

# CERTIFICATE OF SURVEY

## BOUNDARY LINE ADJUSTMENT

W1/2 W1/2, SECTION 11, T.30N., R.31W., P.M.MT.,  
LINCOLN COUNTY, MONTANA

FOR: LINCOLN COUNTY PORT AUTHORITY & MILLPOND MX DATE: SEPTEMBER, 2023

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

We, LINCOLN COUNTY PORT AUTHORITY and MILLPOND MX, record owners, hereby certify that the purpose of this survey and division of land is the relocation of common boundaries and is therefore exempt from subdivision review pursuant to MCA 76-3-207(1)(e): "divisions made for the purpose of relocating a common boundary line between a single lot within a platted subdivision and adjoining land outside a platted subdivision. A restriction or requirement on the original platted lot or original unplatted parcel continues to apply to those areas". We further certify that Parcel A, is over 20 acres in size, exclusive of public roadways, and therefore exempt from subdivision review by the Department of Environmental Quality pursuant to MCA 76-4-102(23). We also certify that Lot 1A is exempt from subdivision review pursuant to ARM 17.36.605(2)(a): "a parcel that has no facilities for water supply, wastewater disposal, storm drainage, or solid waste disposal, if no facilities will be constructed on the parcel".

*Jenny Bennett* Chairman 10-20-23  
Lincoln County Port Authority, Representative Date  
*Rep* 10-9-23  
Millpond MX, Representative Date

### ACKNOWLEDGMENT

The foregoing Exemptions were subscribed and acknowledged before me a Notary Public for

the State of Montana County of Lincoln  
by LINCOLN COUNTY PORT AUTHORITY, Representative

on this 9<sup>th</sup> day of October 2023.  
In witness whereof, I have hereunto set my hand and affixed my notarial seal.

*Chelsea Sanderson*  
residing in: Libby, MT My Commission expires: Aug 05, 2024

### ACKNOWLEDGMENT

The foregoing Exemptions were subscribed and acknowledged before me a Notary Public for

the State of Montana County of Lincoln  
by MILLPOND MX, Representative

on this 9 day of October 2023.  
In witness whereof, I have hereunto set my hand and affixed my notarial seal.

*Chelsea Sanderson*  
residing in: Libby, MT My Commission expires: Aug 5, 2023

### BASIS OF BEARING AND VARIATION

The basis of bearing for this survey true north based on survey grade GPS observation. Angular variation between this survey and COS No. 4616RB is 0°00'46" between the northwest corner, Section 11, a 3.5 inch diameter brass cap, and the southeast corner, said Section 11, a 4 inch diameter well casing with cap.

### METHOD OF SURVEY

A Trimble R10-2 GNSS GPS system was used to tie previously established controlling corners by Byron Sanderson & Calen Williamson, May, 2023.

### REFERENCED SURVEYS

2005 - PLAT No. 6701, "Motocross Subdivision", Alvah F. Hughes, 7322LS  
2006 - COS No. 3771RB, Boundary Line Adjustment, Alvah F. Hughes, 7322LS  
2008 - COS No. 3787, Retrace Section Subdivision, James R. Staples, 9958LS  
2019 - COS No. 4616RB, Boundary Line Adjustment, Alvah F. Hughes, 7322LS

### LEGAL DESCRIPTION: PARCEL X

An irregular tract of land, easterly from Libby, Montana, Lincoln County, and lying in the W1/2 SW1/4, Section 11, T.30N., R.31W., P.M.MT., and more particularly described as follows:

Commencing at the southeast corner of Lot 1, Plat 6701, a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence N88°46'41"W, 27.14 feet to an unmarked computed point and the TRUE POINT OF BEGINNING; Thence S21°57'55"W, 19.87 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS; Thence S49°59'16"W, 514.49 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS; Thence N08°48'18"W, 758.59 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS; Thence S69°51'31"E, 79.24 feet to a 5/8 inch diameter uncapped rebar; Thence S03°14'52"E, 364.72 feet to an unmarked computed point; Thence S88°46'41"E, 422.64 feet to an unmarked computed point and the TRUE POINT OF BEGINNING, containing 2.39 acres. Subject to and together with all appurtenant easements of record. The afore described parcel shall become part of Lot "1A", as shown hereon, and shall not be conveyed as a separate tract of land.

