

114  
WATER LINE LICENSE AGREEMENT

MADE THIS 15<sup>th</sup> day of August, 2005, by and between Robert D. Carlat, and Charlene P. Carlat, of Sheridan County, hereinafter referred to as "Grantor", and the Sheridan Area Water Supply Joint Powers Board (SAWSJPB) and the City of Sheridan, Wyoming, hereinafter referred to as "Grantee."

WHEREAS, the Grantor herein is the property owner of Tract 34 & 35, located within the Extension of Big Goose Valley Subdivision, a subdivision in Sheridan County, Wyoming, as recorded in Book 2 of Plats, Page 65, and whereas the roads within said subdivision have been dedicated for the use of the property owners therein;

WHEREAS the Grantee wishes to acquire certain rights to the roads within said subdivision as described herein;

NOW, THEREFORE, in consideration of mutual promises and other good and valuable consideration, the parties hereto agree to the following:

GRANTOR grants a license to the Grantee to occupy a portion of the road controlled by the Grantor, herein described on Exhibits A, B, C, and D, for Grantee, its employees, agents, contractors and assigns to enter upon and use the premises described and shown on the exhibits for the purposes of surveying, designing, constructing, installing, inspecting, operating, maintaining, tapping, repairing, and replacing water lines and appurtenances as may be necessary or convenient; including service lines and laterals. This includes the right to operate machinery upon this property for these purposes; and includes the right of ingress and egress upon and across said described real property at reasonable places and routes for aforesaid purposes. This license agreement shall be binding upon Grantors' heirs and assigns and shall be perpetual so long as the license is used for the purposes above recited.

Grantee agrees to restore the surface of any lands disturbed by this license to as near as practical to the original condition and contours, repair trench settlement, re-establish grass growth, repair fences and ditches crossed, maintain drainage, and repair any buried pipes, electrical wires or other improvements affected by Grantee's activities herein described.

Grantee agrees to forever indemnify Grantor and hold it harmless from any loss, liability, and damage that may arise out of any activities of the Grantee, its agents, employees, and contractors as a result of the granting of this license and the existence, construction, alteration, maintenance, surveillance, repair, renewal, use, or removal of the facility by the Grantee, or its agents for those facilities located within the described lands

herein. Notwithstanding the above, the Grantee does not waive any rights it may claim with respect to the Wyoming Government Claims Act.

IN WITNESS, WHEREOF the parties have executed this Agreement on this 15<sup>th</sup> day of August, 2005.

Robert D. Carlat

Grantor: Robert D. Carlat

Charlene P. Carlat

Grantor: Charlene P. Carlat

SHERIDAN AREA WATER SUPPLY

JOINT POWERS BOARD, Grantee

ATTEST: Kathy Kennedy Secretary By: Lyndee Dixon Chairman

ATTEST: [Signature] City Clerk By: [Signature] Mayor  
CITY OF SHERIDAN, WYOMING, Grantee

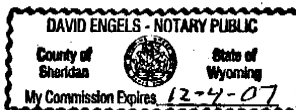
STATE OF WYOMING )  
 )ss  
COUNTY OF SHERIDAN )

The foregoing instrument was acknowledged before me by Robert D. Carlat and Charlene P. Carlat this 15<sup>th</sup> day of August, 2005.

Witness my hand and official seal.

David Engels  
Notary Public

My Commission Expires: 12-4-07



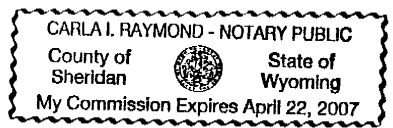
STATE OF WYOMING )  
 )ss  
COUNTY OF SHERIDAN )

The foregoing instrument was acknowledged before me by  
Ky Dixon, Chairman of the Sheridan Area Water Supply Joint  
Powers Board this 15 day of September, 2005.

Witness my hand and official seal.

