

**MONTANA-DAKOTA UTILITIES CO.  
ELECTRIC AND GAS LINE EASEMENT**

THIS EASEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2020, between MONTANA-DAKOTA UTILITIES CO., A SUBSIDIARY OF MDU RESOURCES GROUP, INC., a corporation, 400 North Fourth Street, Bismarck, North Dakota 58501, hereinafter called "COMPANY," its successors and assigns, and the following named persons, herein, whether singular or plural, called "OWNER," namely:

Tract 1 & Tracts 3-8, Eisele Turf Estates  
**John E. Rice and Sons, Inc.**  
168 Decker Road  
Sheridan, Wyoming 82801

Tract 2, Eisele Turf Estates  
**Brian A. MacCarty & Julie A. MacCarty**  
P.O. Box 948  
Sheridan, Wyoming 82801

WITNESSETH, that for valuable considerations received, OWNER does hereby grant, bargain, sell and convey unto COMPANY, its successors and assigns, an easement on the hereinafter described lands, together with the right to construct, reconstruct, operate, maintain, repair, remove and replace gas lines, including necessary pipes, poles, and fixtures, and overhead or buried or semiburied electric distribution system, street lighting system, or any combination thereof including the necessary cables, pedestals, transformers, transformer bases and other fixtures and apparatus in connection therewith through, over, under, and across the following described real estate, situated in the City of Sheridan, State of Wyoming, namely:

**An electric and gas line easement already being a Waterline & Sewer Easement as shown on and situated in Eisele Turf Estates to the City of Sheridan, Recorded, October 9, 2018 in Plat Book "E", Page Number "25" in the Sheridan County Courthouse, Sheridan, Wyoming. The electric and gas line easement is described in a Legal Description (EXHIBIT "A") attached hereto and by this reference made a part hereof.**

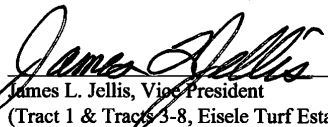
OWNER agrees not to build, create or construct or permit to be built, created, or constructed, any obstruction, building, engineering works or other structures over, under, or that would interfere with said COMPANY'S rights hereunder.

OWNER hereby grants to COMPANY, its successors and assigns, the right at all reasonable times to enter upon said premises for the purpose of laying, constructing, maintaining, operating, replacing, repairing or removing said lines and for the purpose of doing all necessary work in connection therewith.

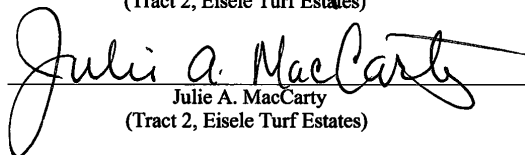
COMPANY by the acceptance hereof, hereby agrees that it will pay any and all damages that may result, including crops, fences, buildings and improvements on said premises, caused by constructing, maintaining, repairing, operating, replacing or removing said lines. The damages, if not mutually agreed upon, may be determined by three disinterested persons, one to be selected by COMPANY and one by OWNER; these two shall select the third person. The award of these three persons shall be final and conclusive.

Lands are in the State of Wyoming, OWNER does hereby release and waive all rights under and by virtue of the homestead exemption laws of that state.

IN WITNESS WHEREOF, OWNER has executed this easement as of the day and year first above written.

  
James L. Jellis, Vice President  
(Tract 1 & Tracts 3-8, Eisele Turf Estates)

  
Brian A. MacCarty  
(Tract 2, Eisele Turf Estates)

  
Julie A. MacCarty  
(Tract 2, Eisele Turf Estates)

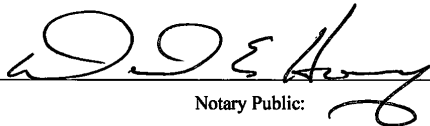
STATE OF WYOMING)  
: ss  
COUNTY OF SHERIDAN)

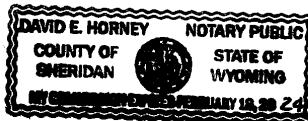
On this the 16<sup>th</sup> day of July, 2020, before me personally appeared: James L. Jellis, Brian A. MacCarty and Julie A. MacCarty, known to me, or satisfactorily proved to be the person or persons described in and who executed the above and fore going instrument and acknowledged to me that they executed the same.

