

CERTIFICATE OF SURVEY

BOUNDARY LINE ADJUSTMENT

PARCEL B, COS No. 4718RB
 LOT 3, BLOCK D, EVANS LIBBY CREEK TRACTS,
 SECTION 36, T.30N., R.31W., P.M., MT.,
 LINCOLN COUNTY, MONTANA
 FOR: NOONAN-AGRE and THE ESTATE OF DAN C. BUSBY

DATE: FEBRUARY, 2023

LEGAL DESCRIPTION: PARCEL D

An irregular tract of land, southeasterly from Libby, Montana, Lincoln County, and lying within the S1/2 S1/2 NE1/4 SW1/4, Section 36, T.30N., R.31W., P.M., MT., and more particularly described as follows:
 Commencing at the southwest corner of Parcel B, COS No. 4718RB, a found 5/8 inch diameter uncapped rebar lying on the easterly right-of-way limits of a 40.00 foot county road known as "Autumn Road"; Thence leaving said road right-of-way limits N68°26'00"E, 44.93 feet to set 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS and being the TRUE POINT OF BEGINNING; Thence N54°31'02"E, 191.29 feet to a set 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS lying on the westerly right-of-way limits of the state highway known as "Farm to Market Road"; Thence along said highway right-of-way limits through a curve to the left; Delta 01°53'36", Radius 1492.50 feet, arc length 49.32 feet to a found 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence leaving said highway right-of-way limits S68°26'00"W, 203.44 feet to a set 5/8 inch diameter rebar marked SANDERSON 70400LS and the TRUE POINT OF BEGINNING, containing 0.11 acres and subject to and together with all appurtenant easements of record.
 To become a part of Parcel C.

LEGAL DESCRIPTION: PARCEL B1

An irregular tract of land, southeasterly from Libby, Montana, Lincoln County, and lying within the S1/2 S1/2 NE1/4 SW1/4, Section 36, T.30N., R.31W., P.M., MT., and more particularly described as follows:
 Commencing at the southwest corner of Parcel B, COS No. 4718RB, a found 5/8 inch diameter uncapped rebar lying on the easterly right-of-way limits of a 40.00 foot county road known as "Autumn Road" and being the TRUE POINT OF BEGINNING; Thence along said road right-of-way limits N18°41'00"W, 140.00 feet to a found 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence along the south boundary of Parcel A, COS 4718RB, N71°47'00"E, 94.90 feet to a found 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence continuing along said south boundary, N81°59'05"E, 110.54 feet to a found 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS lying on the westerly right-of-way limits of the state highway known as "Farm to Market Road"; Thence along said highway right-of-way limits through a curve to the left; Delta 02°31'52", Radius 1492.50 feet, arc length 65.93 feet to a set 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS; Thence leaving said highway right-of-way limits S54°31'02"W, 191.29 feet to a set 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS; Thence S68°26'00"W, 44.93 feet to a found 5/8 inch diameter uncapped rebar lying on the easterly right-of-way limits of a 40.00 foot county road known as "Autumn Road" and the TRUE POINT OF BEGINNING, containing 0.55 acres and subject to a shared access easement to Parcel "C", and together with all appurtenant easements of record.

LEGAL DESCRIPTION: PARCEL C

An irregular tract of land, southeasterly from Libby, Montana, Lincoln County, and lying within the S1/2 S1/2 NE1/4 SW1/4, Section 36, T.30N., R.31W., P.M., MT., and more particularly described as follows:
 Commencing at the southwest corner of Parcel B, COS No. 4718RB, a found 5/8 inch diameter uncapped rebar lying on the easterly right-of-way limits of a 40.00 foot county road known as "Autumn Road" and being the TRUE POINT OF BEGINNING; Thence leaving said road right-of-way limits N68°26'00"E, 44.93 feet to set 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS; Thence N54°31'02"E, 191.29 feet to a set 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS lying on the westerly right-of-way limits of the state highway known as "Farm to Market Road"; Thence along said highway right-of-way limits through a curve to the left; Delta 01°53'36", Radius 1492.50 feet, arc length 49.32 feet to a found 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence continuing along said highway right-of-way limits through a curve to the left; Delta 08°44'42", Radius 1492.50 feet, arc length 227.80 feet to an unmarked computed point; Thence along the north boundary of COS 2888, S89°43'21"W, 0.42 feet to a 5/8 inch diameter rebar with plastic cap marked JRS 9958LS; Thence continuing along said north boundary, S89°43'19"W, 379.09 feet to a found 5/8 inch diameter uncapped rebar lying on the easterly right-of-way limits of a 40.00 foot county road known as "Autumn Road"; Thence along said road right-of-way limits N18°10'00"W, 66.10 feet to a found 5/8 inch uncapped rebar and the TRUE POINT OF BEGINNING, containing 0.95 acres and subject to a shared access easement to Parcel "B1", and together with all appurtenant easements of record.

