

**MONTANA-DAKOTA UTILITIES CO.  
 UNDERGROUND EASEMENT**

THIS EASEMENT, made this 22<sup>ND</sup> day of MARCH, A.D., 2019, between MONTANA-DAKOTA UTILITIES CO., A SUBSIDIARY OF MDU RESOURCES GROUP, INC., a corporation, 400 North Fourth Street, Bismarck, North Dakota 58501, hereinafter called "COMPANY", its successors and assigns, and the following named persons, herein, whether singular or plural, called "OWNER," namely:

**Saddlecrest, LLC  
 Jim Spell (Member) & Jaynie Spell (Member)  
 2048 Summit Drive  
 Sheridan, Wyoming 82801**

WITNESSETH, that for valuable considerations received, OWNER does hereby grant, bargain, sell and convey unto COMPANY, its successors and assigns, an easement 16 feet in width as laid out and/or surveyed, or as finally installed on the hereinafter described lands, together with the right to construct, reconstruct, operate, maintain, repair, remove and replace communications line or lines, a gas pipeline or lines, including necessary pipes, poles, and fixtures, and a buried or semi buried electric distribution system, street lighting system, or any combination thereof including the necessary cables, pedestals, transformers, transformer bases and other fixtures and apparatus in connection therewith through, over, under, and across the following described real estate, situated in the County of Sheridan, State of Wyoming namely:

An underground electric and gas line easement being the west sixteen (16.0) feet of Lot 12, Lot 13, Lot 14, and Lot 15, SaddleCrest Subdivision, Sheridan County, Wyoming; as described in EXHIBIT "A" and shown on EXHIBIT "B" attached hereto and by this reference made a part hereof. Said SaddleCrest Subdivision recorded in the Sheridan County Clerk's Office, Sheridan County, Wyoming; November 19, 2018, in Plat Book "S", Page Number 157,

OWNER agrees not to build, create or construct or permit to be built, created, or constructed, any obstruction, building, engineering works or other structures over, under, or that would interfere with said underground lines or COMPANY'S rights hereunder.

OWNER hereby grants to COMPANY, its successors and assigns, the right at all reasonable times to enter upon said premises for the purpose of laying, constructing, maintaining, operating, replacing, repairing or removing said underground lines and for the purpose of doing all necessary work in connection therewith.

COMPANY by the acceptance hereof, hereby agrees that it will pay any and all damages that may result, including crops, fences, buildings and improvements on said premises, caused by constructing, maintaining, repairing, operating, replacing or removing said underground lines. The damages, if not mutually agreed upon, may be determined by three disinterested persons, one to be selected by COMPANY and one by OWNER; these two shall select the third person. The award of these three persons shall be final and conclusive.

If the herein described lands are in the State of North Dakota, this easement is limited to a term of 99 years. If the herein described lands are in the State of Wyoming, OWNER does hereby release and waive all rights under and by virtue of the homestead exemption laws of that state.

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

Jim Spell TEE  
 SaddleCrest, LLC  
 Jim Spell (Member)

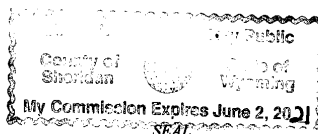
Jaynie Spell TEE  
 SaddleCrest, LLC  
 Jaynie Spell (Member)

STATE OF WYOMING )  
 )ss.  
 COUNTY OF SHERIDAN )

On this the 22<sup>nd</sup> day of March, 2019, before me personally appeared Jim Spell and Jaynie Spell, known to me, or satisfactorily proved to be the persons described in and who executed the above and fore going instrument and acknowledged to me that they executed the same.

(This space for recording data only)

Craig A. Pichel  
 Notary Public



My Commission Expires 6-2-2021

W.O. \_\_\_\_\_ Tract NO. \_\_\_\_\_ LLR NO. \_\_\_\_\_

**LEGAL DESCRIPTION**  
**EXHIBIT "A"**

**Record Owner: *Saddlecrest LLC, Jim Spell (Member), Jaynie Spell (Member)***

March 20, 2019

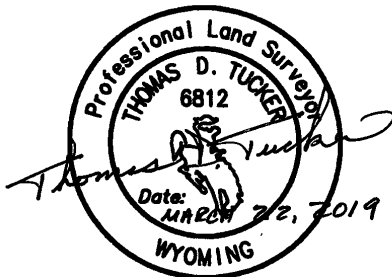
**Re: 16.0' Underground Electric & Gas Line Easement** to Montana-Dakota Utilities Company, A Subsidiary of MDU Resources Group, Inc., and or any of their respective successors and assigns.

An underground electric and gas line easement being the west sixteen (16.0) feet of Lot 12, Lot 13, Lot 14, and Lot 15, SaddleCrest Subdivision, Sheridan County, Wyoming; as shown on **EXHIBIT "B"** attached hereto and by this reference made a part hereof. Lengthening or shortening the side line of said easement to intersect said boundary lines.

Said underground electric and gas line easement contains 0.97 acres of land, more or less.  
Bearings are Based on the Wyoming Coordinate System, NAD 1983, East Central Zone.

**SURVEYOR'S STATEMENT**

I, Thomas D, Tucker, do hereby state that this legal description was prepared from notes taken during an actual field survey performed by me or under my direct supervision.



Modification in any way of the above or foregoing legal description terminates liability of the surveyor.

