

**WATERLINE EASEMENT**

Deed made this 13 day of February, 2006, by and between **CHERYL E. BARKER**, of Sheridan County, hereinafter referred to as "Grantor", and the **SHERIDAN AREA WATER SUPPLY JOINT POWERS BOARD (SAWSJPB)** and the City of Sheridan, Wyoming hereinafter referred to as "Grantee".

For and in consideration of good and valuable consideration receipt of which is acknowledged and subject to the terms and conditions set forth below, Grantors convey and warrant to Grantee an easement and right-of-way upon, across and under the following-described real property, described as:

SEE ATTACHED EXHIBITS "A" AND "B"

Said easement is for Grantee, its employees, agents, contractors and assigns for entry upon and use of the premises described and shown on the exhibits for the purposes of surveying, designing, constructing, installing, inspecting, operating, maintaining, tapping, repairing, and replacing water lines, and appurtenances as may be necessary or convenient; including service lines and laterals. This includes the right to operate machinery upon this easement for these purposes. This deed of easement shall be binding upon Grantors' heirs and assigns and shall be perpetual so long as the easement is used for the purposes above recited. The use of this easement is not intended for other purposes.

Grantee agrees to restore the surface to as near as practical to the original contours, repair trench settlement, repair fences and ditches crossed, maintain drainage, and repair any buried pipes, electrical wires or other improvements owned by the Grantor. Grantee shall pay for damages to the surface estate when such damages are caused from time to time by Grantee's operations. Any such damage, if not mutually agreed upon, shall be ascertained and determined by three disinterested persons, one appointed by Grantor, one by Grantee and the third chosen by the two so appointed. The written award of a majority of such three persons shall be final and conclusive upon the parties hereto.

This grant is subject to the following conditions:

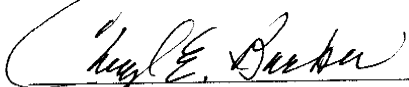
1. During construction and subsequently, unless otherwise permitted by Grantor, access to the easement shall be only along the area or alignment of the easement.
2. During construction Grantee shall install a four (4) smooth wire stock fence along the temporary construction easement and remove same after substantial completion of the project, per agreement between Grantor and Grantee.

3. Grantee shall during construction install three (3) four (4) inch taps and one residential tap at locations agreed upon between Grantor and Grantee. Grantor understands that any future connection to said taps will be at Grantors cost and subject to the rules and regulations of Grantee.

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

Permanent improvements that would hinder future access to the water line cannot be constructed over the easement, but otherwise land use may be similar to current use.

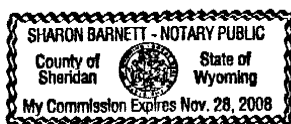
In witness whereof Grantor signs this Deed on the date above written.

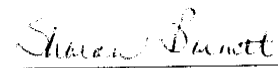
  
Cheryl E. Barker

STATE OF WYOMING     )  
  )ss  
COUNTY OF SHERIDAN    )

The foregoing instrument was subscribed and sworn to before me by Cheryl E. Barker this 13<sup>th</sup> day of February, 2006.

WITNESS my hand and official seal.



  
Notary Public

My Commission Expires: 11-28-08

**EXHIBIT "A"**

A perpetual water line easement thirty (30) feet wide, being fifteen (15) feet each side of the following described centerline situated in Tract 1, Blue Grass Meadows Minor Subdivision No.1, Sheridan County Wyoming; NW $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , Section 2, Township 55 North, Range 85 West, 6th P.M., Sheridan County Wyoming; shown as **EASEMENT 1** on **EXHIBIT "B"** attached hereto and by this reference made a part hereof; said centerline being more particularly described as follows:

Commencing at the west quarter corner of said Section 2; thence S11°59'07"E, 647.01 feet to the **POINT OF BEGINNING** of the herein described easement, said point lying on the north line of Tract 2, Blue Grass Meadows Minor Subdivision No.1, and being S89°54'03"E, 998.21 feet from the northwest corner of said Tract 2; thence N00°32'34"W, 702.51 feet along said centerline to a point; thence N16°14'32"E, 35.16 feet along said centerline to the **POINT OF TERMINUS** of said easement, said point lying on the south right of way line of the Owl Creek Road and being N53°04'52"E, 172.03 feet from said west quarter corner of Section 2.

