

## UTILITY & SIGN EASEMENT

THIS EASEMENT, made this 15<sup>th</sup> day of August, 2016, between MONTANA-DAKOTA UTILITIES CO., A DIVISION OF MDU RESOURCES GROUP, INC., a corporation, 400 North Fourth Street, Bismarck, North Dakota, hereinafter called COMPANY, their successor assigns and licensees, and the following named persons, hereinafter, whether singular or plural, called OWNER, namely:

### Woodland Creek Estates, LLC

WITNESSETH, that for valuable considerations received, OWNER does hereby grant unto COMPANY, their successor and assigns, an easement upon, over, under and across a strip of land 10 feet in width, as laid out and/or surveyed with the right, jointly or individually, to construct, reconstruct, increase the capacity of, operate, maintain, remove, and repair overhead electric lines, consisting of pole structures supporting one or more electric power circuits together with crossarms, cables, wires, guys, supports, anchors, fixtures, and such other structures, installations and facilities used in the construction, reconstruction, operation, increasing the capacity of, maintenance, repair, and removal of said electric lines, together with the right to cut and trim trees and shrubbery located within 20 feet of the easement line of said line or where they may interfere with or threaten to endanger the operation or maintenance of said line, and to license, permit or otherwise agree to the joint use or occupancy of the line by any other persons, associations or corporations. OWNER does also hereby grant unto COMPANY, their successor assigns and licensees, the right to construct, reconstruct, increase the capacity of, operate, maintain, repair and remove underground communication, electric, natural gas, and cable television systems as they may from time to time desire, consisting of underground cables, wires, conduits, manholes, drains and splicing boxes, surface testing terminals, repeaters, repeater housings, markers, transformers, pedestals, pipelines, and other facilities used in the construction, operation, maintenance, increasing the capacity of, repair, replacement, and removal of said communication, electric, natural gas and cable television systems, upon, over, under and across the area of the easement.

OWNER, hereby grants to COMPANY, their successor, assigns and licensees, the right at all reasonable times to enter upon said premises for the purpose of constructing, reconstructing, increasing the capacity of, maintaining, converting to underground, repairing or removing said electric line, and said communication, electric, natural gas and cable television systems and for the purpose of doing all necessary work in connection therewith.

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 said electric line or said communications, electric, natural gas or television systems, or COMPANY their successor, assigns and licensees rights hereunder.

Said electric line, and said communications, electric, natural gas and cable television systems, and every part hereof shall be confined to the area granted under this easement, except that the COMPANY, their successor, assigns and licensees shall have the right of placing and maintaining guys and anchors at greater distance from overhead lines where necessary to support said overhead electric line.

COMPANY hereby agrees that they will pay any and all damages that may result to the crops, fences, buildings and improvements on said premises caused by constructing, reconstructing, increasing the capacity of, maintaining, repairing, converting to underground, operating or removing said electric lines and said communications, electric, natural gas and cable television systems. 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.

COMPANY hereby grants proprietary rights to the placement of a sign (One) within said easement by the OWNER and shall facilitate the placement of said sign and shall relocate utilities at the expense of the COMPANY, their successor, assigns and licensees upon written request.

OWNER does hereby release and waive all rights under and by virtue of the homestead exemption laws of that state.

This easement is appurtenant to the following described real estate, situated in the County of Sheridan, State of Wyoming, namely:

A utility & sign easement, being a strip of land ten (10) feet in width when measured at right angles, situated in the NW1/4 NW1/4 of Section 14, Township 55 North, Range 84 West of the 6<sup>th</sup> P.M. Meridian, Sheridan County, Wyoming; said easement being more particularly described in EXHIBIT "A" and shown in EXHIBIT "B" attached hereto and by this reference made part hereof.

