

MONTANA-DAKOTA UTILITIES CO.  
PIPELINE EASEMENT BY OWNER

THIS EASEMENT, made this 6<sup>th</sup> day of October, A.D., 2005, between MONTANA-DAKOTA UTILITIES CO., A DIVISION OF MDU RESOURCES GROUP, INC., a corporation, 400 North Fourth Street, Bismarck, North Dakota 58501, hereinafter called "COMPANY," its successors and assigns, and the following named persons, herein, whether singular or plural, called "OWNER," namely:

John E. Rice & Sons, Inc., D/B/A Wrench Ranch  
Neltje, President  
James L. Jellis, Vice President

WITNESSETH, that for valuable considerations received, OWNER does hereby grant, bargain, sell and convey unto COMPANY, its successors and assigns, an easement 16 feet in width, being 8 feet left, and 8 feet right of the center line as laid out and/or surveyed, or as finally installed on the hereinafter described lands, together with the right to construct, operate, maintain, repair, increase the capacity of, remove and replace a gas pipeline or lines, including necessary pipes, poles, and fixtures, through, over, under and across the following described real estate, situated in the County of Sheridan, State of Wyoming, namely:

A gas line easement sixteen (16) feet wide, being eight (8) feet each side of the following described centerline situated in the W1/2 of Section 4, E1/2 and NW1/4 of Section 9, SW1/4 of Section 10, NW1/4 of Section 15, Township 56 North, Range 84 West, and the E1/2 of Section 33, Township 57 North, Range 84 West, 6<sup>th</sup> P.M., Sheridan County, Wyoming, as shown on Exhibit "B" attached hereto and by this reference made a part hereof; said centerline being more particularly described in Exhibit "A" attached hereto and by this reference made a part hereof;

OWNER, its successors and assigns, agrees not to build, create or construct or permit to be built, created, or constructed, any obstruction, building, engineering works or other structures, upon, over, or under the strip of land herein described or that would interfere with said pipeline or lines or COMPANY'S right hereunder.

OWNER, its successors and assigns, hereby grants to COMPANY, its successors and assigns, the right at all reasonable times to enter upon said premises for the purpose of laying, constructing, maintaining, operating, replacing, increasing the capacity of, repairing or removing said gas pipeline or lines and for the purpose of doing all necessary work in connection therewith.

COMPANY hereby agrees that it will pay any and all damages that may result to the crops, fences, buildings and improvements on said premises caused by constructing, reconstructing, maintaining, repairing, increasing the capacity of, operating or removing said pipeline or lines. The damages, if not mutually agreed upon, may be determined by three disinterested persons, one to be selected by COMPANY and one by OWNER; these two shall select the third person. The award of these three persons shall be final and conclusive.

If the herein described lands are in the State of Wyoming, OWNER does hereby release and waive all rights under and by virtue of the homestead exemption laws of that state.

IN WITNESS WHEREOF, OWNER has executed these presents as of the day and year first above written.

James L. Jellis V.P.

STATE OF Wyoming  
COUNTY OF Sheridan :ss

On this 6 day of October, 2005, before me personally appeared James L. Jellis

known to me to be the same person as described in and who executed the above and foregoing instrument and acknowledged

(THIS SPACE FOR RECORDING DATA ONLY)

541015 EASEMENT  
BOOK 474 PAGE 0357  
RECORDED 05/22/2006 AT 01:45 PM  
AUDREY KOLTISKA, SHERIDAN COUNTY CLERK

to me that he executed, the same, (known to me to be the vice president and respectively of the corporation that is described in and that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.)

Notary Public, Sheridan County,

State of Wyoming



My Commission Expires June 5, 2007  
W.O. 153942 TRACT NO. 153942 3087

**EXHIBIT "A"**

**Record Owners: John E. Rice & Sons, Inc., D/B/A Wrench Ranch**  
**Neltje, President**  
**James L. Jellis, Vice President**  
**September 27, 2005**

**Re: 16.0' Gas Line Easement for Montana-Dakota Utilities Company, A Division of MDU Resources Group, Inc., and or any of their respective successors and assigns.**

**EASEMENT NO. 1**

A gas line easement sixteen (16) feet wide, being eight (8) feet each side of the following described centerline situated in the W½ of Section 4, E½ and NW¼ of Section 9, SW¼ of Section 10, NW¼ of Section 15, Township 56 North, Range 84 West, and the E½ of Section 33, Township 57 North, Range 84 West, 6th P.M., Sheridan County, Wyoming, as shown on **EXHIBIT "B"** attached hereto and by this reference made a part hereof; said centerline being more particularly described as follows:

