

# CERTIFICATE OF SURVEY

## "BOUNDARY LINE ADJUSTMENT"

## "RETRACEMENT SURVEY"

SE1/4, NE1/4, SECTION 35, T.30N., R.31W., P.M., MT.

LINCOLN COUNTY, MT.

FOR: PETER J. & ANN MARIE CRITES

DATE: AUGUST, 2019

### LEGAL DESCRIPTION:

#### PARCEL A

An irregular tract of land, lying south from Libby, Montana, Lincoln County, within the SE1/4 NE1/4, Section 35, T.30N., R.31W., P.M., MT. and more particularly described as follows:

Commencing at the southeast corner of Plat No. 158, a found 5/8 inch diameter rebar capped JRS, 9958LS; Thence N00°07'15"E, 165.16 feet to a set 5/8 inch diameter rebar capped HUGHES, 7322LS; and the TRUE POINT OF BEGINNING: Thence S89°50'36"W, 392.10 feet to a found 5/8 inch diameter rebar capped JRS, 9958LS, lying on the right-of-way limits of U.S. Highway 2, being 100 feet wide; Thence along said right-of-way limits N03°01'20"E, 110.24 feet to a set 5/8 inch rebar capped HUGHES, 7322LS; Thence along said right-of-way limits N03°16'54"E, 95.31 feet to a set 5/8 inch rebar capped HUGHES, 7322LS; Thence N89°53'21"E, 275.58 feet to a set 5/8 inch rebar capped HUGHES, 7322LS; Thence N89°53'53"E, 106.26 feet to a set 5/8 inch rebar capped HUGHES, 7322LS; Thence S00°08'06"W, 220.95 feet to set 5/8 inch rebar capped HUGHES, 7322LS; Thence S00°08'06"W, 110.47 feet to a set 5/8 inch diameter rebar capped HUGHES, 7322LS and the TRUE POINT OF BEGINNING, containing 2.13 acres, and subject to and together with all appurtenant easements of record.

### LEGAL DESCRIPTION:

#### PARCEL B

An irregular tract of land, lying south from Libby, Montana, Lincoln County, within the SE1/4 NE1/4, Section 35, T.30N., R.31W., P.M., MT. and more particularly described as follows:

Commencing at the southeast corner of Plat No. 158, a found 5/8 inch diameter rebar capped JRS, 9958LS; Thence N00°07'15"E, 165.16 feet to a set 5/8 inch diameter rebar capped HUGHES, 7322LS; Thence N00°08'06"E, 110.47 feet to a set 5/8 inch diameter rebar capped HUGHES, 7322LS; Thence N00°08'06"E, 220.95 feet to a set 5/8 inch diameter rebar capped HUGHES, 7322LS; Thence S89°53'53"W, 106.26 feet to a set 5/8 inch diameter rebar capped HUGHES, 7322LS and the TRUE POINT OF BEGINNING: Thence S00°08'25"E, 126.59 feet to a set 5/8 inch diameter rebar capped HUGHES, 7322LS; Thence S89°53'21"W, 275.58 feet to a set 5/8 inch diameter rebar capped HUGHES, 7322LS lying on the right-of-way limits of U.S. Highway 2, being 100 feet wide; Thence along said right-of-way limits N03°16'14"E, 126.79 feet to a set 5/8 inch rebar capped HUGHES, 7322LS; Thence N89°53'08"E, 268.11 feet to a set 5/8 inch rebar capped HUGHES, 7322LS and the TRUE POINT OF BEGINNING, containing 0.79 acres, and subject to and together with all appurtenant easements of record.

