



DEDICATION OF EASEMENT AND RIGHT OF WAY

This easement is entered into between Sheridan Heights Ranch, LLC ("Grantor"), whose address is and City of Sheridan ("Grantee"), whose address is 55 Grinnell Plaza, Sheridan, WY 82801.

Grantor grants, conveys and dedicates to Grantee, its successors and assigns a perpetual, non-exclusive easement and right-of-way to survey, design, construct, install, inspect, operate, maintain, repair and replace a road and utilities, including, but not limited to water and sewer services, power and gas services, phone services, and fiber optic and similar communication lines over, across and under the following described property situate in Sheridan County, Wyoming:

SEE ATTACHED EXHIBITS A AND B

This easement is subject to the following terms and conditions.

1. **Duration.** This easement shall be perpetual.
2. **Reclamation.** Within six (6) months after the disturbance, weather permitting, Grantee will reclaim and restore to its original condition, as near as possible, all areas which are not occupied by the constructed road and which are disturbed by Grantee's installation, construction, maintenance, repair or replacement activities. Grantee will repair any trench settlement. Topsoil will be kept separate from subsoil wherever there is any disturbance, and topsoil will be spread back over the subsoil. Grantee will control erosion and weeds on the easement area. This obligation to reclaim and restore shall apply each time the easement area is disturbed by Grantee's operations.
3. **Debris.** Grantee will not allow any debris to be discarded on the easement, and Grantee will be responsible to clean up debris along the easement for which Grantee or Grantee's invitees are responsible.
4. **Buried Lines.** Grantee shall bury all utility lines at least 48 inches between the surface of the ground and the top of the pipe.
5. **Nonexclusive Use.** This easement is nonexclusive and shall not preclude Grantor from using the easement area or from granting the right to other persons and parties to use the easement area; provided, however, such use will not unreasonably interfere with Grantee's use of the easement area.
6. **Nondisturbance.** Grantee and its employees and agents shall not disturb, use, or travel upon any of the land of Grantor outside the easement area described herein.
7. **No Warranty.** Grantor makes no warranty of title or otherwise in entering into this Agreement. Grantee shall be responsible for assuring that its use of the easement area does not conflict with any third party pipelines, easements, or surface use agreements.
8. **Indemnification.** To the maximum extent permitted by law, Grantee shall indemnify and hold Grantor and Grantor's managers, members, agents and employees harmless from any legal actions or claims that arise out of the use of the easement and right of way by Grantee or its agents or the public unless such claims are the sole result of Grantor's gross negligence or willful



misconduct. Notwithstanding the foregoing, Grantee does not waive any right it may have under the Wyoming Governmental Claims Act.

9. **Binding Effect.** This agreement is binding upon the successors and assigns of the parties and shall run with the land.

10. **Dedication Upon Filing of Plat.** At such time as Grantor files a plat which includes the above described easement and right of way, Grantor shall dedicate the easement and right of way as required by the laws of the State of Wyoming and the subdivision ordinance of the City of Sheridan

Dated this 1 day of August, 2013.

Sheridan Heights Ranch, LLC

By: [Signature]
 Title: Manager

City of Sheridan, Wyoming

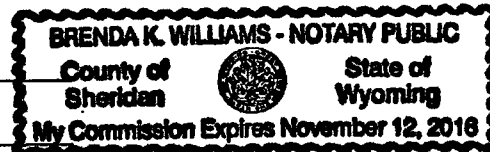
By: [Signature]
 Title: Mayor

STATE OF Wyoming)
) ss.
 COUNTY OF Sheridan)

This instrument was acknowledged before me this 8th day of August, 2013 by Donald B. Roberts, manager of Sheridan Heights Ranch, LLC.

WITNESS my hand and official seal.

[Signature]
 Notary Public
 My commission expires: 11/12/2016



STATE OF Wyoming)
) ss.
 COUNTY OF Sheridan)

This instrument was acknowledged before me this 6 day of August, 2013 by David Kinskey, Mayor of the City of Sheridan, Wyoming.

WITNESS my hand and official seal.

