

RECORDED JULY 2, 1996 BK 380 PG 437 NO 231000 RONALD L. DAILEY, COUNTY CLERK

EASEMENT FOR PRIVATE ROADWAY

PETER KIEWIT SONS' CO, a Nebraska corporation, of 1000 Kiewit Plaza, Omaha, Nebraska 68131, "Grantor", in consideration of Five Hundred Dollars (\$500.00) and other good and valuable consideration, does hereby convey and grant unto George Joseph Smith, of South Park Loop 1825, Jackson, Wyoming 83001, an easement for the purposes of ingress and egress to and from the following described real property located in Sheridan County, Wyoming, to-wit:

Township 57 North Range 83 West 6th P.M., Sheridan County, Wyoming
Section 18: SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 19: NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$
Section 20: NW $\frac{1}{4}$

said easement and the obligations herein to be appurtenant to and run with the above-described lands owned by Grantee, the description of which easement is more specifically set forth and depicted graphically on Exhibit "A", attached hereto and made a part hereof.

This grant of easement is intended to be exclusive to the Grantee, his successors and assigns, invitees and licensees, and shall not be enlarged by implication to include any industrial use or use of this private road by other landowners in the locality.

This easement shall further be subject to the following conditions:

1. Grantee agrees to indemnify, defend and hold Grantor harmless from any liability arising from the use of the above-described easement by themselves or any of their respective guests, invitees, licensees, representatives, successors and assigns.
2. This easement and the conditions hereof shall be binding upon the parties hereto and any of their representatives, successors and assigns.
3. In the event Grantor incurs any fees, costs, or expenses, including reasonable attorney fees, as a result of the failure of the Grantee to comply with the terms of this agreement, Grantor shall be entitled to payment of such fees, costs, and expenses, including reasonable attorney's fees, by the Grantee.

DATED this 9th day of May, 1996.

GRANTOR:

PETER KIEWIT SONS', CO.

By:

1000 Kiewit Plaza
Omaha, NE 68131

GRANTEE:

GEORGE JOSEPH SMITH
South Park Loop 1825
Jackson, Wyoming 83001

STATE OF NEBRASKA)
) SS
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me this 9th day of May, 1996 by Richard R. Jarvis, President of Peter Kiewit Sons' Co.

WITNESS my hand and official seal.



Notary Public

My commission expires: 9/16/96

STATE OF ~~Ohio~~ ^{Wyoming})
COUNTY OF ^{ss} ~~Shelby~~ ^{Sheridan}

The foregoing instrument was acknowledged before me this 1st day of June, 1996 by George Joseph Smith.

WITNESS my hand and official seal.

Notary Public

My commission expires: 9-7-98

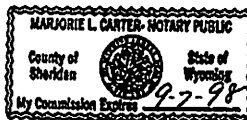


EXHIBIT A
LEGAL DESCRIPTION

A 40 foot wide access easement twenty being (20) feet each side of the centerline of an existing access road situated in the SE¼NW¼ of Section 19, Township 57 North, Range 83 West, 6th P.M., Sheridan County, Wyoming; said centerline being more particularly described as follows:

Commencing at the west quarter corner (3" Brass Cap per L.S. 520) of said Section 19; thence N81°13'56"E, 2478.34 feet to the POINT OF BEGINNING of said easement, said point lying on the centerline of the Beatty Gulch County Road (No. 1231); thence S52°21'57"E, 45.56 feet along said centerline to a point; thence S31°56'27"E, 77.27 feet along said centerline to a point; thence S23°44'50"E, 160.71 feet along said centerline to a point; thence S27°17'31"E, 115.27 feet along said centerline to the POINT OF TERMINUS of said easement, said point lying on the east line of said SE¼NW¼, and said point being N00°10'37"W, 2714.11 feet from the south quarter corner (3" Brass Cap per L.S. 520) of said Section 19.

Basis of Bearings is Wyoming State Plane (East Central Zone).