

Utility Right-of-Way Easement

658949 RIGHT OF WAY EASEMENT
 BOOK 511 PAGE 0780
 RECORDED 12/30/2009 AT 10:40 AM
 AUDREY KOLTISKA, SHERIDAN COUNTY CLERK

W/O No.: 81106
 Township: 55N
 Range: 84W
 Sec. No.: NE1/4S2

KNOW ALL MEN BY THESE PRESENTS, the Undersigned COTTONWOOD CENTER LLC, (GRANTOR), whose address is 1949 Sugarland Drive, Suite 250, Sheridan, WY 82801, for good and valuable consideration, the receipt thereof is hereby acknowledged, do hereby grant unto ADVANCED COMMUNICATION TECHNOLOGY, INC., (GRANTEE) whose address is 290 N Brooks St., Sheridan, Wyoming 82801, (GRANTEE) and to its successors or assigns, the right to enter upon the lands of the undersigned, described as follows, situated in the County of: Sheridan, State of: Wyoming, hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of this state:

A Utility easement being sixteen (16) feet wide as described in Exhibit "A" and shown on Exhibit "B" attached hereto and by this reference made a part hereof. Grantor hereby agrees to allow the as built description and survey as described in Exhibit "A" and shown on Exhibit "B", should the need to arise as determined by Grantee to file an as built set of Exhibits.

The right-of-way and easement is granted for the purpose of constructing, reconstructing, maintaining, operating repairing, inspecting, surveying, altering, abandoning, replacing, and/or removing above and below ground, telecommunications facilities and equipment. The facilities at all times, until surrendered, remain the property of the Grantee, its successors or assigns, notwithstanding that they may be affixed to the land and may at any time or from time to time be removed in whole or in part by Grantee.

Grantee, its successors and assigns, shall have the right and benefits necessary or convenient for the full use of the rights herein granted; including, the right of reasonable ingress and egress across the lands of the Grantor to and from the right-of-way.

Grantor has the right to fully use and enjoy the surface of the right-of-way except to such use, which might interfere with the full use of the right-of-way by Grantees, their successors and assigns. Grantor shall not place any obstructions across, under, or upon the surface of the right-of-way that interferes with the construction or the normal operation and maintenance of the facilities. Either party may assign its rights to the agreement or delegate its duties as specified herein in whole or part.

The Right-Of-Way Easement shall be governed by Wyoming law and constitute the entire agreement between the parties relating to the subject matter hereto. If any provision of this Right-Of-Way Easement shall be held invalid or unenforceable, the remainder of the Easement and the application of such provisions, other than that which has been held invalid or unenforceable, shall not be affected thereby, but shall continue to be valid and enforceable to the fullest extent permitted by law.

The undersigned covenant that they are the owners of the above-described lands and that the said lands are free and clear of encumbrances and liens of whatsoever character except those held by the following persons:

IN WITNESS WHEREOF, the undersigned have set their hands and seals this 10th day of: June, 2009, signed sealed and delivered in the presence of:

Carla J. Ash

For: COTTONWOOD CENTER LLC

For: COTTONWOOD CENTER LLC Corporation

Carla J. Ash

(Printed Name)

(Printed Name)

STATE OF WYOMING)
)ss.
 COUNTY OF SHERIDAN)

The foregoing instrument was acknowledged before me by: Carla J. Ash

THIS 10th Day of: June, 2009.
 Witness my hand and official seal.

(Signed) Jessica Taylor
 Notary Public

(Seal)



Jessica Taylor
 (Print or Type name)
 My Commission Expires: January 24, 2013

LEGAL DESCRIPTION

Record Owner: Cottonwood Center, LLC.
April 30, 2009

RE: Utility Right-of-Way Easement

A right-of-way easement being sixteen (16) wide, eight (8) feet each side of a centerline lying in Tract No. 5, Brundage Place Second Subdivision, to the City of Sheridan, Sheridan County, Wyoming as shown on **EXHIBIT "B"** attached hereto and by this reference made a part hereof; said centerline of said easement being more particularly described as follows:

Commencing at the northwest corner of Tract No. 5 of Second Brundage Place Subdivision, (Monumented with a 1½" Aluminum Cap per PLS 520); thence S85°31'15"E, 375.66 feet to the **POINT OF BEGINNING** of said easement, said point lying on the south line of Book 222 of Deeds, Page 429; thence S21°55'22"E, 191.16 feet along said centerline to a point; thence S87°54'38"E, 69.10 feet along said centerline to the **POINT OF TERMINUS** of said easement lying on the east line of said Tract No. 5, said point being S67°53'27"E, 555.80 feet from said northwest corner of Tract No. 5. Lengthening or shortening the side lines of said easement to intersect said boundary lines.

