

## UTILITY EASEMENT

THIS EASEMENT agreement made this 5<sup>th</sup> day of March, 2010 between THOMAS K. SOLTIS, Successor Trustee of the Rudolph P. Soltis Trust under agreement dated September 18, 1992, and the Roberta L. Soltis Trust under agreement dated September 18, 1992,, whose address is P.O. Box 580, Ranchester, Wyoming 82839 (hereinafter "Soltis"), and KAWULOK ENTERPRISES, LLC, a Wyoming limited liability company, whose address is P.O. Box 563, Sheridan, Wyoming 82801 (hereinafter "Kawulok").

IN CONSIDERATION of Ten Dollars (\$10.00) and other good and valuable consideration, receipt of which is hereby acknowledged, Soltis does hereby grant, bargain, sell and convey unto Kawulok, an easement for the purpose of electric and other utilities and includes the right to construct, reconstruct, operate, maintain, repair, remove and replace overhead and buried electric line or lines, communications line or lines, including necessary pipes, poles, and fixtures, cables, pedestals, transformers, transformer bases or any combination thereof in connection therewith.

Said easement is described as a strip of land twenty (20) feet wide, ten (10) feet each side of the centerline of an existing overhead power line situated in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 16, Township 57 North, Range 85 West, 6th P.M., Sheridan County, Wyoming, as shown on a Record of Survey filed at the Sheridan County Courthouse, attached hereto and by this reference made a part hereof; said centerline being more particularly described as follows:

Commencing at the southwest corner of said Section 16 (monumented with a 3" brass cap per PE&LS 537); thence N65°50'29" E, 3370.63 feet to the **POINT OF BEGINNING** of said easement, said point lying on the south right of way of state highway 345; thence S16°09'03"E, 845.58 feet along said centerline to the point of terminus of said easement, said point being N80°16'37"E, 3358.87 feet from said southwest corner of Section 16.

The sidelines of said easement to be prolonged or truncated to begin on the said south right of way line of State Highway 345.

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

Said easement is not exclusive. Soltis reserves the right to use the above-described easement strip for all purposes which will not interfere with Kawulok's full enjoyment of the rights hereby granted; provided that Soltis shall not erect or construct any building or other structure, drill or operate any well, or construct any other obstruction on said easement strip that would interfere with said easement or Kawulok's rights hereunder.

Soltis hereby grants to Kawulok, 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 utility lines and for the purpose of doing all necessary work in connection therewith.

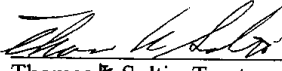
Kawulok shall restore the surface of Soltis' land to its original condition, including, but not limited to, the reseeding and replanting of grass, trees, shrubbery or other growing crops, for all disturbances caused by Kawulok's constructing, installing, repairing, maintaining, replacing or using said easement.

This easement shall be appurtenant to and run with the lands of Kawulok as shown on **Exhibit 1** attached hereto and incorporated herein by reference, and shall be binding on and inure to the benefit of the parties hereto, their heirs, successors or assigns in perpetuity.

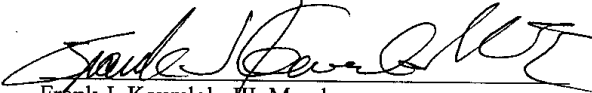
Soltis does hereby release and waive all rights under and by virtue of the homestead exemption laws of the State of Wyoming.

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

THOMAS K. SOLTIS, Successor Trustee of the  
Rudolph P. Soltis Trust under agreement dated  
September 18, 1992, and the Roberta L. Soltis Trust  
under agreement dated September 18, 1992

By:   
Thomas K. Soltis, Trustee

KAWULOK ENTERPRISES, LLC,  
a Wyoming limited liability company

By:   
Frank J. Kawulok, III, Member

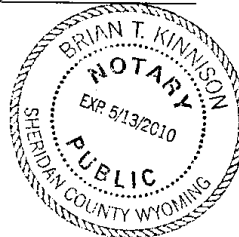
STATE OF WYOMING )  
 ) ss.  
County of Sheridan )

The foregoing instrument was acknowledged personally before me this 5<sup>th</sup> day of March, 2010, by Thomas K. Soltis, Successor Trustee of the Rudolph P. Soltis Trust under agreement dated September 18, 1992, and the Roberta L. Soltis Trust under agreement dated September 18, 1992.

