

# EASEMENT FOR WATER LINE FROM NEALS & WATER SERVICE LOCATIONS FROM TOWN

586

For the Valuable Consideration recited below on this 2 day of July, 2009, the undersigned members of the Neal Family, as Grantors, grant and convey to the Town of Ranchester, Sheridan County, Wyoming, as Grantee, an easement and right-of-way upon, across and under the real property generally described as follows:

Across Lot 23 in Five Mile Subdivision owned by Lyle M. Neal and Dianna Neal as shown on the attached Exhibit A and Exhibit B

Across Lot 22 in Five Mile Subdivision owned by Claren Neal and Melvin C. Neal as shown on the attached Exhibit A and Exhibit B

Across Lot 21 in Five Mile Subdivision owned by James A. Neal as shown on the attached Exhibit A and Exhibit B

Across Melvin C. Neals' unplatted acreage running parallel to & North of historic U.S. Highway 14 owned by Claren Neal and Susan Neal Graham as shown on the attached Exhibit A and Exhibit B.

As Valuable Consideration for the 42.0' Easement for Water Line being granted to the Town of Ranchester by the Neals, the Town of Ranchester agrees to install a total of four tapped saddles on the town water line for the Neals. Said saddles will be installed at the time of the town water line construction. Each tapped saddle will have a 1 inch plug in it and will be GPSed located on a map for the Neals. The locations of the four tapped saddles will be: two of the saddles will be approximately side by side on the boundary line between lots 22 and 23, and the other two saddles will be approximately side by side on the boundary line between lot 21 and Neals' unplatted acreage running parallel to & North of historic U.S. Highway 14.

As further Valuable Consideration, the Town as Grantee agrees to restore as may be appropriate any or all of the following: the surface to as near as practical to the original contours, to re-establish grass or crop growth, to fill and re-compact any trench settlement, to repair any fences, to repair other existing utilities that were disturbed, and to reset, replace or repair any affected surface improvements such as pavement, sidewalks, drains, signs, etc. This surface restoration requirement shall continue for 2 years from the date the line is completed and accepted by the Town as "finished".

650107 EASEMENT  
BOOK 508 PAGE 0586  
RECORDED 08/27/2009 AT 02:55 PM  
AUDREY KOLTISKA, SHERIDAN COUNTY CLERK

**ORIGINAL**

WATER LINE EASEMENT FROM NEALS & SERVICE LOCATIONS FROM TOWN-Page 1

For clarification and public notice, this 42.0' Easement for Water Line granted to the Town of Ranchester by the Neals overlays certain existing underlying right-of-ways and/or easements that have already been legally acquired. Those certain underlying rights-of-way and/or easements which are existing and recorded are: a 20' Montana Dakota Utilities Easement, a 12' U.S. West Easement, and a 10' sewer line easement. Those 3 existing easements total 42.0 feet in width and constitute the underlying base for this 42.0' Easement for Water Line to the Town. The Neals are not expanding or enlarging any of those existing underlying rights-of-way and/or easements now held by M.D.U., U.S. West, or the sewer line. Likewise this Water Line Easement to the Town of Ranchester cannot be expanded to include other utilities nor can it be used for anything other than the Town's water system. The Grantors expressly prohibit the Town from transferring this Easement for Water Line to any other party, person or entity.

This Easement for Water Line does not restrict, diminish or impede in any way the Grantors right to access all of their property at all times and for all purposes or to otherwise exercise that right in any way beneficial to the Grantors.

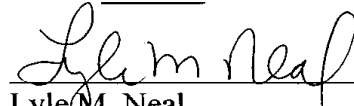
This Water Easement granted to the Town of Ranchester permits it as the Grantee, its employees, its agents, and its contractors to enter upon and use the premises described and shown on the Exhibits for the construction, maintenance, repair, and removal of their underground water lines.

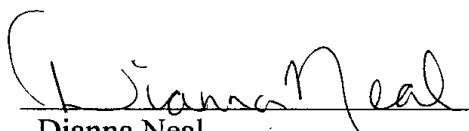
The Neal Family as the Grantors shall be held harmless from any legal actions or claims of any kind, nature or description that involve this Easement to the Town of Ranchester or its use by the Town as Grantee.

This Easement is permanent, runs with the land and title thereto, and is binding on all parties, their heirs, successors, and assigns.

