

**"ALTA/ACSM LAND TITLE SURVEY"  
SE1/4 SECTION 8, T. 143 N., R. 57 W.  
BARNES COUNTY, NORTH DAKOTA**

**SECTION 8, T.143N., R.57W. DESCRIPTION**

CLARENCE K. STEFFEN AND MARY A. STEFFAN - THE E½ OF SECTION 8, TOWNSHIP 143N, RANGE 57W OF THE 5TH P.M., BARNES COUNTY, NORTH DAKOTA, LESS AND EXCEPT A TRACT OF LAND; BEGINNING AT THE NORTHWEST CORNER OF THE NE¼ OF SECTION 8, TOWNSHIP 143, RANGE 57, BARNES COUNTY, NORTH DAKOTA, THE POINT OF BEGINNING, THENCE 132 FEET EAST ALONG THE SECTION LINE, THENCE SOUTH FOR A DISTANCE OF 594 FEET, THENCE DUE WEST ALONG THE SOUTH EDGE OF THE TREE LINE WHICH RUNS EAST AND WEST FOR A DISTANCE OF 132 FEET TO THE QUARTER-SECTION LINE, THENCE NORTH ALONG THE QUARTER-SECTION LINE FOR A DISTANCE OF 594 FEET TO THE POINT OF BEGINNING;

LESS: ALL THAT PORTION OF THE SE¼ OF SECTION 8, TOWNSHIP 143, RANGE 57 TO BE USED FOR RIGHT-OF-WAY PURPOSES, LYING WITHIN A STRIP OF LAND LOCATED ON THE NORTH SIDE OF THE SOUTH SECTION LINE OF SECTION 8, BEGINNING AT A POINT 2,392.56 FEET, MORE OR LESS, WEST OF THE SOUTHEAST SECTION CORNER OF SAID SECTION 8, THENCE NORTH 90 DEGREES FOR A DISTANCE OF 100 FEET, THENCE EAST AND PARALLEL TO THE SOUTH SECTION LINE OF SECTION 8 A DISTANCE OF 300 FEET, THENCE SOUTHEASTERLY ALONG A 3 DEGREE CURVE TO A POINT ON THE SOUTH SECTION LINE OF SECTION 8, SAID POINT BEING 1300 FEET, MORE OR LESS, WEST OF SOUTHEAST SECTION CORNER OF SECTION 8, THENCE WEST ALONG THE SOUTH SECTION LINE OF SECTION 8 TO THE POINT OF BEGINNING, EXCEPTING ALL THAT PORTION PREVIOUSLY ACQUIRED FOR PUBLIC HIGHWAY RIGHT-OF-WAY. TRACT CONTAINS 1.12 ACRES, MORE OR LESS;

LESS: ALL THAT PORTION LYING IN THE SE¼ OF SECTION 8, TOWNSHIP 143, RANGE 57, BEGINNING AT THE SOUTHWEST QUARTER CORNER OF THE SOUTHEAST QUARTER OF SECTION 8, THENCE NORTH 100 FEET, THENCE EAST AND PARALLEL WITH THE SOUTH SECTION LINE OF THE SOUTHEAST QUARTER, A DISTANCE OF 287.44 FEET, THENCE SOUTH 100 FEET, THENCE WEST ALONG THE SOUTH SECTION LINE OF THE SE¼ OF SECTION 8 TO THE POINT OF BEGINNING. EXCEPTING ALL THAT PORTION LYING WITHIN 33 FEET OF THE SECTION LINE. SAID TRACT CONTAINS 0.44 ACRES, MORE OR LESS AND IS SUBJECT TO EXISTING EASEMENTS, CONVEYANCES AND LIENS OF RECORD AND SAID LAND IS TO BE USED FOR A PUBLIC HIGHWAY RIGHT-OF-WAY PURPOSE;

