

RW-1782

WHEN RECORDED PLEASE RETURN TO:

SHELL MINING CO.
LAND DEPARTMENT
RM.

P. O. BOX 2906
HOUSTON, TEXAS 77252

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

This Instrument involves the conveyance of two (2) easements. The conveyance of the first easement (Tract I) is from Shell Mining Company, a subsidiary of Shell Oil Company and the successor to Grantor's interest in the described land of Tract I, to Anna Pilch, Trustee Under Trust Agreement dated July 23, 1985. Joseph S. Pilch and Anna Pilch originally conveyed this same tract of land to Shell Mining Company, and Shell desires to reconvey same to Anna Pilch, Trustee under Trust Agreement dated July 23, 1985. The second easement (Tract II) will be a conveyance of a new easement from Anna Pilch, Trustee Under Trust Agreement dated July 23, 1985 to Shell Mining Company that will contain much of the same land which was contained in the prior easement held by Shell Oil Company.

TRACT I

That Shell Mining Company, a Delaware Corporation authorized to do business in the State of Wyoming, whose address is P. O. Box 2906, Houston, Texas 77252, hereinafter designated "Grantor," for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations in hand paid by Anna Pilch, Trustee Under Trust Agreement dated July 23, 1985, Birney Star Route, Sheridan, Wyoming 82801, hereinafter designated "Grantee," whether one or more, receipt of which is hereby acknowledged, does hereby GRANT AND CONVEY into Grantee, her heirs, successors, and assigns, the permanent right-of-way and easement for railroad purposes previously conveyed to Grantor by Grantee over, upon, in, and across the following described lands situated in Sheridan County, Wyoming, to-wit:

That parcel of land situated in the Northwest quarter of the Northeast quarter of Section 9, T57N-R83W, Sixth Principal Meridian, Sheridan County, Wyoming, more particularly described as follows:

Starting at the Southwest corner of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 9, being the true point of beginning; thence N 00° 44' 16"E along the west line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 9 a distance of 120.65 feet to a point on the centerline of the Shell Mining Company Crow Coal Lease Spur Tract Railroad at centerline station 112+49.45; thence continuing N 00° 44' 16"E along the west line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 9, a distance of 286.04 feet, to a point on the northerly right-of-way line of said Shell Mining Company Spur Tract 225 feet right of centerline station 114+16.40; thence along said right-of-way line and along the arc of a 2135.08 foot radius curve to the right, a distance of 18.34 feet, said curve having a central angle of 0°29'31" and a long chord which bears S 53°18'41"E a distance of 18.34 feet to a point 225 feet right of centerline station 114+00; thence S10°10'45"E along said right-of-way line, a distance of 74.50 feet to a point 175 feet right of centerline station 113+50; thence along said right-of-way line and along the arc of a 2085.08 foot radius curve to the right, a distance of 218.34 feet, said curve having a central angle of 06°00' 00" and a long chord which bears S 48°34'34"E a distance of 218.25 feet, to a point 175 feet right of centerline station 111+50; thence S 32°54'23"E along said right-of-way line, a distance of 216.45 feet to a point on the south line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 9; thence N 89°18'50"W along the south line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 9, a distance of 186.73 feet to the centerline of said Shell Mining Company Spur Tract at centerline station 110+73.77; thence continuing N 89°18'50"W along the south line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 9, a distance of 127.66 feet to the true point of beginning.

containing 1.46 acres, more or less.

All bearings based on Wyoming State Plane System, East Central Zone.

