

DEDICATION OF GENERAL UTILITY EASEMENT

^{AND}
~~May~~ This Dedication of General Utility Easement made effective this 5th day of ~~May~~ 2013, by John E. Rice & Sons, Inc ("Grantor") in favor of the Public and accepted by the CITY OF SHERIDAN, WYOMING through the City Council for the City of Sheridan ("Grantee").

RECITALS

- A. Grantor owns the real property described on Exhibit A (the "Utility Easement").
- B. Grantor desires to dedicate a 60 ft Utility Easement for the purpose of constructing, accessing and maintaining underground utilities to serve the public.
- C. The City of Sheridan, through the City Council of Sheridan, Wyoming, wishes to accept such dedication.

DEDICATION FOR PUBLIC USE

NOW, THEREFORE, for good and valuable consideration, including the mutual promise and covenants contained herein, it is agreed by and among the parties as follows:

1. Grant and Dedication of a 60 ft Utility Easement

Grantor does hereby dedicate for use by public utility providers forever, a 60 ft general utility easement for the installation, maintenance, repair, and replacement of below ground public utilities including but not limited to water and sewer mains, power and gas lines, phone lines and the like, to provide utility services to and for the benefit of the public. The dedicated route over and across the Real Property encompasses +/- 22,412 square feet as legally described in the attached Exhibit A and shown on the map attached hereto as Exhibit B.

2. Terms of Use

The Public shall have the perpetual non-exclusive right to use the easement for the benefit of providers of all public utilities and shall have the perpetual non-exclusive right to use the easement to construct and maintain utilities providing service to the Public.

The utilities placed in said easement by public utility providers shall be limited to below ground utilities unless express permission stating otherwise is authorized through a separate, recorded instrument executed by the Grantor, his successors or assigns.

3. Compensation

The Grantee, upon full execution of this agreement, hereby agrees to compensate the Grantor in the following ways which shall represent full satisfaction of this Agreement:

- a. Commensurate with the value of the +/- 22,412 square feet easement property taking, be it assumed or verified through a formal appraisal, the Grantee will pay the Grantor, upon full execution of this agreement, a lump sum amount of \$10,757.76 as fair satisfaction for the easement dedication.
- b. The Grantee will provide to the Grantor, at the time of Grantor's request and at no cost, one residential service taps and will not



~~STATE OF WYOMING)~~

~~:SS~~

~~COUNTY OF SHERIDAN)~~

The foregoing instrument was acknowledged before me this _____ day of _____, 2013, by _____, John E. Rice and Sons, Inc ET AL. on behalf of the City of Sheridan, State of Wyoming.

~~WITNESS my hand and official seal~~

 Notary Public

My commission expires: _____

STATE OF WYOMING)

:SS

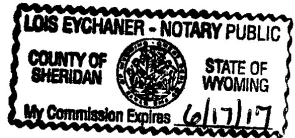
COUNTY OF SHERIDAN)

On this 5th day of August, 2013, before me personally appeared James Tellis, on behalf of ~~John E. Rice and Sons, Inc ET AL~~ the City of Sheridan, State of Wyoming, to me being personally known, who, being by me duly sworn, did acknowledge said instrument to be the free act and deed of the City of Sheridan.

Given under my hand and official seal this 5th day of August, 2013

Lois Eyehamer
 Notary Public

My commission expires: 6/17/13



charge plant investment fees associated with connecting to the City of Sheridan distribution system. A formal request must be made by the property owner and approval granted by the City before connection to the City's water system can be made. Connection to the City's water system shall only be made to a distribution lateral and shall not be to the 16" water transmission main to be located within the utility easement hereby being dedicated. This arrangement shall be limited to taps for the Grantor's property in which the 60 ft utility easement is located and extending to additional, adjacent property owned by the Grantor.

4. Acceptance

Grantee hereby agrees to the terms of this agreement and accepts the dedication of the above-described utility easement on behalf of the Public.

DATED effective this 5th ^{August 2012} day of May, 2013.

John E. Rice and Sons, Inc

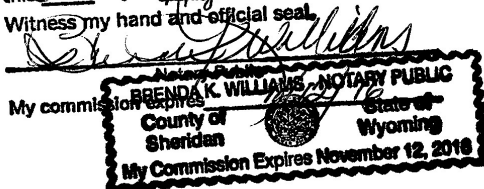
By: James Jellis
Title: V.P.

THE CITY OF SHERIDAN, WYOMING

By: Nick Bateson
Title: Public Works Director

State of Wyoming } ss
County of Sheridan }

The foregoing instrument was acknowledged
before me by Nick Bateson
this 5th day of August 2013
Witness my hand and official seal.



2013-707515 9/6/2013 2:21 PM PAGE: 3 OF 5
BOOK: 542 PAGE: 633 FEES: \$24.00 AC EASEMENT
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK

LEGAL DESCRIPTION EXHIBIT "A"

Record Owner: John E. Rice & Sons, Inc.
February 22, 2013

Re: 60.0' Utility Easement

A utility easement being a strip of land sixty (60) feet wide when measured at right angles, situated in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, Township 56 North, Range 84 West, 6th P.M., Sheridan County, Wyoming, as shown on EXHIBIT "B" attached hereto and by this reference made a part hereof; the west line of said strip being more particularly described as follows:

Commencing at the southeast corner of said Section 17 (Monumented with a Military Monument MM-24); thence N70°20'20"W, 1449.39 feet to the **POINT OF BEGINNING** of said easement, said point being the southwest corner of Parcel 2, Boundary Line Adjustment, Record of Survey filed in Drawer "A", Plat Number "445", and lying on the east line of Tract 1, Certificate of Survey filed in Drawer "A", Plat Number "438"; thence N00°23'19"W, 331.01 feet along said west line of said strip, the west line of said Parcel 2 and the east line of said Tract 1 to a point, said point being the southeast corner of Tract 5, Certificate of Survey filed in Drawer "A", Plat Number "438"; thence N00°23'54"W, 33.93 feet along said west line of said strip, said west line of Parcel 2 and said east line of Tract 5 to the **POINT OF TERMINUS** of said easement, said point being N61°34'28"E, 1542.66 feet from the south quarter corner of Section 17 (Monumented with a 3/4" Aluminum Cap per PLS 2615). Lengthening or shortening the east side line of said easement to intersect said south boundary line.

Said utility easement contains 22,412 square feet of land, more or less
Bearings are Based on the Wyoming Coordinate System, NAD 1983, East Central Zone.


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BOOK: 542 PAGE: 634 FEES: \$24.00 AC EASEMENT
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK

EXHIBIT "B"

