

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

THIS EASEMENT, made this 27th day of September, A.D., 20 22, 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:

**Flying W Properties, LLC, a Wyoming limited liability company,
29 Soldier Drive, Sheridan WY, 82801**

WITNESSETH, that for valuable considerations received, OWNER does hereby grant, bargain, sell and convey unto COMPANY, its successors and assigns, an easement 20.0 feet in width, being 10.0 feet left, and 10.0 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, 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:

An underground electric & gas line easement twenty (20.0) feet wide, being ten (10.0) feet, each side of the following described centerline situated in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, Township 56 North, Range 84 West, 6th P.M., Sheridan County, Wyoming. Said underground electric & gas line easement encumbers a portion of Warranty Deed recorded at the Sheridan County Clerk's Office, Sheridan County, Wyoming, Recorded April 2, 2021, Document Number 2021-767818. The easement is described in a Legal Description (EXHIBIT "A") and shown on a Drawing (EXHIBIT "B").

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.

COMPANY and OWNER further confirm that the rights conveyed herein are compliant with and subject to the Deed of Conservation Easement over the real estate described above, as recorded June 2, 2015, in Book 553, Page 434, No. 2015-719711 in the records of Sheridan County, State of Wyoming. COMPANY and OWNER have confirmed with The Nature Conservancy, Grantee under the referenced Deed of Conservation, that this underground electric & gas line easement is permitted by and subject to the provisions specifically described in Section 4.B.3.

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.

Flying W Properties, LLC, a Wyoming limited liability company

By: Adam Weatherby

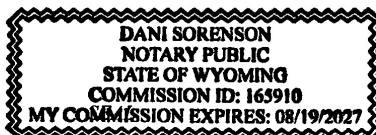
Title: MEMBER

STATE OF WYOMING)
) ss.
COUNTY OF SHERIDAN)

On this the 27th day of September 2022, before me personally appeared Adam Weatherby on behalf of Flying W Properties, LLC, known to me, or satisfactorily proved to be the persons described in and who executed the above and fore going instrument and acknowledged to me that they executed the same.

(This space for recording data only)

Dani Sorenson
Notary Public



My Commission Expires 8/19/27

LEGAL DESCRIPTION

EXHIBIT "A"

September 16, 2022

Record Owner: *Flying W Properties, LLC*

Re: 20.0' Underground Electric & Gas Line Easements to Montana-Dakota Utilities Co. a Subsidiary of MDU Resources Group, Inc., and or any of their respective successors and assigns.

Easement #1

An underground electric and gas line easement twenty (20.0) feet wide, being ten (10.0) feet each side of the following described centerline situated in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, Township 56 North, Range 84 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 southeast corner of said Section 17 (Monumented with a Military Monument MM-24); thence N69°58'04"W, 1452.85 feet to the **POINT OF BEGINNING** of said easement, said point lying on the east line of said SW $\frac{1}{4}$ SE $\frac{1}{4}$; thence S86°53'31"W, 39.54 feet along said centerline to a point; thence N68°49'51"W, 61.64 feet along said centerline to a point; thence, along said centerline through a curve to the left having a central angle of 31°30'40", a radius of 315.00 feet, an arc length of 173.24 feet, a chord bearing of N84°35'11"W, and a chord length of 171.07 feet to a point; thence S79°39'29"W, 90.73 feet along said centerline to a point; thence, along said centerline through a curve to the left having a central angle of 68°16'37", a radius of 85.00 feet, an arc length of 101.29 feet, a chord bearing of S45°31'10"W, and a chord length of 95.40 feet to a point; thence S11°22'52"W, 178.34 feet along said centerline to a point; thence, along said centerline through a curve to the right having a central angle of 92°03'35", a radius of 125.00 feet, an arc length of 200.84 feet, a chord bearing of S57°24'39"W, and a chord length of 179.93 feet to a point; thence N76°33'33"W, 211.76 feet along said centerline to a point; thence, along said centerline through a curve to the left having a central angle of 03°32'56", a radius of 985.00 feet, an arc length of 61.01 feet, a chord bearing of N78°20'01"W, and a chord length of 61.00 feet to a point; thence, continue through a curve to the left, having a central angle of 04°29'23", a radius of 985.00 feet, an arc length of 77.18 feet, a chord bearing of N82°21'11"W, and a chord length of 77.16 feet to a point; thence N84°35'52"W, 309.85 feet along said centerline to a point; thence, along said centerline through a curve to the left having a central angle of 07°03'37", a radius of 985.00 feet, an arc length of 121.38 feet, a chord bearing of N88°07'41"W, and a chord length of 121.30 feet to a point; thence S88°20'31"W, 506.00 feet along said centerline to a point; thence, continue S88°20'31"W, 142.00 feet along said centerline to a point; thence, along said centerline through a non-tangent curve to the right, having a central angle of 10°18'28", a radius of 1215.00 feet, an arc length of 218.58 feet, a chord bearing of S87°07'43"W, and a chord length of 218.29 feet to a point; thence N75°52'37"W, 115.00 feet along said centerline to a point; thence S87°17'13"W, 104.00 feet along said centerline to the **POINT OF TERMINUS** of said easement, said point being N81°48'13"W, 1116.74 feet from the south quarter corner of said Section 17 (Monumented with a 3/4" Aluminum Cap per PLS 2615). Lengthening or shortening the sidelines of said easement to intersect said boundary line.

