

# Certificate of Survey: To Create a Tract for Agricultural Purposes

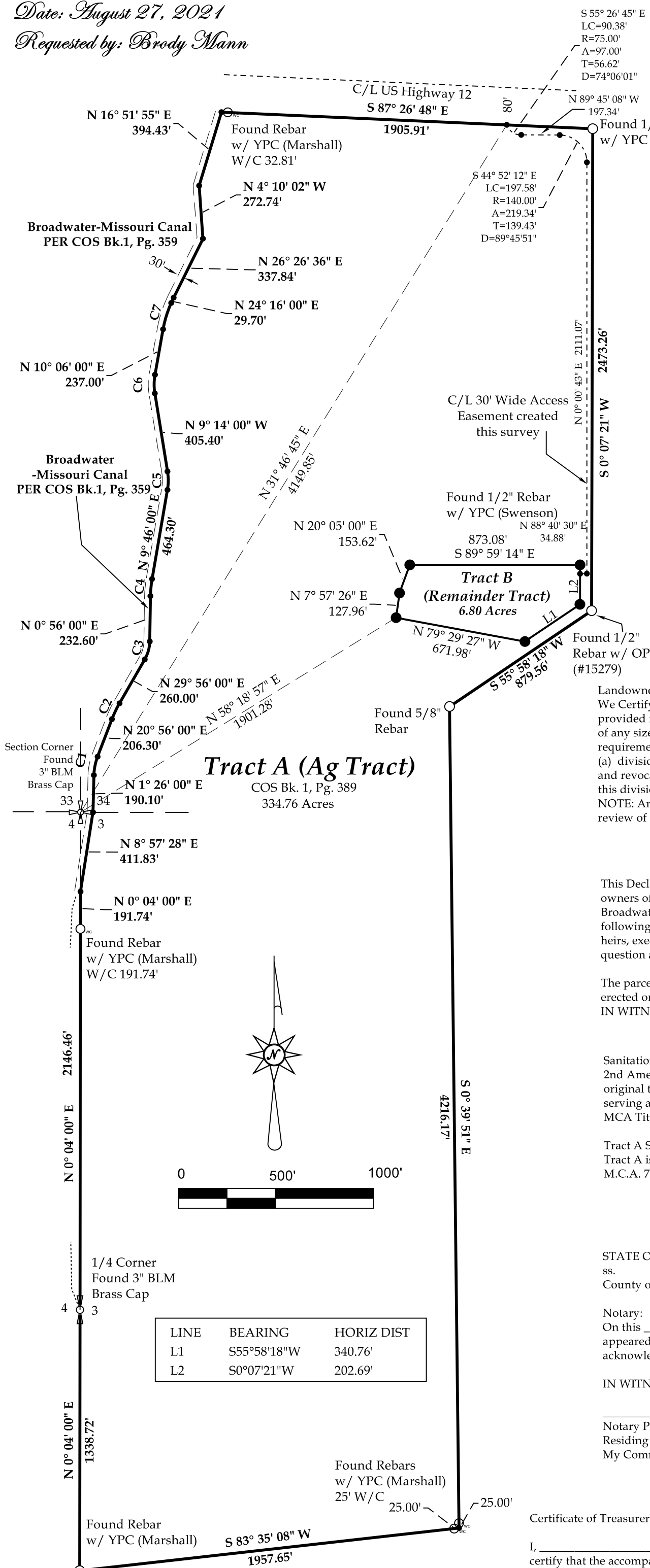
Situated in part of the W 1/2 of Section 34, Township 7 North, Range 2 East,  
and part of the W 1/2 of Section 3, Township 6 North, Range 2 East, P.M.M.,  
Broadwater County, Montana

