

**EASEMENT**  
**(Temporary Construction Easement)**

**KNOW ALL MEN BY THESE PRESENTS** that **OXBOW GOLF AND COUNTRY CLUB**, a North Dakota non-profit corporation, hereinafter referred to as "Grantor", for and in consideration of the sum of One Dollar and other valuable consideration (\$1.00), to it in hand paid the receipt whereof is hereby acknowledged, **HEREBY GRANTS** unto the **CASS COUNTY JOINT WATER RESOURCE DISTRICT**, 1201 Main Avenue West, West Fargo, ND 58078, its successors and assigns, hereinafter referred to as "Grantee", a temporary construction easement over, upon and in land hereinafter described for the purpose of constructing an earthen levee and public utilities, said land being more fully described, to-wit:

**Legal description attached as Exhibit "G-1"**

The said property is pictorially represented on Exhibit "G-2" attached hereto and incorporated herein by reference.

Grantor, its successors and assigns, hereby covenants to and with Grantee that Grantee's officers, contractors, agents and employees may at any and all times, when necessary or convenient to do so, go over and upon said above-described tract of land and to perform any and all acts necessary or convenient to carry into effect the purpose for which the grant is made.

Grantor, its successors and assigns, further agrees that it will not disturb, injure, molest or in any manner interfere with said tract to be used for the storage of dirt and all other construction activities during the construction phase of said project and Grantor expressly warrants and states that no buildings, trees, shrubs or other obstacles of any kind shall be placed or located upon the tract so as to interfere in any manner with the said tract to be used for the storage of dirt and all other construction activities during the construction phase of said project, provided that Grantee, at

its own expense, shall refill any excavation it makes and level the ground thereafter, leaving the premises in as good condition as it was prior to the time of storage of dirt and all other construction activities was begun.

This easement shall not extend beyond September 1, 2018.

**IN WITNESS WHEREOF**, Grantor set its hand and caused this instrument to be executed this 19 day of January, 2015.

(Signatures on the following page)

GRANTOR:

*Chris Holland*

By:

Its:

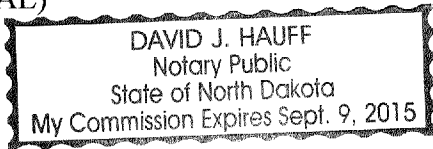
*Grant*

STATE OF NORTH DAKOTA )  
 ) ss:  
COUNTY OF CASS )

On this 19th day of January, 2015, before me, a notary public in and for said county and state, personally appeared Chris Holland, to me known to be the President of the Grantor, described in and who have executed the within and foregoing instrument, and acknowledged to me that he executed the same.

*David J. Hauff*  
\_\_\_\_\_  
Notary Public  
Cass County, North Dakota

(SEAL)



The legal description was prepared by:

This document was prepared by:

Erik R. Johnson & Associates, Ltd.  
505 Broadway N., Ste. 206  
Fargo, ND 58102  
701-280-1901

**EXHIBIT G-1**  
**Legal Description**

A strip of land 30.00 feet wide in Lot 162 of OXBOW COUNTRY CLUB AND ESTATES, according to the recorded plat thereof on file and of record in the office of the Recorder, Cass County, North Dakota. The easterly sideline of said 30.00 foot wide strip is described as follows:

Commencing at a found iron monument which designates the southwest corner of Lot 109 of said OXBOW COUNTRY CLUB AND ESTATES; thence South 86 degrees 44 minutes 26 seconds West on an assumed bearing along the north line of Lot 108 of said OXBOW COUNTRY CLUB AND ESTATES for a distance of 22.27 feet to an iron monument, the point of beginning of said easterly sideline to be described; thence North 05 degrees 04 minutes 04 seconds West for a distance of 158.36 feet to an iron monument; thence North 21 degrees 44 minutes 56 seconds East for a distance of 152.01 feet to an iron monument; thence North 35 degrees 27 minutes 33 seconds East for a distance of 573.86 feet to an iron monument; thence North 17 degrees 26 minutes 23 seconds East for a distance of 164.44 feet to an iron monument; thence North 01 degree 53 minutes 15 seconds West for a distance of 89.90 feet to an iron monument; thence North 19 degrees 05 minutes 39 seconds West for a distance of 316.26 feet to an iron monument; thence North 00 degrees 33 minutes 03 seconds East for a distance of 146.36 feet to an iron monument; thence North 29 degrees 08 minutes 34 seconds East for a distance of 767.57 feet to an iron monument; thence North 08 degrees 17 minutes 58 seconds East for a distance of 63.76 feet to an iron monument; thence North 10 degrees 13 minutes 18 seconds West for a distance of 114.12 feet to an iron monument on the southerly right of way line of a dedicated road (Oxbow Drive) according to said OXBOW COUNTRY CLUB AND ESTATES and said easterly sideline there terminates.

