

# CERTIFICATE OF SURVEY

## "FAMILY TRANSFER"

REMAINING PORTION OF PARCEL 3, COS No. 1557, LYING WEST OF "ACM ROAD"

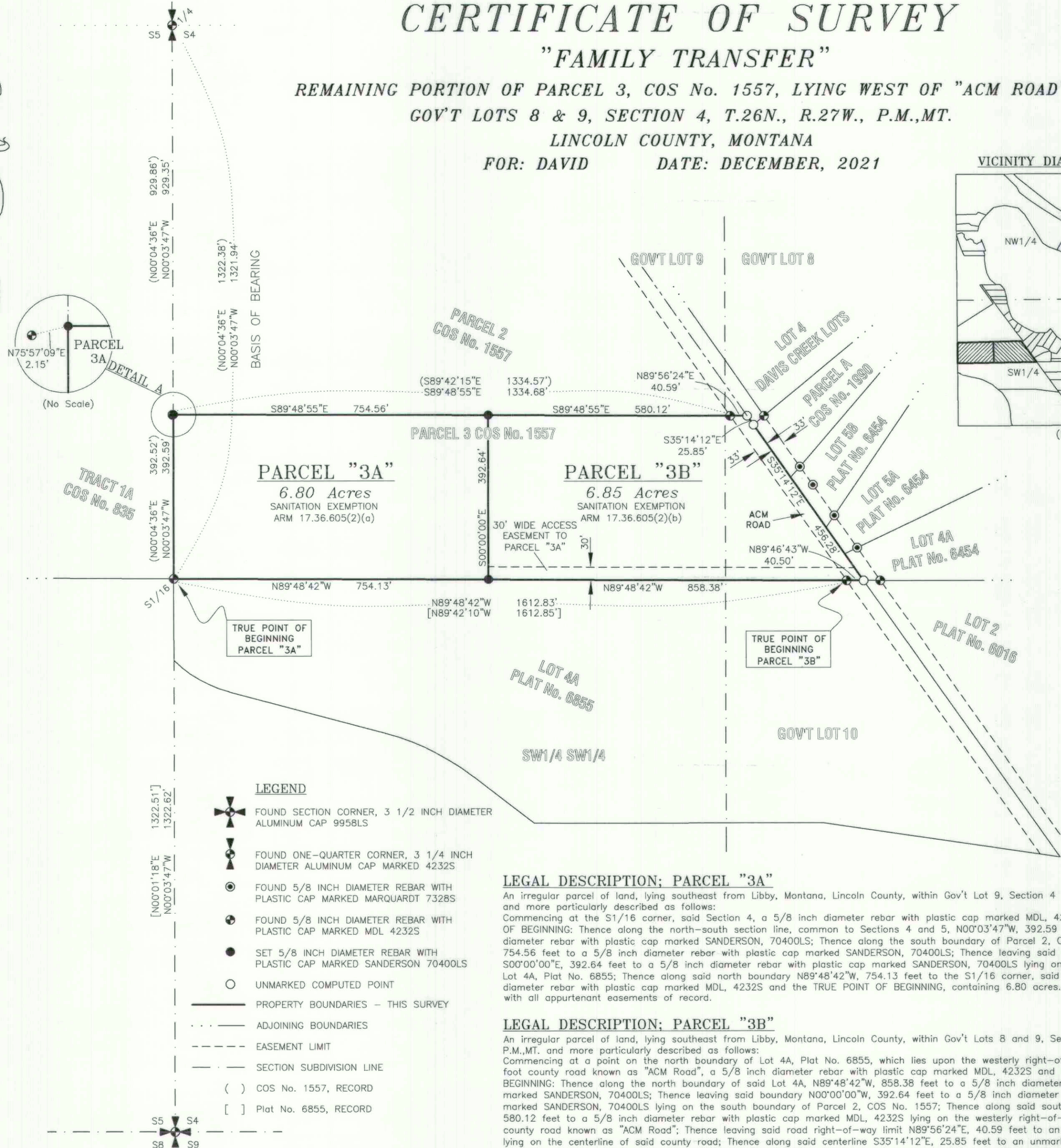
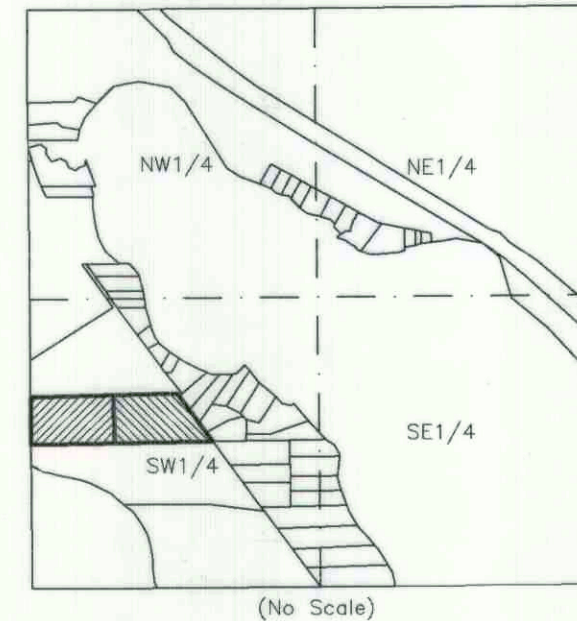
GOV'T LOTS 8 & 9, SECTION 4, T.26N., R.27W., P.M., MT.

