

# CERTIFICATE OF SURVEY

## "BOUNDARY LINE ADJUSTMENT"

Tracts 1G1 & 1G1A  
 N1/2 NE1/4, SECTION 35, T.30N., R.31W., P.M., MT.  
 LINCOLN COUNTY, MT.  
 FOR: MARILYN KAIR DATE: AUGUST, 2020

**LEGAL DESCRIPTION: PARCEL A**

A tract of land, south from Libby, Montana, Lincoln County, and lying within the N1/2 NE1/4, Section 35, T.30N., R.31W., P.M., MT., and more particularly described as follows:  
 Commencing at the southeast corner of Parcel A, COS No. 4187FC, a found mag nail lying on the southerly right-of-way limits of a 30.00 foot access road known as "Couvillion Road" and the westerly right-of-way limits of a 100.00 foot wide highway known as "US Highway No. 2", and being the TRUE POINT OF BEGINNING; Thence along the westerly right-of-way limits said highway, S03°30'43"W, 220.51 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence leaving said highway right-of-way limits along the north boundary Tract 1&1B, S89°51'00"W, 164.70 feet to an unmarked computed point; Thence along said boundary S89°51'00"W, 34.25 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence leaving said boundary N00°09'00"W, 220.06 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS, lying on the southerly right-of-way limits of a 30.00 foot access road known as "Couvillion Road"; Thence along said road right-of-way limits N89°51'00"E, 34.25 feet to an unmarked computed point; Thence along said road with-of-way limits N89°51'00"E, 178.78 feet to a found mag nail and the TRUE POINT OF BEGINNING, containing 1.041 acres and subject to and together with all appurtenant easements of record.

**LEGAL DESCRIPTION: PARCEL B**

A tract of land, south from Libby, Montana, Lincoln County, and lying within the N1/2 NE1/4, Section 35, T.30N., R.31W., P.M., MT., and more particularly described as follows:  
 Commencing at the southeast corner of Parcel A, COS No. 4187FC, a found mag nail lying on the westerly right-of-way limits of a 100.00 foot wide highway known as "US Highway No. 2" and the southerly right-of-way limits of a 30.00 foot access road known as "Couvillion Road"; Thence along the southerly right-of-way limits said road the following 2 courses: Thence S89°51'00"W, 178.78 feet to an unmarked computed point; Thence S89°51'00"W, 34.25 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, S00°09'00"E, 220.06 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS, lying on the north boundary Tract 1G2A; Thence along said boundary S89°51'00"W, 206.31 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence leaving said boundary N00°01'00"E, 220.06 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS, lying on the southerly right-of-way limits of a 30.00 foot access road known as "Couvillion Road"; Thence along said road right-of-way limits N89°51'00"E, 205.67 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS and the TRUE POINT OF BEGINNING, containing 1.041 acres and subject to and together with all appurtenant easements of record.

**LEGAL DESCRIPTION: PARCEL C**

A tract of land, south from Libby, Montana, Lincoln County, and lying within the N1/2 NE1/4, Section 35, T.30N., R.31W., P.M., MT., and more particularly described as follows:  
 Commencing at the southeast corner of Parcel A, COS No. 4187FC, a found mag nail lying on the westerly right-of-way limits of a 100.00 foot wide highway known as "US Highway No. 2" and the southerly right-of-way limits of a 30.00 foot access road known as "Couvillion Road"; Thence along the southerly right-of-way limits said road the following 2 courses: Thence S89°51'00"W, 178.78 feet to an unmarked computed point; Thence S89°51'00"W, 34.25 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, S00°09'00"E, 220.06 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS, lying on the north boundary Tract 1G2A; Thence along said boundary N89°51'00"E, 34.25 feet to an unmarked computed point; Thence leaving said boundary N00°09'00"W, 220.06 feet to an unmarked computed point, lying on the southerly right-of-way limits of a 30.00 foot access road known as "Couvillion Road"; Thence along said road right-of-way limits S89°51'00"W, 34.25 feet to a set 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS and the TRUE POINT OF BEGINNING, containing 0.173 acres and subject to and together with all appurtenant easements of record.