Landowner: Bruce Properties LLC

Date: August 27, 2021

Requested by: Brody Mann

CURVE	BEARING	HORIZ DIST	RADIUS	ARC	DELTA	TANGENT
C1	N11°10'57"E	97.03'	286.50'	97.50'	19°29'55"	49.23'
C2	N25°25'59"E	89.91'	573.00'	90.00'	8°59'58"	45.09'
C3	N15°25'46"E	95.67'	191.00'	96.70'	29°00'28"	49.41'
C4	N5°20'53"E	88.21'	573.00'	88.30'	8°49'46"	44.24'
C5	N0°16'03"E	94.57'	286.50'	95.00'	18°59'55"	47.94'
C6	N0°26'09"E	96.24'	286.50'	96.70'	19°20'19"	48.81'
C7	N17°11'04"E	141.34'	573.00'	141.70'	14°10'08"	71.21'



**Legal Description:**  
Tract A (Ag Tract)  
A tract of land situated in part of the W 1/2 of Section 34, Township 7 North, Range 2 East, and part of the W 1/2 of Section 3, Township 6 North, Range 2 East, P.M.M., Broadwater County, Montana and being more particularly described as follows: Commence at the W 1/4 Corner of said Section 3 for the Point of Beginning; Thence along the section line common to Sections 3 and 4 N00°04'00"E, a distance of 2146.46 feet to a point on the easterly right-of-way of the Broadwater-Missouri Canal; Thence leaving said section line and along said easterly right-of-way of the Broadwater-Missouri Canal the following nineteen (19) courses: N8°57'28"E, for a distance of 411.83 feet; Thence N1°26'00"E, for a distance of 190.10 feet; Thence along a 286.50 feet radius curve to the right an arc distance of 97.50 feet, chord bears N11°10'57"E 97.03 feet; Thence N20°56'00"E, a distance of 206.30 feet; Thence along a 573.00 feet radius curve to the right an arc distance of 90.00 feet, chord bears N25°25'59"E 89.91 feet; Thence N29°56'00"E, a distance of 260.00 feet; Thence along a 191.00 feet radius curve to the left an arc distance of 96.70 feet, chord bears N15°25'46"E 95.67 feet; Thence N0°56'00"E, a distance of 232.60 feet; Thence along a 573.00 feet radius curve to the right an arc distance of 88.30 feet, chord bears N5°20'53"E 88.21 feet; Thence N9°46'00"E, a distance of 464.30 feet; Thence along a 286.50 feet radius curve to the left an arc distance of 95.00 feet, chord bears N0°16'03"E 94.57 feet; Thence N9°14'00"W, a distance of 405.40 feet; Thence along a 286.50 feet radius curve to the right an arc distance of 96.70 feet, chord bears N0°26'09"E 96.24 feet; Thence N10°06'00"E, a distance of 237.00 feet; Thence along a 573.00 feet radius curve to the right an arc distance of 141.70 feet, chord bears N17°11'04"E 141.34 feet; Thence N24°16'00"E, a distance of 29.70 feet; Thence N26°26'36"E, for a distance of 337.84 feet; Thence N4°10'02"W, for a distance of 272.74 feet; Thence N16°51'55"E, for a distance of 394.43 feet to a point on the southerly right-of-way of US Highway No. 12; Thence leaving said canal and along said highway S87°26'48"E, for a distance of 1905.91 feet; Thence leaving said highway right-of-way S00°07'21"W, for a distance of 2473.26 feet; Thence S55°58'18"W, for a distance of 879.56 feet; Thence S00°39'51"E, for a distance of 4216.17 feet; Thence S83°35'08"W, for a distance of 1957.65 feet to a point on the aforementioned section line common said Sections 3 and 4; Thence N0°04'00"E for a distance of 1338.72 feet to the Point of Beginning, Excepting a tract of land being Tract B, containing 6.80 Acres more or less. Said Parcel being a Net Acreage of 37.96 more or less and being served by an subject to rights-of-way and easements as shown, existing, or of record.

