

BROADWATER COUNTY COMMISSIONERS

515 Broadway, Townsend

Meetings are held at the Flynn Building (old Opportunity Bank) 416 Broadway

Agenda, documents, Official Meetings Minutes and videos of Commission meetings are available and at

<https://www.broadwatercountymt.com>

OFFICIAL agendas are posted in the Courthouse (1st Floor Bulletin Board), Broadwatercountymt.com, and

in the window of the Flynn Building on

the Thursday before the Commission Meetings

There will not be a Commission Meeting May 30th 2022 due to the Memorial Day Holiday

May 31st Tuesday

10:00 AM	Discussion/Decision Nichole Brown County Community Development Director Wold Family Transfer
10:05 AM	Discussion/Decision Nichole Brown County Community Development Director Hohn Family Transfer
10:10 AM	Discussion/Decision Nichole Brown County Community Development Director Helgerson Family Transfer
10:05 AM	Discussion/Decision Nichole Brown County Community Development Director Deitsch Boundary Transfer
10:10 AM	Discussion/Decision Jania Hatfield County Attorney Request for Additional Legal Assistance
11:00 AM	Closed Door Meeting Litigation Strategy

June 2nd Thursday this meeting will be in the Commissioners office

10AM Meeting with Union regarding Road Dept

Public comment period (on items not on the agenda) will be at the beginning of each meeting. Mail & Items for Discussion and/or signature may occur as time allows during the meeting. Issues and times are subject to change.

Items for Discussion / Action / Review / Signature – Consent Agenda

- ✓ Certificate of Survey review
- ✓ Management – on-going advisory board appointments
- ✓ Claims/Payroll/minutes
- ✓ County Audit / Budget
- ✓ Mail – ongoing grants
- ✓ Correspondence – support letters

Debi Randolph		406-266-9270 and 406-980-2050
Darrel Folkvord	Chairperson	406-266-9272 and 406-980-1213
Mike Delger		406-266-9271 and 406-521-0834
E-mail	commissioners@co.broadwater.mt.us	

**Certificate of Survey Exemption Affidavit
Broadwater County**

**Gift or Sale to Immediate Family Member
Section 76-3-207(1)(b), MCA.**

When a landowner requests to be exempt from the Subdivision and Platting Act, state law requires Broadwater County determine whether the request is an attempt by the property owner to evade subdivision regulation. Broadwater County will use the information provided by the applicant in this affidavit as well as other evidence when making its determination.

Please complete both sides of this application. Every owner of the property (owners of record) must sign this affidavit. Use additional sheets of paper if necessary.

A. Name of Landowners:

Brandon Wold Phone: 406-579-2531
____ Phone: _____
____ Phone: _____

B. Number of Parcels Proposed: 1 additional (2 total)

C. Size of Each Parcel Proposed: 7.91, 2.09, _____, _____, _____.

D. Name and Relationship to Landowner of Family Member(s) Receiving Gift Parcel(s)

Name Megan Wold Relationship Wife
Age: 35 Current Mailing Address: 1425 Old Town Road
Three Forks, MT 59752

Name _____ Relationship _____
Age: _____ Current Mailing Address: _____

Name _____ Relationship _____
Age: _____ Current Mailing Address: _____

Name _____ Relationship _____
Age: _____ Current Mailing Address: _____

A "member of the "immediate family" may include only the grantor's spouse, children by blood or adoption, and parents.

E. History of the Parcel:

1. To your knowledge, have any exemptions been used to divide this property after July 1, 1973, including exemptions for mortgage tracts, gift or sale to an immediate family member, boundary line relocation, occasional sale? *See Sections 76-3-201 and 76-3-207, MCA.*

Yes No *If "yes", provide the chronological history of divisions and attach a copy of a Certificate of Survey or Deed evidencing the divisions:*

Date	Exemption	Tract Label	Tract Size	COS No. or Deed No.
7/84	76-3-207(b)		10.00	3-828
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

2. To your knowledge, in regard to this property, did you or any previous owner ever attend a pre-application conference or submit for subdivision review of any part of this property, since July 1, 1973? Was any subdivision denied?

Yes No **If YES, explain:** _____

F. Proposed Exemption Information

To your knowledge:

1. Will each new parcel be used as a homesite for a family member?

Yes No **If NO, explain:** _____

2. Could the transfer be accomplished by a "relocation of common boundary lines"?

Yes No **If YES, explain:** _____

3. Will the newly created parcels become one of three or more parcels created from the original parcel after July 1, 1973?

Yes No **If YES, explain:** _____

4. Would the use of the family gift exemption violate any statute, case law, administrative rule, or Attorney General Opinion?

Yes No **If YES, explain:** _____

5. Does the parcel to be transferred fit a pattern of land divisions and land transfers?

Yes No **If YES, explain:** _____

6. Have any divisions of land ever been denied on this property?

Yes No **If YES, explain:** _____

7. Is the parcel being transferred to a family member who is a minor?

Yes No **If YES, please provide a draft Trust document.**

8. Are you transferring a parcel to your spouse?

Yes No **If YES, explain:** future home site for elderly parents

9. Do you agree that you and/or your family member receiving this property will not sell any of the tracts created under the family transfer exemption for a period of two (2) years unless you or the recipient files for subdivision review?

Yes No

If your life circumstances change per a birth, death, divorce, illness, etc. you may request an exemption to the two (2) year time period from the County Commissioners.

Under penalties of perjury, I (we) declare that I (we) have examined this affidavit and the accompanying sketch or draft Certificate of Survey of the proposed division of land, and to the best of my (our) knowledge and belief, they are true, correct, complete and are in compliance with all State laws and local regulations.

Date May 16th, 2022

Signature of Each Applicant:

[Handwritten Signature]

Signature of Each Recipient:

[Handwritten Signature]

STATE OF MONTANA)
County of Gallatin) : ss.

On this 16th day of May, 2022, Megan Wold and Brandon Wold personally, appeared before me and having been duly sworn did herein execute the above instrument for the purposes stated.

