

WATER LINE EASEMENT

Deed made this 17 day of August, 2005, by and between Ricky Lee Leach and Ardis M. Leach, husband and wife, of Sheridan County, hereinafter referred to as "Grantors", and the Sheridan Area Water Supply Joint Powers Board (SAWSJPB) and the City of Sheridan, Wyoming hereinafter referred to as "Grantees".

For and in consideration of good and valuable consideration receipt of which is acknowledged and subject to the terms and conditions set forth below, Grantors convey and warrant to Grantee an easement and right-of-way upon, across and under the following-described real property, described as:

SEE ATTACHED EXHIBITS "A" and "B"

Said easement is for Grantee, its employees, agents, contractors and assigns for entry upon and use the property 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. This easement includes the right of ingress and egress upon and across real property of Grantor at reasonable places and routes for aforesaid purposes. This deed of easement shall be binding upon Grantors' heirs and assigns and shall be perpetual so long as the easement is used for the purposes above recited. The use of this easement is not intended for other purposes.

Grantee agrees to restore the surface to as near as practical to the original 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 owned by the Grantor.

Grantor shall be held harmless from any legal actions or claims of any form that involve the easement conveyed by Grantor to Grantee, unless they are the result of the Grantor's sole negligence. Notwithstanding the above, the Grantor does not waive any rights it may claim with respect to the Wyoming Government Claims Act.

Permanent improvements that would hinder future access to the water line cannot be constructed over the easement, but otherwise land use may be similar to current use.

In witness whereof Grantors sign this Deed on the date above written.

Ricky Lee Leach
Ricky Lee Leach

Ardis M. Leach
Ardis M. Leach

STATE OF WYOMING)
) ss
COUNTY OF SHERIDAN)

The foregoing instrument was acknowledged before me by Ricky Lee Leach
& Ardis M. Leach
this 17th day of August, 2005.

Witness my hand and official seal.

Sandra G. Kerr
Notary Public



My Commission Expires: March 1, 2008

EXHIBIT "A"

A perpetual water line easement situated in the NW¼SE¼, Section 9, Township 55 North, Range 85 West, 6th P.M., Sheridan County, Wyoming; as shown on **EXHIBIT "B"** attached hereto and by this reference made a part hereof; said perpetual water line easement being more particularly described as follows:

Commencing at the south quarter corner of said Section 9, thence N19°43'26"W, 1526.05 to the **POINT OF BEGINNING** of the herein described easement, said point being the southeast corner of a tract of land described in Book 385 of Deeds, Page 406, thence S89°32'53"W, 14.15 feet along the south line of said tract described in Book 385 of Deeds, Page 406 to a point; thence N36°13'31"E, 2.66 feet to a point; thence N53°53'34"W, 20.00 feet to a point; thence N36°13'31"E, 20.00 feet to a point; thence S53°53'34"E, 20.00 feet to a point; thence N36°13'13"E, 1.34 feet to a point, said point lying on the east line of said tract described in Book 385 of Deeds, Page 406, ; thence S00°04'28"W, 19.24 feet along the east line of said tract described in Book 385 of Deeds, Page 406 to **THE POINT OF TERMINUS** of said perpetual water line easement.

The above described perpetual easement contains 0.01 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, situated in the NW¼SE¼, Section 9, Township 55 North, Range 85 West, 6th P.M., Sheridan County, Wyoming; as shown on **EXHIBIT "B"** attached hereto and by this reference made a part hereof; said temporary construction easement being more particularly described as follows:

Commencing at the southeast corner of a tract of land described in Book 385 of Deeds, Page 406, thence S89°32'53"W, 14.15 feet along the south line of said tract described in Book 385 of Deeds, Page 406 to the **POINT OF BEGINNING** of the herein described easement, thence S89°32'53"W, 24.94 feet along the south line of said tract described in Book 385 of Deeds, Page 406 to a point; thence N36°13'31"E, 17.51 feet to a point; thence S53°53'34"E, 20.00 feet to a point; thence S36°13'31"W, 2.66 feet to **THE POINT OF BEGINNING** of said temporary construction easement.

