CERTIFICATE OF SURVEY

BOUNDARY LINE ADJUSTMENT

IRREGULAR PLAT No. 576 & COS No. 426 NE1/4 SE1/4, SECTION 9, T.30N., R.31W., P.M.MT., LINCOLN COUNTY, MONTANA FOR: LAFATA DATE: JULY, 2024

LEGAL DESCRIPTION: PARCEL A

A tract of land, lying south of Libby, Montana, Lincoln County, in the NE1/4 SE1/4, Section 9, T.30N., R.31W., P.M.MT. and more particularly described as follows;

Commencing at the southwest corner of Lot 9, Flower Creek Homesites, a 5/8 inch diameter uncapped rebar and the TRUE POINT OF BEGINNING; Thence along the south boundary of said Lot 9, N87'52'10"E, 69.99 feet to a 5/8 inch diameter rebar with plastic cap marked JHN, 4661S; Thence continuing along said south boundary, N87*52'10"E, 12.96 feet to an unmarked computed point lying in the mid-channel of Flower Creek; Thence generally following said mid-channel of Flower Creek, per COS No. 426 & 2590, the following ten courses all ending in an unmarked computed point: Thence S10°39'05"E, 51.92 feet; Thence S10°39'05"E, 23.02 feet; Thence S70°19'35"E, 67.74 feet; Thence S23'46'05"E, 38.10 feet; Thence S23'46'05"E, 50.05 feet; Thence S44'51'05"E, 106.39 feet; thence 43'41'05"E, 104.27 feet; Thence S21'24'05"E, 80.71 feet; Thence S12'59'05"E, 77.05 feet; Thence S05'34'05"E, 18.05 feet; Thence leaving said mid-channel, S89'53'01"W, 75.19 feet to a 5/8 inch diameter rebar with blue plastic cap marked SANDERSON, 70400LS; Thence S89°53'01"W, 152.19 feet to an unmarked computed point; Thence S89°53'01"W, 153.12 feet to a 5/8 inch diameter rebar with blue plastic cap marked SANDERSON, 70400LS lying on the easterly right—of—way limit of a 50.00 foot wide road known as "Flower Creek Road"; Thence along said road right—of—way limit the following three courses: Thence along a curve to the right: Delta 19°07'42", Radius 932.66 feet, arc length 311.37 feet to a 5/8 inch diameter rebar with blue plastic cap marked SANDERSON, 70400LS; Thence N05°23'14"E, 92.45 feet to a 5/8 inch diameter rebar with blue plastic cap marked SANDERSON, 70400LS; Thence along a curve to the left: Delta 07°22'31", Radius 720.80 feet, arc length 92.78 feet to the southwest corner of Lot 9, Flower Creek Homesites, a 5/8 inch diameter uncapped rebar and the TRUE POINT OF BEGINNING, containing 3.00 acres. Subject to and together with all appurtenant easements of

LEGAL DESCRIPTION: PARCEL B

A tract of land, lying south of Libby, Montana, Lincoln County, in the NE1/4 SE1/4, Section 9, T.30N., R.31W., P.M.MT. and more particularly described as follows; Commencing at the C-E-SE 1/64 corner of said Section 9, a 5/8 inch diameter uncapped rebar; Thence along the north boundary of the SE1/4 SE1/4 of said section N89°53'01"E, 126.19 feet to a 5/8 inch diameter rebar with blue plastic cap marked SANDERSON, 70400LS lying on the easterly right-of-way limit of a 50.00 foot wide road known as "Flower Creek Road" and the TRUE POINT OF BEGINNING; Thence along said road right-of-way limit the following four courses, each ending in a 5/8 inch diameter rebar with blue plastic cap marked SANDERSON, 70400LS: Thence through a curve to the left: Delta 03'20'17", Radius 1228.51 feet, arc length 71.57 feet; Thence N17*50'46"W, 67.19 feet; Thence N17*50'46"W, 70.39 feet; Thence through a curve to the right: Delta 04'06'17", Radius 932.66 feet; arc length 66.82 feet; Thence leaving said road right-of-way limit, N89'53'01"E, 153.12 feet to an unmarked computed point; Thence N89°53'01"E, 152.19 feet to a witness corner, a 5/8 inch diameter rebar with blue plastic cap marked SANDERSON, 70400LS; Thence N89'53'01"E, 75.19 feet to an unmarked computed point lying in the approximate mid-channel of Flower Creek; Thence generally following said mid-channel of Flower Creek the following three courses, each ending in an unmarked computed point; Thence S05'34'05"E, 57.32 feet; Thence S03'18'05"E, 75.12 feet; Thence S07'09'05"E, 133.08 feet to the north boundary of the SE1/4 SE1/4, Section 9; Thence along said north boundary the following three courses: S89'53'01"W, 65.00 feet to a 5/8 inch diameter rebar with blue plastic cap marked SANDERSON, 70400LS; Thence S89.53'01"W, 124.90 feet to an unmarked computed point; Thence S89°53'01"W, 136.77 feet to a 5/8 inch diameter rebar with blue plastic cap marked SANDERSON, 70400LS lying on the easterly right-of-way limit of a 50.00 foot wide road known as "Flower Creek Road" and the TRUE POINT OF BEGINNING, containing 2.14 acres. Subject to and together with all appurtenant easements of record. Includes.

