

PO BOX 248
STANLEY ND 58784



County Recorder, Mountrail County ND. **442420**

I certify that this instrument was filed and recorded.

Melissa Vachal, County Recorder

By Melissa Vachal

Fee \$20.00
12/4/2019 10:36 AM

**CONDITIONAL USE PERMIT
MOUNTRAIL COUNTY PLANNING & ZONING**

Name of Applicant: Northern Divide Wind LLC/Burke Wind LLC, 700 Universe Blvd Juno, FL 33408

Having reviewed the conditional use with the respect to provision of Article IV Section IV of the Mountrail County Zoning Ordinance, the Mountrail County Planning & Zoning Board agree to the issuance of a conditional use permit to the above named applicants contingent upon the following conditions:

EXCERPTS FROM THE SEPTEMBER 23, 2019 PLANNING AND ZONING MINUTES

Motion: Moved by Commissioner Hollekim, seconded by Commissioner Borud to approve the zoning request filed by Northern Divide Wind LLC/Burke Wind LLC for a conditional use permit extension for a one year term to allow for placement of a 345-kilovolt electrical transmission line on agricultural land beginning in Burke County traveling south through Powers Lake Township (Township 158 North, Range 93 West), Sorkness Township (Township 157 North, Range 93 West), west through White Earth Township (Township 157 North, Range 94 West) and ending at the Tande Substation (Section 29, Township 157 North, Range 94 West) for a total route distance in Mountrail County of 18.3 miles, more or less, as Northern Divide Wind LLC/Burke Wind LLC has met all criteria as set forth in Article IV, Section IV of the Mountrail County Zoning Ordinance and is further contingent upon Northern Divide Wind LLC/Burke Wind LLC complying with all other terms and conditions of the Mountrail County Zoning Ordinance. Approval also allows for the company name change for the extension of the conditional use permit. Upon roll call, all present voted yes. Motion carried.

Should the applicants violate any or all of the above stated listed conditions, the conditional use permit shall be declared invalid and appropriate action will be instituted by the Mountrail County Planning & Zoning Commission.

Said applicants received an excerpt of the Mountrail County Zoning Ordinance.

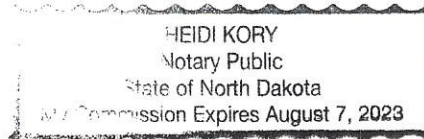
Mountrail County Planning & Zoning Board

Charlie Sorenson 11/25/19
Charlie Sorenson, Chairman Date
Board of Mountrail County Commissioners

J. Hollekim
Northern Divide Wind LLC/Burke Wind LLC
Date November 19, 2019



STATE OF NORTH DAKOTA)
) §
COUNTY OF MOUNTRAIL)



On this 25 day of November, 2019, Charlie Sorenson personally appeared before me known to me to be the person described in and who executed the within and foregoing instrument and acknowledge that he executed the same.

Heidi Kory

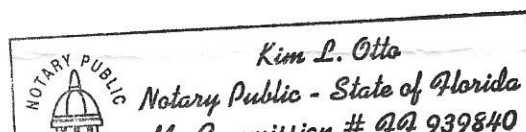
My Commission expires 8/7/23

Florida
STATE OF NORTH DAKOTA)
) §
COUNTY OF MOUNTRAIL)
Palm Beach

On this 19 day of December, 2019, Northern Divide Wind LLC/Burke Wind LLC personally appeared before me known to me to be the person described in and who executed the within and foregoing instrument and acknowledge that he executed the same.

[Signature]

My Commission expires _____



**PLANNING & ZONING BOARD
COUNTY OF MOUNTRAIL**

PO Box 248
Stanley, North Dakota 58784-0248
(701) 628-2909
lizh@co.mountrail.nd.us

Board Members:

**ROGER HOVDA
ARLO BORUD
THOMAS BIERI
BILL KLUG
LINDA WIENBAR
GARY WEISENBERGER
TRUDY RULAND
JOAN HOLLEKIM
CHARLIE SORENSON**

December 7, 2018

Clay Cameron
Burke Wind, LLC
700 Universe Blvd
Juno Beach, FL 33408

Re: Conditional Use Permit
Powers Lake Township, Sorkness Township and White Earth Township.

Dear Mr. Cameron:

Enclosed you will find your Conditional Use Permit that was approved by the Mountrail County Planning and Zoning Board at our October 22, 2018 meeting and recorded at Mountrail County Recorder's office on November 16, 2018. We received the certified copy today.

The enclosed copy is for **your** records. If you have any questions or concerns, please feel free to email or call me at 701-628-2909.

Sincerely,

Liz Hollowell

Liz Hollowell
Administrative Assistant
Planning / Zoning

Enc. (1)

CERTIFICATION

I, John Di Donato, *Vice President*, a duly authorized agent of Burke Wind, LLC that has authority of bind the company in these matters, do hereby certify under oath:

1. That Burke Wind, LLC will comply with all applicable provisions of the Mountrail County Zoning Ordinances and Conditional Use Permit.
2. That Burke Wind, LLC has signed easements from all landowners for a 345-kilovolt electrical transmission line ending at the Basin Electric Power Cooperative Tande 345-kV substation.

Dated at Juno Beach, Florida this 1 day of November, 2018
City State Month

BURKE WIND, LLC

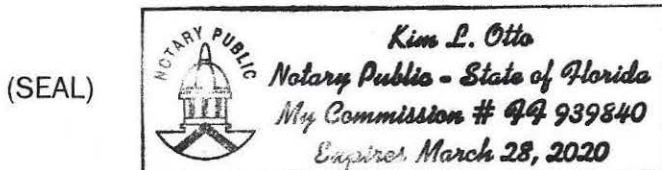
By: [Signature]
Name: John Di Donato
Title: Vice President

ACKNOWLEDGEMENT

STATE OF Florida)
) §
COUNTY OF Palm Beach)

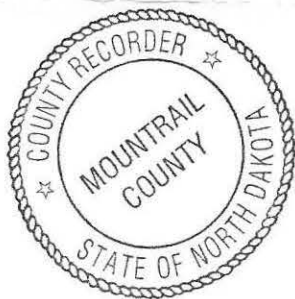
On this 1st day of November 2018, John Di Donato, on behalf of **Burke Wind, LLC** personally appeared before me, known to me to be the person described in and who executed the within and foregoing instrument and acknowledge that he executed the same.

[Signature]
Notary Public



County Recorder Mountrail County Stanley ND **437954**





County Recorder
Mountrail County
Stanley ND

437954



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County Recorder, Mountrail County ND. **437954**

I certify that this instrument was filed and recorded.

Melissa Vachal, County Recorder

By *Melissa Vachal*

Fee \$0.00

11/16/2018 12:30 PM