### LEGAL DESCRIPTION:

#### PLAT NO. 266

An irregular tract of land, lying south from Libby, Montana, Lincoln County, within the SE1/4 NE1/4, Section 35, T.30N., R.31W., P.M., MT. and more particularly described as follows:

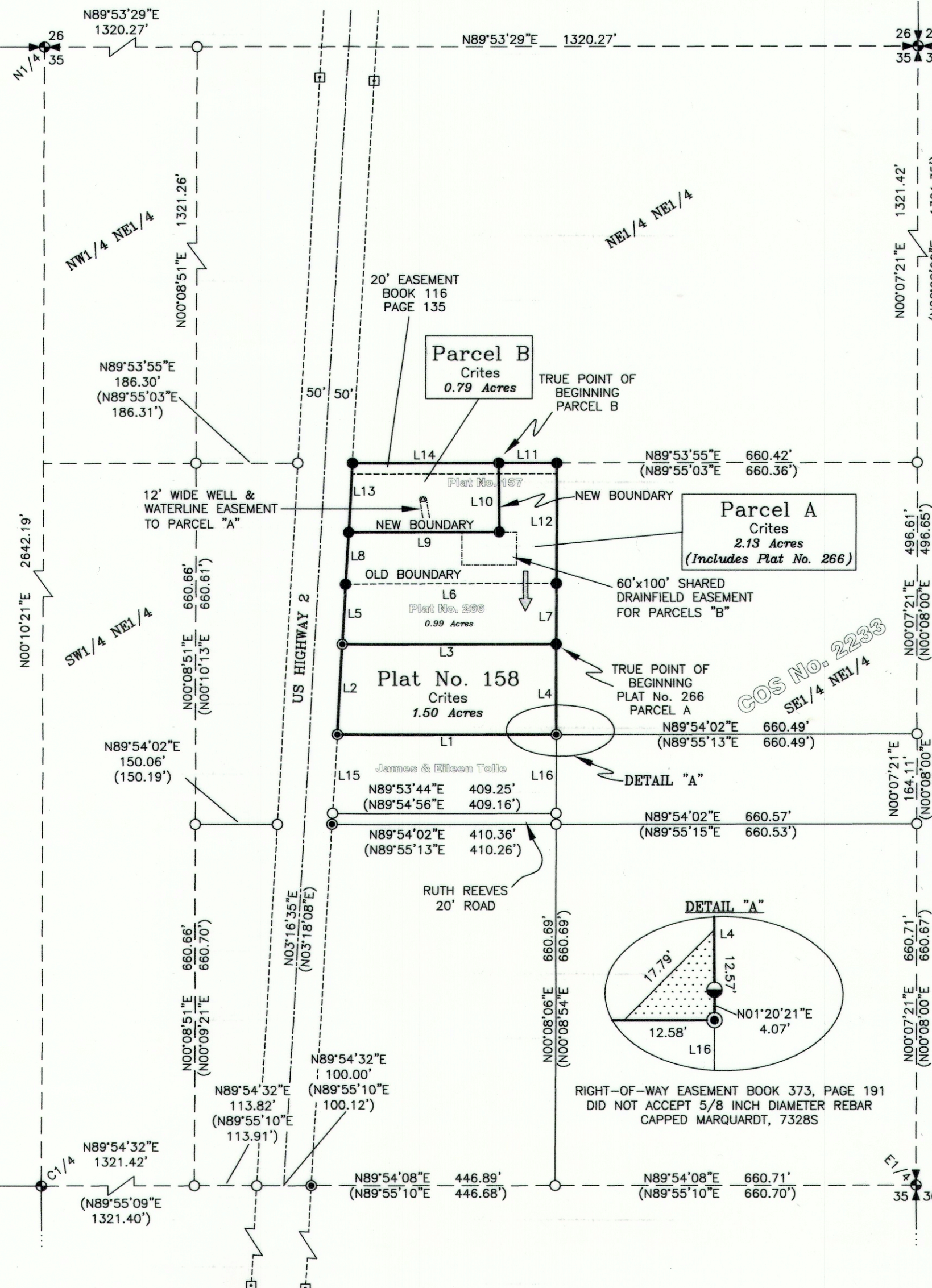
Commencing at the southeast corner of Plat No. 158, a found 5/8 inch diameter rebar capped JRS, 9958LS; Thence N00°07'15"E, 165.16 feet to a set 5/8 inch diameter rebar capped HUGHES, 7322LS and being the TRUE POINT OF BEGINNING: Thence S89°50'36"W, 392.10 feet to a found 5/8 inch diameter rebar capped JRS, 9958LS, lying on the right-of-way limits of U.S. Highway 2, being 100 feet wide; Thence along said right-of-way limits N03°01'20"E, 110.24 feet to a set 5/8 inch rebar capped HUGHES, 7322LS; Thence N89°53'21"E, 275.58 feet to a set 5/8 inch rebar capped HUGHES, 7322LS; Thence N89°53'53"E, 106.26 feet to a set 5/8 inch rebar capped HUGHES, 7322LS and being the TRUE POINT OF BEGINNING, containing 0.99 acres, and subject to and together with all appurtenant easements of record.

