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# CITY OF GILLETTE

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

*Finance*  
*CCA*  
*UT*

July 30, 2013

B & F, LLC  
c/o Daniel Barton/David Fakler  
646 Par Dr.  
Gillette WY

**RE: Gillette Regional Water Project, Phase I District Extensions (4972-01&02)**

Dear Daniel & David,

I received the survey documents to complete our agreement for the Madison Regional Water project easements and fee parcel the City requested. Our agreement as I understand it is as follows:

The City will purchase easements adjacent to David's home (A) as follows:

Permanent Waterline and Utility Easement:  
11,310 sq. ft. @ \$.20 per sq. ft.      \$2,262.00

Temporary Construction Easement:  
34,010 sq. ft. @ \$.10 per sq. ft.      \$3,401.00

The City will purchase easements on the north of the property (B) as follows:

Permanent Waterline and Utility Easement:  
.68 acres @ \$2,400.00 per acre      \$1,632.00

Temporary Construction Easement:  
.98 acres @ \$300 per acre      \$294.00

The City will purchase easements and a fee parcel on the south (C) as follows:

Land Parcel in Fee:  
6,405 sq. ft. @ \$.50 per sq. ft.      \$3,203.00

Permanent Waterline and Utility Easement:  
.87 acres @ \$2,400 per acre      \$2,008.00 ~~\$2,088.00~~

Temporary Construction Easement:  
1.37 acres @ \$300.00 per acre      \$ 411.00

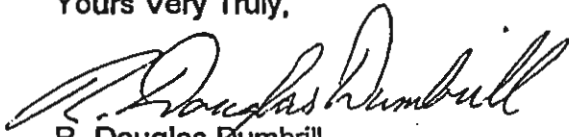
**TOTAL COMPENSATION  
FOR ALL PURCHASES - \$13,291.00**



If temporary fencing is needed at the time of construction (i.e. If livestock is on the area) please advise us and we will provide it during construction and or reclamation. It is understood that the fee parcel will be fenced permanently by the City and at its expense.

If this correspondence correctly sets forth our agreement, please sign below, execute all easements and the deed and return them to me at City Hall. I will obtain the necessary final approval from the City Council and set up a closing with Campbell County Abstract. The process usually takes about a month. Please feel free to call with any questions you may have. I appreciate your help in reaching this agreement.

Yours Very Truly,

  
R. Douglas Dumbrell  
Land Consultant

RDD/sdg

Enclosures

cc: Mike Cole, Utility Project Manager

AGREED TO BY:

\_\_\_\_\_  
Daniel J. Barton

\_\_\_\_\_  
David P. Fakler



## **Warranty Deed**

B & F, LLC of 646 Par Drive, Gillette, WY 82718, 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 N1/2 of Section 13, T49N, R72W of the 6<sup>th</sup> P.M., Campbell County, Wyoming, as recorded in Book 2627 of Photos, Page 146 of the Campbell County Clerks records, being more particularly described as follows:

Commencing at the northwest corner of said Section 13, being monumented by a 1968 brass cap stamped RLS 366;

Thence along the west line of said Section 13, S00°05'48"W, 34.79 feet to the northwest corner of said fee parcel, monumented by an aluminum cap stamped PLS 6872 and being the point of beginning;

Thence continuing along said west line; S00°05'48"W, 80.00 feet to the southwest corner of said fee parcel, monumented by an aluminum cap stamped PLS 6872;

Thence leaving said west line, S89°54'12"E, 80.00 feet to the southeast corner of said fee parcel, monumented by an aluminum cap stamped PLS 6872;

Thence N00°05'48"E, 80.00 feet to the northeast corner of said fee parcel, monumented by an aluminum cap stamped PLS 6872;

Thence N89°54'12"W, 80.00 feet to the point of beginning.

Said permanent easement contains 6405 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 "C" is Wyoming State Plane Grid, NAD83, East Zone (4901).

See the attached Exhibit "C", 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 7<sup>th</sup> day of August, 2013.

GRANTORS:

BY:

Daniel J. Barton  
Daniel J. Barton, Member of B & F, LLC

STATE OF WYOMING )  
 ) ss.  
County of Campbell )

The above and foregoing instrument was acknowledged before me by Daniel J. Barton, Member of B & F, LLC, this 7<sup>th</sup> day of August, 2013, who stated that his signature hereto is the free and voluntary act of B & F, LLC.

