

# CERTIFICATE OF SURVEY

## BOUNDARY LINE ADJUSTMENT

TRACT 2, COS 2988, TRACT 2, COS 2820, & PARCEL "A", COS 4331RB  
in W1/2 & E1/2, SECTION 17, T.29N., R.30W., P.M.MT.  
LINCOLN COUNTY, MONTANA  
FOR: MILLER ET. AL. DATE: JUNE, 2020

### LEGAL DESCRIPTION - PARCEL "A"

An irregular tract of land, lying south of Libby, Montana, in W1/2 and E1/2, Section 17, T.29N., R.30W., P.M.MT., and more particularly described as: Commencing at the south east corner, Parcel A, COS No. 4331RB, a 5/8 inch diameter rebar with plastic cap marked SANDS 7975S and the TRUE POINT OF BEGINNING: Thence along the southerly boundary, said Parcel A, N89°43'18"W, 660.58 feet to a 5/8 inch diameter rebar with plastic cap marked SANDS 7975S, lying on the westerly boundary, Tract 1, COS No. 4185RB; Thence along said boundary, N00°11'15"E, 387.29 feet to a 5/8 inch diameter rebar with plastic cap marked KED 4975S, being the south east corner, Tract 2, COS No. 4185RB; Thence along the easterly boundary said Tract 2, N00°01'12"E, 272.56 feet to a 5/8 inch diameter rebar with plastic cap marked KED 4975S; Thence along the northerly boundary said Tract 2, N89°48'43"W, 180.45 feet to a 5/8 inch diameter rebar with plastic cap marked KED 4975S, being the south east corner, Lot 2B, COS 3987; Thence along the easterly boundary, said Lot 2B, N02°11'27"W, 390.76 feet to a 5/8 inch diameter uncapped rebar, lying in the access easement limits of a 60.00 foot wide private road known as "Meadowlark Lane"; Thence along said limits, N85°50'42"W, 227.83 feet to a 5/8 inch diameter uncapped rebar; Thence along the easterly boundary, Lot 2B, COS No. 3987, N03°22'31"W, 321.22 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence along said boundary, Lot 2B, N03°49'30"W, 595.27 feet to a 5/8 inch diameter rebar with plastic cap marked KED 4975S, being the south west corner, Lot 3C, Plat No. 6786; Thence along the southerly boundary said Lot 3C, S89°32'31"E, 483.96 feet to a 1/2 inch diameter rebar with plastic cap marked SANDS 7975S, being the North west corner, Parcel B, COS No. 4331RB; Thence along the westerly boundary, said Parcel B, S00°07'43"W, 659.58 feet to a 5/8 inch diameter rebar with plastic cap marked KED 4975S; Thence along the southerly boundary, said Parcel B, S89°38'08"E, 661.73 feet to a 1/2 inch diameter rebar with plastic cap marked SANDS 7975S; Thence along said boundary, Parcel B, S89°35'30"E, 545.23 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence leaving said boundary, S00°18'30"W, 324.05 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence S89°48'22"E, 113.49 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS, lying on the northerly access easement limits of a 60.00 foot wide private road known as "Meadowlark Lane"; Thence leaving said limits, S00°11'38"E, 32.54 feet to an unmarked computed point, lying on the centerline of said private road; Thence leaving said centerline, S00°11'38"W, 32.54 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS, lying on the southerly access easement limits of said private road; Thence S00°11'38"W, 333.88 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS, lying on the northerly access easement limits of a 30.00 foot wide private road; Thence leaving said limits S00°11'38"W, 15.24 feet to an unmarked computed point, lying on the centerline of said private road; Thence along said centerline the following 6 courses: N79°33'42"W, 167.76 feet; Thence N87°19'38"W, 88.52 feet; Thence N73°17'31"W, 211.52 feet; Thence through a curve to the left: Radius 50.00 feet, Delta 031°43'31"W, arc length 27.69 feet; Thence S74°58'58"W, 106.22 feet; Thence through a curve to the right: Radius 55.00 feet, Delta 015°01'02", arc length 14.42 feet; Thence leaving said centerline, N90°00'00"W, 60.77 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS, lying on the easterly boundary, Parcel A, COS No.4331RB; Thence along the easterly boundary said Parcel A, S00°09'45"W, 597.78 feet to a 5/8 inch diameter rebar with plastic cap marked SANDS 7975S and the TRUE POINT OF BEGINNING, containing 41.55 acres. Subject to and together with all appurtenant easements of record.

