

**MONTANA-DAKOTA UTILITIES CO.  
 16.0' UNDERGROUND ELECTRIC & GAS LINE EASEMENT**

THIS EASEMENT, made this 24<sup>th</sup> day of March, A.D., 2021, between MONTANA-DAKOTA UTILITIES CO., A SUBSIDIARY 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:

**Mullinax, Inc.  
 (FKA: Mullinax Concrete & Service Co. Inc.)  
 Nathan Mullinax, President  
 615 Fort Road P.O. Box 2044  
 Sheridan, Wyoming 82801**

WITNESSETH, that for valuable considerations received, OWNER does hereby grant, bargain, sell and convey unto COMPANY, its successors and assigns, an easement 16.0 feet in width as laid out and/or surveyed, or as finally installed on the hereinafter described lands, 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 or semi buried 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 underground electric and gas line easement being sixteen (16.0) feet wide situated in the SW1/4SW1/4 of Section 15, Township 56 North, Range 84 West, 6<sup>th</sup> P.M., Sheridan County, Wyoming. Said underground electric and gas line easement encumbers a portion of Corrected Quitclaim Deed recorded at the Sheridan County Clerk's Office, Sheridan County, Wyoming, dated September 25, 2008 in Book 500 of Deeds, Page 90. The underground 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 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 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

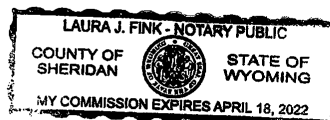
Nathan Mullinax  
**Mullinax, Inc.  
 Nathan Mullinax, President**

STATE OF WYOMING )  
 )ss.  
 COUNTY OF SHERIDAN )

On this 24 day of March, 2021, before me personally appeared Nathan Mullinax, known to me, or satisfactorily proved to be the persons described in and who executed the above and fore going instrument and acknowledged to me that they executed the same.

(This space for recording data only)

Laura J. Fink  
 Notary Public



My Commission Expires 4/18/22

W.O. \_\_\_\_\_ Tract NO. \_\_\_\_\_ LLR NO. \_\_\_\_\_

## LEGAL DESCRIPTION EXHIBIT "A"

### Record Owner: Mullinax, Inc.

(FKA: Mullinax Concrete & Service Co., Inc.)  
December 22, 2020

**Re: 16.0' Underground Electric & Gas Line Easement** to Montana-Dakota Utilities Company, A Subsidiary of MDU Resources Group, Inc., and or any of their respective successors and assigns.

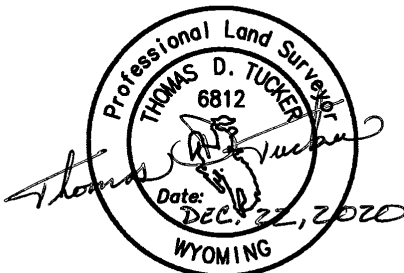
An underground electric & gas line easement being a strip of land sixteen (16.0) feet wide when measured at right angles, situated in the SW1/4SW1/4 of Section 15, Township 56 North, Range 84 West, 6th P.M., Sheridan County, Wyoming, as shown on **EXHIBIT "B"** attached hereto and by this reference made a part hereof; the exterior boundary of said strip being the left side encumbering property to the right situated within Book 500 of Deeds, Page 90, said exterior boundary being more particularly described as follows:

Commencing at the southwest corner of said Section 15 (Monumented with a 1½" Iron Rod per PE&LS 551); thence N00°21'09"E, 211.30 feet along the west line of said SW1/4SW1/4 to the **POINT OF BEGINNING** of said easement; thence, continue N00°21'09"E, 390.35 feet along said west line of said SW1/4SW1/4 and said exterior boundary to a point, said point being the southwest corner of a tract of land described in Book 564 of Deeds, Page 657; thence S89°43'41"E, 800.05 feet along said exterior boundary of said strip to a point, said point being the southeast corner of a tract of land described in Book 380 of Deeds, Page 51 and lying on the westerly right-of-way line of Industrial Road; thence S00°22'07"W, 2.98 feet along said westerly right-of-way line of Industrial Road and said exterior boundary of said strip to a point; thence, along said westerly right-of-way line of Industrial Road and said exterior boundary of said strip through a non-tangent curve to the right, having a central angle of 15°01'56", a radius of 270.00 feet, an arc length of 70.84 feet, a chord bearing of S07°52'00"W, and a chord length of 70.64 feet to a point; thence, continue along said westerly right-of-way line of Industrial Road and said exterior boundary of said strip through a reverse curve to the left, having a central angle of 14°41'16", a radius of 330.00 feet, an arc length of 84.59 feet, a chord bearing of S08°02'21"W, and a chord length of 84.36 feet to a point; thence S00°41'43"W, 219.63 feet along said westerly right-of-way line of Industrial Road and said exterior boundary of said strip to a point; thence, along said westerly right-of-way line of Industrial Road and said exterior boundary of said strip through a curve to the left, having a central angle of 07°42'43", a radius of 330.00 feet, an arc length of 44.42 feet, a chord bearing of S03°09'39"E, and a chord length of 44.38 feet to a point; thence S07°01'00"E, 77.08 feet along said westerly right-of-way line of Industrial Road and said exterior boundary of said strip to a point, said point lying on the northerly right-of-way line of Fort Road; thence, along said northerly right-of-way line of Fort Road and said exterior boundary of said strip through a non-tangent curve to the right, having a central angle of 01°47'16", a radius of 2829.79 feet, an arc length of 88.30 feet, a chord bearing of N83°52'38"W, and a chord length of 88.30 feet to a point; thence N81°49'13"W, 709.58 feet along said northerly right-of-way line of Fort Road and said exterior boundary of said strip to the **POINT OF BEGINNING** of said easement.

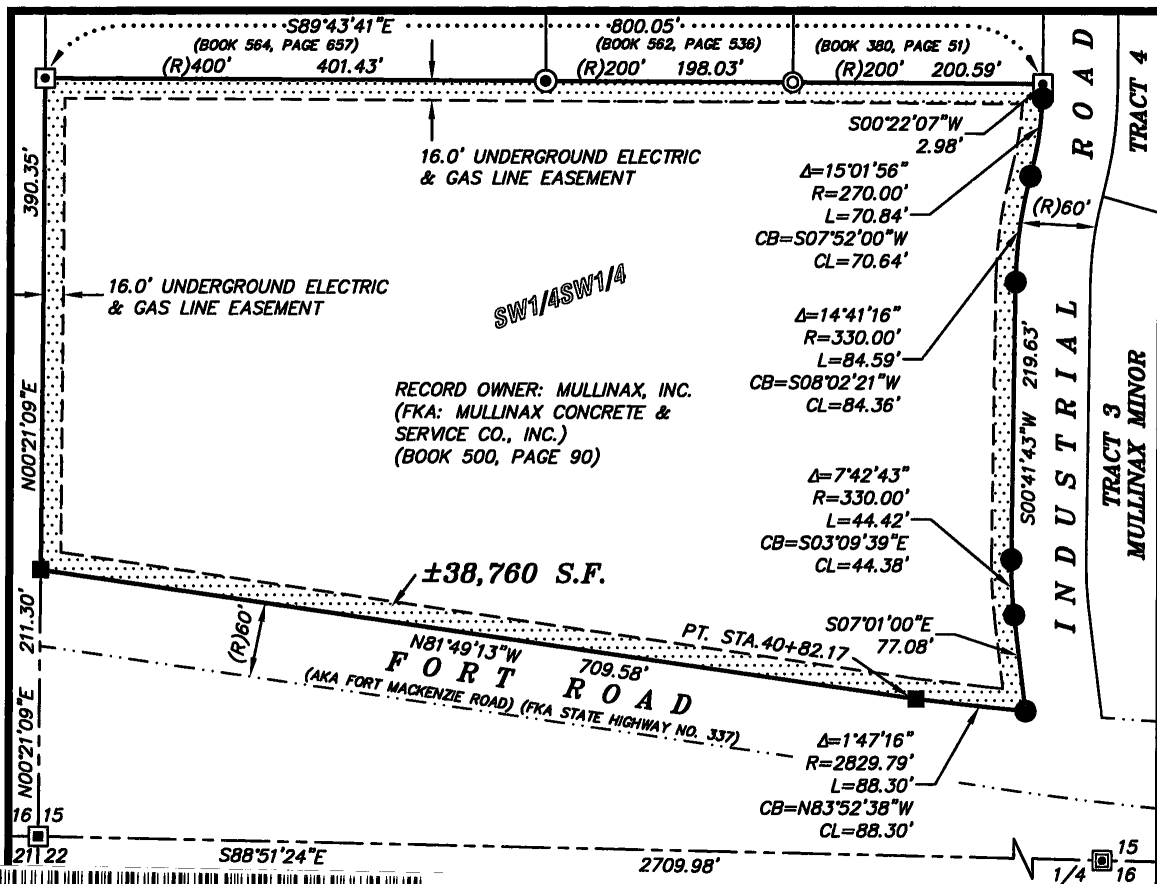
Said underground electric & gas line easement contains 38,760 square feet of land, more or less. Bearings are Based on the Wyoming Coordinate System, NAD 1983, East Central Zone.