WITNESS my hand and official seal.

  
Notary Public

My Commission expires: 5-13-10



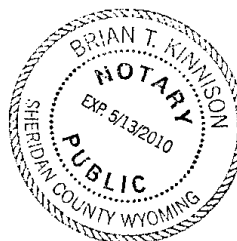
STATE OF WYOMING )  
 ) ss.  
County of Sheridan )

The foregoing instrument was acknowledged personally before me this 5<sup>th</sup> day of March, 2010, by Frank J. Kawulok, III, Member of Kawulok Enterprises, LLC, a Wyoming limited liability company.

WITNESS my hand and official seal.

  
Notary Public

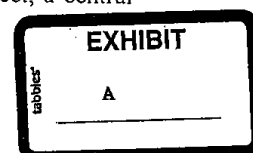
My Commission expires: 5-13-10



**LEGAL DESCRIPTION**  
**Tract 2**

A tract of land situated in the S1/2SW1/4, SW1/4SE1/4 of Section 16, the E1/2NE1/4 of Section 20, and the NW1/4, W1/2NE1/4 of Section 21, Township 57 North, Range 85 West, of the 6<sup>th</sup> Principal Meridian, Sheridan County, Wyoming as shown as **TRACT No. 2** on a Record of Survey recorded February 24, 2010 at the Sheridan County Courthouse, Drawer A, Plat 412 and by this reference made a part hereof; said tract being more particularly described as follows:

**Beginning** at the southwest corner of said Section 16 (monumented with a 3" brass cap per PE&Ls 537); thence N00°50'22"W, 513.92 feet along the west line of said Section 16 to a 2" aluminum cap per PLS 5369 on the south right of way line of a Railroad; thence S89°11'02"E, 529.91 feet along said right of way line to a 2" aluminum cap per PLS 5369; thence, along said right of way line, through a curve to the left, having a radius of 5779.65 feet, a central angle of 07°35'22", an arc length of 765.57 feet, a chord bearing of N87°01'17"E, and a chord length of 765.01 feet to a 2" aluminum cap per PLS 5369; thence N83°13'36"E, 1942.09 feet along right of way line to a 2" aluminum cap per PLS 5369 on an agreement line along the east line of said Tract No. 2; thence S02°30'24"E, 570.49 feet along said east line to a 2" aluminum cap per PLS 5369; thence S34°34'38"W, 702.31 feet along said east line to a 2" aluminum cap per PLS 5369; thence S49°12'23"E, 517.81 feet along said east line to a 2" aluminum cap per PLS 5369; thence S17°22'12"E, 1056.94 feet along said centerline to a point in the center of Tongue River witnessed by a 2" aluminum cap per PLS 5369 bearing N17°22'12"W a distance of 90 feet; thence S31°27'30"W, 29.30 feet along said the meander line of Tongue River as described in Book 423 of Deeds, Page 74 and Page 77 to a point; thence S51°59'05"W, 190.46 feet along said meander line to a point; thence, along said meander line, through a curve to the right, having a radius of 140.00 feet, a central angle of 81°25'51", an arc length of 198.97 feet, a chord bearing of N87°18'00"W, and a chord length of 182.64 feet to a point; thence N46°35'04"W, 103.35 feet along said meander line to a point; thence N21°01'00"E, 344.54 feet along said meander line to a point; thence, along said meander line, through a curve to the left, having a radius of 280.00 feet, a central angle of 100°41'53", an arc length of 492.10 feet, a chord bearing of N29°19'56"W, and a chord length of 431.17 feet to a point; thence N79°40'53"W, 127.20 feet along said meander line to a point; thence N50°06'58"W, 144.79 feet along said meander line to a point; thence N16°28'04"W, 223.44 feet along said meander line to a point; thence N58°36'44"W, 134.92 feet along said meander line to a point; thence N79°31'44"W, 121.12 feet along said meander line to a point; thence N63°56'49"W, 169.80 feet along said meander line to a point; thence, along said meander line, through a curve to the left, having a radius of 415.00 feet, a central angle of 132°31'45", an arc length of 959.92 feet, a chord bearing of S49°47'18"W, and a chord length of 759.79 feet to a point; thence S16°28'34"E, 73.98 feet along said meander line to a point; thence, along said meander line, through a curve to the left, having a radius of 343.00 feet, a central angle of 65°53'42", an arc length of 394.48 feet, a chord bearing of S49°25'25"E, and a chord length of 373.09 feet to a point; thence S82°22'16"E, 298.39 feet along said meander line to a point; thence, along said meander line, through a curve to the right, having a radius of 280.00 feet, a central angle of 44°57'37", an arc length of 219.72 feet, a chord bearing of S59°53'28"E, and a chord length of 214.12 feet to a point; thence S37°24'39"E, 249.59 feet along said meander line to a point; thence S00°51'58"W, 130.00 feet along said meander line to a point; thence, along said meander line, through a curve to the right, having a radius of 350.00 feet, a central