My Commission Expires:



Cynthia J. Korthaus  
Notary Public

BY:

David P. Fakler  
David P. Fakler, Member of B & F, LLC

STATE OF WYOMING )  
 ) ss.  
County of Campbell )

The above and foregoing instrument was acknowledged before me by David P. Fakler, Member of B & F, LLC, this 7<sup>th</sup> day of August, 2013, who stated that his signature hereto is the free and voluntary act of B & F, LLC.

My Commission Expires:

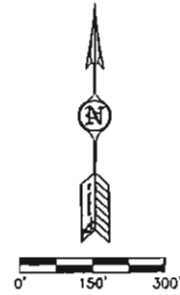
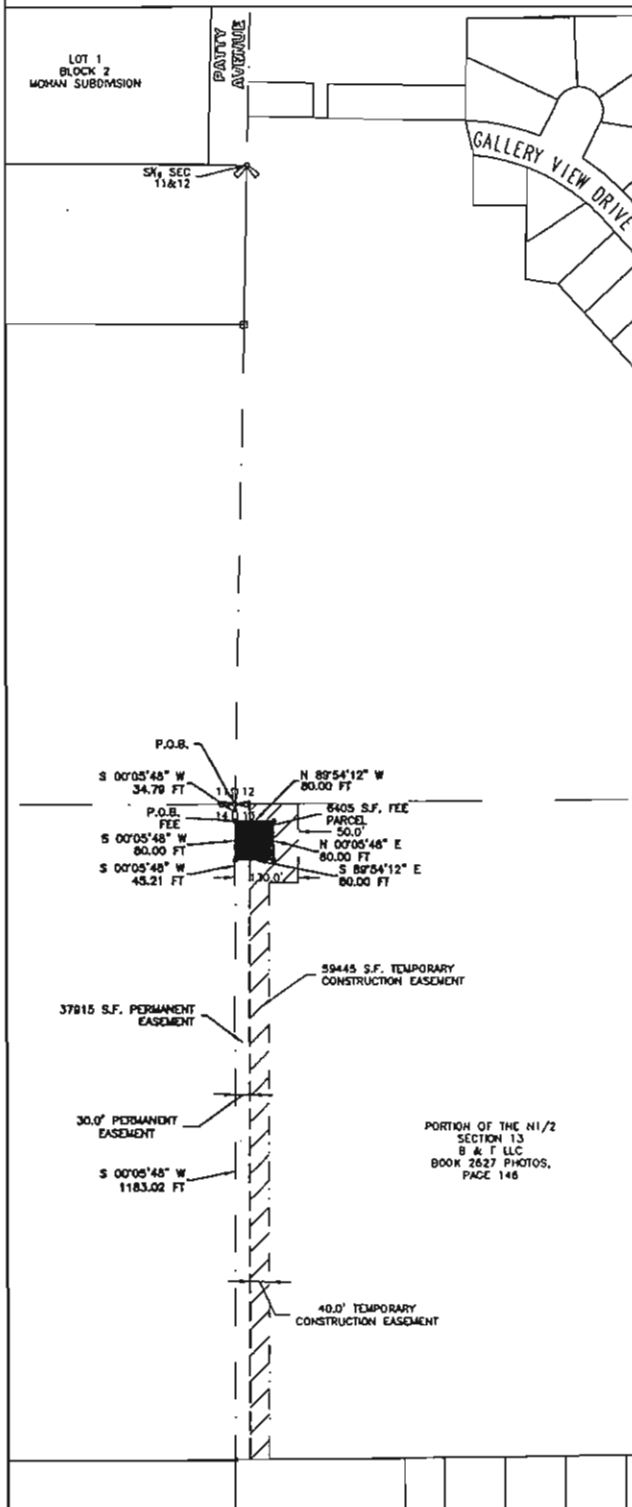


Cynthia J. Korthaus  
Notary Public



# EXHIBIT "C"

A FEE PARCEL AND EASEMENT LOCATED IN A PORTION OF THE N1/2  
SECTION 13, T48N, R72W OF THE 6TH P.M.  
CAMPBELL COUNTY, WYOMING

