

# CERTIFICATE OF SURVEY

## "COURT ORDERED SURVEY"

MONTANA NINETEENTH JUDICIAL DISTRICT COURT; CAUSE NO. DP-13-30

S1/2 SE1/4, SECTION 13, T.36N., R.27W., P.M., MT.

LINCOLN COUNTY, MONTANA

FOR: GERALD L. MARVEL ESTATE (DECEASED)

JUNE 2017

NW1/4 SE1/4

Daniel J Jr & Tracie K Casazza, Eric J & Shawna Casazza

NE1/4 SE1/4

Nathan S & Clover L Marvel

N89°34'29"W 1582.83'

S 89°34'29" E 2685.64'

1102.81'

### CASAZZA'S EASEMENT RETRACE: BK 360 PG 219

LINE	BEARING	LENGTH
L1	N63°07'13"E / N62°52'28"E	98.61' / 98.61'
L2	N80°41'27"E / N80°41'27"E	94.29' / 94.20'
L3	N72°46'38"E / N72°31'53"E	258.62' / 258.37'
C1L	45.04' 33°31'09"	26.35'
C2L	45.04' 58°30'21"	45.99'
L4	N19°14'52"W / N19°29'36"W	56.18' / 56.13'
L5	N39°00'59"W / N39°15'44"W	146.91' / 146.77'
L6	N32°30'51"W / N32°45'36"W	121.82' / 121.70'
C3R	100.10' 16°17'29"	28.12'
C4R	100.10' 71°03'30"	124.48'
L7	N54°50'08"E / N54°35'23"E	130.62' / 130.00'
L8	N54°50'08"E / N54°35'13"E	55.55' / 55.99'
L9	N64°07'43"E / N63°52'58"E	115.41' / 115.30'
L10	N80°01'14"E / N79°46'29"E	122.69' / 122.57'
C5L	50.05' 51°40'02"	45.13' / 45.09'
L11	N28°21'12"E / N28°06'27"E	78.18' / 78.11'
C6	60.06' 81°09'24"	85.07' / 84.99'
L12	S70°29'24"E / S70°44'09"E	81.83' / 81.75'
L13	S62°44'05"E / S62°58'50"E	43.15' / 43.11'

### DIANA'S EASEMENT

LINE	BEARING	LENGTH
L1	N63°07'13"E	98.61'
L2	N80°41'27"E	94.29'
L3	N72°46'38"E	258.62'
C1L	45.04' 33°31'09"	26.35'
C2L	45.04' 58°30'21"	45.99'
L4	N19°14'52"W	56.18'
L5	N39°00'59"W	146.91'
L6	N32°30'51"W	121.82'
C3R	100.10' 16°05'41"	28.12'
C8L	58.00' 73°47'50"	74.70'
L18	N88°42'28"W	92.43'
L19	N77°28'37"W	79.24'
L20	N83°49'42"W	86.44'
L21	N77°27'37"W	126.28'
L22	N86°45'11"W	65.54'
L23	N70°16'26"W	270.24'

### PARCEL "A"

31.00 ACRES

Diana Woodger

### PARCEL "B"

33.42 ACRES

Karen Marvel

### LEGEND

- SECTION CORNER, A 2 1/2 INCH DIAMETER PIPE WITH 3 1/4 INCH DIAMETER BRASS CAP, MARKED BLM
- QUARTER CORNER, A 8" x 8" WOOD FENCE POST WITH SHEET ALUMINUM CAP, MARKED "X" MARK ON TOP
- QUARTER CORNER, A 2 INCH DIAMETER BRASS CAP SET IN CONCRETE CAP, MARKED 2989ES
- C-S 1/16th CORNER, A 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED MARQUARDT 7322LS
- A 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED 7322LS
- SET A 5/8 INCH DIAMETER IRON REBAR WITH PLASTIC CAP MARKED HUGHES 7322LS
- AN UNMARKED COMPUTED POINT
- R/W RIGHT-OF-WAY EASEMENT

[ ] BK 1, PG 521 RECORD

( ) COS 3108 RECORD

{ } COS No. 3902 RECORD

/ / BK 360, PG 219 RECORD

PROPERTY BOUNDARY

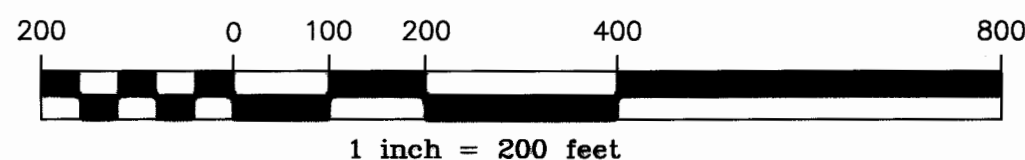
ADJOINING BOUNDARY

SECTION LINE, NOT PROPERTY BOUNDARY

RIGHT-OF-WAY LIMITS

CURVE RADIAL LINE

### GRAPHIC SCALE



### PURPOSE OF SURVEY AND OWNER'S CERTIFICATION

I, Karen Marvel, Personal Representative of the Gerald L. Marvel estate hereby Certify that the purpose of this survey and division of land is "by Order of a Court" and is therefore Exempt from review as a subdivision pursuant to 76-3-201(1)(a); "Created by order of any court of record in this state or by operation of law or that, in the absence of agreement between the parties to the sale, could be created by an order of any court in this state pursuant to the law of eminent domain". Furthermore, We Certify that the division is Exempt from Department of Environmental Quality review pursuant to MCA 76-4-125(2)(a): "the exclusions cited in 76-3-201."