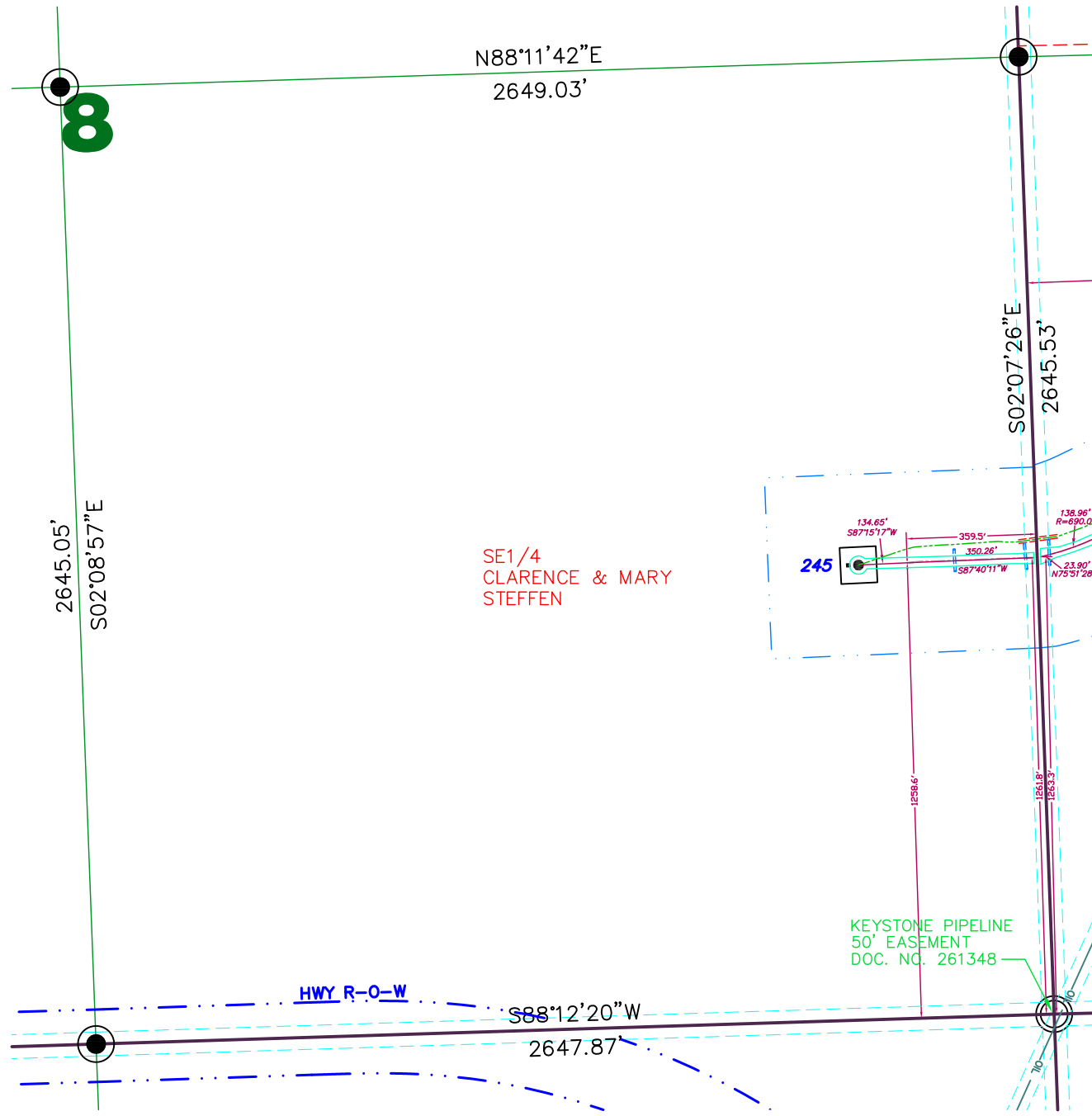
LESS: ALL THAT PORTION LYING IN THE NE¼ OF SECTION 8, TOWNSHIP 143, RANGE 57, BEGINNING AT THE NORTHEAST SECTION CORNER OF THE NE¼ OF SECTION 8, THENCE WEST ALONG THE NORTH SECTION LINE OF THE NE¼ OF SECTION 8, A DISTANCE OF 331 FEET, MORE OR LESS, THENCE IN A SOUTHEASTERLY DIRECTION ALONG A ONE DEGREE CURVE TO A POINT ON THE EAST SECTION LINE OF THE NE¼ OF SECTION 8, SAID POINT BEING 47 FEET, MORE OR LESS SOUTH OF THE NORTHEAST SECTION CORNER OF THE NE¼ OF SECTION 8, THENCE NORTH TO THE POINT OF BEGINNING. EXCEPTING ALL THAT PORTION LYING WITHIN 33 FEET OF THE SECTION LINE. SAID TRACT CONTAINS 0.02 ACRES, MORE OR LESS AND IS SUBJECT TO EXISTING EASEMENTS, CONVEYANCES AND LIENS OF RECORD AND SAID TRACT IS TO BE USED FOR PUBLIC HIGHWAY RIGHT-OF-WAY PURPOSES;

