

DRAINAGE FACILITY EASEMENT

That for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable considerations, the receipt of which is hereby acknowledged and confessed, Dellamae Herbst, aka Della Herbst, trustee of the **Dellamae Herbst Trust**, dated August 6, 1996, hereinafter called the grantor, hereby grants to **THE TRANSPORTATION COMMISSION OF WYOMING**, 5300 Bishop Blvd., Cheyenne, Wyoming, 82009-3340, its assigns or successors, hereinafter called the grantee, the right to lay out, construct, inspect, maintain and operate drainage facilities, and the right to discharge drainage and flood waters for the benefit of the public, being over, across and upon the following described lands located in the County of Sheridan and State of Wyoming, to-wit:

Parcel No. 6A, WYDOT Project No. 1708012

A parcel of land in Tract 9 of the Marshall Subdivision situate in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 2, T. 55 N., R. 84 W., 6th P.M., Sheridan County, Wyoming, described by metes and bounds as follows:

Commencing at the corner common to Sections 2, 3, 10, 11 monumented by a 3 $\frac{1}{4}$ inch Aluminum cap PLS 2615, from which the corner common to Sections 1, 2, 11, 12 of said T. 55 N., R. 84 W. bears N. 89° 21' 08.3" E. a distance of 5,183.91 feet, monumented by a 3 inch Aluminum cap, PLS 2615, as shown on record of survey recorded July 11, 2017 in Plat Book A, at page 522, Document No. 2017-735975 of the Sheridan County records;

thence N. 84° 40' 04.3" E. a distance of 1,937.04 feet to a point on the existing westerly right of way boundary of U.S. Highway 87(Coffeen Avenue), monumented by a highway right of way marker with a brass cap stamped 131+36.36 75' RT, WYDOT Project No. 7980 on a non-tangent curve, concave westerly, the radius of which is 1,947.20 feet, and a line tangent to said curve of S. 02° 05' 07.0" W.;

thence along said existing westerly right of way boundary southerly along said curve through a central angle of 00° 23' 52.1" an arc distance of 13.52 feet, with a chord bearing of S. 02° 17' 03.1" W. a chord distance of 13.52 feet, to **THE TRUE POINT OF BEGINNING**.

thence continuing along said existing westerly right of way boundary southerly along said curve through a central angle of 02° 50' 52.9" an arc distance of 96.79 feet, the chord bearing of S. 03° 54' 25.4" W. a chord distance of 96.78 feet to a point on the proposed easement line, from which a highway right of way marker with a brass cap stamped STA 133+10 POC 75' RT WYDOT Project No. PSF 71180 bears S. 06° 18' 29.2" W. a distance of 66.41 feet;

thence along said proposed easement line the following three bearings and distances;

- 1) N. 84° 40' 08.4" W. a distance of 40.00 feet;
- 2) N. 03° 54' 25.4" E. a distance of 95.05 feet;
- 3) S. 87° 31' 00.8" E. a distance of 40.00 feet to the point of beginning.

The above described parcel of land contains 3,874 square feet, more or less.

Parcel No. 6B, WYDOT Project No. 1708012

A parcel of land in Tract 9 of the Marshall Subdivision, situate in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 11, T. 55 N., R. 84 W., 6th P.M., Sheridan County, Wyoming, described by metes and bounds as follows:

Commencing at the corner common to Sections 2, 3, 10, 11 monumented by a 3 $\frac{1}{4}$ inch Aluminum cap PLS 2615, from which the corner common to Sections 1, 2, 11, 12 of said T. 55 N., R. 84 W. bears N. 89° 21' 08.3" E. a distance of 5,183.91 feet, monumented by a 3 inch Aluminum cap, PLS 2615, as shown on record of survey recorded July 11, 2017 in Plat Book A, at page 522, Document No. 2017-735975 of the Sheridan County records;

thence S. 85° 12' 25.5" E. a distance of 1,928.55 feet to a point on the existing westerly right of way boundary of U.S. Highway 87(Coffeen Avenue), **THE TRUE POINT OF BEGINNING**, being a point on a non-tangent curve, concave northwesterly, the radius of which is 1,982.20 feet, and a line tangent to said curve of S. 11° 49' 06.3" W.;

thence along said existing westerly right of way boundary southwesterly along said curve through a central angle of 01° 50' 20.2" an arc distance of 63.62 feet, with a chord bearing of S. 12° 44' 16.4" W., a chord distance of 63.62 feet, to a point on the proposed easement line;

thence along said proposed easement line the following three bearings and distances;

- 1) N. 77° 15' 50.9" W. a distance of 30.00 feet;
- 2) N. 12° 44' 16.4" E. a distance of 62.65 feet;
- 3) S. 79° 06' 21.1" E. a distance of 30.00 feet to the point of beginning.

The above described parcel of land contains 1,904 square feet, more or less.

Grantor will not use or permit to be used said land for any purpose which will inhibit use by the grantee for construction, operation and maintenance of said drainage facilities.

Grantor grants the right of ingress and egress to and from the said land for any and all purposes necessary and incident to the exercise by the grantee, of the rights granted by this conveyance.

The grant herein contained is an easement and shall be perpetual so long as said land is used for the aforementioned purposes.

Dated this 30 day of November, ²⁰²¹~~2020~~

Della Mae Herbst
Dellamae Herbst, Trustee
Della Mae Herbst

12-1-2021

ACKNOWLEDGMENT

STATE OF Wyoming)
COUNTY OF Sheridan)§

The foregoing instrument was acknowledged before me this 1 day of December, ²⁰²¹~~2020~~,
by Dellamae Herbst

Dellamae Herbst, aka Della Herbst, trustee of the Dellamae Herbst Trust, dated August 6, 1996

Witness my hand and official seal.

My commission expires Oct 22 2022

[Signature]

NOTARY PUBLIC

