

Certificate of Survey No. _____: To Relocate Boundaries Between Adjacent Properties

Situating in Part of the SE 1/4 of Section 8 and part of the SW 1/4 of Section 9,
All being in Township 5 North, Range 2 East, P.M.M., Broadwater County, Montana

Landowner: Clifford and Rhoda Herschberger

Date: July 30, 2021

Amended Tract D

A Tract of land being part of Tract D of Certificate of Survey filed in Book 2, Page 547, situated in part of the SE 1/4 of Section 8, Township 5 North, Range 2 East, P.M.M., Broadwater County, Montana being more particularly described as follows: Commence at the S 1/4 corner of said section; Thence along the South boundary of said section N89°50'30"E, for a distance of 878.37 feet; Thence leaving said section line N00°00'00"E for a distance of 886.88 feet to the Southwest corner of herein described tract of land and True Point of Beginning; Thence N00°00'00"E, a distance of 1782.30 feet to the east-west mid-section line of said Section 8; Thence along said mid-section line N89°34'58"E, for a distance of 488.81 feet; Thence leaving said mid-section line S00°00'00"E, for a distance of 1782.30 feet; Thence S89°34'58"W, for a distance of 488.81 feet to the True Point of Beginning, said parcel being 20.00 Acres more or less and being served by and subject to rights-of-way and easements as shown, existing, or of record.

Tract F

A Tract of land being all of Government Lot 6, situated in part of the SW 1/4 of Section 9 and part of Tract D of Certificate of Survey filed in Book 2, Page 547, situated in part of the SE 1/4 of Section 8 all being in Township 5 North, Range 2 East, P.M.M., Broadwater County, Montana and being more particularly described as follows: Commencing at the Southeast corner of said Section 8 for the Point of Beginning; Thence along the South boundary of said Section 8 S89°50'30"E, for a distance of 1848.25 feet; Thence leaving said section boundary N00°00'00"E, for a distance of 886.88 feet; Thence N89°34'58"E, for a distance of 488.81 feet; Thence N00°00'00"E, for a distance of 1782.30 feet to the east-west mid-section line of said Section 8; Thence along said mid-section line N89°34'58"E, for a distance of 1201.08 feet to the high water line of the Missouri River; Thence along said high water line the following nineteen (19) courses: S17°45'12"E, for a distance of 126.74 feet; Thence S15°53'36"E, for a distance of 123.78 feet; Thence S18°09'08"E, for a distance of 140.31 feet; Thence S13°17'00"E, for a distance of 107.80 feet; Thence S15°50'42"E, for a distance of 197.72 feet; Thence S17°44'34"E, for a distance of 59.19 feet; Thence S24°44'31"E, for a distance of 272.73 feet; Thence S21°12'23"E, for a distance of 141.36 feet; Thence S20°08'16"E, for a distance of 172.24 feet; Thence S62°40'59"E, for a distance of 51.47 feet; Thence S27°20'39"E, for a distance of 79.82 feet; Thence S57°33'45"E, for a distance of 103.08 feet; Thence S25°52'18"E, for a distance of 158.98 feet; Thence S20°27'39"E, for a distance of 125.48 feet; Thence S25°25'41"E, for a distance of 188.36 feet; Thence S18°30'47"E, for a distance of 279.18 feet; Thence S16°01'20"E, for a distance of 187.99 feet; Thence S21°55'46"E, for a distance of 183.45 feet; Thence S24°50'16"E, for a distance of 224.20 feet to the South boundary of aforementioned Section 9; Thence S89°19'59"W, for a distance of 946.01 feet to the Point of Beginning, said parcel being 116.21 Acres more or less and being served by and subject to rights-of-way and easements as shown, existing, or of record.

Sanitation Exemption:

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

Landowners' Certification:

We hereby certify that the purpose of this survey is to relocate a common boundary line between adjoining properties outside a platted subdivision and that no additional parcels are hereby created. According to 76-3-207 (1)(a), 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 for the purpose of relocating common boundary lines between adjoining properties. Therefore, this division of land is exempt from review as a subdivision pursuant to section 76-3-207(1)(a), MCA.

The area that is being removed from one tract of record and joined with another tract of record is not itself a tract of record. Said area shall not be available as a referenced legal description in any subsequent real property transfer after the initial transfer associated with the certificate of survey on which said area is described, unless said area is included with or excluded from adjoining tracts of record ARM 24.183.1104 1 (a) (f) (iii) (C)

Landowners:

Clifford Herschberger Rhoda Herschberger

Notary:

On this ___ day of _____, 20___, before me a Notary Public for the State of Montana, personally appeared Clifford Herschberger and Rhoda Herschberger, known to me to be the persons whose names subscribed to the within instrument, and acknowledged to me that they executed the same.

