

2019-751409 7/26/2019 8:51 AM PAGE: 1 OF 2  
BOOK: 582 PAGE: 170 FEES: \$15.00 SM EASEMENT  
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK

## UNDERGROUND EASEMENT CABLE TELEVISION, COMMUNICATION, ELECTRIC AND GAS LINES

THIS EASEMENT, made this 25<sup>th</sup> day of July, 20 19, between MONTANA-DAKOTA UTILITIES CO., A SUBSIDIARY OF MDU RESOURCES GROUP, INC., a corporation, QWEST CORPORATION, a corporation, CHARTER COMMUNICATIONS, a corporation, hereinafter referred to as 'COMPANIES,' and the following named persons, hereinafter, whether singular or plural, referred to as 'OWNER,' namely:

Excalibur Construction INC.

WITNESSETH, That for valuable consideration received, OWNER does hereby grant unto Companies for 99 years, jointly and severally, its and their respective successors and assigns, an easement to construct, operate, maintain, increase the capacity of, repair, replace and remove such communication, electric and natural gas systems as the Companies may from time to time require, consisting of underground cables, wires, conduits, manholes, drains and splicing boxes, surface testing terminals, repeaters, repeater housings, markers, transformers, pedestals, pipelines, and other facilities used in the construction, operation, maintenance, increasing the capacity of, repair, replacement, and removal of said communication, electric and natural gas systems, upon, over, under, and across a strip of land 10 feet wide across the following-described real estate, situated in the County of Sheridan, State of Wyoming, to wit:

An easement located within Block 52, Downers Addition to Sheridan, Wyoming being part of the Northwest Quarter of Section 22, Township 56 North, Range 84 West of the 6<sup>th</sup> Principle Meridian, Sheridan County, Wyoming; more particularly described as follows:

The Westerly ten (10) feet of Lots 1,2,3,4,5,6 within Block 52, Downer Addition to Sheridan, Wyoming, said easement being adjacent and contiguous to the East right of way of Highland Avenue.

Also, the Easterly ten (10) feet of Lots 7,8,9,10,11,12 within Block 52, Downers Addition to Sheridan, Wyoming, said easement being adjacent and contiguous to the West right of way of Holmes Avenue.

As shown in "Easement Exhibit" attached hereto and by this reference made part hereof.

OWNER, its successors and assigns, hereby grants to Companies, jointly and severally, its and their successors and assigns, the right of ingress and egress at all reasonable times over and across the lands of Owner, to and from said strip of land for the purpose of exercising the rights herein granted; to place surface markers beyond said strip; and to install gates in any fences crossing said strip.

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 the herein stated uses, or Companies' rights hereunder.

COMPANIES agree that any and all damages that may result to the crops, fences, buildings and improvements on said premises caused by the construction and maintenance of said communication, electric and/or natural gas systems will be paid for by the responsible Company. The damages, if not mutually agreed upon, may be determined by three disinterested persons, one to be selected by the responsible Company and one by Owner; these two shall select a third person. The award determined by these three persons shall be final and conclusive.

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

Andrew McFaul  
Andrew McFaul (President)

STATE OF Wyoming )

COUNTY OF Sheridan )SS

On this 25<sup>th</sup> day of July, 20 19, before me personally appeared Andrew McFaul

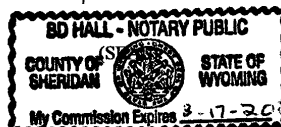
known to me to be the same person described in and who executed the above and foregoing instrument and acknowledged to me that he executed the same, (known to me to be the president and \_\_\_\_\_ respectively, of the corporation that is described in and that executed the foregoing instrument, and acknowledged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

(THIS SPACE FOR RECORDING DATA ONLY)

