

WATER AND SEWER LINE EASEMENT RIGHT OF WAY

This easement is entered into between Sheridan Heights Ranch, LLC and System Land, LLC (collectively "Grantor"), whose address is 13 Cemetery Road, Sheridan, WY 82801 and City of Sheridan ("Grantee"), whose address is 55 Grinnell Plaza, Sheridan, WY 82801.

Grantor grants to Grantee an easement and dedicated right-of-way to survey, design, construct, install, inspect, operate, maintain, tap, repair and replace underground water lines and underground sewer lines over, across and under the following described property situate in Sheridan County, Wyoming:

SEE ATTACHED EXHIBIT A

This easement is subject to the following terms and conditions.

1. Duration. This easement shall be perpetual.
2. Operations on the Easement. Grantee, its employees, agents, contractors, invitees and assigns may enter upon and use the property for the purposes of this easement, including, without limitation operating machinery on the property.
3. Reclamation. Within six (6) months after the disturbance, weather permitting, Grantee will reclaim and restore to its original condition, as near as possible, all areas disturbed by Grantee, and will repair any trench settlement. Topsoil will be kept separate from subsoil wherever there is any disturbance, and topsoil will be spread back over the subsoil. Grantee will control erosion on the easement area. This obligation to reclaim and restore shall apply each time the easement area is disturbed by Grantee's operations.
4. Debris. Grantee will not allow any debris to be discarded on the easement, and Grantee will be responsible to clean up debris along the easement for which Grantee or Grantee's invitees are responsible.
5. Buried Lines. Grantee shall bury all lines at least 48 inches between the surface of the ground and the top of the pipe.
6. Nonexclusive Use. This easement is nonexclusive and shall not preclude Grantor from using the easement area or from granting the right to other persons and parties to use the easement area; provided, however, such use will not unreasonably interfere with Grantee's use of the easement area.
7. Binding Effect. This agreement is binding upon the successors and assigns of the parties and shall run with the land.
8. Indemnification. Grantee shall indemnify and hold Grantor harmless from any legal actions or claims of any form that involve the easement and right of way conveyed by Grantor to Grantee herein, unless they are the sole result of Grantor's gross negligence. Notwithstanding the foregoing, Grantee does not waive any right it may claim with respect to the Wyoming Government Claims Act.

635564 EASEMENT
BOOK 504 PAGE 0329
RECORDED 03/19/2009 AT 01:30 PM
AUDREY KOLTISKA, SHERIDAN COUNTY CLERK

Dated this 12 day of March, 2009.

System Land, LLC

By: VeeAnn Woody
Title: Agent


Sheridan Heights Ranch, LLC

By: VeeAnn Woody
Title: Agent

STATE OF WYOMING)
) ss.
COUNTY OF SHERIDAN)

The foregoing instrument was acknowledged before me this 12th day of March, 2009
by VeeAnn Woody as an Agent of System Land, LLC.

WITNESS my hand and official seal.




Nancy Nelson
Notary Public
My commission expires: August 14, 2009

STATE OF WYOMING)
) ss.
COUNTY OF SHERIDAN)

The foregoing instrument was acknowledged before me this 12th day of March, 2009
by VeeAnn Woody as an Agent of Sheridan Heights Ranch, LLC.

WITNESS my hand and official seal.



Nancy Nelson
Notary Public
My commission expires: August 14, 2009

EXHIBIT "A"

Record Owner: Sheridan Heights Ranch, LLC
December 16, 2008

Re: 30.0' Water Line Easement to the City of Sheridan, Sheridan County, Wyoming

A perpetual waterline easement being a strip of land thirty (30) feet wide, fifteen (15) feet each side of a centerline when measured at right angles, situated in the NE¼SE¼ of Section 20 and NW¼SW¼ of Section 21, 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 southeast corner of said Section 20 (Monumented with a 3¼" aluminum cap per PLS 2615); thence N01°14'28"W, 1306.75 feet to the **POINT OF BEGINNING** of said easement; thence Due North, 113.85 feet to a point; thence Due West, 92.81 feet to a point; thence, through a curve to the right having a radius of 461.00 feet, a central angle of 62°53'56", an arc length of 506.08 feet, a chord bearing of N58°33'02"W, and a chord length of 481.05 feet to a point; thence N27°06'04"W, 123.57 feet to a point; thence N62°53'56"E, 245.01 feet to a point; thence, through a curve to the right having a radius of 1000.00 feet, a central angle of 27°06'04", an arc length of 473.00 feet, a chord bearing of N76°26'58"E, and a chord length of 468.61 feet to a point; thence Due East, 297.11 feet to a point; thence S78°45'00"E, 401.60 feet to a point; thence Due East, 281.43 feet to a point; thence N45°00'00"E, 142.83 feet to a point; thence Due East, 136.49 feet to the **POINT OF TERMINUS** of said easement, said point lying on the west right of way line of Mydland Road (aka County Road No. 80), said point being N32°36'38"E, 2404.38 feet from said southeast corner of said Section 20 (Monumented with a 3¼" aluminum cap per PLS 2615).

ALSO:

A perpetual waterline easement being a tract of land situated in the NW¼SW¼ of Section 21, 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 tract being more particularly described as follows:

Commencing at the southwest corner of said Section 21 (Monumented with a 3¼" aluminum cap per PLS 2615); thence N32°36'38"E, 2404.38 feet to a point lying on the west right of way line of Mydland Road (aka County Road No. 80); thence N02°12'10"E, 15.01 feet along said west right of way line to the **POINT OF BEGINNING** of said tract; thence Due West, 20.00 feet to a point; thence N02°12'10"E, 15.00 feet to a point; thence Due East, 20.00 feet to a point lying said west right of way line; thence S02°12'10"W, 15.00 feet along said west right of way line to the **POINT OF BEGINNING** of said tract.

