

## RECORDING INFORMATION ABOVE

R/W # 36506

## EASEMENT AGREEMENT

The undersigned Grantor(s) for and in consideration of TEN  
Dollars (\$10.00) ) and other good and valuable  
 consideration, the receipt whereof is hereby acknowledged, do hereby grant and convey unto  
 U S WEST Communications, Inc., a Colorado corporation, hereafter referred to as "Grantee",  
 whose address is 1801 California St., Suite 5100, Denver, CO 80202, its successors, assigns, lessees,  
 licensees, and agents a perpetual easement to construct, reconstruct, modify, change, add to,  
 operate, maintain, and remove ~~such telephone cable telecommunications facilities, electrical~~  
~~facilities and gas facilities~~, and appurtenances, from time to time, as Grantee may require  
 upon, over, under and across the following described land situated in the County of Sheridan,  
 State of Wyoming, which the Grantor owns or in which the Grantor has any interest, to wit:

SEE EXHIBIT "A & B" ATTACHED HERETO AND BY THIS REFERENCE MADE  
 A PART HEREOF.

Grantor further conveys to Grantee the following incidental rights:

(1) ~~A temporary right of way to be used during all periods of construction,~~  
~~reconstruction, reinforcement, repair and removal upon a strip of land N/A~~ feet wide on  
~~the N/A~~ side of, and a strip of land ~~N/A~~ feet wide on the ~~N/A~~ side of  
 said easement.

(2) The right of ingress and egress over and across the lands of Grantor to and from the  
 above-described property and the right to clear and keep cleared all trees and other  
 obstructions as may be necessary for the 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  
 pre-existing environmental contamination or liabilities.

Grantor reserves the right to occupy, use and cultivate said easement for all purposes not  
 inconsistent with the rights herein granted.

Grantor covenants that he/she/they is/are the fee simple owner of said land or in which the  
 Grantor has any interest and will warrant and defend title to the land against all claims.

Grantor hereby covenants that no excavation, building, structure or obstruction will be  
 constructed, erected, built or permitted on said easement area. ~~and no change will be made by~~  
~~grading or otherwise to the surface or subsurface of the easement area or to the ground~~  
~~immediately adjacent to the easement area.~~ Grantor has the right to cross easement area with  
 irrigation 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.

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 Initial

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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.

Dated this 10th day of Sept., 1998.

William E. Bense  
Grantor: William E. Bense

Kristina M. Korfanta  
Grantor: Kristina M. Korfanta

Grantor:

Grantor:

(Individual Acknowledgment)

STATE OF Wyoming }  
COUNTY OF Sheridan } ss

The foregoing instrument was acknowledged before me this 10th day of September, 1998, by William E. Bense and Kristina M. Korfanta.

[SEAL]