LEGAL DESCRIPTION: PARCEL X

A tract of land, lying south of Libby, Montana, Lincoln County, in the NE1/4 SE1/4, Section 9, T.30N., R.31W., P.M.MT. and more particularly described as follows; Commencing at the southwest corner of Lot 9, Flower Creek Homesites, a 5/8 inch diameter uncapped rebar; Thence along the south boundary of said Lot 9, N87*52'10"E, 69.99 feet to an unrecorded 5/8 inch diameter rebar with plastic cap marked NINNEMAN, 4661S; Thence continuing along said south boundary N87'52'10"E, 12.96 feet to and unmarked computed point lying in the mid-channel of Flower Creek; Thence generally following said mid-channel of Flower Creek, \$10°39'05"E, 51.92 feet to an unmarked computed point and the TRUE POINT OF BEGINNING; Thence continuing along said mid-channel the following three courses, each ending in an unmarked computed point: Thence S10°39'05"E, 23.02 feet; Thence S70°19'35"E, 67.74 feet; Thence S23'46'05"E, 38.10 feet; Thence leaving said mid-channel. S21°03'44"E, 391.10 feet to a 5/8 inch diameter rebar with blue plastic cap marked SANDERSON, 70400LS; Thence N89'53'01"E, 152.19 feet to an unmarked computed point; Thence N13'36'44"W, 458.36 feet to an unmarked computed point; Thence N89°51'16"E, 36.11 feet to an unmarked compute point and the TRUE POINT OF BEGINNING, containing 1.19 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.

LEGAL DESCRIPTION: PARCEL Y

A tract of land, lying south of Libby, Montana, Lincoln County, in the NE1/4 SE1/4, Section 9, T.30N., R.31W., P.M.MT. and more particularly described as follows; Commencing at the C-E-SE 1/64 corner of said Section 9, a 5/8 inch diameter uncapped rebar; Thence along the north boundary of the SE1/4 SE1/4 of said section N89°53'01"E, 126.19 feet to a 5/8 inch diameter rebar with blue plastic cap marked SANDERSON, 70400LS lying on the easterly right-of-way limit of a 50.00 foot wide road known as "Flower Creek Road" and the TRUE POINT OF BEGINNING; Thence along said road right-of-way limit the following four courses, each ending in a 5/8 inch diameter rebar with blue plastic cap marked SANDERSON, 70400LS: Thence through a curve to the left: Delta 03°20'17", Radius 1228.51 feet, arc length 71.57 feet; Thence N17°50'46"W, 67.19 feet; Thence N17'50'46"W, 70.39 feet; Thence through a curve to the right: Delta 04'06'17", Radius 932.66 feet; arc length 66.82 feet; Thence leaving said road right-of-way limit, N89°53'01"E, 153.12 feet to an unmarked computed point; Thence S13'36'44"E, 271.64 feet to the north boundary of the SE1/4 SE1/4 of Section 9, an unmarked computed point; Thence along said north boundary, S89°53'01"W, 136.77 feet to a 5/8 inch diameter rebar with blue plastic cap marked SANDERSON, 70400LS lying on the easterly right—of—way limit of a 50.00 foot wide road known as "Flower Creek Road" and the TRUE POINT OF BEGINNING, containing 0.88 acres. Subject to and together with all appurtenant easements of record. The afore—described parcel shall become part of Parcel B, as shown hereon, and shall not be conveyed as a

LEGAL DESCRIPTION: PARCEL Z

A tract of land, lying south of Libby, Montana, Lincoln County, in the NE1/4 SE1/4, Section 9, T.30N., R.31W., P.M.MT. and more particularly described as follows; Commencing at the C-E-SE 1/64 corner of said Section 9, a 5/8 inch diameter uncapped rebar; Thence along the north boundary of the SE1/4 SE1/4 of said section N89°53'01"E, 452.86 feet to an unmarked computed point and the TRUE POINT OF BEGINNING; Thence leaving said north boundary, N21°03'44"W, 282.83 feet to a witness corner, a 5/8 inch diameter rebar with blue plastic cap marked SANDERSON.

