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# CITY OF GILLETTE

Utilities

P.O. Box 3003 • Gillette, Wyoming 82717-3003  
Phone (307) 686-5262  
www.gillettewy.gov

*Finance*  
IZUTOS

July 30, 2013

301-70-72-441-70-47414

Fred Oedekoven,  
Trustee of Roger Wayne Oedekoven Trust  
PO Box 1  
Recluse WY 82725

**RE: Gillette Regional Water Project, Phase I District Extensions (4972-17)**

Dear Fred Oedekoven,

Roger Oedekoven, Mike Cole, and I have been discussing purchase of property for the Madison Regional Pipeline project. I believe we have hit upon a proposal for land and compensation that could be satisfactory to all. These, as I understand it, would be the terms.

- 1.) The City will purchase the following interests at the stated prices. Descriptions of the various parcels are contained in the enclosed warranty deed, waterline and general utility easement and temporary construction easement.

(a.) Fee parcel

15,580 square feet @ \$.50 per sq. ft. \$ 7,790.00

(b.) Permanent easement

17,155 square feet @ \$.20 per sq. ft. \$ 3,431.00

(c.) Temporary Construction Easement

40,000 square feet @ \$.10 per sq. ft. \$ 4,000.00

TOTAL

\$15,221.00

+256.00  
Recording Fee  
\$15,477.00

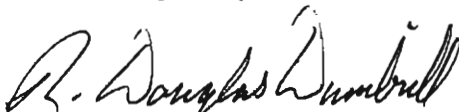
CCA

- 2.) The City will replace any damaged or destroyed fencing with new, lawful, barbed wire fencing.
- 3.) The trust shall receive back an access easement over the fee land on the west side of the property as described in the enclosed "Access Easement." The City will as a part of the Regional Madison Project, construct a crowned, gravel road within the fee parcel on the west of the trust property in order to access its pump house facility within that fee parcel.
- 4.) Reclamation will be as stated in the easement documents. The City will enclose the pump house facility with an appropriate chain link fence. If a locked gate is placed at the Brahma Street entrance to the fee parcel, the City will provide the trust with the necessary key or touch code for entry.

If I have correctly stated the agreement please sign below and execute the enclosed easements and deed. I will arrange payment and you will be notified of a closing at Campbell County Abstract. I will need to obtain final approval for this agreement from the City Council prior to closing.

If you have any questions or concerns or if I have left something out, feel free to contact me at 307-686-5361 or Mike Cole at 687-2534. Thanks you for your help on this, and again, we apologize for the mix up on the surveying entry.

Yours Very Truly,



R. Douglas Dumbrell  
Land Consultant

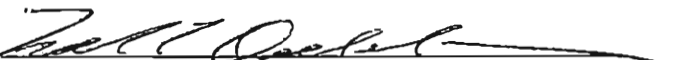
RDD/sdg

Enclosures

cc: Mike Cole, Utility Project Manager

AGREED TO BY:

BY:



Fred Oedekoven, Successor Trustee of the Roger  
Wayne Oedekoven Trust dated October 26, 1988

## Warranty Deed

Fred Oedekoven, Successor Trustee of the Roger Wayne Oedekoven Trust dated October 26, 1988 of P.O. Box 1, Recluse, WY 82725, hereinafter GRANTOR, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is acknowledged does Grant and Convey and Warrant to the City of Gillette, Wyoming, a municipal corporation and city of the first class, hereinafter CITY or GRANTEE, of 201 East Fifth Street, P.O. Box 3003, Gillette, Wyoming, 82717 the following described real estate, situated in Campbell County and State of Wyoming, hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of the State of Wyoming, to wit:

### DESCRIPTION

A fee parcel located in a portion of the NW1/4NE1/4NW1/4 of Section 7, T49N, R72W of the 6<sup>th</sup> P.M., Campbell County, Wyoming, as recorded in Book 1916 of Photos, Page 197 of the Campbell County Clerks records, being more particularly described as follows:

Commencing at the west sixteenth corner of said Section 7 and Section 6, being monumented by a 1974 brass cap stamped LS 538 and being the point of beginning;

Thence along the north section line of said Section 7, N86°41'39"E, 80.05 feet to the northeast corner of said fee parcel, monumented with an aluminum cap stamped PLS 6872;

Thence leaving said north section line, S00°33'25"W, 60.52 feet to the a corner of said fee parcel, monumented with an aluminum cap stamped PLS 6872;

Thence S43°29'28"W, 73.21 feet to a corner of said fee parcel, monumented with an aluminum cap stamped PLS 6872;

Thence S00°33'25"W, 266.22 feet to the southeasterly corner of said fee parcel, monumented with an aluminum cap stamped PLS 6872;

Thence along the projected bearing of Brahma Street, S87°49'33"W, 30.03 feet to a point on the west boundary of aforementioned NW1/4NE1/4NW1/4, also being the southeast corner of said Brahma Street monumented with an aluminum cap stamped PLS 6872;

Thence along said west boundary, N00°33'25"E, 376.38 feet to the point of beginning of said fee parcel.

Said fee parcel contains 15580 square feet more or less.

All areas are computed at ground.

All measured distances are grid, for conversion to ground, multiply by 1.00025907.