Notary's Seal/Stamp



[Handwritten Signature]
Notary Public for the State of Montana

Christina Kamps
Printed Name

Notary Public for the state of Montana

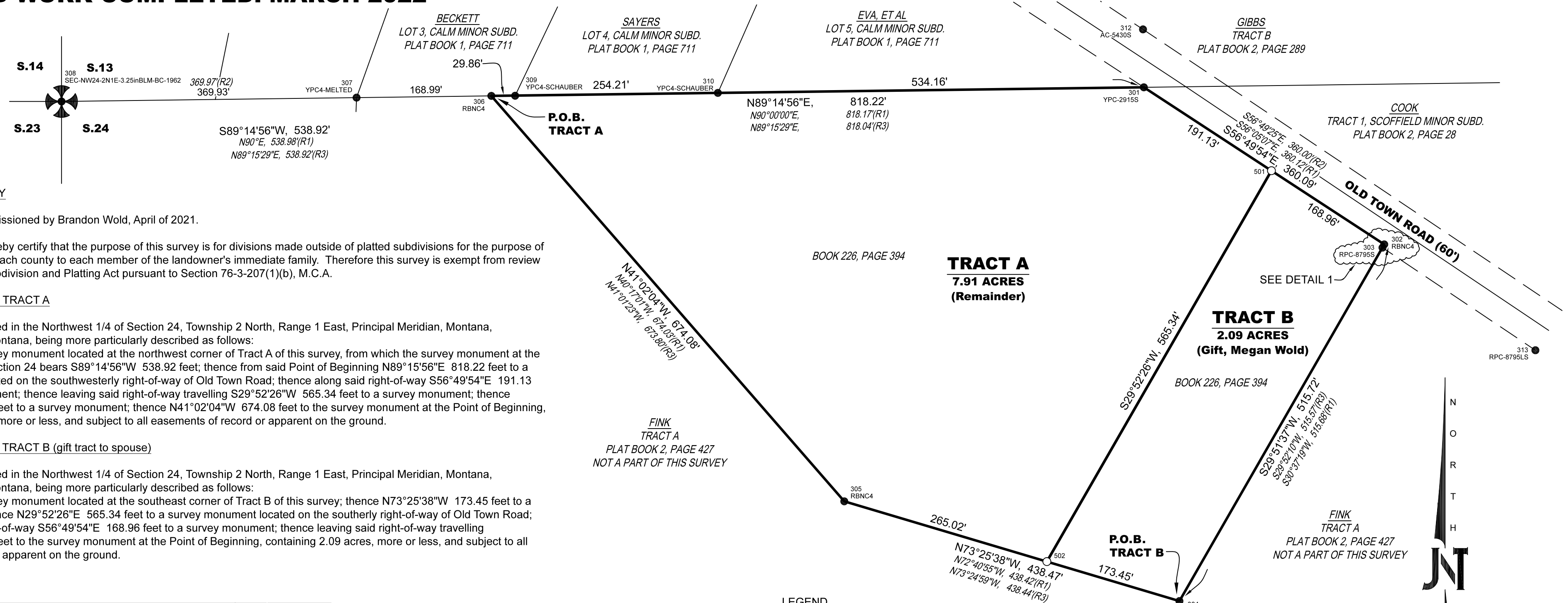
Residing at Three Forks

My Commission expires: June 20, 2025.

****If the Survey Review Committee grants concept or survey approval to a proposed exemption, that approval is valid only for ninety days, subject to any legislative changes.****

CERTIFICATE OF SURVEY

PURPOSE: FAMILY TRANSFER TO MEGAN WOLD
COMMISSIONED BY: BRANDON WOLD
FIELD WORK COMPLETED: MARCH 2022



PURPOSE OF SURVEY

This survey was commissioned by Brandon Wold, April of 2021.

I, the undersigned, hereby certify that the purpose of this survey is for divisions made outside of platted subdivisions for the purpose of a single gift or sale in each county to each member of the landowner's immediate family. Therefore this survey is exempt from review under the Montana Subdivision and Platting Act pursuant to Section 76-3-207(1)(b), M.C.A.

LEGAL DESCRIPTION TRACT A

A tract of land located in the Northwest 1/4 of Section 24, Township 2 North, Range 1 East, Principal Meridian, Montana, Broadwater County, Montana, being more particularly described as follows:
 Beginning at a survey monument located at the northwest corner of Tract A of this survey, from which the survey monument at the northwest corner of Section 24 bears S89°14'56"W 538.92 feet; thence from said Point of Beginning N89°15'56"E 818.22 feet to a survey monument located on the southwesterly right-of-way of Old Town Road; thence along said right-of-way S56°49'54"E 191.13 feet to a survey monument; thence leaving said right-of-way travelling S29°52'26"W 565.34 feet to a survey monument; thence N73°25'38"W 265.02 feet to a survey monument; thence N41°02'04"W 674.08 feet to the survey monument at the Point of Beginning, containing 7.91 acres, more or less, and subject to all easements of record or apparent on the ground.

LEGAL DESCRIPTION TRACT B (gift tract to spouse)

A tract of land located in the Northwest 1/4 of Section 24, Township 2 North, Range 1 East, Principal Meridian, Montana, Broadwater County, Montana, being more particularly described as follows:
 Beginning at a survey monument located at the southeast corner of Tract B of this survey; thence N73°25'38"W 173.45 feet to a survey monument; thence N29°52'26"E 565.34 feet to a survey monument located on the southerly right-of-way of Old Town Road; thence along said right-of-way S56°49'54"E 168.96 feet to a survey monument; thence leaving said right-of-way travelling S29°51'37"W 515.72 feet to the survey monument at the Point of Beginning, containing 2.09 acres, more or less, and subject to all easements of record or apparent on the ground.

Brandon Wold _____ Date _____

State of Montana
 County of _____
 This instrument was signed or acknowledged before me on _____ by _____ (Name of signer)

 (Notary Signature)
 [Affix seal/stamp to the left or below]

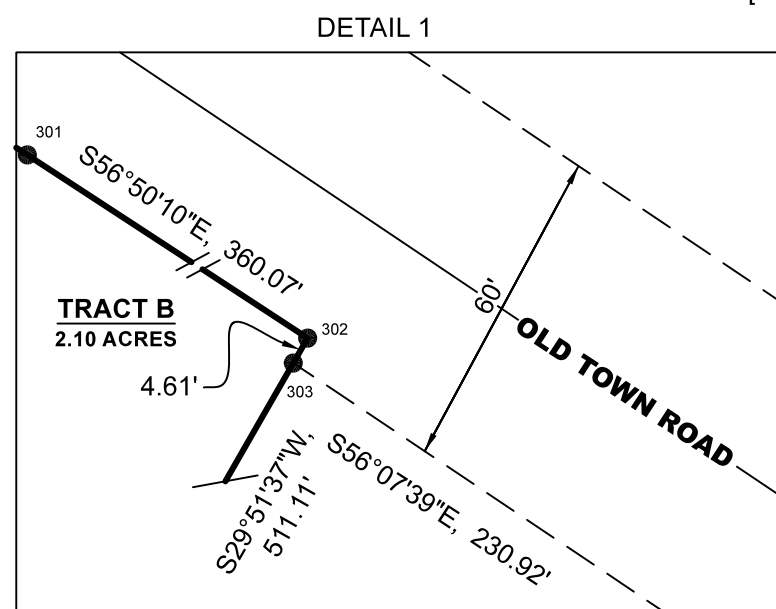
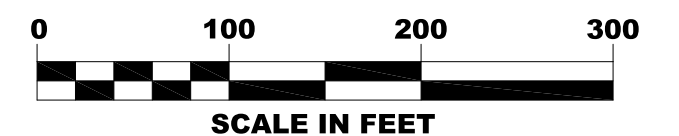
LEGEND

