

666599 AMENDED EASEMENT
BOOK 515 PAGE 0435
RECORDED 04/14/2010 AT 03:55 PM
EDA S. THOMPSON, SHERIDAN COUNTY CLERK

PARTIAL VACATION/AMENDMENT AND GRANT OF EASEMENT

DSB Investments, Inc., a Wyoming corporation (herein "DSB") and Stephen J. Miller and Sarah M. Miller, husband and wife (herein "Millers") and collectively referred to herein as Grantors, in consideration of the sum of Ten and NO/100 Dollars (\$10.00) and other good and valuable consideration the receipt of which is hereby acknowledged, do hereby partially vacate and amend and grant an access and utility easement across that Sixty Foot (60') wide strip of land more specifically described hereinafter for the following purposes and with the following intent.

1. DSB originally granted a right of access and utilities in that that GRANT OF EASEMENT recorded in Book _____ at Page _____ in the Sheridan County Clerk's office, which is also illustrated in that map attached hereto as **Exhibit A** and labelled thereon as the "ex[isting] easement" (referred to herein the "Original Easement").
2. The land encumbered by the Original Easement is owned of record by DSB.
3. The land adjacent to the Original Easement route is known as Tract 23 of Bozeman Trail Ranches and is owned of record by the Millers.
4. The road was actually constructed after the Original Easement was granted, and due to topography and construction conditions, the roadway was constructed partially within the Original Easement and partially outside of the Original Easement and on Tract 23.
5. The Original Easement included a right to amend the location of the easement of record after the construction of the roadway.
6. With the intent and purpose of correcting the easement route to follow the roadway as now actually constructed, DSB and the Millers collectively as Grantors as their interests may appear of record, do hereby vacate/amend that portion of the Original Easement that is not in line with the actual roadway and re-grant the easement as follows along the newly surveyed roadway as constructed (referred to herein as the New Easement and as labelled and illustrated on Exhibit A as the "New Easement"), and is more specifically described in **Exhibit B**, attached hereto.

Grantors, as their interests appear of record, do hereby grant this easement to and for the benefit of all that real property more specifically described in Exhibit B attached to the Original Easement, which is referred to as the Dominant Parcel. Each portion, parcel and tract within said Dominant Parcel is expressly benefited by this Easement, which shall run with the land. This Easement is intended to provide the unfettered right of ingress and egress and utility corridor over, across and under the Easement Route for nonexclusive access and the right of installation, maintenance, repair and replacement of utilities (including but not limited to power, phone, cable, fiber optic, water, sewer and any other such utilities) to and for the benefit of that property described in said Exhibit B, and each and every portion, parcel and tract thereof. This Easement shall benefit and burden each portion of the above-described property, without risk or claim of merger. The record owner of the Easement Route shall bear no liability to any person or entity using the Easement Route.

DATED EFFECTIVE the 19th day of February, 2010.

DSB INVESTMENTS, INC.

TRACT 23, BOZEMAN TRAIL RANCHES

D. Scott Bliss

By: D. Scott Bliss, President

Stephen J. Miller
Stephen J. MillerSarah M. Miller
Sarah M. MillerSTATE OF Oregon)
COUNTY OF Multnomah) ss.The above and foregoing instrument was acknowledged to before me by D. Scott Bliss, as President of DSB Investments, Inc., on this the 29th day of March, 2010.

WITNESS my hand and official seal.

Krista N. Swenson
Notary PublicMy Commission expires: 02/10/12STATE OF WYOMING)
COUNTY OF SHERIDAN) ss.The above and foregoing instrument was acknowledged to before me by Stephen J. Miller and Sarah M. Miller, on this the 12th day of April, 2010.

WITNESS my hand and official seal.

Janet Korpela
Notary PublicMy Commission expires: May 17, 2011

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612632 EASEMENT
BOOK 496 PAGE 0606
RECORDED 06/18/2008 AT 10:20 AM
AUDREY KOLTISKA, SHERIDAN COUNTY CLERK

GRANT OF EASEMENT

DSB Investments, Inc., a Wyoming corporation (herein "DSB"), in consideration of the sum of Ten and NO/100 Dollars (\$10.00) and other good and valuable consideration the receipt of which is hereby acknowledged, does hereby grant an access and utility easement across that Sixty Foot (60') wide strip of land more specifically described on **Exhibit "A"**, attached hereto and incorporated herein (referred to herein as the "Easement Route"), and reserves certain rights therein, as set forth hereinafter:

DSB grants this easement to and for the benefit of all that real property more specifically described in **Exhibit "B"**, attached hereto and incorporated herein, which is referred to herein as the Dominant Parcel. Each portion, parcel and tract within said Dominant Parcel is expressly benefited by this Easement, which shall run with the land. This Easement is intended to provide the unfettered right of ingress and egress and utility corridor over, across and under the Easement Route for nonexclusive access and the right of installation, maintenance, repair and replacement of utilities (including but not limited to power, phone, cable, fiber optic, water, sewer and any other such utilities) to and for the benefit of that property described in said Exhibit B, and each and every portion, parcel and tract thereof. This Easement shall benefit and burden each portion of the above-described property, without risk or claim of merger. The record owner of the Easement Route shall bear no liability to any person or entity using the Easement Route.

The Easement Route is described along that route described and shown on the attached Exhibit A; provided however, DSB, and its successors who are benefitted or burdened by this easement agree that the road within the easement route is not yet constructed and as construction of the road commences, the parties may wish to alter the route and amend the description of record, and should they so agree, the amended route shall be surveyed by a licensed land surveyor, and a specific legal description of the revised centerline of the easement route shall be recorded, together with an Affidavit, within one year from the date hereof.

