

RECORDED OCTOBER 29, 2001 BK 427 PG 698 NO 390825 AUDREY KOLTISKA, COUNTY CLERK

MONTANA-DAKOTA UTILITIES CO.  
UNDERGROUND EASEMENT

THIS EASEMENT, made this 8<sup>th</sup> day of January, A.D., 19 99, 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  
Brett M. & Marcy K. Buskiewicz and Ernest J. Kois  
254 Upper Prairie Dog Rd.

WITNESSETH, that for valuable considerations received, OWNER does hereby grant, bargain, sell and convey unto COMPANY, its successors and assigns, an easement 15 feet in width, being 7.5 feet left, and 7.5 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:

No Overhead Lines allowed.

An underground electric line easement fifteen (15) feet wide, being seven and one half (7.5) feet each side of the following described centerline situated in the NE 1/4 of Section 15, Township 54 North, Range 83 West, 6th P.M., Sheridan County, Wyoming; said centerline being more particularly described as follows:

Commencing at the west quarter corner of said Section 15 (Monumented with a 1 1/4" Aluminum Cap per PE&LS 2614); thence S59° 27'15"E, 2441.45 feet to the POINT OF BEGINNING, said point lying on the west line of a tract of land described in Book 327 of Deeds, Page 475, said point also lying on the centerline of Upper Prairie Dog Road (AKA County Road No. 127); thence N09° 51'48"E, 99.50 feet along the centerline of said easement to a point; thence N36° 45'47"E, 254.98 feet along said centerline to a point; thence N13° 13'19"E, 403.83 feet along said centerline to a point; thence N02° 04'21"W, 395.66 feet along said centerline to a point; thence N37° 33'25"W, 42.67 feet to the POINT OF TERMINUS, said point lying on the north line of said tract described in Book 327 of Deeds, Page 475 and being S87° 08'21"E, 2327.24 feet from said west quarter corner of Section 15.

Basis of Bearings is Wyoming State Plane (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 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.

Ernest J. Kois  
Ernest J. Kois

Brett M. Buskiewicz  
Brett M. Buskiewicz

Marcy K. Buskiewicz  
Marcy K. Buskiewicz

STATE OF Wyoming  
COUNTY OF Sheridan :ss

On this 8<sup>th</sup> day of January, 19 99, before me personally appeared Brett M. & Marcy K. Buskiewicz known to me to be the same person 5 described in and who executed the above and foregoing instrument.

(THIS SPACE FOR RECORDING DATA ONLY)

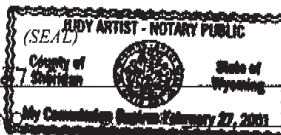
Judy Artist  
Notary Public, Sheridan County,  
State of Wyoming  
Residing at Sheridan

My Commission Expires: 2/21/01 State of Wyoming  
W.O. \_\_\_\_\_ TRACT NO. \_\_\_\_\_  
My Commission Expires February 22, 2001

On this 8<sup>th</sup> day of February, 19 99, before me personally appeared Ernest J. Kain,  
known to me to be the same person \_\_\_\_\_ described in and who executed the above and foregoing instrument.

(THIS SPACE FOR RECORDING DATA ONLY)

Notary Public, Judy Artist Sheridan County,  
State of Wyoming  
Residing at Sheridan

My Commission Expires: 2/27  
W.O. \_\_\_\_\_ TRACT NO. \_\_\_\_\_  


On this \_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_, before me personally appeared \_\_\_\_\_  
known to me to be the same person \_\_\_\_\_ described in and who executed the above and foregoing instrument.

(THIS SPACE FOR RECORDING DATA ONLY)

Notary Public, \_\_\_\_\_ County,  
State of \_\_\_\_\_  
Residing at \_\_\_\_\_

(SEAL)

My Commission Expires: \_\_\_\_\_  
W.O. \_\_\_\_\_ TRACT NO. \_\_\_\_\_ L.R.R. NO. \_\_\_\_\_