

UTILITY LINE EASEMENT

THIS EASEMENT, made this 19th day of December, 2014, between MONTANA-DAKOTA UTILITIES CO., A DIVISION OF MDU RESOURCES GROUP, INC., a corporation, 400 North Fourth Street, Bismarck, North Dakota, and The City of Sheridan, a Wyoming Municipal corporation, 55 Grinnell Plaza, Sheridan, Wyoming hereinafter called COMPANIES, their successors assigns and licensees, and the following named persons, hereinafter, whether singular or plural, called OWNER, namely:

John E. Rice & Sons Inc.

whose address is 247 Decker Rd, Sheridan WY 82801.

WITNESSETH, that for valuable considerations received, OWNER does hereby grant unto COMPANIES, their successors and assigns, an easement upon, over, under and across a strip of land 30 feet in width, being 15 feet left, and 15 feet right of the center line, as laid out and/or surveyed with the right, jointly or individually, to construct, reconstruct, increase the capacity of, operate, maintain, repair and remove one overhead 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 lines, together with the right to cut and trim trees and shrubbery located within 20 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. OWNER does also hereby grant unto COMPANIES, their successors 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 COMPANIES, their successors, 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 as or television systems, or COMPANIES, 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 COMPANIES, their successors, assigns and licensees shall have the right of placing and maintaining guys and anchors at greater distance from said center line where necessary to support said overhead electric line.

COMPANIES 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 COMPANIES and one by OWNER; these two shall select the third person. The award of these three persons shall be final and conclusive.

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 Line easement, being a strip of land thirty (30) feet in width when measured at right angles, situated in Sections 8, 9 & 17, Township 56 North, Range 84 West of the 6th P.M. Meridian, Sheridan County, Wyoming; the centerline of said easement being more particularly described in EXHIBITS "A, C & E" and shown in EXHIBITS "B, D & F" attached hereto and by this reference made part hereof.

See also the Addendum attached as Exhibit G, which contains additional terms pertaining to all easements granted herein

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

James L. Jellis V.P.
James L. Jellis: Vice President

STATE OF Wy
COUNTY OF Sheridan :ss

On this 19th day of December 20 14, before me personally appeared James L. Jellis

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 Vice President and James L. Jellis respectively, of

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

(THIS SPACE FOR RECORDING DATA ONLY)

[Signature]
Notary Public, Sheridan

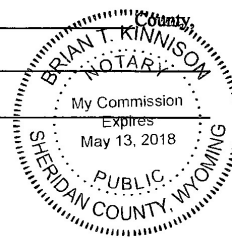
State of Wy

Residing at Sheridan, Wy

(SEAL)

My Commission Expires: 5-13-18

W.O. 216395 TRACT NO. L.R.R. NO.





LEGAL DESCRIPTION EXHIBIT "A"

Record Owner:

JOHN E. RICE & SONS, INC.,

NELTJE, President

JAMES L. JELLIS, Vice President

December 8, 2014

Re: 30.0' Utility Easement to Montana-Dakota Utilities Company, A division of MDU Resources Group, Inc., and or any of their respective successors and assigns.

EASEMENT NO. 1

A utility easement thirty (30) feet wide, being fifteen (15) feet each side of the following described centerline situated in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, 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 south quarter corner of said Section 3 (Monumented with a $\frac{3}{4}$ " Aluminum Cap per PLS 6812); thence N14°38'57"W, 1405.32 feet to the **POINT OF BEGINNING** of said easement; thence S71°50'43"W, 45.00 feet along said centerline to the **POINT OF TERMINUS** of said easement, said point lying on the easterly right-of-way line of the B.N.S.F. Railroad, and being N16°29'00"W, 1403.29 feet from said south quarter corner of Section 3. Lengthening or shortening the side lines of said easement to intersect said boundary line as shown on **EXHIBIT "B"**.

Said utility easement contains 1,350 square feet of land, more or less.

EASEMENT NO. 2

A utility easement thirty (30) feet wide, being fifteen (15) feet each side of the following described centerline situated in the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 3, and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 4, 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 south quarter corner of said Section 3 (Monumented with a $\frac{3}{4}$ " Aluminum Cap per PLS 6812); thence N22°39'35"W, 1407.04 feet to the **POINT OF BEGINNING** of said easement, said point lying on the westerly right-of-way line of the B.N.S.F. Railroad; thence S71°50'43"W, 2420.36 feet along said centerline to the **POINT OF TERMINUS** of said easement, said point lying on the easterly right-of-way line of Wyoming State Highway No. 338, (AKA Decker Road), and being N20°10'25"W, 614.49 feet from the southeast corner of said Section 4 (Monumented with a $\frac{3}{4}$ " Aluminum Cap per PLS 6812). Lengthening or shortening the side lines of said easement to intersect said boundary lines as shown on **EXHIBIT "B"**.

