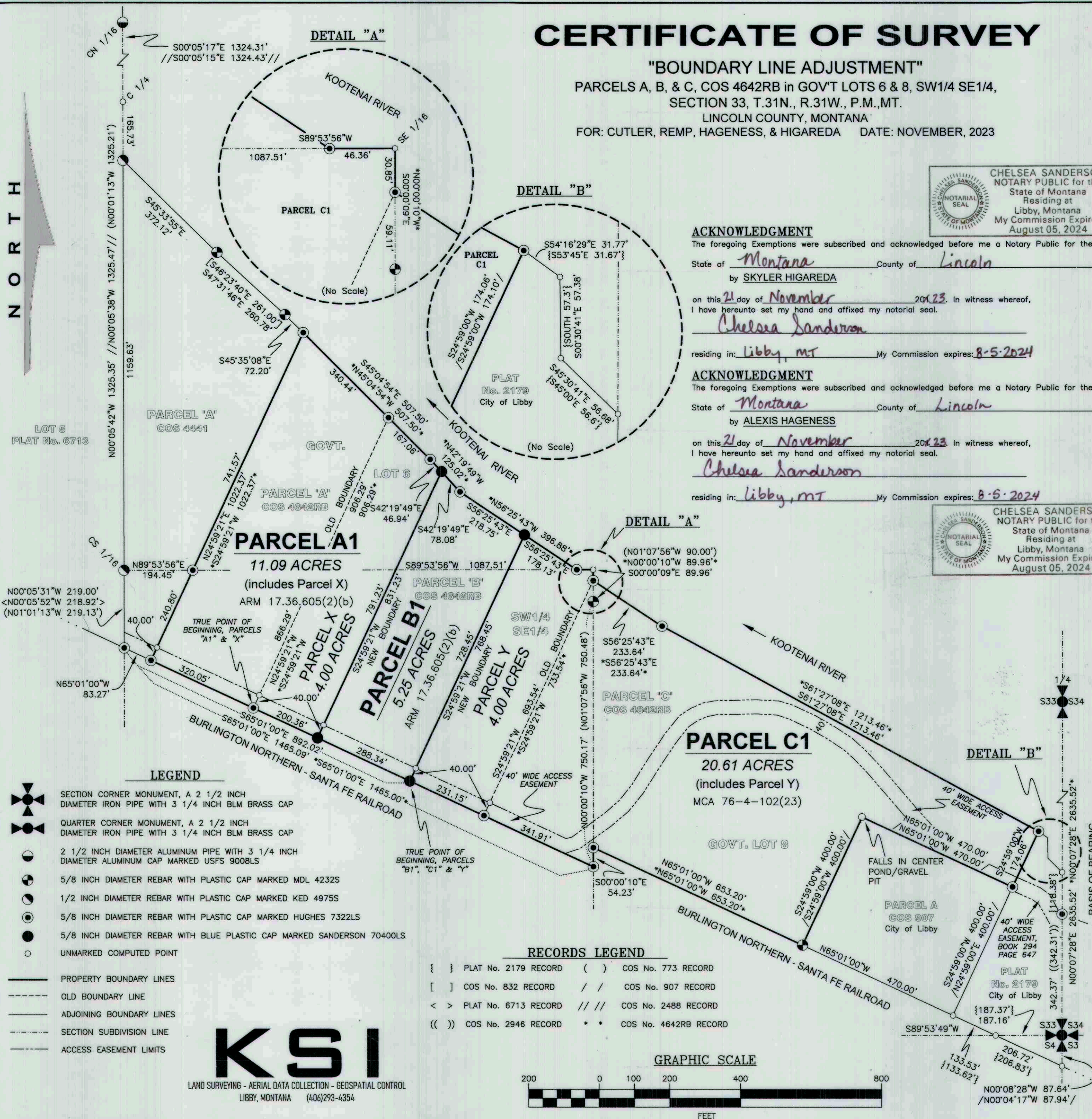


NORTH

# CERTIFICATE OF SURVEY

## "BOUNDARY LINE ADJUSTMENT"

PARCELS A, B, & C, COS 4642RB in GOVT LOTS 6 & 8, SW1/4 SE1/4,  
SECTION 33, T.31N., R.31W., P.M., MT.  
LINCOLN COUNTY, MONTANA  
FOR: CUTLER, REMP, HAGENESS, & HIGAREDA DATE: NOVEMBER, 2023