### LEGAL DESCRIPTION: PARCEL Y

An irregular tract of land, easterly from Libby, Montana, Lincoln County, and lying in the W1/2 SW1/4, Section 11, T.30N., R.31W., P.M.MT., and more particularly described as follows:

Commencing at the southeast corner of Parcel B, COS No. 4616RB, a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence N58°12'15"E, 377.05 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS; Thence N49°59'16"E, 514.49 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS; Thence N21°57'55"E, 19.87 feet to an unmarked computed point and the TRUE POINT OF BEGINNING; Thence N21°57'55"E, 497.45 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS; Thence S21°57'55"W, 19.87 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS; Thence S49°59'16"W, 514.49 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS and the TRUE POINT OF BEGINNING, containing 0.54 acres. Subject to and together with all appurtenant easements of record. The afore described parcel shall become part of Parcel "A", as shown hereon, and shall not be conveyed as a separate tract of land.

### 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 thereto.

*Byron Sanderson* 9-1-23  
Byron Sanderson, P.E., 70400LS Date

### EXAMINING LAND SURVEYOR'S CERTIFICATION

Examined this day 23<sup>rd</sup> of October 2023 A.D.

*Steven A. Boyer*  
Steven A. Boyer, P.E., 70400LS, Lincoln County Examining Land Surveyor

### COUNTY TREASURER'S CERTIFICATION

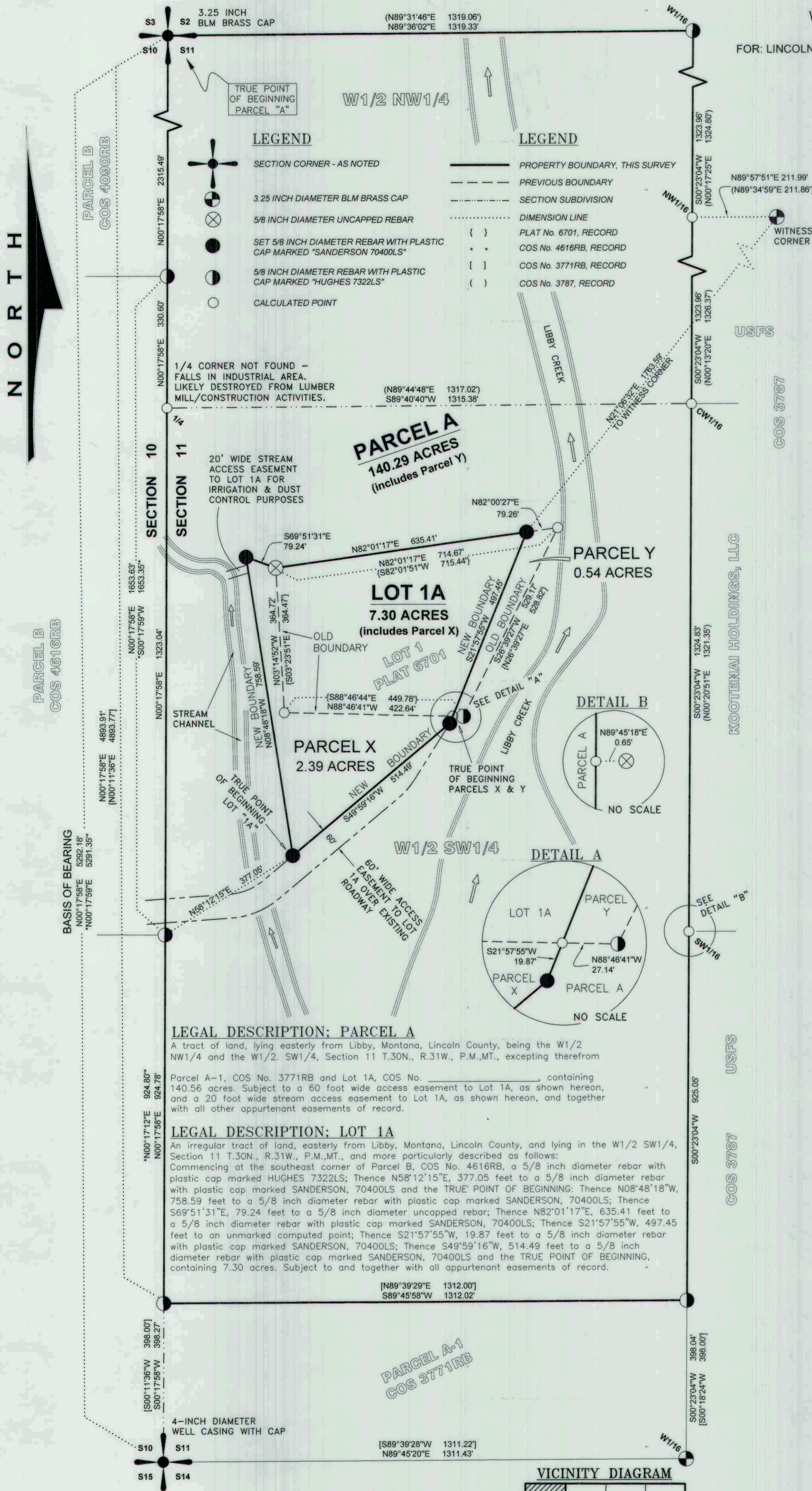
I hereby certify that all real property taxes and special assessments assessed and levied on the parcel shown hereon are paid pursuant to Section 76-3-207(3), M.C.A.

