

**CONVEYANCE OF ACCESS AND UTILITIES EASEMENTS**

This Easement Conveyance is entered into by and between **Olive Acres LLC**, a Wyoming limited liability company (“Grantor”), of 4 Deer Haven Drive, Sheridan, Wyoming 82801, and **Kyle Frederick Eisele and Gail Ann Brown, Successor Trustees of the Eisele Family Mineral Trust dated January 19 1999, as amended** (“Grantee”), of P.O. Box 6122, Sheridan, Wyoming 82801.

**WHEREAS**, Grantee is the owner of certain lands in Sheridan County, Wyoming, described as follows:

A tract of land in the SE¼NE¼ of Section 11 and the SW¼NW¼ & NW¼SW¼ of Section 12, Township 55 North, Range 84 West of the 6th Principal Meridian, more particularly described as follows:

Commencing at the Northwest corner of said Section 12; thence S27°04'26"E for a distance of 1795.81 feet, to the Point of Beginning; thence S01°035'36"E for a distance of 2280.05 feet, to a point along the east right-of-way line of Interstate 90; thence along said east right-of-way N32°35'04"W for a distance of 1589.51 feet; thence on a curve to the right with a central angle of 10°32'33", a radius of 5529.58 feet, an arc length of 1017.46 feet and a chord bearing N27°02'24"W for a distance of 1016.02 feet; thence leaving said east right-of-way, N88°24'24"E for a distance of 1255.00 feet, to the Point of Beginning.

(“Grantee’s Land”); and

**WHEREAS**, Grantor is the owner of certain lands in Sheridan County, Wyoming, described as follows:

A survey of a tract of land in the NE¼NE¼ of Section 11 and the NW¼NW¼ of Section 12, Township 55 North, Range 84 West of the 6<sup>th</sup> Principal Meridian, more particularly described as follows:

Commencing at the Northwest corner of said Section 12; thence S75°41'14"E for a distance of 1381.32 feet, to the POINT OF BEGINNING; thence S01°35'36"E for a distance of 1242.57 feet; thence S88°24'24"W for a distance of 1810.86 feet, to a point on the east right-of-way line of Interstate 90; thence along said east

right-of-way along a non-tangent curve to the right with a central angle of 14°03'52", a radius of 5529.58 feet, an arc length of 1357.36 feet and a chord bearing N14°44'11"W for a distance of 1353.95 feet; thence leaving said right-of-way, S89°32'09"E for a distance of 2120.09 feet, to the POINT OF BEGINNING.

EXCEPTING therefrom that parcel of land conveyed by Warranty Deed recorded June 12, 2013 in Book 541 of Deeds, Page 125, as Instrument No. 2013-705354 in the records of the Sheridan County Clerk and Recorder, Sheridan County, Wyoming.

("Grantor's Land"); and

**WHEREAS**, Grantor wishes to convey to Grantee an access and utilities easement across Grantor's Land in accordance with the terms of this instrument.

**NOW, THEREFORE**, for good and valuable consideration, including the mutual promises and covenants contained herein, it is agreed by and among the parties as follows:

**1. Grant of Easement**

Grantor does hereby convey to Grantee, and Grantee's successors and assigns, two (2) permanent access and utilities easements (the "Easements") as follows:

A. Grantor does hereby grant and convey to Grantee, and Grantee's successors and assigns, a permanent access easement for agricultural and residential purposes, along with a utilities easement to and for the benefit of Grantee's Land. Such easement shall be sixty (60) feet in width, as shown on the attached legal description and plat prepared and certified by a professional land surveyor showing the location of the centerline of the easement, and attached hereto as **Exhibit "A"**; and

B. Grantor does hereby grant and convey to Grantee, and Grantee's successors and assigns, a permanent access easement for agricultural and residential purposes, along with a utilities easement to and for the benefit of Grantee's Land. Such easement shall be thirty (30) feet in width, as shown on the attached legal description and plat prepared and certified by a professional land surveyor showing the location of the centerline of the easement, and attached hereto as **Exhibit "B"**.