[Signature]
 Notary Public
 My commission expires: June 12, 2014

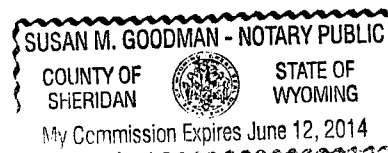


EXHIBIT "A"
LEGAL DESCRIPTION

Record Owner: Sheridan Heights Ranch, LLC
April 29, 2013

Re: Dedicated Public Right-of-Way to the City of Sheridan

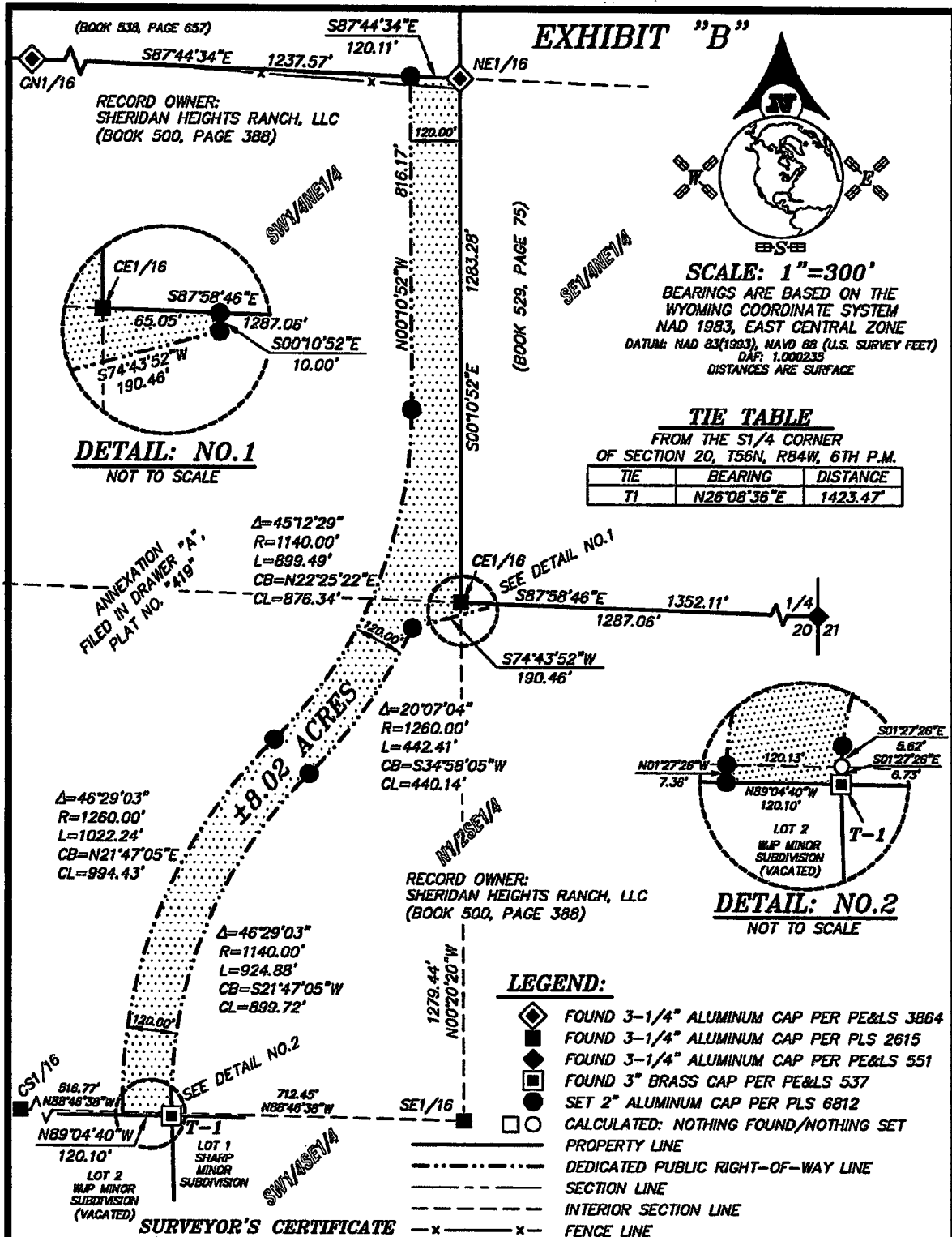
A tract of land situated in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20, Township 56 North, Range 84 West, 6th P.M., Sheridan County, Wyoming, as shown on **EXHIBIT "B"** attached hereto and by this reference made a part hereof; said tract of land being more particularly described as follows:

Commencing at the south quarter corner of said Section 20 (Monumented with a 3 $\frac{1}{4}$ " Aluminum Cap per PLS 2615); thence N26°08'36"E, 1423.47 feet to the **POINT OF BEGINNING** of said tract, said point being the northeast corner of Lot 2, WJP Minor Subdivision (Vacated) (Monumented with a 3" Brass Cap per PE&LS 537); thence N89°04'40"W, 120.10 feet along the north line of said Lot 2, WJP Minor Subdivision (Vacated) to a point; thence N01°27'26"W, 7.36 feet to a point, said point lying on the north line of said SW $\frac{1}{4}$ SE $\frac{1}{4}$; thence, through a curve to the right, having a central angle of 46°29'03", a radius of 1260.00 feet, an arc length of 1022.24 feet, a chord bearing of N21°47'05"E, and a chord length of 994.43 feet to a point; thence, through a reverse curve to the left, having a central angle of 45°12'29", a radius of 1140.00 feet, an arc length of 899.49 feet, a chord bearing of N22°25'22"E, and a chord length of 876.34 feet to a point; thence N00°10'52"W, 816.17 feet to a point, said point lying on the north line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$; thence S87°44'34"E, 120.11 feet along said north line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ to a point, said point being the northeast corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ (Monumented with a 3 $\frac{1}{4}$ " Aluminum Cap per PE&LS 3864); thence S00°10'52"E, 1283.28 feet along the east line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ to a point, said point being the southeast corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ (Monumented with a 3 $\frac{1}{4}$ " Aluminum Cap per PLS 2615); thence S87°58'46"E, 65.05 feet along the north line of said N $\frac{1}{2}$ SE $\frac{1}{4}$ to a point; thence S00°10'52"E, 10.00 feet to a point; thence S74°43'52"W, 190.46 feet to a point; thence, through a non-tangent curve to the right, having a central angle of 20°07'04", a radius of 1260.00 feet, an arc length of 442.41 feet, a chord bearing of S34°58'05"W, and a chord length of 440.14 feet to a point; thence, through a reverse curve to the left, having a central angle of 46°29'03", a radius of 1140.00 feet, an arc length of 924.88 feet, a chord bearing of S21°47'05"W, and a chord length of 899.72 feet to a point; thence S01°27'26"E, 5.62 feet to a point, said point lying on said north line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$; thence, continue S01°27'26"E, 6.73 feet to the **POINT OF BEGINNING** of said tract.

Said tract contains 8.02 acres of land, more or less.

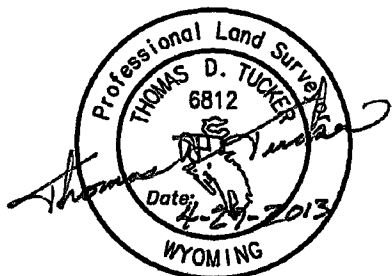
Bearings are Based on the Wyoming Coordinate System, NAD 1983, East Central Zone.

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STATE OF WYOMING :ss
 COUNTY OF SHERIDAN

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"