Residing at _____
Notary public for the State of Montana.
My Commission Expires _____

Certificate of Surveyor:

I hereby certify this Certificate of Survey a true representation of a survey performed under my supervision and completed on August 20, 201 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

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. _____

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. _____

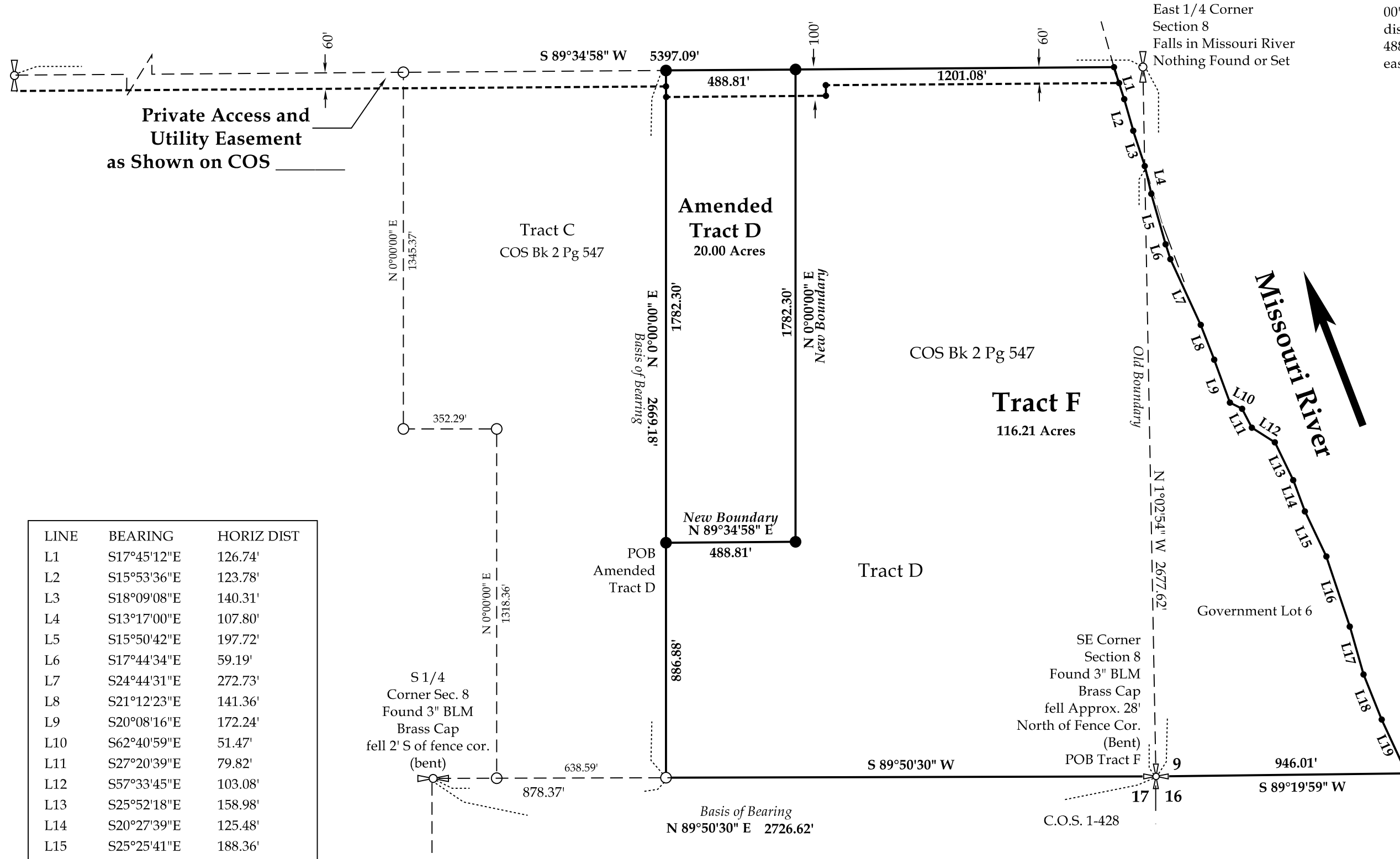
Clerk and Recorder

Certificate of 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



LINE	BEARING	HORIZ DIST
L1	S17°45'12"E	126.74'
L2	S15°53'36"E	123.78'
L3	S18°09'08"E	140.31'
L4	S13°17'00"E	107.80'
L5	S15°50'42"E	197.72'
L6	S17°44'34"E	59.19'
L7	S24°44'31"E	272.73'
L8	S21°12'23"E	141.36'
L9	S20°08'16"E	172.24'
L10	S62°40'59"E	51.47'
L11	S27°20'39"E	79.82'
L12	S57°33'45"E	103.08'
L13	S25°52'18"E	158.98'
L14	S20°27'39"E	125.48'
L15	S25°25'41"E	188.36'
L16	S18°30'47"E	279.18'
L17	S16°01'20"E	187.99'
L18	S21°55'46"E	183.45'
L19	S24°50'16"E	224.20'

Basis of Bearing: COS Bk. 2, Pg. 547

LEGEND

- Section Corner as Noted
- Quarter Corner as Noted
- Rebar
- Set Rebar with Orange Plastic Cap (#15279)
- P.O.B. Point of Beginning
- Point of Record

T. 5 N., R. 2 E.	
SE 1/2 Sec. 8, & SW 1/4 Sec. 9 T. 5 N., R. 2 E.	
Clifford Herschberger	
Boundary Relocation	
Schauber Surveying 266-4602	
SCALE 400 Ft./In	PRINT DATE 8-19-2021
DRAWN BY IAS	REVISION 1/1
FILE NAME 4429CR.Irv	SHEET 4429
JOB	