

**AGREEMENT FOR RIGHT-OF-WAY EASEMENT,
CONSTRUCTION EASEMENT, TOPSOIL EASEMENT
AND
WETLAND CONSTRUCTION EASEMENT**

THIS AGREEMENT is by and between ^{System Land, LLC} ~~DONALD H. ROBERTS~~, hereinafter referred to as the Property Owner, and SHERIDAN COUNTY, WYOMING, hereinafter referred to as the County.

WHEREAS, the County proposes to improve County Road No. 80 by reconstructing and realigning approximately 1.04 miles of County Road 80, also known as Mydland Road;

AND WHEREAS, the Property Owner is willing to convey to the County the necessary permanent right-of-way easement, temporary construction easements, temporary topsoil easement, and temporary wetland construction easement;

NOW THEREFORE, in consideration of mutual covenants set forth herein and for other good and valuable consideration, the parties agree as follows:

1. Property Owner agrees to convey unto the County a new permanent right-of-way easement on property situated in the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 21, Township 56 North, Range 84 West, 6th P.M., Sheridan County, Wyoming, as described on attached Exhibit "A."
2. Property Owner agrees to convey temporary construction easements on property situated in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 21, Township 56 North, Range 84 West, 6th P.M., Sheridan County, Wyoming as described on attached Exhibit "B". The temporary easements will be in effect until the contractor's one year contractual warranty expires.
3. Property Owner agrees to convey a temporary topsoil storage easement on property situated in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, Township 56 North, Range 84 West, 6th P.M., Sheridan County, Wyoming as described on attached Exhibit "C". The temporary easement will be in effect until the contractor's one year contractual warranty expires.
4. Property Owner agrees to convey a temporary wetland construction easement on property situated in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, Township 56 North, Range 84 West, 6th P.M., Sheridan County, Wyoming as described on attached Exhibit "D". The temporary easement will be in effect for a period of three (3) years following the expiration of the contractor's one year contractual warranty period.
5. The County will have the new right-of-way surveyed before the contractor's one year contractual warranty expires.
6. The County shall place Temporary Fence (45" 3 barbed wire) along the construction easement. The temporary fence shall become the property of the land owner following construction. Right-of-Way will be fenced with Permanent Fence Type A [32" welded wire and 2 barbed wire (48" total), wood posts].
7. The County will seed all disturbed areas in the Right of Way with a dryland seed mix, and areas in the construction easements and topsoil storing area easement with a seed mix containing 919 Grazer alfalfa, orchard grass, luna pubescent wheat grass, and crested wheat grass.

536890 AGREEMENT
BOOK 473 PAGE 0280
RECORDED 04/11/2006 AT 04:00 PM
AUDREY KOLTISKA, SHERIDAN COUNTY CLERK

System Land, LLC
Property Owner

BY: _____

Donald B. Roberts, Manager

1/19/06
Date

STATE OF WYOMING)
) ss.
COUNTY OF SHERIDAN)

The foregoing instrument was acknowledged before me by Donald B Roberts
on Jan 19, 2006

WITNESS my hand and official seal.

Sandra G. Kerr
Notary Public

My Commission Expires: Mar 1, 2008



COUNTY OF SHERIDAN, WYOMING

DATED THIS: 04-04-06
Day Month Year

Lawrence A. Durante
Lawrence A. Durante, ~~Chairman~~ Commissioner

Ky Dixon
Ky Dixon, Commissioner

Terry Cram
Terry Cram, Commissioner - Chairman

ATTEST:

Audrey Holtz
County Clerk

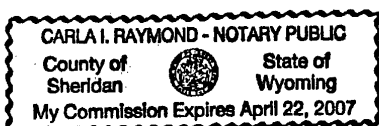
STATE OF WYOMING)
) ss.
COUNTY OF SHERIDAN)

The foregoing instrument was acknowledged before me by Lawrence A. Durante,
Ky Dixon, and Terry Cram on April 4, 2006 in

WITNESS my hand and official seal.