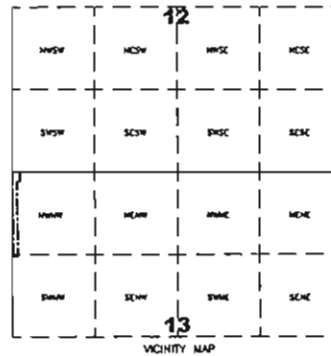


## LEGEND

- SECTION LINE
- QUARTER SECTION LINE
- EXISTING EASEMENT
- FEE PARCEL
- PERMANENT EASEMENT
- CONSTRUCTION EASEMENT
- ✕ FOUND SECTION CORNER  
1958 BRASS CAP PLS 366
- ✕ FOUND SIXTEENTH CORNER  
1978 BRASS CAP L3377
- FOUND PROPERTY CORNER  
BARE REBAR
- FOUND PROPERTY CORNER  
PLASTIC CAP L8 2079
- SET PROPERTY CORNER  
ALUMINUM CAP PLS 5872

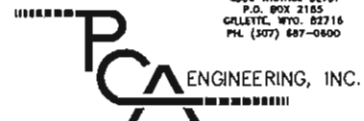
DATE: 07/09/13  
PROJECT NUMBER: 123569.00  
GRANTOR: B & F, LLC

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. VILLEM, 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.





# TEMPORARY CONSTRUCTION EASEMENT

4972-01&02- B & F, LLC

B & F, LLC of 646 Par Drive, Gillette, WY, 82718, hereinafter GRANTOR(S), 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 "C" and Exhibit "C - 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(S):

BY:

Daniel J. Barton  
Daniel J. Barton, Member of B & F, LLC

STATE OF WYOMING)  
County of Campbell) ss.

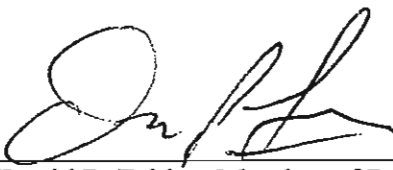
The above and foregoing instrument was acknowledged before me by Daniel J. Barton, Member of B & F, LLC, this 7<sup>th</sup> day of August, 2013, who stated that his signature hereto is the free and voluntary act of B & F, LLC.

My Commission Expires:



Cynthia J. Korthaus  
Notary Public



BY:   
David P. Fakler, Member of B & F, LLC

STATE OF WYOMING )  
 ) ss.  
County of Campbell )

The above and foregoing instrument was acknowledged before me by David P. Fakler, Member of B & F, LLC, this 7<sup>th</sup> day of August, 2013, who stated that his signature hereto is the free and voluntary act of B & F, LLC.

