

# ALTA/NSPS LAND TITLE SURVEY

A PORTION OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP  
21 SOUTH, RANGE 5 WEST OF THE SIXTH PRINCIPAL MERIDIAN,  
COUNTY OF MCPHERSON, STATE OF KANSAS

## LEGAL DESCRIPTION (FROM TITLE COMMITMENT)

(MP000678)

A PORTION OF THE SOUTH 1/2 OF SECTION 36, TOWNSHIP 21 SOUTH, RANGE 5 WEST OF THE 6TH P.M., MCPHERSON COUNTY, KANSAS, SAID PORTION BEING WITHIN LAND CONVEYED TO LANCE D. GOERTZEN AND KARLENE A. GOERTZEN BY JOINT TENANCY AND GENERAL WARRANTY DEED DATED OCTOBER 18, 2013, DESCRIBED IN BOOK 658, PAGES 4304-4306, FILED FOR RECORD OCTOBER 21, 2013, AT THE MCPHERSON COUNTY REGISTER OF DEEDS OFFICE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 36, SAID CORNER ALSO BEING THE NORTHEAST CORNER OF AFORESAID LAND CONVEYED TO LANCE D. GOERTZEN AND KARLENE A. GOERTZEN (GOERTZEN TRACT); THENCE SOUTH 89°59'57" WEST ALONG THE COMMON LINE BEING THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 36 AND THE NORTH LINE OF SAID GOERTZEN TRACT, A DISTANCE OF 1,280.48 FEET TO A POINT MEASURED 16 FEET PERPENDICULAR EASTERLY FROM THE EASTERLY UNION PACIFIC RIGHT OF WAY LINE, SAID POINT BEING THE POINT OF BEGINNING;

THENCE DEPARTING FROM SAID COMMON LINE ALONG A LINE PARALLEL WITH AND MEASURED 16 FEET PERPENDICULAR EASTERLY FROM SAID RIGHT OF WAY LINE SOUTH 34°57'59" WEST A DISTANCE OF 1,815.21 FEET TO A POINT ON THE SOUTH LINE OF SAID GOERTZEN TRACT, SAID LINE BEING THE COMMON LINE WITH THE NORTH LINE OF LAND CONVEYED TO RICHARD K. SCHROEDER AND LUWANDA F. SCHROEDER (SCHROEDER TRACT) BY JOINT TENANCY WARRANTY DEED DATED DECEMBER 18, 1982, DESCRIBED IN BOOK 222, PAGE 240, FILED FOR RECORD OCTOBER 20, 1988, AT THE MCPHERSON COUNTY REGISTER OF DEEDS OFFICE;

THENCE DEPARTING SAID PARALLEL LINE ALONG SAID COMMON LINE BEING THE SOUTH LINE OF THE GOERTZEN TRACT AND THE NORTH LINE OF THE SCHROEDER TRACT, SOUTH 89°59'57" WEST A DISTANCE OF 18.33 FEET TO THE AFORESAID EASTERLY UNION PACIFIC RIGHT OF WAY LINE;

THENCE DEPARTING SAID COMMON LINE ALONG SAID EASTERLY RIGHT OF WAY LINE NORTH 34°57' 59" EAST A DISTANCE OF 1,815.25 FEET TO THE AFORESAID COMMON LINE BEING THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 36 AND THE NORTH LINE OF SAID GOERTZEN TRACT;

THENCE DEPARTING FROM SAID EASTERLY RIGHT OF WAY LINE ALONG SAID COMMON LINE NORTH 89°59'57" EAST A DISTANCE OF 18.30 FEET TO THE POINT OF BEGINNING.

