

2015-719581 5/27/2015 10:34 AM PAGE: 1 OF 3 BOOK: 553 PAGE: 352 FEES: \$18.00 PK RIGHT OF WAY EASEMI EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK

MEMORANDUM OF RIGHT OF WAY EASEMENT

This Memorandum of Right of Way Easement ("Memorandum") is filed of record in Sheridan County, Wyoming to give record notice that John E. Rice & Sons, Inc. (Grantor) executed and delivered to Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., whose address is 400 North Fourth Street, Bismarck, ND (Grantee"), a Right of Way Easement dated December 19, 2014 which was recorded in Book 550, Page 784 in the office of the Sheridan County Clerk. The purpose of this memorandum is also to set forth the specific legal description of the location of the easement pursuant to the terms of said Right of Way Easement and to replace and substitute the following described lands for the description contained in said Right of Way Easement:

See Exhibit A & Exhibit B, attached hereto and made a part hereof.

It is the intent of the parties that the above-described lands replace and supersede the legal description contained in the above-referenced Right of Way Easement, which was recorded in Book 550, Page 784 in the office of the Sheridan County Clerk.

Dated this 26 day of May, 2015.	
John E. Rice & Sons, Inc.	
By: James ZJellis Title: VP.	
STATE OF (Wyoming): ss. COUNTY OF Sheridan)	
The foregoing instrument was acknowl 20/5, by <u>James J. Jellis</u> , <u>Nr.</u>	edged before me this 26 th day of May, re-president of John E. Rice & Sons, Inc.
WITNESS my hand and official seal. Judy Artist - Notary Public County of Sheridan My Commission Expires February 27, 2017	Notary Public Judy Utist My commission expires: 2/27/17
Montana-Dakota Utilities Co., a Division of I	MDU Resources Group, Inc.
By: James Soverson Title: Electric Superintendent	4
STATE OF <u>Wyoming</u>): ss. COUNTY OF <u>Sheridan</u>)	
The foregoing instrument was acknowled 2015, by foregoing instrument was acknowled a Division of MDU Resources Group, Inc.	edged before me this 4 day of May
WITNESS my hand and official seal.	Judy artist
Judy Artist - Notary Public	Notary Public My commission expires: 2/27/17

County of

Sheridan

My Commission Expires February 27, 2017

State of

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LEGAL DESCRIPTION EXHIBIT "A"

Record Owner:
JOHN E. RICE & SONS, INC.,
NELTJE, President
JAMES L. JELLIS, Vice President
February 18, 2015

Re: 30.0' Access Easement for Ingress & Egress to Montana-Dakota Utilities Company, A division of MDU Resources Group, Inc., and or any of their respective successors and assigns.

An access easement thirty (30) feet wide, being fifteen (15) feet each side of the following described centerline situated in the W½SE¼, SW¼NE¼ and the SE¼NW¼ of Section 9, Township 56 North, Range 84 West, 6th P.M., Sheridan County, Wyoming, as shown on **EXHIBIT "B"** attached hereto and by this reference made a part hereof; said centerline being more particularly described as follows:

Commencing at the south quarter corner of said Section 9 (Monumented with a 31/4" Aluminum Cap per PLS 5300); thence N24°54'49"E, 1400.20 feet to the POINT OF BEGINNING of said easement, said point lying on the northerly right-of-way line of Yellowtail Drive; thence N09°19'35"E, 372.38 feet along said centerline to a point; thence, along said centerline through a curve to the left having a central angle of 15°27'03", a radius of 475.00 feet, an arc length of 128.09 feet, a chord bearing of N01°36'03"E, and a chord length of 127.70 feet to a point; thence N06°07'28"W, 480.75 feet along said centerline to a point; thence, along said centerline through a curve to the right having a central angle of 40°48'15", a radius of 300.00 feet, an arc length of 213.65 feet, a chord bearing of N14°16'39"E, and a chord length of 209.16 feet to a point; thence N34°40'47"E, 41.08 feet along said centerline to a point; thence, along said centerline through a curve to the left having a central angle of 87°49'00", a radius of 50.00 feet, an arc length of 76.63 feet, a chord bearing of N09°13'43"W, and a chord length of 69.35 feet to a point, said point being fifteen (15) feet southwesterly of the southwesterly right-of-way line of Interstate 90; thence, fifteen (15) feet southwesterly of and parallel to said southwesterly right-of-way line of Interstate 90 along said centerline through a reverse curve to the right, having a central angle of 06°04'49", a radius of 5869.58 feet, an arc length of 622.89 feet, a chord bearing of N50°05'49"W, and a chord length of 622.60 feet to a point; thence, along said centerline through a reverse curve to the left, having a central angle of 12°10'47", a radius of 200.00 feet, an arc length of 42.52 feet, a chord bearing of N53°08'48"W, and a chord length of 42.44 feet to a point; thence N59°14'12"W, 155.17 feet along said centerline to a point; thence, along said centerline through a curve to the left having a central angle of 07°43'12", a radius of 200.00 feet, an arc length of 26.95 feet, a chord bearing of N63°05'48"W, and a chord length of 26.93 feet to a point; thence N66°57'24"W, 337.90 feet along said centerline to a point, said point being fifteen (15) feet north of the Wrench Ranch Substation, being a tract of land described in Book 550 of Deeds, Page 782; thence, fifteen (15) feet north of and parallel to said Wrench Ranch Substation as described in Book 550 of Deeds, Page 782 along said centerline through a curve to the left having a central angle of 56°58'35", a radius of 345.00 feet, an arc length of 343.08 feet, a chord bearing of S84°33'18"W, and a chord length of 329.11 feet to the POINT OF TERMINUS of said easement, said point being N75°30'29"E, 2120.79 feet from the west quarter corner of said Section 9 (Monumented with a 3¹/₄" Aluminum Cap per PLS 6812). Lengthening or shortening the side lines of said easement to intersect said boundary lines as shown on EXHIBIT "B".

