

# CERTIFICATE OF SURVEY

## "BOUNDARY LINE ADJUSTMENT"

SW1/4, SECTION 14, T.30N., R.31W., P.M.,MT.

LINCOLN COUNTY, MONTANA

FOR: GRUBER & COOPER

DATE: JANUARY, 2020

### LEGEND

- 5/8 INCH DIAMETER REBAR WITH A PLASTIC CAP MARKED HUGHES 7322LS
- 5/8 INCH DIAMETER REBAR, WITH PLASTIC CAP MARKED JHN
- 5/8 INCH DIAMETER REBAR, WITH BROKEN PLASTIC CAP
- ⊗ BENT 5/8 INCH DIAMETER REBAR
- UNMARKED 5/8 INCH DIAMETER REBAR
- UNMARKED 1 INCH DIAMETER REBAR
- UNMARKED POINT, COMPUTED POINT
- { } RECORD PER COS No. 828
- [ ] RECORD PER COS No. 1013
- ( ) RECORD PER COS No. 1195
- < > RECORD PER COS No. 2206

— BOUNDARY LINES THIS SURVEY  
--- OLD BOUNDARY LINE  
--- ADJOINING BOUNDARY

### LEGAL DESCRIPTION, PARCEL "A"

An irregular tract of land, lying southeast of Libby, Montana, in Lincoln County and in the SW1/4 of Section 14, T.30N., R.31W., P.M.,MT., and more particularly described as follows: Commencing at the northwest corner of a Parcel "A-1", COS 3632RB, a 5/8 inch diameter rebar with plastic cap marked JHN and the TRUE POINT OF BEGINNING; Thence N62°33'59"E, 166.31 feet to the northwest corner of Tract "A", COS 2206, a 5/8 inch diameter rebar with plastic cap marked Hughes 7322LS; Thence along the westerly boundary of said Tract "A", COS 2206, S28°15'50"E, 116.02 feet to a 5/8 inch diameter rebar with plastic cap marked Hughes 7322LS; Thence continuing along said westerly boundary, N63°40'39"E, 12.97 feet to a 5/8 inch diameter rebar with plastic cap marked Hughes 7322LS; Thence continuing along said westerly boundary, S29°34'46"E, 146.36 feet to a 5/8 inch diameter rebar with plastic cap marked Hughes 7322LS lying on the northerly boundary of Parcel "B-1", COS 3632RB; Thence along said northerly boundary, S62°32'31"W, 19.87 feet to the northwestern corner of Parcel "B-1", COS 3632RB, a 5/8 inch diameter rebar with broken plastic cap; Thence along the westerly boundary, said Parcel "B-1", S27°21'38"E, 137.59 feet to a 5/8 inch diameter rebar marked JHN; Thence S62°40'01"W, 167.14 feet to a 5/8 inch diameter rebar marked JHN lying on the easterly right-of-way limit of "Vaughn Street"; Thence along said easterly right-of-way limit N27°19'34"W, 399.82 feet to a 5/8 inch diameter rebar with plastic cap marked JHN and the TRUE POINT OF BEGINNING, containing 1.59 Acres. Subject to and together with all appurtenant easements of record.