### LEGAL DESCRIPTION:

#### PLAT NO. 158

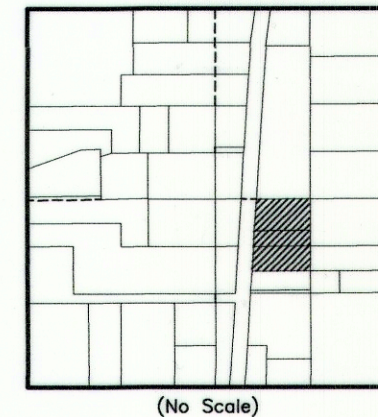
An irregular tract of land, lying south from Libby, Montana, Lincoln County, within the SE1/4 NE1/4, Section 35, T.30N., R.31W., P.M., MT. and more particularly described as follows:

Plat No. 158 containing 1.50 acres, and subject to and together with all appurtenant easements of record.



### VICINITY DIAGRAM

SE1/4 NE1/4  
SECTION 35



### LINE TABLE

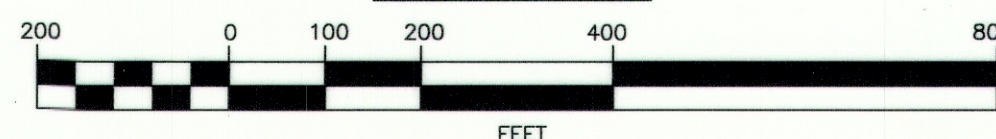
L1	S89°53'40"W	401.26'
	(N89°55'15"E	401.23')
L2	N03°18'07"E	165.11'
	(N03°18'16"E	165.29')
L3	N89°50'36"E	392.10'
	(N89°55'15"E	392.12')
L4	S00°07'15"W	165.16'
	(N00°08'54"E	165.01')
L5	N03°01'20"E	110.24'
	(N03°18'16"E	110.19')
L6	N89°47'04"E	386.55'
	(N89°55'15"E	386.05')
L7	S00°08'06"W	110.47'
	(N00°08'54"E	110.00')
L8	N03°16'54"E	95.31'
L9	N89°53'21"E	275.58'
L10	N00°06'25"W	126.59'
L11	N89°55'53"E	106.26'
L12	S00°08'06"W	220.95'
	(N00°08'54"E	221.61')
L13	N03°16'14"E	126.79'
L14	N89°53'08"E	268.11'
L15	N03°19'26"E	144.35'
	(N03°18'16"E	144.31')
L16	N00°09'04"E	144.11'
	(N00°08'54"E	144.02')