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

We Bradley Scott Cutler (AKA Bradley S. Cutler), Andrew M. Remp, Jennifer L. Remp, Skyler Higareda, & Alexis Hageness, 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)(a) "divisions made outside of platted subdivisions for the purpose of relocating common boundary lines between adjoining properties". We also certify that Parcel C1 is 20 acres or greater, exclusive of public roadways, and is therefore not subject to sanitation review by the DEQ pursuant to MCA 76-4-102(23). I further certify that Parcels A1 & B1 are exempt from sanitation review pursuant to ARM 17.36.605(2)(b): "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 76-4-130, MCA."

Bradley Scott Cutler (AKA Bradley S. Cutler) 11/28/23  
Date  
Andrew M. Remp 11/22/2023  
Date  
Jennifer L. Remp 11/24/2023  
Date  
Skyler Higareda 11-24-23  
Date  
Alexis Hageness 11/21/23  
Date

### ACKNOWLEDGMENT

The foregoing Exemptions were subscribed and acknowledged before me a Notary Public for the State of Montana County of Lincoln by SKYLER HIGAREDA

on this 21 day of November 2023. In witness whereof, I have hereunto set my hand and affixed my notarial seal.

Chelsea Sanderson  
residing in: Libby, MT My Commission expires: 8-5-2024

### ACKNOWLEDGMENT

The foregoing Exemptions were subscribed and acknowledged before me a Notary Public for the State of Montana County of Lincoln by ALEXIS HAGENESS

on this 21 day of November 2023. In witness whereof, I have hereunto set my hand and affixed my notarial seal.

Chelsea Sanderson  
residing in: Libby, MT My Commission expires: 8-5-2024

### ACKNOWLEDGMENT

The foregoing Exemptions were subscribed and acknowledged before me a Notary Public for the State of Montana County of Lincoln by BRADLEY SCOTT CUTLER (aka BRADLEY S. CUTLER)

on this 28 day of November 2023. In witness whereof, I have hereunto set my hand and affixed my notarial seal.

Chelsea Sanderson  
residing in: Libby, MT My Commission expires: 8-5-2024

### ACKNOWLEDGMENT

The foregoing Exemptions were subscribed and acknowledged before me a Notary Public for the State of Montana County of Lincoln by ANDREW M. REMP

on this 22 day of November 2023. In witness whereof, I have hereunto set my hand and affixed my notarial seal.

Chelsea Sanderson  
residing in: Libby, MT My Commission expires: 8-5-2024

### ACKNOWLEDGMENT

The foregoing Exemptions were subscribed and acknowledged before me a Notary Public for the State of Montana County of Lincoln by JENNIFER L. REMP

on this 22 day of November 2023. In witness whereof, I have hereunto set my hand and affixed my notarial seal.

Chelsea Sanderson  
residing in: Libby, MT My Commission expires: 8-5-2024

### 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 11-21-23  
Byron Sanderson, PLS, 70400LS Date

### EXAMINING LAND SURVEYOR'S CERTIFICATION

Examined this day 15 of DECEMBER 2023. A.D.

Steven A. Boyer, 9750LS, Lincoln County, Examining Land Surveyor

### COUNTY TREASURER'S CERTIFICATION

I hereby certify 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.