### LEGAL DESCRIPTION, PARCEL "B" (includes Parcel "C")

An irregular tract of land, lying southeast of Libby, Montana, in Lincoln County and in the SW1/4 of Section 14, T.30N., R.31W., P.M.,MT., and more particularly described as follows: Commencing at the southwest corner of a Parcel "A", COS 3632RB, lying on the easterly right-of-way limit of "Vaughn Street", a 5/8 inch diameter rebar with plastic cap marked JHN and also the TRUE POINT OF BEGINNING; Thence along said easterly right-of-way limit, N27°18'38"W, 416.43 feet to a 5/8 inch diameter rebar marked JHN; Thence N62°40'01"E, 167.14 feet to a 5/8 inch diameter rebar with plastic cap marked JHN lying on the westerly boundary of Parcel "B-1", COS 3632RB; Thence along said westerly boundary S27°21'38"E, 181.18 feet to the southwestern corner, said Parcel "B-1", a 5/8 inch diameter rebar with plastic cap marked Hughes 7322LS; Thence along the southern boundary, said Parcel "B-1", N55°42'29"E, 341.51 feet to a 5/8 inch diameter rebar with plastic cap marked Hughes 7322LS, lying on the westerly right-of-way limit of "Gruber Road"; Thence along said westerly right-of-way limit S34°17'31"E, 75.83 feet to the point of curvature of a cul-de-sac, an uncapped 5/8 inch diameter rebar; Thence along said cul-de-sac of said "Gruber Road" through a 59.61 foot radial curve left, with delta angle of 75°51'38", chord direction of S17°49'19"W, along an arc distance of 78.92 feet to a 5/8 inch diameter rebar with plastic cap marked Hughes 7322LS; Thence continuing along said curve of said cul-de-sac through a 59.61 foot radial curve left, with delta angle of 104°08'22", chord direction of S72°10'41"E, along an arc distance of 108.34 feet to an uncapped 1 inch diameter rebar; Thence S53°40'39"W, 144.81 feet to an uncapped 5/8 inch diameter rebar; Thence S53°47'46"W, 391.57 feet to a 5/8 inch diameter rebar with plastic cap marked JHN lying on the easterly right-of-way limit of "Vaughn Street", and the TRUE POINT OF BEGINNING, containing 3.06 Acres. Subject to and together with all appurtenant easements of record.

### LEGAL DESCRIPTION, PARCEL "C"

An irregular tract of land, lying southeast of Libby, Montana, in Lincoln County and in the SW1/4 of Section 14, T.30N., R.31W., P.M.,MT., and more particularly described as follows: Commencing at the southwest corner of Parcel "A", COS 3632RB, lying on the easterly right-of-way limit of "Vaughn Street", a 5/8 inch diameter rebar with plastic cap marked JHN and also the TRUE POINT OF BEGINNING; Thence along said easterly right-of-way limit, N27°18'38"W, 416.43 feet to a 5/8 inch diameter rebar marked JHN; Thence N62°40'01"E, 167.14 feet to a 5/8 inch diameter rebar with plastic cap marked JHN lying on the westerly boundary of Parcel "B-1", COS 3632RB; Thence along said westerly boundary S27°21'38"E, 181.18 feet to the southwestern corner, said Parcel "B-1", a 5/8 inch diameter rebar with plastic cap marked Hughes 7322LS; Thence S27°21'38"E, 181.18 feet to a 5/8 inch diameter rebar with plastic cap marked Hughes 7322LS; Thence S44°46'27"W, 175.98 feet to a 5/8 inch diameter rebar with plastic cap marked JHN lying on the easterly right-of-way limit of "Vaughn Street", and the TRUE POINT OF BEGINNING, containing 1.50 Acres. Subject to and together with all appurtenant easements of record.

### BASIS OF BEARING

The basis of bearing for this survey is N34°17'00"W, as shown on COS No. 1195 between the northeast corner of Parcel B, 5/8 inch diameter rebar and the northeast corner of COS No. 828, 5/8 inch diameter rebar with broken plastic cap.

### SURVEYORS NOTES

- Per ARM 24.183.1104(1)(i)(iii)(C): "The area that is being removed from one tract of record and joined with another tract of record is not itself a tract of record. Said area shall not be available as a reference legal description in any subsequent real property transfer after the initial transfer associated with the certificate of survey on which said area is described, unless said area is included with or excluded from adjoining tracts of record."
- An error discovered in COS 3632RB has been corrected within this survey. Parcel "C-1" of said COS did not properly include Parcel "C" of COS 1195. This survey now combines these parcels as was the intent of COS 1195.
- This survey accepts and utilizes monuments found, bearings, and distances, reported on COS 3632RB.