Also, a temporary construction easement will be required, being a strip of land thirty (30) feet wide, the easterly line of said strip being the westerly line of said perpetual thirty (30) foot water line **EASEMENT 1**, and also a strip of land twenty (20) feet wide, the westerly line of said strip being the easterly line of said perpetual thirty (30) foot water line **EASEMENT 1**. Lengthening and shortening said lines to intersect the south right of way line of the Owl Creek Road.

Also, a temporary construction easement will be required, being a strip of land thirty (30) feet wide, the northwesterly line of said strip being the southeasterly right of way line of the Owl Creek Road, situated in Tract 1, Blue Grass Meadows Minor Subdivision No.1, Sheridan County Wyoming; S $\frac{1}{2}$ NW $\frac{1}{4}$ , Section 2, Township 55 North, Range 85 West, 6th P.M., Sheridan County Wyoming; shown on **EXHIBIT "B"** attached hereto and by this reference made a part hereof; said strip being more particularly described as follows:

Commencing at the west quarter corner of said Section 2; thence N53°26'38"E, 195.40 feet to the **POINT OF BEGINNING** of the herein described strip, said point lying on the southeasterly right of way line of the Owl Creek Road; thence N56°06'43"E, 1471.89 feet along said southeasterly right of way line to the **POINT OF TERMINUS** of said strip and being S35°11'09"W, 2099.24 feet from the north quarter corner of said Section 2.

Also, a temporary construction easement will be required, being a tract of land situated in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ , Section 2, Township 55 North, Range 85 West, 6th P.M., Sheridan County Wyoming; shown on **EXHIBIT "B"** attached hereto and by this reference made a part hereof; said tract being more particularly described as follows:

Commencing at the west quarter corner of said Section 2; thence N52°49'23"E, 1204.35 feet to the **POINT OF BEGINNING** of the herein described tract, said point lying on the northwesterly right of way line of the Owl Creek Road; thence N33°53'17"W, 50.00 feet to a point; thence N56°06'43"E, 200.00 feet to a point; thence S33°53'17"E, 50.00 feet to a point, said point lying on said northwesterly right of way line; thence S56°06'43"W, 200.00 feet along said northwesterly right of way line to said **POINT OF BEGINNING**.

Also, a perpetual water line easement thirty (30) feet wide, being fifteen (15) feet each side of the following described centerline situated in Tract 1, Blue Grass Meadows Minor Subdivision No.1, Sheridan County Wyoming; E $\frac{1}{2}$ NW $\frac{1}{4}$ , Section 2, Township 55 North, Range 85 West, 6th P.M., Sheridan County Wyoming; shown as **EASEMENT 2** on **EXHIBIT "B"** attached hereto and by this reference made a part hereof; said centerline being more particularly described as follows:

Commencing at the north quarter corner of said Section 2; thence S34°34'06"W, 2041.80 feet to the **POINT OF BEGINNING** of the herein described easement, said point lying on the southeasterly right of way line of the Owl Creek Road; thence N70°12'03"E, 377.79 feet along said

centerline to a point; thence N50°51'32"E, 406.66 feet along said centerline to a point; thence N89°21'29"E, 461.15 feet along said centerline to a point; thence N44°21'29"E, 49.25 feet along said centerline to a point; thence N89°21'29"E, 8.86 feet along said centerline to the **POINT OF TERMINUS** of said easement, said point lying on the west line of a tract of land described in Book 436 of Deeds, Page 404 and being S00°45'56"E, 1256.29 feet from said north quarter corner of Section 2.

Also, a temporary construction easement will be required, being a strip of land thirty (30) feet wide, the northwesterly line of said strip being the southeasterly line of said perpetual thirty (30) foot water line EASEMENT 2 for 784.45 feet, and also a strip of land fifty (50) feet wide, the northerly line of said strip being the southerly line of said perpetual thirty (30) foot water line EASEMENT 2 for 519.26 feet.

