

**TRACT 20:  
LEIER, KEVIN &  
DEBORAH (C4D)**

**"ALTA/NSPS LAND TITLE SURVEY"**  
**LOTS 3 & 4 SECTION 5, T. 133 N., R. 74 W.**  
**EMMONS COUNTY, NORTH DAKOTA**

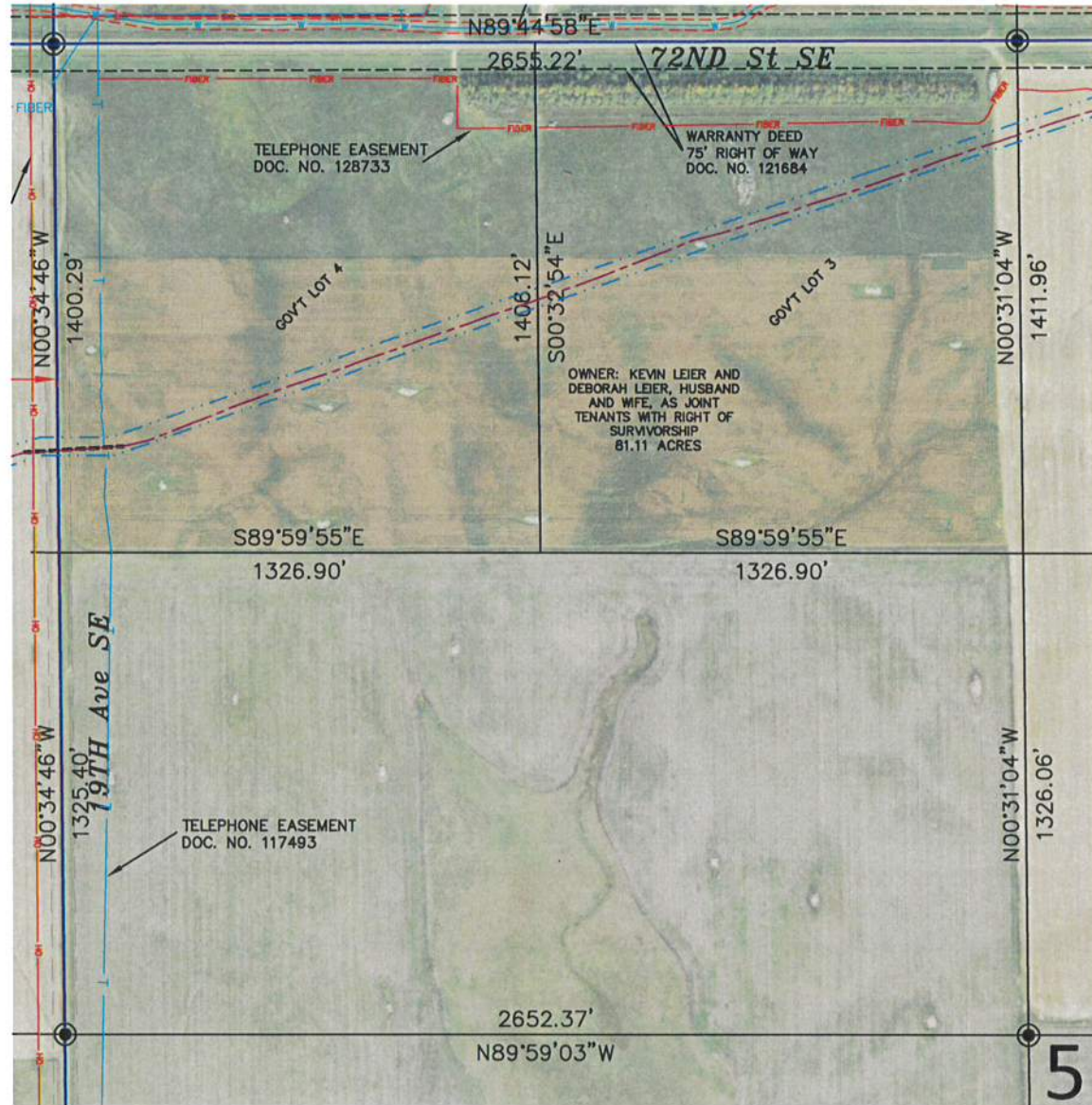
**SECTION 5, T.133N., R.74W. DESCRIPTION**