**2. Terms of Use.**

A. Grantee shall have the right to improve any roadway within the Easements at Grantee's expense.

B. Grantee shall contribute to the maintenance of the Easements as reasonably necessary to keep the Easements in passable condition for ordinary motor vehicles, in proportion to Grantee's usage of the road. If either party or its agents damages the roadway, the party that has caused or is responsible for causing the damage shall repair the damage.

C. The Easements may be used for personal, agricultural, residential, utility and general access use.

D. The Easements created by this instrument shall not preclude Grantor's use of Grantor's Land, except to the extent that Grantor shall not in any way at any time obstruct the Easements for the purposes allowed by this instrument. Grantor shall have the right to use the Easements constructed in the easement and to allow others to use the Easements, so long as the Grantee's access under the terms of this easement are not impeded.

E. To the extent irrigation or other agricultural operations from time to time make the Easements impassable or susceptible to damage from vehicle use, Grantor shall provide to Grantee an alternate access route across Grantor's Land to Grantee's Land, and Grantee shall abide by Grantor's reasonable requests to use the alternate route designated by Grantor in such conditions.

F. This is a private easement. At no time shall this easement be construed to create a public roadway.

G. Grantee shall have the right to use the Easements conveyed by this instrument for installation of underground electric, telephone, data, gas, and other utility lines, but not above ground lines.

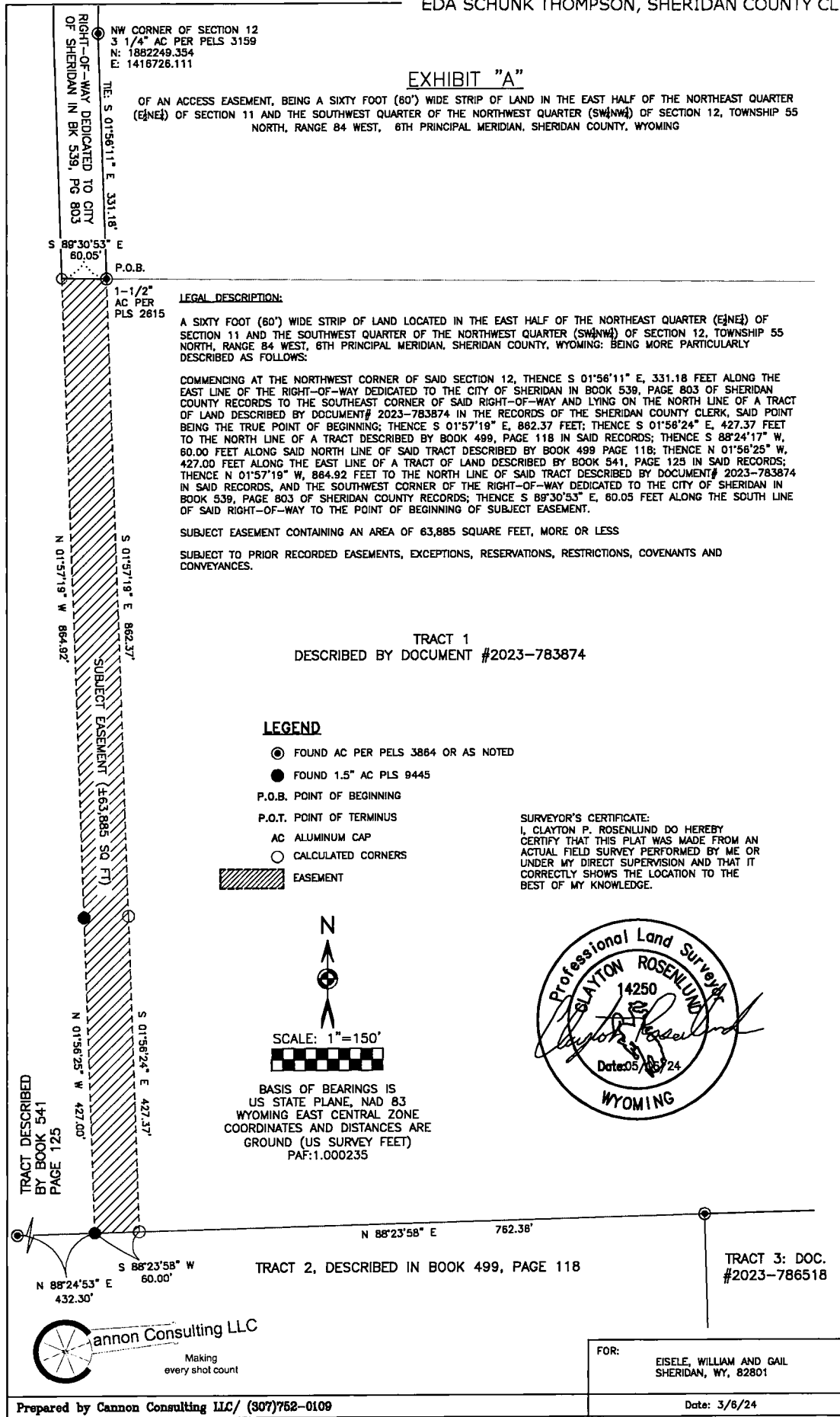
H. In the event the Easements created by this document are determined to be invalid or unusable to access the Grantee's Land, nothing herein shall preclude Grantee from obtaining an easement by other legal means.

