



### AMENDMENT TO RIGHT OF WAY EASEMENT

This Amendment to Right of Way Easement is entered into between John E Rice & Sons, Inc., whose address is PO Box 4039, Sheridan, WY 82801 (hereinafter referred to collectively as "Grantor") and Montana-Dakota Utilities Co., a Subsidiary of MDU Resources Group, Inc., whose address is 400 North Fourth Street, Bismarck, ND 58501, its successors and assigns (referred to herein as "Grantee")

### RECITALS

A. Grantor provided Grantee with a Right of Way Easement dated December 9, 2014 (referred to herein as the "ROW"). The ROW was recorded in Book 550, Page 784 in the office of Sheridan County Clerk. A Memorandum of Right of Way Easement for the ROW with Exhibits A & B which replaced and substituted the described lands of the easement description was recorded in Book 553, Page 352 in the office of the Sheridan County Clerk.

B. Grantor and Grantee desire to reroute the easement provided for in the ROW to align with future development in the area.

**Now therefore,** for good and valuable consideration, the receipt of which is acknowledged, and the mutual covenants set forth in the ROW and herein, the parties agree as follows:

1. **Vacation of Portion of Easement.** The portion of the easement provided for in the ROW as described in Exhibit A and Exhibit A-1, which are attached hereto, is hereby vacated. The parties acknowledge and agree that the ROW shall no longer apply to said lands.

2. **Relocation of Portion of Easement.** Grantor hereby grants to Grantee a thirty foot wide perpetual non-exclusive easement for ingress and egress as described in Exhibit B and Exhibit B-1, which are attached hereto, under the same terms as provided for in the ROW. The parties agree that all terms of the ROW shall apply to the lands described in Exhibit B and B-1.

Dated this 19<sup>th</sup> day of June, 2023.

John E Rice Sons, Inc.

By: James L. Jellis

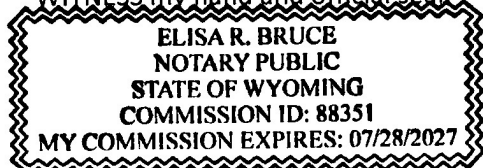
Title: V.P.

STATE OF Wyoming :ss.

COUNTY OF Sheridan

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of July, 2023 by James L. Jellis, Vice President of John E Rice & Sons, Inc.

WITNESS my hand and official seal



Elisa R. Bruce  
Notary Public

My commission expires: 7-28-2027

Montana-Dakota Utilities Co., a Subsidiary of MDU Resources Group, Inc.

By: [Signature]

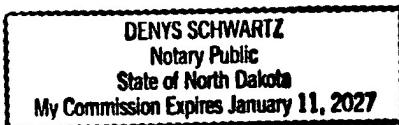
Title: VP ELECTRIC SUPPLY

STATE OF North Dakota

COUNTY OF Burleigh :SS.

The foregoing instrument was acknowledged before me this 19 day of June, 2023,  
by Jay Skabo, VP, Electric Supply of Montana-Dakota Utilities  
Co., a Subsidiary of MDU Resources Group, Inc.

WITNESS my hand and official seal.



[Signature]  
Notary Public

My commission expires: January 11, 2027

LEGAL DESCRIPTION EXHIBIT "A"

Vacation of a part of a thirty (30) foot Access Easement for Ingress and Egress as described in a document recorded in the office of the Sheridan County Clerk. Recorded as No. 2015-7195802, on May 27, 2015 in Book 553, Page 353.

Said Vacation Being Located In The West 1/2 Southeast 1/4, Section 9, Township 56 North, Range 84 West, 6<sup>th</sup> P.M., Sheridan County, Wyoming, As Shown On EXHIBIT "B". Said 30' Easement Being 15' Left, Right And Parallel To The Following Described Centerline.