**GRANTORS:**

Across Lot 23 in Five Mile Subdivision

  
\_\_\_\_\_  
Lyle M. Neal

  
\_\_\_\_\_  
Dianna Neal

Across Lot 22 in Five Mile Subdivision

Claren Neal  
Claren Neal

Melvin C Neal  
Melvin C. Neal

Across Lot 21 in Five Mile Subdivision

James A Neal  
James A. Neal

Across Melvin C. Neals' unplatted acreage

Claren Neal  
Claren Neal

Susan Neal Graham  
Susan Neal Graham

**GRANTEE:**

The Town of Ranchester, a proper Wyoming municipality, in Sheridan County, Wyoming, acting in its official capacity: agrees to perform as promised in the above Easement document, approves of this Easement contract, and accepts this Easement as favorable to the Town's interests.

TOWN OF RANCHESTER

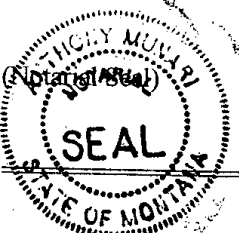
by Chiff Claveng  
Mayor, authorized officer

Attested to:  
by Geni L. Loya  
City Clerk

State of Montana  
County of Yellowstone

On this 2 day of July, 2009, before me, the undersigned, a Notary Public for the State of Montana, personally appeared Claren Neal and James A. Neal, known to me to be the persons whose names are subscribed to the above Easement and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.



Anthony Murawski  
Notary Public for the State of Montana  
(print Notary's name)  
Residing at Billings, Montana  
My Commission expires Sep 02 2012

State of Montana  
County of Big Horn

On this 2 day of July, 2009, before me, the undersigned, a Notary Public for the State of Montana, personally appeared Lyle M. Neal, Dianna Neal, and Susan Neal Graham, known to me to be the persons whose names are subscribed to the above Easement and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.



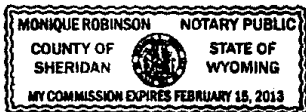
Billie D. Wilson  
Notary Public for the State of Montana  
Billie D. Wilson  
(print Notary's name)  
Residing at Wyola, Montana  
My Commission expires January 1, 2012

State of Wyoming  
County of Sheridan

On this 2nd day of July, 2009 before me, the undersigned, a Notary Public for the State of Wyoming, personally appeared Melvin C. Neal, known to me to be the person whose name is subscribed to the above Easement and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.

(Notarial Seal)



Monique Robinson  
Notary Public for the State of Wyoming  
MONIQUE ROBINSON  
(print Notary's name)  
Residing at Ranchester, Wyoming  
My Commission expires 2/15/2013

State of Wyoming  
County of Sheridan

On this 6 day of July,, 2009 before me, the undersigned, a Notary Public for the State of Wyoming, personally appeared the Mayor of the Town of Ranchester and the City Clerk of the Town of Ranchester, both known to me to be the town officials whose names are subscribed to the above Easement & Service Locations Document and acknowledged to me that they signed for & on behalf of the Town of Ranchester with full authority to do so.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.

(Notarial Seal)



Kathie Stevens  
Notary Public for the State of Wyoming  
Kathie Stevens  
(print Notary's name)  
Residing at Ranchester, Wyoming  
My Commission expires 3-28-10

Attachments incorporated in this Easement for Water Line and attached hereto:  
Exhibits A and B (8 pages) 5MileSb3.RoW