Also, a perpetual water line easement twenty (20) feet wide, being ten (10) feet each side of the following described centerline situated in Tract 1, Blue Grass Meadows Minor Subdivision No.1, Sheridan County Wyoming; SE¼NW¼, Section 2, Township 55 North, Range 85 West, 6th P.M., Sheridan County Wyoming; shown as **EASEMENT 3** on **EXHIBIT "B"** attached hereto and by this reference made a part hereof; said centerline being more particularly described as follows:

Commencing at the north quarter corner of said Section 2; thence S28°58'19"W, 1663.07 feet to the **POINT OF BEGINNING** of the herein described easement, said point lying on the southeasterly right of way line of the Owl Creek Road; thence S34°52'57"E, 78.13 feet along said centerline to the **POINT OF TERMINUS** of said easement and being S26°36'22"W, 1698.95 feet from said north quarter corner of Section 2.

Also, a perpetual water line easement twenty (20) feet wide, being ten (10) feet each side of the following described centerline situated in Tract 1, Blue Grass Meadows Minor Subdivision No.1, Sheridan County Wyoming; SE¼NW¼, Section 2, Township 55 North, Range 85 West, 6th P.M., Sheridan County Wyoming; shown as **EASEMENT 4** on **EXHIBIT "B"** attached hereto and by this reference made a part hereof; said centerline being more particularly described as follows:

Commencing at the north quarter corner of said Section 2; thence S28°43'36"W, 1541.32 feet to the **POINT OF BEGINNING** of the herein described easement, said point lying on the east right of way line of the Owl Creek Road; thence N73°20'46"E, 105.90 feet along said centerline to a point; 91; thence N88°02'04"E, 126.89 feet along said centerline to the **POINT OF TERMINUS** of said easement and being S21°15'55"W, 1413.14 feet from said north quarter corner of Section 2.

Also, a temporary construction easement will be required, being a tract of land situated in the SE¼NW¼, Section 2, Township 55 North, Range 85 West, 6th P.M., Sheridan County Wyoming; shown on **EXHIBIT "B"** attached hereto and by this reference made a part hereof; said tract being more particularly described as follows:

Commencing at the north quarter corner of said Section 2; thence S33°54'54"W, 1984.62 feet to the **POINT OF BEGINNING** of the herein described tract, said point lying on the southeasterly right of way line of the Owl Creek Road; thence N56°06'43"E, 74.75 feet along said southeasterly right of way line to a 2" aluminum cap per LS 5300; thence N58°32'18"E, 268.98 feet along said southeasterly right of way line to a point; thence N45°58'13"E, 4.19 feet along said southeasterly right of way line to a point; thence S34°52'57"E, 62.23 feet to a point; thence S50°51'32"W, 42.90 feet to a point; thence S70°12'03"W, 315.47 feet to the **POINT OF BEGINNING** of said tract.

*Excepting therefrom any existing structures encompassed by said temporary construction easement.*

Also, a temporary construction easement will be required, being a tract of land situated in the SE¼NW¼, Section 2, Township 55 North, Range 85 West, 6th P.M., Sheridan County Wyoming; shown on **EXHIBIT "B"** attached hereto and by this reference made a part hereof; said tract being more particularly described as follows:

Commencing at the north quarter corner of said Section 2; thence S28°52'10"W, 1653.38 feet

to the **POINT OF BEGINNING** of the herein described tract, said point lying on the southeasterly right of way line of the Owl Creek Road; thence N54°58'13"E, 63.19 feet along said southeasterly right of way line to a point; thence N12°56'57"E, 42.23 feet along said southeasterly right of way line to a point; thence N73°20'46"E, 110.30 feet to a point; thence N88°02'04"E, 87.59 feet to a point; thence S50°51'32"W, 272.73 feet to a point; thence N34°52'57"W, 63.96 feet to the **POINT OF BEGINNING** of said tract.

*Excepting therefrom any existing structures encompassed by said temporary construction easement .*

# LEGEND:

- FOUND 2" ALUMINUM CAP PER PLS 5300
- FOUND 1-1/2" ALUMINUM CAP PER PLS 3964
- FOUND IRON PIPE / SET 3-1/4" ALUMINUM CAP PER PLS 2615
- FOUND #5 REBAR
- DO CALCULATED, NOTHING FOUND / NOTHING SET
- E1 EASEMENT NUMBER
- CE CONSTRUCTION EASEMENT
- POB POINT OF BEGINNING
- POT POINT OF TERMINUS
- RIGHT OF WAY LINE
- SECTION LINE
- INTERIOR SECTION LINE
- PROPERTY LINE
- FENCE LINE
- EASEMENT CENTERLINE
- 30' WATERLINE EASEMENT
- TEMPORARY CONSTRUCTION EASEMENT

