

CERTIFICATE OF SURVEY

BOUNDARY LINE ADJUSTMENT

AMENDING LOT 4, RIVERDALE SUBDIVISION, PLAT No. 12
GOV'T LOTS 1 & 2, SECTION 2, T.30N., R.31W., P.M.,MT.,
LINCOLN COUNTY, MONTANA

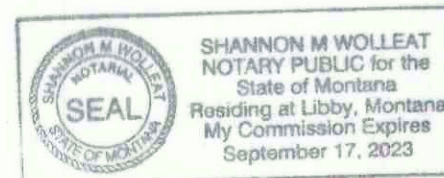
FOR: LINCOLN COUNTY & TUNGSTEN HOLDINGS, INC. DATE: DECEMBER, 2022

LEGAL DESCRIPTION: LOT "4A"

An irregular tract of land, lying northeast of Libby, Montana, Lincoln County, within Government Lots 1 & 2, Section 2, T.30N., R.31W., P.M.,MT., and more particularly described as follows: Commencing at the northwest corner, Lot 3, Plat No. 12, a 5/8 inch diameter uncapped rebar and the TRUE POINT OF BEGINNING; Thence N50°22'33"W, 38.78 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS; Thence N50°22'33"W, 18.10 feet to an unmarked computed point lying on the low water line of "Kootenai River"; Thence along said water line N27°14'44"E, 73.20 feet to an unmarked computed point; Thence continuing along said water line N31°43'07"E, 230.68 feet to an unmarked computed point; Thence leaving said water line S50°23'10"E, 22.18 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS; Thence S50°23'10"E, 53.29 feet to a 5/8 inch diameter rebar with plastic cap marked JHN, 4661S, being the southwest corner of Lot 5, Plat No. 12; Thence along the southerly boundary of said Lot 5 S50°23'06"E, 773.75 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS marking a 60 foot wide access easement; Thence S50°23'58"E, 60.00 feet to a 5/8 inch diameter uncapped rebar lying on the westerly right-of-way limit of the Burlington Northern Santa Fe Railroad; Thence along said railroad right-of-way limit S39°36'02"W, 300.14 feet to a 5/8 inch diameter rebar with plastic cap marked JHN, 4661S, being the northeast corner of Lot 3, Plat No. 12; Thence along the northeasterly boundary of said Lot 3, N50°24'06"W, 60.00 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS marking a 60 foot wide access easement; Thence continuing along said northeasterly boundary N50°22'25"W, 745.04 feet to a 5/8 inch diameter uncapped rebar and THE TRUE POINT OF BEGINNING, containing 6.12 acres. Subject to and together with all appurtenant easements of record.

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 plat on which said area is described, unless said area is included with or excluded from adjoining tracts of record.



LOT 4A
6.12 ACRES
(includes Parcel X)
SANITATION EXEMPTION
ARM 17.36.605(2)(b)

LEGAL DESCRIPTION: PARCEL "X"