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

Woodland Creek Estates, LLC

Graham Hurley, Member

STATE OF Wyoming  
COUNTY OF Sheridan :SS

On this 15<sup>th</sup> day of August, 2016, before me personally appeared Graham Hurley

known to me to be the same person described in and who executed the above and foregoing instrument and acknowledged to me that he executed the same, (known to me to be the member and member respectively, of

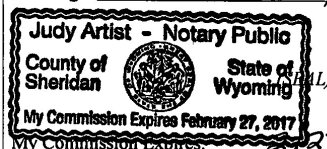
(THIS SPACE FOR RECORDING DATA ONLY)

the corporation that is described in and that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.)

Notary Public, Judy Artist Sheridan County,

State of Wyoming

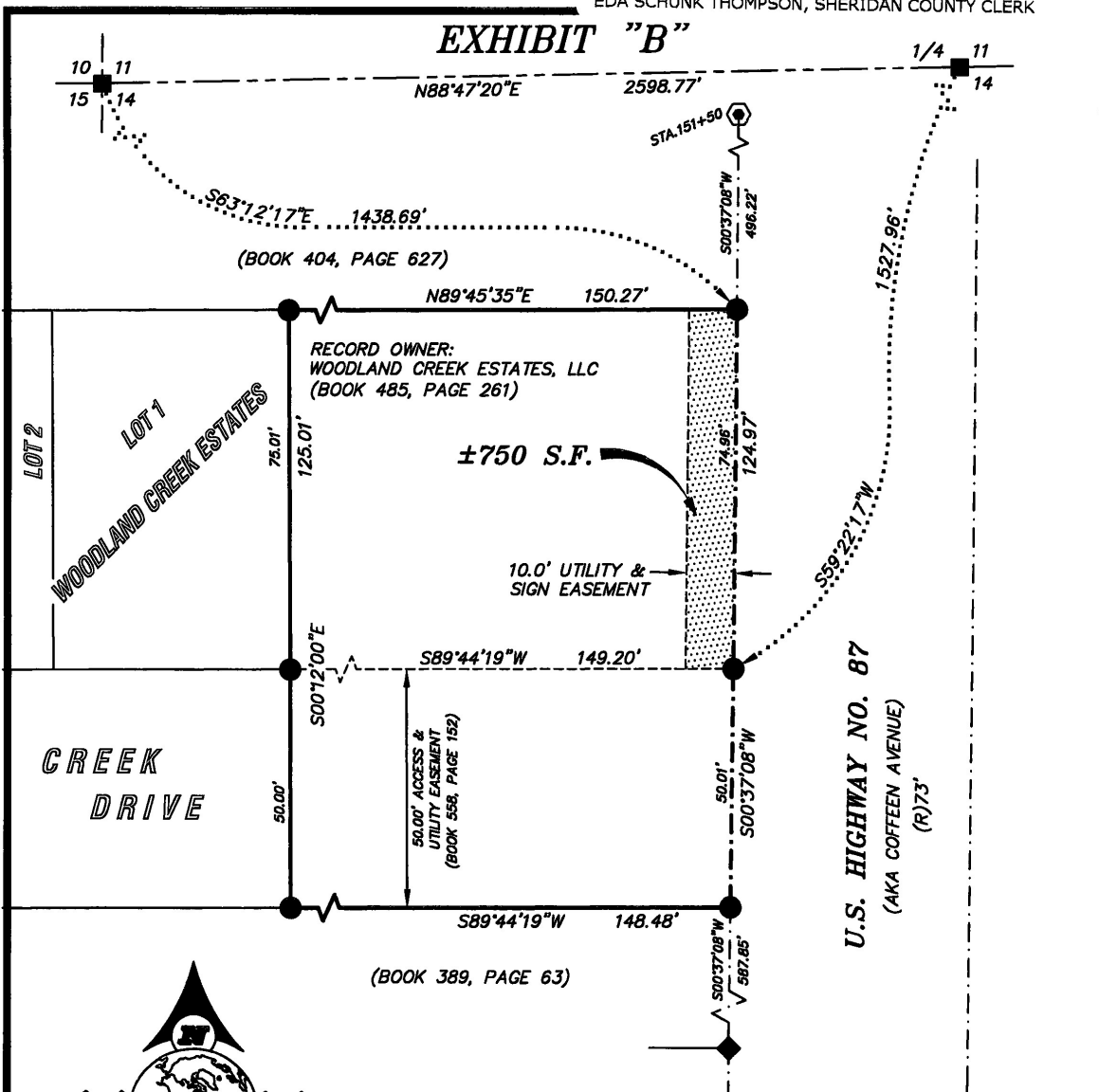
Residing at Sheridan, Wyoming



My Commission Expires 2/27/17

W.O. \_\_\_\_\_ TRACT NO. \_\_\_\_\_ L.R.R. NO. \_\_\_\_\_

## EXHIBIT "B"



SCALE: 1"=30'

