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Property Description from File No. Parcel 138

The Northwest Quarter (NW1/4) of Section Seventeen (17), Township One Hundred Forty-four (144), Range Fifty-seven (57), West of the Fifth Principal Meridian, Steele County, ND

General Notes

1) This survey was prepared using Surety Title Company, as agent for Old Republic National Title Insurance Company, Proforma Policy No. OX-08181809, File No. 1700, having an effective date of July 9, 2009.

2) Steele County, North Dakota does not participate in the Flood Insurance Rate Map.

3) Subject property contains 6,972,681± Sq.Ft. or 160.1 acres.

4) Subject property contains no parking stalls.

5) The underground utilities shown have been located from field survey information and existing drawings. The surveyor makes no guarantees that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that that the underground utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible from information available. The surveyor has not physically located the underground utilities. (North Dakota One Call Ticket No. 9003963)

The following are numbered as they appear in Schedule B of the Title Commitment.
138E-1.) Right of Way Easement in favor of Dakota Water Users, Inc., dated June 28, 1976, filed July 15, 1976 at 8:00 A.M. in Book X of Easements page 365 as Document No. 73316.
PROPERTY APPEARS TO BE SUBJECT TO SAID RIGHT OF WAY EASEMENT, AS SHOWN ON SURVEY.

138E-2.) Subject to that certain Consent and Crossing Agreement dated April 14, 2009, filed April 27, 2009 at 9:30 A.M. as Document No. 99070, as amended by First Amendment to Consent and Crossing Agreement dated June 23, 2009, recorded July 2, 2009 at 9:45 A.M. as Document No. 99247, by and between Dakota Rural Water District, a political subdivision, f/k/a Dakota Water Users, Inc., and M-Power, as assigned to Ashtabula Wind II, LLC, a Delaware limited liability company, pursuant to that certain Assignment and Assumption of Real Property Interests dated July 9, 2009, filed July 13, 2009 at 10:15 A.M. as Document No. 99268.

138E-3.) Warranty Deed from Edna Sanden Dow, formerly Edna Sanden, as grantor to Ruth C. Truman, P.O. Box 36291, Phoenix, AZ., as grantee, dated May 10, 1988, filed May 13, 1988 at 10:00 A.M. in Book 24 of Deeds page 293 as Document No. 83498. Further subject to the provision that in the event grantee shall sell or otherwise convey this property, she shall first offer to her sister, Mary Ellen Sanden Stokkeland, the right to purchase. (Edna Sanden Dow, formerly Edna Sanden is deceased. Her life estate interest is terminated of record.)
PROPERTY APPEARS TO BE SUBJECT TO SAID WARRANTY DEED OVER THE NW 1/4 OF SEC. 17, NOT SHOWN ON SURVEY.

138E-4.) Subject to Subordination, Non-disturbance and Attornment Agreement dated May 27, 2009, filed June 17, 2009 at 11:15 A.M. as Document No. 99208, by and among Ruth C. Truman and Edward B. Truman, wife and husband, and Mary Ellen Stokkeland aka, Mary Ellen Sanden Stokkeland and Donald L. Stokkeland and M-Power, as assigned to Ashtabula Wind II, LLC, a Delaware limited liability company, pursuant to that certain Assignment and Assumption of Real Property Interests dated July 9, 2009, filed July 13, 2009 at 10:15 A.M. as Document No. 99268.

138E-5.) Unrecorded year-to-year Farm Lease Agreement by and between Ruth C. Truman, a married woman, and Clay Jacobsen, a single man, effective January 19, 2001. The above-referenced Farm Lease Agreement has been subordinated to the Wind Farm Easement Agreement as evidenced by that certain unrecorded Tenant Subordination Agreement dated May 27, 2009.

