

MONTANA-DAKOTA UTILITIES CO.  
PIPELINE EASEMENT BY OWNER

308

RECORDED MAY 15, 1992 BK 350 PG 308 NO 109427 RONALD L. DAILEY, COUNTY CLERK

THIS INDENTURE, made this 16th day of April, A.D., 19 92, between MONTANA-DAKOTA UTILITIES CO., A DIVISION OF MDU RESOURCES GROUP INC., a corporation, 400 North Fourth Street, Bismarck, North Dakota 58501, hereinafter called "COMPANY," its successors and assigns, and the following named persons, herein, whether singular or plural, called "OWNER," namely:

Keith A. McWilliams, Trustee of the Mark Allen McWilliams Education Trust  
1283 Sugarview Dr. Sheridan, Wyoming 82801

WITNESSETH, that for valuable considerations received, OWNER does hereby grant, bargain, sell and convey unto COMPANY, its successors and assigns, an easement 16 feet in width, being 8 feet left, and 8 feet right of the center line as laid out and/or surveyed, or as finally installed on the hereinafter described lands, together with the right to construct, operate, maintain, repair, increase the capacity of, remove, and replace a gas pipeline or lines, including necessary pipes, poles, and fixtures, through, over, under and across the following described real estate, situated in the County of Sheridan, State of Wyoming, namely:

A sixteen (16) feet wide strip of land located on the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ ) of Section Three (3) Township 55 North, Range 84 West of the 6th P.M., Sheridan County, Wyoming; said strip being eight (8) feet on either side of the following described centerline: Beginning at a point located South 988.5 feet and West 30 feet from the Northeast corner of said (NW $\frac{1}{4}$ NE $\frac{1}{4}$ ). Said Point of Beginning being on the West right-of-way line of the State Secondary Highway, now known as Big Horn Ave; thence South a distance of 42 feet along the West right-of-way line of the said State Secondary Highway to the True Point of Beginning; thence West a distance of 148'; thence South a distance of 193 feet to a point located on the North line of Brundage Lane in the City of Sheridan, located in the said (Over)

Should additional pipelines be laid under this grant, at any time, an additional consideration equal to the consideration paid for this grant, calculated on a lineal rod basis, shall be paid for each additional line.

OWNER, its successors and assigns, agrees not to build, create or construct or permit to be built, created, or constructed, any obstruction, building, engineering works or other structures upon, over, or under the strip of land herein described or that would interfere with said pipeline or lines or COMPANY'S rights hereunder.

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

COMPANY hereby agrees that it will pay any and all damages that may result to the crops, fences, buildings and improvements on said premises caused by constructing, reconstructing, maintaining, repairing, increasing the capacity of, operating or removing said pipeline or lines. The damages, if not mutually agreed upon, may be determined by three disinterested persons, one to be selected by COMPANY 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 these presents as of the day and year first above written.

*Keith A. McWilliams*  
Trustee For Mark McWilliams  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

STATE OF Wyoming )  
County Of Sheridan ) ss.

On this 16th day of April, 19 92, before me personally appeared  
Keith A. McWilliams, Trustee of the Mark Allen McWilliams Education Trust

known to me to be the same person, described in and who executed the above and foregoing instrument and acknowledged  
(THIS SPACE FOR RECORDING DATA ONLY)

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, and acknowledged to me that such corporation  
executed the same.)

Notary Public, County of Sheridan State of Wyoming County, \_\_\_\_\_  
State of \_\_\_\_\_  
My Commission Expires February 27, 1993

(SEAL)

My Commission Expires: \_\_\_\_\_  
1072 115 24698-112 1766  
W.O. \_\_\_\_\_ TRACT NO. \_\_\_\_\_ L.R.R. No. \_\_\_\_\_