

DESCRIPTION FOR LOT 2 BLOCK 1 IN SECTION 34

ALL THAT PART OF THE EAST HALF OF SECTION 34, TOWNSHIP 139 NORTH, RANGE 79 WEST OF THE FIFTH PRINCIPLE MERIDIAN BURLEIGH COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 34; THENCE NORTH 00 DEGREES 36 MINUTES 15 SECONDS EAST, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 371.40 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF COUNTY HIGHWAY 10; THENCE SOUTH 63 DEGREES 47 MINUTES 10 SECONDS WEST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 534.46 FEET; THENCE SOUTH 04 DEGREES 36 MINUTES 34 SECONDS EAST, A DISTANCE OF 708.12 FEET TO THE CENTERLINE OF APPLE CREEK; THENCE SOUTH 38 DEGREES 26 MINUTES 14 SECONDS EAST, ALONG SAID CENTERLINE, A DISTANCE OF 231.01 FEET; THENCE SOUTH 01 DEGREE 50 MINUTES 39 SECONDS WEST, CONTINUING ALONG SAID CENTERLINE, A DISTANCE OF 59.74 FEET; THENCE SOUTH 19 DEGREES 42 MINUTES 52 SECONDS WEST, CONTINUING ALONG SAID CENTERLINE, A DISTANCE OF 182.15 FEET; THENCE SOUTH 25 DEGREES 08 MINUTES 54 SECONDS EAST, CONTINUING ALONG SAID CENTERLINE, A DISTANCE OF 94.24 FEET; THENCE SOUTH 83 DEGREES 49 MINUTES 15 SECONDS EAST, CONTINUING ALONG SAID CENTERLINE, A DISTANCE OF 61.60 FEET; THENCE NORTH 48 DEGREES 37 MINUTES 54 SECONDS EAST, CONTINUING ALONG SAID CENTERLINE, A DISTANCE OF 98.89 FEET; THENCE NORTH 24 DEGREES 31 MINUTES 07 SECONDS EAST, CONTINUING ALONG SAID CENTERLINE, A DISTANCE OF 244.80 FEET; THENCE NORTH 10 DEGREES 52 MINUTES 03 SECONDS EAST, CONTINUING ALONG SAID CENTERLINE, A DISTANCE OF 99.92 FEET; THENCE NORTH 31 DEGREES 41 MINUTES 27 SECONDS EAST, CONTINUING ALONG SAID CENTERLINE TO THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 34, A DISTANCE OF 62.42 FEET; THENCE NORTH 00 DEGREES 36 MINUTES 15 SECONDS EAST, ALONG SAID EAST LINE, A DISTANCE OF 636.37 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT CONTAINS 11.19 ACRES MORE OR LESS.

DESCRIPTION FOR LOT 1 BLOCK 1 IN SECTION 35

ALL THAT PART OF THE WEST HALF OF SECTION 35, TOWNSHIP 139 NORTH, RANGE 79 WEST OF THE FIFTH PRINCIPLE MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 35; THENCE NORTH 00 DEGREES 36 MINUTES 15 SECONDS EAST, ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, TO THE SOUTH RIGHT-OF-WAY LINE OF COUNTY HIGHWAY 10, A DISTANCE OF 393.79 FEET; THENCE NORTH 63 DEGREES 45 MINUTES 36 SECONDS EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 859.38 FEET; THENCE SOUTH 26 DEGREES 14 MINUTES 26 SECONDS EAST, A DISTANCE OF 454.00 FEET; THENCE SOUTH 63 DEGREES 45 MINUTES 36 SECONDS WEST, A DISTANCE OF 742.47 FEET; THENCE SOUTH 70 DEGREES 31 MINUTES 03 SECONDS WEST, TO THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 35, A DISTANCE OF 329.36 FEET; THENCE NORTH 00 DEGREES 36 MINUTES 15 SECONDS EAST, ALONG SAID WEST LINE, A DISTANCE OF 71.61 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT CONTAINS 10.00 ACRES MORE OR LESS.