Commencing at the northwest corner of said Section 15 (Monumented with a 5½" Brass Cap U.S. Military Reservation Monument); thence S60°28'14"E, 2848.47 feet to the **POINT OF BEGINNING** of said easement, said point lying on the northerly line of a tract of land described in Book 313 of Deeds, Page 247; thence, eight (8) feet southwesterly of and parallel to the westerly Right-of-Way line of Decker Road (AKA State Highway No. 338), N43°11'37"W, 20.33 feet along said centerline to a point; thence along said centerline, eight (8) feet southwesterly of and parallel to said westerly Right-of-Way line through curve to the right, having a radius of 764.20 feet, a central angle of 28°15'43", an arc length of 376.95 feet, a chord bearing of N29°02'32"W, and a chord length of 373.14 feet to a point; thence, eight (8) feet southwesterly of and parallel to said westerly Right-of-Way line N14°57'00"W, 589.34 feet along said centerline to a point, said point being eight (8) feet southwesterly of the southwesterly Right-of-Way line of Interstate 90; thence, eight (8) feet southwesterly of and parallel to said southwesterly Right-of-Way line N53°43'25"W, 5061.42 feet along said centerline to a point; thence along said centerline, eight (8) feet southwesterly of and parallel to said southwesterly Right-of-Way line through a curve to the right, having a radius of 5862.58 feet, a central angle of 06°11'33", an arc length of 633.62 feet, a chord bearing of N50°38'09"W, and a chord length of 633.31 feet to a point; thence, leaving said parallel Right-of-Way line N63°03'39"W, 148.00 feet along said centerline to a point; thence N57°51'45"W, 187.00 feet along said centerline to a point; thence N62°09'24"W, 85.00 feet along said centerline to a point; thence N69°25'38"W, 205.00 feet along said centerline to a point; thence along said centerline, through a curve to the left having a radius of 380.00 feet, a central angle of 31°03'53", an arc length of 206.03 feet, a chord bearing of N84°57'35"W, and a chord length of 203.52 feet to a point; thence N15°44'08"W, 417.00 feet along said centerline to a point; thence N10°11'46"W, 152.00 feet along said centerline to a point; thence N16°45'42"W, 201.52 feet along said centerline to a point, said point being eight (8) feet southwesterly of said westerly Right-of-Way line of Interstate 90; thence along said centerline, eight (8) feet southwesterly of and parallel to said westerly Right-of-Way line through a curve to the right having a radius of 5912.58 feet, a central angle of 24°42'44", an arc length of 2550.17 feet, a chord bearing of N21°23'01"W, and a chord length of 2530.45 feet to a point; thence, eight (8) feet southwesterly of and parallel to said westerly Right-of-Way line N09°02'01"W, 3598.90 feet along said centerline to a point; thence along said centerline, eight (8) feet southwesterly of and parallel to said westerly Right-of-Way line through a curve to the left, having a radius of 11276.16 feet, a central angle of 14°23'46", an arc length of 2833.24 feet, a chord bearing of N16°14'22"W, and a chord length of 2825.79 feet to a point; thence, eight (8) feet southwesterly of and parallel to said westerly Right-of-Way line S66°55'52"W, 24.81 feet along said centerline to a point; thence along said centerline, eight (8) feet southwesterly of and parallel to said westerly Right-of-Way line through a curve to the left, having a radius of 11251.16 feet, a central angle of 05°49'44", an arc length of 1144.61 feet, a chord bearing of N26°21'24"W, and a chord length of 1144.11 feet to a point; thence, eight (8) feet southwesterly of and parallel to said westerly Right-of-Way line N29°15'36"W, 1562.47 feet along said centerline to the **POINT OF TERMINUS** of said easement, said point lying on the west line of said E½, Section 33, and being S06°26'53"E, 927.29 feet from the north quarter corner of said Section 33 (Monumented with a 3" GLO Brass Cap).

Lengthening or shortening the side lines of said easement to intersect said boundary lines.  
 Basis of Bearings is Wyoming State Plane (East Central Zone).

**EASEMENT NO. 2**

A gas line easement sixteen (16) feet wide, being eight (8) feet each side of the following described centerline situated in the SW¼ of Section 10, and the NW¼ of Section 15, Township 56 North, Range 84 West, 6th P.M., Sheridan County, Wyoming, as shown on **EXHIBIT "B"** attached hereto and by this reference made a part hereof; said centerline being more particularly described as follows:

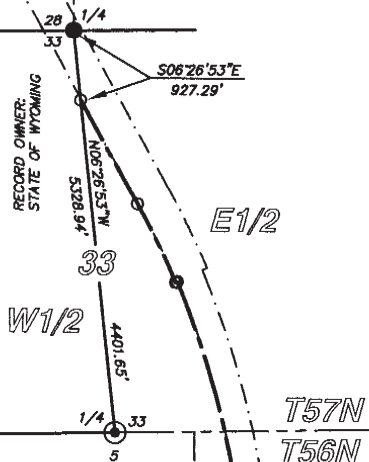
Commencing at the north quarter corner of said Section 15 (Monumented with a 3¼" Aluminum Cap per PLS 2615); thence S44°58'54"W, 729.81 feet to the **POINT OF BEGINNING** of said easement, said point lying on the southwesterly Right-of-Way line of Interstate 90; thence N14°57'00"W, 487.20 feet along said centerline to a point, said point lying on the northeasterly Right-of-Way line of Interstate 90; thence N00°00'00"E, 54.68 feet along said centerline to a point, said point being eight (8) feet west of the westerly Right-of-Way line of Decker Road (AKA State Highway No. 338); thence, eight (8) feet west of and parallel to said westerly Right-of-Way line N14°56'04"W, 25.00 feet along said centerline to the **POINT OF TERMINUS** of said easement, said point being N87°03'21"W, 648.87 feet from said north quarter corner of Section 15.

