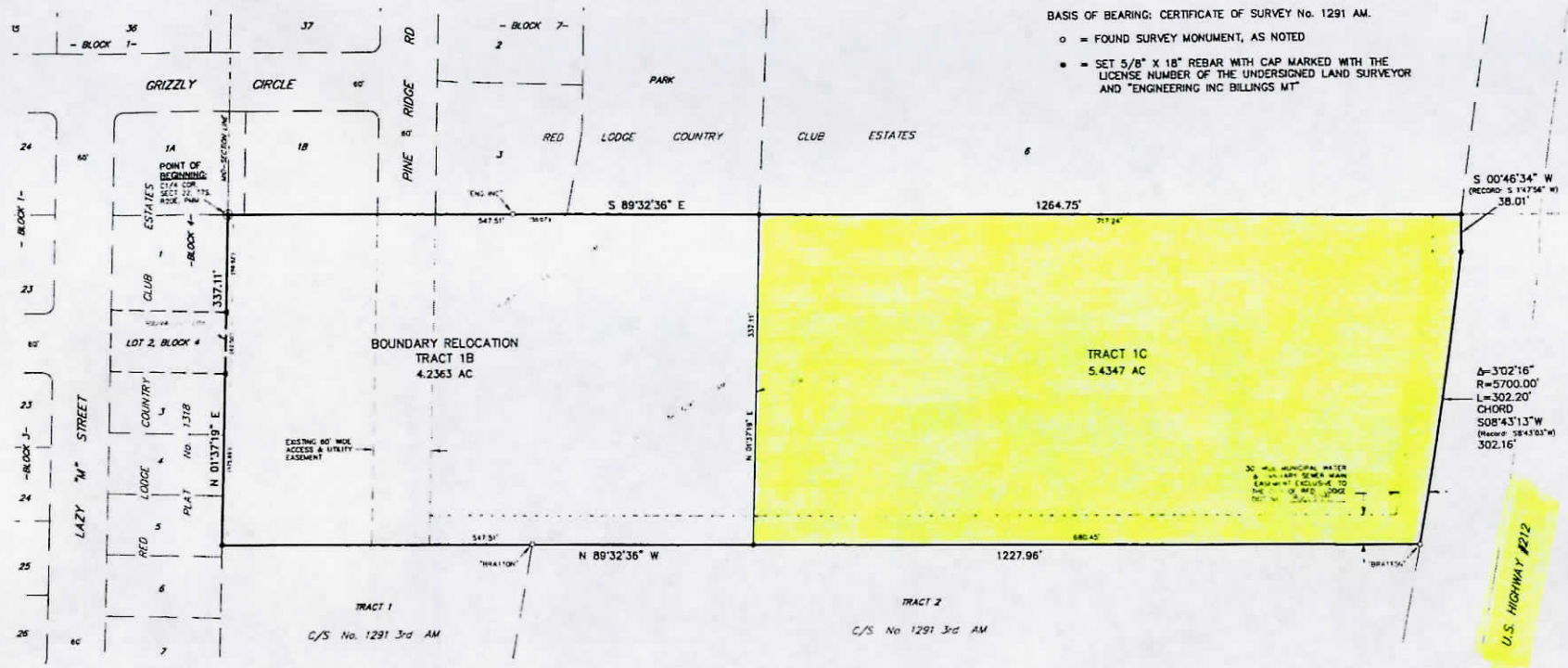
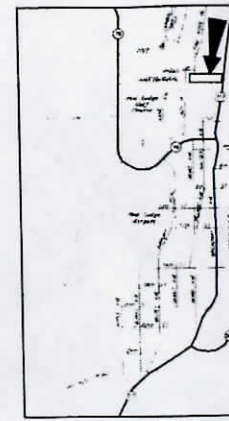
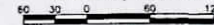


# CERTIFICATE OF SURVEY No. 1291 4th AMENDED RB

SITUATED IN THE SE1/4 OF SECTION 22, T. 7 S., R. 20 E., P.M.M.  
IN THE CITY OF RED LODGE, CARBON COUNTY, MONTANA

PREPARED FOR : FRANK NIENABER  
PREPARED BY : ENGINEERING, INC.  
SCALE : 1"=60'

OCTOBER, 2005  
BILLINGS, MONTANA



BASIS OF BEARING: CERTIFICATE OF SURVEY No. 1291 AM.

- = FOUND SURVEY MONUMENT, AS NOTED
- = SET 5/8" X 18" REBAR WITH CAP MARKED WITH THE LICENSE NUMBER OF THE UNDERSIGNED LAND SURVEYOR AND "ENGINEERING INC BILLINGS MT"

S 00°46'34" W  
RECORD 5 14754" W  
38.01'

Δ=302'16"  
R=5700.00'  
L=302.20'  
CHORD  
S08°43'13"W  
302.16"  
(Measure S84°33'03"W)

### LANDOWNERS STATEMENT - RELOCATION OF LOT LINES

The undersigned owners hereby certify that the purpose of this survey is to relocate the common line between a single lot with platted subdivision and adjoining land located outside of a plat subdivision whereby BOUNDARY RELOCATION TRACT 10 and TRACT 11 hereon will forever be merged with LOT 2, BLOCK 4 OF RED LODGE COUNTRY CLUB ESTATES, PLAT No.1318 and shall not be treated as a separate parcel in the future. A restriction or requirement the original platted lot or original unplatted parcel continues to apply to those areas.

