

EASEMENT FOR WATER LINE FROM NEALS & WATER SERVICE LOCATIONS FROM TOWN

586

For the Valuable Consideration recited below on this 2 day of July, 2009, the undersigned members of the Neal Family, as Grantors, grant and convey to the Town of Ranchester, Sheridan County, Wyoming, as Grantee, an easement and right-of-way upon, across and under the real property generally described as follows:

Across Lot 23 in Five Mile Subdivision owned by Lyle M. Neal and Dianna Neal as shown on the attached Exhibit A and Exhibit B

Across Lot 22 in Five Mile Subdivision owned by Claren Neal and Melvin C. Neal as shown on the attached Exhibit A and Exhibit B

Across Lot 21 in Five Mile Subdivision owned by James A. Neal as shown on the attached Exhibit A and Exhibit B

Across Melvin C. Neals' unplatted acreage running parallel to & North of historic U.S. Highway 14 owned by Claren Neal and Susan Neal Graham as shown on the attached Exhibit A and Exhibit B.

As Valuable Consideration for the 42.0' Easement for Water Line being granted to the Town of Ranchester by the Neals, the Town of Ranchester agrees to install a total of four tapped saddles on the town water line for the Neals. Said saddles will be installed at the time of the town water line construction. Each tapped saddle will have a 1 inch plug in it and will be GPSed located on a map for the Neals. The locations of the four tapped saddles will be: two of the saddles will be approximately side by side on the boundary line between lots 22 and 23, and the other two saddles will be approximately side by side on the boundary line between lot 21 and Neals' unplatted acreage running parallel to & North of historic U.S. Highway 14.

As further Valuable Consideration, the Town as Grantee agrees to restore as may be appropriate any or all of the following: the surface to as near as practical to the original contours, to re-establish grass or crop growth, to fill and re-compact any trench settlement, to repair any fences, to repair other existing utilities that were disturbed, and to reset, replace or repair any affected surface improvements such as pavement, sidewalks, drains, signs, etc. This surface restoration requirement shall continue for 2 years from the date the line is completed and accepted by the Town as "finished".

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650107 EASEMENT
BOOK 508 PAGE 0586
RECORDED 08/27/2009 AT 02:55 PM
AUDREY KOLTISKA, SHERIDAN COUNTY CLERK

ORIGINAL

For clarification and public notice, this 42.0' Easement for Water Line granted to the Town of Ranchester by the Neals overlays certain existing underlying right-of-ways and/or easements that have already been legally acquired. Those certain underlying rights-of-way and/or easements which are existing and recorded are: a 20' Montana Dakota Utilities Easement, a 12' U.S. West Easement, and a 10' sewer line easement. Those 3 existing easements total 42.0 feet in width and constitute the underlying base for this 42.0' Easement for Water Line to the Town. The Neals are not expanding or enlarging any of those existing underlying rights-of-way and/or easements now held by M.D.U., U.S. West, or the sewer line. Likewise this Water Line Easement to the Town of Ranchester cannot be expanded to include other utilities nor can it be used for anything other than the Town's water system. The Grantors expressly prohibit the Town from transferring this Easement for Water Line to any other party, person or entity.

This Easement for Water Line does not restrict, diminish or impede in any way the Grantors right to access all of their property at all times and for all purposes or to otherwise exercise that right in any way beneficial to the Grantors.

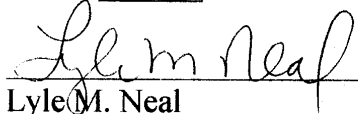
This Water Easement granted to the Town of Ranchester permits it as the Grantee, its employees, its agents, and its contractors to enter upon and use the premises described and shown on the Exhibits for the construction, maintenance, repair, and removal of their underground water lines.

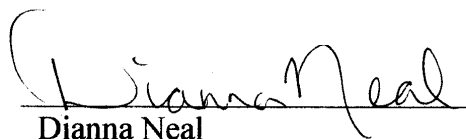
The Neal Family as the Grantors shall be held harmless from any legal actions or claims of any kind, nature or description that involve this Easement to the Town of Ranchester or its use by the Town as Grantee.

This Easement is permanent, runs with the land and title thereto, and is binding on all parties, their heirs, successors, and assigns.

