

ACCESS ROADWAY AND UTILITY EASEMENT
(Road For Tracts 8 and 9, Wildcat Run)

Wildcat Run, LLC, a Wyoming limited liability company, and Gary G. Koltiska and Vicki Jo Koltiska, husband and wife (herein "Grantors"), each as their interests may appear as record owner of certain real property located in Sheridan County, Wyoming, more particularly described below as "Wildcat Run", and for and in consideration of the sum of Ten and NO/100 Dollars (\$10.00) and other good and valuable consideration the receipt of which is hereby acknowledged, do hereby grant and convey a nonexclusive access roadway and utility easement across that Sixty Foot (60') wide strip of land more specifically described on **Exhibit "A"**, attached hereto and incorporated herein (herein the "Easement Route"), and as further generally shown on that map attached hereto and incorporated herein as **Exhibit "B"**. Grantor further reserves certain rights therein, as set forth hereinafter:

1. Grant of Easement For Benefit of Tracts 8 and 9, Wildcat Run Subdivision.

Grantors do grant this nonexclusive easement to and for the benefit of those Tracts commonly known as Tract 8 and 9 of Wildcat Run, a subdivision of large-tract agricultural homesites, and said Tracts 8 and 9 are more particularly described on **Exhibit "C"**, attached hereto and incorporated herein.

2. Intent and Purpose of Easement.

Grantors own, as their interests appear of record, those lands commonly known Tracts 7, 8, 9 and 10 of Wildcat Run, as shown on Exhibit B in their entirety as of this date; *however*, Grantors intend to sell and convey each Tract 7, 8, 9 and 10 hereafter. This Access Roadway and Utility Easement is intended to provide the right of ingress and egress and utility access over and across the Easement Route for unfettered nonexclusive access and the installation, maintenance, repair and replacement of utilities to and for the benefit of said Tracts 8 and 9, and each and every portion thereof. Tracts 7 and 10, over which the Easement Route traverses shall also enjoy all rights granted to Tracts 8 and 9 herein. This easement is intended to benefit and burden each portion of said lands owned by Grantor without risk or claim of merger.

3. Reservation of Rights.

Provided further, Grantors grant and reserve in favor of Wildcat Run, LLC, as the developer of that subdivision commonly known as Wildcat Run, the right to further grant, assign or otherwise convey additional easements and/or the right of utility installation, maintenance and repair in, over, along and across said Easement Route to any person or entity other than those who benefit from this instrument for its purposes and needs as the developer of the property. Any additional rights so conveyed by Wildcat Run, LLC along the Easement Route shall not be inconsistent with the rights granted herein to said subdivision.

4. No Liability; Maintenance/Repairs.

Grantor shall bear no responsibility or liability to any person or entity using the Easement Route, or the roadway or utilities therein. The Easement Route may be maintained and repaired at the election of the homeowners' association formed for in that DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF WILDCAT RUN, which is dated of even date herewith and is recorded hereafter and which burdens/benefits all of those lands described in Exhibit C, the terms of which are incorporated herein by reference. This easement shall run with the land.

DATED this 21st day of December, 2007.

WILDCAT RUN, LLC



By: D. Scott Bliss, Manager

Gary G. Koltiska
Gary G. Koltiska

Vicki Jo Koltiska
Vicki Jo Koltiska

STATE OF WYOMING)
) ss.
COUNTY OF SHERIDAN)

The above and foregoing ACCESS ROADWAY AND UTILITY EASEMENT was acknowledged to before me by D. Scott Bliss, as Manager of Wildcat Run, LLC, and by Gary G. Koltiska and Vicki Jo Koltiska on this the 21st day of December, 2007.

WITNESS my hand and official seal.

Brian T. Kinnison
Notary Public

My Commission expires: 5-13-10



EXHIBIT "A"**LEGAL DESCRIPTION OF EASEMENT ROUTE**

December 14, 2007

**RE: Wildcat Run: 60' wide Roadway and Utility Easement through Tract 7 and Tract 10
To Tract 8 and Tract 9 (Easement No. 4).**

A sixty (60) foot wide roadway and utility easement being sixty (60) feet wide, thirty (30) feet each side of the following described centerline situated in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, Township 55 North, Range 83 West, 6th Principal Meridian, Sheridan County, Wyoming; said centerline being more particularly described as follows:

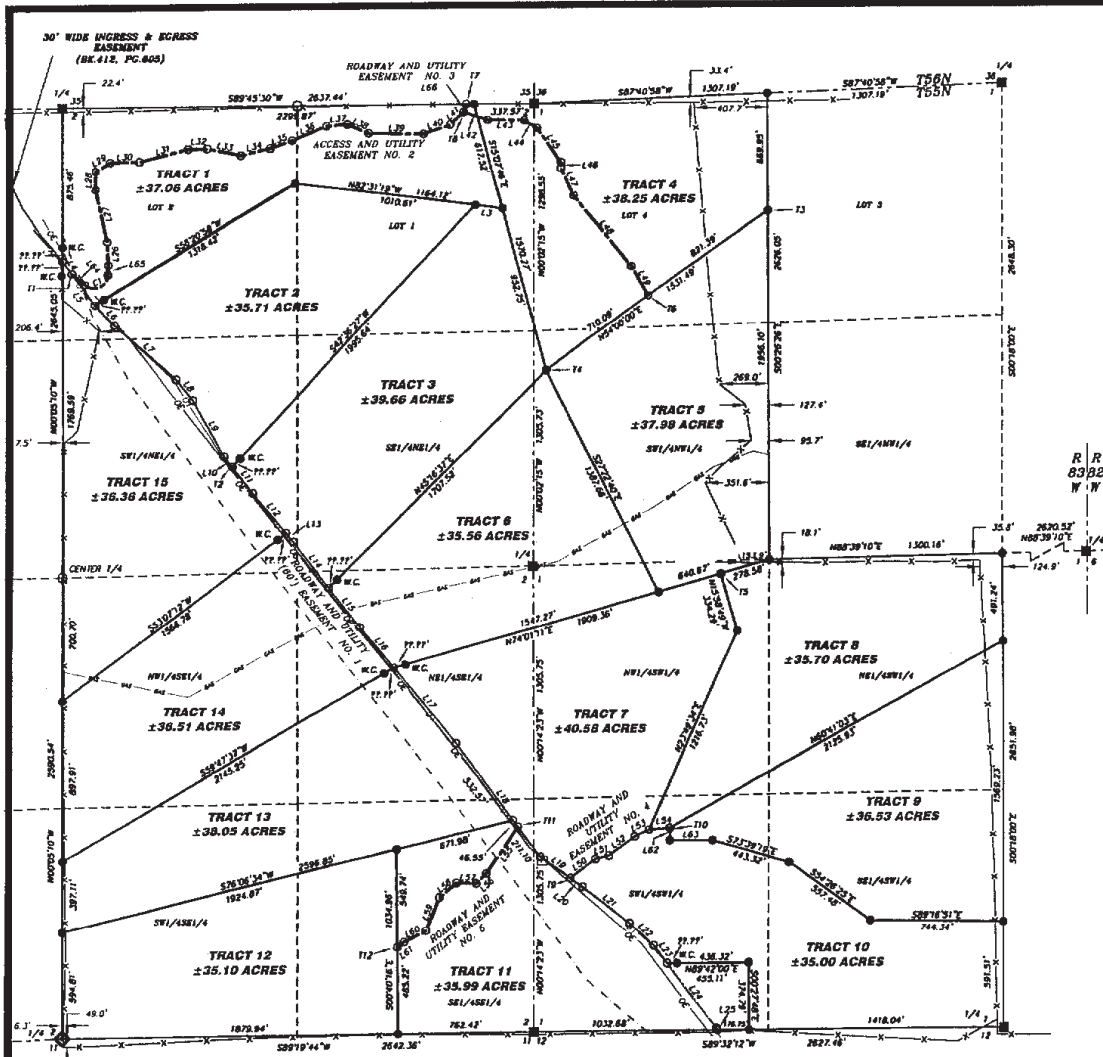
Commencing at the southwest corner of said Section 1 (monumented with a 3 $\frac{1}{4}$ " aluminum cap per PLS 2608); thence N13°26'02"E, 883.86 feet to the **POINT OF BEGINNING** of said easement, said point lying on the centerline (Book 433 of Deeds, Page 71) of a sixty (60) foot wide roadway and utility easement; thence N52°50'18"E, 176.47 feet along said centerline to a point; thence N75°39'45"E, 77.16 feet along said centerline to a point; thence N53°32'30"E, 181.77 feet along said centerline to a point; thence N64°22'04"E, 88.13 feet along said centerline to a point; thence N85°18'20"E, 116.39 feet along said centerline to the **POINT OF TERMINUS** of said easement, said point being N33°44'56"E, 1372.31 feet from said southwest corner of Section 1.

Said easement being 639.92 feet in length.

Lengthening or shortening the side lines of said easement to intersect said boundary lines.

