

2072016-791  
(Rev. 12/83)

MONTANA-DAKOTA UTILITIES CO.  
ELECTRIC LINE EASEMENT

RECORDED APRIL 24, 1984 BK 284 PG 467 NO 899984 MARGARET LEWIS, COUNTY CLERK

THIS EASEMENT, made this 20th day of March, 1984 between MONTANA-DAKOTA UTILITIES CO., a corporation, 400 North Fourth Street, Bismarck, North Dakota, hereinafter called "COMPANY," its successors and assigns, and the following-named persons, hereinafter, whether singular or plural, called "OWNER," namely: BERTHA M. SCRUTCHFIELD, also known as BERTHA MAE SCRUTCHFIELD, a widow

whose address is Box 772, Sheridan, Wyoming 82801

WITNESSETH, that for valuable considerations received, OWNER does hereby grant unto MONTANA-DAKOTA UTILITIES CO., a corporation, its successors and assigns, an easement 70 feet in width, being 35 feet left, and 35 feet right of the center line, as laid out and/or surveyed with the right to construct, reconstruct, increase the capacity of, operate, maintain, repair and remove one electric line, 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 line, and to cut and trim trees and shrubbery located within 35 feet of the center 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. Said line may be constructed either overhead, as described above, or underground, or the said line, if constructed overhead, may be converted from overhead to an underground line at some future time.

OWNER, hereby grants to company, its successors and assigns, 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 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 COMPANY'S rights hereunder.

Said electric line and every part thereof shall be confined to the area granted under this easement, except that the COMPANY shall have the right of placing and maintaining guys and anchors at greater distance from said center line where necessary to support said electric line.

COMPANY hereby agrees that it 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 line. 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.

This easement is appurtenant to the following-described real estate, situate in the County of SHERIDAN, State of WYOMING, namely: A strip of land lying in the Southwest Quarter (SW $\frac{1}{4}$ ), the Southwest Quarter of the Southeast Quarter of Section Thirteen (13); the Northwest Quarter of the Northeast Quarter of Section Twenty-four (24), in Township Fifty-six (56) North, Range Eighty-four (84) West of the Sixth Principal Meridian, the centerline of which is described as follows: A strip of land 70 feet wide, being 35 feet on each side of the following described centerline: Beginning at a point on the West line of the SW $\frac{1}{4}$  of said Section 13, said point being 178.06 feet North 1°02'55" East of the Southwest Corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$  of said Section 13, thence S72°56'34"E. a distance of 2816.2 feet to a point, said point being 35 feet East and 694.2 feet North of the Southwest Corner of the SE $\frac{1}{4}$  of said Section 13, thence South 0°18'00" West a distance of 694.2 feet to a point on the South Line of said Section 13, said point being 35 feet East of the Southwest Corner of the SE $\frac{1}{4}$  of said Section 13; thence South 0°18'00" West a distance of 1394.1 feet to a point on the South Line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$  of said Section 24, said point being 35 feet East of the Southwest Corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of said Section 24. Also a tract or strip of land described on the back of this easement:

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

Bertha M. Scrutchfield

*Bertha M. Scrutchfield*

STATE OF Wyoming )

County Of Sheridan )

On this 20th day of March, 1984 before me personally appeared Bertha M. Scrutchfield, also known as Bertha Mae Scrutchfield, a widow

known to me to be the same person, described in and who executed the above and foregoing instrument and acknowledged to me that she executed the same, ~~XXXXXX~~

*Patricia R. [Signature]*

Notary Public, Sheridan County,

State of Wyoming

(SEAL)

My Commission Expires: January 18, 1986

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

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A tract or strip of land 10 feet wide, being 5 feet on each side of the following described centerline:

Beginning at a point on the East Line of the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ ) of Section Twenty-four (24), Township Fifty-six (56) North, Range Eighty-four (84) West of the Sixth Principal Meridian. Said point being 35 feet West of the following described point: N82°57'W., 2479.55 feet from the Southeast Corner of said Section 24, thence due West a distance of 55 feet.

It is understood that this easement is for one (1) electric line consisting of single poles with one (1) or more circuits.

Company agrees that owner may install water and or sewer lines in the Easterly and Westerly Fifteen (15) feet of the herein described easement strip of land.

If any additional poles or facilities are placed on the herein described lands at a later date, additional consideration will be paid.

Said electric line will be located and installed as shown on the attached plat marked exhibit "A", incorporated herein and made a part hereof.