  
**2019-748857** 3/25/2019 12:33 PM PAGE: 2 OF 3  
BOOK: 579 PAGE: 602 FEES: \$18.00 HLM EASEMENT  
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK

# EXHIBIT "B"



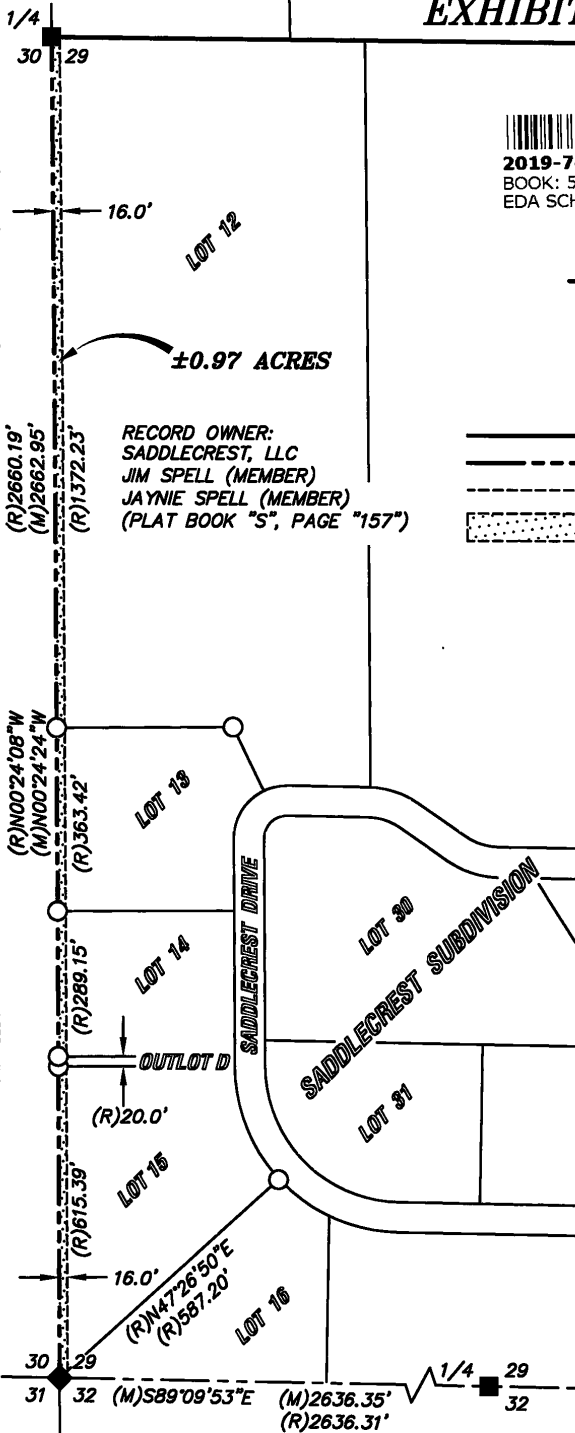
2019-748857 3/25/2019 12:33 PM PAGE: 3 OF 3  
BOOK: 579 PAGE: 603 FEES: \$18.00 HLM EASEMENT  
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK

## LEGEND:

- FOUND 3-1/4" ALUMINUM CAP PER PLS 2615
- ◆ FOUND 3" BRASS CAP PER PLS 529
- ○ CALCULATED: NO MONUMENTATION (SEE NOTE)
- (R) RECORD
- (M) MEASURED
- PROPERTY/LOT LINE
- - - SECTION LINE
- - - EASEMENT LINE
- ⋯ UNDERGROUND ELECTRIC & GAS LINE EASEMENT ±0.97 ACRES

SE1/4, SECTION 30, T66N, R84W

CITY OF SHERIDAN



SCALE: 1"=300'

BEARINGS ARE BASED ON THE  
WYOMING COORDINATE SYSTEM  
NAD 1983, EAST CENTRAL ZONE  
DATUM: NAD 83(1993), NAVD 88 (U.S. SURVEY FEET)  
DAF: 1.000235  
DISTANCES ARE SURFACE

## NO. 2019-748857 EASEMENT

EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK  
PRESTFELDT SURVEYING 2340 WETLANDS DR  
SHERIDAN WY 82801

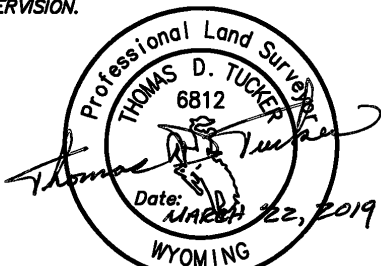
## NOTE:

SADDECREST SUBDIVISION WAS RECORDED  
NOVEMBER 19, 2018 IN PLAT BOOK "S", PAGE  
NUMBER 157. AS OF MARCH 18, 2019  
MONUMENTATION FOR LOTS 12 THRU 16 COULD NOT  
BE FOUND. IT APPEARS THAT MONUMENTATION FOR  
THIS SUBDIVISION HAS NOT BEEN ESTABLISHED.  
RECORD INFORMATION WAS USED FOR THIS SURVEY.

## SURVEYOR'S CERTIFICATE

STATE OF WYOMING :ss  
COUNTY OF SHERIDAN

I, THOMAS D. TUCKER, 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.



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

## EXHIBIT "B" 16.0' UNDERGROUND ELECTRIC & GAS LINE EASEMENT

CLIENT: MONTANA-DAKOTA UTILITIES COMPANY  
LOCATION: LOTS 12-15, SADDECREST SUBDIVISION,  
SHERIDAN COUNTY, WYOMING

**PRESTFELDT**  
SURVEYING  
2340 WETLANDS DR., SUITE 100  
PO BOX 3082  
SHERIDAN, WY 82801  
307-672-7415

JN: 2019-015  
DN: 2019-015D  
TAB: ROS 1  
PF: T2019-015  
REVIEWED BY: NWS  
MARCH 20, 2019