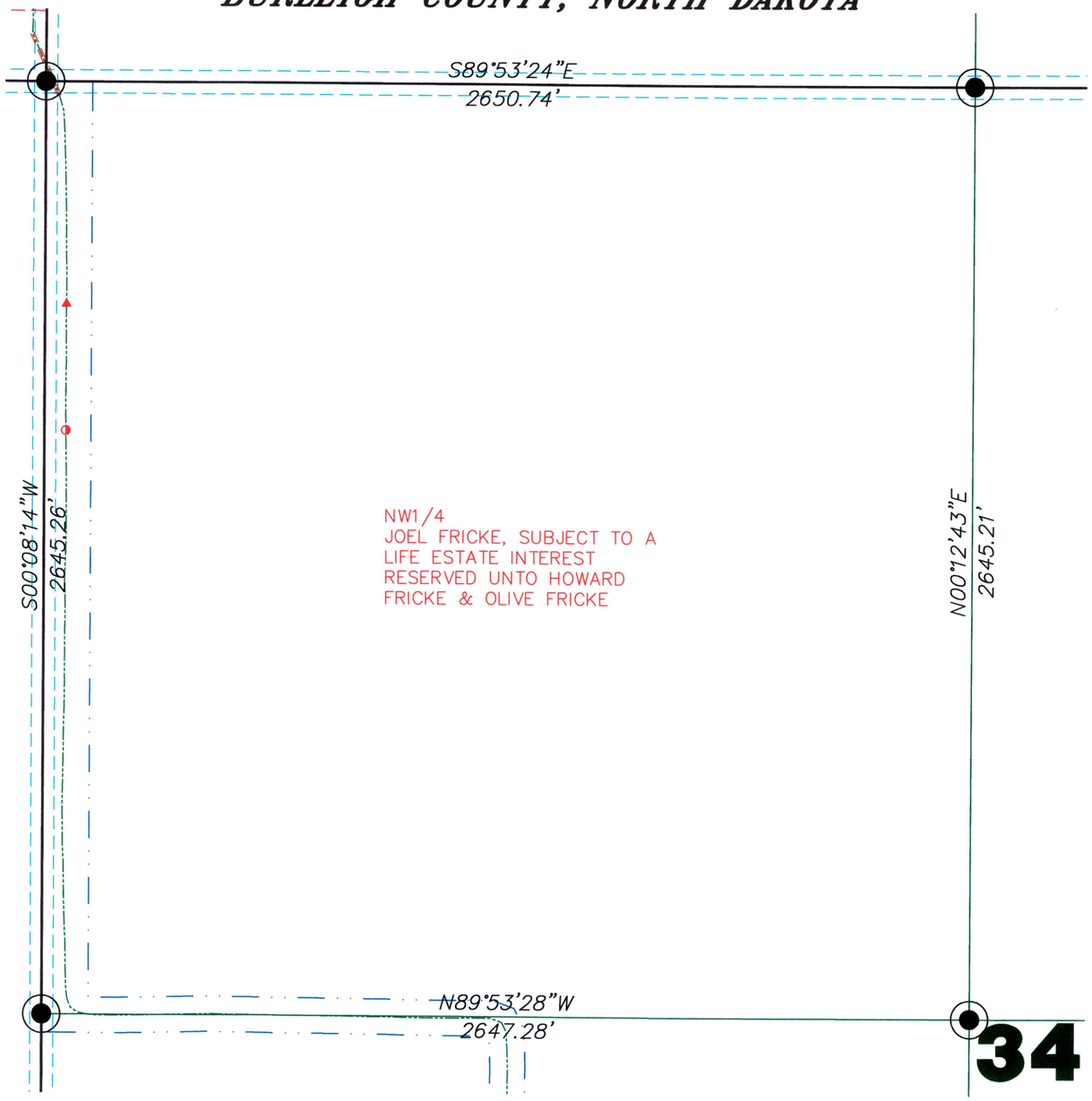
# "ALTA/ACSM LAND TITLE SURVEY"
# NW1/4 SECTION 34, T. 142 N., R. 79 W.
# BURLEIGH COUNTY, NORTH DAKOTA




## SECTION 34, T.142N., R.79W. DESCRIPTION

JOEL FRICKE, SUBJECT TO A LIFE ESTATE INTEREST RESERVED UNTO HOWARD FRICKE AND OLIVE FRICKE – THE WEST HALF (W1/2) OF SECTION THIRTY–FOUR (34), TOWNSHIP ONE HUNDRED FORTY–TWO (142) NORTH, RANGE SEVENTY–NINE (79) WEST OF THE FIFTH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA.

## SECTION 34 NOTES

THE LOCATION OF EACH EASEMENT, RIGHT–OF–WAY, SERVITUDE, AND OTHER MATTER AFFECTING THE SUBJECT PROPERTY AND LISTED IN THE AMENDED TITLE INSURANCE COMMITMENT NUMBER B63030.2, DATED MAY 3, 2010, ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, HAS BEEN CORRECTLY PLOTTED OR NOTED ON THE SURVEY, TOGETHER WITH APPROPRIATE RECORDING REFERENCES, TO THE EXTENT THAT SUCH MATTERS CAN BE LOCATED. THE PROPERTY SHOWN ON THE SURVEY IS THE SAME PROPERTY DESCRIBED IN THAT TITLE COMMITMENT.