The basis of bearing for this legal description and for the attached Exhibit "A" is Wyoming State Plane Grid, NAD83, East Zone (4901).

See the attached Exhibit "A", attached and incorporated herein by reference.

Subject to all easements, reservations, restrictions, encumbrances, and surface use agreements of record. Reserving unto Grantor, all oil and gas, and other minerals and mineral rights existing under said above lands and premises or appurtenant thereto.

DATED THIS 30<sup>th</sup> day of July, 2013.

GRANTOR:

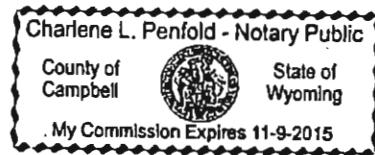
BY: [Signature]  
Fred Oedekoven,  
Successor Trustee of the Roger Wayne Oedekoven Trust dated October 26, 1988

STATE OF Wyoming )  
 ) ss.  
County of Campbell )

The above and foregoing instrument was acknowledged before me by Fred Oedekoven, Successor Trustee of the Roger Wayne Oedekoven Trust dated October 26, 1988, this 30<sup>th</sup> day of July, 2013, who stated that his signature hereto is the free and voluntary act of the Fred Oedekoven, Successor Trustee of the Roger Wayne Oedekoven Trust dated October 26, 1988 Roger Wayne Oedekoven Trust.

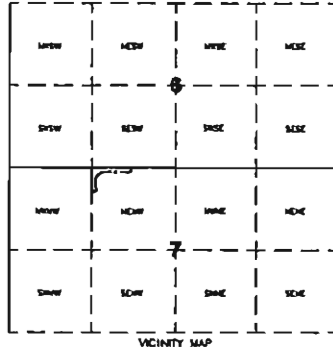
My Commission Expires: 11-09-2015

[Signature]  
Notary Public



# EXHIBIT "A"

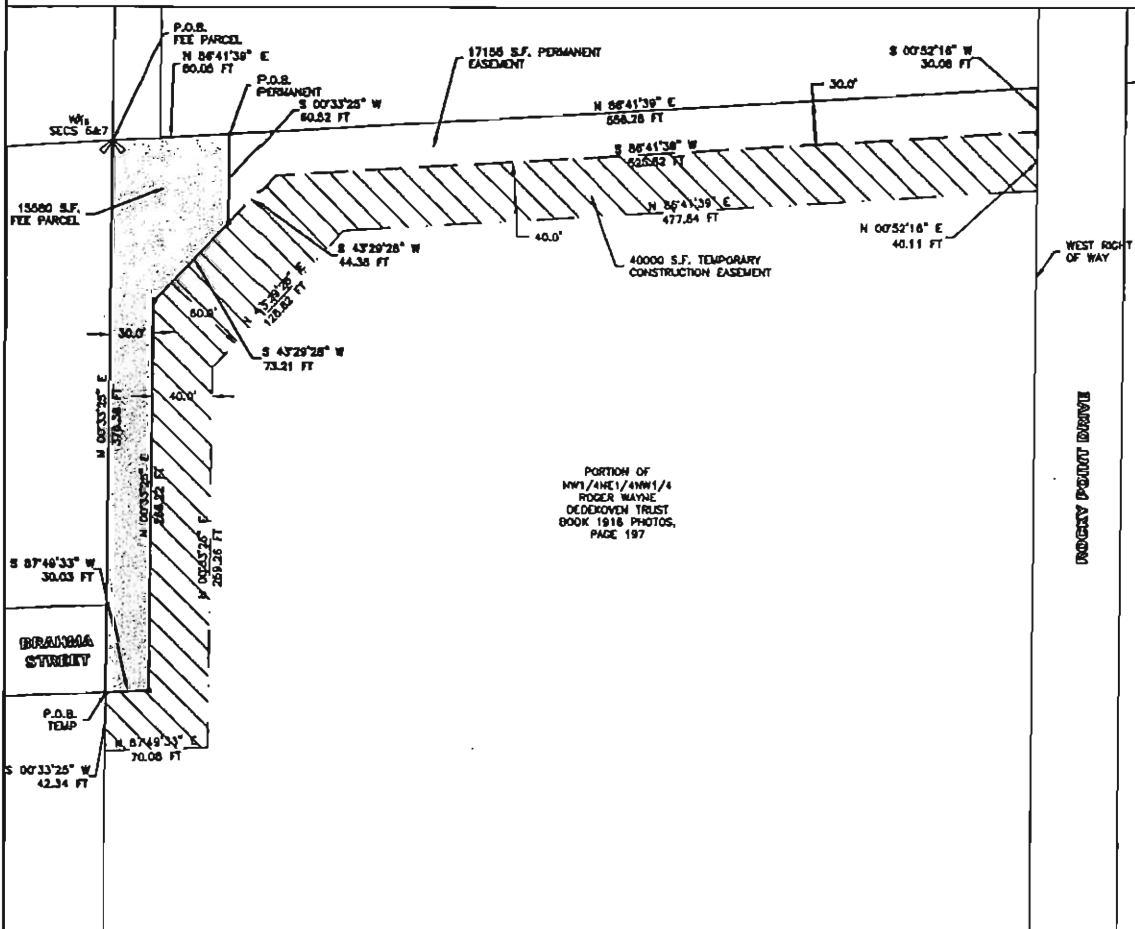
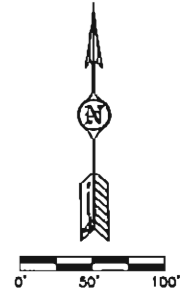
A FEE PARCEL AND EASEMENT LOCATED IN A PORTION OF THE NW1/4NE1/4NW1/4 IN SECTION 7, T49N, R72W OF THE 6TH P.M. CAMPBELL COUNTY, WYOMING



