

Amended Plat of the Parcel 11A Minor Subdivision
Certificate of Survey No. _____: To Relocate Boundaries Between Adjacent Properties
Situated in part of the E 1/2 of Section 33, Township 8 North, Range 1 East, P.M.M., Broadwater County, Montana

Landowner: Dave Hopper
August 24, 2021

CURVE	BEARING	HORIZ DIST	RADIUS	ARC	DELTA	TANGENT
C1	N32°53'25"W	199.09'	4019.72'	199.11'	2°50'17"	99.58'
C2	N34°30'32"W	22.48'	4019.72'	22.48'	0°19'14"	11.24'

Legal Description:
2nd Amended Parcel 11A-2
 A tract of land being all of Amended Parcel 11A-2 and part of Amended Parcel 11A-3 of Certificate of Survey filed in Book 2 of Plats, Page 197, being situated in part of the E 1/2 of Section 33, Township 8 North, Range 1 East, P.M.M., Broadwater County, Montana and being more particularly described as follows: Commencing at a point on the the Easterly right-of-way of the Montana Rail Link Railroad, said corner also being the northwest corner of herein described tract of land and Point of Beginning; Thence leaving said railroad right-of-way N55°40'04"E, a distance of 274.44 feet; Thence S34°38'40"E, for a distance of 264.46 feet; Thence N55°10'42"E, for a distance of 747.66 feet to a point on the centerline of Antelope Road; Thence along said centerline the following two (2) courses: S00°32'52"E, for a distance of 357.78 feet; Thence S27°41'19"E, for a distance of 176.95 feet; Thence leaving said centerline S60°56'42"W, for a distance of 529.86 feet; Thence N38°20'34"W, for a distance of 121.44 feet; Thence S60°54'51"W, for a distance of 266.18 feet to the aforementioned Easterly right-of-way of the Montana Rail Link Railroad; Thence N34°38'40"W, for a distance of 536.98 feet to the Point of Beginning, said parcel being 9.71 Acres more or less and being served by and subject to rights-of-way and easements as shown, existing, or of record.

2nd Amended Parcel 11A-3
 A tract of land being part of Amended Parcel 11A-3 of Certificate of Survey filed in Book 2 of Plats, Page 197, being situated in part of the E 1/2 of Section 33, Township 8 North, Range 1 East, P.M.M., Broadwater County, Montana and being more particularly described as follows: Commencing at a point on the the Easterly right-of-way of the Montana Rail Link Railroad, said corner also being the northwest corner of herein described tract of land and Point of Beginning; Thence leaving said railroad right-of-way N60°54'51"E, a distance of 266.18 feet; Thence S38°20'34"E, for a distance of 121.44 feet; Thence N60°56'42"E, for a distance of 529.86 feet to a point on the centerline of Antelope Road; Thence along said centerline S27°41'19"E, for a distance of 247.76 feet; Thence leaving said centerline S51°22'33"W, for a distance of 772.01 feet to the aforementioned Easterly right-of-way of the Montana Rail Link Railroad; Thence along said right-of-way and along a 4019.72 foot radius curve to the left (chord bears N34°30'32"W 22.48 feet) an arc length of 22.48 feet; Thence N34°38'40"W, for a distance of 475.62 feet to the Point of Beginning, said parcel being 6.37 Acres more or less and being served by and subject to rights-of-way and easements as shown, existing, or of record.

Landowner's Certification:
 I, hereby certify that the purpose of this survey is to relocate common boundaries between existing lots within a platted subdivision. According to 76-3-207 (1)(d), MCA: "(1) 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: (d) for five or fewer lots within a platted subdivision, the relocation of common boundaries"

Therefore, this survey is exempt from review as a subdivision pursuant to said section 76-3-207 (1)(d), MCA. According to ARM 24.183.1104(1)(a)(f)(iii)(c): "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."

According to Section 17.36.605 (2)(b) ARM:
 (2) The reviewing authority may exclude the following parcels created by divisions of land from review under Title 76, chapter 4, part 1, MCA, unless the exclusion is used to evade the provisions of that part:
 (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

Sanitation Exemption 2nd Amended Parcel 11A-3
 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.

Landowners: _____
 Grace C. Hopper

Landowner: _____
 David M. Hopper

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

Notary:
 On this ___ day of _____, 20___, before me a Notary Public for the State of Montana, personally appeared David M. Hopper 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 _____

Residing at _____
 Notary public for the State of 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.
 Dated this ___ day of _____, 20___.

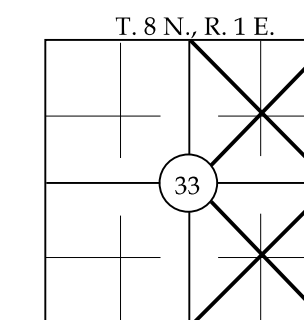
Certificate of Surveyor:
 I hereby certify the attached plat is a true representation of a survey performed under my supervision and completed on August 24, 2021 and described the same as shown on the accompanying plat in accordance with the provisions of the Montana Subdivision and Platting Act.
 Dated this ___ day of _____, 20___.