TRACT 20: LEIER, KEVIN & DEBORAH (C4D) - 1145150

EASEMENT: MEMORANDUM OF OPTION AND EASEMENTS BY AND BETWEEN KEVIN LEIER AND DEBORAH LEIER, HUSBAND AND WIFE, SUBJECT TO A CONTRACT FOR DEED IN FAVOR OF CHRIS LEIER AND VIOLA LEIER, HUSBAND AND WIFE, AND BOULEVARD ASSOCIATES, LLC, A DELAWARE LIMITED LIABILITY COMPANY, DATED MAY 9, 2014, FILED JULY 21, 2014, RECORDED IN BOOK 71 MISC, PAGE 12 AS DOCUMENT NO. 169084, THEREAFTER, ASSIGNMENT AND ASSUMPTION OF AGREEMENTS BY AND BETWEEN BOULEVARD ASSOCIATES, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AND EMMONS-LOGAN WIND, LLC, A DELAWARE LIMITED LIABILITY COMPANY, DATED MARCH 29, 2019, FILED APRIL 8, 2019, RECORDED IN BOOK 70 MISC, PAGE 52 AS DOCUMENT NO. 174268 AND NOTICE OF EXERCISE OF OPTION, BY EMMONS-LOGAN WIND, LLC, A DELAWARE LIMITED LIABILITY COMPANY, DATED MARCH 29, 2019, FILED APRIL 8, 2019, RECORDED IN BOOK 79 MISC, PAGE 53 AS DOCUMENT NO. 174269.

PARCEL 1:  
 LOTS 3 AND 4 OF SECTION 5, TOWNSHIP 133 NORTH, RANGE 74 WEST OF THE FIFTH PRINCIPAL MERIDIAN, EMMONS COUNTY, NORTH DAKOTA, LESS THAT APPROXIMATELY 4.54 ACRES RIGHT OF WAY TRACT.

PARCEL 2:  
 LOTS 1 AND 2, S½NE¼ OF SECTION 5, TOWNSHIP 133 NORTH, RANGE 74 WEST OF THE FIFTH PRINCIPAL MERIDIAN, EMMONS COUNTY, NORTH DAKOTA, LESS THAT APPROXIMATELY 2.53 ACRES RIGHT OF WAY TRACT.



**SECTION 5 NOTES**

THE LOCATION OF EACH EASEMENT, RIGHT-OF-WAY, SERVITUDE, AND OTHER MATTER AFFECTING THE SUBJECT PROPERTY AND LISTED IN THE PROFORMA FILE NO. 555-1991456-73, ISSUED BY REAL ADVANTAGE 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 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.

SUBJECT PROPERTY IS LOCATED IN A UNMAPPED FEMA AREA.

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 PROFORMA FILE NO. 555-1991456-73 AND PREPARED BY REAL ADVANTAGE TITLE INSURANCE COMPANY.

ITEM 1 - RESERVATION OF MINERALS IN STATE TREASURER'S SPECIAL WARRANTY DEED BY AND BETWEEN CARL ANDERSON STATE TREASURER, AS TRUSTEE FOR THE STATE OF NORTH DAKOTA AND HENRY KUNDERT DATED MARCH 3, 1944, FILED APRIL 3, 1944, RECORDED IN BOOK 46 DEEDS, PAGE 477 AS DOCUMENT NO. 81059. AFFECTS SUBJECT PROPERTY.

ITEM 2 - TELEPHONE COMPANY RIGHT-OF-WAY EASEMENT GRANTED TO BEK TELEPHONE MUTUAL AID CORPORATION, A COOPERATIVE CORPORATION, DATED MARCH 17, 1971, FILED APRIL 22, 1971, RECORDED IN BOOK 27 MISC, PAGE 427 AS DOCUMENT NO. 117493. AFFECTS SUBJECT PROPERTY AS NOTED.