Said utility easement contains 1.67 acres of land, more or less.

EASEMENT NO. 3

A utility easement thirty (30) feet wide, being fifteen (15) feet each side of the following described centerline situated in the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 4, N $\frac{1}{2}$ NE $\frac{1}{4}$, and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 9, 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 southeast corner of said Section 4 (Monumented with a $\frac{3}{4}$ " Aluminum Cap per PLS 6812); thence N27°34'22"W, 622.91 feet to the **POINT OF BEGINNING** of said easement, said point lying on the westerly right-of-way line of Wyoming State Highway No. 338, (AKA Decker Road); thence S61°34'40"W, 1196.06 feet along said centerline to a point, said point lying on the north line of said N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 9; thence S63°59'11"W, 2098.93 feet along said centerline to the **POINT OF TERMINUS** of said easement, said point lying on the easterly right-of-way line of Interstate 90, and being N49°46'31"E, 2759.58 feet from the west quarter corner of said Section 9. Lengthening or shortening the side lines of said easement to intersect said boundary lines as shown on **EXHIBIT "B"**.

Said utility easement contains 2.27 acres of land, more or less.

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



SCALE: 1"=600'

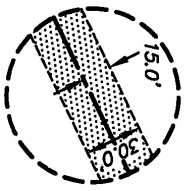
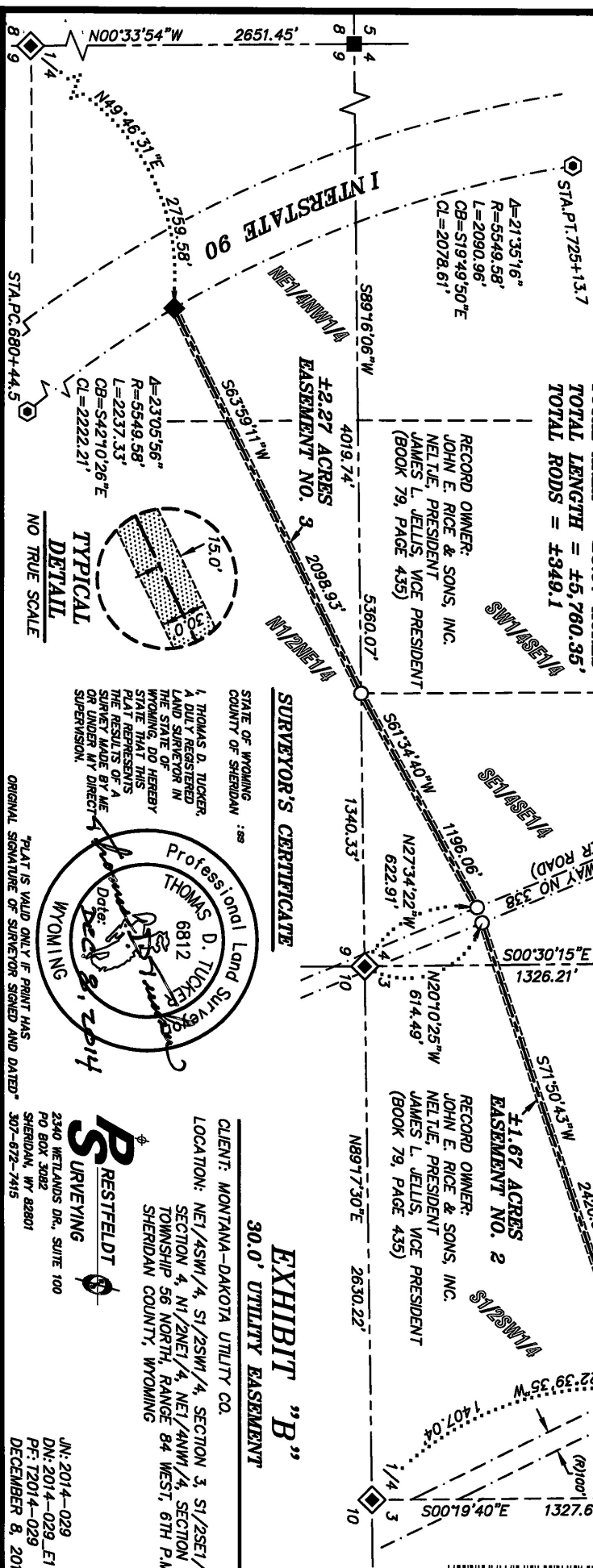
BEARINGS ARE BASED ON THE
WYOMING COORDINATE SYSTEM
NAD 1983, EAST CENTRAL ZONE
DATUM: NAD 83(1993), NAVD 88 (U.S. SURVEY FEET)
DATE: 10/02/2014
DISTANCES ARE SURFACE