Said access easement contains 1.96 acres of land, more or less.

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

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NO. 2015-719581 RIGHT OF WAY EASEMENT EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK **2015-719581** 5/27/2015 10:34 AM PAGE: **3** OF **3** BOOK: 553 PAGE: 354 FEES: \$18.00 PK RIGHT OF WAY EASEMEDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK MONTANA DAKOTA UTILITIES CO 2324 DRY RANCH RD SHERIDAN WY 82801 EXHIBIT "B" T56N R84W 57A.691+00 **ACCESS** ASEMENT WRENCH RANCH SUBSTATION 8 9 -YELLOWTAIL SCALE: 1"=300 ∆=56°58'35' BEARINGS ARE BASED ON THE R=345.00 WYOMING COORDINATE SYSTEM L=343.08° CB=S84°33°18"W NAD 1983, EAST CENTRAL ZONE 1/4 DATUM: NAD 83(1993), NAVD 88 (U.S. SURVEY FEET)
DAF: 1.000235
DISTANCES ARE SURFACE Δ=07°43'12' R=200.00' CL=329.11 L=26.95' CB=N63'05'48"W LOCATION MAP Cl = 26.93NO TRUE SCALE ∆=1270'47" R=200.00' L=42.52' CB=N53'08'48"W ACCESS EASEMENT WRENCH RANCH ±1.96 ACRES SUBSTATION SWIJAN (BOOK 550, PAGE 782) 4=06*04'49* R=5869.58' 30.0 1/4 C1/4 A=87'49'00' R=50.00° SEC. 9 CB=N50'05'49' 8 9 CL=622.60 CL=69.35 N34'40'47"E ∆=40'48'15' R=300.00' 41.08 LEGEND: CB=N1476'39"E FOUND 3-1/4" ALUMINUM CAP PER PLS 6812 CL=209.16 FOUND 3-1/4" ALUMINUM CAP PER PLS 5300 FOUND 2" ALUMINUM CAP PER PLS 6812 FOUND HIGHWAY RIGHT-OF-WAY MONUMENT FOUND 2" ALUMINUM CAP PER PE&LS 3159 □○ CALCULATED: NOTHING FOUND/NOTHING SET PROPERTY/SUBSTATION BOUNDARY LINE HIGHWAY RIGHT-OF-WAY LINE RECORD OWNER: SECTION LINE JOHN E. RICE & SONS, INC., NELTJE, PRESIDENT JAMES L. JELLIS, VICE PRESIDENT (BOOK 79, PAGE 435) ∆=15°27°03° INTERIOR SECTION LINE R=475.00 L=128.09 CENTERLINE ACCESS EASEMENT CB=N01'36'03"E -- ACCESS EASEMENT LINE CL=127.70 \$6709[:]27*E YELLO TOTAL AREA=±1.89 ACRES TOTAL LENGTH=2,743.44 TOTAL RODS=±166.3 RODS R SURVEYOR'S CERTIFICATE STATE OF WYOMING :88 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. *EXHIBIT* sessional Land 30.0' ACCESS EASEMENT CLIENT: MONTANA-DAKOTA UTILITES COMPANY LOCATION: WI/2SE1/4, SWI/4NE1/4, SE1/4NWI/4, SECTION 9, TOWNSHIP 56 NORTH, RANGE 84 WEST, 6TH P.M., SHERIDAN COUNTY, WYOMING RESTFELDT URVEYING 2340 WETLANDS DR., SUITE 100 PO BOX 3082 JN: 2014-029 DN: 2014-029-ROAD SHERIDAN, WY 82801 "PLAT IS VALID ONLY IF PRINT HAS ORIGINAL SIGNATURE OF SURVEYOR SIGNED AND DATED" 307-672-7415 PF: T2014-029 FAX 674-5000 FEBRUARY 18, 2015