

# CERTIFICATE OF SURVEY

## BOUNDARY LINE ADJUSTMENT

AMENDING LOT 2, PLAT No. 6792 & PARCEL 3B, COS No. 4338RB

E1/2 NW1/4, SECTION 25, T.30N., R.31W., P.M.MT., LINCOLN COUNTY, MONTANA

FOR: TUNGSTEN HOLDINGS, INC. & FRISS DATE: FEBRUARY, 2024

### PURPOSE OF SURVEY AND EXEMPTION CERTIFICATION

We, TUNGSTEN HOLDINGS, INC. NATHAN FRISS, & KAYLA JEAN FRISS Record owners, hereby certify that the purpose of this survey and division of land is the relocation of common boundaries for five or fewer lots within a platted subdivision, pursuant to MCA 76-3-207(2)(d). We further certify that Lot 2A and Parcel 3C are excluded from sanitation review by the DEQ 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.

Tim Rooney 2-9-2024  
Representative, Tungsten Holdings, Inc. Date

Nathan Friss 3-13-2024  
Date

Kayla Jean Friss 3-13-2024  
Date

### ACKNOWLEDGMENT

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

for the State of Montana County of Lincoln

by Tim Rooney, Representative, Tungsten Holdings, Inc.

on this 9th day of February, 2024. In witness whereof,

I have hereunto set my hand and affixed my notarial seal.

Bonnie L See

residing in: Libby, MT My Commission expires: March 5, 2027

### ACKNOWLEDGMENT

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

for the State of Montana County of Lincoln

by Nathan Friss & Kayla Jean Friss

on this 13th day of March, 2024. In witness whereof,

I have hereunto set my hand and affixed my notarial seal.

Bonnie L See

residing in: Libby, MT My Commission expires: March 5, 2027

### METHOD OF SURVEY

A Trimble R10 Model 2 GNSS System was used to tie previously set controlling corners by Calen Williamson, July, 2023.

### 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.

### REFERENCED SURVEYS

1998 - Plat No. 6184, "Mountain View Acres Subdivision", Alvah F. Hughes, 7322LS  
1999 - Plat No. 6216, "Heritage Home Subdivision", Thomas E. Sands, 7975S  
1999 - Plat No. 6238, Boundary Line Adjustment, Dawn Marquardt, 7328S  
2005 - Plat No. 6792, Corrected Plat of Swede Flats, Kenneth E. Davis, 4975S  
2009 - Plat No. 7026, Correction to Plat No. 6991RB, Steven A. Boyer, 9750LS  
2015 - COS No. 4338RB, Boundary Line Adjustment, Alvah F. Hughes, 7322LS

### 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 No. 4338RB is 00°03'52" along the easterly boundary of Parcel "3B", said COS No. 4338RB.

### LEGAL DESCRIPTION: PARCEL X

An irregular tract of land, lying south of Libby, Montana, Lincoln County, within Swede Flats Subdivision, COS No. 4338RB, E1/2 NW1/4, Section 25, T.30N., R.31W., P.M.MT., and more particularly described as follows:  
Commencing at the southwest corner of Lot 2A, Plat No. 7026, a 1/2 inch diameter rebar with plastic cap marked SANDS, 7975S lying on the northerly right-of-way limit of a 40.00 foot wide road known as "Trainer Street"; Thence along said road right-of-way limit N72°55'04"W, 378.77 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON, 70400LS and the TRUE POINT OF BEGINNING; Thence continuing along said road right-of-way limit N72°55'04"W, 84.55 feet to a 5/8 inch diameter rebar with plastic cap marked KED, 4975S; Thence N00°16'55"W, 536.65 feet to a 5/8 inch diameter rebar with plastic cap marked KED, 4975S; Thence S80°21'55"E, 82.02 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON, 70400LS; Thence S00°03'19"E, 1207.78 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON, 70400LS lying on the northerly right-of-way limit of a 40.00 foot wide road known as "Trainer Street" and the TRUE POINT OF BEGINNING, containing 1.00 acres. Subject to and together with all appurtenant easements of record. The afore-described parcel shall become part of Lot 2A, 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; that the survey shown on this "Certificate of Survey" has been prepared under my direct 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 2-9-24  
Byron Sanderson, PLS 70400LS Date

### EXAMINING LAND SURVEYOR'S CERTIFICATION

Examined this day 15th of MARCH, 2024, 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.