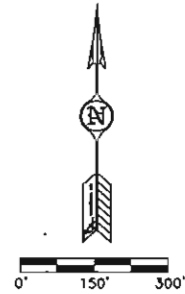
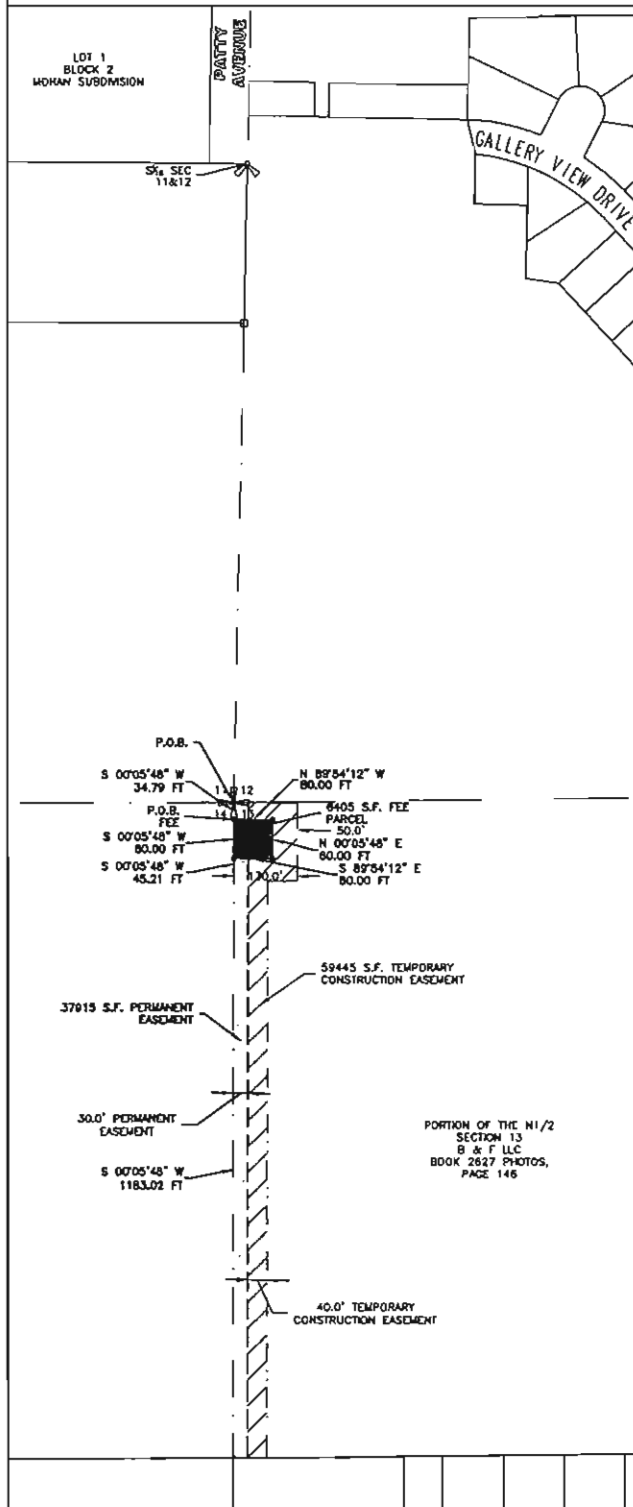
My Commission Expires: \_\_\_\_\_



  
Notary Public



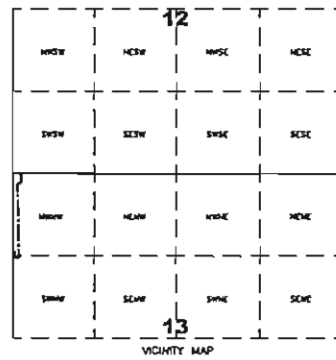
# **EXHIBIT "C"** A FEE PARCEL AND EASEMENT LOCATED IN A PORTION OF THE N1/2 SECTION 13, T49N, R72W OF THE 6TH P.M., CAMPBELL COUNTY, WYOMING



- LEGEND**
- SECTION LINE
  - QUARTER SECTION LINE
  - EXISTING EASEMENT
  - FEE PARCEL
  - PERMANENT EASEMENT
  - CONSTRUCTION EASEMENT
  - ✕ FOUND SECTION CORNER  
1958 BRASS CAP PLS 366
  - ✕ FOUND SECTION CORNER  
1976 BRASS CAP PLS 377
  - FOUND PROPERTY CORNER  
BARE REBAR
  - FOUND PROPERTY CORNER  
PLASTIC CAP L3 2079
  - SET PROPERTY CORNER  
ALUMINUM CAP PLS 6672

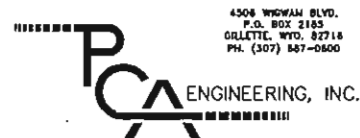
DATE: 07/09/13  
PROJECT NUMBER: 123569.00  
GRANTOR: B & F, LLC

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. VILCH, 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.





**Legal Description – Temporary Construction Easement "C"**  
**4972-01&02 B & F, LLC**  
**July 16, 2013**

A temporary easement located in a parcel located in a portion of the N1/2 of Section 13, T49N, R72W of the 6<sup>th</sup> P.M., Campbell County, Wyoming, as recorded in Book 2627 of Photos, Page 146 of the Campbell County Clerks records, being more particularly described as follows:

Commencing at the northwest section corner of aforementioned Section 13, monumented by a 1968 brass cap stamped RLS 366;

Thence along the west line of aforementioned Section 13, being the westerly limit of a 130 foot wide temporary easement, parallel with said west line, S00°05'48"W, 34.79 feet to a point;

Thence continuing along said west line, along said 130 foot wide temporary easement, parallel with said west line, S00°05'48"W, 80.00 feet to a point;

Thence continuing along said west line, along said 130 foot wide temporary easement, parallel with said west line, S00°05'48"W, 45.21 feet to the end of said 130 foot wide temporary easement;

Thence continuing along said west line, being the westerly limit of a 70 foot wide temporary easement, parallel with said west line, S00°05'48"W, 1183.02 feet the southwest corner of aforementioned parcel, monumented with a bare rebar and being the point of termination of said temporary easement.

