



SUMMIT/TRC SOLUTIONS

murray j. anderson
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Burleigh County

[Space Above this Line for Recording Office Use Only]

Tract No. ND-BU-1078.100

MEMORANDUM OF SURFACE EASEMENT AGREEMENT

THIS MEMORANDUM OF SURFACE EASEMENT AGREEMENT (*"Memorandum of Surface Easement"*) is being recorded for the purpose of giving public notice of the existence of that certain Surface Easement Agreement, as amended from time to time, (the **"Agreement"**), by and between **Paul Andahl and Debra J. Andahl, a/k/a Debra J. Gronlie, husband and wife, as tenants in common**, whose mailing address is set forth below, (hereinafter referred to as **"Landowner"**, whether one or more), and **Summit Carbon Solutions, LLC**, a Delaware limited liability company, whose mailing address is 2321 North Loop Drive, Suite 221, Ames, IA 50010, and its successors and assigns (such entity and its successors and assigns are collectively referred to as the **"Company"**).

1. **Property.** Landowner owns the real property described on Exhibit A, incorporated herein (**"Landowner's Property"**).
2. **The Agreement.** Landowner and Company entered into the Agreement as of the 23rd day of December, 2022.
3. **Easements.** In the Agreement, Landowner grants Company certain easements and other rights to Landowner's Property, including an exclusive Valve Easement and Access Easement for the purposes set forth in the Agreement.
4. **Term.** The Pipeline Easement and Access Easement are for a term of ninety-nine (99) years. The Agreement, including the Easements, runs with the land and is binding upon the Landowner's and Company's heirs, assigns, devisees, successors, and legal representatives. The Agreement does provide termination rights upon certain events.
5. **Restrictions on Landowner Use.** The Agreement places certain restrictions on Landowner's use of the Property, including prohibiting the construction of improvements without Company's consent.
6. **Miscellaneous.** This Memorandum of Surface Easement may be signed in counterparts and all such counterparts shall be deemed as originals and binding upon each party executing any counterpart and upon its respective heirs, devisees, representatives, successors, and assigns. Company is authorized to place this Memorandum of record in accordance with Section 18 of the Agreement. Company may exercise its discretion in whether or not to record any document or exhibit referenced herein. The parties agree that failure to record any document or exhibit shall not affect its validity or the validity of this Memorandum of Surface Easement or the Agreement. Any document not recorded will be held by Company for safekeeping.

Initials: 



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Landowner shall not record this Memorandum of Surface Easement or notice of the Agreement, or any exhibits without the prior written consent of Company.

7. Agreement Terms. This Memorandum of Surface Easement is not a complete summary of the Agreement. Provisions of this Memorandum of Surface Easement shall not be used in interpreting the Agreement. If there is a conflict between the Memorandum of Surface Easement and the unrecorded Agreement, the unrecorded Agreement shall control. Capitalized terms not defined herein shall have the meaning assigned to them in the Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Easement as of the dates set forth below.

Initials: *DJA PA*



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Signature page to Surface Easement Agreement

LANDOWNER:

Paul Andahl

Paul Andahl
 13420 Highway 1804 Northwest
 Bismarck, ND 58503

Date: 12-23-2022

Debra J. Andahl

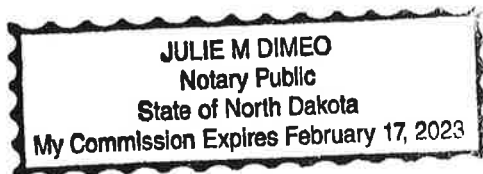
Debra J. Andahl, a/k/a Debra J. Gronlie,
 13420 Highway 1804 Northwest
 Bismarck, ND 58503

Date: 12/23/2022

ACKNOWLEDGMENT

State of NORTH DAKOTA)
)ss
 County of Burleigh)

This record was acknowledged before me on the 23 day of December, 2022
 by Paul Andahl and Debra J. Andahl, a/k/a Debra J. Gronlie, husband and wife, as tenants in
 common.



Julie M Dimeo

Notary Public

My Commission Expires: 2/17/2023



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Micah Rorie
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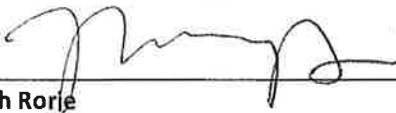
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Signature page to Surface Easement Agreement

COMPANY:

**Summit Carbon Solutions, LLC,
a Delaware limited liability company**



Micah Rorie
Sr. Director of Land Services
2321 North Loop Drive, Suite 221
Ames, IA 50010

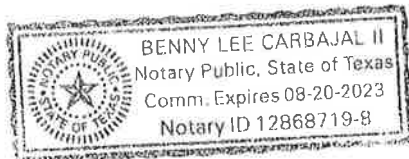
Date: January 5, 2023

ACKNOWLEDGMENT

STATE OF TEXAS)
COUNTY OF BRAZORIA) ss.

On this 5th day of JANUARY, 2023, before me personally appeared Micah Rorie, the Sr. Director of Land Services for Summit Carbon Solutions, LLC, known to me to be the person described in and that executed the foregoing instrument, and acknowledged that he executed the same on behalf of said company.


Notary Public



My Commission Expires: 8-20-2023

Initials: _____



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Mindy Johnson
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Exhibit A

Burleigh County, North Dakota
Township 140 North, Range 81 West, 5th P.M.
Section 9: All less the NE1/4NW1/4

AND

Less and except Auditor's Lot 1 in the NW described in Plat Document No. 892645, Burleigh County, North Dakota, more particularly described as:
Commencing at the Northwest Corner of said Section 9; thence along the North line of said Section 9, S.89°06'15"E., 1673.32'; thence S.07°33'23"W., 824.68'; thence N.90°00'00"E., 98.87', to the Point of Beginning; thence N.00°00'00"E., 25.00'; S.90°00'00"W., 433.34'; thence S.00°00'00"E., 150.00'; thence S.90°00'00"E., 433.34'; thence N.00°00'00"W., 125.00', to the Point of Beginning and containing 1.49 acres more or less.



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