Said underground electric and gas line easement contains 1.25 acres of land, more or less.


2022-781676 9/27/2022 1:38 PM PAGE: 2 OF 4
FEES: \$21.00 PK EASEMENT
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK

Easement #2

An underground electric and gas line easement twenty (20.0) feet wide, being ten (10.0) feet each side of the following described centerline situated in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, Township 56 North, Range 84 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 17 (Monumented with a 3/4" Aluminum Cap per PLS 2615); thence N75°45'24"E, 497.29 feet to the **POINT OF BEGINNING** of

said easement; thence S09°53'30"W, 36.00 feet along said centerline to the **POINT OF TERMINUS** of said easement, said point being N79°39'05"E, 483.68 feet from said south quarter corner of said Section 17.

Said underground electric and gas line easement contains 720 square feet of land more or less.

Easement #3

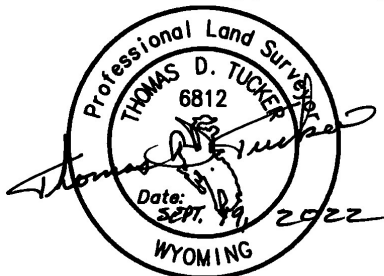
An underground electric and gas line easement twenty (20.0) feet wide, being ten (10.0) feet each side of the following described centerline situated in the SE¼SW¼ of Section 17, Township 56 North, Range 84 West, 6th P.M., Sheridan County, Wyoming, as shown on **EXHIBIT "B"** attached hereto and by this reference made a part hereof; said centerline being more particularly described as follows:

Commencing at the south quarter corner of said Section 17 (Monumented with a ¾" Aluminum Cap per PLS 2615); thence N74°05'07"W, 551.09 feet to the **POINT OF BEGINNING** of said easement; thence N01°39'29"W, 80.00 feet along said centerline to the **POINT OF TERMINUS** of said easement, said point being N66°31'58"W, 580.28 feet from said south quarter corner of said Section 17.

Said underground electric and gas line easement contains 1,600 square feet of land more or less. Bearings are Based on the Wyoming Coordinate System, NAD 1983, East Central Zone.

SURVEYOR'S STATEMENT

I, Thomas D. Tucker, do hereby state that this legal description was prepared from notes taken during an actual field survey performed by me or under my direct supervision.



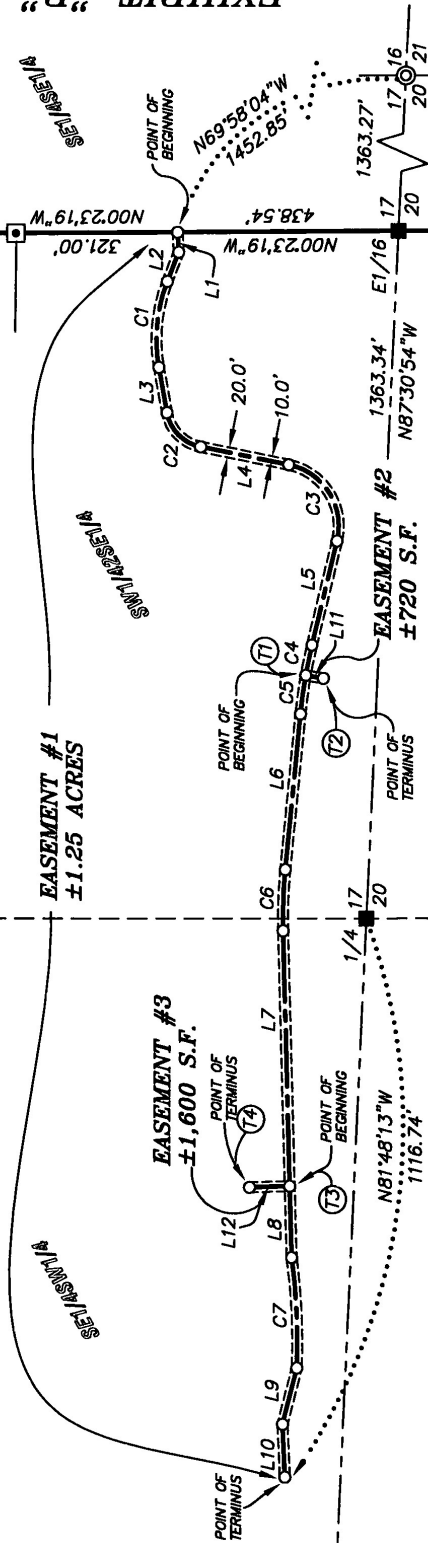
Modification in any way of the above or foregoing legal description terminates liability of surveyor.

