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MONTANA-DAKOTA UTILITIES CO.
UNDERGROUND EASEMENT

THIS EASEMENT, made this 30th day of November, A.D., 2005, 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:

John M. Smith and Robby W. Smith, husband and wife

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 5 feet left, and 5 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 a gas pipeline or lines, including necessary pipes, poles, and fixtures, and a 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:

A tract of land situated in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 26, Township 56 North, Range 84 West of the Sixth Principal Meridian, Sheridan County, Wyoming, more particularly described by metes and bounds as follows:

Beginning at a point which bears S 11°01'39" E a distance of 1,748.25 feet from the North $\frac{1}{4}$ Corner of said Section 26, thence N 13°37'43" E for a distance of 19.72 feet; thence S 89°34'12" W for a distance of 4.69 feet; thence S 0°07'48" E for a distance of 19.13 feet to the point of beginning.

Said tract contains 44.9 square feet.

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.

John M. Smith
Robby W. Smith

STATE OF Wyoming
COUNTY OF Sheridan :SS

On this 30th day of November, 2005, before me personally appeared John M. Smith & Robby W. Smith

known to me to be the same persons 5 described in and who executed the above and foregoing instrument and acknowledged to me that they executed the same, (known to me to be the Husband and Wife, respectively, of the corporation that is described in and that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.)

(THIS SPACE FOR RECORDING DATA ONLY)

541014 EASEMENT
BOOK 474 PAGE 0356
RECORDED 05/22/2006 AT 01:45 PM
AUDREY KOLTISKA, SHERIDAN COUNTY CLERK

Jenifer L. Shasetz
Notary Public, Sheridan County,
State of Wyoming
Residing at 29 River Rock Rd



My Commission Expires: 10-11-07
W.O. _____ TRACT NO. _____ L.R.R. NO. _____