

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

THIS EASEMENT, made this 14<sup>th</sup> day of April, A.D., 2010, between MONTANA-DAKOTA UTILITIES CO., A DIVISION 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:

**Carson Family Trust dated March 17, 2006**

WITNESSETH, that for valuable considerations received, OWNER does hereby grant and convey unto COMPANY, its successors and assigns, a non-exclusive easement 16 feet in width, being 8 feet left, and 8 feet right of the centerline, as surveyed and described in Exhibits A and B, within the existing Road Easement dated 11/17/2000 on the hereinafter described lands, together with the right to construct, reconstruct, operate, maintain, repair, remove and replace, one gas pipeline, including necessary pipes and fixtures, and one buried electric distribution system, 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 Easement situated in the E1/2 of Section 32, Township 56 North, Range 84 West of the 6<sup>th</sup> P. M., Sheridan County, Wyoming; said easement being more particularly described in EXHIBIT "A" and shown in EXHIBIT "B" to be attached hereto and by this reference made a part hereof.**

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 COMPANYS' rights hereunder: ingress and egress is specifically permitted on existing road/right of way.

OWNER hereby grants to COMPANY, its successors and assigns, with at least 24 hour prior notice to Owner, 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.

COMPANY shall confine all construction activity to the easement area and upon completion of the installation shall reclaim the easement area to a condition equal to or better than when entered upon by COMPANY. COMPANY shall place all gas and electric lines at a minimum depth of 4 feet deep. Upon OWNERS request, the COMPANY shall extend gas service to OWNERS residence and/or to the four (4) other residences/buildings located on OWNER'S property at no charge to the OWNER. This includes installed service lines to buildings and hanging four gas meters.

COMPANY agrees to gain written permission from OWNER, its successors and assigns for any above ground equipment and/or underground lines that may need to be installed in the future.

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

Frances J. Carson  
Frances J. Carson

Shirley Jean Donaldson  
Shirley Jean Donaldson

STATE OF WY

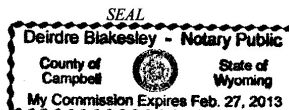
ss.

COUNTY OF Campbell

On this the 9<sup>th</sup> day of April, 2010, before me personally appeared Shirley Jean Donaldson known to me, or satisfactorily proved to be the person described in and who executed the above and fore going instrument and acknowledged to me that she executed the same (known to me to be the same and respectively, of the corporation that is described in and that executed the foregoing instrument, acknowledged to me that such corporation executed the same.)

(this space for recording data only)

Deirdre Blakesley  
Notary Public



My Commission Expires 2-27-2013

W.O. 116974 Tract NO. LLR NO.

STATE OF Wyoming  
COUNTY OF Sheridan

SS.

On this the 14<sup>th</sup> day of April 2010, before me personally appeared Frances J. Carson known to me, or satisfactorily proved to be the person described in and who executed the above and fore going instrument and acknowledged to me that she executed the same (known to me to be the and respectively, of the corporation that is described in and that executed the foregoing instrument, acknowledged to me that such corporation executed the same.)

(this space for recording data only)

Kathy J. Siroky  
Notary Public



My Commission Expires July 30, 2013

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



2011-692526 12/1/2011 3:43 PM PAGE: 2 OF 4  
BOOK: 529 PAGE: 609 FEES: \$17.00 KH EASEMENT  
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK

## EXHIBIT "A"

**Record Owners: Frances J. Carson & Shirley Jean Donaldson, Trustees**  
**December 14, 2010**

**Re: 16.0' Underground Electric and Gas Line Easement to Montana-Dakota Utilities Company, and or any of their respective successors and assigns.**

An underground electric and gas line easement sixteen (16) feet wide, being eight (8) feet each side of the following described centerline situated in the SW $\frac{1}{4}$ NE $\frac{1}{4}$  and the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 32, Township 56 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; said centerline being more particularly described as follows:

Commencing at the west quarter corner of said Section 32 (Monumented with a 3 $\frac{1}{4}$ " Aluminum Cap per PLS 2615); thence S63°25'34"W, 1792.92 feet to the **POINT OF BEGINNING** of said easement, said point lying on the north line of a tract of land described in Book 419 of Deeds, Page 144; thence N16°51'56"W, 42.06 feet along said centerline to a point; thence N10°24'14"W, 33.51 feet along said centerline to a point; thence, along said centerline through a curve to the right having a central angle of 08°19'36", a radius of 478.00 feet, an arc length of 69.47 feet, a chord bearing of N06°14'26"W, and a chord length of 69.41 feet to a point; thence N02°04'37"W, 46.45 feet along said centerline to a point; thence N06°01'05"W, 166.56 feet along said centerline to a point; thence N16°57'35"W, 292.00 feet along said centerline to a point; thence N20°19'51"W, 170.00 feet along said centerline to a point; thence N75°51'27"E, 152.00 feet along said centerline to a point; thence N15°14'33"W, 200.00 feet along said centerline to a point; thence N17°06'09"W, 506.80 feet along said centerline to a point; thence S74°17'16"W, 396.59 feet along said centerline to a point; thence, eight (8) feet south of and parallel to the southerly right-of-way line of State Highway No. 331 along said centerline through a non-tangent curve to the left, having a central angle of 03°42'35", a radius of 1851.74 feet, an arc length of 119.89 feet, a chord bearing of S66°54'05"W, and a chord length of 119.87 feet to a point; thence S59°09'51"W, 179.64 feet along said centerline to a point; thence S72°12'45"W, 42.05 feet along said centerline to the **POINT OF TERMINUS** of said easement, said point lying on an existing fence line and the extension of the east line of a tract of land described in Book 498 of Deeds, Page 77, and being S06°21'29"E, 2247.38 feet from the north quarter corner of said Section 32 (Monumented with a 3 $\frac{1}{4}$ " Aluminum Cap per PLS 2615). Lengthening or shortening the side lines of said easement to intersect said boundary lines.