The westerly sideline of said 30.00 foot wide strip shall be prolonged or shortened to terminate on the north line of Lot 107 of said OXBOW COUNTRY CLUB AND ESTATES and on the southerly right of way line of said dedicated road.

Said tract contains 1.75 acres, more or less, and is subject to all easements, restrictions and reservations of record, if any.

AND

That part of Lot 163 of OXBOW COUNTRY CLUB AND ESTATES, according to the recorded plat thereof on file and of record in the office of the Recorder, Cass County, North Dakota, described as follows:

Beginning at a found iron monument which designates the southwest corner of Lot 22 of said OXBOW COUNTRY CLUB AND ESTATES; thence North 06 degrees 50 minutes 13 seconds West on an assumed bearing along the west line of said Lot 22 for a distance of 26.65 feet to an iron monument; thence North 15 degrees 25 minutes 43 seconds West for a distance of 604.07 feet to an iron monument; thence North 11 degrees 14 minutes 46 seconds West for a distance of 128.65 feet to an iron monument; thence North 05 degrees 17 minutes 31 seconds East for a distance of 5.34 feet to a found iron monument at the northwest corner of Lot 27 of said OXBOW COUNTRY CLUB AND ESTATES; thence North 02 degrees 59 minutes 47 seconds West along the west line of Lots 28 and 29 of said OXBOW COUNTRY CLUB AND ESTATES and the northerly extension thereof, and the west line of Lot 32 of said OXBOW COUNTRY CLUB AND ESTATES for a distance of 596.88 feet to a found iron monument at the northwest corner of said Lot 32; thence North 79 degrees 17 minutes 27 seconds West along the southerly line of Lot 33 of said OXBOW COUNTRY CLUB AND ESTATES for a distance of 51.03 feet; thence South 54 degrees 30 minutes 58 seconds East for a distance of 12.64 feet; thence South 21 degrees 19 minutes 13 seconds East for a distance of 39.32 feet; thence South 02 degrees 38 minutes 55 seconds East for a distance of 571.15 feet; thence South 11 degrees 14 minutes 46 seconds East for a distance of 132.00 feet; thence South 15 degrees 25 minutes 43 seconds East for a distance of 626.39 feet to the northerly

**EXHIBIT G-1**  
**Legal Description, Cont'd.**

right of way line of a dedicated road (Oxbow Drive) according to said OXBOW COUNTRY CLUB AND ESTATES; thence North 85 degrees 43 minutes 25 seconds East along said northerly right of way line for a distance of 26.52 feet to the point of beginning.

Said tract contains 0.93 acres, more or less, and is subject to all easements, restrictions and reservations of record, if any.

EXHIBIT G-1

# EASEMENT EXHIBIT

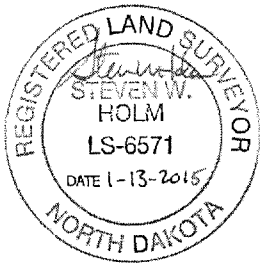
THAT PART OF LOT 162 OF OXBOW COUNTRY CLUB AND ESTATES  
CITY OF OXBOW, CASS COUNTY, NORTH DAKOTA

