

EASEMENT FOR INGRESS AND EGRESS

I, **Amelia Koehmstedt, Personal Representative of the Estate of Daniel Wayne Koehmstedt**, of 4840 West County Road 4, Berthoud, CO 80513 (Grantor), hereby grant to **Randy Bata and Janelle Bata, their successors and assigns** of 9453 104th Ave NE, Langdon, ND 58249 (Grantees) a perpetual easement for ingress and egress, over and across:

The East Half of the Southwest Quarter (E½SW¼) of Section Six (6), Township One Hundred Sixty-three North (163N), Range Fifty-eight West (58W) of the Fifth Principal Meridian in Cavalier County, North Dakota,

hereinafter referred to as the Servient Tenement.

Said easement is granted in Consideration of the Grantees having been given the easement by oral agreement with the decedent to access their otherwise landlocked property, and Grantee having invested significant resources in creating the road, more particularly described in the attached survey, to the benefit of the Servient Tenement property, and said road having been made and used for many years.

Said easement in favor of Grantees is for the purpose of unobstructed passage, including ingress and egress at all times, of pedestrians and motorized vehicles, including recreational vehicles and road maintenance equipment, to and from the Dominate Tenement described as:

The Southeast Quarter of the Northwest Quarter (SE¼NW¼) Section Six (6), Township One Hundred Sixty-three North (163N), Range Fifty-eight West (58W) of the Fifth Principal Meridian in Cavalier County, North Dakota.

Within said easement area, the Grantees shall have the right to cut and clear brush, move earth and other obstructions to allow for free and unobstructed passage to allow for ingress and egress road maintenance or washout. The Grantees may, without liability to the Grantor and without expense to the Grantor to maintain and use the road over and across the Servient Tenement to the Dominant Tenement.

The Grantor, her successors and assigns shall not erect, or allow to be erected, any structure or gate on said easement area and shall not plant, or allow to be planted or grown, any trees or

bushes thereon which could endanger persons or vehicles or interfere with passage through said easement area.

The Grantor herein reserves the right to continue to use the land within which the aforementioned easement has been granted for any uses and purposes which do not in any way interfere with the use and purpose for which this easement is granted.

The Grantee, its successors and assigns shall bear full responsibility for the use and maintenance of this easement

This easement shall run with the land.

The words "GRANTOR" and "GRANTEES" shall include and be binding upon all lessees, heirs, executors, administrators, successors, and assigns of the parties.

In witness whereof, the Grantor, by the power granted to her as Personal Representative of the Estate of Daniel Wayne Koehmstedt, as evidence by the attached Letters of Administration, has executed this easement on this the ___ day of _____ 2025.

GRANTOR

**Amelia Koehmstedt, Personal Representative of
the Estate of Daniel Wayne Koehmstedt**

STATE OF COLORADO)
)ss.
COUNTY OF _____)

On this the ___ day of _____, 2025, before me, personally appeared **Amelia Koehmstedt, Personal Representative of the Estate of Daniel Wayne Koehmstedt**, known to me to be the person who is described herein, and who executed the within and foregoing instrument, and acknowledged that she executed the same on behalf of the estate.

_____, Notary Public
State of Colorado
My Commission Expires: _____

"Easement Description"

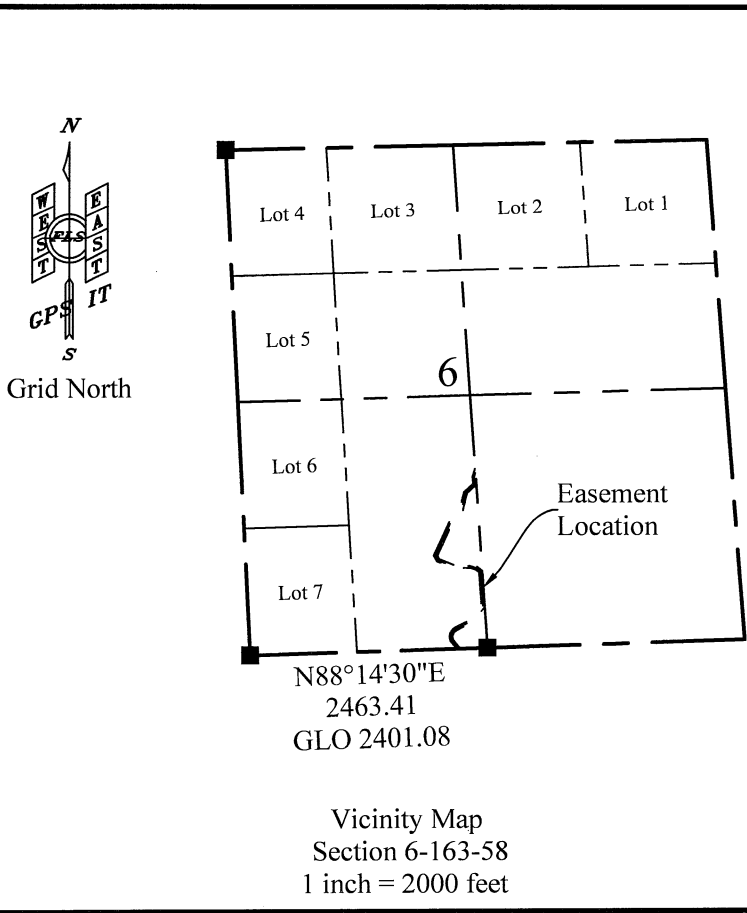
in the
E1/2SW1/4 of Section 6-163-68, Cavalier County, North Dakota