Therefore this survey is exempt from review as a subdivision pursuant to Section 78-3-207(1)(a), M.C.A. and is exempt from review by the Department of Environmental Quality pursuant to 17.36.805 (2)(b) since the parcels have "no existing facilities water supply, wastewater disposal or solid waste disposal other than those that were previously approved by the reviewing authority"

RED LODGE GRIZZLY PEAK, INC.  
(Owner: Tract 1 Am. C.O.S. No. 1291 Am.)  
By: Frank Niener  
Title: Chairman

FRANK H. NIENABER II  
(Owner: Lot 2, Block 4, R.L.C.C.E.)

### CERTIFICATE OF COUNTY TREASURER

I hereby certify, pursuant to Section 78-3-611(1)(b), M.C.A. that no real property taxes assessed and levied on the above described land are delinquent:

June Williamson-Wicks 01/28/06  
Carbon County Treasurer Date

### CONSENT TO PLATTING

The undersigned hereby consents to the plating of the tract of land hereafter described and included in a mortgage to the undersigned, and hereby releases and reconveys from said mortgage all portions of the tract dedicated to the public.

IN WITNESS WHEREOF, the undersigned has caused this consent and release to be executed and acknowledged. This consent is made pursuant to Section 78-3-612(1), M.C.A.

First Interstate Bank  
By: [Signature]  
Title: Vice President

STATE OF MONTANA )  
County of Yellowstone )

On this 8th day of November, 2005, before me, a Notary Public in and for the State of Montana, personally appeared Frank Niener, known to me to be the person who signed the foregoing instrument as Chairman of First Interstate Bank, and who acknowledged to me that said corporation executed the same. Witness my hand and seal the day and year herein above written.

Diane J. Boudreau  
Notary Public in and for the State of Montana  
Printed Name Diane J. Boudreau  
Residing at Billings  
My commission expires 03/31/2006



### CERTIFICATE OF SURVEYOR

STATE OF MONTANA )  
County of Yellowstone )

The undersigned, a Montana Registered Land Surveyor, being first duly sworn, deposes and says that during the month of October, 2005, a survey was performed under his supervision of a tract being situated in the SE1/4 of Section 22, T. 7 S., R. 20 E., P.M.M., Carbon County, Montana, said tract being more particularly described as follows, to-wit:

Beginning at a point which is the Center Quarter corner of Section 22, T. 7 S., R. 20 E., P.M.M.; thence, from said point of beginning, S 89°32'36" E a distance of 1264.75; thence S 00°46'34" W a distance of 38.01 feet; thence along a non-tangent curve to the left with a radius of 5700.00 feet a distance of 302.20 feet (chord bearing S 08°43'13" W, chord length 302.16 feet); thence N 89°32'36" W a distance of 1227.96; thence N 01°37'19" E a distance of 337.11 feet to the point of beginning; said described tract containing a gross area and a net area of 9.8710 AC.

That iron monuments of suitable size were set and occupy the positions shown thereon, that said survey and the plat hereof shows true and correct dimensions and that the plat conforms with the work on the ground.

ENGINEERING, INC.  
By: [Signature]  
Montana Registration No. 9960 L.A.

Subscribed and sworn to before me, a Notary Public in and for the State of Montana, this 7th day of October, 2005.

Eric J. [Signature]  
Notary Public in and for the State of Montana  
Printed Name Eric J. [Signature]  
Residing at Billings, Montana  
My commission expires 06/01/2006



STATE OF MONTANA )  
County of Carbon )

Filed on this day of \_\_\_\_\_, 20\_\_ at \_\_\_\_\_ o'clock P. M.

INDIAN MADALA  
Carbon County Clerk & Recorder  
By: \_\_\_\_\_  
Deputy

STATE OF MONTANA )  
County of Yellowstone )

On this 1st day of February, 2006, before me, the undersigned Notary Public for the State of Montana personally appeared Frank Niener, known to me to be the person who signed the foregoing instrument as Chairman of RED LODGE GRIZZLY PEAK, INC., acknowledged to me that said corporation executed the same. Witness my hand and seal the day and year herein above written.

Frank Niener  
Notary Public in and for the State of Montana  
Printed Name Frank Niener  
Residing at Billings  
My commission expires 2/28/2006

STATE OF MONTANA )  
County of Yellowstone )

On this 1st day of February, 2006, before me, the undersigned Notary Public for the State of Montana personally appeared FRANK H. NIENABER II, known to me to be the person who signed the foregoing instrument and who acknowledged to me that he executed the same. Witness my hand and seal the day and year herein above written.

Frank Niener  
Notary Public in and for the State of Montana  
Printed Name Frank Niener  
Residing at Billings  
My commission expires 2/28/2006

