

EASEMENT

Easement made this 7 day of June, 1999, by and between David D. Frank and Jacquelyn A. Frank, as Trustees of the Frank Family Trust dated January 9, 1989, of Sheridan, Wyoming, hereinafter referred to as "Grantor," and the City of Sheridan, Wyoming, hereinafter referred to as "Grantee."

Effective upon receipt of consideration in the amount of Sixteen Thousand Six Hundred Ninety-two and 16/100 Dollars (\$16,692.16), by Grantor, and other good and valuable consideration, Grantor conveys to Grantee an easement and right-of-way across and under the following described real property, described as:

SEE EXHIBITS "A" AND "B"

for the purposes of surveying, constructing, installing, inspecting, operating, maintaining, repairing and replacing an underground storm sewer, together with all appurtenances that may be necessary and convenient for the sewer, together with the right of ingress and egress upon and across the real property of Grantor at reasonable places and routes for the aforesaid purposes. Grantor's conveyance is solely for the purposes defined above for said underground storm sewer, and is not intended for use for any other purposes.

Grantee agrees to reshape, reseed and blend to the level of the adjacent property all areas disturbed by the construction within the easement and right-of-way in a workmanlike manner.

This 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. If Grantee fails to construct said underground storm sewer within a period of five (5) years from the date of execution of this easement, this easement shall become null and void. Furthermore, said construction easement defined in Exhibits "A" and "B" shall be valid for a period of one (1) year from the date of the substantial completion of the construction of the embankment to allow for warranty work.

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 Grantor's sole negligence. Notwithstanding the above, Grantee does not waive any rights it may retain with respect to the Wyoming Governmental Claims Act.

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

David D. Frank

David D. Frank as Trustee of the Frank Family Trust dated January 8, 1989

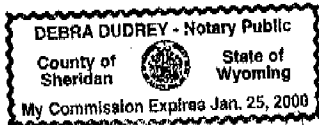
Jacquelyn A. Frank

Jacquelyn A. Frank as Trustee of the Frank Family Trust dated January 8, 1989

STATE OF WYOMING)
) ss.
County of Sheridan)

The foregoing instrument was acknowledged before me by David D. frank and Jacquelyn A. Frank, as Trustees of the Frank Family Trust dated January 8, 1989, this 7 day of June, 1999.

Witness my hand and official seal.



Debra Dudrey

Notary Public

My Commission Expires: January 25, 2000

EXHIBIT "A"

Re: 20.0' Storm Sewer Easement
June 4, 1999

A storm sewer easement twenty (20.0) feet wide, being ten (10.0) feet each side of the following described centerline situated in Lot 1, Block 1, West Glacier Park Addition to the City of Sheridan, 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 northeast corner of said Lot 1, Block 1 (Monumented with a 3" Brass Cap PE&LS 3159); thence S00°42'14"E, 329.19 feet along the east line of said Lot 1, Block 1 to the **POINT OF BEGINNING**; thence N86°51'48"W, 100.22 feet along said centerline to the **POINT OF TERMINUS**, said point being S00°42'14"E, 325.15 feet from the northwest corner of said Lot 1, Block 1, (Monumented with a 3" Brass Cap PE&LS 3159).

Said easement contains 2,004 square feet of land more or less.

In addition, a temporary construction easement will be required, being a strip of land thirty (30.0) feet wide, the southerly line of said strip being the northerly line of said twenty (20.0) feet wide storm sewer easement, and also a strip of land thirty (30.0) feet wide, the northerly line of said strip being the southerly line of said twenty (20.0) feet wide storm sewer easement.

Said temporary construction easements constrain 6,014 square feet of land more or less, and will become null and void at the time that the projects contractor's one year contractual warranty expires.