Treasurer of Broadwater County

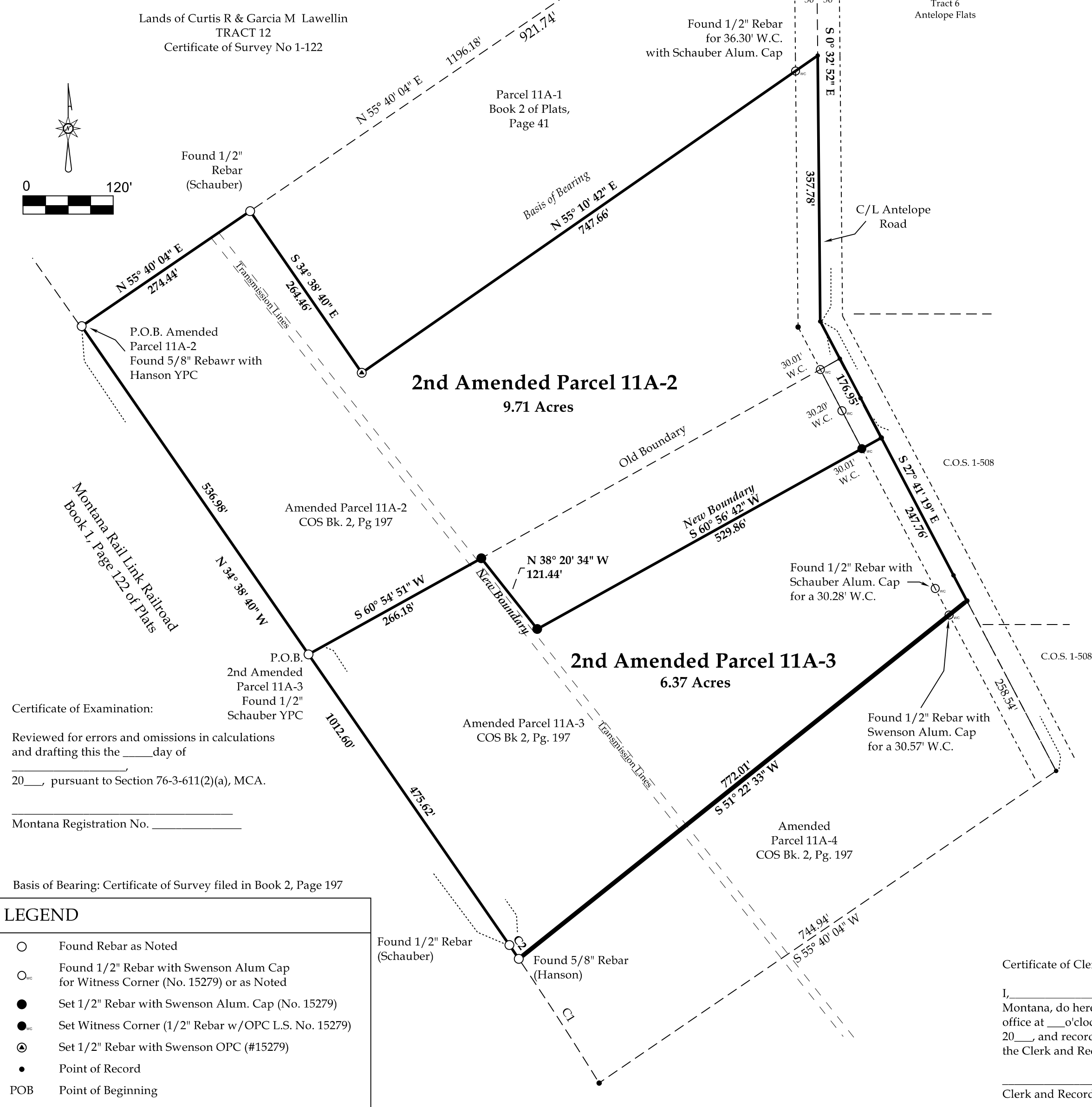
Surveyor:
 Dan Swenson L.S. No. 15279.
 P.O. Box 177
 Townsend, MT. 59644

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.

Clerk and Recorder



E 1/2 Sec. 33, T. 8 N., R. 1 E., P.M.M.			
David Hopper			
Boundary Relocation			
Schauber Surveying		266-4602	
SCALE	PRINT DATE	FILE NAME	
120 Ft./In	9-1-2021	4452.tbv	
DRAWN BY	REVISION	SHEET	JOB
JAS	1/1	4452	



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. _____

Basis of Bearing: Certificate of Survey filed in Book 2, Page 197

LEGEND

- Found Rebar as Noted
- Found 1/2" Rebar with Swenson Alum Cap for Witness Corner (No. 15279) or as Noted
- Set 1/2" Rebar with Swenson Alum. Cap (No. 15279)
- Set Witness Corner (1/2" Rebar w/OPC L.S. No. 15279)
- ⊙ Set 1/2" Rebar with Swenson OPC (#15279)
- Point of Record
- POB Point of Beginning