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MONTANA-DAKOTA UTILITIES CO. UNDERGROUND EASEMENT

THIS EASEMENT, made this _______ day of _________, A.D., 2016 , 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:

Sheridan Heights Ranch, LLC

WITNESSETH, that for valuable considerations received, OWNER does hereby grant, bargain, sell and convey unto COMPANY, its successors and assigns, an easement 16 feet in width, being 8 feet left, and 8 feet right of the center line as laid out and/or surveyed, on the hereinafter described lands, together with the right to construct, reconstruct, operate, maintain, repair, remove and replace 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:

A Sixteen (16) foot wide Underground Easement situated in Section 29, Township 56 North, Range 84 West of the 6th P. M., Sheridan County, Wyoming; the location of 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 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

Donald B. Roberts

STATE OF Lyon-ry

Ss.

COUNTY OF She ridge

On this the day of March 2016, before me personally appeared loveld Roberts

known to me, or satisfactorily proved to be the person executed the above and fore going instrument and acknowledged to me that he executed the same (known to me to be the language of me that cannot be the language 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)

Diare T. Malhed Notary Public

DIANE T. MALKUCH - NOTARY PUBLIC
COUNTY OF SHERIDAN WYOMING
MY COMMISSION EXPIRES JULY 6, 2019

My Commission Expires July 6, 2019

W.O. <u>2350800</u> Tract NO. LLR NO.



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LEGAL DESCRIPTION EXHIBIT "A"

Record Owner: Sheridan Heights Ranch, LLC May 15, 2015

Re: 16.0' Underground Electric and Gas Line Easement for Montana-Dakota Utilities Company, and or any of their respective successors and assigns.

EASEMENT NUMBER: 1

An underground electric and gas line easement sixteen (16) feet wide, being eight (8) feet each side of the following described centerline situated in the SW¼NW¼ of Section 29, Township 56 North, Range 84 West, 6th P.M., Sheridan County, Wyoming, 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 west quarter corner of said Section 29 (Monumented with a 3¼" Aluminum Cap per PLS 2615); thence S89°20'59"E, 8.00 feet along the south line of said SW¼NW¼ to the POINT OF BEGINNING of said easement; thence, along said centerline through a non-tangent curve to the right, having a central angle of 53°47'29", a radius of 100.00 feet, an arc length of 93.88 feet, a chord bearing of N21°22'13"E, and a chord length of 90.47 feet to a point; thence N48°15'57"E, 409.97 feet along said centerline to a point; thence N36°45'27"E, 186.93 feet along said centerline to a point; thence N18°33'52"E, 162.77 feet along said centerline to the POINT OF TERMINUS of said easement, said point lying on the centerline of an existing easement described in Book 520 of Deeds, Page 192, and being N37°40'44"E, 835.34 feet from the west quarter corner of said Section 29 (Monumented with a 3¼" Aluminum Cap per PLS 2615). Lengthening or shortening the side lines of said easement to intersect said boundary line.

Said underground electric and gas line easement contains 0.31 acres of land, more or less.

EASEMENT NUMBER: 2

An underground electric and gas line easement sixteen (16) feet wide, being eight (8) feet each side of the following described centerline situated in the N½NW¼ and the NW¼NE¼ of Section 29, Township 56 North, Range 84 West, 6th P.M., Sheridan County, Wyoming, 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 northwest corner of said Section 29 (Monumented with a Military Monument "MM-41"); thence S24°10'52"E, 800.17 feet to the POINT OF BEGINNING of said easement, said point lying on the easterly line of an existing easement described in Book 520 of Deeds, Page 192; thence N19°02'09"E, 270.96 feet along said centerline to a point; thence N26°41'53"E, 60.00 feet along said centerline to a point; thence N19°02'09"E, 128.13 feet along said centerline to a point, said point being eight (8) feet south of the south line of a tract of land described in Book 445 of Deeds, Page 526); thence S68°31'45"E, 176.14 feet along said centerline, eight (8) feet south of and parallel to the south line of said tract described in Book 445 of Deeds, Page 526 to a point; thence N89°21'19"E, 98.79 feet along said centerline, eight (8) feet south of and parallel to said south line of said tract described in Book 445 of Deeds, Page 526 to a point; thence N40°11'00"E, 77.47 feet along said centerline to a point; thence N19°26'56"E, 255.21 feet along said centerline to a point, said point being eight (8) feet south of the south line of said tract described in Book 445 of Deeds, Page 526; thence N86°26'16"E, 65.02 feet along said centerline, eight (8) feet south of and parallel to said south line of said tract described in Book 445 of Deeds, Page 526 to a point; thence S81°16'44"E, 477.00 feet along said centerline, eight (8) feet south of and parallel to said south line of said tract described in Book 445 of Deeds, Page 526 to a point; thence N12°11'43"E, 70.23 feet along said centerline to a point; thence S71°43'56"E, 5.00 feet along said centerline to a point; thence, continue S71°43'56"E, 182.53 feet along said centerline to a point; thence S89°33'54"E, 172.00 feet along said centerline to a point, said point being fourteen (14) feet south of the south right-of-way line of West Fifth Street (AKA State Highway No. 330); thence, continue S89°33'54"E, 604.60 feet along said centerline, fourteen (14) feet south of and parallel to said south right-of-way line of West Fifth Street to a point; thence, continue



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S89°33'54"E, 361.90 feet along said centerline, fourteen (14) feet south of and parallel to said south right-of-way line of West Fifth Street to a point; thence S89°32'21"E, 414.10 feet along said centerline, fourteen (14) feet south of and parallel to said south right-of-way line of West Fifth Street to a point, said point lying on the centerline of an existing easement described in Book 491 of Deeds, Page 513; thence N00°27'39"E, 14.00 feet along said centerline to the **POINT OF TERMINUS** of said easement, said point lying on said south right-of-way line of West Fifth Street, and being S78°07'14"E, 481.29 feet from the north quarter corner of said Section 29 (Monumented with a 3½" Aluminum Cap per PLS 2615). Lengthening or shortening the side lines of said easement to intersect said boundary lines.

