

**ITEMS CORRESPONDING TO SCHEDULE B-II**

- 14 Any and all matters that affect the land as shown on Plat of Ferndale Subdivision filed for record July 25, 1951 at 4:51 PM, in Book 99 of Deeds, Page 11, as Document No. 244256. It is blanket in nature and is not shown on the map.
- 17 Memorandum of Service and Easement Agreement filed for record October 19, 2012 at 3:49 PM, as Document No. 746219, executed in favor of Midcontinent Communications, it is blanket in nature and is not shown on the map.
- 18 Resolution #14-058 filed for record November 26, 2014 at 11:01 AM, as Document No. 797256. It is shown on the map.
- 21 Encroachment Easement Agreement by and between the City of Williston and RCS - El Rancho, LLC, a Colorado limited liability company, filed for record \_\_\_\_\_, 2019 as Document No. \_\_\_\_\_, It is shown on the map.

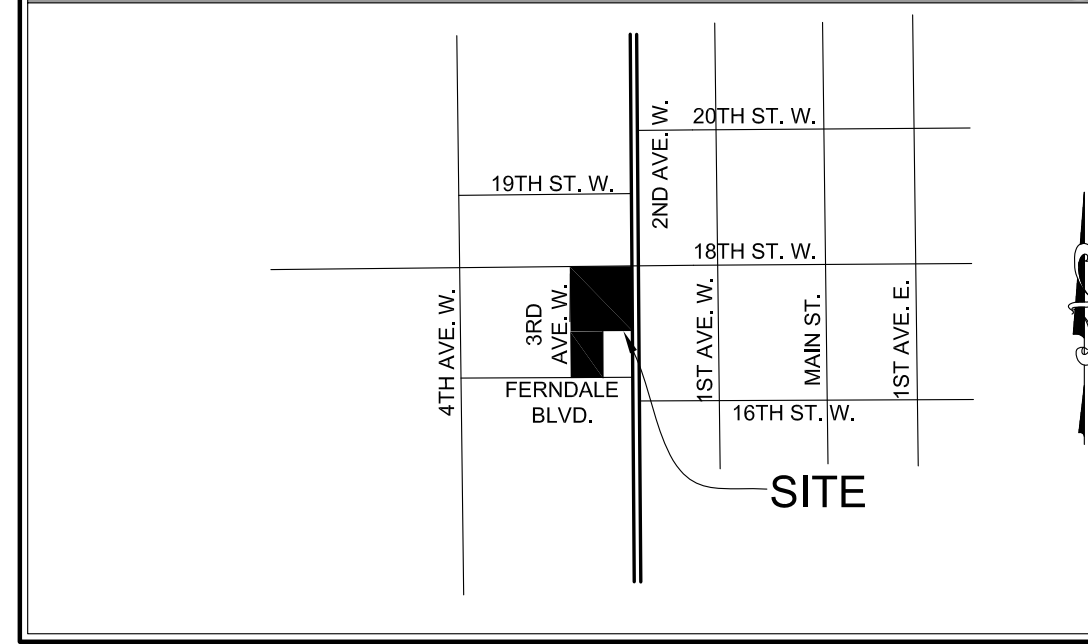
**ZONING INFORMATION**

According to the Zoning Report Number 7201902732, dated 10/23/2019 prepared by NV5 Zoning, the subject property is within the C-2, General Commercial and the current uses are Legal Conforming as noted therein per the City of Williston Zoning Code Section 20.C.12.

ITEM	REQUIRED	OBSERVED	Contact info: Jeremy Miller Staff Planner (701) 577-8104
PERMITTED USE	HOTEL	HOTEL	
MIN. LOT AREA	None	136,928 S.F.	
MIN. FRONTAGE	None	350.00'	
MAX. LOT COVERAGE	None	29% (39,662 S.F.)	
MIN. SETBACKS FRONT	None	0.2' over west line	
MIN. SETBACKS STREET SIDE	None	3.2'	Notes: Because there may be a need for interpretation of the applicable zoning codes, we refer you to the City of Williston for zoning laws and applicable codes.
MIN. SETBACKS SIDE	None	23.7'	
MIN. SETBACKS REAR	None	N/A	
MAX. BUILDING HEIGHT	100' / 10 stories	26.9'	
PARKING TOTAL	151	165 STRIPED SPACES	

**PARKING FORMULA:**  
One space per hotel room, plus 50% otherwise required for accessory uses, e.g. restaurants, bars, Fast Food Establishments;  
With seating: One space per 3 patron seats plus one per employee on the largest shift.

