

**MONTANA-DAKOTA UTILITIES CO.  
UNDERGROUND EASEMENT**

THIS EASEMENT, made this 6<sup>th</sup> day of OCTOBER, A.D., 2008, between MONTANA-DAKOTA UTILITIES CO., A DIVISION OF MDU RESOURCES GROUP, INC., a corporation, 400 North Fourth Street, Bismarck, North Dakota 58501, a corporation, hereinafter called "COMPANY," its successors and assigns, and the following named persons, herein, whether singular or plural, called "OWNER," namely:

**BRIAN C. DILLARD and JODI L. DILLARD**  
5018 Coffeen Avenue  
Sheridan, Wyoming 82801

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 communications line or lines, a gas pipeline or lines, including necessary pipes, poles, and fixtures, and a buried or semi buried 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:

A Fifteen (15) foot wide Underground Easement situated in Lot 4 of Harvey Subdivision, a subdivision in Sheridan County, Wyoming being briefly described as follows: A strip of land being 15 feet wide parallel and adjacent to the right of way boundary of US Highway 87 (A.K.A Coffeen Avenue), Sheridan County, State of Wyoming, beginning on the north property line; thence southerly to the south property line; said easement being more particularly shown in EXHIBIT "A" attached hereto and by this reference made a part hereof.

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

  
BRIAN C. DILLARD

  
JODI L. DILLARD

STATE OF WYOMING

SS.

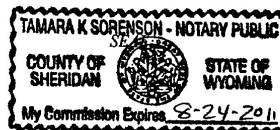
COUNTY OF SHERIDAN

On this the 6<sup>th</sup> day of OCTOBER, 2008, before me personally appeared BRIAN C. DILLARD AND JODI L. DILLARD known to me, or satisfactorily proved to be the person described in and who executed the above and fore going instrument and acknowledged to me that he executed the same (known to me to be the and 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)

630300 EASEMENT  
BOOK 503 PAGE 0113  
RECORDED 01/15/2009 AT 09:45 AM  
AUDREY KOLTISKA, SHERIDAN COUNTY CLERK

  
Notary Public



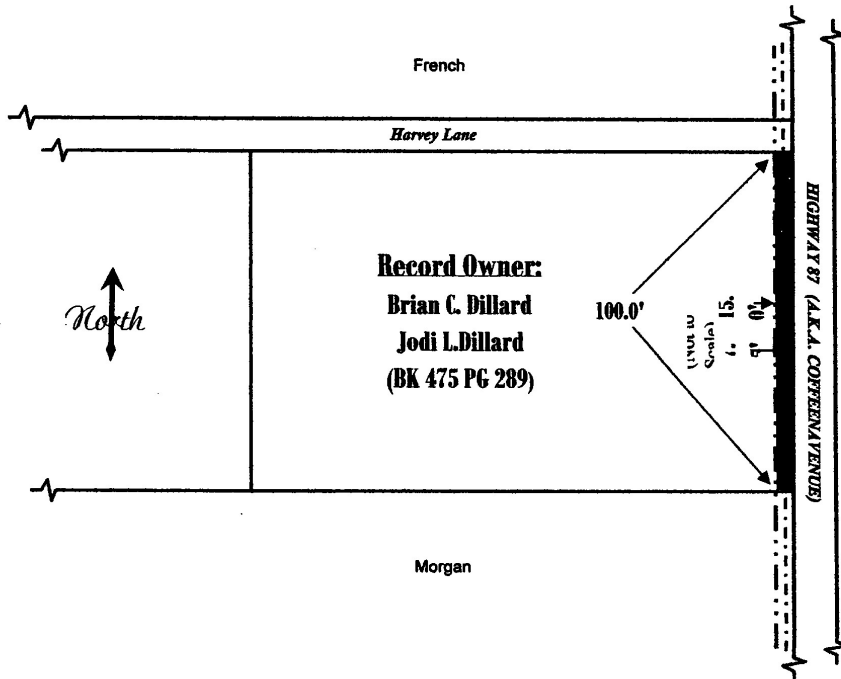
My Commission Expires 8-24-2011

W.O. 581101 Tract NO. LLR NO.

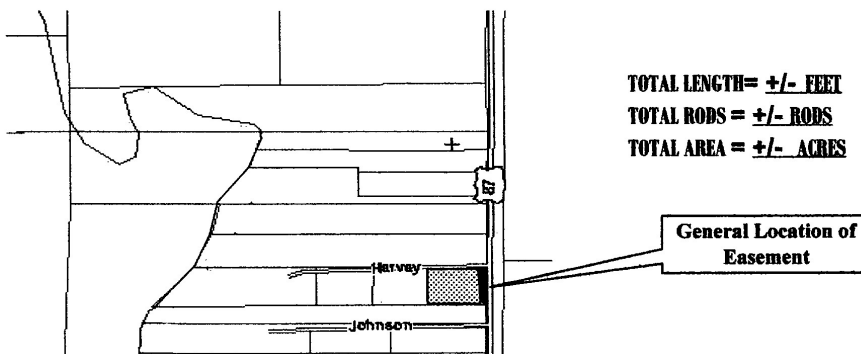
***EXHIBIT A***

***MONTANA DAKOTA UTILITIES***  
***15.0' UNDERGROUND UTILITY EASEMENT***

**Lot 4, Harvey Subdivision, Sheridan County, Wy**



**Exhibit "A" which has been attached to and made a part of the Underground Utility Easement is to be used for illustration purposes only and not to be construed as a final survey of location**



**Date:** \_\_\_\_\_

**Work Order No:** \_\_\_\_\_

**1842 Sugarland Drive, Suite 108, PMB 198  
Sheridan, Wyoming 82801**



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