

# CERTIFICATE OF SURVEY "BOUNDARY LINE ADJUSTMENT"

PLAT 1548 AND TRACT 1ADH  
SW1/4 NE1/4, SECTION 35, T.31N., R.31W., P.M.,MT.  
FOR: PAYNE DATE: FEBRUARY, 2019

## PURPOSE OF SURVEY AND OWNER'S EXEMPTION CERTIFICATION

I, William H. Payne, record owner, hereby certifies 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)(a): "divisions made outside of platted subdivisions for the purpose of relocating common boundary lines between adjoining properties". We further certify that Parcels "A" & "B" are exempt from review by the Department of Environmental Quality pursuant to ARM 17.36.605(2)(c): (c) a parcel that will be affected by a proposed boundary line adjustment, if the parcel has existing facilities for water supply, wastewater disposal, storm drainage, or solid waste disposal that were not subject to review, and have not been reviewed, under Title 76, chapter 4, part 1, MCA, and if: (i) no facilities, other than those in existence prior to the boundary line adjustment, or those that were previously approved as replacements for the existing facilities, will be constructed on the parcel; (ii) existing facilities on the parcel complied with state and local laws and regulations, including permit requirements, which were applicable at the time of installation; and (iii) the local health officer determines that existing facilities are adequate for the existing use. As a condition of the exemption, the local health officer may require evidence that: (A) existing septic tanks have been pumped within the previous three years; (B) the parcel includes acreage or features sufficient to accommodate a replacement drainfield; (C) existing wells are adequate for the proposed uses; and (C) adequate storm drainage and solid waste disposal are provided.

William H. Payne 2-28-19  
WILLIAM H. PAYNE DATE

## ACKNOWLEDGMENT

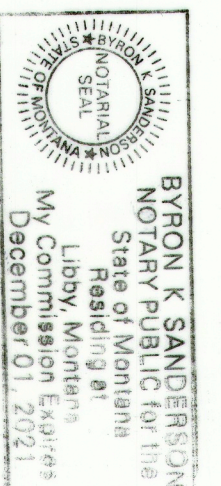
The foregoing Exemptions were subscribed and acknowledged before me

a Notary Public for the State of MONTANA

County of LINCOLN by William H. Payne

on this 28 day of FEBRUARY 2019. In witness whereof,  
I have hereunto set my hand and affixed my notarial seal.

Byron K. Sanderson  
residing in: LIBBY, MT My Commission expires: 12-1-21



## HISTORY OF SURVEYS

1969 - Plat No. 1548, Creates 4.365 Acre "Schoknecht" Tract, J.W. Ninneman, 534ES  
1988 - COS No. 1657, "Occasional Sale", Terry L. Druyvestein, 2927ES  
1995 - Plat No. 5570, "Payne Subdivision", Adjacent Land, Kenneth E. Davis, 4975S

## METHOD OF SURVEY

A Nikon total station with data collector and a Trimble R6 GNSS GPS system was used with RTK radial procedures to tie previously established controlling corners by Lash Green, January, 2019.

## BASIS OF BEARING

The basis of bearing for this survey is N89°55'03"E derived from GNSS survey grade GPS system calibrated to local control between the NW & NE corners of Plat 1548, each being 3/4 inch diameter uncapped rebar.

## 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 02-28-19  
Alvah F. Hughes, PLS, 7322LS Date



## EXAMINING LAND SURVEYOR'S CERTIFICATION

Examined this day 20th of FEBRUARY 2019, 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 hereon are paid pursuant to Section 76-3-207(3), M.C.A.

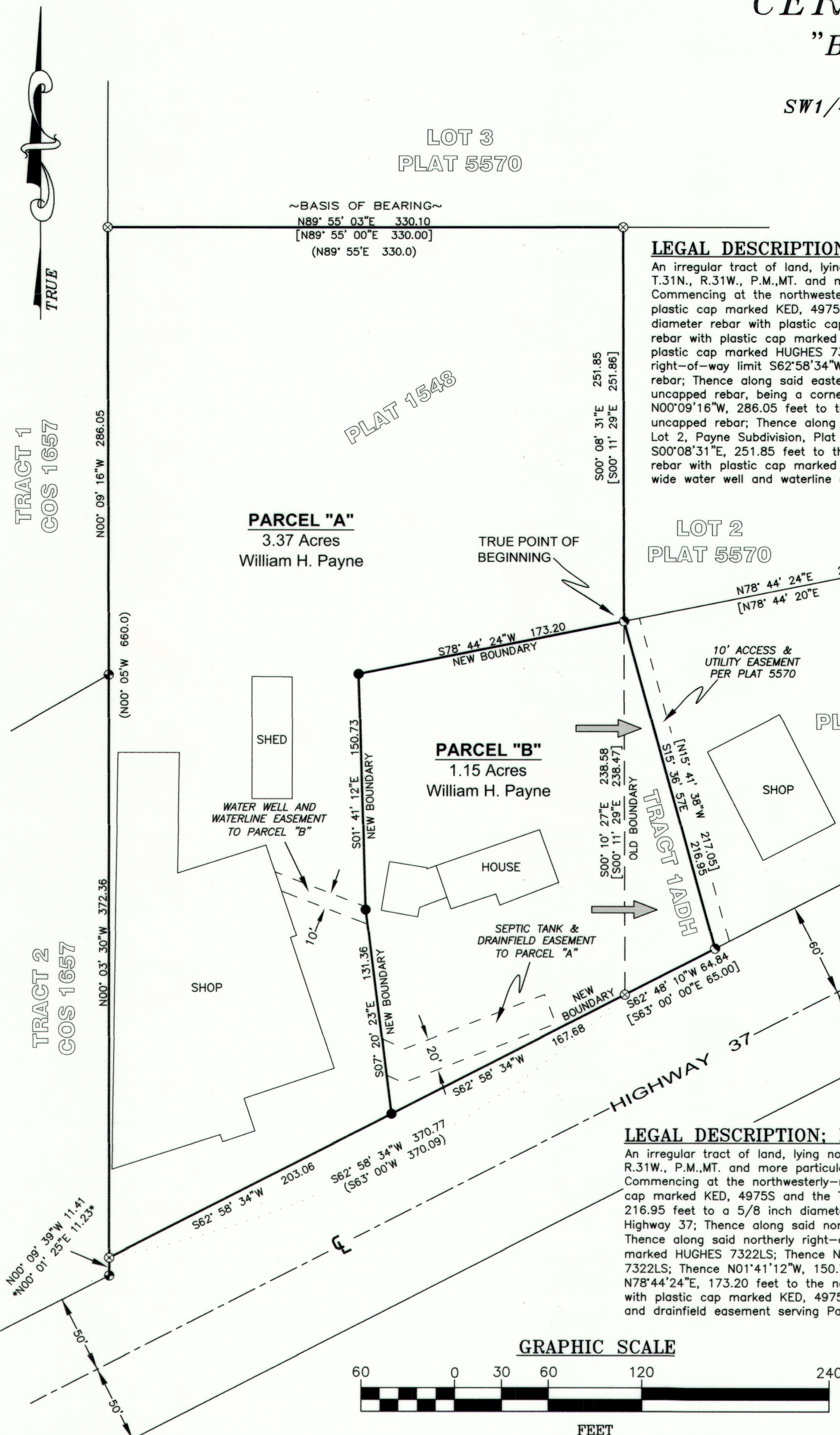
Lincoln County Treasurer 3-4-19  
Lincoln County Treasurer Date