GRANTORS:

Across Lot 23 in Five Mile Subdivision


Lyle M. Neal


Dianna Neal

588

Across Lot 22 in Five Mile Subdivision

Claren Neal
Claren Neal

Melvin C Neal
Melvin C. Neal

Across Lot 21 in Five Mile Subdivision

James A Neal
James A. Neal

Across Melvin C. Neals' unplatted acreage

Claren Neal
Claren Neal

Susan Neal Graham
Susan Neal Graham

GRANTEE:

The Town of Ranchester, a proper Wyoming municipality, in Sheridan County, Wyoming, acting in its official capacity: agrees to perform as promised in the above Easement document, approves of this Easement contract, and accepts this Easement as favorable to the Town's interests.

TOWN OF RANCHESTER

by Chf Claveng
Mayor, authorized officer

Attested to:

by Gen D. L. Loya
City Clerk

State of Montana
County of Yellowstone

On this 2 day of July, 2009, before me, the undersigned, a Notary Public for the State of Montana, personally appeared Claren Neal and James A. Neal, known to me to be the persons whose names are subscribed to the above Easement and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.



Anthony Mancini
Notary Public for the State of Montana

(print Notary's name)

Residing at Billings, Montana

My Commission expires Sept 02 2012

State of Montana
County of Big Horn

On this 2 day of July, 2009, before me, the undersigned, a Notary Public for the State of Montana, personally appeared Lyle M. Neal, Dianna Neal, and Susan Neal Graham, known to me to be the persons whose names are subscribed to the above Easement and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.



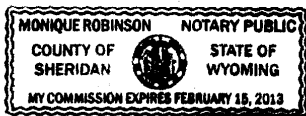
Billie D. Wilson
Notary Public for the State of Montana
Billie D. Wilson
(print Notary's name)
Residing at Wyola, Montana
My Commission expires January 1, 2012

State of Wyoming
County of Sheridan

On this 2nd day of July, 2009 before me, the undersigned, a Notary Public for the State of Wyoming, personally appeared Melvin C. Neal, known to me to be the person whose name is subscribed to the above Easement and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.

(Notarial Seal)



Monique Robinson
Notary Public for the State of Wyoming
MONIQUE ROBINSON
(print Notary's name)
Residing at Ranchester, Wyoming
My Commission expires 2/15/2013

State of Wyoming
County of Sheridan

On this 2 day of July,, 2009 before me, the undersigned, a Notary Public for the State of Wyoming, personally appeared the Mayor of the Town of Ranchester and the City Clerk of the Town of Ranchester, both known to me to be the town officials whose names are subscribed to the above Easement & Service Locations Document and acknowledged to me that they signed for & on behalf of the Town of Ranchester with full authority to do so.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.

(Notarial Seal)



Kathie Stevens
Notary Public for the State of Wyoming
Kathie Stevens
(print Notary's name)
Residing at Ranchester, Wyoming
My Commission expires 3-28-10

Attachments incorporated in this Easement for Water Line and attached hereto:
Exhibits A and B (8 pages)

5MileSb3.RoW

EXHIBIT "A"

