

DESCRIPTION

ALL THAT PART OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 139 NORTH, RANGE 79 WEST OF THE 5TH PRINCIPAL MERIDIAN, BURLEIGH COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF SAID SECTION 5, SAID POINT BEING NORTH 00 DEGREES 28 MINUTES 34 SECONDS EAST, A DISTANCE OF 1032.05 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 5, SAID POINT ALSO BEING THE NORTHEAST CORNER OF ROCK CREEK FIRST SUBDIVISION; THENCE NORTH 89 DEGREES 31 MINUTES 26 SECONDS WEST, ALONG THE NORTH LINE OF ROCK CREEK FIRST SUBDIVISION, A DISTANCE OF 75.00 FEET; THENCE SOUTH 55 DEGREES 00 MINUTES 00 SECONDS WEST, CONTINUING ALONG SAID NORTH LINE, A DISTANCE OF 230.42 FEET; THENCE SOUTH 80 DEGREES 00 MINUTES 00 SECONDS WEST, CONTINUING ALONG SAID NORTH LINE, A DISTANCE OF 190.89 FEET; THENCE SOUTH 75 DEGREES 00 MINUTES 00 SECONDS WEST, CONTINUING ALONG SAID NORTH LINE, A DISTANCE OF 206.64 FEET; THENCE SOUTH 76 DEGREES 16 MINUTES 16 SECONDS WEST, CONTINUING ALONG SAID NORTH LINE, A DISTANCE OF 102.39 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, CONTINUING ALONG SAID NORTH LINE, A DISTANCE OF 237.09 FEET; THENCE NORTH 55 DEGREES 00 MINUTES 00 SECONDS WEST, CONTINUING ALONG SAID NORTH LINE, A DISTANCE OF 140.17 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, CONTINUING ALONG SAID NORTH LINE, A DISTANCE OF 133.40 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, CONTINUING ALONG SAID NORTH LINE, A DISTANCE OF 522.61 FEET; THENCE SOUTH 76 DEGREES 47 MINUTES 39 SECONDS WEST, CONTINUING ALONG SAID NORTH LINE, A DISTANCE OF 87.04 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, CONTINUING ALONG SAID NORTH LINE, A DISTANCE OF 280.08 FEET TO THE NORTHWEST CORNER OF ROCK CREEK FIRST ADDITION AND THE EAST LINE OF OUTLOT 1 OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 139 NORTH, RANGE 80 WEST, THENCE NORTH 00 DEGREES 32 MINUTES 29 SECONDS EAST, ALONG THE EAST LINE OF SAID OUTLOT 1, A DISTANCE OF 256.77 FEET; THENCE NORTH 53 DEGREES 27 MINUTES 13 SECONDS EAST, A DISTANCE OF 134.35 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 278.09 FEET; THENCE NORTH 85 DEGREES 58 MINUTES 28 SECONDS WEST, A DISTANCE OF 104.74 FEET TO THE EAST LINE OF SAID OUTLOT 1; THENCE NORTH 00 DEGREES 32 MINUTES 29 SECONDS EAST, ALONG SAID EAST LINE, A DISTANCE OF 330.08 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 390.60 FEET; THENCE NORTH 57 DEGREES 03 MINUTES 00 SECONDS EAST, A DISTANCE OF 95.34 FEET; THENCE NORTH 72 DEGREES 53 MINUTES 50 SECONDS EAST, A DISTANCE OF 340.04 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 150.00 FEET; THENCE SOUTH 85 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 1199.25 FEET TO THE EAST LINE OF SAID SECTION 5; THENCE SOUTH 00 DEGREES 28 MINUTES 34 SECONDS WEST, ALONG SAID EAST LINE, A DISTANCE OF 1101.07 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT CONTAINS 53.04 ACRES, MORE OR LESS.

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 16th DAY OF August, 2005.

Jerry Woodcox - Chairman

Kevin J. Glatt - County Auditor

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 24th DAY OF May, 2005.

W.C. Wocken - City Administrator

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 21st DAY OF April, 2005, 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 Blackstead - Chairman

Carl D. Hokenstad - Secretary

APPROVAL OF CITY ENGINEER

I, MELVIN J. BULLINGER, CITY ENGINEER OF THE CITY OF BISMARCK, NORTH DAKOTA, HEREBY APPROVE "ROCK CREEK SECOND SUBDIVISION", BURLEIGH COUNTY, NORTH DAKOTA AS SHOWN ON THE ANNEXED PLAT.