Easement Description:

An access easement located in the east half of the southwest quarter (E1/2SW1/4) of Section Six (6), Township One hundred Sixty-three (163) North, Range Fifty-eight (58) West of the Fifth Principal Meridian, Cavalier County, North Dakota, more particularly described as follows:

A 33.00 foot wide access easement over and across the E1/2SW1/4 of Section 6, said easement to lie 16.50 feet on each side of the following described centerline:

Commencing at the south quarter corner of Section 6; thence S88°14'30"W a distance of 300.00 feet to the point of beginning of the easement to be described; thence N40°02'56"W a distance of 86.37 feet, to the point of curvature (PC); thence along a tangential curve to the right having a Delta Angle of 102°31'07", a Radius of 90.00 feet a distance of 161.04 feet, to the point of tangency (PT); thence N62°24'03"E a distance of 160.96 feet; thence N41°47'37"E a distance of 210.70 feet; thence N03°51'08"W a distance of 364.98 feet; thence N51°55'24"W a distance of 53.39 feet; thence N70°19'05"W a distance of 69.07 feet; thence S86°04'09"W a distance of 161.07 feet; thence N67°32'07"W a distance of 187.20 feet; thence N28°54'32"W a distance of 54.82 feet; N24°18'24"E a distance of 409.87 feet; thence N44°10'36"E a distance of 141.24 feet; thence N13°34'07"E a distance of 189.82 feet; thence N47°13'46"E a distance of 128.36 feet; thence N03°51'08"W a distance of 78.24 feet; thence N18°36'43"E a distance of 43.18 feet, more or less, to the north-south quarter section line of Section 6, and said centerline there terminating. Said easement to extend its full width from the south line of Section 6 to the north-south quarter section line of Section 6.



Legend

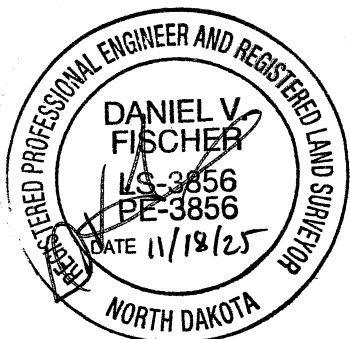
- | | |
|--|-------------------------------------|
| <u>Section Line</u> | ■ Monument Found |
| <u>Quarter Section Line</u> | ● Monument Set (#5 Rebar, 18" long) |
| <u>Forty/Eighty Line</u> | ○ Monument Computed |
| <u>Public Right of Way Boundary Line</u> | △ T-Post on Line |
| <u>Adjoining Parcel</u> | ▲ Monument Set with a Post |

Vicinity Map
Section 6-163-58
1 inch = 2000 feet

Surveyor's Certificate:

I, Daniel V. Fischer, a Professional Land Surveyor, do hereby certify that the survey plat shown hereon was made by me or under my direction from a ground survey and that I have computed or established the monuments and lines as shown, the same is true and correct to the best of my knowledge and belief.

