

RESOLUTION NO. 02-10

A RESOLUTION OF THE BOARD OF COMMISSIONERS, MASON COUNTY, WASHINGTON, AUTHORIZING THE ACQUISITION BY NEGOTIATION OR CONDEMNATION OF REAL PROPERTY INTERESTS NEEDED FOR MASON COUNTY BELFAIR WASTEWATER TREATMENT SYSTEM.

WHEREAS, Mason County (“County”) is working to plan, design and construct a wastewater treatment system, including pump stations and pipeline conveyance system, known as “Mason County Belfair Wastewater Treatment System” (“Project”); and

WHEREAS, in order to carry out the Project, the County must obtain certain easements together with certain parcels; and

WHEREAS, pursuant to State and Federal policies and regulations, the County must acquire certain real property rights, including necessary fee simple titles, easements and right-of-way (collectively “the real property interests”), through negotiations with property owners whose property is located within the Project; and

WHEREAS, such real property interests to be acquired for the Project are for the general benefit and welfare of the County and the inhabitants thereof; and

WHEREAS, if the County is unable to acquire the necessary real property interests in a timely manner, the County must file a petition in eminent domain (condemnation action) in order to meet the funding and construction deadlines for the Project; and

WHEREAS, the County is authorized by Chapter 36.94 RCW to exercise the power of eminent domain pursuant to Chapters 8.08 and 8.25 RCW;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for Mason County as follows:

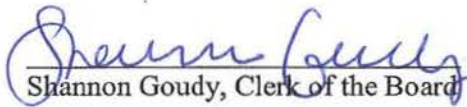
1. The recitals set forth above are hereby adopted as if set forth in full herein; and.
2. The rights and interests in the real property described and contained in **Exhibit 1** through **Exhibit 3** (“Real Property”) are for a public use and are necessary for the construction of the Project, and are condemned, appropriated, taken and damaged in fee, easements and rights-of-way for public purposes, subject to the making or paying of just compensation to the owners thereof in the manner provided by law; and
3. County staff, the County prosecuting attorney and all County consultants for the Project are authorized and directed to enter into any and all negotiations and agreements necessary to acquire the interests in the Real Property as described and contained in **Exhibit 1** through **Exhibit 3**, provided that if such negotiations fail to

acquire such interests in all or any portion of the Real Property in a timely manner, as determined by the Director of Mason County Utilities and Waste Management, the County prosecuting attorney or his designee is authorized to file and prosecute proceedings provided by law to condemn, appropriate and take said Real Property and to carry out the provisions of this Resolution.

PASSED this 5th day of January, 2010.

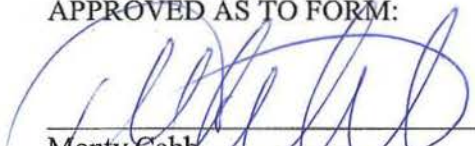
BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

ATTEST:


Shannon Goudy, Clerk of the Board


Tim Sheldon, Chair

APPROVED AS TO FORM:


Monty Cobb
Chief Deputy Prosecuting Attorney


Lynda Ring Erickson, Commissioner


Ross Gallagher, Commissioner

EXHIBIT 1

GET SOME TUBE TIME, LLC
PARCEL NO. 12329 43 00190

EXHIBIT A

EXHIBIT B

EXHIBIT C

EXHIBIT 1

EXHIBIT 'A'
PUMP STATION EASEMENT PROPERTY

NE4, SW4, SE4, Section 29, Township 23N, Range 1W, W.M.
Pump Station 1

That portion of the Northeast Quarter of the Southwest Quarter of the Southeast Quarter of Section 29, Township 23 North, Range 1 West, W.M., lying Easterly of the Easterly margin of State Route No. 3 and Southerly of a line running North 67°10' West from a point on the East line of said Southwest Quarter of the Southeast Quarter, South 0°52' East 526.6 feet from the Northeast corner thereof; EXCEPTING therefrom public roads, if any, more particularly described as follows:

COMMENCING at the Southeast corner of the above described parcel,
THENCE North 1°36'39" East along the East line of said subdivision a distance of 60.00 feet;
THENCE North 89°13'39" West parallel with and 60.00 feet North of the South line of said subdivision a distance of 163.02 feet to the POINT OF BEGINNING;

THENCE North 1°36'39" East parallel with and 163.00 feet West of said East line a distance of 47.01 feet;
THENCE North 89°13'39" West parallel with and 107.00 feet North of and said South line a distance of 80 feet, more or less, to the Southeasterly margin of State Route No. 3;
THENCE Southwesterly along said margin 52 feet, more or less, to a point which bears North 89°13'39" West a distance of 100 feet, more or less from the POINT OF BEGINNING;
THENCE South 89°13'39" East to the POINT OF BEGINNING.

Containing 4,230 square feet, more or less.

EXHIBIT 'B'
ACCESS EASEMENT PROPERTY

NE4, SW4, SE4, Section 29, Township 23N, Range 1W, W.M.
Pump Station 1

That portion of the Northeast Quarter of the Southwest Quarter of the Southeast Quarter of Section 29, Township 23 North; Range 1 West, W.M., lying Easterly of the Easterly margin of State Route No. 3 and Southerly of a line running North 67°10' West from a point on the East line of said Southwest Quarter of the Southeast Quarter, South 0°52' East 526.6 feet from the Northeast corner thereof; EXCEPTING therefrom public roads, if any, more particularly described as follows:

COMMENCING at the Southeast corner of the above described parcel,
THENCE North 1°36'39" East along the East line of said subdivision a distance of 60.00 feet;
THENCE North 89°13'39" West parallel with and 60.00 feet North of the South line of said subdivision a distance of 163.02 feet;
THENCE North 1°36'39" East parallel with and 163.00 feet West of said East line a distance of 47.01 feet to the POINT OF BEGINNING ;

THENCE Continuing North 1°36'39" East a distance of 15.00 feet;
THENCE North 89°13'39" West parallel with and 122.00 feet North of said South line a distance of 73 feet, more or less, to the Southeasterly margin of State Route No. 3;
THENCE Southwesterly along said margin 16.5 feet, more or less, to a point which bears North 89°13'39" West a distance of 80 feet, more or less, from the POINT OF BEGINNING;
THENCE South 89°13'39" East to the POINT OF BEGINNING.