ITEM 3 - RESERVATION OF MINERALS IN WARRANTY DEED BY AND BETWEEN HENRY KUNDERT AND ANN K. KUNDERT, HUSBAND AND WIFE AND CHRIS LEIER AND VIOLA LEIER, DATED APRIL 4, 1978, FILED APRIL 5, 1978, RECORDED IN BOOK 71 DEEDS, PAGE 578 AS DOCUMENT NO. 126394. AFFECTS SUBJECT PROPERTY. (AFFECTS PARCEL 2)

ITEM 4 - TELEPHONE COMPANY RIGHT-OF-WAY EASEMENT GRANTED TO BEK TELEPHONE MUTUAL AID CORPORATION, A COOPERATIVE CORPORATION, DATED APRIL 26, 1979, FILED MAY 15, 1979, RECORDED IN BOOK 33 MISC, PAGE 124 AS DOCUMENT NO. 128733. AFFECTS SUBJECT PROPERTY AS NOTED.

ITEM 5 - COMMUNICATIONS EASEMENT GRANTED TO BEK COMMUNICATIONS COOPERATIVE, A COOPERATIVE CORPORATION, DATED JANUARY 9, 2003, FILED MARCH 24, 2003, RECORDED IN BOOK 55 MISC, PAGE 188 AS DOCUMENT NO. 154864. DOES NOT AFFECT SUBJECT PROPERTY. (AFFECTS PARCEL 2)

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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.

**PRIVILEGED AND CONFIDENTIAL**  
 Attorney-Client Communication/Attorney Work Product  
 Prepared at the Direction of Legal Counsel

**SURVEYORS CERTIFICATE**

TO EMMONS LOGAN WIND, LLC, A DELAWARE LIMITED LIABILITY COMPANY, REAL ADVANTAGE TITLE INSURANCE COMPANY, BAL INVESTMENT & ADVISORY, INC., AND SUNTRUST NLP, INC., A DELAWARE CORPORATION,

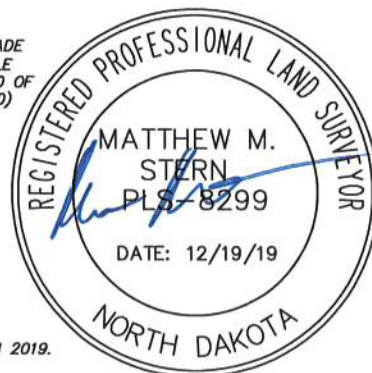
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 3 AND 20 OF TABLE A THEREOF. (WITH A PROFESSIONAL LIABILITY INSURANCE POLICY IN THE AMOUNT OF \$1,000,000) THE FIELD WORK WAS COMPLETED ON DECEMBER 2, 2019.

ANY ALTERATION OF THE ACCOMPANYING MAP WILL VOID THIS CERTIFICATION.

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

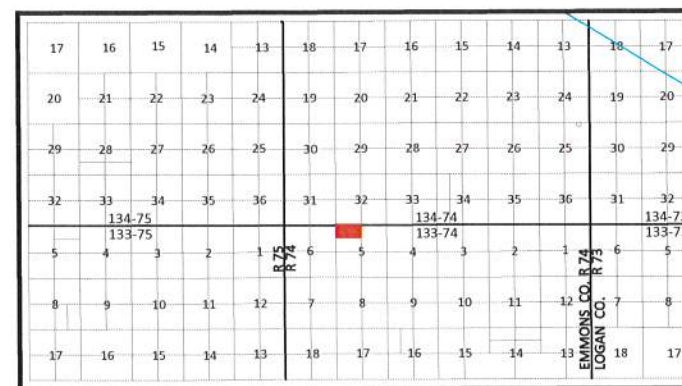
DATE: DECEMBER 19, 2019

*Matthew M. Stern*  
 MATTHEW M. STERN  
 REGISTERED PROFESSIONAL LAND SURVEYOR  
 ND REGISTRATION NO. 8299



THE MONUMENTS, THE LOCATION AND THE EXISTENCE OF, ARE FROM THE FIELD SURVEY COMPLETED IN 2019.  
 PROJECT ID: 2537-23

**LOCATION MAP**



DATUM:  
 NORTH DAKOTA STATE PLANE  
 SOUTH ZONE (3302)  
 NAD 83 (ADJ 2011)  
 INTERNATIONAL FEET  
 GRID DISTANCE  
 NAVD 88

THE SURVEY DATA IS ON FILE AT THE  
 OFFICE OF SWENSON, HAGEN & CO.



