, T.30N., R.31W., P.M.,MT.

FOR: HERSMAN                      DATE: NOVEMBER, 2016

### LEGAL DESCRIPTION: PARCEL "A"

An irregular parcel of land, lying southeasterly from Libby, Montana, Lincoln County, within the E1/2 NE1/4 SW1/4, Section 23, T.30N., R.31W., P.M.,MT. and more particularly described as follows:

Commencing at the Center-South One-Sixteenth Corner, said Section 23, a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along the east-west sixteenth subdivision line, S89°58'35"W 625.20 feet, to a 5/8 inch diameter uncapped rebar; Thence along easterly right-of-way limits, "Heights Road" being 60 feet wide, N00°02'08"W 329.65 feet to a 5/8 inch diameter uncapped rebar and the True Point of Beginning:

Thence along an Old Boundary between Lot 2, PLAT 6873 and LOT 28, PLAT 1347 N89°54'42"E, 436.98 feet to Witness Corner, a 5/8 inch diameter rebar with plastic cap marked KED, 4975S; Thence along said boundary through "Granite Creek" slide area N89°54'42"E, 187.52 feet to an unmarked computed point; Thence along south-north midline said Section N00°09'21"W, 92.66 feet to an unmarked computed point; Thence along a New Boundary, between Lots "2A" and "28A" S89°54'42"W, 200.00 feet to a Witness Corner, a set 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence along said Lot line S89°54'42"W, 167.78 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence along said Lot line S54°11'29"W 111.88 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence along said Lot line S80°32'43"W 168.03 feet to the True Point of Beginning, containing 0.96 acres. Subject to and together with all appurtenant easements of record.

### LEGAL DESCRIPTION: LOT "2A"

An irregular parcel of land, lying southeasterly from Libby, Montana, Lincoln County, within the E1/2 NE1/4 SW1/4, Section 23, T.30N., R.31W., P.M.,MT. and more particularly described as follows:

Commencing at the Center-South One-Sixteenth Corner, said Section 23, a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along the east-west sixteenth subdivision line, S89°58'35"W 625.20 feet, to a 5/8 inch diameter uncapped rebar; Thence along easterly right-of-way limits, "Heights Road" being 60 feet wide, N00°02'08"W 329.65 feet to a 5/8 inch diameter uncapped rebar and the True Point of Beginning:

Thence along, said easterly right-of-way limits N00°00'29"E, 31.49 feet to an unmarked computed point; Thence along, said northerly right-of-way limits S89°51'14"W, 30.13 feet to a 5/8 inch diameter uncapped rebar; Thence along boundary between Lot 22, Plat 5438 and Lot "2A" N00°05'18"E, 199.58 feet to a 5/8 inch diameter rebar with plastic cap marked KED, 4975S; Thence along boundary between Lot 25A, Plat 6322 and Lot "2A" S89°54'26"E, 380.73 feet to Witness Corner, a 5/8 inch diameter rebar with plastic cap marked KED, 4975S; Thence along said boundary S89°54'26"E, 118.32 feet to Witness Corner, Plat No. 6873 an unmarked computed point; Thence along said boundary through "Granite Creek" slide area S89°54'26"E, 154.65 feet to an unmarked computed point; Thence along north-south midline, said Section and within said slough area S00°09'21"E, 136.31 feet to an unmarked computed point; Thence along northerly boundary Parcel "A" S89°54'42"W, 200.00 feet to Witness Corner, a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along said boundary S89°54'42"W, 167.78 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along westerly boundary, said Parcel "A" S54°11'29"W 111.88 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence along said Parcel S80°32'43"W 168.03 feet to the True Point of Beginning, containing 2.47 acres. Subject to and together with all appurtenant easements of record.

