

RIGHT-OF-WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, Ray C. Smith and Betty L. Smith, husband and wife, of Box 315, Route 2, Sheridan, Wyoming 82801, and Jerry Meyers and Barbara Meyers, husband and wife, of Box 178, Ranchester, Wyoming 82839, co-partners doing business under the firm name and style of S. M. Company, for a good and valuable consideration, the receipt whereof is hereby acknowledged, does hereby grant unto BIG HORN COUNTY ELECTRIC COOPERATIVE, INC., a corporation whose Post Office is Lodge Grass, Montana, and to its successors or assigns, the right to enter upon the lands of the undersigned, situated in the County of Sheridan, State of Wyoming, and more particularly described as follows:

A tract of land located in the Southwest Quarter (SW $\frac{1}{4}$ ) of Section Thirty-one (31), Township Fifty-eight (58) North, Range Eight-six (86) West, 6th P.M. Sheridan County, Wyoming, described as follows:

Beginning at the Southwest corner of said Section 31; thence along the West line of said Section 31, N 2°13'E, 2673.8 feet to a point; thence leaving said West line of Section 31, S 83°26'E, 1142.4 feet to a point; thence S 83°08'E, 1462.4 feet to a point; thence S 2°31'W, 1635.1 feet to a point; thence S 1°34' W, 815.1 feet to a point on the South line of Section 31, thence following said South line N 88°11'W, 2607.7 feet to the point of beginning.

and to place, construct, operate, repair, maintain, relocate and replace thereon and in or upon all streets, roads or highways abutting said lands, an electric transmission or distribution line or system, and to cut and trim trees and shrubbery to the extent necessary to keep them clear of said electric line or system and to cut down from time to time all dead, weak, leaning or dangerous trees that are tall enough to strike the wires in falling.

In granting this easement, it is understood that the location of the lines will be such as to form the least possible interference to farm operations, so long as it does not materially increase the cost of construction. However, this easement allows for the construction of lines on any or all of the above properties, to allow the Cooperative to bring electric service to residents of the Parkman Hills 2nd Subdivision at the least possible cost, consistent with sound engineering practices.

The undersigned covenants that he is owner of the above described lands and that the said lands are free and clear of encumbrances and liens of whatsoever character except those held by the following persons.

The undersigned agree that all underground line, poles, wires and other facilities, including any main service entrance equipment, installed on the above described lands at the Cooperative's expense shall remain the property of the Cooperative, removable at the option of the Cooperative upon termination of service to or on said lands, thereon and/or and under.

It is further understood that, whenever necessary, words used in this instrument in the singular shall be construed to read in the plural and that words used in the masculine gender shall be construed to read in the feminine.

IN WITNESS WHEREOF, the undersigned has set his hand and seal this 17th day of March, 1978.

X Ray C. Smith DVM.  
 X Betty L. Smith  
 X Jerry Meyers  
 X Barbara Meyers

STATE OF WYOMING )  
 ) ss.  
County of Sheridan )

On this 17th day of March, 19 78, before me,  
Wanda D. Fitzpatrick a Notary Public for the State of Wyoming personally appeared  
Ray B. Smith, D. V. M. & Betty B. Smith and Gerry Meyer & Barbara Meyer  
to me known to be the persons who subscribed the above and foregoing Right-of-Way  
Easement, and acknowledged to me that they and each of them executed the same.

x Ray B. Smith D.V.M.  
x Betty B. Smith  
x Gerry Meyer  
x Barbara Meyer

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my  
Notarial (official) seal the day and date in this certificate first above written.

Wanda D. Fitzpatrick  
Notary Public for the State of Wyoming  
Residing at Sheridan Wyoming.  
My Commission Expires February 28, 1981

APPROVED AS TO FORM

Barbara Smith Mar 23, 1978  
DATE