

THIS EASEMENT, made this 13 day of August, A.D., 19 86, 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:

HOLLY SUGAR CORPORATION, a corporation

P.O. Box 1052, Colorado Springs, Colorado 80901

WITNESSETH, that for valuable considerations received, OWNER does hereby grant, bargain, sell and convey unto COMPANY, its successors and assigns, an easement 10 feet in width, being 5 feet left, and 5 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, remove and replace a gas pipeline or lines, including necessary pipes, poles, and fixtures, and a buried or semiburied electric distribution system, street lighting system, or any combination thereof including the necessary cables, pedestals, transformers, transformer bases and other fixtures and apparatus in connection therewith through, over, under, and across the following described real estate, situated in the County of SHERIDAN, State of WYOMING, namely: Two (2) tracts or strips of land situated in Section Twenty-one (21), Township Fifty-six (56) North, Range Eighty-four (84) West of the 6th Principal Meridian. Tract No. 1: A strip of land 10 feet wide in the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) and the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) of said Section 21. Said strip of land is parallel with and adjacent to the Northerly right-of-way line of Soldier Creek Road as it now exists. Tract No. 2: A strip of land 10 feet wide in the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) of said Section 21. Said strip of land is parallel with and adjacent to the Easterly right-of-way line of Mydland Road as it now exists.

Location of said strips of land are shown on the attached map marked Exhibit "A", incorporated herewith and made a part hereof.

OWNER agrees not to build, create or construct or permit to be built, created, or constructed, any obstruction, building, engineering works or other structures over, under, or that would interfere with said underground lines or COMPANY'S rights hereunder.

OWNER 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, repairing or removing said underground lines and for the purpose of doing all necessary work in connection therewith.

COMPANY by the acceptance hereof, hereby agrees that it will pay any and all damages that may result, including crops, fences, buildings and improvements on said premises, caused by constructing, maintaining, repairing, operating, replacing or removing said underground 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 North Dakota, this easement is limited to a term of 99 years.

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 this easement as of the day and year first above written.

HOLLY SUGAR CORPORATION, a corporation

By:

John Evans
Its Vice President

Attest:

Its

Dorothy Winters
Assistant Secretary

STATE OF Colorado)
County of El Paso) ss.

On this 13th day of AUGUST, 19 86, before me personally appeared JOHN EVANS

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

State of

Ronnie Drabinski
El Paso
Colorado

County,

(SEAL)

NO SCALE

EXHIBIT "A"

MONTANA - DAKOTA UTIL. CO.
SHERIDAN, WYOMING