### **3. Appurtenant to Benefitted Land.**

The Easements covered by this instrument shall be appurtenant to and shall run with Grantee's Land and shall be for the benefit and use of the Grantee and the heirs, successors and assigns of Grantee who then own Grantee's Land, as well as their lessees, employees, agents, invitees and guests.

DATED this \_\_\_\_\_ of \_\_\_\_\_, 2024.





**EXHIBIT "A"**

OF AN ACCESS EASEMENT, BEING A SIXTY FOOT (60') WIDE STRIP OF LAND IN THE EAST HALF OF THE NORTHEAST QUARTER (E<sub>NE</sub>) OF SECTION 11 AND THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW<sub>1/4</sub> NW<sub>1/4</sub>) OF SECTION 12, TOWNSHIP 55 NORTH, RANGE 84 WEST, 6TH PRINCIPAL MERIDIAN, SHERIDAN COUNTY, WYOMING

**LEGAL DESCRIPTION:**

A SIXTY FOOT (60') WIDE STRIP OF LAND LOCATED IN THE EAST HALF OF THE NORTHEAST QUARTER (E<sub>NE</sub>) OF SECTION 11 AND THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW<sub>1/4</sub> NW<sub>1/4</sub>) OF SECTION 12, TOWNSHIP 55 NORTH, RANGE 84 WEST, 6TH PRINCIPAL MERIDIAN, SHERIDAN COUNTY, WYOMING; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 12, THENCE S 01°56'11" E, 331.18 FEET ALONG THE EAST LINE OF THE RIGHT-OF-WAY DEDICATED TO THE CITY OF SHERIDAN IN BOOK 539, PAGE 803 OF SHERIDAN COUNTY RECORDS TO THE SOUTHEAST CORNER OF SAID RIGHT-OF-WAY AND LYING ON THE NORTH LINE OF A TRACT OF LAND DESCRIBED BY DOCUMENT # 2023-783874 IN THE RECORDS OF THE SHERIDAN COUNTY CLERK, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE S 01°57'19" E, 862.37 FEET; THENCE S 01°56'24" E, 427.37 FEET TO THE NORTH LINE OF A TRACT DESCRIBED BY BOOK 499, PAGE 118 IN SAID RECORDS; THENCE S 88°24'17" W, 60.00 FEET ALONG SAID NORTH LINE OF SAID TRACT DESCRIBED BY BOOK 499 PAGE 118; THENCE N 01°56'25" W, 427.00 FEET ALONG THE EAST LINE OF A TRACT OF LAND DESCRIBED BY BOOK 541, PAGE 125 IN SAID RECORDS; THENCE N 01°57'19" W, 884.92 FEET TO THE NORTH LINE OF SAID TRACT DESCRIBED BY DOCUMENT # 2023-783874 IN SAID RECORDS, AND THE SOUTHWEST CORNER OF THE RIGHT-OF-WAY DEDICATED TO THE CITY OF SHERIDAN IN BOOK 539, PAGE 803 OF SHERIDAN COUNTY RECORDS; THENCE S 89°30'53" E, 60.05 FEET ALONG THE SOUTH LINE OF SAID RIGHT-OF-WAY TO THE POINT OF BEGINNING OF SUBJECT EASEMENT.