Record Owners: Lyle M. Neal & Dianna Neal
April 25, 2009

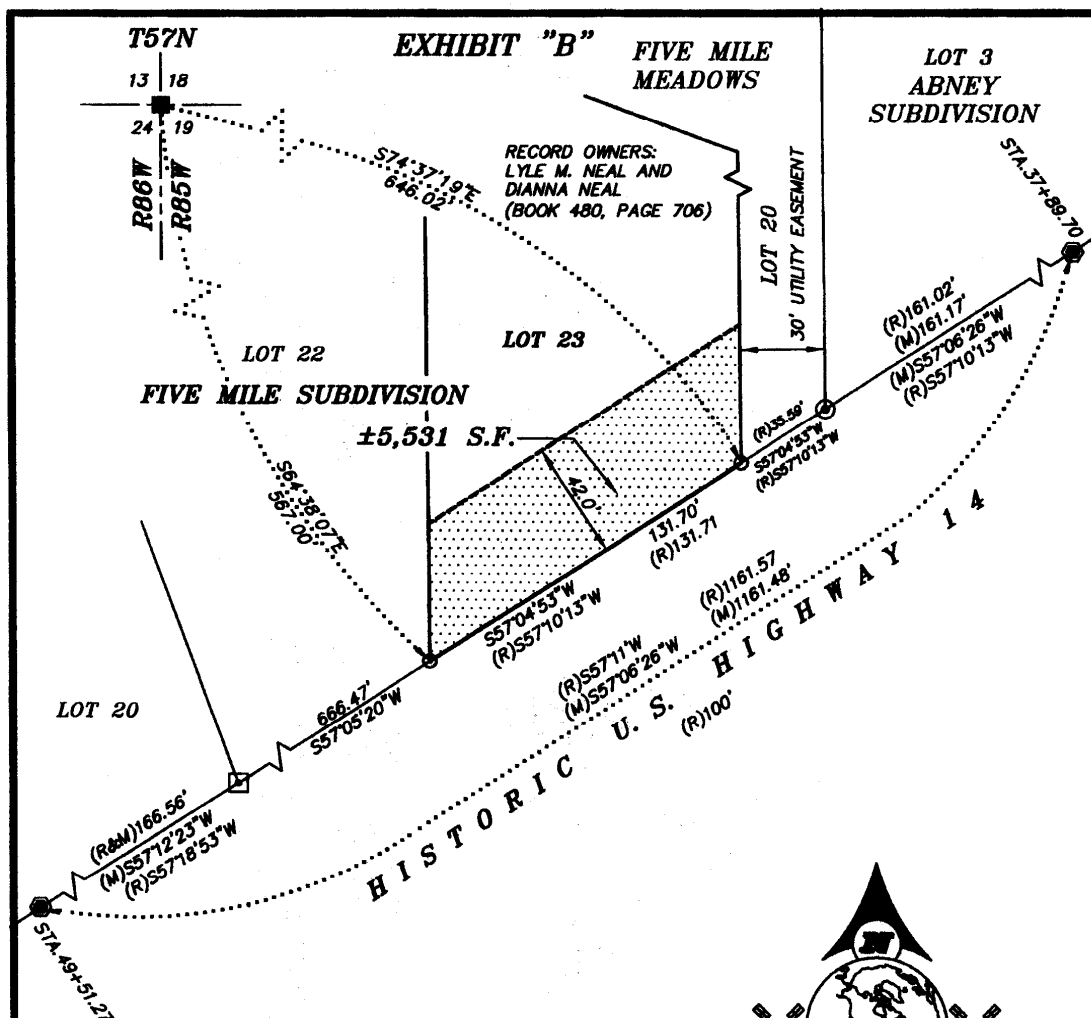
Re: 42.0' Utility Easement to the Town of Ranchester

A utility easement being a strip of land forty two (42) feet wide when measured at right angles, situated in Lot 23, Five Mile Subdivision, Town of Ranchester, Sheridan County, Wyoming, as shown on **EXHIBIT "B"** attached hereto and by this reference made a part hereof; the southerly line of said strip being more particularly described as follows:

Commencing at the northwest corner of Section 19, Township 57 North, Range 85 West, 6th P.M., (Monumented with a 3¼" Aluminum Cap per PLS 6594); thence S74°37'19"E, 646.02 feet to the **POINT OF BEGINNING** of said easement, said point being the southeast corner of said Lot 23; thence S57°04'53"W, 131.70 feet along said southerly line of said strip and said southerly line of said Lot 23 to the **POINT OF TERMINUS** of said easement, said point being the southwest corner of said Lot 23, and being S64°38'07"E, 567.00 feet from said northwest corner of Section 19. Lengthening or shortening the side line of said easement to intersect said boundary lines.

Said utility easement contains 5,531 square feet of land, more or less, and is subject to any right-of-way and or easements, reservations and encumbrances which have been legally acquired.

Bearings are Based on the Wyoming Coordinate System, NAD 1983, East Central Zone.



SCALE: 1"=50'

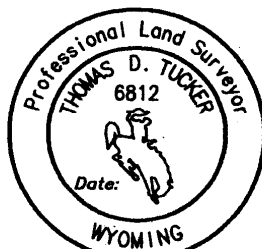
BEARINGS ARE BASED ON THE
WYOMING COORDINATE SYSTEM
NAD 1983, EAST CENTRAL ZONE
DATUM: NAD 83(1983), NAVD 88 (U.S. SURVEY FEET)
DAF: 1.00024
DISTANCES ARE SURFACE

LEGEND:

SURVEYOR'S CERTIFICATE

STATE OF WYOMING : ss
COUNTY OF SHERIDAN

I, THOMAS D. TUCKER, 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.



