

UTILITY EASEMENT

THIS AGREEMENT made and entered into this 19th day of November, 2009, by and between **Edmund H. Warnke and Jackie C. Warnke**, husband and wife, of Sheridan County, State of Wyoming, to whom reference is made hereinafter as "Grantors," and **Noralie Fuller** Trustee of the **Noralie Fuller Revocable Trust**, dated November 9, 2009, to whom reference is made hereinafter as "Grantee."

WITNESSETH, that:

WHEREAS, The Grantors are the owners of a tract of land lying in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, Township 55 North, Range 84 West of the 6th P.M., Sheridan County, Wyoming more particularly described as follows:

Commencing at the Northwest corner of said NE $\frac{1}{4}$ NE $\frac{1}{4}$, thence East to the Northeast corner of said Section; thence S.43°W. 501.5 feet; thence S.34°W. 236 feet; thence N.72°14'W. 204 feet; thence S.53°54' West to the West line of the original State Highway; thence Northwesterly along said line to the point of beginning.

WHEREAS, the GRANTEE is the owner of a parcel of land situated in and a part of Tract No. 1 of the McNally Subdivision, adjoining the Grantors' above-described tract. Grantee's parcel is more particularly described as follows:

Commencing at a point on the East line of Old Highway No. 87, said point being the Northwest corner of said Tract No. 1, McNally Subdivision, thence in a Southerly direction along the East line of said Old Highway No. 87, a distance of 255.5 feet, more or less, to a point; thence North 47° East 505 feet, more or less, to a point which is a Northerly corner of said Tract No. 1, thence North 72°14' West 204 feet to a point; which is a Northerly corner of said Tract No. 1; thence South 53°54' West to the point of beginning.

WHEREAS, the Grantee desires a utility easement for leach field and septic tank to permit Grantee, her successors in interest and assignees to enter upon the easement and to erect, construct, operate, maintain, repair, rebuild and otherwise use utility services; and

WHEREAS, the Grantee herein conveys contemporaneously with the grant herein, by separate document, an access easement unto the Grantors herein;

NOW THEREFORE, in consideration of the above and foregoing, and in further consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration paid to Grantors, the receipt and sufficiency whereof is hereby acknowledged, Grantors do hereby grant unto the Grantee and to her successors in interest and assigns, an easement for right-of-way and utilities, but not for other purposes, to-wit:

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A tract of land in the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 27, Township 55 North, Range 84 West, of the Sixth Principal Meridian, Sheridan County, Wyoming, more particularly described s follows:

Beginning at a point that is S53°46'07"W of the NE corner of said Section 27 a distance of 866.45 feet, said point being on the North line of a tract described in Warranty Deed recorded June 23, 2005 in Book 464, Page 516; thence S53°49'32"W a distance of 48.95 feet; thence leaving said North line of a tract of land described in Warranty Deed recorded June 23, 2005 in Book 464, Page 516, N12°53'15"W for a distance of 195.44 feet; thence N77°06'45"E for a distance of 44.96 feet; thence S12°53'15"E for a distance of 176.08 feet to the point of beginning.

This easement is granted to enable Grantee and her successors in interest and assigns, to use, as described above, the easement.

As additional consideration for this grant, Grantee and Grantors agree as follows:

1. The Grantors, their successors in interest and assigns reserve the right to use the above-described easement area;
2. Grantee, her successors in interest and assigns shall hold Grantors, their successors in interest and assigns harmless from any and all liability for injury, death or property damage sustained by Grantee, her successors in interest and assigns, or their employees or invitees on the easement; and,
3. This easement and the covenants herein contained shall be construed as running with the lands for the private use and benefit of the Grantee, her successors in interest and assigns, binding the Grantors, their heirs, and successors and assigns.

IN WITNESS WHEREOF, the undersigned have hereto set their hands and seals this

19th day of November 2009.


Noralie Fuller Trustee

The Noralie Fuller Revocable Trust


Jackie C. Warnke


Edmund H. Warnke

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STATE OF WYOMING)
 : SS
COUNTY OF SHERIDAN)

Jackie C. Warnke acknowledged this instrument before me on 11-19, 2009

(Seal)

NOTARY PUBLIC

[My Commission Expires: 5-13-10]

STATE OF WYOMING)
 : SS
COUNTY OF SHERIDAN)

Edmund H. Warnke acknowledged this instrument before me on 11-19, 2009.

(Seal)

NOTARY PUBLIC

[My Commission Expires: 5-13-10]

STATE OF WYOMING)
 : SS
COUNTY OF SHERIDAN)

This instrument was acknowledged before me on 11-19, 2009 by **Noralie Fuller** Trustee of the **Noralie Fuller Revocable Trust**, dated November 9, 2009.

(Seal, if any)

NOTARY PUBLIC

[My Commission Expires: 5-13-10]

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