Sudan's Carlsberg by K. Randall 3-15-2024  
Lincoln County Treasurer Date

### CLERK AND RECORDER'S CERTIFICATION

State of Montana, County of Lincoln, filed this 18 day

of March, 2024, A.D. at 12:31 o'clock

Corrine Brown by Colin Storkson  
Lincoln County Clerk and Recorder Deputy

### CERTIFICATE OF SURVEY No. 5011 RB

NORTH

TRACT A  
PLAT 6184

PARCEL 3A  
COS 4338RB

#### LEGEND

- 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED MARQUARDT 7328S
  - FOUND A 1/2 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED SANDS, 7975S
  - 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED KED, 4975S
  - 5/8 INCH DIAMETER REBAR WITH ILLEGIBLE PLASTIC CAP
  - 5/8 INCH DIAMETER REBAR WITH PLASTIC CAP MARKED HUGHES, 7322LS
  - 5/8 INCH DIAMETER REBAR WITH BLUE PLASTIC CAP MARKED SANDERSON, 70400LS
  - AN UNMARKED COMPUTED POINT
- BOUNDARY LINES
  - OLD BOUNDARY LINE
  - ADJOINING BOUNDARIES
  - DIMENSION LINE
  - COS No. 4338RB, RECORD

#### DETAIL

NO SCALE

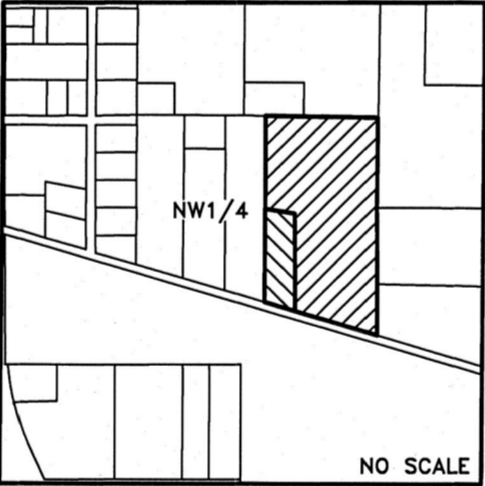
PARCEL 3B  
COS 4338RB

PARCEL 3C  
12.63 ACRES  
ARM 17.36.605(2)(b)

LOT 2A  
3.00 ACRES  
ARM 17.36.605(2)(b)  
(includes Parcel X)

LOT 2  
PLAT 6792

#### VICINITY MAP



SECTION 25

TRAINER STREET

PARCEL B1  
COS 4526RB

### LEGAL DESCRIPTION: PARCEL 3C

An irregular tract of land, lying south of Libby, Montana, Lincoln County, within Swede Flats Subdivision, Plat No. 6792, E1/2 NW1/4, Section 25, T.30N., R.31W., P.M.MT., and more particularly described as follows:  
Commencing at the southwest corner of Lot 2A, Plat No. 7026, a 1/2 inch diameter rebar with plastic cap marked SANDS, 7975S lying on the northerly right-of-way limit of a 40.00 foot wide road known as "Trainer Street" and the TRUE POINT OF BEGINNING; Thence along said road right-of-way limit N72°55'04"W, 378.77 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON, 70400LS; Thence N00°16'55"W, 547.76 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON, 70400LS; Thence N80°21'55"W, 82.02 feet to a 5/8 inch diameter rebar with plastic cap marked MARQUARDT, 7328S; Thence along the east boundary of Lot 2A, Plat No. 6238 N00°16'55"W, 514.13 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON, 70400LS; Thence along the south boundary of Parcel 3A, COS No. 4338RB N89°56'17"E, 390.58 feet to a 5/8 inch diameter rebar with plastic cap marked HUGHES, 7322LS; Thence S00°03'19"E, 1207.78 feet to a 1/2 inch diameter rebar with plastic cap marked SANDS, 7975S lying on the northerly right-of-way limit of a 40.00 foot wide road known as "Trainer Street" and the TRUE POINT OF BEGINNING, containing 12.63 acres. Subject to and together with all appurtenant easements of record.

### LEGAL DESCRIPTION: LOT 2A

An irregular tract of land, lying south of Libby, Montana, Lincoln County, within Swede Flats Subdivision, COS No. 4338RB, E1/2 NW1/4, Section 25, T.30N., R.31W., P.M.MT., and more particularly described as follows:  
Commencing at the southwest corner of Lot 2A, Plat No. 7026, a 1/2 inch diameter rebar with plastic cap marked SANDS, 7975S lying on the northerly right-of-way limit of a 40.00 foot wide road known as "Trainer Street"; Thence along said road right-of-way limit N72°55'04"W, 378.77 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON, 70400LS and the TRUE POINT OF BEGINNING; Thence continuing along said road right-of-way limit N72°55'04"W, 84.55 feet to a 5/8 inch diameter rebar with plastic cap marked KED, 4975S; Thence continuing along said road right-of-way limit N72°55'04"W, 173.64 feet to a 5/8 inch diameter rebar with plastic cap marked MARQUARDT, 7328S; Thence S80°21'55"E, 168.07 feet to a 5/8 inch diameter rebar with plastic cap marked KED, 4975S; Thence S80°21'55"E, 82.02 feet to a 5/8 inch diameter rebar with plastic cap marked SANDERSON, 70400LS lying on the northerly right-of-way limit of a 40.00 foot wide road known as "Trainer Street" and the TRUE POINT OF BEGINNING, containing 3.00 acres. Subject to and together with all appurtenant easements of record.

KSI

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

#### GRAPHIC SCALE

