

# CERTIFICATE OF SURVEY

## "BOUNDARY LINE ADJUSTMENT"

LOTS 6 and 7, BLOCK 6, AMENDED EAST LIBBY, PLAT No. 16

LOT 42A, PLAT No. 6375

SW1/4 SE1/4, SECTION 3, NW1/4 NE1/4, SECTION 10, T.30N., R.31W., P.M., MT.

LINCOLN COUNTY, MONTANA

FOR: LINCOLN COUNTY PORT AUTHORITY & CITY OF LIBBY DATE: SEPTEMBER, 2022

### LEGAL DESCRIPTION: LOT 6A

An irregular tract of land, lying east from the city of Libby, Montana, Lincoln County, in the SW1/4 SE1/4, Section 3, T.30N., R.31W., P.M., MT. and more particularly described as follows: Commencing at the southwest corner of Lot 3, Block 6, Plat 16, a 1/2 inch diameter stainless steel rod; Thence along the west boundary of said Lot 3 N00°02'43"E, 9.25 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS; Thence leaving said boundary N89°21'04"W, 36.43 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS; Thence N08°26'49"W, 302.49 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS lying on the southerly right-of-way limit of abandoned road Lincoln Blvd.; Thence along said road right-of-way limit S89°57'20"E, 46.35 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence continuing along said road right-of-way limit S89°57'17"E, 34.75 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS; Thence along the east boundary of Lot 3, Block 6, Plat 16 S00°02'43"W, 299.60 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS and the True Point of Beginning, containing 0.40 acres. Subject to and together with all appurtenant easements of record.

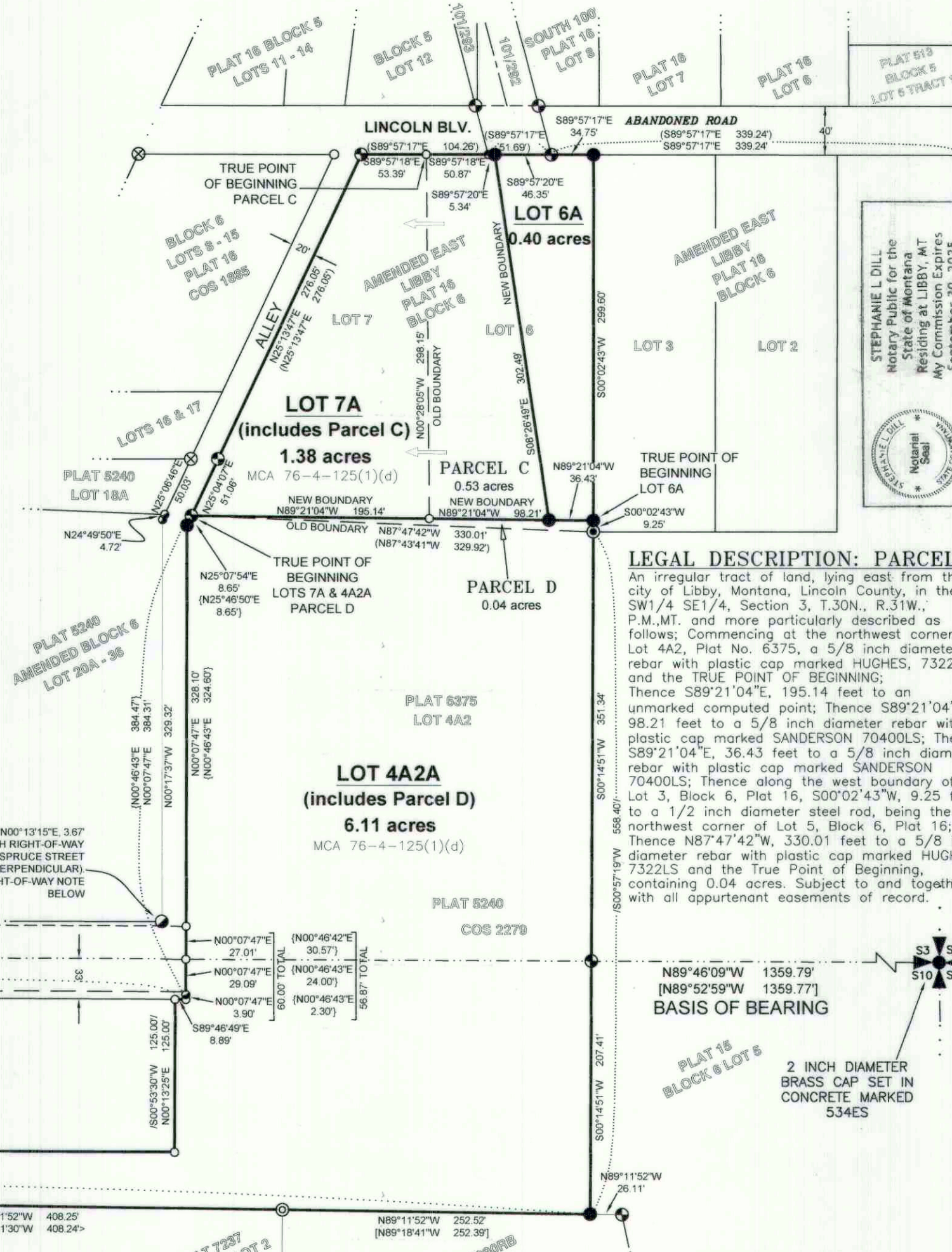
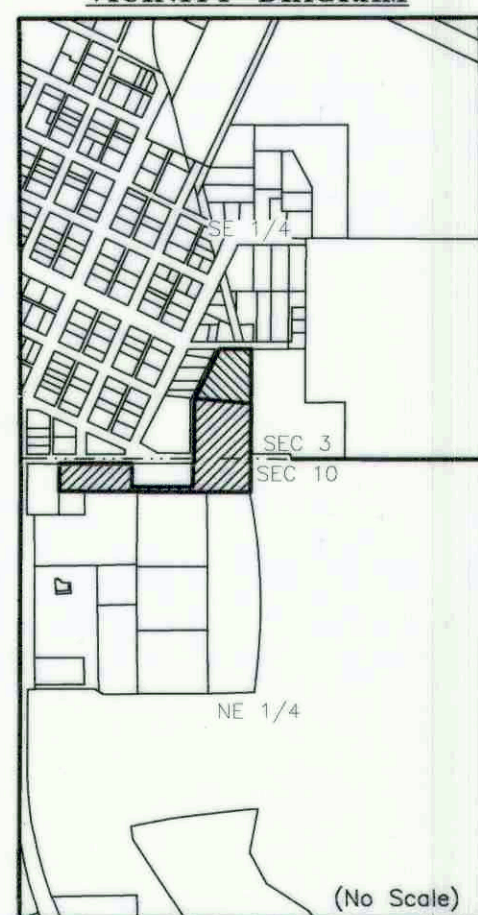
### LEGAL DESCRIPTION: LOT 7A