Property Description from File No. Parcel 138.17A

The Northeast Quarter (NE1/4) of Section Seventeen (17), Township One Hundred Forty-four (144), Range Fifty-seven (57) West of the Fifth Principal Meridian, Steele County, North Dakota

General Notes

1) This survey was prepared using Surety Title Company, as agent for Old Republic National Title Insurance Company, Proforma Policy No. OX-08181809, File No. 1700, having an effective date of July 9, 2009.

2) Steele County, North Dakota does not participate in the Flood Insurance Rate Map.

3) Subject property contains 6,970,526± Sq.Ft. or 160.0 acres.

4) Subject property contains no parking stalls.

5) The underground utilities shown have been located from field survey information and existing drawings. The surveyor makes no guarantees that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that that the underground utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible from information available. The surveyor has not physically located the underground utilities. (North Dakota One Call Ticket No. 9003963)

The following are numbered as they appear in Schedule B of the Title Commitment.
138.17 AE-1.) Easement and Right of Way Agreement in favor of Transcanada Keystone Pipeline, LP, A Limited Partnership, 450 1 Street SW, Calgary, Alberta, Canada, dated May 2, 2007, filed April 7, 2008 at 12:20 P.M. as Document No. 97960.
PROPERTY APPEARS TO BE SUBJECT TO SAID EASEMENT, AS SHOWN ON SURVEY.

Property Description from File No. Parcel 139

Southeast Quarter (SE1/4) of Section Seventeen (17), Township One Hundred Forty-four (144), Range Fifty-seven (57), West of the Fifth Principal Meridian, Steele County, ND.

General Notes

1) This survey was prepared using Surety Title Company, as agent for Old Republic National Title Insurance Company, Proforma Policy No. OX-08181809, File No. 1700, having an effective date of July 9, 2009.

2) Steele County, North Dakota does not participate in the Flood Insurance Rate Map.

3) Subject property contains 6,973,082± Sq.Ft. or 160.1 acres.

4) Subject property contains no parking stalls.

5) The underground utilities shown have been located from field survey information and existing drawings. The surveyor makes no guarantees that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that that the underground utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible from information available. The surveyor has not physically located the underground utilities. (North Dakota One Call Ticket No. 9003963)

The following are numbered as they appear in Schedule B of the Title Commitment.
139E-1.) Easement and Right of Way Agreement in favor of Transcanada Keystone Pipeline, LP, a Limited Partnership, 450 1 street SW, Calgary, Alberta, Canada, T2P 5H1, dated June 5, 2007, filed April 7, 2008 at 12:30 P.M. as Document No. 97961.
PROPERTY APPEARS TO BE SUBJECT TO SAID EASEMENT & RIGHT OF WAY AGREEMENT, AS SHOWN ON SURVEY.

139E-3.) Mineral Reservation contained in Deed dated March 17, 1943, filed December 13, 1943 at 4 P.M. in Book 10 of Deeds page 359 as Document No. 53542. Excepting and reserving by the Federal Land Bank of Saint Paul 50% of all right and title in and to any and all oil, gas and other minerals in or under the foregoing described land with such easement for ingress and egress and use of surface as may be incidental or necessary to use of such rights.
PROPERTY APPEARS TO BE SUBJECT TO SAID MINERAL RESERVATION OVER THE S 1/2 OF SEC. 17, NOT SHOWN ON SURVEY.

Property Description from File No. Parcel 140

The Southwest Quarter (SW1/4) of Section Seventeen (17), Township One Hundred Forty-four (144), Range Fifty-seven (57), West of the Fifth Principal Meridian, Steele, County, ND.

General Notes

1) This survey was prepared using Surety Title Company, as agent for Old Republic National Title Insurance Company, Proforma Policy No. OX-08181809, File No. 1700, having an effective date of July 9, 2009.

2) Steele County, North Dakota does not participate in the Flood Insurance Rate Map.

3) Subject property contains 7,000,804± Sq.Ft. or 160.7 acres.

4) Subject property contains no parking stalls.

