

1703 (50-51)
 C14 1703 (53)
 (124)
 188-200

CERTIFICATE OF SURVEY

of lands immediately North of the Townsite of Wilsall as well as of a unit of land for boundary adjustment in the NW 1/4 of Section 19 T3N, R9E, MPM, PARK COUNTY, MONTANA

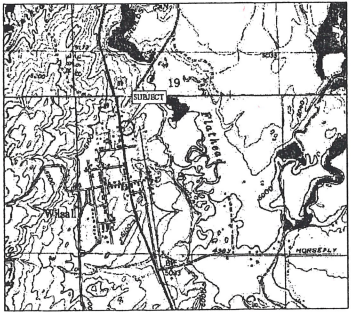
Survey requested by Chloris Guth Zimmerman, it being her desire to identify and monument Henry Guth, Inc. lands immediately north of the original Townsite of Wilsall and east of the Mountain View Addition to Wilsall. These lands are portions of lands conveyed from Jordan to Lucas (V46, P1). These involve both a parcel conveyed out of Lucas ownership and subsequently reacquired (ref: V46, P367) and lands never conveyed as separate parcels by Lucas.

It is also her desire to rearrange these lands so as to create better boundaries, conforming with the existing use pattern in the area. This results in Units 1 and 2 as separate units and Unit 3 to be added to that tract of land described in V114, P350 as a boundary adjustment. No additional tracts are created by this action.

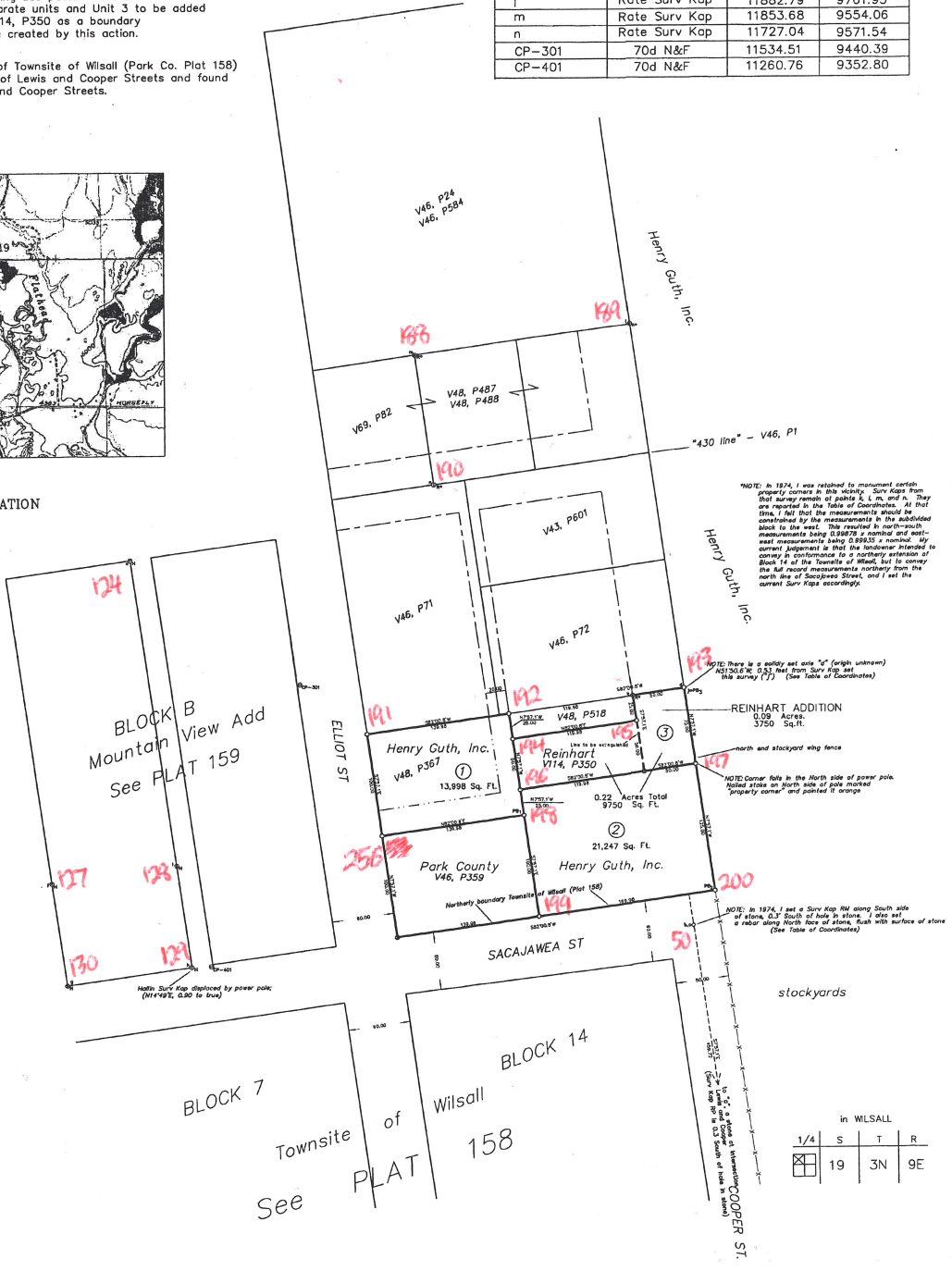
Basis of bearings derived from Plat of Townsite of Wilsall (Park Co. Plat 158) between found stone at intersection of Lewis and Cooper Streets and found stone at intersection of Sacajawea and Cooper Streets.