Carla J. Raymond  
Notary Public

My Commission Expires: April 22, 2007



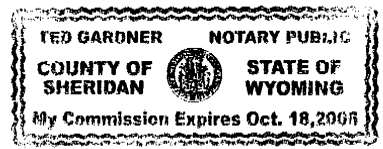
STATE OF WYOMING )  
 )ss  
COUNTY OF SHERIDAN )

The foregoing instrument was acknowledged before me by David Kinskey, Mayor of the  
City of Sheridan, Wyoming, this 19 day of SEPTEMBER, 2005.

Witness my hand and official seal.

Ted Gardner  
Notary Public

My Commission Expires: 10-18-2006



## EXHIBIT "A"

August 08, 2005

A perpetual water line easement thirty (30) feet wide, being fifteen (15) feet each side of the following described centerline situated in Gosling Drive, Extension of Big Goose Valley Subdivision to Sheridan County, Wyoming; SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 3, Township 55 North, Range 85 West, 6th P.M., 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 3; thence S15°53'28"W, 2640.37 feet to the **POINT OF BEGINNING** of the herein described easement, said point lying on the east line of Tract 20, Extension of Big Goose Valley Subdivision to Sheridan County and being N34°18'36"W, 19.75 feet from the southeast corner of said Tract 20; thence N55°56'14"E, 49.98 feet along said centerline to **THE POINT OF TERMINUS** of said easement lying on the west line of Tract 19, Extension of Big Goose Valley Subdivision to Sheridan County, said point being N34°18'36"W, 19.37 feet from the southwest corner of said Tract 19, and also being N87°16'29"E, 4594.20 feet from the southwest corner of said of Section 3.

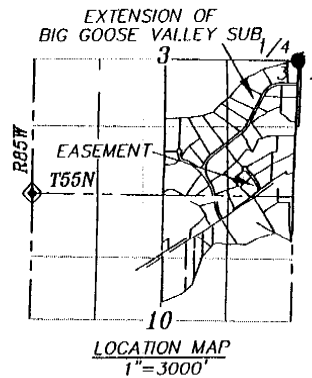
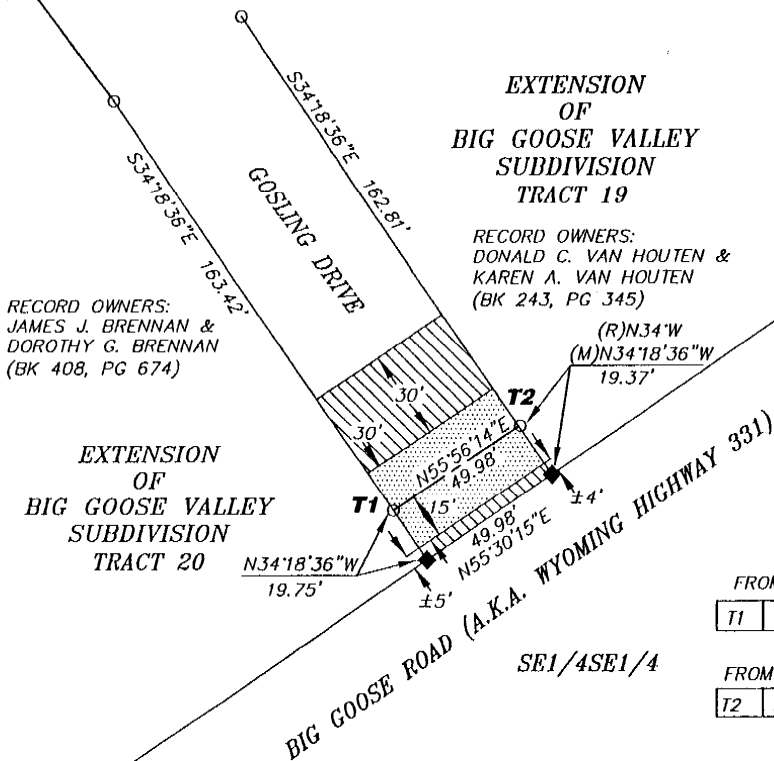
The above described perpetual easement contains 0.03 acres, more or less, and is subject to any rights-of-way and/or easements, reservations and encumbrances which have been legally acquired.

