

RECORDED NOVEMBER 25, 1981 BK 261 PG 503 NO 830677 MARGARET LEWIS, COUNTY CLERK

MEMORANDUM OF AGREEMENT

For and in consideration of the sum of Eight Hundred and Sixty Eight Dollars and Seventy Five cents (\$868.75) in hand paid, receipt of which is hereby acknowledged, Pete Jensen and Dagmar S. Jensen, husband and wife, herein referred to as the "Landowners" do hereby grant unto the County of Sheridan of the State of Wyoming herein referred to as the "County", the right to install and maintain a culvert, for the transportation of drainage water from Jensen Draw under the County Road known as the Sheridan City Golf Course Road, upon the following described land, to wit:

That portion of Lot Y of the subdivision of the M. Guy Wood Ranch, located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Sec. 32, T.56N., R84W, of the 6th P.M. Wyoming; and more particularly described as:

A strip of land 10 feet in width and lying 5' on each side of the following described center line:

Beginning at a point on the west right-of-way of Road No. 117 (Golf Course Rd.) which lies S43 $^{\circ}20' E$  a distance of 192.4 feet from the NW corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; Sec. 32; T56N; R84W; 6th P.M., Sheridan County, Wyoming; Thence N36 $^{\circ}20' W$  a distance of 30 feet to the end of the pipe.

NOW THEREFORE, in consideration of the promises contained in this agreement, the parties agree to the following terms:

1. The Landowners hereby grant unto the County the right to enter for construction purposes, the following described land, to wit:

That portion of Lot Y of the subdivision of the M. Guy Wood Ranch, located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$  of Sec. 32, T56N, R84W of the 6th P.M. Sheridan County, Wyoming and more particularly described as;

Beginning at a point on the existing right-of-way of Road Number 117 (Golf Course Road) which lies S33 $^{\circ}13' E$ , 255 feet from the NW corner of NE $\frac{1}{4}$ ; SW $\frac{1}{4}$ ; Sec. 32; T56N; R84W; 6th P.M., Sheridan County, Wyoming; Thence N21 $^{\circ}20' W$  a distance of 325 feet along the west right-of-way of said road to a point; Thence S68 $^{\circ}40' W$  a distance of 35 feet to a point; Thence S21 $^{\circ}20' E$  a distance of 325 feet to a point; Thence N68 $^{\circ}40' E$  a distance of 35 feet to the point of beginning. Containing 11,375 sq. ft. (0.261 Acres).

2. The Landowners hereby grant unto the County a permanent right-of-way for a culvert, 10 feet in width, 5 feet on each side of the following centerline described as follows:

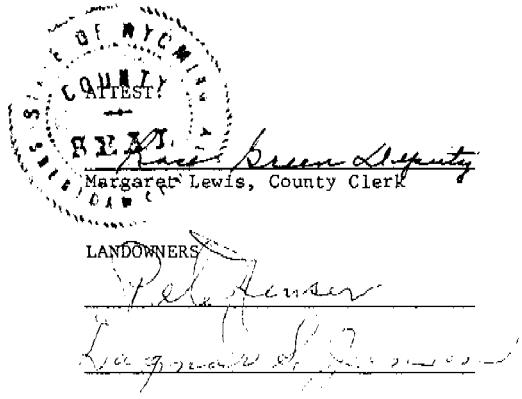
Beginning at a point on the west right-of-way of Road No. 117 (Golf Course Rd.) which lies S43°20'E a distance of 192.4 feet from the NW corner of the NE<sub>4</sub>; SW<sub>4</sub>; Sec. 32; T56N; R8<sub>2</sub>W; 6th P.M., Sheridan County, Wyoming; Thence N36°20'W a distance of 30 feet to the end of the pipe.

3. Before construction work is started, and before the landowners fence is cut the County shall cause sturdy pressure-treated posts to be placed on either side of the construction area, the posts to be set at least three feet in the ground and braced as requested by the Landowners and the County will install a temporary fence on the outer perimeter of the construction permit area consisting of four strands of barbed wire, placed on steel posts spaced approximately 16'-6".
4. The County will remove the existing fence and stockpile same in a neat and orderly manner on the Landowner's property.
5. Upon completion of construction, the County will install a right-of-way fence consisting of 4 strands of U.S. Made 12 $\frac{1}{2}$  gauge barbed wire placed on pressure treated wood posts with minimum dimensions of 6 $\frac{1}{2}$  ft. x 4" top and set at least 2 feet in the ground and spaced approximately sixteen and one-half feet, and the County will remove the temporary fence from the Landowner's property.
6. The County shall leave the premises in a neat condition with back-slopes not steeper than 3 to 1 and a minimum of four inches of topsoil shall be placed on all new fill.
7. All disturbed areas to be blended and reseeded by the County with a mixture of: intermediate wheatgrass--ten pounds pure live seed per acre, Lincoln smooth bromegrass--five pounds pure live seed per acre, certified free of noxious weed.
8. The County will apply 30-10-0 fertilizer at the rate of 200 lb. per acre to all reseeded areas.

9. The County will control weeds on the disturbed area for a period of two years from completion date and shall have the right to enter the Landowner's property for this purpose.
10. The right to enter for construction purposes shall extend only from the date hereof until September 1, 1982.
11. The County will place the culvert at such grade and elevation that water will not be caused to back up upon the Landowner's property.
12. The consideration recited in this agreement is merely for the purpose of securing said right-of-way and temporary right to enter for construction purposes and in addition to the consideration herein recited, the Landowners shall be fully reimbursed for any and all damages, losses and costs sustained by the Landowners as a result of the maintenance, repair, or removal of said culvert.

This Agreement shall be binding on the partie's heirs, successors and assigns.

Witness the execution hereof the 24th day of November, 1981.



BOARD OF COUNTY COMMISSIONERS  
 SHERIDAN COUNTY, WYOMING

By: William J. Laya  
 William J. Laya, Chairman

W.B. Frith  
 W. B. Frith, Commissioner

Burton Kerns  
 Burton Kerns, Commissioner

STATE OF WYOMING )  
                      ) ss.  
COUNTY OF SHERIDAN)

The foregoing instrument was acknowledged before me by Pete Jensen and  
Dagmar S. Jensen this 24th day of November, 1981.

Witness my hand and official seal.

MARGARET LEWIS, COUNTY CLERK

By: *Carole Rudolph*  
Deputy

My Term Expires: January 3, 1983.

STATE OF WYOMING )  
                      ) ss.  
COUNTY OF SHERIDAN)

On this 24th day of November, 1981, before me personally appeared  
William J. Laya, W. B. Frith, and Burton Kerns to me personally known, who, being  
be me duly sworn, did say that they are the members of the Board of County  
Commissioners of Sheridan, County, Wyoming, and that the seal affixed to said  
instrument is the seal of said County, and that said instrument was signed and  
sealed on behalf of said County by authority of its Board of Commissioners and  
they acknowledged said instrument to be the free act and deed of said Board.

Given under my hand and official seal this 24th day of November, 1981.

*D. Johnson*  
Clerk of District Court

My Term Expires: January 3, 1983.