

**MONTANA-DAKOTA UTILITIES CO.  
UNDERGROUND EASEMENT**

THIS EASEMENT, made this 19<sup>th</sup> day of April, A.D., 2021, 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:

R&M Commercial Properties, LLC  
8500 Normandale Lake Blvd., Suite 1750  
Bloomington, MN 55437

  
**2021-768401** 4/21/2021 1:19 PM PAGE: 1 OF 2  
FEES: \$15.00 PK EASEMENT  
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK

WITNESSETH, that for valuable considerations received, OWNER does hereby grant, bargain, sell and convey unto COMPANY, its successors and assigns, an easement as laid out and/or surveyed, or as finally installed on the hereinafter described lands, together with the right to construct, reconstruct, operate, maintain, repair, remove and replace a gas pipeline or lines, including necessary pipes, poles, and fixtures, and a buried or semi-buried electric distribution system, street lighting system, or any combination thereof including the necessary cables, pedestals, transformers, transformer bases and other fixtures and apparatus in connection therewith through, over, under, and across the following described real estate, situated in the County of Sheridan, State of Wyoming, namely:

A UTILITY EASEMENT BEING A TEN (10) FOOT WIDE STRIP OF LAND IN LOT 1 OF EMIT MINOR # 1 SUBDIVISION, SHERIDAN, WYOMING, LOCATED IN THE SE¼NE¼ OF SECTION 2, TOWNSHIP 55 NORTH, RANGE 84 WEST OF THE 6TH P.M., SHERIDAN COUNTY, WYOMING, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE N 12°05'15" W, 20.43 FEET, TO A POINT LYING ON THE NORTH LINE OF A 20 FOOT WIDE UTILITY EASEMENT PER THE EMIT MINOR #1 SUBDIVISION PLAT, SAID POINT BEING THE TRUE POINT OF BEGINNING OF SUBJECT EASEMENT; THENCE S 89° 44' 25" W, 10.14 FEET ALONG SAID NORTH LINE; THENCE N 09°07'46" E, 48.63 FEET; THENCE N 41°25'36" E, 60.71 FEET TO A POINT LYING ON THE WEST LINE OF A SEVEN AND ONE HALF (7.5) FOOT WIDE UTILITY EASEMENT PER SAID PLAT; THENCE S 00°29'23" W, 11.65 FEET ALONG SAID WEST LINE; THENCE S 22°09'40" W, 7.16 FEET ALONG SAID WEST LINE; THENCE S 41°25'35" W, 42.25 FEET ALONG SAID WEST LINE; THENCE S 09°07'46" W, 44.08 FEET TO THE TRUE POINT OF BEGINNING.

SUBJECT EASEMENT CONTAINING AN AREA OF ± 993.79 SQ FT

SUBJECT TO PRIOR RESERVATIONS, CONVEYANCES, COVENANTS AND RESTRICTIONS OF RECORD.

THE SUBJECT EASEMENT DESCRIBED ABOVE IS SHOWN ON THE DRAWING ("EXHIBIT") ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

OWNER agrees not to build, create or construct or permit to be built, created, or constructed, any obstruction, building, engineering works or other structures over, under, or that would interfere with said underground lines or COMPANY'S rights hereunder.

OWNER 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, repairing or removing said underground lines and for the purpose of doing all necessary work in connection therewith.

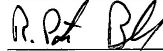
COMPANY by the acceptance hereof, hereby agrees that it will pay any and all damages that may result, including crops, fences, buildings and improvements on said premises, caused by constructing, maintaining, repairing, operating, replacing or removing said underground lines. The damages, if not mutually 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 this easement as of the day and year first above written.

**R&M Commercial Properties, LLC**



By: R. Peter Burwell  
Its: President and Chief Executive Officer

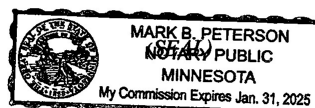
STATE OF MINNESOTA )  
 ) ss  
COUNTY OF HENNEPIN )

The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of April 2021, by R. Peter Burwell, the President and Chief Executive Officer of R & M Commercial Properties, LLC, a Minnesota limited liability company, on behalf of the company.