Sedaria Carlsberg by K. Randall 11.30.23  
Lincoln County Treasurer Date

### CLERK AND RECORDER'S CERTIFICATION

State of Montana, County of Lincoln, filed this 30<sup>th</sup> day of November 2023.  
A.D. at 11:40 o'clock  
CORINNA BRAUN by Michelle Byrd  
Lincoln County Clerk Recorder Deputy



# CERTIFICATE OF SURVEY

## "BOUNDARY LINE ADJUSTMENT"

PARCELS A, B, & C, COS 4642RB in GOV'T LOTS 6 & 8, SW1/4 SE1/4,  
SECTION 33, T.31N., R.31W., P.M.,MT.  
LINCOLN COUNTY, MONTANA  
FOR: CUTLER, REMPE, HAGENESS, & HIGAREDA      DATE: NOVEMBER, 2023

### LEGAL DESCRIPTION: PARCEL "A1"

An irregular parcel of land, lying northwesterly of Libby, Montana, Lincoln County, within SW1/4SE1/4, Section 33, T.31N., R.31W., P.M.,MT. and more particularly described as follows: Commencing at the Center-South Sixteenth Corner, said Section, a 1/2 inch diameter rebar with plastic cap marked KED 4975S; Thence S00°05'31"E, 219.00 feet, to the northerly right-of-way limit of the BNSF railroad, a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence along said right-of-way limit S65°01'00"E, 83.27 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence continuing along said right-of-way limit S65°01'00"E, 320.05 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS and the TRUE POINT OF BEGINNING; Thence along the northerly right-of-way limit of the BNSF railroad N65°01'00"W, 320.05 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence N24°59'21"E, 40.00 feet to an unmarked computed point lying on the northerly right-of-way limit of a 40.00 foot wide access easement; Thence N24°59'21"E, 240.80 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence N24°59'21"E, 741.57 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence S45°04'54"E, 340.44 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence S45°04'54"E, 167.06 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence S42°19'49"E, 46.94 feet to a 5/8 inch diameter rebar with blue plastic cap marked SANDERSON 70400LS; Thence S24°59'21"W, 791.23 feet to an unmarked computed point lying on the northerly right-of-way limit of a 40.00 foot wide access easement; Thence S24°59'21"W, 40.00 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS lying on the northerly right-of-way limit of the BNSF railroad; thence along said right-of-way limit N65°01'00"W, 200.36 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS, and the TRUE POINT OF BEGINNING, containing 11.09 acres. Subject to a 40 foot wide access easement, and together with all appurtenant easements of record.

### LEGAL DESCRIPTION: PARCEL "B1"

An irregular parcel of land, lying northwesterly of Libby, Montana, Lincoln County, within SW1/4SE1/4, Section 33, T.31N., R.31W., P.M.,MT. and more particularly described as follows: Commencing at the Center-South Sixteenth Corner, said Section, a 1/2 inch diameter rebar with plastic cap marked KED 4975S; Thence S00°05'31"E, 219.00 feet, to the northerly right-of-way limit of the BNSF railroad, a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence along said right-of-way limit S65°01'00"E, 892.02 feet to a 5/8 inch diameter rebar with blue plastic cap marked SANDERSON 70400LS and the TRUE POINT OF BEGINNING; Thence along the northerly right-of-way limit of the BNSF railroad N65°01'00"W, 288.34 feet to a 5/8 inch diameter rebar with blue plastic cap marked SANDERSON 70400LS; Thence N24°59'21"E, 40.00 feet to an unmarked computed point lying on the northerly right-of-way limit of a 40.00 foot wide access easement; Thence N24°59'21"E, 791.23 feet to a 5/8 inch diameter rebar with blue plastic cap marked SANDERSON 70400LS; Thence S42°19'49"E, 78.08 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence S56°25'43"E, 218.75 feet to a 5/8 inch diameter rebar with blue plastic cap marked SANDERSON 70400LS; Thence S24°59'21"W, 728.45 feet to an unmarked computed point lying on the northerly right-of-way limit of a 40.00 foot wide access easement; Thence S24°59'21"W, 40.00 feet to a 5/8 inch diameter rebar with blue plastic cap marked SANDERSON 70400LS and the TRUE POINT OF BEGINNING, containing 5.25 acres. Subject to a 40 foot wide access easement, and together with all appurtenant easements of record.