Said underground electric and gas line easement contains 1.26 acres of land, more or less.

EASEMENT NUMBER: 3

An underground electric and gas line easement sixteen (16) feet wide, being eight (8) feet each side of the following described centerline situated in the NE½NW¼ of Section 29, Township 56 North, Range 84 West, 6th P.M., Sheridan County, Wyoming, 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 north quarter corner of said Section 29 (Monumented with a 3¼" Aluminum Cap per PLS 2615); thence S88°45'33"W, 1251.53 feet to the **POINT OF BEGINNING** of said easement, said point lying on the south right-of-way line of West Fifth Street (AKA State Highway No. 330); thence S12°43'27"W, 17.20 feet along said centerline to the **POINT OF TERMINUS** of said easement, said point being S87°59'51"W, 1255.79 feet from said north quarter corner of Section 29. Lengthening or shortening the side lines of said easement to intersect said boundary line.

Said underground electric and gas line easement contains 275 square feet of land, more or less.

EASEMENT NUMBER: 4

An underground electric and gas line easement sixteen (16) feet wide, being eight (8) feet each side of the following described centerline situated in the NE½NW¼ of Section 29, Township 56 North, Range 84 West, 6th P.M., Sheridan County, Wyoming, 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 north quarter corner of said Section 29 (Monumented with a 3¼" Aluminum Cap per PLS 2615); thence S73°02'37"W, 318.87 feet to the **POINT OF BEGINNING** of said easement, said point lying on the south right-of-way line of West Fifth Street (AKA State Highway No. 330); thence S00°26'06"W, 14.00 feet along said centerline to the **POINT OF TERMINUS** of said easement, said point being S70°40'32"W, 323.33 feet from said north quarter corner of Section 29. Lengthening or shortening the side lines of said easement to intersect said boundary line.

Said underground electric and gas line easement contains 224 square feet of land, more or less.

EASEMENT NUMBER: 5

An underground electric and gas line easement sixteen (16) feet wide, being eight (8) feet each side of the following described centerline situated in the NW¼NE¼ of Section 29, Township 56 North, Range 84 West, 6th P.M., Sheridan County, Wyoming, 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 north quarter corner of said Section 29 (Monumented with a 3¼" Aluminum Cap per PLS 2615); thence S76°29'49"E, 484.25 feet to the **POINT OF BEGINNING** of said easement; thence S00°27'39"W, 8.00 feet along said centerline to a point; thence S89°32'21"E, 122.37 feet along said centerline to the **POINT OF TERMINUS** of said easement,

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said point lying on the west line of Lot C, Hidden Bridge Minor Subdivision and being S78°22'21"E, 605.60 feet from said north quarter corner of Section 29. Lengthening or shortening the side lines of said easement to intersect said boundary line.

Said underground electric and gas line easement contains 2,086 square feet of land, more or less.

Bearings are Based on the Wyoming Coordinate System, NAD 1983, East Central Zone.

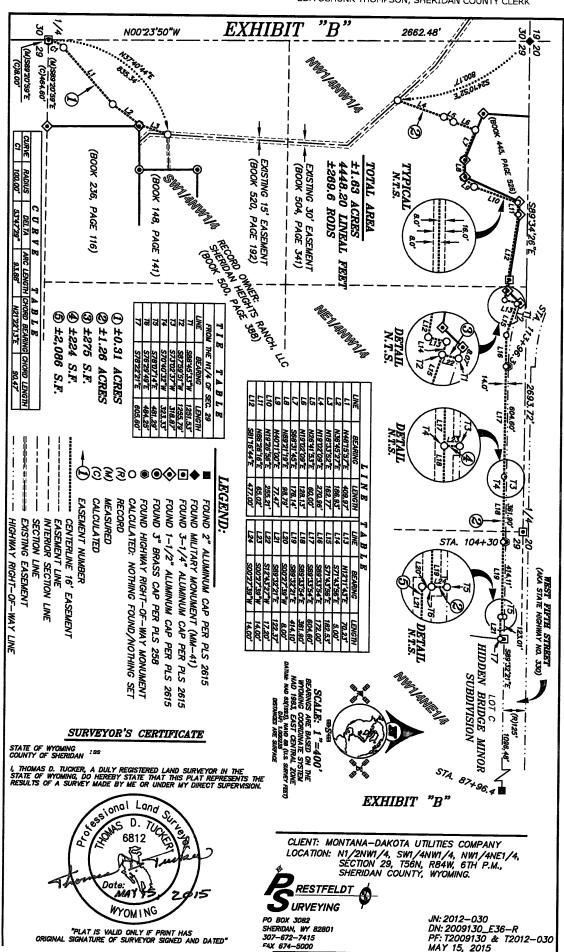
SURVEYOR'S STATEMENT

I, Thomas D. Tucker, do hereby state that this document was prepared from notes taken during an actual field survey performed by me or under my direct supervision.



Modification in any way of the above or foregoing document terminates liability of surveyor.

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