



ACCESS AND UTILITY EASEMENT

For value received, **John E. Rice & Sons, Inc.**, a Wyoming corporation ("Grantor"), whose address is P.O. Box 4039, Sheridan, WY 82801, does hereby grant and convey to **Sings With The Eagle, LLC**, a Wyoming limited liability company, whose address is P.O. Box 4064, Sheridan, WY 82801, its successors and assigns ("Grantee"), a nonexclusive access and utility easement ("Easement") on the land described as follows:

See *Exhibit A* attached hereto and incorporated herein by this reference.

Grantor grants to Grantee the Easement identified on **Exhibit A** for the purpose of allowing Grantee access to and utilization of the irrigation equipment and related facilities situated on the Windy Draw Reservoir damn, as described on Exhibit A. Grantee shall have the right to maintain, operate, and repair the irrigation equipment and related facilities, including all appurtenances and attachments necessary for the operation of said equipment. Grantor hereby grants to Grantee a right of ingress and egress over, across, and upon the land identified in **Exhibit A** to carry out these purposes. Grantee accepts the Easement in "as is" condition, without any responsibility of Grantor for improvement, construction, repairs, or alterations thereto.

The Easement shall be a nonexclusive, perpetual appurtenant easement and shall run with and benefit the land specifically described in **Exhibit B** hereto, which Grantor has conveyed to Grantee.

Grantor and Grantee acknowledge and agree that the irrigation equipment and related facilities situated on the Windy Draw Reservoir damn, as depicted on Exhibit A, are also used for irrigation purposes for the benefit of lands owned by third parties. Grantee agrees to share in the responsibility for the costs of operation and in keeping the irrigation equipment and access road in good order and repair in proportion to Grantee's respective use.

Grantee may not fence the easement area unless otherwise agreed to by Grantor. Grantee shall not cut or damage any fences, cattleguards or other improvements of Grantor. Grantee will not store or park any vehicles or material on the easement. Grantee may not use the rights granted herein for recreational purposes, including hunting, camping, fishing, or other uses of the lands that are not consistent with the stated purposes of this easement. Grantee shall not enter upon, disturb, or otherwise use any land owned by Grantor, its successors and assigns, that is not within the described easement area including, but not limited to, the Windy Draw Reservoir.

Grantee shall indemnify, defend, and hold harmless Grantor and Grantor's successors, assigns, agents, employees and representatives from any and all claims, demands, or causes of action arising out of the use of the easement area by Grantee or Grantee's invitees or arising out of the granting of this easement. Grantee releases Grantor, its employees, agents, and representatives from any and all liability for damages arising out of Grantee's use of the easement area.



This agreement is binding upon the successors and assigns of the parties. This agreement shall be construed according to the laws of the State of Wyoming.

Dated this 18th day of November, 2021.

GRANTOR:

John E. Rice & Sons, Inc.

By: [Signature]
 Title: Vice President
 Date: 11/18/2021

GRANTEE:

Sings With The Eagle, LLC

By: [Signature]
 Title: member
 Date: 11-22-2021

New York
 STATE OF ~~WYOMING~~)
Kings) ss.
 County of ~~Sheridan~~

The foregoing instrument was acknowledged before me this 18 day of November 2021, by John Sargent, Vice President of John E. Rice & Sons, Inc.

WITNESS my hand and official seal.

[Signature]
 Notary Public

Christine Blondillo
 Notary Public, State of New York
 No. 01816210426
 Qualified in Kings County
 Commission Expires Aug. 17, 2025

My Commission expires: August 17, 2025

STATE OF WYOMING)
) ss.
 County of Sheridan)

The foregoing instrument was acknowledged before me this 22nd day of November, 2021, by James C. Tellis, member of Sings With The Eagle, LLC, a Wyoming limited liability company.

WITNESS my hand and official seal.

[Signature]
 Notary Public

My Commission expires: 5-13-22

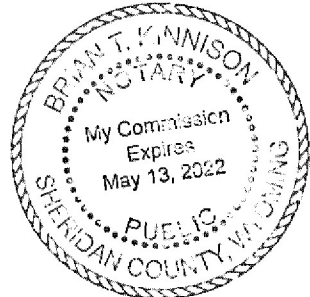




Exhibit A
LEGAL DESCRIPTION
(Access and Utility Easement)

A TRACT OF LAND LOCATED IN THE SECTION 9, TOWNSHIP 56 NORTH, RANGE 84 WEST, SIXTH PRINCIPAL MERIDIAN, SHERIDAN COUNTY, WYOMING And More Particularly Described As Follows:

Beginning At A Point Which Is Located South 67°25'46" East, A Distance Of 3591.02 Feet From The West Quarter Corner Of Said Section 9, Said Point Also Being On The North Right Of Way Of Yellowtail Drive;

