

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

THIS EASEMENT, made this 17 day of January, A.D., 2008, 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:

Wayne Knapp

WITNESSETH, that for valuable considerations received, OWNER does hereby grant, bargain, sell and convey unto COMPANY, its successors and assigns, an easement 16 feet in width, being 8 feet left, and 8 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 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:

An underground utility easement sixteen (16) feet wide, being eight (8) feet each side of the following described centerline situated in Lot 1, Lot 2, Lot 3, Peter Demple Subdivision to the City of Sheridan, and NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 22, 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 northeast corner of said Section 22 (Monumented with a 3/4" Aluminum Cap per PLS 6812); thence S45°38'50"W, 954.72 feet to the **POINT OF BEGINNING** of said easement, said point lying on the east right-of-way line of Main Street; thence S89°30'53"E, 435.54 feet, eight (8) feet north of and parallel to the south line of a tract of land described in Book 455 of Deeds, Page 372 along said centerline to a point; thence N08°36'52"W, 186.18 feet along said centerline to a point; thence, eight (8) feet southwesterly of and parallel to the southwesterly Railroad right-of-way line along said centerline, through a non-tangent curve to the left, having a radius of 658.78 feet, a central angle of 04°55'36", an arc length of 56.65 feet, a chord bearing of N32°25'08"W, and a chord length of 56.63 feet to a point; thence N46°09'25"W, 81.49 feet, eight (8) feet southwesterly of and parallel to the northeasterly line of said tract described in Book 455 of Deeds, Page 372 along said centerline to the **POINT OF TERMINUS** of said easement, said point lying on the south line of a tract of land described in Book 458 of Deeds, Page 761, and being S43°34'30"W, 528.41 feet from said northeast corner of Section 22. Lengthening or shortening the side lines of said easement to intersect said boundary lines.

Said easement contains 12,158 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.

Bearings are Based on the Wyoming Coordinate System NAD 1983, East Central Zone.

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.

Wayne Knapp
Wayne Knapp

STATE OF Wyoming
COUNTY OF Sheridan :SS

On this 17 day of January, 2008, before me personally appeared Wayne Knapp

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 _____ 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)

627630 EASEMENT
BOOK 501 PAGE 0781
RECORDED 12/03/2008 AT 10:40 AM
AUDREY KOLTISKA, SHERIDAN COUNTY CLERK

James S. Sorenson
Notary Public, _____ County,
State of _____
Residing at _____
JAMES S. SORENSON - Notary Public
County of Sheridan State of Wyoming
My Commission Expires 9-10-08
My Commission Expires: _____
W.O. _____ TRACT NO. _____ L.R.R NO. _____