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

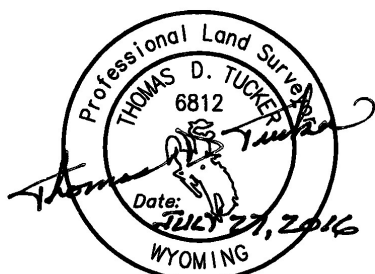
### LEGEND:

- FOUND 3-1/4" ALUMINUM CAP PER PLS 2615
- ◆ FOUND 1-1/2" ALUMINUM CAP PER PLS 2615
- FOUND 2" ALUMINUM CAP PER PLS 6812
- ⬢ FOUND HIGHWAY RIGHT-OF-WAY MONUMENT
- ○ CALCULATED: NOTHING FOUND/NOTHING SET
- BOUNDARY LINE
- LOT/PROPERTY LINE
- - - - - HIGHWAY RIGHT-OF-WAY LINE
- - - - - EASEMENT LINE AS NOTED

### SURVEYOR'S CERTIFICATE

STATE OF WYOMING :99  
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"

### 10.0' UTILITY & SIGN EASEMENT

CLIENT: MONTANA-DAKOTA UTILITIES COMPANY, LLC  
LOCATION: NW1/4NW1/4, SECTION 14, TOWNSHIP 55 NORTH,  
RANGE 84 WEST, SHERIDAN COUNTY, WYOMING



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

JN: 2016-056  
DN: 2016-056D  
PF: T2014-012  
JULY 27, 2016

## LEGAL DESCRIPTION EXHIBIT "A"

**Record Owner:** *Woodland Creek Estates, LLC*  
July 26, 2016

**Re: 10.0' Utility and Sign Easement**

A utility and sign easement being a strip of land ten (10) feet wide when measured at right angles, situated in the NW¼NW¼ of Section 14, Township 55 North, Range 84 West, 6th P.M., Sheridan County, Wyoming, as shown on **EXHIBIT "B"** attached hereto and by this reference made a part hereof; the east line of said strip being more particularly described as follows:

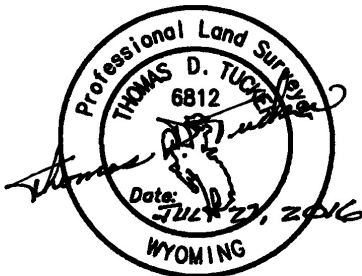
Commencing at the northwest corner of said Section 14 (Monumented with a 3¼" Aluminum Cap per PLS 2615); thence S63°12'17"E, 1438.69 feet to the **POINT OF BEGINNING** of said easement, said point lying on the west right-of-way line of U.S. Highway No. 87 (AKA Coffeen Avenue); thence S00°37'08"W, 74.96 feet along said east line of said strip, and said west right-of-way line of U.S. Highway No. 87 (AKA Coffeen Avenue) to the **POINT OF TERMINUS** of said easement, said point being the northeast corner of a fifty (50) foot wide access and utility easement described in Book 558 of Deeds, Page 152, and being S59°22'17"W, 1527.96 feet from the north quarter corner of Section 14 (Monumented with a 3¼" Aluminum Cap per PLS 2615). Lengthening or shortening the side line of said easement to intersect said boundary lines.

Said 10.0' Utility and Sign Easement contains 750 square feet 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 surveyor.

\\WINSERVER3\\Survey\\WP\\LD\\T55N\\2016\\2016-056-LD.docx