Thence With Said North Right Of Way North 67°08'40" West, A Distance Of 30.60 Feet To A Point;

Thence Leaving Said North Right Of Way North 11°31'55" East, A Distance Of 62.81 Feet To A Point;

Thence North 22°51'13" East, A Distance Of 196.37 Feet To A Point;

Thence North 05°58'13" West, A Distance Of 737.63 Feet To A Point;

Thence North 06°23'13" East, A Distance Of 136.66 Feet To A Point;

Thence North 41°40'32" East, A Distance Of 109.99 Feet To A Point;

Thence With A Curve Turning To The Left With An Arc Length Of 41.60 Feet, A Radius Of 25.00 Feet, A Chord Bearing Of North 05°59'40" West, A Chord Length Of 36.96 Feet;

Thence With A Reverse Curve Turning To The Right With An Arc Length Of 675.88 Feet, A Radius Of 5813.90 Feet, A Chord Bearing Of North 50°20'03" West, A Chord Length Of 675.50 Feet;

Thence North 57°30'10" West, A Distance Of 299.78 Feet To A Point;

Thence North 68°51'50" West, A Distance Of 253.19 Feet To A Point;

Thence With A Non-tangent Curve Turning To The Left With An Arc Length Of 328.29 Feet, A Radius Of 330.00 Feet, A Chord Bearing Of South 84°37'53" West, A Chord Length Of 314.92 Feet;

Thence North 33°52'04" West, A Distance Of 10.00 Feet To A Point;

Thence South 56°07'56" West, A Distance Of 147.17 Feet To A Point;

Thence South 45°00'52" West, A Distance Of 186.83 Feet To A Point;

Thence South 42°31'33" West, A Distance Of 119.59 Feet To A Point;

Thence South 36°28'01" West, A Distance Of 146.79 Feet To A Point;

Thence South 52°08'43" West, A Distance Of 204.41 Feet To A Point;

Thence North 37°51'17" West, A Distance Of 40.00 Feet To A Point;

Thence North 52°08'43" East, A Distance Of 198.91 Feet To A Point;

Thence North 36°28'01" East, A Distance Of 143.40 Feet To A Point;

Thence North 42°31'33" East, A Distance Of 122.58 Feet To A Point;

Thence North 45°00'52" East, A Distance Of 120.93 Feet To A Point;

Thence With A Curve Turning To The Left With An Arc Length Of 21.34 Feet, A Radius Of 25.00 Feet, A Chord Bearing Of North 20°33'42" East, A Chord Length Of 20.70 Feet;

Thence North 03°53'28" West, A Distance Of 798.32 Feet To A Point;

Thence With A Curve Turning To The Left With An Arc Length Of 134.19 Feet, A Radius Of 120.00 Feet, A Chord Bearing Of North 35°55'32" West, A Chord Length Of 127.30 Feet;

Thence North 67°57'37" West, A Distance Of 116.30 Feet To A Point;

Thence With A Non-tangent Curve Turning To The Right With An Arc Length Of 104.72 Feet, A Radius Of 20.00 Feet, A Chord Bearing Of North 22°02'23" East, A Chord Length Of 20.00 Feet;

Thence South 67°57'37" East, A Distance Of 116.30 Feet To A Point;

Thence With A Curve Turning To The Right With An Arc Length Of 156.55 Feet, A Radius Of 140.00 Feet, A Chord Bearing Of South 35°55'32" East, A Chord Length Of 148.52 Feet;

Thence South 03°53'28" East, A Distance Of 764.76 Feet To A Point;

Thence With A Curve Turning To The Left With An Arc Length Of 52.35 Feet, A Radius Of 25.00 Feet, A Chord Bearing Of South 63°52'46" East, A Chord Length Of 43.30 Feet;

Thence North 56°07'56" East, A Distance Of 147.82 Feet To A Point;

Thence North 33°52'04" West, A Distance Of 10.00 Feet To A Point;

Thence With A Non-tangent Curve Turning To The Right With An Arc Length Of 367.36 Feet, A Radius Of 370.00 Feet, A Chord Bearing Of North 84°34'33" East, A Chord Length Of 352.46 Feet;

Thence South 68°51'50" East, A Distance Of 256.49 Feet To A Point;

Thence South 57°30'10" East, A Distance Of 307.44 Feet To A Point On The West Right Of Way Of Interstate 90

Thence With Said West Right Of Way With A Non-tangent Curve Turning To The Left With An Arc



Length Of 687.77 Feet, A Radius Of 5773.90 Feet, A Chord Bearing Of South 50°22'47" East,
A Chord Length Of 687.36 Feet;
Thence Continuing With Said West Right Of Way South 53°43'27" East, A Distance Of 48.46 Feet
To A Point;
Thence Leaving Said West Right Of Way South 41°40'32" West, A Distance Of 170.94 Feet To A
Point;
Thence South 06°23'13" West, A Distance Of 123.87 Feet To A Point;
Thence South 05°58'13" East, A Distance Of 742.09 Feet To A Point;
Thence South 22°51'13" West, A Distance Of 201.10 Feet To A Point;
Thence South 11°31'55" West, A Distance Of 65.84 Feet To A Point;
To The Point Of **Beginning**, Having An Area Of 155378.77 Square Feet, 3.57 Acres more or less.