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

PRELIMINARY

EXHIBIT "B" **42.0' UTILITY EASEMENT**

CLIENT: THE TOWN OF RANCHESTER
LOCATION: LOT 23, FIVE MILE SUBDIVISION,
TOWN OF RANCHESTER, SHERIDAN COUNTY,
WYOMING

RESTFELDT
SURVEYING

PO BOX 3082
SHERIDAN, WY 82801
307-672-7415
FAX 874-5000

JN: 28001
DN: 2008/2008001DET
PF: T2008001
APRIL 22, 2008

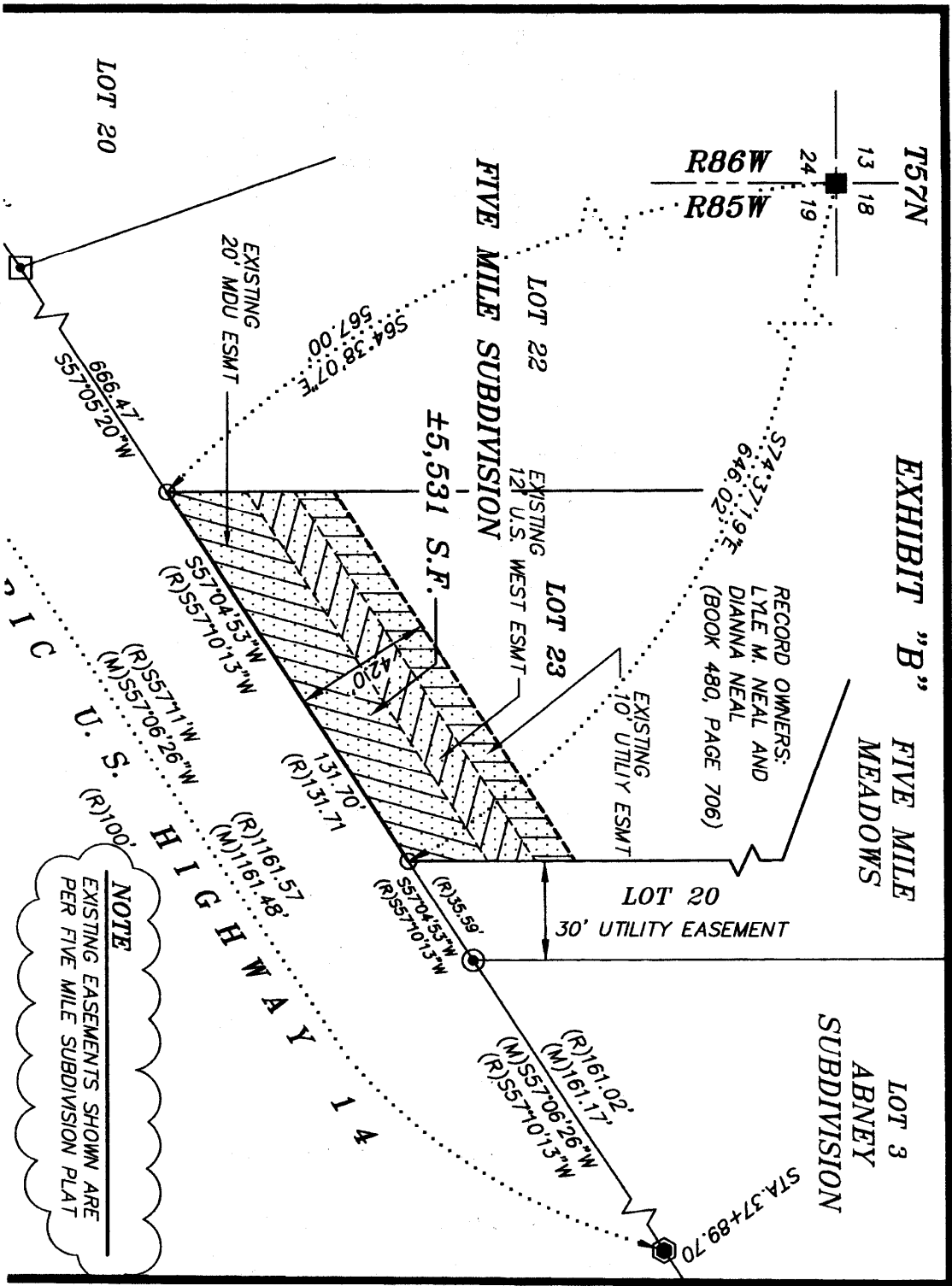


EXHIBIT "A"

