

EASEMENT

UNDERGROUND COMMUNICATIONS AND ELECTRIC LINES

RECORDED SEPTEMBER 11, 1990 BK 336 PG 446 NO 64907 RONALD L. DAILEY, COUNTY CLERK

THIS EASEMENT, made this 18th day of June, 1990, between MONTANA-DAKOTA UTILITIES CO., a Division of MDU RESOURCES GROUP, INC., a corporation, and THE MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY, hereinafter referred to as "Companies", and the following named persons, hereinafter referred to as "OWNER", namely: ELVERN J. NEIGHBORS and HARRIETT C. NEIGHBORS, Husband and Wife

WITNESSETH, that for valuable consideration received, OWNER does hereby grant, bargain and convey unto Companies, jointly and severally, its and their associated and allied companies, its and their respective successor and assigns, an easement to construct, operate, maintain, repair, replace and remove such communications and electric systems as the Companies may from time to time require, consisting of underground cables, wires, conduits, manholes, drains and splicing boxes, surface testing terminals, repeaters, repeater housings, markers, transformers, other associated above ground appurtenances, and other facilities used in the construction, operation, maintenance, repair and removal of said communications and electric systems, upon, over, under and across a strip of land 10' wide, across the following-described real estate, situated in the County of Sheridan, State of Wyoming, to-wit:

A tract of land situated in the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$), of Section 14, Township 55 North, Range 84 West of the Sixth Principal Meridian, described as follows:

A strip of land 5 feet each side of the following described line, beginning at a point which is N.0° 59' E., 960.44 feet from the southwest corner of said section 14; thence N.71° 44' E., 493.3 feet to the true point of beginning; thence N.54° 01' W., 469 feet; thence S.87° 40' W., 25 feet more or less to the end of the easement.

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.

Owner hereby grants to Companies, jointly and severally, its and their successors and assigns, the right of ingress and egress at all reasonable times over and across the lands of Owner, to and from said strip for the purpose of exercising the rights herein granted; to place surface markers beyond said strip, to install gates in any fences crossing said strip; and to permit in said strip the underground cables, wires and circuits, transformers and appurtenances of any other company.

Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., hereby agrees to pay for any and all damages that may result to the crops, fences, buildings and improvements on said premises arising from the construction and maintenance of its electric systems, to the extent that such damages are caused by the negligent or willful acts of Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., and The Mountain States Telephone and Telegraph Company hereby agrees to pay for any and all damages that may result to the crops, fences, and buildings and/or improvements on said premises arising from the construction and maintenance of its communications systems, to the extent that such damages are caused by the negligent or willful acts of the Mountain States Telephone and Telegraph Company.

IN WITNESS WHEREOF, OWNER has executed this easement as of the day and year first above written.

- ✓ varicosa C. Nees Rh.
- ✓ Thum J. Nees Rh.

STATE OF WYOMING)
County Of Sheridan) ss.

On this 18th day of June, 19 90, before me personally appeared ELVERN J. NEIGHBORS and HARRIETT C. NEIGHBORS, Husband and Wife

known to me to be the same person S described in and who executed the above and foregoing instrument and acknowledged to me that the Y executed the same, (known to me to be the _____ and _____ respectively, of the corporation that is described in and that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.)

LYNETTE HENNINGSON



Notary Public, Sheridan County,
State of Wyoming

(SEAL)

My Commission Expires: 7-5-91

W.O. 71-06400 TRACT NO. _____ L.R.R. No. 33831