## GENERAL SURVEY NOTES

- THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SURVWEST, LLC. TO DETERMINE OWNERSHIP, RIGHT OF WAY OR EASEMENTS OF RECORD, SURVWEST, LLC RELIED UPON THE FOLLOWING TITLE COMMITMENT OF TITLE INSURANCE ISSUED BY: OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY  
COMMITMENT ORDER NUMBER: MP000678  
EFFECTIVE DATE: FEBRUARY 6, 2023, 8:00 AM
- BASIS OF BEARINGS: GPS DERIVED BEARINGS BASED ON A BEARING OF 800°32'03"E ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 21 SOUTH, RANGE 5 WEST, BETWEEN A FOUND 5/8" REBAR (PER COUNTY CORNER RECORDS) AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 36 AND A FOUND 5/8" REBAR (PER COUNTY CORNER RECORDS) AT THE SOUTHEAST CORNER OF SAID SECTION 36, AS SHOWN HEREON. KANSAS STATE PLANE COORDINATE SYSTEM OF 1983 (NAD83, KANSAS SOUTH ZONE 1802). ALL BEARINGS SHOWN HEREON ARE RELATIVE THERETO.
- ALL DISTANCES SHOWN ARE MEASURED ON THE GROUND IN U.S. SURVEY FEET AND CAN BE CONVERTED TO GRID DISTANCE BY MULTIPLYING THE DISTANCE BY A COMBINED SCALE FACTOR OF 0.99997816.
- REGARDING ITEM NO. 1 OF THE ALTA / NSPS CHECKLIST: SUBJECT PROPERTY SHALL HAVE MONUMENTS PLACED AT ALL MAJOR CORNERS OF THE BOUNDARY OF THE SUBJECT PROPERTY, UNLESS ALREADY MARKED OR REFERENCED BY EXISTING MONUMENTS OR WITNESSES IN CLOSE PROXIMITY TO THE CORNER.  
SET 5/8" X 18" IRON BARS AT ALL CORNERS OF SUBJECT PROPERTY BOUNDARY UNLESS OTHERWISE NOTED.
- REGARDING ITEM NO. 3 OF THE ALTA / NSPS CHECKLIST: THE SUBJECT PROPERTY IS LOCATED IN ZONE X, AREAS OF MINIMAL FLOOD HAZARD, ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP, COMMUNITY-PANEL NO. 2011300600E, DATED JANUARY 16, 2006. FLOOD INFORMATION IS SUBJECT TO CHANGE.
- REGARDING ITEM NO. 4 OF THE ALTA / NSPS CHECKLIST: SUBJECT PROPERTY CONTAINS 0.56 ACRES, OR 24,228 SQUARE FEET, MORE OR LESS.
- REGARDING ITEM NO. 11(A) OF THE ALTA / NSPS CHECKLIST: NO UTILITY MARKINGS OBSERVED DURING FIELD SURVEY. UTILITY LOCATES WERE PERFORMED DURING PRIOR REQUESTS. IT IS SUGGESTED BY SURVWEST LLC, THAT THE APPROPRIATE AGENCIES SHOULD BE CONTACTED FOR UTILITY LOCATES AND POT-HOLING BE DONE FOR VERIFICATIONS BEFORE DIGGING OR ANY TYPE OF CONSTRUCTION.

## SCHEDULE B-II EXCEPTIONS

FROM TITLE COMMITMENT NUMBER MP000678 WITH AN EFFECTIVE DATE OF FEBRUARY 6, 2023, PROVIDED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY:

EXCEPTIONS 1-7 ARE STANDARD EXCEPTIONS, SURVEYOR HAS NO COMMENT ON STANDARD EXCEPTIONS

8. RIGHT OF WAY AGREEMENT TO WHITE EAGLE OIL CORPORATION, RECORDED SEPTEMBER 18, 1935, IN BOOK MSC. 53, PAGE 634 -635.

DOCUMENT IS A BLANKET DESCRIPTION - NOT PLOTTED

9. INTENTIONALLY DELETED

10. GRANT OF RIGHT OF WAY TO WESTAR ENERGY, INC., RECORDED JUNE 28, 2012, IN BOOK 654, PAGE 7198.

PLOTTED AND SHOWN HEREON - 20' EASEMENT ADJACENT TO THE SOUTHEAST OF THE SOUTHEAST UPRR RIGHT OF WAY LINE

11. TERMS AND PROVISIONS OF OIL AND GAS LEASE RECORDED APRIL 21, 1983, IN BOOK MSC. 36, PAGE 301, FOR THE PURPOSES OF MINING AND OPERATING FOR OIL AND GAS FOR A TERM OF 5 YEAR(S) FROM DATE AND AS LONG THEREAFTER AS OIL AND GAS OR EITHER OF THEM IS PRODUCED FROM SAID LAND.

