

**MONTANA-DAKOTA UTILITIES CO.  
UTILITY EASEMENT**

THIS EASEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_\_, between MONTANA-DAKOTA UTILITIES CO., A DIVISION OF MDU RESOURCES GROUP, INC., a corporation, 400 North Fourth Street, Bismarck, North Dakota 58501, hereinafter called "COMPANY," its successors and assigns, and the following named persons, herein, whether singular or plural, called "OWNER," namely:

Progression Properties, LLC  
P.O. Box 6494  
Sheridan, WY 82801

WITNESSETH, that for valuable considerations received, OWNER does hereby grant, bargain, sell and convey unto COMPANY, its successors and assigns, an easement 15 feet in width, being more particularly described by metes and bounds, together with the right to construct, reconstruct, operate, maintain, repair, remove and replace a gas pipeline or lines, including necessary pipes, poles, and fixtures, and a buried, semiburied or overhead electric distribution system, street lighting system, or any combination thereof including the necessary cables, pedestals, transformers, transformer bases and other fixtures and apparatus in connection therewith through, over, under, and across the following described real estate, situated in the County of Sheridan, State of Wyoming, namely:

**An electric & gas line easement fifteen (15.0) feet wide, situated in Lots 1 and 2 and the Vacated Alley adjacent thereto, all in Block 10, Downer's Addition, Sheridan County, Wyoming. The easement is described in a Legal Description (EXHIBIT "A") and shown on a Drawing (EXHIBIT "B").**

OWNER agrees not to build, create or construct or permit to be built, created, or constructed, any obstruction, building, engineering works or other structures over, under, or that would interfere with said underground lines or COMPANY'S rights hereunder.

OWNER hereby grants to COMPANY, its successors and assigns, the right at all reasonable times to enter upon said premises for the purpose of laying, constructing, maintaining, operating, replacing, repairing or removing said underground or overhead lines and for the purpose of doing all necessary work in connection therewith.

COMPANY by the acceptance hereof, hereby agrees that it will pay any and all damages that may result, including crops, fences, buildings and improvements on said premises, caused by constructing, maintaining, repairing, operating, replacing or removing said underground lines. The damages, if not mutually agreed upon, may be determined by three disinterested persons, one to be selected by COMPANY and one by OWNER; these two shall select the third person. The award of these three persons shall be final and conclusive.

If the herein described lands are in the State of North Dakota, this easement is limited to a term of 99 years.

If the herein described lands are in the State of Wyoming, OWNER does hereby release and waive all rights under and by virtue of the homestead exemption laws of that state.

IN WITNESS WHEREOF, OWNER has executed this easement as of the day and year first above written.

Progression Properties LLC, a Wyoming limited liability company

By: Jordan Aibel

Title: Member

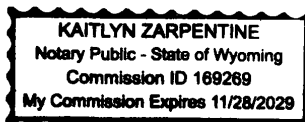
STATE OF WYOMING )  
 ) ss.  
COUNTY OF SHERIDAN )

On this the 1<sup>st</sup> day of January, 2024, before me personally appeared Jordan Aibel on behalf of Progression Properties LLC, known to me, or satisfactorily proved to be the person(s) described in and who executed the above and foregoing instrument and acknowledged to me that they executed the same.

(THIS SPACE FOR RECORDING DATA ONLY)

Kaitlyn Zarpentine

Notary Public



(SEAL)

My commission Expires 11/28/2029

WO \_\_\_\_\_ TRACT NO \_\_\_\_\_ LRR NO \_\_\_\_\_

2024-789958 1/30/2024 10:37 AM PAGE: 1 OF 3  
FEES: \$18.00 PK EASEMENT  
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK

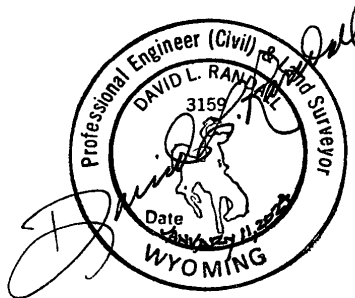


## EXHIBIT "A"

A Description for a 15 foot wide Utility Easement for Natural Gas and Electric Lines across Lots 1 and 2, and the Vacated Alley Adjacent Thereto, in Block 10, Downer's Addition, Sheridan County, Wyoming more particularly described by metes and bounds as follows:

Beginning at the Southwest Corner of Lot 1, Block 10, Downer's Addition, Sheridan County, Wyoming; thence along the West line of said Lot 1 bearing N 0°37'53" W for a distance of 15.0 feet; thence S 89°31'51" E for a distance of 114.5 feet; thence N 0°37'53" W for a distance of 65.0 feet to a point on the North line of Lot 2; thence along said North line bearing S 89°31'51" E for a distance of 8.5 feet to the Northeast corner of said Lot 2, thence continuing S 89°31'51" E for a distance of 6.5 feet to a point in the Vacated Alley; thence S 0°37'53" E for a distance of 80.0 feet to a point on the South line of Block 10; thence along said South line on a bearing of N 89°31'51" W for a distance of 129.5 feet to the Point of Beginning.

Said easement contains 2,917.5 square feet, more or less. Basis of bearing for this description is the Wyoming Coordinate System, NAD 1983, East Central Zone.