Containing 1,140 square feet, more or less.

EXHIBIT 'C'
TEMPORARY CONSTRUCTION EASEMENT DESCRIPTION

NE4, SW4, SE4, Section 29, Township 23N, Range 1W, W.M.
Pump Station 1

That portion of the Northeast Quarter of the Southwest Quarter of the Southeast Quarter of Section 29, Township 23 North, Range 1 West, W.M., lying Easterly of the Easterly margin of State Route No. 3 and Southerly of a line running North 67°10' West from a point on the East line of said Southwest Quarter of the Southeast Quarter, South 0°52' East 526.6 feet from the Northeast corner thereof;
EXCEPTING therefrom public roads, if any, more particularly described as follows:

COMMENCING at the Southeast corner of the above described parcel,
THENCE North 1°36'39" East along the East line of said subdivision a distance of 60.00 feet;
THENCE North 89°13'39" West parallel with and 60.00 feet North of the South line of said subdivision a distance of 163.02 feet to the POINT OF BEGINNING;

THENCE North 1°36'39" East parallel with and 163.00 feet West of said East line a distance of 47.01 feet;
THENCE South 89°13'39" East parallel with and 107.00 feet North of said South line a distance of 10.00 feet;
THENCE South 1°36'39" West parallel with and 153.00 feet West of said East line a distance of 52.01 feet;
THENCE North 89°13'39" West parallel with and 55.00 feet North of said South line a distance of 46.00 feet;
THENCE North 1°36'39" East parallel with and 199.00 feet West of said East line a distance of 5.00 feet;
THENCE South 89°13'39" East parallel with and 60.00 feet North of said South line a distance of 36.00 feet to the POINT OF BEGINNING

Containing 699 square feet, more or less.

PUMP STATION ONE

NE4, SW4, SE4, Section 29, Township 23N, Range 1W, W.M.
Pump Station 1

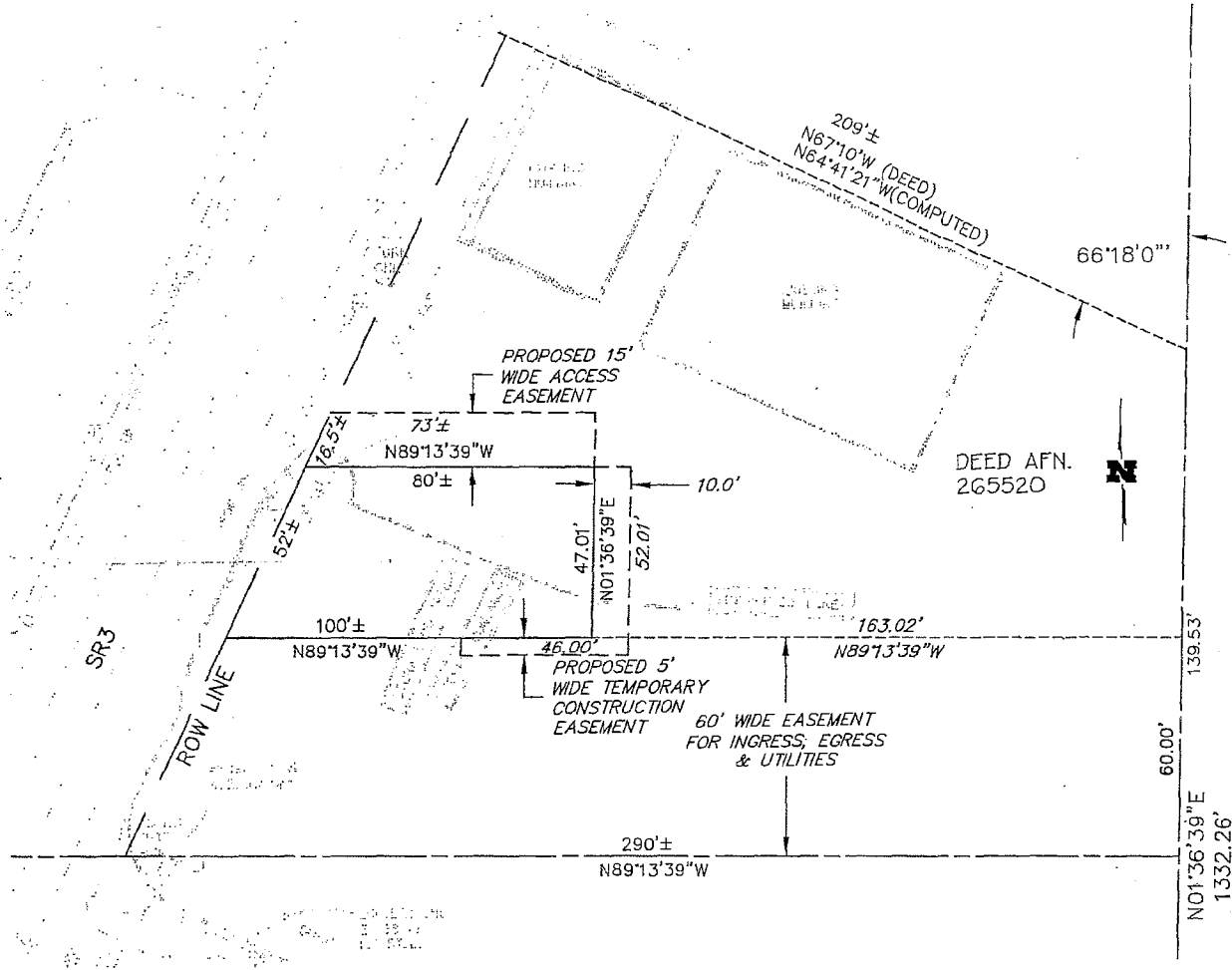


EXHIBIT 2

CLIFTON HEIGHTS, LLC
PARCEL NOS. 12332 14 00000
AND
12332 50 00030

EXHIBIT A

EXHIBIT A-1 AND B-1

EXHIBIT B

EXHIBIT C

EXHIBIT C-1

EXHIBIT 2

EXHIBIT A
Permanent Pump Station Easement
Property Description

That portion of the Southeast Quarter of the Northeast Quarter of Section 32, Township 23 North, Range 1 West, W.M., more particularly described as follows:

COMMENCING at the Northeast Corner of said Southeast Quarter of the Northeast Quarter;

THENCE North 89°01'26" West along the North line of said Southeast Quarter of the Northeast Quarter a distance of 1116.85 feet;

THENCE South 02°17'08" East a distance of 4.00 feet to a curve to the right having a radius of 25.00;

THENCE along said curve through a central angle of 60°15'22" having a length of 26.29 feet;

THENCE South 57°58'14" West a distance of 165.38 feet to a curve to the left having a radius of 85.00 feet;

THENCE along said curve through a central angle of 55°40'52" having a length of 82.60 feet;

THENCE South 02°17'22" West a distance of 128.90 feet to the POINT OF BEGINNING;

THENCE North 87°28'10" West a distance of 17.11 feet to the West line of the East Half of the Northeast Quarter as established by found and accepted iron pipes set for the Plat of Sam B Thellers Home and Garden Tracts;

THENCE South 00°34'36" West along said line a distance of 49.90 feet to a ¾" pipe;

THENCE South 02°38'14" West a distance of 263.02 feet;

THENCE South 89°57'18" East a distance of 162.83 feet;

THENCE N 25°44'43" West a distance of 288.34 feet to a curve to the right having a radius of 85.00 feet;

THENCE along said curve through a central angle of 28°02'05" having a length of 41.59 feet;

THENCE North 02°17'22" East a distance of 11.98 feet to the POINT OF BEGINNING.

Containing 0.58 Acres, more or less

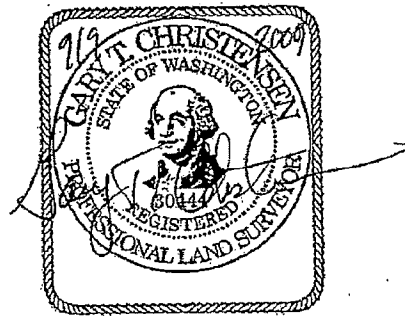


EXHIBIT A-1 and B-1

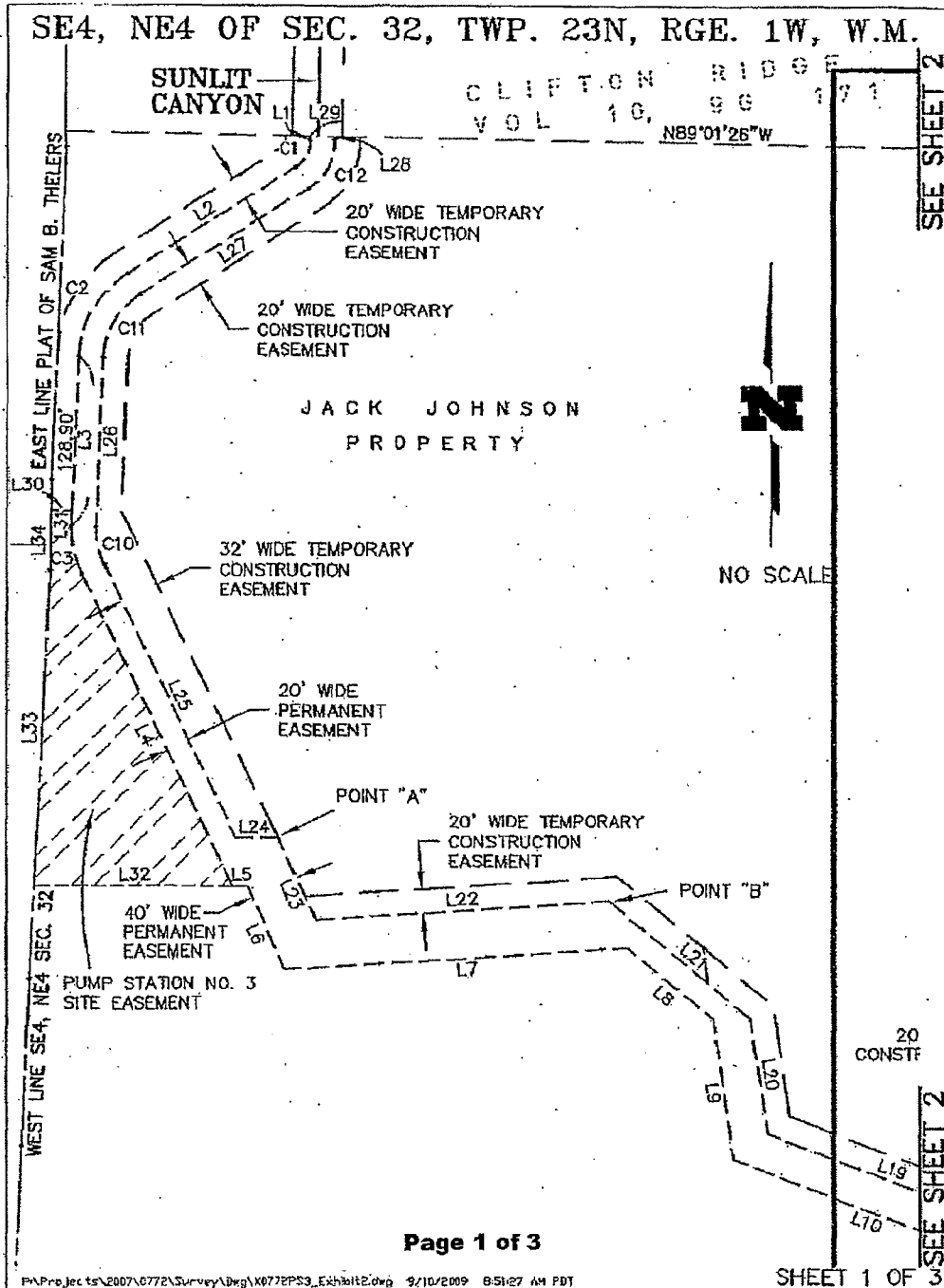


EXHIBIT A-1 and B-1, Continued

SE4, NE4 OF SEC. 32, TWP. 23N, RGE. 1W, W.M.