NO SURVEYOR COMMENTS

12. TERMS AND PROVISIONS OF OIL AND GAS LEASE RECORDED OCTOBER 10, 1973, IN BOOK MSC. 201, PAGE 575, FOR THE PURPOSES OF MINING AND OPERATING FOR OIL AND GAS FOR A TERM OF 5 YEAR(S) FROM DATE AND AS LONG THEREAFTER AS OIL AND GAS OR EITHER OF THEM IS PRODUCED FROM SAID LAND.

WE FOLLOW THE MINERAL TITLE NO FURTHER.

NO SURVEYOR COMMENTS

13. TERMS AND PROVISIONS OF OIL AND GAS LEASE RECORDED OCTOBER 28, 1979, IN BOOK MSC. 227, PAGE 580, FOR THE PURPOSES OF MINING AND OPERATING FOR OIL AND GAS FOR A TERM OF 3 YEAR(S) FROM DATE AND AS LONG THEREAFTER AS OIL AND GAS OR EITHER OF THEM IS PRODUCED FROM SAID LAND.

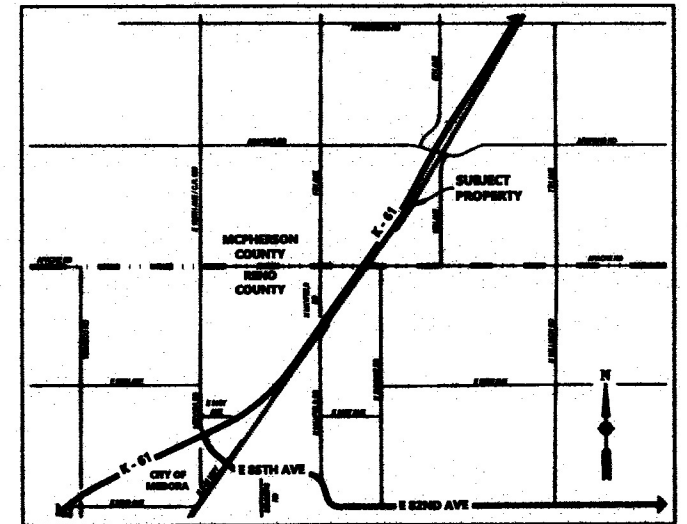
WE FOLLOW THE MINERAL TITLE NO FURTHER.

NO SURVEYOR COMMENTS

14. TERMS AND PROVISIONS OF OIL AND GAS LEASE RECORDED MAY 10, 1982, IN BOOK MSC. 245, PAGE 400, FOR THE PURPOSES OF MINING AND OPERATING FOR OIL AND GAS FOR A TERM OF 2 YEAR(S) FROM DATE AND AS LONG THEREAFTER AS OIL AND GAS OR EITHER OF THEM IS PRODUCED FROM SAID LAND.

WE FOLLOW THE MINERAL TITLE NO FURTHER.

