

EASEMENT

RECORDED JUNE 3, 1994 BK 366 PG 540 NO 170198 RONALD L. DAILEY, COUNTY CLERK

Deed made this 30TH day of MAY, 1994, by and between James M. Spell and Jaynie K. Spell, of Sheridan County, Wyoming, hereinafter referred to as "Grantors", and the UNITED STATES OF AMERICA and SHERIDAN AREA WATER SUPPLY JOINT POWERS BOARD, a joint powers board existing under agreement between the County of Sheridan, Wyoming and the City of Sheridan, Wyoming, hereinafter referred to jointly as "Grantees".

For and in consideration of ONE DOLLAR AND ⁰⁰/₁₀₀ Dollars \$1.00, and other good and valuable consideration, Grantors convey to Grantees an easement and right-of-way across and under the following-described real property, described as:

SEE EXHIBITS "A and B"

for the purposes of surveying, constructing, installing, inspecting, operating, maintaining, repairing and replacing an underground water line, together with all appurtenances that may be necessary and convenient for the conveyance of water, together with the right of ingress and egress upon and across the real property of Grantors at reasonable places and routes for the aforesaid purposes. Grantees agree to reshape, reseed and restore all areas disturbed during construction and for a period of five (5) years after construction within the easement and right-of-way in a workmanlike manner. Lands shall be reseeded with a grass and alfalfa mix. Irrigation ditches crossed by the water line shall be restored and relined, shall hold water, and shall be replaced to the same condition or better. No use of any bridges on Grantors' property is allowed by Grantees during construction of the water line without permission of Grantors.

As additional consideration, Grantees agree to the following:

1. Wire gates shall be installed at all fences crossed by the water line, with brace posts on each side of the wire gate.
2. All roads crossed by the water line shall have new gravel

placed, graded and compacted for a distance of five hundred (500) feet on each side of the water line crossing.


3. Grantees shall use their best efforts to not disturb any wildlife upon Grantors' property.


4. Any boulders larger than three hundred (300) lb. disturbed by Grantees during construction of the water line shall be stockpiled near the bank of Baker Creek by Grantees.

5. The crossing of Baker Creek through Grantors' property shall be riprapped beneath the creek and ten (10) feet on each side of the original stream bank.

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.

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


James M. Spell


Jaymie K. Spell

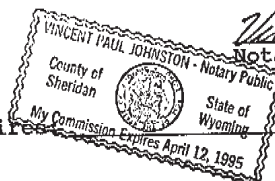
STATE OF WYOMING)
: ss.
County of Sheridan)

The foregoing instrument was acknowledged before me by

JAMES M. AND JAYMIE K. SPELL
this 30TH day of MAY, 1994.

Witness my hand and official seal.

My Commission Expires




Notary Public

STATE OF WYOMING)
: ss.
County of Sheridan)

The foregoing instrument was acknowledged before me by

this _____ day of _____, 19____.

Witness my hand and official seal.

Notary Public

My Commission Expires: _____

EXHIBIT "A"

A perpetual water line easement thirty (30) feet wide, being fifteen (15) feet each side of the following described centerline situated in the S $\frac{1}{2}$ SE $\frac{1}{4}$ of 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 centerline more particularly described as follows:

Commencing at the southeast corner of said Section 9; thence N61°11'17"W, 1864.42 feet to the POINT OF BEGINNING of the herein described easement, said point lying on the east line of a tract of land described in Book 257 of Deeds, Page 50; thence N78°35'05"E, 21.78 feet along said centerline to a point; thence along said centerline through a curve to the left, having a radius of 10,000.00 feet, a central angle of 02°02'47", an arc length of 357.14 feet, a chord bearing of N77°33'42"E, and a chord length of 357.12 feet to the POINT OF TERMINUS of said easement; said point lying on the east line of a tract of land described in Book 358 of Deeds, Page 257, and being N52°12'34"W, 1598.89 feet from said southeast corner of Section 9.