In addition, a temporary construction easement will be required, as shown on **EXHIBIT "B"** being a strip of land thirty (30) feet wide and a strip of land twenty (20) feet wide; the westerly and northerly line of said thirty (30) feet wide perpetual waterline easement being the easterly and southerly line of said thirty (30) feet wide strip, the easterly and southerly line of said thirty (30) feet wide perpetual waterline easement being the westerly and northerly line of said twenty (20) feet wide strip. Lengthening or shortening the side lines of said temporary construction easement to intersect said boundary lines.

Said perpetual water line easement contains **1.95 acres**, more or less, and is subject to any right-of-way and/or easements, reservations and encumbrances which have been legally acquired.

Said temporary construction easements contain **3.21 acres**, more or less, and will become null and void at the time that the project contractor's one year contractual warranty expires.

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

LEGEND

- ◆ FOUND MILITARY MONUMENT
- FOUND 3-1/4" ALUMINUM CAP PER PE & LS 551
- FOUND 3-1/4" ALUMINUM CAP PER LS 2615
- FOUND 3-1/4" ALUMINUM CAP PER PE & LS 3864
- ○ NOTHING FOUND/SET/CALCULATED POSITION
- CENTERLINE 30' WIDE WATER LINE EASEMENT
- - - 30' WIDE PERPETUAL WATER LINE ROW
- - - TEMPORARY CONSTRUCTION LINE ROW
- - - SECTION LINE
- - - INTERIOR SECTION LINE
- X- FENCE LINE
- PROPERTY LINE
- MYDLAND ROAD ROW LINE (DRAWER "A", PLAT #226)

DETAIL
SCALE: 1"=50'

DUE EAST
39.96'

| LINE TABLE | | |
|------------|-------------|---------|
| LINE | BEARING | LENGTH |
| L1 | N00°00'00"E | 113.85' |
| L2 | N90°00'00"W | 92.81' |
| L3 | N27°06'04"W | 123.52' |
| L4 | N62°53'56"E | 245.01' |
| L5 | N80°00'00"E | 292.11' |
| L6 | S78°45'00"E | 401.60' |
| L7 | N90°00'00"E | 281.43' |
| L8 | N45°00'00"E | 142.83' |
| L9 | N90°00'00"E | 136.49' |
| L10 | N02°12'10"E | 15.01' |
| L11 | N90°00'00"W | 20.00' |
| L12 | N02°12'10"E | 15.00' |
| L13 | N90°00'00"E | 20.00' |
| L14 | S02°12'10"W | 15.00' |

RECORD OWNER:
SHERIDAN HEIGHTS RANCH, LLC
(BK 420, PG 368)

NW1/4SW1/4

FROM SE CORNER OF SECTION 20

| TIE TABLE | | |
|-----------|-------------|----------|
| LINE | BEARING | LENGTH |
| T1 | N01°14'28"W | 1306.75' |
| T2 | N32°36'39"E | 2404.38' |

| CURVE TABLE | | | | | |
|-------------|----------|-----------|------------|---------------|--------------|
| CURVE No. | RADIUS | DELTA | ARC LENGTH | CHORD BEARING | CHORD LENGTH |
| C1 | 481.00' | 62°53'56" | 506.08' | N58°33'02"W | 481.05' |
| C2 | 1000.00' | 27°06'04" | 473.00' | N78°26'58"E | 468.61' |

SCALE: 1"=200'
BASIS OF BEARINGS IS THE WYOMING COORDINATE
SYSTEM NAD 1983, EAST CENTRAL ZONE
DATUM ADJUSTMENT FACTOR (DAF): 1.000235

EXHIBIT "B" 30' WATER LINE EASEMENT

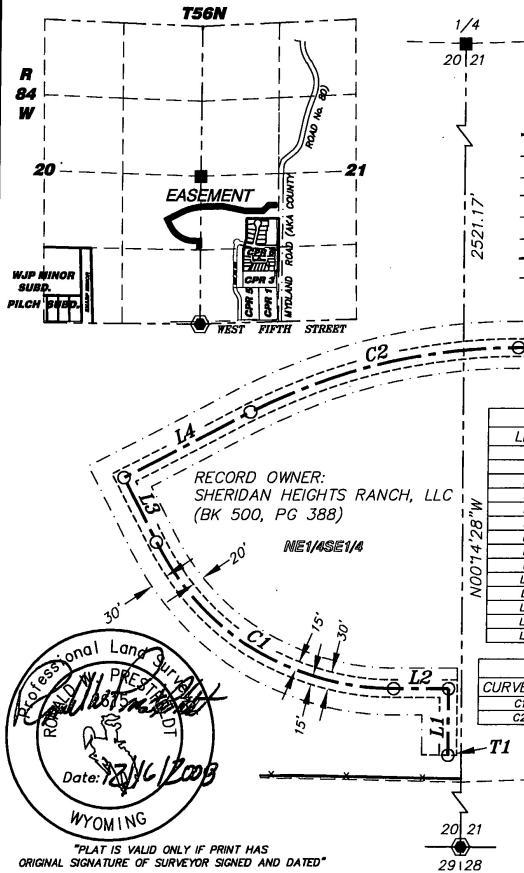
CLIENT: HKM ASSOCIATES

LOCATION: NE1/4SE1/4, SECTION 20; NW1/4SW1/4, SECTION 21, T56N, R84W, 6TH P.M., SHERIDAN COUNTY, WYOMING.

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

RESTFELDT
SURVEYING

LN#280006
DN: 20080060
TAB: SL-4
DECEMBER 16, 2008



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