



### GRANT OF ACCESS AND UTILITY EASEMENT

**WMG, L.L.C.**, a Wyoming limited liability company, whose mailing address is 5311 Holmes Place, Boulder, Colorado 80303-1243, and **RMG, LLC**, a Wyoming limited liability company, whose mailing address is P.O. Box 967, Beulah, North Dakota 58523, GRANTORS, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, grant to **MONTANA-DAKOTA UTILITIES CO., A DIVISION OF MDU RESOURCES GROUP, INC., a corporation, and or any of their respective successors and assigns**, ("MDU"), whose address is P.O. Box 5650, Bismarck, North Dakota 58506-5650, a nonexclusive access and utility easement, which is located on the tract of land more particularly described in **Exhibit A** and shown on **Exhibit B** attached hereto and incorporated herein.

The easement granted herein shall include a nonexclusive access easement to the Ranchester Substation identified on **Exhibit B**.

The easement granted herein shall include the right to construct, reconstruct, increase the capacity of, operate, maintain, repair, and remove electric lines, consisting of pole structures supporting one or more electric power circuits, together with crossarms, cables, communications lines, wires, guys, supports, anchors, fixtures, and such other structures, installations and facilities used in the construction, reconstruction, operation, increasing the capacity of, maintenance, repair, and removal of said electric lines, and to cut and trim trees and shrubbery located within 10 feet of said lines or where they may interfere with or threaten to endanger the operation or maintenance of said lines and to license, permit or otherwise agree to the joint use or occupancy of the lines by any other persons, associations or corporations. Said lines may be constructed either overhead, as described above, or underground, or the said lines, if constructed overhead, may be converted from overhead to and underground at some future time.


The easement granted herein shall include the right at all reasonable times to enter upon said premises for the purpose of constructing, reconstructing, increasing the capacity of, maintaining, converting to underground, repairing or removing said electric lines and for the purpose of doing all necessary work in connection therewith.

Grantors, their 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 lines or MDU's rights hereunder.

Said electric lines and every part hereof shall be confined to the area granted under this easement, except that MDU shall have the right of placing and maintaining guys and anchors at greater distances from said center line where necessary to support said electric lines.

Grantors do hereby release and waive all rights under and by virtue of the homestead exemption laws of that state.

Grantors reserve the right and ability to utilize the land lying within the easement for purposes which do not unreasonably interfere with the terms of this easement.

 6/9/15

WMB 6/4/2015



DATED this 4<sup>th</sup> day of JUNE, 2015.

WMG, L.L.C., a Wyoming limited liability company.

By: Wayne M. Gazer

Title: Operating Manager

RMG, LLC, a Wyoming limited liability company.

By: Phyllis L. Fager

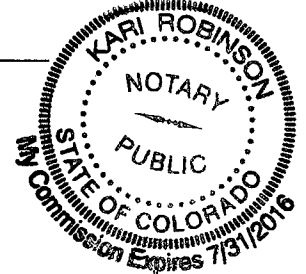
Title: Operating Manager

STATE OF COLORADO )  
 ) ss.  
 County of Boulder )

This instrument was acknowledged before me this 4<sup>th</sup> day June, 2015,  
 by Wayne M. Gazer as Operating Manager, for WMG, L.L.C., a Wyoming  
 limited liability company, Grantor.

Kari Robinson  
 Notarial Officer  
 Title and Rank: Notary Public

My commission expires: 7-31-16.

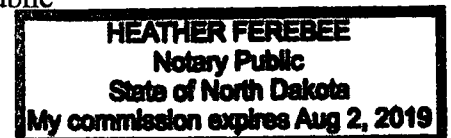


STATE OF NORTH DAKOTA )  
 ) ss.  
 County of Mercer )

This instrument was acknowledged before me this 9<sup>th</sup> day June, 2015,  
 by Phyllis L. Fager as Operating Manager for RMG, LLC, a Wyoming  
 limited liability company, Grantor.

Heather Ferebee  
 Notarial Officer  
 Title and Rank: Notary Public

My commission expires: 8-2-19.



6/9/15

WMG 6/4/2015

## LEGAL DESCRIPTION EXHIBIT "A"

**Re: ACCESS AND UTILITY EASEMENT** to Montana-Dakota Utilities Company, A Division of MDU Resources Group, Inc., and or any of their respective successors and assigns.