DECEMBER 19, 2019

DATE OF FIELD SURVEY DECEMBER 2, 2019

**LEGEND**

- SECTION LINE EASEMENT
- FOUND REBAR W/ALUM CAP OTHERWISE NOTED
- MONUMENT SET 5/8" REBAR W/ALUM CAP
- WIND TURBINE "EMMONS-LOGAN WIND"
- ROAD FOR TURBINE "EMMONS-LOGAN WIND"
- CONSTRUCTION/COLLECTION EASEMENT "EMMONS-LOGAN WIND"
- E EXISTING KEM ELECTRIC COOP. UNDERGROUND LINE
- OH EXISTING KEM ELECTRIC COOP. OVERHEAD LINE
- G NORTHERN BORDER GAS PIPELINE
- G MDU GAS PIPELINE
- UNDERGROUND COLLECTOR LINE "EMMONS-LOGAN WIND"
- J BOX, FIBER VAULT OR XGROUND BOX "EMMONS-LOGAN WIND"
- OH MDU OVERHEAD TRANSMISSION LINE
- T-LINE TRANSMISSION EASEMENT "EMMONS-LOGAN WIND"
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- FIBER BEK COMMUNICATIONS FIBER OPTIC LINE
- T BEK UNDERGROUND TELEPHONE LINE
- W SOUTH CENTRAL REGIONAL WATER
- CABLE BORING "EMMONS-LOGAN WIND"
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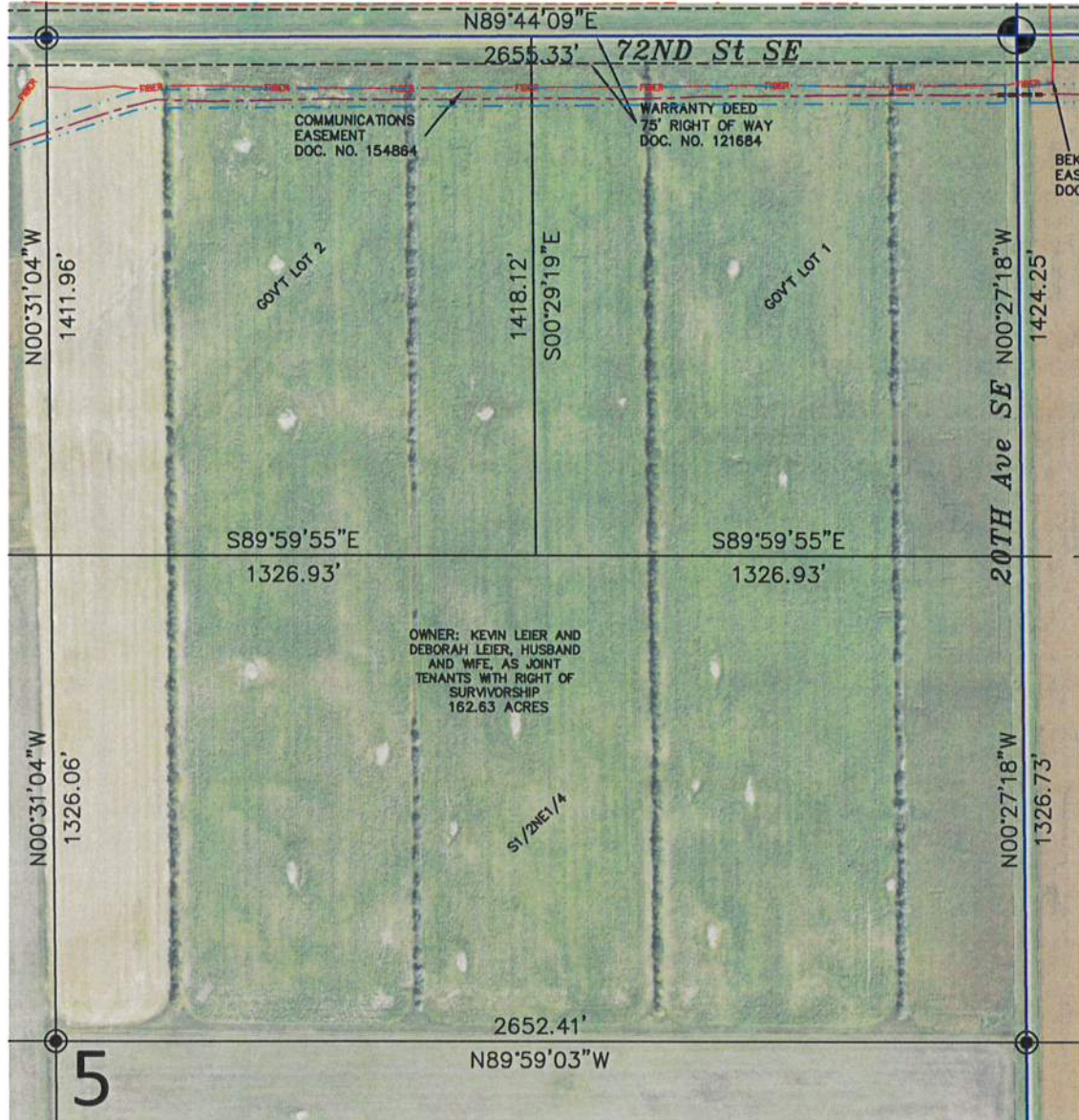


