

CERTIFICATE OF SURVEY

BOUNDARY LINE ADJUSTMENT

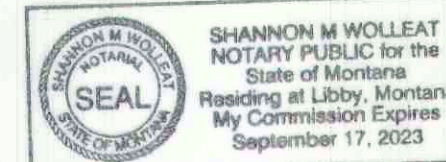
AMENDING LOT 2, RIVERDALE SUBDIVISION, PLAT No. 12

GOV'T LOTS 2 & 6, SECTION 2, T.30N., R.31W., P.M., MT.,

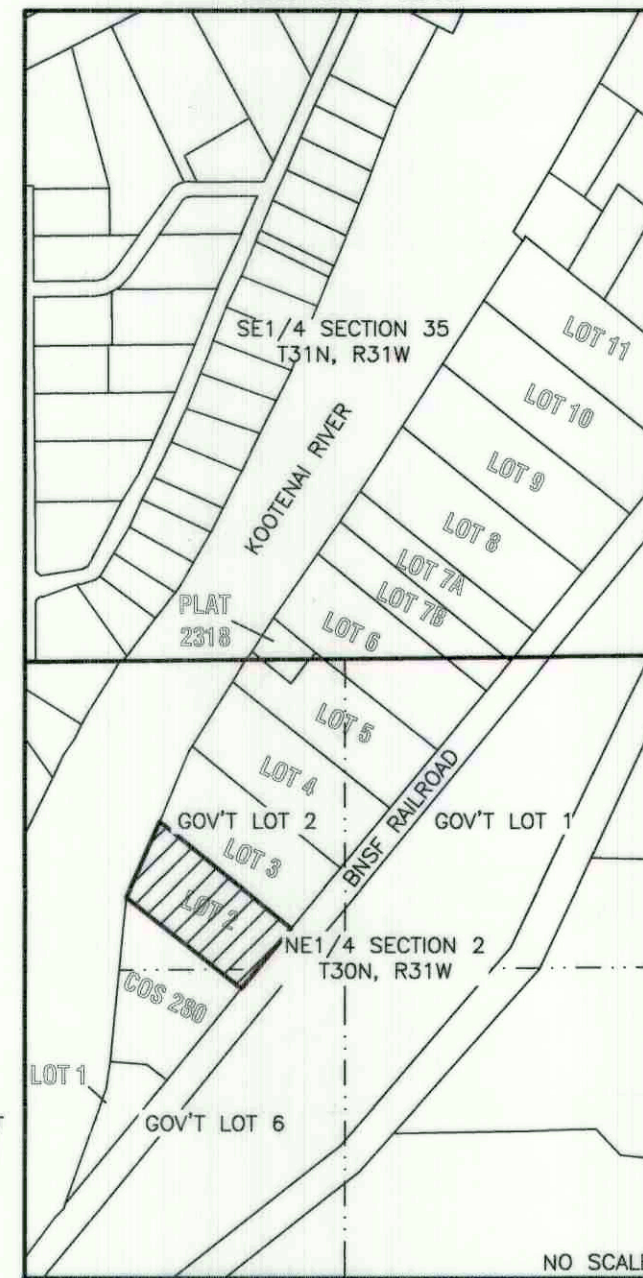
LINCOLN COUNTY, MONTANA

FOR: LINCOLN COUNTY & BENDER

DATE: DECEMBER, 2022

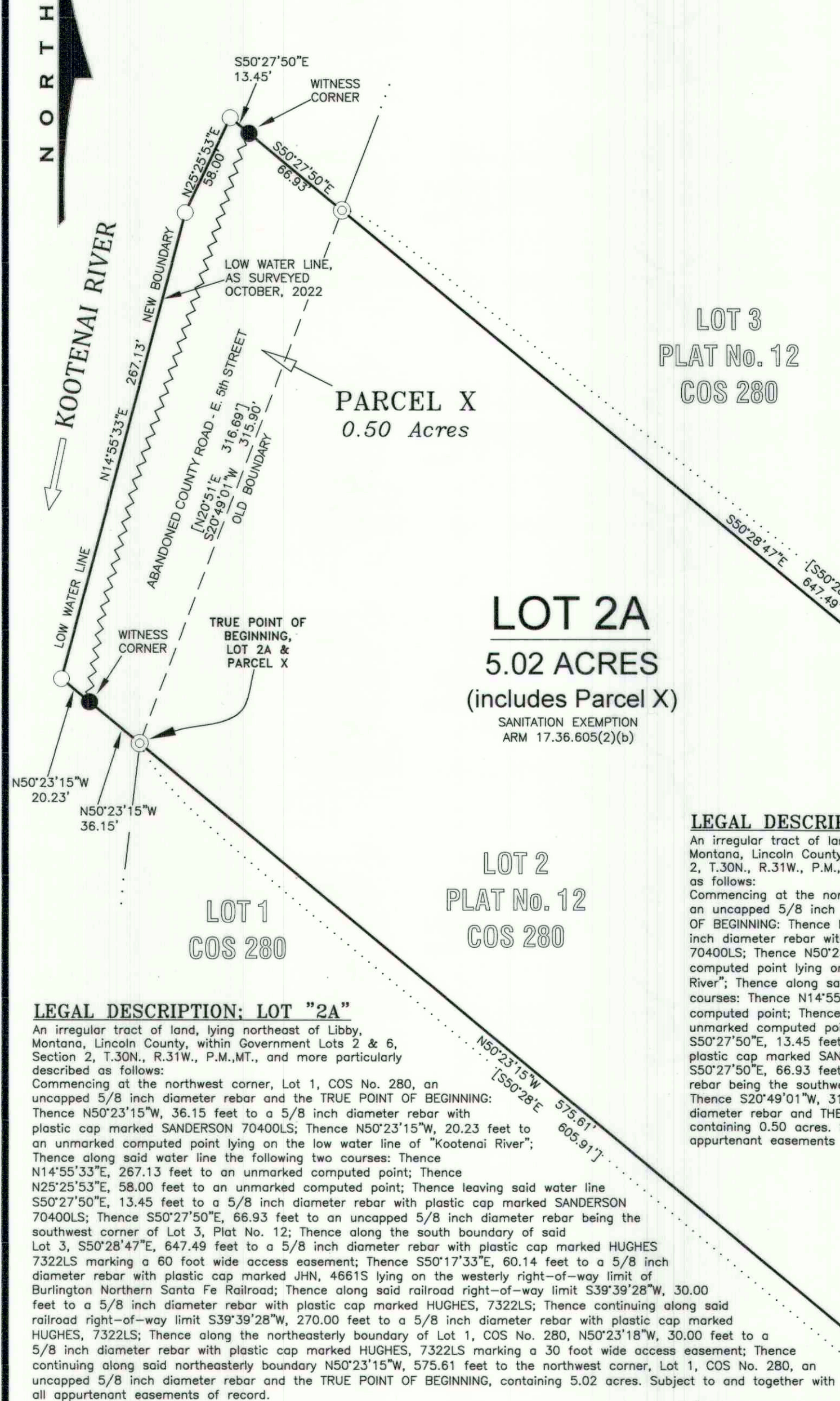


VICINITY MAP



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
- RAILROAD CENTERLINE
- TOP OF BANK
- [] COS No. 280, RECORD



LEGAL DESCRIPTION: PARCEL "X"

An irregular tract of land, lying northeast of Libby, Montana, Lincoln County, within Government Lot 2, Section 2, T.30N., R.31W., P.M., MT., and more particularly described as follows:
Commencing at the northwest corner, Lot 1, COS No. 280, an uncapped 5/8 inch diameter rebar and the TRUE POINT OF BEGINNING; Thence N50°23'15"W, 36.15 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS; Thence N50°23'15"W, 20.23 feet to an unmarked computed point lying on the low water line of "Kootenai River"; Thence along said water line the following two courses: Thence N14°55'33"E, 267.13 feet to an unmarked computed point; Thence N25°25'53"E, 58.00 feet to an unmarked computed point; Thence leaving said water line S50°27'50"E, 13.45 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS; Thence S50°27'50"E, 66.93 feet to an uncapped 5/8 inch diameter rebar being the southwest corner of Lot 3, Plat No. 12; Thence S20°49'01"W, 315.90 feet to an uncapped 5/8 inch diameter rebar and the TRUE POINT OF BEGINNING, containing 0.50 acres. Subject to and together with all appurtenant easements of record.

