

RECORDING INFORMATION ABOVE

EASEMENT AGREEMENT**Private Easement**

The undersigned, CAROL J. ZUERCHER and ROBERT C. ZUERCHER, ("Grantors") for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant and convey unto QWEST CORPORATION, a Colorado corporation ("Grantee"), whose address is 1801 California St., Suite 5200, Denver, CO 80202, and its successors, assigns, affiliates, lessees, licensees, and agents, a perpetual non-exclusive easement to construct, modify, add to, maintain, and remove such telecommunication lines, facilities, and other appurtenances, from time to time, as Grantee may require upon, over, under and across the following described property situated in the County of Sheridan, State of Wyoming, which Grantor owns or in which Grantor has an interest ("Easement Area"), to wit:

A sixteen foot (16') wide easement which is described in its entirety on EXHIBIT "A" and EXHIBIT "B", attached hereto and by this reference made a part hereof, all of which is situated in the NE/4NE/4 of Section 10, Township 54 North, Range 84 West, 6th P.M., Sheridan County, Wyoming.

Grantor further conveys to Grantee the right of ingress and egress to and from the Easement Area during all periods of construction, maintenance, installation, reinforcement, repair and removal over and across Grantor's lands with the right to clear and keep cleared all trees and other obstructions as may be necessary for Grantee's use and enjoyment of the Easement Area.

Grantee shall indemnify Grantor for all damages caused to Grantor as a result of Grantee's negligent exercise of the rights and privileges herein granted. Grantee shall have no responsibility for environmental contamination, which is either pre-existing or not caused by Grantee.

Grantor reserves the right to occupy, use and cultivate the Easement Area for all purposes not inconsistent with the rights herein granted.

Grantor covenants that Grantor is the fee simple owner of the Easement Area or has an interest in the Easement Area. Grantor will warrant and defend title to the Easement Area against all claims.

Grantor hereby covenants that no excavation, structure or obstruction will be constructed, or permitted on the Easement Area and no change will be made by grading or otherwise that would adversely affect Grantee's use and enjoyment of the Easement Area.

The rights, conditions and provisions of this Agreement shall run with the land and shall inure to the benefit of and be binding upon Grantor and Grantee and their respective successors and assigns.

R/W # 38377

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Initials

CJ RZ

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Any claim, controversy or dispute arising out of this Agreement shall be settled by arbitration in accordance with the applicable rules of the American Arbitration Association, and judgement upon the award rendered by the arbitrator may be entered in any court having jurisdiction thereof. The arbitration shall be conducted in the county where the Easement Area is situated.

Executed this 1st day of March, 2004.

GRANTOR:

GRANTOR:

Carol J. Zuercher
Carol J. Zuercher

Robert C. Zuercher
Robert C. Zuercher

STATE OF Colorado)
~~WYOMING~~) ss:
COUNTY OF Pueblo)
~~SHERIDAN~~

The foregoing instrument was acknowledged before me this 1st day of March, 2004, by Carol J. Zuercher and Robert C. Zuercher.

Witness my hand and official seal:

[NOTARY SEAL]

Jennifer Andrews
Notary Public

My commission expires: 5-10-2004

R/W# 38377 Job # 327B008
Exchange Sheridan County Sheridan
NE/4NE/4, Section 10, Township 54 North, Range 84 West

EXHIBIT "A"

Record Owners: Alan L. & Denise S. Zullig and Carol J. & Robert C. Zuercher
February 5, 2004

Re: 16.0' Telecommunications Easement for Qwest Communications, Inc., and or any of their respective successors and assigns.

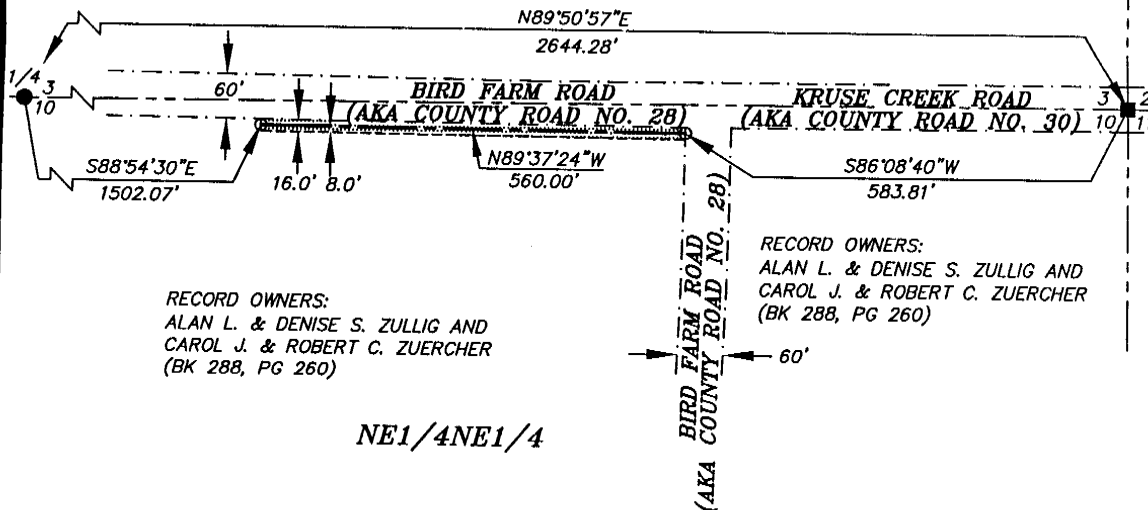
A telecommunications easement sixteen (16) feet wide, being eight (8) feet each side of the following described centerline situated in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, Township 54 North, Range 84 West, 6th P.M., Sheridan County, Wyoming, as shown on **EXHIBIT "B"** attached hereto and by this reference made a part hereof; said centerline being more particularly described as follows:

Commencing at the northeast corner of said Section 10 (Monumented with a 3 $\frac{1}{4}$ " Aluminum Cap per PLS 2615); thence S86°08'40"W, 583.81 feet to the **POINT OF BEGINNING** of said easement, said point lying on the westerly right-of-way line of Bird Farm Road (AKA County Road No. 28); thence, eight (8) feet south of and parallel to the southerly right-of-way line of Bird Farm Road (AKA County Road No. 28), N89°37'24"W, 560.00 feet along said centerline to the **POINT OF TERMINUS** of said easement, said point being S88°54'30"E, 1502.07 feet from the north quarter corner of said Section 10 (Monumented with a 1 $\frac{1}{2}$ " Aluminum Cap per PLS 102).

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

EXHIBIT "B"

SE1/4SE1/4



NE1/4NE1/4

LEGEND

- FOUND 1-1/2" ALUMINUM CAP PER PLS 102
- FOUND 3-1/4" ALUMINUM CAP PER PLS 2615
- CALCULATED POSITION/NOTHING FOUND/NOTHING SET
- (M) MEASURED
- (R) RECORD
- SECTION LINE
- INTERIOR SECTION LINE
- EXISTING COUNTY ROAD RIGHT-OF-WAY LINE
- CENTERLINE OF PROPOSED 16' TELECOMMUNICATIONS EASEMENT
- PROPOSED TELECOMMUNICATIONS EASEMENT LINE

TOTAL (±33.94 RODS)

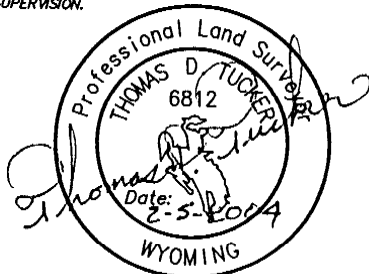
NOTES:

1. TELECOMMUNICATIONS EASEMENT FOR QWEST COMMUNICATIONS, INC., AND OR ANY OF THEIR RESPECTIVE SUCCESSORS AND ASSIGNS.
2. SEE HKM & ENTECH ENGINEERING; SHERIDAN COUNTY ROAD IMPROVEMENTS: BIRD FARM ROAD, COUNTY ROAD NO. 28; PLAN AND PROFILE SHEETS FOR PROPOSED CENTERLINE: DATED 10/30/2003
3. THE HKM & ENTECH ENGINEERING; SHERIDAN COUNTY ROAD IMPROVEMENTS: PLAN AND PROFILE SHEETS DO NOT REFLECT THE LEGAL ROAD RIGHT-OF-WAY.

SURVEYOR'S CERTIFICATE

STATE OF WYOMING
COUNTY OF SHERIDAN

I, THOMAS D. TUCKER A DULY REGISTERED LAND SURVEYOR IN THE STATE OF WYOMING, DO HEREBY STATE THAT THIS PLAT REPRESENTS THE RESULTS OF A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION.

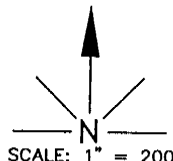


Date: FEBRUARY 4, 2004

Job No. 327B008

RL No.

DATUM: NAD 83(1993), NAVD 88 (U.S. FEET)
PAF: 1.000258652
BASIS OF BEARING IS
WYOMING STATE PLANE (EAST CENTRAL ZONE)



NE1/4NE1/4 of Sec.10

T-54-N, R-84-W
SHERIDAN COUNTY, WYOMING

"PLAT IS VALID ONLY IF PRINT HAS
ORIGINAL SIGNATURE OF SURVEYOR SIGNED AND DATED"

QWEST Communications

EXHIBIT FOR RIGHT OF WAY NO. 38377

GRANTOR ALAN L. & DENISE S. ZULLIG AND

CAROL J. & ROBERT C. ZUERCHER

RESTFELDT
SURVEYING

PO BOX 3082
SHERIDAN, WY 82801
307-672-7415
FAX 674-5000

JN: 23099
DN: 2003/200399E8A

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