**EXHIBIT "A"**

**Record Owners: Lyle M. Neal & Dianna Neal**  
**April 25, 2009**

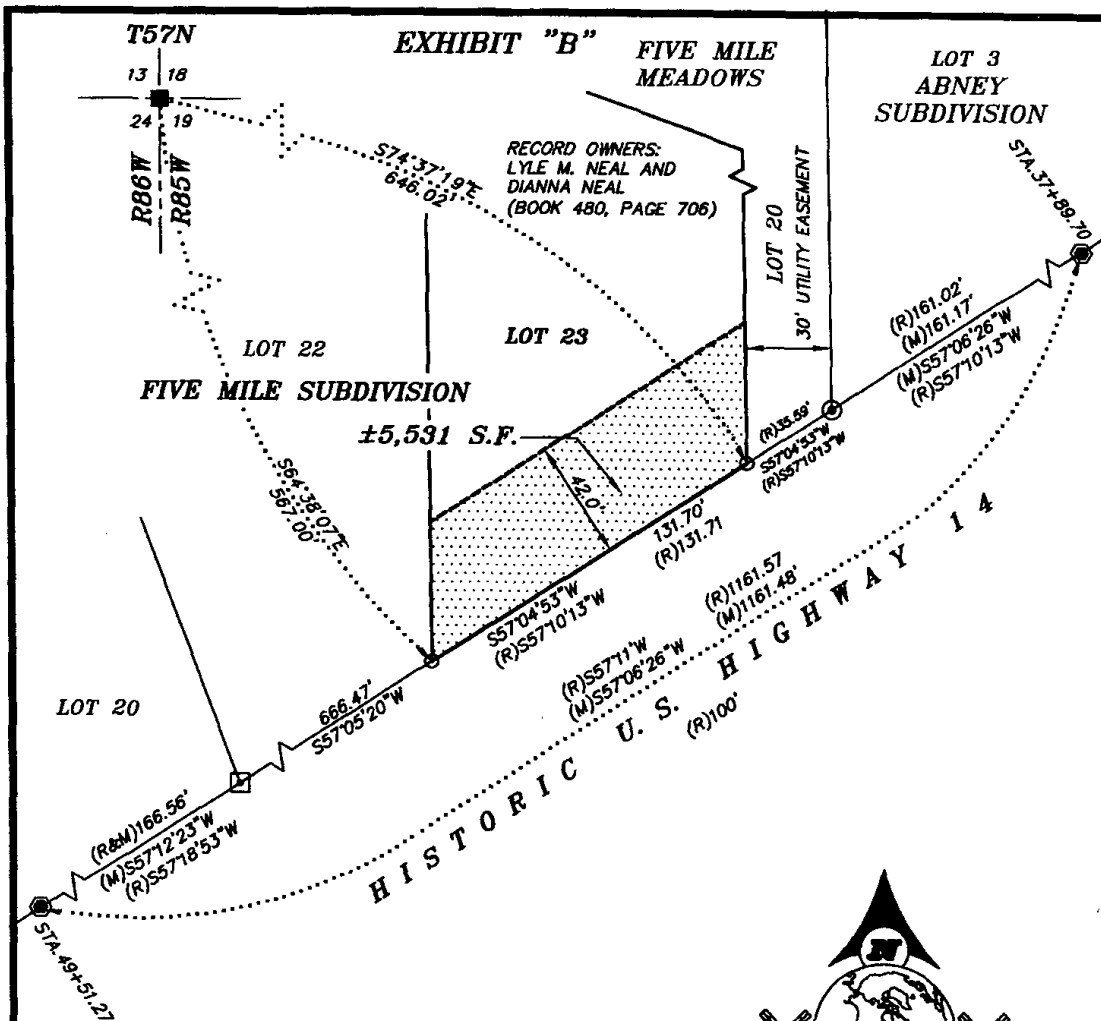
**Re: 42.0' Utility Easement to the Town of Ranchester**

A utility easement being a strip of land forty two (42) feet wide when measured at right angles, situated in Lot 23, Five Mile Subdivision, Town of Ranchester, Sheridan County, Wyoming, as shown on **EXHIBIT "B"** attached hereto and by this reference made a part hereof; the southerly line of said strip being more particularly described as follows:

Commencing at the northwest corner of Section 19, Township 57 North, Range 85 West, 6th P.M., (Monumented with a 3¼" Aluminum Cap per PLS 6594); thence S74°37'19"E, 646.02 feet to the **POINT OF BEGINNING** of said easement, said point being the southeast corner of said Lot 23; thence S57°04'53"W, 131.70 feet along said southerly line of said strip and said southerly line of said Lot 23 to the **POINT OF TERMINUS** of said easement, said point being the southwest corner of said Lot 23, and being S64°38'07"E, 567.00 feet from said northwest corner of Section 19. Lengthening or shortening the side line of said easement to intersect said boundary lines.

Said utility easement contains 5,531 square feet of land, more or less, and is subject to any right-of-way and or easements, reservations and encumbrances which have been legally acquired.

Bearings are Based on the Wyoming Coordinate System, NAD 1983, East Central Zone.