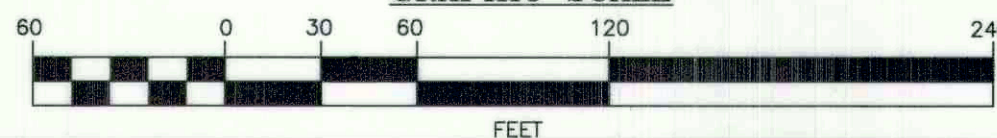
LEGAL DESCRIPTION: LOT "2A"

An irregular tract of land, lying northeast of Libby, Montana, Lincoln County, within Government Lots 2 & 6, Section 2, T.30N., R.31W., P.M., MT., and more particularly described as follows:
Commencing at the northwest corner, Lot 1, COS No. 280, an uncapped 5/8 inch diameter rebar and the TRUE POINT OF BEGINNING; Thence N50°23'15"W, 36.15 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS; Thence N50°23'15"W, 20.23 feet to an unmarked computed point lying on the low water line of "Kootenai River"; Thence along said water line the following two courses: Thence N14°55'33"E, 267.13 feet to an unmarked computed point; Thence N25°25'53"E, 58.00 feet to an unmarked computed point; Thence leaving said water line S50°27'50"E, 13.45 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS; Thence S50°27'50"E, 66.93 feet to an uncapped 5/8 inch diameter rebar being the southwest corner of Lot 3, Plat No. 12; Thence along the south boundary of said Lot 3, S50°28'47"E, 647.49 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS marking a 60 foot wide access easement; Thence S50°17'33"E, 60.14 feet to a 5/8 inch diameter rebar with plastic cap marked JHN, 4661S lying on the westerly right-of-way limit of Burlington Northern Santa Fe Railroad; Thence along said railroad right-of-way limit S39°39'28"W, 30.00 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence continuing along said railroad right-of-way limit S39°39'28"W, 270.00 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence along the northeasterly boundary of Lot 1, COS No. 280, N50°23'18"W, 30.00 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS marking a 30 foot wide access easement; Thence continuing along said northeasterly boundary N50°23'15"W, 575.61 feet to the northwest corner, Lot 1, COS No. 280, an uncapped 5/8 inch diameter rebar and the TRUE POINT OF BEGINNING, containing 5.02 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.

GRAPHIC SCALE



PURPOSE OF SURVEY AND OWNER'S EXEMPTION CERTIFICATION

We, Lincoln County and William F. Bender, Sr. & Isabella Bender 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 2A 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.

Lincoln County, Representative Josh Letner Date 1/18/23
William F. Bender, Sr. William F. Bender, Sr. Date 10-2-2023
Isabella Bender Isabella Bender Date 10/2/2023

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 LETNER on this 18 day of January, 2023. In witness whereof, I have hereunto set my hand and affixed my notarial seal.

Shannon 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 Montana County of Lincoln by William F. Bender, Sr & Isabella Bender on this 2nd day of October, 2022. In witness whereof, I have hereunto set my hand and affixed my notarial seal.

Corrina Brown My Commission expires: 7/9/2025
residing in: Troy

BASIS OF BEARING

The basis of bearing for this survey is S39°39'28"W, derived from Survey Grade GPS system calibrated to local control between the northeast corner of Lot 1, COS No. 280, a found 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS and the southeast corner of Lot 3, COS No. 280, a found 5/8 inch diameter rebar with plastic cap marked JHN, 4661S. Angular variation between this survey and COS No. 280 is 0°07'28".

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.

HISTORY OF SURVEYS

1913 - Plat No. 12, Riverdale Subdivision, Paul D. Pratt
1976 - COS No. 280, Boundary Location for Conveyance, JW Ninneman, 534ES
2020 - Lincoln County Records Book 384/Page 731, Access Easement, Alvah F. Hughes, 7322LS
2020 - Lincoln County Records Book 384/Page 730, Access Easement, Alvah F. Hughes, 7322LS
2020 - Lincoln County Records Book 384/Page 729, Access Easement, Alvah F. Hughes, 7322LS

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 Date 12-19-22
Byron Sanderson, PLS 70400LS, Lincoln County

EXAMINING LAND SURVEYOR'S CERTIFICATION

Examined this 2nd day of OCTOBER, 2023, A.D.
Steven A. Boyer
Steven A. Boyer, PLS 5750LS, 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.
Sedona's Carriage by K. Randall Date 10-2-2023
Lincoln County Treasurer

CLERK AND RECORDER'S CERTIFICATION

State of Montana, County of Lincoln, filed this 3rd day of October, 2023, A.D. at 1:54 o'clock
Corrina Brown by Michelle Byrd
Lincoln County Clerk and Recorder Deputy

CERTIFICATE OF SURVEY No. 4981 RB

KSI

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