

ACCESS EASEMENT AGREEMENT

THIS ACCESS EASEMENT AGREEMENT (“Easement”) is made this 18 day of May, 2026, by and between:

GRANTOR:

Leslie Beitelspacher,
whose mailing address is 520 N. 19th Street, Bismarck, North Dakota 58501,
hereinafter referred to as “Grantor,”

and

GRANTEES:

Thomas Nierhake,
whose mailing address is 342 Woodcrest Drive, Vacaville, California 95687,

and

Ted Nierhake,
whose mailing address is 13454 Cayuga Drive, Poway, California 92064,

hereinafter collectively referred to as “Grantees.”

RECITALS

WHEREAS, Grantor is the owner of certain real property located in the SE Quarter (SE1/4) Section 34, Township 134 North, Range 77 West, Emmons County, North Dakota; and

WHEREAS, Grantees are owners of property located in the Southwest Quarter (SW¹/₄) of Section 34, Township 134 North, Range 77 West; and

WHEREAS, Grantor desires to grant unto Grantees a perpetual easement for ingress and egress over a portion of Grantor’s property for access purposes;

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. GRANT OF EASEMENT

Grantor hereby grants, bargains, conveys, and warrants unto Grantees, and to their heirs, successors, and assigns, a perpetual non-exclusive easement for roadway access, ingress, and egress over and across the following-described easement area located in the

Southeast Quarter of Section 34, Township 134 North, Range 77 West, Emmons County, North Dakota:

Beginning at a point approximately One Hundred Eighty-Two Feet (182') east of the southwest corner of the Southeast Quarter (SE $\frac{1}{4}$) of Section 34, Township 134 North, Range 77 West, said point being the approximate beginning of the existing driveway; thence running approximately Three Hundred Feet (300') in a northwesterly direction along the existing roadway to a point on the boundary line located approximately Two Hundred Forty Feet (240') north of the southwest corner of said Southeast Quarter (SE $\frac{1}{4}$) of Section 34, Township 134 North, Range 77 West.

The easement granted herein shall consist of the existing traveled roadway together with sufficient additional width as reasonably necessary for ordinary vehicular ingress and egress.

2. PURPOSE

The easement granted herein shall be used solely for purposes of ingress and egress to and from the property owned by Grantees located in the Southwest Quarter (SW $\frac{1}{4}$) of Section 34, Township 134 North, Range 77 West.

3. NON-EXCLUSIVE USE

This Easement is non-exclusive. Grantor reserves the right to use the easement area for any lawful purpose which does not materially interfere with the rights granted herein.

4. MAINTENANCE

Grantees shall be responsible for ordinary maintenance and repair of the easement area as reasonably necessary for continued access, including grading, snow removal, and roadway upkeep. Grantees shall maintain the easement in a reasonable condition and shall not materially damage Grantor's adjoining property.

5. RUNNING WITH THE LAND

This Easement shall be perpetual and shall run with the land and be binding upon and inure to the benefit of the parties hereto and their respective heirs, personal representatives, successors, and assigns.

6. GOVERNING LAW

This Easement shall be governed by and construed in accordance with the laws of the State of North Dakota.

IN WITNESS WHEREOF

The parties have executed this Easement Agreement on the date first above written.

GRANTOR:

Leslie Beitelspacher

GRANTEES:

Thomas Nierhake

Ted Nierhake

A handwritten signature in black ink, appearing to read 'Ted Nierhake', written in a cursive style.

STATE OF North Dakota

COUNTY OF Morton

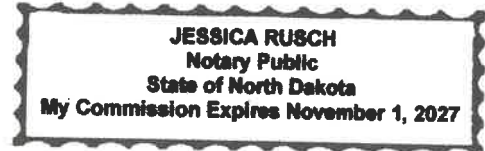
On this 11 day of June, 2026, before me personally appeared Leslie Beitelspacher, known to me to be the person described in and who executed the foregoing instrument.

Leslie Beitelspacher

Leslie Beitelspacher

Notary Public

My Commission Expires: 11-1-27



STATE OF California

COUNTY OF Solano

On this 23 day of May, 2026, before me personally appeared Thomas Nierhake, known to me to be the persons described in and who executed the foregoing instrument.



Thomas Nierhake

Notary Public Luz A. Celiceo-Williams

My Commission Expires: 03-03-2028



STATE OF California

COUNTY OF San Diego

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

On this 18 day of May, 2026, before me personally appeared Ted Nierhake, known to me to be the persons described in and who executed the foregoing instrument.



Ted Nierhake



Notary Public

My Commission Expires: 12/15/2029