## LEGEND

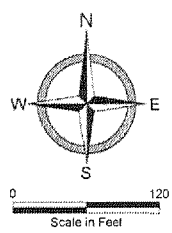
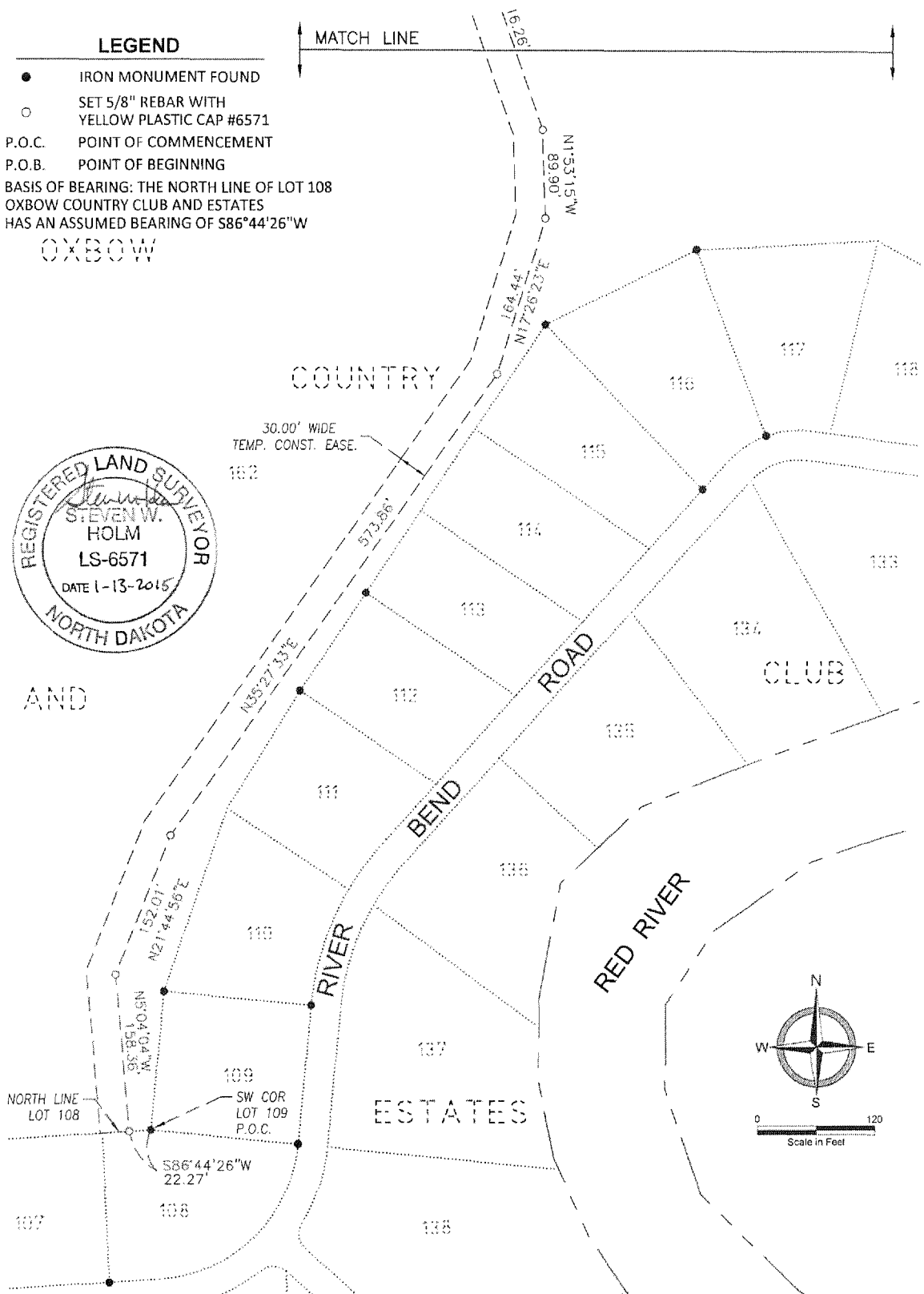
- IRON MONUMENT FOUND
  - SET 5/8" REBAR WITH YELLOW PLASTIC CAP #6571
  - P.O.C. POINT OF COMMENCEMENT
  - P.O.B. POINT OF BEGINNING
- BASIS OF BEARING: THE NORTH LINE OF LOT 108  
OXBOW COUNTRY CLUB AND ESTATES  
HAS AN ASSUMED BEARING OF S86°44'26"W

