

WARRANTY DEED

THIS INDENTURE, Made this 12th day of November, 1986, between Nick Berger a/k/a Nick M. Berger and Cleora Berger a/k/a Cleora J. Berger, husband and wife, (the Bergers) and Baukol-Noonan, Inc. a corporation under the laws of the State of North Dakota, (Baukol-Noonan).

WITNESSETH, That the Bergers for and in consideration of the sum of Ten Dollars and other good and valuable consideration, to them in hand paid by Baukol-Noonan, the receipt of which is hereby acknowledged, do by these presents GRANT, BARGAIN, SELL and CONVEY unto Baukol-Noonan, its successors and assigns, FOREVER, all tracts or parcels of land and real estate lying and being in the County of Oliver, and State of North Dakota, described as follows: to wit:

SE1/4NW1/4, E1/2SW1/4, NW1/4SW1/4 of Section 2, Township 141 North, Range 84 West. Excepting and reserving to the grantors all oil, gas, and other minerals,* and gravel, and the right to remove and use scoria for personal use only, along with the right of reasonable ingress and egress. * Other minerals are deemed to include coal rights.

Further excepting and reserving an easement for a right-of-way to be located by grantors somewhere in the S1/2SE1/4SW1/4 of 2-141-84. The land to be benefited by this easement is the NE1/4NW1/4 of Section 11 and the SW1/4SE1/4 of Section 2, all being in Township 141 North, Range 84 West.

There is in existence a separate agreement between the parties which gives to the Bergers and their heirs, successors and assigns certain rights of repurchase.

TO HAVE AND TO HOLD THE SAME, together with all the hereditaments and appurtenances thereunto belonging or in anywise appertaining to Baukol-Noonan, its successors and assigns, FOREVER. And the Bergers, for their heirs, executors and administrators, do covenant with Baukol-Noonan, its successors and assigns, that they are well seized in fee of the land, real estate and premises aforesaid, and have good right to sell and convey the same in manner and form aforesaid; that the same are free from all encumbrances, and the Bergers will warrant and defend the above bargained and granted land and premises in the quiet and peaceable possession of Baukol-Noonan, its successors and assigns, against all persons lawfully claiming or to claim the whole or any part thereof.

IN WITNESS WHEREOF, The said parties of the first part hereunto set their hands the day and year first above written.

Nick Berger
Nick Berger

Cleora Berger
Cleora Berger

I certify that a report of the full consideration paid for the property described in this deed has been filed with the North Dakota State Board of Equalization.

Signed: Harold M. Albers Date: 11-13-86

Register of Deeds
Oliver County, N. D.
Transfer entered this 13 day of November 1986
Beland Ogden
County Register
Jaqueline K. Schuch Deputy

OFFICE OF REGISTER OF DEEDS
STATE OF NORTH DAKOTA Filed for record this 13 day of November
COUNTY OF OLIVER A.D. 1986 at 10:45 o'clock A. M. and
recorded as document no. 70851 in book 30 of Deeds page 275-276
Harold M. Albers Bernice C. Bornemann
Register of Deeds Deputy fee \$7.00