2022-781676 9/27/2022 1:38 PM PAGE: 3 OF 4
FEES: \$21.00 PK EASEMENT
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK

RECORD OWNER:
FLYING W PROPERTIES, LLC
(2021-767818)

CERTIFICATE OF
SURVEY, DRAWER
"A", PLAT NO. 438

RECORD OF SURVEY,
B.L.A. DRAWER "A",
PLAT NO. 445



CURVE TABLE				
CURVE	DELTA	RADIUS	CHORD BEARING	CHORD LENGTH
C1	31°30'40"	315.00'	N84°35'11"W	171.07'
C2	68°16'37"	85.00'	S45°31'10"W	95.40'
C3	92°03'35"	125.00'	S57°24'39"W	179.93'
C4	3°32'56"	985.00'	N78°20'01"W	61.00'
C5	4°29'23"	985.00'	N82°21'11"W	77.16'
C6	7°03'37"	985.00'	N88°07'41"W	121.30'
C7	10°18'28"	1215.00'	S87°07'43"W	218.29'

LEGEND:

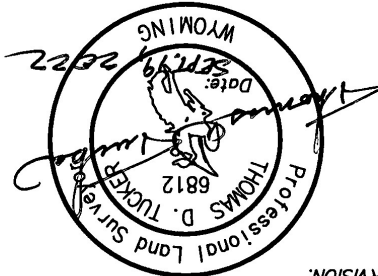
- FOUND MILITARY MONUMENT (MM-24)
- FOUND 3-1/4" ALUMINUM CAP PER PLS 2615
- FOUND 2" ALUMINUM CAP PER PE&LS 3864
- CALCULATED: NOTHING FOUND/NOTHING SET
- PROPERTY LINE
- SECTION LINE
- INTERIOR SECTION LINE
- EASEMENT LINE
- CENTERLINE 20.0' EASEMENT

TIE TABLE		
LINE	BEARING	LENGTH
T1	N75°45'24"E	497.29'
T2	N79°39'05"E	483.68'
T3	N74°05'07"W	551.09'
T4	N66°31'58"W	580.28'

LINE TABLE		
LINE	BEARING	LENGTH
L1	S86°53'31"W	39.54'
L2	N68°49'51"W	61.64'
L3	S79°39'29"W	90.73'
L4	S11°22'52"W	178.34'
L5	N76°33'33"W	211.76'
L6	N84°35'52"W	309.85'
L7	S88°20'31"W	506.00'
L8	S88°20'31"W	142.00'
L9	N75°52'37"W	115.00'
L10	S87°17'13"W	104.00'
L11	S09°53'30"W	36.00'
L12	N01°39'29"W	80.00'

SURVEYOR'S CERTIFICATE

STATE OF WYOMING
COUNTY OF SHERIDAN : ss
I, THOMAS D. TUCKER, A DULY REGISTERED LAND
SURVEYOR IN THE STATE OF WYOMING, DO HEREBY
STATE THAT THIS PLAT REPRESENTS THE RESULTS
OF A SURVEY MADE BY ME OR UNDER MY DIRECT
SUPERVISION.



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

BS RESTFELD
SURVEYING
2340 WETLANDS DR., SUITE 100
PO BOX 3082
SHERIDAN, WY 82801
307-672-7415

LOCATION: SITUATED IN SW1/4SE1/4 & SE1/4SW1/4
SECTION 17, TOWNSHIP 56 NORTH, RANGE 84
WEST, 6TH P.M., SHERIDAN COUNTY, WYOMING

CLIENTS: MONTANA-DAKOTA UTILITIES CO.

20.0' UNDERGROUND ELECTRIC
& GAS LINE EASEMENTS
EXHIBIT "B"

NO. 2022-781676 EASEMENT

EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK
MONTANA DAKOTA UTILITIES CO 2324 DRY RANCH RD
SHERIDAN WY 82801