- = Found survey monument, as described
- = Set 5/8" x 24" rebar with blue plastic cap mk'd: "67665LS"
- ⊕ = Section Corner
- P.O.B.** = Point of Beginning
- C.O.S.** = Certificate of Survey

- (R1) = Record per Plat Book 3, Page 828 (a.k.a. C.O.S. 119A) by Ditto, 2915S, 1984
- (R2) = Record per Plat Book 1, Page 711 (a.k.a. C.O.S. 411A) by Schaubert, 5430S, 2000
- (R3) = Record per Plat Book 2, Page 427 (a.k.a. C.O.S. 170826) by Thompson, 8795LS, 2014

BASIS OF BEARINGS

Bearings are Geodetic based upon GPS observations through the northwest corner of Section 24, Township 2 North, Range 1 East.



SURVEYOR'S NOTE:
 Right-of-way of Old Town Road is shown as per survey recorded in Plat Book 2, Page 427. No other records of Old Town Road right-of-way could be located in the Broadwater County Clerk and Recorder's office at the time of this survey. Point #303 is not a property corner, it is marking the extents of the southerly right-of-way of Old Town Road for Tract A of Plat Book 2, Page 427. This survey accepts the found monumentation as controlling the extent(s) of the right-of-way limits.

COUNTY TREASURER

I certify pursuant to Section 76-3-207(3), M.C.A., that all real property taxes and special assessments assessed and levied on the land encompassed by this Certificate of Survey have been paid.

Geocode:43-1104-24-2-02-01-0000 Assessment Code:000J240043

Broadwater County Treasurer _____ Date _____

CERTIFICATE OF EXAMINING LAND SURVEYOR

Reviewed for errors and omissions in calculation and drafting this _____ day of _____, 20____, pursuant to Section 76-3-611 (2) (a), M.C.A.

Examining Land Surveyor _____
 Reg. No. _____

CERTIFICATE OF FILING

State of Montana _____)
 County of _____ : SS
 Filed for record this _____ day of _____, 20____,
 at _____ O'clock _____ m.

Clerk and Recorder
 Broadwater County, Montana



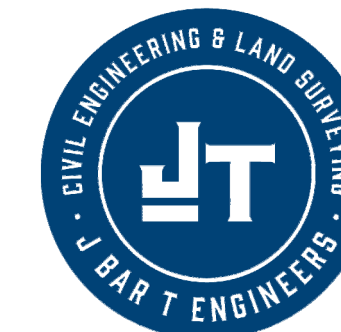
DRAFT

CERTIFICATE OF SURVEYOR

I, Michael T. Newhouse, a licensed Professional Land Surveyor in the State of Montana, do hereby certify that this is a true representation of a survey made under my direct supervision.

Michael T. Newhouse, Montana Reg. No. 67665LS Date _____

1/4	SEC.	T.	R.
<input checked="" type="checkbox"/>	24	2N	1E
<input type="checkbox"/>			
<input type="checkbox"/>			



J BAR T ENGINEERS LLC
 1229 E. Lyndale Ave.
 Helena, MT 59601
 www.jbartengineers.com
 406.449.1306

DRAWN BY: MTN

County: BROADWATER MONTANA P.M., Date: 5/9/2022

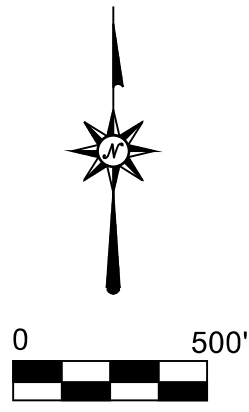
Certificate of Survey: Document No. _____

To Create a Tract for a Member of the Immediate Family

Situated in the SE 1/4 of Section 10, Township 5 North, Range 1 East, P.M.M.,
Broadwater County, Montana.

