

**MONTANA-DAKOTA UTILITIES CO.
UNDERGROUND EASEMENT**

THIS EASEMENT, made this 30th day of November, A.D., 2007, between MONTANA-DAKOTA UTILITIES CO., A DIVISION OF MDU RESOURCES GROUP, INC., a corporation, 400 North Fourth Street, Bismarck, North Dakota 58501, and QWEST CORPORATION, a corporation, BRESNAN COMMUNICATIONS, L.L.C., hereinafter called "COMPANIES," its successors and assigns, and the following named persons, herein, whether singular or plural, called "OWNER," namely:

Northern Wyoming Community College District

WITNESSETH, that for valuable considerations received, OWNER does hereby grant, bargain, sell and convey unto COMPANIES, their successors and assigns, an easement 30 feet in width, being 15 feet left, and 15 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, reconstruct, operate, maintain, repair, remove and replace communications line or lines, 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:

A Thirty (30) foot wide Underground Easement situated in the E1/2SW1/4 of Section 2 and the E1/2NW1/4 of Section 11; and a fifteen (15) foot wide easement in the NW1/4SE1/4 of Section 2.; Township 55 North, Range 84 West of the 6th P. M., Sheridan County, Wyoming; the centerline of said easement being more particularly described in EXHIBIT "A" and shown in EXHIBIT "B" attached hereto and by this reference 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 COMPANIES rights hereunder, provided however, Owner reserves the right to construct, reconstruct, operate, maintain, repair, remove or replace other utility facilities across the easement premises provided such other utility facilities shall not interfere with the underground lines or the COMPANIES' rights hereunder.

OWNER hereby grants to COMPANIES, 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.

COMPANIES 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 COMPANIES and one by OWNER; these two shall select the third person. The award of these three persons shall be final and conclusive.

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

Cheryl Heath
Deputy of Administration, CFO

STATE OF Wyo

ss.

COUNTY OF Sheridan

On this the 30 day of November, 2007, before me personally appeared Cheryl Heath (known to me) or satisfactorily proved to be the person described in and who executed the above and fore going instrument and acknowledged to me that she executed the same (known to me to be the CFO and _____ respectively, of the corporation that is described in and that executed the foregoing instrument, acknowledged to me that such corporation executed the same.)

(this space for recording data only)

627632 EASEMENT
BOOK 501 PAGE 0786
RECORDED 12/03/2008 AT 10:40 AM
AUDREY KOLTISKA, SHERIDAN COUNTY CLERK

Doris Ostrowski
Notary Public



My Commission Expires 11/9/10

W.O. 155776 Tract NO. _____ LLR NO. _____

EXHIBIT "A"

Record Owners: Northern Wyoming Community College District
April 5, 2007

Re: 30.0' Underground Utility Easement for Montana-Dakota Utilities Company, a Division of MDU Resource Group, Inc., QWEST Corporation, BRESNAN Communications, LLC, and or any of their respective successors and assigns.

An underground utility easement being a strip of land thirty (30) feet wide when measured at right angles, situated in the E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 2, Township 55 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; the west line of said strip being more particularly described as follows:

Commencing at the south quarter corner of said Section 2 (Monumented with a 3 $\frac{1}{4}$ "Aluminum Cap per PLS 2615); thence N18°58'18"W, 1473.58 feet to the **POINT OF BEGINNING** of said easement, said point being the southwest corner of a tract of land described in Book 459 of Deeds, Page 8; thence S02°25'56"W, 10.96 feet along the west line of said strip to a point, said point lying on the easterly right-of-way line of U.S. Highway No. 87 (AKA Coffeen Avenue) and being the northwest corner of a tract of land as shown on a Record of Survey recorded in Drawer "A", Plat No. 222; thence, along said easterly right-of-way line and the west line of said strip, through a non-tangent curve to the left, having a radius of 2506.49 feet, a central angle of 08°39'43", an arc length of 378.93 feet, a chord bearing of S06°11'46"W, and a chord length of 378.57 feet to a point; thence S01°53'01"W, 636.11 feet along said easterly right-of-way line and the west line of said strip to the **POINT OF TERMINUS** of said easement, said point lying on the north line of a tract of land described in Book 205 of Deeds, Page 478, and being N55°36'44"W, 655.93 feet from said south quarter corner of Section 2. Lengthening or shortening the side line of said easement to intersect said boundary lines.

Said underground utility easement contains 30,784 square feet of land, more or less, and is subject to any right-of-way and or easements, reservations and encumbrances which have been legally acquired.