### LEGAL DESCRIPTION: PARCEL "C1"

An irregular parcel of land, lying northwesterly of Libby, Montana, Lincoln County, within Government Lot 8 and the SW1/4 SE1/4, Section 33, T.31N., R.31W., P.M.,MT. and more particularly described as follows: Commencing at the Center-South Sixteenth Corner, said Section, a 1/2 inch diameter rebar with plastic cap marked KED 4975S; Thence S00°05'31"E, 219.00 feet, to the northerly right-of-way limit of the BNSF railroad, a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence along said right-of-way limit S65°01'00"E, 892.02 feet to a 5/8 inch diameter rebar with blue plastic cap marked SANDERSON 70400LS, and the TRUE POINT OF BEGINNING; Thence N24°59'21"E, 40.00 feet to an unmarked computed point lying on the northerly right-of-way limit of a 40.00 foot wide access easement; Thence N24°59'21"E, 728.45 feet to a 5/8 inch diameter rebar with blue plastic cap marked SANDERSON 70400LS; Thence S56°25'43"E, 178.13 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence N89°53'56"W, 46.36 feet to an unmarked computed point; Thence S00°00'09"E, 30.85 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence S56°25'43"E, 233.64 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence S61°27'08"E, 1213.46 feet to the northerly most corner of Plat 2179, a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence S24°59'00"W, 174.06 feet to the northeasterly most corner of Parcel "A", COS 907, a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence along the north boundary, said Parcel "A" of COS 907, N65°01'00"W, 470.00 feet to an unmarked computed point; Thence along the west boundary, said Parcel "A" of COS 907, S24°59'00"W, 400.00 feet to a 5/8 inch diameter rebar with plastic cap marked MDL 4232S lying on the northerly right-of-way limit of the BNSF railroad; Thence along said right-of-way limit the following four courses; Thence N65°01'00"W, 653.20 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence S00°00'10"E, 54.23 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence N65°01'00"W, 341.91 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence N65°01'00"W, 231.15 feet to a 5/8 inch diameter rebar with blue plastic cap marked SANDERSON 70400LS, and the TRUE POINT OF BEGINNING, containing 20.61 acres. Subject to a 40 foot wide access easement and together with all appurtenant easements of record.

### LEGAL DESCRIPTION: PARCEL "X"

An irregular parcel of land, lying northwesterly of Libby, Montana, Lincoln County, within SW1/4SE1/4, Section 33, T.31N., R.31W., P.M.,MT. and more particularly described as follows: Commencing at the Center-South Sixteenth Corner, said Section, a 1/2 inch diameter rebar with plastic cap marked KED 4975S; Thence S00°05'31"E, 219.00 feet, to the northerly right-of-way limit of the BNSF railroad, a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence along said right-of-way limit S65°01'00"E, 83.27 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence continuing along said right-of-way limit S65°01'00"E, 320.05 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS and the TRUE POINT OF BEGINNING; Thence N24°59'21"E, 40.00 feet to an unmarked computed point lying on the northerly right-of-way limit of a 40.00 foot wide access easement; Thence N24°59'21"E, 866.29 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence S45°04'54"E, 167.06 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence S42°19'49"E, 46.94 feet to a 5/8 inch diameter rebar with blue plastic cap marked SANDERSON 70400LS; Thence S24°59'21"W, 791.23 feet to an unmarked computed point lying on the northerly right-of-way limit of a 40.00 foot wide access easement; Thence S24°59'21"W, 40.00 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS lying on the northerly right-of-way limit of the BNSF railroad; thence along said right-of-way limit N65°01'00"W, 200.36 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS, and the TRUE POINT OF BEGINNING, containing 4.00 acres. Subject to a 40 foot wide access easement, and together with all appurtenant easements of record. The afore described parcel shall become part of Parcel "A1", as shown hereon, and shall not be conveyed as a separate tract of land.

