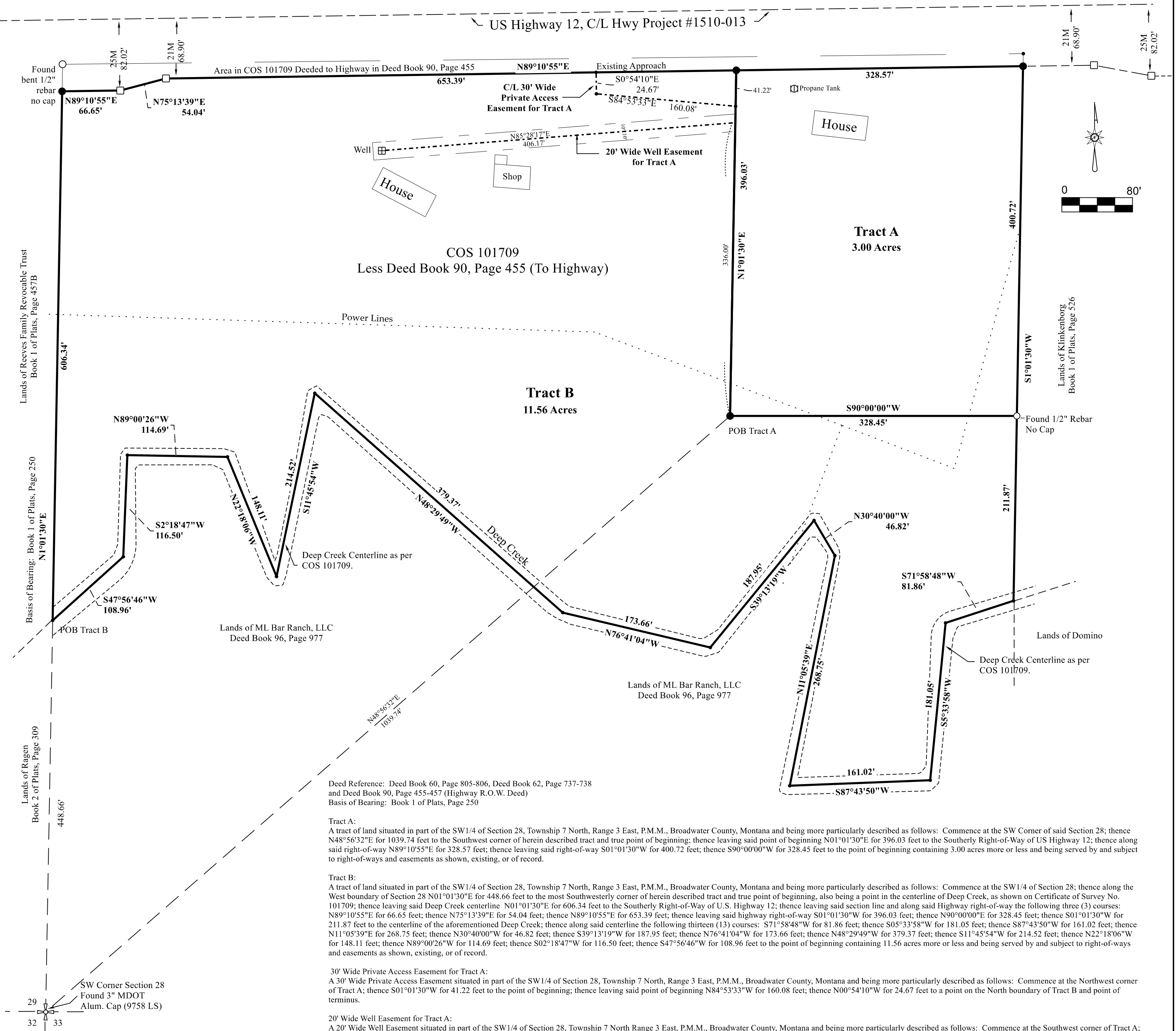


Certificate of Survey: Court Ordered Partition - Probate No. ADP 2019-21
 Situated in part of the SW 1/4 of Section 28, Township 7 North, Range 3 East, P.M.M., Broadwater County, Montana

For: The Estate of Betty B. Fandrich Horne
 June 16, 2020



Deed Reference: Deed Book 60, Page 805-806, Deed Book 62, Page 737-738 and Deed Book 90, Page 455-457 (Highway R.O.W. Deed)
 Basis of Bearing: Book 1 of Plats, Page 250

Tract A:
 A tract of land situated in part of the SW 1/4 of Section 28, Township 7 North, Range 3 East, P.M.M., Broadwater County, Montana and being more particularly described as follows: Commence at the SW Corner of said Section 28; thence N48°56'32"E for 1039.74 feet to the Southwest corner of herein described tract and true point of beginning; thence leaving said point of beginning N01°01'30"E for 396.03 feet to the Southerly Right-of-Way of US Highway 12; thence along said right-of-way N89°10'55"E for 328.57 feet; thence leaving said right-of-way S01°01'30"W for 400.72 feet; thence S90°00'00"W for 328.45 feet to the point of beginning containing 3.00 acres more or less and being served by and subject to right-of-ways and easements as shown, existing, or of record.