TRACT II

That Anna Pilch, Trustee Under Trust Agreement dated July 23, 1985, Birney Star Route, Sheridan, Wyoming 82801, hereinafter designated "Grantor," whether one or more, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations in hand paid by Shell Mining Company, a Delaware corporation authorized to do business in the State of Wyoming, whose address is P. O. Box 2906, Houston, Texas 77252, hereinafter designated "Grantee," receipt of which is hereby acknowledged, does hereby GRANT AND CONVEY unto

Grantee, its successors, and assigns, a permanent right-of-way and easement for railroad purposes over, upon, in, and across the following described lands situated in Sheridan County, Wyoming, to-wit:

(SEE EXHIBIT "A" ATTACHED HERETO
AND MADE A PART HEREOF)

together with the right of ingress and egress and the right, power, and privilege of constructing, maintaining, altering, replacing, moving, removing, repairing, improving, and using a railroad, together with all necessary bridges and other appurtenances, upon and across the above described lands. A plat showing the specific location of the permanent right-of-way and easement herein conveyed is attached hereto as Exhibit "B."

Grantee, its successors, assigns, servants, agents, employees, licensees, and invitees shall have the full, free, and exclusive right and privilege to travel upon, pass and repass along, and use said railroad to any lawful manner, including the transportation of persons, materials, supplies, and commodities, including coal. Nothing herein contained shall obligate Grantee to construct a railroad hereunder.

To have and to hold unto Grantee, its successors, and assigns, the right-of-way easement, rights, and privileges herein granted and conveyed.

The terms and provisions hereof shall be binding upon and inure to the benefit of the heirs, devisees, personal representatives, successors, and assigns of the parties hereto,

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it being understood that Grantee may assign the right-of-way and easement and other rights herein granted without the consent of Grantor.

IN WITNESS WHEREOF, this instrument is duly signed as of the 27th day of November, 1985.

Anna Pilch
ANNA PILCH, Trustee Under
Trust Agreement dated
July 23, 1985

SHELL MINING COMPANY

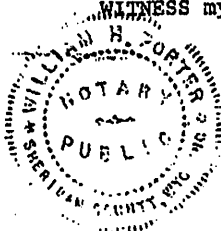
BY: R. M. Rice
R. M. Rice
Attorney-in-Fact
MR

STATE OF WYOMING
COUNTY OF SHERIDAN

§
§
§

The foregoing instrument was acknowledged before me this
27th day of November, 1985, by ANNA PILCH, Trustee
Under Trust Agreement dated July 23, 1985.

WITNESS my hand and official seal.



William H. Porter
Notary Public in and for
said County and State,
residing at Sheridan,
Wyoming

My Commission Expires:

Aug 5, 1986

STATE OF TEXAS
COUNTY OF HARRIS

§
§
§

Before me, the undersigned authority, on this date
personally appeared R. M. Rice, a person known to me, and the
duly authorized Attorney-in-Fact for Shell Mining Company, and
acknowledged to me that he signed the foregoing instrument on
behalf of said corporation for the purposes and considerations
therein expressed.

Sworn to and subscribed before me the undersigned notary
public on this the 21st day of November, 1985.



Mary Anna Taylor
Notary Public in and for
Texas

My Commission Expires:
MARY ANNA TAYLOR
Notary Public in and for the State of Texas
My Commission Expires October 17, 1989

EXHIBIT "A"

A 1.429 acre tract of land out of and a part of the NW4 of the NE4 of Section 9, T57N, R83W, 6th P.M., Sheridan County, Wyoming and being described as follows:

COMMENCING FOR REFERENCE at the N4C of said Section 9, same being a brass cap stamped "1/4 4/9, T57N, R83W, LS537", said brass cap having modified coordinate values of Y = 353,142.87, X = 2,679,975.44;

THENCE, southerly along the west line of said NW4 of the NE4 of Section 9, South 00° 58' 30" East a distance of 972.88 feet to a 5/8-inch rebar with aluminum cap stamped "LS529" set for the POINT OF BEGINNING of the herein described tract;

