

REVAR  
UNDERGROUND EASEMENT

CABLE TELEVISION, COMMUNICATION, ELECTRIC AND GAS LINES

RECORDED FEBRUARY 12, 2001 BK 421 PG 85 NO 367858 AUDREY KOLTISKA, COUNTY CLERK

THIS EASEMENT, made this 28th day of August, 2000, between MONTANA-DAKOTA UTILITIES CO., A DIVISION OF MDU RESOURCES GROUP, INC., a corporation, QWEST CORPORATION, a corporation, and TCI TKR of CENTRAL FLORIDA, INC., a corporation, hereinafter referred to as "COMPANIES," and the following named persons, hereinafter, whether singular or plural, referred to as "OWNER," namely:

Larry G. Barclay and Dianne K. Barclay, husband and wife and Gary R. Barclay  
134 Hwy 335 Sheridan, WY 82801

WITNESSED, that for valuable consideration received, OWNER does hereby grant unto Companies for 99 years, jointly and severally, its and their respective successors and assigns, an easement to construct, operate, maintain, increase the capacity of, repair, replace and remove such communication, electric and natural gas systems as the Companies may from time to time require, consisting of underground cables, wires, conduits, splicing boxes, markers, transformers, pipelines, and other facilities used in the construction, operation, maintenance, increasing the capacity of, repair, replacement, and removal of said communication, electric and natural gas systems, upon, over, under, and across a strip of land 16 feet wide across the following-described real estate, situated in the County of Sheridan, State of Wyoming, to wit:

ATTACHED EXHIBITS "A" AND "B"

OWNER, its successors and assigns, hereby grants to Companies, jointly and severally, its and their successors and assigns, the right of ingress and egress at all reasonable times over and across the lands of Owner, to and from said strip of land for the purpose of exercising the rights herein granted; to place surface markers beyond said strip; and to install gates in any fences crossing said strip.

OWNER, its successors and assigns, agrees not to build, create or construct or permit to be built, created or constructed, any obstruction, building, engineering works or other structures upon, over or under the strip of land herein described or that would interfere with the herein stated uses, or Companies' rights hereunder.

COMPANIES agree that any and all damages that may result to the crops, fences, buildings and improvements on said premises caused by the construction and maintenance of said communication, electric and/or natural gas systems will be paid for by the responsible Company. The damages, if not mutually agreed upon, may be determined by three disinterested persons, one to be selected by the responsible Company and one by Owner; these two shall select a third person. The award determined by these three persons shall be final and conclusive.

IN WITNESS WHEREOF, OWNER has executed this easement as of the day and year first above written.

Larry G. Barclay  
G.R.B.  
Dianne K. Barclay

STATE OF Wyoming  
COUNTY OF Sheridan :ss

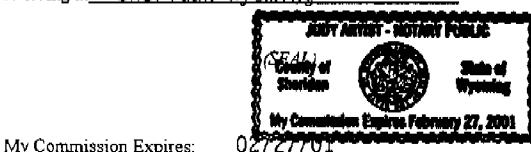
On this 28th day of August, 2000, before me personally appeared Larry G. Barclay,  
Dianne K. Barclay and Gary R. Barclay  
known to me to be the same person(s) as described in and who executed the above and foregoing instrument and acknowledged to me that they executed the same.

(THIS SPACE FOR RECORDING DATA ONLY)

