

MONTANA-DAKOTA UTILITIES CO.  
UNDERGROUND ELECTRIC RIGHT-OF-WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, John H & Nancy N. Merrill  
Of 5624 Coffeen Av Sheridan, Wy

hereinafter called OWNER (whether one or more), for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, grants and warrants to MONTANA-DAKOTA UTILITIES CO., a Division of MDU Resources Group, INC., a corporation, of 400 North Fourth Street, Bismarck, North Dakota 58501, COMPANY, and to its successors and assigns, a perpetual right-of-way and easement for the construction, reconstruction, replacement, operation, maintenance, repair and removal of buried or semiburied electric distribution system, street lighting system or communication system, or any combination thereof including the necessary cables, pedestals, transformers, transformer bases and other fixtures and apparatus in connection therewith, to be located upon, under and within the following real estate in Sheridan County, State of Wyoming, namely:

A perpetual underground electric easement fifteen (15) feet wide, being ten (10) feet each side of the following described centerline situated in the SW¼ of Section 14 of Township 55 North, Range 84 West, 6th P.M., Sheridan County, Wyoming; said easement is located in a tract of land described in Book 438 Page 464 of Deeds in the Sheridan County Courthouse, the centerline of said easement follows the existing overhead power line; said centerline being more particularly described as follows:

Commencing at the southwest corner of said Section 14; thence N03°14'49"E, 1564.78 feet to the **POINT OF BEGINNING** of said easement; thence S0°38'16"E, 170.25 feet along said centerline to the **POINT OF TERMINUS** of said easement, said point being N3°41'39"E, 1403.53 feet from the southwest quarter corner of said Section 14.

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

- All construction on this easement shall be in accordance with standard MDU construction practices.
- All trenching on the easement shall be backfilled and the topsoil will be replaced within 24 hrs
- All land through which the easement passes (except for roads ) shall be reseeded.
- Trenching activities shall not interfere with travel over existing roads for no more than 2 hours, and all road surfaces shall be restored to their condition prior to the trenching.

OWNER also hereby grants to COMPANY, its successors and assigns, the right of ingress and egress for the purposes of the easement and right-of-way described herein.

COMPANY agrees that any and all damages that may result to the crops, fences, buildings and improvements on said premises caused by the construction and maintenance of said electric line will be paid for by the Company. The damages, if not mutually agreed upon, may be determined by three disinterested persons, one to be selected by the Company and one by Owner; these two shall select a third person. The award determined by these three persons shall be final and conclusive.

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, the OWNER has signed this grant of easement this 22 day of July, 2004.

John H. Merrill  
John H. Merrill

Nancy N. Merrill  
Nancy N. Merrill

STATE OF WYOMING  
COUNTY OF SHERIDAN :SS

On this 22 day of July, 2004, before me personally appeared John Merrill and Nancy Merrill known to me to be the same person described in and who executed the above and foregoing instrument and acknowledged to me that he executed the same, (known to me to be the joint tenants) and \_\_\_\_\_ respectively, of

foregoing

(THIS SPACE FOR RECORDING DATA ONLY)

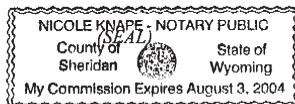
499747 RIGHT OF WAY EASEMENT  
BOOK 461 PAGE 0151  
RECORDED 02/11/2005 AT 09:55 AM  
AUDREY KOLTISKA, SHERIDAN COUNTY CLERK

the corporation that is described in and that executed the instrument, and acknowledged to me that such corporation executed the same.)

Notary Public, Nicole Knappe / Sheridan County,

State of Wyoming

Residing at 709 S. Main St., Sheridan Wy



My Commission Expires: August 3, 2004

W.O. 151669 TRACT NO. \_\_\_\_\_ L.R.R. NO. \_\_\_\_\_

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