In addition, a temporary construction easement will be required, being a strip of land thirty (30) feet wide, the southerly line of said strip being the northerly line of said perpetual thirty (30) foot easement, and also that portion of Gosling Drive lying south of the southerly line of said perpetual thirty (30) foot easement and north of the northerly right-of-way line of Big Goose Road (A.K.A. Wyoming Highway 331).

Said temporary construction easements contain 0.04 acres more or less, and will become null and void at the time that the project contractor's one year contractual warranty expires.

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

## EXHIBIT "B"



## TIE TABLES

FROM EAST 1/4 OF SEC. 3

T1	S15°53'28"W	2640.37'
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FROM SW CORNER OF SEC. 3

T2	N87°16'29"E	4594.20'
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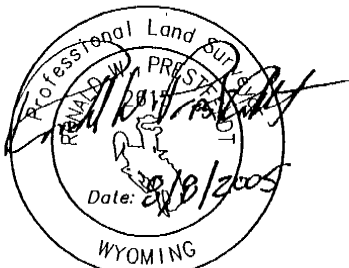
## LEGEND:

- ◆ FOUND 3-1/4" ALUMINUM CAP PER PLS 2615
- ◆ FOUND 2" ALUMINUM CAP PER PLS 3864
- ◆ FOUND 1-1/2" ALUMINUM CAP PER PLS 102
- FOUND #5 REBAR
- ⊙ FOUND HIGHWAY RIGHT-OF-WAY MONUMENT
- CALCULATED, NOTHING FOUND/NOTHING SET
- (R) RECORD
- (M) MEASURED
- (C) CALCULATED
- SECTION LINE
- INTERIOR SECTION LINE
- PROPERTY/ ROW LINE
- X-X-X- FENCE LINE
- EASEMENT CENTERLINE
- 30' WATERLINE EASEMENT (±0.03 ACRES)
- TEMPORARY CONSTRUCTION EASEMENT (±0.04 ACRES)

## SURVEYOR'S CERTIFICATE

STATE OF WYOMING : ss  
COUNTY OF SHERIDAN

I, RONALD W. PRESTFELDT, 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"



SCALE: 1"=50'  
DATUM: NAD 83(1993), NAVD 88 (U.S. FEET)  
PAF: 1.00025  
BASIS OF BEARING IS  
WYOMING STATE PLANE (EAST CENTRAL ZONE)

EXHIBIT "B"  
EASEMENT  
FOR 20" WATER LINE

CLIENT: HKM ENGINEERING

LOCATION: GOSLING DRIVE, SE1/4SE1/4,  
SECTION 3, T55N, R85W, 6TH  
P.M., SHERIDAN COUNTY, WYOMING.

**R** PRESTFELDT  
SURVEYING

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

JN: 2003035  
DF: SAWP\HKM-2004\  
2003035E-GOSLING\_DRIVE  
AUGUST 08, 2005

## EXHIBIT "C"

August 08, 2005

A perpetual water line easement thirty (30) feet wide, being fifteen (15) feet each side of the following described centerline situated in Goose Lane, Extension of Big Goose Valley Subdivision to Sheridan County, Wyoming; NW $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 10, Township 55 North, Range 85 West, 6th P.M., as shown on **EXHIBIT "D"** 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 Section 3; thence S26°23'15"W, 3449.40 feet to the **POINT OF BEGINNING** of the herein described easement, said point lying on the east line of Tract 28, Extension of Big Goose Valley Subdivision to Sheridan County and being N33°32'42"W, 24.80 feet from the southeast corner of said Tract 28; thence N55°32'45"E, 49.74 feet along said centerline to **THE POINT OF TERMINUS** of said easement lying on the west line of Tract 27, Extension of Big Goose Valley Subdivision to Sheridan County, said point being N33°32'42"W, 24.76 feet from the southwest corner of said Tract 27, and also being S84°58'46"E, 3793.09 feet from the northwest corner of said of Section 10.