LEGEND:

- FOUND 3-1/4" ALUMINUM CAP PER PLS 2615
- SET 3-1/4" ALUMINUM CAP PER PLS 6812
- ◆ FOUND 3-1/4" ALUMINUM CAP PER PLS 6812
- ◆ FOUND 3-1/4" ALUMINUM CAP PER PLS 5300
- FOUND HIGHWAY RIGHT-OF-WAY MONUMENT
- CALCULATED: NOTHING FOUND/NOTHING SET
- WITNESS CORNER
- 30.0' UTILITY EASEMENT
- UTILITY EASEMENT LINE
- SECTION LINE
- INTERIOR SECTION LINE
- HIGHWAY RIGHT-OF-WAY LINE
- RAILROAD RIGHT-OF-WAY LINE

TOTAL AREA = ±3.97 ACRES
TOTAL LENGTH = ±5,760.35'
TOTAL RODS = ±349.1

RECORD OWNER:
JOHN E. RICE & SONS, INC.
NELTLE, PRESIDENT
JAMES L. JELLS, VICE PRESIDENT
(BOOK 79, PAGE 435)



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
PLAN REPRESENTS
THE RESULTS OF A
SURVEY MADE BY ME
OR UNDER MY DIRECT
SUPERVISION.

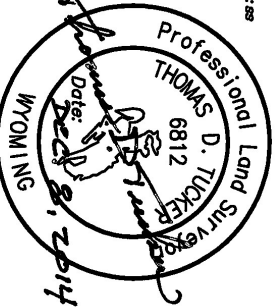


EXHIBIT "B"

30.0' UTILITY EASEMENT

CLIENT: MONTANA-DAKOTA UTILITY CO.
LOCATION: NE 1/4 SW 1/4, SECTION 3, T1N 25E1/4,
SECTION 4, N1/2NE1/4, NE 1/4 SW 1/4, SECTION 9,
TOWNSHIP 56 NORTH, RANGE 84 WEST, 6TH P.M.,
SHERIDAN COUNTY, WYOMING

RESTFELDT
SURVEYING

2340 WETLANDS DR., SUITE 100
PO BOX 3082
SHERIDAN, WY 82801
JN: 2014-029
DN: 2014-029
PF: 2014-029
DECEMBER 8, 2014

TIE TABLE		
FROM THE S1/4 CORNER OF SECTION 3, T56N, R84W, 6TH P.M.		
TIE	BEARING	DISTANCE
T1	N14°38'57"W	1405.32'
T2	N16°29'00"W	1403.29'



LEGAL DESCRIPTION EXHIBIT "C"

Record Owner:
JOHN E. RICE & SONS, INC.,
NELTJE, President
JAMES L. JELLIS, Vice President
December 8, 2014

Re: 30.0' Utility Easement to Montana-Dakota Utilities Company, A division of MDU Resources Group, Inc., and or any of their respective successors and assigns.

EASEMENT NO. 1

A utility easement thirty (30) feet wide, being fifteen (15) feet each side of the following described centerline situated in the E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 9, Township 56 North, Range 84 West, 6th P.M., Sheridan County, Wyoming, as shown on **EXHIBIT "D"** attached hereto and by this reference made a part hereof; said centerline being more particularly described as follows:

Commencing at the northwest corner of said Section 9 (Monumented with a 3 $\frac{1}{4}$ " Aluminum Cap per PLS 2615); thence S60°23'13"E, 2060.44 feet to the **POINT OF BEGINNING** of said easement; thence, fifteen (15) feet westerly of and parallel to the westerly right-of-way line of Interstate 90 along said centerline, through a non-tangent curve to the right, having a central angle of 06°59'11", a radius of 5919.58 feet, an arc length of 721.82 feet, a chord bearing of S33°39'55"E, and a chord length of 721.37 feet to a point; thence S34°33'46"E, 401.81 feet along said centerline to a point; thence S47°10'21"W, 187.65 feet along said centerline to the **POINT OF TERMINUS** of said easement, said point being N75°42'47"E, 2327.35 feet from the west quarter corner of said Section 9 (Monumented with a 3 $\frac{1}{4}$ " Aluminum Cap per PLS 6812). Lengthening or shortening the side lines of said easement to intersect said boundary lines as shown on **EXHIBIT "D"**.

Said utility easement contains 39,338 square feet or 0.90 acres of land, more or less.

EASEMENT NO. 2

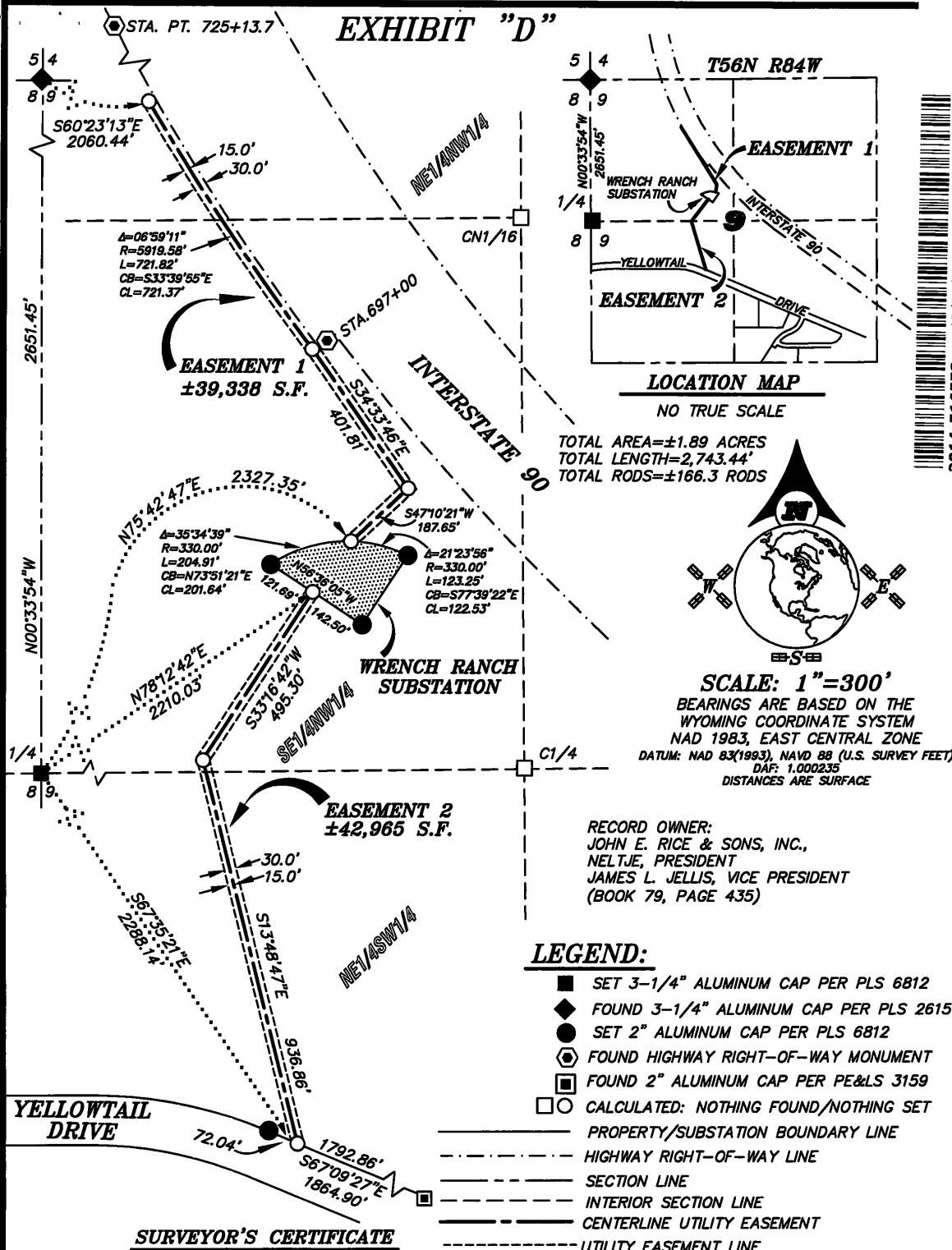
A utility easement thirty (30) feet wide, being fifteen (15) feet each side of the following described centerline situated in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, Township 56 North, Range 84 West, 6th P.M., Sheridan County, Wyoming, as shown on **EXHIBIT "D"** 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 9 (Monumented with a 3 $\frac{1}{4}$ " Aluminum Cap per PLS 6812); thence N78°12'42"E, 2210.03 feet to the **POINT OF BEGINNING** of said easement; thence S33°16'42"W, 495.30 feet along said centerline to a point; thence S13°48'47"E, 936.86 feet along said centerline to the **POINT OF TERMINUS** of said easement, said point lying on the northerly right-of-way line of Yellowtail Drive, and being S67°35'21"E, 2288.14 feet from said west quarter corner of said Section 9. Lengthening or shortening the side lines of said easement to intersect said boundary lines as shown on **EXHIBIT "D"**.