BEGINNING At A Point Which Is Located North 24°54'49" East, 1,400.20 Feet From The South Quarter Corner Of Said Section 9, Said Quarter Corner Being A 3.25" Aluminum Cap Marked RLS 5300;

Thence Along Said Centerline North 09°19'35" East, 372.38 Feet To The P.C. Of A Curve Turning To The Left, With A Radius Of 475.00 Feet, An Arc Length Of 128.09 Feet, A Chord Bearing Of North 01°36'03" East, A Chord Length Of 127.70 Feet To The P.T. Of Said Curve.

Said Vacation Containing 15,014 Sq. Ft., 0.34 Acres, More Or Less.

# EXHIBIT "A-1"

Thirty (30) Foot Access Easement Vacation  
Located In The W1/2 SE1/4 Section 9,  
Township 56 North, Range 84 West, Sixth Principal Meridian,  
Sheridan County, Wyoming

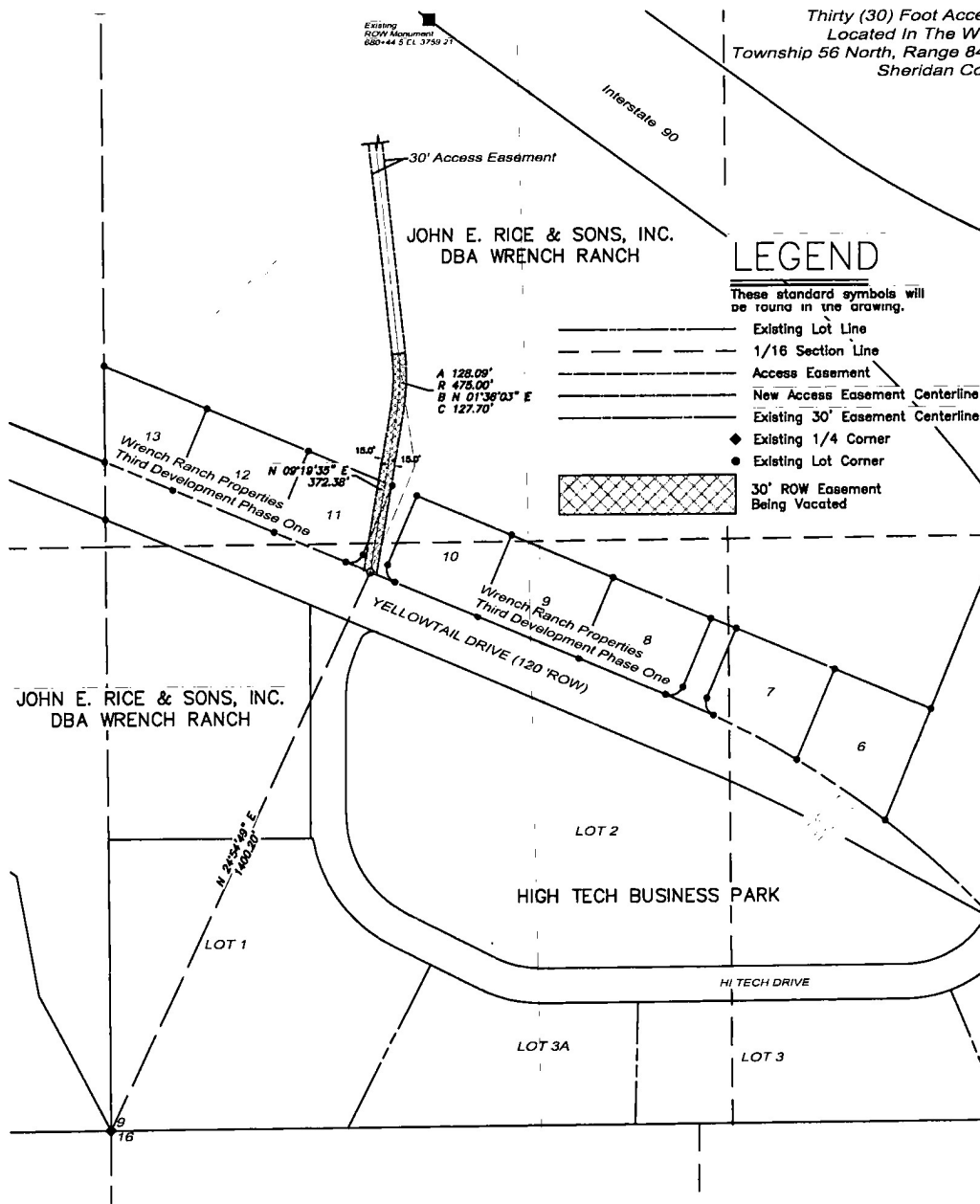


EXHIBIT "B"  
Vacation Of A Portion Of The Right Of Way  
Easement Recorded, May 27, 2015, Book 553,  
Page 354, No. 2015-719581 In The County  
Clerk Office Of Sheridan County, Wyoming

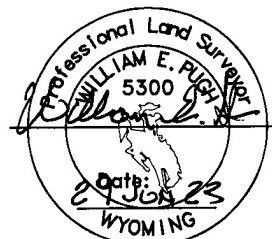


2023-786527 7/7/2023 4:27 PM PAGE: 4 OF 6  
FEES: \$27.00 PK AMENDED EASEMENT  
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK

SCALE 1" = 200'

## CERTIFICATE OF SURVEY

I, William E. Pugh, a registered land surveyor in the state of Wyoming do hereby certify that this plat was prepared from notes taken during a survey performed by me or under my supervision.



UNLESS SIGNED, SEALED AND DATED  
THIS IS A PRELIMINARY PLAT.

**wood.**

Wood Group USA  
2615 Aviation Drive, Sheridan, WY 82801  
(307) 675-6400 www.woodplc.com

## LEGAL DESCRIPTION EXHIBIT "B"

Revision of a part of a thirty (30) foot Access Easement for Ingress and Egress as described in a document recorded in the office of the Sheridan County Clerk. Recorded as No. 2015-7195802, on May 27, 2015 in Book 553, Page 353.