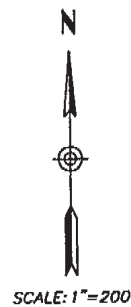
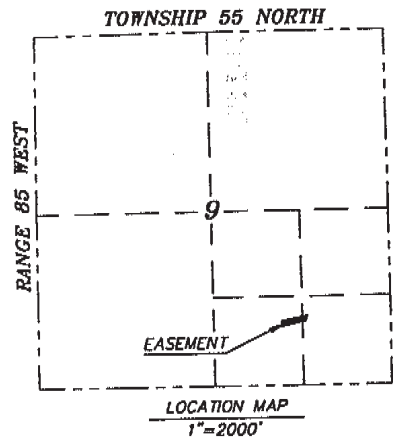
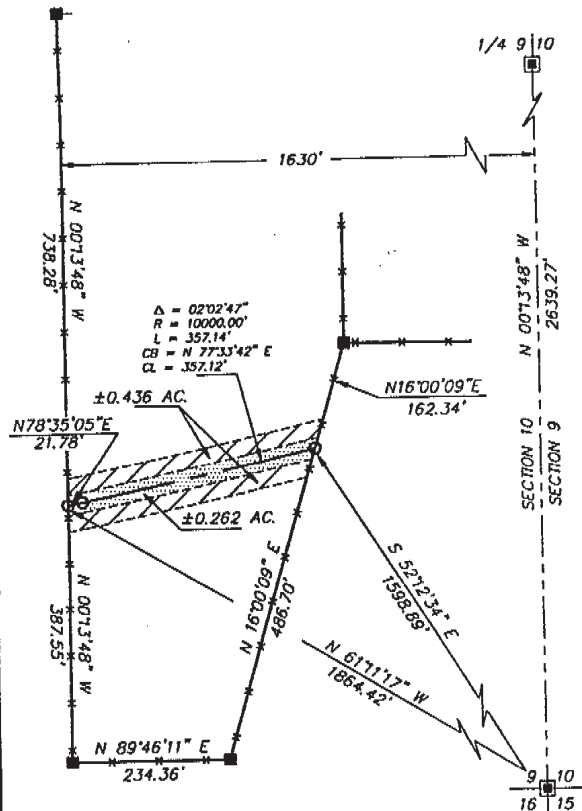
The above described easement contains 0.262 acres, more or less, and is subject to any rights-of-way and/or easements, reservations and encumbrances which have been legally acquired.

In addition, a temporary construction easement will be required, being a strip of land twenty-five (25) feet wide, the southerly line of said strip being the northerly line of said perpetual thirty (30) foot wide easement, and also a strip of land twenty-five (25) feet wide, the northerly line of said strip being the southerly line of said perpetual thirty (30) foot wide easement.

Said temporary construction easement contains 0.436 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" WATERLINE EASEMENT



- LEGEND**
- x — x — FENCE LINE
 - — — — — PROPERTY LINE
 - — — — — CENTERLINE OF THIRTY (30) FOOT EASEMENT
 - — — — — SECTION LINE
 - — — — — INTERIOR SECTION LINE
 - — — — — ROW LINE OF PROPOSED EASEMENT
 - FOUND 1-1/2" ALUMINUM CAP PER LS 2615
 - P.O.B./ANGLE PT OF EASEMENT
 - CALCULATED PROPERTY CORNER
 - FOUND 3-1/4" ALUMINUM CAP PER LS 2615
 - NOTHING SET
 - (R) RECORD
 - (M) MEASURED
 - (C) CALCULATED

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

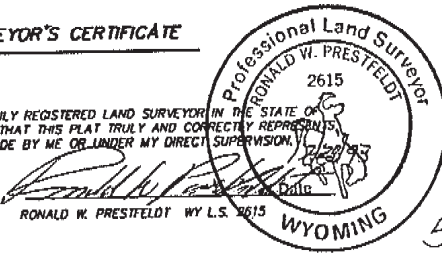
PERPETUAL WATER LINE EASEMENT (30 FEET WIDE)