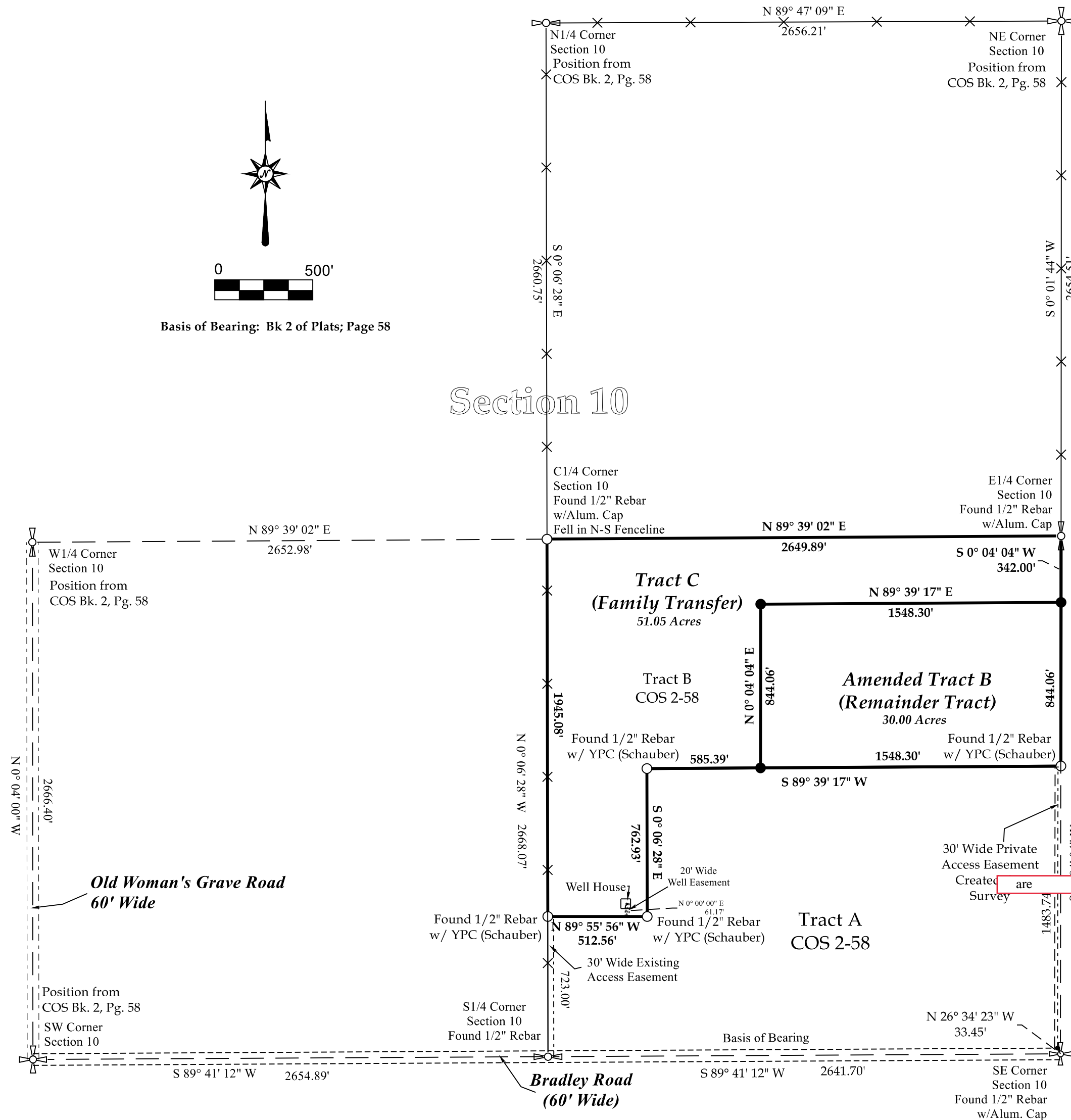
Landowner: Terrie Helgerson

April 8, 2022



Basis of Bearing: Bk 2 of Plats; Page 58

Section 10



Legal Description:

Amended Tract B (Remainder Tract)
A tract of land situated in part of the SE 1/4 of Section 10, Township 5 North, Range 1 East, P.M.M., Broadwater County, Montana and being more particularly described as follows: Commence at the E 1/4 Corner of said Section 10; Thence S0°04'04"W along the East section line for a distance of 342.00 feet to the Northeast Corner of herein described tract of land and True Point of Beginning; Thence along the east line of said section S00°04'04"W, a distance of 844.06 feet; Thence leaving said section line S89°39'17"W, for a distance of 1548.30 feet; Thence N00°04'04"E, for a distance of 844.06 feet; Thence N89°39'17"E, for a distance of 1548.30 feet to the True Point of Beginning, said parcel being 30.00 Acres more or less and being served by and subject to rights-of-way and easements as shown, existing, or of record.

Tract C (Family Transfer)

A tract of land situated in part of the SE 1/4 of Section 10, Township 5 North, Range 1 East, P.M.M., Broadwater County, Montana and being more particularly described as follows: Commence at the E 1/4 of said Section 10 for the for the Point of Beginning; Thence along the east line of said section S00°04'04"W, a distance of 342.00 feet; Thence leaving said section line S89°39'17"W, for a distance of 1548.30 feet; Thence S00°04'04"W, for a distance of 844.06 feet; Thence S89°39'17"W, for a distance of 585.39 feet; Thence S00°06'28"E, for a distance of 762.93 feet; Thence N89°55'56"W, for a distance of 512.56 feet to a point on the north-south mid-section line; Thence along said mid-section line N00°06'28"W, for a distance of 1945.08 feet to the C 1/4 Corner of said Section 10; Thence N89°39'02"E, for a distance of 2649.89 feet to the Point of Beginning, said parcel being 51.05 Acres more or less and being served by and subject to rights-of-way and easements as shown, existing, or of record.

Private Access Easement

A 30.0 feet wide Private Access Easement situated in part of the SE 1/4 of Section 10, Township 5 North, Range 1 East, P.M.M., Broadwater County, Montana and whose centerline is more particularly described as follows: Commence at the SE Corner of said Section 10; Thence N26°34'23"W for a distance of 33.45 feet to a point on the northerly right-of-way of Bradley Road being the centerline of herein described access easement and True Point of Beginning; Thence along said access easement centerline N00°04'04"E, a distance of 1453.73 feet to a point on the southerly boundary of Landowner's Certification:

I hereby certify the purpose of this division of land is to Transfer Parcel shown as TRACT C on this Certificate of Survey

Tract C To: Judith Marie Durant Relationship: Daughter

and pursuant to 76-3-207 (1) (b) M.C.A. which states: "Divisions made outside of platted subdivisions for the purpose of a single gift or sale in each county to each member of the landowner's immediate family" are exempt from review as a subdivision but subject to survey requirements of 76-3-401.

I certify this is the only gift or sale I have made to the aforementioned immediate family member in the County of Broadwater for the purposes of this exemption. Furthermore, I certify I am entitled to use this exemption and am in compliance with all conditions imposed by law and regulation on the use of this exemption. Therefore, this division of land is exempt from review as a subdivision pursuant to Section 76-3-207 (1) (b), M.C.A.

Amended Tract B and Tract C Sanitation Exemption:

Amended Tract B and Tract C are 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 (23).

Signed this _____ day of _____, 20____

Terrie L. Helgerson-Warren

Notary:

On this ___ day of _____, 20____, before me a Notary Public for the State of _____, personally appeared TERRIE HELGERSON 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 _____

My Commission Expires _____

THE LANDOWNER(S) of Tract A (Servient Estate) do hereby give, grant and convey unto the LANDOWNER(S) of Tract B (Dominant Estate), their successor and assigns, the right, privilege and authority to construct, reconstruct, maintain, operate, repair, improve, and to travel upon and use, a Private Access Easement and its necessary fixtures and appurtenances through, over, and across a corridor, 30.0 feet wide, as shown on this Certificate of Survey.

THIS GRANT of right and authority shall run with the said property and be binding on the Servient Estate, their successors, all subsequent owners and any parties having right, title, or interest in the said property.

Landowner _____

Notary:

On this ___ day of _____, 20____, before me a Notary Public for the State of _____, personally appeared _____ 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 _____

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 _____.

Dated this _____ day of _____, 20____.

Treasurer of Broadwater County

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), M.C.A.

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.