Lengthening or shortening the side lines of said easement to intersect said boundary lines.  
Basis of Bearings is Wyoming State Plane (East Central Zone).

## EXHIBIT "B"

## LEGEND:

- FOUND 3-1/4" ALUMINUM CAP PER PLS 2615
- ◆ FOUND 5-1/2" BRASS CAP (U.S. MILITARY RESERVATION MONUMENT)
- FOUND 3" GLO BRASS CAP (PRIOR SURVEY)
- FOUND 2-1/4" LEAD FILLED IRON PIPE
- ⊙ FOUND HIGHWAY RIGHT-OF-WAY MONUMENT
- ○ CALCULATED: NOTHING FOUND/NOTHING SET
- SECTION LINE
- INTERIOR SECTION LINE
- PROPERTY LINE
- HIGHWAY RIGHT-OF-WAY LINE
- PROPOSED EASEMENT RIGHT-OF-WAY LINE
- CENTERLINE OF PROPOSED 16.0' GAS LINE EASEMENT



RECORD OWNERS:  
JOHN E. RICE AND SONS, INC.,  
D/B/A/ WRENCH RANCH  
(BOOK 79, PAGE 435)

SCALE: 1"=2000'  
BASIS OF BEARINGS IS WYOMING STATE PLANE  
(EAST CENTRAL ZONE)  
DATUM: NAD 83(1993), NAVD 88 (U.S. FEET)  
PAF: 1.000235  
DISTANCES ARE SURFACE

**EASEMENT NO.1**  
±19,997.40 LINEAL FEET  
±1,211.96 RODS

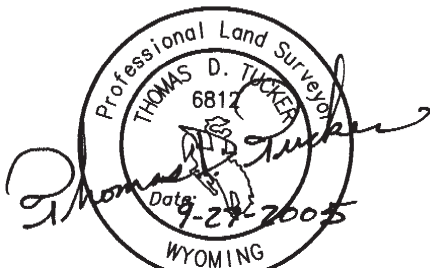
**NOTE:**  
SEE EXHIBIT "A" FOR  
CENTERLINE DESCRIPTIONS

RECORD OWNERS:  
JOHN E. RICE AND SONS, INC.,  
D/B/A/ WRENCH RANCH  
(BOOK 79, PAGE 435)

## SURVEYOR'S CERTIFICATE

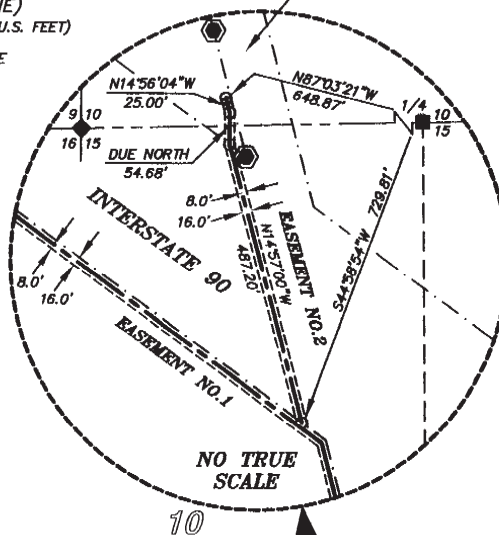
STATE OF WYOMING : 93  
COUNTY OF SHERIDAN

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"

DECKER ROAD  
(AKA STATE HIGHWAY NO.338)



NO TRUE  
SCALE

**EASEMENT NO.2**  
±566.88 LINEAL FEET  
±34.36 RODS

RECORD OWNERS:  
THEODORE & JEAN L. TOMLINSON  
(BOOK 313, PAGE 247)

EXHIBIT "B"  
16' GAS LINE EASEMENT

CLIENT: MONTANA-DAKOTA UTILITIES COMPANY

LOCATION: SECTIONS 4, 9, 10, & 15, T56N, R84W,  
SECTION 33, T57N, R84W, 6TH P.M.,  
SHERIDAN COUNTY, WYOMING.

**RESTFELDT**  
SURVEYING

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

JN: 25064  
DN: 2005/2005064E2  
PF: T2005064  
SEPTEMBER 27, 2005