Charles A. Smith

Notary Public  
My commission expires 12-6-2000

William E. Bense and Kristina M. Korfanta, 962 Emerson, Sheridan, WY 82801

R/W# 36506  
Exchange Sheridan  
1/4 Section NE4 Section 19

Job # 827A543  
County Sheridan  
Township 57N

Range 85W

**EXHIBIT "A"**

**Record Owner: William E. Bense and Kristina M. Korfanta**  
**June 16, 1998**

**Re: 16.0' Perpetual Utility Easement**

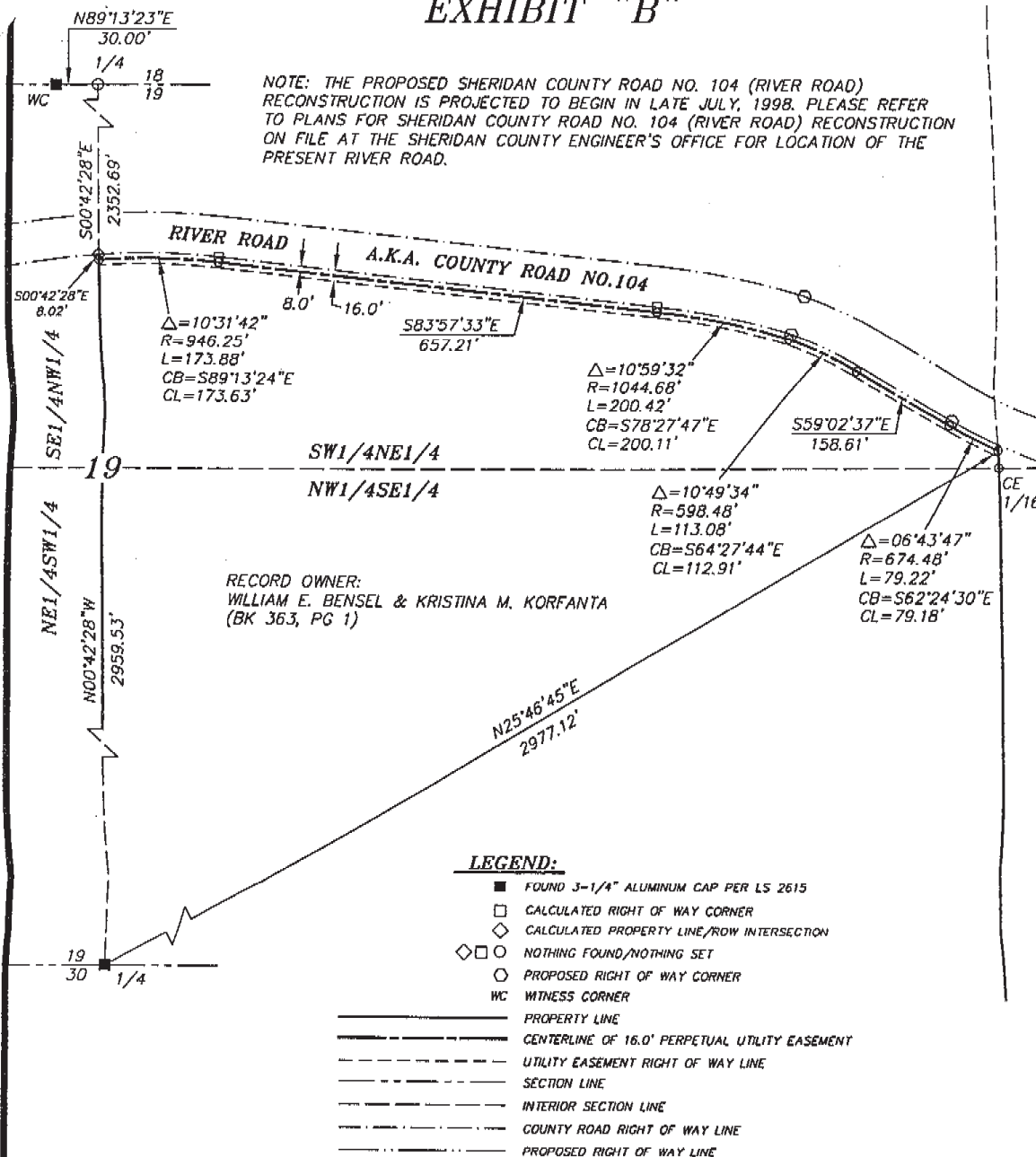
A perpetual utility easement sixteen (16) feet wide, being eight (8) feet each side of the following described centerline situated in the SW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 19, Township 57 North, Range 85 West, 6th P.M., Sheridan County, Wyoming, as shown on Exhibit "B" attached hereto and by this reference made a part hereof; said centerline being more particularly described as follows:

Commencing at the south quarter corner of said Section 19, (Monumented with a 3 $\frac{1}{4}$ " Aluminum Cap Per LS 2615); thence N00°42'28"W, 2959.53 feet along the west line of the E $\frac{1}{2}$  of said Section 19 to the **POINT OF BEGINNING**, said point being eight (8) feet south of the southerly right of way line of River Road (A.K.A. County Road No. 104); thence, eight (8) feet south of and parallel to said southerly right of way line through a curve to the right, having a radius of 946.25 feet, a central angle of 10°31'42", an arc length of 173.88 feet, a chord bearing of S89°13'24"E, a chord length of 173.63 feet along said centerline to a point; thence, eight (8) feet south of and parallel to said southerly right of way line, S83°57'33"E, 657.21 feet along said centerline to a point; thence, eight (8) feet south of and parallel to said southerly right of way line through a curve to the right, having a radius of 1044.68 feet, a central angle of 10°59'32", an arc length of 200.42 feet, a chord bearing of S78°27'47"E, a chord length of 200.11 feet along said centerline to a point; thence, eight (8) feet south of and parallel to the southerly right of way line of the proposed realignment of said River Road (A.K.A. County Road No. 104), through a curve to the right, having a radius of 598.48 feet, a central angle of 10°49'34", an arc length of 113.08 feet, a chord bearing of S64°27'44"E, a chord length of 112.91 feet along said centerline to a point; thence, eight (8) feet south of and parallel to said proposed southerly right of way line, S59°02'37"E, 158.61 feet along said centerline to a point; thence, eight (8) feet south of and parallel to said proposed southerly right of way line through a curve to the left, having a radius of 674.48 feet, a central angle of 06°43'47", an arc length of 79.22 feet, a chord bearing of S62°24'30"E, and a chord length of 79.18 feet along said centerline to the **POINT OF TERMINUS**, said point lying on the east line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$  and being N25°46'45"E, 2977.12 feet from said south quarter corner of Section 19.

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

# EXHIBIT "B"

NOTE: THE PROPOSED SHERIDAN COUNTY ROAD NO. 104 (RIVER ROAD) RECONSTRUCTION IS PROJECTED TO BEGIN IN LATE JULY, 1998. PLEASE REFER TO PLANS FOR SHERIDAN COUNTY ROAD NO. 104 (RIVER ROAD) RECONSTRUCTION ON FILE AT THE SHERIDAN COUNTY ENGINEER'S OFFICE FOR LOCATION OF THE PRESENT RIVER ROAD.



RECORD OWNER:  
WILLIAM E. BENSEL & KRISTINA M. KORFANTA  
(BK 363, PG 1)

## LEGEND:

- FOUND 3-1/4" ALUMINUM CAP PER LS 2615
- CALCULATED RIGHT OF WAY CORNER
- ◇ CALCULATED PROPERTY LINE/ROW INTERSECTION
- ◇ □ ○ NOTHING FOUND/NOTHING SET
- PROPOSED RIGHT OF WAY CORNER
- WC WITNESS CORNER
- PROPERTY LINE
- CENTERLINE OF 16.0' PERPETUAL UTILITY EASEMENT
- UTILITY EASEMENT RIGHT OF WAY LINE
- SECTION LINE
- INTERIOR SECTION LINE
- COUNTY ROAD RIGHT OF WAY LINE
- PROPOSED RIGHT OF WAY LINE

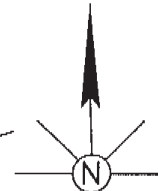
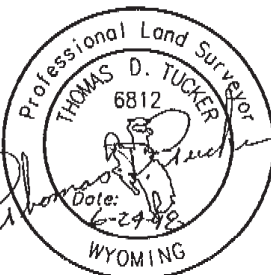
BASIS OF BEARING IS  
WYOMING STATE PLANE (EAST CENTRAL ZONE).

## 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 CERTIFY THAT THIS PLAT TRULY AND CORRECTLY REPRESENTS THE RESULTS OF A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION.

THOMAS D. TUCKER WY P.L.S. 6812



Sec. 19  
SW1/4NE1/4  
T-57-N  
R-85-W

SCALE: 1" = 200'  
SHERIDAN COUNTY, WYOMING

Date: 06-11-98  
Job No. 817A543  
RL No.

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



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

JN: 98045  
DN: 98/98045RR2

U.S. WEST Communications, inc.  
EXHIBIT FOR RIGHT OF WAY NO. 36506  
GRANTOR WILLIAM E. BENSEL  
KRISTINA M. KORFANTA