

RECORDED JUNE 22, 1982 BK 267 PG 86 NO. 845586 MARGARET LEWIS, COUNTY CLERK

AGREEMENT RE: ABANDONMENT AND RELOCATION
OF DITCH AND RIGHT-OF-WAY

THIS AGREEMENT, made this day by and between P and P ENTERPRISES, hereinafter called First Party; and WALTER WASHUT, a single person; ROSE LOWE, a single person, GEORGE J. WASHUT and PAULINE WASHUT, husband and wife; JOSEPH AKSAMIT and ANNE AKSAMIT, husband and wife; and ELMER J. MYDLAND and SUZANNE L. MYDLAND, husband and wife, hereinafter called Second Parties.

WITNESSETH, THAT:

WHEREAS, the First Parties are the owners of Lots 20, 21, 22, and 23, together with other Lots in South Home Ranch Subdivision, First Addition, County of Sheridan, State of Wyoming, and

WHEREAS, the Second Parties are the owners of lands which are served by an irrigation ditch which presently crosses said Lots 20, 21, 22 and 23 of said Subdivision, and

WHEREAS, First Party wishes to relocate said ditch where it presently crosses Lots 20, 21, 22 and 23 of said Subdivision and to have said ditch located along the lot lines separating Lot 21 from Lot 22 of said Subdivision and First Party is willing to furnish a new right-of-way easement for the ditch as relocated together with a means of ingress and egress for the operation and maintenance of said irrigation ditch and the headgates used in connection therewith.

NOW, THEREFORE, IT IS HEREBY AGREED by and between the Parties hereto as follows:

I.

That First Party shall have the right to change the location of said irrigation ditch from where it has been located through Lots 20, 21, 22 and 23 of what is now known as "South Home Ranch Subdivision", First Addition, County

of Sheridan, State of Wyoming, and to relocate said ditch down the Lot line that separates Lots 21 and 22 of said Subdivision.

II.

That First Party shall bear the entire expense of relocating said irrigation ditch and said ditch shall have as much capacity for irrigation water as the existing ditch now has.

III.

That upon said ditch being relocated it shall remain the irrigation ditch for Second Parties and their successors in interest.

IV.

That First Party, as part of the consideration for being permitted to relocate said ditch as aforesaid, does hereby grant unto Second Parties as Grantees the following easement, to-wit:

A road easement, 20 feet in width, located in the E½NE¼ of Section 16, Township 55 North, Range 84 West of the County of Sheridan, State of Wyoming, the centerline of which is described as follows:

Beginning at a point on the southerly right-of-way line of Sheridan County Road No. 72, said point being located North 65°14'57" West, 10 feet from the Northwest Corner of the South Home Ranch Subdivision, First Addition, thence Southerly, parallel and 10 feet westerly from the westerly right-of-way line of said Subdivision to the Southwest corner of said Subdivision, said right-of-way line lying immediately adjacent to the westerly line of Lots 22 through 27 of said Subdivision, said right-of-way easement to be for the purpose of ingress and egress for the operation and maintenance of the irrigation ditch of Grantees and the head-gate thereof only.

First Parties shall gravel the approach to said Easement.

V.

IT IS UNDERSTOOD AND AGREED THAT the Grantees shall have the right to maintain said ditch as relocated and Second Parties shall have the right to use ten feet (10) on either side of said ditch in order to maintain said ditch.

VI.

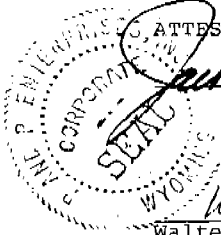
THIS AGREEMENT shall be binding upon and inure to the benefit of the heirs at law, personal representatives, successors in interest and assigns of the Parties hereto.

IN WITNESS WHEREOF, the Parties hereto set their hands to this Agreement effected as of the 15th day of April, 1982.

P and P ENTERPRISES, INC.

By: Walter J. Pilch
President

ATTEST:



FIRST PARTY

Walter Washut
Walter Washut

Rose Lowe
Rose Lowe

George J. Washut
George J. Washut

Pauline Washut
Pauline Washut

Joseph Aksamit
Joseph Aksamit

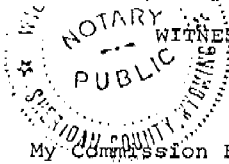
Anne Aksamit
Anne Aksamit

Elmer J. Mydland
Elmer J. Mydland

Suzanne L. Mydland
Suzanne L. Mydland

STATE OF WYOMING)
) SS.
COUNTY OF SHERIDAN)

The foregoing instrument was acknowledged before me by WALTER J. PILCH, President of P & P ENTERPRISES, INC., a Wyoming Corporation this 21st day of June, 1982.

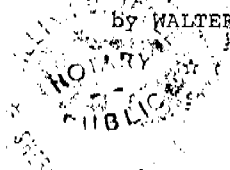


WITNESS my hand and official seal.

William L. Rolfe
Notary Public
My Commission Expires: March 24-1986

STATE OF WYOMING)
) SS.
COUNTY OF SHERIDAN)

The foregoing instrument was acknowledged before me by WALTER WASHUT, this 21 day of June, 1982.



WITNESS my hand and official seal.

William L. Rolfe
Notary Public
My Commission Expires: March 24-1986

STATE OF WYOMING)
) SS.
COUNTY OF SHERIDAN)

The foregoing instrument was acknowledged before me
by ROSE LOWE, this 24 day of June, 1982.

WITNESS my hand and official seal.

William A. Riddle
Notary Public

My Commission Expires: March 24-1986

STATE OF WYOMING)
) SS.
COUNTY OF SHERIDAN)

The foregoing instrument was acknowledged before me
by GEORGE J. WASHUT and PAULINE WASHUT, husband and wife, this
24 day of June, 1982.

WITNESS my hand and official seal.

William A. Riddle
Notary Public

My Commission Expires: March 24-1986

STATE OF WYOMING)
) SS.
COUNTY OF SHERIDAN)

The foregoing instrument was acknowledged before me
by JOSEPH AKSAMIT and ANNE AKSAMIT, husband and wife, this
24 day of June, 1982.

WITNESS my hand and official seal.

William A. Riddle
Notary Public

My Commission Expires: March 24-1986

STATE OF WYOMING)
) SS.
COUNTY OF SHERIDAN)

The foregoing instrument was acknowledged before me
by ELMER J. MYDLAND and SUZANNE L. MYDLAND, husband and wife,
this 4th day of June, 1982.

WITNESS my hand and official seal.

Charlotte McKinney
Notary Public

My Commission Expires: May 26, 1986