- LEGEND**
- FEE PARCEL
  - - - PERMANENT EASEMENT
  - . - CONSTRUCTION EASEMENT
  - ▲ FOUND SIXTEENTH CORNER 1974 BASED CAP LS 330
  - SET MONUMENT ALUMINUM CAP PLS 8472

DATE: 07/16/13  
PROJECT NUMBER: 123560.00  
GRANTOR: ROGER WAYNE DEDEKOVEN TRUST

BASE OF BEARING: WYOMING STATE PLANE GRID,  
NAD83, EAST ZONE (4901)  
GRID TO GROUND CONVERSION: 1.00025907  
\*\*\*ALL AREAS ARE COMPUTED TO GROUND



## SURVEYOR'S CERTIFICATE

I, DAVID L. VILEM, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, LICENSED UNDER THE LAWS OF THE STATE OF WYOMING, THAT THIS DRAWING WAS MADE FROM NOTES TAKEN DURING AN ACTUAL SURVEY AND IS A TRUE REPRESENTATION OF THE SURVEY.



PCAE ENGINEERING, INC.  
4508 WIDOWAM BLVD.  
P.O. BOX 3163  
GILLETTE, WYO. 82718  
PH. (307) 687-0600

**PERMANENT WATER LINE AND GENERAL UTILITY EASEMENT**  
**Roger Wayne Oedekoven Trust-4972-17**

Fred Oedekoven, Successor Trustee of the Roger Wayne Oedekoven Trust dated October 26, 1988 of P.O. Box 1, Recluse, WY 82725 hereinafter GRANTOR, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is acknowledged does Grant, Convey, and Warrant to the City of Gillette, Wyoming, a municipal corporation and city of the first class, of 201 E. 5<sup>th</sup> St, P.O. Box 3003, Gillette, Wyoming, 82717 hereinafter GRANTEE, a Permanent Water Line and General Utility Easement in and to the following described tract of land:

**LEGAL DESCRIPTION**

A permanent easement located in a portion of the NW1/4NE1/4NW1/4 of Section 7, T49N, R72W of the 6<sup>th</sup> P.M., Campbell County, Wyoming, as recorded in Book 1916 of Photos, Page 197 of the Campbell County Clerks records, being more particularly described as follows:

Commencing at the west sixteenth corner of said Section 7 and Section 6, being monumented by a 1974 brass cap stamped LS 538;

Thence along the north section line of said Section 7, N86°41'39"E, 80.05 feet to the northeast corner of a fee parcel, monumented with an aluminum cap stamped PLS 6872 and being the point of beginning of said permanent easement;

Thence along said north section line, N86°41'39"E, 556.28 feet to a point on the west right of way of Rocky Point Drive;

Thence along said west right of way, S00°52'16"W, 30.08 feet to the southerly limits of aforementioned permanent easement;

Thence leaving said west right of way, along said permanent easement, S86°41'39"W, 525.82 feet to an angle point;

Thence continuing along said permanent easement, S43°29'28"W, 44.38 feet to a corner of aforementioned fee parcel;

Thence along east boundary of said fee parcel, N00°33'25"E, 60.52 feet to the point of beginning of said permanent easement.

Said permanent easement contains 17155 square feet more or less.

All areas are computed at ground.

All measured distances are grid, for conversion to ground, multiply by 1.00025907.

The basis of bearing for this legal description and for the attached Exhibit "A" is Wyoming State Plane Grid, NAD83, East Zone (4901).


The easement is further shown and described by the drawing attached as Exhibit "A".

Said easement is subject to any right-of-way and or easements, reservations and encumbrances of record.

Said easement unto GRANTEE, its successors, licensees and assigns to have and to hold forever in the lands described above for a waterline and general utility easement over, under, upon and within which to construct, maintain, service, reconstruct, operate, and locate at any time and from time to time any public utilities, such as, for purpose of illustration but not limitation, water pipelines and sanitary sewer lines, storm water drains and sewers, electrical lines, natural gas lines, telephone lines, cable television and other communication lines and other utilities to be determined in the sole discretion of the GRANTEE.

At the conclusion of initial construction and any reconstruction or repair activities within the easement, GRANTEE shall restore the surface and any improvements damaged and any adjacent areas disturbed during the construction or repair activities to a condition substantially equal to the condition of the disturbed or damaged area before construction within the easement.