OXBOW

MATCH LINE



AND

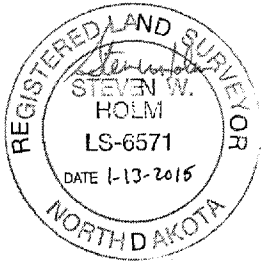
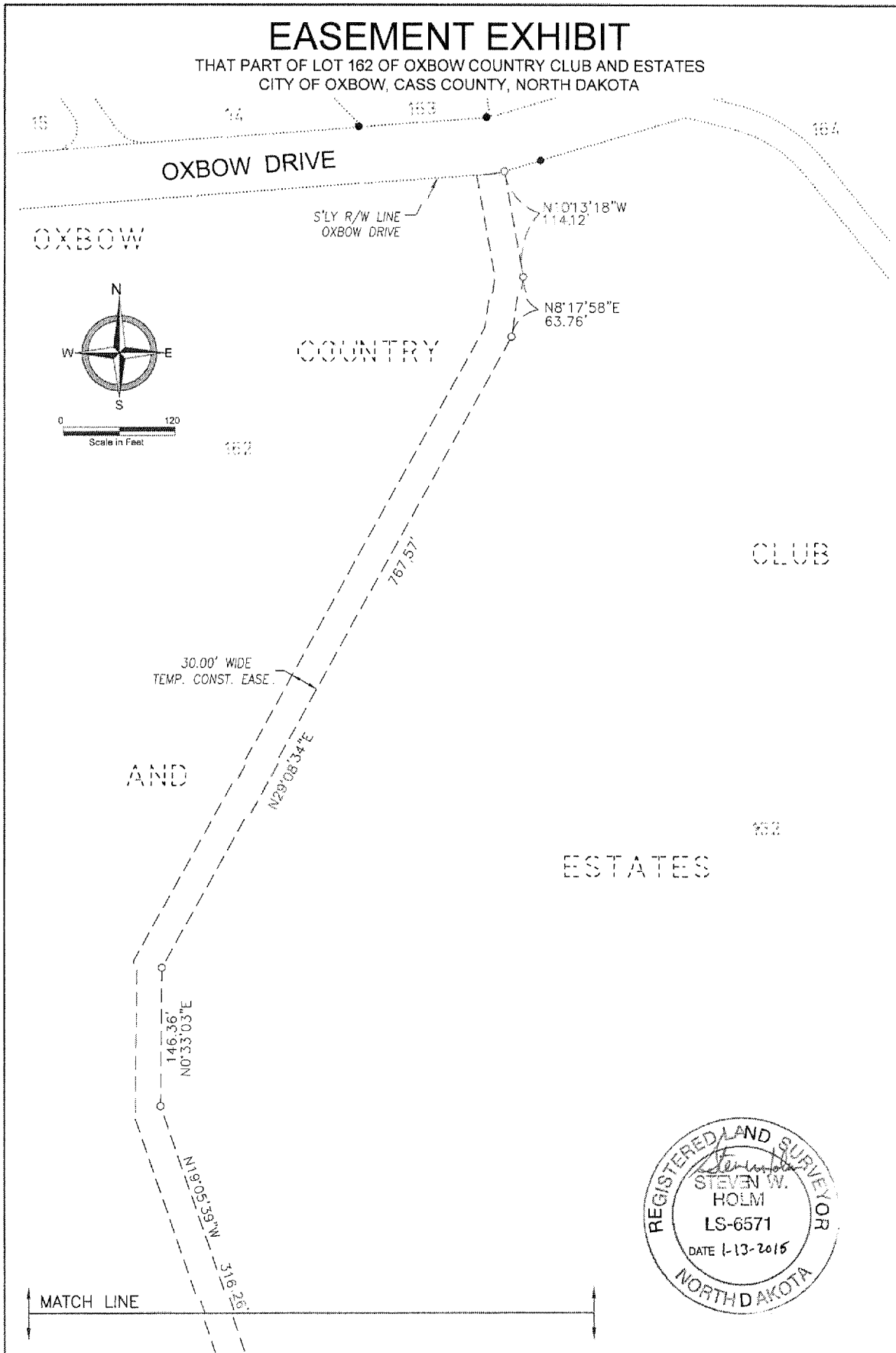


	<b>EASEMENT EXHIBIT</b> FOR: OXBOW GOLF AND COUNTRY CLUB	DATE	LAST DAY ON SITE	CH'D BY	PROJECT NO.
		01.06.15	-	SWH	17033-260
		REVISED	SCALE	DRAWN BY	SHEET
			1" = 120'	LFB	1 OF 3