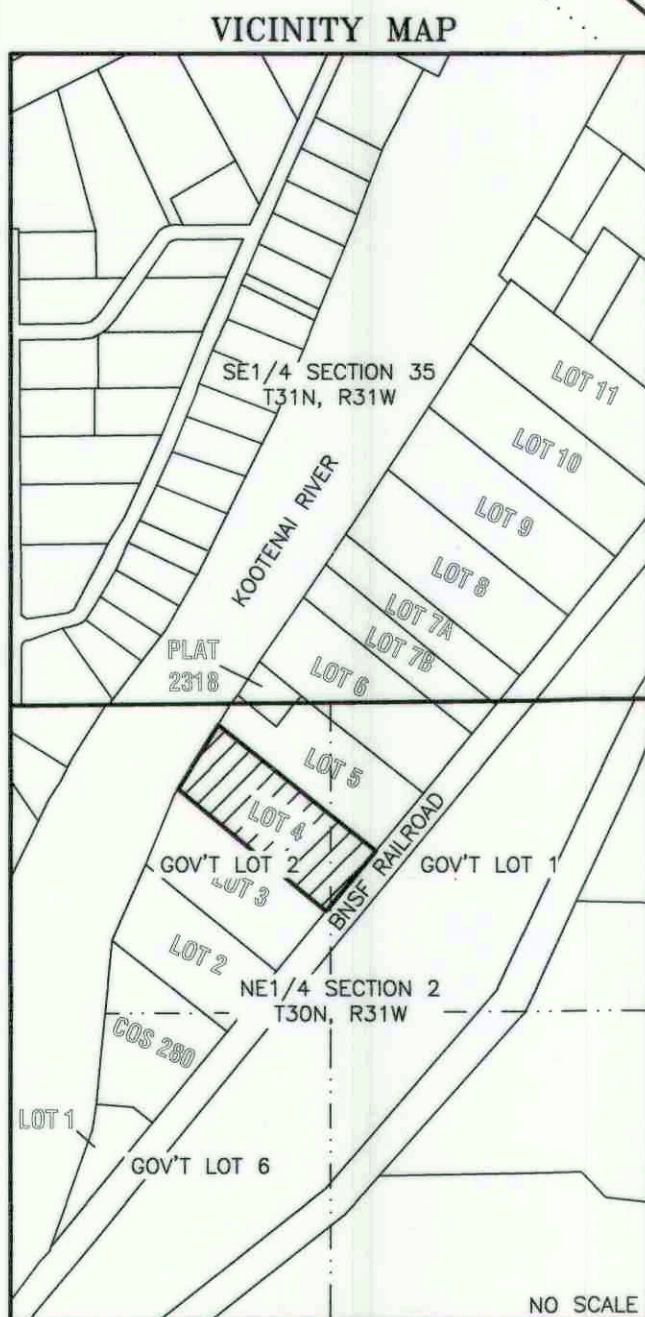
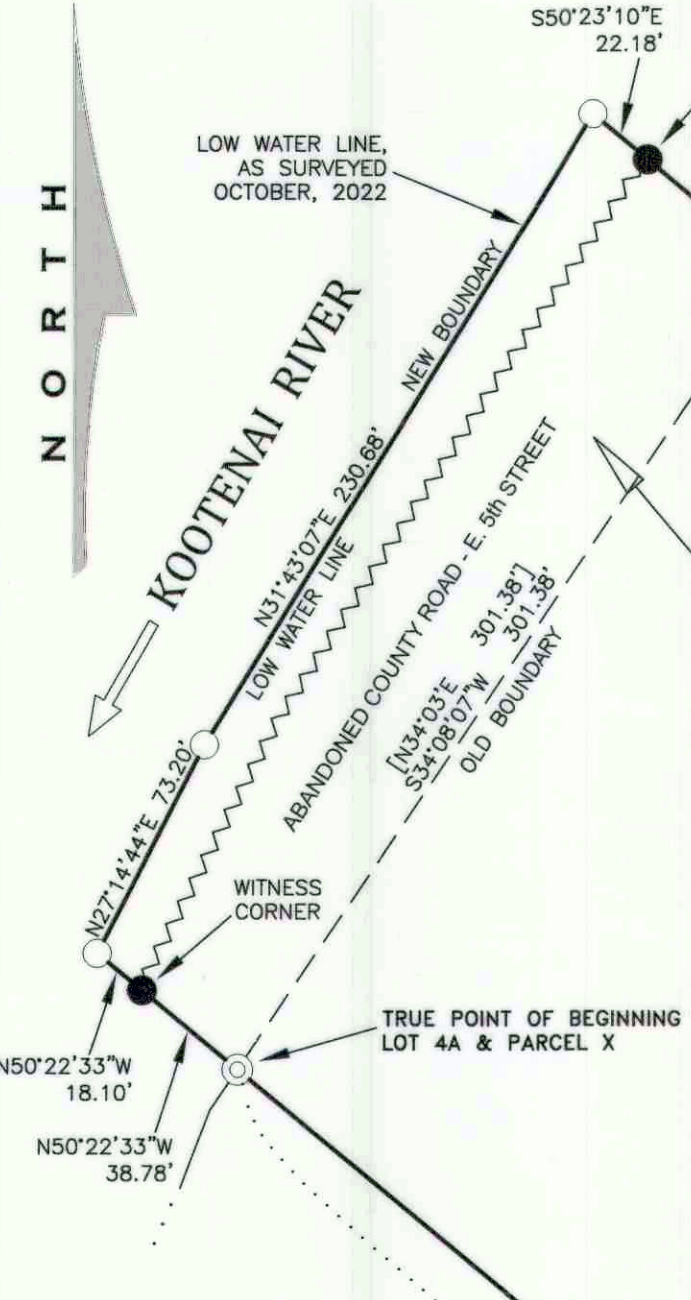
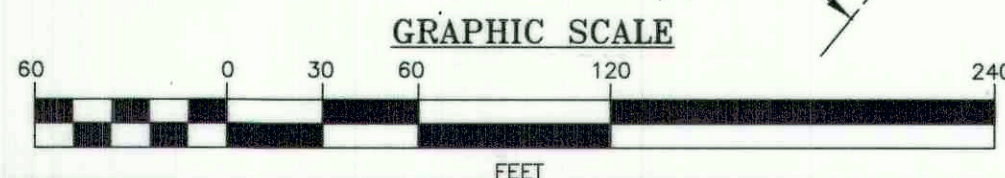
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LOT 3
PLAT No. 12
COS 280

