

MONTANA-DAKOTA UTILITIES CO.  
UNDERGROUND EASEMENT

THIS EASEMENT, made this 20<sup>th</sup> day of DECEMBER, A.D., 2017, 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:

LewDiamond, LLC, a Wyoming limited liability company

WITNESSETH, that for valuable considerations received, OWNER does hereby grant, bargain, sell and convey unto COMPANY, its successors and assigns, an easement 5 feet in width, being        feet left, and        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:  
as follows:

A strip of land, located in a portion of Lot 15, Block 2, Grinnell Addition to the Town, now City of Sheridan, Sheridan County, Wyoming. More particularly described as follows:  
the North five (5) feet of the East 72 feet more or less, of the aforementioned Lot 15, said strip being located from the East property line of Lot 15 to the easterly edge of the existing building addressed as 415 North Main Street.

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.

Andy J. Lewallen  
OWNER of LLC

STATE OF Wyoming)

: ss

COUNTY OF Sheridan)

On this 20<sup>th</sup> day of DECEMBER, 2017, before me personally appeared \_\_\_\_\_

ANDY LEWALLEN

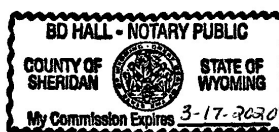
known to me, or satisfactorily proved to be the persons described in and who executed the above and fore going instrument and acknowledged to me that they executed the same (known to me to be the owner and owner respectively,

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)

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BOOK: 571 PAGE: 218 FEES: \$12.00 HM EASEMENT  
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK

BD Hall  
Notary Public, Sheridan County,  
State of Wyoming  
Residing at Sheridan



(SEAL)

My commission Expires 3-17-2020

WO \_\_\_\_\_ TRACT NO \_\_\_\_\_ LRR NO \_\_\_\_\_

NO. 2017-739478 EASEMENT

EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK  
MONTANA DAKOTA UTILITIES CO 2324 DRY RANCH RD  
SHERIDAN WY 82801