

AMENDMENT OF RIGHT-OF-WAY EASEMENT

WHEREAS, by instrument dated July 15, 1992 Malcolm Wallop and French Wallop, husband and wife, of Sheridan County, Wyoming, as "Grantors", did grant unto Emil Paul Jacobson, Jr. and Donald Jacobson, as "Grantees", a certain Right-of-Way Easement which was recorded August 13, 1992 at Book 352, Page 556 in the Office of the Sheridan County Clerk and Recorder, Sheridan County, Wyoming; and

WHEREAS, S.K. Johnston, Jr. is the successor in interest to Emil Paul Jacobson and Donald Jacobson; and

WHEREAS, the Wallop Family Limited Partnership, a Wyoming limited partnership, is the successor in interest to Malcolm and French Wallop; and

WHEREAS, the parties have agreed to amend and extend the Right-of-Way Easement heretofore granted as above described as hereinafter provided.

NOW, THEREFORE, know all men by these presents that the Wallop Family Limited Partnership, a Wyoming limited partnership, of Sheridan County, Wyoming, as "Grantor", does hereby grant unto S.K. Johnston, Jr., as "Grantee", whose address is 600 Krystal Building, One Union Square, Chattanooga, TN 37402, a non-exclusive access easement and right-of-way sixty feet (60') in width over and across the lands described in Exhibit "A" which is attached hereto and by reference thereto made a part hereof.

This easement is for agricultural and residential purposes only and is given to Grantee, his successors and assigns, to provide access from the County Road through lands described in this easement to Grantee's property located in Sheridan County, Wyoming and described as follows:

Lots 1, 2 and 3, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 5, Township 53 North, Range
84 West, 6th P.M., Sheridan County, Wyoming,
containing 400 acres, more or less.

This easement is given, subject to the following conditions, to-wit:

- a. There shall be no cattle guards installed without the permission of Grantor;
- b. All gates shall be left as they are when the access route is being used by Grantee, or his invitees or successors and assigns;
- c. The right-of-way shall not be fenced without the written permission of Grantor or its successors in interest;

615

thence N80°03'25"E, 89.96 feet along said centerline to a point; thence S33°06'23"E, 450.05 feet along said centerline to a point; thence S31°38'13"W, 50.32 feet along said centerline to a point; thence S60°17'46"W, 35.35 feet along said centerline to a point; thence S33°42'25"W, 200.45 feet along said centerline to a point; thence S20°01'12"E, 309.91 feet along said centerline to a point; thence S23°50'08"E, 204.38 feet along said centerline to a point; thence S56°11'07"E, 167.30 feet along said centerline to a point; thence S64°57'25"E, 96.33 feet along said centerline to a point; thence S50°56'20"E, 184.79 feet along said centerline to a point; thence S60°20'57"E, 108.96 feet along said centerline to a point; thence S08°18'53"E, 224.23 feet along said centerline to a point;

616

d. The Grantee shall contribute to the maintenance of said road in proportion to his usage of the same;

e. Nothing herein shall require the Grantor nor permit the Grantee to remove or modify existing buildings or improvements on the Grantor's land or to limit in any way the location of buildings or improvements constructed in the future, so long as the Grantee's access under the terms of this easement is not impeded. In addition, nothing herein shall require the Grantor nor permit the Grantee, without the Grantor's prior consent, to change the alignment of the existing roadway through the property of the Grantor to the property of the Grantee.

This easement is also given subject to the express understanding that the Grantee, in accepting this easement, does hereby, on behalf of himself, his heirs, assigns and successors in interest, and his invitees, release and waive and discharge the Grantor and its successors from all liability, loss, damage or claims, for injuries or property damages arising out of the use of the easement by the Grantee, his agents and employees.

DATED this 1st day of May, 1997.

