

**MONTANA-DAKOTA UTILITIES CO.  
 UNDERGROUND EASEMENT**

THIS EASEMENT, made this 27<sup>th</sup> day of March, A.D., 2013, between MONTANA-DAKOTA UTILITIES CO., A DIVISION OF MDU RESOURCES GROUP, INC., a corporation, 400 North Fourth Street, Bismarck, North Dakota 58501, hereinafter called "COMPANY," its successors and assigns, and the following named persons, herein, whether singular or plural, called "OWNER," namely:

**Schoeny, Inc.**

WITNESSETH, that for valuable considerations received, OWNER does hereby grant, bargain, sell and convey unto COMPANY, its successors and assigns, an easement 10 foot in width, being -- feet left, and -- feet right of the center line as laid out and/or surveyed, or as finally installed on the hereinafter described lands, together with the right to construct, reconstruct, operate, maintain, repair, remove and replace communications line or lines, a gas pipeline or lines, including necessary pipes, poles, and fixtures, and a buried or semiburied electric distribution system, street lighting system, or any combination thereof including the necessary cables, pedestals, transformers, transformer bases and other fixtures and apparatus in connection therewith through, over, under, and across the following described real estate, situated in the County of Sheridan, State of Wyoming namely:

**An Underground Utility Easement situated in a Tract of land in the SE 1/4 of Section 26, Township 56 North, Range 84 West of the 6<sup>th</sup> P. M., Sheridan County, Wyoming; said easement being more particularly described in EXHIBIT "A" and shown in EXHIBIT "B" attached hereto and by this reference made a part hereof.**

OWNER agrees not to build, create or construct or permit to be built, created, or constructed, any obstruction, building, engineering works or other structures over, under, or that would interfere with said underground lines or COMPANY'S rights hereunder.

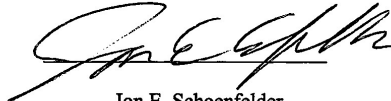
OWNER hereby grants to COMPANY, its successors and assigns, the right at all reasonable times to enter upon said premises for the purpose of laying, constructing, maintaining, operating, replacing, repairing or removing said underground lines and for the purpose of doing all necessary work in connection therewith.

COMPANY by the acceptance hereof, hereby agrees that it will pay any and all damages that may result, including crops, fences, buildings and improvements on said premises, caused by constructing, maintaining, repairing, operating, replacing or removing said underground lines. The damages, if not mutually agreed upon, may be determined by three disinterested persons, one to be selected by COMPANY and one by OWNER; these two shall select the third person. The award of 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



Jon E. Schoenfelder  
 President of Schoeny, Inc., a Wyoming Corporation

STATE OF Wyoming

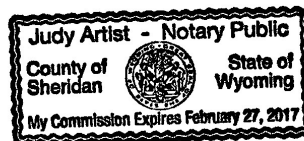
ss.

COUNTY OF Sheridan

On this the 27<sup>th</sup> day of March, 2013, before me personally appeared Jon E. Schoenfelder known to me, or satisfactorily proved to be the person described in and who executed the above and fore going instrument and acknowledged to me that he executed the same (known to me to be the President and                      respectively, of the corporation that is described in and that executed the foregoing instrument, acknowledged to me that such corporation executed the same.)

(this space for recording data only)

  
 Notary Public



My Commission Expires 2/27/17  
0584106  
 W.O. 584060 Tract NO.            LLR NO.