Karen Marvel  
Karen Marvel

11-6-17  
Date

### ACKNOWLEDGMENT

The foregoing Exemptions were subscribed and acknowledged before me

a Notary Public for the State of Montana

County of Missoula, by KAREN MARVEL

on this 14th day of November 2017. In witness whereof, I have hereunto set my hand and affixed my notarial seal.

residing in: Clinton Montana My Commission expires 11-15-2021

### HISTORY OF SURVEYS

- 1978 - Book 1, Page 521, "Certified Land Corner Record", Section Line, Section 13, M. L. Haiges 2520S
- 2002 - COS No. 3108, creates Parcel A in Sections 13 and 14, Alvah F. Hughes 7322LS
- 2008 - COS No. 3902, creates an adjoining Parcel in SW 1/4, Section 13, Dawn Marquardt 7328S
- 2015 - Book 360, Page 219, "Road and Utility Easement", TD&H Engineering

### 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, August 2016.

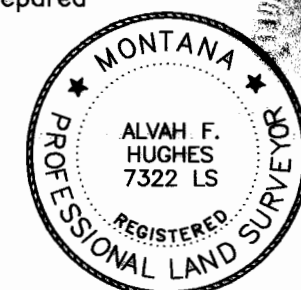
### BASIS OF BEARING

The basis of bearing for this survey is N00°08'33"E derived from Survey Grade GPS system calibrated to local control between southeast Section Corner, Section 13, a 2 1/2 inch diameter pipe with 3 1/4 inch diameter brass cap, marked BLM and northerly Quarter corner between, Sections 13 and 18, a 8" x 8" wood fence post with sheet aluminum cap, marked "X" mark on top

### 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 11-13-17  
Date



### EXAMINING LAND SURVEYOR'S CERTIFICATION

Examined this 14th day of November 2017, A.D.

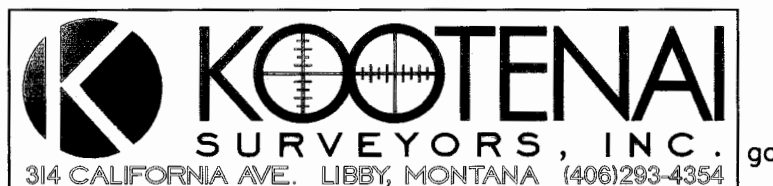
Ronald A. Pearson, PLS 9008LS  
Lincoln County Examining Land Surveyor

### CLERK AND RECORDER'S CERTIFICATION

State of Montana, County of Lincoln, filed this 16th day of November 2017, A.D. at 10:47 o'clock

Robin Benson by Jodi E. R. LePort  
Lincoln County Clerk Recorder Deputy

CERTIFICATE OF SURVEY No. 450360 1 of 2



Judgement Doc# 271577

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S1/2 SE1/4, SECTION 13, T.36N., R.27W., P.M.,MT.

LINCOLN COUNTY, MONTANA

FOR: GERALD L. MARVEL ESTATE (DECEASED)

JUNE 2017

### LEGAL DESCRIPTION: PARCEL "A"

An irregular tract of land lying easterly of Eureka, Montana, Lincoln County, within S1/2 SE1/4, Section 13, T.36N., R.27W., P.M.,MT. and more particularly described as follows: Commencing at the southeast Corner, said Section, a 2 1/2 inch diameter pipe with 3 1/4 inch diameter brass cap, marked BLM; Thence along Section Line between Sections 13 and 24 N89°27'04"W 1105.10 feet to a set 5/8 inch diameter iron rebar with plastic cap marked HUGHES 7322LS and the TRUE POINT OF BEGINNING:

Thence along boundary between Parcels "A" and "B" N00°14'30"E, 1317.51 feet to a set 5/8 inch diameter iron rebar with plastic cap marked HUGHES 7322LS; Thence along east-west Subdivision Line N89°34'29"W, 1582.83 feet to C-S 1/16th Corner, a 5/8 inch diameter rebar with plastic cap marked MARQUARDT 7328LS; Thence along south-north midline, said section S00°20'19"W, 307.41 feet to a 5/8 inch diameter iron rebar with plastic cap marked HUGHES 7322LS; Thence along the northerly boundary Parcel A, COS 3108 S57°22'57"E, 1171.76 feet to a 5/8 inch diameter iron rebar with plastic cap marked HUGHES 7322LS; Thence along the northeasterly boundary, said Parcel S35°50'49"E, 277.27 feet to a 5/8 inch diameter iron rebar with plastic cap marked HUGHES 7322LS; Thence along the easterly boundary, said Parcel S00°19'09"W, 161.35 feet to a set 5/8 inch diameter iron rebar with plastic cap marked HUGHES 7322LS; Thence Section Line between Sections 13 and 24 S89°27'04"E, 430.65 feet to the True Point of Beginning, containing 31.00 Acres. Subject to and together with all appurtenant easements of record.