## EXHIBIT "B"

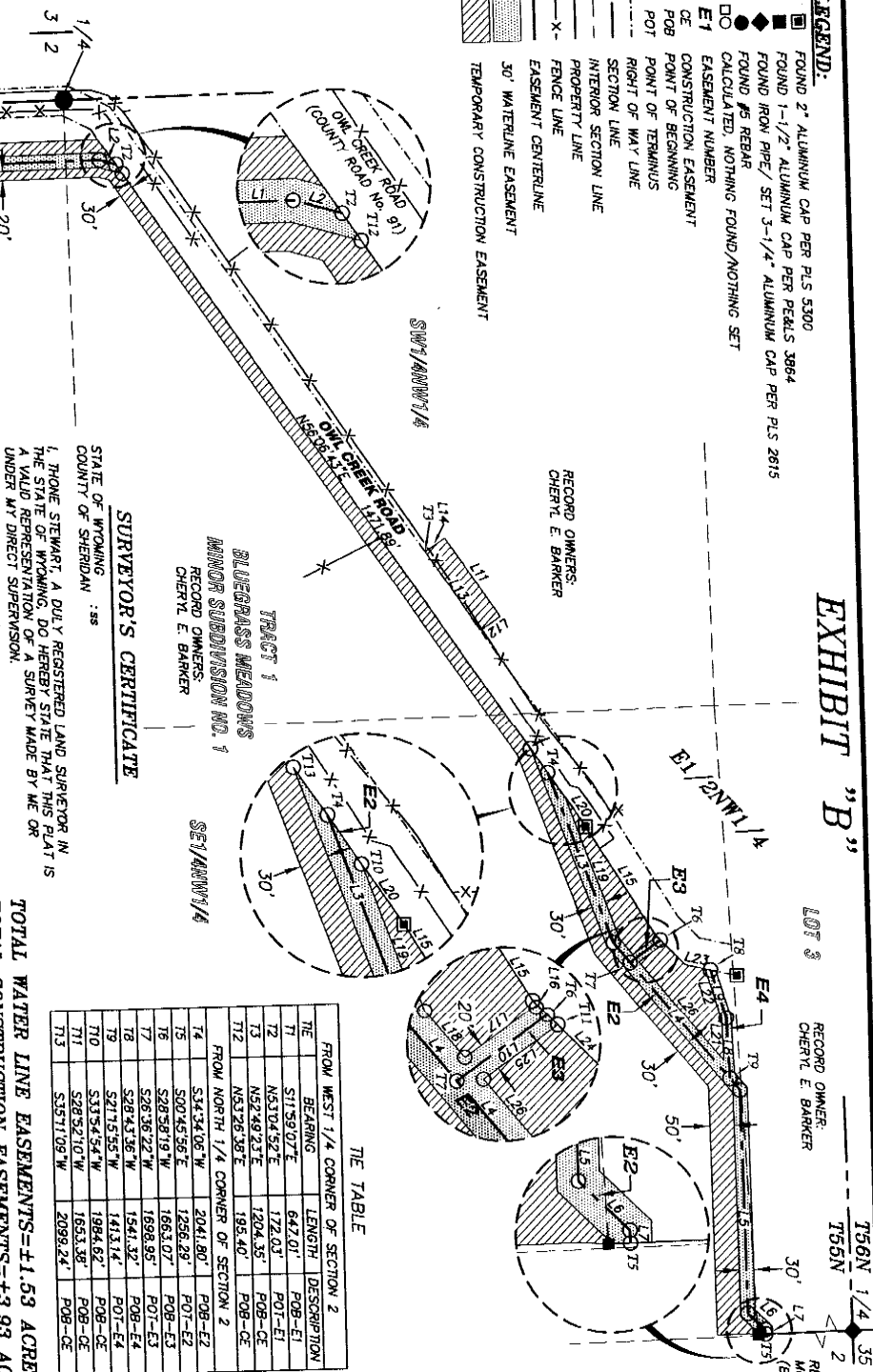
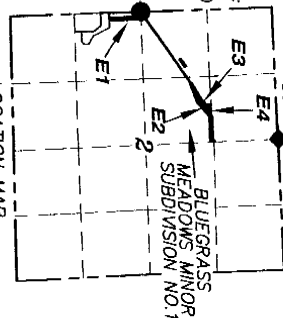
LOT 3