GRANTOR:

WALLOP FAMILY LIMITED PARTNERSHIP,
a Wyoming Limited Partnership,
By: Wallop Canyon Ranch Limited
Liability Company, a Wyoming Limited
Liability Company, General Partner

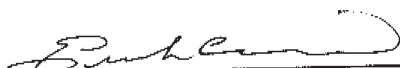
By: Malcolm Wallop
Malcolm Wallop, Member

By: French Wallop
French Wallop, Member

STATE OF WYOMING)
 : ss
COUNTY OF SHERIDAN)

The foregoing instrument was acknowledged before me this 1st day of May, 1997, by Malcolm and French Wallop as members of Wallop Canyon Ranch Limited Liability Company, a Wyoming Limited Liability Company, general partner of WALLOP FAMILY LIMITED PARTNERSHIP, a Wyoming Limited Partnership.

WITNESS my hand and official seal.



Notary Public

My Commission expires: 12/31/99

618

LEGAL DESCRIPTION

**RE: Access Easement Through the Canyon Ranch
To Properties Owned by the Flying H Ranch**

An access easement sixty (60) feet wide lying thirty (30) feet each side of the centerline of an existing access road situated in Sections 30, 31, and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32, Township 54 North, Range 84 West, Lot 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 5, Township 53 North, Range 84 West, 6th P.M., Sheridan County, Wyoming; said centerline being more particularly described as follows:

Commencing at the southwest corner of said Section 30; thence N12°45'24"E, 4896.43 feet to the POINT OF BEGINNING of the herein described easement, said point being the southwest corner of a tract of land described in Book 273 of Deeds, Page 357 and lying on the centerline of the Little Goose Canyon County Road; thence S32°15'48"E, 54.40 feet along said centerline to a point; thence S43°57'38"E, 59.80 feet along said centerline to a point; thence S73°28'59"E, 192.78 feet along said centerline to a point; thence N89°46'54"E, 123.17 feet along said centerline to a point; thence S81°21'16"E, 458.80 feet along said centerline to a point; thence S61°12'43"E, 77.01 feet along said centerline to a point; thence S37°25'12"E, 63.93 feet along said centerline to a point; thence S17°03'57"E, 323.34 feet along said centerline to a point; thence S06°21'07"E, 94.42 feet along said centerline to a point; thence S07°09'59"W, 120.85 feet along said centerline to a point; thence S18°31'22"W, 317.43 feet along said centerline to a point; thence S11°55'54"W, 96.47 feet along said centerline to a point; thence S09°55'15"E, 200.12 feet along said centerline to a point; thence S19°19'32"W, 106.11 feet along said centerline to a point; thence S32°17'45"W, 349.63 feet along said centerline to a point; thence S37°52'06"W, 130.69 feet along said centerline to a point; thence S36°36'23"W, 195.71 feet along said centerline to a point; thence S57°36'45"W, 7.58 feet along said centerline to a point; thence S30°48'03"W, 26.58 feet along said centerline to a point; thence S13°50'07"E, 37.54 feet along said centerline to a point; thence S89°50'23"E, 159.57 feet along said centerline to a point; thence S27°37'46"E, 55.77 feet along said centerline to a point; thence S00°51'17"E, 515.26 feet along said centerline to a point; thence S21°55'27"E, 67.84 feet along said centerline to a point; thence S56°25'32"E, 65.88 feet along said centerline to a point; thence S82°11'36"E, 104.07 feet along said centerline to a point; thence S48°37'32"E, 211.94 feet along said centerline to a point; thence S35°11'32"E, 141.72 feet along said centerline to a point; thence S21°52'42"E, 49.89 feet along said centerline to a point; thence S21°44'17"W, 430.23 feet along said centerline to a point; thence S12°13'17"W, 165.42 feet along said centerline to a point; thence S34°25'08"W, 119.05 feet along said centerline to a point; thence S05°14'43"E, 196.82 feet along said centerline to a point; thence S08°13'51"W, 131.23 feet along said centerline to a point; thence S23°36'00"W, 122.75 feet along said centerline to a point; thence S06°33'25"W, 226.69 feet along said centerline to a point; thence S07°28'36"W, 113.62 feet along said centerline to a point; thence S27°42'44"W, 80.55 feet along said centerline to a point; thence S01°44'15"W, 129.56 feet along said centerline to a point; thence S12°03'15"W, 103.48 feet along said centerline to a point; thence S04°37'06"E, 76.95 feet along said centerline to a point; thence S01°14'30"W, 433.86 feet along said centerline to a point; thence S01°25'30"W, 178.21 feet along said centerline to a point; thence S06°41'58"E, 82.17 feet along said centerline to a point; thence S15°25'31"E, 245.15 feet along said centerline to a point; thence S35°29'51"E, 71.14 feet along said centerline to a point; thence S09°38'01"W, 119.01 feet along said centerline to a point; thence S44°13'11"E, 145.71 feet along said centerline to a point; thence S28°35'40"E, 392.25 feet along said centerline to a point; thence S39°15'57"E, 85.96 feet along said centerline to a point; thence S75°02'47"E, 61.62 feet along said centerline to a point; thence N66°11'28"E, 108.28 feet along said centerline to a point; thence N86°02'18"E, 64.39 feet along said centerline to a point; thence S68°16'19"E, 117.40 feet along said centerline to a point; thence S85°32'44"E, 80.78 feet along said centerline to a point; thence N89°37'51"E, 233.85 feet along said centerline to a point; thence S80°57'51"E, 133.18 feet along said centerline to a point; thence N64°05'24"E, 162.16 feet along said centerline to a point; thence S43°12'26"E, 135.35 feet along said centerline to a point; thence S47°25'10"E, 205.93 feet along said centerline to a point; thence S60°55'27"E, 387.74 feet along said centerline to a point; thence N80°03'25"E, 89.96 feet along said centerline to a point; thence S33°06'23"E, 450.05 feet along said centerline to a point; thence S31°38'13"W, 50.32 feet along said centerline to a point; thence S60°17'46"W, 35.35 feet along said centerline to a point; thence S33°42'25"W, 200.45 feet along said centerline to a point; thence S20°01'12"E, 309.91 feet along said centerline to a point; thence S23°50'08"E, 204.38 feet along said centerline to a point; thence S56°11'07"E, 167.30 feet along said centerline to a point; thence S64°57'25"E, 96.33 feet along said centerline to a point; thence S50°56'20"E, 184.79 feet along said centerline to a point; thence S60°20'57"E, 108.96 feet along said centerline to a point; thence S08°18'53"E, 224.23 feet along said centerline to a point;