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

EIGHTH STREET

EXHIBIT "B" 20.0' STORM SEWER EASEMENT

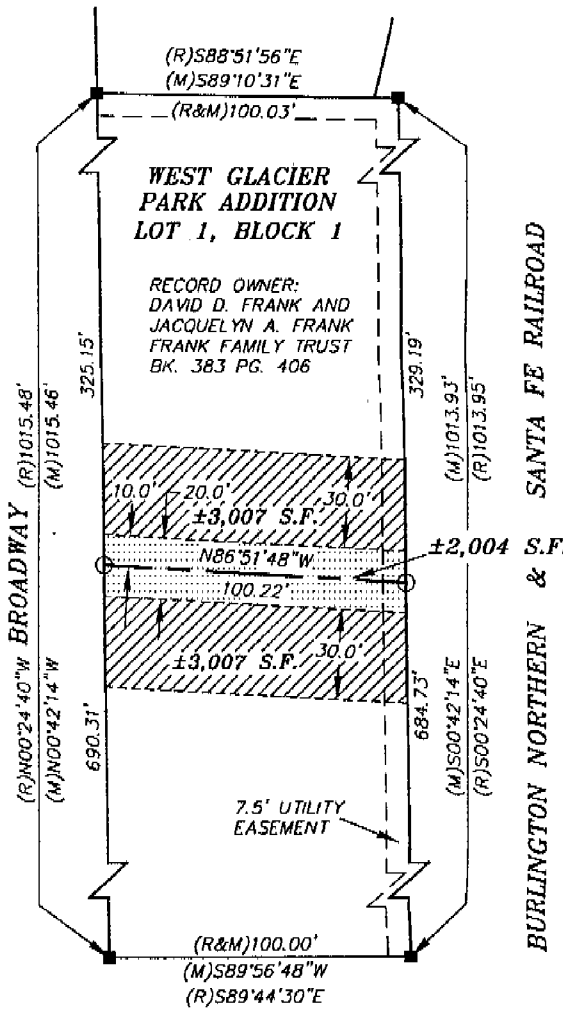
AMENDED PLAT
OF THE
SHERIDAN LAND COMPANY'S ADDITION
BLOCK 4

WEST GLACIER
PARK ADDITION
LOT 1, BLOCK 1

RECORD OWNER:
DAVID D. FRANK AND
JACQUELYN A. FRANK
FRANK FAMILY TRUST
BK. 383 PG. 406

SEVENTH STREET

AMENDED PLAT
OF THE
SHERIDAN LAND COMPANY'S ADDITION
BLOCK 13



SCALE: 1"=50'

BASIS OF BEARINGS IS WYOMING STATE PLANE
(EAST CENTRAL ZONE)

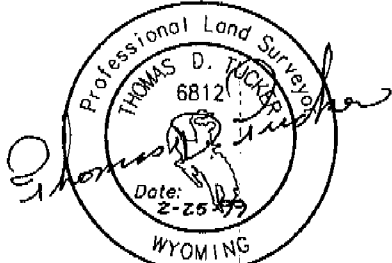
LEGEND:

- FOUND 3" BRASS CAP PER PE&LS 3159
- NOTHING FOUND/NOTHING SET
- (R) RECORD
- (M) MEASURED
- PROPERTY LINE
- - - EXISTING 7.5' UTILITY EASEMENT
- - - STORM SEWER/CONSTRUCTION EASEMENT LINE
- - - CENTERLINE/STORM SEWER EASEMENT
- ▨ 20.0' STORM SEWER EASEMENT
- ▩ 30.0' TEMPORARY CONSTRUCTION EASEMENT

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.



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

EXHIBIT "B" 20.0' STORM SEWER EASEMENT

CLIENT: MSE-HKM ENGINEERING
PHASE IA PAVING & UTILITY
REPLACEMENT PROJECT (FIGURE 1).

LOCATION: PORTION OF LOT 1, BLOCK 1,
WEST GLACIER PARK ADDITION,
SHERIDAN COUNTY, WYOMING.



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

JN: 94068
DN: 94/94068PE3
FEBRUARY 18, 1999