

# CERTIFICATE OF SURVEY: PARTIAL RETRACEMENT SURVEY BOOK 369 PAGE 760

EASTERLY 170.5 FEET OF THE N 1/2, LOT 18, BLOCK 5, FIRST  
ADDITION TO WEST TROY

Section 12 Twp. 31 N., R. 34W., P.M.M.

For: WILLIAM R. HARDCASTLE & GLENDA JEAN UMAN

Date: March 2023

## PURPOSE OF SURVEY

The purpose of this survey is to partially retrace the exterior boundary of an existing tract of record and no new parcels have been created; therefore, this survey is exempt from review as a subdivision being completed pursuant to 76-3-404 M.C.A.

## SURVEYOR NOTE

In April, 1912, the 1st Addition to West Troy, Plat No. 4 was surveyed and recorded. This Plat does not show 3rd Street. Mathematical discrepancies on said Plat show all lots on Block 5 having a depth of 370.5 feet, even though the bearing of Riverside Avenue is S 21°47' E and the bearing of the West line of said Plat parallels the railroad bearing of S 21°45' E. Said Plat shows the North line of Lot 18 Block 5 to be 370.5 feet and the South line of said Lot 370.0 feet and the East and West lines of said Lot as 164.18 feet. The discrepancies are approximately 0.60 feet from closing.

In October, 1917, the English's Amended Plat of Lots 16 and 17, Plat No. 9 was surveyed and recorded. Omissions on said Plat of any bearings and the distance between 3rd and 4th Street. Said Plat defined the Lot and alley width, the later being 15 feet. The distances shown on said Plat left a measured error of 7.32 feet in width between 3rd and 4th Street. To hold the recorded widths of Lots on maps and deeds, that error was placed into the alley.

Both Plats show a 80 feet street right-of-way for Riverfront Avenue. The bearing of Riverfront Avenue was determined from the found rail road spike on 3rd Street and the found stone monument with the 'X' on 4th Street. The East line of Lot 18 was determined from a 40 feet offset. The South line of Lot 18 was determined from the bearing of 4th Street offset 30 feet for the original 60 feet street right-of-way. The width of Lot 18 Block 5 of 1st Addition to West Troy, Plat No. 4 was shown as 164.18, this Lot width was held as 3rd Street was not shown on said Plat, nor was 4th Street shown on English's Amended Plat of Lots 16 and 17, Plat No. 9.

The recording date of the deed first establishing the E170.5 feet N1/2 was October 23, 1924. The recording date of the deed establishing the W200 feet of the S1/2 of Lot 18 is December 5, 1924. The recording date of the deed establishing the E 170 feet S1/2 was December 11, 1935. The recording date of the E92 feet S1/2 was April 25, 1972. The recording date of the deed establishing the W78 feet E170 feet of the S1/2 of Lot 18 is July 25, 1978.

In June, 1988, the deed for the W78 feet E170 feet of the S1/2 of Lot 18 contains a mathematical error of 122.5 feet offset from 4th Street. The offset for W78 feet of E170 feet S1/2 Lot 18 should be 40 feet right-of-way, and the 92 feet from the April 1972 deed for a total of 132 feet offset. The 122.5 feet offset appears to have used the 92 feet from the April 1972 deed, 0.5 feet difference in Lot depth from 1st Addition to West Troy Plat No. 4, and a 30 feet right-of-way. It could not be determined where the 87.5 feet for S1/2 of Lot 18 came from as Plat No. 4 shows 164.18 feet and 1/2 of that is 82.09 feet. This error in the June, 1988 deed causes overlap as shown hereon.

Prior deeds and Plat were used to establish the South line of E170.5 feet N1/2 of Lot 18 Block 5 1st Addition to West Troy, Plat No. 4.

## HISTORY:

- Lot 18 Block 5 of 1st Addition to West Troy Plat No. 4 was created April 6, 1912
- E170.5' N1/2 of Lot 18 was deeded first per Book 56 Page 129 Oct. 23, 1924
- W200' S1/2 of Lot 18 was deeded second per Book 54 Page 219 Dec. 5, 1924
- E170' S1/2 of Lot 18 was deeded third per Book 69 Page 60 Dec. 11, 1935
- E92' S1/2 of Lot 18 was deeded forth per WD M17/357 April 25, 1972
- W78' E170' S1/2 of Lot 18 was deeded fifth per Book 51 Page 750 July 25, 1978
- W78' E170' S1/2 of Lot 18 was deeded sixth per Book 135 Page 692, June 15, 1988

## LEGEND

- SET A 5/8 INCH DIA. REBAR WITH A 1 1/4 INCH DIA. PLASTIC CAP STAMPED K.E.D. 4975-S
- FOUND A 5/8 INCH DIA. REBAR WITH 1 1/4 PLASTIC CAP MARKED HUGHES 7322 LS
- ◎ FOUND A 5/8 INCH DIA. REBAR WITH A 1 1/4 INCH DIA. PLASTIC CAP STAMPED K.E.D. 4975-S
- << >> RECORD PER ENGLISH'S AMENDED PLAT OF LOT 16 AND 17 PLAT NO. 9
- 5/8 INCH DIA. BARE REBAR
- FOUND ORIGINAL STONE MONUMENT MARKED "X" ON TOP
- △ FOUND RAIL ROAD SPIKE
- COMPUTED POINT
- { } RECORD PER C.O.S. 4010
- ( ) RECORD PER C.O.S. 4584
- < > RECORD PER 1ST ADDITION TO WEST TROY PLAT NO. 4
- {{ }} RECORD PER WARRANTY DEED BOOK 135 PAGE 692



DAVIS SURVEYING INC.

TROY, MONTANA

DATE: 4/3/22

REV:

DRAWN BY: SM

Land Projects 2022

FILE: t293305b-PLAT.dwg

Detail A  
(no scale)

Graphic Scale:



(1 inch = 40 ft.)

## CERTIFICATE OF SURVEYOR

STATE OF MONTANA

County of Lincoln

I, Kenneth E. Davis, a registered land surveyor do hereby certify that I have performed the survey shown on the attached plat of this survey was performed under my supervision to my best knowledge and ability; that said survey is complete as shown and the monuments found and set occupy the positions shown hereon.

Dated this 31st day of August, 2023 A.D.

Kenneth E. Davis, Registered Land Surveyor No. 4975-S

## CERTIFICATION OF LINCOLN COUNTY EXAMINING LAND SURVEYOR:

Examined this 31st day of August, 2023 A.D.

Steven A. Boyer, Professional Land Surveyor No. 9750LS

STATE OF MONTANA  
COUNTY OF LINCOLN

Filed on this 31 day of August, 2023 A.D. at 2:32  
O'clock p.m.

Cecilia Brown  
County Clerk and Recorder

by Felicia Shahan  
Deputy

CERTIFICATE OF SURVEY NO. 4973