**EXHIBIT B
THE JELLIS**

A TRACT OF LAND LOCATED IN SECTION 4, TOWNSHIP 56 NORTH, RANGE 84 WEST AND THE SOUTHEAST 1/4, SECTION 33 AND THE SOUTHWEST 1/4, SECTION 34, TOWNSHIP 57 NORTH, RANGE 84 WEST, SIXTH PRINCIPAL MERIDIAN, SHERIDAN COUNTY, WYOMING And More Particularly Described As Follows:

BEGINNING On The Southwest Corner Of Said Section 4 Thence With The West Line Of Said Section 4 North $00^{\circ}29'37''$ West, A Distance Of 5312.69 Feet To The Northwest Corner Of Said Section 4;

Thence With The North Line Of Said Section 4 North $89^{\circ}22'45''$ East, A Distance Of 776.81 Feet To A Point On The East Right Of Way Line Of Interstate 90;

Thence With Said East Right Of Way With A Non-tangent Curve Turning To The Left With An Arc Length Of 475.87 Feet, A Radius Of 11623.39 Feet, A Chord Bearing Of North $13^{\circ}36'44''$ West, A Chord Length Of 475.84 Feet;

Thence Leaving Said Right Of Way North $87^{\circ}18'24''$ East, A Distance Of 1768.64 Feet To A Point Being The Northwest Corner Of The James L. Jellis And Glenda K. Jellis Tract As Described In Book 412, Page 370 As Recorded In The Clerk And Recorder Of Sheridan County, Wyoming;

Thence Continuing With Said Tract South $74^{\circ}53'28''$ East, A Distance Of 803.31 Feet To A Point;

Thence Continuing With Said Tract South $06^{\circ}32'46''$ West, A Distance Of 1885.94 Feet To A Point;

Thence Continuing With Said Tract North $75^{\circ}39'20''$ East, A Distance Of 1120.95 Feet To A Point On The West Right Of Way Of Wyoming State Highway 338 (AKA Decker Road);

Thence With Said West Right Of Way South $07^{\circ}36'00''$ East, A Distance Of 1278.08 Feet To The P.C. Of A Curve;

Thence Continuing With Said Right Of Way With A Curve Turning To The Left With An Arc Length Of 175.76 Feet, A Radius Of 681.98 Feet, A Chord Bearing Of South $14^{\circ}59'00''$ East, A Chord Length Of 175.28 Feet To The P.T. Of Said Curve;

Thence Continuing With Said Right Of Way South $22^{\circ}22'00''$ East, A Distance Of 325.61 Feet To A Point;

Thence Leaving Said Right Of Way South $64^{\circ}11'12''$ West, A Distance Of 419.12 Feet To A Point;

Thence North $84^{\circ}16'35''$ West, A Distance Of 28.68 Feet To A Point;



Thence North 42°58'24" West, A Distance Of 309.14 Feet To A Point;

Thence North 69°07'59" West, A Distance Of 482.76 Feet To A Point;

Thence North 84°16'40" West, A Distance Of 347.88 Feet To A Point;

Thence South 80°20'05" West, A Distance Of 521.00 Feet To A Point;

Thence South 58°00'22" West, A Distance Of 390.98 Feet To A Point;

Thence North 84°22'25" West, A Distance Of 894.57 Feet To A Point On The East
Right Of Way Of Interstate 90;

Thence South 80°57'32" West, A Distance Of 355.00 Feet To A Point On The West
Right Of Way Of Interstate 90;

Thence With Said West Right Of Way South 09°02'28" East, A Distance Of 1303.10
Feet To The P.C. Of A Curve;

Thence Continuing With Said West Right Of Way With A Curve Turning To The Left
With An Arc Length Of 1043.18 Feet, A Radius Of 5901.45 Feet, A Chord Bearing Of
South 14°06'19" East, A Chord Length Of 1041.83 Feet To A Point On The South
Line Of Said Section 4;

Thence Leaving Said Right Of Way And With The South Line Of Said Section 4
South 89°15'56" West, A Distance Of 1329.42 Feet To The Point Of **Beginning**.

NO. 2021-774352 EASEMENT

EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK
WILCOX ABSTRACT & TITLE GUARANTY A 307 W BURKITT ST
SHERIDAN WY 82801-4109