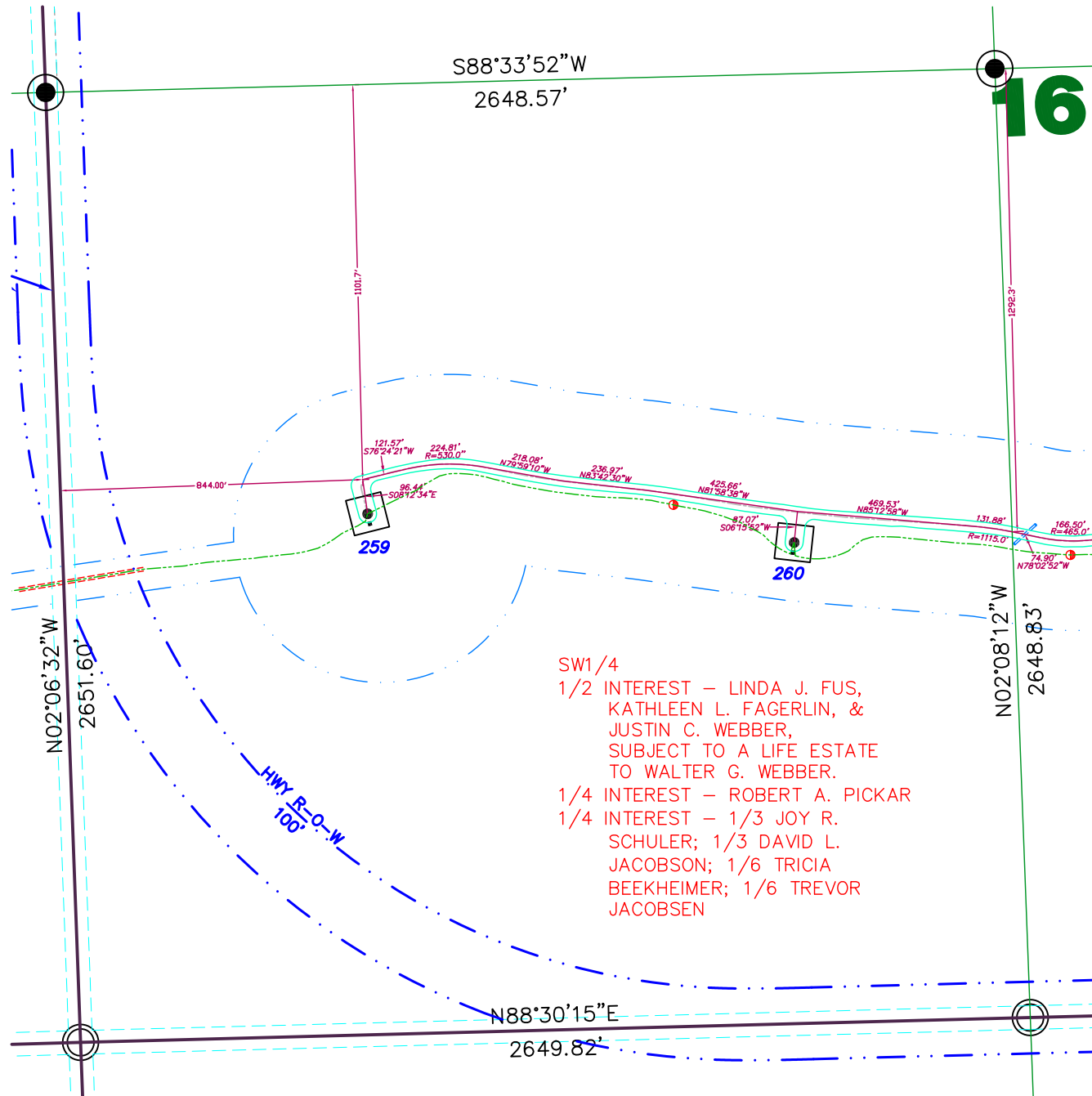


**"ALTA/ACSM LAND TITLE SURVEY"**  
**SW1/4 SECTION 16, T. 143 N., R. 57 W.**  
**BARNES COUNTY, NORTH DAKOTA**



SW1/4  
 1/2 INTEREST - LINDA J. FUS,  
 KATHLEEN L. FAGERLIN, &  
 JUSTIN C. WEBBER,  
 SUBJECT TO A LIFE ESTATE  
 TO WALTER G. WEBBER.  
 1/4 INTEREST - ROBERT A. PICKAR  
 1/4 INTEREST - 1/3 JOY R.  
 SCHULER; 1/3 DAVID L.  
 JACOBSON; 1/6 TRICIA  
 BEEKHEIMER; 1/6 TREVOR  
 JACOBSEN

**SECTION 16, T.143N., R.57W. DESCRIPTION**

1/4 INTEREST - LINDA J. FUS, KATHLEEN L. FAGERLIN AND JUSTIN C. WEBBER, SUBJECT TO A LIFE ESTATE TO WALTER G. WEBBER.  
 1/4 INTEREST - ROBERT A. PICKAR  
 1/4 INTEREST - 1/3 JOY R. SCHULER; 1/3 DAVID L. JACOBSON; 1/6 TRICIA BEEKHEIMER; 1/6 TREVOR JACOBSON

THE SOUTH HALF (S1/2) SECTION SIXTEEN (16), TOWNSHIP ONE HUNDRED FORTY-THREE NORTH (143N), RANGE FIFTY-SEVEN WEST (57W) OF THE FIFTH PRINCIPAL MERIDIAN, BARNES COUNTY, NORTH DAKOTA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF;