Clerk and Recorder

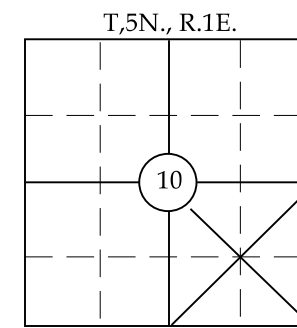
Certificate of Surveyor:

I hereby certify this Certificate of Survey is a true representation of a survey performed under my supervision and completed on April 14, 2022 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

LEGEND

- Section Corner
- Quarter Corner
- Reference Monument
- Found Rebar
- Set 1/2" Rebar w/ OPC
- Point



SE 1/4, Sec. 10,, T. 5 N., R 1 E.,			
Terrie Helgerson			
Family Transfer			
Schauber Surveying 266-4602			
SCALE	PRINT DATE	FILE NAME	
500 Ft/In	5-4-2022	4541.trv	
DRAWN BY	REVISION	SHEET	JOB
DLS		1/1	4541

E. History of the Parcel:

1. To your knowledge, have any exemptions been used to divide this property after July 1, 1973, including exemptions for mortgage tracts, gift or sale to an immediate family member, boundary line relocation, occasional sale? See Sections 76-3-201 and 76-3-207, MCA.

___ Yes No *If "yes", provide the chronological history of divisions and attach a copy of a Certificate of Survey or Deed evidencing the divisions:*

Date	Exemption	Tract Label	Tract Size	COS No. or Deed No.
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

2. To your knowledge, in regard to this property, did you or any previous owner ever attend a pre-application conference or submit for subdivision review of any part of this property, since July 1, 1973? Was any subdivision denied?

___ Yes No *If YES, explain:* _____

F. Proposed Exemption Information

To your knowledge:

1. Will each new parcel be used as a homesite for a family member?

___ Yes No *If NO, explain:* vacation / Hunting Acres

2. Could the transfer be accomplished by a "relocation of common boundary lines"?

___ Yes No *If YES, explain:* _____

3. Will the newly created parcels become one of three or more parcels created from the original parcel after July 1, 1973?

Yes No **If YES, explain:** _____

4. Would the use of the family gift exemption violate any statute, case law, administrative rule, or Attorney General Opinion?

Yes No **If YES, explain:** _____

5. Does the parcel to be transferred fit a pattern of land divisions and land transfers?

Yes No **If YES, explain:** _____

6. Have any divisions of land ever been denied on this property?

Yes No **If YES, explain:** _____

7. Is the parcel being transferred to a family member who is a minor?

Yes No **If YES, please provide a draft Trust document.**

8. Are you transferring a parcel to your spouse?

Yes No **If YES, explain:** _____

9. Do you agree that you and/or your family member receiving this property will not sell any of the tracts created under the family transfer exemption for a period of two (2) years unless you or the recipient files for subdivision review?

Yes No

If your life circumstances change per a birth, death, divorce, illness, etc. you may request an exemption to the two (2) year time period from the County Commissioners.

Under penalties of perjury, I (we) declare that I (we) have examined this affidavit and the accompanying sketch or draft Certificate of Survey of the proposed division of land, and to the best of my (our) knowledge and belief, they are true, correct, complete and are in compliance with all State laws and local regulations.

Date 4-27, 2022

Signature of Each Applicant:

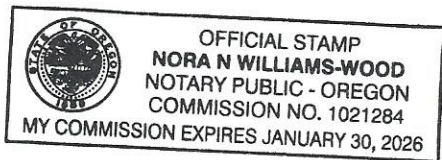
Terrie L. Helgeson-Warren

Signature of Each Recipient:

STATE OF Oregon)
: ss.
County of Lane)

On this 27 day of April, 2022, Terrie Lynn Helgeson-Warren personally appeared before me and having been duly sworn did herein execute the above instrument for the purposes stated.

Notary's Seal/Stamp



Notary Public for the State of Oregon

Nora N Williams-Wood
Printed Name

Notary Public for the state of Oregon

Residing at _____

My Commission expires: January 30, 2026

****If the Survey Review Committee grants concept or survey approval to a proposed exemption, that approval is valid only for ninety days, subject to any legislative changes.****

REQUEST FOR EXEMPTION REVIEW

Note to Applicant: The purpose of this review is to enable Broadwater County officials to determine whether or not the proposed use of an exemption from local subdivision review would evade the Montana Subdivision and Platting Act.

Part One. Applicant Information

Landowner(s): Chris Hohn / Stan Hohn

Address: 8 Yukon Trl

Telephone Number(s): 406 461 0444 406 461 3752

Landowner Representative: Schauber Survey

Address: 64 Jack Farm Road Phone: 406-266-4602

Part Two. Legal Description: _____

Part Three. Basis for Exemption Request:

What exemption is being claimed, and what is the basis for your exemption claim?

Boundary relocation

Part Four. Supporting Information: Please provide all pertinent information, including an accurate certificate of survey or amended subdivision plat, as applicable and where required. A subdivision exemption review fee must be submitted with the exemption request.

AFFIDAVIT: I hereby certify that the purpose of this exemption request is NOT to evade the Montana Subdivision and Platting Act. Dated this 29 day of April, 2022

Signature(s): [Signature]

Certificate of Governing Body:

We, the Board of County Commissioners, do hereby certify that the use of the exemption claimed on the accompanying Certificate of Survey has been duly reviewed, and has been found to conform to the requirements of the Subdivision and Platting Act, Section 76-3-101 et. seq. MCA, and the Broadwater County Subdivision Regulations.