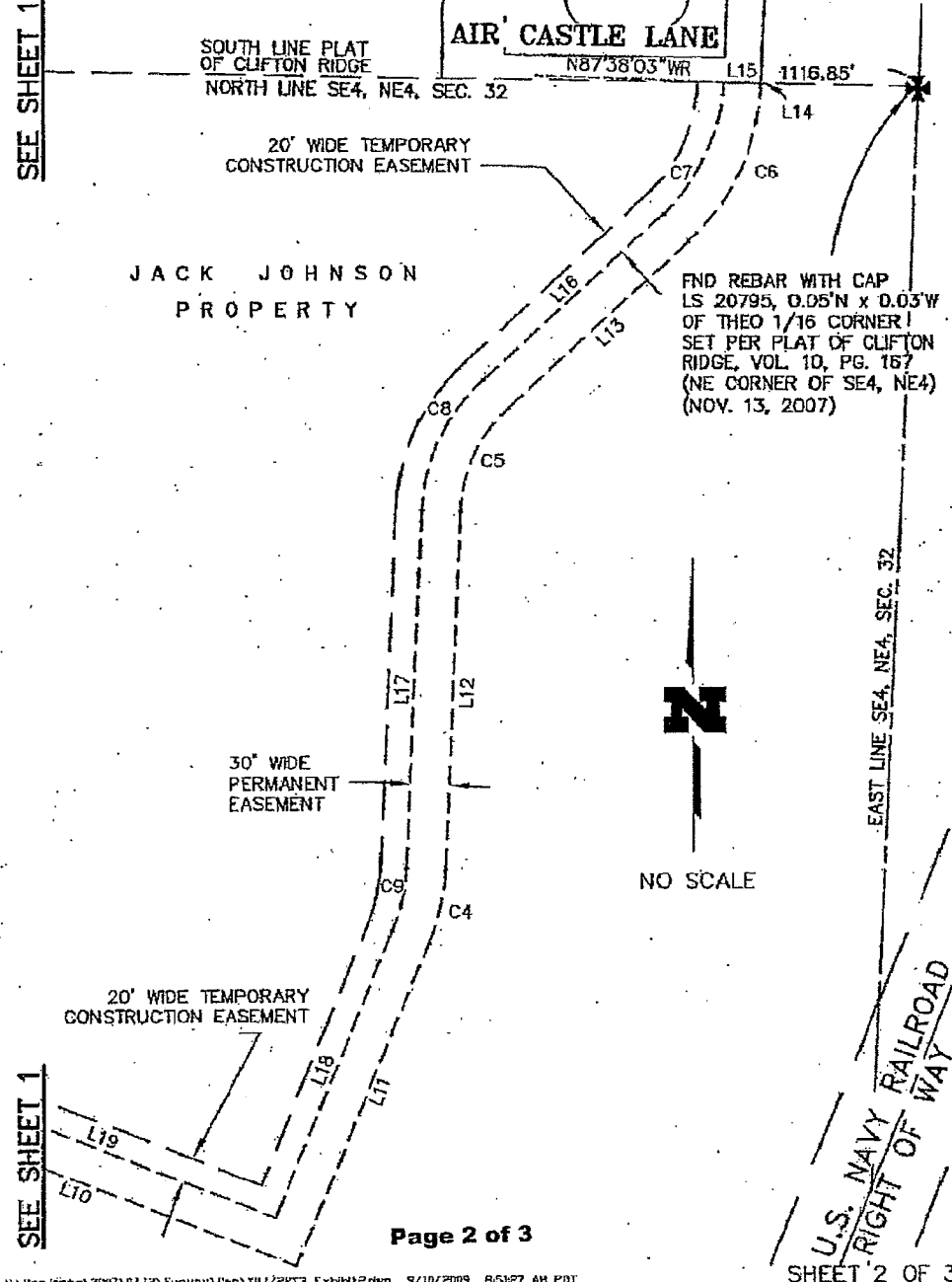


EXHIBIT A-1 and B-1, Continued

SE4, NE4 OF SEC. 32, TWP. 23N, RGE. 1W, W.M.

PERMANENT EASEMENT LINE TABLE		
LINE	LENGTH	BEARING
L1	4.00	N02°17'08"W
L2	165.38	N57°58'14"E
L3	140.88	N02°17'22"E
L4	288.34	N25°44'43"W
L5	12.54	N89°57'18"W
L6	76.97	N24°12'22"W
L7	279.19	N86°17'10"E
L8	91.63	N50°04'30"W
L9	117.58	N08°26'51"W
L10	299.32	N68°03'18"W
L11	276.87	N21°56'42"E
L12	288.09	N02°23'15"E
L13	195.15	N47°19'59"E
L14	0.63	N02°19'59"E
L15	30.01	N89°01'26"W
L16	195.15	N47°19'59"E
L17	288.09	N02°23'15"E
L18	246.87	N21°56'42"E
L19	252.14	N68°03'18"W
L20	96.74	N08°26'51"W
L21	151.27	N50°04'30"W
L22	238.48	N86°17'10"E
L23	76.07	N24°12'22"W
L24	35.51	N89°57'18"W
L25	253.58	N25°44'43"W
L26	140.88	N02°17'22"E
L27	165.38	N57°58'14"E
L28	2.66	N02°17'08"W
L29	20.03	N89°01'26"W

CURVE TABLE		
CURVE	LENGTH	RADIUS
C1	26.29	25.00
C2	82.60	85.00
C3	41.59	85.00
C4	61.44	180.00
C5	94.13	120.00
C6	141.37	180.00
C7	117.72	150.00
C8	117.67	150.00
C9	51.20	150.00
C10	31.80	65.00
C11	63.17	65.00
C12	47.33	45.00

PUMP STATION 3 LINE TABLE		
LINE	LENGTH	BEARING
L30	17.11	N87°28'10"W
L31	11.98	N02°17'22"E
L32	162.83	N89°57'18"W
L33	263.02	N02°38'14"E
L34	49.90	N00°34'36"E