TABLE OF COORDINATES

MONUMENT	DESCRIPTION	NORTHING	EASTING
a	set stone Lewis & Cooper	10842.38	9882.16
b	set stone Sacajawea & Cooper	11297.68	9818.57
c	Surv Kap RM	11297.35	9818.57
d	axle	11529.24	9811.08
e	Hallin Surv Kap	11655.91	9278.96
f	Hallin Surv Kap	11342.31	9201.62
g	Hallin Surv Kap	11243.24	9215.51
h	Hallin Surv Kap	11259.12	9334.04
i	Hallin Surv Kap	11358.97	9320.44
j	Rate Surv Kap	11528.94	9811.50
k	Rate Surv Kap	11521.75	9761.98
l	Rate Surv Kap	11882.79	9761.93
m	Rate Surv Kap	11853.68	9554.06
n	Rate Surv Kap	11727.04	9571.54
CP-301	70d N&F	11534.51	9440.39
CP-401	70d N&F	11260.76	9352.80



LOCATION

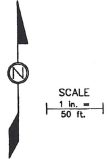


NOTE: In 1974, I was retained to monument certain property corners in this vicinity. Surv data from that survey shows of points S, L, M, and N. They are reported in the Table of Coordinates. At that time, I felt that the measurements should be controlled by the measurements in the subdivided block to the west. This resulted in north-south measurements being 0.00076 a number and east-west measurements being 0.00035 a number. My current judgement is that the location of Block 14 of the Townsite of Wilsall, but to convey the full record measurements northerly from the north line of Sacajawea Street, and I set the current Surv Kap accordingly.

NOTE: There is a solid set one "d" (origin unknown) 0.09 Acres 9750 Sq. Ft. REINHART ADDITION V48, P350

NOTE: Corner hole in the North side of power pole. Hatched stone on north side of pole marked. "Imperially corner" and painted it orange.

NOTE: In 1974, I set a Surv Kap RM along South side of stone, O, T South of hole in stone. I also set a flag along North face of stone, each with surface of stone (See Table of Coordinates).



- LEGEND
- Found monument set by Hallin
 - Found monument set by Rate
 - Surv Kap set this survey
 - Unmarked corner
 - Found stone
 - 70d nail and flasher
 - Point of Beginning
 - Witness corner
 - Boundary, this survey
 - Other ownership or block line
 - Line to be extinguished
 - Projected streets and alleys per deeds
 - Boundary V46, P 367
 - Tie line only
 - X-X-X-X-X Fence
 - Road



STATE OF MONTANA
 PARK COUNTY
 Filed this 20 day
 of September, 2001
 All 2:10 p.m.
 County Clerk & Recorder
 Document No. 385506
 ju-8-530

STATE OF MONTANA
 Park County
 I, Henry A. Rate, Registered Land Surveyor No. 3763, hereby certify that I made the survey shown on the attached certificate in March-May 2001, and that this survey is correctly shown and described herein.
 Date: September 20, 2001

in WLSALL

1/4	S	T	R
19	3N	9E	

51

C14 1703

Background & explanation: There is no specific "block" involved here, although the south, west, and east tract lines appear to have been constrained by northerly and easterly projections of the Townsite of Wilsall on the south and the Mountain View Addition on the west. These tracts were created one by one by description, without benefit of survey of record or any recovered monumentation (with assumed senior and junior rights).

Original segregation within this "Block" of land was from Jordan to Lucas (3 units originally) and Jordan to Lear (1 unit originally). The Lear unit was subsequently broken into 3 units. The northerly 2 of Lucas' units have subsequently been combined. The southerly Lucas unit (south of what is referred to as the "430 line" was broken into 7 units, with residuals. One unit appears to have been repurchased or reverted to the original (Lucas) ownership.

Some of the original tract descriptions attempt to protect projected streets and alleys. Street and alley lines which may be protected by deeds are shown on this certificate as dashed lines. A number of units call for "use by the public" (in one wording or another) of "projected streets and alleys". I show my interpretation of these "public use" lands with dashed lines on the drawing. There is a question as to the status of such reservation, since no dedication or acceptance has taken place.

The original Townsite Plat of Wilsall appears to dedicate all of Sacajawea and all of Cooper Street to the projected north line of Sacajawea. The Mountain View Addition to Wilsall appears to dedicate only the west half of Elliott Street. This lends support to my argument that the descriptions of V48, P367; V48, P518 and V114, P350 are in error. In my opinion, the points of beginning for these tracts should be on the east line of Elliott Street, as evidenced by occupancy. The deeds for these tracts call for the west line of Elliott Street.