B. M. S.

EXHIBIT "A"

Township 56 North,  
Range 84 West

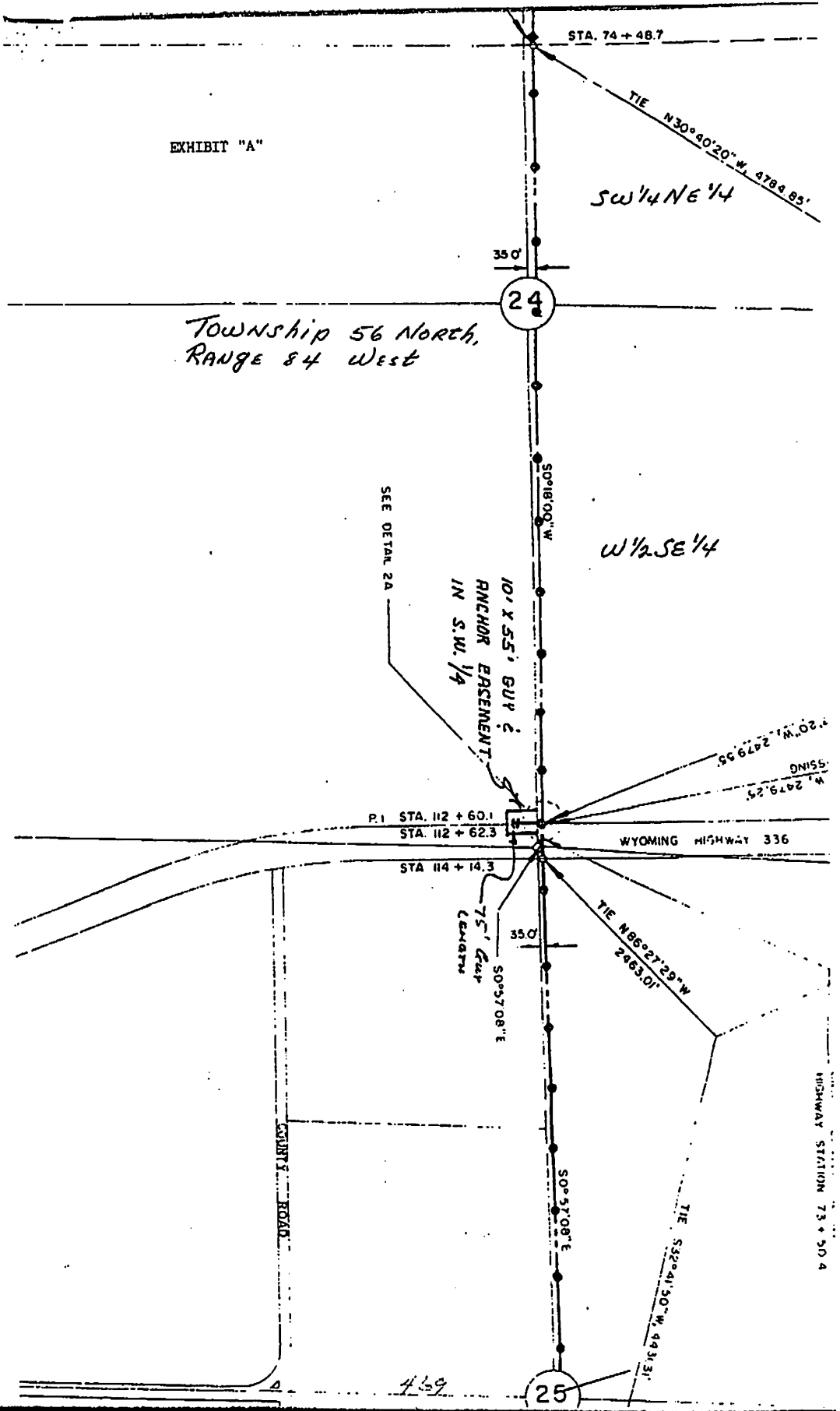


EXHIBIT "A"

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Township 56 North,  
Range 84 West

SW 1/4

470

SW 1/4 SE 1/4

NW 1/4 NE 1/4  
SECTION 24

S72°56'34"E

STA. 53+60.4  
STA. 53+23.8

75' CURV  
LENGTHS

STA. 63+54.5

STA. 74+98.7

S0°18'00"W

704.9'

CSE

TIE S76°29'50"E  
2772.46'

TIE S64°27'16"E, 3853.42'

S72°56'34"E

TIE N1°02'55"E, 178.06'

STA. 25+44.2

TIE N60°16'30"E  
3056.37'

FENCE CORNER ACCEPTED AS  
1/16 CORNER

S72°56'34"E

TIE N6°27'46"E, 2265.97'

TIE N5°36'20"E, 2272.59'

INTERSTATE 90