## CLERK AND RECORDER'S CERTIFICATION

State of Montana, County of Lincoln, filed this 4th day  
of March 2019 A.D. at 12:50 PM o'clock  
Robin Benson by Clyde E. Rm  
Lincoln County Clerk Recorder Deputy

DOCUMENT No. 278492

CERTIFICATE OF SURVEY No. 4585RB



### LEGAL DESCRIPTION: PARCEL "A"

An irregular tract of land, lying northeasterly from Libby, Montana, Lincoln County, within the SW1/4 NE1/4, Section 35, T.31N., R.31W., P.M.,MT. and more particularly described as follows:  
Commencing at the northwesterly-most corner, Lot 1, Payne Subdivision, Plat No. 5570, a 5/8 inch diameter rebar with plastic cap marked KED, 4975S and the TRUE POINT OF BEGINNING: Thence S78°44'24"W, 173.20 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence S01°41'12"E, 150.73 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence S07°20'23"E, 131.36 feet to a set 5/8 inch diameter uncapped rebar; Thence along said northerly right-of-way limit S62°58'34"W, 203.06 feet to the easterly boundary of Tract 2, COS 1657, a 3/4 inch diameter uncapped rebar, being a corner common to Tract 1, COS 1657; Thence along the easterly boundary of Tract 1, COS 1657 N00°09'16"W, 286.05 feet to the southwesterly-most corner, Lot 3, Payne Subdivision, Plat No. 5570, a 3/4 inch diameter uncapped rebar; Thence along the south boundary, said Lot 3, N89°55'03"E, 330.10 feet to the northwesterly-most corner, Lot 2, Payne Subdivision, Plat 5570, a 3/4 inch diameter uncapped rebar; Thence along the westerly boundary, said Lot 2, S00°08'31"E, 251.85 feet to the northwesterly-most corner, Lot 1, Payne Subdivision, Plat No. 5570, a 5/8 inch diameter rebar with plastic cap marked KED, 4975S and the True Point of Beginning, containing 3.34 acres. Subject to a 10 foot wide water well and waterline easement serving Parcel "B", and together with all appurtenant easements of record.

### LOT 2 PLAT 5570

N78°44'24"E 237.72  
[N78°44'20"E 237.78]  
10' ACCESS & UTILITY EASEMENT PER PLAT 5570

### LOT 1 PLAT 5570

S15°36'57"E 216.95  
[S15°36'57"E 216.95]  
S63°03'11"W 240.48  
[S63°03'11"W 240.42]

### LEGAL DESCRIPTION: PARCEL "B"

An irregular tract of land, lying northeasterly from Libby, Montana, Lincoln County, within the SW1/4 NE1/4, Section 35, T.31N., R.31W., P.M.,MT. and more particularly described as follows:  
Commencing at the northwesterly-most corner, Lot 1, Payne Subdivision, Plat No. 5570, a 5/8 inch diameter rebar with plastic cap marked KED, 4975S and the TRUE POINT OF BEGINNING: Thence along the westerly boundary, said Lot 1, S15°36'57"E, 216.95 feet to a 5/8 inch diameter rebar with plastic cap marked KED, 4975S lying on the northerly right-of-way limit of Highway 37; Thence along said northerly right-of-way limit S62°48'10"W, 64.84 feet to a 3/4 inch diameter uncapped rebar; Thence along said northerly right-of-way limit S62°58'34"W, 167.68 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence N07°20'23"W, 131.36 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence N01°41'12"W, 150.73 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence N78°44'24"E, 173.20 feet to the northwesterly-most corner, Lot 1, Payne Subdivision, Plat No. 5570, a 5/8 inch diameter rebar with plastic cap marked KED, 4975S and the True Point of Beginning, containing 1.15 acres. Subject to a 20 foot septic tank and drainfield easement serving Parcel "A", and together with all appurtenant easements of record.

### GRAPHIC SCALE

