

MONTANA-DAKOTA UTILITIES CO. UNDERGROUND EASEMENT

THIS EASEMENT, made this 30th day of OCTOBER, A.D., 2008, between MONTANA-DAKOTA UTILITIES CO., A DIVISION OF MDU RESOURCES GROUP, INC., a corporation, 400 North Fourth Street, Bismarck, North Dakota 58501, QWEST CORPORATION a corporation, and TONGUE RIVER COMMUNICATIONS INC, hereinafter called "COMPANIES," its successors and assigns, and the following named persons, herein, whether singular or plural, called "OWNER," namely:

Garland Howard Brightman and Patricia Ann Brightman

WITNESSETH, that for valuable considerations received, OWNER does hereby grant, bargain, sell and convey unto COMPANIES, its successors and assigns, an easement as laid out and/or surveyed, or as finally installed on the hereinafter described lands, together with the right to construct, reconstruct, operate, maintain, repair, remove and replace communications line or lines, a gas pipeline or lines, including necessary pipes, poles, and fixtures, and a buried or semiburied electric distribution system, street lighting system, or any combination thereof including the necessary cables, pedestals, transformers, transformer bases and other fixtures and apparatus in connection therewith through, over, under, and across the following described real estate, situated in the County of Sheridan, State of Wyoming namely:

An Underground Easement situated in Section 13, Township 53 North, Range 84 West of the 6th P. M., Sheridan County, Wyoming; said easement being more particularly described in EXHIBIT "A" and shown in EXHIBIT "B" attached hereto and by this reference made a part hereof. Said Exhibit's will be prepared by a licensed surveyor and will cover the "as built" location of the electric line.

OWNER agrees not to build, create or construct or permit to be built, created, or constructed, any obstruction, building, engineering works or other structures over, under, or that would interfere with said underground lines or COMPANIES' rights hereunder.

OWNER hereby grants to COMPANIES, its successors and assigns, the right at all reasonable times to enter upon said premises for the purpose of laying, constructing, maintaining, operating, replacing, repairing or removing said underground lines and for the purpose of doing all necessary work in connection therewith.

COMPANIES by the acceptance hereof, hereby agrees that it will pay any and all damages that may result, including crops, fences, buildings and improvements on said premises, caused by constructing, maintaining, repairing, operating, replacing or removing said underground lines. The damages, if not mutually agreed upon, may be determined by three disinterested persons, one to be selected by COMPANIES and one by OWNER; these two shall select the third person. The award of these three persons shall be final and conclusive.

If the herein described lands are in the State of North Dakota, this easement is limited to a term of 99 years.

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, OWNER has executed this easement as of the day and year first above written


Garland Howard Brightman


Patricia Ann Brightman

STATE OF WYOMING

SS.

COUNTY OF SHERIDAN

On this the 30th day of OCTOBER, 2008, before me personally appeared GARLAND HOWARD BRIGHTMAN known to me, or satisfactorily proved to be the person described in and who executed the above and fore going instrument and acknowledged to me that he executed the same (known to me to be the and respectively, of the corporation that is described in and that executed the foregoing instrument, acknowledged to me that such corporation executed the same.)

(this space for recording data only)

683439 EASEMENT
BOOK 520 PAGE 0203
RECORDED 11/08/2010 AT 03:25 PM
EDA S. THOMPSON, SHERIDAN COUNTY CLERK


Notary Public



My Commission Expires 8-24-2011
B.S. 45106.1.
W.O. 545262 Tract NO. LLR NO.
7P

EXHIBIT "A"

**Record Owners: Garland Howard Brightman & Patricia Ann Brightman
November 20, 2009**

**Re: 16.0' Underground Electric Line Easement for Montana-Dakota Utilities Company, a
Division of MDU Resource Group, Inc., and or any of their respective successors and assigns.**

An underground electric line easement sixteen (16) feet wide, being eight (8) feet each side of the following described centerline, situated in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13, Township 53 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:

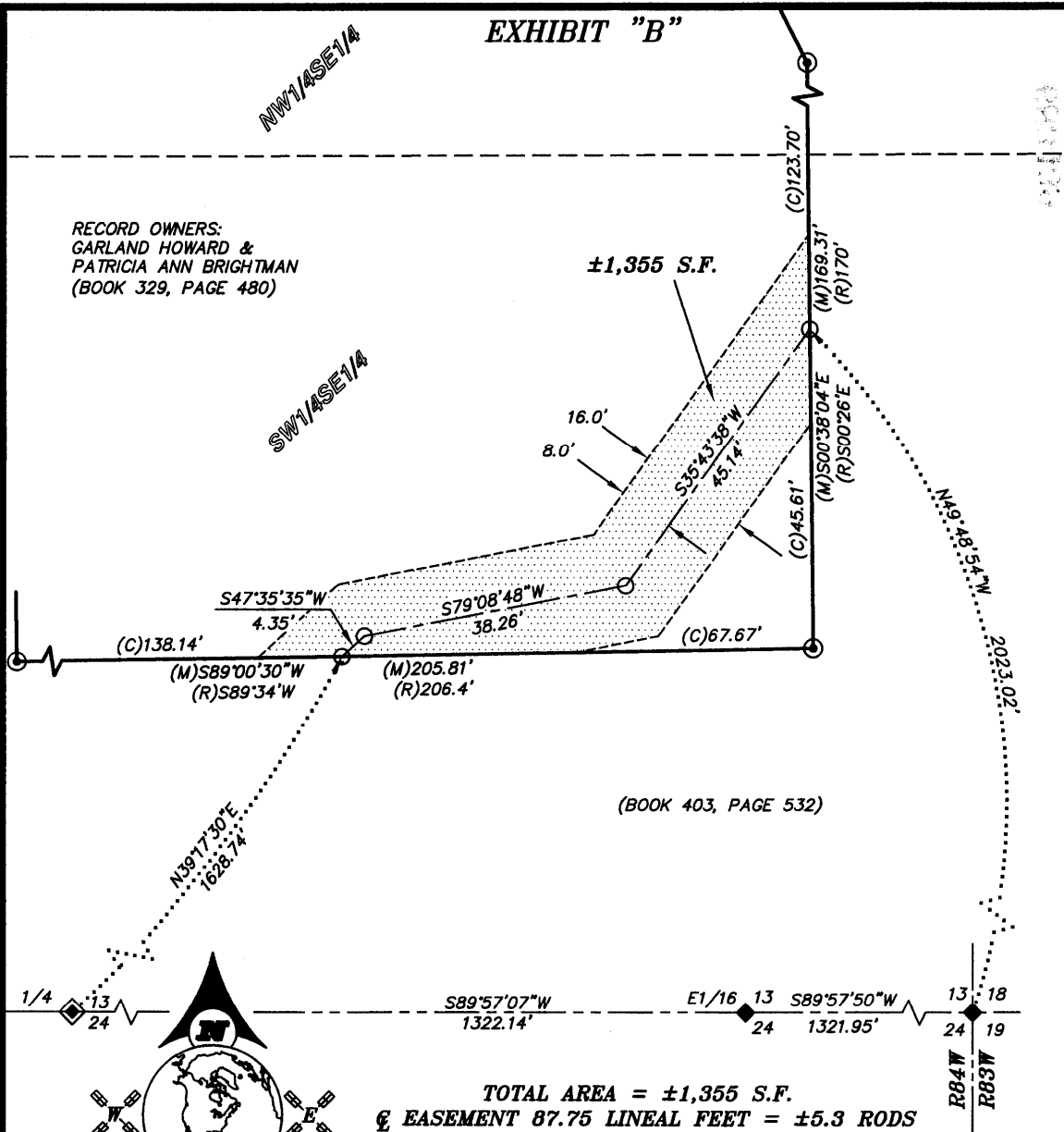
Commencing at the southeast corner of said Section 13 (Monumented with a 3" Brass Cap per PLS 2615); thence N49°48'54"W, 2023.02 feet to the **POINT OF BEGINNING** of said easement, said point lying on the east line of a tract of land described in Book 329 of Deeds, Page 480; thence S35°43'38"W, 45.14 feet along said centerline to a point; thence S79°08'48"W, 38.26 feet along said centerline to a point; thence S47°35'35"W, 4.35 feet along said centerline to the **POINT OF TERMINUS** of said easement, said point lying on the south line of said tract described in Book 329 of Deeds, Page 480, and being N39°17'30"E, 1628.74 feet from the south quarter corner of said Section 13 (Monumented with a 3 $\frac{1}{4}$ " Aluminum Cap per PE&LS 3864). Lengthening or shortening the side lines of said easement to intersect said boundary lines.