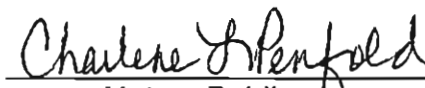
GRANTOR:

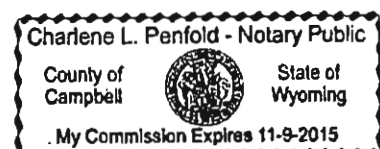
BY:   
Fred Oedekoven,  
Successor Trustee of the Roger Wayne Oedekoven Trust dated October 26, 1988

STATE OF Wyoming )  
 ) ss.  
County of Campbell )

The above and foregoing instrument was acknowledged before me by Fred Oedekoven, Successor Trustee of the Roger Wayne Oedekoven Trust dated October 26, 1988 Roger Wayne Oedekoven Trust, this 30<sup>th</sup> day of July, 2013, who stated that his signature hereto is the free and voluntary act of the Fred Oedekoven, Successor Trustee of the Roger Wayne Oedekoven Trust dated October 26, 1988 Roger Wayne Oedekoven Trust.

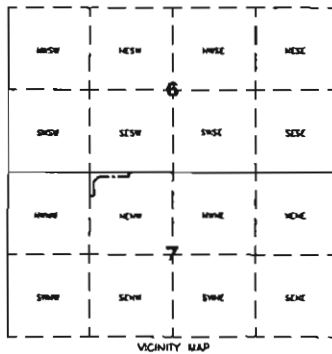
My Commission Expires: 11-09-2015

  
Notary Public



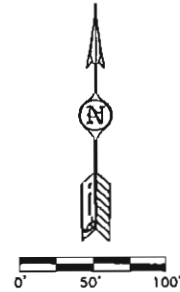
# EXHIBIT "A"

A FEE PARCEL AND EASEMENT LOCATED IN A PORTION OF THE  
NW1/4NE1/4NW1/4 IN SECTION 7, T49N, R72W OF THE 6TH P.M.  
CAMPBELL COUNTY, WYOMING



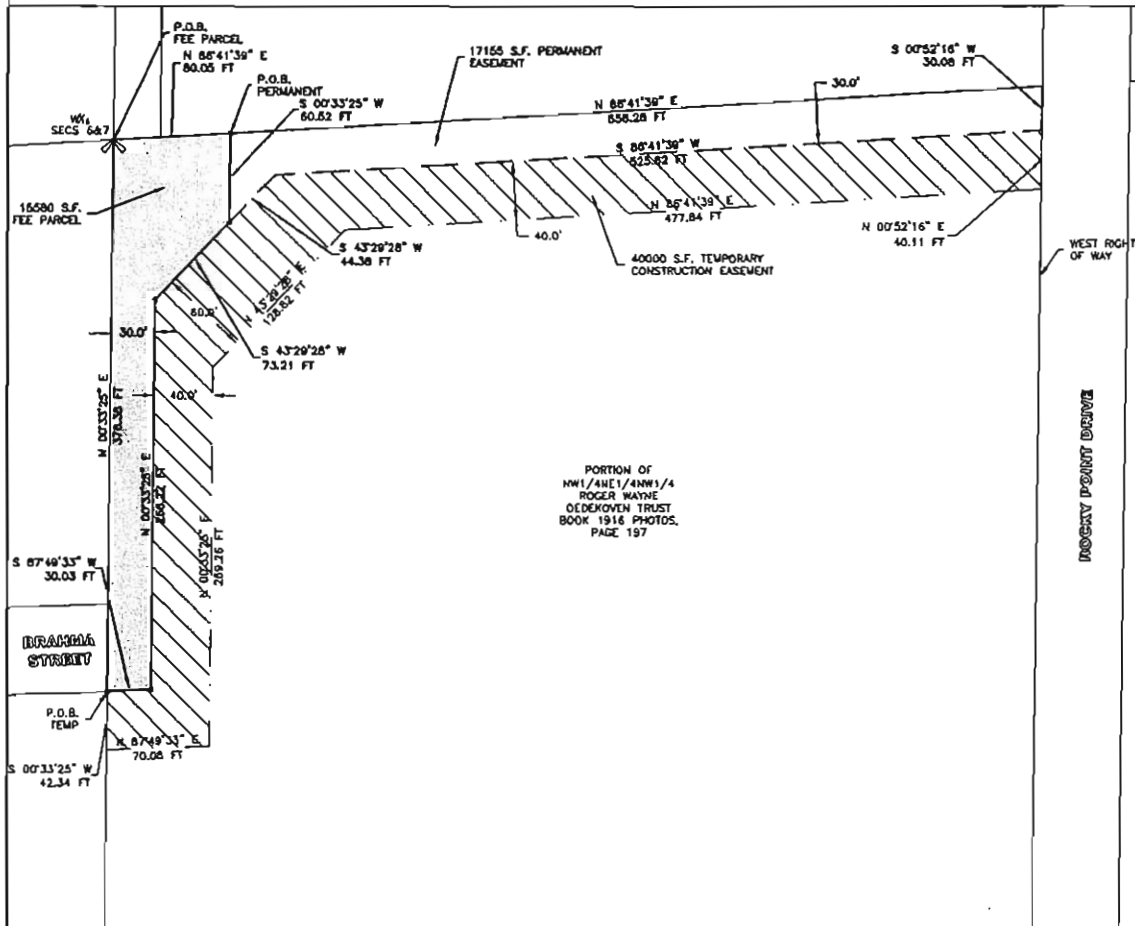
**LEGEND**

- FEE PARCEL
- - - PERMANENT EASEMENT
- - - CONSTRUCTION EASEMENT
- ⚓ FOUND SIXTEENTH CORNER  
1874 BRASS CAP L.S. 538
- SET MONUMENT  
ALUMINUM CAP PLS 6872