### LEGAL DESCRIPTION: PARCEL "B"

An irregular tract of land lying easterly of Eureka, Montana, Lincoln County, within S1/2 SE1/4, Section 13, T.36N., R.27W., P.M.,MT. and more particularly described as follows: Commencing at the southeast Corner, said Section, a 2 1/2 inch diameter pipe with 3 1/4 inch diameter brass cap, marked BLM; Thence along Section Line between Sections 13 and 24 N89°27'04"W 1105.10 feet to a set 5/8 inch diameter iron rebar with plastic cap marked HUGHES 7322LS and the TRUE POINT OF BEGINNING:

Thence along boundary between Parcels "A" and "B" N00°14'30"E, 1317.51 feet to a set 5/8 inch diameter iron rebar with plastic cap marked HUGHES 7322LS; Thence along west-east Subdivision Line S89°34'29"E, 1102.81 feet to S 1/16th Corner between Sections 13 and 18, a set 5/8 inch diameter iron rebar with plastic cap marked HUGHES 7322LS; Thence along Section Line between said Sections S00°08'33"W, 1319.90 feet to the southeast Section Corner, Section 13, a 2 1/2 inch diameter pipe with 3 1/4 inch diameter brass cap, marked BLM; Thence along said Section Line between Sections 13 and 24 N89°27'04"W, 1105.10 feet to the True Point of Beginning, containing 33.42 acres. Subject to and together with all appurtenant easements of record.

### LEGAL DESCRIPTION: MICHAEL MARVEL EASEMENT

A strip of land for easement purposes, lying easterly of Eureka, Montana, Lincoln County, within NE1/4 NE1/4, Section 24, T.36N., R.27W., P.M.,MT. and more particularly described as follows: Beginning on easterly right-of-way limits of "Purdy Drive" being a 60 foot wide County Road; Thence along centerline of 30 foot wide existing easement as shown on Book 360, Page 219, Lincoln County Courthouse, through the following unmarked computed points: N63°07'13"E, 98.61 feet; Thence N80°41'27"E, 94.29 feet; Thence N72°46'38"E, 258.62 feet; Thence along curve left: radius 45.04 feet, delta 33°31'09", arc 26.35 feet to an unmarked computed point; Thence along centerline of 20 foot wide easement, through the following unmarked computed points: N76°06'29"E, 118.84 feet; Thence N66°07'56"E, 86.40 feet; Thence along curve right: radius 110.00 feet, delta 16°35'00", arc 31.84 feet; Thence N82°42'56"E, 99.10 feet; Thence N86°52'16"E, 170.24 feet to easement ending. Section Corner of Sections 18 and 19, T.36N., R.26W., and Sections 13 and 24, T.36N., R.27W., bears N00°16'10"E Length: 425.17 feet.

### LEGAL DESCRIPTION: DIANA, WOODGER EASEMENT

A strip of land for easement purposes, lying easterly of Eureka, Montana, Lincoln County, within NE1/4 NE1/4, Section 24, T.36N., R.27W., P.M.,MT. and more particularly described as follows: beginning on easterly right-of-way limits of "Purdy Drive" being a 60 foot wide County Road; Thence along centerline of 30 foot wide existing easement as shown on Book 360, Page 219, Lincoln County Courthouse, through the following unmarked computed points: N63°07'13"E, 98.61 feet; Thence N80°41'27"E, 94.29 feet; Thence N72°46'38"E, 258.62 feet; Thence curve left: radius 45.04 feet, delta 33°31'09", arc 26.35 feet; Thence along said curve: radius 45.04 feet, delta 58°30'21", arc 45.99 feet; Thence 19°14'52"W, 56.18 feet; Thence N39°00'59"W, 146.91 feet; Thence N32°30'51"W, 121.82 feet; Thence Curve right: radius 100.10 feet, delta 16°05'41", arc 28.12 feet; Thence Curve left: radius 58.00 feet, delta 73°47'50", arc 74.70 feet; Thence through following unmarked compute points: N88°42'28"W, 92.43 feet; Thence N77°28'37"W, 79.24 feet; Thence N83°49'42"W, 86.44 feet; Thence N77°27'37"W, 126.28 feet; Thence N86°45'11"W, 65.54 feet; Thence N70°16'26"W, 270.24 feet to Section Line between Sections 13 and 34, said Township, an unmarked computed point and easement ending. Southwesterly corner, Parcel "A" bears N89°27'04"W, 106.50 feet along said Section Line, Sections 13 and 24, T.36N., R.27.,W to a set 5/8 inch diameter iron rebar with plastic cap marked HUGHES 7322LS.

### VICINITY DIAGRAM