Melvin J. Bullinger - City Engineer

OWNER'S CERTIFICATE & DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT GENE CLOOTEN, CURTIS E. ANDERSON AND JANE G. ANDERSON 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 "ROCK CREEK SECOND 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".

THEY FURTHERMORE DEDICATE UNTO BURLEIGH COUNTY "STORM WATER EASEMENTS" TO RUN WITH THE LAND FOR THE PURPOSE OF STORM SEWER AND SURFACE WATER DRAINAGE UNDER, OVER THROUGH AND/OR ACROSS THOSE AREAS DESIGNATED HEREON AS "STORM WATER EASEMENTS" FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, REPAIR, ENLARGING AND MAINTAINING STORM WATER MANAGEMENT FACILITIES TOGETHER WITH NECESSARY APPURTENANCES THERETO FOR STORM WATER, STORM SEWER AND SURFACE WATER DRAINAGE AND MANAGEMENT OF SAID STORM WATER FLOW IN A MANNER THAT WILL PERMIT THE FREE AND UNOBSTRUCTED FLOW OF WATER UNDER, OVER, ON AND/OR ACROSS THE EASEMENT AREA.

Curtis E. Anderson - Owner

Jane G. Anderson - Owner

STATE OF NORTH DAKOTA } SS
COUNTY OF BURLEIGH }

Eugene Clooten, Jr. - Contract for Deed

ON THIS 9th DAY OF August, 2005, BEFORE ME PERSONALLY APPEARED EUGENE CLOOTEN, CURTIS E. ANDERSON AND JANE G. ANDERSON KNOWN TO ME TO BE THE PERSONS 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

SURVEYOR'S CERTIFICATE

I, TODD MARSCHALL, 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 29, 2003, AND THAT ALL INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

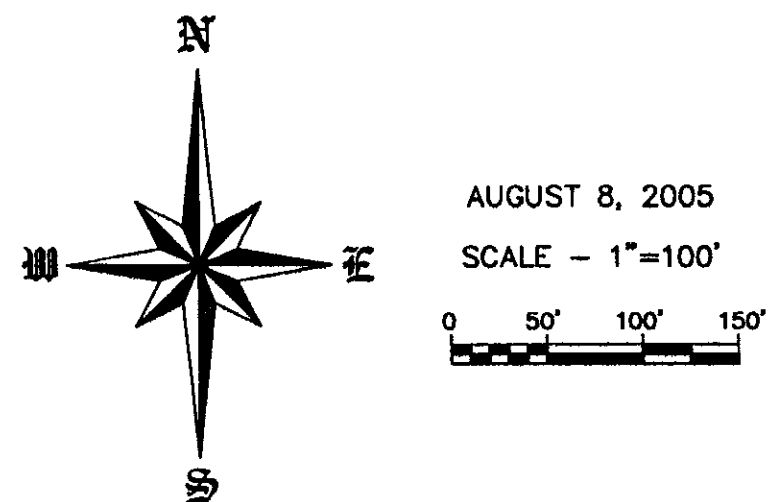
STATE OF NORTH DAKOTA } SS
COUNTY OF BURLEIGH }

Todd Marschall - Surveyor

ON THIS 9th DAY OF August, 2005, BEFORE ME PERSONALLY APPEARED TODD MARSCHALL, 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

