

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

THIS INDENTURE, made this 1<sup>ST</sup> day of AUGUST, A.D., 2022, between MONTANA-DAKOTA UTILITIES CO., a Delaware 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:

**ArtSideDown LLC**  
**Attn: Andraya Stamenkovic**  
235 N. Brooks Street  
Sheridan, WY 82801

WITNESSETH, that for valuable considerations received, OWNER does hereby grant unto COMPANY, its successors and assigns, an easement 3.0 feet in width as laid out and/or surveyed, or as finally installed through, over, under and across the tract of land hereinafter described, for the purpose of installing and construction thereon, and thereafter to operate, inspect, protect, maintain, repair, increase the capacity of, remove, replace and abandon in place, a gas pipeline or lines, including without limitation necessary pipes, equipment, and fixtures; a buried or semi buried, electric distribution system, or any combination thereof including the necessary cables, pedestals, transformers, transformer bases and other fixtures and apparatus in connection, and to cut trees and shrubbery located within said easements or where they may interfere with or threaten to endanger the operation or maintenance of said line, therewith through, under, and across the following described real estate, situated in the County of Sheridan, State of Wyoming namely:

**An electric and gas line easement being the east three (3.0) feet of the north seventeen and three one-hundreds (17.03) feet of Lot 1, Subdivision of Lots "B" and "C", Thurmonds Third Addition to the Town of Sheridan, now City of Sheridan, Sheridan County, Wyoming. Said electric & gas line easement encumbers a portion of Warranty Deed recorded at the Sheridan County Clerk's Office, Sheridan County, Wyoming, dated December 13 & 16, 2021, Recorded December 21, 2021, Document Number 2021-775096. The easement is described in a Legal Description (EXHIBIT "A") and shown on a Drawing (EXHIBIT "B"). In addition, a temporary construction easement will be required, being a strip of land varying in width as described in a Legal Description (EXHIBIT "A") and shown on the Drawing (EXHIBIT "B"),**

Should additional lines be laid under this grant, at any time, an additional consideration equal to the consideration paid for this grant, calculated on a lineal rod basis, shall be paid for each additional line.

OWNER, its successors and assigns, agrees not to build, create, or construct or permit to be built, created, or constructed, any obstruction, building, engineering works or other structures upon, over, or under the above-described tract of land or that would interfere with said pipeline or lines or COMPANY'S rights hereunder. Company shall have the right, but not the obligation, to cut and clear trees and shrubbery from the above-described tract of land.

The OWNER, its successors and assigns, hereby grants to COMPANY, its successors and assigns, the right at all reasonable times of ingress and egress to the above describe premises across adjacent lands of the Owner, its successors, and assigns, at convenient points for the enjoyment of the aforesaid uses, rights, and privileges.

COMPANY 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.

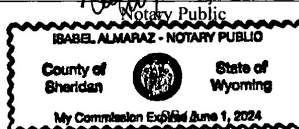
IN WITNESS WHEREOF, OWNER has executed this easement as of the day and year first above written.

ArtSideDown LLC  
Andraya Stamenkovic  
Title: OWNER

STATE OF WYOMING )  
 ) ss.  
COUNTY OF SHERIDAN )

On this the 01 day of August, 2022, before me personally appeared Andraya Stamenkovic on behalf of ArtSideDown LLC, 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)



My Commission Expires June 1 2024

W.O. \_\_\_\_\_ L.R.R. NO. \_\_\_\_\_  
FILE NO. \_\_\_\_\_ TRACT NO. \_\_\_\_\_

## LEGAL DESCRIPTION EXHIBIT "A"

July 31, 2022

**Record Owner: ArtSideDown LLC**

**Re: 3.0' Electric & Gas Line Easement & a varying width Temporary Construction Easement to Montana-Dakota Utilities Co. a Delaware Corporation, and or any of their respective successors and assigns.**

An electric and gas line easement being the east three (3.0) feet of the north seventeen and three one-hundreds (17.03) feet of Lot 1, Subdivision of Lots "B" and "C", Thurmonds Third Addition to the Town of Sheridan, now City of Sheridan, Sheridan County, Wyoming, as shown on **EXHIBIT "B"** attached hereto and by this reference made a part hereof; Lengthening or shortening the sideline of said easement to intersect boundary lines as shown on Exhibit "B".

Said electric and gas line easement contains 51 square feet of land, more or less.