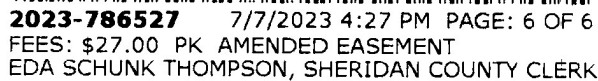
Said Revision Being Located In The West 1/2 Southeast 1/4, Section 9, Township 56 North, Range 84 West, 6<sup>th</sup> P.M., Sheridan County, Wyoming, As Shown On EXHIBIT "B". Said 30' Easement Being 15' Left, Right And Parallel To The Following Described Centerline.

BEGINNING At A Point Which Is Located North 24°53'09" East, 1,400.24 Feet From The South Quarter Corner Of Said Section 9, Said Quarter Corner Being A 3.25" Aluminum Cap Marked RLS 5300;

Thence Along Said Revised Centerline North 22°51'13" East, 260.03 Feet To A Point;

Thence Continuing With Said Revised Centerline North 08°08'05" West 257.77 Feet To A Point In The Centerline Of The Original thirty (30) foot Access Easement for Ingress and Egress.

Said Revision Containing 15,526 Sq. Ft., 0.36 Acres, More Or Less.



*Revised Thirty (30) Foot Access Easement  
Located In The W1/2 SE1/4 Section 9,  
Township 56 North, Range 84 West, Sixth Principal Meridian,  
Sheridan County, Wyoming*



**EXHIBIT "B"**  
*Revision Of A Portion Of The Right Of Way  
Easement Recorded, May 27, 2015, Book 553,  
Page 354, No. 2015-719581 In The County  
Clerk Office Of Sheridan County, Wyoming*

EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK  
YONKEE & TONER P O BOX 6288  
SHERIDAN WY 82801

*I, William E. Pugh, a registered land surveyor in the state of Wyoming do hereby certify that this plat was prepared from notes taken during a survey performed by me or under my supervision.*



UNLESS SIGNED, SEALED AND DATED  
THIS IS A PRELIMINARY PLAT.

**wood.**

**Wood Group USA**  
**2615 Aviation Drive, Sheridan, WY 82801**  
**(307) 675-6400      [www.woodplc.com](http://www.woodplc.com)**