Said underground electric line easement contains 1,355 square feet of land, more or less.

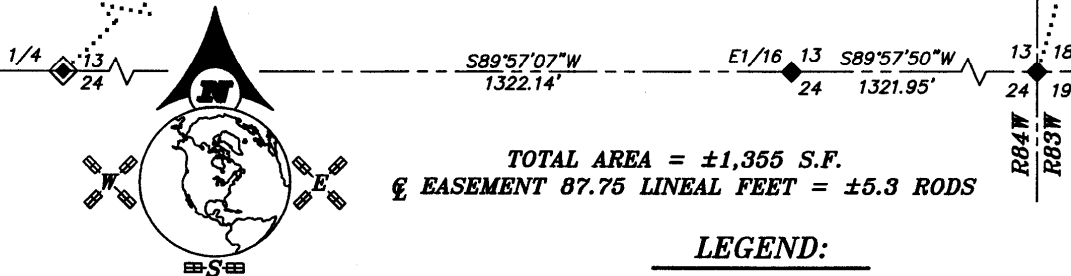
Bearings are Based on the Wyoming Coordinate System, NAD 1983, East Central Zone.

EXHIBIT "B"

RECORD OWNERS:
GARLAND HOWARD &
PATRICIA ANN BRIGHTMAN
(BOOK 329, PAGE 480)



(BOOK 403, PAGE 532)



TOTAL AREA = ±1,355 S.F.
EASEMENT 87.75 LINEAL FEET = ±5.3 RODS

LEGEND:

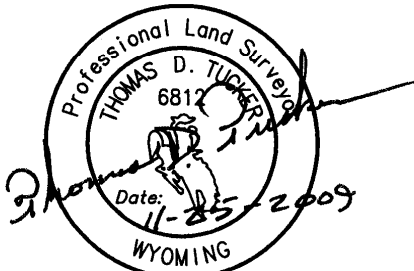
- ◆ FOUND 3" BRASS CAP PER PLS 2615
- ◆ FOUND 3-1/4" ALUMINUM CAP PER PLS 3864
- FOUND 1-1/2" ALUMINUM CAP PER PLS 102
- CALCULATED: NOTHING FOUND/NOTHING SET
- (R) RECORD
- (M) MEASURED
- (C) CALCULATED

- PROPERTY/DEED LINE
- CENTERLINE UNDERGROUND
- ELECTRIC LINE EASEMENT
- EASEMENT LINE
- SECTION LINE
- INTERIOR SECTION LINE
- 16.0' UNDERGROUND
- 16.0' ELECTRIC LINE EASEMENT

SURVEYOR'S CERTIFICATE

STATE OF WYOMING : 88
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"

EXHIBIT "B"

UNDERGROUND ELECTRIC LINE EASEMENT

CLIENT: MONTANA-DAKOTA UTILITIES COMPANY

LOCATION: SW1/4SE1/4, SECTION 13, T53N, R84W,
6TH P.M., SHERIDAN COUNTY, WYOMING.

RESTFELDT
SURVEYING

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

JN: 29050
DN: 2009050_E6
RF: T2007074
NOVEMBER 25, 2009

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