

306

RECORDED JUNE 16, 1997 BK 386 PG 306 NO 258157 RONALD L. DAILEY, COUNTY CLERK

R/W No. 35938

EASEMENT

The Undersigned Grantor(s) for and in consideration of Five Hundred (\$500.00) Dollars and other good and valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant and convey to U S WEST COMMUNICATIONS, INC., a Colorado Corporation, (Grantee) whose address is 103 North Durbin Street, Casper, Wyoming 82601, its successors, assigns, lessees, licensees and agents a perpetual easement to construct, reconstruct, operate, maintain and remove such telecommunications facilities as Grantee may require upon, over, under and across the following described land which the Grantor owns or in which the Grantor has any interest, to wit:

An easement sixteen (16) feet in width being eight (8) feet on each side of a centerline across a portion of the SE ¼ SW ¼, Section 10, Township 56 North, Range 84 West, of the 6th PM, Sheridan County, Wyoming, said centerline being more particularly described on Exhibit A, which is attached hereto and hereby made a part hereof, a part of the property described in a Warranty Deed in Book 79 at Page 435, in the Sheridan County Clerk and Records Office, situate in the County of Sheridan, State of Wyoming hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of this State.

An iron pipe may be placed above the present water level in crossing the Grinnell Livestock Company Irrigation Ditch through which to place the cables.

Grantee shall have the right of ingress and egress over and across the Land of the Grantor to and from the above described property and the right to clear and keep cleared all trees and other obstructions. Grantee shall be responsible for all damage caused to Grantor arising from Grantee's exercise of the rights and privileges herein granted.

The Grantor reserves the right to occupy, use and cultivate said Easement for all purposes not inconsistent with, nor interfering with the rights herein granted. In the case where electric power needs to be brought to the above described easement, the local power company, by this mention, will have the right to co-exist for the sole purpose of providing power to Grantee's facilities.

The rights, conditions and provisions of this easement shall inure to the benefit of and be binding upon the heirs, executors, administrators, successors and assigns of the respective parties hereto.

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 judgment 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 property is located.

Signed and delivered this 28 day of March 1997.

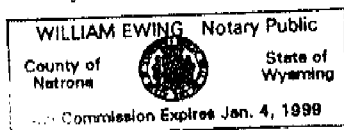
GRANTOR: JOHN E. RICE & SONS, INC., DBA Wrench Ranch

Attest: Carla Ash
Carla Ash, Secretary

By James L. Jellis SEAL
James L. Jellis, Vice President

STATE OF WYOMING)
COUNTY OF SHERIDAN) ss.

The foregoing instrument was acknowledged before me this 28 day of March, 1997, by James L. Jellis, Vice President and Carla Ash, Secretary of John E. Rice & Sons, Inc., Grantor.
Witness my hand and official seal:



William Ewing
Notary Public
My Commission Expires: Jan. 4, 1999

Grantor:
John E. Rice & Sons, Inc.
247 Decker Road
Sheridan, Wyoming 82801

QTR SW SEC. 10 TWP 56N RANGE 84W COUNTY SHERIDAN

R/W 35938 JOB NO. 527A246 EXCH SHERIDAN

307

EXHIBIT "A"

Record Owner: John E. Rice & Sons, Inc., D/B/A/ Wrench Ranch
Neltje, President
James L. Jellis, Vice President
November 25, 1996

Re: Telecommunications Centerline Easement

A telecommunications easement sixteen (16) feet wide, being eight (8) feet each side of the following described centerline situated in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, Township 56 North, Range 84 West, 6th P.M., Sheridan County, Wyoming; said centerline being more particularly described as follows:

Commencing at the south quarter corner of said Section 10, (Monumented with a 3 $\frac{1}{4}$ " Aluminum Cap Per P.L.S. 2615); thence N57°50'30"W, 902.08 feet to the POINT OF BEGINNING, said point lying on the westerly right of way line of Decker Road (AKA Wyoming State Highway 338); thence S75°49'00"W, 45.00 feet to the POINT OF TERMINUS, said point being N59°50'24"W, 933.72 feet from said south quarter corner of said Section 10.

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