

RESOLUTION FOR ACCOMMODATION OF UTILITIES
ON TOWNSHIP HIGHWAY RIGHT-OF-WAY

WHEREAS the Township Supervisors of Adelaide Township recognizes that it is the public interest for utility facilities (including electric lines, communication lines, and gas and oil pipelines) to be accommodated on highway right-of-way when such use and occupancy do not affect highway safety, construction, maintenance, or operations. In this respect, guidelines outlining safe and rational practices for accommodating utilities within highway right-of-way are of valuable assistance to transportation agencies.

The guidelines herein are provided in the interest of developing and preserving safe highway operations and roadsides. wish to set a uniform policy that will control the specifics for various utilities crossing township roads.

BE IT HEREBY RESOLVED by a unanimous vote of the Adelaide Township Supervisors that the following described street shall be hereby vacated::

- 1 The utility shall be placed at a minimum of six feet below the surface on all roads and section lines, in the case of pipelines, this shall mean six feet from the top of the pipe to the surface..
2. The utility shall be placed below the surface of all roads by means of pipe or a boring tool.
- 3 All trenches and excavations shall be carefully backfilled so as to eliminate settlement and the surface of all ground shall be returned to its original condition.
- 4 Adelaide Township shall not be responsible or liable for any costs in connection with the placement or maintenance of the utility.
- 5 Adelaide Township chooses to excavate in the area where the utility is located, Grantee shall move the utility at its own expense and upon Grantors request to do so.
- 6 No above ground structures shall be placed in the Township Road Right-of-Way without written permission of the Grantor.



Utility Agreement page 1 of 3



- 7 All non-metallic underground lines must be accompanied by a trace wire, metallic tape, or other method to effectively locate and mark the underground lines. . Wherever feasible, such methods should include devices incorporated into the utility line. The location of each pipeline crossing must be identified by a marker installed on each side of the crossing at the right-of-way lines or fences.
- 8 A performance bond in the amount of \$250,000.00 shall be required of all permit applicants, and a copy of such bond shall be delivered to the township before the issuance of the permit.
- 9 Grantee shall obtain a permit before beginning any work within the highway right-of-way and pay a crossing fee, per crossing road or section line in the amount of \$300.00 per crossing.



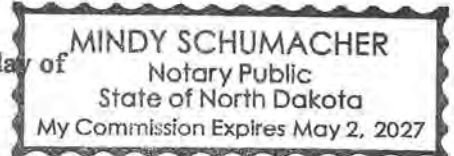
Dated this 17 day of Dec, 2024.

Burt Henderson (Signature)
By: Adelaide Township Title: Chairman
Adelaide Township

STATE OF NORTH DAKOTA)
)ss.
COUNTY OF BOWMAN)

The foregoing instrument was acknowledged before me this 17th day of December, 2024, by Mindy Schumacher.

Witness my hand and official seal.



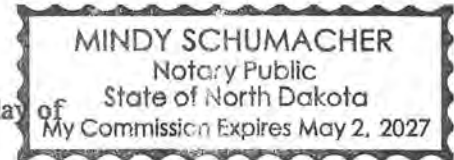
Mindy Schumacher
Notary Public

Sean Stocker (Signature)
By: Sean Stocker Title: VP, Development
Bowman Wind, LLC

STATE OF ND)
)ss.
COUNTY OF Bowman)

The foregoing instrument was acknowledged before me this 17th day of December, 2024, by Mindy Schumacher.

Witness my hand and official seal.



Mindy Schumacher
Notary Public

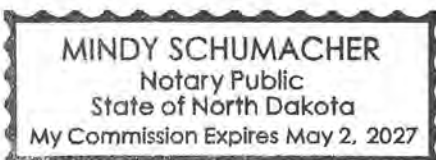
Sean Stocker (Signature)
By: Sean Stocker Title: VP, Development
Apex Clean Energy, Inc.

STATE OF ND)
)ss.
COUNTY OF Bowman)

The foregoing instrument was acknowledged before me this 17th day of December, 2024, by Mindy Schumacher.

Witness my hand and official seal.

Mindy Schumacher
Notary Public



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December 2, 2024

To: Chairman Brett Hendrickson
Adelaide Township, North Dakota

From: Nathaniel Wilson
Project Manager
Bowman Wind, LLC

Dear Chairman Hendrickson,

On behalf of Bowman Wind, I write to thank you and Adelaide Township for the coordination of boring and crossing permits for the Bowman Wind Project. To summarize what Bowman Wind has submitted to the township and our boring and crossing plans:

- We submitted a Resolution for Accommodation of Utilities on Township Highway Right-of-Way application where our cabling will cross Township Roads via horizontal directional drilling (HDD) at locations 1 and 16 on the attached exhibit.
- At the other locations shown on this exhibit, our cabling will cross unimproved section lines via trenching rather than boring (as we will be doing throughout the rest of the project). These locations are shown on the attached exhibit as locations 2-15 and 17-20. These crossings will all be placed perpendicular to these section lines at a 90-degree angle. These will be buried to a depth of at least 72 inches in accordance with the Adelaide Township crossing requirements.

We plan to begin construction of the Bowman Wind project in early spring of 2025.

To that end, please let me know if you have any questions or need additional information. My full contact information is listed below. Otherwise, please acknowledge receipt of this letter and exhibit.

Thank You,

Nate Wilson

Bowman Wind

Nathaniel Wilson

Project Manager

Bowman Wind

Brett Hendrickson

Town Chairman

Adelaide Township