LOT 5
PLAT No. 12
PLAT No. 2318
COS 133746

LOT 4
PLAT No. 12
COS 280

PARCEL X
0.47 Acres



- LEGEND**
- FOUND A 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED JHN, 4661S
 - FOUND A 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED HUGHES, 7322LS
 - FOUND 5/8 INCH DIAMETER UNCAPPED REBAR
 - SET A 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED SANDERSON, 70400LS
 - AN UNMARKED COMPUTED POINT
 - BOUNDARY LINES
 - - - OLD BOUNDARY LINE
 - - - ADJOINING BOUNDARIES
 - - - EASEMENT/RIGHT-OF-WAY LIMIT
 - - - SECTION SUBDIVISION LINE
 - ~~~~~ TOP OF BANK
 - ||||| RAILROAD CENTERLINE
 - - - DIMENSION LINE
 - [] COS No. 280, RECORD
 - () COS No. 133746, RECORD

PURPOSE OF SURVEY AND OWNER'S EXEMPTION CERTIFICATION

We, Lincoln County and Tungsten Holdings, Inc., being the 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. We further certify that Lot 4A 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, MCA 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 76-4-1-30, MCA.

Joseph Letcher 1/28/23
Lincoln County, Representative Date
Tungsten Holdings, Inc. 2-1-23
Tungsten Holdings, Inc., Representative Date

ACKNOWLEDGMENT

The foregoing Exemptions were subscribed and acknowledged before me a Notary Public for the State of MT County of LINCOLN by Lincoln County, Representative, JOSH LETCHER on this 8 day of January, 2023. In witness whereof, I have hereunto set my hand and affixed my notarial seal. *J. M. Wolleat* My Commission expires 9-17-2023 residing in: Libby

ACKNOWLEDGMENT

The foregoing Exemptions were subscribed and acknowledged before me a Notary Public for the State of MT County of LINCOLN by Tungsten Holdings, Inc., Representative on this 8 day of February, 2023. In witness whereof, I have hereunto set my hand and affixed my notarial seal. *J. M. Wolleat* My Commission expires 9-17-2023 residing in: Libby

BASIS OF BEARING

The basis of bearing for this survey is S39°36'02"W, derived from Survey Grade GPS system calibrated to local control between the northeast corner of Lot 3, COS No. 280, a found 5/8 inch diameter rebar with plastic cap marked JHN, 4661S and the southeast corner of Lot 5A, COS No. 133746, a found 5/8 inch diameter uncapped rebar. Angular variation between this survey and COS No. 280 is 0°04'02".

HISTORY OF SURVEYS

- 1913 - Plat No. 12, Riverdale Subdivision, Paul D. Pratt
- 1976 - COS No. 280, Boundary Location for Conveyance, JH Ninneman, 534ES
- 1977 - Plat No. 2318, Boundary Location for Conveyance, JH Ninneman, 4661S
- 1998 - COS No. 133746, Retracement Survey, Kenneth E. Davis, 4975S
- 2020 - Lincoln County Records Book 384/Page 729, Access Easement, Alvah F. Hughes, 7322LS

METHOD OF SURVEY

A Trimble R10 Model 2 GNSS System was used to tie previously set controlling corners, road alignments, and railroad geometry by Calen Williamson, October, 2022.

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* 12-19-22
Byron Sanderson, PLS 70400LS Date

EXAMINING LAND SURVEYOR'S CERTIFICATION

Examined this day 3RD of FEBRUARY, 2023, A.D. *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. *Bedaris Carlberg, by K. Randall* 2.2.2023
Lincoln County Treasurer Date

CLERK AND RECORDER'S CERTIFICATION

State of Montana, County of Lincoln, filed this 7th day of February, 2023, A.D. at 2:15 o'clock *Robin A. Benson* by *CARRIE BRAUN*
Lincoln County Clerk and Recorder Deputy

CERTIFICATE OF SURVEY No. 4927RB