NO SURVEYOR COMMENTS



VELOCITY MAP  
NOT TO SCALE (FEET)

## ALTA/NSPS CERTIFICATION

TO: OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY  
UNION PACIFIC RAILROAD COMPANY  
LANCE D. GOERTZEN AND KARLENE A. GOERTZEN

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED, WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 3, 4, AND 11(A) OF TABLE A THEREOF.  
THE FIELDWORK WAS COMPLETED IN: JANUARY 2023  
DATE OF PLAT OR MAP: 3/6/2023

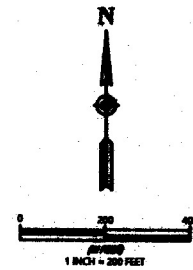


PAUL W. SMITH, LS 1416  
FOR AND ON BEHALF OF SURVWEST, LLC

A PORTION OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 21 SOUTH, RANGE 5 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF MCPHERSON, STATE OF KANSAS (SURVEY FOR: UNION PACIFIC RAILROADS)	
ALTA/NSPS LAND TITLE SURVEY	
DATE: 3/6/2023	SCALE: AS SHOWN
BY: PWS	SHEET NO: 1 of 2

# ALT/NSPS LAND TITLE SURVEY

A PORTION OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP  
21 SOUTH, RANGE 5 WEST OF THE SIXTH PRINCIPAL MERIDIAN,  
COUNTY OF MCPHERSON, STATE OF KANSAS