(THIS SPACE FOR RECORDING DATA ONLY)



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FEES: \$15.00 SM EASEMENT  
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK

  
Notary Public:



SEAL

My commission Expires 18 Feb 2024

WO \_\_\_\_\_ TRACT NO \_\_\_\_\_ LRR NO \_\_\_\_\_

## LEGAL DESCRIPTION EXHIBIT "A"

**Re: Electric & Gas Line Easement to Montana-Dakota Utilities Co. a Subsidiary of MDU Resources Group, Inc., and or any of their respective successors and assigns.  
July 10, 2020**

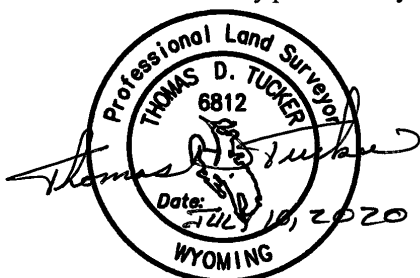
An electric and gas line easement already being a Waterline & Sewer Easement as shown on and situated in Eisele Turf Estates to the City of Sheridan, Recorded, October 9, 2018 in Plat Book "E", Page Number "25" in the Sheridan County Courthouse, Sheridan, Wyoming; said electric and gas line easement being more particularly described as follows:

**BEGINNING** at the northern-most corner of Tract 1, Eisele Turf Estates; thence S75°11'30"E, 59.58 feet along the northeasterly line of said Eisele Turf Estates to a point; thence, along said northeasterly line through a non-tangent curve to the right, having a central angle of 52°47'28", a radius of 230.00 feet, an arc length of 211.92 feet, a chord bearing of S48°47'44"E, and a chord length of 204.50 feet to a point; thence S22°23'58"E, 121.80 feet along said northeasterly line to a point, said point being the northeast corner of Tract 2; Eisele Turf Estates; thence, continue S22°23'58"E, 34.94 feet along said northeasterly line to a point; thence N67°36'02"E, 29.80 feet along said northeasterly line to a point; thence S22°22'10"E, 307.47 feet along said northeasterly line to a point, said point being the southeast corner of said Tract 2; thence, continue S22°22'10"E, 748.42 feet along said northeasterly line to a point; thence S68°37'09"W, 9.70 feet along said northeasterly line to a point; thence, along said northeasterly line through a non-tangent curve to the right, having a central angle of 07°18'51", a radius of 5772.47 feet, an arc length of 736.90 feet, a chord bearing of S18°39'33"E, and a chord length of 736.40 feet to a point; thence S14°56'04"E, 68.91 feet along said northeasterly line to a point; thence S75°03'56"W, 30.00 feet along said northeasterly line to a point; thence S14°56'04"E, 235.90 feet along said northeasterly line to a point, said point being the southern-most point of said Eisele Turf Estates and lying on the northeasterly right-of-way line of Interstate 90; thence N53°43'25"W, 157.99 feet along said northeasterly right-of-way line of Interstate 90 to a point; thence N10°28'06"W, 488.81 feet (Record 488.85') to a point; thence N15°08'42"W, 423.41 feet to a point; thence N16°49'10"W, 100.26 feet to a point; thence N22°22'10"W, 648.41 feet to a point, said point lying on the southerly line of said Tract 2; thence, continue N22°22'10"W, 208.62 feet to a point; thence N39°08'58"W, 103.21 feet to a point; thence N22°23'58"W, 32.64 feet to a point, said point lying on the northerly line of said Tract 2; thence, continue N22°23'58"W, 124.11 feet to a point; thence, through a non-tangent curve to the left, having a central angle of 52°47'27", a radius of 185.00 feet, an arc length of 170.45 feet (Record 170.5'), a chord bearing of N48°47'44"W, and a chord length of 164.49 feet (Record 164.5') to a point; thence N75°11'30"W, 62.81 feet to a point, said point lying on the westerly line of said Tract 1, Eisele Turf Estates and the easterly right-of-way line of North Main Street; thence, along said westerly line of said Tract 1, Eisele Turf Estates and said easterly right-of-way line of North Main Street through a non-tangent curve to the left, having a central angle of 01°59'19", a radius of 1300.00 feet, an arc length of 45.12 feet, a chord bearing of N18°54'44"E, and a chord length of 45.12 feet to the **POINT OF BEGINNING** of said electric and gas line easement.

Said electric and gas line easement contains 3.48 acres of land, more or less.  
Bearings are Based on Eisele Turf Estates.

### SURVEYOR'S STATEMENT

I, Thomas D. Tucker, do hereby state that this legal description was prepared from notes taken during an actual field survey performed by me or under my direct supervision.



Modification in any way of the above or foregoing legal description terminates liability of surveyor.

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FEES: \$15.00 SM EASEMENT  
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK

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### **NO. 2020-760100 EASEMENT**

EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK  
PRESTFELDT SURVEYING 2340 WETLANDS DR  
SHERIDAN WY 82801