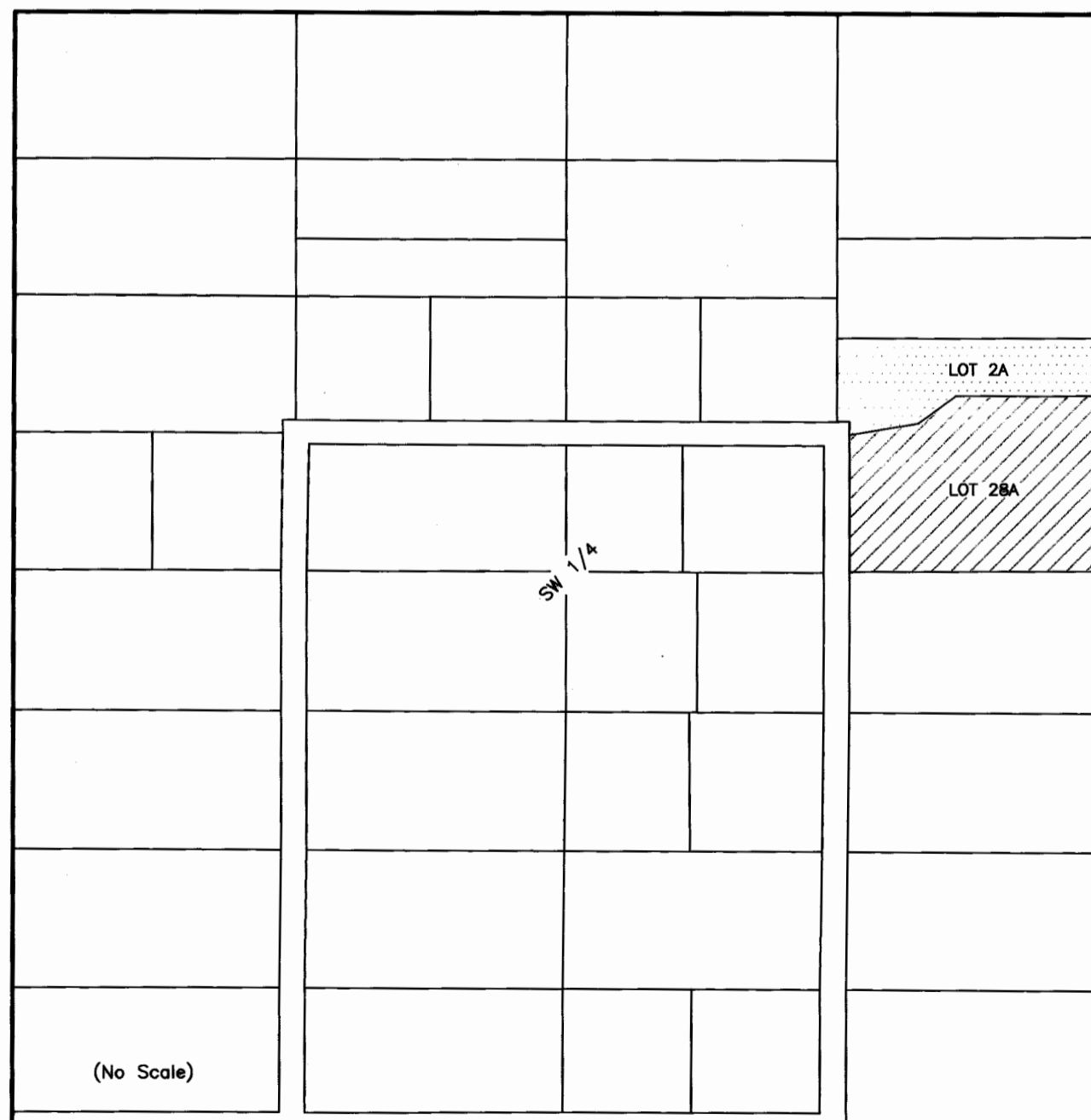
### LEGAL DESCRIPTION: LOT "28A"

An irregular parcel of land, lying southeasterly from Libby, Montana, Lincoln County, within the E1/2 NE1/4 SW1/4, Section 23, T.30N., R.31W., P.M.,MT. and more particularly described as follows:

Commencing at the Center-South One-Sixteenth Corner, said Section 23, a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along the east-west sixteenth subdivision line, S89°58'35"W 625.20 feet, to a 5/8 inch diameter uncapped rebar; Thence along easterly right-of-way limits, "Heights Road" being 60 feet wide, N00°02'08"W 329.65 feet to a 5/8 inch diameter uncapped rebar and the True Point of Beginning:

Thence along easterly right-of-way limits, "Heights Road" being 60 feet wide S00°02'08"E, 329.65 feet to a 5/8 inch diameter uncapped rebar; Thence along boundary between Lots "28A" and 29, Plat 1347 N89°58'35"E, 625.20 feet to CS 1/16th, said Section, a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along south-north midline said Section N00°09'21"W, 330.35 feet to an unmarked computed point; Thence along said midline N00°09'21"W, 92.66 feet to an unmarked computed point; Thence along north boundary Parcel "28A" S89°54'42"W, 200.00 feet to Witness Corner, a set 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence along said boundary S89°54'42"W, 167.78 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence along westerly boundary, said Parcel S54°11'29"W 111.88 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence along said Lot line S80°32'43"W 168.03 feet to the True Point of Beginning, containing 5.69 acres. Subject to and together with all appurtenant easements of record.

**VICINITY DIAGRAM**  
SW1/4 SEC. 23



### 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    11-21-16    Date  
Alvah F. Hughes, PLS, 7322LS



### EXAMINING LAND SURVEYOR'S CERTIFICATION

Examined this day 29<sup>th</sup> of November 2016 A.D.

*Ronald A. Pearson*  
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 hereon are paid pursuant to Section 76-3-207(3), M.C.A.

*Nancy Tomer* by *Cathy Ogata*, Clerk 12/6/16  
Lincoln County Treasurer                      Date



### CLERK AND RECORDER'S CERTIFICATION

State of Montana, County of Lincoln, filed this 3<sup>th</sup> day

of December 2016 A.D. at 2:44 o'clock

*Robin Benson* by *Clyde E. Rm*  
Lincoln County Clerk Recorder                      Deputy