70400LS; Thence N89°53'01"E, 75.19 feet to an unmarked computed point lying in the mid-channel of Flower Creek; Thence generally following said mid-channel of Flower Creek, the following three courses, each ending in an unmarked computed point: Thence S05°34'05"E, 57.32 feet; Thence S03°18'05"E, 75.12 feet; Thence S07'09'05"E, 133.08 feet to an unmarked compute point lying of the north boundary of the Se1/4 SE1/4, Section 9, and the TRUE POINT OF BEGINNING, containing 0.22 acres. Subject to and together with all appurtenant easements of record. The afore-described parcel shall become part of Parcel B, as shown hereon, and shall not be conveyed as a separate tract of land.

LAND SURVEYING - AERIAL DATA COLLECTION - GEOSPATIAL CONTROL

LIBBY, MONTANA

(406)293-4354

PURPOSE OF SURVEY AND EXEMPTION CERTIFICATION

We, ROBERT LAFATA and ANNETTE LAFATA, record owners, hereby certify that the purpose of this survey and division of land is is the relocation of common boundaries pursuant to MCA 76-3-207(1)(a): "divisions made outside of platted subdivisions for the purpose of relocating common boundary lines between adjoining properties".

We also certify that Parcel A is excluded from sanitation review by the DEQ pursuant to ARM 17.36.605(2)(c): "a parcel that will be affected by a proposed boundary line adjustment, if the parcel has existing facilities for water supply, wastewater disposal, storm drainage, or solid waste disposal that were not subject to review, and have not been reviewed under Title 76, chapter 4, part 1, MCA, and if: (i) no facilities, other than those in existence prior to the boundary line adjustment, or those that were previously approved as replacements for the existing facilities, will be constructed on the parcel; (ii) existing facilities on the parcel complied with state and local laws and regulations, including permit requirements, which were applicable at the time of installation; and (iii) the local health officer determines that existing facilities are adequate for the existing use. As a condition of the exemption, the local health officer may require evidence that: (A) existing septic tanks have been pumped within the previous three years; (B) the parcel includes acreage or features sufficient to accommodate a replacement drainfield; (C) existing wells are adequate for the proposed uses; and (D) adequate storm drainage and solid waste disposal are provided.

We also further that Parcel B is excluded from sanitation review by the DEQ 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".

ACKNOWLEDGMENT

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

In witness whereof, I have hereunto set my hand and affixed my notorial seal.

residing in: Nevada County My Commission expires: 5/16/28

SHARON C. RODRIGUEZ Notary Public - California Nevada County Commission # 2488000 m. Expires May 16, 2028

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 MONT with the Montana Code Annotated, Sections 76-3-101 through 76-3-625, and the Lincoln County....... Regulations adopted <u>purs</u>uant thereto.

<u>BOUNDARY ADJUSTMENT NOTE</u>

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.

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. 2590 is 00°15'25" between the northeast 1/4 corner and southeast section corner of Section 9, COS No. 2590, both being a 3.25 inch diameter BLM brass cap.

METHOD OF SURVEY

A Trimble R10 Model 2 GNSS System was used to tie previously set controlling corners by Byron Sanderson and Calen Williamson, August, 2023

REFERENCED SURVEYS & DOCUMENTS

1959 - Plat No. 576, Quitclaim Survey, Ira Miller, 4023 1964 - Plat No. 0000, Flower Creek Homesites, J. W. Ninneman, 534ES

1964 - Plat No. 1009, Hall-Nelson Lot "C", J. W. Ninneman, 534ES

1976 - COS No. 426, Retracement Survey, J. W. Ninneman, 534ES 1997 - COS No. 2590, Set 1/16th Corner, Bryan B. Block, 7918S 2009 - COS No. 3911, Retracement Survey, James R. Staples, 9958LS

COUNTY TREASURER'S CERTIFICATION I hereby certify that all real property taxes and special assessmen

CLERK AND RECORDER'S CERTIFICATION

State of Montana, County of Lincoln, filed this 22 day

of August 2024, A.D. at 10:06 o'clock

CERTIFICATE OF SURVEY No. 5065 83

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No. 7040