### LEGAL DESCRIPTION - PARCEL "B"

An irregular tract of land, lying south of Libby, Montana, in W1/2 and E1/2, Section 17, T.29N., R.3W., P.M.MT., and more particularly described as: Commencing at the south east corner, Parcel A, COS No. 4331RB, a 5/8 inch diameter rebar with plastic cap marked SANDS 7975S and the TRUE POINT OF BEGINNING: Thence along the easterly boundary, said Parcel A, N00°09'45"E, 597.78 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence leaving said boundary S90°00'00"E, 60.77 feet to an unmarked computed point, lying on the centerline of a 30.00 foot wide private road; Thence along said centerline the following 6 courses: Thence through a curve to the left: Radius 55.00 feet, Delta 015°01'02", arc length 14.42 feet; Thence N74°58'58"E, 106.22 feet; Thence through a curve to the right: Radius 50.00 feet, Delta 031°43'31", arc length 27.69 feet; Thence S73°17'31"E, 211.52 feet; Thence S87°19'38"E, 88.52 feet; Thence S79°33'42"E, 167.76 feet; Thence leaving said centerline, S00°11'38"W, 15.24 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS, lying on the southerly access easement limits of a 30.00 foot wide private road; Thence along the westerly boundary, Tract 2, COS No. 2820, S00°11'38"W, 195.63 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence leaving said boundary S89°35'34"E, 115.00 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence S00°11'38"W, 163.53 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS, lying on the northerly access easement limits of a 30.00 foot wide private road; Thence S00°11'38"W, 17.01 feet to an unmarked computed point, lying on the centerline of said road; Thence S00°11'38"W, 17.01 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS, lying on the southerly access easements of said private road; Thence S00°11'38"W, 126.45 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS, lying on the northerly boundary, Tract 1, COS NO. 4000; Thence along said boundary, N89°35'34"W, 115.00 feet to a 5/8 inch diameter rebar with plastic cap marked SANDS 7975S; Thence along the southerly boundary, Tract 2, COS No. 2988, N89°42'11"W, 660.83 feet to a 5/8 inch diameter rebar with plastic cap marked SANDS 7975S and the TRUE POINT OF BEGINNING, containing 9.74 acres. Subject to and together with all appurtenant easements of record.