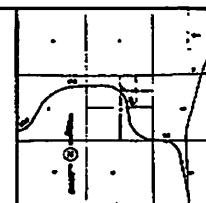
- (1) THENCE, South 43° 19' 46" East a distance of 500.82 feet to a 5/8-inch rebar with aluminum cap stamped "LS529" set for corner in the south line of said NW4 of the NE4 of Section 9;
- (2) THENCE, South 89° 12' 21" West, at a distance of 203.87 feet passing the railroad centerline at station 110+82.27, a total distance of 337.41 feet to a 5/8-inch rebar with aluminum cap stamped "LS529" set for the SWC of said NW4 of the NE4 of Section 9;
- (3) THENCE, northerly along the aforementioned west line of the NW4 of the NE4 of Section 9, North 00° 58' 30" West, at a distance of 124.76 feet passing the railroad centerline at station 112+65.37, a total distance of 369.03 feet to the POINT OF BEGINNING and containing 1.429 acres of land; including any narrow strip or small parcel of land contiguous to or adjoining the land above described and owned or claimed by Grantor and intended to be included herein.

All bearings and coordinates herein are referenced to a modified Montana State Plane Coordinate System, South Zone. The coordinates are modified from Shell Oil Company monument "PP50" (brass cap) having state plane coordinate values of Y = 378,473.68, X = 2,631,415.67. All distances shown are surface.

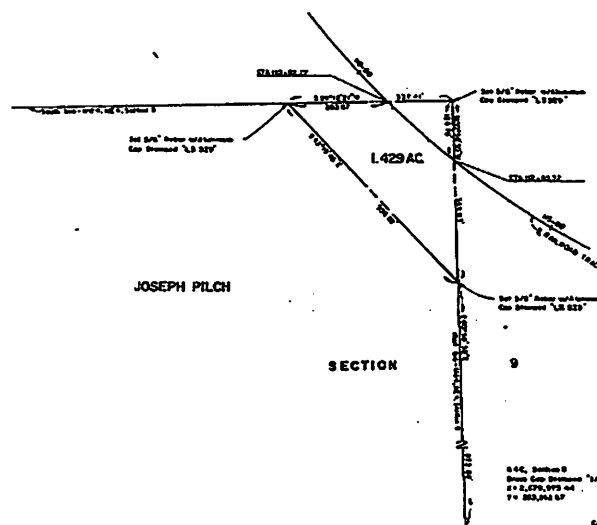
NS8521308

EXHIBIT "B"

N



KEY MAP



SECTION

SEE SHEET 2
 FROM THE BEARING "S 40° 0' 00" E, 1070.00' DISTANCE"
 TO 2470.00' DISTANCE
 TO 2470.00' DISTANCE

CORNER OF SECTION

I, DAVID W. SHAW, A duly registered land surveyor in the State of Wyoming, do hereby certify that, to the best of my knowledge, this diagram accurately represents a survey performed by me, or under my direct supervision.

DAVID W. SHAW SURVEYOR L.S. 500

ALL TIES TO THE NEARBY CORNERLINE AS SHOWN HEREON ARE EITHER REPLACEMENTS OR REMAINS.

THE COORDINATES AND BEARINGS SHOWN HEREON ARE REFERENCED TO A MODIFIED MONTANA STATE PLANE COORDINATE SYSTEM, NORTH ZONE. THE COORDINATES ARE REPORTED FROM SHELL, WY. CO. MONUMENT "7950" (BRASS CAPSTONE) STATE PLANE COORDINATE VALUES OF 10,000,000.00, 10,000,000.00. ALL DISTANCES SHOWN ARE HORIZONTAL DISTANCES. SCALE FACTOR: 0.999994.

SHELL OIL COMPANY	
WINDING	
RAIL SERVICE TO WINE SITE	
GROSS INDIAN RESERVATION	
BIG HORN COUNTY, MONTANA	
RAILROAD RIGHT-OF-WAY	
JOSEPH PILCH, TRACT 7	
MICHAEL BAKER, JR., INC. - ENGINEERS & SURVEYORS	
DATE	10/1/00
BY	DAVID W. SHAW
CHECKED	DAVID W. SHAW
SCALE	1"=100'
SHEET	1 OF 1