

CERTIFIED COPY

RECORDED JANUARY 26, 2000 BK 412 PG 240 NO 337922 AUDREY KOLTISKA, COUNTY CLERK  
IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT  
FOR SHERIDAN COUNTY, WYOMING

HUSMAN, INC., a corporation, )  
HAROLD H. HUSMAN and LeROY O. )  
HUSMAN, )  
 )  
Plaintiffs, )  
 )  
vs. )  
 )  
P K RANCH, INC., a corporation )  
and EATON BROS., INC., a corpor- )  
ation, )  
 )  
Defendants. )

Civil No. C136-3-80

Filed In the Office of the Clerk of the  
District Court of Sheridan County, Wyo.

MAY 8 1980

DORIS KOBOLD Clerk of Court  
By *Julie Belk* Deputy

O R D E R

83-551-353  
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The above entitled matter coming before the Court for hearing this 16th day of April, 1980, pursuant to previous setting, the plaintiff appearing by and through its corporate representatives and its attorney, Houston G. Williams, the defendant P K Ranch, Inc. appearing by and through its corporate representatives and its attorneys, Henry A. Burgess, and Rebecca W. Thomson, and the defendant Eaton Bros., Inc. appearing through its corporate representatives and by and through its attorney, Robert E. Holdstedt, and the parties announcing themselves ready for trial and the Court having heard the witnesses of the parties and the argument of counsel and being fully advised in the matter finds generally in favor of the plaintiffs Husman, Inc., Harold H. Husman and LeRoy O. Husman and against the defendants and finds that the plaintiffs have the right to make the appropriation sought by their complaint as filed herein; that plaintiffs have been unable to agree with the defendants as to the compensation to be paid for the taking of the property which is the subject matter of this action; that the plaintiffs have shown the necessity of the appropriation for the property which is the subject matter of this action. The Court further finds that the proceedings have been held in accordance with the law and are in all ways regular and

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proper, and that the defendants P K Ranch, Inc. and Eaton Bros., Inc. are the owners of the property which is the subject matter of this action and that plaintiffs have sustained the material allegations of their complaint herein.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

1. That plaintiff, Husman, Inc., a Wyoming corporation, is qualified to do business in this State and is engaged in, among other things, the business of furnishing limestone products from a quarry located upon the real property of plaintiffs Harold H. Husman and LeRoy O. Husman by mining, and desires a mine truck haul road easement for such purposes across the lands of defendants, and that the said plaintiffs have the power of eminent domain under the applicable statutes of the State of Wyoming and are entitled to condemn an easement for the construction, operation and maintenance of a mine truck haul road across the lands described as follows:

Defendant P K Ranch, Inc.:

Township 55 North, Range 86 West, 6th P.M.  
Section 15: S $\frac{1}{2}$ SW $\frac{1}{4}$   
Sheridan County, Wyoming

Defendant Eaton Bros., Inc.:

Township 55 North, Range 86 West, 6th P.M.  
Section 16: SE $\frac{1}{4}$ SE $\frac{1}{4}$   
Sheridan County, Wyoming

Said right of way required is 60 feet in width extending across the above described lands 30 feet on each side of and along a line described as follows:

Upon the lands of defendant, P K Ranch, Inc.:

Beginning at a point on the west line of Section 15, Township 55 North, Range 86 West, said point being located North 4°26' West, 600 feet from the southwest corner of said Section 15; thence South 61° East, 450 feet; thence South 75° East, 550 feet; thence North 49° East, 550 feet; thence North 69° East, 720 feet; thence South 70° East, 530 feet, more or less, to a point in the P K Lane County road.

Upon the lands of defendant, Eaton Bros., Inc.:

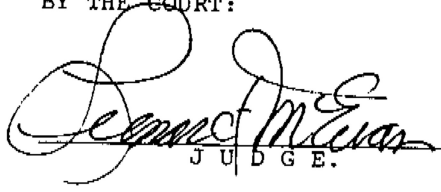
Beginning at a point on the east line of Section 16, Township 55 North, Range 86 West, said point being located North 4°26' West, 600 feet from the Southeast corner of said Section 16; thence South 78° West, 875 feet; thence South 52° West, 275 feet; thence South 5° West, 200 feet, more or less, to the South line of said Section 16.

2. That in accordance with plaintiffs' complaint, plaintiffs are entitled to immediate possession of the property being condemned to the extent set forth above, and the plaintiffs are hereby permitted to take possession of the property being condemned and use said property during the pendency of and until final conclusion of these proceedings for the surveying, planning and construction of a mine truck haul road upon payment into Court or upon the giving of approved surety in the sum of \$15,000.00 for the condemnation of defendant P K Ranch, Inc.'s property and in the sum of \$15,000.00 for the condemnation of defendant Eaton Bros., Inc.'s property.

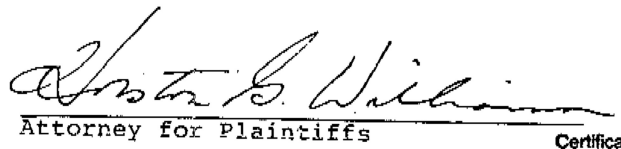
3. That plaintiffs shall obtain the requisite permits from the Department of Environmental Quality of the State of Wyoming for their operations above described.

DATED this 8th day of May, 1980.

BY THE COURT:

  
J U D G E.

APPROVED AS TO FORM:

  
Attorney for Plaintiffs

Certificate of Clerk of the District Court. The above is a true and correct copy of the original instrument which is on file or of record in this court.

Attorney for P K Ranch, Inc.

Done this 21 day of January, 2000.  
DORIS KOBOLD Clerk  
By Lela J. Chapman Deputy

Attorney for Eaton Bros., Inc.