

RECORDED AUGUST 26, 1996 BK 381 PG 446 NO 235482 RONALD L. DAILEY, COUNTY CLERK

R/W No. 35099

## EASEMENT

The Undersigned Grantor(s) for and in consideration of One Hundred Dollars (\$100) and other good and valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant and convey to U S WEST COMMUNICATIONS, INC., a Colorado Corporation, (Grantee) whose address is 103 North Durbin Street, Casper, Wyoming 82601, its successors, assigns, lessees, licensees and agents a perpetual easement to construct, reconstruct, operate, maintain and remove such telecommunications facilities as Grantee may require upon, over, under and across the following described land which the Grantor owns or in which the Grantor has any interest, to wit:

A tract of land situate in the SW 1/4 SE 1/4 of Section 10, Township 55 North, Range 84 West, of the 6th Principal Meridian, Sheridan County, Wyoming; said tract being more particularly described as an easement six (6) feet in width by ten (10) feet in length, lying easterly of, and along and abutting, the proposed easterly boundary of the proposed Girl School Road, and abutting the southerly boundary of this parcel of land, being more particularly described on Exhibits "A" and "B", which are attached hereto and hereby made a part hereof, a part of the property described in warranty deeds in Book 274 at Page 22, and in Book 378 at Page 553 in the Sheridan County Clerk and Records Office; hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of this State.

Grantee shall have the right of ingress and egress over and across the Land of the Grantor to and from the above described property, and the right to clear and keep cleared all trees and other obstructions. Grantee shall be responsible for all damage caused to Grantor arising from Grantee's exercise of the rights and privileges herein granted.

The Grantor reserves the right to occupy, use and cultivate said Easement for all purposes not inconsistent with, nor interfering with the rights herein granted.

The rights, conditions and provisions of this easement shall inure to the benefit of and be binding upon the heirs, executors, administrators, successors and assigns of the respective parties hereto.

Any claim, controversy or dispute arising out of this Agreement shall be settled by arbitration in accordance with the applicable rules of the American Arbitration Association, and judgement upon the award rendered by the arbitrator may be entered in any court having jurisdiction thereof. The arbitration shall be conducted in the county where the property is located.

Signed and delivered this 30 day of April, 1996.

## GRANTORS:

Edward R Schunk and Rosemary B. Schunk, Trustees of the Edward R. Schunk Revocable Trust dated February 21, 1996, an undivided one-half interest; and

Edward R. Schunk  
Edward R. Schunk, Trustee

Rosemary B. Schunk  
Rosemary B. Schunk, Trustee

Edward R Schunk and Rosemary B. Schunk, Trustees of the Rosemary B. Schunk Revocable Trust dated February 21, 1996, an undivided one-half interest.

Edward R. Schunk  
Edward R. Schunk, Trustee

Rosemary B. Schunk  
Rosemary B. Schunk, Trustee

STATE OF WYOMING )  
COUNTY OF SHERIDAN) ss.

The foregoing instrument was acknowledged before me this 30 day of April, 1996, by Edward R. Schunk, Trustee, and Rosemary B. Schunk, Trustee, of both the Edward R. Schunk Revocable Trust dated February 21, 1996, and the Rosemary B. Schunk Revocable Trust dated February 21, 1996, Grantors.

Witness my hand and official seal:



William Ewing  
Notary Public  
My Commission Expires: Jan. 4, 1999

Grantor:

Edward and Rosemary Schunk  
P.O. Box 31  
Big Horn, Wyoming 82833

QTR SE SEC. 10 TWP. 55N RANGE 84W COUNTY SHERIDAN  
R/W 35099 JOB O. 527A978 EXCH SHERIDAN

**EXHIBIT 'A'**

**Record Owner: Edward R. & Rosemary B. Schunk  
March 11, 1996**

**Re: Telecommunications Easement (Tract)**

*A tract of land situated in the SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 10, Township 55 North, Range 84 West, 6th P.M., Sheridan County, Wyoming; said tract being more particularly described as follows:*