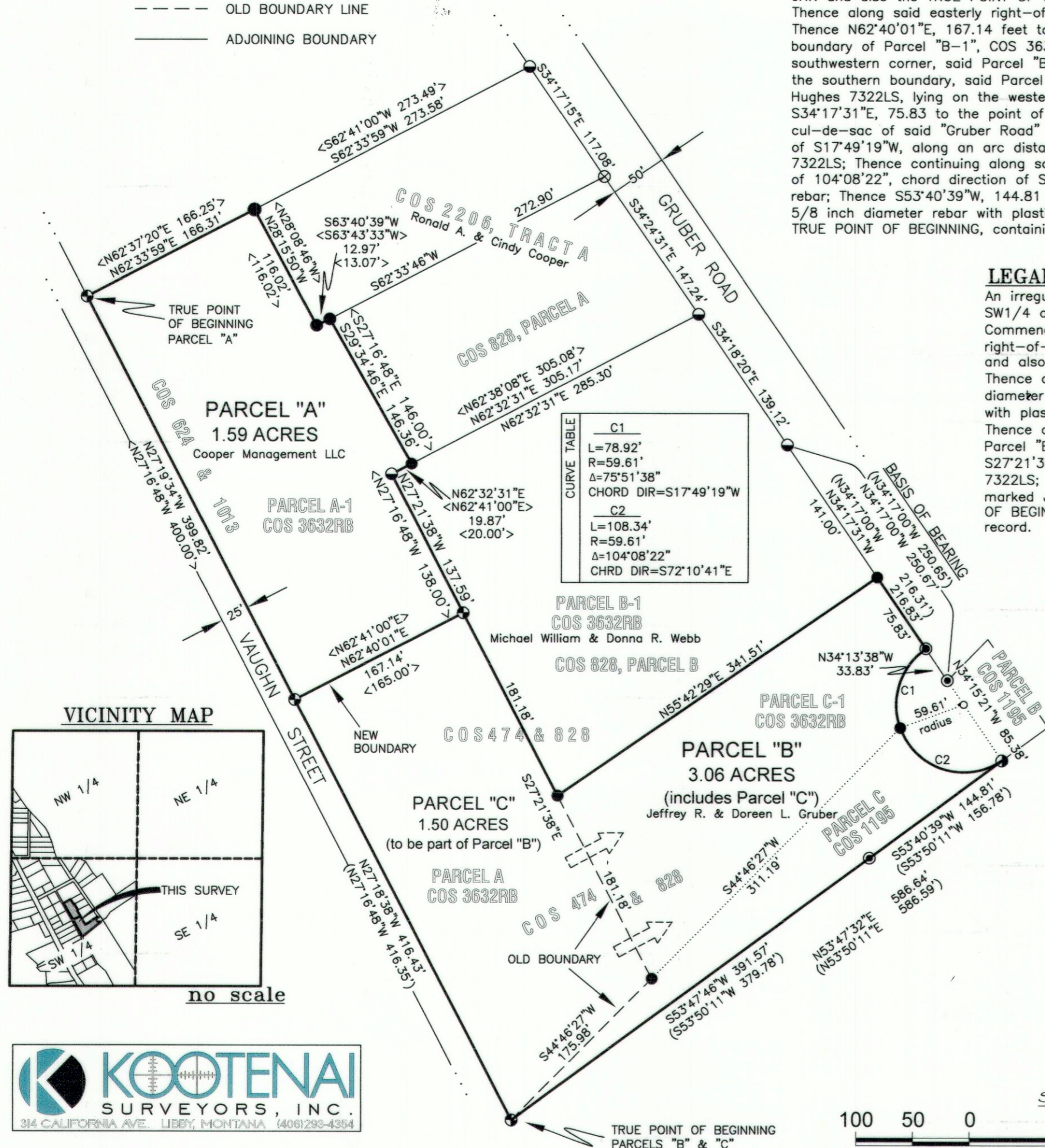
### HISTORY OF SURVEY

1978 - COS No. 474, creates original parcel, J. H. Ninneman, 4661S  
1979 - COS No. 624, interior parcel within original, J. H. Ninneman, 4661S  
1980 - COS No. 828, interior parcels within original, J. H. Ninneman, 4661S  
1982 - COS No. 1013, Boundary Adjustment, J. H. Ninneman, 4661S  
1983 - COS No. 1195, Boundary Adjustment, Lauter, 4232S  
1994 - COS No. 2206, Boundary Adjustment, Staples, 9958LS  
2006 - COS No. 3632RB, Boundary Adjustment, Hughes, 7322LS

