

WATER LINE EASEMENT

Deed made this 5th day of August, 2005, by and between

MARY P. NELSON, Trustee of the MARY P. NELSON TRUST AGREEMENT

DATED January 9, 1995, hereinafter referred to as "Grantors", and the Sheridan Area Water Supply Joint Powers Board (SAWSJPB) and the City of Sheridan, Wyoming, hereinafter referred to as "Grantee."

For and in consideration of good and valuable consideration, receipt of which is acknowledged, and subject to the terms and conditions set forth below, Grantors convey and warrant to Grantee an easement and right-of-way upon, across and under the following-described real property, described as:

SEE ATTACHED EXHIBITS "A" and "B"

Said easement is for Grantee, its employees, agents, contractors and assigns for entry upon and use of the premises described and shown on the exhibits for the purposes of surveying, designing, constructing, installing, inspecting, operating, maintaining, tapping, repairing, and replacing water lines and appurtenances as may be necessary or convenient, including service lines and laterals. This includes the right to operate machinery upon this property for these purposes. This easement includes the right of ingress and egress upon and across real property of Grantor at reasonable places and routes for aforesaid purposes. This deed of easement shall be binding upon Grantors' heirs and assigns and shall be perpetual so long as the easement is used for the purposes above recited. The use of this easement in not intended for other purposes.

Grantee agrees to restore the surface to as near as practical to the original contours, repair trench settlement, re-establish grass growth, repair fences and ditches crossed, maintain drainage, and repair any buried pipes, electrical wires or other improvements owned by the Grantor.

Grantor shall be held harmless from any legal actions or claims of any form that involve the easement conveyed by Grantor to Grantee, unless they are the result of

the Grantor's sole negligence. Notwithstanding the above, the Grantee does not waive any rights it may claim with respect to the Wyoming Government Claims Act.

Permanent improvements that would hinder future access to the water line cannot be constructed over the easement, but otherwise land use may be similar to current use.

In witness whereof Grantors sign this Deed on the date above written.

Mary P. Nelson
Mary P. Nelson, Trustee

STATE OF Wyoming)
County of Sheridan)ss

On this 15th day of August, 2005, before me personally appeared **Mary P. Nelson**, and upon being sworn and upon oath represented that she is the Trustee of the **MARY P. NELSON TRUST AGREEMENT DATED JANUARY 9, 1995**, and that the foregoing instrument was signed on behalf of the Trust, and that pursuant to the terms of the said written Trust she has the authority to execute the instrument on behalf of the Trust and that the instrument is the free act and deed of the Trust.

WITNESS MY HAND AND OFFICIAL SEAL

Rebecca J. Martin
Notary Public

My Commission Expires: 1-5-07



Commission Expires: _____

EXHIBIT "A"

290

A perpetual water line easement thirty (30) feet wide, being fifteen (15) feet each side of the following described centerline situated in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8, Township 55 North, Range 85 West, 6th P.M., Sheridan County, Wyoming; shown on **EXHIBIT "B"** attached hereto and by this reference made a part hereof; said centerline being more particularly described as follows:

Commencing at the southeast corner of said Section 8; thence N52°33'53"W, 804.18 feet to the **POINT OF BEGINNING** of the herein described easement lying on the north line of a tract of land described in Book 454 of Deeds, Page 32; thence, along said centerline, through a curve to the left, having a radius of 500.00 feet, a central angle of 48°51'43", an arc length of 426.40 feet, a chord bearing of N49°45'01"W, and a chord length of 413.60 feet; thence N74°10'53"W, 28.04 feet along said centerline to a point; thence, along said centerline, through a curve to the right having a radius of 200.00 feet, a central angle of 76°18'29", an arc length of 266.37 feet, a chord bearing of N36°01'38"W, and a chord length of 247.11 feet to a point; thence N02°07'36"E, 348.32 feet along said centerline to the **POINT OF TERMINUS** of said easement lying on the southerly right-of-way line of Big Goose Road (A.K.A. State Highway No. 331), said point being N40°19'56"W, 1720.62 feet from said southeast corner of Section 8.

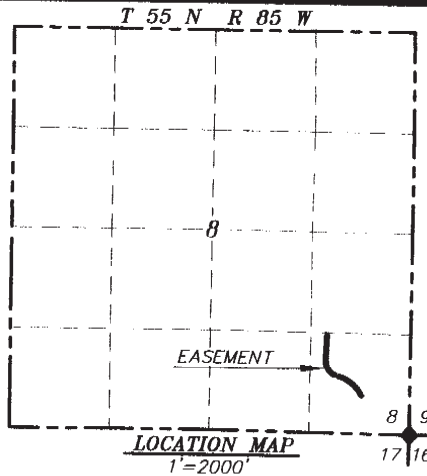
The above described perpetual easement contains 0.74 acres, more or less, and is subject to any rights-of-way and/or easements, reservations and encumbrances which have been legally acquired.

