

UNDERGROUND COMMUNICATIONS AND ELECTRIC LINES

THIS EASEMENT, made this 22nd day of November, 19 88, between MONTANA-DAKOTA UTILITIES CO., a Division of MDU RESOURCES GROUP, INC., a corporation, and THE MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY, hereinafter referred to as "Companies" and the following named persons, hereinafter referred to as "OWNER", namely: TITUS R. SHELBY and EMILY F. SHELBY, husband and wife  
23 Timm Place  
Sheridan, WY

WITNESSETH, that for valuable consideration received, OWNER does hereby grant, bargain and convey unto Companies, jointly and severally, its and their associated and allied companies, its and their respective successor and assigns, an easement to construct, operate, maintain, repair, replace and remove such communications and electric systems as the Companies may from time to time require, consisting of underground cables, wires, conduits, manholes, drains and splicing boxes, surface testing terminals, repeaters, repeater housings, markers, transformers, other associated above ground appurtenances, and other facilities used in the construction, operation, maintenance, repair and removal of said communications and electric systems, upon, over, under and across a strip of land 15' wide, across the following-described real estate, situated in the County of Sheridan, State of Wyoming, to-wit:

A strip of land located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 33, Township 53 North, Range 84 West of the 6th P.M., Sheridan County, Wyoming, being 7.5' either side of a centerline more particularly described as follows:

Beginning at a point on the east right-of-way of Abattoir Road, said point being NO $^{\circ}$ 59'56"W, 644.69' from a point being NO $^{\circ}$ 19'52"W, 654.14' from the SW corner of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ , thence along a line S57 $^{\circ}$ 11'0"E, 133.79' to the True Point of Beginning, thence S89 $^{\circ}$ 0'04"W, 111.19' to a point, thence S0 $^{\circ}$ 59'56"E, 150' along a line being 10' E of said east right-of-way of Abattoir Road to a point, being 10' E and 410.28' N of a point being NO $^{\circ}$ 19'52"W, 654.14' from the SW corner of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ .

If th 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.

Owner hereby grants to Companies, jointly and severally, its and their successors and assigns, the right of ingress and egress at all reasonable times over and across the lands of Owner, to and from said strip for the purpose of exercising the rights herein granted; to place surface markers beyond said strip, to install gates in any fences crossing said strip; and to permit in said strip the underground cables, wires and circuits, transformers and appurtenances of any other company.

Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., hereby agrees to pay for any and all damages that may result to the crops, fences, buildings and improvements on said premises arising from the construction and maintenance of its electric systems, to the extent that such damages are caused by the negligent or willful acts of Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., and The Mountain States Telephone and Telegraph Company hereby agrees to pay for any and all damages that may result to the crops, fences, and buildings and/or improvements on said premises arising from the construction and maintenance of its communications systems, to the extent that such damages are caused by the negligent or willful acts of the Mountain States Telephone and Telegraph Company.

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

Emily F. Shelby  
Titus R. Shelby

STATE OF Wyoming  
County Of Sheridan

On this 22nd day of November, 19 88, before me personally appeared  
TITUS R. SHELBY and EMILY F. SHELBY, husband and wife

known to me to be the same person s described in and who executed the above and foregoing instrument and acknowledged to me that he Y executed the same, (known to me to be the and respectively, of the corporation that is described in and that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.)

Notary Public, Sheridan County.

State of Wyoming

My Commission Expires: 12/23/90

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