

RIGHT OF WAY EASEMENT

Project No. SL-178 (3)
County Sheridan
Road Montana Line-Sheridan

Know All Men By These Presents:

That for and in consideration of the sum of Five Hundred and no/100 dollars, the receipt of which is hereby acknowledged and confessed, Rocco Modiate, single man,

of the County of Sheridan and State of Wyoming hereinafter called the grantor, hereby grants to the State of Wyoming, hereinafter called the grantee, the right to lay out, construct, inspect, operate and maintain a road for the use of the public over and across the following described land located in the County of Sheridan and State of Wyoming, to-wit: the SE1/4 and NE1/4 of section 13, T. 27 N., R. 36 W. of the 6th P. M., Wyoming.

The right of way hereby granted being more particularly described as follows:

A strip of land adjacent to the northerly boundary of the right of way of the C. R. & Q Railroad Company, more fully described as that portion of the SE1/4 and NE1/4 of said section 13 bounded by parallel lines 137.35 feet apart, being 62.35 feet on the left or southerly side and 75 feet on the right or northerly side when measured at right angles to the following described centerline of highway, and by the prolongation of said parallel lines to the legal boundaries of the SE1/4 and NE1/4 of said section 13, and by those portions of the legal boundaries intercepted between said parallel lines as prolonged:

Beginning at a point on the south boundary of the SE1/4 of said section 13, which point is N. 59°48' W. a distance of 1232.3 feet, more or less, from a point on the east boundary of said section 13 from which the east quarter corner thereof bears N. 0°02' W. a distance of 633 feet;

thence N. 59°48' W. a distance of 346 feet, more or less, to a point on the west boundary of the said SE1/4;

AND ALSO, beginning at a point on the south boundary of the NE1/4 of said section 13, which point is N. 59°48' W. a distance of 3809.3 feet, more or less, from a point on the east boundary of said section 13 from which the east quarter corner thereof bears N. 0°02' W. a distance of 633 feet;

thence N. 59°48' W. a distance of 953 feet, more or less, to a point on the west boundary of the said NE1/4;

Said parcels of land containing 4.3 acres, more or less, of which approximately 3.0 acres are contained in the right of way of the present road.

Grantor also grants the right of ingress and egress to and from the said land for any and all persons necessary and incident to the exercise by the grantee, and the public, of the rights granted by this conveyance.

Grantee agrees to construct culverts of suitable size across such ditches and laterals of grantor as necessary for proper operation of his irrigation system. Grantee agrees to construct new siphon where needed.

Grantors hereto do hereby waive and release all rights under and by virtue of the homestead exemption laws of the State of Wyoming insofar as affected by this conveyance.

The grant herein contained is an easement and shall be perpetual so long as the main traveled portion of said land is used for the aforementioned purposes, and whether or not actually fenced or used in its entirety for the aforementioned purposes.

IN WITNESS WHEREOF, the parties have hereunto set his hand this 2nd day of October A. D. 1950

Witnessed by

William S. Redd

Rocco Modiate

Grantors

ACKNOWLEDGMENT FOR INDIVIDUAL

STATE OF Sheridan Wyoming

COUNTY OF Sheridan

ss.

I, William D. Redle, Notary Public, in and for said county, in the State aforesaid, do hereby certify that Rocco Mediate, personally known to me as the same person, whose name subscribed to the foregoing instrument appeared before me this day in person and acknowledged that he signed and delivered said instrument of writing as his free and voluntary act and deed for the uses and purposes therein set forth, including the release and waiver of the rights of homestead, the said wife having been by me fully apprised of her right and the effect of signing and acknowledging said instrument.

Given under my hand and notarial seal this 2nd day of October A. D., 19 50

William D. Redle
Notary Public

My commission expires March 24, 1954.