LESS: ALL THAT PORTION LYING IN THE NE¼ OF SECTION 8, TOWNSHIP 143, RANGE 57, BEGINNING AT THE NORTHEAST SECTION CORNER OF THE NE¼ OF SECTION 8, THENCE WEST ALONG THE NORTH SECTION LINE OF THE NE¼ OF SECTION 8, A DISTANCE OF 331 FEET, MORE OR LESS, THENCE IN A SOUTHEASTERLY DIRECTION ALONG A ONE DEGREE CURVE TO A POINT ON THE EAST SECTION LINE OF THE NE¼ OF SECTION 8, SAID POINT BEING 47 FEET, MORE OR LESS SOUTH OF THE NORTHEAST SECTION CORNER OF THE NE¼ OF SECTION 8, THENCE NORTH TO THE POINT OF BEGINNING. EXCEPTING ALL THAT PORTION LYING WITHIN 33 FEET OF THE SECTION LINE. SAID TRACT CONTAINS 0.02 ACRES, MORE OR LESS AND IS SUBJECT TO EXISTING EASEMENTS, CONVEYANCES AND LIENS OF RECORD AND SAID TRACT IS TO BE USED FOR PUBLIC HIGHWAY RIGHT-OF-WAY PURPOSES;

LESS: ALL THAT PORTION OF THE SE¼ OF SECTION 8, TOWNSHIP 143, RANGE 57, LYING WITHIN A STRIP OF LAND 100.0 FT. WIDE, MEASURED ON THE NORTHERLY SIDE OF THE FOLLOWING DESCRIBED HIGHWAY CENTERLINE: BEGINNING AT A POINT ON THE SECTION LINE, 2392.56 FT. WEST OF THE SOUTHEAST CORNER OF SAID SE¼, THENCE RUNNING EAST ALONG THE SECTION LINE A DISTANCE OF 300.0 FT., THENCE ALONG A 300 FT SPIRAL OF 3 DEGREES 00 MINUTE CURVE TO THE RIGHT A DISTANCE OF 300.0 FT., THENCE ALONG A 3 DEGREE 00 MINUTE CURVE TO THE RIGHT UNTIL SAID STRIP CROSSES THE SOUTH LINE OF SAID SE¼, EXCEPTING ALL THAT PORTION PREVIOUSLY ACQUIRED FOR PUBLIC HIGHWAY RIGHT-OF-WAY AND ALL THAT PORTION LYING WITHIN 33 FT. OF THE SECTION LINE. TRACT CONTAINS 1.12 ACRES, MORE OR LESS, AND IS SHOWN ON THE PLAT AS THE SHADED AREA;

LESS: BEGINNING AT THE NORTHWEST CORNER OF THE NE¼ OF SECTION 8, TOWNSHIP 143, RANGE 57, BARNES COUNTY, NORTH DAKOTA, THE POINT OF BEGINNING, THENCE 132 FEET EAST ALONG THE SECTION LINE, THENCE SOUTH FOR A DISTANCE OF 594 FEET, THENCE DUE WEST ALONG THE SOUTH EDGE OF THE TREE LINE WHICH RUNS EAST AND WEST FOR A DISTANCE OF 132 FEET TO THE QUARTER-SECTION LINE, THENCE NORTH ALONG THE QUARTER-SECTION LINE FOR A DISTANCE OF 594 FEET TO THE POINT OF BEGINNING, SAID PARCEL OF LAND CONTAINING 1.8 ACRES MORE OR LESS, AND SUBJECT TO EXISTING RESERVATIONS, EXCEPTIONS, EASEMENTS, RIGHTS OF WAY, AND CONVEYANCES OF RECORD;