DATE: 07/16/13  
PROJECT NUMBER: 125560.00  
GRANTOR: ROGER WAYNE ODEKOVEN TRUST

BASIS OF BEARING: WYOMING STATE PLANE GRID,  
NAD83, EAST ZONE (4901)  
GRID TO GROUND CONVERSION: 1.00025907  
\*\*\*ALL AREAS ARE COMPUTED TO GROUND



## SURVEYOR'S CERTIFICATE

I, DAVID L. VUICH, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, LICENSED UNDER THE LAWS OF THE STATE OF WYOMING, THAT THIS DRAWING WAS MADE FROM NOTES TAKEN DURING AN ACTUAL SURVEY AND IS A TRUE REPRESENTATION OF THE SURVEY.



4508 WIGWAM BLVD.  
P.O. BOX 2183  
GILLETTE, WYO. 82716  
PH (307) 687-0600

**PCA** ENGINEERING, INC.

# TEMPORARY CONSTRUCTION EASEMENT

## 4972-17- Roger Wayne Oedekoven Trust

Fred Oedekoven, Successor Trustee of the Roger Wayne Oedekoven Trust dated October 26, 1988 of PO Box 1, Recluse, WY, 82725, hereinafter GRANTOR, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is acknowledged does Grant and Convey to the City of Gillette, Wyoming, a municipal corporation and city of the first class, of 201 East Fifth Street, P.O. Box 3003, Gillette, Wyoming, hereinafter GRANTEE a temporary construction easement in and to the following described tract of land:

See attached Exhibit "A" and Exhibit "A- Pg.2" which are incorporated herein by reference.

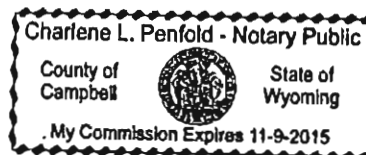
This grant is made to Grantee, its successors, licensees and assigns to have and to hold the lands described above as a TEMPORARY CONSTRUCTION EASEMENT to be used during construction activities of the new Gillette Regional Water Supply Project ("Madison" project). Grantee, its successors, licensees and assigns, shall have the right of ingress and egress, and also the right to temporarily operate, and park machinery upon the land described above during construction of the new Gillette Regional Water Supply Project ("Madison" project). The easement also includes an immediate right to use the property to survey, lay-out, prepare, construct, and complete the project.

At the conclusion of construction and any reconstruction or repair activities within the easement, GRANTEE shall restore the surface and any improvements damaged and any adjacent areas disturbed during the construction activities to a condition substantially equal to the condition of the disturbed or damaged areas before the construction within the easement. The signers below represent that they sign with full authority and consent of the Grantors identified above.

GRANTOR:

BY: [Signature]  
Fred Oedekoven,  
Successor Trustee of the Roger Wayne Oedekoven Trust dated October 26, 1988

STATE OF Wyoming )  
 ) ss.  
County of Campbell )

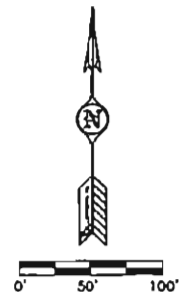
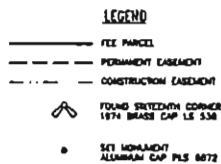
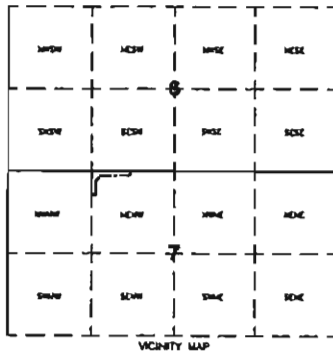


The above and foregoing instrument was acknowledged before me by Fred Oedekoven, Successor Trustee of the Roger Wayne Oedekoven Trust dated October 26, 1988 Roger Wayne Oedekoven Trust, this 30<sup>th</sup> day of July, 2013, who stated that his signature hereto is the free and voluntary act of the Fred Oedekoven, Successor Trustee of the Roger Wayne Oedekoven Trust dated October 26, 1988 Roger Wayne Oedekoven Trust.

