

**AGREEMENT FOR RIGHT-OF-WAY EASEMENTS
AND
CONSTRUCTION EASEMENT**

THIS AGREEMENT is by and between HEIGHTS DEVELOPMENT CORP., hereinafter referred to as the Property Owner, and SHERIDAN COUNTY, WYOMING, hereinafter referred to as the County.

WHEREAS, the County proposes to improve County Road No. 80 by reconstructing and realigning approximately 1.04 miles of County Road 80, also known as Mydland Road;

AND WHEREAS, the Property Owner is willing to convey to the County the necessary permanent right-of-way easement, and temporary construction easements,;

NOW THEREFORE, in consideration of mutual covenants set forth herein and for other good and valuable consideration, the parties agree as follows:

1. Property Owner agrees to convey unto the County new permanent right-of-way easements on property situated in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21, Township 56 North, Range 84 West, 6th P.M., City of Sheridan, Sheridan County, Wyoming, as described on attached Exhibit "A."
2. Property Owner agrees to convey a temporary construction easement on property situated in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21, Township 56 North, Range 84 West, 6th P.M., City of Sheridan, Sheridan County, Wyoming as described on attached Exhibit "B". The temporary easement will be in effect until the contractor's one year contractual warranty expires.
3. The County will have the new right-of-way surveyed before the contractor's one year contractual warranty expires.
4. The County shall place Temporary Fence (45" 3 barbed wire) along the construction easement. The temporary fence shall become the property of the land owner following construction. Right-of-Way will be fenced with Permanent Fence Type A [32" welded wire and 2 barbed wire (48" total), wood posts].
5. The County will seed all disturbed areas in the Right of Way and construction easement with a dryland seed mix.

536887 AGREEMENT
BOOK 473 PAGE 0265
RECORDED 04/11/2006 AT 04:00 PM
AUDREY KOLTISKA, SHERIDAN COUNTY CLERK

Heights Development Corporation
 "Grantee" (Company Name)

BY:

[Signature]
 Authorized Representative Signature

1/19/06
 Date

Pres
 Title

STATE OF WYOMING)
) ss.
 COUNTY OF SHERIDAN)

The foregoing instrument was acknowledged before me by Donald B. Roberts
 on Jan 19, 2006

WITNESS my hand and official seal.

Sandra G. Kerr
 Notary Public

My Commission Expires: Mar 1, 2008



COUNTY OF SHERIDAN, WYOMING

DATED THIS: 04-04-06
 Day Month Year

Terry Cram
 Terry Cram, Chairman

Ky Dixon
 Ky Dixon, Commissioner

Lawrence A. Durante
 Lawrence A. Durante, Commissioner

ATTEST:

Cindy Fortisha
 County Clerk

STATE OF WYOMING)
) ss.
 COUNTY OF SHERIDAN)

The foregoing instrument was acknowledged before me by Lawrence A. Durante
 on April 4, 2006 cei

WITNESS my hand and official seal.

Carla I. Raymond
 Notary Public

My Commission Expires:



EXHIBIT A

LEGAL DESCRIPTION

**RE: PERPETUAL RIGHT OF WAY EASEMENT No. 1 of 2
HEIGHTS DEVELOPMENT CORP. to SHERIDAN COUNTY**

A tract of land situated in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21, Township 56 North, Range 84 West, 6th P.M., City of Sheridan, Sheridan County, Wyoming, as shown on a Record of Survey filed in Drawer A of Certificate of Surveys, Plat Number 226; said tract being more particularly described as follows:

Commencing at the west quarter corner of said Section 21 (Monumented with a 3 $\frac{1}{4}$ " Aluminum Cap per PE&LS 551); thence S89°24'05"E, 1387.43 feet to the **POINT OF BEGINNING**, said point lying on the south line of a tract of land described in Book 311 of Deeds, Page 661; thence N00°30'39"W, 59.79 feet along the easterly right of way line of Mydland Road to a point; thence N00°21'54"W, 73.37 feet along said easterly right of way line to a point; thence N14°52'45"E, 138.15 feet along said easterly right of way line to a point; thence N49°26'53"E, 350.87 feet along said easterly right of way line to a point; thence, through a curve to the right, having a radius of 398.10 feet, a central angle of 21°14'29", an arc length of 147.59 feet, a chord bearing of S41°30'56"W, and a chord length of 146.74 feet to a point; thence S52°08'11"W, 164.54 feet to a point; thence S33°03'58"W, 69.04 feet to a point; thence S10°11'52"W, 71.76 feet to a point; thence S02°11'59"W, 154.04 feet to a point lying on said south line of said tract described in Book 311 of Deeds, Page 661; thence S88°22'05"W, 17.63 feet along said south line to the **POINT OF BEGINNING**.