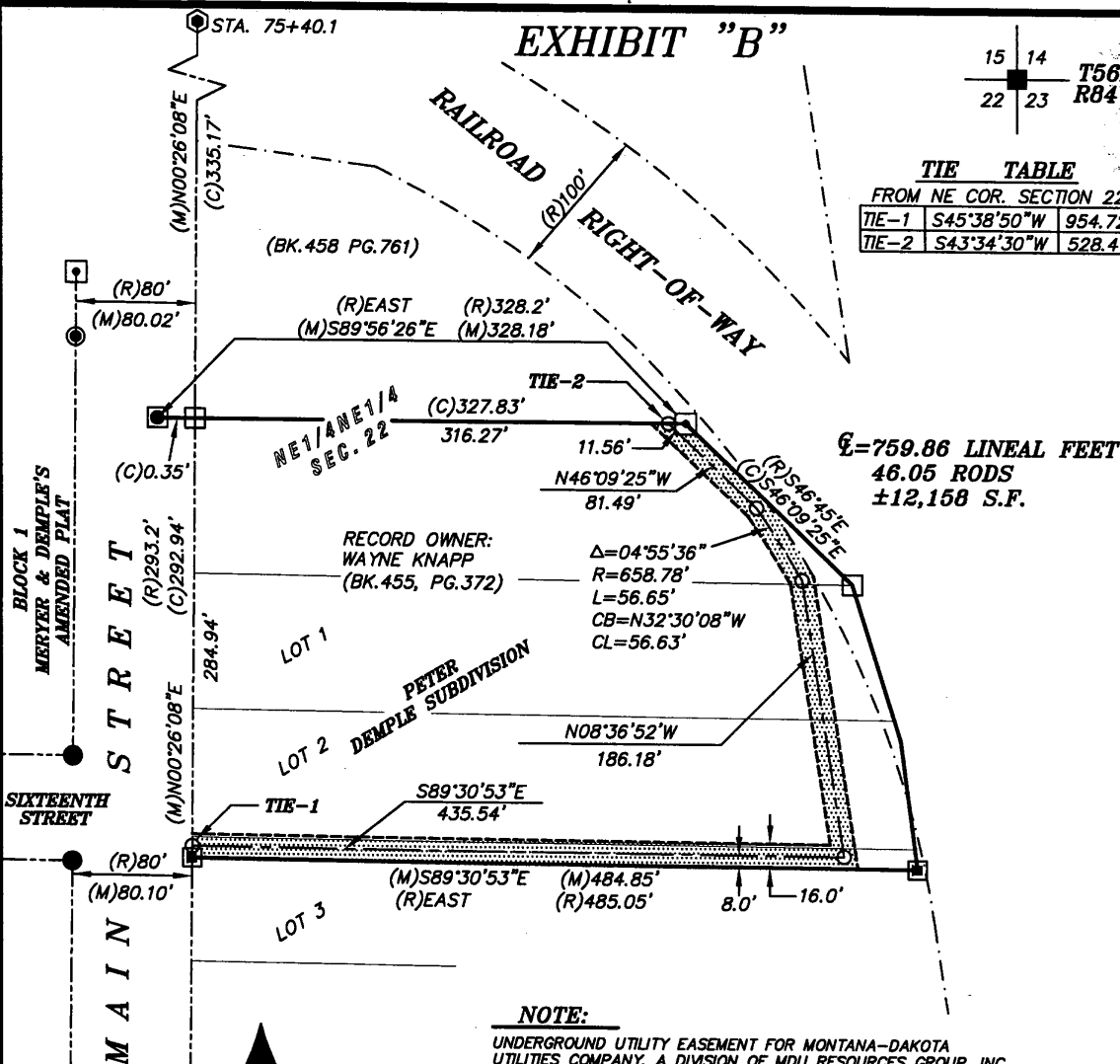
782

EXHIBIT "B"

15 14
22 23 T56N
R84W

TIE TABLE
FROM NE COR. SECTION 22

TIE-1	S45°38'50"W	954.72'
TIE-2	S43°34'30"W	528.41'



NOTE:

UNDERGROUND UTILITY EASEMENT FOR MONTANA-DAKOTA UTILITIES COMPANY, A DIVISION OF MDU RESOURCES GROUP, INC.,

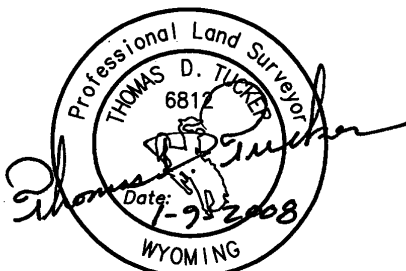
LEGEND:

- FOUND 5/8 REBAR
- FOUND 2" ALUMINIUM CAP PER PLS 6812
- FOUND 3-1/4" ALUMINIUM CAP PER PLS 6812
- FOUND 1-1/2" ALUMINIUM CAP (UNMARKED)
- FOUND HIGHWAY RIGHT-OF-WAY MONUMENT
- FOUND 2" ALUMINIUM CAP PER PE&LS 3864
- FOUND 1-1/2" ALUMINIUM CAP PER PLS 102
- □ CALCULATED: NOTHING FOUND/NOTHING SET
- (R) RECORD
- (M) MEASURED
- (C) CALCULATED
- PROPERTY LINE
- LOT LINE
- RIGHT-OF-WAY LINE
- RAILROAD RIGHT-OF-WAY LINE
- UNDERGROUND UTILITY EASEMENT LINE
- CENTERLINE OF 16.0' UNDERGROUND UTILITY EASEMENT

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"

16.0' UNDERGROUND UTILITY EASEMENT

CLIENT: MONTANA-DAKOTA UTILITIES COMPANY

LOCATION: LOTS 1, 2, & 3, PETER DEMPLE SUBDIVISION, TO THE CITY OF SHERIDAN, & NE1/4NE1/4 OF SECTION 22, T56N, R84W, 6TH P.M., SHERIDAN COUNTY, WYOMING.



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JN: 27139
DN: 2007/2007139D
PF: T2005060
JANUARY 9, 2007