**VICINITY MAP - NOT TO SCALE**

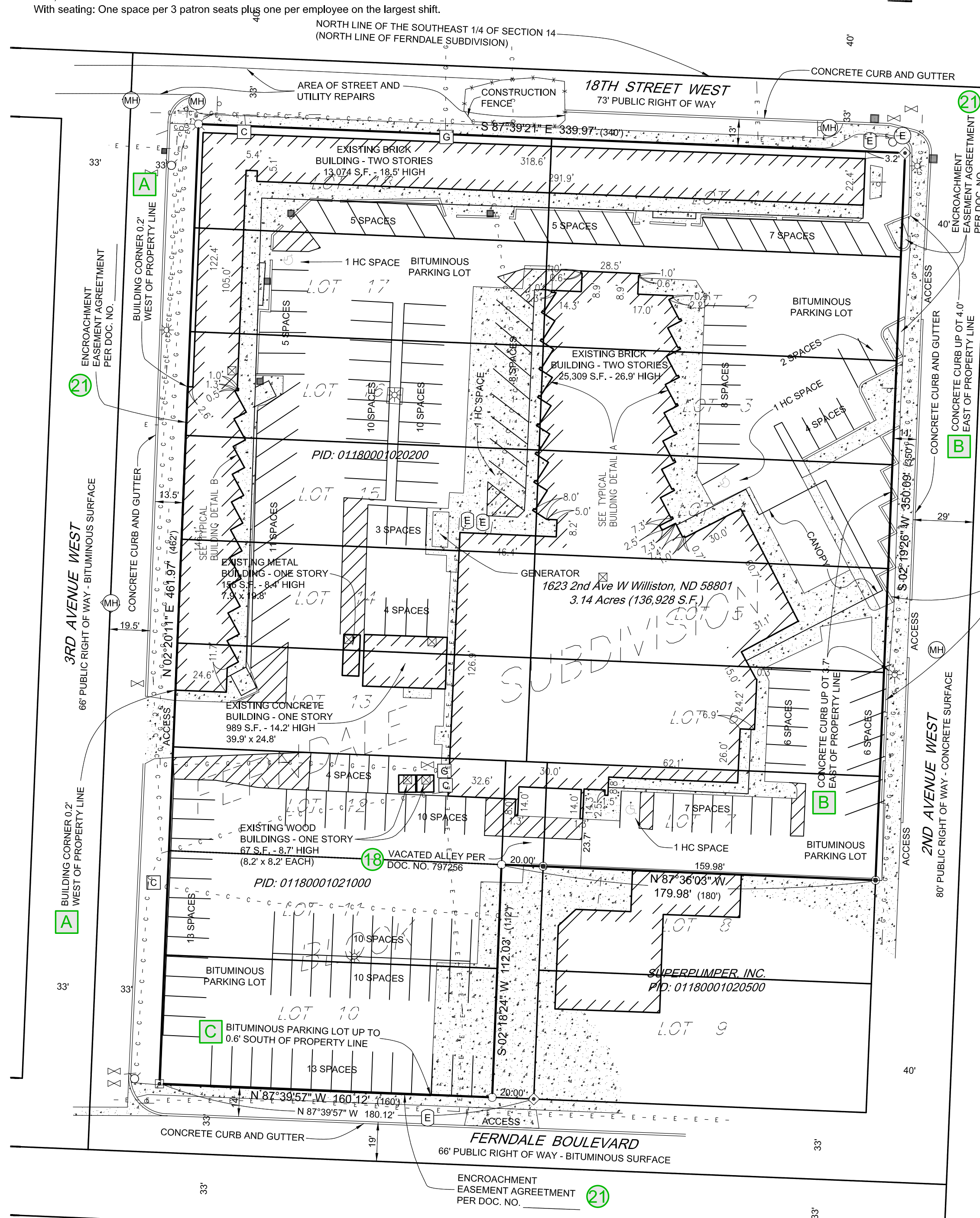


**MISCELLANEOUS NOTES**

- (MN1) SURVEY PREPARED BY HEALY LAND SURVEYING, P.O. BOX 221, NIAGARA, WI, 715-548-0566
- (MN2) AS PER TABLE A NO. 2, THE SITE ADDRESS IS 1623 2ND AVE. W. WILLISTON, ND, 58801 PER WILLIAMS COUNTY RECORDS
- (MN3) AS PER TABLE A NO. 9, THERE WERE 161 REGULAR AND 4 HANDICAP STRIPED PARKING SPACES, FOR A TOTAL OF 165 SPACES, OBSERVED DURING FIELD WORK ON 9/18/2019.
- (MN4) AS PER TABLE A NO. 10, THERE WERE NO DIVISION OR PARTY WALLS WITH RESPECT TO ADJOINING PROPERTIES OBSERVED DURING FIELD WORK ON 9/18/2019.
- (MN5) AS PER TABLE A NO. 11, UTILITIES SHOWN HEREON ARE BASED ON NORTH DAKOTA ONE CALL TICKET NO. 19124168 SURFACE MARKINGS AND SURVEYOR'S FIELD OBSERVATIONS ON 9/18/2019.
- (MN6) AS PER TABLE A NO. 16, THERE WAS NO BUILDING CONSTRUCTION OR EARTH MOVING WORK OBSERVED DURING FIELD WORK ON 9/18/2019.
- (MN7) AS PER TABLE A NO. 17, THERE WAS NO EVIDENCE OF CHANGES IN RIGHT OF WAY LINES OBSERVED DURING FIELD WORK ON 9/18/2019. THE SURVEYOR IS NOT AWARE OF ANY SUCH CHANGES. AS OF 9/18/2019 THERE IS EVIDENCE OF UNDERGROUND UTILITY AND STREET REPAIR WITHIN THE RIGHT OF WAY OF 16TH STREET WEST AS SHOWN ON THE MAP.
- (MN8) AS PER TABLE A NO. 18, NO FIELD DELINEATION OF WETLANDS WAS OBSERVED DURING FIELD WORK ON 9/18/2019.