# LEGEND:

- FOUND 3-1/4" ALUMINUM CAP PER PLS 6594
- FOUND 1-1/2" ALUMINUM CAP PER PLS 3159
- FOUND 1-1/2" ALUMINUM CAP PER PLS 6594
- FOUND HIGHWAY RIGHT-OF-WAY MONUMENT
- CALCULATED: NOTHING FOUND/NOTHING SET
- (R) RECORD
- (M) MEASURED
- SECTION LINE
- PROPERTY/DEED LINE
- UTILITY EASEMENT LINE
- 42.0' UTILITY EASEMENT



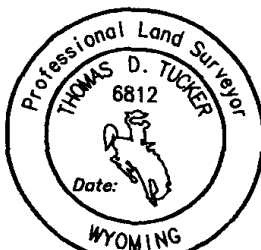
SCALE: 1"=50'

BEARINGS ARE BASED ON THE  
WYOMING COORDINATE SYSTEM  
NAD 1983, EAST CENTRAL ZONE  
DATUM: NAD 83(1983), NAVD 88 (U.S. SURVEY FEET)  
DAF: 1.00024  
DISTANCES ARE SURFACE

## 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.



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

**PRELIMINARY**

## EXHIBIT "B" 42.0' UTILITY EASEMENT

CLIENT: THE TOWN OF RANCHESTER

LOCATION: LOT 23, FIVE MILE SUBDIVISION,  
TOWN OF RANCHESTER, SHERIDAN COUNTY,  
WYOMING



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

591

JN: 28001  
DN: 2008/2008001DE1  
PF: 12008001  
APRIL 22, 2008

**NOTE**

EXISTING EASEMENTS SHOWN ARE  
PER FIVE MILE SUBDIVISION PLAT

## EXHIBIT "A"

Record Owners: Claren Neal & Melvin C. Neal  
April 25, 2009

### Re: 42.0' Utility Easement to the Town of Ranchester

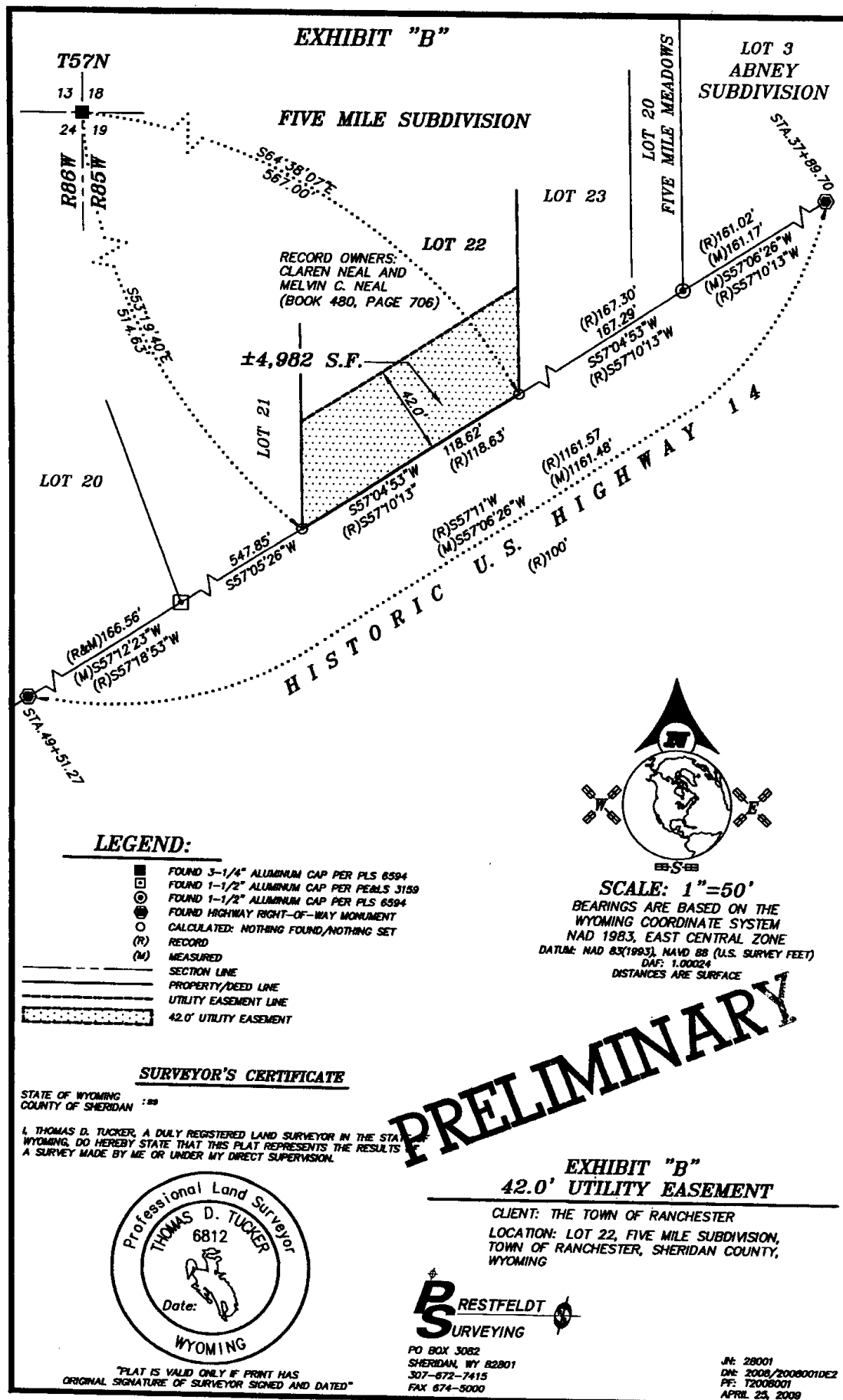
A utility easement being a strip of land forty two (42) feet wide when measured at right angles, situated in Lot 22, Five Mile Subdivision, Town of Ranchester, Sheridan County, Wyoming, as shown on **EXHIBIT "B"** attached hereto and by this reference made a part hereof; the southerly line of said strip being more particularly described as follows:

Commencing at the northwest corner of Section 19, Township 57 North, Range 85 West, 6th P.M., (Monumented with a 3¼" Aluminum Cap per PLS 6594); thence S64°38'07"E, 567.00 feet to the **POINT OF BEGINNING** of said easement, said point being the southeast corner of said Lot 22; thence S57°04'53"W, 118.62 feet along said southerly line of said strip and said southerly line of said Lot 22 to the **POINT OF TERMINUS** of said easement, said point being the southwest corner of said Lot 22, and being S53°19'40"E, 514.63 feet from said northwest corner of Section 19. Lengthening or shortening the side line of said easement to intersect said boundary lines.

Said utility easement contains 4,982 square feet of land, more or less, and is subject to any right-of-way and or easements, reservations and encumbrances which have been legally acquired.

Bearings are Based on the Wyoming Coordinate System, NAD 1983, East Central Zone.





[illegible]

595

**EXHIBIT "A"**

**Record Owner: James A. Neal**  
**April 25, 2009**

**Re: 42.0' Utility Easement to the Town of Ranchester**

A utility easement being a strip of land forty two (42) feet wide when measured at right angles, situated in Lot 21, Five Mile Subdivision, Town of Ranchester, Sheridan County, Wyoming, as shown on **EXHIBIT "B"** attached hereto and by this reference made a part hereof; the southerly line of said strip being more particularly described as follows:

Commencing at the northwest corner of Section 19, Township 57 North, Range 85 West, 6th P.M., (Monumented with a 3/4" Aluminum Cap per PLS 6594); thence S53°19'40"E, 514.63 feet to the **POINT OF BEGINNING** of said easement, said point being the southeast corner of said Lot 21; thence S57°04'53"W, 158.81 feet along said southerly line of said strip and said southerly line of said Lot 21 to the **POINT OF TERMINUS** of said easement, said point being the southwest corner of said Lot 21, and being S35°22'14"E, 482.76 feet from said northwest corner of Section 19. Lengthening or shortening the side line of said easement to intersect said boundary lines.

Said utility easement contains 6,531 square feet of land, more or less, and is subject to any right-of-way and or easements, reservations and encumbrances which have been legally acquired.

Bearings are Based on the Wyoming Coordinate System, NAD 1983, East Central Zone.

# EXHIBIT "B"

LOT 3  
ABNEY  
SUBDIVISION

FIVE MILE SUBDIVISION

LOT 21

RECORD OWNERS:  
MELVIN C. NEAL  
(BOOK 356, PAGE 549)

RECORD OWNER:  
JAMES A. NEAL  
(BOOK 480, PAGE 706)

±6,531 S.F.