Dated this _____ day of _____, A.D., 20_____

Commissioner

Commissioner

Commissioner

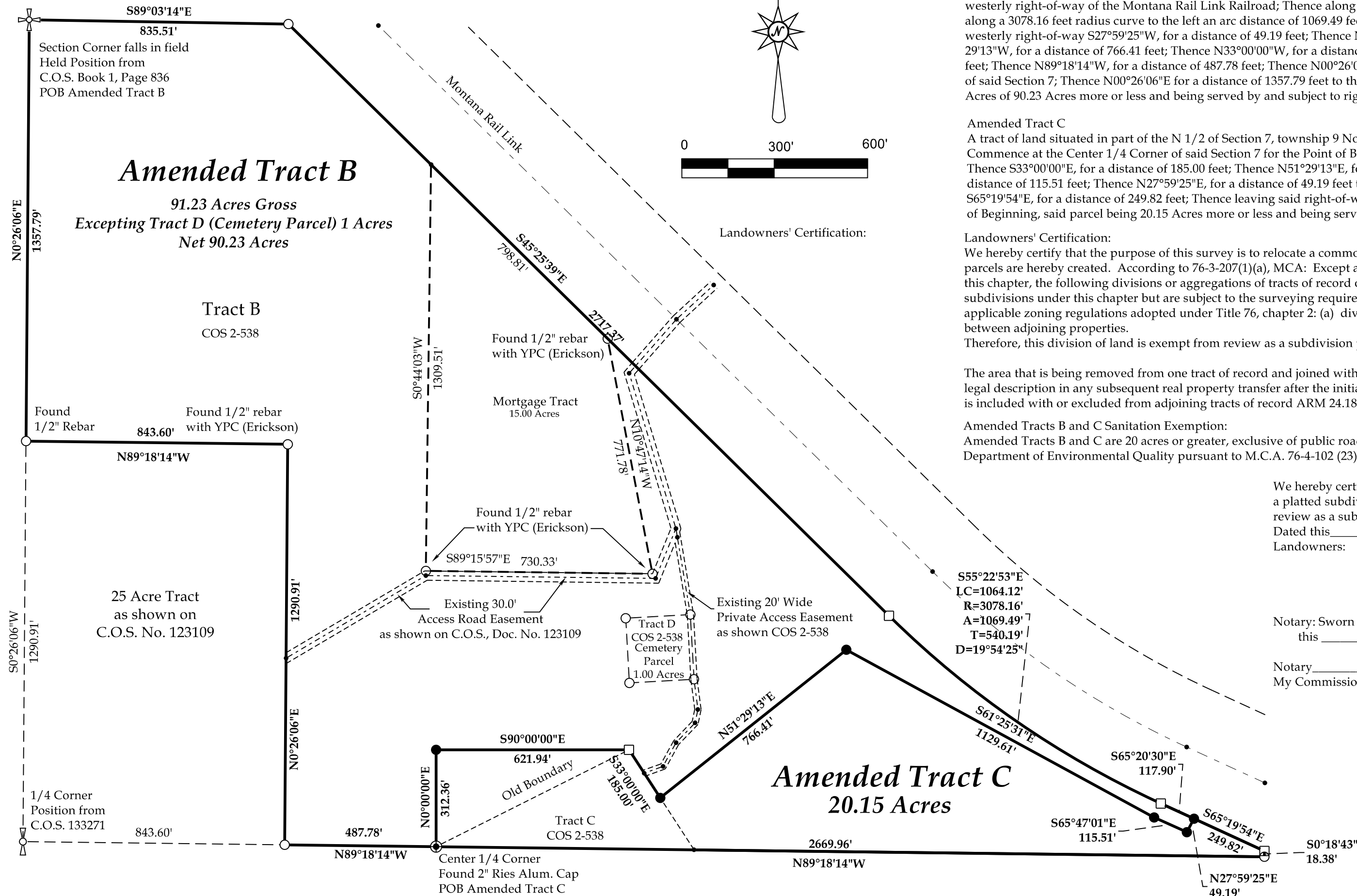
C&R Attest

Certificate of Survey: To Relocate Boundaries Between Adjacent Landowners Situating in Part of the North 1/2 of Section 7, Township 9 North, Range 1 West, P.M.M.,

Broadwater County, Montana

For: Stan and Christopher Hohn

Date: April 27, 2022



Legal Description:
Amended Tract B:
 A tract of land situated in the North 1/2 of Section 7, Township 9 North, Range 1 West, P.M.M., Broadwater County, Montana and being more particularly described as follows: Commence at the Northwest Corner of said Section 7 for the Point of Beginning; Thence along the north line of said section S89°03'14"E, a distance of 835.51 feet to a point on the westerly right-of-way of the Montana Rail Link Railroad; Thence along said westerly right-of-way the following three (3) courses: S45°25'39"E, for a distance of 2717.37 feet; Thence along a 3078.16 feet radius curve to the left an arc distance of 1069.49 feet, chord bears S55°22'53"E 1064.12 feet; Thence S65°20'30"E, a distance of 117.90 feet; Thence leaving said westerly right-of-way S27°59'25"W, for a distance of 49.19 feet; Thence N65°47'01"W, for a distance of 115.51 feet; Thence N61°25'31"W, for a distance of 1129.61 feet; Thence S51°29'13"W, for a distance of 766.41 feet; Thence N33°00'00"W, for a distance of 185.00 feet; Thence N90°00'00"W, for a distance of 621.94 feet; Thence S0°00'00"W, for a distance of 312.36 feet; Thence N89°18'14"W, for a distance of 487.78 feet; Thence N00°26'06"E, for a distance of 1290.91 feet; Thence N89°18'14"W, for a distance of 843.60 feet to a point on the west line of said Section 7; Thence N00°26'06"E for a distance of 1357.79 feet to the Point of Beginning, said parcel being 91.23 Acres (Gross) excepting Tract D (Cemetery Parcel) of 1 Acres, Net Acres of 90.23 Acres more or less and being served by and subject to rights-of-way and easements as shown, existing, or of record.

Amended Tract C:
 A tract of land situated in part of the N 1/2 of Section 7, township 9 North, Range 1 West, P.M.M., Broadwater County, Montana and being more particularly described as follows: Commence at the Center 1/4 Corner of said Section 7 for the Point of Beginning; Thence N00°00'00"E, a distance of 312.36 feet; Thence S90°00'00"E, for a distance of 621.94 feet; Thence S33°00'00"E, for a distance of 185.00 feet; Thence N51°29'13"E, for a distance of 766.41 feet; Thence S61°25'31"E, for a distance of 1129.61 feet; Thence S65°47'01"E, for a distance of 115.51 feet; Thence N27°59'25"E, for a distance of 49.19 feet to point on the southerly right-of-way of the Montana Rail Link Railroad; Thence along said right-of-way S65°19'54"E, for a distance of 249.82 feet; Thence leaving said right-of-way S00°18'43"W, for a distance of 18.38 feet; Thence N89°18'14"W, for a distance of 2669.96 feet to the Point of Beginning, said parcel being 20.15 Acres more or less and being served by and subject to rights-of-way and easements as shown, existing, or of record.

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)

Amended Tracts B and C Sanitation Exemption:
 Amended Tracts B and C are 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 (23).

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. Therefore, this division of land is exempt from review as a subdivision pursuant to section 76-3-207(1)(a), MCA.

Dated this _____ day of _____, 20____
 Landowners: _____

Stanley O. Hohn

Billie Hohn

Notary: Sworn to here before me, A Notary Public, this _____ day of _____, 20____.

Notary: Sworn to here before me, A Notary Public, this _____ day of _____, 20____.

Notary _____
 My Commission Expires _____.

Notary _____
 My Commission Expires _____.

