

**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): ALISON JOY O'HEARA

Address: 83 BARDVILLE LANE, TOWNSEND, MT. 59644

Telephone Number(s): 406 439 2828

Landowner Representative: Schauer Survey

Address: 64 Jack Farm Road

Phone: 406-266-4602

**Part Two. Legal Description:**

BALDVILLE MINOR SUBDIVISION No. 2.

**Part Three. Basis for Exemption Request:**

What exemption is being claimed, and what is the basis for your exemption claim?  
TO RELOCATE BOUNDARIES IN ORDER TO SELL 15 ACRES OF LAND.

**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 28 day of MAY, 2021

*[Handwritten Signature]*

Signature(s):

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

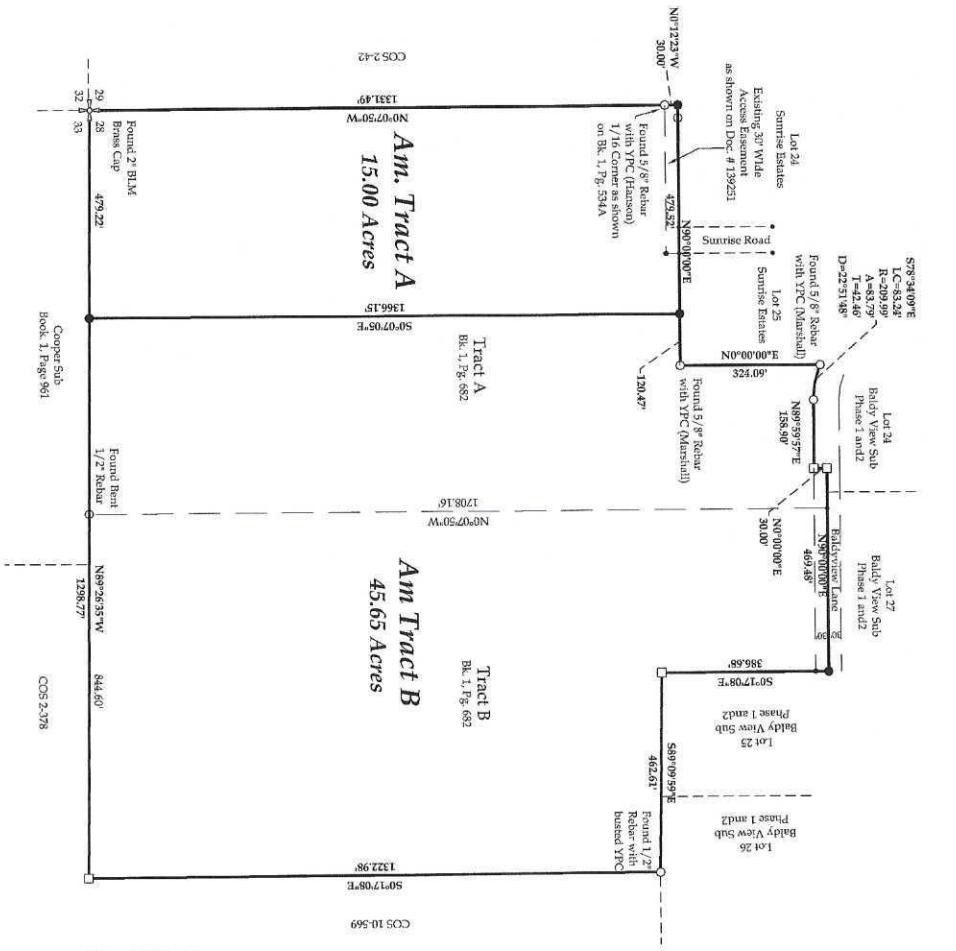
Commissioner

Commissioner

C&R Attest

# Amended Plat of the Baldyview Minor Subdivision No. 2 Situated in Section 28, Township 7 North, Range 2 East, T.7N.7R.2E, Broadwater County, Montana

Landowners: *Alison Joy O'Hara*  
 Date: *May 26, 2021*



**LEGEND**

- Section Corner
- Found 1/2" Rebar with YPC (#43130)
- Found Rebar as noted
- Set 1/2" Rebar with O'PC (#15279)

Certificate of Treasurer:  
 I, \_\_\_\_\_, Treasurer of Broadwater County, Montana, do hereby certify that the accompanying plat has been duly examined and that it and property hereon and special assessments assessed and levied on the same to be subdivided have been paid in full.

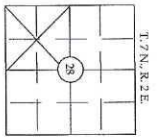
Date this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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 and recorded in Book \_\_\_\_\_ of Plats on Page \_\_\_\_\_ Records of the Clerk and Recorder, Broadwater County, Montana.

Document No. \_\_\_\_\_

Clerk and Recorder



Lots A & B, Bk. 1, Pg. 682	
Doug O'Hara	
Boundary Reduction	
DATE	REVISION
2015/1/16	5-28-2021
DESIGNED BY	TRACED BY
DLS	SHW
	1/1
	492

**Legal Description:**  
 Am. Tract A  
 A tract of land being part of Tract 1 of the Baldyview Minor Subdivision No. 2, Book 1 of Plats, Page 682, situated in part of the SE 1/4 of Section 28, Township 7 North, Range 2 East, T.7N.7R.2E, Broadwater County, Montana and being more particularly described as follows: Commence at the SE Corner of said section, thence along the south line of said section 899'25.97' E for a distance of 479.22 feet to the southeasterly corner of heretofore described Tract and True Point of Beginning; thence leaving said south line N89°07'57\"/>

**Am. Tract B**  
 A tract of land being part of Tract 1 and all of Tract B of Baldyview Minor Subdivision No. 2, Book of Plats 1, Page 682, situated in part of the SE 1/4 of Section 28, Township 7 North, Range 2 East, T.7N.7R.2E, Broadwater County, Montana and being more particularly described as follows: Commence at the SE Corner of said section; thence along the south line of said section 899'25.97' E for a distance of 479.22 feet to the southeasterly corner of heretofore described Tract and True Point of Beginning; thence leaving said south line N89°07'57\"/>

**Am. Tract B Easement**  
 Am. Tract B is 20 acres or greater, inclusive 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 (2).

**Amended Tract A** is excluded from sanitation review by the Department of Environmental Quality pursuant to ARM 17.34.605(2)(a) as 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.

**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 76-5-207 (1)(a), M.C.A., (1)(b) except as provided in subsection (2), unless the method of relocations is approved by the Department of Environmental Quality, the following conditions and requirements of land use subdivisions under this chapter but are subject to the surveying requirements of 76-5-401 for divisions or aggregations of land other than subdivisions and are subject to applicable zoning regulations adopted under Title 76, chapter 2, (c) 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 76-5-207 (1)(a), M.C.A.

Alison Joy O'Hara  
 Landowner

**Certificate of Examination:**  
 Reviewed for errors and omissions in calculations and drafting this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ pursuant to Section 76-5-411(1)(a), M.C.A.

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

**Certificate of Surveyor:**  
 I, hereby certify the attached plat is a true representation of a survey performed under my supervision and completed on May 26, 2021, and described in 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  
 Registration I.S. 15279  
 P.O. Box 127  
 Townsend, MT 59644

1. 7 N., R. 2 E.