In addition a temporary construction easement will be required situated in Lot "A", Thurmond's 3<sup>rd</sup> Addition, and Lot 1, Subdivision of Lots "B" and "C", Thurmonds Third Addition to the Town of Sheridan, now City of Sheridan, Sheridan County, Wyoming, as shown on **EXHIBIT "B"** attached hereto and by this reference made a part hereof; said easement being more particularly described as follows:

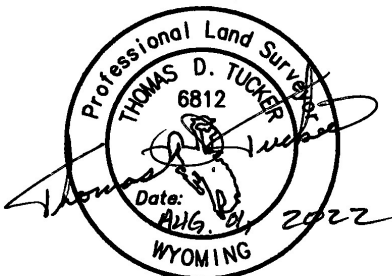
Commencing at the northeast corner of said Lot 1, Subdivision of Lots "B" and "C", Thurmonds Third Addition; thence S00°24'47"W, 17.03 feet along the east line of said Lot 1 to a point, said point being the northeast corner of a tract of land described in Book 233 of Deeds, Page 466; thence N89°48'17"W, 3.00 feet along the north line of said tract described in Book 233 of Deeds, Page 466 to the **POINT OF BEGINNING** of said easement; thence, continue N89°48'17"W, 7.00 feet along said north line of said tract described in Book 233 of Deeds, Page 466 to a point; thence N00°24'47"E, 27.33 feet to a point; thence N89°21'39"E, 2.00 feet to a point, said point lying on the west line of a tract of land described in Book N of Deeds, Page 419; thence S00°24'47"W, 10.32 feet along the west line of said tract described in Book N of Deeds, Page 419 to a point, said point being the southwest corner of said tract described in Book N of Deeds, Page 419; thence S89°41'02"E, 5.00 feet along the south line of said tract described in Book N of Deeds, Page 419 to a point; thence S00°24'47"W, 17.03 feet to the **POINT OF BEGINNING** of said easement.

Said temporary construction easement contains 140 square feet of land, more or less and will become null and void at the time that the project contractor's one-year contractual warranty expires.

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.

H:\WP\LD\CITY\2022\2022-038-SJ1-E3.rtf

**NO. 2022-780606 EASEMENT**

EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK  
PRESTFELDT SURVEYING 2340 WETLANDS DR  
SHERIDAN WY 82801

**THURMOND'S 3rd  
ADDITION**

**LOT "A"**

RECORD OWNER:  
ARTSIDEDOWN LLC  
(2021-775096)

**SUBDIVISION OF LOTS "B" AND "C",  
THURMONDS THIRD ADDITION**

N89°48'17"W

**LOT 1**

±140 S.F.

±51 S.F.

124.73'

114.73'

POINT OF  
BEGINNING

(BOOK 233, PAGE 466)

**LOT 2**

SE CORNER  
LOT 16

S00°24'47"W  
383.30'

S00°24'47"W  
165.93'  
(R)12'

NE COR.  
LOT 1  
S00°24'47"W  
17.03'

LOT 19

THURMOND ADDITION NO.1

LOT 16

LOT 14

BROOKS STREET

**LINE TABLE**

LINE	BEARING	LENGTH
L1	N89°48'17"W	7.00'
L2	N00°24'47"E	27.33'
L3	N89°21'39"E	2.00'
L4	S00°24'47"W	10.32'
L5	S89°41'02"E	5.00'

**LEGEND:**

- FOUND 2" ALUMINUM CAP PER PLS 6812
- CALCULATED: NOTHING FOUND/NOTHING SET
- (R) RECORD
- PROPERTY LINE
- BLOCK/ALLEY LINE
- - - LOT LINE
- - - EASEMENT LINE
- ▨ 3.0' GAS LINE EASEMENT (±51 S.F.)
- ▧ TEMPORARY CONSTRUCTION EASEMENT (±140 S.F.)



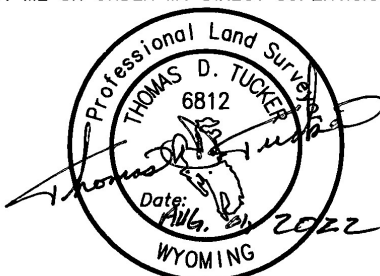
**SCALE: 1"=20'**

BEARINGS ARE BASED ON THE WYOMING COORDINATE  
SYSTEM NAD 1983, EAST CENTRAL ZONE  
DATUM: NAD 83(1993), NAVD 88 (U.S. SURVEY FEET)  
DAF: 1.000235  
DISTANCES ARE SURFACE

**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"  
ELECTRIC  
& GAS LINE EASEMENT**

CLIENTS: MONTANA-DAKOTA UTILITIES CO.

LOCATION: SITUATED IN LOT "A", THURMOND'S 3rd ADDITION, &  
LOT 1, SUBDIVISION OF LOTS "B" AND "C",  
THURMONDS THIRD ADDITION, CITY OF SHERIDAN,  
SHERIDAN COUNTY, WYOMING

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

JN: 2022-038  
DN: 2022-038-SJ1-E3  
TAB: ESMT-E3  
PF: T2022-038  
REVIEWED BY: JSP-CT  
JULY 31, 2022