Record Owners: Claren Neal & Melvin C. Neal
April 25, 2009

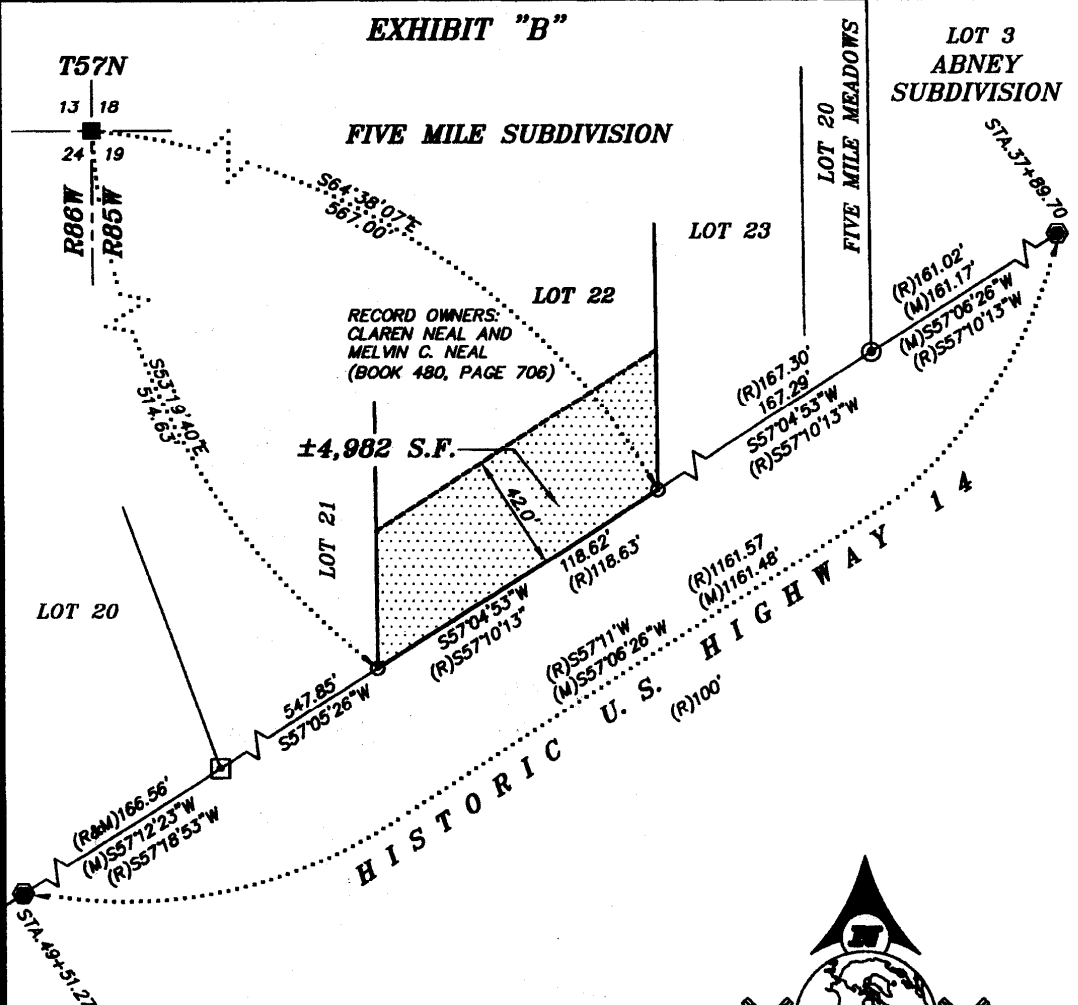
Re: 42.0' Utility Easement to the Town of Ranchester

A utility easement being a strip of land forty two (42) feet wide when measured at right angles, situated in Lot 22, Five Mile Subdivision, Town of Ranchester, Sheridan County, Wyoming, as shown on **EXHIBIT "B"** attached hereto and by this reference made a part hereof; the southerly line of said strip being more particularly described as follows:

Commencing at the northwest corner of Section 19, Township 57 North, Range 85 West, 6th P.M., (Monumented with a 3/4" Aluminum Cap per PLS 6594); thence S64°38'07"E, 567.00 feet to the **POINT OF BEGINNING** of said easement, said point being the southeast corner of said Lot 22; thence S57°04'53"W, 118.62 feet along said southerly line of said strip and said southerly line of said Lot 22 to the **POINT OF TERMINUS** of said easement, said point being the southwest corner of said Lot 22, and being S53°19'40"E, 514.63 feet from said northwest corner of Section 19. Lengthening or shortening the side line of said easement to intersect said boundary lines.