TEMPORARY CONSTRUCTION EASEMENT (25 FEET TYPICAL)

SURVEYOR'S CERTIFICATE

STATE OF WYOMING :88
COUNTY OF SHERIDAN

I, RONALD W. PRESTFELDT A DULY REGISTERED LAND SURVEYOR IN THE STATE OF WYOMING, DO HEREBY CERTIFY THAT THIS PLAT TRULY AND CORRECTLY REPRESENTS THE RESULTS OF A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION.



RONALD W. PRESTFELDT WY L.S. 2615

PREPARED BY: PRESTFELDT SURVEYING
P.O. BOX 3082
SHERIDAN, WY
307-672-7415
JN: 93040
DF: SAWP\HKM\BCE10
12/93

543

EASEMENT

RECORDED JUNE 3, 1994 BK 366 PG 544 NO 170199 RONALD L. DAILEY, COUNTY CLERK

Deed made this 30TH day of MAY, 1994, by and between James M. Spell and Jaynie K. Spell, of Sheridan County, Wyoming, hereinafter referred to as "Grantors", and the UNITED STATES OF AMERICA and SHERIDAN AREA WATER SUPPLY JOINT POWERS BOARD, a joint powers board existing under agreement between the County of Sheridan, Wyoming and the City of Sheridan, Wyoming, hereinafter referred to jointly as "Grantees".

For and in consideration of ONE DOLLAR AND ⁰⁰/₁₀₀ Dollars \$ 1.00, and other good and valuable consideration, Grantors convey to Grantees an easement and right-of-way across and under the following-described real property, described as:

SEE EXHIBITS "A and B"

for the purposes of surveying, constructing, installing, inspecting, operating, maintaining, repairing and replacing an underground water line, together with all appurtenances that may be necessary and convenient for the conveyance of water, together with the right of ingress and egress upon and across the real property of Grantors at reasonable places and routes for the aforesaid purposes. Grantees agree to reshape, reseed and restore all areas disturbed during construction and for a period of five (5) years after construction within the easement and right-of-way in a workmanlike manner. Lands shall be reseeded with a grass and alfalfa mix. Irrigation ditches crossed by the water line shall be restored and relined, shall hold water, and shall be replaced to the same condition or better. No use of any bridges on Grantors' property is allowed by Grantees during construction of the water line without permission of Grantors.

As additional consideration, Grantees agree to the following:

1. Wire gates shall be installed at all fences crossed by the water line, with brace posts on each side of the wire gate.
2. All roads crossed by the water line shall have new gravel

placed, graded and compacted for a distance of five hundred (500) feet on each side of the water line crossing.

3. Grantees shall use their best efforts to not disturb any wildlife upon Grantors' property.

4. Any boulders larger than three hundred (300) lb. disturbed by Grantees during construction of the water line shall be stockpiled near the bank of Baker Creek by Grantees.

5. The crossing of Baker Creek through Grantors' property shall be ripped beneath the creek and ten (10) feet on each side of the original stream bank.

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.

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

James M. Spell
James M. Spell

Jaymie K. Spell
Jaymie K. Spell

STATE OF WYOMING)
 : ss.
County of Sheridan)

The foregoing instrument was acknowledged before me by

JAMES M. AND JAYMIE K. SPELL
this 30TH day of MAY, 1994.

Witness my hand and official seal.



My Commission Expires: _____

STATE OF WYOMING)
 : ss.
County of Sheridan)

The foregoing instrument was acknowledged before me by

this _____ day of _____, 19____.

Witness my hand and official seal.