The sidelines of said temporary easement are to be shortened or extended to prevent gaps and overlaps.

Said temporary easement contains 59445 square feet more or less.

The area computed does not include the permanent easement or fee parcel area. 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 "C" is Wyoming State Plane Grid, NAD83, East Zone (4901).



# TEMPORARY CONSTRUCTION EASEMENT

4972-01&02- B & F, LLC

B & F, LLC of 646 Par Drive, Gillette, WY, 82718, hereinafter GRANTOR(S), 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 "B" and Exhibit "B- 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(S):

BY:

Daniel J. Barton, Member of B & F, LLC

STATE OF WYOMING )  
 ) ss.  
County of Campbell )

The above and foregoing instrument was acknowledged before me by Daniel J. Barton, Member of B & F, LLC, this 9<sup>th</sup> day of August, 2013, who stated that his signature hereto is the free and voluntary act of B & F, LLC.

My Commission Expires:



Cynthia J. Korthaus  
Notary Public



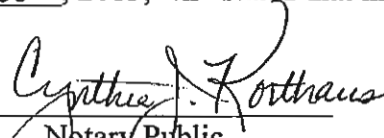
BY:   
David P. Fakler, Member of B & F, LLC

STATE OF WYOMING )  
County of Campbell ) ss.

The above and foregoing instrument was acknowledged before me by David P. Fakler, Member of B & F, LLC, this 7<sup>th</sup> day of August, 2013, who stated that his signature hereto is the free and voluntary act of B & F, LLC.

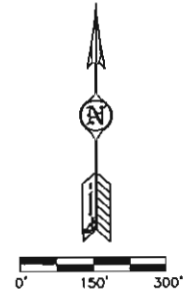
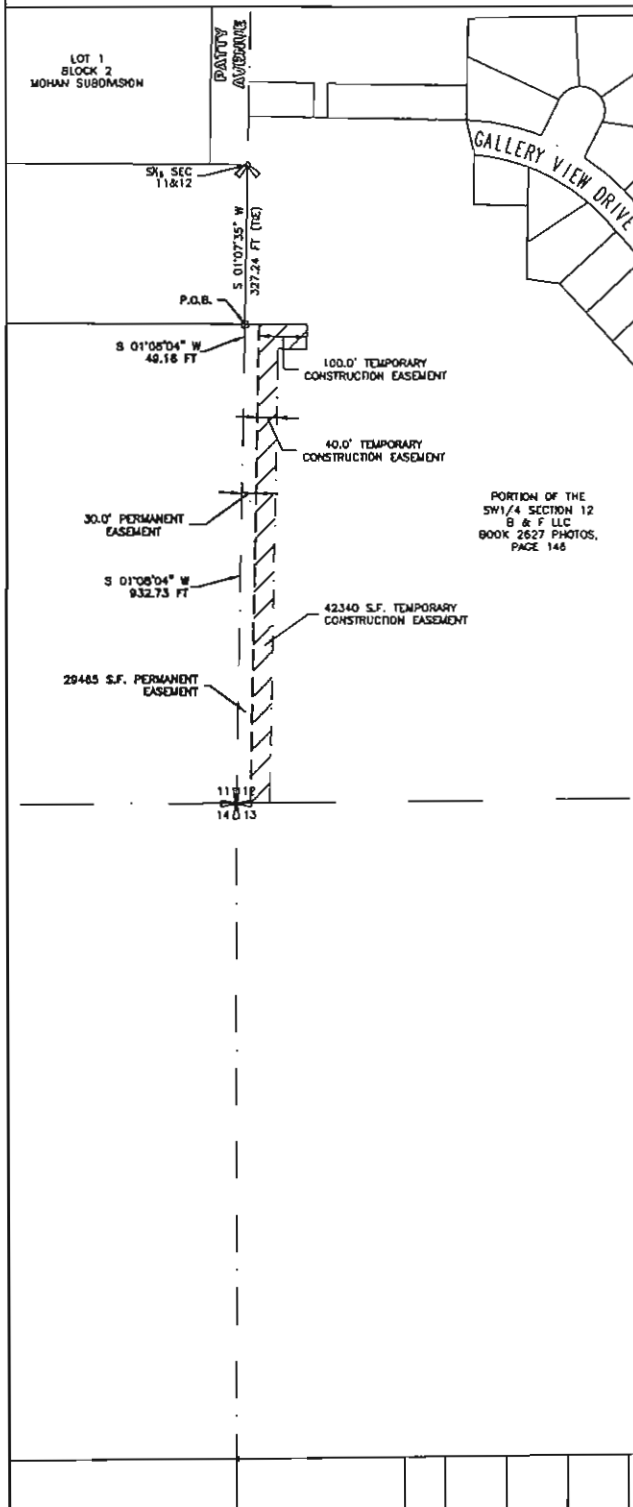
My Commission Expires: \_\_\_\_\_



