

WATERLINE EASEMENT

For valuable consideration, receipt of which is hereby acknowledged, **Burt A. Purcella** (hereinafter referred to as Grantor), does hereby grant, bargain, sell, convey and warrant to **Eldorado, Inc.**, a Wyoming corporation, its successors and assigns (hereinafter called Grantee), whose address is 3856 Coffeen Ave., Sheridan, Wyoming 82801, a perpetual non-exclusive easement and right-of way to construct, maintain, survey, operate, repair, alter, add, replace or remove a water pipeline and appurtenant facilities including without limitation, above and below ground valves, in, into, upon, over, across, and under a strip of land owned by the Grantor described as Tract 7 of the Marshall Subdivision to the City of Sheridan, Sheridan County, Wyoming.

The location of the waterline has been agreed to by the parties. The easement and right of way shall be more specifically identified as a strip of land described on Exhibit "A" and Exhibit "B", which are attached hereto and by this reference made a part hereof.

This Easement is for the benefit of and appurtenant to that real property, or any portion of such property, in Sheridan County, Wyoming described on Exhibit "C", which is attached hereto and by this reference made a part hereof.

The Grantee shall have all of the rights and benefits necessary or convenient for the full enjoyment or use of the rights herein granted, including, but without limiting the same to the free right of ingress and egress over and across said lands to and from said right-of-way and easement, and the right from time to time to cut all trees and under growth and remove other obstructions that may injure, endanger or interfere with the use of said water pipeline.

Grantor shall not place any obstruction across, under or upon the surface of the right-of-way which could interfere with the construction or the normal operation and maintenance of the water pipeline. Grantor shall not build or construct, nor permit to be built or constructed, any building or other improvement over or across the right-of-way, nor change the contour thereof, without the prior written consent of Grantee.

This easement is nonexclusive and shall not preclude Grantor from using the easement area.

Grantor represents that he is the owner of the lands described above subject only to outstanding mortgages and rights-of-way, if any, now of record in said county; and in the event of default by Grantor, Grantee shall have the right to discharge or redeem for Grantor, in whole or in part, any mortgage, tax or other lien on the lands described in Exhibit "A" and thereupon be subrogated to such lien and rights incident thereto.

Unless otherwise stated herein, it is agreed that this easement covers all the agreements between the parties and that no representations or statements, verbal or written, have been made modifying, adding to, or changing the terms of this easement. This easement may be modified or amended only by a writing signed by each of the parties hereto, or their successors or assigns. All provisions of this easement, including the benefits and burdens, are appurtenant to and run with the land. The right-of-way burdens the property of the Grantor on which the right-of-way is located and is binding upon and inures to the benefit of the successors and assigns of each of the parties hereto.

Grantee shall compensate Grantor for damages to crops, fences, or other structural improvements located either outside or upon the right-of-way, which are caused by the construction of said pipeline or during the maintenance of said pipeline after construction is completed.

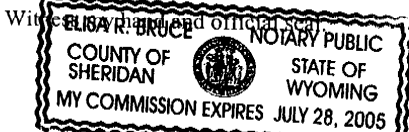
This waterline easement shall be governed by Wyoming law.

Dated this 23 day of December, 2004.


Burt A. Purcella

STATE OF WYOMING)
) ss.
COUNTY OF SHERIDAN)

The foregoing instrument was acknowledged before me this 23rd day of December, 2004, by Burt A. Purcella.



My commission expires: 7-28-2005


Notary Public

EXHIBIT "A"

**Re: Perpetual Water Line Easement for Eldorado, Inc.
December 06, 2004**

A perpetual waterline easement being a strip of land ten (10) feet wide situated in Tract 7 of the Marshall Subdivision to the City of Sheridan, Sheridan County, Wyoming, as shown on **Exhibit "B"** attached hereto and by this reference made a part hereof; the southerly line of said strip being more particularly described as follows:

Commencing at the southeast corner of said Tract 7, thence N01°16'44"W, 1157.30 feet along the east line of said Tract 7 to the **POINT OF BEGINNING** of said strip(monumented with a 1&1/2" aluminum cap per LS 2615); thence N89°30'00"E, 949.90 feet along said easterly line to the **POINT OF TERMINUS** of said strip, said point lying on the west right-of-way line of U.S. Highway No. 87 (AKA Coffeen Avenue).

Said sanitary sewer line easement contains 9,499 square feet of land more or less.

Basis of Bearings per Marshall Subdivision to the City of Sheridan.

RECORD OWNER:
DAN & BESSIE L. GEORGE
(BOOK 325, PAGE 357)

TRACT 7
RECORD OWNER:
BURT A. PURCELLA

PROPOSED 10' WATER LINE

LEGEND

- 1-1/2" ALUMINUM CAP PER LS 2615
- NOT FOUND/NOT SET/CALCULATED POSITION
- RIGHT OF WAY LINE
- CORLIS TRACT LINE
- TRACT LINE
- INTERIOR SECTION LINE
- EASEMENT LINE
- PROPOSED 10' WATER LINE EASEMENT

S1/2NW1/4

RECORD OWNER:
ELDORADO, INC.

EXHIBIT "B"

WATER LINE EASEMENT

CLIENT: ELDORADO, INC.
3856 COFFEEN AVENUE
SHERIDAN, WY 82801

LOCATION: TRACT 7, MARSHALL SUBDIVISION,
S1/2NW1/4, SECTION 11, T55N, R84W,
6TH P.M. SHERIDAN COUNTY, WYOMING.

PS RESTFELDT
SURVEYING

PO BOX 3082
SHERIDAN, WY 82801
307-672-7415
FAX 674-5000

NORTH
GRAPHIC SCALE



(IN FEET)

1 inch = 100 ft.

BASIS OF BEARINGS PER MARSHALL SUBDIVISION TO THE CITY OF SHERIDAN

JN: 24125
DF: 2004\20041250
PAF: 1.000235
DECEMBER 07, 2004

Exhibit "C"

The South 440 feet of the East 990 feet of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, in Township 55 North, Range 84 West of the 6th P.M., Sheridan County, Wyoming, excepting therefrom, the following tracts of land, to wit:

- (a) Beginning at the NE Corner of the above described tract, said point being North 440 feet from the SE Corner of said SW $\frac{1}{4}$ NW $\frac{1}{4}$; thence West 181 feet; thence South 120 feet; thence East 181 feet; and thence North 120 feet to the point of beginning, said tract containing 0.5 acres, more or less
- (b) A tract of land situate in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, Township 55 North, Range 84 West of the 6th P.M., Sheridan County, Wyoming,

Beginning at the Northeast corner of the above-described tract, said point being North 440 feet from the Southeast corner of said SW $\frac{1}{4}$ NW $\frac{1}{4}$; thence West 221 feet; thence South 120 feet; thence East 221 feet; thence North 120 feet to the point of beginning.