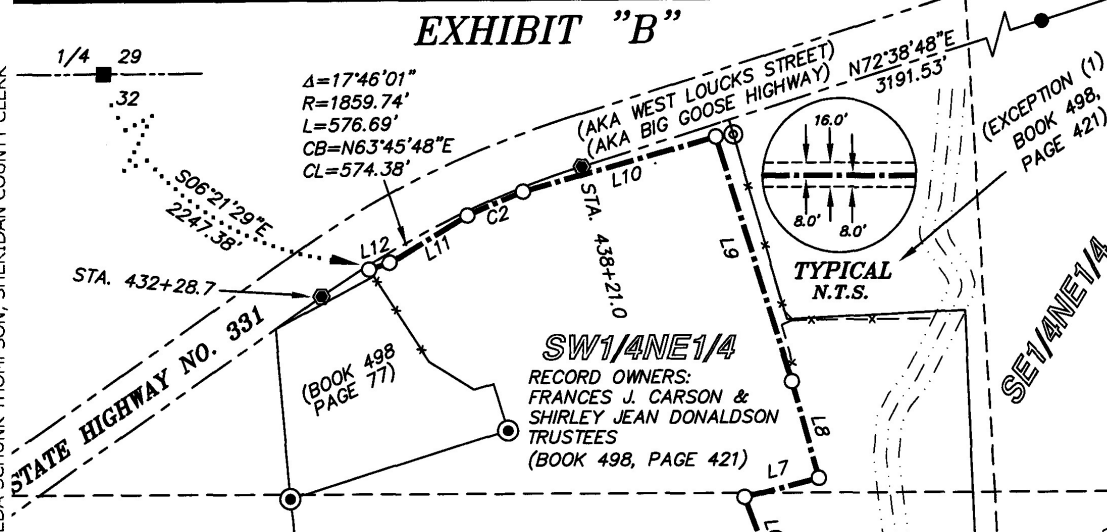
Said underground electric and gas line easement contains 0.89 acres of land, more or less, and is subject to any right-of-way and or easements, reservations and encumbrances which have been legally acquired.

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

# EXHIBIT "B"

NO. 2011-692526 EASEMENT  
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK  
MONTANA-DAKOTA UTILITIES CO 400 N FOURTH ST  
BISMARCK ND 58501

12/1/2011 3:43 PM PAGE: 4 OF 4  
BOOK: 529 PAGE: 611 FEES: \$17.00 KH EASEMENT  
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK



LINE TABLE					
LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	N16°51'56"W	42.06'	L7	N75°51'27"E	152.00'
L2	N10°24'14"W	33.51'	L8	N15°14'33"W	200.00'
L3	N02°04'37"W	46.45'	L9	N17°06'09"W	506.80'
L4	N06°01'05"W	166.56'	L10	S74°17'16"W	396.59'
L5	N16°57'35"W	292.00'	L11	S59°09'51"W	179.64'
L6	N20°19'51"W	170.00'	L12	S72°12'45"W	42.05'

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	478.00'	08°19'36"	69.47'	N06°14'26"W	69.41'
C2	1851.74'	03°42'35"	119.89'	S66°54'05"W	119.87'

±0.89 ACRES  
2417.03 LINEAL FEET = ±146.5 RODS

## LEGEND:

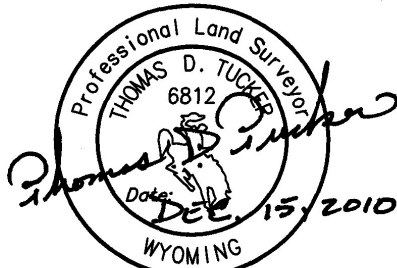
- FOUND 3-1/4" ALUMINUM CAP PER PLS 2615
- ⊙ FOUND 1-1/2" ALUMINUM CAP PER PLS 3159
- FOUND 2" ALUMINUM CAP PER PE&LS 3864
- FOUND 5/8" REBAR
- ⊙ FOUND CONCRETE RIGHT-OF-WAY MONUMENT
- 2" RIGHT-OF-WAY MONUMENT PER PLS 6594
- ◆ FOUND 3" BRASS CAP PER PLS 529
- CALCULATED: NOTHING FOUND/NOTHING SET
- (WC) WITNESS CORNER
- (R) RECORD
- (C) CALCULATED

- HIGHWAY RIGHT-OF-WAY LINE
- CENTERLINE 16.0' EASEMENT
- EASEMENT LINE
- PROPERTY LINE
- SECTION LINE
- INTERIOR SECTION LINE
- - - - - FENCE LINE

## SURVEYOR'S CERTIFICATE

STATE OF WYOMING  
COUNTY OF SHERIDAN :ss

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"

**RESTFELDT**  
**SURVEYING**

PO BOX 3082  
SHERIDAN, WY 82801  
307-672-7415  
FAX 674-5000

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

## EXHIBIT "B" 16' UNDERGROUND ELECTRIC & GAS LINE EASEMENT

CLIENT: MONTANA-DAKOTA UTILITIES COMPANY  
LOCATION: SW1/4NE1/4, NW1/4SE1/4,  
SECTION 32, T56N R84W, 6TH P.M.,  
SHERIDAN COUNTY, WYOMING.

JN: 29130  
DN: 2009130\_E21  
PF: T2009130  
DECEMBER 15, 2010