APPROVAL OF CITY PLANNING COMMISSION

THE SUBDIVISION OF LAND AS SHOWN ON THE ANNEXED PLAT HAS BEEN APPROVED BY THE PLANNING COMMISSION OF THE CITY OF BISMARCK, ON THE 25th DAY OF February, 2004, IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF BISMARCK AND REGULATIONS ADOPTED BY THE SAID PLANNING COMMISSION. IN WITNESS WHEREOF ARE SET THE HANDS AND SEALS OF THE CHAIRMAN AND SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF BISMARCK.

David Burckstead - CHAIRMAN, Carl D. Hokenstad - SECRETARY

APPROVAL OF BOARD OF CITY COMMISSIONERS

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THE ANNEXED PLAT, HAS ACCEPTED THE DEDICATION OF ALL STREETS SHOWN THEREON, HAS APPROVED THE GROUNDS AS SHOWN ON THE ANNEXED PLAT AS AN AMENDMENT TO THE MASTER PLAN OF THE CITY OF BISMARCK, NORTH DAKOTA, AND DOES HEREBY VACATE ANY PREVIOUS PLATTING WITHIN THE BOUNDARY OF THE ANNEXED PLAT.

THE FOREGOING ACTION OF THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED THE 22nd DAY OF March, 2004.

W.C. Wocken - CITY ADMINISTRATOR

APPROVAL OF CITY ENGINEER

I, MELVIN J. BULLINGER, CITY ENGINEER OF THE CITY OF BISMARCK, NORTH DAKOTA, HEREBY APPROVE "BILLY THE KID SUBDIVISION", BISMARCK, NORTH DAKOTA AS SHOWN ON THE ANNEXED PLAT.

Melvin J. Bullinger - CITY ENGINEER

APPROVAL OF BOARD OF COUNTY COMMISSIONERS

THE BOARD OF COUNTY COMMISSIONERS OF BURLEIGH COUNTY, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THE ANNEXED PLAT, HAS ACCEPTED THE DEDICATION OF ALL STREETS SHOWN THEREON, HAS APPROVED THE GROUNDS AS SHOWN ON THE ANNEXED PLAT AS AN AMENDMENT TO THE MASTER PLAN OF BURLEIGH COUNTY, NORTH DAKOTA, AND DOES HEREBY VACATE ANY PREVIOUS PLATTING WITHIN THE BOUNDARY OF THE ANNEXED PLAT.

THE FOREGOING ACTION OF THE BOARD OF COUNTY COMMISSIONERS OF BURLEIGH COUNTY, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED THE 5th DAY OF April, 2004.

Marlan Hawk - CHAIRMAN, Kevin J. Glatt - COUNTY AUDITOR

SURVEYOR'S CERTIFICATE

I, TERRY BALTZER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THE ANNEXED PLAT IS A TRUE COPY OF THE NOTES OF A SURVEY PERFORMED UNDER MY SUPERVISION AND COMPLETED ON DECEMBER 8, 2003, AND THAT ALL INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

STATE OF NORTH DAKOTA } SS, COUNTY OF BURLEIGH

Terry Baltzer - REGISTERED LAND SURVEYOR, N.D. REGISTRATION NO. 3595

ON THIS 10th DAY OF March, 2004, BEFORE ME PERSONALLY APPEARED TERRY BALTZER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

David Patience - NOTARY PUBLIC, BURLEIGH COUNTY, NORTH DAKOTA, MY COMMISSION EXPIRES AUGUST 24, 2004

OWNER'S CERTIFICATE & DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT TERRY A. HECK AND JESSIE HECK, BISMARCK, NORTH DAKOTA BEING THE OWNERS AND PROPRIETORS OF THE PROPERTY SHOWN ON THE ANNEXED PLAT HAVE CAUSED THAT PORTION DESCRIBED HEREON TO BE SURVEYED AND PLATTED AS "BILLY THE KID SUBDIVISION" BURLEIGH COUNTY, NORTH DAKOTA AND DO SO DEDICATE STREETS AS SHOWN HEREON INCLUDING ALL CULVERTS TO THE PUBLIC USE FOREVER.

