MONTANA-DAKOTA UTILITIES CO. UNDERGROUND EASEMENT

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| THIS EASEMENT, made this | |
| WITNESSETH, that for valuable consideration received, OWNER does hereby grant, unto Companies, jointly and severally, its and their respective successors and assigns, an easement to construct, operate, maintain, increase the capacity of, repair, replace and remove such communication and electric systems as the Companies may from time to time require, consisting of underground cables, wires conduits, manholes, drains and splicing boxes, surface testing terminals, repeaters, repeater housings, markers, transformers, pedestals, and other facilities used in the construction, operation, maintenance, increasing the capacity of, repair, replacement, and removal of said communication and electric systems, upon, over, under and across a strip of land | |
| OWNER, its successors and assigns, hereby grants to Companies, jointly and severally, its and their successors and assigns, the right of ingress and egress at all reasonable times over and across the lands of Owner, to and from said strip of land for the purpose of exercising the rights herein granted; to place surface markers beyond said strip; and to install gates in any fences crossing said strip. 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 the herein-stated uses, or Companies' rights hereunder. Companies agree that any and all damages that may result to the crops, fences, buildings, and improvements on said premises caused by the construction and maintenance of said communication, and electric systems will be paid for by the responsible Company. The damages, if not mutually agreed upon, may be determined by three disinterested persons, one to be selected by the responsible Company and one by Owner; these two shall select a third person. The award determined by these three persons shall be final and conclusive. If the herein-described lands are in the State of North Dakota, this easement is limited to a term of 99 years. If the herein-described lands are in the State of Wyoming, OWNER does hereby release and waive all rights under and by virtue of the homestead exemption laws of that state. | |
| IN WITNESS WHEREOF, OWNER has executed this easement as of the day and year first above written. | |
| Jay! legoch | |
| Cary L. Reynolds Kathlein 6. Runnelch | |
| | |
| Kathlèen E. Reynolds ³ | |
| STATE OF | |
| COUNTY OF Sheridan | |
| On this 28 th day of May , 20 09, before me personally appeared Gary L. Reynolds and Kathleen E. | |
| Reynoldsknown to me to be the same person sdescribed in and who executed the above and foregoing instrument and acknowledged to | |
| me that the vecuted the same, (known to me to be the husband and wife respectively, of the corporation that is described in and that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.) (THIS SPACE FOR RECORDING DATA ONLY) | |
| | 0 1 |
| | Judy Urtist |
| | Judy Urtist |
| | Notary Public, County, |
| | State of Wyoming |
| | Residing at Sheridan Wyoming |
| 660424 EASEMENT BOOK 513 PAGE 0304 RECORDED 01/20/2010 AT 10:05 AM AUDREY KOLTISKA, SHERIDAN COUNTY CLERK | Judy Artist - Notary Public County of Sheridan My Commission Expires February 27, 2013 My Commission Expires: 2/37/09 |
| | W.O. 16462 TRACT NOL.R.R NO |

EXHIBIT A

A tract of land situated in Lots 9 and 10, Block 15, and Lot 10, Block 16, all in Walling's Addition to the Town of Dayton, Sheridan County, Wyoming; being a tract of land 10 feet in width, lying 5 feet on each side of a centerline more particularly described as follows:

Beginning at a point which bears N 28°38'13" E a distance of 303.36 feet from the Southwest Corner of Lot 9, Block 15, of said Walling's Addition; thence S 18°13'28" W for a distance of 303.48 feet; thence S 12°00'06" W for a distance of 235.43 feet; thence S 22°02'28" E for a distance of 86.66 feet; thence S 0°08'27" W for a distance of 82.51 feet; thence S 51°17'15" E for a distance of 19.54 feet; thence S 15°35'20" W for a distance of 65.74 feet; thence S 10°03'57" W for a distance of 87.78 feet; thence S 9°08'36" E for a distance of 90.14 feet; thence N 89°58'23" E for a distance of 62.86 feet; thence S 65°22'51" E for a distance of 5.11 feet to a point on the South line of Lot 10, Block 16, said Walling's Addition, this being the point of terminus of this centerline, said point of terminus bears S 8°20'12" E a distance of 675.33 feet from the Southwest Corner of Lot 9, Block 15, said Walling's Addition.

Excluding from the aforementioned described tract of land, a tract situated in Lot 10, Block 16 of said Walling's Addition, described as beginning at a point which bears S 6°38'45" E a distance of 223.97 feet from the Northwest Corner of Lot 10, Block 16, said Walling's Addition; thence S 10°03'40" W for a distance of 12.74 feet; thence S 79°56'20" E for a distance of 1.00 foot; thence N 10°03'40" E for a distance of 12.74 feet, thence N 79°56'20" W for a distance of 1.00 foot to the point of beginning. (This exclusion is to eliminate encroachment of the existing septic tank system into the power line easement).

Also a tract of land for use as a transformer site, this tract being situated in Lot 10, Block 15, said Walling's Addition, described as beginning at a point which bears S 0°14'45" W a distance of 247.27 feet from the Northwest Corner of Lot 10, Block 15, said Walling's Addition, said point of beginning falls on the West line of said Lot 10, Block 15, thence S 0°14'45" W for a distance of 10.00 feet; thence S 89°45'15" E for a distance of 10.00 feet; thence N 0°14'45" E for a distance of 10.00 feet: thence N 89°45'15" W for a distance of 10.00 feet to the point of beginning.

Basis of bearing for this description is the West line of Lot 10, Block 15, Walling's Addition to the Town of Dayton, Sheridan County, Wyoming. This line as monumented in the field bears S 0°14′45" W with a measured length of 330.06 feet between the Northwest Corner and the Southwest Corner of said Lot 10, Block 15.