

**EASEMENT**

Deed made this 22 day of March, 2001, by and between **Marie P. Tibbets and Coyne L. Tibbets**, of **2040 Taylor Avenue, Sheridan, Wyoming 82801**, hereinafter referred to as "Grantor", and the Downer Neighborhood Improvement and Service District (DNISD) and the City of Sheridan, Wyoming, hereinafter referred to as "Grantees".

For and in consideration of Ten and no/100 Dollars (\$10.00), and other good and valuable consideration, receipt of which is acknowledged, Grantor conveys and warrants to Grantee an easement and right-of-way across and under the following described real property, described as:

**SEE EXHIBITS "A" AND "B"**

for the purposes of surveying, construction, installing, inspecting, operating, maintaining, repairing and replacing a sanitary sewer line and/or water line, together with all appurtenances that may be necessary and convenient for the lines, together with the right of ingress and egress upon and across the real property of Grantor at reasonable places and routes for the aforesaid purposes. Grantor's conveyances is solely for the purposes defined above for said sanitary sewer and/or water, and is not intended for use for any other purposes.

Grantee agrees to reshape, reseed and blend to the level of the adjacent property all areas disturbed by the construction within the easement and right-of-way in a workmanlike manner. Grantee shall also provide and maintain temporary fencing during the time of construction, if necessary.

This deed of easement shall be binding upon Grantor's heirs and assigns and shall be perpetual so long as the easement is used for the purposes above recited. If Grantee fails to construct said sanitary sewer line and/or water lines within a period of five (5) years from the date of execution of this Deed, this easement shall become null and void. Furthermore, said construction easement defined in Exhibits "A" and "B" shall be valid for a period of one (1) year from the date of the substantial completion of the construction of the embankment to allow for warranty repairs.

Grantor shall be held harmless from any legal actions or claims of any form that involve the easement conveyed by Grantor to Grantee, unless they are the result of the Grantor's sole negligence. Notwithstanding the above, Grantee does not waive any rights it may retain with respect to the Wyoming Governmental Claims Act.

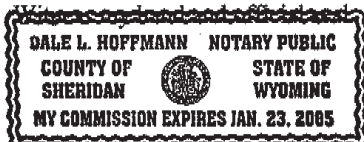
In witness whereof, Grantor signs this Deed on the date above written.



**Marie P. Tibbets**

Coyne L. Tibbets

Coyne L. Tibbets

STATE OF Wyoming )  
COUNTY OF Sheridan ) : ssThe foregoing instrument was acknowledged before me by **Marie P. Tibbets** this 27 day  
of March, 2001.Dale L. Hoffmann  
Notary PublicMy Commission Expires: Jan 23, 2005STATE OF WYOMING )  
COUNTY OF Sheridan ) : ssThe foregoing instrument was acknowledged before me by **Coyne L. Tibbets** this 27 day  
of March, 2001.Dale L. Hoffmann  
Notary PublicMy Commission Expires: Jan 23, 2005

## **EXHIBIT "A"**

### **Re: Perpetual Sanitary Sewer Line Easement February 16, 2001**

A perpetual sanitary sewer line easement being a strip of land twenty (20) feet wide situated in Lot 15 and that vacated portion of a sixteen (16) feet wide alley, all in Block 42, Downers Addition to 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:

The North twenty (20) feet of the East one hundred thirty nine (139) feet of Lot 15 and said vacated alley (Book 203 of Deeds, Page 318), all in Block 42, of the Downers Addition to Sheridan County, Wyoming.

Said sanitary sewer line easement contains 2,780 square feet of land more or less.