### LEGAL DESCRIPTION - PARCEL "C"

An irregular tract of land, lying south of Libby, Montana, in W1/2 and E1/2, Section 17, T.29N., R.30W., P.M.MT., and more particularly described as: Commencing at the south east corner, Parcel B, COS No. 4331RB, a 5/8 inch diameter rebar with plastic cap marked SANDS 7975S and the TRUE POINT OF BEGINNING: Thence along the easterly boundary, said Parcel B, N00°13'50"E, 324.64 feet to a 1/2 inch diameter rebar with plastic cap marked SANDS 7975S, lying on the southerly access limits of a 60.00 foot wide private road; Thence leaving said limits, N00°12'30"E, 30.10 feet to an unmarked computed point, lying on the centerline of said road; Thence along said centerline, S85°08'06"E, 662.14 feet to an unmarked computed point; Thence leaving said centerline, S00°09'35"W, 30.10 feet to a 1/2 inch diameter rebar with plastic cap marked SANDS 7975S, lying on the southerly access easement limits of said road; Thence leaving said centerline along the easterly boundary, Tract 3, COS No. 2820, S00°09'53"E, 517.34 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS, lying on the northerly access easement limits of a 60.00 foot wide private road known as "Meadowlark Lane", S00°09'53"W, 31.62 feet to an unmarked computed point, lying on the centerline of said road; Thence leaving said centerline S00°09'53"W, 31.62 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS, lying on the southerly access easements limits of said road; Thence leaving said limits along the easterly boundary, Tract 3, COS 2820, S00°09'53"W, 1008.88 feet to a 1/2 inch diameter rebar with plastic cap marked SANDS 7975S; Thence along the northerly boundary, Tract 1, COS No. 4000, N89°35'34"W, 545.99 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence leaving said boundary, N00°11'38"E, 126.45 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS, lying on the southerly access limits of a 30.00 wide private road; Thence leaving said limits, N00°11'38"E, 17.01 feet to an unmarked computed point, lying on the centerline of said road; Thence leaving said centerline, N00°11'38"E, 17.01 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS, lying on the northerly access easements of said private road; Thence leaving said limits, N00°11'38"E, 163.53 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence N89°35'34"W, 115.00 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS, lying on the easterly boundary of Tract 2, COS No. 2988; Thence along said boundary, N00°11'38"E, 195.63 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS, lying on the southerly access easement limits of a 30.00 foot wide private road; Thence leaving said limits, N00°11'38"E, 15.24 feet to an unmarked point, lying on the centerline of said road; Thence leaving said centerline, N00°11'38"E, 15.24 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS, lying on the northerly access easement limits of said road; Thence leaving said limits, N00°11'38"E, 32.54 feet to an unmarked computed point, lying on the centerline of said road; Thence N00°11'38"E, 32.54 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS, lying on the northerly access easement limits of said road; Thence leaving said limits N00°11'38"E, 43.62 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS, lying on the easterly boundary, Tract 2, COS No. 2988; Thence leaving said boundary, N89°48'22"W, 113.49 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence N00°18'30"E, 324.05 feet to a 5/8 inch diameter rebar with plastic cap marked SANDS 7975S and the TRUE POINT OF BEGINNING, containing 24.95 acres. Subject to and together with all appurtenant easements of record.

### LEGAL DESCRIPTION - PARCEL "D"

An irregular tract of land, lying south of Libby, Montana, in W1/2 and E1/2, Section 17, T.29N., R.31W., P.M.MT., and more particularly described as: Commencing at the north east corner, Parcel A, COS No. 4331RB, a 1/2 inch diameter rebar with plastic cap marked SANDS 7975S, lying on the southerly boundary of Parcel B, COS No. 4331RB, and the TRUE POINT OF BEGINNING: Thence along the southerly boundary, said Parcel B, S89°35'30"E, 545.23 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence leaving said boundary, S00°18'30"W, 324.05 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence S89°48'22"E, 113.49 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS, lying of the westerly boundary Tract 2, COS No. 2820; Thence along said boundary, S00°11'38"W, 43.62 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS, lying on the northerly access easement limits of a 60.00 foot private road known as "Meadowlark Lane"; Thence leaving said limits, S00°11'38"W, 32.54 feet to an unmarked computed point, lying on the centerline of said road; Thence leaving said centerline, S00°11'38"W, 32.54 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS, lying on the southerly access easement limits of said road; Thence leave said limits, S00°11'38"W, 333.88 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS, lying on the northerly access easement limits of a 30.00 foot private road; Thence leaving said limits S00°11'38"W, 15.24 feet to an unmarked computed point, lying on the centerline of said road; Thence along said centerline the following 6 courses: N79°33'42"W, 167.76 feet; Thence N87°19'38"W, 88.52 feet; Thence N73°17'31"W, 211.52 feet; Thence through a curve to the left: Radius 50.00 feet, Delta 031°43'31"W, arc length 27.69 feet; Thence S74°58'58"W, 106.22 feet; Thence through a curve to the right: Radius 55.00 feet, Delta 015°01'02", arc length 14.42 feet; Thence leaving said centerline, N90°00'00"W, 60.77 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS, lying on the easterly boundary, Parcel A, COS No.4331RB; Thence N00°09'45"E, 597.78 feet to a 1/2 inch diameter rebar with plastic cap marked SANDS 7975S and the TRUE POINT OF BEGINNING, containing 10.25 acres. Subject to and together with all appurtenant easements of record.