Said utility easement contains 4,982 square feet of land, more or less, and is subject to any right-of-way and or easements, reservations and encumbrances which have been legally acquired.

Bearings are Based on the Wyoming Coordinate System, NAD 1983, East Central Zone.

EXHIBIT "B"**LEGEND:**

- FOUND 3-1/4" ALUMINUM CAP PER PLS 8594
- FOUND 1-1/2" ALUMINUM CAP PER PLS 3159
- FOUND 1-1/2" ALUMINUM CAP PER PLS 8594
- FOUND HIGHWAY RIGHT-OF-WAY MONUMENT
- CALCULATED: NOTHING FOUND/NOTHING SET
- (R) RECORD
- (M) MEASURED
- SECTION LINE
- PROPERTY/DEED LINE
- UTILITY EASEMENT LINE
- 42.0' UTILITY EASEMENT



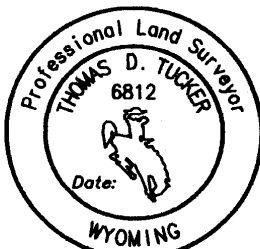
SCALE: 1"=50'

BEARINGS ARE BASED ON THE
WYOMING COORDINATE SYSTEM
NAD 1983, EAST CENTRAL ZONE
DATUM: NAD 83(1983), NAVD 88 (U.S. SURVEY FEET)
DAF: 1.00024
DISTANCES ARE SURFACE

SURVEYOR'S CERTIFICATE

STATE OF WYOMING : ss
COUNTY OF SHERIDAN

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

**PRELIMINARY****EXHIBIT "B"**
42.0' UTILITY EASEMENT

CLIENT: THE TOWN OF RANCHESTER
LOCATION: LOT 22, FIVE MILE SUBDIVISION,
TOWN OF RANCHESTER, SHERIDAN COUNTY,
WYOMING



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

JN: 28001
DN: 2008/2008001DE2
PF: 72008001
APRIL 23, 2008

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

[illegible]

**EXISTING EASEMENTS SHOWN ARE
PER FIVE MILE SUBDIVISION PLAT**

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EXHIBIT "A"

Record Owner: James A. Neal
April 25, 2009

Re: 42.0' Utility Easement to the Town of Ranchester

A utility easement being a strip of land forty two (42) feet wide when measured at right angles, situated in Lot 21, Five Mile Subdivision, Town of Ranchester, Sheridan County, Wyoming, as shown on **EXHIBIT "B"** attached hereto and by this reference made a part hereof; the southerly line of said strip being more particularly described as follows:

Commencing at the northwest corner of Section 19, Township 57 North, Range 85 West, 6th P.M., (Monumented with a 3¼" Aluminum Cap per PLS 6594); thence S53°19'40"E, 514.63 feet to the **POINT OF BEGINNING** of said easement, said point being the southeast corner of said Lot 21; thence S57°04'53"W, 158.81 feet along said southerly line of said strip and said southerly line of said Lot 21 to the **POINT OF TERMINUS** of said easement, said point being the southwest corner of said Lot 21, and being S35°22'14"E, 482.76 feet from said northwest corner of Section 19. Lengthening or shortening the side line of said easement to intersect said boundary lines.

Said utility easement contains 6,531 square feet of land, more or less, and is subject to any right-of-way and or easements, reservations and encumbrances which have been legally acquired.

Bearings are Based on the Wyoming Coordinate System, NAD 1983, East Central Zone.

EXHIBIT "B"

LOT 3
ABNEY
SUBDIVISION

FIVE MILE SUBDIVISION

LOT 21

LOT 22

LOT 20

RECORD OWNERS:
MELVIN C. NEAL
(BOOK 356, PAGE 549)

RECORD OWNER:
JAMES A. NEAL
(BOOK 480, PAGE 706)

±6,531 S.F.