Tract B (Remainder Tract)  
A tract of land situated in part of the W 1/2 of Section 34, Township 7 North, Range 2 East, P.M.M., Broadwater County, Montana and being more particularly described as follows: Commence at the SW Corner of said Section 34; Thence N58°18'57"E for distance of 1901.28 feet to the True Point of Beginning; Thence N7°57'26"E, a distance of 127.96 feet; Thence N20°05'00"E, for a distance of 153.62 feet; Thence S89°59'14"E, for a distance of 873.08 feet; Thence S00°07'21"W, for a distance of 202.69 feet; Thence S55°58'18"W, for a distance of 340.76 feet; Thence N79°29'27"W, for a distance of 671.98 feet to the True Point of Beginning, said parcel being 6.80 Acres more or less and being served by and subject to rights-of-way and easements as shown, existing, or of record.

Road Easement  
A 30' Wide Road Easement situated in the W 1/2 of Section 34, Township 7 North, Range 2 East, Broadwater County, Montana and whose centerline is more particularly described as follows: Commencing at a Point on the southerly right-of-way of US Highway No. 12 from which the SW Corner of said Section 34 bears S31°46'45"W for a distance of 4149.85 feet for the Point of Beginning; Thence along said centerline a distance of 97.00 feet along the arc of a curve concave to the northeast having a 75.00 feet and a central angle of 74°06'01" and being subtended by a chord which bears S55°26'45"E 90.38 feet; Thence S89°45'08"E, for a distance of 197.34 feet; Thence along a 140.00 feet radius curve to the right an arc distance of 219.34 feet, chord bears S44°52'12"E 197.58 feet; Thence S00°07'21"W, a distance of 2111.07 feet; Thence S88°40'30"W, for a distance of 34.88 feet to a point on the easterly boundary of Tract B and point of terminus.

**Landowners' Certification:**  
We Certify that the purpose of this survey is to create a parcel of land to be used exclusively for agricultural purpose. According to 76-3-207(1)(c), MCA: Except as provided in subsection (2), unless the method of disposition is adopted for the purpose of evading this chapter, the following divisions or aggregations of tracts of record of any size, regardless of the resulting size of any lot created by the division or aggregation, are not subdivisions under this chapter but are subject to the surveying requirements of 76-3-401 for divisions or aggregations of land other than subdivisions and are subject to applicable zoning regulations adopted under Title 76, chapter 2: (a) divisions made outside of platted subdivisions by gift, sale, or agreement to buy and sell in which the parties to the transaction enter a covenant running with the land and revocable only by mutual consent of the governing body and the property owner that the divided land will be used exclusively for agricultural purposes; Therefore, this division of land is exempt from review as a subdivision pursuant to section 76-3-207(1)(a), MCA.  
NOTE: Any change in use of the land for anything other than agricultural purposes subjects the parcels to review and approval following the procedures established for review of subdivisions (section 76-3-207 <2> <b>, MCA, and ARM 17.36.605 <1> <h>).

**DECLARATION OF AGRICULTURAL COVENANT**  
This Declaration, made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, By: Bruce Seed Properties LLC, hereinafter referred to as the "Declarant"; That whereas, Declarant are the owners of certain properties described as \_\_\_\_\_ of Certificate of Survey number \_\_\_\_\_ on file and of record in the office of the Clerk and Recorder of Broadwater County, Montana. Now, therefore, Declarant hereby declare that the parcels described above shall be held, sold, and conveyed in any matter subject to the following covenant, which shall run with the real property and be binding on all parties having any right, title or interest in the described properties or any part thereof, their heirs, executors, successors, administrators, and assignees, and shall bind each owner thereof. This covenant may be revoked by mutual consent of the owners of the parcels in question and the governing body of Broadwater County. The governing body is deemed to be a party to and may enforce this covenant. TO WIT.