### METHOD OF SURVEY

A total station and data collector was used with closed traverse procedures to tie the previously set controlling corners by Byron Sanderson, December, 2019.

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

We, Jeffrey R. Gruber, Doreen L. Gruber, & Cooper Management, LLC, record owners, hereby certify that the purpose of this survey and division of land is to relocate common boundary lines between record parcels and is therefore exempt from review as a subdivision, pursuant to MCA 76-3-207(1)(a): "divisions made outside of a platted subdivision for the purpose of relocating common boundary lines between adjoining properties." We further certify that Parcel "A" is exempt from review by the Department of Environmental Quality pursuant to ARM 17.36.605(2)(b): "a parcel that has a previous approval issued under Title 76, chapter 4, part 1, MCA, if: (i) no facilities other than those previously approved exist or will be constructed on the parcel; and (ii) the division of land will not cause approved facilities to deviate from the conditions of approval, in violation of 76-4-130, MCA;" We further certify that Parcel "B" is exempt from 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;"

Jeffrey R. Gruber, Doreen L. Gruber, Ronald A. Cooper for Cooper Management, LLC, Sean M. Cooper for Cooper Management, LLC, 1/27/20, 1-27-20, 1-24/2020, 1-23-2020

### ACKNOWLEDGMENT

The foregoing Exemption was subscribed and acknowledged before me, a Notary Public, for the State of Montana, County of Lincoln, by:

JEFFREY R. GRUBER, & DOREEN L. GRUBER

on this day 27 of January, 2020. In witness whereof, I have hereunto set my hand and affixed my notarial seal.

Shawn H. Miller, Notary Public for the State of Montana, residing in: Libby, My Commission expires: 9-17-2023

### ACKNOWLEDGMENT

The foregoing Exemption was subscribed and acknowledged before me, a Notary Public, for the State of Montana, County of Lincoln, by:

RONALD A. COOPER, for COOPER MANAGEMENT, LLC.

on this day 24 of January, 2020. In witness whereof, I have hereunto set my hand and affixed my notarial seal.

Donna R. Webb, Notary Public for the State of Montana, residing in: Libby, MT, My Commission expires: 1/23/2023

### ACKNOWLEDGMENT

The foregoing Exemption was subscribed and acknowledged before me, a Notary Public, for the State of Montana, County of Lincoln, by:

SEAN M. COOPER, for COOPER MANAGEMENT, LLC.

on this day 23 of January, 2020. In witness whereof, I have hereunto set my hand and affixed my notarial seal.

Joey Henning, Notary Public for the State of Montana, residing in: Clark, ID, My Commission expires: 06/08/2021

### 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, 01-20-2020, Date

### EXAMINING LAND SURVEYOR'S CERTIFICATION

Examined this 31st day of January, 2020, A.D.

Steve A. Boyer, PLS 9750LS, Lincoln County, Examining Land Surveyor

### LINCOLN COUNTY TREASURER'S CERTIFICATION

I hereby certify, pursuant to Section 76-3-207(3), M.C.A., that all real property taxes and special assessments assessed and levied on the parcel shown hereon are paid.

Schmid for Paulberg, January 21, 2020, Date

### CLERK AND RECORDER'S CERTIFICATION

State of Montana, County of Lincoln, filed this 31st day of January, 2020, A.D. at 10:02 o'clock

Robin Benson, County Clerk Recorder, Clude E. Em, Deputy

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