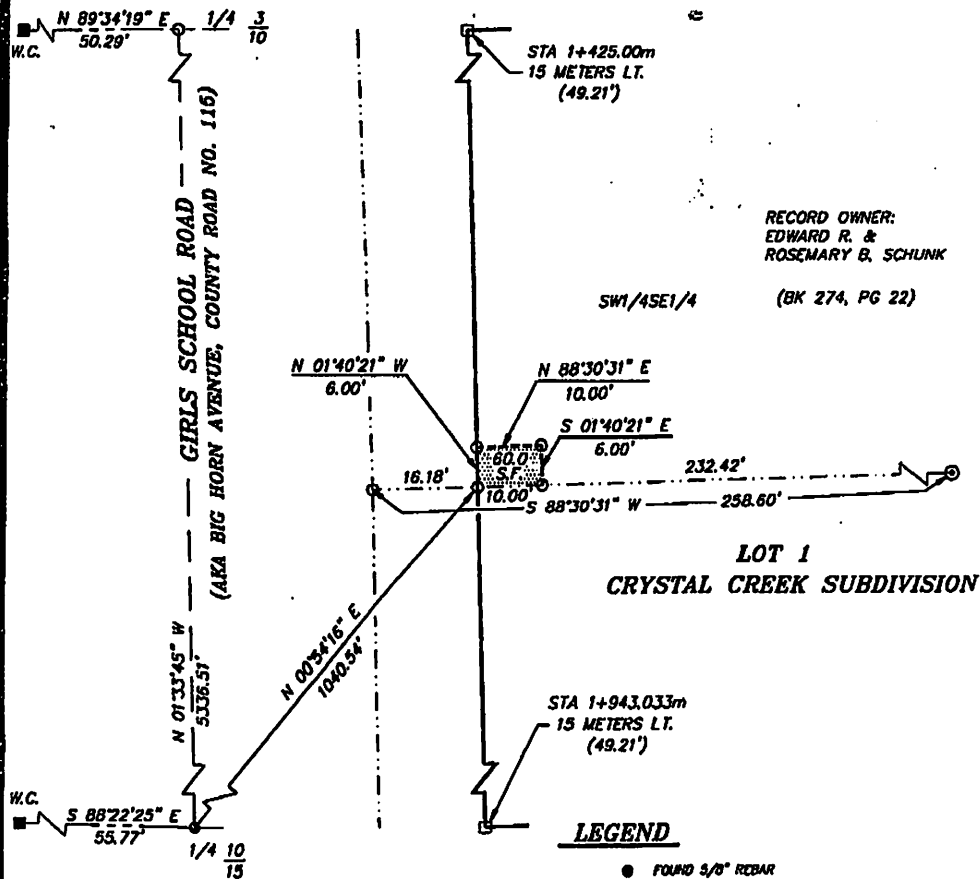
*Commencing at the south quarter corner of said Section 10; thence N00°54'16"E, 1040.54 feet to the POINT OF BEGINNING, said point lying on the south line of a tract of land Described in Book 274 of Deeds, Page 22, and the proposed east right of way line of Girls School Road (AKA Big Horn Avenue, County Road No. 116); thence N01°40'21"W, 6.00 feet along said proposed east right of way line to a point; thence N88°30'31"E, 10.00 feet to a point; thence S01°40'21"E, 6.00 feet to a point, said point lying on said south line of a tract of land Described in Book 274 of Deeds, Page 22; thence S88°30'31"W, 10.00 feet along said south line to the POINT OF BEGINNING of said tract.*

*Said tract (Telecommunications Easement) contains 60.0 square feet of land, more or less.*

*Basis of Bearings is Wyoming State Plane (East Central Zone).*

*R/W 35099*

## EXHIBIT "B"



RECORD OWNER:  
EDWARD R. &  
ROSEMARY B. SCHUNK

SW1/4SE1/4 (BK 274, PG 22)

LOT 1  
CRYSTAL CREEK SUBDIVISION

## LEGEND

- FOUND 3/8" REBAR
- FOUND 3-1/4" ALUMINUM CAP PER L.S. 2615
- ⊙ FOUND 1-1/2" ALUMINUM CAP UNMARKED
- ○ CALCULATED POSITION
- W.C. WITNESS CORNER
- PROPERTY/LOT/EXISTING RIGHT OF WAY LINE
- SECTION LINE
- INTERIOR SECTION LINE
- PROPOSED RIGHT OF WAY LINE (GIRLS SCHOOL ROAD)
- EASEMENT RIGHT OF WAY LINE

BASIS OF BEARINGS: WYOMING STATE PLANE (EAST CENTRAL ZONE)

## NOTE:

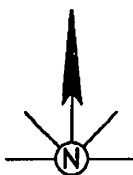
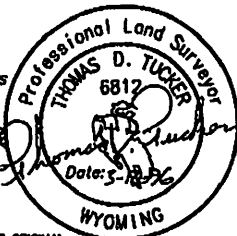
1. RIGHT OF WAY STATIONS ARE LISTED IN METERS. OFFSET DISTANCES FROM CENTERLINE ARE LISTED IN METERS AND FEET.
2. SEE WYOMING DEPARTMENT OF TRANSPORTATION PLAN AND PROFILE OF PROPOSED STATE HIGHWAY GIRLS SCHOOL ROAD (BIG HORN AVENUE, COUNTY ROAD NO. 116) FOR PROPOSED/EXISTING RIGHT OF WAY.

## 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 CERTIFY THAT THIS PLAT TRULY AND CORRECTLY REPRESENTS THE RESULTS OF A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION.

THOMAS D. TUCKER WY P.L.S. 6812



Sec. 10  
(SW1/4SE1/4)

T-55-N

R-84-W

SCALE: 1" = 20'

SHERIDAN COUNTY, WYOMING

Date: 03-08-96

Job No. 527A978

RL No.

"SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR SIGNED AND DATED"

U.S. WEST Communications, Inc.

EXHIBIT FOR RIGHT OF WAY NO. 35099

GRANTOR EDWARD R. SCHUNK

& ROSEMARY B. SCHUNK



PO BOX 3082  
SHERIDAN, WY 82801  
307-678-7415  
FAX 674-5000

JR: 95091  
DR: 95/95091011

SHEET 1 OF 1