LINCOLN COUNTY, MONTANA

FOR: DAVID

DATE: DECEMBER, 2021

VICINITY DIAGRAM, SECTION 4



PARCEL "3A"

6.80 Acres  
SANITATION EXEMPTION  
ARM 17.36.605(2)(a)

PARCEL "3B"

6.85 Acres  
SANITATION EXEMPTION  
ARM 17.36.605(2)(b)

TRUE POINT OF  
BEGINNING  
PARCEL "3A"

TRUE POINT OF  
BEGINNING  
PARCEL "3B"

### LEGEND

- FOUND SECTION CORNER, 3 1/2 INCH DIAMETER ALUMINUM CAP 9958LS
- FOUND ONE-QUARTER CORNER, 3 1/4 INCH DIAMETER ALUMINUM CAP MARKED 4232S
- FOUND 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED MARQUARDT 7328S
- FOUND 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED MDL 4232S
- SET 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED SANDERSON 70400LS
- UNMARKED COMPUTED POINT
- PROPERTY BOUNDARIES - THIS SURVEY
- ADJOINING BOUNDARIES
- EASEMENT LIMIT
- SECTION SUBDIVISION LINE
- ( ) COS No. 1557, RECORD
- [ ] Plat No. 6855, RECORD

### LEGAL DESCRIPTION; PARCEL "3A"

An irregular parcel of land, lying southeast from Libby, Montana, Lincoln County, within Gov't Lot 9, Section 4 T.26N., R.27W., P.M., MT. and more particularly described as follows:  
Commencing at the S1/16 corner, said Section 4, a 5/8 inch diameter rebar with plastic cap marked MDL, 4232S and the TRUE POINT OF BEGINNING; Thence along the north-south section line, common to Sections 4 and 5, N00°03'47"W, 392.59 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON, 70400LS; Thence along the south boundary of Parcel 2, COS No. 1557 S89°48'55"E, 754.56 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON, 70400LS; Thence leaving said south boundary S00°00'00"E, 392.64 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON, 70400LS lying on the north boundary of Lot 4A, Plat No. 6855; Thence along said north boundary N89°48'42"W, 754.13 feet to the S1/16 corner, said Section 4, a 5/8 inch diameter rebar with plastic cap marked MDL, 4232S and the TRUE POINT OF BEGINNING, containing 6.80 acres. Subject to and together with all appurtenant easements of record.