The record owners of the lands benefitted and burdened by this easement acknowledge that since the roadway is not yet constructed within the Easement Route, the owners of the land described in Exhibit B have the right to construct a road within the Easement Route and the temporary right to use an additional width adjacent to said portion of Easement Route which is reasonably required for the construction of the road but no more than a total width of thirty (30) feet on each side of the easement route. This temporary right for construction purposes shall expire after sixty (60) days from the date Grantee begins construction of the road.

DATED this 17th day of June, 2008.

DSB INVESTMENTS, INC.

By: D. Scott Bliss, President

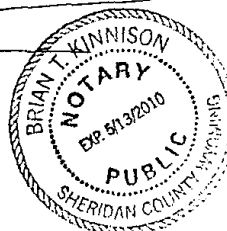
STATE OF WYOMING)
) ss.
COUNTY OF SHERIDAN)

The above and foregoing ACCESS AND UTILITY EASEMENT was acknowledged to before me by D. Scott Bliss, as President of DSB Investments, Inc., on this the 17th day of June, 2008.

WITNESS my hand and official seal.

My Commission expires: 5-13-10

Notary Public



ACCESS AND UTILITY EASEMENT - GRANT OF ACCESS ON ROAD NO.3 (TRACTS 23&24 BOZEMAN TRAIL RANCHES)

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EXHIBIT "A"

LEGAL DESCRIPTION

A sixty (60) foot wide strip of land thirty (30) feet each side of a centerline situated in Lots 3 and 4 of Section 31, Township 56 North, 6th Principal Meridian, Sheridan County, Wyoming; said centerline being more particularly described as follows:

Commencing at the southwest corner of said Section 31 (monumented with a 3-1/4" aluminum cap per LS 5369), thence N34°57'50"E, 1,522.25 feet, to the **POINT OF BEGINNING** of said centerline; thence N22°37'09"W, 41.48 feet along said centerline to a point; thence through a curve to the right having a radius of 114.59 feet, a delta of 53°36'00", an arc length of 107.20 feet, a chord bearing of N04°10'51"E and a chord length of 103.33 feet to a point; thence N30°58'51"E, 155.15 feet along said centerline to a point; thence along said centerline through a curve to the left having a radius of 286.48 feet, a delta of 60°40'42", an arc length of 303.39 feet, a chord bearing of N00°38'30"E and a chord length of 289.41 feet to a point; thence N29°41'51"W, 500.91 feet along said centerline to a point; thence along said centerline through a curve to the right having a radius of 286.48 feet, a delta of 30°34'55", an arc length of 152.91 feet, a chord bearing of N14°24'23"W and a chord length of 151.10 feet to a point; thence N00°53'04"E, 86.80 feet along said centerline the **POINT OF TERMINUS**, said point being N14°57'43"E, 2,566.52 feet from said southwest corner of Section 31.

Bearings are based on The Wyoming Coordinate System, NAD 1983, East Central Zone.

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Exhibit "B"
Dominant Parcel Benefitting from Easement

Township 56 North, Range 85 West, 6th P.M.

Section 35: All;
Section 36: All;

Township 55 North, Range 85 West, 6th P.M.

Section 1: Lot 4;
Section 2: Lots 1 and 2;

Township 56 North, Range 84 West, 6th P.M.

Section 31: Lot 3, W $\frac{1}{2}$ NW $\frac{1}{4}$, and that portion of Lot 4 and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31 lying north of the County Road as it existed on November 6, 1915, excepting therefrom any lands conveyed to Mrs. Lena Phillips by deed recorded in Book 33 of Deeds at page 522 in the office of the County Clerk of Sheridan County; and

All of that property in Township 56 North, Range 84 West and Township 56 North, Range 85 West, Sheridan County, Wyoming, which is more specifically described in that Warranty Deed recorded January 18, 2001 in Book 420 at Page 368-369 in the Sheridan County Clerk's office, Sheridan County, Wyoming.

LEGAL DESCRIPTION

ACCESS AND UTILITY EASEMENT

A sixty foot wide access and utility easement situated in Lots 3 and 4 of Section 31, Township 56 North, Range 84 West, of the 6th Principal Meridian, Sheridan County Wyoming; said easement lying 30 feet on both sides of the following described center line:

Commencing at the southwest corner of said Section 31 (monumented with a 3-1/4" aluminum cap per LS 5369), thence N34°57'56"E, 1522.25' to the **POINT OF BEGINNING** of said centerline; thence N22°37'03"W, 36.50 feet along said centerline to a point; thence through a curve to the right having a radius of 100.00 feet, a delta of 33°14'47", an arc length of 58.03 feet, a chord bearing of N5°59'40"W and a chord length of 57.22 feet to a point; thence N10°37'44"E, 171.10 feet along said centerline to a point; thence along said centerline through a curve to the left having a radius of 1000.00 feet, a delta of 32°25'10", an arc length of 565.83 feet, a chord bearing of N5°34'51"W and a chord length of 558.31 feet to a point; thence N21°47'26"W, 449.73 feet along said centerline to the **POINT OF TERMINUS**, said point being N14°57'48"E, 2566.52 feet from said southwest corner of Section 31.

Bearings are based on the Wyoming State Plane Coordinate System, NAD 1983, Distances listed are ground distances.