

EASEMENT

RECORDED NOVEMBER 3, 1997 BK 388 PG 698 NO 269727 RONALD L. DAILEY, COUNTY CLERK

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned, (whether one or more)

Scott A. and Sandra L. Nicholson

of Sheridan County, State of Wyoming for a good and valuable consideration, the receipt whereof is hereby acknowledged, do hereby convey and warrant unto Sheridan-Johnson Rural Electrification Association, a Wyoming corporation, whose post office address is Sheridan, Sheridan County, Wyoming, and to its successors or assigns, the right to enter upon the lands hereinafter described, situated in the County of Sheridan, State of Wyoming, and more particularly described as follows, to-wit:

T 57 N, R 83 W, Section 7 - Lot 4 (SWSW)  
T 57 N, R 83 W, Section 18 - Lot 1 (NWNW)

See attached Exhibit "A" for approximate location of centerline and detailed description.

(Tract 5, Beatty Spur Ranchettes)

The undersigned hereby relinquish(es), release(s) and waive(s) all rights, distributive shares or homestead interest under and by virtue of the homestead exemption laws of the State of Wyoming, to the extent necessary to permit the Association the free enjoyment of the rights herein conferred; and to place, construct, operate, repair, maintain, relocate and replace thereon and/or construct, maintain, operate, repair, relocate and replace underground an electrical transmission or distribution line or system for the purpose of conveying electricity over, across, through, and under the lands herein above described, together with the rights to excavate and refill ditches and trenches for the location of said line or system, and further to include in addition thereto such rights upon all streets, roads, and highways abutting said land, and to license, permit or otherwise agree to the joint use or occupancy of the line or system by any other person, association, or corporation for electrification or telephone purposes, and the further right to trim, cut, and remove trees, shrubbery, undergrowth, and other obstacles interfering with the location, construction, and maintenance of said line or system.

In granting this easement it is understood that the location of utility poles necessary to span the above described land overhead will be such as to form the least possible interference to farm operations, so long as it does not materially increase the cost of construction.

The undersigned agree(s) that all utility poles, wires, and other facilities, including any main service entrance equipment, installed on the above described lands at the Association's expense shall remain the property of the Association, removable at the option of the Association, upon termination of service to, on, or through said lands.

The undersigned covenant(s) that he (or they) is (or are) the owner(s) of the above described lands and that said lands are free and clear of encumbrances and liens of whatsoever character except those held by the following persons:

It is further understood that whenever necessary, the words used in this instrument in the singular shall be construed to read in the plural and that words used in the masculine gender shall be construed to read in the feminine.

IN WITNESS WHEREOF, the undersigned has (have) his (or their) hand(s) and seal(s) this 15 day of April, A. D., 1997.

*Scott Nicholson*

Signed, sealed, and delivered in the presence of:

STATE OF Wyoming }  
COUNTY OF Sheridan } ss.

On this 15 day of April, 1997, before me personally appeared Scott A. Nicholson to me known to be the person described in and who executed the foregoing instrument and acknowledged that

executed the same as free act and deed, including the release and waiver of the right of homestead, the said wife have been by me fully apprised of her right and the effect of signing and acknowledging the said instrument.

*Susan M. [Signature]*



My commission expires on the 17 day of March 1999.

NOTE

The acknowledgment set forth above is for individuals; the following form is to be used for corporations:

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me personally appeared \_\_\_\_\_ to me personally known, who, having been by me first duly sworn did say: That he is the \_\_\_\_\_ of \_\_\_\_\_ the Corporation described in and which executed the foregoing instrument; that the seal affixed to said instrument is the corporate seal of said Corporation; and that said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors; and said \_\_\_\_\_ acknowledged said instrument to be the free and voluntary act and deed of said Corporation.

In Witness Whereof I have hereunto set my hand and affixed my notarial seal on the day and year in this certificate first above written.

Notary Public

My commission expires on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

By and Between  
 Scott A. and  
 Sandra L. Nicholson  
 and  
 Powder River Energy Corporation

Initialed for Identification \_\_\_\_\_

## EXHIBIT "A"

Scott A. and  
 Sandra L. Nicholson

(within Tract 5, Beatty Spur Ranchettes)

T 57 N, R 83 W, SECTION 7 - LOT 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$ )  
 T 57 N, R 83 W, SECTION 18 - LOT 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$ )

Beginning at a point located N 52°00'01"E, 1145.66 feet from the Southwest Corner of Section 7, T 57 N, R 83 W, of the 6th P.M., Sheridan County, Wyoming; thence S 11°09'42"W, 347.25 feet; thence S 3°57'09"E, 332.08 feet; thence S 68°12'29"E, 33.89 feet to a point located N 88°39'45"E, 890.18 feet from said Southwest Corner; and

Beginning at a point located N 66°25'23"E, 911.68 feet from the Southwest Corner of Section 7, T 57 N, R 83 W, of the 6th P.M., Sheridan County, Wyoming; thence N 87°35'07"W, 21.68 feet.

Beginning at a point located N 87°46'28"E, 859.12 feet from the Southwest Corner of Section 7, T 57 N, R 83 W, of the 6th P.M., Sheridan County, Wyoming; thence S 54°56'22"W, 25.30 feet; and

The above description is for a 1-phase 14.4 kv overhead power line right of way, 30 feet in width, being 15 feet on each side of the above described centerline, extending a total distance of 760.20 feet, and containing 0.52 acres, more or less.