### LEGAL DESCRIPTION; PARCEL "3B"

An irregular parcel of land, lying southeast from Libby, Montana, Lincoln County, within Gov't Lots 8 and 9, Section 4 T.26N., R.27W., P.M., MT. and more particularly described as follows:  
Commencing at a point on the north boundary of Lot 4A, Plat No. 6855, which lies upon the westerly right-of-way limit of a 66.00 foot county road known as "ACM Road", a 5/8 inch diameter rebar with plastic cap marked MDL, 4232S and the TRUE POINT OF BEGINNING; Thence along the north boundary of said Lot 4A, N89°48'42"W, 858.38 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON, 70400LS; Thence leaving said boundary N00°00'00"W, 392.64 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON, 70400LS lying on the south boundary of Parcel 2, COS No. 1557; Thence along said south boundary S89°48'55"E, 580.12 feet to a 5/8 inch diameter rebar with plastic cap marked MDL, 4232S lying on the westerly right-of-way limit of a 66.00 foot county road known as "ACM Road"; Thence leaving said road right-of-way limit N89°56'24"E, 40.59 feet to an unmarked computed point; Thence continuing along said centerline S35°14'12"E, 456.28 feet to an unmarked computed point; Thence leaving said centerline N89°46'43"W, 40.50 feet to a point on the north boundary of Lot 4A, Plat No. 6855, which lies upon the westerly right-of-way limit of a 66.00 county road known as "ACM Road", a 5/8 inch diameter rebar with plastic cap marked MDL, 4232S and the TRUE POINT OF BEGINNING, containing 6.85 acres. Subject to and together with all appurtenant easements of record.

### GRAPHIC SCALE



### PURPOSE OF SURVEY AND OWNER'S EXEMPTION

#### CERTIFICATION

We, Jeff and Connie David, being the record owners, hereby certify that the purpose of this survey and division of land is to transfer Parcel 3B containing 6.85 acres to our son Nicholas J. David, that this is the first and single gift or sale in this county to each member of my immediate family and the owner of record certifies that the parcel will not be transferred back the grantor within 24 months of filing without written consent of the governing body. Therefore Parcels 3A and 3B are exempt from review as a subdivision pursuant to section 76-3-207(1)(b), M.C.A. We further certify that Parcel 3A is excluded from sanitation review by the DEQ pursuant to ARM 17.36.605(2)(a) as 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. Also, Parcel 3B is excluded from sanitation review by the DEQ pursuant to ARM 17.36.605(2)(b) as a parcel that has a previous approval issued under Title 76, chapter 4, part 1, M.C.A. 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.

Jeff David

1-24-22

Connie David

1-24-22

### ACKNOWLEDGMENT

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

the State of Montana County of Lincoln

by Jeff David and Connie David

on this 24 day of January, 2022. In witness whereof,  
I have hereunto set my hand and affixed my notarial seal.

Chelsea Sanderson

residing in: Libby, MT My Commission expires: 8-5-24

### SURVEYS REFERENCED

1987 - COS No. 1557, Creation of Irregular Parcels, Melvin D. Lauteren, 4232S  
2003 - Plat No. 6454, Amended Plat B-S Subdivision, Dawn Marquardt, 7328LS  
2007 - Plat No. 6855, Amended Lot 4, DBMS Hideaway, Alvah F. Hughes, 7322LS

### BASIS OF BEARING

The basis of bearing for this survey is N00°03'47"W, between the S1/16 Corner, Section 4 and 5, a 5/8 inch diameter rebar with plastic cap marked MDL 4232S and the West 1/4 Corner, Section 4, a 3 1/2 inch diameter aluminum cap marked 4232S. This bearing is derived from a survey grade GNSS system calibrated to True North. Angular variation between this survey and Plat No. 6855 is 00°08'23".

### METHOD OF SURVEY

A Trimble R10-2 GNSS system was used to tie previously set controlling corners and road alignments by Eric Stafford, November, 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.

Byron Sanderson  
Byron Sanderson, PLS 70400LS

### EXAMINING LAND SURVEYOR'S CERTIFICATION

Examined this day 27 of January, 2022, A.D.

Steven A. Boyer  
Steven A. Boyer, PLS 6750LS, 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.

Dawn Nicely for Dakota Cullings  
Lincoln County Treasurer Date

### CLERK AND RECORDER'S CERTIFICATION

State of Montana, County of Lincoln, filed this 28<sup>th</sup> day

of January, 2022, A.D. at 10:43 o'clock

Robin A. Bloom by Amanda Eckert  
Lincoln County Clerk and Recorder Deputy

CERTIFICATE OF SURVEY No. 4849FC