LESS: ALL THAT PORTION OF THE SW1/4 AND SE1/4 OF SECTION 16, TOWNSHIP 143, RANGE 57, TO BE USED FOR HIGHWAY RIGHT OF WAY PURPOSES. BEGINNING AT A POINT ON THE WEST SECTION LINE OF SECTION 16, SAID POINT BEING LOCATED AT THE NORTHWEST 1/4 CORNER OF SW1/4 OF SECTION 16, THENCE EAST 90 DEGREE, A DISTANCE OF 100 FEET, THENCE SOUTH AND PARALLEL WITH THE WEST SECTION LINE OF SECTION 16, A DISTANCE OF 599.02 FEET, MORE OR LESS, THENCE SOUTHEASTERLY ALONG A 3 DEGREE CURVE TO A POINT THAT IS 2,040.98 FEET, MORE OR LESS EAST AND 100 FEET NORTH OF THE SOUTHWEST SECTION CORNER OF SECTION 16, THENCE EAST TO THE EAST SECTION LINE OF SECTION 16, THENCE SOUTH 100 FEET TO THE SOUTHEAST CORNER OF SECTION 16, THENCE WEST ALONG THE SOUTH SECTION LINE OF SECTION 16 TO A POINT 1296 FEET, MORE OR LESS, EAST OF THE SOUTHWEST CORNER OF SECTION 16, THENCE NORTHWESTERLY ALONG A 3 DEGREE CURVE TO A POINT ON THE WEST SECTION LINE OF SECTION 16, SAID POINT BEING 1296 FEET, MORE OR LESS NORTH OF THE SOUTHWEST SECTION CORNER OF SECTION 16, THENCE NORTH ALONG THE WEST SECTION LINE OF SECTION 16, TO THE POINT OF BEGINNING, EXCEPTING ALL THAT PORTION PREVIOUSLY ACQUIRED FOR PUBLIC HIGHWAY RIGHT OF WAY. SAID TRACT CONTAINS 17.28 ACRES, MORE OR LESS, AND OTHER LANDS;

LESS: ALL THAT PORTION OF THE SW1/4 AND THE SE1/4 OF SECTION 16, TOWNSHIP 143, RANGE 57, LYING WITHIN A STRIP OF LAND 200.0 FT. WIDE, MEASURED 100.0 FT. ON EACH SIDE OF THE FOLLOWING DESCRIBED HIGHWAY CENTERLINE: BEGINNING AT A POINT ON THE NORTHWEST CORNER OF SAID SW1/4, THENCE RUNNING SOUTH ALONG THE SECTION LINE A DISTANCE OF 599.02 FT., THENCE ALONG A 300 FT. SPIRAL OF A 3 DEGREE 00 MINUTE CURVE TO THE LEFT A DISTANCE OF 300.0 FT., THENCE ALONG A 3 DEGREE 00 MINUTE CURVE TO THE LEFT A DISTANCE OF 2678.89 FT., THENCE ALONG A 300 FT. SPIRAL OF SAID 3 DEGREE 00 MINUTE CURVE TO THE LEFT A DISTANCE OF 300.0 FT. TO A POINT ON THE SOUTH LINE OF SAID SW1/4, THENCE EAST ALONG THE SECTION LINE A DISTANCE OF 3259.61 FT., MORE OR LESS, UNTIL SAID STRIP CROSSES THE EAST LINE OF SAID SW1/4, EXCEPTING ALL THAT PORTION PREVIOUSLY ACQUIRED FOR PUBLIC HIGHWAY RIGHT-OF-WAY AND ALL THAT PORTION LYING WITHIN 33 FT. OF THE SECTION LINES. TRACT CONTAINS 17.28 ACRES, MORE OR LESS.

**SECTION 16 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, RECORDED AS DOCUMENT NO. 172570, 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. 185701, AS FILED IN THE BARNES COUNTY RECORDERS OFFICE. DOES NOT AFFECT SUBJECT PROPERTY.

ITEM 5 - RIGHT OF WAY EASEMENT GRANTED UNTO NORTHWESTERN BELL TELEPHONE COMPANY, RECORDED AS DOCUMENT NO. 192989, AS FILED IN THE BARNES COUNTY RECORDERS OFFICE. AFFECTS SUBJECT PROPERTY AND LOCATION IS INDETERMINATE.

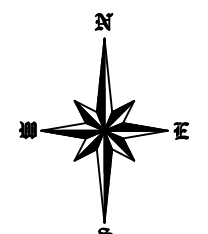
ITEM 6 - MEMORANDUM OF EASEMENTS TO BOULEVARD ASSOCIATES, LLC, RECORDED AS DOCUMENT NO. 261616, AS FILED IN THE BARNES COUNTY RECORDERS OFFICE. AFFECTS SUBJECT PROPERTY.

ITEM 7 - OVERHANG EASEMENT GRANTED UNTO ASHTABULA WIND, LLC, RECORDED AS DOCUMENT NO. 263324, AS FILED IN THE BARNES COUNTY RECORDERS OFFICE. DOES NOT AFFECT SUBJECT PROPERTY.

ITEM 8 - EASEMENT CONSENT AGREEMENT GRANTED UNTO ASHTABULA WIND, LLC, RECORDED AS DOCUMENT NO. 265194, 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

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

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

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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