### **Re: Temporary Construction Easement February 16, 2001**

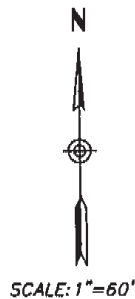
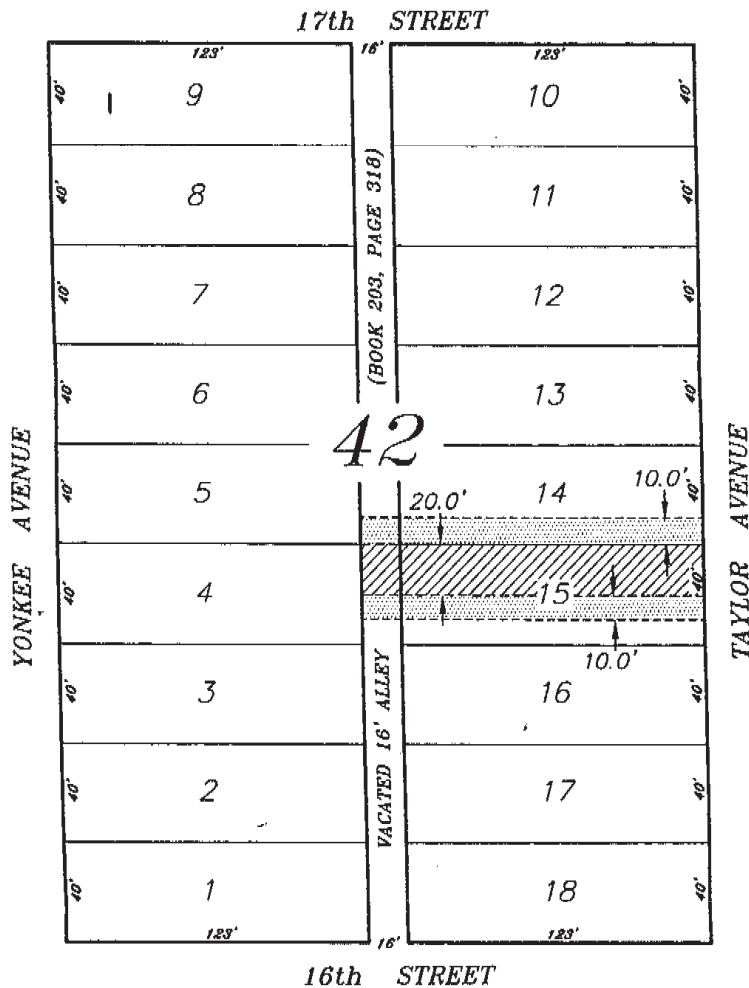
A temporary construction easement being two (2) strips of land ten (10) feet wide situated in Lots 14, 15, and that vacated portion of a sixteen (16) feet wide alley, all in Block 42, of the Downers Addition to Sheridan County, Wyoming, as shown on **Exhibit "B"** attached hereto and by this reference made a part hereof; said easement being more particularly described as follows:

The South ten (10) feet of the East one hundred thirty nine (139) feet, Lot 14 and said vacated alley (Book 203 of Deeds, Page 318), all in Block 42, of the Downers Addition to Sheridan County, Wyoming

The South ten (10) feet of the North thirty (30) feet of the East one hundred thirty nine (139) feet, Lot 15 and said vacated alley (Book 203 of Deeds, Page 318), all in Block 42, of the Downers Addition to Sheridan County, Wyoming

Said temporary construction easement contains 2,780 square feet of land more or less, and will become null and void at the time the project contractor's one year contractual warranty expires.

# EXHIBIT "B" 280



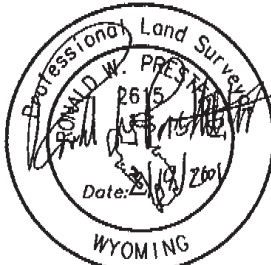
## LEGEND:

- LOT/BLOCK LINE
  - SANITARY SEWER/WATER/CONSTRUCTION EASEMENT LINE
  - 20.0' SANITARY SEWER LINE EASEMENT
  - 10.0' TEMPORARY CONSTRUCTION EASEMENT
- ALL LOT DIMENSIONS ARE RECORD AS SHOWN ON THE MAP OF DOWNERS ADDITION TO SHERIDAN WYOMING. DATED OCTOBER 1912.

## SURVEYOR'S CERTIFICATE

STATE OF WYOMING :99  
COUNTY OF SHERIDAN

I, RONALD W. PRESTFELDT 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.



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

## EXHIBIT "B" 20.0' SANITARY SEWER EASEMENT

CLIENT: HKM ENGINEERING, INC.  
ENGINEER FOR THE DOWNER NEIGHBORHOOD  
WATER AND SANITARY SEWER IMPROVEMENTS

LOCATION: LOT 15 AND VACATED PORTION OF 16'  
ALLEY, BLOCK 42, DOWNERS ADDITION,  
SHERIDAN COUNTY, WYOMING.



PO BOX 3082  
SHERIDAN, WY 82801  
307-672-7415  
FAX 674-5000

JN: 99126  
DN: 99/99126S42.E1  
FEBRUARY 16, 2001