QUESTIONS:

Is the east half of Elliott Street (U.S. Hwy. 89), adequately protected?

Can a deed between two private parties dedicate lands to public use without acceptance of the governing body?

If so, does the fact that all the roadways are truncated by non-"dedicated" lands and are not in current (or apparent past) use by the public render this "dedication" void? Structures and other improvements are located on some of these lands.

Are there any implications relative to lands never conveyed as separate tracts?

The subject units of land are described as follows:

UNIT 1

A tract of land in the NW 1/4 of Section 19, T3N, R9E, MPM, Park County, Montana, being that unit of land described in Park County deeds: V48, P367 and certain adjacent lands which are a portion of those lands described in Park County deeds: V46, P1.

From an original stone at the intersection of the centerlines of Sacajawea and Cooper Streets of the Townsite of Wilsall, the point of beginning is N 58°05.4' W a distance of 194.68 feet. The point of beginning is marked with a Surv Kap.

Thence N 7°57.1' W a distance of 100.00 feet to a point marked with a Surv Kap.

Thence S 82°00.8' W a distance of 139.98 feet to a point marked with a Surv Kap.

Thence S 7°57.1' E a distance of 100.00 feet to a point marked with a Surv Kap.

Thence N 82°00.8' E a distance of 139.98 feet to a point marked with a Surv Kap.

The above-described tract contains 13,998 square feet, more or less.

UNIT 2

A tract of land in the NW 1/4 of Section 19, T3N, R9E, MPM, Park County, Montana, being a portion of those lands described in Park County deeds: V46, P1.

From an original stone at the intersection of the centerlines of Sacajawea and Cooper Streets of the Townsite of Wilsall, the point of beginning is N 31°50.0' E a distance of 39.05 feet. The point of beginning is marked with a Surv Kap.

Thence N 7°57.1' W a distance of 125.00 feet to a point marked with a Surv Kap.

S 82°00.8' W a distance of 169.98 feet to a point marked with a Surv Kap.

Thence S 7°57.1' E a distance of 125.00 feet to a point marked with a Surv Kap.

Thence N 82°00.8' E a distance of 169.98 feet to the point of beginning.

The above-described tract contains 21,247 square feet, more or less.

UNIT 3

REINHART ADDITION TRACT

It is intended that this unit be added to those lands described in Park County deeds: V114, P350.

A tract of land in the NW 1/4 of Section 19, T3N, R9E, MPM, Park County, Montana, being a portion of those lands described in Park County deeds: V46, P1.

From an original stone at the intersection of the centerlines of Sacajawea and Cooper Streets of the Townsite of Wilsall, the point of beginning is N 1°45.0' W a distance of 231.37 feet. The point of beginning is marked with a Surv Kap.

Thence S 82°00.8' W a distance of 50.00 feet to a point which is referenced by a Surv Kap which is S 2°23' W a distance of 0.24 feet from the true point.

Thence S 7°57.1' E a distance of 75.00 feet to a point marked with a Surv Kap.

Thence N 82°00.8' E a distance of 50.00 feet to a point marked with a Surv Kap.

Thence N 7°57.1' W a distance of 75.00 feet to the point of beginning.

The above-described tract contains 3750 square feet, more or less. (When combined with the lands described in V114, P350, the total tract will contain 9750 square feet, more or less.)

CERTIFICATE OF EXEMPTION

The land from which the Units 1, 2, and 3 (Reinhart Add.) are created is held in single undivided ownership by Henry Guth, Inc. I, the undersigned, as representative of Henry Guth, Inc. hereby acknowledge that this is a division of land exempted from public review as a subdivision. This survey is made "outside of platted subdivisions for purpose of relocating common boundary lines between adjoining properties", (Montana Subdivision and Platting Act, Section 76-3-207 (1c)). No additional tracts are created.

Chloris Zimmerman
Chloris Zimmerman, representative of Henry Guth, Inc.

STATE OF Montana
Park County

On this 18th day of October, 2001, before me, a Notary Public for the State of Montana, Chloris Zimmerman, representative of Henry Guth, Inc., known to me to be the person whose name is subscribed to the Certificate of Exemption above, and acknowledged to me that she executed the same.

Notary Public for the State of Montana
Residing at
My commission expires

PARK COUNTY PLANNING BOARD

Examined and recommended for approval.

Dated this day of 2001

Chairman
Park County Planning Board

PARK COUNTY BOARD OF COUNTY COMMISSIONERS

I, the Chairman of the Board of County Commissioners, do hereby certify that this Certificate of Survey has been duly reviewed, and has been found to be exempt from the requirements of the Subdivision and Platting Act, Section 76-3-101 et seq. M.C.A. and the Park County Subdivision Regulations.

Dated this 19th day of December, 2001

Chairman
Board of County Commissioners

CERTIFICATE OF COUNTY TREASURER

I, the Treasurer of Park County, Montana, do hereby certify that the accompanying Certificate of Survey has been duly examined and that no real property taxes assessed and levied on the land to be divided are delinquent.

Dated this 18th day of December, 2001

County Treasurer

Reference Surveyor's Certificate on Sheet 1