Carla I. Raymond
Notary Public

My Commission Expires:



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EXHIBIT A

LEGAL DESCRIPTION

**RE: PERPETUAL RIGHT-OF-WAY EASEMENT
DONALD H. ROBERTS to SHERIDAN COUNTY**

A tract of land situated in the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 21, Township 56 North, Range 84 West, 6th P.M., Sheridan County, Wyoming, as shown on a Record of Survey filed in Drawer A of Certificate of Surveys, Plat Number 226; said tract being more particularly described as follows:

Commencing at the southwest corner of said Section 21 (Monumented with a 3 $\frac{1}{4}$ " Aluminum Cap per LS 2615); thence N86°11'02"E, 1327.60 feet to the **POINT OF BEGINNING**, said point lying on the northerly right of way line of Wyoming State Highway 330; thence N01°48'03"W, 611.85 feet to a point; thence, through a curve to the right, having a radius of 7679.44 feet, a central angle of 01°04'48", an arc length of 144.76 feet, a chord bearing of N01°15'39"W, and a chord length of 144.76 feet to a point; thence N00°43'15"W, 944.21 feet to a point; thence, through a curve to the right, having a radius of 2904.79 feet, a central angle of 00°14'24", an arc length of 12.17 feet, a chord bearing of N00°36'03"W, and a chord length of 12.17 feet to a point; thence S89°31'09"W, 35.00 feet to a point; thence, through a curve to the right, having a radius of 2939.79 feet, a central angle of 02°40'50", an arc length of 137.54 feet, a chord bearing of N00°51'34"E, and a chord length of 137.53 feet to a point; thence N02°12'00"E, 15.97 feet to a point; thence S87°48'01"E, 35.00 feet to a point; thence N02°11'59"E, 606.14 feet to a point lying on the east line of said W $\frac{1}{2}$ SW $\frac{1}{4}$; thence S00°30'39"E, 2437.66 feet along said east line to a point lying on said northerly right of way line of Wyoming State Highway 330; thence S88°24'01"W, 11.87 feet along said northerly right of way line to a point; thence S01°35'59"E, 30.00 feet along said northerly right of way line to a point; thence S44°56'54"W, 3.13 feet along said northerly right of way line to the **POINT OF BEGINNING**.

Said tract contains 1.48 acres of land more or less.

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

EXHIBIT B

LEGAL DESCRIPTION

RE: TEMPORARY CONSTRUCTION EASEMENT No. 1 of 2
DONALD H. ROBERTS to SHERIDAN COUNTY

A temporary construction easement situated in the SE¼SW¼ of Section 21, Township 56 North, Range 84 West, 6th P.M., Sheridan County, Wyoming; said temporary construction easement being more particularly described as follows:

Commencing at the south quarter west corner of said Section 21 (Monumented with a 3¼" Aluminum Cap per LS 2615); thence N89°59'00"W, 1137.15 feet to the **POINT OF BEGINNING**, said point lying on the northerly right of way line of Wyoming State Highway 330; thence S88°24'01"W, 21.83 feet along said northerly right of way line to a point; thence N01°35'59"W, 10.00 feet along said northerly right of way line to a point; thence S88°24'01"W, 100.00 feet along said northerly right of way line to a point; thence N60°33'56"W, 17.46 feet along said northerly right of way line to a point; thence N01°35'59"W, 30.00 feet along said northerly right of way line to a point; thence S88°24'01"W, 4.11 feet along said northerly right of way line to a point lying on the east right of way line of Mydland Road; thence N00°30'42"W, 487.73 feet along said east right of way line to a point lying on the south line of Tract 1, School Tracts Plat to the City of Sheridan; thence S59°08'25"E, 29.41 feet along said south line to a point; thence S01°48'03"E, 391.56 feet to a point; thence N88°11'58"E, 105.00 feet to a point; thence S01°48'02"E, 129.67 feet to the **POINT OF BEGINNING**.

Said temporary construction easement contains 28,486 square feet of land, more or less.

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

LEGAL DESCRIPTION

RE: TEMPORARY CONSTRUCTION EASEMENT No. 2 of 2
DONALD H. ROBERTS to SHERIDAN COUNTY

A temporary construction easement situated in the W½SW¼ of Section 21, Township 56 North, Range 84 West, 6th P.M., Sheridan County, Wyoming; said temporary construction easement being more particularly described as follows:

Commencing at the southwest corner of said Section 21 (Monumented with a 3¼" Aluminum Cap per LS 2615); thence N86°50'39"E, 1307.14 feet to the **POINT OF BEGINNING**; said point lying on the northerly right of way line of Wyoming State Highway 330; thence N01°48'03"W, 627.63 feet to a point; thence S88°11'57"W, 15.00 feet to a point; thence, through a curve to the right, having a radius of 7714.44 feet, a central angle of 01°04'48", an arc length of 145.42 feet, a chord bearing of N01°15'39"W, and a chord length of 145.42 feet to a point; thence N00°43'15"W, 6.21 feet to a point; thence N89°16'45"E, 15.00 feet to a point; thence N00°43'15"W, 750.00 feet to a point; thence S89°16'45"W, 65.00 feet to a point; thence N00°43'15"W, 188.00 feet to a point; thence, through a curve to the right, having a radius of 2989.79 feet, a central angle of 02°55'14", an arc length of 152.40 feet, a chord bearing of N00°44'23"E, and a chord length of 152.38 feet to a point; thence N02°11'59"E, 165.97 feet to a point; thence S87°48'01"E, 45.00 feet to a point; thence N02°11'59"E, 441.01 feet to a point; thence N89°35'37"E, 40.04 feet to a point lying on the east line of said W½SW¼; thence S02°11'59"W, 592.83 feet to a point; thence N87°48'01"W, 35.00 feet to a point; thence S02°11'59"W, 15.97 feet to a point; thence, through a curve to the left, having a radius of 2939.79 feet, a central angle of 02°40'50", an arc length of 137.54 feet, a chord bearing of S00°51'34"W, and a chord length of 137.53 feet to a point; thence N89°31'09"E, 35.00 feet to a point; thence, through a curve to the left, having a radius of 2904.79 feet, a central angle of 00°14'24", an arc length of 12.17 feet, a chord bearing of S00°36'03"E, and a chord length of 12.17 feet to a point; thence S00°43'15"E, 944.21 feet to a point; thence, through a curve to the left,

having a radius of 7679.44 feet, a central angle of $01^{\circ}04'48''$, an arc length of 144.76 feet, a chord bearing of $S01^{\circ}15'39''E$, and a chord length of 144.76 feet to a point; thence $S01^{\circ}48'03''E$, 611.85 feet to a point, said point lying on said northerly right of way line of Wyoming State Highway 330; thence $S44^{\circ}56'54''W$, 23.04 feet along said northerly right of way line to a point; thence $S88^{\circ}24'01''W$, 3.22 feet along said northerly right of way line to the **POINT OF BEGINNING**.

Said temporary construction easement contains 2.02 acres of land more or less.

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

EXHIBIT C

LEGAL DESCRIPTION

**RE: TEMPORARY TOPSOIL STORAGE EASEMENT
DONALD H. ROBERTS to SHERIDAN COUNTY**

A temporary easement situated in the NW¼SW¼ of Section 21, Township 56 North, Range 84 West, 6th P.M., Sheridan County, Wyoming; said temporary easement being more particularly described as follows:

Commencing at the west quarter corner of said Section 21 (Monumented with a 3¼" Aluminum Cap per PE&LS 551); thence S71°49'03"E, 1336.13 feet to the **POINT OF BEGINNING**; thence N87°48'01"W, 80.00 feet to a point; thence N02°11'59"E, 250.00 feet to a point; thence S87°48'00"E, 80.00 feet to a point; thence S02°11'59"W, 250.00 feet to the **POINT OF BEGINNING**.

Said temporary easement contains 20,000 square feet of land, more or less.

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

EXHIBIT D**LEGAL DESCRIPTION**

**RE: TEMPORARY WETLAND CONSTRUCTION EASEMENT
DONALD H. ROBERTS to SHERIDAN COUNTY**

A tract of land situated in the NW¼SW¼ of Section 21, Township 56 North, Range 84 West, 6th P.M., Sheridan County, Wyoming; said tract being more particularly described as follows:

Commencing at the west quarter corner of said Section 21 (Monumented with a 3¼" Aluminum Cap per PE&LS 551); thence S59°22'50"E, 1512.47 feet to the **POINT OF BEGINNING**; thence S89°16'45"W, 208.00 feet to a point; thence N00°35'21"E, 212.60 feet to a point; thence S87°48'01"E, 123.00 feet to a point; thence S02°12'00"W, 15.97 feet to a point; thence, through a curve to the left, having a radius of 2989.79 feet, a central angle of 02°55'14", an arc length of 152.40 feet, a chord bearing of S00°44'23"W, and a chord length of 152.38 feet to a point; thence N89°16'56"E, 85.00 feet to a point; thence S00°43'15"E, 38.00 feet to the **POINT OF BEGINNING**.

Said tract contains 28,768 square feet of land more or less.

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