42.0'

HISTORIC U. S. HIGHWAY 14

LEGEND:

- FOUND 3-1/4" ALUMINUM CAP PER PLS 6594
- FOUND 1-1/2" ALUMINUM CAP PER PLS 3150
- FOUND 1-1/2" ALUMINUM CAP PER PLS 6594
- ⊙ FOUND HIGHWAY RIGHT-OF-WAY MONUMENT
- CALCULATED: NOTHING FOUND/NOTHING SET
- (R) RECORD
- (M) MEASURED
- SECTION LINE
- PROPERTY/DEED LINE
- UTILITY EASEMENT LINE
- 42.0' UTILITY EASEMENT



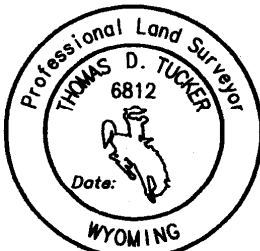
SCALE: 1"=50'

BEARINGS ARE BASED ON THE
WYOMING COORDINATE SYSTEM
NAD 1983, EAST CENTRAL ZONE
DATUM: NAD 83(1983), NAVD 88 (U.S. SURVEY FEET)
DAF: 1.00024
DISTANCES ARE SURFACE

SURVEYOR'S CERTIFICATE

STATE OF WYOMING : 88
COUNTY OF SHERIDAN

I, THOMAS D. TUCKER, 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.



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

PRELIMINARY

EXHIBIT "B" 42.0' UTILITY EASEMENT

CLIENT: THE TOWN OF RANCHESTER

LOCATION: LOT 21, FIVE MILE SUBDIVISION,
TOWN OF RANCHESTER, SHERIDAN COUNTY,
WYOMING



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

JL: 28001
DN: 2008/2008001DE3
PF: T2008001
APRIL 25, 2009

EXHIBIT "A"

Record Owner: Melvin C. Neal

April 25, 2009

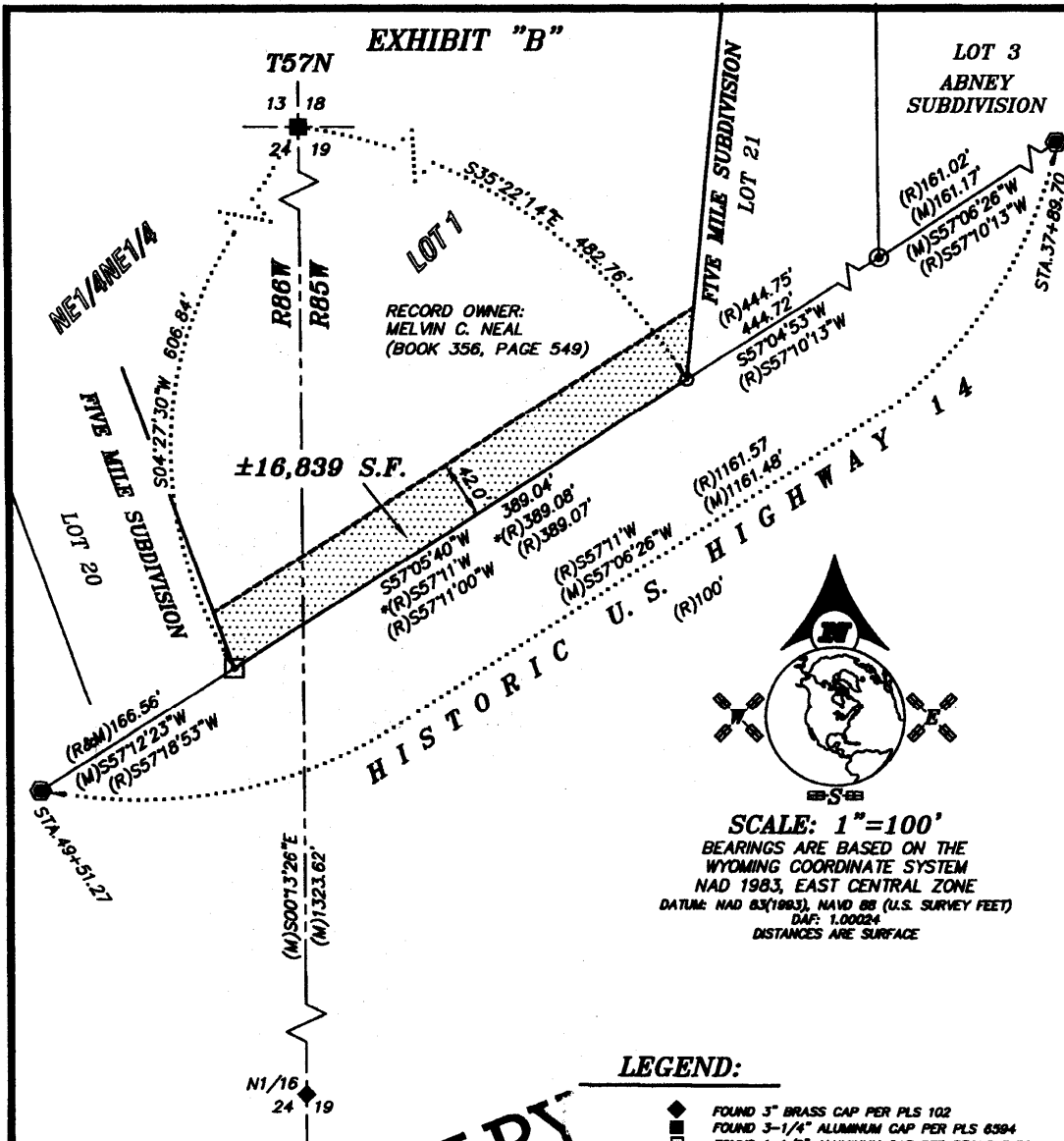
Re: 42.0' Utility Easement to the Town of Ranchester