**LEGAL DESCRIPTION**  
**EXHIBIT "A"**

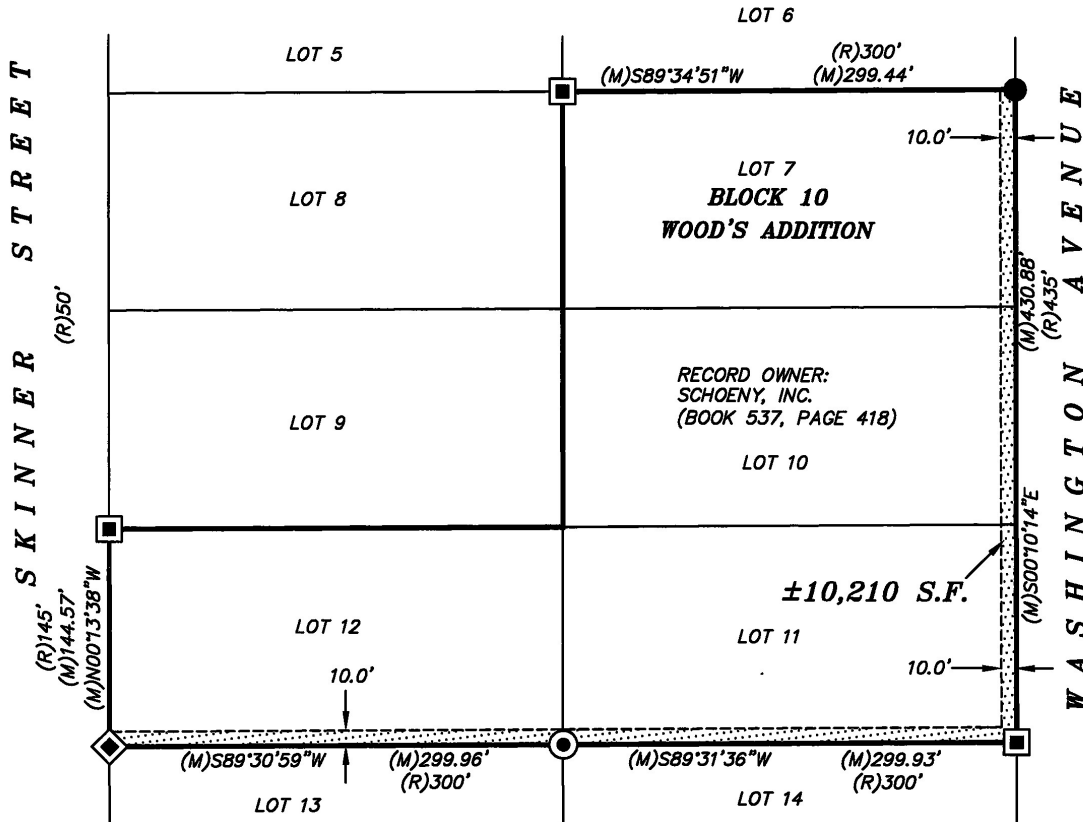
**Record Owner: Schoeny, Inc.**  
**March 8, 2013**

**Re: 10.0' Utility Easement to Montana-Dakota Utilities Company, A Division of MDU Resources Group, Inc., and or any of their respective successors and assigns.**

A utility easement being the east ten (10) feet of Lot 7, Lot 10, Lot 11, and the south ten (10) feet of Lot 11 and Lot 12, Block 10, Wood's Addition to the City of Sheridan, Sheridan County, Wyoming; as shown on **EXHIBIT "B"** attached hereto and by this reference made a part hereof.

Said utility easement contains 10,210 square feet of land, more or less.  
Bearings are Based on the Wyoming Coordinate System NAD 1983, East Central Zone.

# EXHIBIT "B"



**TOTAL AREA=±10,210 S.F.**  
**±1,021 LINEAL FEET = ±61.9 RODS**



**SCALE: 1"=100'**  
 BEARINGS ARE BASED ON THE  
 WYOMING COORDINATE SYSTEM  
 NAD 1983, EAST CENTRAL ZONE  
 DATUM: NAD 83(1993), NAVD 88 (U.S. SURVEY FEET)  
 DAF: 1.000235  
 DISTANCES ARE SURFACE

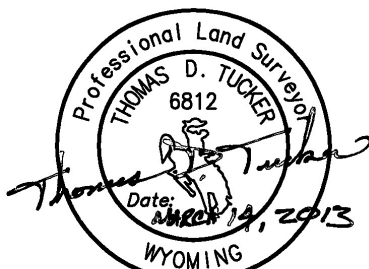
## LEGEND:

- ◆ FOUND 2" ALUMINUM CAP PER PE&LS 3159
- FOUND 1-1/2" ALUMINUM CAP PER PE&LS 3864
- FOUND UNMARKED 1-1/2" ALUMINUM CAP
- ⊙ FOUND 2-1/2" IRON PIPE
- ○ CALCULATED: NOTHING FOUND/NOTHING SET
- (R) RECORD
- (M) MEASURED
- PROPERTY/DEED LINE
- LOT/BLOCK LINE
- EASEMENT LINE

## SURVEYOR'S CERTIFICATE

STATE OF WYOMING  
 COUNTY OF SHERIDAN :ss

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"

## NO. 2013-704126 EASEMENT

EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK  
 MONTANA-DAKOTA UTILITIES CO 400 N FOURTH ST  
 BISMARCK ND 58501

Attn: Shelley Vetter

## EXHIBIT "B"

### 10.0' UTILITY EASEMENT

CLIENT: MONTANA-DAKOTA UTILITIES COMPANY

LOCATION: LOT 7, 10, 11, & 12, BLOCK 10, WOOD'S  
 ADDITION, TO THE CITY OF SHERIDAN,  
 SHERIDAN COUNTY, WYOMING.

**RESTFELDT**  
**SURVEYING**  
 2340 WETLANDS DR., SUITE 100  
 PO BOX 3082  
 SHERIDAN, WY 82801  
 307-672-7415  
 FAX 674-5000

JN: 2013-019  
 DN: 2013-019D  
 PF: T2009060  
 MARCH 13, 2013