LOT 20

HISTORIC U. S. HIGHWAY 14

## LEGEND:

- FOUND 3-1/4" ALUMINUM CAP PER PLS 6594
- FOUND 1-1/2" ALUMINUM CAP PER PLS 3159
- FOUND 1-1/2" ALUMINUM CAP PER PLS 6594
- FOUND HIGHWAY RIGHT-OF-WAY MONUMENT
- CALCULATED: NOTHING FOUND/NOTHING SET
- (R) RECORD
- (M) MEASURED
- SECTION LINE
- PROPERTY/DEED LINE
- UTILITY EASEMENT LINE
- 42.0' UTILITY EASEMENT



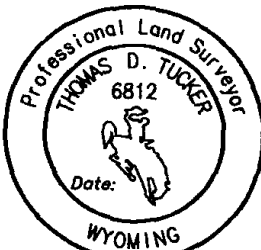
SCALE: 1"=50'

BEARINGS ARE BASED ON THE  
WYOMING COORDINATE SYSTEM  
NAD 1983, EAST CENTRAL ZONE  
DATUM: NAD 83(1983), NAVD 88 (U.S. SURVEY FEET)  
DAF: 1.00024  
DISTANCES ARE SURFACE

## SURVEYOR'S CERTIFICATE

STATE OF WYOMING : ss  
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.



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

# PRELIMINARY

## EXHIBIT "B" 42.0' UTILITY EASEMENT

CLIENT: THE TOWN OF RANCHESTER

LOCATION: LOT 21, FIVE MILE SUBDIVISION,  
TOWN OF RANCHESTER, SHERIDAN COUNTY,  
WYOMING

**B** RESTFELDT  
SURVEYING

PO BOX 3082  
SHERIDAN, WY 82801  
307-672-7415  
FAX 874-5000

JN: 28001  
DN: 2008/2008001DE3  
PF: T2008001  
APRIL 25, 2008

597

# EXHIBIT "B"

LOT 3  
ABNEY  
SUBDIVISION

## FIVE MILE SUBDIVISION

LOT 21

RECORD OWNERS:  
MELVIN C. NEAL  
(BOOK 356, PAGE 549)

RECORD OWNER:  
JAMES A. NEAL  
(BOOK 480, PAGE 706)

EXISTING  
12' U.S. WEST ESMT

±6,531 S.F.  
EXISTING  
20' MDU ESMT

EXISTING  
10' UTILITY ESMT

LOT 22

(R)161.02'  
(M)161.17'  
(M)S57°06'26"W  
(R)S57°10'13"W

(R)285.93  
285.91  
S57°04'53"W  
(R)S57°10'13"W

(R)1161.57  
(M)1161.48'

(R)100'

### NOTE

EXISTING EASEMENTS SHOWN ARE  
PER FIVE MILE SUBDIVISION PLAT

T O R I C U. S. H I G H W A Y 1 4

LOT 20

(R)389.07'  
389.04'  
S57°05'40"W  
(R)S57°11'00"W

EXISTING  
20' UTILITY  
ESMT

R86W  
R85W

T57N

13 18

24 19

S53°19'40"E

51'4.63'

S5°22'14"E

482.76'

158.81'

(R)S57°04'53"W  
(R)S57°10'13"W

(R)S57°11'W  
(M)S57°06'26"W

(R)1161.57  
(M)1161.48'

(R)100'

## EXHIBIT "A"

Record Owner: Melvin C. Neal  
April 25, 2009

### Re: 42.0' Utility Easement to the Town of Ranchester

A utility easement being a strip of land forty two (42) feet wide when measured at right angles, situated in Lot 1, Section 19, Township 57 North, Range 85 West, and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 24, Township 57 North, Range 86 West, 6th P.M., Sheridan County, Wyoming, as shown on **EXHIBIT "B"** attached hereto and by this reference made a part hereof; the southerly line of said strip being more particularly described as follows:

Commencing at the northwest corner of said Section 19 (Monumented with a 3 $\frac{1}{4}$ " Aluminum Cap per PLS 6594); thence S35°22'14"E, 482.76 feet to the **POINT OF BEGINNING** of said easement, said point being the southwest corner of Lot 21, Five Mile Subdivision; thence S57°05'40"W, 389.04 feet along said southerly line of said strip and the southerly line of a tract of land described in Book 356 of Deeds, Page 549 to the **POINT OF TERMINUS** of said easement, said point being the southeast corner of Lot 20, Five Mile Subdivision and being S04°27'30"W, 606.84 feet from said northwest corner of Section 19. Lengthening or shortening the side line of said easement to intersect said boundary lines.

Said utility easement contains 16,839 square feet of land, more or less, and is subject to any right-of-way and or easements, reservations and encumbrances which have been legally acquired.

Bearings are Based on the Wyoming Coordinate System, NAD 1983, East Central Zone.