Bearings are Based on the Wyoming Coordinate System NAD 1983, East Central Zone

EXHIBIT "B"



LEGEND

- ◊ FOUND 1 1/2" ALUMINUM CAP PER PLS 529
- ◻ FOUND 3/8 1/4" ALUMINUM CAP PER PLS 2608
- SET 2" ALUMINUM CAP PER PLS 2615
- NOTHING FOUND/NOTHING SET
- TRACT LINE
- - - SECTION LINE
- - - INTERIOR SECTION LINE
- - - CENTERLINE PROPOSED ACCESS EASEMENT 60' WIDE RIGHT OF WAY
- - - TRACT LINE/CENTERLINE PROPOSED SIXTY (60') WIDE ROADWAY AND UTILITY ACCESS EASEMENT
- - - 35" WIDE GAS PIPELINE EASEMENT LOCATED BY A SURVEY ON OCT 04, 2007 (BK 421, PG 235)
- - - 30" WIDE OVERHEAD ELECTRICAL EASEMENT LOCATED BY A SURVEY ON OCT 04, 2007 (BK 230, PG 48)
- - - 30" WIDE OVERHEAD ELECTRICAL EASEMENT LOCATED BY A SURVEY ON OCT 04, 2007 (BK 265, PG 134)
- - - 30" WIDE UNDERGROUND ELECTRICAL EASEMENT (RECORD) (BK 265, PG 134)



SCALE: 1"=800'

BASIS OF BEARINGS IS
WYOMING COORDINATE SYSTEM NAD 1983, EAST CENTRAL
ZONE, DISTANCES ARE SURFACE

EXHIBIT
FOR
WILDCAT RUN

SW1/4, W1/2NW1/4 OF SECTION 1 AND E1/2 SECTION 2,
TOWNSHIP 65 NORTH, RANGE 63 WEST, 6TH P.M.,
SHERIDAN COUNTY, WYOMING

CLIENT: DSB INVESTMENTS, INC.
50 EAST LOUCKS STREET
SHERIDAN, WY 82801

PS RESTFELDT
SURVEYING
PO BOX 3082
SHERIDAN, WY 82801
307-872-7415
FAX 874-5000

JN:27092
DP:2007092 WILDCAT RUN
TAS- RECORD OF SURVEY
DECEMBER 14, 2007

EXHIBIT "C"
LEGAL DESCRIPTION

RE: Wildcat Run: Tract 8

A tract of land situated in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, Township 55 North, Range 83 West, 6th Principal Meridian, Sheridan County, Wyoming; said tract being more particularly described as follows:

Commencing at the north quarter corner of said Section 1 (monumented with a 3 $\frac{1}{4}$ " aluminum cap per PLS 2608); thence S00°18'00"E, 2648.30 feet to the **POINT OF BEGINNING** of said tract, said point being the northeast corner of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 1; thence S00°18'00"E, 491.24 feet along the east line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ to a point; thence S60°41'03"W, 2125.93 feet to a point, said point being the point of terminus of a sixty (60) foot wide roadway and utility easement ; thence S85°18'20"W, 116.39 feet along said centerline of a sixty (60) foot wide roadway and utility easement to a point; thence N23°49'34"E, 1216.73 feet to a point; thence N15°58'49"W, 334.29 feet to a point; thence N74°01'11"E, 278.58 feet to a point, said point being the northwest corner of said NE $\frac{1}{4}$ SW $\frac{1}{4}$; thence N88°39'10"E, 1300.16 feet along the north line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ to the **POINT OF BEGINNING** of said tract.

Said tract contains 35.70 acres of land, more or less.

Bearings are Based on the Wyoming Coordinate System NAD 1983, East Central Zone

EXHIBIT "C"
LEGAL DESCRIPTION

RE: Wildcat Run: Tract 9

A tract of land situated in the SW $\frac{1}{4}$ of Section 1, Township 55 North, Range 83 West, 6th Principal Meridian, Sheridan County, Wyoming; said tract being more particularly described as follows:

Commencing at the north quarter corner of said Section 1 (monumented with a 3/4" aluminum cap per PLS 2608); thence S00°18'00"E, 3139.54 feet to the **POINT OF BEGINNING** of said tract, said point lying on the east line of said SW $\frac{1}{4}$; thence S00°18'00"E, 1569.23 feet along said east line of the SW $\frac{1}{4}$ to a point; thence N89°16'51"W, 744.34 feet to a point; thence N54°26'25"W, 557.48 feet to a point; thence N73°39'19"W, 443.32 feet to a point; thence Due West, 238.69 feet to a point; thence Due North, 70.00 feet to a point, said point being the point of terminus of a sixty (60) foot wide roadway and utility easement; thence N60°41'03"E, 2125.93 feet to the **POINT OF BEGINNING** of said tract.

Said tract contains 36.53 acres of land, more or less.

Bearings are Based on the Wyoming Coordinate System NAD 1983, East Central Zone