My Commission Expires: 11-09-2015

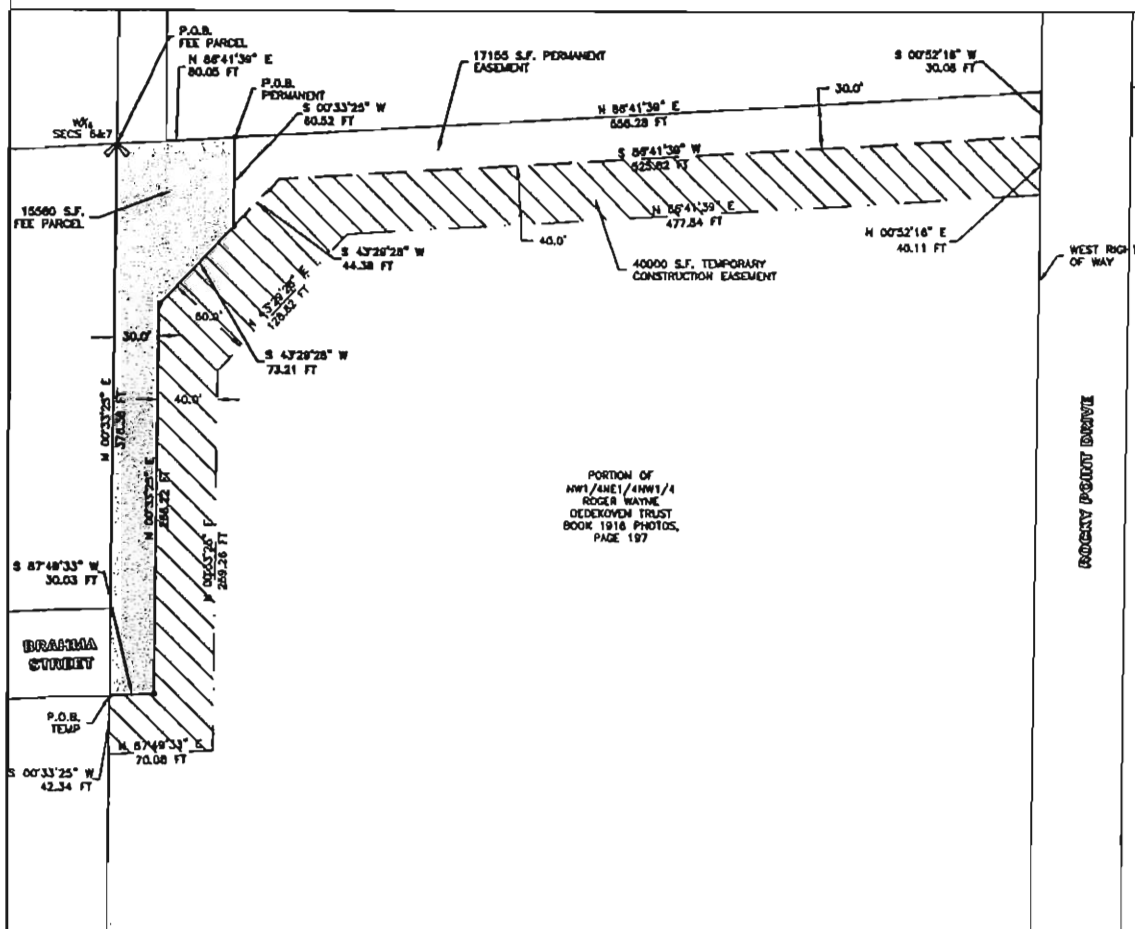
[Signature]  
Notary Public

**EXHIBIT "A"**  
A FEE PARCEL AND EASEMENT LOCATED IN A PORTION OF THE  
NW1/4NE1/4NW1/4 IN SECTION 7, T49N, R72W OF THE 6TH P.M.  
CAMPBELL COUNTY, WYOMING



DATE: 07/18/13  
PROJECT NUMBER: 123569.00  
GRANTOR: ROGER WAYNE DEDEKOVEN TRUST

BASIS OF BEARING: WYOMING STATE PLANE GRID,  
NAD83, EAST ZONE (4901)  
GRID TO GROUND CONVERSION: 1.00025907  
\*\*\*ALL AREAS ARE COMPUTED TO GROUND



**SURVEYOR'S CERTIFICATE**

I, DAVID L. VILM, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, LICENSED UNDER THE LAWS OF THE STATE OF WYOMING, THAT THIS DRAWING WAS MADE FROM NOTES TAKEN DURING AN ACTUAL SURVEY AND IS A TRUE REPRESENTATION OF THE SURVEY.



**PCA ENGINEERING, INC.**  
4506 WYOMAM BLVD.  
P.O. BOX 2185  
GILLETTE, WYO. 82718  
PH. (307) 687-0600

**Legal Description – Temporary Construction Easement  
4972-17/Oedekoven Trust (July 16, 2013)**

A temporary construction easement located in a portion of the NW1/4NE1/4NW1/4 of Section 7, T49N, R72W of the 6<sup>th</sup> P.M., Campbell County, Wyoming, as recorded in Book 1916 of Photos, Page 197 of the Campbell County Clerks records, being more particularly described as follows:

Commencing at the west sixteenth corner of said Section 7 and Section 6, being monumented by a 1974 brass cap stamped LS 538;

Thence along the west boundary of aforementioned NW1/4NE1/4NW1/4, S00°33'25"W, 376.38 feet to an aluminum cap stamped PLS 6872 monumenting the southeast corner of Brahma Street and being the point of beginning of said temporary easement;

Thence continuing along said west boundary, S00°33'25"W, 42.34 feet to the southerly limits of said temporary easement;

Thence leaving said west boundary, along said temporary easement, N87°49'33"E, 70.08 feet to an angle point;

Thence continuing along said temporary easement, N00°33'25"E, 259.26 feet to an angle point;

Thence continuing along said temporary easement, N43°29'28"E, 128.82 feet to an angle point;

