

"ALTA/ACSM LAND TITLE SURVEY"
NE1/4 SECTION 21, T. 142 N., R. 57 W.
BARNES COUNTY, NORTH DAKOTA

SECTION 21, T.142N., R.57W. DESCRIPTION

DAVID G. BYBERG, ELIZABETH A. DREHER, AND DIANE G. BYBERG

THE NORTHEAST QUARTER (NE¼), SECTION TWENTY-ONE (21), TOWNSHIP ONE HUNDRED FORTY-TWO NORTH (142N), RANGE FIFTY-SEVEN WEST (57W) OF THE FIFTH PRINCIPAL MERIDIAN, BARNES COUNTY, NORTH DAKOTA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF;
 LESS: A TRACT OR PARCEL OF REAL ESTATE LYING AND BEING IN THE COUNTY OF BARNES AND STATE OF NORTH DAKOTA, DESCRIBED AS FOLLOWS, TO WIT: PARCEL NO. 24: THE EAST 75 FEET OF THE NE¼ OF SECTION 21, TOWNSHIP 142 NORTH, OF RANGE 57 WEST OF THE FIFTH PRINCIPAL MERIDIAN, EXCEPTING ALL THAT PORTION PREVIOUSLY ACQUIRED FOR PUBLIC HIGHWAY RIGHT-OF-WAY AND ALL OF THAT PORTION LYING WITHIN 33 FEET OF THE SECTION LINES. TRACT CONTAINS 2.51 ACRES, MORE OR LESS.

SECTION 21 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 5066-P-10-33, DATED SEPTEMBER 1, 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 RECORDED EASEMENTS, ADJOINERS, AND OTHER DOCUMENTS THAT MIGHT AFFECT THE QUALITY OF TITLE TO TRACT SHOWN HEREON WAS GAINED FROM THE AMENDED TITLE COMMITMENT NUMBER 5066-P-10-33 AND PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY, DATED SEPTEMBER 1, 2010.

ITEM ?? - STATUTORY RIGHT OF WAY FOR PUBLIC ROAD PURPOSES 33 FEET WIDE ALONG SECTION LINES PURSUANT TO NDCC 24-07-03. AFFECTS SUBJECT PROPERTY.

ITEM 3 - RIGHT OF WAY EASEMENT GRANTED UNTO NORTHWESTERN BELL TELEPHONE COMPANY, RECORDED IN BOOK "K-5" OF MISC., PAGE 147, AS FILED IN THE BARNES COUNTY RECORDERS OFFICE. AFFECTS SUBJECT PROPERTY AND LOCATION IS INDETERMINATE.

ITEM 4 - CONVEYANCE OF EASEMENTS FOR WATERFOWL MANAGEMENT RIGHTS GRANTED UNTO UNITED STATES OF AMERICA, RECORDED IN BOOK "K-5" OF MISC., PAGE 477, AS FILED IN THE BARNES COUNTY RECORDERS OFFICE. AFFECTS SUBJECT PROPERTY.

ITEM 5 - RIGHT OF WAY EASEMENT GRANTED UNTO NORTHWESTERN BELL TELEPHONE COMPANY, RECORDED IN BOOK "U-5" OF MISC., PAGE 21, AS FILED IN THE BARNES COUNTY RECORDERS OFFICE. AFFECTS SUBJECT PROPERTY AND LOCATION IS INDETERMINATE.

ITEM 6 - RIGHT OF WAY EASEMENT GRANTED UNTO BARNES RURAL WATER USERS, INC., RECORDED IN BOOK "K-6" OF MISC., PAGE 409, AS FILED IN THE BARNES COUNTY RECORDERS OFFICE. AFFECTS SUBJECT PROPERTY.

ITEM 7 - RIGHT OF WAY EASEMENT GRANTED UNTO BARNES RURAL WATER USERS, INC., RECORDED IN BOOK "O-6" OF MISC., PAGE 401, AS FILED IN THE BARNES COUNTY RECORDERS OFFICE. AFFECTS SUBJECT PROPERTY AND LOCATION IS INDETERMINATE.