Notary Public, Sheridan County,

State of Wyoming

Residing at 2324 Dry Ranch Rd



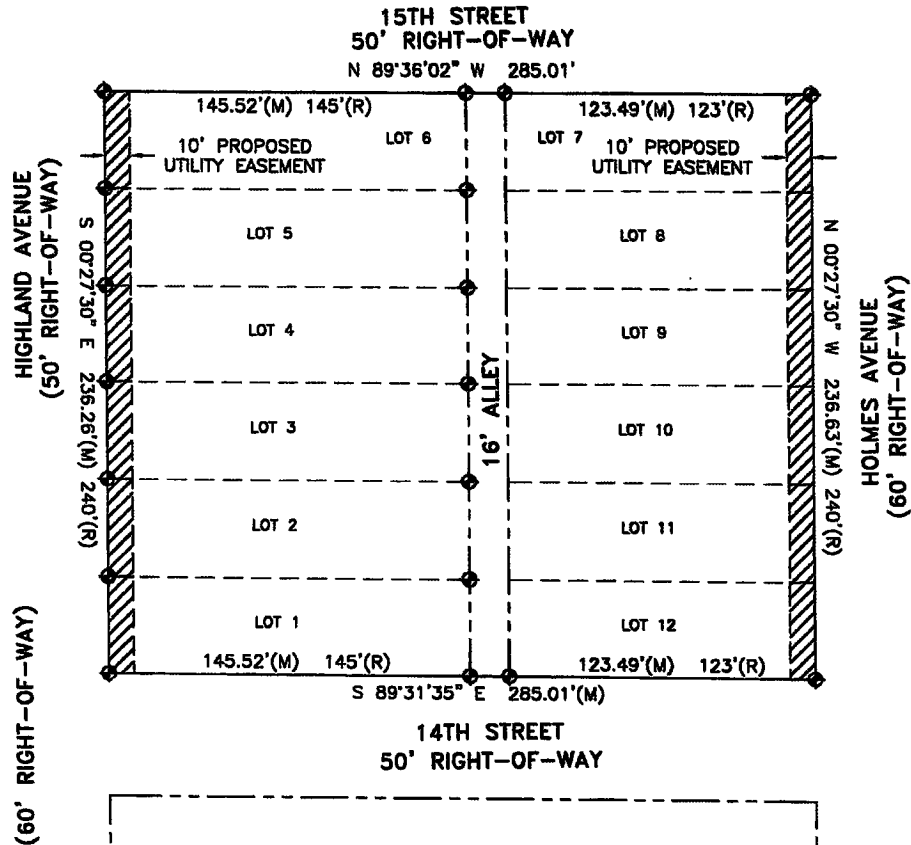
My Commission Expires: 3-17-2020

W.O. \_\_\_\_\_ L.R.R NO. \_\_\_\_\_

FILE NO. \_\_\_\_\_ TRACT NO. \_\_\_\_\_

## EASEMENT EXHIBIT

WITHIN BLOCK 52, DOWNERS ADDITION TO SHERIDAN, WYOMING  
BEING PART OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 56 NORTH,  
RANGE 84 WEST OF THE 6TH PRINCIPAL MERIDIAN, SHERIDAN COUNTY, WYOMING



0 60' 120'  
SCALE: 1"=60'

### LEGEND:

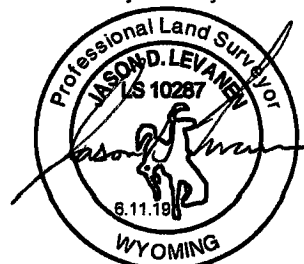
- ◆ - FOUND 5/8" REBAR WITH 1 1/2" ALUMINUM CAP, LS 10287
- (M) - MEASURED
- (R) - RECORD

BASIS OF BEARINGS IS WYOMING  
STATE PLANE EAST CENTRAL ZONE  
DISTANCES ARE GROUND NAD 83, NAVD 88 PAF: 1.0002576

THE PURPOSE OF THIS EXHIBIT IS TO ESTABLISH NEW UTILITY  
EASEMENTS ON LOTS 1 THROUGH 6 AND LOTS 7 THROUGH 12 ON  
BLOCK 52, DOWNERS ADDITION TO SHERIDAN, WYOMING

### SURVEYOR'S CERTIFICATE

I, Jason D. Levanen, a duly registered Land Surveyor in the  
State of Wyoming, do hereby certify that this plat truly and  
correctly represents the results of a survey made by me or  
under my direct supervision.



Prepared for:  
EXCALIBUR CONSTRUCTION, INC.  
2275 DRY RANCH ROAD  
SHERIDAN, WY 82801

Prepared by:  
**Arrow**  
Survey Group, Inc.  
Sheridan, WY 82801 (307)751-7543

DP: \18-054 Northern Underground TOPO-BOUNDARY.dwg Date: 6/11/2019  
Rev: Sheet 1 of 1

**NO. 2019-751409 EASEMENT**  
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK  
MONTANA DAKOTA UTILITIES CO 2324 DRY RANCH RD  
SHERIDAN WY 82801