RECORD OWNER:  
CHERYL E. BARKER

T56N 1/4 35

T56N 1/4 2

RECORD OWNER:  
MURDOCK, LLC  
(BK436, PD404)



THE TABLE

LINE	BEARING	LENGTH	DESCRIPTION
T1	S115°02'E	642.03'	POB-E1
T2	N51°04'32"E	172.03'	POB-E1
T3	N52°48'21"E	1204.35'	POB-CE
T12	N53°28'38"E	195.40'	POB-CE
FROM NORTH 1/4 CORNER OF SECTION 2			
T4	S34°34'06"W	2041.80'	POB-E2
T5	S00°44'56"E	1256.29'	POB-E2
T6	S28°56'19"W	1661.07'	POB-E3
T7	S28°36'22"W	1688.95'	POB-E3
T8	S28°43'36"W	1541.32'	POB-E4
T9	S21°15'55"W	1413.14'	POB-E4
T10	S33°54'54"W	1984.62'	POB-CE
T11	S28°52'10"W	1653.38'	POB-CE
T13	S33°11'09"W	2089.24'	POB-CE

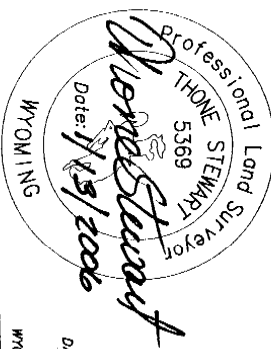
LINE TABLE

LINE	BEARING	LENGTH
L1	N00°32'34"W	702.51'
L2	N16°14'32"E	35.16'
L3	N70°12'03"E	377.78'
L4	N50°51'32"E	406.86'
L5	N89°21'29"E	461.15'
L6	N44°21'29"E	49.25'
L7	N89°21'29"E	8.86'
L8	N89°21'29"E	126.89'
L9	N73°20'46"E	105.90'
L10	S34°52'57"E	78.13'
L11	N56°06'43"E	200.00'
L12	S33°53'17"E	50.00'
L13	S56°06'43"E	200.00'
L14	N33°53'17"W	50.00'
L15	N69°21'29"E	269.88'
L16	N43°58'17"E	4.19'
L17	S34°52'57"E	62.23'
L18	S50°51'32"W	42.80'
L19	S70°12'03"W	319.47'
L20	N56°06'43"E	74.75'
L21	N89°21'29"E	87.59'
L22	N73°20'46"E	110.30'
L23	N12°56'57"E	42.23'
L24	N45°58'17"E	63.19'
L25	N34°52'57"W	63.96'
L26	S50°51'32"W	272.73'

### SURVEYOR'S CERTIFICATE

STATE OF WYOMING  
COUNTY OF SHERIDAN : ss  
I, THOMAS STEWART, A duly registered land surveyor in the State of Wyoming, do hereby certify that this plat is a valid representation of a survey made by me or under my direct supervision.

TRACT 1  
BLUEGRASS MEADOWS  
MINOR SUBDIVISION NO. 1  
RECORD OWNERS:  
CHERYL E. BARKER



TOTAL WATER LINE EASEMENTS=±1.53 ACRES  
TOTAL CONSTRUCTION EASEMENTS=±3.93 ACRES  
(EXCEPTING ANY EXISTING STRUCTURES ENCOMPASSED BY ABOVE CONSTRUCTION EASEMENTS)

CLIENT: HKM ENGINEERING  
LOCATION: TRACT 1, BLUE GRASS MEADOWS MINOR SUBDIVISION NO. 1, SHERIDAN COUNTY, WYOMING, NW1/4SW1/4, S1/2E1/4, SECTION 2, T56N, R85W, 6TH P.M.

### EXHIBIT "B"

EASEMENT FOR 20" WATER LINE

NORTH  
SCALE: 1"=300'  
DATUM: NAD 83(1983), NAVD 88 (U.S. FEET)  
PAF: 1.00025  
BASIS OF BEARING IS  
WYOMING STATE PLANE (EAST CENTRAL ZONE)

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

JN: 2003035  
DE: SAMP/HKM-2004  
2003035E-BARKER3  
JANUARY 12, 2006