Christopher Hohn

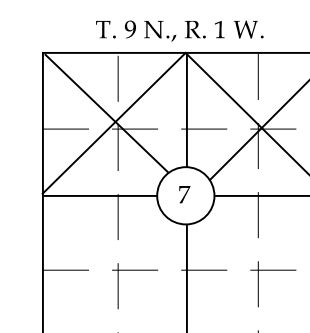
Notary: Sworn to here before me, A Notary Public, this _____ day of _____, 20____.

Notary _____
 My Commission Expires _____.

Certificate of Surveyor:

I hereby certify the attached plat is a true representation of a survey performed under my supervision and completed on April 26, 2022 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____.

Surveyor: _____
 Dan Swenson L.S. 15279
 P.O. Box 177
 Townsend, Mt. 59644



Section 7, T.9 N., R. 1 W.			
Stan Hohn			
Boundary Relocation			
Schauber Surveying 266-4602			
SCALE 300 Ft/In	PRINT DATE 5-2-2022	FILE NAME 4538.trv	
DRAWN BY DLS	REVISION	SHEET 1/1	JOB 3772

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
- Found C 1/4 Corner as noted
- Found Rebar as noted
- Set 1/2 Rebar with OPC
- Square

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 # _____
 Dated this _____ day of _____, 20____.

Treasurer of Broadwater County

REQUEST FOR EXEMPTION REVIEW

Note to Applicant: The purpose of this review is to enable Broadwater County officials to determine whether or not the proposed use of an exemption from local subdivision review would evade the Montana Subdivision and Platting Act.

Part One. Applicant Information

Landowner(s): GERALD DEITSCH, MICHELLE DEITSCH

Address: 159 ROLLING TRAIL WAY

Telephone Number(s): 579-5290 gdeitsch@msn.com

Landowner Representative: Schauber Survey

Address: 64 Jack Farm Road Phone: 406-266-4602

Part Two. Legal Description: LOTS 179 & 180 VILLAGE OF LUKRIDER

Part Three. Basis for Exemption Request:

What exemption is being claimed, and what is the basis for your exemption claim?

BOUNDARY RELOCATION RESERVE SEPTIC LOCATION

Part Four. Supporting Information: Please provide all pertinent information, including an accurate certificate of survey or amended subdivision plat, as applicable and where required. A subdivision exemption review fee must be submitted with the exemption request.

AFFIDAVIT: I hereby certify that the purpose of this exemption request is NOT to evade the Montana Subdivision and Platting Act. Dated this 4 day of 12, 2020.

Signature(s): [Signature]

Certificate of Governing Body:

We, the Board of County Commissioners, do hereby certify that the use of the exemption claimed on the accompanying Certificate of Survey has been duly reviewed, and has been found to conform to the requirements of the Subdivision and Platting Act, Section 76-3-101 et. seq. MCA, and the Broadwater County Subdivision Regulations.

Dated this _____ day of _____, A.D., 20_____

Commissioner

Commissioner

Commissioner

C&R Attest

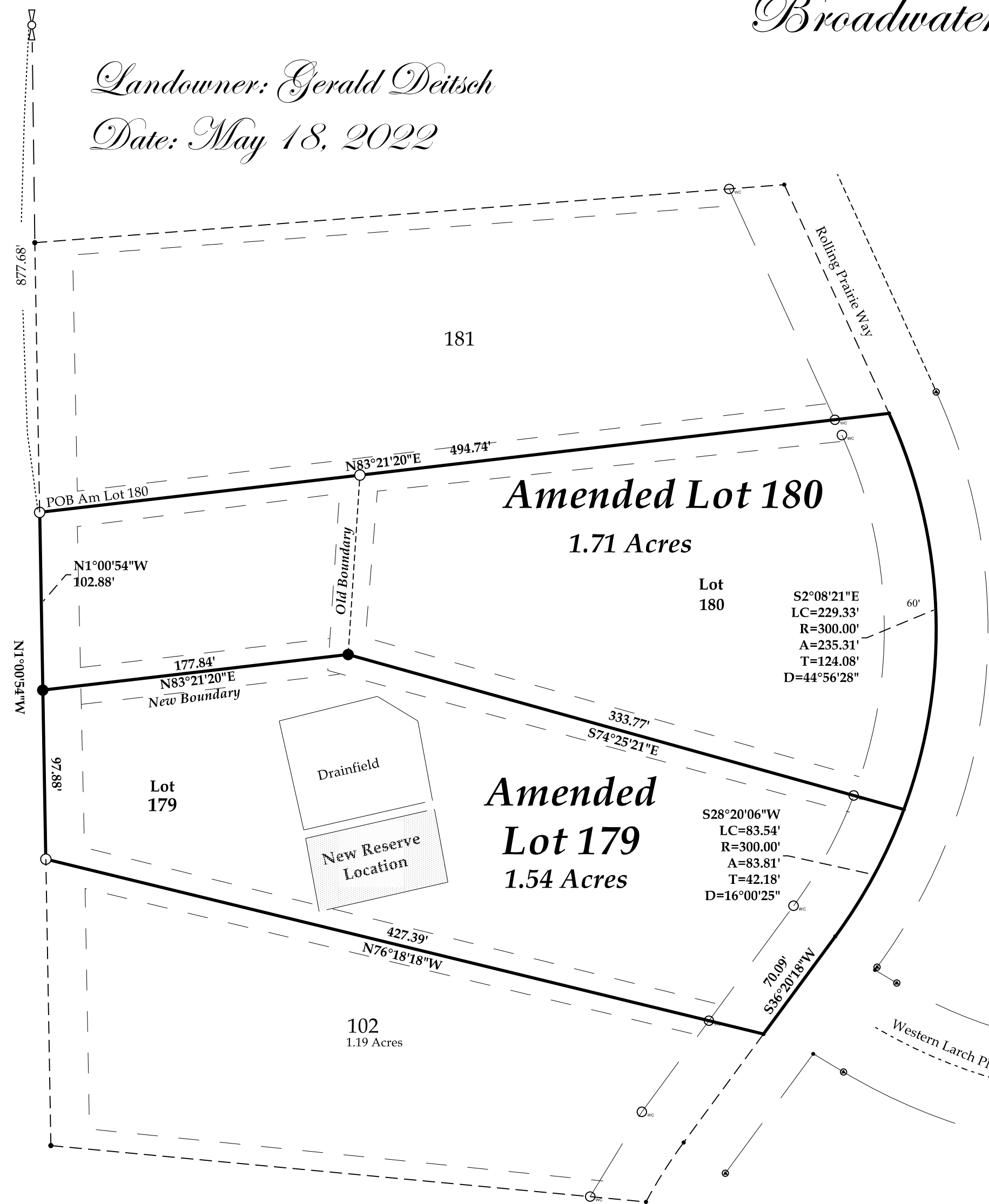
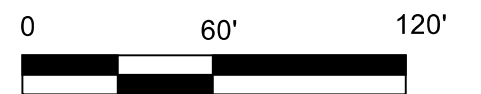
Amended Plat of the Village at Elk Ridge Major Subdivision (Book 2, Page 232)

