

**MONTANA-DAKOTA UTILITIES CO.
UNDERGROUND ELECTRIC RIGHT-OF-WAY EASEMENT**

KNOW ALL MEN BY THESE PRESENTS: That the undersigned James R. Smith & Melissa R. Smith

of hereinafter called OWNER (whether one or more), for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, grants and warrants to MONTANA-DAKOTA UTILITIES CO., a Division of MDU RESOURCES GROUP, INC., a corporation, of 400 North Fourth Street, Bismarck, North Dakota 58501, COMPANY, and to its successors and assigns, a perpetual right-of-way and easement for the construction, reconstruction, replacement, operation, maintenance, repair and removal of buried or semiburied electric distribution system, street lighting system or communication system, or any combination thereof including the necessary cables, pedestals, transformers, transformer bases and other fixtures and apparatus in connection therewith, to be located upon, under and within the following real estate in Sheridan County, State of Wyoming, namely:

Description of 20' Wide Utility Easement:

That part of the Tract 9 of the Ranches at Soldier Creek, part of the East ½ of Section 23, T56N, R85W, 6th P.M., Sheridan County, Wyoming, described as: Commencing at the East ¼ corner of said Section 23; thence N89°52'56W 1408.05 feet along the East and West ¼ line of said Section 23 to the East line of said Tract 9 and the PLACE OF BEGINNING of this description; thence S09°44'43"E 728.76 feet along said East line; thence S50°58'09"E 675.85 feet along said East line; thence Southwesterly 25.58 feet along the Northerly line of Cavalry Ridge Road on a 56.34 foot radius curve to the right, the chord of which bears S76°59'04"W 25.36 feet; thence N50°58'09"W 667.77 feet; thence N09°44'43"W 830.71 feet; thence N80°15'17"E 20.00 feet; thence S09°44'43"E 94.44 feet to the place of beginning.

Shown in Easement Exhibit attached hereto and by this reference made a part hereof.

COMPANY hereby agrees that it will pay any and all damages that may result to the crops, fences, buildings and improvements on said premises caused by constructing, reconstructing, replacing, maintaining, repairing, operating or removing said electric line.

OWNER, its successors and assigns, agree 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 strip of land herein described or that would interfere with said electric line or lines or COMPANY'S rights hereunder.

The OWNER also hereby grants to COMPANY, its successors and assigns, the right of ingress and egress for the purposes of the easement and right-of-way described herein.

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 signed this grant of easement this 18th day of November, 2010.

James R. Smith
James R. Smith

Melissa R. Smith
Melissa R. Smith

STATE OF Wyoming)
):ss
COUNTY OF Sheridan)

On this 18th day of November, 2010, before me personally appeared James R. Smith & Melissa R. Smith

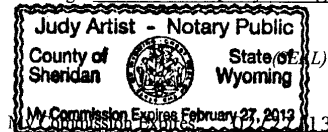
known to me to be the same person s described in and who executed the above and foregoing instrument and acknowledged to me that they executed the same, (known to me to be the husband and wife respectively, of

(THIS SPACE FOR RECORDING DATA ONLY)

the corporation that is described in and that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.)