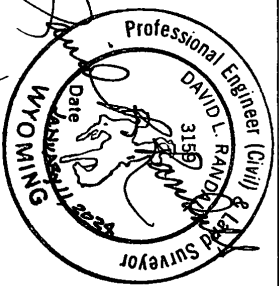
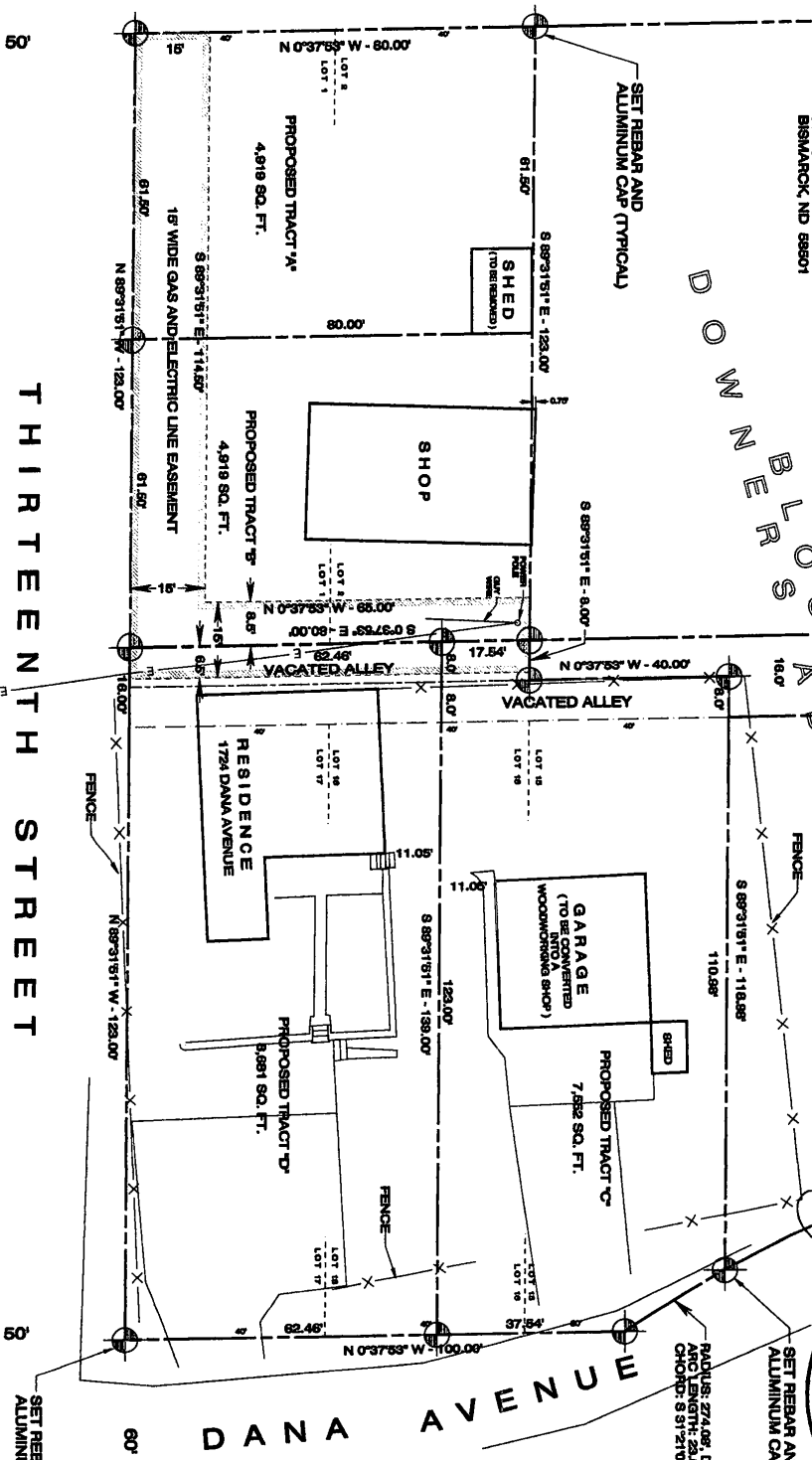
SCALE: 1" = 30'

OMARR AVENUE

**EXHIBIT "B"**  
showing  
**GAS AND ELECTRIC LINE EASEMENT**  
situated in  
**LOTS 1 and 2, and the VACATED ALLEY**  
**ADJACENT THERETO, ALL IN BLOCK 10**  
**SHERIDAN COUNTY, WYOMING**  
for  
**MONTANA-DAKOTA UTILITIES CO.**  
400 NORTH 4TH STREET  
BISMARCK, ND 58501

BASES OF BEARING IS WYOMING STATE PLANE (EAST CENTRAL ZONE).

THIRTEENTH STREET



**NO. 2024-789958 EASEMENT**  
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK  
PROGRESSION PROPERTIES LLC P O BOX 6494  
SHERIDAN WY 82801

DRAWN BY: REE RANDALL - JANUARY 11, 2024  
RANDALL ENGINEERING SURVEYS - SHERIDAN, WYOMING