THEY ALSO DEDICATE EASEMENTS TO RUN WITH THE LAND, FOR GAS, ELECTRIC, TELEPHONE OR OTHER PUBLIC UTILITIES OR SERVICES ON OR UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON AS "UTILITY EASEMENTS".

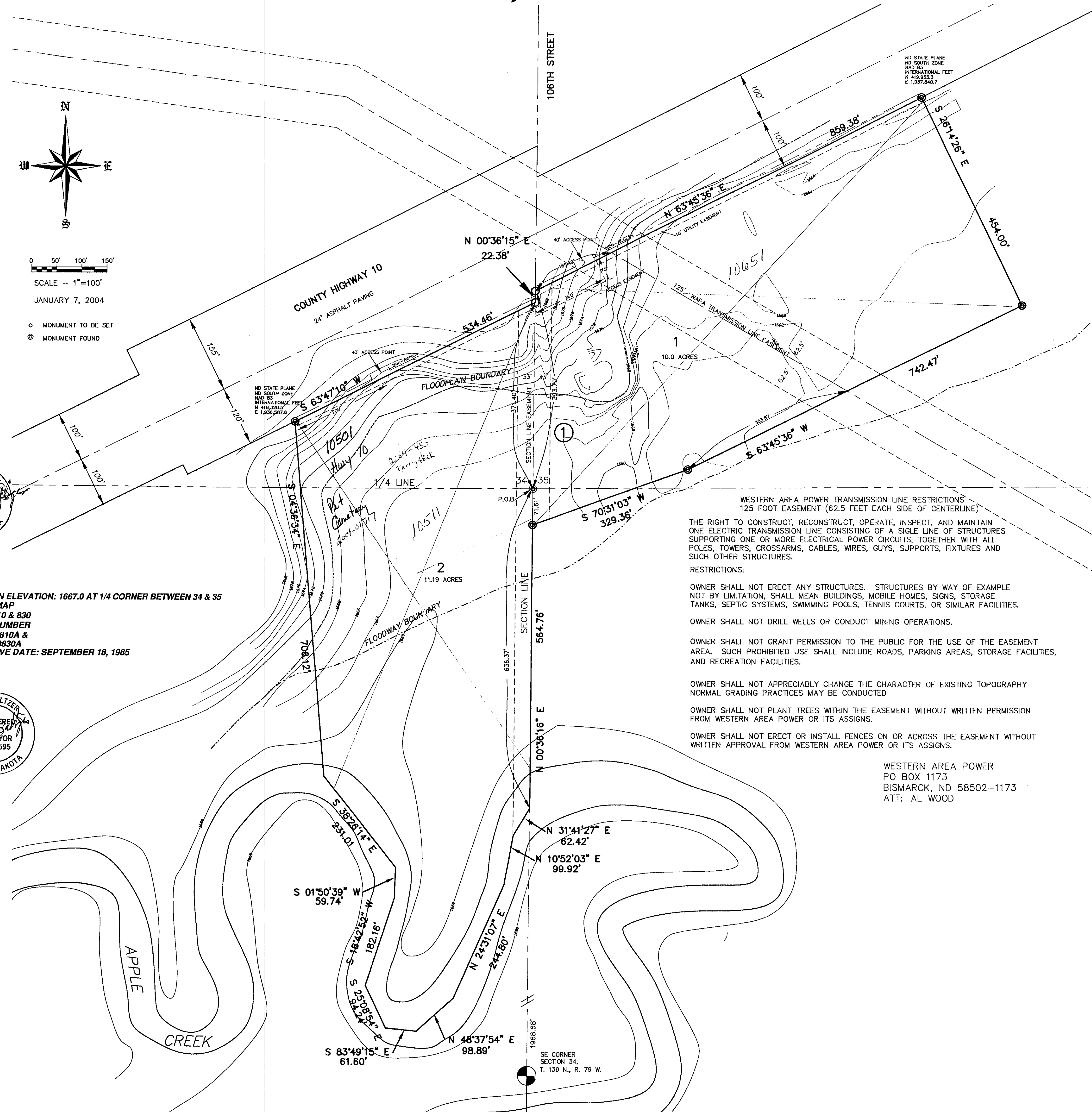
Terry A. Heck and Jessie Heck - Owners, Bismarck, ND 58504