  
Notary Public



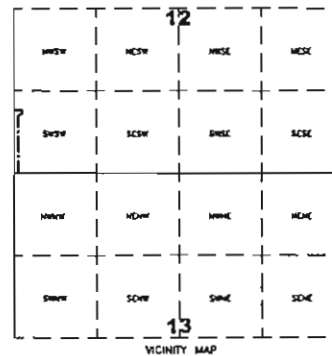
**EXHIBIT "B"**  
 AN EASEMENT LOCATED IN A PORTION OF THE SW1/4 SECTION 12,  
 T49N, R72W OF THE 6TH P.M.,  
 CAMPBELL COUNTY, WYOMING



- LEGEND**
- SECTION LINE
  - QUARTER SECTION LINE
  - EXISTING EASEMENT
  - FEE PARCEL
  - PERMANENT EASEMENT
  - CONSTRUCTION EASEMENT
  - ✕ FOUND SECTION CORNER  
1990 BRASS CAP AL3 346
  - ✕ FOUND SEVENTEENTH CORNER  
1976 BRASS CAP L4377
  - FOUND PROPERTY CORNER  
BARE REBAR
  - FOUND PROPERTY CORNER  
PLASTIC CAP LS 2070

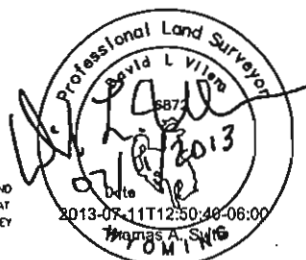
DATE: 07/11/13  
 PROJECT NUMBER: 123569.00  
 GRANTOR: B & F, LLC

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.



4506 WYOMAN BLVD.  
 P.O. BOX 2158  
 GILLETTE, WYO. 82718  
 PH. (307) 687-0600

**PCA ENGINEERING, INC.**



**Legal Description – Temporary Construction Easement "B"**  
**4972-01&02 B & F, LLC**  
**July 16, 2013**

A temporary easement located in a parcel located in a portion of the SW1/4 of Section 12, T49N, R72W of the 6<sup>th</sup> P.M., Campbell County, Wyoming, as recorded in Book 2627 of Photos, Page 146 of the Campbell County Clerks records, being more particularly described as follows:

Commencing at the south sixteenth corner of aforementioned Section 12 and Section 11, monumented by a 1976 brass cap stamped LS 577;

Thence along the west line of aforementioned Section 12, S01°07'35"W, 327.24 feet to a plastic cap stamped LS 2079 and being the westerly limit of a 130 foot wide temporary easement, also being the point of beginning;

Thence continuing along said west line, along said 130 foot wide temporary easement, parallel with said west line, S01°08'04"W, 49.16 feet to the end of said 130 foot wide temporary easement;

Thence continuing along said west line, being the westerly limit of a 70 foot wide temporary easement, parallel with said west line, S01°08'04"W, 932.73 feet to the southwest section corner of aforementioned Section 12, monumented by a 1968 brass cap stamped RLS 366 and being the point of termination of said temporary easement.

The sidelines of said temporary easement are to be shortened or extended to prevent gaps and overlaps.

Said temporary easement contains 42340 square feet more or less.