(THIS SPACE FOR RECORDING DATA ONLY)

Notary Public:

My commission Expires 1/31/2025



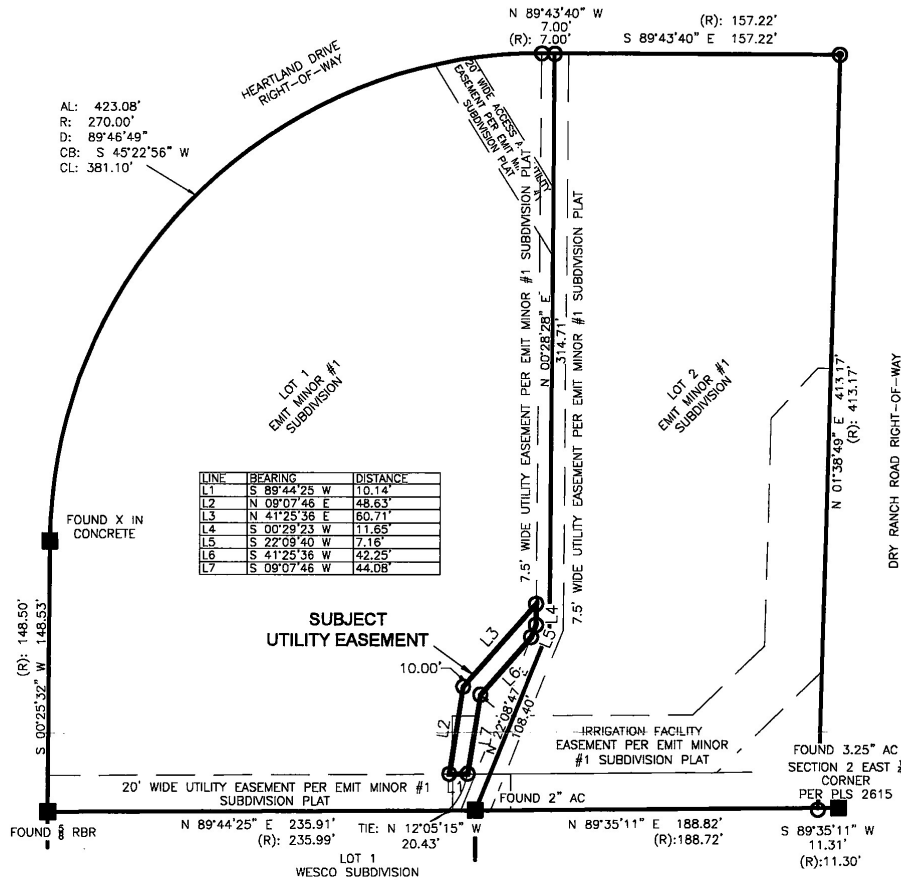
WO \_\_\_\_\_ TRACT NO \_\_\_\_\_ LRR NO \_\_\_\_\_



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## EXHIBIT

OF A TEN (10) FOOT WIDE UTILITY EASEMENT, LOCATED IN LOT 1, EMIT MINOR #1 SUBDIVISION, CITY OF SHERIDAN, WYOMING LOCATED IN THE SE $\frac{1}{4}$ NE $\frac{1}{4}$  OF SECTION 2, TOWNSHIP 55 NORTH, RANGE 84 WEST OF THE 6TH P.M., SHERIDAN COUNTY, WYOMING

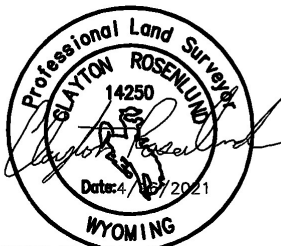


### LEGAL DESCRIPTION

A UTILITY EASEMENT BEING A TEN (10) FOOT WIDE STRIP OF LAND IN LOT 1 OF EMIT MINOR #1 SUBDIVISION, SHERIDAN, WYOMING, LOCATED IN THE SE $\frac{1}{4}$ NE $\frac{1}{4}$  OF SECTION 2, TOWNSHIP 55 NORTH, RANGE 84 WEST OF THE 6TH P.M., SHERIDAN COUNTY, WYOMING, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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SUBJECT TO PRIOR RESERVATIONS, CONVEYANCES, COVENANTS AND RESTRICTIONS OF RECORD



PREPARED BY:

Cannon Consulting LLC (307) 752-0109



SCALE: 1"=75'



BASIS OF BEARINGS ARE  
US STATE PLANE, NAD 83  
WYOMING EAST CENTRAL ZONE  
DISTANCES ARE GROUND (US  
SURVEY FEET)  
PAF:1.000235

### LEGEND

- FOUND CORNER AS NOTED
- CALCULATED CORNER
- AC ALUMINUM CAP
- LOT LINE

FOR: C&B OPERATIONS AND R&M  
COMMERCIAL PROPERTIES LLC  
SHERIDAN, WY

Date: 04/16/21

### NO. 2021-768401 EASEMENT

EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK  
R&M COMMERCIAL PROPERTIES LLC 8500 NORMANDE LAKE B  
BLOOMINGTON MN 55437