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WATER LINE EASEMENT

Deed made this 28th day of December, 2004, by and between The Frank Ballek Revocable Trust, of Sheridan County, Wyoming, hereinafter referred to as "Grantor", and the Sheridan Area Water Supply Joint Powers Board (SAWSJPB) and the City of Sheridan, Wyoming hereinafter referred to as "Grantee".

For and in consideration of good and valuable consideration receipt of which is acknowledged and subject to the terms and conditions set forth below, Grantor conveys and warrants to Grantee an easement and right-of-way upon, across and under the following-described real property, described as:

SEE ATTACHED EXHIBITS "A" and "B"

Said easement is for Grantee, its employees, agents, contractors and assigns for entry upon and use of the premises described and shown on the exhibits for the purposes of surveying, designing, constructing, installing, inspecting, operating, maintaining, tapping, repairing, and replacing water lines and appurtenances as may be necessary or convenient; including service lines and laterals. This includes the right to operate machinery upon this property for these purposes. This easement includes the right of ingress and egress upon and across real property of Grantor at reasonable places and routes for aforesaid purposes. This deed of easement shall be binding upon Grantor's heirs and assigns and shall be perpetual so long as the easement is used for the purposes above recited. The use of this easement is not intended for other purposes.

Grantee agrees to restore the surface to as near as practical to the original contours, repair trench settlement, re-establish grass growth, repair fences and ditches crossed, maintain drainage, and repair any buried pipes, electrical wires or other improvements owned by the Grantor.

Grantor shall be held harmless from any legal actions or claims of any form that involve the easement conveyed by Grantor to Grantee, unless they are the result of the Grantor's sole negligence. Notwithstanding the above, the Grantee does not waive any rights it may claim with respect to the Wyoming Government Claims Act.

Permanent improvements that would hinder future access to the water line cannot be constructed over the easement, but otherwise land use may be similar to current use.

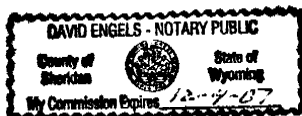
In witness whereof Grantor signs this Deed on the date above written.

Frank Ballek
Frank Ballek, Trustee
The Frank Ballek Revocable Trust

STATE OF WYOMING)
)
COUNTY OF SHERIDAN) ss

The foregoing instrument was acknowledged before me by Frank Ballek, Trustee
of the Frank Ballek Revocable Trust
this 28th day of December, 2004.

Witness my hand and official seal.



David Engels
Notary Public

My Commission Expires: December 4, 2007.

A perpetual water line easement thirty (30) feet wide, being fifteen (15) feet each side of the following described centerline situated in Lot C, Guy Wood Ranch Subdivision, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 32, Township 56 North, Range 84 West, 6th P.M., Sheridan County, Wyoming; 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 32; thence N80°28'18"W, 4851.60 feet to the **POINT OF BEGINNING** of the herein described easement, said point lying on the west line of said Lot B, and being N03°58'25"W, 559.25 feet from the southwest corner of said Lot C; thence N54°00'00"E, 333.92 feet along said centerline to the **POINT OF TERMINUS** of said easement lying on the east line of said Lot C, said point being S69°38'10"W, 4754.73 feet from the east quarter corner of said Section 32.

The above described perpetual easement contains 0.23 acres, more or less, and is subject to any rights-of-way and/or easements, reservations and encumbrances which have been legally acquired.

Also, a temporary construction easement will be required, being a strip of land twenty (20) feet wide, the northerly line of said strip being the southerly line of said perpetual thirty (30) foot water line easement, and also a strip of land thirty (30) feet wide, the southerly line of said strip being the northerly line of said perpetual thirty (30) foot water line easement.

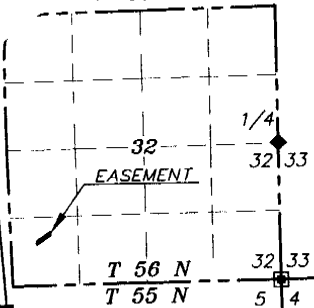
Said temporary construction easements contain 0.38 acres more or less, and will become null and void at the time that the project contractor's one year contractual warranty expires.

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

EXHIBIT "B"

LOCATION MAP

1"=3000'



SCALE: 1"=50'
 DATUM: NAD 83(1993), NAVD 88 (U.S. FEET)
 PAF: 1.00025
 BASIS OF BEARING IS
 WYOMING STATE PLANE (EAST CENTRAL ZONE)

N86°01'35"E
 (C)283.10'
 (R)283.00'

LOT C
 GUY WOOD RANCH
 SUBDIVISION

SW1/4SW1/4

RECORD OWNER:
 FRANK BALLEK ET AL.
 (BK 441, PG 6)

N86°01'35"E
 (C)566.20'
 (R)566.00'

S69°38'10"W
 4754.73'

1/4
 32 33

N01°13'46"W
 2654.55'

S03°58'25"E 980.51'

743.10'

N03°58'25"W
 237.41'

30'

30'

15'

20'

N54°00'00"E
 333.92'

LEGEND:

■ FOUND 3" BRASS CAP PER PLS 529

◆ FOUND 2" ALUMINUM CAP PER PE & LS 3864

◆ FOUND 3-1/4" ALUMINUM CAP PER PLS 2615

□ CALCULATED, NOTHING FOUND/NOTHING SET

(R) RECORD

(M) MEASURED

(C) CALCULATED

--- SECTION LINE

--- INTERIOR SECTION LINE

--- PROPERTY LINE

-x-x-x- FENCE LINE

--- FENCE LINE EXTENDED

--- EASEMENT CENTERLINE

30' WATER LINE EASEMENT (±0.23 ACRES)

TEMPORARY CONSTRUCTION EASEMENT (±0.38 ACRES)

LOT D

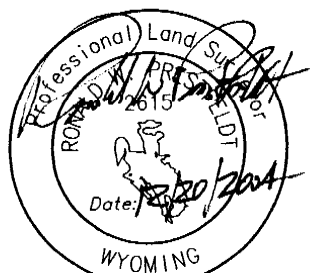
N03°58'25"W
 559.25'

N80°28'18"W
 4851.60'

SURVEYOR'S CERTIFICATE

STATE OF WYOMING :ss
 COUNTY OF SHERIDAN

I, RONALD W. PRESTFELDT, 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"

EASEMENT

FOR 20" WATER LINE

CLIENT: HKM ENGINEERING

LOCATION: LOT C, GUY WOOD RANCH SUBDIVISION,
 SW1/4SW1/4, SECTION 32, T56N, R84W,
 6TH P.M., SHERIDAN COUNTY, WYOMING.

PRESTFELDT
 SURVEYING

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

JN: 2003035
 DF: SAWP\HKM-2004\
 2003035E-BALLEK
 DECEMBER 20, 2004