Notary Public, Sheridan County,

State of Wyoming

Residing at Sheridan Wyoming



W.O. 376958 TRACT NO. 37249 L.R.R. NO. 37014

## EXHIBIT "A"

Record Owner: Goldie A. Anderson  
June 29, 2000

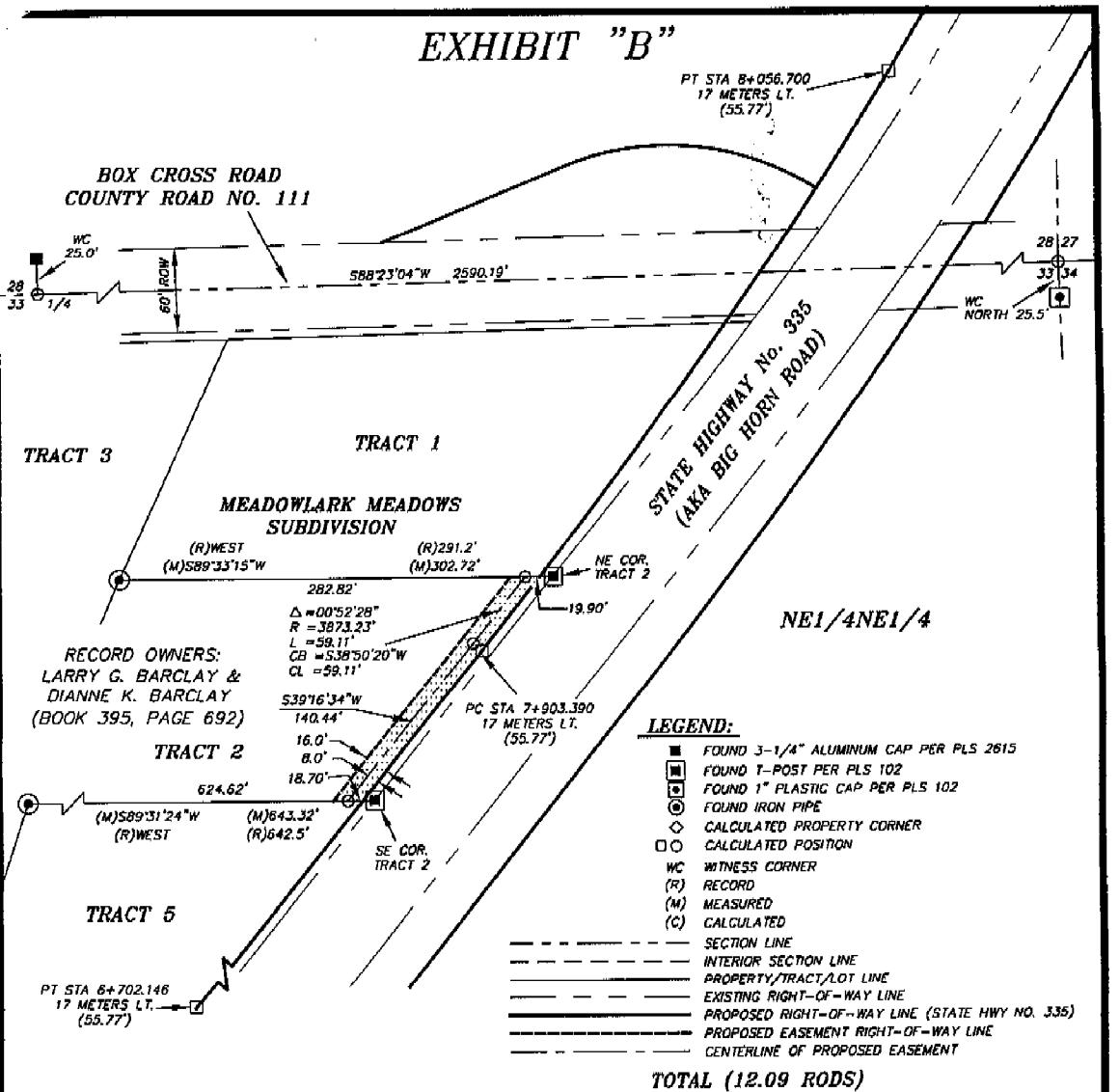
Re: 16' Non-Exclusive Perpetual Easement for All Utilities including but not limited to US West Communications, Inc., Montana-Dakota Utilities Co., A Division of MDU Resources Group, Inc., TCI TKR of Central Florida, Inc., and or any of their respective successors and assigns.

