

RECORDING INFORMATION ABOVE

R/W # 36139

EASEMENT AGREEMENT

The undersigned Grantor(s) for and in consideration of Four Hundred  
\$ 400.00 Dollars ) and other good and valuable  
consideration, the receipt whereof is hereby acknowledged, do hereby grant and convey unto  
U S WEST Communications, Inc., a Colorado corporation, hereafter referred to as "Grantee",  
whose address is 1801 California St., Suite 5100, Denver, CO 80202, its successors, assigns, lessees,  
licensees, and agents a perpetual easement to construct, reconstruct, modify, change, add to,  
operate, maintain, and remove such telecommunications facilities, electrical facilities and gas  
facilities, and appurtenances, from time to time, as Grantee may require upon, over, under and  
across the following described land situated in the County of Sheridan, State  
of Wyoming, which the Grantor owns or in which the Grantor has any interest,  
to wit:

SEE EXHIBIT A & B ATTACHED HERETO AND BY THIS REFERENCE MADE A  
PART HEREOF.

Grantor further conveys to Grantee the following incidental rights:

(1) A temporary right-of-way to be used during all periods of construction,  
reconstruction, reinforcement, repair and removal upon a strip of land N/A feet wide on  
the N/A side of, and a strip of land N/A feet wide on the N/A side of  
said easement.

(2) The right of ingress and egress over and across the lands of Grantor to and from  
the above-described property and the right to clear and keep cleared all trees and other  
obstructions as may be necessary for the Grantee's use and enjoyment of the easement area.

Grantee shall indemnify Grantor for all damages caused to Grantor as a result of Grantee's  
negligent exercise of the rights and privileges herein granted. Grantee shall have no responsibility  
for pre-existing environmental contamination or liabilities.

Grantor reserves the right to occupy, use and cultivate said easement for all purposes not  
inconsistent with the rights herein granted.

Grantor covenants that he/she/they is/are the fee simple owner of said land or in which the  
Grantor has any interest and will warrant and defend title to the land against all claims.

Grantor hereby covenants that no excavation, building, structure or obstruction will be  
constructed, erected, built or permitted on said easement area and no change will be made by  
grading or otherwise to the surface or subsurface of the easement area or to the ground  
immediately adjacent to the easement area.

The rights, conditions and provisions of this easement shall inure to the benefit of and be binding  
upon the heirs, executors, administrators, successors and assigns of the respective parties hereto.

Page 1 of 2

Initial

## RECORDING INFORMATION ABOVE

Any claim, controversy or dispute arising out of this Agreement shall be settled by arbitration in accordance with the applicable rules of the American Arbitration Association, and judgment upon the award rendered by the arbitrator may be entered in any court having jurisdiction thereof. The arbitration shall be conducted in the county where the property is located.

Dated this 7th day of July, 1997

E. J. Simpson  
Grantor ERLE J. SIMPSON

\_\_\_\_\_  
(Official name of company or Corporation)

Grantor

By \_\_\_\_\_  
Its \_\_\_\_\_

Grantor

[SEAL]

Grantor

Attest \_\_\_\_\_  
Secretary of Corporation

(Individual Acknowledgment)

(Corporate Acknowledgment)

STATE OF Wyoming }  
COUNTY OF SHERIDAN } ss

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } ss

The foregoing instrument was  
acknowledged before me this 7th day  
of July, 1997, by  
ERLE J. SIMPSON.

The foregoing instrument was  
acknowledged before me this \_\_\_\_\_ day of  
\_\_\_\_\_, 19\_\_\_\_, by  
of \_\_\_\_\_,  
a \_\_\_\_\_  
corporation, on behalf of the corporation.



[SEAL]