ON THIS 29th DAY OF March, 2004, BEFORE ME PERSONALLY APPEARED TERRY A HECK AND JESSIE HECK KNOWN TO ME TO BE THE PERSONS WHO ARE DESCRIBED IN AND WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND THEY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

David Patience - Notary Public, State of North Dakota, My Commission Expires August 24, 2004

David Patience - Notary Public, Burleigh County, North Dakota, My Commission Expires August 24, 2004

BILLY THE KID SUBDIVISION PART OF THE EAST 1/2 OF THE EAST 1/2 OF SECTION 34 AND PART OF THE WEST 1/2 OF THE WEST 1/2 OF SECTION 35, T. 139 N., R. 79 W. BURLEIGH COUNTY, NORTH DAKOTA



WESTERN AREA POWER TRANSMISSION LINE RESTRICTIONS 125 FOOT EASEMENT (62.5 FEET EACH SIDE OF CENTERLINE) THE RIGHT TO CONSTRUCT, RECONSTRUCT, OPERATE, INSPECT, AND MAINTAIN ONE ELECTRIC TRANSMISSION LINE CONSISTING OF A SINGLE LINE OF STRUCTURES SUPPORTING ONE OR MORE ELECTRICAL POWER CIRCUITS, TOGETHER WITH ALL POLES, TOWERS, CROSSARMS, CABLES, WIRES, GUYS, SUPPORTS, FIXTURES AND SUCH OTHER STRUCTURES. RESTRICTIONS: OWNER SHALL NOT ERECT ANY STRUCTURES. STRUCTURES BY WAY OF EXAMPLE NOT BY LIMITATION, SHALL MEAN BUILDINGS, MOBILE HOMES, SIGNS, STORAGE TANKS, SEPTIC SYSTEMS, SWIMMING POOLS, TENNIS COURTS, OR SIMILAR FACILITIES. OWNER SHALL NOT DRILL WELLS OR CONDUCT MINING OPERATIONS. OWNER SHALL NOT GRANT PERMISSION TO THE PUBLIC FOR THE USE OF THE EASEMENT AREA. SUCH PROHIBITED USE SHALL INCLUDE ROADS, PARKING AREAS, STORAGE FACILITIES, AND RECREATION FACILITIES. OWNER SHALL NOT APPRECIABLY CHANGE THE CHARACTER OF EXISTING TOPOGRAPHY NORMAL GRADING PRACTICES MAY BE CONDUCTED. OWNER SHALL NOT PLANT TREES WITHIN THE EASEMENT WITHOUT WRITTEN PERMISSION FROM WESTERN AREA POWER OR ITS ASSIGNS. OWNER SHALL NOT ERECT OR INSTALL FENCES ON OR ACROSS THE EASEMENT WITHOUT WRITTEN APPROVAL FROM WESTERN AREA POWER OR ITS ASSIGNS.

WESTERN AREA POWER PO BOX 1173 BISMARCK, ND 58502-1173 ATT: AL WOOD

SWENSON, HAGEN & CO. P.C. PLANNING CIVIL ENGINEERING SURVEYING SITE DESIGN CONSTRUCTION MANAGEMENT

Billy the Kid Subdivision ETA Plat Number 470