LEGEND

- FOUND 1 INCH DIAMETER IRON PIPE
- ⊠ FOUND 4X4 INCH CONCRETE MDT RIGHT-OF-WAY MONUMENT
- ⊙ FOUND 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED JRS 9958LS
- FOUND 5/8 INCH DIAMETER UNCAPPED REBAR
- ⊙ FOUND 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED HUGHES 7322LS
- SET 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED SANDERSON 70400LS
- COMPUTED POINT
- NEW BOUNDARY LINE
- ADJOINING BOUNDARIES
- - - EASEMENT/RIGHT-OF-WAY LIMIT
- CENTERLINE ROAD
- OLD BOUNDARY LINE
- () COS No. 4718RB, RECORD
- { } COS No. 2888, RECORD
- [] PLAT No. 1915, RECORD

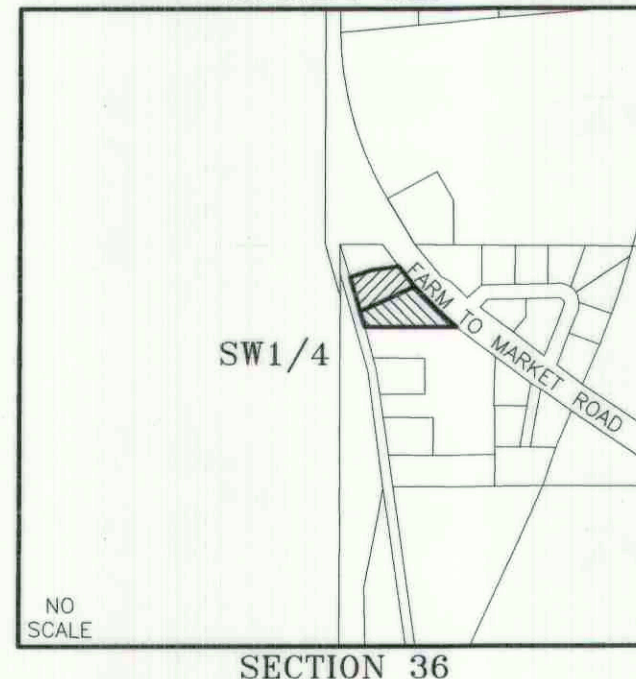
BASIS OF BEARING

The basis of bearing for this survey is N18°37'14"W, derived from Survey Grade GPS system calibrated to local control between the northwest corner of Parcel A, COS No. 4718RB, a found 1 inch diameter iron pipe and the southwest corner of Parcel B, COS No. 4718RB, a found 5/8 inch diameter uncapped rebar.

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

VICINITY MAP

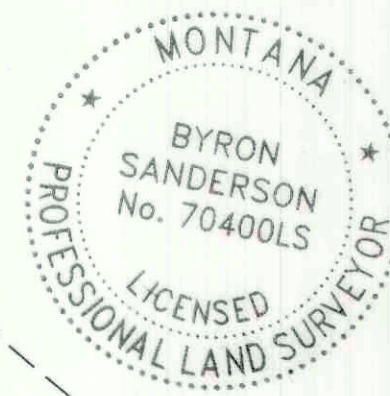


HISTORY OF SURVEY

- 1967 - Plat No. 1390, Retracement Survey, JN 534ES
- 1987 - Plat No. 1914, Retracement Survey, JN 534ES
- 1991 - Plat No. 1915, Retracement Survey, JN 534ES
- 1999 - COS No. 2888, Retracement Survey, JRS 9958S

METHOD OF SURVEY

A Trimble R10 Model 2 GNSS system was used to tie previously set controlling corners and road alignments by Calen Williamson, December, 2022.



PURPOSE OF SURVEY AND OWNER'S EXEMPTION

We, Roni Noonan-Agre, and representatives of The Estate of Dan C. Busby, 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(1)(d) "for five or fewer lots within a platted subdivision, the relocation of common boundaries". We further certify that Parcels B1 & C 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 complied 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".

Roni Noonan-Agre, 2-18-2023
 Roni Noonan-Agre
 Joel M. Pashby, Personal Representative of The Estate of Dan C. Busby, 2-13-2023
 Joel M. Pashby
 Maureen J. Kolodziej, Personal Representative of The Estate of Dan C. Busby, 2/10/2023
 Maureen J. Kolodziej

ACKNOWLEDGMENT

The foregoing Exemptions were subscribed and acknowledged before me a Notary Public in the State of Montana County of Lincoln by Roni Noonan-Agre on this 11 day of February, 2023, in witness whereof, I have hereunto set my hand and affixed my notarial seal.
Kathy Vinco
 residing in: Libby Montana My Commission expires: 8-20-2026

ACKNOWLEDGMENT

The foregoing Exemptions were subscribed and acknowledged before me a Notary Public in the State of Colorado County of Boulder by Joel Pashby on this 13 day of February, 2023, in witness whereof, I have hereunto set my hand and affixed my notarial seal.
Sheila Larsen
 residing in: Longmont CO My Commission expires: Dec 19, 2024

ACKNOWLEDGMENT

The foregoing Exemptions were subscribed and acknowledged before me a Notary Public in the State of Montana County of Lincoln by Maureen Kolodziej on this 10 day of February, 2023, in witness whereof, I have hereunto set my hand and affixed my notarial seal.
Kathy Vinco
 residing in: Libby Montana My Commission expires: 8-20-2026

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, 2-8-23
 Byron Sanderson, PLS 70400LS Date

EXAMINING LAND SURVEYOR'S CERTIFICATION

Examined this day of 13 FEBRUARY, 2023, A.D.
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.
Kelra Ward by Sedais Camberg, 2/8/23
 Lincoln County Treasurer Date

CLERK AND RECORDER'S CERTIFICATION

State of Montana, County of Lincoln, filed this 21st day of February, 2023, A.D. at 1:36 o'clock
Robin A. Benson by Michelle Byrd
 Lincoln County Clerk and Recorder Deputy

CERTIFICATE OF SURVEY No. 4933 RB