**BASIS OF BEARING**

{N89°50'16"E 2640.87'}  
 {N89°53'05"E 2639.99'}

**PURPOSE OF SURVEY AND OWNER'S EXEMPTION**

I, Marilyn Kair, record owner, 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 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 compiled with state and local laws and regulations, including permit requirements, which were applicable at the time of installation; and (iv) 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; and (B) the parcel includes acreage or features sufficient to accommodate a replacement drainfield".

Marilyn Kair  
 Date NOV-2-2020

**ACKNOWLEDGMENT**

The foregoing Exemptions were subscribed and acknowledged before me a Notary Public for the State of Montana County of Lincoln by Marilyn Kair

on this 02 day of November 2020. In witness whereof I have hereunto set my hand and affixed my notarial seal.

Chelsea Sanderson  
 residing in: Libby, MT My Commission expires: 01/5/2024

**HISTORY OF SURVEY**

- 1961 - Plat No. 882, Survey of Huffman Property, J.W. Ninnerman, 534ES
- 1966 - Plat No. 1138, Tract D of Vinson's Land, Ira C. Miller, 402S
- 1986 - COS No. 1464, Transfer of Ownership, Melvin D. Lautern, 4232S
- 2005 - COS No. 3365, Retracement, Kenneth E. Davis, 4975S
- 2012 - COS No. 4187FC, Family Transfer, Alvah F. Hughes, 7322LS

**BASIS OF BEARING**

The basis of bearing for this survey is N89°53'05"E, derived from Survey Grade GPS system calibrated to local control between the NE Corner of Section 35, a found 3 1/4 inch diameter BLM brass cap and the N1/4 Corner of Section 35, a found 3 1/4 inch diameter BLM brass cap. This bearing is derived from a survey grade GPS system calibrated to True North. Angular variation between this survey and COS No. 4187FC is 00°02'49".

**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, August, 2020.

**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.

**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, 7322LS 10-28-2020  
 Alvah F. Hughes, PLS, 7322LS Date

**EXAMINING LAND SURVEYOR'S CERTIFICATION**

Examined this day of November 2020.  
Steve A. Boyer  
 Steve 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.  
Delain Carby 11-9-2020  
 Lincoln County Treasurer Date

**CLERK AND RECORDER'S CERTIFICATION**

State of Montana, County of Lincoln, filed this 10th day of November 2020, A.D. at 12:52 o'clock  
Robin Bunton by Cindy E. Rm  
 Lincoln County Clerk and Recorder Deputy

CERTIFICATE OF SURVEY No. 4735 RB

**LEGEND**

- FOUND 3 1/4 INCH DIAMETER BLM BRASS CAP
- FOUND 3 1/4 INCH DIAMETER BLM BRASS CAP
- FOUND 3 1/4 INCH DIAMETER ALUMINUM CAP MARKED 4975S
- FOUND 3 1/4 INCH DIAMETER BLM BRASS CAP
- FOUND MAG NAIL
- FOUND 4X4 INCH CONCRETE MDOT RIGHT-OF-WAY MONUMENT
- FOUND 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED HUGHES 7322LS
- FOUND 1 1/4 INCH DIAMETER IRON PIPE
- FOUND 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED MDL 4232S
- SET 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED HUGHES 7322LS
- COMPUTED POINT
- NEW BOUNDARY LINE
- ADJOINING BOUNDARIES
- EASEMENT LIMITS
- CENTERLINE ROAD
- OLD BOUNDARY LINE
- SECTION LINE
- ( ) PLAT No. 1138, RECORD
- { } COS No. 4187FC, RECORD
- [ ] COS No. 3365, RECORD
- // PLAT No. 882, RECORD
- < > COS No. 1464, RECORD

