

# CERTIFICATE OF SURVEY

## "BOUNDARY LINE ADJUSTMENT"

TRACTS 3E & 3E1, GOV'T LOT 5  
 NW1/4, SECTION 4, T.26N., R.27W., P.M., MT.  
 LINCOLN COUNTY, MT.

FOR: **ELMER M. & VIRGINIA R. SIELER**      DATE: **MAY, 2020**

### LEGAL DESCRIPTION: PARCEL A

An irregular tract of land, southeasterly from Libby, Montana, Lincoln County, and lying within Gov't Lot 5, Section 4, T.26N., R.27W., P.M., MT., and more particularly described as follows:

Commencing at the northwest corner of Tract 3E1, a found 5/8 inch diameter uncapped rebar lying on the easterly right-of-way limits of a 66.00 foot county road known as "ACM Road South" and being the TRUE POINT OF BEGINNING; Thence leaving said road right-of-way limits S69°19'16"W, 33.00 feet to an unmarked computed point lying on the centerline of said county road; Thence along said centerline through a curve to the right, Delta 03°06'10", Radius 2799.90 feet, arc length 151.63 feet to an unmarked computed point; Thence leaving said road centerline N72°40'38"E, 33.00 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS, lying on the easterly right-of-way limits of said road; Thence leaving said road right-of-way limits N86°56'53"E, 97.06 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence S72°07'19"E, 156.85 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence N78°06'24"E, 74.18 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence N78°06'24"E, 159.95 feet to an unmarked computed point lying on the westerly waterline of Middle Thompson Lake; Thence along said waterline the following three courses: Thence S15°38'45"E, 98.00 feet; Thence S09°30'23"E, 58.03 feet; Thence S09°33'11"E, 81.88 feet; Thence leaving said waterline S13°31'48"W, 19.86 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence N89°24'20"W, 432.16 feet to a found 5/8 inch diameter rebar with plastic cap marked MDL 4232S lying on the easterly right-of-way limits of a 66.00 foot county road known as "ACM Road South"; Thence along said road right-of-way limits through a curve to the right, Delta 02°14'09", Radius 2767.00 feet, arc length 107.98 feet to a found 5/8 inch diameter uncapped rebar and the TRUE POINT OF BEGINNING, containing 2.55 acres and subject to and together with all appurtenant easements of record.

### LEGAL DESCRIPTION: PARCEL B

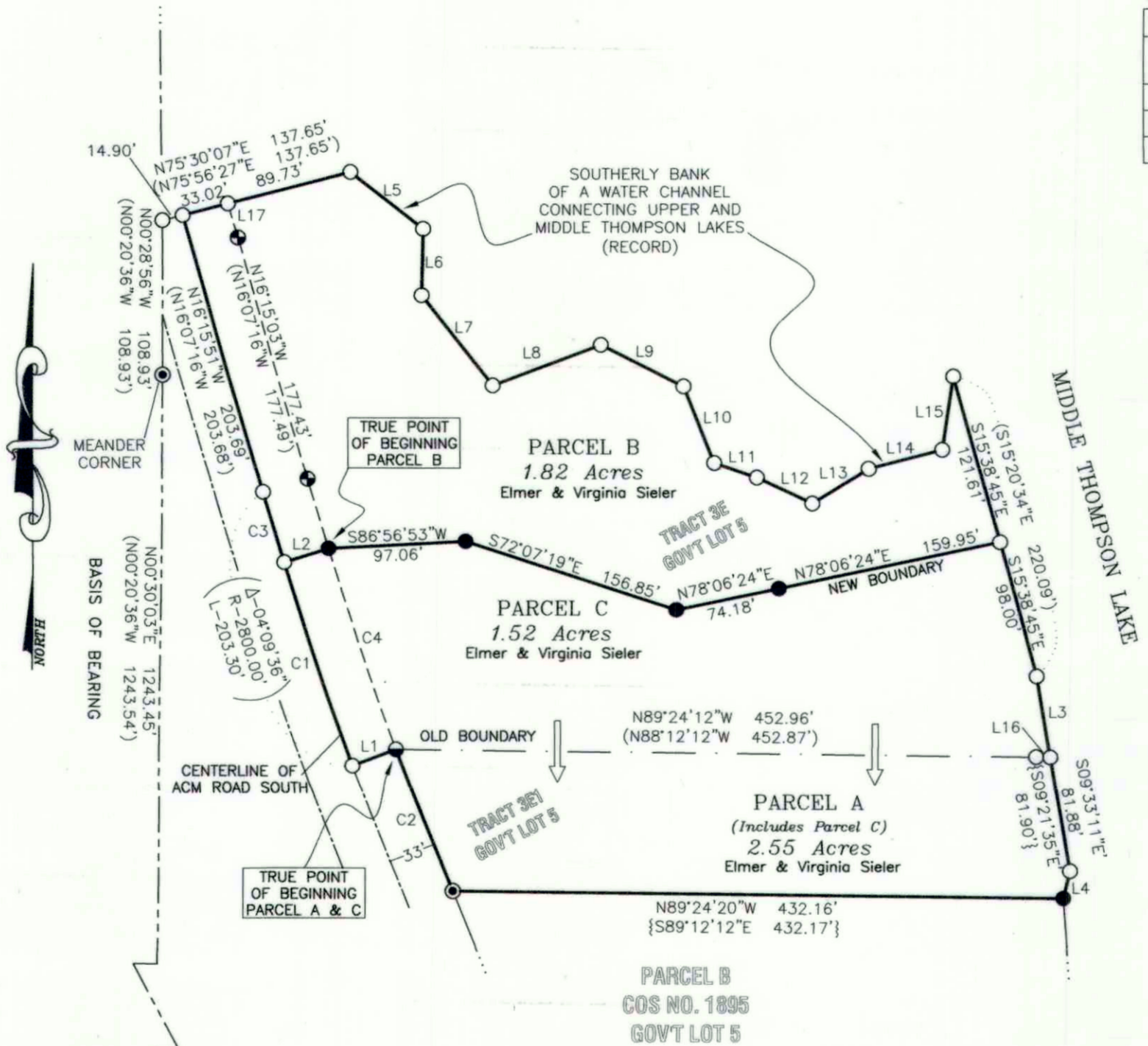
An irregular tract of land, southeasterly from Libby, Montana, Lincoln County, and lying within Gov't Lot 5, Section 4, T.26N., R.27W., P.M., MT., and more particularly described as follows:

Commencing at the northwest corner of Tract 3E1, a found 5/8 inch diameter uncapped rebar lying on the easterly right-of-way limits of a 66.00 foot county road known as "ACM Road South"; Thence along said road right-of-way limits through a curve to the right, Delta 03°05'59", Radius 2767.00 feet, arc length 149.69 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS and being the TRUE POINT OF BEGINNING; Thence leaving said road right-of-way limits S72°40'38"W, 33.00 feet to an unmarked computed point lying on the centerline of said county road; Thence along said centerline the following two courses: Thence through a curve to the right, Delta 01°03'49", Radius 2800.00 feet, arc length 51.98 feet; Thence N16°15'51"W, 203.69 feet to an unmarked computed point; Thence leaving said road centerline N75°30'07"E, 33.02 feet to an unmarked computed point lying on the easterly right-of-way limits of said road; Thence leaving said road right-of-way limits N75°30'07"E, 89.73 feet to an unmarked computed point lying on the southerly bank of a water channel connecting Upper and Middle Thompson Lakes; Thence along said channel bank the following eleven courses: Thence S52°09'41"E, 65.01 feet; Thence S01°04'05"W, 47.14 feet; Thence S38°35'04"E, 81.62 feet; Thence N69°16'08"E, 81.58 feet; Thence S63°21'31"E, 65.62 feet; Thence S21°47'26"E, 58.26 feet; Thence S71°19'12"E, 31.69 feet; Thence S65°10'17"E, 43.22 feet; Thence N58°39'45"E, 46.93 feet; Thence N75°22'45"E, 53.92 feet; Thence N08°34'33"E, 52.38 feet to an unmarked computed point lying on the westerly waterline of Middle Thompson Lake; Thence along said waterline S15°38'45"E, 121.61 feet to an unmarked computed point; Thence leaving said waterline S78°06'24"W, 159.95 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence S78°06'24"W, 74.18 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence N72°07'19"W, 156.85 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence S86°56'53"W, 97.06 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS lying on the easterly right-of-way limits of a 66.00 foot county road known as "ACM Road South" and the TRUE POINT OF BEGINNING, containing 1.82 acres and subject to and together with all appurtenant easements of record.