### LEGAL DESCRIPTION - PARCEL "E"

An irregular tract of land, lying south of Libby, Montana, in W1/2 and E1/2, Section 17, T.29N., R.30W., P.M.MT., and more particularly described as: Commencing at the south east corner, Parcel B, COS No. 4331RB, a 5/8 inch diameter rebar with plastic cap marked SANDS 7975S and the TRUE POINT OF BEGINNING: Thence along the westerly boundary, Tract 2, COS No. 2820, S00°11'38"W, 323.60 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence leaving said boundary, N89°48'22"W, 113.49 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence N00°18'30"E, 324.05 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS, lying of the southerly boundary Parcel B, COS No. 4331RB; Thence along said boundary, S89°35'30"E, 116.33 feet to a 1/2 inch diameter rebar with plastic cap marked SANDS 7975S and the TRUE POINT OF BEGINNING, containing 0.85 acres. Subject to and together with all appurtenant easements of record.

### LEGAL DESCRIPTION - PARCEL "F"

An irregular tract of land, lying south of Libby, Montana, in W1/2 and E1/2, Section 17, T.29N., R.30W., P.M.MT., and more particularly described as: Commencing at the north west corner, Tract 1, COS No. 4000, a 5/8 inch diameter rebar with plastic cap marked SANDS 7975S and the TRUE POINT OF BEGINNING: Thence along the easterly boundary, Tract 2, COS No. 2988, N00°11'38"E, 324.00 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence leaving said boundary, S89°35'34"E, 115.00 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence S00°11'38"W, 163.53 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS, lying on the northerly access easement limits of a 30.00 foot private road; Thence leaving said limits, S00°11'38"W, 17.01 feet to an unmarked computed point, lying on the centerline of said road; Thence leaving said centerline, S00°11'38"W, 17.01 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS, lying on the southerly access easement limits of said road; Thence leaving said limits S00°11'38"W, 126.45 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS, lying on the northerly boundary, Tract 1, COS No. 4000; Thence along said boundary, N89°35'34"W, 115.00 feet to a 5/8 inch diameter rebar with plastic cap marked SANDS 7975S and the TRUE POINT OF BEGINNING, containing 0.86 acres. Subject to and together with all appurtenant easements of record.

### BASIS OF BEARING

The basis of bearings for this survey is N00°09'45"E, derived from Survey Grade GPS system calibrated to local control between the northeast corner, Parcel A, COS No. 4331RB, a found 1/2 inch diameter rebar with plastic cap marked SANDS 7975S and the southeast corner Parcel A, COS No. 4331RB, A 5/8 inch diameter rebar with plastic cap marked SANDS 7975S.

### METHOD OF SURVEY

A Nikon total station and a Trimble R6 GNSS GPS system was used with closed traverse and RTK radial procedures to tie previously set controlling corners by Levi Powell & Lash Green, December, 2019.

### HISTORY OF SURVEY

1999 - COS No. 2820, Boundary Line Adjustment, Thomas E. Sands, 7975S  
2000 - COS No. 2988, Retracement Survey, Thomas E. Sands, 7975S  
2010 - COS No. 4000, Retracement Survey, Kenneth E. Davis, 4975S  
2015 - COS No. 4331RB, Boundary Line Adjustment, Kenneth E. Davis, 4975S

### 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 06-20-2020  
Alvah F. Hughes, PLS, 7322LS Date

### EXAMINING LAND SURVEYOR'S CERTIFICATION

Examined this day 30<sup>th</sup> of JUNE 2020 by *Steven A. Boyer*  
Steven 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* 6-29-20  
Lincoln County Treasurer Date

