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RECORDED JANUARY 23, 1961,
NO. 446382,

BK 128 PG 494
EASEMENT B. B. HUME, COUNTY CLERK

THIS INDENTURE made between CHICAGO, BURLINGTON & QUINCY RAILROAD COMPANY, a corporation of the State of Illinois, hereinafter sometimes referred to as Grantor, and the CITY OF SHERIDAN, Sheridan County, State of Wyoming, hereinafter sometimes referred to as Grantee, for and in consideration of One Dollar and other valuable consideration, in hand paid, the receipt and sufficiency of which is hereby acknowledged, Grantor does hereby grant and convey to the City of Sheridan, Wyoming, its licensees, successors and assigns, a right of way and easement for the construction, erection, operation, maintenance, repair, alteration, inspection and replacement of channel improvements in and along Goose Creek in connection with a Flood Control Project, over, on and across the following described real estate, belonging to said Grantor, situate in Sheridan County, State of Wyoming, to-wit:

A tract of land situated in the West Half of the Northwest Quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$) of Section Twenty-six (26), Township Fifty-six (56) North, Range Eighty-four (84) West of the Sixth Principal Meridian in Sheridan County, Wyoming described as follows:

Beginning at a point on the West line of said Section Twenty-six (26) which is One Thousand Three Hundred Seventy-nine and Nine Tenths (1379.9) feet South of the Northwest corner of said Section Twenty-six (26), thence South Eighteen Degrees, Forty-one Minutes East (S 18° 41' E) One Hundred Thirty-seven and Ninety-five Hundredths (137.95) feet to a point, thence South Fifteen Degrees, Thirty Minutes East (S 15° 30' E) Ninety and Fourteen Hundredths (90.14) feet to a point, thence South Eighteen Degrees, Forty-one Minutes East (S 18° 41' E) Two Hundred Ten and No Tenths (210.0) feet to a point; thence South Twelve Degrees, Seventeen Minutes West (S 12° 17' W) Eighty-seven and Forty-six Hundredths (87.46) feet to a point; thence North Fifty-four Degrees, Fifty-six Minutes West (N 54° 56' W) Ninety-three and One Hundredth (93.01) feet to a point; thence North Eighteen Degrees, Forty-one Minutes West (N 18° 41' W) One Hundred Twenty-four and Forty Hundredths (124.40) feet to a point on the West line of said Section Twenty-six (26), thence North along the West line of said Section Twenty-six (26) Three Hundred Thirty and Forty-five Hundredths (330.45) feet, more or less, to the point of beginning.

Also that portion of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Twenty-seven (27), Township Fifty-six (56) North, Range Eighty-four (84) West of the Sixth Principal Meridian, described as follows:

Beginning at a point on the South line of said Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) WHICH IS Eleven and Sixty-seven Hundredths (11.67) feet West on the Southeast corner of said Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$), thence North Eighteen Degrees, Forty-one Minutes West (N 18° 41' W) Eighty-five and Six Hundredths (85.06) feet to a point; thence South Eighty-nine Degrees, Thirteen Minutes West (S 89° 13' W) One Hundred Twenty-one and Twenty-six Hundredths (121.26) feet to a point; thence South Seventy-eight and Ninety-two Hundredths (78.92) feet to a point on the South line of said Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$); thence East One Hundred Forty-eight and Five Tenths (148.5) feet, more or less, to the point of beginning.

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Also a tract of land situated in the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) and Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Fifteen (15), Township Fifty-six (56) North, Range Eighty-four (84) West of the Sixth Principal Meridian in Sheridan County, Wyoming described as follows:

Beginning at a point in the center of the Fort McKenzie Spur Track which is Two Hundred Twelve and Six Tenths (212.6) feet Southeasterly along the center line of said Spur Track from the North-South center line of said Section Fifteen (15); thence North Six Degrees, Ten Minutes West (N 6° 10' W) Sixty-eight and Sixty-one Hundredths (68.61) feet to a point; thence North Two Degrees, Nine Minutes East (N 2° 09' E) Thirty-four and Fifty-one Hundredths (34.51) feet to a point; thence North Six Degrees, Ten Minutes West (N 6° 10' W) Eighty-three and Sixty-three Hundredths (83.63) feet to a point; thence North Twenty Degrees, Fifty-five Minutes West (N 20° 55' W) Ninety-two and Ninety Hundredths (92.90) feet to a point; thence North Fifty-three Degrees, Forty-three Minutes West (N 53° 43' W) One Hundred Thirty-four and Four Hundredths (134.04) feet to a point; thence North Eighty-seven Degrees, Forty-eight Minutes West (N 87° 48' W) One Hundred Thirty-Six and Seventeen Hundredths (136.17) feet to a point; thence South Fifty-nine Degrees, Five Minutes West (S 59° 05' W) One Hundred Three and Fifty-one Hundredths (103.51) feet to a point; thence North Thirty Degrees, Fifty-five Minutes West (N 30° 55' W) Thirty-five and Twenty-five Hundredths (35.25) feet to a point; thence North Sixty-nine Degrees, No Minutes East (N 69° 00' E) Two Hundred Five and Ninety Hundredths (205.90) feet to a point; thence South Sixty-four Degrees, Twenty-six Minutes East (S 64° 26' E) Three Hundred Sixteen and No Hundredths (316.00) feet to a point; thence South No Degrees, Thirty-one Minutes East (S 0° 31' E) Two Hundred Eighty-four and No Hundredths (284.00) feet to a point; thence Northwesterly along the center of said track Eighty-one and Forty Hundredths (81.40) feet, more or less, to the point of beginning.

Also a tract of land situated in the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Fifteen (15), Township Fifty-six (56) North, Range Eighty-four (84) West of the Sixth Principal Meridian described as follows:

Beginning at the Southeast corner of said Section Fifteen (15), thence westerly along the southerly line of said Section Fifteen (15) a distance of One Thousand and Forty (1040) feet to a point on the Northerly right of way line of the right of way of the Grantor's Ft. McKenzie spur track, said point being Twenty-five (25) feet northerly at right angles to the center line of said track; thence North Eighty Degrees Eleven Minutes West (N 80° 11' W) along a line Twenty-five (25) feet distant Northerly and parallel to the center line of said spur track a distance of One Thousand Two Hundred Sixty-two (1262) feet to the true point of commencement of the parcel of ground over which this easement is being granted; thence South Nine Degrees Forty-nine Minutes West (S 9° 49' W) a distance of One Hundred Two (102) feet; thence South Eighty-two Degrees Fifty Minutes East (S 82° 50' E) a distance of Four Hundred (400) feet along the Southerly right of way of the Grantor herein; thence North Nine Degrees Forty-nine Minutes East (N 9° 49' E) a distance of Sixty-two (62) feet; thence North Eighty Degrees Eleven Minutes West (N 80° 11' W) a distance of Three Hundred Fifty (350) feet along a line parallel to the center line of said spur track; thence North Nine Degrees Forty-nine Minutes East (N 9° 49' E) a distance of Forty (40) feet, more or less, to a point in the Northerly right of way line of the right of way of the Grantor's said spur track; thence North Eighty Degrees Eleven Minutes West (N 80° 11' W) a distance of Fifty (50) feet, more or less, to the point of commencement.

Together with all rights of ingress and egress necessary for the full and complete use, occupation, and maintenance of the easement here-

granted, and all rights and privileges incident thereto, including the right to cut, trim, and remove trees, brush, overhanging branches, and all other obstructions which may injure or interfere with grantee's use, occupation, operation, maintenance, repair, alteration, inspection and replacement of a Flood Control Project.

By the acceptance of this Easement the Grantee agrees, for itself, its licensees, successors or assigns, that any of them, or its contractors, agents and employees will hold the Grantor harmless from any loss or damage to property or to injury or death of any person whomsoever, in any way growing out of the use of said land for the purpose of constructing, erecting, operating, maintenance, repair, alteration, inspection or replacement of said Flood Control Project.

It is a condition of this grant that no work shall be done closer than ten (10) feet to the center line of any track of the Grantor, except underneath any bridges included in the above described lands, and where temporary work must be performed to effectively accomplish the purpose for which this easement is granted, in which event such work shall be done in a manner that shall not damage the property of Grantor, nor interfere with the use, operation and maintenance of Grantor's bridges or other railroad facilities. It is expressly understood that all methods and/or plans of temporary work affecting railroad property shall be coordinated with railroad officials and the Corps of Engineers, U. S. Army, before commencing each unit of work.

It is further a condition of this grant that the Grantee, or any contractor or subcontractor, performing work on the premises of Grantor, shall carry public liability and property damage insurance during the performance of such work with limits of at least \$100,000/\$300,000 for personal injury and \$100,000/\$300,000 for property damage.

TO HAVE AND TO HOLD the said right of way easement and privilege to the Grantee forever.

WITNESS: my hand this 1st day of November

CHICAGO, BURLINGTON & QUINCY RAILROAD COMPANY

J. H. Katterjohn
Vice President

ADM Lane
Secretary