The parcels described above shall be used exclusively for agricultural purposes and no building, house, dwelling, or structure requiring water or sewage facilities may be erected or utilized thereon.  
IN WITNESS WHEREOF, the undersigned, being the Declarant, herein, have hereunto set their hands this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Sanitation Exemption Remainder Tract 1  
2nd Amended Tract 1 is excluded from sanitation review by the Department of Environmental Quality pursuant to MCA 76-4-125 (1)(e)(ii) as a remainder of an original tract created by segregating a parcel from the tract for purposes of transfer because the remainder is 1 acre or larger and has an individual sewage system serving a discharge source that was in existence prior to April 29, 1993, and if required when installed, the system was approved pursuant to local regulations or MCA Title 76, Chapter 4.

Tract A Sanitation Exemption:  
Tract A is 20 acres or greater, exclusive of public roadways, and is therefore not subject to sanitation review by the Department of Environmental Quality pursuant to M.C.A. 76-4-102 (22).

Landowner: \_\_\_\_\_  
Bruce Properties LLC

STATE OF MONTANA )  
ss. )  
County of \_\_\_\_\_ )

Notary:  
On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned, a Notary Public for the State of Montana, personally appeared \_\_\_\_\_, known to me to be the \_\_\_\_\_ (title) of Bruce Properties LLC, the corporation that executed the within instrument, and acknowledged to me that he executed the same for and on behalf of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.

Notary Public for the State of Montana  
Residing at \_\_\_\_\_, Montana  
My Commission Expires \_\_\_\_\_

Certificate of Treasurer:  
I, \_\_\_\_\_, Treasurer of Broadwater County, Montana, do hereby certify that the accompanying plat has been duly examined and that all real property taxes and special assessments assessed and levied on the land to be subdivided have been paid through \_\_\_\_\_.  
Tax ID No. \_\_\_\_\_  
Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Treasurer of Broadwater County

Certificate of Clerk and Recorder:  
I, \_\_\_\_\_, Clerk and Recorder of Broadwater County, Montana, do hereby certify that the foregoing instrument was filed in my office at \_\_\_\_\_ o'clock, (am or pm), the \_\_\_\_ day of \_\_\_\_\_, AD, 20\_\_\_\_, and recorded in Book \_\_\_\_\_ of Plats on Page \_\_\_\_\_, Records of the Clerk and Recorder, Broadwater County, Montana. Document No. \_\_\_\_\_

Clerk and Recorder

Certificate of Examination:  
Reviewed for errors and omissions in calculations and drafting this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, pursuant to Section 76-3-611(2)(a), MCA.

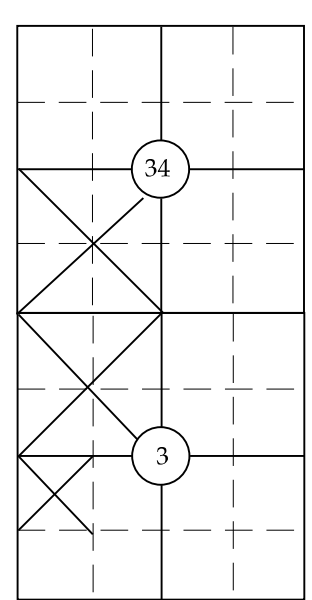
Montana Registration No. \_\_\_\_\_

**LEGEND**

	Section Corner
	Quarter Corner
	Witness Corner
	Rebar
	Set Rebar

Certificate of Surveyor:  
I hereby certify this Certificate of Survey is a true representation of a survey performed under my supervision and completed on August 27, 2021 and described the same as shown on this Certificate of Survey in accordance with the provisions of the Montana Subdivision and Platting Act.  
Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Surveyor:  
Dan Swenson P.L.S. No. 15279  
P.O. Box 177  
Townsend, Mt. 59644



Sec. 34, T. 7 N., R. 2 E.,			
Sec. 3, T. 6 N., R. 2 E., P.M.M., Broadwater Co., Mt.			
Bruce Properties LLC.			
Agricultural Tract			
Schauber Surveying		266-4602	
SCALE	PRINT DATE	FILE NAME	
500 Ft/In	9-21-2021	4423CR.trv	
DRAWN BY	REVISION	SHEET	JOB
DLS		1/1	4423