EXHIBIT G-1

# EASEMENT EXHIBIT

THAT PART OF LOT 162 OF OXBOW COUNTRY CLUB AND ESTATES  
CITY OF OXBOW, CASS COUNTY, NORTH DAKOTA



	<b>EASEMENT EXHIBIT</b> FOR: OXBOW GOLF AND COUNTRY CLUB	DATE	LAST DAY ON SITE	CH'D BY	PROJECT NO.
		01.06.15	...	SWH	17033-260
		REVISED	SCALE	DRAWN BY	SHEET
			1" = 120'	LFB	2 OF 3

EXHIBIT G-1

EASEMENT EXHIBIT

THAT PART OF LOT 162 OF OXBOW COUNTRY CLUB AND ESTATES  
CITY OF OXBOW, CASS COUNTY, NORTH DAKOTA

**LEGAL DESCRIPTION**

A strip of land 30.00 feet wide in Lot 162 of OXBOW COUNTRY CLUB AND ESTATES, according to the recorded plat thereof on file and of record in the office of the Recorder, Cass County, North Dakota. The easterly sideline of said 30.00 foot wide strip is described as follows:

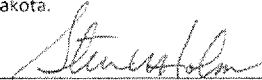
Commencing at a found iron monument which designates the southwest corner of Lot 109 of said OXBOW COUNTRY CLUB AND ESTATES; thence South 86 degrees 44 minutes 26 seconds West on an assumed bearing along the north line of Lot 108 of said OXBOW COUNTRY CLUB AND ESTATES for a distance of 22.27 feet to an iron monument, the point of beginning of said easterly sideline to be described; thence North 05 degrees 04 minutes 04 seconds West for a distance of 158.36 feet to an iron monument; thence North 21 degrees 44 minutes 56 seconds East for a distance of 152.01 feet to an iron monument; thence North 35 degrees 27 minutes 33 seconds East for a distance of 573.86 feet to an iron monument; thence North 17 degrees 26 minutes 23 seconds East for a distance of 164.44 feet to an iron monument; thence North 01 degree 53 minutes 15 seconds West for a distance of 89.90 feet to an iron monument; thence North 19 degrees 05 minutes 39 seconds West for a distance of 316.26 feet to an iron monument; thence North 00 degrees 33 minutes 03 seconds East for a distance of 146.36 feet to an iron monument; thence North 29 degrees 08 minutes 34 seconds East for a distance of 767.57 feet to an iron monument; thence North 08 degrees 17 minutes 58 seconds East for a distance of 63.76 feet to an iron monument; thence North 10 degrees 13 minutes 18 seconds West for a distance of 114.12 feet to an iron monument on the southerly right of way line of a dedicated road (Oxbow Drive) according to said OXBOW COUNTRY CLUB AND ESTATES and said easterly sideline there terminates.

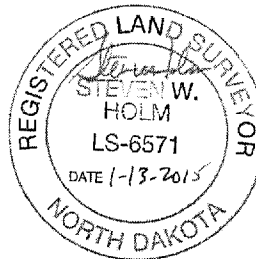
The westerly sideline of said 30.00 foot wide strip shall be prolonged or shortened to terminate on the north line of Lot 107 of said OXBOW COUNTRY CLUB AND ESTATES and on the southerly right of way line of said dedicated road.

Said tract contains 1.75 acres, more or less, and is subject to all easements, restrictions and reservations of record, if any.

**CERTIFICATION:**

I Steven W. Holm, do hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Registered Professional Land Surveyor under the laws of the State of North Dakota.

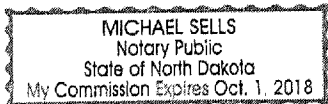
  
Steven W. Holm, P.L.S.  
N.D. License No. LS-6571

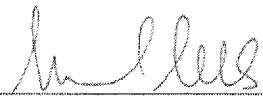


Date: 1-13-2015

State of North Dakota)  
County of Cass )

On this 13th day of JAN, 2015, before me, a Notary Public in and for said county and state, personally appeared Steven W. Holm, Registered Land Surveyor, known to me to be the person described in and who executed the foregoing certificate and acknowledged to me that he executed the same as his free act and deed.



