

**"ALTA/ACSM LAND TITLE SURVEY"**  
**SW1/4 SECTION 10, T. 142 N., R. 57 W.**  
**BARNES COUNTY, NORTH DAKOTA**

**SECTION 10, T.142N., R.57W. DESCRIPTION**

MARK C. ASKEROOH, SCOTT ASKEROOH AND CINDY ASKEROOH-OLSON - THE SOUTHWEST QUARTER (SW4), SECTION TEN (10), TOWNSHIP ONE HUNDRED FORTY-TWO NORTH (142N), RANGE FIFTY-SEVEN WEST (57W) OF THE 5TH P.M., BARNES COUNTY, NORTH DAKOTA.

LESS: THE W. 75' OF THE SW4 OF SECTION 10, TOWNSHIP 142, RANGE 57, BARNES COUNTY, NORTH DAKOTA, EXCEPTING ALL THAT PORTION PREVIOUSLY ACQUIRED FOR PUBLIC HIGHWAY RIGHT-OF-WAY AND ALL OF THAT PORTION LYING WITHIN 33 FEET OF THE SECTIONS LINES. TRACT CONTAINS 2.51 ACRES, MORE OR LESS;

LESS: ALL THAT PART OF THE SW4 OF SECTION 10, TOWNSHIP 142, RANGE 57, BARNES COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SECTION 10; THENCE N02°18'37" WEST ALONG THE WEST LINE OF SAID SECTION 10 A DISTANCE OF 522.00 FEET; THENCE N88°28'12" EAST A DISTANCE OF 965.00 FEET; THENCE S02°18'37" EAST A DISTANCE OF 522.00 FEET TO THE SOUTH LINE OF SAID SECTION 10; THENCE S88°28'12" WEST ALONG THE SOUTH LINE OF SAID SECTION 10 A DISTANCE OF 965.00 TO THE POINT OF BEGINNING;

LESS: ALL THAT PART OF THE SW4 OF SECTION 10, TOWNSHIP 142, RANGE 57, BARNES COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT THAT LIES N88°28'12" EAST ALONG THE SOUTH LINE OF SAID SECTION 10, A DISTANCE OF 965.00 FEET FROM THE SOUTHWEST CORNER OF SECTION 10; THENCE N02°18'37" WEST A DISTANCE OF 522.00 FEET; THENCE N88°28'12" EAST A DISTANCE OF 250.36 FEET; THENCE S02°18'37" EAST A DISTANCE OF 522.00 FEET TO THE SOUTH LINE OF SAID SECTION 10; THENCE S88°28'12" WEST ALONG THE SOUTH LINE OF SAID SECTION 10 A DISTANCE OF 250.36 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED TRACT CONTAINS 3.00 ACRES, MORE OR LESS.

**SECTION 10 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-10-10, DATED AUGUST 16, 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 5066-P-10-10 AND PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY, DATED AUGUST 16, 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 - MEMORANDUM OF EASEMENTS GRANTED UNTO BOULEVARD ASSOCIATES, LLC, RECORDED AS DOCUMENT NO. 261624, AS FILED IN THE BARNES COUNTY RECORDERS OFFICE. AFFECTS SUBJECT PROPERTY.

ITEM 4 - TRANSMISSION EASEMENT GRANTED UNTO ASHTABULA WIND, LLC, RECORDED AS DOCUMENT NO. 263141, AS FILED IN THE BARNES COUNTY RECORDERS OFFICE. AFFECTS SUBJECT PROPERTY.

ITEM 5 - ASSIGNMENT OF WIND FARM EASEMENT AGREEMENTS GRANTED UNTO ASHTABULA WIND, LLC, RECORDED AS DOCUMENT NO. 263828, AS FILED IN THE BARNES COUNTY RECORDERS OFFICE. AFFECTS SUBJECT PROPERTY.

ITEM 6 - MEMORANDUM OF EASEMENTS GRANTED UNTO ASHTABULA WIND, LLC, RECORDED AS DOCUMENT NO. 263830, AS FILED IN THE BARNES COUNTY RECORDERS OFFICE. AFFECTS SUBJECT PROPERTY.

ITEM 7 - MEMORANDUM OF EASEMENTS GRANTED UNTO ASHTABULA WIND, LLC, RECORDED AS DOCUMENT NO. 263838, AS FILED IN THE BARNES COUNTY RECORDERS OFFICE. AFFECTS SUBJECT PROPERTY.

ITEM 8 - PARTIAL ASSIGNMENT OF TRANSMISSION EASEMENTS AND AGREEMENT REGARDING USE OF EASEMENT AREAS GRANTED UNTO OTTER TAIL CORPORATION DOING BUSINESS AS OTTER TAIL POWER COMPANY, RECORDED AS DOCUMENT NO. 263141, AS FILED IN THE BARNES COUNTY RECORDERS OFFICE. AFFECTS SUBJECT PROPERTY.