angle of  $41^{\circ}59'39''$ , an arc length of 256.53 feet, a chord bearing of  $S21^{\circ}51'48''W$ , and a chord length of 250.82 feet to a point; thence  $S42^{\circ}51'37''W$ , 366.09 feet along said meander line to a point; thence  $S71^{\circ}12'45''W$ , 174.14 feet along said meander line to a point; thence, along said meander line, through a curve to the right, having a radius of 90.00 feet, a central angle of  $70^{\circ}09'42''$ , an arc length of 110.21 feet, a chord bearing of  $N73^{\circ}42'24''W$ , and a chord length of 103.45 feet to a point; thence  $N38^{\circ}37'33''W$ , 79.37 feet along said meander line to a point; thence, along said meander line, through a curve to the right, having a radius of 600.00 feet, a central angle of  $55^{\circ}54'17''$ , an arc length of 585.43 feet, a chord bearing of  $N10^{\circ}40'25''W$ , and a chord length of 562.48 feet to a point; thence  $N17^{\circ}16'44''E$ , 84.39 feet along said meander line to a point; thence, along said meander line, through a curve to the left, having a radius of 130.00 feet, a central angle of  $91^{\circ}11'04''$ , an arc length of 206.89 feet, a chord bearing of  $N28^{\circ}18'48''W$ , and a chord length of 185.74 feet to a point; thence  $N73^{\circ}54'20''W$ , 502.88 feet along said meander line to a point; thence  $S64^{\circ}09'24''W$ , 140.00 feet along said meander line to a point; thence  $S42^{\circ}57'32''W$ , 71.91 feet along said meander line to a point; thence, along said meander line, through a curve to the left, having a radius of 142.10 feet, a central angle of  $89^{\circ}18'28''$ , an arc length of 221.49 feet, a chord bearing of  $S01^{\circ}41'42''E$ , and a chord length of 199.74 feet to a point; thence  $S46^{\circ}20'56''E$ , 72.95 feet along said meander line to a point; thence, along said meander line, through a curve to the right, having a radius of 350.00 feet, a central angle of  $32^{\circ}18'10''$ , an arc length of 197.33 feet, a chord bearing of  $S30^{\circ}11'51''E$ , and a chord length of 194.72 feet to a point; thence  $S14^{\circ}02'46''E$ , 144.54 feet along said meander line to a point; thence, along said meander line, through a curve to the right, having a radius of 130.00 feet, a central angle of  $53^{\circ}16'40''$ , an arc length of 120.88 feet, a chord bearing of  $S12^{\circ}35'34''W$ , and a chord length of 116.58 feet to a point; thence  $S39^{\circ}13'54''W$ , 230.00 feet along said meander line to a point; thence  $S48^{\circ}41'37''W$ , 97.64 feet along said meander line to a point; thence  $S71^{\circ}02'33''W$ , 110.00 feet along said meander line to a point; thence, along said meander line, through a curve to the right, having a radius of 93.00 feet, a central angle of  $108^{\circ}39'40''$ , an arc length of 176.37 feet, a chord bearing of  $N54^{\circ}37'37''W$ , and a chord length of 151.11 feet to a point; thence  $N00^{\circ}17'47''W$ , 147.82 feet along said meander line to a point; thence, along said meander line, through a curve to the left, having a radius of 150.00 feet, a central angle of  $56^{\circ}47'28''$ , an arc length of 148.68 feet, a chord bearing of  $N28^{\circ}41'31''W$ , and a chord length of 142.67 feet to a point; thence  $N57^{\circ}05'14''W$ , 258.20 feet along said meander line to a point; thence, along said meander line, through a curve to the left, having a radius of 90.00 feet, a central angle of  $54^{\circ}47'27''$ , an arc length of 86.07 feet, a chord bearing of  $N84^{\circ}28'58''W$ , and a chord length of 82.82 feet to a point; thence  $S68^{\circ}07'18''W$ , 124.42 feet along said meander line to a point; thence, along said meander line, through a curve to the right, having a radius of 250.00 feet, a central angle of  $60^{\circ}51'58''$ , an arc length of 265.58 feet, a chord bearing of  $N81^{\circ}26'43''W$ , and a chord length of 253.27 feet to a point; thence  $N51^{\circ}00'47''W$ , 223.85 feet along said meander line to a point; thence  $N51^{\circ}00'44''W$ , 49.71 feet along said meander line to a point; thence, along said meander line, through a curve to the right, having a radius of 325.00 feet, a central angle of  $70^{\circ}41'13''$ , an arc length of 400.96 feet, a chord bearing of  $N15^{\circ}40'06''W$ , and a chord length of 376.01 feet to a point; thence  $N19^{\circ}40'32''E$ , 42.97 feet along said meander line to a point; thence, along said meander line, through a curve to the right, having a radius of 135.00 feet, a central angle of  $65^{\circ}12'58''$ , an arc length of 153.66 feet, a chord bearing of  $N52^{\circ}17'01''E$ , and a chord length of 145.50 feet to a point; thence, along said meander line, through a curve to the right, having a radius of 134.95 feet, a central angle of  $45^{\circ}31'27''$ , an arc length of 107.22 feet, a chord bearing of  $S72^{\circ}21'26''E$ , and a chord length of 104.43 feet to a