The area computed does not include the permanent easement area. 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 "B" is Wyoming State Plane Grid, NAD83, East Zone (4901).



## **PERMANENT WATER LINE AND GENERAL UTILITY EASEMENT B & F, LLC-4972-01&02**

B & F, LLC of 646 Par Drive, Gillette, WY 82718, 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 parcel located in a portion of the N1/2 of Section 13, T49N, R72W of the 6<sup>th</sup> P.M., Campbell County, Wyoming, as recorded in Book 2627 of Photos, Page 146 of the Campbell County Clerks records, lying 30 feet easterly and parallel with the following described line:

Commencing at the northwest section corner of aforementioned Section 13, monumented by a 1968 brass cap stamped RLS 366 and being the point of beginning;

Thence along the west line of said Section 13, S00°05'48"W, 34.79 feet to the termination of said 30 foot wide permanent easement;

Thence continuing along said west line, along the west boundary of a fee parcel, no permanent easement present, S00°05'48"W, 80.00 feet to the southwest corner of said fee parcel;

Thence continuing along said west line, recommencing said 30 foot wide permanent easement, S00°05'48"W, 45.21 feet to a point;

Thence continuing along said west line, S00°05'48"W, 1183.02 feet to the southwest corner of aforementioned parcel, monumented with a bare rebar and being the point of termination of said permanent easement.

The sidelines of said permanent easement are to be shortened or extended to prevent gaps and overlaps.

Said permanent easement contains 37915 square feet more or less.

The area computed does not include the fee parcel area. 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 "C" is Wyoming State Plane Grid, NAD83, East Zone (4901).

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

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.

GRANTORS:

BY:

  
Daniel J. Barton, Member of B & F, LLC

STATE OF WYOMING )  
 ) ss.  
County of Campbell )

The above and foregoing instrument was acknowledged before me by Daniel J. Barton, Member of B & F, LLC, this 7<sup>th</sup> day of August, 2013, who stated that his signature hereto is the free and voluntary act of B & F, LLC.

My Commission Expires:



  
Cynthia J. Korthaus  
Notary Public



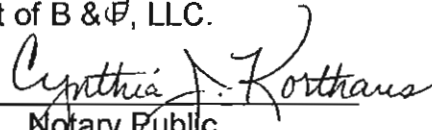
BY:   
David P. Fakler, Member of B & F, LLC

STATE OF WYOMING )  
County of Campbell ) ss.

The above and foregoing instrument was acknowledged before me by David P. Fakler, Member of B & F, LLC, this 7<sup>th</sup> day of August, 2013, who stated that his signature hereto is the free and voluntary act of B & F, LLC.