### LEGAL DESCRIPTION: PARCEL "Y"

An irregular parcel of land, lying northwesterly of Libby, Montana, Lincoln County, within Government Lot 8 and the SW1/4 SE1/4, Section 33, T.31N., R.31W., P.M.,MT. and more particularly described as follows: Commencing at the Center-South Sixteenth Corner, said Section, a 1/2 inch diameter rebar with plastic cap marked KED 4975S; Thence S00°05'31"E, 219.00 feet, to the northerly right-of-way limit of the BNSF railroad, a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence along said right-of-way limit S65°01'00"E, 892.02 feet to a 5/8 inch diameter rebar with blue plastic cap marked SANDERSON 70400LS, and the TRUE POINT OF BEGINNING; Thence N24°59'21"E, 40.00 feet to an unmarked computed point lying on the northerly right-of-way limit of a 40.00 foot wide access easement; Thence N24°59'21"E, 728.45 feet to a 5/8 inch diameter rebar with blue plastic cap marked SANDERSON 70400LS; Thence S56°25'43"E, 178.13 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence N89°53'56"W, 46.36 feet to an unmarked computed point; Thence S00°00'09"E, 30.85 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS; Thence S24°59'21"W, 693.54 feet to an unmarked computed point lying on the northerly right-of-way limit of a 40.00 foot wide access easement; Thence S24°59'21"W, 40.00 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES 7322LS lying on the northerly right-of-way limit of the BNSF railroad; Thence along said right-of-way limit N65°01'00"W, 231.15 feet to a 5/8 inch diameter rebar with blue plastic cap marked SANDERSON 70400LS, and the TRUE POINT OF BEGINNING, containing 4.00 acres. Subject to a 40 foot wide access easement and together with all appurtenant easements of record. The afore described parcel shall become part of Parcel "C1", as shown hereon, and shall not be conveyed as a separate tract of land.

### HISTORY OF SURVEYS

1965 - Plat No. 2179, City Sewer Plant Parcel, Jack W. Ninneman, 534ES  
1980 - COS No. 773, Retracement, Melvin D. Lauteren, 4232S  
1980 - COS No. 832, Family Transfer, Melvin D. Lauteren, 4232S  
1981 - COS No. 907, Boundary Line Adjustment, Melvin D. Lauteren, 4232S  
1986 - COS No. 2488, Sec. 33, Dependent Resurvey and Subdivision, Ronald A. Pearson, 9008LS  
2000 - COS No. 2946, Retracement and Agricultural Parcel, Alvah F. Hughes, 7322LS  
2006 - Plat No. 6713, "Kootenai Views Subdivision", Kenneth E. Davis, 4975S  
2016 - COS No. 4441, Boundary Line Adjustment, Alvah F. Hughes, 7322LS  
2019 - COS No. 4642RB, Boundary Line Adjustment, Alvah F. Hughes, 7322LS  
2022 - COS No. 4848RB, Correction Survey, Alvah F. Hughes, 7322LS