### LEGAL DESCRIPTION: PARCEL C

An irregular tract of land, southeasterly from Libby, Montana, Lincoln County, and lying within Gov't Lot 5, Section 4, T.26N., R.27W., P.M., MT., and more particularly described as follows:

Commencing at the northwest corner of Tract 3E1, a found 5/8 inch diameter uncapped rebar lying on the easterly right-of-way limits of a 66.00 foot county road known as "ACM Road South" and being the TRUE POINT OF BEGINNING; Thence leaving said road right-of-way limits S69°19'16"W, 33.00 feet to an unmarked computed point lying on the centerline of said county road; Thence along said centerline through a curve to the right, Delta 03°06'10", Radius 2799.90 feet, arc length 151.63 feet to an unmarked computed point; Thence leaving said road centerline N72°40'38"E, 33.00 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS, lying on the easterly right-of-way limits of said road; Thence leaving said road right-of-way limits N86°56'53"E, 97.06 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence S72°07'19"E, 156.85 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence N78°06'24"E, 74.18 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence N78°06'24"E, 159.95 feet to an unmarked computed point lying on the westerly waterline of Middle Thompson Lake; Thence along said waterline the following two courses: Thence S15°38'45"E, 98.00 feet; Thence S09°30'23"E, 58.03 feet to an unmarked computed point; Thence leaving said waterline N89°24'12"W, 10.00 feet to an unmarked computed point; Thence N89°24'12"W, 452.96 feet to a found 5/8 inch diameter uncapped rebar and the TRUE POINT OF BEGINNING, containing 1.52 acres and subject to and together with all appurtenant easements of record.



### CURVE TABLE

C1	Δ-03°06'10"	R-2799.90'	L-151.63'
C2	Δ-02°14'09"	R-2767.00'	L-107.98'
	{Δ-02°14'11"	R-2767.00'	L-108.01'}
C3	Δ-01°03'49"	R-2800.00'	L-51.98'
C4	Δ-03°05'59"	R-2767.00'	L-149.69'
C5	Δ-01°03'49"	R-2767.00'	L-51.37'

### LINE TABLE

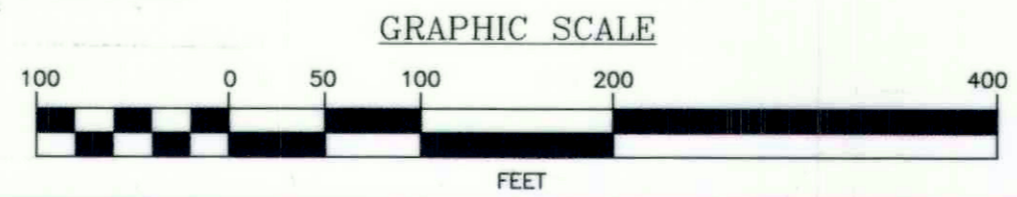
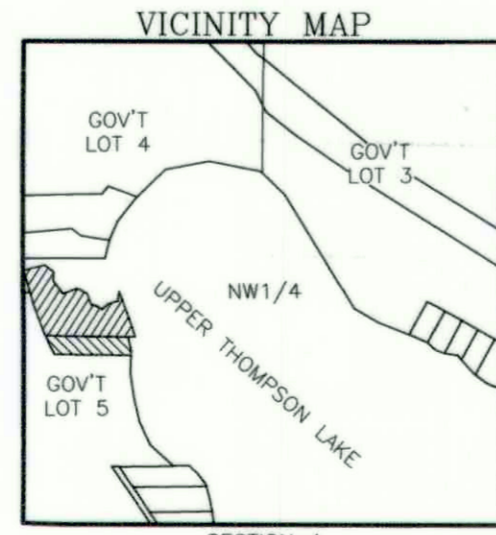
L1	S69°19'16"W	33.00'
	{S69°43'08"W	33.00'}
L2	N72°40'38"E	33.00'
L3	S09°30'23"E	58.03'
	{S09°21'32"E	59.89'}
L4	S13°31'48"W	19.86'
	{S13°42'50"W	19.88'}
L5	S52°09'41"E	65.01'
	{S51°43'21"E	65.01'}
L6	S01°04'05"W	47.14'
	{S01°30'25"W	47.14'}
L7	S38°35'04"E	81.62'
	{S38°08'44"E	81.62'}
L8	N69°16'08"E	81.58'
	{N69°42'28"E	81.58'}
L9	S63°21'31"E	65.62'
	{S62°55'11"E	65.62'}
L10	S21°47'26"E	58.26'
	{S21°12'06"E	58.26'}
L11	S71°19'12"E	31.69'
	{S70°52'52"E	31.63'}
L12	S65°10'17"E	43.22'
	{S64°43'57"E	43.22'}
L13	N58°39'45"E	46.93'
	{N59°06'05"E	46.93'}
L14	N75°22'45"E	53.92'
	{N75°49'05"E	53.92'}
L15	N08°34'33"E	52.38'
	{N08°00'53"E	57.40'}
L16	N89°24'12"W	10.00'
	{N88°12'12"W	10.00'}
L17	N16°20'41"W	25.24'
	{N16°07'16"W	25.00'}