### LEGEND

- FOUND 3 1/2 INCH DIAMETER BLM BRASS CAP, NE CORNER, SECTION 35
- FOUND 3 1/2 INCH DIAMETER BLM BRASS CAP, N1/4, SECTION 35
- FOUND 1 1/4 INCH DIAMETER PIPE, E1/4, SECTION 35
- FOUND 3 1/2 INCH DIAMETER BLM BRASS CAP, C1/4, SECTION 35
- FOUND 5/8 INCH REBAR CAPPED JRS, 9958LS
- FOUND 5/8 INCH DIAMETER REBAR CAPPED MARQUARDT, 7328S
- FOUND 4 X 4 CONCRETE RIGHT-OF-WAY MONUMENT
- SET 5/8 INCH DIAMETER REBAR CAPPED HUGHES 7322LS
- COMPUTED POINT
- ( ) RECORD COS No. 2233

- PROPERTY BOUNDARY
- CENTERLINE OF ROAD
- EASEMENT
- PRIVATE ROAD
- ADJOINING PROPERTY BOUNDARY
- SECTION LINE
- EASEMENT - BOOK 373, PAGE 191

### GRAPHIC SCALE



### PURPOSE OF SURVEY AND OWNERS EXEMPTION

We, Peter J. Crites and Ann Marie Crites hereby certify that the purpose of this survey and division of land is the relocation of common boundaries between Plat No. 157 and Plat No. 266 and that Parcel A and Parcel B are exempt from sanitation review by the Department of Environmental Quality pursuant to ARM 17.36.605(2)(c) as a parcel that has 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, if: (i) no new facilities will be constructed on the parcel; (ii) the number of developed parcels is not increased; (iii) existing facilities complied with state and local laws and regulations, including permit requirements, which were applicable at the time of installation. We further certify the purpose of this survey is the retracement of Plat No. 158, remonumentation of obliterated corners and mark property boundaries. Therefore no division of land is hereby created and is exempt from review as a subdivision, pursuant to Section 76-3-404 MCA.

Peter J. Crites Date 12-30-2019

Ann Marie Crites Date 12-30-2019

### ACKNOWLEDGMENT

The foregoing Exemptions were subscribed and acknowledged before me a

Notary Public for the State of MONTANA

County of LINCOLN

by Peter J. Crites

on this 30 day of DECEMBER 2019. In witness

whereof, I have hereunto set my hand and affixed my notarial seal.

Byron Sanders

residing in: LIBBY, MT My Commission expires: 12-1-21

### ACKNOWLEDGMENT

The foregoing Exemptions were subscribed and acknowledged before me a

Notary Public for the State of MONTANA

County of LINCOLN

by Ann Marie Crites

on this 30 day of DECEMBER 2019. In witness

whereof, I have hereunto set my hand and affixed my notarial seal.

Byron Sanders

residing in: LIBBY, MT My Commission expires: 12-1-21

### BASIS OF BEARING

The basis of bearing for this survey is N00°07'21"E, derived from Survey Grade GPS system calibrated to local control between between E 1/4 Corner, Section 35, a 1 1/4 inch diameter pipe and the NE Corner, Section 35, a 3 1/2 inch diameter BLM brass cap.

### METHOD OF SURVEY

A Trimble R8 GNSS GPS system was used with RTK radial procedures to tie previously set controlling corners by Elisha Green, January, 2019.

### HISTORY OF SURVEY

1952 - Plat No. 157, Eugene Dyson, 588S.  
1952 - Plat No. 158, Eugene Dyson, 588S.  
1952 - Plat No. 266, Eugene Dyson, 588S.  
1994 - C.O.S. No. 2233, J.R.S. Surveying, Inc., James R. Staples, 9958LS

### LAND SURVEYOR'S CERTIFICATION

I hereby certify that I am a Professional 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 Date 12-16-19

### EXAMINING LAND SURVEYOR'S CERTIFICATION

Examined this day 16 of December 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.

Jesse A. Kyriess For Elisha Green, 1/6/2020 Date

### CLERK AND RECORDER'S CERTIFICATION

State of Montana, County of Lincoln, filed this 16th day of January 2020, A.D. at 3:23 o'clock  
Robin Benson by Clyde E. Rm  
Lincoln County Clerk and Recorder Deputy

CERTIFICATE OF SURVEY No. 4644RB