**SWENSON, HAGEN & COMPANY P.C.**

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 Bismarck, North Dakota 58504  
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Surveying  
 Hydrology  
 Land Planning  
 Civil Engineering  
 Landscape & Site Design  
 Construction Management

**"ALTA/NSPS LAND TITLE SURVEY"**  
**NE1/4 SECTION 5, T. 133 N., R. 74 W.**  
**EMMONS COUNTY, NORTH DAKOTA**



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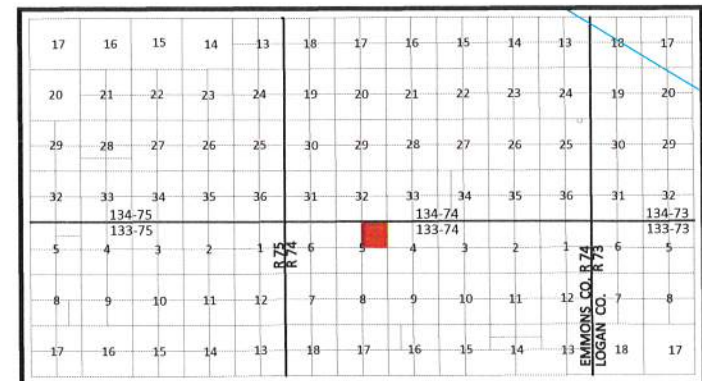
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**LOCATION MAP**



**LEGEND**

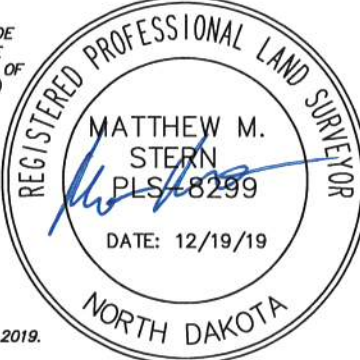
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DATUM:  
 NORTH DAKOTA STATE PLANE  
 SOUTH ZONE (3302)  
 NAD 83 (ADJ 2011)  
 INTERNATIONAL FEET  
 GRID DISTANCE  
 NAVD 88

THE SURVEY DATA IS ON FILE AT THE  
 OFFICE OF SWENSON, HAGEN & CO.

500' 0 500' W

SCALE - 1"=500'  
 DECEMBER 19, 2019  
 DATE OF FIELD SURVEY DECEMBER 2, 2019



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**PRIVILEGED AND CONFIDENTIAL**  
 Attorney-Client Communication/Attorney Work Product  
 Prepared at the Direction of Legal Counsel

**SURVEYORS CERTIFICATE**

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DATE: DECEMBER 19, 2019

MATTHEW M. STERN  
 REGISTERED PROFESSIONAL LAND SURVEYOR  
 ND REGISTRATION NO. 8299

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 PROJECT ID: 2537-23

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