A utility easement being a strip of land forty two (42) feet wide when measured at right angles, situated in Lot 1, Section 19, Township 57 North, Range 85 West, and the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 24, Township 57 North, Range 86 West, 6th P.M., Sheridan County, Wyoming, as shown on **EXHIBIT "B"** attached hereto and by this reference made a part hereof; the southerly line of said strip being more particularly described as follows:

Commencing at the northwest corner of said Section 19 (Monumented with a 3 $\frac{1}{4}$ " Aluminum Cap per PLS 6594); thence S35°22'14"E, 482.76 feet to the **POINT OF BEGINNING** of said easement, said point being the southwest corner of Lot 21, Five Mile Subdivision; thence S57°05'40"W, 389.04 feet along said southerly line of said strip and the southerly line of a tract of land described in Book 356 of Deeds, Page 549 to the **POINT OF TERMINUS** of said easement, said point being the southeast corner of Lot 20, Five Mile Subdivision and being S04°27'30"W, 606.84 feet from said northwest corner of Section 19. Lengthening or shortening the side line of said easement to intersect said boundary lines.

Said utility easement contains 16,839 square feet of land, more or less, and is subject to any right-of-way and or easements, reservations and encumbrances which have been legally acquired.

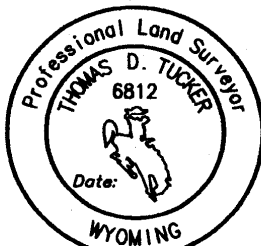
Bearings are Based on the Wyoming Coordinate System, NAD 1983, East Central Zone.

EXHIBIT "B"**LEGEND:**

- ◆ FOUND 3" BRASS CAP PER PLS 102
- FOUND 3-1/4" ALUMINUM CAP PER PLS 6394
- FOUND 1-1/2" ALUMINUM CAP PER PLS 3150
- FOUND 1-1/2" ALUMINUM CAP PER PLS 6584
- FOUND HIGHWAY RIGHT-OF-WAY MONUMENT
- CALCULATED: NOTHING FOUND/NOTHING SET
- *(R) RECORD PER (BOOK 356, PAGE 549)
- (R) RECORD
- (M) MEASURED
- SECTION LINE
- ==== PROPERTY/DEED LINE
- ==== UTILITY EASEMENT LINE
- 42.0' UTILITY EASEMENT

PRELIMINARY**SURVEYOR'S CERTIFICATE**STATE OF WYOMING
COUNTY OF SHERIDAN

I, THOMAS D. TUCKER, 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.

"PLAT IS VALID ONLY IF PRINT HAS
ORIGINAL SIGNATURE OF SURVEYOR SIGNED AND DATED"**EXHIBIT "B"**
42.0' UTILITY EASEMENT

CLIENT: THE TOWN OF RANCHESTER

LOCATION: NE1/4NE1/4, SECTION 24, T57N, R86W, & LOT 1,
SECTION 19, T57N, R85W, 6TH P.M., SHERIDAN COUNTY,
WYOMINGPO BOX 3082
SHERIDAN, WY 82801
307-672-7415
FAX 674-5000JN: 28001
DN: 2008/2008001DE4
PF: 12008001
APRIL 25, 2008