An underground utility easement being a strip of land thirty (30) feet wide when measured at right angles, situated in the E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 11, Township 55 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; the west line of said strip being more particularly described as follows:

Commencing at the north quarter corner of said Section 11 (Monumented with a 3 $\frac{1}{4}$ "Aluminum Cap per PLS 2615); thence S55°34'07"W, 798.86 feet to the **POINT OF BEGINNING** of said easement, said point lying on the easterly right-of-way line of U.S. Highway No. 87 (AKA Coffeen Avenue), and lying on the south line of a tract of land described in Book 403 of Deeds, Page 117; thence, along said easterly right-of-way line and the west line of said strip, through a non-tangent curve to the right, having a radius of 2062.20 feet, a central angle of 06°52'22", an arc length of 247.37 feet, a chord bearing of S22°19'00"W, and a chord length of 247.22 feet to a point; thence S25°44'30"W, 430.45 feet along said easterly right-of-way line and the west line of said strip to a point; thence, along said easterly right-of-way line and the west line of said strip, through a non-tangent curve to the left, having a radius of 1982.20 feet, a central angle of 12°30'08", an arc length of 432.52 feet, a chord bearing of S19°30'02"W, and a chord length of 431.67 feet to the **POINT OF TERMINUS** of said easement, said point lying on the south line of a tract of land described in Book 398 of Deeds, Page 686, and being S36°18'28"W, 1830.40 feet from said north quarter corner of Section 11. Lengthening or shortening the side line of said easement to intersect said boundary lines.

Said underground utility easement contains 33,160 square feet of land, more or less, and is subject to any right-of-way and or easements, reservations and encumbrances which have been legally acquired.

Re: 15.0' Underground Utility Easement for Montana-Dakota Utilities Company, a Division of MDU Resource Group, Inc., QWEST Corporation, BRESNAN Communications, LLC, and or any of their respective successors and assigns.

An underground utility easement being a strip of land fifteen (15) feet wide when measured at right angles, situated in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, Township 55 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; the north line of said strip being more particularly described as follows:

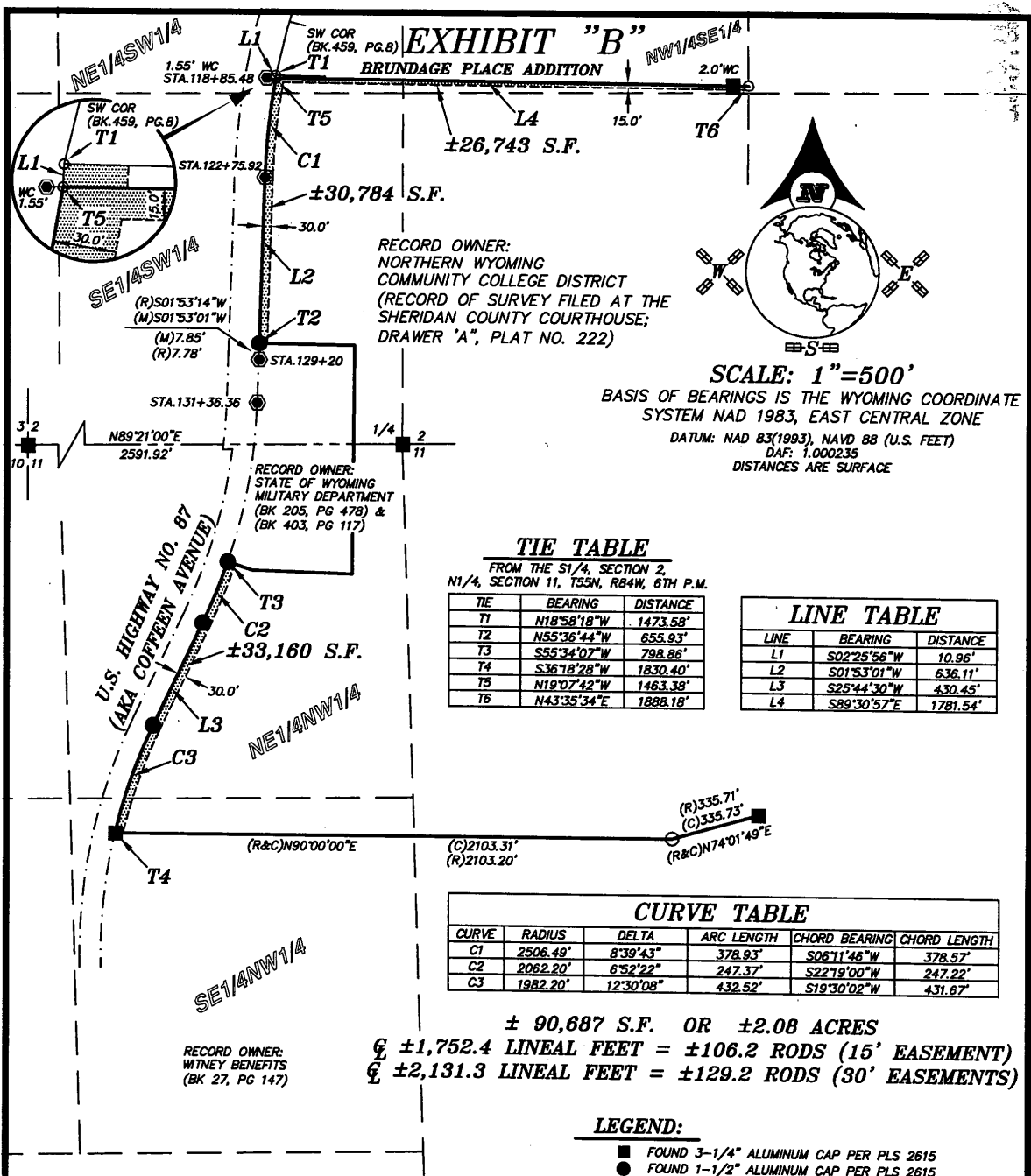
Commencing at the south quarter corner of said Section 2 (Monumented with a 3 $\frac{1}{4}$ " Aluminum Cap per PLS 2615); thence N19°07'42"W, 1463.38 feet to the **POINT OF BEGINNING** of said easement, said point lying on the easterly right-of-way line of U.S. Highway No. 87 (AKA Coffeen Avenue) and being the northwest corner of a tract of land as shown on a Record of Survey recorded in Drawer "A", Plat No. 222; thence S89°30'57"E, 1781.54 feet along the north line of said strip to the **POINT OF TERMINUS** of said easement, said point lying on the east line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ and being the northeast corner of said tract of land as shown on a Record of Survey recorded in Drawer "A", Plat No. 222, said point also being N43°35'34"E, 1888.18 feet from said south quarter corner of Section 2. Lengthening or shortening the side line of said easement to intersect said boundary lines.