EXHIBIT B

Permanent Utility Easement and Temporary Construction Easement Property Description

Permanent utility easement over that portion of the Southeast Quarter of the Northeast Quarter of Section 32, Township 23 North, Range 1 West, W.M., more particularly described as follows:

COMMENCING at the Northeast Corner of said Southeast Quarter of the Northeast Quarter;
THENCE North $89^{\circ}01'26''$ West along the North line of said Southeast Quarter of the Northeast Quarter a distance of 1116.85 feet to the POINT OF BEGINNING;

THENCE South $02^{\circ}17'08''$ East a distance of 4.00 feet to a curve to the right having a radius of 25.00;

THENCE along said curve through a central angle of $60^{\circ}15'22''$ having a length of 26.29 feet;

THENCE South $57^{\circ}58'14''$ West a distance of 165.38 feet to a curve to the left having a radius of 85.00 feet;

THENCE along said curve through a central angle of $55^{\circ}40'52''$ having a length of 82.60 feet;

THENCE South $02^{\circ}17'22''$ West a distance of 140.88 feet to a curve to the left having a radius of 85.00 feet;

THENCE along said curve through a central angle of $28^{\circ}02'05''$ having a length of 41.59 feet;

THENCE South $25^{\circ}44'43''$ East a distance of 288.34 feet;

THENCE South $89^{\circ}57'18''$ East a distance of 12.54 feet;

THENCE South $24^{\circ}12'22''$ East a distance of 76.97 feet;

THENCE North $86^{\circ}17'10''$ East a distance of 279.19 feet;

THENCE South $50^{\circ}04'30''$ East a distance of 91.63 feet;

THENCE South $08^{\circ}26'51''$ East a distance of 117.58 feet;

THENCE South $68^{\circ}03'18''$ East a distance of 299.32 feet;

THENCE North $21^{\circ}56'42''$ East a distance of 276.87 feet to a curve to the left having a radius of 180.00 feet;

THENCE along said curve through a central angle of $19^{\circ}33'27''$ having a length of 61.44 feet;

THENCE North $02^{\circ}23'15''$ East a distance of 288.09 to a curve to the right having a radius of 120.00 feet;

THENCE along said curve through a central angle of $44^{\circ}56'44''$ having a length of 94.13 feet;

THENCE North $47^{\circ}19'59''$ East a distance of 195.15 feet to a curve to the left having a radius of 180.00 feet;

THENCE along said curve through a central angle of $45^{\circ}00'00''$ having a length 141.37 feet;

THENCE North $02^{\circ}19'59''$ East a distance of 0.63 feet to the North line of said Southeast Quarter of the Northeast Quarter;

THENCE North $89^{\circ}01'27''$ West along said line a distance of 30.01 feet to a point on a non tangent curve to the right from which the center bears North $87^{\circ}38'03''$ West, 150.00 feet distant;

THENCE Southwesterly along said curve through a central angle of $44^{\circ}58'02''$ having a length of 117.72 feet;

THENCE South $47^{\circ}19'59''$ West a distance of 195.15 to a curve to the left having a radius 150.00 feet;

THENCE along said curve through a central angle of $44^{\circ}56'44''$ having a length of 117.67 feet;

THENCE South 02°23'15" West a distance of 288.09 feet to a curve to the right having a radius of 150.00 feet;
THENCE along said curve through a central angle of 19°33'27" having a length of 51.20 feet;
THENCE South 21°56'42" West a distance of 246.87 feet;
THENCE North 68°03'18" West a distance of 252.14 feet;
THENCE North 08°26'51" West a distance of 96.74 feet;
THENCE North 50°04'30" West a distance of 151.27 feet hereinafter referred to as Point "B";
THENCE South 86°17'10" West a distance of 238.48 feet;
THENCE North 24°12'22" West a distance of 75.07 feet;
THENCE North 89°57'18" West a distance of 35.51 feet;
THENCE North 25°44'43" West a distance of 253.58 feet to a curve to the right having a radius of 65.00 feet;
THENCE along said curve through a central angle of 28°02'05" having a length of 31.80 feet;
THENCE North 02°17'22" East a distance of 140.88 feet to a curve to the right having a radius of 65.00 feet;
THENCE along said curve through a central angle of 55°40'52" having a length of 63.17 feet;
THENCE North 57°58'14" East a distance of 165.38 feet to a curve to the left having a radius of 45.00 feet;
THENCE along said curve through a central angle of 60°15'22" having a length of 47.33 feet;
THENCE North 02°17'08" West along 2.86 feet to the North line of said Southeast Quarter of the Northeast Quarter;
THENCE North 89°01'26" West along said South line a distance of 20.03 feet to the POINT OF BEGINNING;

Containing 1.70 acres, more or less.

TOGETHER WITH a temporary construction easement in the Southeast Quarter of the Northeast Quarter of Section 32, Township 23 North, Range 1 West, W.M., more particularly described as follows:

COMMENCING at the Northeast Corner of said Southeast Quarter of the Northeast Quarter;
THENCE North 89°01'26" West along the North line of said Southeast Quarter of the Northeast Quarter a distance of 1116.85 feet the POINT OF BEGINNING;
THENCE North 89°01'26" West along the south line of said subdivision a distance of 20.03 feet;
THENCE South 02°17'08" East a distance of 5.14 feet to a curve to the right having a radius of 5.00 feet;
THENCE along said curve through a central angle of 60°15'22" having a length of 5.26 feet;
THENCE South 57°58'14" West a distance of 162.23 feet to a curve to the left having a radius of 105.00 feet;
THENCE along said curve through a central angle of 55°26'07" having a length of 101.59 feet to the west line of the East Half of the Northeast Quarter as established by found and accepted iron pipes set for the Plat of Sam B. Thellers Home and Garden Tracts ;
THENCE South 02°32'07" West along said line a distance of 106.03 feet to a found 1 ½" pipe;

THENCE South 00°34'36" West a distance of 25.03 feet;
THENCE South 87°28'10" East a distance of 17.11 feet;
THENCE North 02°17'22" East a distance of 128.90 to a curve to the right having a radius of 85.00 feet;
THENCE along said curve through a central angle of 55°40'52" having a length of 82.60 feet;
THENCE North 57°58'14" East a distance of 165.38 feet to a curve to the left having a radius of 25.00 feet;
THENCE along said curve through a central angle of 60°15'22" having a length of 26.29 feet;
THENCE North 02°17'08" West a distance of 4.00 to the south line of the Southeast Quarter of the Northeast Quarter and the POINT OF BEGINNING.