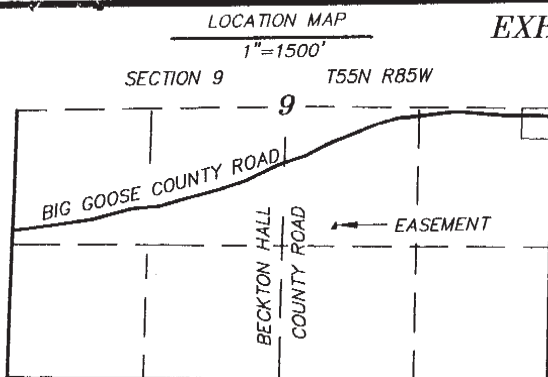
In addition, a temporary construction easement will be required, situated in the NW¼SE¼, Section 9, Township 55 North, Range 85 West, 6th P.M., Sheridan County, Wyoming; as shown on **EXHIBIT "B"** attached hereto and by this reference made a part hereof; said temporary construction easement being more particularly described as follows:

Commencing at the southeast corner of a tract of land described in Book 385 of Deeds, Page 406, thence N00°04'28"E, 19.24 feet along the east line of said tract described in Book 385 of Deeds, Page 406 to the **POINT OF BEGINNING** of the herein described easement, thence N53°53'34"W, 20.00 feet to a point; thence N36°13'31"E, 28.77 feet to a point; thence S00°04'28"W, 33.92 feet to **THE POINT OF BEGINNING** of said temporary construction easement.

Said temporary construction easements contain 0.01 acres more or less, and will become null and void at the time that the project contractor's one year contractual warranty expires.

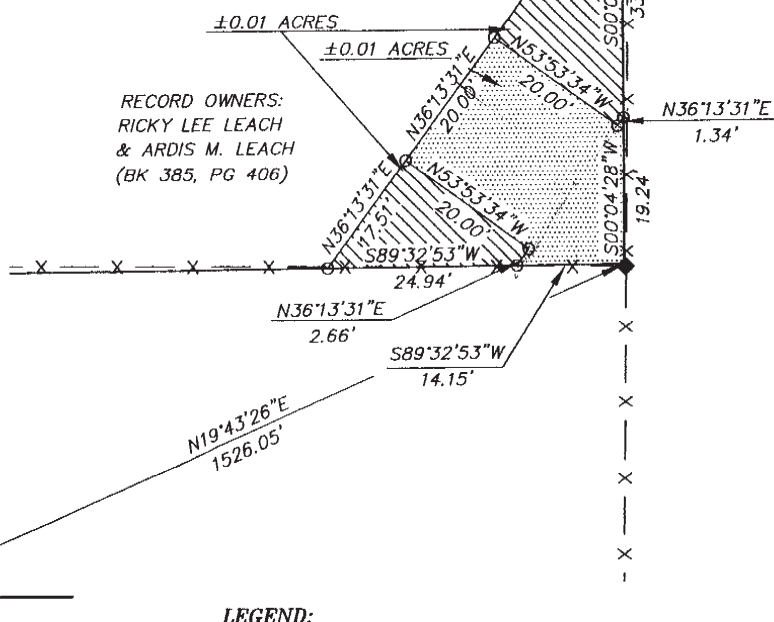
Basis of Bearings is Wyoming State Plane (East Central Zone).

EXHIBIT "B"



NW1/4SE1/4

RECORD OWNERS:
RICKY LEE LEACH
& ARDIS M. LEACH
(BK 385, PG 406)



LEGEND:

- ◆ FOUND 1" IP PER LS 102
 ● FOUND 1-1/2" ALUMINUM CAP PER LS 2615
 ○ FOUND #5 REBAR
 □ CALCULATED, NOTHING FOUND/NOTHING SET
 (R) RECORD
 (M) MEASURED
 (C) CALCULATED
 W.C. WITNESS CORNER
 — SECTION LINE
 — INTERIOR SECTION LINE
 — PROPERTY LINE
 —X— FENCE LINE
 — EASEMENT CENTERLINE
 [Pattern] 30' WATERLINE EASEMENT
 [Pattern] TEMPORARY CONSTRUCTION EASEMENT

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.

SCALE: 1"=20'

DATUM: NAD 83(1993), NAVD 88 (U.S. FEET)
RAE: 1.00025

PAF: 1.00025

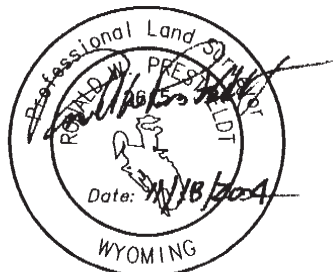
BASIS OF BEARING IS
WYOMING STATE PLANE (EAST CENTRAL ZONE)

EXHIBIT "B"

EASEMENT

FOR 20" WATER LINE

CLIENT: HKM ENGINEERING
LOCATION: NW1/4SE1/4, SECTION 9,
T 55 N, R 85 W, 6TH P.M.,
SHERIDAN COUNTY, WYOMING.



"PLAT IS VALID ONLY IF PRINT HAS
ORIGINAL SIGNATURE OF SURVEYOR SIGNED AND DATED"



RESTFELDT
SURVEYING

PO BOX 5082 307-672-7415
SHERIDAN, WY 82801 FAX 674-5000

JN: 2003035
DF: SAWP\HKM-2004\
2003035E-LEACH
NOVEMBER 12, 2004