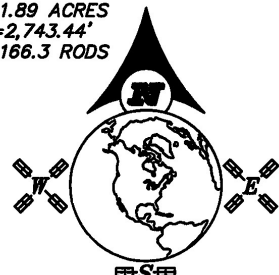
Said utility easement contains 42,965 square feet or 0.99 acres of land, more or less.

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

EXHIBIT "D"



TOTAL AREA=±1.89 ACRES
 TOTAL LENGTH=2,743.44'
 TOTAL RODS=±166.3 RODS



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

RECORD OWNER:
 JOHN E. RICE & SONS, INC.,
 NELTJE, PRESIDENT
 JAMES L. JELLIS, VICE PRESIDENT
 (BOOK 79, PAGE 435)

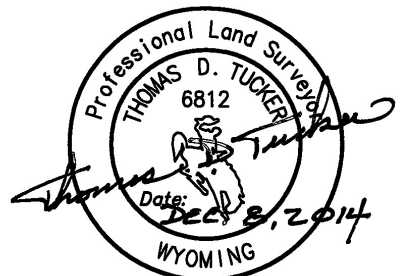
LEGEND:

- SET 3-1/4" ALUMINUM CAP PER PLS 6812
- ◆ FOUND 3-1/4" ALUMINUM CAP PER PLS 2615
- SET 2" ALUMINUM CAP PER PLS 6812
- ⊙ FOUND HIGHWAY RIGHT-OF-WAY MONUMENT
- FOUND 2" ALUMINUM CAP PER PE&LS 3159
- ○ CALCULATED: NOTHING FOUND/NOTHING SET
- PROPERTY/SUBSTATION BOUNDARY LINE
- - - HIGHWAY RIGHT-OF-WAY LINE
- - - SECTION LINE
- - - INTERIOR SECTION LINE
- - - CENTERLINE UTILITY EASEMENT
- - - UTILITY EASEMENT LINE

SURVEYOR'S CERTIFICATE

STATE OF WYOMING
 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 "D" 30.0' UTILITY EASEMENT

CLIENT: MONTANA-DAKOTA UTILITIES COMPANY
 LOCATION: NE1/4SW1/4, E1/2NW1/4, SECTION 9, TOWNSHIP 56 NORTH, RANGE 84 WEST, 6TH P.M., SHERIDAN COUNTY, WYOMING

RESTFELDT SURVEYING
 2340 WETLANDS DR., SUITE 100
 PO BOX 3082
 SHERIDAN, WY 82801
 307-672-7415
 FAX 674-5000

JN: 2014-029
 DN: 2014-029-E2
 PF: T2014-029
 DECEMBER 8, 2014

2014-716573 12/19/2014 3:58 PM PAGE: 5 OF 9
 BOOK: 550 PAGE: 792 FEES: \$36.00 PK. EASEMENT
 EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK

LEGAL DESCRIPTION EXHIBIT "E"

Record Owner:

JOHN E. RICE & SONS, INC.,

NELTJE, President

JAMES L. JELLIS, Vice President

December 8, 2014

Re: 30.0' Utility Easement to Montana-Dakota Utilities Company, A division of MDU Resources Group, Inc., and or any of their respective successors and assigns.