ITEM 8 - RIGHT OF WAY EASEMENT GRANTED UNTO NORTHWESTERN BELL TELEPHONE COMPANY, RECORDED IN BOOK "R-6" OF MISC., PAGE 313, AS FILED IN THE BARNES COUNTY RECORDERS OFFICE. AFFECTS SUBJECT PROPERTY AND LOCATION IS INDETERMINATE.

ITEM 9 - MEMORANDUM OF EASEMENTS GRANTED UNTO BOULEVARD ASSOCIATES, LLC, RECORDED AS DOCUMENT NO. 261608, AS FILED IN THE BARNES COUNTY RECORDERS OFFICE. AFFECTS SUBJECT PROPERTY.

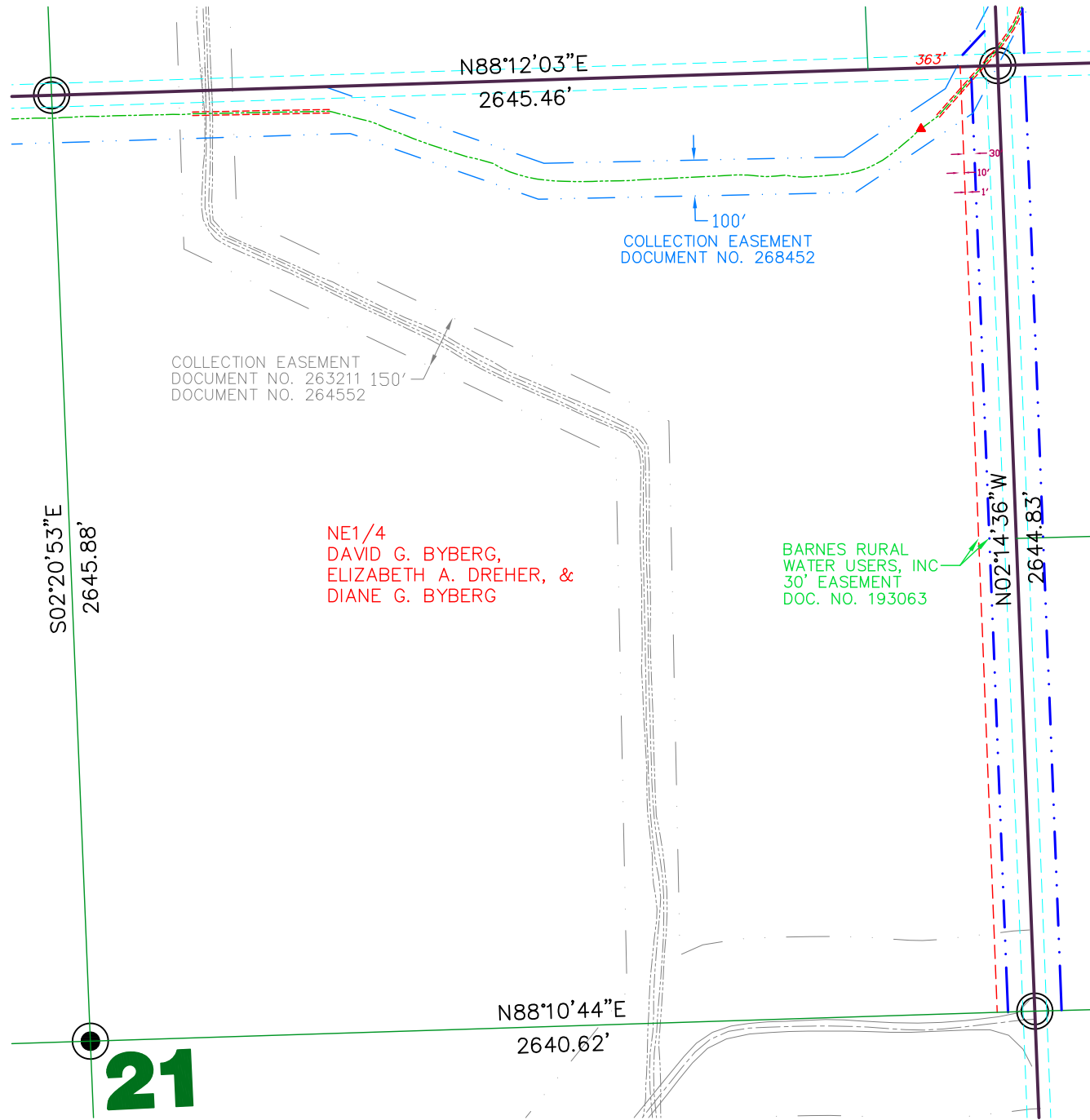
EASEMENT CONSENT AGREEMENT BETWEEN BOULEVARD ASSOCIATES, LLC AND ASHTABULA WIND, LLC, RECORDED AS DOCUMENT NO. 265194, AS FILED IN THE BARNES COUNTY RECORDERS OFFICE. AFFECTS SUBJECT PROPERTY.