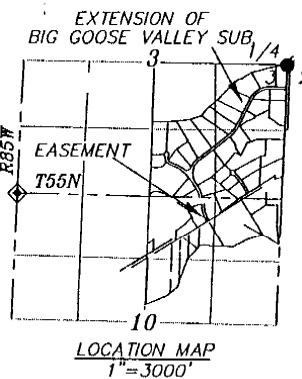
The above described perpetual easement contains 0.03 acres, more or less, and is subject to any rights-of-way and/or easements, reservations and encumbrances which have been legally acquired.

In addition, a temporary construction easement will be required, being a strip of land thirty (30) feet wide, the southerly line of said strip being the northerly line of said perpetual thirty (30) foot easement, and also that portion of Goose Lane lying south of the southerly line of said perpetual thirty (30) foot easement and north of the northerly right-of-way line of Big Goose Road (A.K.A. Wyoming Highway 331).

Said temporary construction easements contain 0.04 acres more or less, and will become null and void at the time that the project contractor's one year contractual warranty expires.

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

# EXHIBIT "D" 120



## EXTENSION OF BIG GOOSE VALLEY SUBDIVISION TRACT 27

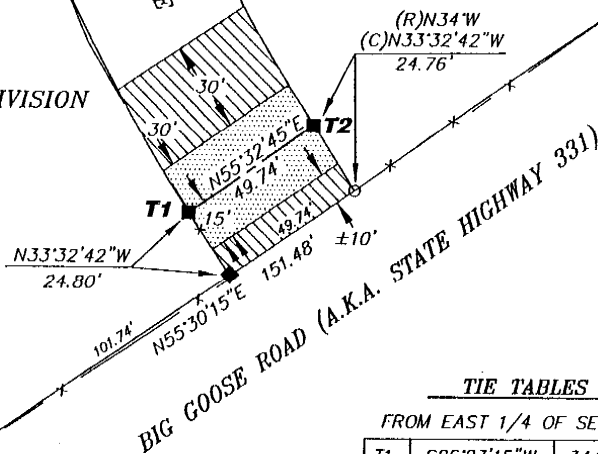
RECORD OWNERS:  
CRAIG K. VOLZ &  
ZONOLA M. VOLZ  
(BK 452, PG 658)

$\Delta=33^{\circ}59'49''$   
 $R=525.00'$   
 $L=311.47'$   
 $CB=S17^{\circ}14'34''E$   
 $CL=306.92'$

$\Delta=33^{\circ}59'49''$   
 $R=475.00'$   
 $L=281.84'$   
 $CB=N17^{\circ}10'05''W$   
 $CL=277.73'$

## EXTENSION OF BIG GOOSE VALLEY SUBDIVISION TRACT 28

RECORD OWNER:  
DIANE LARSEN  
(BK 417, PG 717)



### TIE TABLES

FROM EAST 1/4 OF SEC. 3

T1	S26°23'15"W	3449.40'
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FROM NW CORNER OF SEC. 10

T2	S84°58'46"E	3793.09'
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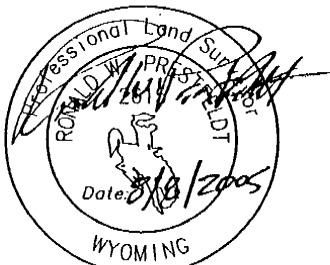
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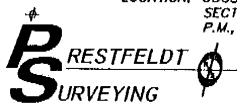
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PAF: 1.00025  
BASIS OF BEARING IS  
WYOMING STATE PLANE (EAST CENTRAL ZONE)

### EXHIBIT "D" EASEMENT FOR 20" WATER LINE

CLIENT: HKM ENGINEERING

LOCATION: GOOSE LANE, NW1/4NE1/4,  
SECTION 10, T55N, R85W, 6TH  
P.M., SHERIDAN COUNTY, WYOMING.



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

JN: 2003035  
OF: SAWP\HKM-2004\  
2003035E-GOOSE\_LANE  
AUGUST 08, 2005