Notary Public

My Commission Expires: _____

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EXHIBIT "A"

A perpetual water line easement thirty (30) feet wide, being fifteen (15) feet each side of the following described centerline situated in the E $\frac{1}{4}$ SE $\frac{1}{4}$ of 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 centerline more particularly described as follows:

Commencing at the southeast corner of said Section 9; thence N52°12'34"W, 1598.89 feet to the POINT OF BEGINNING of the herein described easement, said point lying on the east line of a tract of land described in Book 358 of Deeds, Page 257; thence along said centerline through a curve to the left, having a radius of 10000.00 feet, a central angle of 07°33'09", an arc length of 1318.15 feet, a chord bearing of N72°45'44"E, and a chord length of 1317.20 feet to the POINT OF TERMINUS of said easement, said point lying on the east line of said Section 9 and being N00°13'48"W, 1370.11 feet from said southeast corner of Section 9.

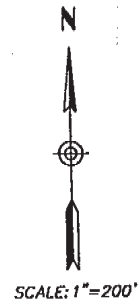
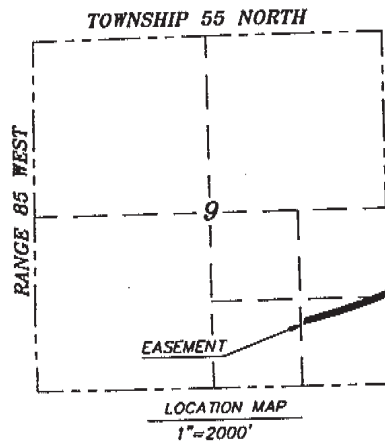
The above described easement contains 0.908 acres, more or less, and is subject to any rights-of-way and/or easements, reservations and encumbrances which have been legally acquired.

In addition, a temporary construction easement will be required, being a strip of land twenty-five (25) feet wide, the southerly line of said strip being the northerly line of said perpetual thirty (30) foot wide easement, and also a strip of land twenty-five (25) feet wide, the northerly line of said strip being the southerly line of said perpetual thirty (30) foot wide easement.

Said temporary construction easement contains 1.513 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" WATERLINE EASEMENT



Δ = 07°33'09"
R = 10000.00'
L = 1318.15'
CB = N 72°45'44" E
CL = 1317.20'

N 16°00'09"E
162.34'

N 16°00'09"E
486.70'

±0.908 AC.

±1.513 AC.

LEGEND

- x — x — FENCE LINE
- — — — — PROPERTY LINE
- — — — — CENTERLINE OF THIRTY (30) FOOT EASEMENT
- — — — — SECTION LINE
- — — — — INTERIOR SECTION LINE
- — — — — ROW LINE OF PROPOSED EASEMENT
- FOUND 3-1/4" ALUMINUM CAP PER LS 2615
- P.O.B./ANGLE PT OF EASEMENT
- CALCULATED PROPERTY CORNER
- FOUND 1-1/2" ALUMINUM CAP PER LS 2615
- NOTHING SET
- (R) RECORD
- (M) MEASURED
- (C) CALCULATED

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



PERPETUAL WATER LINE EASEMENT (30 FEET WIDE)

TEMPORARY CONSTRUCTION EASEMENT (25 FEET WIDE TYPICAL)

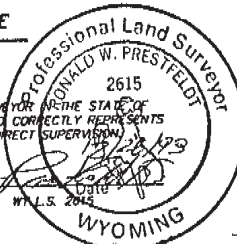
SECTION 9
SECTION 16

SURVEYOR'S CERTIFICATE

STATE OF WYOMING
COUNTY OF SHERIDAN

I, RONALD W. PRESTFELDT A DULY REGISTERED LAND SURVEYOR IN THE STATE OF WYOMING, DO HEREBY CERTIFY THAT THIS PLAT TRULY AND CORRECTLY REPRESENTS THE RESULTS OF A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION.

RONALD W. PRESTFELDT WY L.S. 2615



PREPARED BY: PRESTFELDT SURVEYING
P.O. BOX 3082
SHERIDAN, WY
307-672-7415
JN: 93040
DF: SAWP\HKM\BGET0A
12/93

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