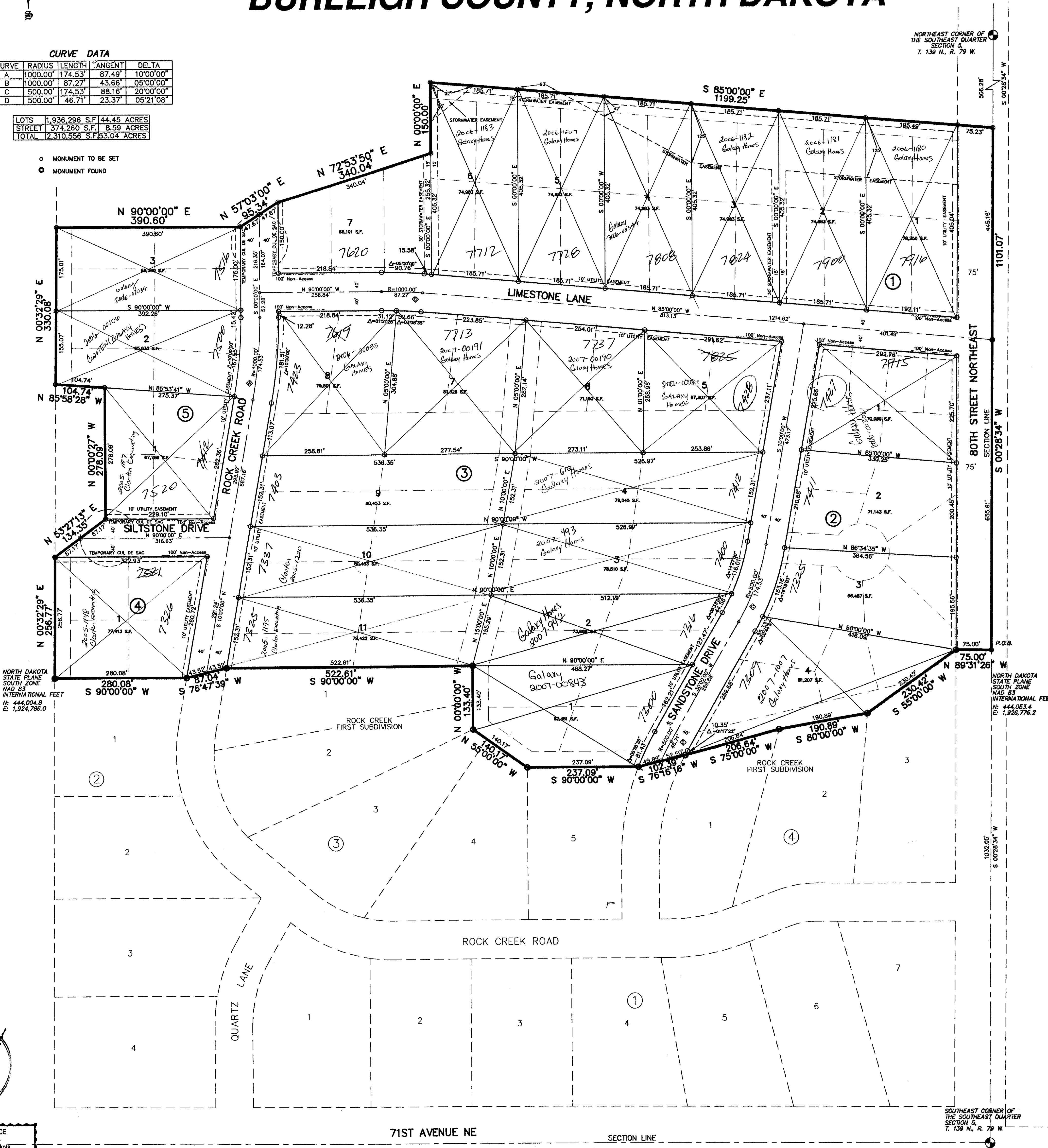
ROCK CREEK 2ND SUBDIVISION
PART OF SE 1/4 OF SECTION 5, T. 139 N., R. 79 W.
BURLEIGH COUNTY, NORTH DAKOTA



CURVE DATA table with columns: CURVE, RADIUS, LENGTH, TANGENT, DELTA. Includes curves A, B, C, D.

LOTS table with columns: LOTS, ACRES. Includes lots 1 through 11.

- MONUMENT TO BE SET
- MONUMENT FOUND



SWENSON, HAGEN & CO. P.C. PLANNING CIVIL ENGINEERING SURVEYING. 3777 BASSON CONSTRUCTION MANAGEMENT. 809 BASIN AVE. BISMARCK, N.D. 58504

DAVID PATIENCE, NOTARY PUBLIC, BURLEIGH COUNTY, NORTH DAKOTA. My Commission Expires August 24, 2010.

Rock Creek 2nd Subdivision
ETA
Plat Number 7280.A