A perpetual utility easement sixteen (16) feet wide, being eight (8) feet each side of the following described centerline situated in Tract 2 of the Meadowlark Meadows Subdivision, Sheridan County, Wyoming, as shown on Exhibit "B" attached hereto and by this reference made a part hereof; said centerline being more particularly described as follows:

Commencing at the northeast corner of said Tract 2 (Monumented with a "T" post per PLS 102); thence S89°33'15"W, 19.90 feet along the north line of said Tract 2 to the **POINT OF BEGINNING** of said centerline; thence, eight (8) feet westerly of and parallel to the proposed westerly right-of-way line of State Highway No.335 (AKA Big Horn Road) through a curve to the right, having a radius of 3873.23 feet, a central angle of 00°52'28", an arc length of 59.11 feet, a chord bearing of S38°50'20"W and a chord length of 59.11 feet along said centerline to a point; thence, eight (8) feet westerly of and parallel to said proposed westerly right-of-way line S39°16'34"W, 140.44 feet along said centerline to the **POINT OF TERMINUS**, said point lying on the south line of said Tract 2 and being S89°31'24"W, 18.70 feet from the southeast corner of said Tract 2 (Monumented with a Yellow "T" post per PLS 102).

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

# EXHIBIT "B"



## NOTES:

- SEE RECORD OF SURVEY FILED IN DRAWER "A" OF CERTIFICATE OF SURVEYS NO. 119.
- SEE WYOMING DEPARTMENT OF TRANSPORTATION PLAN AND PROFILE OF PROPOSED STATE HIGHWAY BIG HORN ROAD (AKA STATE HIGHWAY NO. 335) FOR PROPOSED/EXISTING RIGHT OF WAY: DATED NOV. 08, 1999.
- RIGHT-OF-WAY STATIONS ARE LISTED IN METERS, OFFSET DISTANCES FROM CENTERLINE ARE LISTED IN METERS AND FEET.
- NON-EXCLUSIVE PERPETUAL EASEMENT FOR ALL UTILITIES INCLUDING BUT NOT LIMITED TO US WEST COMMUNICATIONS, INC., MONTANA-DAKOTA UTILITIES CO., A DIVISION OF MDU RESOURCES GROUP, INC., TCI TXR OF CENTRAL FLORIDA, INC., AND OR ANY OF THEIR RESPECTIVE SUCCESSORS AND ASSIGNS.

## SURVEYOR'S CERTIFICATE

STATE OF WYOMING  
COUNTY OF SHERIDAN

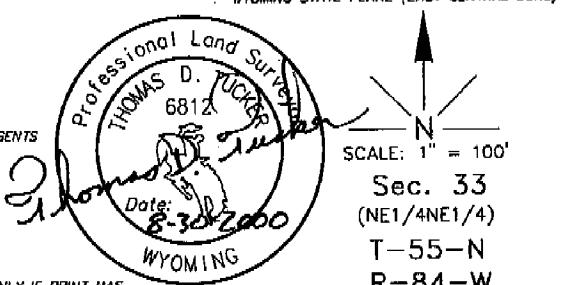
I, THOMAS D. TUCKER A DULY REGISTERED LAND SURVEYOR IN THE STATE OF WYOMING, DO HEREBY CERTIFY THAT THIS PLAT TRULY AND CORRECTLY REPRESENTS THE RESULTS OF A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION.

Date: AUGUST 30, 2000

Job No. 027A465

RL No. \_\_\_\_\_

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



SHERIDAN COUNTY, WYOMING

**P** RESTFELDT  
SURVEYING

PO BOX 3082  
SHERIDAN, WY 82801  
307-672-7415  
FAX 674-5000

JN: 200031  
DN: 2000/200031E36  
(2000) NAD 83(1993)  
DAF: 1.000246811

U.S. WEST Communications, inc.  
EXHIBIT FOR RIGHT OF WAY NO. \_\_\_\_\_  
GRANTOR LARRY G. BARCLAY AND  
DIANNE K. BARCLAY