ALSO TOGETHER WITH a temporary construction easement described as follows:

COMMENCING at the Northeast Corner of said Southeast Quarter of the Northeast Quarter;
THENCE North 89°01'26" West along the North line of said Southeast Quarter of the Northeast Quarter a distance of 1076.79 feet the POINT OF BEGINNING;

THENCE Continuing North 89°01'26" West a distance of 20.03 feet;
THENCE South 02°17'08" East a distance of 2.86 feet to a curve to the right having a radius of 45.00 feet;
THENCE along said curve through 60°15'22" having a length of 47.33 feet;
THENCE South 57°58'14" West a distance of 165.38 feet to a curve to the left having a radius of 65.00 feet;
THENCE along said curve through 55°40'52" having a length of 63.17 feet;
THENCE South 02°17'22" West a distance of 140.88 feet to a curve to the left having a radius of 65.00 feet;
THENCE along said curve through a central angle of 28°02'05" having a length of 31.80 feet;
THENCE South 25°44'43" East a distance of 253.58 feet;
THENCE South 89°57'18" East a distance of 35.09 feet to a point hereinafter referred to as "Point A";
THENCE North 21°12'22" West a distance of 5.12 feet;
THENCE North 25°44'22" West a distance of 297.33 feet;
THENCE North 02°32'07" East a distance of 127.37 feet to a curve to the right having a radius of 45.00 feet;
THENCE along said curve through a central angle of 55°26'08" having a length of 43.54 feet;
THENCE North 57°58'14" East a distance of 164.61 feet to a curve to the left having a radius of 65.00 feet;
THENCE along said curve through a central angle of 60°15'22" having a length of 68.36 feet;
THENCE North 02°17'08" West a distance of 1.73 feet to North line of said Southeast Quarter of the Northeast Quarter and the POINT OF BEGINNING.

AND ALSO TOGETHER WITH a temporary construction easement described as follows:

Commencing at "POINT A";

THENCE South 24°12'22" East a distance of a distance of 53.72 feet to the POINT OF BEGINNING;

THENCE North 86°17'10" East a distance of 253.96 feet;

THENCE South 50°04'30" East a distance of 91.61 feet;

THENCE South 8°26'51" East a distance of 30.11 feet;

THENCE North 50°4'30" West a distance of 106.11

THENCE South 86°17'10" West a distance of 238.48

THENCE North 24°12'22" West a distance of 21.35 to the POINT OF BEGINNING.

AND ALSO TOGETHER WITH a temporary construction easement lying parallel with and 20 feet distant northerly and westerly of the following described line;

BEGINNING at Point "B";

THENCE South 50°04'30" East a distance of 151.27 feet;

THENCE South 08°26'51" East a distance of 96.74 feet;

THENCE South 68°03'18" East a distance of 252.14 feet;

THENCE North 21°56'42" East a distance of 246.87 feet to a curve to the left having a radius of 150.00 feet;

THENCE along said curve through a central angle of 19°33'27" having a length of 51.20 feet;

THENCE North 02°23'15" East a distance of 288.09 feet to a curve to the right having a radius of 150.00 feet;

THENCE along said curve through a central angle of 44°56'44" having a length of 117.67 feet;

THENCE North 47°19'59" East a distance of 195.15 to a curve to the left having a radius 150.00 feet;

THENCE Northeasterly along said curve through a central angle of 44°58'02" having a length of 117.72 feet to the terminus of said line.

Sidelines of easement shall terminate on the North line of the Southeast Quarter of the Northeast Quarter of Section 32.

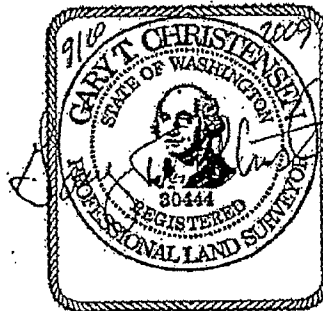


EXHIBIT 'C'
Permanent Utility Easement and Temporary Construction Easement
Property Description
Clifton Heights LLC Property

Permanent utility easement over that portion of the Southwest Quarter of the Northeast Quarter of Section 32, Township 23 North, Range 1 West, W.M., more particularly described as follows:

The South 30 feet of the North 55 feet of Tract 13, Plat of Sam B. Theler's Home and Garden Tracts as recorded in Volume 4 of Plats at Page 20, Mason County, Washington;

TOGETHER with a temporary construction easement over the North 25 feet of said Tract 13;

LESS the following portion of said Tract 13 per Statutory Warranty Deed Rec. No. 252211 described as follows:

BEGINNING at the Northwest corner of Tract 13 of the Plat of Sam B. Theler's Home and Garden Tracts;

THENCE East 20 feet;

THENCE South 20 feet;

THENCE West 28.35 feet;

THENCE North 22°40' East 21.67 feet to the POINT OF BEGINNING.