Thence continuing along said temporary easement, N86°41'39"E, 477.84 feet to a point on the west right of way of Rocky Point Drive;

Thence along said west right of way, N00°52'16"E, 40.11 feet to the northerly limits of said temporary easement;

Thence leaving said west right of way, along said temporary easement, S86°41'39"W, 525.82 feet to an angle point;

Thence continuing along said temporary easement, S43°29'28"W, 44.38 feet to an aluminum cap stamped PLS 6872;

Thence continuing along said temporary easement, S43°29'28"W, 73.21 feet to an aluminum cap stamped PLS 6872;

Thence continuing along said temporary easement, S00°33'25"W, 266.22 feet to an aluminum cap stamped PLS 6872;

Thence continuing along said temporary easement, N87°49'33"W, 30.03 feet to the aforementioned west boundary of the NW1/4NE1/4NW1/4 and the point of beginning of said temporary easement.

Said temporary easement contains 40000 square feet more or less.

All areas are computed at ground.

All measured distances are grid, for conversion to ground, multiply by 1.00025907.

The basis of bearing for this legal description and for the attached Exhibit "A" is Wyoming State Plane Grid, NAD83, East Zone (4901).

## ACCESS EASEMENT

The City of Gillette, Wyoming, a municipal corporation and city of the first class, of 201 E. 5<sup>th</sup> Street, P.O. Box 3003, Gillette, Wyoming 82716, hereinafter GRANTOR, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is acknowledged does Grant and Convey to Fred Oedekoven, Successor Trustee of the Roger Wayne Oedekoven Trust dated October 26, 1988 of P.O. Box 1, Recluse, WY 82725, hereinafter GRANTEE a non-exclusive access easement as described below.

### LEGAL DESCRIPTION

A NON EXCLUSIVE PERMANENT ACCESS OVER A PORTION OF THE PARCEL DESCRIBED BELOW, THAT PORTION BEING 30.03 FEET WIDE AND BEING ONLY THE SOUTH 266.21 FEET OF THE ENTIRE DESCRIBED PARCEL BELOW. THE EASEMENT IS FURTHER SHOWN BY THE ATTACHED DRAWING LABELED EXHIBIT "A."

#### Description

A parcel located in a portion of the NW1/4NE1/4NW1/4 of Section 7, T49N, R72W of the 6<sup>th</sup> P.M., Campbell County, Wyoming, as recorded in Book 1916 of Photos, Page 197 of the Campbell County Clerks records, being more particularly described as follows:

Commencing at the west sixteenth corner of said Section 7 and Section 6, being monumented by a 1974 brass cap stamped LS 538 and being the point of beginning;

Thence along the north section line of said Section 7, N86°41'39"E, 80.05 feet to the northeast corner of said fee parcel, monumented with an aluminum cap stamped PLS 6872;

Thence leaving said north section line, S00°33'25"W, 60.52 feet to the a corner of said fee parcel, monumented with an aluminum cap stamped PLS 6872;

Thence S43°29'28"W, 73.21 feet to a corner of said fee parcel, monumented with an aluminum cap stamped PLS 6872;

Thence S00°33'25"W, 266.22 feet to the southeasterly corner of said fee parcel, monumented with an aluminum cap stamped PLS 6872;

Thence along the projected bearing of Brahma Street, S87°49'33"W, 30.03 feet to a point on the west boundary of aforementioned NW1/4NE1/4NW1/4, also being the southeast corner of said Brahma Street monumented with an aluminum cap stamped PLS 6872;

Thence along said west boundary, N00°33'25"E, 376.38 feet to the point of beginning of said fee parcel.

Said enire parcel contains 15580 square feet more or less.

All areas are computed at ground.

All measured distances are grid, for conversion to ground, multiply by 1.00025907.

Said easement unto GRANTEE, its successors, licensees and assigns to have and to hold forever the lands described above for an access easement over, and, upon and within which to access the property owned by them or adjoining the said easement in Campbell County, Wyoming. The use of this easement by Grantee shall not damage or interfere with the Grantors use of the burdened property for water or utility systems or for Grantor's own access purposes.

At the conclusion of any construction by Grantee and any reconstruction or repair activities within the easement by Grantee, GRANTEE shall restore the surface and any improvements damaged and any adjacent areas disturbed during the construction or repair activities to a condition comparable to the condition of the disturbed or damaged area before Grantees construction within the easement.

DATED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2013.

GRANTOR:

\_\_\_\_\_  
Tom Murphy, Mayor,  
City of Gillette Wyoming

\_\_\_\_\_  
Date

( S E A L )  
ATTEST:

\_\_\_\_\_  
Karlene Abelseth, City Clerk

STATE OF WYOMING                    )  
  ) ss.  
County of Campbell                    )

The above and foregoing instrument was acknowledged before me by Tom Murphy, Mayor of the City of Gillette and Karlene Abelseth, City Clerk of the City of Gillette on \_\_\_\_\_, 2013.

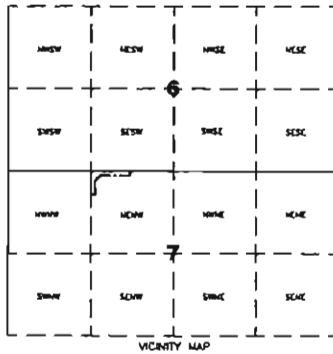
Witness my hand and official seal.