Said tract contains 10,463 square feet of land, more or less.

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

LEGAL DESCRIPTION

**RE: PERPETUAL RIGHT OF WAY EASEMENT No. 2 of 2
HEIGHTS DEVELOPMENT CORP. to SHERIDAN COUNTY**

A tract of land situated in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21, Township 56 North, Range 84 West, 6th P.M., City of Sheridan, Sheridan County, Wyoming, as shown on a Record of Survey filed in Drawer A of Certificate of Surveys, Plat Number 226; said tract being more particularly described as follows:

Commencing at the west quarter corner of said Section 21 (Monumented with a 3 $\frac{1}{4}$ " Aluminum Cap per PE&LS 551); thence N73°54'44"E, 1762.81 feet to the **POINT OF BEGINNING**, said point lying on the easterly right of way line of Mydland Road; thence N15°03'58"E, 355.18 feet along said easterly right of way line to a point; thence S12°12'26"W, 237.30 feet to a point; thence, through a curve to the right, having a radius of 398.10 feet, a central angle of 17°09'24", an arc length of 119.21 feet, a chord bearing of S20°47'08"W, and a chord length of 118.76 feet to the **POINT OF BEGINNING**.

Said tract contains 2,455 square feet of land more or less.

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

EXHIBIT B**LEGAL DESCRIPTION****RE: TEMPORARY CONSTRUCTION EASEMENT
HEIGHTS DEVELOPMENT CORP. to SHERIDAN COUNTY**

A temporary construction easement situated in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21, Township 56 North, Range 84 West, 6th P.M., City of Sheridan, Sheridan County, Wyoming; said temporary construction easement being more particularly described as follows:

Commencing at the west quarter corner of said Section 21 (Monumented with a 3 $\frac{1}{4}$ " Aluminum Cap per PE&LS 551); thence S89°25'45"E, 1405.05 feet to the **POINT OF BEGINNING**, said point lying on the south line of a tract of land described in Book 311 of Deeds, Page 661; thence N02°11'59"E, 154.04 feet to a point; thence N10°11'52"E, 71.76 feet to a point; thence N33°03'58"E, 69.04 feet to a point; thence N52°08'11"E, 164.54 feet to a point; thence, through a curve to the left, having a radius of 398.10 feet, a central angle of 39°55'44", an arc length of 277.43 feet, a chord bearing of N32°10'18"E, and a chord length of 271.85 feet to a point; thence N12°12'26"E, 237.30 feet to a point lying on the easterly right of way line of Mydland Road; thence N15°03'58"E, 164.21 feet along said easterly right of way line to a point; thence S76°28'39"E, 27.17 feet to a point; thence S12°20'44"W, 148.28 feet to a point; thence N77°47'34"W, 20.00 feet to a point; thence S12°12'26"W, 252.40 feet to a point; thence, through a curve to the right, having a radius of 413.10 feet, a central angle of 39°55'44", an arc length of 287.89 feet, a chord bearing of S32°10'18"W, and a chord length of 282.10 feet to a point; thence S52°08'11"W, 109.10 feet to a point; thence, through a curve to the left, having a radius of 231.48 feet, a central angle of 33°47'18", an arc length of 136.51 feet, a chord bearing of S35°14'31"W, and a chord length of 134.54 feet to a point; thence N71°39'08"W, 12.00 feet to a point; thence, through a curve to the left, having a radius of 243.48 feet, a central angle of 16°08'53", an arc length of 68.62 feet, a chord bearing of S10°16'26"W, and a chord length of 68.39 feet to a point; thence S02°12'00"W, 9.26 feet to a point; thence S87°48'01"E, 12.00 feet to a point; thence S02°11'59"W, 80.00 feet to a point; thence S87°48'00"E, 10.00 feet to a point; thence S02°11'59"W, 40.48 feet to a point lying on said south line of a tract described in Book 311 of Deeds, Page 661; thence S88°22'05"W, 25.06 feet along said south line to the **POINT OF BEGINNING**.

Said temporary construction easement contains 19,487 square feet of land, more or less.

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