point; thence S49°35'56"E, 218.52 feet along said meander line to a point; thence, along said meander line, through a curve to the left, having a radius of 200.00 feet, a central angle of 69°51'11", an arc length of 243.83 feet, a chord bearing of S84°31'33"E, and a chord length of 229.01 feet to a point; thence N60°32'50"E, 86.56 feet along said meander line to a point; thence, along said meander line, through a curve to the left, having a radius of 250.00 feet, a central angle of 63°17'46", an arc length of 276.18 feet, a chord bearing of N28°53'55"E, and a chord length of 262.35 feet to a point; thence N02°45'00"W, 206.51 feet along said meander line to a point; thence, along said meander line, through a curve to the left, having a radius of 150.00 feet, a central angle of 59°36'12", an arc length of 156.04 feet, a chord bearing of N32°33'04"W, and a chord length of 149.10 feet to a point; thence N62°21'09"W, 100.55 feet along said meander line to a point; thence, along said meander line, through a curve to the left, having a radius of 100.00 feet, a central angle of 82°38'44", an arc length of 144.24 feet, a chord bearing of S76°19'36"W, and a chord length of 132.06 feet to a point; thence S35°00'20"W, 188.65 feet along said meander line to a point; thence, along said meander line, through a curve to the right, having a radius of 115.00 feet, a central angle of 82°28'50", an arc length of 165.55 feet, a chord bearing of S76°14'40"W, and a chord length of 151.62 feet to a point; thence N62°30'52"W, 156.98 feet along said meander line to a point; thence N62°30'59"W, 284.08 feet along said meander line to a point; thence S78°53'13"W, 146.90 feet along said meander line to a point; thence, along said meander line, through a curve to the right, having a radius of 155.00 feet, a central angle of 107°24'05", an arc length of 290.55 feet, a chord bearing of N47°24'43"W, and a chord length of 249.84 feet to a point; thence N06°17'21"E, 204.33 feet along said meander line to a point; thence N64°51'42"E, 171.19 feet along said meander line to a point; thence, along said meander line, through a curve to the left, having a radius of 460.00 feet, a central angle of 43°25'48", an arc length of 348.68 feet, a chord bearing of N43°08'49"E, and a chord length of 340.39 feet to a point; thence N21°25'55"E, 85.63 feet along said meander line to a point; thence, along said meander line, through a curve to the left, having a radius of 109.00 feet, a central angle of 64°45'00", an arc length of 123.18 feet, a chord bearing of N10°56'36"W, and a chord length of 116.73 feet to a point on the north line of said Section 22; thence N89°16'19"E, 140.69 feet along said north line to the **POINT OF BEGINNING** of said tract.