In addition, a temporary construction easement will be required, being a strip of land twenty (20) feet wide, the westerly line of said strip being the easterly line of said perpetual thirty (30) foot easement, and also a strip of land ten (10) feet wide, the easterly line of said strip being the westerly line of said perpetual thirty (30) foot easement.

Said temporary construction easements contain 0.74 acres more or less, and will become null and void at the time that the project contractor's one year contractual warranty expires.

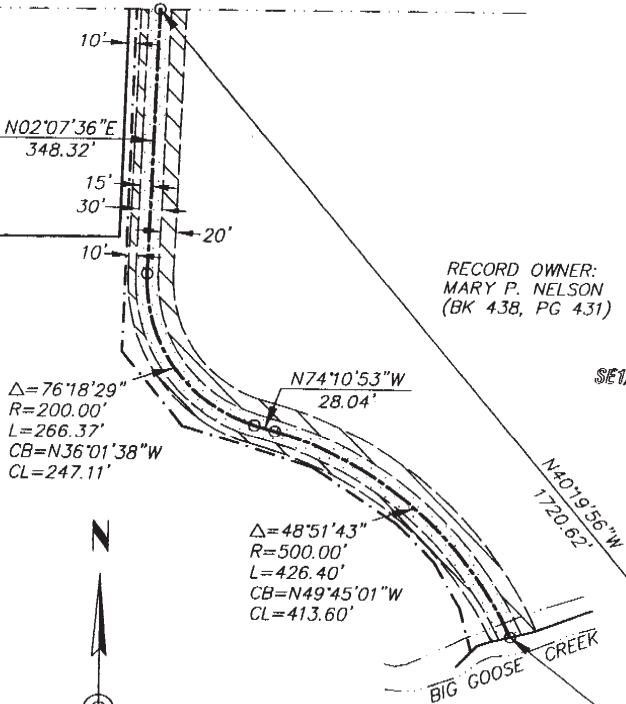
Basis of Bearings is Wyoming State Plane (East Central Zone).

BIG GOOSE ROAD (A.K.A. STATE HWY No. 331)



RECORD OWNER:
MARY P. NELSON
(BK 438, PG 431)

SE1/4SE1/4



SCALE: 1"=200'
DATUM: NAD 83(1993), NAVD 88 (U.S. FEET)
PAF: 1.00025
BASIS OF BEARING IS
WYOMING STATE PLANE (EAST CENTRAL ZONE)

LEGEND:

- ◆ FOUND 1-1/2" ALUMINUM CAP PER PLS 2615
- CALCULATED, NOTHING FOUND, NOTHING SET
- (R) RECORD
- (M) MEASURED
- SECTION LINE
- - - INTERIOR SECTION LINE
- PROPERTY LINE
- HIGHWAY RIGHT-OF-WAY LINE
- CL OF ACCESS ROAD EASEMENT 20' WIDE (BK. 454, PG. 32)
- CENTERLINE WATER LINE EASEMENT
- 30' WATERLINE EASEMENT(±0.74 ACRES)
- TEMPORARY CONSTRUCTION EASEMENT(±0.74 ACRES)

SURVEYOR'S CERTIFICATE

STATE OF WYOMING : ss
COUNTY OF SHERIDAN

I, RONALD W. PRESTFELDT, A DULY REGISTERED LAND SURVEYOR IN THE STATE OF WYOMING, DO HEREBY STATE THAT THIS PLAT REPRESENTS THE RESULTS OF A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION.

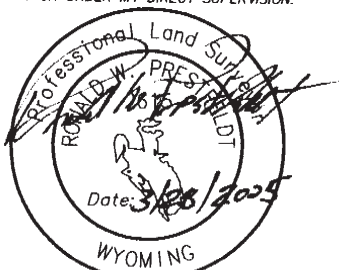


EXHIBIT "B"
EASEMENT FOR
20" WATER LINE

CLIENT: HKM ENGINEERING
LOCATION: SE1/4SE1/4, SECTION 8,
T 55 N, R 85 W, 6TH P.M.,
SHERIDAN COUNTY, WYOMING.



PO BOX 3082 307-672-7415
SHERIDAN, WY 82801 FAX 674-5000

JN: 2003035
DF: SAWP\HKM-2004\
2003035E09A
MARCH 28, 2005

"PLAT IS VALID ONLY IF PRINT HAS
ORIGINAL SIGNATURE OF SURVEYOR SIGNED AND DATED"