My Commission Expires:

\_\_\_\_\_  
Notary Public

# EXHIBIT "A"

A FEE PARCEL AND EASEMENT LOCATED IN A PORTION OF THE  
NW1/4NE1/4NW1/4 IN SECTION 7, T49N, R72W OF THE 6TH P.M.  
CAMPBELL COUNTY, WYOMING



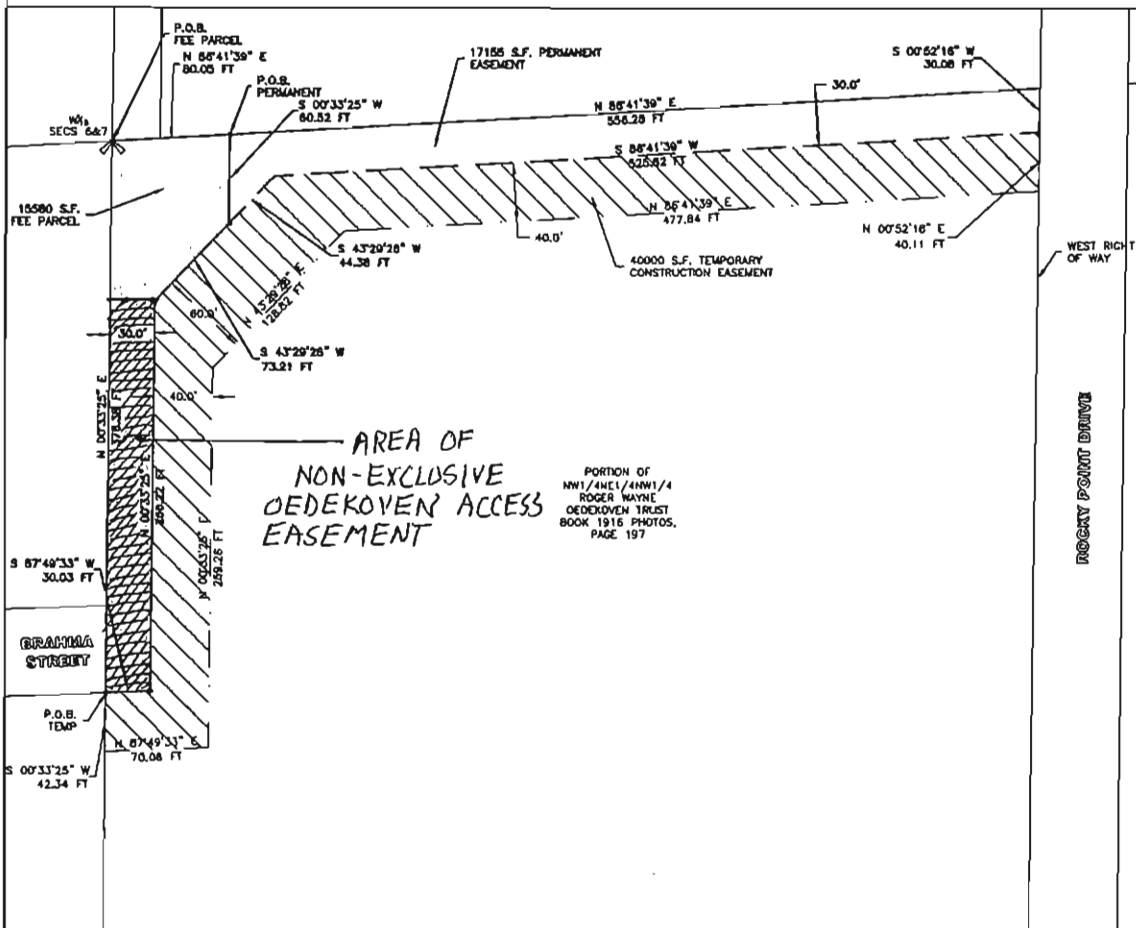
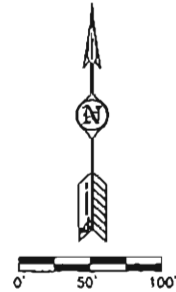
VICINITY MAP

## LEGEND

- FEE PARCEL
- - - PERMANENT EASEMENT
- . - . CONSTRUCTION EASEMENT
- ⚓ FOUND SURVEYOR CORNER  
1974 BRASS CAP LS 536
- SET MONUMENT  
ALUMINUM CAP PLS 6872

DATE: 07/16/13  
PROJECT NUMBER: 123560.00  
GRANTOR: ROGER WAYNE OEDEKOVEN TRUST

BASIS OF BEARING: WYOMING STATE PLANE GRID,  
NAD83, EAST ZONE (4901)  
GRID TO GROUND CONVERSION: 1.00025907  
\*\*\*ALL AREAS ARE COMPUTED TO GROUND



## SURVEYOR'S CERTIFICATE

I, DAVID L. VILEM, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, LICENSED UNDER THE LAWS OF THE STATE OF WYOMING, THAT THIS DRAWING WAS MADE FROM NOTES TAKEN DURING AN ACTUAL SURVEY AND IS A TRUE REPRESENTATION OF THE SURVEY.



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