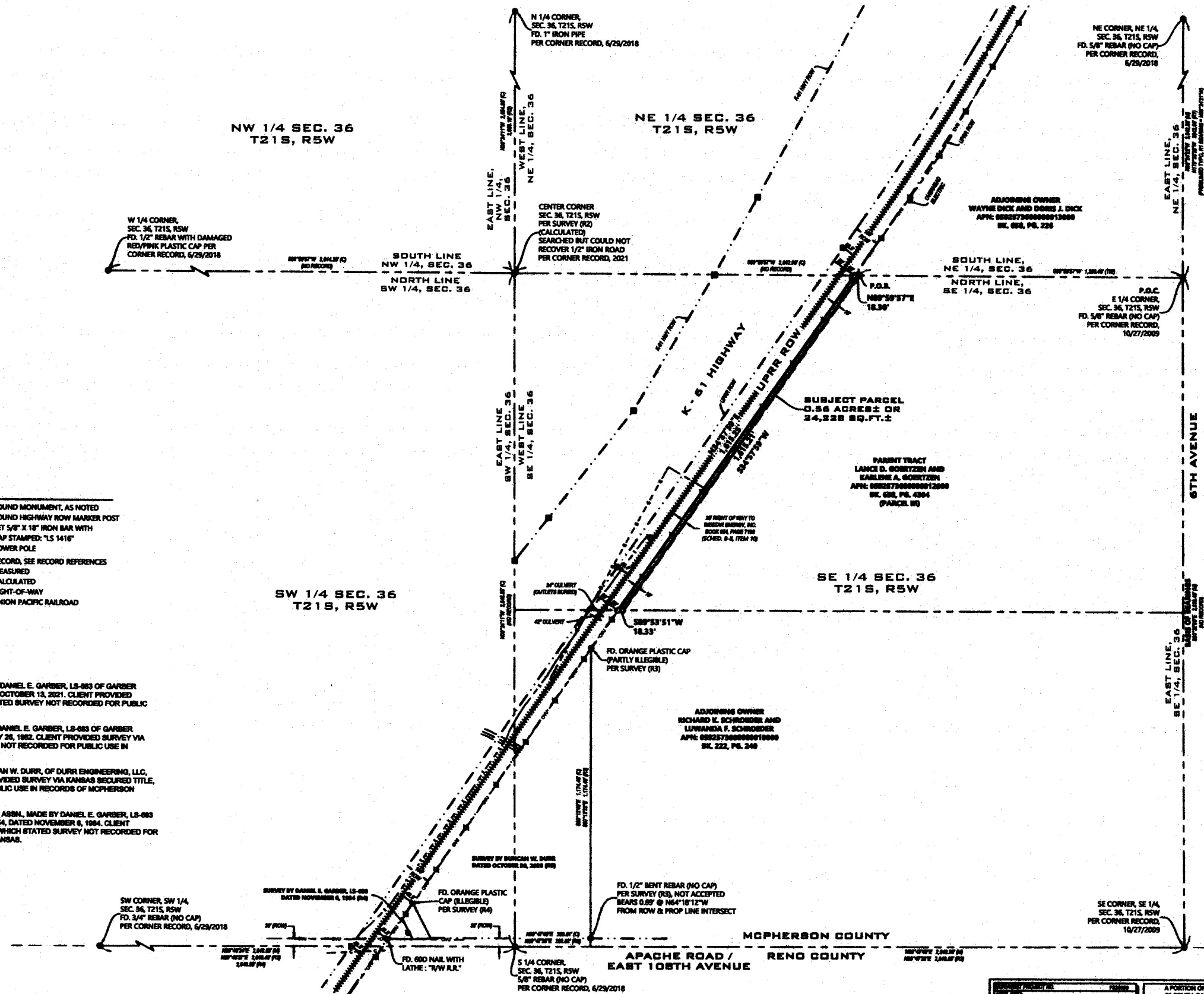


## LEGEND

- |                               |                                    |
|-------------------------------|------------------------------------|
| --- GAS LINE                  | ● FOUND MONUMENT, AS NOTED         |
| --- UNDERGROUND ELECTRIC LINE | ■ FOUND HIGHWAY ROW MARKER POST    |
| --- OVERHEAD ELECTRIC LINE    | ○ SET 5/8" X 18" IRON BAR WITH     |
| --- STORM DRAIN STRUCTURE     | CAP STAMPED: "LS 1416"             |
| --- EASEMENT LINE             | ■ POWER POLE                       |
| --- RIGHT-OF-WAY LINE         | (R#) RECORD, SEE RECORD REFERENCES |
| --- ALIQUOT SECTION LINE      | (M) MEASURED                       |
| --- SUBJECT PARCEL BOUNDARY   | (C) CALCULATED                     |
|                               | ROW RIGHT-OF-WAY                   |
|                               | UPRR UNION PACIFIC RAILROAD        |

## RECORD REFERENCES:

- (R1) = SURVEY PREPARED FOR LANCE GOERTZEN, MADE BY DANIEL E. GARBER, LS-883 OF GARBER SURVEYING SERVICE, P.A., JOB NO. G2021-849, DATED OCTOBER 13, 2021. CLIENT PROVIDED SURVEY VIA KANSAS SECURED TITLE, INC. WHICH STATED SURVEY NOT RECORDED FOR PUBLIC USE IN RECORDS OF MCPHERSON COUNTY, KANSAS.
- (R2) = SURVEY PREPARED FOR HAROLD REGEHR, MADE BY DANIEL E. GARBER, LS-883 OF GARBER SURVEYING SERVICE, P.A., JOB NO. G82-46, DATED MAY 26, 1982. CLIENT PROVIDED SURVEY VIA KANSAS SECURED TITLE, INC. WHICH STATED SURVEY NOT RECORDED FOR PUBLIC USE IN RECORDS OF MCPHERSON COUNTY, KANSAS.
- (R3) = SURVEY PREPARED FOR ARK VALLEY, MADE BY DUNCAN W. DURR, OF DURR ENGINEERING, LLC, JOB NO. 20124, DATED OCTOBER 30, 2020. CLIENT PROVIDED SURVEY VIA KANSAS SECURED TITLE, INC. WHICH STATED SURVEY NOT RECORDED FOR PUBLIC USE IN RECORDS OF MCPHERSON COUNTY, KANSAS.
- (R4) = SURVEY PREPARED FOR ARK VALLEY ELECTRIC COOP ASSN., MADE BY DANIEL E. GARBER, LS-883 OF GARBER SURVEYING SERVICE, P.A., JOB NO. G84-564, DATED NOVEMBER 6, 1984. CLIENT PROVIDED SURVEY VIA KANSAS SECURED TITLE, INC. WHICH STATED SURVEY NOT RECORDED FOR PUBLIC USE IN RECORDS OF MCPHERSON COUNTY, KANSAS.



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ALT/NSPS LAND TITLE SURVEY	
DATE	2023
BY	DANIEL E. GARBER
SCALE	AS SHOWN
2 OF 2	