THE SUBJECT PROPERTY HAS ACCESS TO AND FROM A DEDICATED AND ACCEPTED PUBLIC RIGHT OF WAY, ROAD OR HIGHWAY.

ALL UTILITY SERVICES REQUIRED FOR THE OPERATION OF THE PREMISES EITHER ENTER OR WILL ENTER THE PREMISES THROUGH ADJOINING PUBLIC STREET, OR THE SURVEY SHOWS THE POINT OF ENTRY AND LOCATION OF ANY UTILITIES THAT PASS THROUGH OR ARE LOCATED ON ADJOINING LAND.

NO STUDY HAS BEEN PERFORMED IN THE SUBJECT AREA FOR THE FLOOD INSURANCE RATE MAP.

THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SURVEYOR. ALL INFORMATION REGARDING RECORD EASEMENTS, ADJOINERS, AND OTHER DOCUMENTS THAT MIGHT AFFECT THE QUALITY OF TITLE TO TRACT SHOWN HEREON WAS GAINED FROM THE AMENDED TITLE COMMITMENT NUMBER B63030.2 AND PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY, DATED MAY 3, 2010.

ITEM 3 – STATUTORY RIGHT OF WAY FOR PUBLIC ROAD PURPOSES 33 FEET WIDE ALONG SECTION LINES PURSUANT TO NDCC 24–07–03. AFFECTS SUBJECT PROPERTY.
ITEM 4 – TERMS AND CONDITIONS AS CONTAINED IN BURLEIGH COUNTY ZONING ORDINANCE 94–10, FILED AS DOC. NO. 466014, AS FILED IN THE BURLEIGH COUNTY RECORDERS OFFICE. AFFECTS SUBJECT PROPERTY.
ITEM 5 – TERMS, CONDITIONS, AGREEMENTS AND RESTRICTIONS AS CONTAINED IN THE ECKLUND TOWNSHIP ZONING ORDINANCE, FILED AS DOC. NO. 593314 IN THE BURLEIGH COUNTY RECORDERS OFFICE. AFFECTS SUBJECT PROPERTY.
ITEM 6 – MEMORANDUM OF EASEMENTS TO BOULEVARD ASSOCIATES, LLC, FILED AS DOCUMENT NO. 696201. AFFECTS SUBJECT PROPERTY.
ITEM 7 – RIGHT OF WAY EASEMENT GRANTED UNTO SOUTH CENTRAL REGIONAL WATER DISTRICT, FILED AS DOCUMENT NO. 719227, FILED IN THE BURLEIGH COUNTY RECORDERS OFFICE. DOES NOT AFFECT SUBJECT PROPERTY.

## LEGEND

- EASEMENTS
- FOUND MONUMENT
- MONUMENT SET
- FOUND STONE
- MONUMENT TO BE SET
- 17 — WIND TURBINE
- ROAD FOR TURBINE
- CONSTRUCTION EASEMENT
- EXISTING POWER POLE
- UNDERGROUND COLLECTOR LINE
- J BOX, FIBER VAULT OR XGROUND BOX
- TRANSMISSION LINE
- TRANSMISSION EASEMENT
- E — E — UNDERGROUND ELECTRIC
- T — T — UNDERGROUND TELEPHONE
- G — G — UNDERGROUND GAS
- FIBER OPTIC — UNDERGROUND TELEPHONE FIBER
- CABLE BORING
- CHAIN LINK FENCE
- SPLICE
- GROUND
- CULVERT

N
W E
S

300' 0 300' 600'

SCALE – 1"=300'
SEPTEMBER 22, 2010

DATUM:
NORTH DAKOTA STATE PLANE
SOUTH ZONE (3302)
NAD 83 (ADJ 96)
INTERNATIONAL FEET
GRID DISTANCE
NAVD 88
THE SURVEY DATA IS ON FILE AT THE OFFICES OF SWENSON, HAGEN & CO.

## SURVEYORS CERTIFICATE

TO BALDWIN WIND, LLC, A DELAWARE LIMITED LIABILITY COMPANY, FIRST AMERICAN TITLE INSURANCE COMPANY AND NORTH DAKOTA GUARANTY AND TITLE COMPANY.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2005, AND INCLUDES ITEMS 1 AND 3 OF TABLE A THEREOF. PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF NORTH DAKOTA, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.

ANY ALTERATION OF THE ACCOMPANYING MAP WILL VOID THIS CERTIFICATION.

SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL EMBOSSED SEAL AND SIGNATURE OF SURVEYOR.

DATED: 1-26-11

Larry J. Smith
LARRY J. SMITH
REGISTERED LAND SURVEYOR
ND REGISTRATION NO. 2363

SEAL

Larry J. Smith
1-26-11

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## UTILITY NOTE

The locations of existing underground utilities are shown in an approximate way only and have not been independently verified by the owner or its representative. The contractor shall determine the exact location of all existing utilities before commencing work, and agrees to be fully responsible for any and all damages which might be occasioned by the contractor's failure to exactly locate and preserve any and all underground utilities.

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