A utility easement thirty (30) feet wide, being fifteen (15) feet each side of the following described centerline situated in the E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 8, SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 16, E $\frac{1}{2}$ E $\frac{1}{2}$ of Section 17, Township 56 North, Range 84 West, 6th P.M., Sheridan County, Wyoming, as shown on **EXHIBIT "F"** attached hereto and by this reference made a part hereof; said centerline being more particularly described as follows:

Commencing at the southeast corner of said Section 8 (Monumented with a Military Monument "MM-18"); thence N11°06'07"W, 1685.83 feet to the **POINT OF BEGINNING** of said easement, said point lying on the southerly right-of-way line of Yellowtail Drive, described in Book 542 of Deeds, Page 526; thence S00°19'58"E, 5665.69 feet along said centerline to a point, said point lying on the north line of a tract of land described in Book 534 of Deeds, Page 222, as shown on Record of Survey for Boundary Line Adjustment, filed in Drawer "A" of Plats, Number "445", County Clerk's Office, Sheridan County Courthouse; thence S24°39'09"E, 764.67 feet along said centerline to a point, said point lying on the east line of said tract described in Book 534 of Deeds, Page 222, as shown on Record of Survey for Boundary Line Adjustment, filed in Drawer "A" of Plats, Number "445", said point also lying on the west line of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 16; thence, continue S24°39'09"E, 720.19 feet along said centerline to the **POINT OF TERMINUS** of said easement, said point lying on the south line of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 16, and being N87°22'14"E, 296.92 feet from the southwest corner of said Section 16 (Monumented with a Military Monument "MM-24"). Lengthening or shortening the side lines of said easement to intersect said boundary lines as shown on **EXHIBIT "F"**.

Said utility easement contains 4.92 acres of land, more or less.

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

EXHIBIT "F"



SCALE: 1"=600'

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

RECORD OWNER:
JOHN E. RICE & SONS, INC.,
NELTJE, PRESIDENT
JAMES L. JELLIS, VICE PRESIDENT
(BOOK 79, PG 435)

LEGEND:

- ◆ FOUND 3-1/4" ALUMINUM CAP PER PLS 6812
- FOUND MILITARY MONUMENT (MM)
- FOUND 2" ALUMINUM CAP PER PE&LS 3864
- ◆ SET 3-1/4" ALUMINUM CAP PER PLS 6812
- SET 2" ALUMINUM CAP PER PLS 6812
- ○ CALCULATED: NOTHING FOUND/NOTHING SET
- PROPERTY LINE
- - - YELLOWTAIL DRIVE RIGHT-OF-WAY LINE
- - - SECTION LINE
- - - INTERIOR SECTION LINE
- ⊘ 30.0' UTILITY EASEMENT
- - - UTILITY EASEMENT LINE

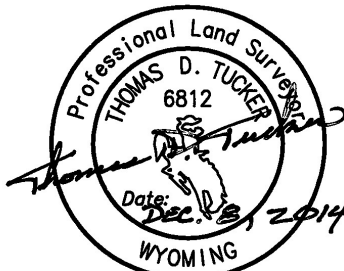


2014-716573 12/19/2014 3:58 PM PAGE: 7 OF 9
BOOK: 550 PAGE: 794 FEES: \$36.00 PK EASEMENT
EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK

SURVEYOR'S CERTIFICATE

STATE OF WYOMING : 88
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 "F" 30.0' UTILITY EASEMENT

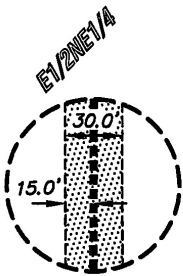
CLIENT: MONTANA-DAKOTA UTILITY COMPANY

LOCATION: E1/2SE1/4, SECTION 8, SW1/4SW1/4, SECTION
16, E1/2E1/2, SECTION 17, TOWNSHIP 56 NORTH
RANGE 84 WEST, 6TH P.M., SHERIDAN COUNTY,
WYOMING

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

JN: 2014-029
DN: 2014-029-E3
PF: T2014-029
DECEMBER 8, 2014

TOTAL AREA = ±4.92 ACRES
TOTAL LENGTH = 7150.55'
TOTAL RODS = ±433.4 RODS



TYPICAL
DETAIL
NO TRUE SCALE

VETERANS ADMINISTRATION HOSPITAL (FORT MACKENZIE)