Said tract contains 4,164 square feet of land, more or less.

Basis of Bearings is the Wyoming Coordinate System NAD 1983, East Central Zone.

Exhibit "A"

EXHIBIT "B"

REPLAT OF
SUGARLAND SOUTH
LOT 2 BLOCK 2

LOT 1

SUGARLAND DR.

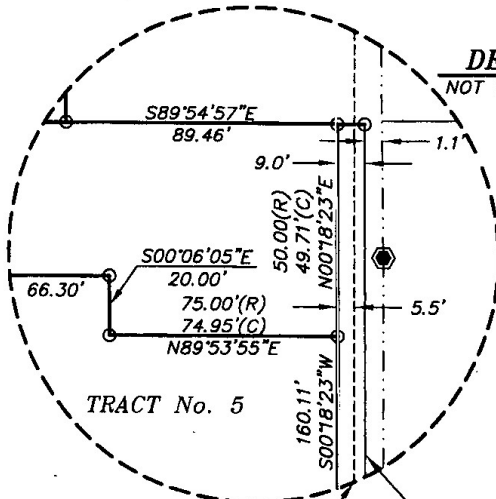
INTERSTATE 90

SECOND BRUNDAGE
PLACE SUBDIVISION

TRACT No. 5
(BOOK 362, PG 159)

±4,164 S.F.

DETAIL
NOT TO SCALE



WEST LINE
NE1/4NE1/4 SEC. 2

EAST LINE SECOND
BRUNDAGE PLACE
SUBD.

TIE TABLE

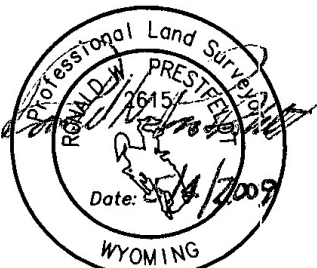
FROM THE NORTHWEST CORNER OF TRACT No. 5,
SECOND BRUNDAGE PLACE SUBDIVISION, TO THE
CITY OF SHERIDAN

| TIE | BEARING | LENGTH |
|-----|-------------|---------|
| T-1 | S85°31'15"E | 375.66' |
| T-2 | S67°53'27"E | 555.80' |

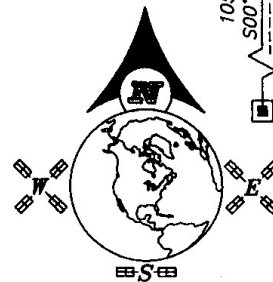
SURVEYOR'S CERTIFICATE

STATE OF WYOMING
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.



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



SCALE: 1"=100'

BEARINGS ARE BASED ON THE
WYOMING COORDINATE SYSTEM
NAD 1983, EAST CENTRAL ZONE
DATUM: NAD 83(1983), NAVD 88 (U.S. SURVEY FEET)
DAF: 1.000235
DISTANCES ARE SURFACE

LEGEND:

- FOUND 1-1/2" ALUMINUM CAP PER PLS 258
- ◇ FOUND 1" PLASTIC CAP PER PLS 520
- FOUND 1-1/2" ALUMINUM CAP (UNKNOWN)
- FOUND HIGHWAY RIGHT-OF-WAY MONUMENT
- ⊙ FOUND 5/8" REBAR
- CALCULATED: NOTHING FOUND/NOTHING SET
- (R) RECORD
- (M) MEASURED
- (C) CALCULATED
- TRACT/DEED LINE (THIS EASEMENT)
- TRACT/LOT/SUBDIVISION LINE
- CENTERLINE: 16' UTILITY EASEMENT
- I-90 RIGHT-OF-WAY LINE
- RIGHT-OF-WAY LINE: 16' UTILITY EASEMENT
- SECTION LINE
- INTERIOR SECTION LINE

EXHIBIT "B"

CLIENT: ADVANCED COMMUNICATION TECHNOLOGY
290 N. BROOKS
SHERIDAN, WY 82801

LOCATION: TRACT No. 5, SECOND BRUNDAGE PLACE
SUBDIVISION, CITY OF SHERIDAN, N1/2NE1/4,
SEC. 2, T55N, R84W, 6TH PRINCIPAL MERIDIAN,
SHERIDAN COUNTY, WYOMING

PRESTFELDT
SURVEYING

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

JN: 29006
DN: 2009/20090060
TAB: ACT
PF: T2005060
APRIL 30, 2009