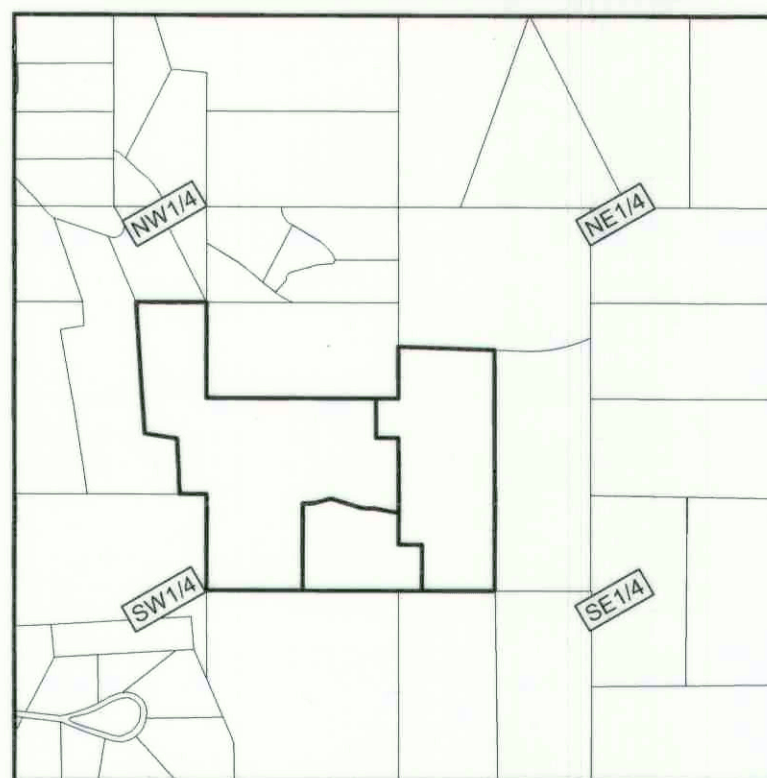
### CLERK AND RECORDER'S CERTIFICATION

State of Montana, County of Lincoln, filed this 20<sup>th</sup> day of July 2020  
A.D. at 12:20 o'clock  
*Robin Benson* by *Clayton Em*  
Lincoln County Clerk and Recorder Deputy