Tract B:
 A tract of land situated in part of the SW 1/4 of Section 28, Township 7 North, Range 3 East, P.M.M., Broadwater County, Montana and being more particularly described as follows: Commence at the SW 1/4 of Section 28; thence along the West boundary of Section 28 N01°01'30"E for 448.66 feet to the most Southwesterly corner of herein described tract and true point of beginning, also being a point in the centerline of Deep Creek, as shown on Certificate of Survey No. 101709; thence leaving said Deep Creek centerline N01°01'30"E for 606.34 feet to the Southerly Right-of-Way of U.S. Highway 12; thence leaving said section line and along said Highway right-of-way the following three (3) courses: N89°10'55"E for 66.65 feet; thence N75°13'39"E for 54.04 feet; thence N89°10'55"E for 653.39 feet; thence leaving said highway right-of-way S01°01'30"W for 396.03 feet; thence N90°00'00"E for 328.45 feet; thence S01°01'30"W for 211.87 feet to the centerline of the aforementioned Deep Creek; thence along said centerline the following thirteen (13) courses: S71°58'48"W for 81.86 feet; thence S87°43'50"W for 161.02 feet; thence N11°05'30"E for 268.75 feet; thence N30°40'00"W for 46.82 feet; thence S39°13'19"W for 187.95 feet; thence N76°41'04"W for 173.66 feet; thence N48°29'49"W for 379.37 feet; thence S11°45'54"W for 214.52 feet; thence N22°18'06"W for 148.11 feet; thence N89°00'26"W for 114.69 feet; thence S02°18'47"W for 116.50 feet; thence S47°56'46"W for 108.96 feet to the point of beginning containing 11.56 acres more or less and being served by and subject to right-of-ways and easements as shown, existing, or of record.

30' Wide Private Access Easement for Tract A:
 A 30' Wide Private Access Easement situated in part of the SW 1/4 of Section 28, Township 7 North, Range 3 East, P.M.M., Broadwater County, Montana and being more particularly described as follows: Commence at the Northwest corner of Tract A; thence S01°01'30"W for 41.22 feet to the point of beginning; thence leaving said point of beginning N84°53'33"W for 160.08 feet; thence N00°54'10"W for 24.67 feet to a point on the North boundary of Tract B and point of terminus.

20' Wide Well Easement for Tract A:
 A 20' Wide Well Easement situated in part of the SW 1/4 of Section 28, Township 7 North Range 3 East, P.M.M., Broadwater County, Montana and being more particularly described as follows: Commence at the Southwest corner of Tract A; thence N01°01'30"E for 336.00 feet to the point of beginning; thence leaving said point of beginning S85°28'17"W for 406.17 feet to the point of terminus.

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 survey 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 _____ Pursuant to Section 76-3-207(3) (a), MCA.
 Tax ID # _____
 Dated this _____ day of _____, 20____.
 Treasurer of Broadwater County

Court Ordered Partition Exemption:

I, _____, Landowner:
 Hereby declare the purpose of this survey is to create a parcel in accordance with M C A 76-3-201 (1)(a) of the Montana Subdivision and Platting Act, which states: "Unless the method of disposition is adopted for the purpose of evading this chapter, the requirements of this chapter shall not apply to any division of land which is created by order of any court of record in this state or by operation of law or that, in the absence of agreement between the parties to the sale, could be created by an order of any court in this state pursuant to the law of eminent domain, Title 70, chapter 30. Before a court of record orders a division of land under subsection (1)(a), the court shall notify the governing body of the pending division and allow the governing body to present written comment on the division, MCA 76-3-201 (2). Therefore, this division is not subject to review as a subdivision.

Sanitation Exclusion:
 This tract is excluded from review by the Department of Environmental Sciences according to MCA 76-4-125 (2)(a) which states: A subdivision excluded from the provisions of chapter 3 must be submitted for review according to the provision of this part, except that the following divisions or parcels, unless the exclusions are used to evade the provisions of this part, are not subject to review: (a) the exclusions cited in 76-3-201 and 76-3-204. This tract was created by MCA 76-3-201(1)(a), therefore this tract is excluded from sanitation review.

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

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 attorney-in-fact for _____ and the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same for and on behalf of _____ as their lawful attorney-in-fact.
 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 _____
 My Commission Expires _____

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 Surveyor:
 I hereby certify the attached survey is a true representation of a survey performed under my supervision and completed on March 7, 2012 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. No. 15279
 P.O. Box 177
 Townsend, Mt. 59644

LEGEND	
	Section Corner
	Found 5/8" Rebar w/2" Alum. Cap (MDOT #14217LS)
	Found Rebar as Noted
	Found Witness Corner
	Set 1/2" Rebar - OPC 15279
	Well
	Propane Tank
	Powerline

Sec. 28, T.7N., R.3E., P.M.M., Broadwater Co.			
Requested By: Valerie Hornsveld			
Type: Court Ordered Partition			
Schauber Surveying		266-4602	
SCALE 80 Ft/In	DATE 7-9-2020	FILE NAME 3237B.trv	
DRAWN BY BMS	REVISION	SHEET 1/1	JOB 3237