Containing 0.88 Acres, more or less

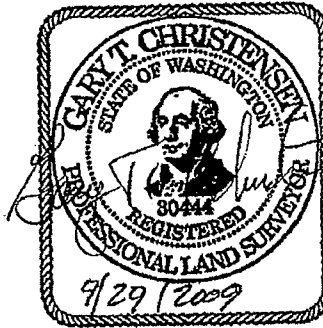


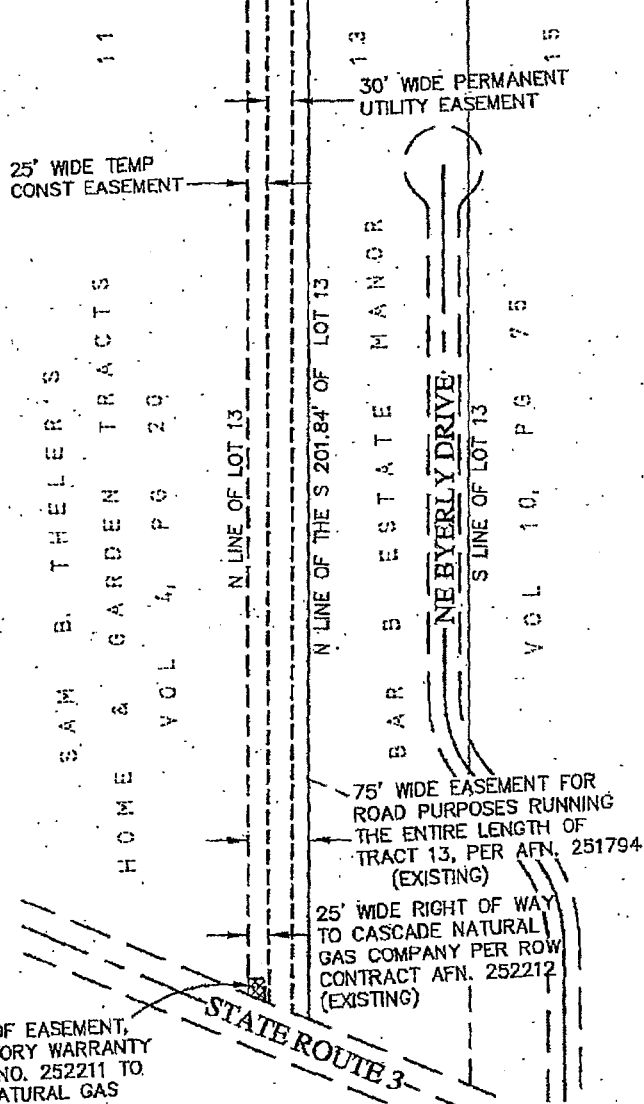
EXHIBIT C-1

SW4, NE4 OF SEC. 32, TWP. 23N, RGE. 1W, W.M.



NO SCALE

E LINE OF THE SE4 OF THE NE4 OF SEC 32



NOT PART OF EASEMENT,
SEE STATUTORY WARRANTY
DEED REC. NO. 252211 TO
CASCADE NATURAL GAS
CORPORATION

SHEET 1 OF 1

EXHIBIT 3

LESTER AND BETTY KRUEGER
RICK AND LESLIE KRUEGER
PARCEL NOS. 12333 10 00010
AND
12332 52 00014

EXHIBIT A

EXHIBIT A-1

EXHIBIT B

EXHIBIT B-1

EXHIBIT 3

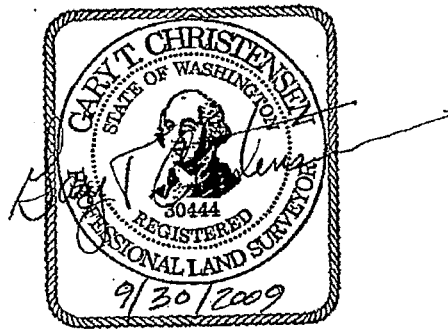
EXHIBIT 'A'
PERMANENT UTILITY EASEMENT AND
TEMPORARY CONSTRUCTION EASEMENT DESCRIPTION
Krueger Property

Permanent utility easement over that portion of the Northeast Quarter of the Northeast Quarter of Section 32, Township 23 North, Range 1 West, W.M., more particularly described as follows:

The North 30 feet of Lot 14, Plat of Clifton Ridge as recorded in Volume 10 of Plats at Page 167, Mason County, Washington;

TOGETHER with a temporary construction easement over the South 20 feet of the North 50 feet of said Lot 14;

Containing 3,729 SF, more or less



NE4, NE4 OF SEC. 32, TWP. 23N, RGE. 1W, W.M.
EXHIBIT 'A-1'
PERMANENT UTILITY EASEMENT AND
TEMPORARY CONSTRUCTION EASEMENT MAP

29 28
32 33

CLIFTON RIDGE
VOL. 10, P. 99, 171
TRACT. A

30' WIDE
PERMANENT
EASEMENT

N. LINE OF LOT 14

20' WIDE TEMP.
CONSTRUCTION
EASEMENT

ROMANCE HILL ROAD



NO SCALE

126.86'
N02°34'33"E

W. LINE OF THE NW4,
SEC. 33

FND REBAR WITH CAP
LS 20795, 0.05'N x 0.03'W
OF THE 1/16" CORNER
SET PER PLAT OF CLIFTON
RIDGE, VOL. 10, PG. 167
(SW CORNER OF NW4, NW4)
(NOV. 13, 2007)

EXHIBIT 'B'
PERMANENT UTILITY EASEMENT AND
TEMPORARY CONSTRUCTION EASEMENT DESCRIPTION
Krueger

That portion of the Northwest Quarter of the Northwest Quarter and the Southwest Quarter of the Northwest Quarter of Section 33, Township 23 North, Range 1 West, W.M., more particularly described as follows:

COMMENCING at the Southwest Corner of said Northwest Quarter of the Northwest Quarter;

THENCE North 02°34'33" East along the west line thereof a distance of 126.86 feet to the POINT OF BEGINNING;

THENCE Continuing North 2°34'33" East a distance of 30.00 feet;

THENCE South 87°29'08" East a distance of 306.35 feet to the Westerly margin of the US Navy Railroad;

THENCE South 22°09'42" West along said margin a distance of 218.23 feet;

THENCE North 67°51'05" West a distance of 30.00 feet;

THENCE North 22°09'42" East a distance of 167.31 feet;

THENCE North 67°51'05" West a distance of 23.43 feet;

THENCE North 87°29'08" West a distance of 238.94 feet to the POINT OF BEGINNING.