Certificate of Survey: To Relocate Boundaries Between Adjacent Landowners

Situated in the SW 1/4 of Section 4, Township 2 North, Range 1 West, P.M.M., Broadwater County, Montana

Landowner: *Gerald Deitsch*

Date: *May 18, 2022*



Legal Description:

Amended Lot 180
A tract of land situated in all of Lot 180 and a portion of Lot 179 of the Village at Elk Ridge Major Subdivision being in the SW 1/4 of Section 4, Township 2 North, Range 1 West, P.M.M., Broadwater County, Montana and being more particularly described as follows: Commence at the W 1/4 Corner of said Section 4; Thence along the west boundary of said section S01°00'54"E for a distance of 877.68 feet to the northeast corner of herein described tract of land and True Point of Beginning; Thence N83°21'20"E, a distance of 494.74 feet to a point in the centerline of Rolling Prairie Way; Thence along said centerline along a 300.00 feet radius curve to the right an arc distance of 235.31 feet, chord bears S2°08'21"E 229.33 feet; Thence leaving said centerline N74°25'21"W, for a distance of 333.77 feet; Thence S83°21'20"W, for a distance of 177.84 feet to a point on the aforementioned west boundary of said Section 4; Thence N1°00'54"W, for a distance of 102.88 feet to the True Point of Beginning, said Lot being 1.71 Acres more or less and being served by and subject to rights-of-way and easements as shown, existing, or of record.

Amended Lot 179

A tract of land situated in part of Lot 179 of the Village at Elk Ridge Major Subdivision situated in part of the SE 1/4 of Section 4, Township 2 North, Range 1 West, P.M.M., Broadwater County, Montana and being more particularly described as follows: Commence at the W 1/4 of said Section 4; Thence S01°00'54"E for a distance of 980.56 feet to the NW corner of herein described tract of land and True Point of Beginning; Thence N83°21'20"E, for a distance of 177.84 feet; Thence S74°25'21"E, for a distance of 333.77 feet to a point in the centerline of Rolling Prairie Way the following two (2) courses: Thence along a 300.00 feet radius curve to the right an arc distance of 83.81 feet, chord bears S28°20'06"W 83.54 feet; Thence S36°20'18"W, a distance of 70.09 feet; Thence leaving said centerline N76°18'18"W, for a distance of 427.39 feet to a point on the aforementioned west boundary of said Section 4; Thence N01°00'54"W for a distance of 97.88 feet to the True Point of Beginning, said Lot being 1.54 Acres more or less and being served by and subject to rights-of-way and easements as shown, existing, or of record.

Landowners' Certification:

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

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. Therefore, this division of land is exempt from review as a subdivision pursuant to section 76-3-207(1)(a), MCA.

Dated this _____ day of _____, 20____

Landowners:

Notary: Sworn to here before me, A Notary Public,
this _____ day of _____, 20____.

Notary _____ My
My Commission Expires _____.

Notary: Sworn to here before me, A Notary Public,
this _____ day of _____, 20____.

Notary _____ My
Commission Expires _____.

Certificate of Surveyor:

I hereby certify the attached plat is a true representation of a survey performed under my supervision and completed on May 18, 2022 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____.

Surveyor:
Dan Swenson L.S. 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 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 # _____
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

LEGEND

- ⊠ Quarter Corner
- Set 1/2" Rebar w/ OPC (#15279)
- Found 1/2" Rebar w/ Alum. Cap #15279 (Witness Corner)
- Found 1/2" Rebar w/ Alum. Cap #15279

Lots 179 and 180 of the Village at Elk Ridge			
Gerald Reitsch			
Boundary Relocation			
Schauber Surveying		266-4602	
SCALE	PRINT DATE	FILE NAME	
60 Ft/In	5-18-2022	4508.trv	
DRAWN BY	REVISION	SHEET	JOB
DLS		1/1	4508

05/26/22
13:23:02

BROADWATER COUNTY
Vendor Summary Query by Date
For checks paid between: 05/25/22 to 05/26/22

Page: 1 of 1
Report ID: AP200S

Vendor #/Name	Amount	Last Paid Date
34 BALCO UNIFORM CO INC	147.63	05/26/22
2339 BERG LILLY, PC	407.00	05/25/22
16857 BOBS SUPERMARKET	20.97	05/26/22
1967 BUCHANAN-FROST, MICHELLE	91.50	05/26/22
1369 CHARTER COMMUNICATIONS	170.88	05/26/22
135 CIVIL AIR PATROL MAGAZINE	195.00	05/26/22
1437 DIS TECHNOLOGIES	154.99	05/26/22
1151 GREAT WEST ENGINEERING	1,514.55	05/26/22
90 HARRIS, BRANDON	93.00	05/26/22
342 HEDSTROM COMPLETE AUTO REPAIR INC.	59.86	05/26/22
16835 HELENA INDEPENDENT RECORD	276.00	05/26/22
1310 HELENA INK & TONER CO	92.25	05/26/22
315 KOSTO, ALLISON	86.50	05/26/22
2346 LEWIS, MICHAEL	93.00	05/26/22
18475 MT BROOM & BRUSH SUPPLY	153.40	05/26/22
17775 MT SHERIFFS & PEACE OFFICER ASSOC	900.00	05/26/22
19633 NORTHWESTERN ENERGY	8,057.23	05/26/22
1191 PFIZER INC	2,416.02	05/26/22
18573 PURCHASE POWER	2,015.00	05/25/22
2599 RAVNDAL, CHRISTINE	50.20	05/26/22
18919 RAVNDAL, TIMOTHY	82.50	05/26/22
19820 RESERVE ACCOUNT	2,500.00	05/26/22
19187 ROCKY MOUNTAIN SUPPLY	17,038.42	05/25/22
2607 RUCKEY, MARGARET	1,131.32	05/26/22
20 TOWN & RANCH TRUE VALUE	23.58	05/26/22
2530 UMB BANK	9,761.38	05/25/22
729 VIGILANTE ELECTRIC COOPERATIVE, INC	68.67	05/26/22
2281 WESTAFF WORKFORCE SOLUTIONS LLC	1,802.30	05/26/22
1948 WOOD, MARK	179.98	05/26/22
18955 YELLOWSTONE BANK	447.39	05/25/22
Grand Total:	50,030.52	