### LEGEND

- FOUND 3 1/4 INCH DIAMETER ALUMINUM CAP MARKED 4232S
- FOUND 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED MDL 4232S
- FOUND 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED 7328S
- FOUND 5/8 INCH DIAMETER UNCAPPED REBAR
- SET 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED HUGHES 7322LS
- COMPUTED POINT
- NEW BOUNDARY LINE
- ADJOINING BOUNDARIES
- - - SECTION SUBDIVISION LINE
- - - EASEMENT LIMITS
- - - CENTERLINE ROAD
- - - OLD BOUNDARY LINE
- ( ) COS No. 1895, RECORD
- { } COS No. 1557, RECORD

### SURVEYORS NOTE

The area that is being removed from one tract of record and joined with another tract of record is not 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 this [certificate of survey or amended plat] on which said area is described, unless said area is included with or excluded from adjoining tracts of record.



### PURPOSE OF SURVEY AND OWNERS EXEMPTION

We, Elmer M. Sieler and Virginia R. Sieler, record owners, hereby certify that the purpose of this survey and division of land is the relocation of common boundaries 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 sanitation review by the Department of Environmental Quality pursuant to ARM 17.36.605(2)(c) as 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 (D) adequate storm drainage and solid waste disposal are provided.

*Elmer M. Sieler*      6/30/2020  
 Elmer M. Sieler      Date

*Virginia R. Sieler*      6/30/2020  
 Virginia R. Sieler      Date

### ACKNOWLEDGMENT

The foregoing Exemptions were subscribed and acknowledged before me a Notary Public for the State of MONTANA County of LINCOLN by Elmer M. Sieler on this 30 day of JUNE 2020 in witness whereof, I have hereunto set my hand and affixed my notarial seal.

*Dawn Smedley*  
 Dawn Smedley  
 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 Virginia R. Sieler on this 30 day of JUNE 2020 in witness whereof, I have hereunto set my hand and affixed my notarial seal.

*Dawn Smedley*  
 Dawn Smedley  
 residing in: LIBBY, MT. My Commission expires: 12-1-21

### HISTORY OF SURVEY

- 1987 - COS No. 1570, Retacement Survey, Melvin D. Lautern 4232S
- 1987 - COS No. 1557, Creation of Parcels, Melvin D. Lautern 4232S
- 1991 - COS No. 1895, Retacement Survey, Dawn Marquardt 7328S

### BASIS OF BEARING

The basis of bearing for this survey is N00°30'03"E, derived from Survey Grade GPS system calibrated to local control between the West 1/4 corner, Section 4, a found 3 1/4 inch diameter aluminum cap marked 4232S and a meander corner lying on the southerly bank of a water channel connecting Upper and Middle Thompson Lakes, a found 5/8 inch diameter rebar with plastic cap marked MDL 4232S.

### METHOD OF SURVEY

A Nikon total station with data collector and a Trimble R8 GNSS GPS system were used with RTK radial procedures to tie the previously set controlling corners and road alignments by Elisha Green, May, 2020.

### 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.

*Avah F. Hughes, 7322LS*      06-09-2020  
 Avah F. Hughes, PLS 7322LS

### EXAMINING LAND SURVEYOR'S CERTIFICATION

Examined this day 1st of July 2020 A.D. at 2:10 o'clock  
*Mark A. Boyer*  
 Mark A. Boyer, PLS 9750LS, 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.  
*Ashlyn Hoff for Sedaris Carlberg*      6-30-20  
 Ashlyn Hoff for Sedaris Carlberg  
 Lincoln County Treasurer

### CLERK AND RECORDER'S CERTIFICATION

State of Montana, County of Lincoln, filed this 2nd day of July 2020 A.D. at 2:10 o'clock  
*Robin A. Benson*      by *Michelle Byrd*  
 Robin A. Benson      Michelle Byrd  
 Lincoln County Clerk and Recorder      Deputy

CERTIFICATE OF SURVEY No. 4684RB

