

99-500481-9

RECORDED JANUARY 21, 1988 BK 316 PG 281 NO 271 RONALD L. DAILEY, COUNTY CLERK

EASEMENT DEED

THIS AGREEMENT, made this day by and between MARGUERITE C. GARBER, a single person, JAMES W. GARBER, a single person, ~~THOMAS B. GARBER, a single person, RICHARD STORY GARBER and DEBORAH H. GARBER, husband and wife, ORR W. GARBER, JR. and REBA K. GARBER, husband and wife, and THOMAS P. MALYUREK and SUSAN C. MALYUREK, husband and wife, hereinafter called First Parties, and KIM D. CANNON and JANE BH. CANNON, husband and wife, and MICHAEL A. MORTON and SARAH D. MORTON, husband and wife, hereinafter called Second Parties;~~

WITNESSETH, THAT:

IN CONSIDERATION of the sum of One Dollar, in hand paid, the receipt and sufficiency whereof is hereby acknowledged, and other good and valuable consideration, First Parties have this day bargained and sold and by these presents do hereby grant, bargain, sell, convey, transfer and deliver unto the Second Parties a permanent easement and right-of-way for the following purpose, namely:

The right to enter upon the hereinafter described land and grade, level, fill, drain, build, maintain and repair a road on, over and across the ground embraced within the right-of-way hereinafter described. The easement and right-of-way hereby granted shall be used by Second Parties, their successors, transferees and assigns, as a means of ingress and egress, leading to Second Parties' lands located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 7, Township 54 North, Range 84 West of the 6th P.M. in Sheridan County, Wyoming and said easement and right-of-way hereby granted shall cover a strip of land 60 feet in width across the above described land; and said strip of land is more particularly located and described as follows:

A sixty (60) foot wide access road following the present road across the North 60 feet of the South Half of the Northeast Quarter of said Section 7 and the North 60 feet of the South Half of the Southeast Quarter of the Northwest Quarter of said Section 7 up to and including the point where the existing road crosses the Colorado Colony Ditch which easement runs from the Red Grade County Road to the Colorado Colony Ditch into the Northeast Quarter of the Northwest Quarter of Section 7.

To have and to hold the easement and right-of-way unto the Second Parties and unto their successors, transferees and assigns forever. This easement shall run with the land.

The First Parties hereby covenant with Second Parties that they are lawfully seized and possessed of the aforesaid tract of land over which said easement is located.

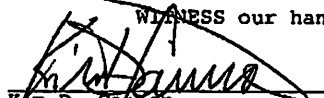
The First Parties shall fully use and enjoy the aforesaid premises, except as to the rights herein granted and Second Parties hereby agree to save and hold the First Parties harmless from any and all damages arising from their use of the right, easement and right-of-way herein granted and agree to pay any damages or damage which may arise to the property, premises or through Second Parties' use, occupation and possession of the rights herein granted. Also, the right-of-way (present road) described above if improved shall be constructed and maintained in good repair by Second Parties at their cost and expense and said maintenance work shall be done in a proper, substantial and workmanlike manner.

Second Parties are acquiring the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, Township 54 North, Range 84 West of the 6th P.M., Sheridan County, Wyoming from Marguerite C. Garber under Agreements for Warranty Deed. As part of the consideration for this easement, it is understood that the First Parties and each of them, and their heirs, executors, administrators, assigns, successors and transferees shall have the right to use the present roadway located across the South Half of NE $\frac{1}{4}$ NW $\frac{1}{4}$ of

said Section 7 (said road right-of-way to be 60 feet wide, being 30 feet on either side of the centerline of the said existing road) for the purpose of having access to various other lands owned by certain one of the First Parties

located in said Section 7 and in the NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Section 12, Township 54 North, Range 85 West of the 6th P.M., Sheridan County, Wyoming.

WITNESS our hands this 15 day of August, 1978.


Kim D. Cannon


Jane BH. Cannon


Michael A. Morton


Sarah D. Morton


Marguerite C. Garber

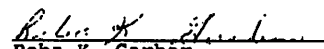

James W. Garber


Richard Story Garber


Deborah H. Garber

SECOND PARTIES


Orr W. Garber, Jr.


Reba K. Garber


Thomas P. Malyurek


Susan C. Malyurek


Thomas V. Garber

FIRST PARTIES

STATE OF WYOMING)
) ss.
COUNTY OF SHERIDAN)

The foregoing instrument was acknowledged before me by Marguerite C. Garber, a single person, and by James W. Garber, a single person, and by Thomas B. Garber, a single person, and by Richard Story Garber and Deborah H. Garber, husband and wife, and by Orr W. Garber, Jr. and Reba K. Garber, husband and wife, and by Thomas P. Malyurek and Susan C. Malyurek, husband and wife, this 14th day of August, 1978.

Witness my hand and official seal.


Notary Public

My Commission expires: August 15, 1979

STATE OF WYOMING)
) ss.
COUNTY OF SHERIDAN)

The foregoing instrument was acknowledged before me by Kim D. Cannon and Jane BH. Cannon, husband and wife, this 15th day of August, 1978.

Witness my hand and official seal.


Notary Public

My Commission expires: May 20, 1982

STATE OF WYOMING)
) ss.
COUNTY OF SHERIDAN)

The foregoing instrument was acknowledged before me by Michael A. Morton and Sarah D. Morton, husband and wife, this 15th day of August, 1978.

Witness my hand and official seal.


Notary Public

My Commission expires: May 20, 1982