

### ***SOUTH BERM EASEMENT***

Toby Lee Griffith, a single person, GRANTOR, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration the receipt of which is hereby acknowledged, do hereby grant an easement over and across Lot 12, Powder Horn, South Fork Subdivision, a subdivision in Sheridan County, Wyoming, in the location described on **Exhibit "A"** and illustrated on **Exhibit "C"**, both of which are attached hereto and incorporated herein (the "Easement Route") for the following purposes.

***Intent and Purpose of Easement.*** Grantor's intent and purpose in granting this easement is for the maintenance, repair, vegetation and irrigation of a landscaped berm to visually separate and mitigate road traffic along Bird Farm Road from the homes and residential uses in the Powder Horn Ranch II PUD.

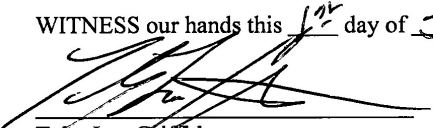
***Grant of Easement For Benefit of Powder Horn Ranch PUD.*** Grantor grant this easement over and across said Easement Route to and for the benefit of Grantor and the Powder Horn Homeowners Association, Inc., (the "Association"), with the following express rights:

1. Grantor and the Association shall have the right to place, maintain and repair a landscaping berm, irrigation water lines and to plant vegetation (including but not limited to grasses, plants, shrubs and trees) within the Easement Route. The initial intent of the plantings is as follows: from the top one-third of the South side of said berm to the south boundary line of the lots shall remain grasses to establish a green, low ground-cover to stabilize the berm, the species of such grasses shall be designated by Grantor or the Association.
2. The record owners of the lots over which this Easement Route traverses may plant vegetation in the bottom two-thirds of the north side of the berm. *Provided however*, no owner shall place any improvement or plants/trees on their lot in such a manner or location that their will be higher than the peak of the berm.
3. The Association shall have the exclusive right to approve any and all landscaping that the owner of any of the affected Lots may wish to plant within the Easement Route.
4. Grantor and the Association shall have the right to use the water line(s) in the Easement Route to irrigate the plantings within the Easement Route and areas outside the Easement Route along the highway-side of the berm. Access to the Easement Route shall be primarily from the south (i.e., highway-side) and not across the respective Lot(s) except when the Association deems it necessary for equipment to access across the Lot.

Grantor shall bear no responsibility or liability to any person or entity using the Easement Route by reason of this easement. Anyone disturbing the surface of the Easement Route shall reclaim the same to its condition before the disturbance.

This easement shall run with the land.

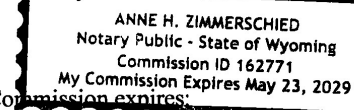
WITNESS our hands this 1<sup>st</sup> day of September 2023.


  
Toby Lee Griffith

STATE OF WYOMING     )  
  )ss.  
COUNTY OF Sheridan)

This instrument was acknowledged before me on the 1<sup>st</sup> day of September, 2023, by Toby Lee Griffith.

WITNESS my hand and official seal

  
ANNE H. ZIMMERSCHIED  
Notary Public - State of Wyoming  
Commission ID 162771  
My Commission Expires May 23, 2029  
My Commission expires:

  
Signature of Notary Public Officer  
Title: Notary Public

May 23, 2029

## LEGAL DESCRIPTION

### EXHIBIT "A"



August 15, 2022

Re: Berm Easement for Lot 6, Lot 7, & Lot 8

2023-788079

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FEES: \$24.00 PK EASEMENT

EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK

A berm easement situated in Lot 6, Lot 7, & Lot 8, Powder Horn, South Fork Subdivision, 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:

**BEGINNING** at the southernmost corner of said Lot 8, being the intersection of the northwesterly right-of-way line of Dornoch Drive and the northeasterly right-of-way line of Bird Farm Road (AKA County Road No. 28), (Monumented with a 2" Aluminum Cap Per PLS 6812); thence N35°13'51"W, 135.20 feet along the westerly line of said Lot 8 to a point, said point being the westerly corner of said Lot 8; thence, continue N35°13'51"W, 4.98 feet along the westerly line of said Lot 7 to a point; thence, along said westerly line of Lot 7 through a curve to the right, having a central angle of 16°12'01", a radius of 278.66 feet, an arc length of 78.79 feet, a chord bearing of N27°07'51"W, and a chord length of 78.53 feet to a point; thence, along said westerly line of Lot 7 through a reverse curve to the left, having a central angle of 06°05'17", a radius of 550.88 feet, an arc length of 58.54 feet, a chord bearing of N21°54'56"W, and a chord length of 58.51 feet to a point, said point being the southernmost corner of said Lot 6; thence, continue along the westerly line of Lot 6 through said curve to the left, having a central angle of 14°38'05", a radius of 550.88 feet, an arc length of 140.71 feet, a chord bearing of N32°16'37"W, and a chord length of 140.33 feet to a point; thence S89°15'13"E, 58.00 feet to a point; thence S28°47'23"E, 109.00 feet to a point lying on the line between said Lot 6 and Lot 7; thence S26°17'32"E, 138.27 feet to a point lying on the line between said Lot 7 and Lot 8; thence S35°39'16"E, 135.19 feet to a point, said point lying on the southeasterly line of said Lot 8, also being said northwesterly right-of-way line of Dornoch Drive; thence S53°43'00"W, 46.00 feet along said southeasterly line of Lot 8, and said northwesterly right-of-way line of Dornoch Drive to the **POINT OF BEGINNING** of said easement.

Said berm easement contains 17,833 square feet of land, more or less.

Bearings are Based on the Wyoming Coordinate System, NAD 1983, East Central Zone.

Re: Berm Easement for Lot 9, Lot 10, Lot 11, & Lot 12

A berm easement situated in Lot 9, Lot 10, Lot 11, & Lot 12, Powder Horn, South Fork Subdivision, Sheridan County, Wyoming, as shown on **EXHIBIT "C"** attached hereto and by this reference made a part hereof; said easement being more particularly described as follows:

**BEGINNING** at the westernmost corner of said Lot 9, being the intersection of the southeasterly right-of-way line of Dornoch Drive and the northeasterly right-of-way line of Bird Farm Road (AKA County Road No. 28), (Monumented with a 2" Aluminum Cap Per PLS 6812); thence N53°43'00"E, 45.00 feet along the northwesterly line of said Lot 9, and said southeasterly right-of-way line of Dornoch Drive to a point; thence S39°14'22"E, 116.30 feet to a point lying on the line between said Lot 9 and Lot 10; thence S36°52'30"E, 175.44 feet to a point lying on the line between said Lot 10 and Lot 11; thence S36°37'57"E, 182.45 feet to a point lying on the line between said Lot 11 and Lot 12; thence S55°00'47"E, 189.88 feet to a point, said point lying on the east line of said Lot 12; thence S01°49'14"W, 32.00 feet along the east line of said Lot 12 to a point, said point being the southeast corner of said Lot 12 and lying on said northeasterly right-of-way line of Bird Farm Road (AKA County Road No. 28); thence N68°17'34"W, 61.88 feet along the south line of said Lot 12 to a point; thence, along said south line of Lot 12 through a non-tangent curve to the right, having a central angle of 18°30'40", a radius of 420.00 feet, an arc length of 135.69 feet, a chord bearing of N59°02'42"W, and a chord length of 135.10 feet to a point, said point being the southeast corner of said Lot 11; thence, continue along the southwesterly line of said Lot 11 through a curve to the right, having a central angle of 13°44'03", a radius of 420.00 feet, an arc length of 100.68 feet, a chord bearing of

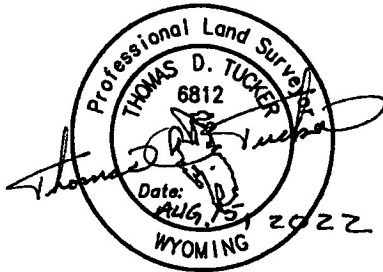
N42°55'21"W, and a chord length of 100.44 feet to a point; thence N36°03'51"W, 80.25 feet along said southwesterly line of Lot 11 to a point, said point being the southeast corner of said Lot 10; thence, continue N36°03'51"W, 225.48 feet along the southwesterly line of said Lot 10 to a point, said point being the southernmost corner of said Lot 9; thence, continue N36°03'51"W, 96.49 feet along the southwesterly line of said Lot 9 to the **POINT OF BEGINNING** of said easement.