  
Notary Public, Cass County, North Dakota  
My Commission Expires: Oct. 1, 2018


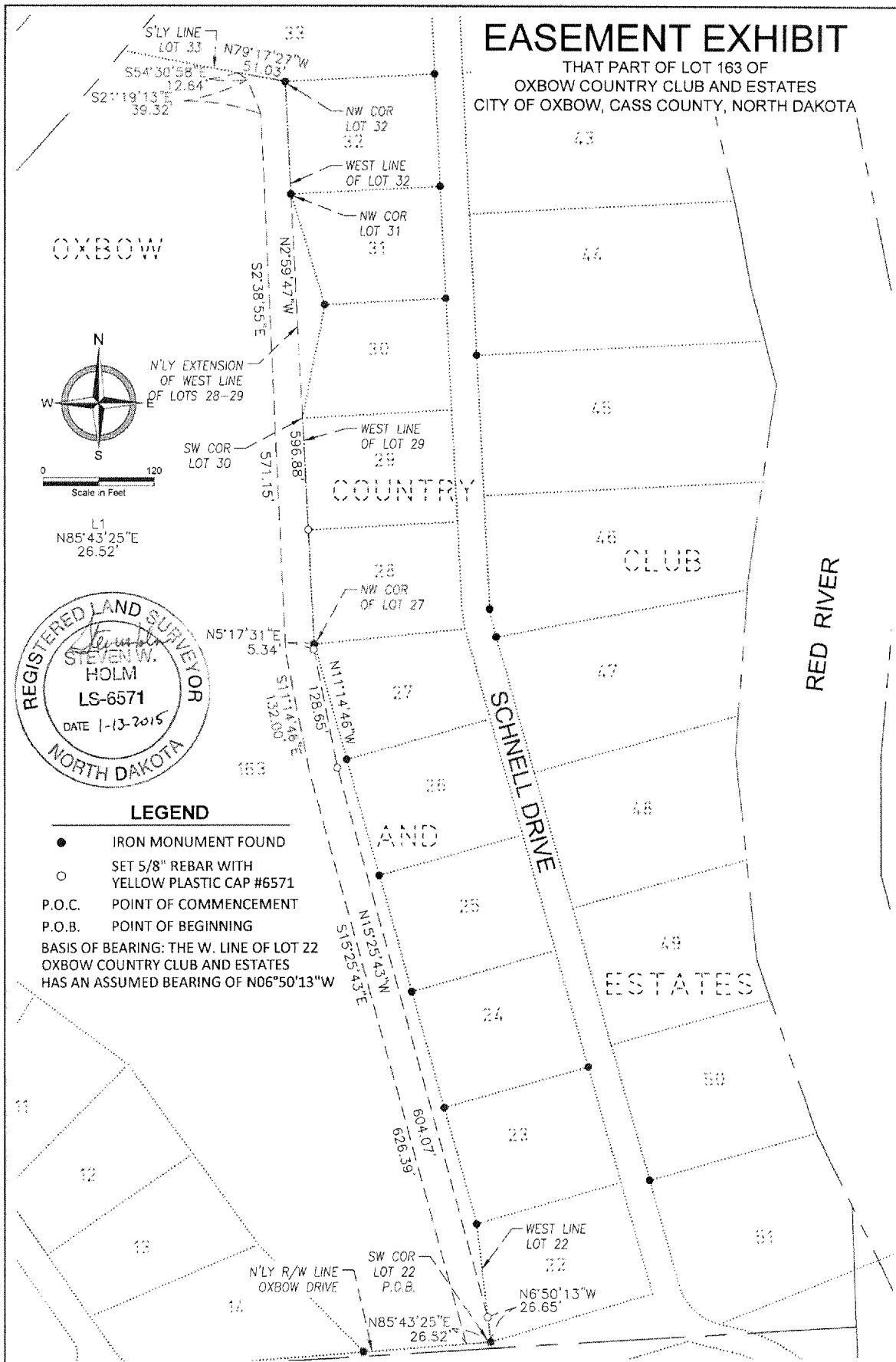
	<p align="center"><b>EASEMENT EXHIBIT</b> FOR: OXBOW GOLF AND COUNTRY CLUB</p>	DATE	LAST DAY ON SITE	CH'D BY	PROJECT NO.
		01.06.15	-	SWH	17033-260
		REVISED	SCALE	DRAWN BY	SHEET
			1" = 120'	LFB	3 OF 3