LESS: THAT PART OF SECTION 18, TOWNSHIP 143, RANGE 57, BARNES COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SECTION 7, TOWNSHIP 143, RANGE 57, SAID CORNER ALSO BEING THE NORTHWEST CORNER OF SAID SECTION 18; THENCE S89°42'E ALONG THE NORTH LINE OF SAID SECTION 18 FOR A DISTANCE OF 1,208.1 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF THE SE¼SW¼ OF SAID SECTION 7; THENCE N00°15'W ALONG THE WEST LINE OF SAID SE¼SW¼ FOR A DISTANCE OF 154.6 FEET; THENCE S74°54'E FOR A DISTANCE OF 605.7 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 18; THENCE S00°05'W FOR A DISTANCE OF 298.1 FEET; THENCE N80°07'W FOR A DISTANCE OF 653.9 FEET; THENCE S00°09'E FOR A DISTANCE OF 1,106.3 FEET; THENCE S66°29'E FOR A DISTANCE OF 327.0 FEET; THENCE S68°49'W FOR A DISTANCE OF 386.3 FEET TO THE POINT OF BEGINNING; THENCE S04°45'00'E FOR A DISTANCE OF 132.51 FEET; THENCE N18°04'34"E FOR A DISTANCE OF 164.15 FEET; THENCE S68°49'00'W FOR A DISTANCE OF 66.39 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 0.10 ACRES, MORE OR LESS, AND OTHER LANDS.



**SECTION 8 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 \_\_\_\_\_, DATED \_\_\_\_\_, 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 \_\_\_\_\_ AND PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY, DATED \_\_\_\_\_.

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

ITEM 3 - RIGHT OF WAY EASEMENT GRANTED UNTO CASS COUNTY ELECTRIC COOPERATIVE, INC., RECORDED AS DOCUMENT NO. 201824, AS FILED IN THE BARNES COUNTY RECORDERS OFFICE. DOES NOT AFFECT SUBJECT PROPERTY.

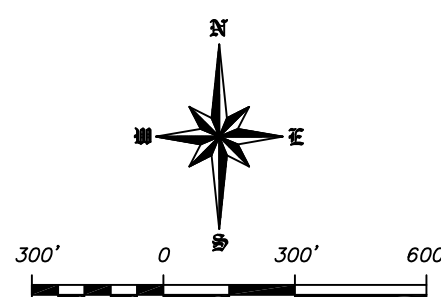
ITEM 4 - RIGHT OF WAY EASEMENT GRANTED UNTO DAKOTA WATER USERS, INC., RECORDED AS DOCUMENT NO. 232970, AS FILED IN THE BARNES COUNTY RECORDERS OFFICE. AFFECTS SUBJECT PROPERTY AND LOCATION IS INDETERMINATE.

ITEM 5 - EASEMENT AND RIGHT OF WAY AGREEMENT GRANTED UNTO TRANSCANADA KEYSTONE PIPELINE, L.P., RECORDED AS DOCUMENT NO. 261348, AS FILED IN THE BARNES COUNTY RECORDERS OFFICE. AFFECTS SUBJECT PROPERTY.

ITEM 6 - MEMORANDUM OF EASEMENTS TO BOULEVARD ASSOCIATES, LLC, RECORDED AS DOCUMENT NO. 261653, AS FILED IN THE BARNES COUNTY RECORDERS OFFICE. AFFECTS SUBJECT PROPERTY.

**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
- UNDERGROUND TELEPHONE FIBER
- CABLE BORING
- CHAIN LINK FENCE
- SPLICE
- GROUND
- CULVERT



SCALE - 1"=300'  
March 15, 2011

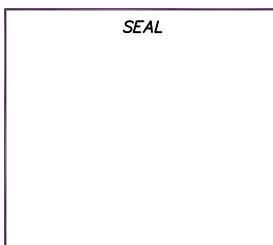
**SURVEYORS CERTIFICATE**

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.



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

DATE OF PLAT OR MAP \_\_\_\_\_

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.

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.



**SWENSON, HAGEN & COMPANY P.C.**  
909 Basin Avenue  
Bismarck, North Dakota 58504  
sheng@swensonhagen.com  
Phone (701) 223-2600  
Fax (701) 223-2606