Judy Artist
Notary Public, Sheridan County,
State of Wyoming

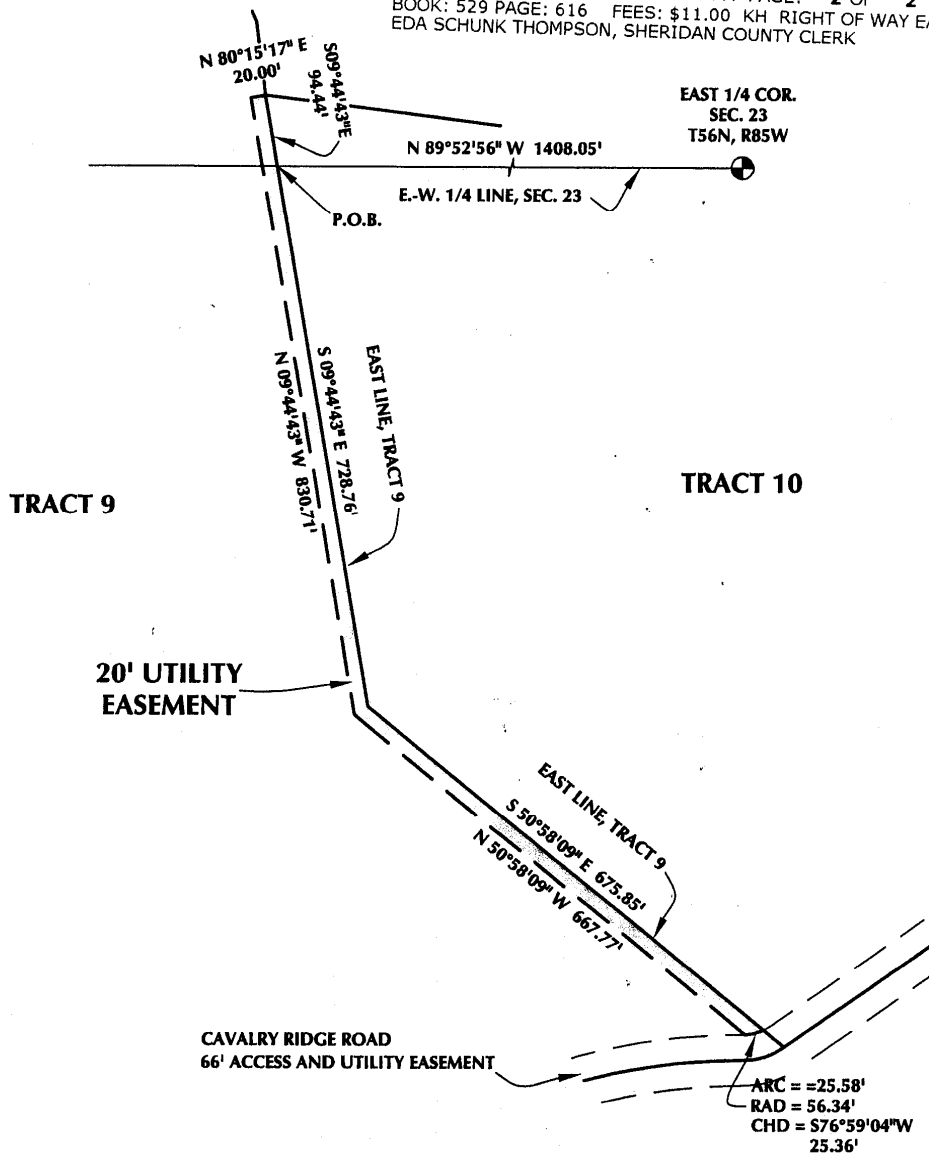
Residing at Sheridan, Wyoming



W.O. J165273 L.R.R NO. _____
FILE NO. _____ TRACT NO. _____



2011-692528 12/1/2011 3:50 PM PAGE: 2 OF 2
BOOK: 529 PAGE: 616 FEES: \$11.00 KH RIGHT OF WAY EASEM
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK



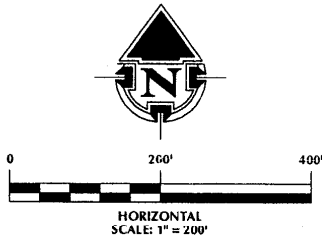
Description of 20' Wide Utility Easement:

That part of the Tract 9 of the Ranches at Soldier Creek, part of the East 1/2 of Section 23, T56N, R85W, 6th P.M., Sheridan County, Wyoming, described as: Commencing at the East 1/4 corner of said Section 23; thence N89°52'56"W 1408.05 feet along the East and West 1/4 line of said Section 23 to the East line of said Tract 9 and the PLACE OF BEGINNING of this description; thence S09°44'43"E 728.76 feet along said East line; thence S50°58'09"E 675.85 feet along said East line; thence Southwesterly 25.58 feet along the Northerly line of Cavalry Ridge Road on a 56.34 foot radius curve to the right, the chord of which bears S76°59'04"W 25.36 feet; thence N50°58'09"W 667.77 feet; thence N09°44'43"W 830.71 feet; thence N80°15'17"E 20.00 feet; thence S09°44'43"E 94.44 feet to the place of beginning.

CERTIFICATE OF SURVEYOR:

THIS IS TO CERTIFY THAT THE ABOVE WAS PREPARED FROM FIELD NOTES OF A SURVEY MADE BY ME OR UNDER MY SUPERVISION AND THAT THE SAME ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Benjamin J. Reenders
Benjamin J. Reenders
PROFESSIONAL LAND SURVEYOR
WYOMING REGISTRATION NUMBER 10376
Date 11-05-10



NOTES:

1. BASIS OF BEARING DERIVED FROM NAD83

EASEMENT EXHIBIT

**20' WIDE UTILITY EASEMENT
PART OF TRACT 9, THE RANCHES AT
SOLDIER CREEK, SECTION 23
T56N, R85W, 6TH P.M.
SHERIDAN COUNTY, WYOMING**

SURVEY FOR:

THE RANCHES AT SOLDIER CREEK, LLC
ATTN: TOM BELUS
306 N. MAIN ST.
SHERIDAN, WY 82801



CONSULTING, LLC

2155 North Main Street
Sheridan, Wyoming 82801
Phone 307-674-0609
Fax 307-674-0182

DRAFTED BY: BJR	CHECKED BY: BJR	SHEET NO:
DATE DRAFTED: 11/2010	DATE SURVEYED: 04/2010	1
REVISED:	FILE NAME: 09-16	1 OF 1