D. V. Fischer 11/18/25
Daniel V. Fischer, PLS Date



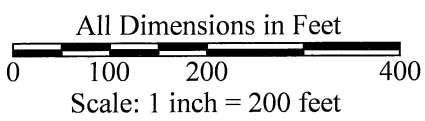
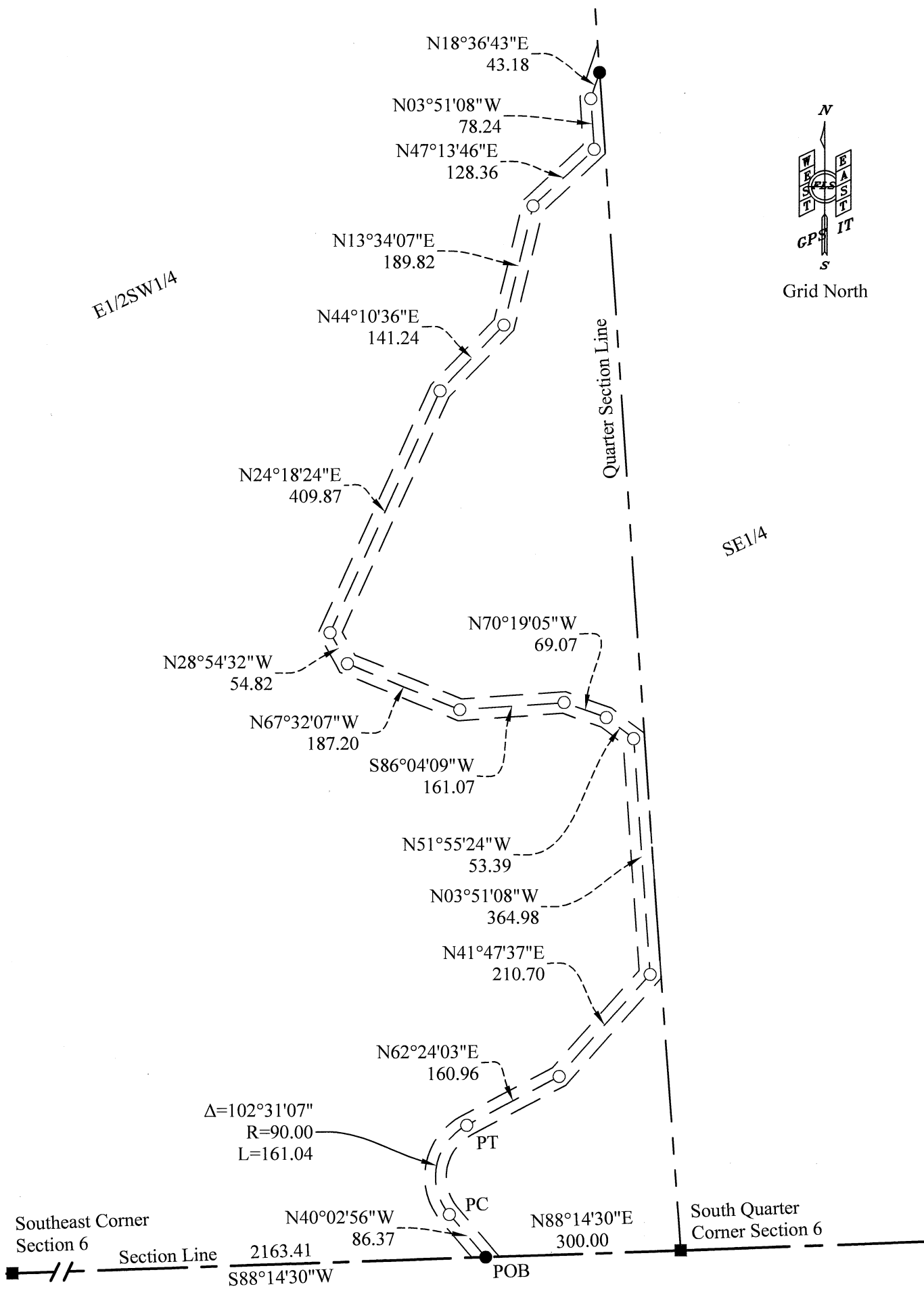
CFedS No: 1027



Fischer Land Surveying & Engineering
ND PE/PLS-3856, MN PE/PLS-26037
Certified Federal Surveyor
Daniel V. Fischer, PE/PLS/CFedS
PO Box 66
Langdon, North Dakota 58249
Tel. (701) 256-5728
email: dfischer@utma.com

"Easement Description"

in the
E1/2SW1/4 of Section 6-163-68, Cavalier County, North Dakota



Legend	
<u>Section Lines</u>	■ Monuments Found
<u>Quarter Section Lines</u>	● Monument Set (#5 Rebar, 18" long)
<u>Forty/Eighty Line</u>	▲ Monument Set with a Post
<u>Boundary Line</u>	△ T-Post on Line