thence S04°20'14"E, 107.12 feet along said centerline to a point; thence S42°09'35"E, 57.32 feet along said centerline to a point; thence S69°32'07"E, 109.48 feet along said centerline to a point; thence S80°35'05"E, 123.69 feet along said centerline to a point; thence S71°05'57"E, 242.98 feet along said centerline to a point; thence S80°19'46"E, 139.03 feet along said centerline to a point; thence S53°27'37"E, 98.68 feet along said centerline to a point; thence S03°48'11"E, 133.06 feet along said centerline to a point; thence S33°09'24"W, 161.91 feet along said centerline to a point; thence S04°13'12"W, 67.65 feet along said centerline to a point; thence S54°55'44"E, 85.41 feet along said centerline to a point; thence S27°58'42"E, 93.17 feet along said centerline to a point; thence S82°29'39"E, 120.62 feet along said centerline to a point; thence S73°19'50"E, 213.36 feet along said centerline to a point, said point lying on the north line of said Lot 4 of Section 5 and being S89°02'11"W, 1866.26 feet from the north quarter corner of said Section 32; thence S73°19'50"E, 18.27 feet along said centerline to a point; thence S47°04'47"E, 35.29 feet along said centerline to a point, said point being thirty (30') south of the north line of said Lot 4 of Section 5; thence, thirty (30') south of and parallel to said north line, N89°02'11"E, 505.54 feet to the POINT OF TERMINUS of said easement, said point lying on the east line of said Lot 4 of Section 5 and being S0°23'46"W, 30.01 feet from the northeast corner of said Lot 4 of Section 5.

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