The above described tract contains 166.29 acres of land more or less.

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

**LEGAL DESCRIPTION**  
**Tract 1**

A tract of land situated in the SW1/4SE1/4 of Section 16, the NW1/4, W1/2NE1/4 and the W1/2NE1/4 of Section 21, Township 57 North, Range 85 West, of the 6th Principal Meridian, Sheridan County, Wyoming as shown as **TRACT No. 1** on a Record of Survey filed at the Sheridan County Courthouse recorded February 24, 2010 in Drawer A, Plat No. 412, and by this reference made a part hereof; said tract being more particularly described as follows:

**Beginning** at the northeast corner of said W1/2NE1/4 (monumented with a 31/4" aluminum cap per PLS 6594); thence S00°42'05"E, 682.61 feet along the east line of said W1/2NE1/4 to a point in the meander line of Tongue River as described in Book 423 of Deeds, Page 74, said point witnessed by a 2" aluminum cap per PLS 5369 bearing N00°42'05"W a distance of 50 feet; thence S86°38'39"W, 139.77 feet along said meander line to a point; thence, along said meander line, through a curve to the left, having a radius of 180.00 feet, a central angle of 78°24'57", an arc length of 246.35 feet, a chord bearing of S47°26'11"W, and a chord length of 227.57 feet to a point; thence S08°13'42"W, 95.49 feet to a point; thence, along said meander line, through a curve to the left, having a radius of 130.00 feet, a central angle of 56°24'10", an arc length of 127.97 feet, a chord bearing of S19°58'23"E, and a chord length of 122.87 feet to a point; thence S48°10'27"E, 297.08 feet along said meander line to a point; thence, along said meander line, through a curve to the right, having a radius of 140.00 feet, a central angle of 99°17'47", an arc length of 242.63 feet, a chord bearing of S01°28'27"W, and a chord length of 213.38 feet to a point; thence S51°07'20"W, 194.30 feet along said meander line to a point; thence S68°00'46"W, 225.90 feet along said meander line to a point; thence S31°27'30"W, 75.01 feet along said meander line to a point on an agreement line on the west line of said Tract No.2 witnessed by a 2" aluminum cap per PLS 5369 bearing N17°22'12"W a distance of 90 feet; thence N17°22'12"W, 1056.94 feet along said west line to a 2" aluminum cap per PLS 5369; thence N49°12'23"W, 517.81 feet along said west line to a 2" aluminum cap per PLS 5369; thence N34°34'38"E, 702.31 feet along said west line to a 2" aluminum cap per PLS 5369; thence N02°30'24"W, 570.49 feet along said west line to a 2" aluminum cap per PLS 5369 on the south right of way line of a railroad; thence N83°13'36"E, 752.16 feet along said right of way line to a 2" aluminum cap per PLS 5369 lying 33 feet west of the east line of said SW1/4SE1/4 of Section 16; thence S00°34'28"E, 847.53 feet 33 feet west of and parallel to said east line of the SW1/4SE1/4 to a 2" aluminum cap per PLS 5369 on the south line of said Section 16; thence N89°45'51"E, 33.00 feet along said south line to the **POINT OF BEGINNING** of said tract.

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