5) The underground utilities shown have been located from field survey information and existing drawings. The surveyor makes no guarantees that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that that the underground utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible from information available. The surveyor has not physically located the underground utilities. (North Dakota One Call Ticket No. 9003963)

The following are numbered as they appear in Schedule B of the Title Commitment.
140E-1.) Right of Way Easement in favor of Dakota Water Users, Inc., dated June 11, 1976, filed July 15, 1976 at 8:00 A.M. in Book X of Easements page 366 as Document No. 73317.
PROPERTY APPEARS TO BE SUBJECT TO SAID RIGHT OF WAY EASEMENT, AS SHOWN ON SURVEY.

140E-2.) Subject to that certain Consent and Crossing Agreement dated April 14, 2009, filed April 27, 2009 at 9:30 A.M. as Document No. 99070, as amended by First Amendment to Consent and Crossing Agreement dated June 23, 2009, recorded July 2, 2009 at 9:45 A.M. as Document No. 99247, by and between Dakota Rural Water District, a political subdivision, f/k/a Dakota Water Users, Inc., and M-Power, as assigned to Ashtabula Wind II, LLC, a Delaware limited liability company, pursuant to that certain Assignment and Assumption of Real Property Interests dated July 9, 2009, filed July 13, 2009 at 10:15 A.M. as Document No. 99268.

140E-3.) Mineral Reservation contained in Deed dated March 17, 1943, filed December 13, 1943 at 4 P.M. in Book 10 of Deeds page 359 as Document No. 53542. Excepting and reserving by the Federal Land Bank of Saint Paul 50% of all right and title in and to any and all oil, gas and other minerals in or under the foregoing described land with such easement for ingress and egress and use of surface as may be incidental or necessary to use of such rights.
PROPERTY APPEARS TO BE SUBJECT TO SAID MINERAL RESERVATION OVER THE S 1/2 OF SEC. 17, NOT SHOWN ON SURVEY.

Westwood

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www.westwoodps.com

Crew: JAG
Checked: CWM
Drawn: SRS
Record Drawing by/date:

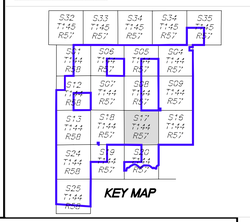
Revisions:
:
:
:

Prepared for:

Ashtabula Wind II, LLC

LEGEND

- WELL
- GUY WIRE
- POWER POLE
- POST
- GATE VALVE
- TELEPHONE BOX
- ELECTRIC BOX
- ELECTRIC METER
- HYDRANT
- WATER METER
- CURB STOP BOX
- FOP — FIBER OPTIC UNDERGROUND
- TUG — TELEPHONE UNDERGROUND
- WAT — RURAL WATERMAIN
- POH — POWER OVERHEAD
- FENCE LINE
- DENOTES SET IRON MONUMENT
- DENOTES FOUND IRON MONUMENT
- DENOTES PROJECT BOUNDARY
- DENOTES LEASE BOUNDARY
- XX — DENOTES ASBUILT TURBINE LOCATION AND NUMBER
- DENOTES ASBUILT ACCESS ROAD
- DENOTES ASBUILT STORM SEWER
- R-PUG — DENOTES ASBUILT UNDERGROUND COLLECTION CABLE
- R-POH — DENOTES ASBUILT OVERHEAD TRANSMISSION LINE
- E — DENOTES ASBUILT ELECTRIC BOX
- JB — DENOTES ASBUILT JUNCTION BOX
- DENOTES ASBUILT TRANSMISSION POLES
- DENOTES PROPERTY OUTSIDE THE PROJECT BOUNDARY



Ashtabula II Wind Farm

Luverne, North Dakota

0' 200' 400' 600'

AS-BUILT ALTA/ACSM Land Title Survey

Date: February 18, 2010
Sheet: 14 OF 20

20082573-02@ATF14(17-144-57).dwg