Containing 0.33 acres, more or less

TOGETHER WITH

A Temporary Construction Easement in that portion of the Northwest Quarter of the Northwest Quarter of Section 33, more particularly described as follows:

COMMENCING at the Southwest Corner of the Northwest Quarter of the Northwest Quarter of said Section 33;

THENCE North along the West line thereof a distance of North 02°34'33" East a distance of 106.86 feet to the POINT OF BEGINNING;

THENCE Continuing North 02°34'33" East a distance of 20.00 feet;

THENCE South 87°29'08" East a distance of 238.94 feet;

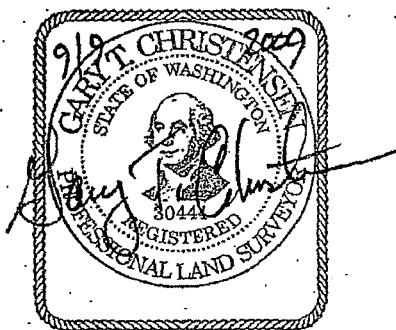
THENCE South 67°51'05" West a distance of 23.43 feet;

THENCE South 22°09'42" West a distance of 167.31 feet;

THENCE South 67°51'05" East a distance of 30.00 feet to the Westerly margin of the US Navy Railroad;

THENCE South 22°09'42" West along said margin a distance of 20.00 feet;
THENCE North 67°51'05" West a distance of 50.00 feet;
THENCE North 22°09'42" East a distance of 167.30 feet;;
THENCE North 87°29'08" West a distance of 235.46 feet to the POINT OF
BEGINNING.

Containing 0.217 Acres, more or less

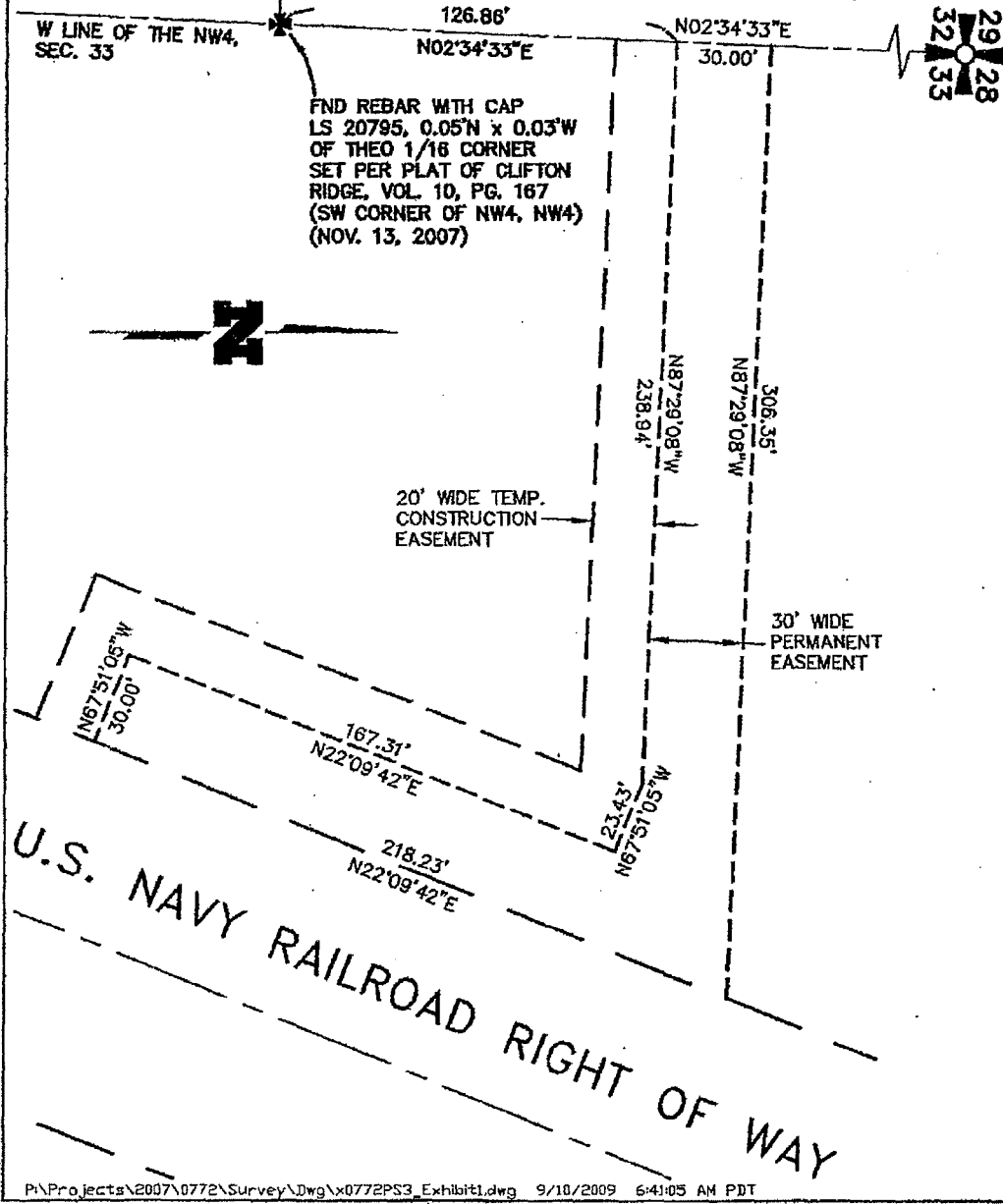


NW4 OF SEC. 33, TWP. 23N, RGE. 1W, W.M.

EXHIBIT 'B-1'

PERMANENT UTILITY EASEMENT AND
TEMPORARY CONSTRUCTION EASEMENT MAP

CLIFTON RIDGE
VOL 10, 96 171



W LINE OF THE NW4,
SEC. 33

FND REBAR WITH CAP
LS 20795, 0.05'N x 0.03'W
OF THEO 1/16 CORNER
SET PER PLAT OF CLIFTON
RIDGE, VOL. 10, PG. 167
(SW CORNER OF NW4, NW4)
(NOV. 13, 2007)

29
28
32
33

20' WIDE TEMP.
CONSTRUCTION
EASEMENT

30' WIDE
PERMANENT
EASEMENT

U.S. NAVY RAILROAD RIGHT OF WAY