Said bern easement contains 34,176 square feet of land, more or less.

Bearings are Based on the Wyoming Coordinate System, NAD 1983, East Central Zone.

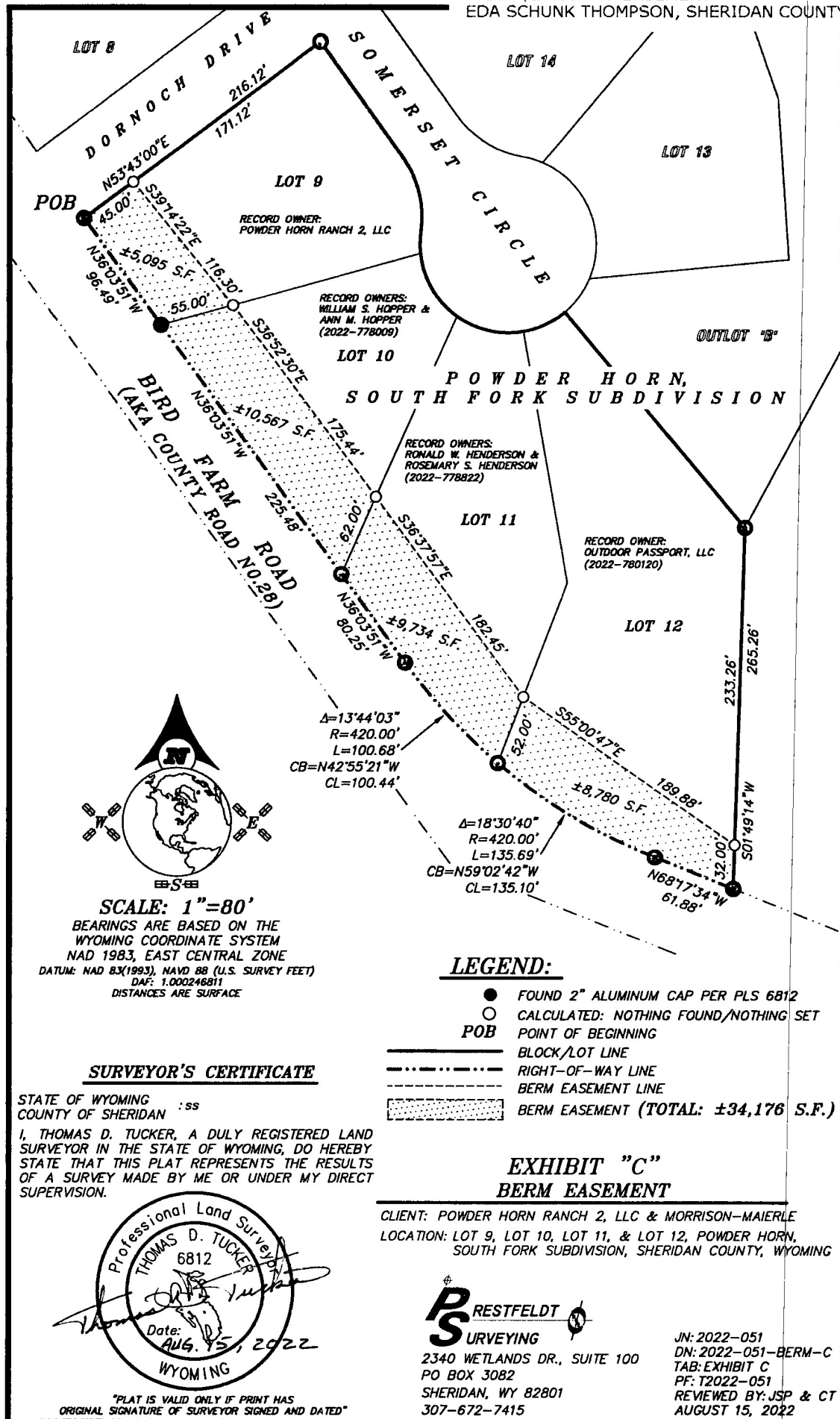
**SURVEYOR'S STATEMENT**

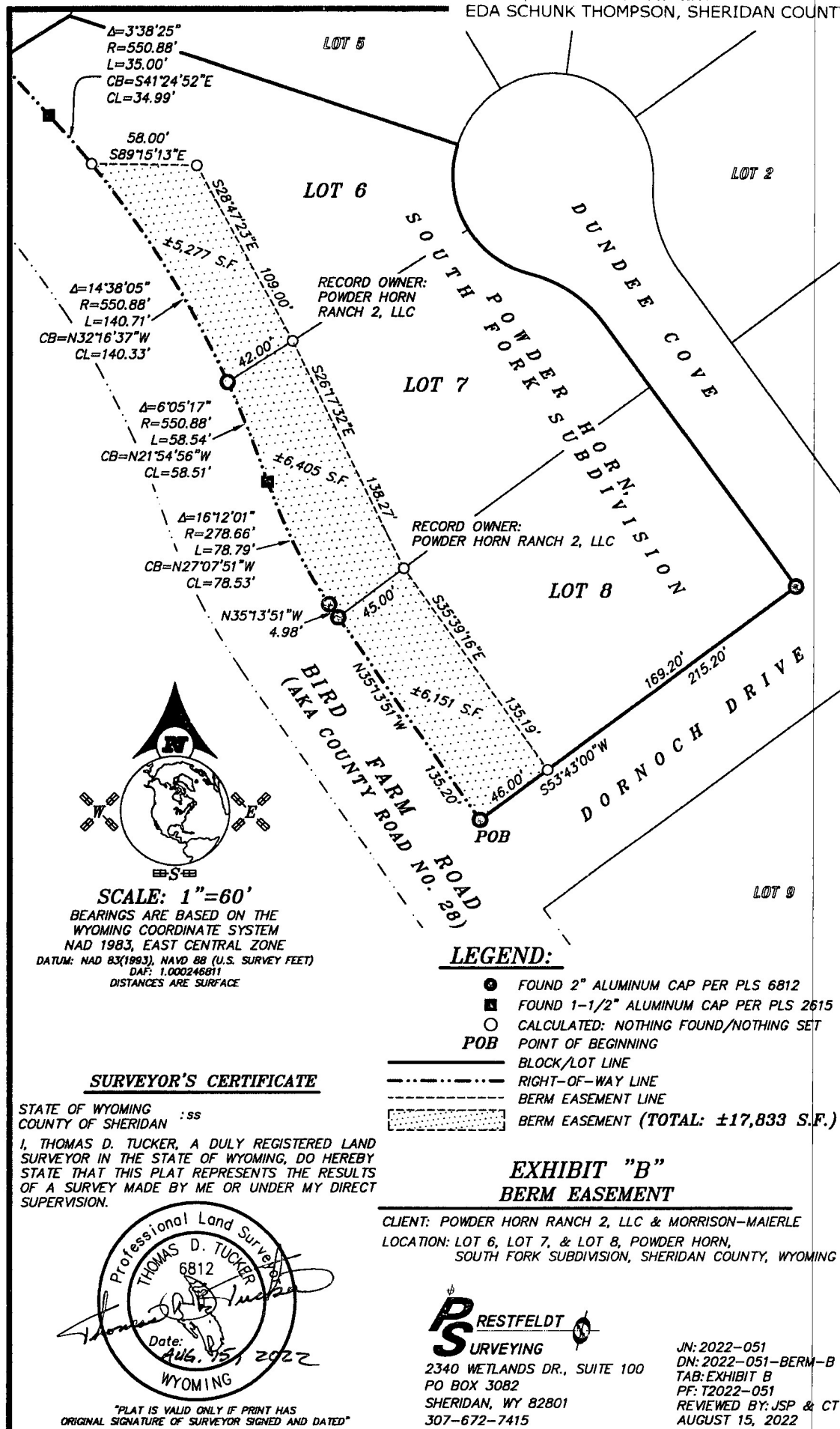
I, Thomas D. Tucker, do hereby state that this legal description was prepared from notes taken during an actual field survey performed by me or under my direct supervision.



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

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FEES: \$24.00 PK EASEMENT  
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK





**NO. 2023-788079 EASEMENT**  
 EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK  
 WILCOX AGENCY  
 SHERIDAN WY 82801