*Sadara Carberg* by Michelle Byrd 10-20-23  
Lincoln County Treasurer Date

### CLERK AND RECORDER'S CERTIFICATION

State of Montana, County of Lincoln, filed this 24<sup>th</sup> day  
of October 2023 A.D. at 2:40 o'clock  
*Corrina Brown* by Michelle Byrd  
Lincoln County Clerk and Recorder Deputy

CERTIFICATE OF SURVEY No. 4985 RB



### LEGAL DESCRIPTION: PARCEL A

A tract of land, lying easterly from Libby, Montana, Lincoln County, being the W1/2 NW1/4 and the W1/2 SW1/4, Section 11, T.30N., R.31W., P.M.MT., excepting therefrom

Parcel A-1, COS No. 3771RB and Lot 1A, COS No. \_\_\_\_\_, containing 140.56 acres. Subject to a 60 foot wide access easement to Lot 1A, as shown hereon, and a 20 foot wide stream access easement to Lot 1A, as shown hereon, and together with all other appurtenant easements of record.

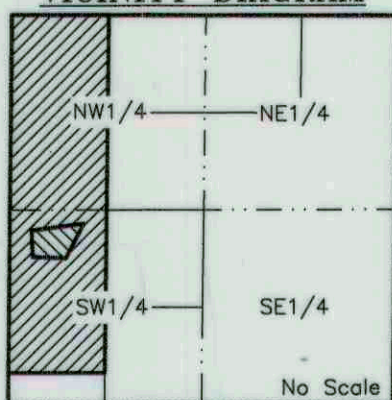
### LEGAL DESCRIPTION: LOT 1A

An irregular tract of land, easterly from Libby, Montana, Lincoln County, and lying in the W1/2 SW1/4, Section 11, T.30N., R.31W., P.M.MT., and more particularly described as follows:

Commencing at the southeast corner of Parcel B, COS No. 4616RB, a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence N58°12'15"E, 377.05 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS and the TRUE POINT OF BEGINNING; Thence N08°48'18"W, 758.59 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS; Thence S69°51'31"E, 79.24 feet to a 5/8 inch diameter uncapped rebar; Thence N82°01'17"E, 635.41 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS; Thence S21°57'55"W, 19.87 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS; Thence S49°59'16"W, 514.49 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON 70400LS and the TRUE POINT OF BEGINNING, containing 7.30 acres. Subject to and together with all appurtenant easements of record.

PARCEL A-1  
COS 3771RB

### VICINITY DIAGRAM



### GRAPHIC SCALE



### 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.

**KSI**

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