An irregular tract of land, lying east from the city of Libby, Montana, Lincoln County, in the SW1/4 SE1/4, Section 3, T.30N., R.31W., P.M., MT. and more particularly described as follows: Commencing at the northwest corner of Lot 4A2, Plat No. 6375, a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS and the TRUE POINT OF BEGINNING; Thence N25°04'07"E, 51.06 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence N25°13'47"E, 276.05 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS, lying on the southerly right-of-way limit of abandoned Lincoln Blvd.; Thence along said road right-of-way limit the following three courses: Thence S89°57'18"E, 53.39 feet to an unmarked computed point; Thence S89°57'18"E, 50.87 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence S89°57'20"E, 5.34 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS; Thence leaving said road right-of-way limit S08°26'49"E, 302.49 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS; Thence S89°21'04"E, 98.21 feet to an unmarked computed point; Thence S89°21'04"E, 195.14 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS and the True Point of Beginning, containing 1.38 acres. Subject to and together with all appurtenant easements of record.

### LEGAL DESCRIPTION: LOT 4A2A

An irregular tract of land, lying east from the city of Libby, Montana, Lincoln County, in the NW1/4 NE1/4, Section 10 and the SW1/4 SE1/4, Section 3, T.30N., R.31W., P.M., MT. and more particularly described as follows: Commencing at the northwest corner of Lot 4A2, Plat No. 6375, a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS and the TRUE POINT OF BEGINNING; Thence S89°21'04"E, 195.14 feet to an unmarked computed point; Thence S89°21'04"E, 98.21 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS; Thence S89°21'04"E, 36.43 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS; Thence along the west boundary of Lot 3, Block 6, Plat 16, S00°02'43"W, 9.25 feet to a 1/2 inch diameter steel rod, being the northwest corner of Lot 5, Block 6, Plat 16; Thence along the west boundary of said Lot 5, S00°14'51"W, 351.34 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS lying on the southerly section line of Section 3; Thence continuing along said west boundary S00°14'51"W, 207.41 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS lying on the north boundary of Parcel A, COS No. 4090RB; Thence along said north boundary N89°11'52"W, 252.52 feet to a 5/8 inch diameter rebar with plastic cap marked 9958S; Thence along the north boundary of amended Lot 2, Plat 7237 N89°11'52"W, 408.25 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along the north boundary of Lot 1A1, Plat No. 6585, N89°11'52"W, 149.89 feet to a 5/8 inch diameter uncapped rebar; Thence N00°24'22"E, 163.21 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS lying on the southerly right-of-way limits of a 60.00 foot wide city road known as "Spruce Street"; Thence along said road right-of-way limits S89°46'45"E, 347.93 feet to an unmarked computed point; Thence along the south boundary of said Lot 4A1, S89°46'45"E, 414.00 feet to an unmarked computed point; Thence along the east boundary of said Lot 4A1, N00°13'25"E, 125.00 feet to an unmarked computed point lying on the southerly right-of-way limits of a 60.00 foot wide city road known as "Spruce Street"; Thence along said road right-of-way limits S89°46'45"E, 8.89 feet to an unmarked computed point; Thence N00°07'47"E, 3.90 feet to a 5/8 inch diameter rebar with plastic cap marked Marquardt, 7328LS; Thence N00°07'47"E, 29.09 feet to an unmarked computed point lying on the southerly section line of Section 3; Thence N00°07'47"E, 27.01 feet to an unmarked computed point lying on the northerly right-of-way limits of a 60.00 foot wide city road known as "Spruce Street"; Thence N00°07'47"E, 328.10 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS; Thence N25°07'54"E, 8.65 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS and the True Point of Beginning, containing 6.11 acres. Subject to and together with all appurtenant easements of record.

### VICINITY DIAGRAM



### LEGAL DESCRIPTION: PARCEL D

An irregular tract of land, lying east from the city of Libby, Montana, Lincoln County, in the SW1/4 SE1/4, Section 3, T.30N., R.31W., P.M., MT. and more particularly described as follows: Commencing at the northwest corner of Lot 3, Block 6, Plat 16, S00°02'43"W, 9.25 feet to a 1/2 inch diameter steel rod, being the northwest corner of Lot 5, Block 6, Plat 16; Thence N87°47'42"W, 330.01 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS and the True Point of Beginning, containing 0.04 acres. Subject to and together with all appurtenant easements of record.

**Right-of-Way Note:**  
The north right-of-way limit of Spruce Street was established as a 27 foot northerly offset from the section line common to Sections 3 and 10 as shown on the original plats of Jennison Addition and East Libby, the south right-of-way limit of Spruce Street is determined to be a 33 foot southerly offset from said section line per PF No. 3003 (annexation "A") and road petition No. 251 (abandonment). Plat No. 5240 and COS No. 2279 each incorrectly portray the southerly right-of-way limit of Spruce Street as a 27 foot offset from said section line. These surveys also incorrectly report the northerly right-of-way limit (also being the south boundary of Lot 3, Block 6, East Libby) as a 30.57 foot northerly offset from said section line.

### LEGEND

- PROPERTY BOUNDARY
- OLD BOUNDARY
- ADJACENT BOUNDARIES
- SECTION LINE/CENTERLINE
- RIGHT-OF-WAY LIMITS
- MINOR DIMENSION LINE
- COS No. 4090RB, RECORD
- COS No. 5240, RECORD
- COS No. 4370, RECORD
- PLAT No. 6375, RECORD
- PLAT No. 7237, RECORD
- PLAT No. 7041, RECORD