- (MN9) AS PER TABLE A NO. 19, THERE ARE NO PLOTTABLE OFFSITE EASEMENTS OR SERVITUDES DISCLOSED IN DOCUMENTS PROVIDED TO OR OBTAINED BY THE SURVEYOR AS PART OF THIS SURVEY.
- (MN10) THERE WERE NO CEMETERIES, GRAVESITES OR BURIAL GROUNDS OBSERVED DURING FIELD WORK ON 9/18/2019.
- (MN11) THE PROPERTY HAS DIRECT ACCESS TO 2ND AVE. W., FERNDALE BLVD., AND 3RD AVE. W. WHICH ARE ALL PUBLIC RIGHT OF WAYS.

**LEGEND OF SYMBOLS & ABBREVIATIONS**

- FOUND IRON MONUMENT WITH PLASTIC CAP BEARING LS-5773
- FOUND IRON MONUMENT WITH PLASTIC CAP BEARING LS-1195
- ◇ FOUND 1/2" REBAR
- ⊗ FOUND CHISELED 'X' - SET MAG NAIL
- SET SURVEY MARKER NAIL
- (XXX) RECORD DATA
- CATCH BASIN/DRAIN INLET
- MH MANHOLE
- CULVERT
- E ELECTRIC TRANSFORMER
- E ELECTRIC METER
- E ELECTRIC HANDHOLE
- \* LIGHT POLE
- C COMMUNICATION PEDISTAL
- UNDERGROUND COMMUNICATION
- ⊕ HYDRANT
- ⊕ WATER VALVE
- G GAS METER
- UNDERGROUND GAS
- UNDERGROUND ELECTRIC
- CONSTRUCTION FENCE
- SIGN
- CONCRETE SURFACE
- EXISTING BUILDING
- ⊗ LOCATION OF BUILDING HEIGHT MEASUREMENT



**FLOOD NOTE**

By graphic plotting only, this property is in Zone X of the Flood Insurance Rate Map, Community No. 380319, Map No. 3803190017D which bears an effective date of 8/5/2010 (not printed) and is not in a Special Flood Hazard Area. As shown on FEMA website (fema.gov) by firmette created on 9/12/2019 we have learned this community does currently participate in the program. No field surveying was performed to determine this zone.