### SURVEYOR'S STATEMENT

I, Thomas D. Tucker, do hereby state that this legal description was prepared from notes taken during an actual field survey performed by me or under my direct supervision.



Modification in any way of the above or foregoing legal description terminates liability of surveyor.



2021-767565 3/25/2021 2:55 PM PAGE: 3 OF 3  
 FEES: \$18.00 PK EASEMENT  
 EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK

#### LEGEND:

- FOUND 2" ALUMINUM CAP PER PLS 6812
- FOUND 3-1/4" ALUMINUM CAP PER PLS 6812
- FOUND 2" ALUMINUM CAP PER PLS 2615
- ⊗ FOUND 3-1/4" ALUMINUM CAP PER PLS 2615
- FOUND 2" ALUMINUM CAP PER PLS 5300
- ⊙ FOUND 5/8" REBAR
- ⊠ FOUND 1-1/2" IRON ROD PER PE&LS 551
- (R) RECORD
- PROPERTY/DEED LINE
- - - SECTION LINE
- - - HIGHWAY RIGHT-OF-WAY LINE
- - - UNDERGROUND ELECTRIC & GAS LINE EASEMENT
- - - 16.0' UNDERGROUND ELECTRIC & GAS LINE EASEMENT (±38,760 S.F.)



SCALE: 1"=120'

BEARINGS ARE BASED ON THE  
 WYOMING COORDINATE SYSTEM  
 NAD 1983, EAST CENTRAL ZONE  
 DATUM: NAD 83(1983), NAVD 88 (U.S. SURVEY FEET)  
 DAF: 1.000235  
 DISTANCES ARE SURFACE

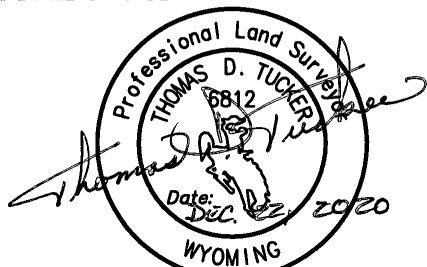
#### NO. 2021-767565 EASEMENT

EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK  
 MONTANA DAKOTA UTILITIES CO 2324 DRY RANCH RD  
 SHERIDAN WY 82801

#### SURVEYOR'S CERTIFICATE

STATE OF WYOMING :ss  
 COUNTY OF SHERIDAN

I, THOMAS D. TUCKER, A DULY REGISTERED LAND  
 SURVEYOR IN THE STATE OF WYOMING, DO HEREBY STATE  
 THAT THIS PLAT REPRESENTS THE RESULTS OF A SURVEY  
 MADE BY ME OR UNDER MY DIRECT SUPERVISION.



"PLAT IS VALID ONLY IF PRINT HAS  
 ORIGINAL SIGNATURE OF SURVEYOR SIGNED AND DATED"

#### EXHIBIT "B" 16.0' UNDERGROUND ELECTRIC & GAS LINE EASEMENT

CLIENT: MONTANA-DAKOTA UTILITIES CO.

LOCATION: SW1/4SW1/4, SECTION 15, T56N, R84W, 6TH  
 P.M., SHERIDAN COUNTY, WYOMING

**RESTFELDT**  
**SURVEYING**  
 2340 WETLANDS DR., SUITE 100  
 PO BOX 3082  
 SHERIDAN, WY 82801  
 307-672-7415

JN: 2020-005  
 DN: 2020-005D  
 TAB: ESMT  
 PF: T2018-075  
 REVIEWED: CT  
 DECEMBER 22, 2020