

GRANT OF EASEMENT

THIS EASEMENT, made and granted this 8 day of October, 2009, between SCOTT M. CLARKSON, Trustee of the SCOTT M. CLARKSON REVOCABLE TRUST U/T/A dated March 22, 2007, hereinafter referred to as the Grantor, and JANET E. KIMUTIS and EDWARD F. KIMUTIS, Trustees of the LIVING TRUST OF JANET E. KIMUTIS dated April 22, 1993, hereinafter referred to as the Grantee;

WITNESSETH:

WHEREAS, GRANTOR is the owner of certain real property and private road located in the County of Sheridan, State of Wyoming, more particularly described in Exhibit "A" (the "Easement Tract") and GRANTOR is willing to grant an easement over and upon the same Easement Tract for residential, agricultural, and recreational use and all activities and improvements intended thereto, including construction and maintenance, for the use and the benefit of the property more particularly described in Exhibit "B" (the "Benefited Parcel");

WHEREAS, the GRANTEE desires to obtain an easement over and upon the Easement Tract to provide a means of ingress and egress to and from the Benefited Parcel; and

NOW, THEREFORE, for and in consideration of Ten Dollars (\$10.00) cash paid in hand and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, GRANTOR and GRANTEE do hereby agree as follows:

1. GRANTOR does hereby give and grant to GRANTEE an access and right-of-way easement over and upon the existing road for the benefit of the Benefited Parcel for all means of access to and from the Benefited Parcel. Said easement is a forty foot (40') easement for ingress and egress across the Easement Tract described above, including improvements and additions agreed to herein.
2. This easement shall not be used for a commercial or industrial business operation other than agricultural, construction or maintenance.
3. This easement shall be perpetual and shall be appurtenant to the Benefited Parcel. The easement may be used and fully enjoyed by and is granted for the use and benefit of GRANTEE and its heirs, successors, representatives, assigns, non-resident lessees, guests and invitees.
4. That this easement would run with the entire tract of Benefited Parcel, described herein. The easement may be used and fully enjoyed by and is granted for the use and benefit of GRANTEE and its successors and assigns.
5. GRANTEE shall have the obligation to maintain the easement tract to existing condition at the time of this grant, and GRANTEE shall have the liability and responsibility for loss, injury or damage arising or resulting from use or occupancy of the Easement Tract by GRANTEE'S guests and invitees.
6. The easement will be for the benefit of any subsequent grantees, their heirs, successors, assigns, lessees, guests or invitees and would thereafter be appurtenant to that Benefited Tract.

IN WITNESS WHEREOF, the parties have executed this Grant of Easement as of the date and year first above written.

GRANTOR:

By: Scott M. Clarkson
Scott M. Clarkson, Trustee

GRANTEE:

By: Janet E. Kimutis, Trustee
Janet E. Kimutis, Trustee

By: Edward F. Kimutis, Trustee
Edward F. Kimutis, Trustee

STATE OF WYOMING)
) ss.
COUNTY OF Johnson)

Subscribed and sworn to before me on this 8 day of October, 2009, by
Scott M. Clarkson, Trustee of the Scott M. Clarkson Revocable Trust U/T/A dated March 22, 2007.

Witness my hand and official seal.



Kristine M. Harriet
Notary Public

My Commission expires: January 3, 2010

STATE OF WYOMING)
) ss.
COUNTY OF JOHNSON)

Subscribed and sworn to before me on this 5 day of October, 2009, by
Janet E. Kimutis and Edward F. Kimutis, Trustees of the Living Trust of Janet E. Kimutis dated
April 22, 1993.

Witness my hand and official seal.



Kristine M. Harriet
Notary Public

My Commission expires: January 3, 2010

LEGAL DESCRIPTION**FORTY (40) FOOT WIDE ACCESS EASEMENT**

A forty (40) foot wide Access Easement located in the W1/2NW1/4 of Section 14, T53N, R81W, of the 6th P.M., Sheridan County, Wyoming, said forty (40) foot wide Access Easement being adjacent to and East of the Easterly boundary line of a parcel of land conveyed to **JANET E. KIMUTIS and EDWARD F. KIMUTIS** from **ELIZABETH E. RENKERT and MICHAEL S. RENKERT**, said Access Easement being twenty (20) feet either side of the following described centerline:

Commencing at an existing 1948 BLM Brass Cap which marks the West quarter ($\frac{1}{4}$) corner of said Section 14:

Thence N40°06'18"E, a distance of 1442.61 feet to a point on the Northerly Right-of-Way line of U.S. Highway 14, said point also being 20 feet Easterly of the Southeastern Corner of said Kimutis Parcel and the true **POINT OF BEGINNING** of said forty (40) foot wide Access Easement;

Thence along said centerline N29°45'42"E, a distance of 349.95 feet to a point, said point being 20 feet Easterly of the Easterly line of said Kimutis Parcel;

Thence continuing along said centerline N25°15'24"W, a distance of 142.76 feet to the **POINT OF ENDING**, said point being 20 feet Easterly of the Easterly line of said Kimutis Parcel and on the centerline of Piney Creek as it existed on March 1, 2003;

BASIS OF BEARING for said forty (40) foot wide Access Easement is a WGS84 bearing of N2°57'51"E at a distance of 2734.38 feet between said existing 1948 BLM Brass Cap which marks the West quarter ($\frac{1}{4}$) corner of said Section 14 and an existing 1917 GLO Brass Cap marking the Northwest corner of said Section 14.



SHOWING 40 FOOT ACCESS EASEMENT
LOCATED IN THE W1/2NW1/4 SECTION 14
T53N, R81W, OF THE 6TH P.M.
SHERIDAN COUNTY, WYOMING



EXHIBIT B

334146

Township 53 North, Range 81 West, 6th PM, Sheridan County, Wyoming

Section 14:

A parcel of land lying in the Northwest Quarter (NW ¼), Section 14, Township 53 North, Range 81 West of the Sixth Principal Meridian, Sheridan County, Wyoming, more particularly described as follows: Beginning at a point on the West line of said Section 14, 864.79 feet South of the Northwest corner of said Section 14, said Northwest corner being a B.L.M. brass cap; thence continuing on said West line South 270.21 feet to the North Right-of-Way line of State Highway 14, said point being a 3/8ths inch rebar 24 inches long with a yellow plastic cap stamped L.S. 529; thence S 69°44'45"E, 506.15 feet along the North right-of-way of State Highway 14 to a 3/8ths inch rebar 24 inches long stamped L.S. 529; thence S 54° 20'00"E, a distance of 460.24 feet along said North right-of-way of State Highway 14 to a 3/8ths inch rebar 24 inches long with a plastic cap stamped L.S. 529; thence N 26°57'00"E, a distance of 340.33 feet to a 3/8ths inch rebar 24 inches long with a plastic cap stamped L.S. 529; thence N 28°03'50"W a distance of 276.65 feet to a 3/8ths inch rebar 24 inches long with a plastic cap stamped L.S. 529; thence North, 166.28 feet to a 3/8ths inch rebar 24 inches long with a plastic cap stamped L.S. 529; thence West (erroneously typed East on several deeds of record), 872.85 feet to a 3/8ths inch rebar 24 inches long with a plastic cap stamped L.S. 529, said point being the point of beginning.

The basis of bearing for this description is due North between the B.L.M. Brass Cap at the Northwest corner of Section 14 and the B.L.M. Brass Cap at the Southwest corner of Section 14.

LESS AND EXCEPT THEREFROM that portion conveyed to the State Highway Commission of Wyoming by Warranty Deed recorded December 6, 1989 in Book 331 of Deeds, Page 488.