ITEM 10 - COLLECTION EASEMENT GRANTED UNTO ASHTABULA WIND, LLC, RECORDED AS DOCUMENT NO. 263211, AS FILED IN THE BARNES COUNTY RECORDERS OFFICE. AFFECTS SUBJECT PROPERTY.

AMENDMENT TO COLLECTION EASEMENT GRANTED UNTO ASHTABULA WIND, LLC, RECORDED AS DOCUMENT NO. 264552, AS FILED IN THE BARNES COUNTY RECORDERS OFFICE. AFFECTS SUBJECT PROPERTY.

ITEM 12 - WIND NON-OBSSTRUCTIVE AND EASEMENT AGREEMENT GRANTED UNTO ASHTABULA WIND, LLC, RECORDED AS DOCUMENT NO. 264551, AS FILED IN THE BARNES COUNTY RECORDERS OFFICE. AFFECTS SUBJECT PROPERTY.

ITEM 14 - COLLECTION EASEMENT GRANTED UNTO ASHTABULA WIND III, LLC, RECORDED AS DOCUMENT NO. 268452, AS FILED IN THE BARNES COUNTY RECORDERS OFFICE. AFFECTS SUBJECT PROPERTY.



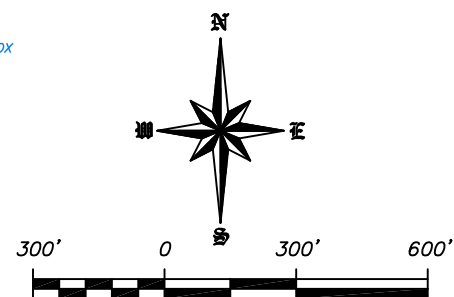
COLLECTION EASEMENT
DOCUMENT NO. 263211 150'
DOCUMENT NO. 264552

NE1/4
DAVID G. BYBERG,
ELIZABETH A. DREHER, &
DIANE G. BYBERG

BARNES RURAL
WATER USERS, INC
30' EASEMENT
DOC. NO. 193063

LEGEND

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



SCALE - 1"=300'
March 15, 2011

DATEM:
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.

SWENSON, HAGEN & COMPANY P.C.



909 Basin Avenue
Bismarck, North Dakota 58504
sheng@swensonhagen.com
Phone (701) 223-2600
Fax (701) 223-2606

Surveying
Hydrology
Land Planning
Civil Engineering
Landscape & Site Design
Construction Management

SURVEYORS CERTIFICATE

TO ASHTABULA III WIND, LLC, A DELAWARE LIMITED LIABILITY COMPANY AND FIRST AMERICAN TITLE INSURANCE COMPANY.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1 AND 3 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON FEBRUARY 11, 2011.

ANY ALTERATION OF THE ACCOMPANYING MAP WILL VOID THIS CERTIFICATION.

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

DATE OF PLAT OR MAP _____

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

Copyright © 2011 by Swenson, Hagen & Co.

All rights reserved. No part of this drawing may be used or reproduced in any form or by any means without the express written permission of Swenson Hagen & Co.

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.

SEAL