Notary Public  
My commission expires 13 June 99

Notary Public  
My commission expires \_\_\_\_\_

R/W# 36139  
Exchange STORY  
1/4 Section NE4 Section 18

Job # 727A157  
County SHERIDAN  
Township 53N Range 83W

**EXHIBIT "A"**

**Record Owner: Erle J. Simpson  
May 29, 1997**

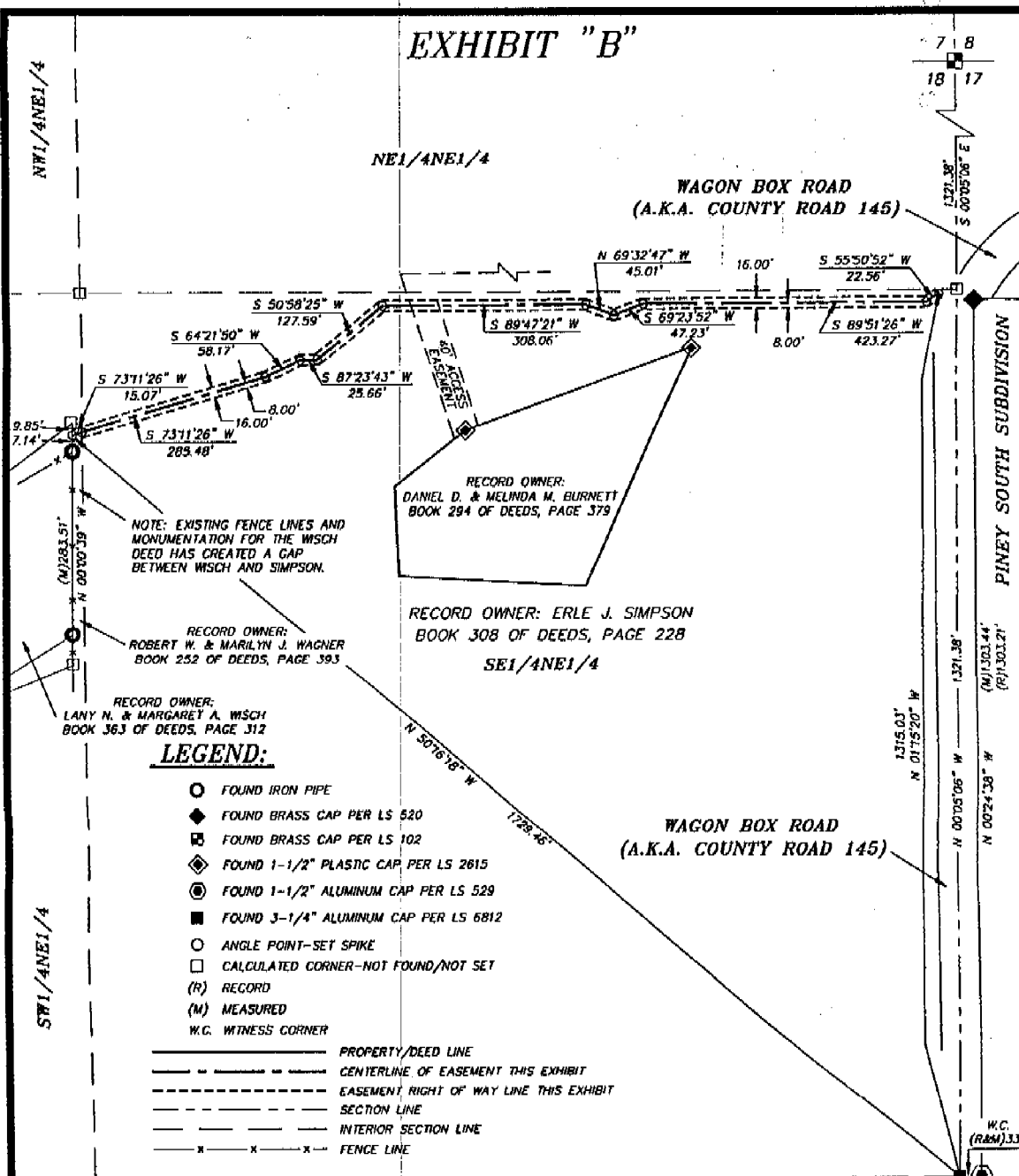
**Re: Telecommunications Centerline Easement**

A telecommunications easement sixteen (16) feet wide, being eight (8) feet each side of a centerline situated in the SE $\frac{1}{4}$ NE $\frac{1}{4}$  and the SW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 18, Township 53 North, Range 83 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 east quarter corner of said Section 18 (Monumented with a 3 $\frac{1}{4}$ " Aluminum Cap Per P.L.S. 6812); thence N01°15'20"W, 1315.03 feet to the **POINT OF BEGINNING** of said centerline; thence S55°50'52"W, 22.56 feet along said centerline to a point; thence S89°51'26"W, 423.27 feet along said centerline to a point; thence S69°23'52"W, 47.23 feet along said centerline to a point; thence N69°32'47"W, 45.01 feet along said centerline to a point; thence S89°47'21"W, 308.06 feet along said centerline to a point; thence S50°58'25"W, 127.59 feet along said centerline to a point; thence S87°23'43"W, 25.66 feet along said centerline to a point; thence S64°21'50"W, 58.17 feet along said centerline to a point; thence S73°11'26"W, 285.48 feet along said centerline to a point, said point lying on the west line of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; thence S73°11'26"W, 15.07 feet along said centerline to the **POINT OF TERMINUS**, said point lying on the east line of a tract of land described in Book 363 of Deeds, Page 312 and being N50°16'18"W, 1729.46 feet from said east quarter corner of Section 18.

Basis of Bearings is Wyoming State Plane (East Central Zone).

## EXHIBIT "B"



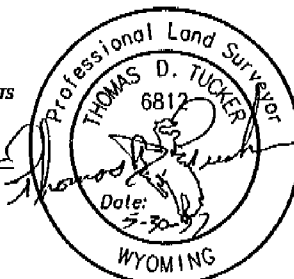
## SURVEYOR'S CERTIFICATE

STATE OF WYOMING :ss  
COUNTY OF SHERIDAN

I, THOMAS D. TUCKER A DULY REGISTERED LAND SURVEYOR IN THE STATE OF WYOMING, DO HEREBY CERTIFY THAT THIS PLAT TRULY AND CORRECTLY REPRESENTS THE RESULTS OF A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION:

THOMAS D. TUCKER WY P.L.S. 6812

BASIS OF BEARINGS IS WYOMING  
STATE PLANE (EAST CENTRAL ZONE).



Sec. 18  
(S1/2NE1/4)  
T-53-N  
R-83-W

SCALE: 1" = 200'

SHERIDAN COUNTY, WYOMING

Date: MAY 28, 1997

Job No. 727A157

RL No.

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

U.S. WEST Communications, inc.  
EXHIBIT FOR RIGHT OF WAY NO. 36139  
GRANTOR ERLE J. SIMPSON



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

JN: 97009  
DN: 97/97009E1