

642

535010 EASEMENT
BOOK 472 PAGE 0642
RECORDED 03/23/2006 AT 09:55 AM
AUDREY KOLTISKA, SHERIDAN COUNTY CLERK

RECORDING INFORMATION ABOVE

EASEMENT AGREEMENT

Private Easement

The undersigned, BRENT WILLIAM SWITZER, ("Grantor") 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 feet (16') wide easement, all of which is situated in the SW/4NW/4 of Section 24, Township 57 North, Range 86 West, 6th P.M., Sheridan County, Wyoming, which is more fully described in its entirety on EXHIBIT "A" and EXHIBIT "B", attached hereto and by this reference made a part hereof.

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 # 38876

Page 1 of 2

Initials BW

RECORDING INFORMATION ABOVE

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 7 day of March, 2006.

GRANTOR:

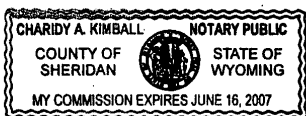
Brent William Switzer
Brent William Switzer

STATE OF WYOMING)
) ss:
COUNTY OF SHERIDAN)

The foregoing instrument was acknowledged before me this 7th day of March, 2006, by Brent William Switzer.

Witness my hand and official seal:

[NOTARY SEAL]



Charidy Kimball
Notary Public

My commission expires: 6/16/07

R/W# 38876 Job # 627A266
Exchange Dayton/Ranchester County Sheridan
SWNW, Section 24, Township 57 North, Range 86 West

644

EXHIBIT "A"

Record Owners: Brent William Switzer
February 22, 2006

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

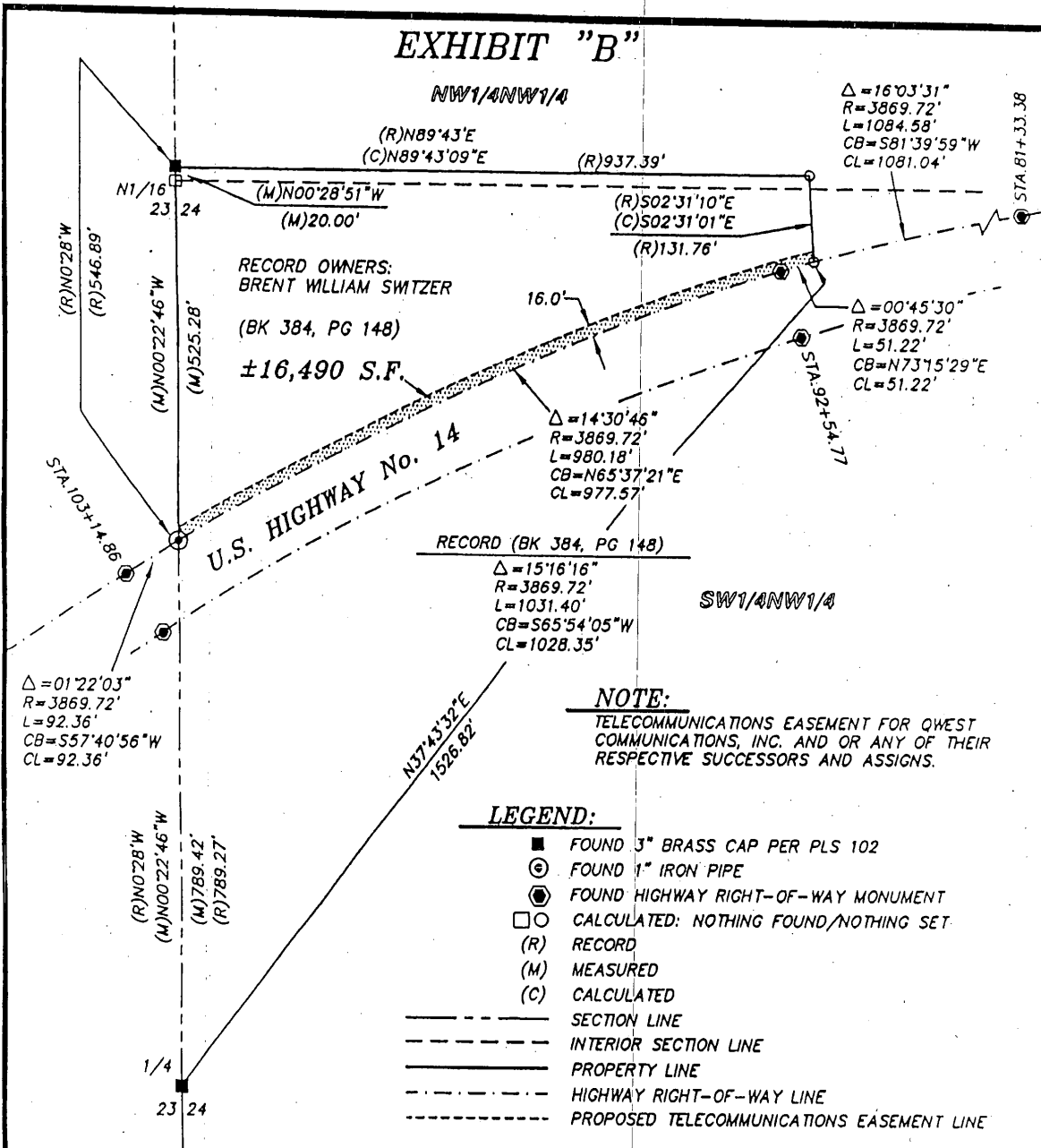
A telecommunications easement being a strip of land sixteen (16) feet wide when measured at right angles, situated in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, Township 57 North, Range 86 West, 6th P.M., Sheridan County, Wyoming, as shown on **EXHIBIT "B"** attached hereto and by this reference made a part hereof, the southerly line of said telecommunications easement being the southerly line of a tract of land described in Book 384 of Deeds, Page 148, and the northerly right-of-way line of U.S. Highway No. 14; the southerly line of said strip being more particularly described as follows:

Commencing at the west quarter corner of said Section 24 (Monumented with a 3" Brass Cap per PLS 102); thence N00°22'46"W, 789.42 feet along the west line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ to the **POINT OF BEGINNING** of said easement, said point being the southwest corner of said tract described in Book 384 of Deeds, Page 148; thence, along said southerly line of said strip, through a curve to the right, having a radius of 3869.72 feet, a central angle of 14°30'46", an arc length of 980.18 feet, a chord bearing of N65°37'21"E, and a chord length of 977.57 feet to a point (Monumented with a Highway Right-of-Way Monument); thence, continue along said southerly line of said strip, through a curve to the right, having a radius of 3869.72 feet, a central angle of 00°45'30", an arc length of 51.22 feet, a chord bearing of N73°15'29"E, and a chord length of 51.22 feet to the **POINT OF TERMINUS** of said easement, said point being the southeast corner of said tract described in Book 384 of Deeds, Page 148, and being N37°43'32"E, 1526.82 feet from said west quarter corner of Section 24, (lengthening or shortening the northerly line of said strip to intersect the boundary lines of said tract described in Book 384 of Deeds, Page 148).

Said telecommunications easement contains 16,490 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.

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

EXHIBIT "B"



1,030.7 LINEAL FEET = 62.5 RODS

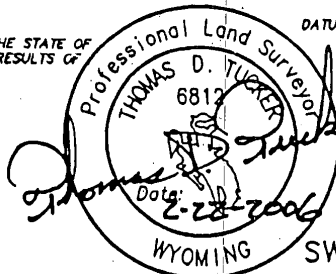
SURVEYOR'S CERTIFICATE

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.

BASIS OF BEARINGS IS WYOMING STATE PLANE
(EAST CENTRAL ZONE)

DATUM: NAD 83 (1993), NAVD 88 (U.S. FEET)
PAF: 1.00024
DISTANCES ARE SURFACE



Date: FEBRUARY 22, 2006

Job No. 627A266

RL No.

SCALE: 1" = 200'

SW1/4NW1/4 of Sec. 24

T-57-N, R-86-W
SHERIDAN COUNTY, WYOMING

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

RESTFELDT
SURVEYING

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

JN: 28007
DN: 2006/2006007E2
PF: 2003/T2005113

QWEST Communications
EXHIBIT FOR RIGHT OF WAY NO. 38876
GRANTOR BRENT WILLIAM SWITZER

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