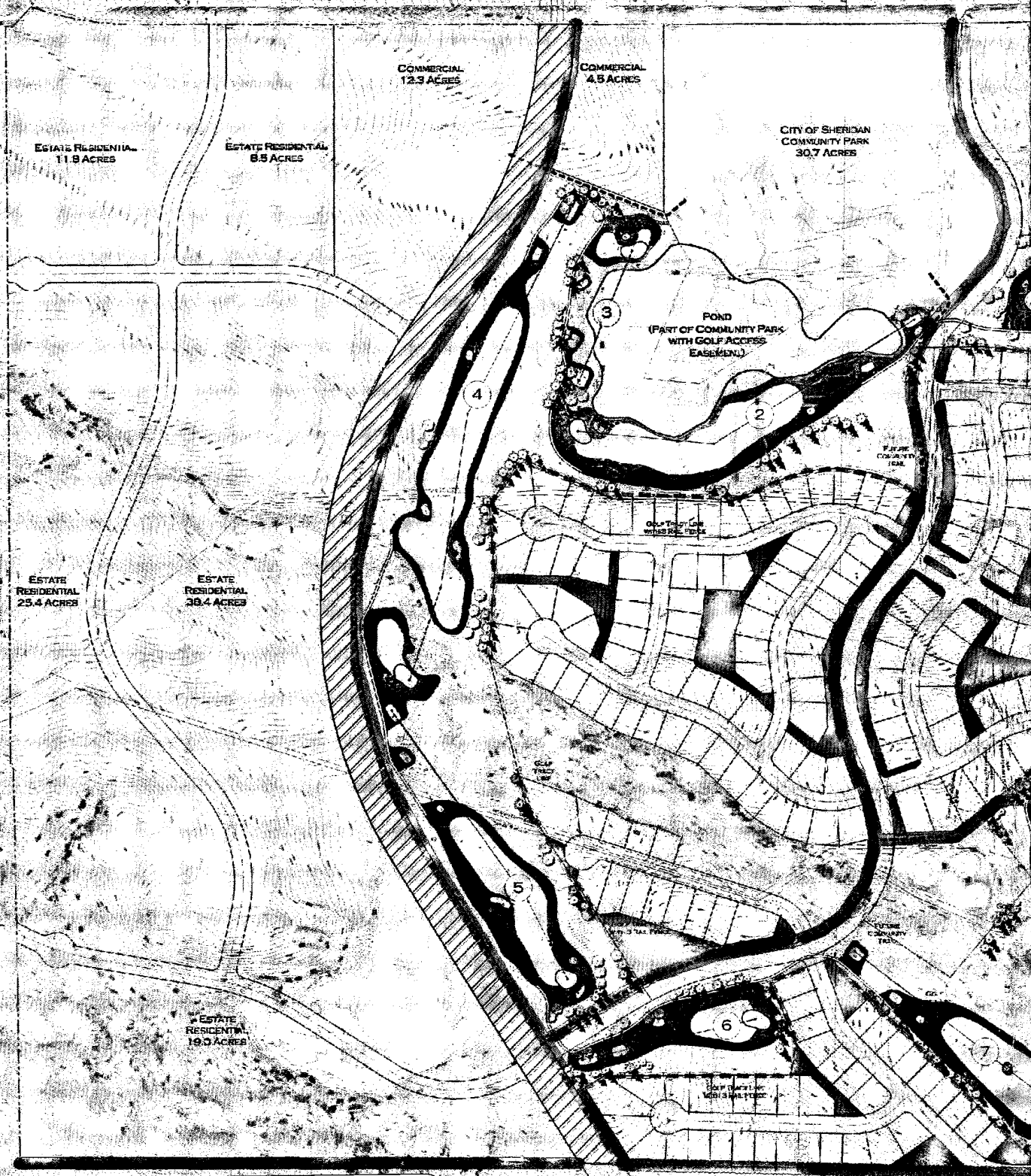
EXHIBIT "B"
DEDICATED PUBLIC RIGHT-OF-WAY

CLIENT: DOWL-HKM & THE CITY OF SHERIDAN
 LOCATION: SW1/4NE1/4, N1/2SE1/4, SW1/4SE1/4,
 SECTION 20, T56N, R84W, 6TH P.M.,
 SHERIDAN COUNTY, WYOMING

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

JN: 2013-007
 DN: 2013-007-D1
 PF: T2013-007
 APRIL 29, 2013

SOLDIER CREEK RD



2013-706811 8/7/2013 12:02 PM PAGE: 5 OF 6
 BOOK: 542 PAGE: 259 FEES: \$27.00 VL EASEMENT
 EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK



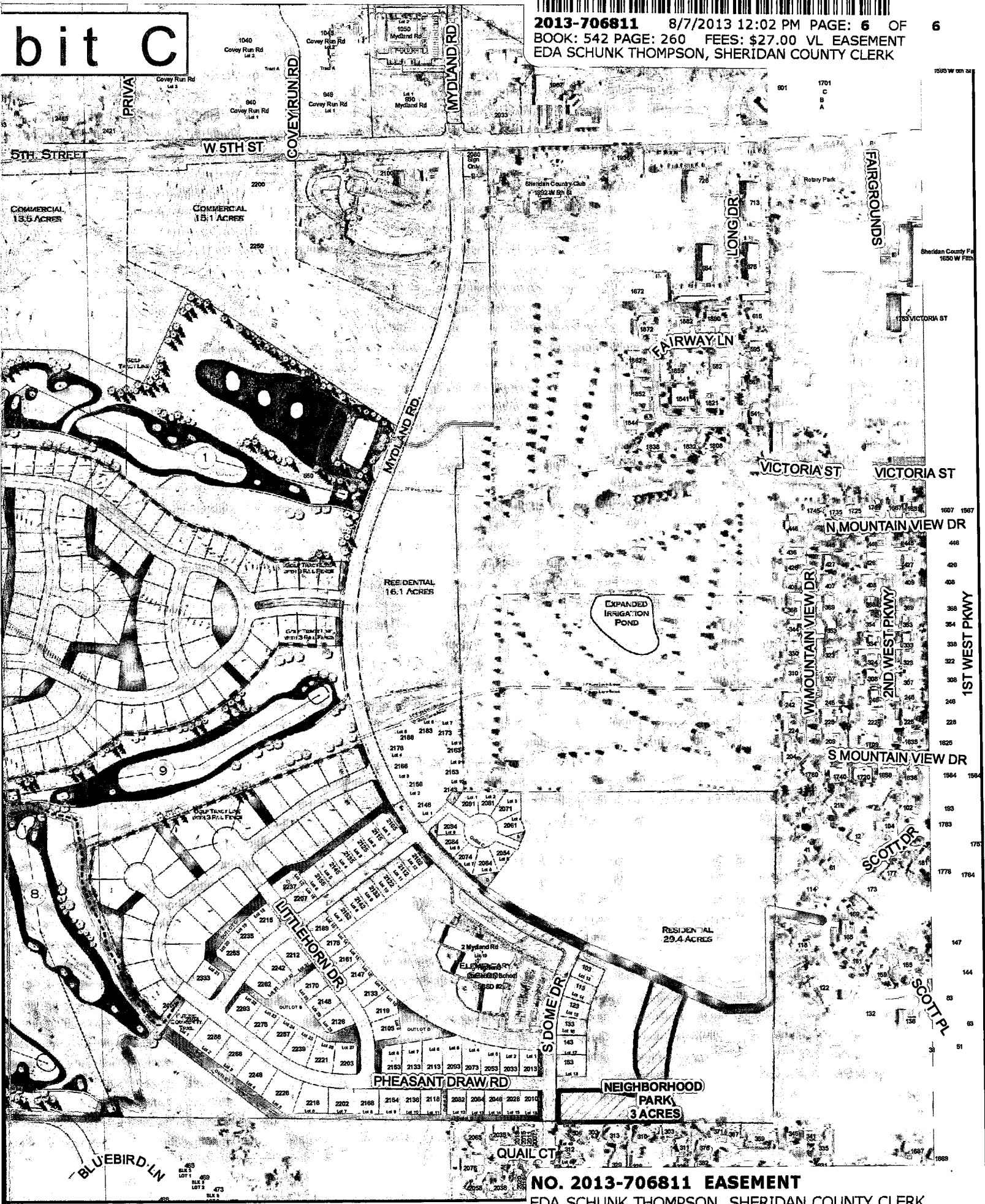
0 500 1,000 Feet

Pathway ROW West Corridor Alignment Neighborhood Par

bit C



2013-706811 8/7/2013 12:02 PM PAGE: 6 OF 6
BOOK: 542 PAGE: 260 FEES: \$27.00 VL EASEMENT
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK



NO. 2013-706811 EASEMENT
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK
CITY OF SHERIDAN - PLANNING P O BOX 848
SHERIDAN WY 82801