

Know All Men By These Presents:

That for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable considerations, the receipt of which is hereby acknowledged and confessed, BIG HORN COAL COMPANY, A WYOMING CORPORATION.....
of the County of SHERIDAN.... and State of Wyoming, hereinafter called the grantor, hereby grants to THE STATE HIGHWAY COMMISSION OF WYOMING, its assigns or successors, hereinafter called the grantee, the right to lay out, construct, inspect, operate and maintain a road for the use of the public over and across the following described lands located in the County of Sheridan and State of Wyoming, to-wit: Portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 13; Portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 12; Portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12, all of T. 57 N., R. 84 W. of the 6th P.M., Wyoming.

The right-of-way hereby granted being more particularly described as follows:

PARCEL NO. 1: A portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13, T. 57 N., R. 84 W. of the 6th P.M., Wyoming, lying between parallel right-of-way lines 240 feet apart, being 120 feet on each side when measured at right angles to the following described survey line of highway, said parallel right-of-way lines begin on the north boundary of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ and end in said NE $\frac{1}{4}$ SW $\frac{1}{4}$:

Commencing at a point on the north boundary of said Section 13 from which the north quarter corner thereof bears N.89°17'01.7"E. a distance of 801.7 feet;

thence S.23°17'07.8"E. a distance of 1,555.78 feet;

thence S.3°27'31.5"W. a distance of 1,406.72 feet to the True Point of Beginning;

thence continuing S.3°27'31.5"W. a distance of 310.4 feet to the point of ending.

The parcel of land hereby conveyed contains 1.7 acres, more or less.

PARCEL NO. 2: A portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, T. 57 N., R. 84 W. of the 6th P.M., Wyoming, lying between the existing northwesterly right-of-way boundary of State Highway No. 338 as established September 3, 1947 Wyoming Project S-265(2) and a parallel right-of-way line 110 feet to the left or northwesterly side when measured at right angles to the following described survey line of highway, said parallel right-of-way line begins and ends in said NW $\frac{1}{4}$ SE $\frac{1}{4}$:

Commencing at a point on the north-south centerline of said Section 12 from which the south quarter corner thereof bears S.1°08'11.6"E. a distance of 1,253.98 feet;

thence N.63°36'16.4"E. a distance of 163.17 feet to the True Point of Beginning;

thence continuing N.63°36'16.4"E. a distance of 521 feet, more or less, until said parallel right-of-way line intersects the existing northwesterly right-of-way boundary of said State Highway No. 338.

The parcel of land hereby conveyed contains 0.2 acre, more or less.

PARCEL NO. 3: A portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, T. 57 N., R. 84 W. of the 6th P.M., Wyoming, lying between the existing southwesterly right-of-way boundary of State Highway No. 338 as established September 3, 1947 Wyoming Project S-265(2) and a parallel right-of-way line 110 feet to the right or southwesterly side when measured at right angles or radially to the following described survey line of highway, said parallel right-of-way line begins at a point on the most northerly boundary of that certain tract of land described in Book 287 at Page 490 of the Sheridan County Records and ends at the point of intersection with said existing southwesterly right-of-way boundary:

Commencing at a point on the north boundary of said Section 12 from which the north quarter corner thereof bears S.83°14'16.8"W. a distance of 1,330.89 feet;

thence S.29°12'23.8"E. a distance of 21.97 feet to the True Point of Beginning;

thence continuing S.29°12'23.8"E. a distance of 473.58 feet to the point of beginning of a 4°00' spiralled curve concave westerly, the spiral lengths of which are 300 feet, the total length of which is 1,205.22 feet and the total central angle of which is 36°12'31.3";

thence continuing southeasterly along the spiral arc of said curve through a central angle of 0°22'30" a distance of 75 feet, more or less, until said parallel right-of-way line intersects said existing southwesterly right-of-way boundary.

The parcel of land hereby conveyed contains 0.2 acre, more or less.

NOTE: All bearings and distances in these descriptions are based on the Wyoming State Plane Coordinate System, East Central Zone, modified to Wyoming Highway Department Coordinate System by an adjustment factor of 1.0003000.

In the event coal or other mining becomes feasible on the lands granted herein, the Grantee hereby stipulates that for mining setback purposes, the roadway area shall be confined to a strip of land 100 feet wide being 50 feet on each side of the above described survey line of highway. This 100-foot strip shall be considered the highway right-of-way for mining purposes and the beginning limit for any setback provisions as are required by law or regulation. Furthermore, if any fences interfere with actual mining operations after the setback provisions are applied, the Grantee will remove and relocate said fences.

Grantor also grants the right of ingress and egress to and from the said land for any and all purposes necessary and incident to the exercise by the grantee, and the public, of the rights granted by this conveyance.

Grantee agrees to construct culverts of suitable size across such ditches and laterals of grantor as necessary for proper operation of this irrigation system.

Grantors hereto do hereby waive and release all rights under and by virtue of the homestead exemption laws of the State of Wyoming insofar as affected by this conveyance.

Grantor will not use, or permit to be used, the conveyed property for any purpose whatsoever; that exclusive use is hereby granted to the grantee.

The grant herein contained is an easement and shall be perpetual so long as any portion of said land is used for the aforementioned purposes, and whether or not actually fenced or used in its entirety for the aforementioned purposes.

IN WITNESS WHEREOF, the parties have hereunto set.....hand....this...⁷...
day of October....., A.D., 1988..by.....

Witnessed by [Signature]..... Big Horn Coal Company
..... [Signature].....
..... President

ACKNOWLEDGEMENT

STATE OF Nebraska)
COUNTY OF Douglas) SS.

The foregoing instrument was acknowledged before me this 7th day of October
1988, by Dean Skalle

Witness my hand and official seal.

My commission expires June 28, 1991 Denise R. Trester
NOTARY PUBLIC