A tract of land situated in the W $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 18, Township 57 North, Range 85 West, 6th P.M., Sheridan County, Wyoming, as shown on **EXHIBIT "B"** attached hereto and by this reference made a part hereof; said tract of land being more particularly described as follows:

Commencing at the southeast corner of said Section 18 (Monumented with a 3 $\frac{1}{4}$ " Brass Cap per PLS 6812); thence N53°26'20"W, 2319.47 feet to the **POINT OF BEGINNING** of said tract, said point lying on the north line of Vacated Right-of-Way, Abandonment described in Book 344 of Deeds, Page 445; thence S87°37'27"E, 37.55 feet along the north line of said Vacated Right-of-Way, Abandonment described in Book 344 of Deeds, Page 445 to a point; thence S02°22'33"W, 59.91 feet to a point, said point lying on the north right-of-way line of Wyoming State Highway No. 345, (AKA U.S. Highway 87); thence N87°37'27"W, 75.10 feet along said north right-of-way line of Wyoming State Highway No. 345, (AKA U.S. Highway 87) to a point; thence N02°22'33"E, 59.91 feet to a point, said point lying on said Vacated Right-of-Way, Abandonment described in Book 344 of Deeds, Page 445; thence S87°37'27"E, 37.55 feet along said Vacated Right-of-Way, Abandonment described in Book 344 of Deeds, Page 445 to the **POINT OF BEGINNING** of said tract.

Said tract contains 4,500 square feet or 0.10 acres 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.

6/9/15

WMT 6/4/2015

## EXHIBIT "B"

RECORD OWNERS:  
1/2 INTEREST: WMG, LLC  
1/2 INTEREST: RMG, LLC  
MICHAEL J. GAZUR  
A LIFE ESTATE  
(BOOK 487, PAGE 731)



SCALE: 1"=30'

BEARINGS ARE BASED ON THE  
WYOMING COORDINATE SYSTEM  
NAD 1983, EAST CENTRAL ZONE  
DATUM: NAD 83(1993), NAVD 88 (U.S. SURVEY FEET)  
DAF: 1.00024  
DISTANCES ARE SURFACE

CERTIFICATE OF SURVEY  
DRAWER "A", PLAT  
NUMBER "245"

RANCHESTER SUBSTATION

±5,625 S.F.

RECORD OWNER:  
MONTANA-DAKOTA UTILITIES CO.  
(BOOK 207, PAGE 63)

ACCESS & UTILITY  
EASEMENT

±4,500 S.F.

WYOMING STATE HIGHWAY No. 345  
(AKA U.S. HIGHWAY 87)

### LEGEND:

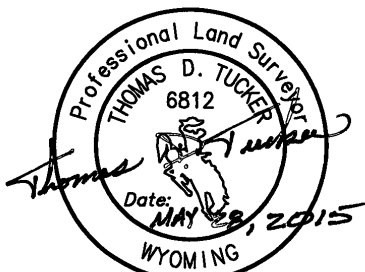
- 2" ALUMINUM CAP PER PLS 6812
- 3-1/4" BRASS CAP PER PLS 6812
- ⊙ HIGHWAY RIGHT-OF-WAY MONUMENTS
- ⊙ 5/8" REBAR (WITNESS CORNER)
- ◆ 3-1/4" OR 1-1/2" ALUMINUM CAP PER PLS 6594
- CALCULATED: NOTHING FOUND/NOTHING SET
- (R) RECORD

- BOUNDARY LINE
- - - ACCESS & UTILITY EASEMENT LINE
- - - SECTION LINE
- - - HIGHWAY RIGHT-OF-WAY LINE
- - - HIGHWAY RIGHT-OF-WAY LINE (ABANDONED)
- ▨ CORRECTIVE WARRANTY DEED: MONTANA-DAKOTA UTILITIES CO.
- ▨ AREA QUITCLAIMED TO WMG, LLC & RMG, LLC, MICHAEL J. GAZUR  
A LIFE ESTATE. RETAINED AS AN ACCESS AND UTILITY EASEMENT

### SURVEYOR'S CERTIFICATE

STATE OF WYOMING :ss  
COUNTY OF SHERIDAN

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.



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

## EXHIBIT "B" ACCESS & UTILITY EASEMENT

CLIENT: MONTANA-DAKOTA UTILITIES CO.  
LOCATION: W1/2SE1/4, SECTION 18, T57N, R85W,  
6TH P.M., SHERIDAN COUNTY, WYOMING

**RESTFELDT**  
SURVEYING

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

JN: 29083  
DN: 2009083D  
TAB: MDU-ESMT  
PF: T2009-083  
MAY 22, 2015

*Handwritten notes:*  
6/4/15  
WMG 6/4/2015