

Parcel 10

MONTANA-DAKOTA UTILITIES CO. UNDERGROUND EASEMENT

THIS EASEMENT, made this 31 day of Nov, A.D., 2009, between MONTANA-DAKOTA UTILITIES CO., A DIVISION OF MDU RESOURCES GROUP, INC., a corporation, 400 North Fourth Street, Bismarck, North Dakota 58501, its successors and assigns, called "COMPANY", and the following named persons, herein, whether singular or plural, called "OWNER," namely:

James F. and Marilyn K. Roberts, husband and wife,
as tenants by the entireties with full right of survivorship
6 Keebler Lane
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 16 feet in width, being ~~8~~ ¹⁵ feet left, and ~~8~~ ¹⁵ 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 communications line or lines, 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:

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A ~~16~~ foot wide Underground Easement situated in Lot 1, Cottonwood 2 Minor Subdivision, Sheridan County, Wyoming as shown on the Illustration marked Exhibit "A", which by reference is attached and incorporated herein and made a part hereof. The Company retains and can exercise the right to substitute and replace the Illustration marked Exhibit "A" with an as built description referenced as Exhibit "A" and location plat referenced as 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.

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

Marilyn K. Roberts
Marilyn K. Roberts

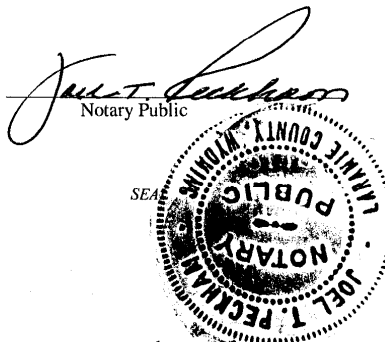
James F. Roberts
James F. Roberts

STATE OF WYOMING)
) ss.
COUNTY OF SHERIDAN)

On this the 31 day of Nov, 2009, before me personally appeared James F. and Marilyn K. Roberts, known to me, or satisfactorily proved to be the persons that are described in and who executed the above and foregoing instrument and acknowledged to me that they have executed the same (known to me to be the Landowners of the above described property)

(this space for recording data only)

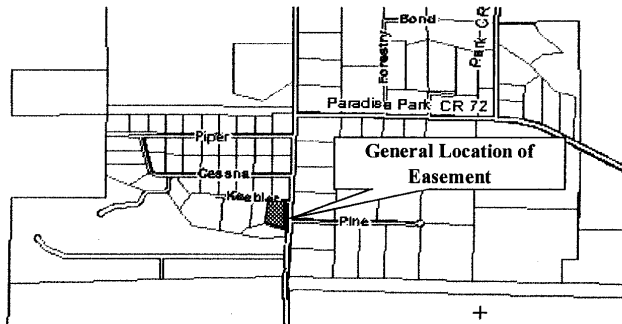
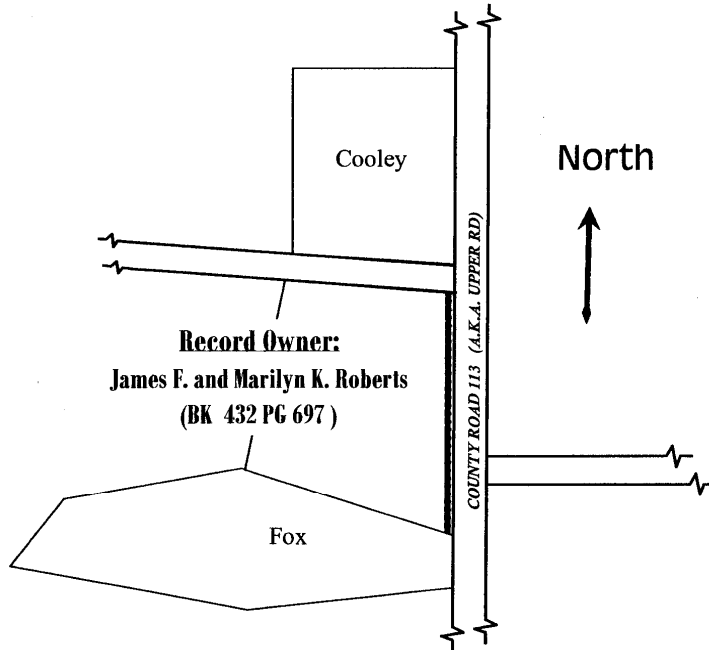
683367 EASEMENT
BOOK 520 PAGE 0173
RECORDED 11/08/2010 AT 12:10 PM
EDA S. THOMPSON, SHERIDAN COUNTY CLERK



My Commission Expires 6-8-13
W.O. 16974 Tract NO. _____ LLR NO. _____

MONTANA DAKOTA UTILITIES**16.0' UNDERGROUND UTILITY EASEMENT****Illustration "A"**

Lot 3, Cottonwood Minor Subdivision, A
subdivision of Lot 1, Fox Minor Subdivision



This diagram and information is to be used for illustration purposes only. The representation is not to scale and is not to be construed as a final survey of location. The Landowner, by attachment of their initials JK dated this 24 day of Nov, 2009, accepts the location of the Gas line as shown within the above illustration.

Date:

11-21-09

Work Order No:

1842 Sugarland Drive, Suite 108, PMB 198
Sheridan, Wyoming 82801


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