RECORD OWNER:
JOHN E. RICE & SONS, INC.,
NELTJE, PRESIDENT
JAMES L. JELLIS, VICE PRESIDENT
(BOOK 534, PG 222)

RECORD OF SURVEY FOR
BOUNDARY LINE ADJUSTMENT
RECORDED IN DRAWER "A", PLAT
NUMBER "445"

Exhibit G
Addendum to
Utility Line Easement
Between John E. Rice & Sons, Inc. and Montana-Dakota Utilities Co.,
a Division of MDU Resources Group, Inc., a corporation

This Addendum is attached to and made a part of that certain Utility Line Easement by and between John E. Rice & Sons, Inc. ("Grantor") and Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., a corporation ("Grantee"). Grantor and Grantee agree that the following provisions amend and supersede the terms of the Utility Line Easement to the extent inconsistent herewith:

1. Before construction of any utility line, Grantee shall consult with and obtain the consent of Grantor prior to removing or damaging any trees that are within the right-of-way; however once the power line is constructed the Grantee reserves the right to cut and trim trees and shrubberies that may interfere with or threaten the operation and maintenance of said lines, facilities and equipment and equipment without consulting or obtaining permission of Grantor.

2. Unless otherwise agreed to by Grantor in writing, Grantee shall not utilize other lands owned by Grantor to access the easement area.

3. Grantor expressly reserves the right to use and enjoy the land covered by this easement for any purposes whatsoever, provided that such use does not interfere with the rights granted to Grantee herein. Grantor may cross the easement area and construct such facilities as water lines, roads, fences, and other improvements which will not unreasonably interfere with Grantee's rights granted.

4. Within six (6) months after the date the surface disturbing activities occur, weather permitting, Grantee shall rehabilitate and restore all disturbed areas, as near as reasonably practicable to the condition which they were in prior to disturbance and reseed all disturbed areas. Topsoil from disturbed areas shall be separated and shall be returned as topsoil as a part of the reclamation. Grantee shall fully restore and replace any and all damage done to any fences cut or otherwise damaged by Grantee in exercising any of the rights granted hereby. Grantee shall control erosion on disturbed areas.

5. Grantee will not allow any debris to be discarded on the easement and Grantee will be responsible to clean up debris along the easement for which Grantee or Grantee's invitees are responsible.

6. Grantor does not warrant title to the property, and this easement is granted subject to all real estate taxes, exceptions, reservations, covenants, conditions, restrictions, easements, rights-of-way, reservations and rights of record and subject to any state of facts which would be disclosed by an accurate survey or physical inspection of the premises and subject to building, zoning, subdivision, or other regulations of any private or governmental entity.

7. If any portion of the easement area is included within the area covered by any previous easement or right of way or other right of record, Grantee will not unreasonably interfere with the easement holder's rights under that easement or right of way.

8. To the maximum extent permitted by law, Grantee will indemnify, defend and hold harmless Grantor, its officers, employees, directors and tenants from any and all claims, demands and causes of action arising out of use of the easement by the Grantee.

9. None of the Grantee's employees, authorized agents, invitees, or other person under the direction or control of the Grantee shall be permitted to smoke or carry firearms or any weapons while on the easement. No hunting, camping or open fires by Grantee or its employees, authorized agents, invitees or other persons under the direction or control of Grantee shall be permitted on the easement at any time. Grantee shall not use explosives on the easement. Grantee will notify all of its contractors, agents, employees, and invitees that no dogs, firearms, weapons, hunting, camping, or open fires are permitted on the easement.

11. Abandonment of electric line by Grantee for a period of twelve (12) consecutive months will result in rights granted herein reverting to Grantor. In the event Grantee should abandon the facilities constructed within the boundaries of the easement for a period of one year or more, Grantor shall have the right to request Grantee to remove all improvements within the easement and file a release. Upon such notification, Grantee shall file a release and remove all improvements.



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EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK

Dated this 19 day of Dec., 2014.

Grantor
John E. Rice & Sons, Inc.

By: James L. Jellis
Title: V.P.

Dec 19 2014
Date

Grantee
Montana-Dakota Utilities Co.,
a Division of MDU Resources Group, Inc.

By: James L. Sorenson
Title: Electric Superintendent

12-19-14
Date



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EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK

NO. 2014-716573 EASEMENT

EDA SCHUNK THOMPSON, SHERIDAN COUNTY CLERK
WILCOX AGENCY
SHERIDAN WY 82801