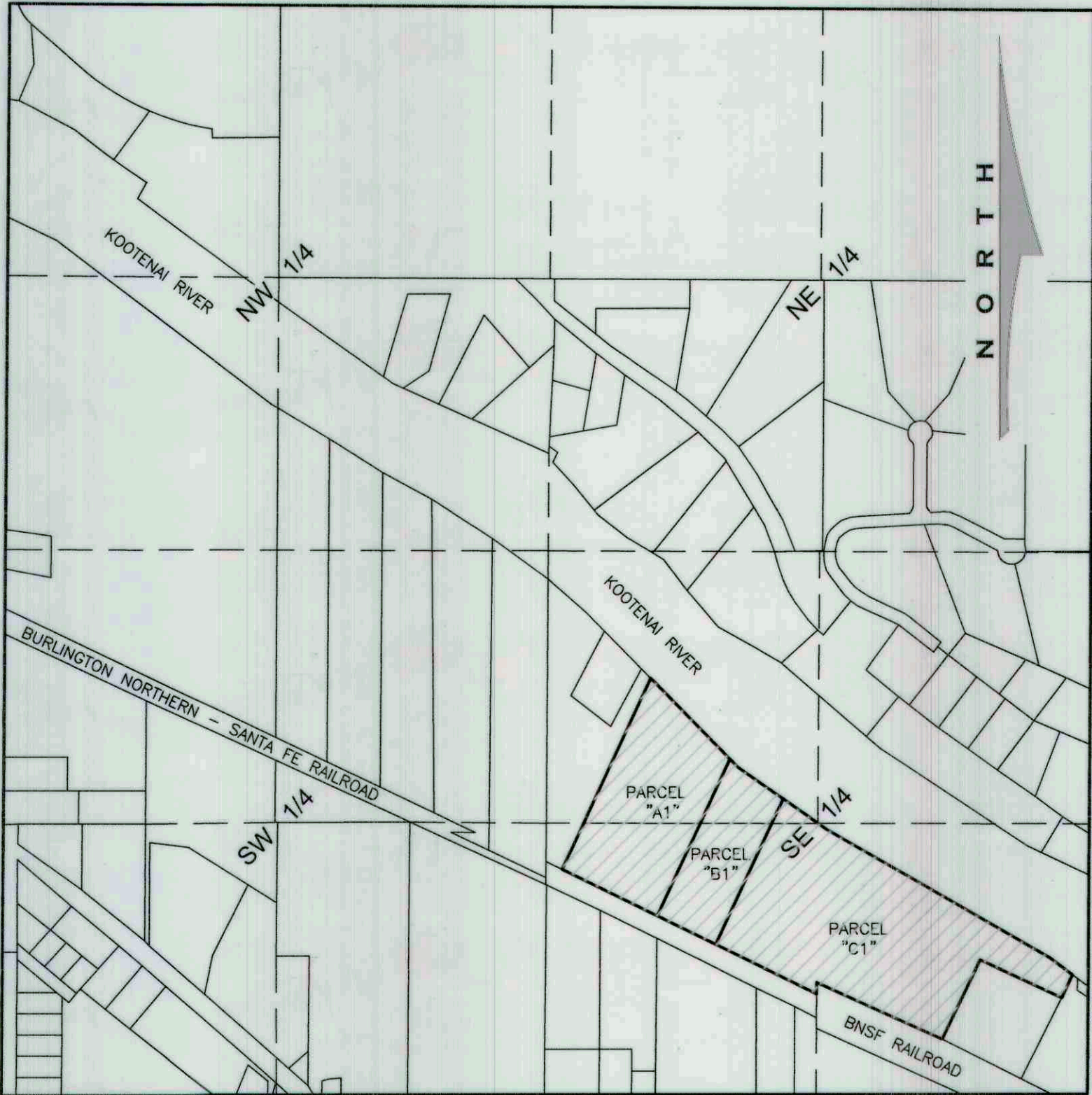
### METHOD OF SURVEY

A Trimble R10-2 GNSS GPS system was used to tie previously established controlling corners and railroad alignment by Calen Williamson, June, 2023.

### BASIS OF BEARING AND VARIATION

The basis of bearing for this survey is true north based on survey grade GPS observation. Angular variation between this survey and COS 4642RB is 00°00'00" between the southeastern Section Corner and easterly Quarter Corner, Section 33, both being a 2 1/2 inch diameter iron pipe with 3 1/4 inch BLM brass cap.

### VICINITY DIAGRAM SECTION 33



(No Scale)

# KSI

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