Said underground utility easement contains 26,743 square feet of land, more or less, and is subject to any right-of-way and or easements, reservations and encumbrances which have been legally acquired.

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

EXHIBIT "B"

BRUNDAGE PLACE ADDITION



TIE TABLE

FROM THE S1/4, SECTION 2,
N1/4, SECTION 11, T55N, R84W, 6TH P.M.

TIE	BEARING	DISTANCE
T1	N18°58'18"W	1473.58'
T2	N55°36'44"W	655.93'
T3	S55°34'07"W	798.86'
T4	S36°18'28"W	1830.40'
T5	N19°07'42"W	1463.38'
T6	N43°35'34"E	1888.18'

LINE TABLE

LINE	BEARING	DISTANCE
L1	S02°25'56"W	10.96'
L2	S01°53'01"W	636.11'
L3	S25°44'30"W	430.45'
L4	S89°30'57"E	1781.54'

CURVE TABLE

CURVE	RADIUS	DELTA	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	2506.49'	8°39'43"	378.93'	S06°11'46"W	378.57'
C2	2062.20'	6°52'22"	247.37'	S22°19'00"W	247.22'
C3	1982.20'	12°30'08"	432.52'	S19°30'02"W	431.67'

± 90,687 S.F. OR ±2.08 ACRES

±1,752.4 LINEAL FEET = ±106.2 RODS (15' EASEMENT)
±2,131.3 LINEAL FEET = ±129.2 RODS (30' EASEMENTS)

LEGEND:

- FOUND 3-1/4" ALUMINUM CAP PER PLS 2615
- FOUND 1-1/2" ALUMINUM CAP PER PLS 2615
- FOUND HIGHWAY RIGHT-OF-WAY MONUMENT
- CALCULATED: NOTHING FOUND/NOTHING SET
- (R) RECORD
- (M) MEASURED
- (C) CALCULATED
- SECTION LINE
- INTERIOR SECTION LINE
- PROPERTY/LOT/TRACT LINE
- EASEMENT RIGHT-OF-WAY LINE
- HIGHWAY RIGHT-OF-WAY LINE

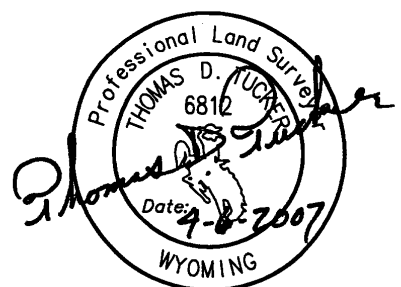
NOTE:

UNDERGROUND UTILITY EASEMENT FOR MONTANA-DAKOTA UTILITIES COMPANY, A DIVISION OF MDU RESOURCES GROUP, INC., QWEST CORPORATION, BRESNAN COMMUNICATIONS, LLC, AND OR ANY OF THEIR RESPECTIVE SUCCESSORS AND ASSIGNS.

SURVEYOR'S CERTIFICATE

STATE OF WYOMING
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"

EXHIBIT "B"

UNDERGROUND UTILITY EASEMENT

CLIENT: MONTANA-DAKOTA UTILITIES COMPANY

LOCATION: NW1/4SE1/4, E1/2SW1/4 OF SECTION 2,
E1/2NW1/4 OF SECTION 11, T55N, R84W, 6TH P.M.,
SHERIDAN COUNTY, WYOMING.



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JN: 27016
DN: 2007/2007016E3
PF: T2007016
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