

RECORDED JULY 28, 1977 BK 223 PG 305 NO 714742 MARGARET LEWIS, COUNTY CLERK
BILL OF SALE AND EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that:

WHEREAS, WAZEE CORPORATION, a Colorado corporation (hereinafter "Wazee") has sold to BIG HORN COAL COMPANY, a Wyoming corporation (hereinafter "Big Horn") that certain property known as "The Town of Acme" situated in the SW 1/4 of Section 15, Township 57 North, Range 84 West of the Sixth Principal Meridian, Sheridan County, Wyoming; and

WHEREAS, it is understood that Wazee desires to sell to Big Horn Coal Company all of the equipment, machinery, and personal property located on or appurtenant to said land and all interest in said property, real and personal, which Wazee received from Charles T. Evinger and Dorothy M. Evinger; and

WHEREAS, it is the intention of Wazee to convey legal title to said personal property and also to give Big Horn the necessary easement in order to maintain and keep in good state of repair the Acme Water Stand Pipe, the Storage Tank, Acme Pump and the so-called Acme No. 1 Water Well.

NOW, THEREFORE, in consideration of the foregoing and as part of the purchase monies for all of the real and personal property comprising the Town of Acme, Wazee does by these presents, grant, bargain, sell and convey unto Big Horn and to its successors, transferees and assigns, the following personal property situated in the SW 1/4 of Section 15, Township 57 North, Range 84 West of the Sixth Principal Meridian, Sheridan, Wyoming, and located on the premises known as The Town of Acme and used in conjunction with the operation of said Town of Acme, to-wit:

The Acme Water Stand Pipe and Storage Tank, the Acme pump, the so-called Acme No. 1 Water Well, all water pipes running from the Acme Water Stand Pipe and Storage tank to the tract of land sold by the Sheridan-Wyoming Coal Company, Incorporated to Gothard Bylund and which is fully described in the Agreement for Warranty Deed dated July 15, 1953 and appearing of record in Book 108 of Deeds at Page 497 in the Office of the County Clerk of Sheridan, Wyoming, and all other personal property and equipment owned by Wazee associated with or used upon the above-described real property.

TO HAVE AND TO HOLD the same to Big Horn its successors, transferees and assigns forever, and Wazee does for it, its successors in interest, covenant and agree to and with Big Horn, its successors, transferees and assigns to warrant and defend the sale of said property hereinabove described made unto them against all persons claiming by, through or under Wazee.

As part of the consideration of the monies paid by Big Horn; Wazee does hereby grant, bargain, and convey unto Big Horn, its successors, transferees and assigns, the right to leave all water pipes now found in the SW 1/4 of Section 15, Township 57 North, Range 84 West of the Sixth Principal Meridian, Sheridan County, Wyoming, and running from the so-called Acme Water Stand Pipe and Storage Tank to the tract of land sold by Sheridan-Wyoming Coal Company to Gothard Bylund and described in the Agreement for Warranty Deed recorded in Book 108 of Deeds at page 497 in the Office of the County Clerk and Ex-Officio Register of the Deeds in Sheridan County, Wyoming, in their present location.

Wazee further grants, bargains and conveys to Big Horn and to its successors, transferees and assigns, and does hereby assign all of the right conveyed to it by

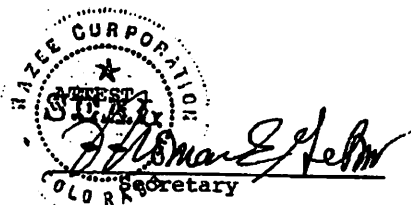
Charles T. Evinger and Dorothy M. Evinger, the right at all times to enter upon the SW 1/4 of Section 15 in Township 57 North, Range 84 West of the Sixth Principal Meridian, Sheridan County, Wyoming, which right had been heretofore conveyed to Charles T. Evinger and Dorothy M. Evinger by Merton C. Bond and Margret A. Bond, and conveyed to Merton C. Bond and Margaret A. Bond by Gothard Bylund and conveyed to Gothard Bylund by the Sheridan-Wyoming Coal Company, for the purpose of properly maintaining, repairing or replacing or removing said pipe lines and for the purpose of doing all necessary work in connection therewith.

Wazee agrees to warrant and defend said rights only as against persons claiming by, through or under Wazee.

IN WITNESS WHEREOF, Wazee Corporation has executed these presents this 24th day of May, 1977.

WAZEE CORPORATION

By William D. Embree, Jr.
President



STATE OF COLORADO)

CITY AND COUNTY OF DENVER)

ss.

The foregoing instrument was acknowledged before me this 24th day of May, 1977, by William D. Embree, Jr., as President and Thomas E. Gebow as Secretary of WAZEE CORPORATION.

Witness my hand and official seal.

My commission expires: December 17, 1977.



Sarah Otis Pinter
Notary Public