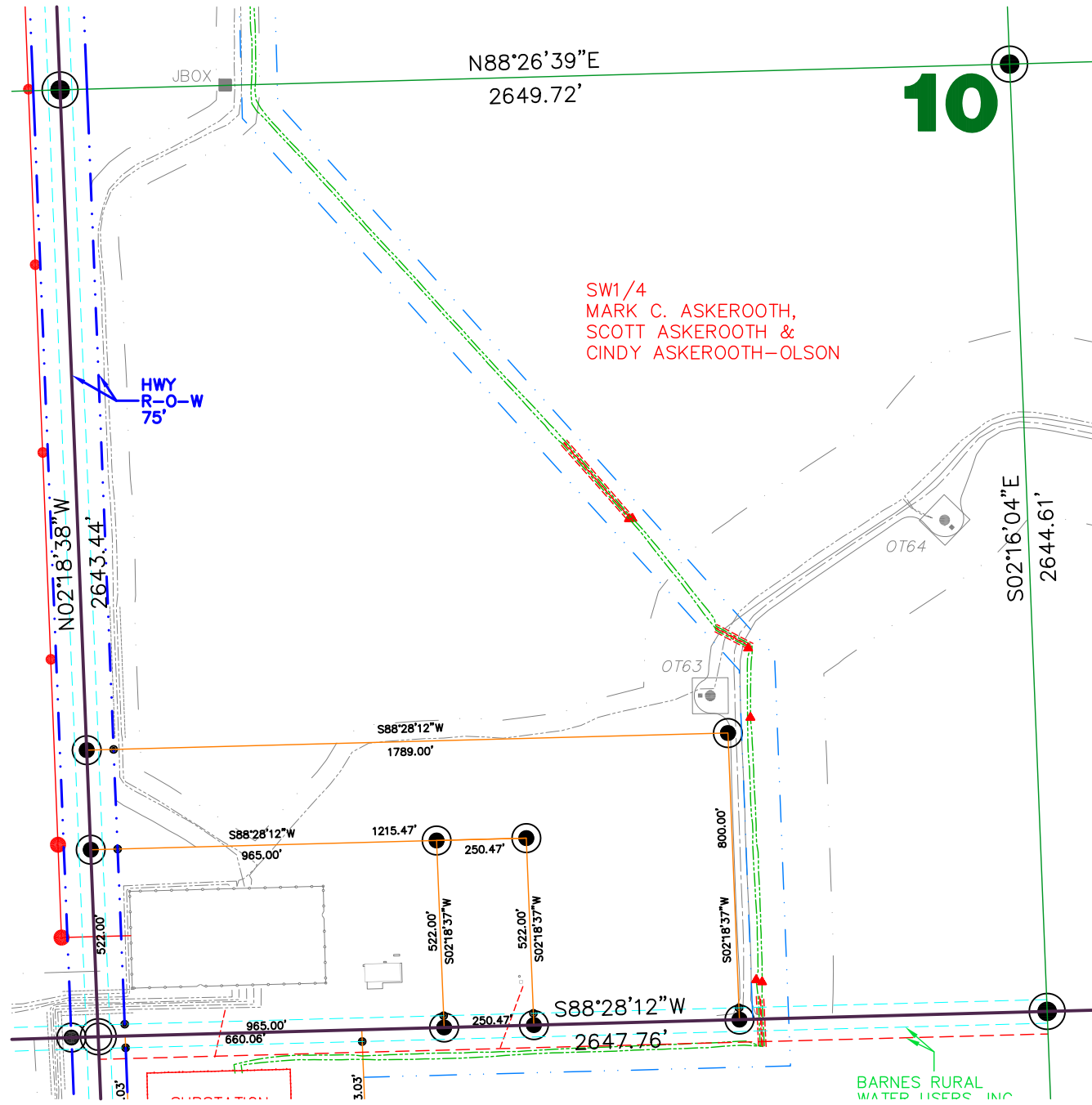
ITEM 9 - ASSIGNMENT AND ASSUMPTION OF REAL PROPERTY INTERESTS GRANTED UNTO OTTER TAIL CORPORATION DOING BUSINESS AS OTTER TAIL POWER COMPANY, RECORDED AS DOCUMENT NO. 263841, AS FILED IN THE BARNES COUNTY RECORDERS OFFICE. AFFECTS SUBJECT PROPERTY.

ITEM 10 - WIND FARM EASEMENT AGREEMENT GRANTED UNTO OTTER TAIL CORPORATION DOING BUSINESS AS OTTER TAIL POWER COMPANY, RECORDED AS DOCUMENT NO. 263848, AS FILED IN THE BARNES COUNTY RECORDERS OFFICE. AFFECTS SUBJECT PROPERTY.

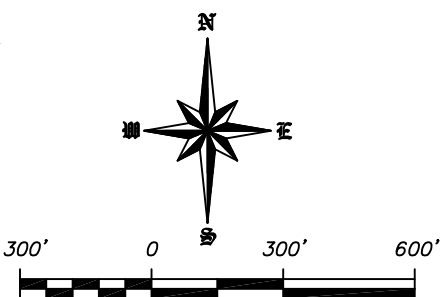
ITEM 11 - SETBACK WAIVER GRANTED UNTO ASHTABULA WIND, LLC, RECORDED AS DOCUMENT NO. 264877, AS FILED IN THE BARNES COUNTY RECORDERS OFFICE. AFFECTS SUBJECT PROPERTY.

ITEM 12 - MEMORANDUM OF SHARED FACILITIES AGREEMENT GRANTED UNTO ASHTABULA II WIND, LLC, RECORDED AS DOCUMENT NO. 265179, AS FILED IN THE BARNES COUNTY RECORDERS OFFICE. AFFECTS SUBJECT PROPERTY.

ITEM 13 - PARTIAL RELEASE OF SETBACK WAIVER BETWEEN ASHTABULA WIND, LLC AND MARK C. ASKEROOH AND FRANCES KAREN ASKEROOH, CYNTHIA SUE ASKEROOH-OLSON, MAURICE OLSON AND SCOTT L. ASKEROOH, RECORDED AS DOCUMENT NO. 265193, 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



**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

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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.

SEAL



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.**



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