

UTILITY LINE EASEMENT

THIS EASEMENT, made this 8th day of FEBRUARY, A.D., 2019, between MONTANA-DAKOTA UTILITIES CO., A DIVISION OF MDU RESOURCES GROUP, INC., a corporation, 400 North Fourth Street, Bismarck, North Dakota 58501, and the City of Sheridan a Wyoming Municipal corporation, 55 Grinnell Plaza, Sheridan, Wyoming hereinafter called "COMPANIES," its successors and assigns, and the following named persons, herein, whether singular or plural, called "OWNER," namely:

Freyco LLC;
1440 Lewis St
Sheridan, Wyoming

WITNESSETH, that for valuable considerations received, OWNER does hereby grant unto COMPANIES, their successors and assigns, an easement upon, over, under and across a strip of land 15 feet in width, as laid out and/or surveyed with the right, jointly or individually, to construct, reconstruct, increase the capacity of, operate, maintain, repair and remove one overhead electric line, consisting of pole structures supporting one or more electric power circuits together with crossarms, cables, 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, together with the right to out and trim trees and shrubbery located within 20 feet of the center line of said line or where they may interfere with or threaten to endanger the operation or maintenance of said line, and to license, permit or otherwise agree to the joint use or occupancy of the line by any other persons, associations or corporations. OWNER does also hereby grant unto COMPANIES, their successors assigns and licensees, the right to construct, reconstruct, increase the capacity of, operate, maintain, repair and remove underground communication, electric, natural gas, and cable television systems as they may from time to time desire, consisting of underground cables, wires, conduits, manholes, drains and splicing boxes, surface testing terminals, repeaters, repeater housings, markers, transformers, pedestals, pipelines, and other facilities used in the construction, operation, maintenance, increasing the capacity of, repair, replacement, and removal of said communication, electric, natural gas and cable television systems, upon, over, under and across the area of the easement.

OWNER, hereby grants to COMPANIES, their successors, assigns and licensees, 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 line, and said communication, electric, natural gas and cable television systems and for the purpose of doing all necessary work in connection therewith.

OWNER, its successors and assigns, agrees 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 line or said communications, electric, natural gas or television systems, or COMPANIES, their successor, assigns and licensees rights hereunder.

Said electric line, and said communications, electric, natural gas and cable television systems, and every part hereof shall be confined to the area granted under this easement, except that the COMPANIES, their successors, assigns and licensees shall have the right of placing and maintaining guys and anchors at greater distance from said center line where necessary to support said overhead electric line.

COMPANIES hereby agrees that they will pay any and all damages that may result to the crops, fences, buildings and improvements on said premises caused by constructing, reconstructing, increasing the capacity of, maintaining, repairing, converting to underground, operating or removing said electric lines and said communications, electric, natural gas and cable television systems. The damages, if not mutually agreed upon, may be determined by three disinterested persons, one to be selected by COMPANIES and one by OWNER; these two shall select the third person. The award of these three persons shall be final and conclusive.

OWNER does hereby release and waive all rights under and by virtue of the homestead exemption laws of that state. This easement is appurtenant to the following described real estate, situated in the County of Sheridan, State of Wyoming, namely:

A UTILITY LINE EASEMENT FIFTEEN FEET (15.00) FEET IN WIDTH WHEN MEASURED AT RIGHT ANGLES, LOCATED WITHIN THE SOUTH 193.70' OF TRACT 9, BRUNDAGE PLACE, LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE $\frac{1}{4}$ NW $\frac{1}{4}$) AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW $\frac{1}{4}$ NE $\frac{1}{4}$), SECTION 2, TOWNSHIP 55 NORTH, RANGE 84 WEST, 6TH PRINCIPAL MERIDIAN, SHERIDAN COUNTY, WYOMING, BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED AND HERETO AND BY THIS REFERENCE MADE PART HEREOF.

Toby Frey
Toby Frey

Luann Frey
Luann Frey

STATE OF WYOMING)
COUNTY OF SHERIDAN) ss

On this 8th day of February, 2019, before me personally appeared Toby and LuAnn Frey known to me, or satisfactorily proved to the persons described in and who executed the above and foregoing instrument and acknowledged to me that they executed the same (known to me to be the Managing Member and Member respectively, of the corporation that is described in and that executed the foregoing instrument, acknowledged to me that such corporation executed the same.)

Carole A. Tarver
Notary Public, Sheridan County,
State of Wyoming
Residing at Sheridan

CAROLE A. TARVER - NOTARY PUBLIC
COUNTY OF SHERIDAN
STATE OF WYOMING
COMMISSION EXPIRES MARCH 10, 2021

CAROLE A. TARVER - NOTARY PUBLIC
COUNTY OF SHERIDAN
STATE OF WYOMING
MY COMMISSION EXPIRES MARCH 10, 2021

My Commission Expires: March 10, 2021

W.O. _____ TRACT NO. _____ L.R.R. NO. _____

2019-748059 2/11/2019 8:24 AM PAGE: 1 OF 2
BOOK: 579 PAGE: 69 FEES: \$15.00 MFP EASEMENT
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK



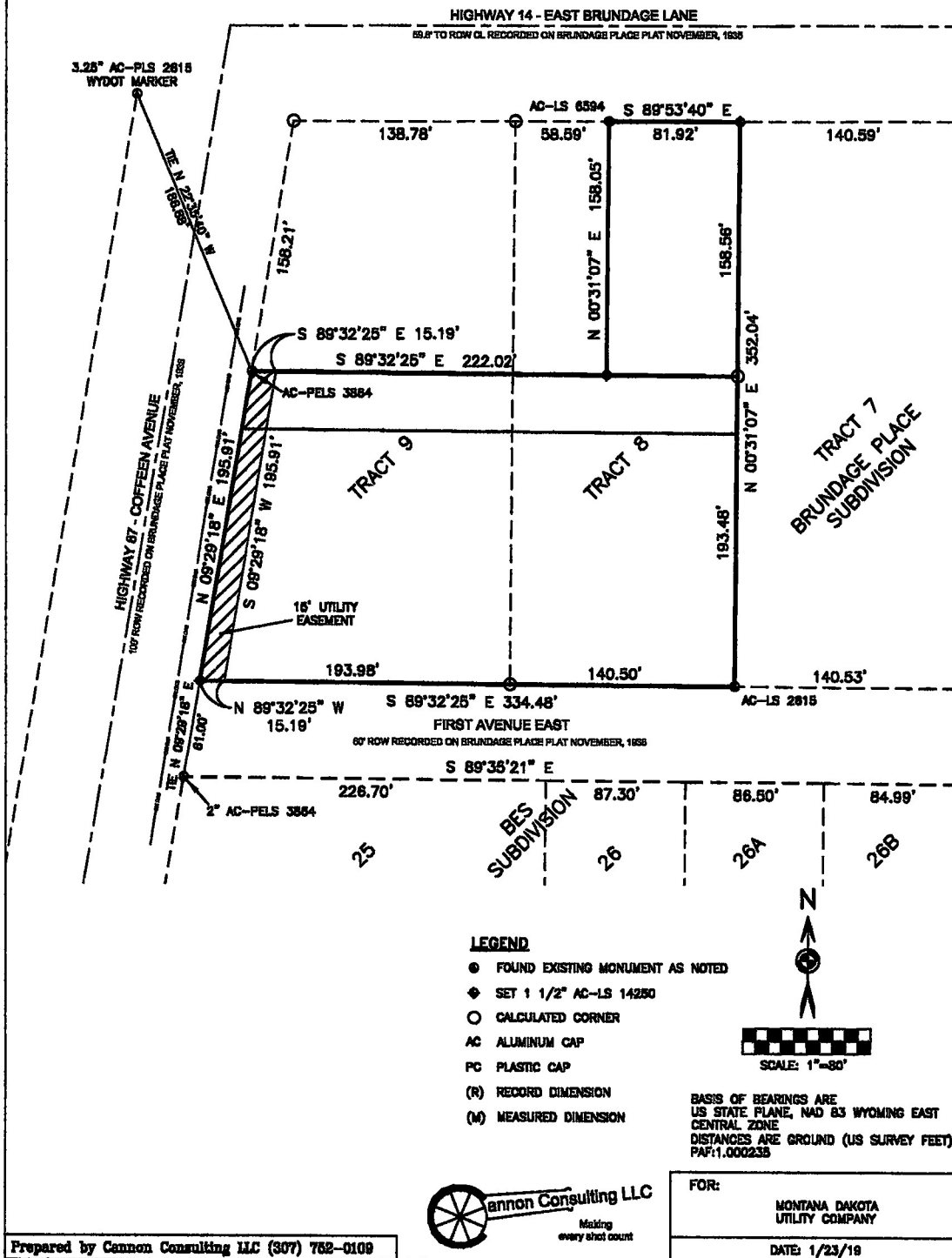
EXHIBIT A

UTILITY LINE EASEMENT ACROSS THE SOUTH 193.70' OF TRACT 9, BRUNDAGE PLACE,
SE¼NW¼ AND THE SW¼NE¼, SECTION 2, T35N, R84W, 6TH P.M.,
SHERIDAN COUNTY, WYOMING

LEGAL DESCRIPTION

A UTILITY EASEMENT FIFTEEN FEET (15.00) FEET WIDE WHEN MEASURED AT RIGHT ANGLES, LOCATED WITHIN THE SOUTH 193.70' OF TRACT 9, BRUNDAGE PLACE, LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE¼NW¼) AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW¼NE¼), SECTION 2, TOWNSHIP 55 NORTH, RANGE 84 WEST, 6TH PRINCIPAL MERIDIAN, SHERIDAN COUNTY SHERIDAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHWEST CORNER OF TRACT 9, BRUNDAGE PLACE, MONUMENTED WITH AN ALUMINUM CAP PER LS 14250 AND LYING N 09°29'18" E, 61.00 FEET FROM THE NORTHWEST CORNER OF LOT 26, BES SUBDIVISION, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE N 09°29'18" E, 185.91 FEET ALONG THE WEST LINE OF TRACT 9, BRUNDAGE PLACE, THENCE LEAVING THE WEST LINE OF SAID TRACT 9, S 89°32'25" E, 15.19 FEET; THENCE S 08°28'18" W, 185.91 FEET TO A POINT LYING ON THE SOUTH LINE OF SAID TRACT 9; THENCE N 89°32'25" W, 15.19 FEET ALONG THE SOUTH LINE OF SAID TRACT 9, TO THE POINT OF BEGINNING, CONTAINING 2,938.63 SF MORE OR LESS.



NO. 2019-748059 EASEMENT
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK
CANNON CONSULTING LLC PO BOX 6106
SHERIDAN WY 82801