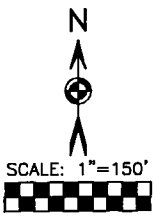
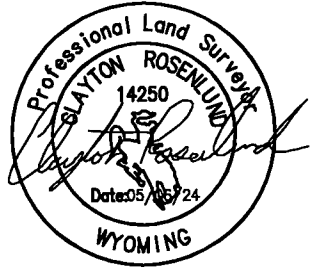
SUBJECT EASEMENT CONTAINING AN AREA OF 63,885 SQUARE FEET, MORE OR LESS  
 SUBJECT TO PRIOR RECORDED EASEMENTS, EXCEPTIONS, RESERVATIONS, RESTRICTIONS, COVENANTS AND CONVEYANCES.

TRACT 1  
 DESCRIBED BY DOCUMENT #2023-783874

**LEGEND**

- FOUND AC PER PELS 3884 OR AS NOTED
- FOUND 1.5" AC PLS 9445
- P.O.B. POINT OF BEGINNING
- P.O.T. POINT OF TERMINUS
- AC ALUMINUM CAP
- CALCULATED CORNERS
- EASEMENT

SURVEYOR'S CERTIFICATE:  
 I, CLAYTON P. ROSENLUND DO HEREBY CERTIFY THAT THIS PLAT WAS MADE FROM AN ACTUAL FIELD SURVEY PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT IT CORRECTLY SHOWS THE LOCATION TO THE BEST OF MY KNOWLEDGE.



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

TRACT DESCRIBED  
 BY BOOK 541  
 PAGE 125

N 88°24'53" E 432.30'  
 S 88°23'58" W 60.00'

TRACT 2, DESCRIBED IN BOOK 499, PAGE 118

N 88°23'58" E 762.38'

TRACT 3: DOC.  
 #2023-786518



FOR:	EISELE, WILLIAM AND GAIL SHERIDAN, WY, 82801
Date:	3/6/24

RIGHT-OF-WAY DEDICATED TO CITY OF SHERIDAN IN BK 539, PG 803

NW CORNER OF SECTION 12

# EXHIBIT "B"

OF AN ACCESS AND UTILITIES EASEMENT, BEING A THIRTY FOOT (30') WIDE STRIP OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE $\frac{1}{4}$ NE $\frac{1}{4}$ ) OF SECTION 11 AND THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW $\frac{1}{4}$ NW $\frac{1}{4}$ ) OF SECTION 12, TOWNSHIP 55 NORTH, RANGE 84 WEST, 6TH PRINCIPAL MERIDIAN, SHERIDAN COUNTY, WYOMING

### LEGAL DESCRIPTION:

A THIRTY FOOT (30') WIDE STRIP OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE $\frac{1}{4}$ NE $\frac{1}{4}$ ) OF SECTION 11 AND THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW $\frac{1}{4}$ NW $\frac{1}{4}$ ) OF SECTION 12, TOWNSHIP 55 NORTH, RANGE 84 WEST, 6TH PRINCIPAL MERIDIAN, SHERIDAN COUNTY, WYOMING BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 12, THENCE S 27°29'25" E, 1768.45 FEET, TO THE POINT OF BEGINNING, THENCE, S 01°36'02" E, 30.00 FEET TO THE NORTH LINE OF A TRACT OF LAND DESCRIBED IN BOOK 499, PAGE 118 IN THE RECORDS OF THE SHERIDAN COUNTY CLERK; THENCE S 88°23'58" W, 762.36 FEET ALONG SAID NORTH LINE TO A POINT ON THE EAST LINE OF A 60.00 FOOT ACCESS AND UTILITIES EASEMENT; THENCE N 01°56'24" W, 30.00 FEET ALONG SAID EAST LINE; THENCE N 88°23'58" E; 762.54 FEET TO THE POINT OF BEGINNING. SUBJECT EASEMENT CONTAINING AN AREA OF ±22873 SQUARE FEET.