EXHIBIT G-1



	<b>EASEMENT EXHIBIT</b>			
	FOR: OXBOW COUNTRY CLUB AND ESTATES			
DATE	LAST DAY ON SITE	CH'D BY	PROJECT NO.	
01.06.15	-	SWH	17033-260	
REVISED	SCALE	DRAWN BY	SHEET	
	1" = 120'	LFB	1 OF 2	

EXHIBIT G-1

# EASEMENT EXHIBIT

THAT PART OF LOT 163 OF OXBOW COUNTRY CLUB AND ESTATES  
CITY OF OXBOW, CASS COUNTY, NORTH DAKOTA

**LEGAL DESCRIPTION**

That part of Lot 163 of OXBOW COUNTRY CLUB AND ESTATES, according to the recorded plat thereof on file and of record in the office of the Recorder, Cass County, North Dakota, described as follows:

Beginning at a found iron monument which designates the southwest corner of Lot 22 of said OXBOW COUNTRY CLUB AND ESTATES; thence North 06 degrees 50 minutes 13 seconds West on an assumed bearing along the west line of said Lot 22 for a distance of 26.65 feet to an iron monument; thence North 15 degrees 25 minutes 43 seconds West for a distance of 604.07 feet to an iron monument; thence North 11 degrees 14 minutes 46 seconds West for a distance of 128.65 feet to an iron monument; thence North 05 degrees 17 minutes 31 seconds East for a distance of 5.34 feet to a found iron monument at the northwest corner of Lot 27 of said OXBOW COUNTRY CLUB AND ESTATES; thence North 02 degrees 59 minutes 47 seconds West along the west line of Lots 28 and 29 of said OXBOW COUNTRY CLUB AND ESTATES and the northerly extension thereof, and the west line of Lot 32 of said OXBOW COUNTRY CLUB AND ESTATES for a distance of 596.88 feet to a found iron monument at the northwest corner of said Lot 32; thence North 79 degrees 17 minutes 27 seconds West along the southerly line of Lot 33 of said OXBOW COUNTRY CLUB AND ESTATES for a distance of 51.03 feet; thence South 54 degrees 30 minutes 58 seconds East for a distance of 12.64 feet; thence South 21 degrees 19 minutes 13 seconds East for a distance of 39.32 feet; thence South 02 degrees 38 minutes 55 seconds East for a distance of 571.15 feet; thence South 11 degrees 14 minutes 46 seconds East for a distance of 132.00 feet; thence South 15 degrees 25 minutes 43 seconds East for a distance of 626.39 feet to the northerly right of way line of a dedicated road (Oxbow Drive) according to said OXBOW COUNTRY CLUB AND ESTATES; thence North 85 degrees 43 minutes 25 seconds East along said northerly right of way line for a distance of 26.52 feet to the point of beginning.

Said tract contains 0.93 acres, more or less, and is subject to all easements, restrictions and reservations of record, if any.

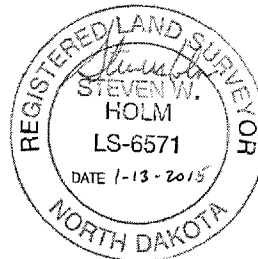
**CERTIFICATION:**

I Steven W. Holm, do hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Registered Professional Land Surveyor under the laws of the State of North Dakota.

  
\_\_\_\_\_

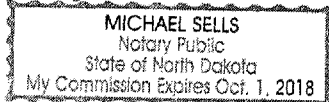
Steven W. Holm, P.L.S.  
N.D. License No. LS-6571


Date: 1-13-2015




State of North Dakota)  
County of Cass )

On this 13th day of JAN, 2015, before me, a Notary Public in and for said county and state, personally appeared Steven W. Holm, Registered Land Surveyor, known to me to be the person described in and who executed the foregoing certificate and acknowledged to me that he executed the same as his free act and deed.



  
\_\_\_\_\_  
Notary Public, Cass County, North Dakota  
My Commission Expires: Oct. 1, 2018

	<b>EASEMENT EXHIBIT</b> FOR: OXBOW GOLF AND COUNTRY CLUB	DATE	LAST DAY ON SITE	CH'D BY	PROJECT NO.
		01.06.15	-	SWH	17033-260
		REVISED	SCALE	DRAWN BY	SHEET
			1" = 120'	LFB	2 OF 2