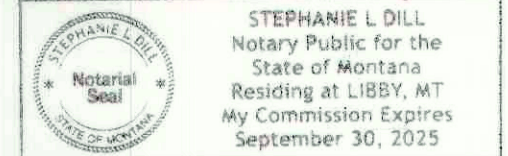
### MONUMENT SYMBOLS AND NOTES

- SECTION CORNER MONUMENT, AS NOTED
- A 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED 7328LS
- A 1/2 INCH DIAMETER STAINLESS STEEL ROD
- AN UNCAPPED 5/8 INCH REBAR
- A "T" BAR SET IN CONCRETE
- A 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED HUGHES, 7322LS
- A 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED 9958S
- SET A 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED SANDERSON, 70400LS
- AN UNMARKED COMPUTED POINT

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

We LINCOLN COUNTY PORT AUTHORITY and CITY OF LIBBY, 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(2)(d): "for five or fewer lots within a platted subdivision, the relocation of common boundaries". Furthermore, Lots 6A, 7A and 4A2A are excluded from sanitation review by Montana DEQ pursuant to Municipal Facilities Exemption MCA 76-4-125(1)(d): as certified pursuant to 76-4-127.

REPRESENTATIVE, LINCOLN COUNTY PORT AUTHORITY *11/22/22*  
*Stephanie L Dill*  
REPRESENTATIVE, CITY OF LIBBY *11/30/22*  
*Stephanie L Dill*



### ACKNOWLEDGMENT

The foregoing Exemptions were subscribed and acknowledged before me a Notary Public for the State of Montana County of Liberty on this 22nd day of December 2022. In witness whereof, I have hereunto set my hand and affixed my notarial seal.

### ACKNOWLEDGMENT

The foregoing Exemptions were subscribed and acknowledged before me a Notary Public for the State of Montana County of Liberty on this 30th day of December 2022. In witness whereof, I have hereunto set my hand and affixed my notarial seal.

### REFERENCED SURVEYS & DOCUMENTS

- 1923 - Plat No. 15, East Libby, Stanley S. Craig
- 1925 - Plat No. 16, Amended Plat of East Libby, Ira C. Miller
- 1994 - COS No. 2279, Amended Plat of East Libby, Dawn Marquardt, 7328S
- 1994 - Plat No. 5240, Libby Health Center Tracts, Dawn Marquardt, 7328S
- 1989 - COS No. 1885, Retracement Survey, Robert Goacher, 7318S
- 2001 - Plat No. 6375, Amended Plat Utility Site, Kenneth E. Davis, 4675S
- 2004 - Plat No. 6585, 2 Lot Subdivision, Alvah F. Hughes, 7322LS
- 2009 - Plat No. 7041, 2 Lot Subdivision, Alvah F. Hughes, 7322LS
- 2011 - COS No. 4090RB, Boundary Line Adjustment, Alvah F. Hughes, 7322LS
- 2015 - COS No. 4370, Retracement Survey, Alvah F. Hughes, 7322LS
- 2022 - Plat No. 7237, Girard Subdivision, Byron Sanderson, 70400LS

### METHOD OF SURVEY

A Trimble R10-2 GNSS system and Trimble S6 Robotic Total Station were used to tie previously set controlling corners by Byron Sanderson, June, 2022.

### BASIS OF BEARING

The basis of bearing for this survey is N89°46'19"W between the southeast Section Corner, Section 3, a 2 inch diameter brass cap set in concrete marked 534ES and the southwest corner of Lot 5, Block 6, Plat 15, a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS as established with a Trimble R10-2 GNSS system calibrated to True North. The bearing between these corners is shown as N89°52'59"W on COS No. 4090RB. Angular variation between these surveys is 0°06'10".

### BOUNDARY ADJUSTMENT 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 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, and 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 to MCA 76-3-625. *Byron Sanderson*, PLS, 70400LS, Date *9-26-2022*

### EXAMINING LAND SURVEYOR'S CERTIFICATION

Examined this day 19th of DECEMBER 2022, A.D. *Steven A. Boyer*, 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)(a), M.C.A. *Sedar's Carlsberg by K. Randall*, Lincoln County Treasurer, Date *12-6-2022*

### CLERK AND RECORDER'S CERTIFICATION

State of Montana, County of Lincoln, filed this 7th day of December 2022 A.D. at 9:41 o'clock *Robin A. Benson*, Lincoln County Clerk and Recorder, by *Michelle Byrd* Deputy

CERTIFICATE OF SURVEY No. 4917 RB

**KSI**

LAND SURVEYING - AERIAL DATA COLLECTION - GEOSPATIAL CONTROL  
LIBBY, MONTANA (406)293-4354