SUBJECT TO PRIOR RECORDED EASEMENTS, EXCEPTIONS, RESERVATIONS, RESTRICTIONS, COVENANTS AND CONVEYANCES.

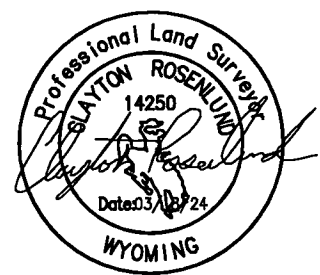
### LEGEND

- ⊙ FOUND AC PER PELS 3864 OR AS NOTED
- CALCULATED CORNER
- P.O.B. POINT OF BEGINNING
- AC ALUMINUM CAP



SCALE: 1"=150'

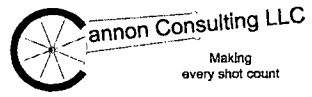
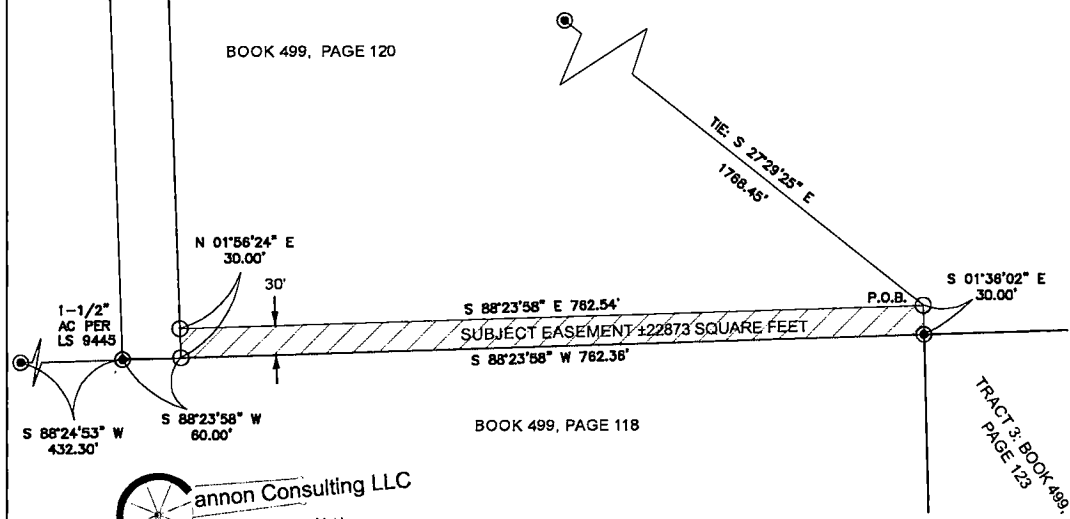
BASIS OF BEARINGS IS US STATE PLANE, NAD 83 WYOMING EAST CENTRAL ZONE COORDINATES AND DISTANCES ARE GROUND (US SURVEY FEET) PAF:1.000235



60' ACCESS AND UTILITIES EASEMENT

NW CORNER OF SECTION 12  
3 1/4 AC  
PER PELS 3159

BOOK 499, PAGE 120



2024-792286 5/31/2024 2:37 PM PAGE: 6 OF 6  
FEES: \$27.00 PK EASEMENT  
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK

NO. 2024-792286 EASEMENT  
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK  
GAIL ANN BROWN P O BOX 6122  
SHERIDAN WY 82801