CERTIFICATE OF SURVEY No. 4690RB

SHEET 2 OF 2

### VICINITY DIAGRAM SECTION 17





# CERTIFICATE OF SURVEY

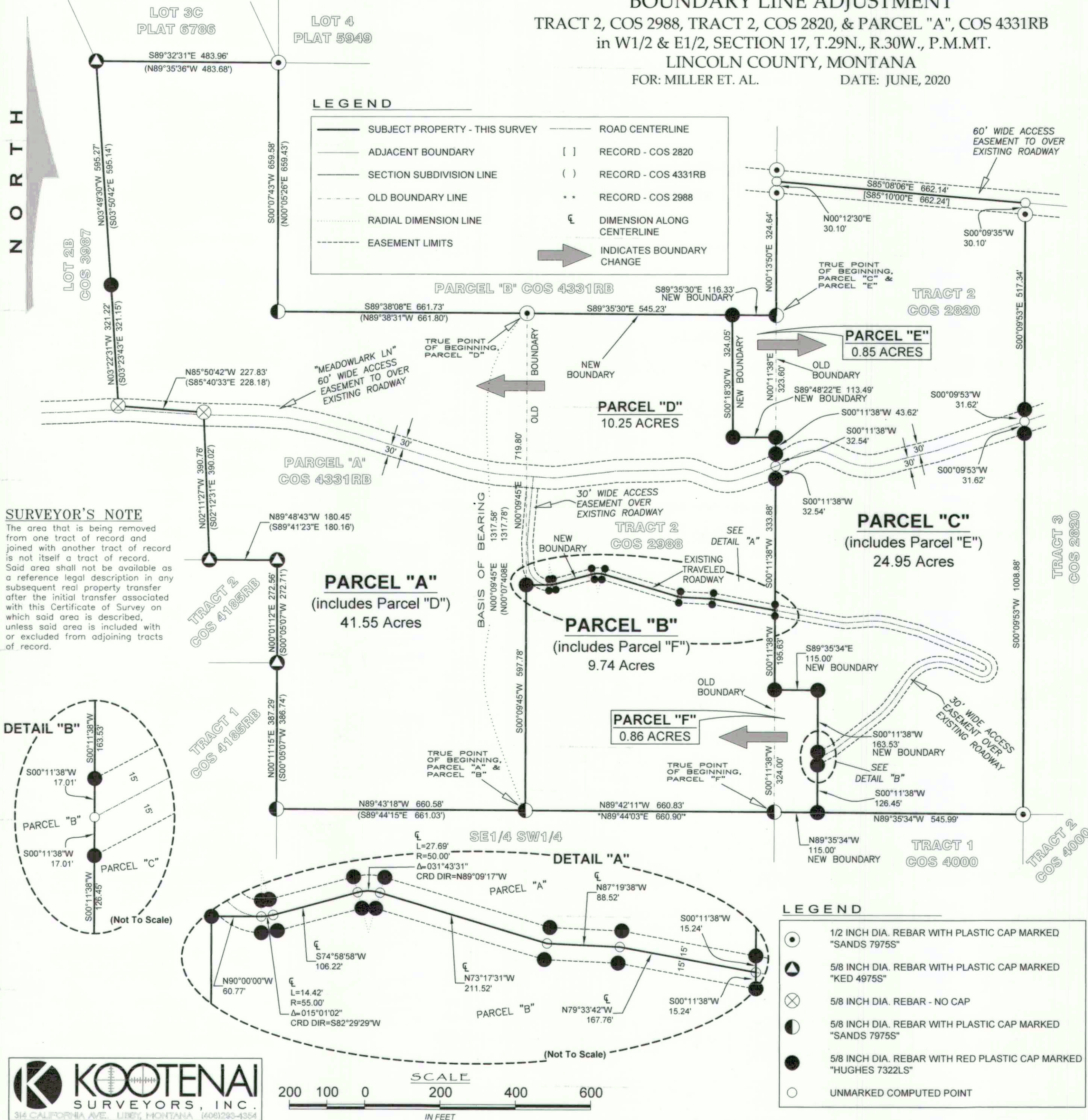
## BOUNDARY LINE ADJUSTMENT

TRACT 2, COS 2988, TRACT 2, COS 2820, & PARCEL "A", COS 4331RB  
in W1/2 & E1/2, SECTION 17, T.29N., R.30W., P.M.MT.

LINCOLN COUNTY, MONTANA

FOR: MILLER ET. AL.

DATE: JUNE, 2020



### SURVEYOR'S NOTE

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 this Certificate of Survey on which said area is included with or excluded from adjoining tracts of record.

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

We Elvie Miller, Rebekah Miller, Lloyd O. Miller Trust, Lloyd O. Miller, Mary Etta Miller Trust, Joas Miller, Priscilla Miller, Joseph Miller, Leona Mast, 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 Parcels "A" and "C" are exempt from review by the Department of Environmental Quality pursuant to MCA 76-4-102(22), as parcels that are 20 acres or greater, exclusive of public roadways, and are therefore not subject to sanitation review by the Department of Environmental Quality. We further certify that Parcel "B" is exempt from review by the Department of Environmental Quality pursuant to ARM 17.36.605(2)(a): "a parcel that has no existing facilities for water supply, wastewater disposal, storm drainage or solid waste disposal, if no new facilities will be constructed on the parcel."

Elvie Miller 6-24-20  
Rebekah Miller 6-24-20  
Lloyd O. Miller and Lloyd O. Miller for the Lloyd O. Miller Trust & Mary Etta Miller Trust 6/24/20  
Joas Miller 6/24/20  
Priscilla Miller 6/24/20  
Joseph Miller 6/24/20  
Leona Mast 6/24/20

### ACKNOWLEDGMENT

The foregoing Exemptions were subscribed and acknowledged before me a Notary Public for

the State of MONTANA County of LINCOLN

by ELVIE MILLER & REBEKAH MILLER, on this 24 day of JUNE 2020

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

Byron Sanderson

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 LLOYD O. MILLER and LLOYD O. MILLER for the LLOYD O. MILLER TRUST & MARY ETNA MILLER TRUST

on this 24 day of JUNE 2020. In witness whereof,

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

Byron Sanderson

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 JOAS MILLER & PRISCILLA MILLER, on this 24 day of JUNE 2020

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

Byron Sanderson

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 JOSEPH MILLER, on this 24 day of JUNE 2020. In witness

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

Byron Sanderson

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 LEONA MAST, on this 24 day of JUNE 2020. In witness

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

Byron Sanderson

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

CERTIFICATE OF SURVEY No. 4690RB

SHEET 1 OF 2

**KOOTENAI**  
SURVEYORS, INC.  
314 CALIFORNIA AVE. LIBBY, MONTANA 59901-4354

BYRON K. SANDERSON  
NOTARY PUBLIC for the  
State of Montana  
Residing at  
Libby, Montana  
My Commission Expires  
December 01, 2021

BYRON K. SANDERSON  
NOTARY PUBLIC for the  
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