

351-47

RECORDED JUNE 5, 1992 BK 351 PG 47 NO 111271 RONALD L. DAILEY, COUNTY CLERK

RIGHT-OF-WAY EASEMENT FOR EXISTING DITCH

THIS AGREEMENT, made and entered into this day by and between GERALD OSGARD and ILENE S. OSGARD, husband and wife, hereinafter called Grantors; and RICHARD D. SMITH and KETA J. SMITH, husband and wife, hereinafter called Grantees;

WITNESSETH, THAT:

WHEREAS, the Grantors are the owners of the following described tract of land, to-wit:

The E/2SE/4 of Section 23, EXCEPT a tract of land described as follows:

Beginning at the East quarter corner of Section 23, Township 57 North, Range 86 West, 6th P.M., Sheridan County, Wyoming; thence S.0°28'E., 353.79 feet; thence N.88°52'50"W., 147.59 feet; thence S.12°18'10"W., 217.02 feet; thence N.85°21'25"W., 411.73 feet; thence N.44°25'10"W., 655.85 feet; thence N.84°24'E., 246.75 feet; thence N.89°50'E., 357.5 feet; thence N.21°03'30"E., 36.8 feet; thence N.89°46'30"E., 444.05 to the point of beginning, all in Township 57 North, Range 86 West, 6th P.M., Sheridan County, Wyoming, containing 9.334 acres.

and,

WHEREAS, the Grantees are the owners of certain tracts of lands described in Deed from Grantors to Grantees, dated August 19, 1988, which is recorded in Book 321 of Deeds at Page 196 in the Office of the County Clerk of Sheridan County, Wyoming, and also that certain tract of land described in Quitclaim Deed from the above-named Grantors to the above-named Grantees, dated August 19, 1988, and recorded in Book 321 of Deeds at Page 194 in the Office of the County Clerk of Sheridan County, Wyoming and,

WHEREAS, the Grantees have requested an easement for the existing ditch, which crosses lands of the Grantors, and which serves the lands of the Grantees above named.

NOW, THEREFORE, Grantors, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, do hereby grant unto the Grantees, and to their heirs, successors and assigns, an easement for the existing

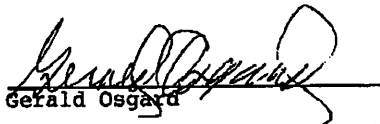
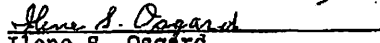
ditch which serves the lands of the Grantees, and which is described as follows:

An Easement 10 feet on either side of the existing ditch found in the West 280 feet of the North 110 feet of the NE/4SE/4 of Section 23, Township 57 North, Range 86 West of the 6th P.M., Sheridan County, Wyoming.


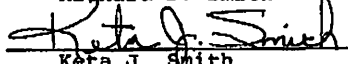
IT IS EXPRESSLY UNDERSTOOD by the Parties that this Easement is given by Grantors to Grantees and their successors in interest upon the condition that the Grantees and their successors in interest shall care for any damage that may result to the servient tract above described, in the use of said ditch and the maintenance and repair thereof.

THIS EASEMENT, and the covenants therein contained, shall be construed as an easement and covenants running with the land for the private use and benefit of Grantees, their heirs, successors in interest and assigns.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands to this Agreement this 2 day of June, 1992.


Gerald Osgard

Ilene S. Osgard

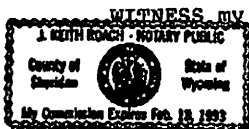
GRANTORS

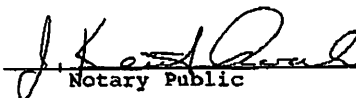

Richard D. Smith

Keta J. Smith

GRANTEES

STATE OF WYOMING)
)SS
COUNTY OF SHERIDAN)

The foregoing instrument was acknowledged before me this 2 day of June, 1992, by GERALD OSGARD and ILENE S. OSGARD, husband and wife.



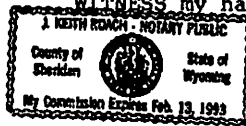

Notary Public

My Commission expires: Feb 12, 1993

STATE OF WYOMING)
)SS
COUNTY OF SHERIDAN)

The foregoing instrument was acknowledged before me
this 7 day of June, 1992, by RICHARD S. SMITH and KETA J.
SMITH, husband and wife.

WITNESS my hand and Official Seal.



J. Keith Romach
Notary Public

My Commission expires: ~~FEB~~ 13, 1993