

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

THIS EASEMENT, made this 24 day of March, A.D., 2017, 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:

**Valerie Lynn Welter**

whose address is 1680 Holloway Avenue, 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 10 feet in width, being 20 feet in length, on the hereinafter described lands, together with the right to construct, reconstruct, operate, maintain, repair, remove and replace gas lines, including necessary pipes, poles, and fixtures, and overhead or buried or semiburied 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:  
as follows:

A utility easement being the south ten (10.0) feet of the east twenty (20.0) feet of Lot 10, Downers Addition to the City of Sheridan, Sheridan County, Wyoming; as described on **EXHIBIT "A"** and shown on **EXHIBIT "B"** attached hereto and by this reference made a part hereof.

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 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 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 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.

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.

Valerie Lynn Welter  
Valerie Lynn Welter

STATE OF WYOMING)

: ss

COUNTY OF SHERIDAN)

On this the 24 day of March, 2017, before me personally appeared Valerie Welter

known to me, or satisfactorily proved to be the person or persons described in and who executed the above and fore going instrument and acknowledged to me that they executed the same (known to me to be the \_\_\_\_\_ and \_\_\_\_\_ respectively, of the

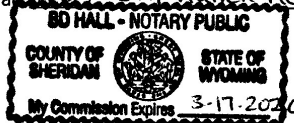
corporation that is described in and that executed the foregoing instrument, acknowledged to me that such corporation executed the same.)

(THIS SPACE FOR RECORDING DATA ONLY)

Sherrill  
Notary Public, Sheridan County,

State of Wyoming

Residing at 2324 Dry Ranch Rd.



My commission Expires 3-17-2020

WO \_\_\_\_\_ TRACT NO \_\_\_\_\_ LRR NO \_\_\_\_\_

## LEGAL DESCRIPTION EXHIBIT "A"

**Record Owner:** *Valerie Lynn Welter*

March 21, 2017

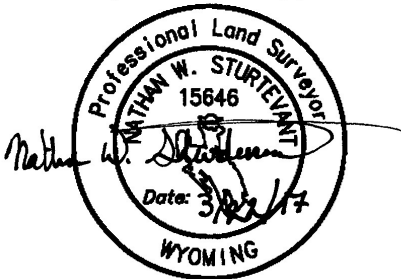
**Re: Utility Easement** to Montana-Dakota Utilities Company, A Division of MDU Resources Group, Inc., and or any of their respective successors and assigns.

A utility easement being the south ten (10.0) feet of the east twenty (20.0) feet of Lot 10, Downers Addition to the City of Sheridan, Sheridan County, Wyoming; as shown on **EXHIBIT "B"** attached hereto and by this reference made a part hereof.

Said utility easement contains 200 square feet of land, more or less.

### SURVEYOR'S STATEMENT

I, Nathan W. Sturtevant, do hereby state that this legal description was prepared from notes taken during an actual survey performed by me or under my direct supervision.



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

## EXHIBIT "B"

1 3 T H S T R E E T



SCALE: 1"=10'

BEARINGS ARE BASED ON THE  
WYOMING COORDINATE SYSTEM  
NAD 1983, EAST CENTRAL ZONE  
DATUM: NAD 83(1993), NAVD 88 (U.S. SURVEY FEET)  
DAF: 1.000235  
DISTANCES ARE SURFACE

RECORD OWNER:  
VALERIE LYNN WELTER  
(BOOK 556, PAGE 478)

DOWNERS ADDITION

BLOCK 35

LOT 10

LOT 11

(BOOK 461, PAGE 634)

### LEGEND:

- ◆ FOUND 2" ALUMINUM CAP PER PLS 5300
- CALCULATED: NOTHING FOUND/NOTHING SET
- PROPERTY/DEED LINE
- - - LOT LINE
- - - EASEMENT LINE
- ▨ ELECTRIC & GAS EASEMENT - ±200 S.F.

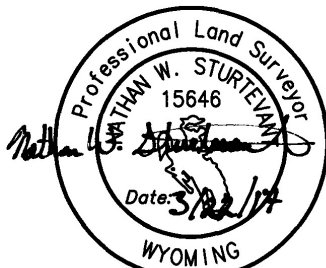
### NOTE:

THE INTENT OF THIS UTILITY EASEMENT IS TO ENCUMBER THE  
SOUTH TEN (10.0) FEET OF THE EAST TWENTY (20.0) FEET OF  
LOT 10, BLOCK 35, DOWNERS ADDITION.

### SURVEYOR'S CERTIFICATE

STATE OF WYOMING : ss  
COUNTY OF SHERIDAN

I, NATHAN W. STURTEVANT, 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"

### NO. 2017-733636 EASEMENT

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

## EXHIBIT "B"

CLIENT: MONTANA-DAKOTA UTILITIES CO.

LOCATION: LOT 10, BLOCK 35, DOWNERS ADDITION,  
CITY OF SHERIDAN, SHERIDAN COUNTY, WYOMING



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

JN: 2017-014  
DN: 2017-014D  
PF: T2017-014  
MARCH 22, 2017