

RECORDED MARCH 27, 1997 BK 385 PG 195 NO 251509 RONALD L. DAILEY, COUNTY CLERK

**UNDERGROUND EASEMENT
COMMUNICATION, ELECTRIC, GAS, AND WATER LINES**

THIS EASEMENT, made this 17 day of March, 1997, between Wesley J. and Lynette M. Smiley and the following named persons: Robert I. Diefenderfer and Maxine Diefenderfer, Trustees of the Revocable Living Trust of Maxine Diefenderfer, 18 Circle 8 Drive, Sheridan, WY 82801, hereinafter referred to as "Owner".

WITNESSETH, that for \$10.00 and other good and valuable consideration received, including agreement to restrictive property covenants, Owner does hereby grant unto Wesley J. and Lynette M. Smiley an restrictive easement to service one single family dwelling located upon the 5.587 acres described as 3061 U.S. Highway 87 in book 255 page 126 of the records of Sheridan County, Wyoming, and to construct, maintain and repair such communication, electric, natural gas, and water systems as the companies may require, consisting of underground cables, transformers and other facilities used in the construction, maintenance and repair of said communication, electric, natural gas, and water systems upon, under and across a strip of land 20 feet wide, across the following described real estate, situated in the County of Sheridan, State of Wyoming, to wit:

Commencing at a point S.51°10'W. a distance of 274.9 feet from the North one quarter corner of Section 35, Township 55 North, Range 84 West, which point of beginning is on the centerline of U.S. Highway 87, thence ten (10) feet on each side of a centerline described as follows: thence N.38°04'30"E. a distance of 134.9 feet; thence N. 67°29'E. a distance of 107.9 feet; thence N.86°29'E. a distance of 136.2 feet; thence S.87°16'E. a distance of 257.7 feet; thence S.72°11'E. a distance of 162.7 feet; thence S.55°59'E. a distance of 156.9 feet; thence S.62°51'E. a distance of 163.6 feet; thence S.63°22'45"E. a distance of 643.3 feet; to the east line of the NW¼NE¼ of said Section 35.

Wesley J. and Lynette M. Smiley, jointly and severally, and their successors and assigns and Owner, its successors and assigns agree that this easement is restricted to service the 5.587 acres described above. No continuation of this service to any other property is allowed. In the event that any service is provided, of Wesley J. and Lynette M. Smiley, jointly and severally, and their successors and assigns, to property other than the 5.587 acres described above, Wesley J. and Lynette M. Smiley, jointly and severally, and their successors and assigns shall remove all facilities from the easement within 60 days of demand thereof by Owner, its successors and assigns. Upon the expiration of 60 days and removal of the facilities the easement will revert back to Owner, its successors and assigns.

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

Robert I. Diefenderfer
Robert I. Diefenderfer, Trustee

Maxine Diefenderfer
Maxine Diefenderfer, Trustee

STATE OF Wyoming)

: ss.

County of Sheridan)

On this 17th day of March, 1997, before me personally appeared Robert and Maxine Diefenderfer. They known to me to be the persons described in and who executed the above and foregoing instrument acknowledged to me that he executed the same, (known too me to be the Trustees of the revocable living trust of Maxine M. Diefenderfer, Robert or Maxine Diefenderfer, Trustees that is described in and that executed the foregoing instrument, acknowledged to me that such corporation executed the same).

Kim D. Pelesky
Notary Public, Sheridan County,
State of Wyoming
Residing in Sheridan
My Commission Expires: May 4, 1997