**PROJECT REVISION RECORD**

DATE	DESCRIPTION	DATE	DESCRIPTION
9/27/2019	FIRST DRAFT	10/11/2019	AMENDED COMMITMENT
10/1/2019	CLIENT COMMENTS	10/25/2019	AMENDED COMMITMENT
10/4/2019	CLIENT COMMENTS	10/30/2019	CERTIFICATION PARTIES
10/9/2019	CLIENT COMMENTS	12/16/2019	REVISED TITLE COMMITMENT
FIELD WORK: TMH	DRAFTED: TMH	CHECKED BY: TMH	FB & PG: 19/37

**SIGNIFICANT OBSERVATIONS**

- A BUILDING CORNER 0.2' WEST OF PROPERTY LINE
- B CONCRETE CURB BETWEEN 3.7' AND 4.0' EAST OF PROPERTY LINE
- C BITUMINOUS PARKING LOT UP TO 0.6' SOUTH OF PROPERTY LINE

**LEGAL**

THE USE OF THIS DOCUMENT'S FORMAT IS STRICTLY PROHIBITED AND CONTINGENT UPON THE WRITTEN CONSENT AND PERMISSION OF BOCK & CLARK CORPORATION, AN NV5 COMPANY.  
© 2019 BOCK AND CLARK CORPORATION, AN NV5 COMPANY  
THIS SURVEY WAS PREPARED FOR THE PURPOSE OF THIS REAL ESTATE TRANSACTION ONLY AND NO FURTHER PARTIES OTHER THAN THOSE CERTIFIED ABOVE SHALL RELY ON IT FOR ANY OTHER PURPOSE OR TRANSACTION

**RECORD DESCRIPTION**

LOTS ONE, TWO, THREE, FOUR, FIVE, SIX, SEVEN, TEN, ELEVEN, TWELVE, THIRTEEN, FOURTEEN, FIFTEEN, SIXTEEN, SEVENTEEN, AND EIGHTEEN, AND THE 20 FOOT WIDE BY 50 FOOT LONG VACATED ALLEYWAY BETWEEN LOTS 7 AND 12, IN BLOCK ONE, OF FERNDALE SUBDIVISION TO THE CITY OF WILLISTON, WILLIAMS COUNTY, NORTH DAKOTA.  
THE LANDS SURVEYED, SHOWN AND DESCRIBED HEREON ARE THE SAME LANDS AS DESCRIBED IN THE TITLE COMMITMENT PROVIDED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO. L19-1083-CO, DATED DECEMBER 5, 2019.

**ALTANS/NSPS LAND TITLE SURVEY**

for  
**EL RANCHO**  
NV5 Project No. 201904479-001  
1623 2ND AVENUE WEST  
WILLISTON, NORTH DAKOTA  
BASED UPON TITLE COMMITMENT NO. L19-1083-CO  
OF FIRST AMERICAN TITLE INSURANCE COMPANY  
BEARING AN EFFECTIVE DATE OF DECEMBER 5, 2019 @ 7:59 A.M.

Surveyor's Certification  
To: Arsenault Holdings, LLC, a Colorado limited liability company; RCS - El Rancho, LLC, a Colorado limited liability company; Collegiate Peaks Bank, a division of Glacier Bank, its successors and assigns; First American Title Insurance Company; and Bock & Clark Corporation, an NV5 Company.  
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTANS/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(a), 6(b), 7(a), 7(b)(1), 7(c), 8, 9, 10(a), 11, 13, 14, 16, 17, 18, 19 AND 20 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON SEPTEMBER 18, 2019.

THOMAS M. HEALY  
REGISTRATION NO. LS-10634  
IN THE STATE OF NORTH DAKOTA  
DATE OF FIELD SURVEY: SEPTEMBER 18, 2019  
DATE OF LAST REVISION: DECEMBER 26, 2019  
NETWORK PROJECT NO. 201904479-001 RLS  
DATE: 12-26-2019  
SHEET 1 OF 1

**Bock & Clark Corporation**  
an NV5 Company  
**NV5**  
Transaction Services 1-800-SURVEYS (787-8397)  
3550 W. Market Street, Suite 200, Akron, Ohio 44333  
www.BockandClark.com maywehelpyou@bockandclark.com www.NV5.com  
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