My Commission Expires: \_\_\_\_\_

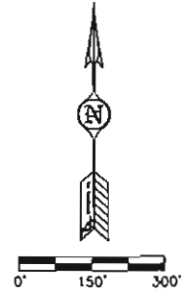
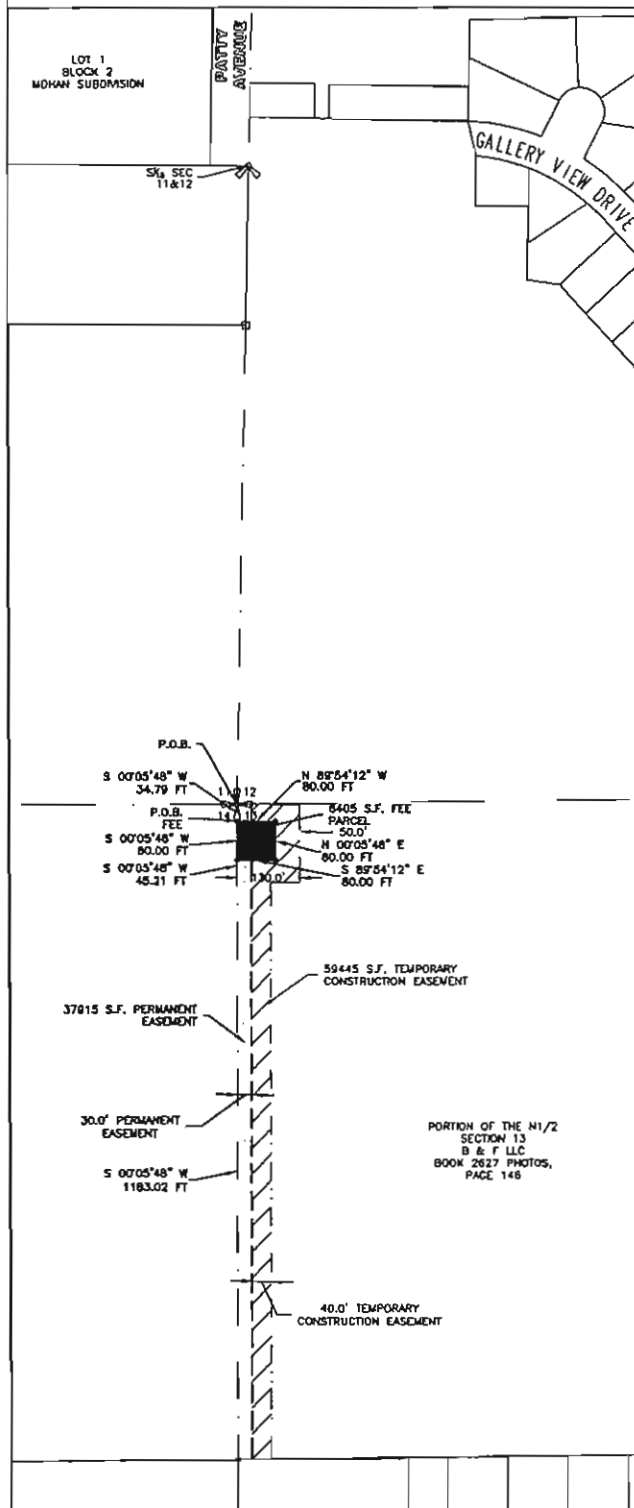


  
Notary Public



# EXHIBIT "C"

A FEE PARCEL AND EASEMENT LOCATED IN A PORTION OF THE N1/2  
SECTION 13, T49N, R72W OF THE 6TH P.M.  
CAMPBELL COUNTY, WYOMING

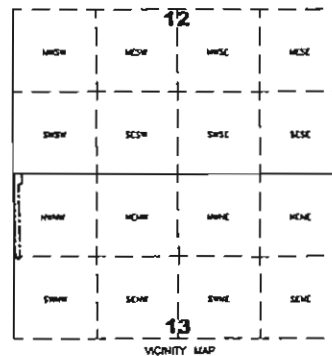


## LEGEND

- SECTION LINE
- QUARTER SECTION LINE
- EXISTING EASEMENT
- FEE PARCEL
- PERMANENT EASEMENT
- CONSTRUCTION EASEMENT
- ✕ FOUND SECTION CORNER  
1988 BRASS CAP ILS 368
- ✕ FOUND SIXTEENTH CORNER  
1978 BRASS CAP ILS 377
- FOUND PROPERTY CORNER  
BARE REBAR
- FOUND PROPERTY CORNER  
PLASTIC CAP ILS 2079
- SET PROPERTY CORNER  
ALUMINUM CAP PLS 8872

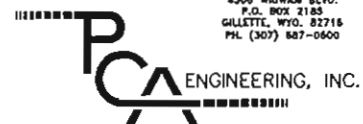
DATE: 07/09/13  
PROJECT NUMBER: 123589.00  
GRANTOR: B & F, LLC

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. VILCH, 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.





**PERMANENT WATER LINE AND GENERAL UTILITY EASEMENT  
B & F, LLC-4972-01&02**

B & F, LLC of 646 Par Drive, Gillette, WY 82718, 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 parcel located in a portion of the SW1/4 of Section 12, T49N, R72W of the 6<sup>th</sup> P.M., Campbell County, Wyoming, as recorded in Book 2627 of Photos, Page 146 of the Campbell County Clerks records, lying 30 feet easterly and parallel with the following described line:

Commencing at the south sixteenth corner of aforementioned Section 12 and Section 11, monumented by a 1976 brass cap stamped LS 577;

Thence along the west line of aforementioned Section 12, S01°07'35"W, 327.24 feet to a plastic cap stamped LS 2079 and being the point of beginning;

Thence continuing along said west line, S01°08'04"W, 49.16 feet to a point;

Thence continuing along said west line, S01°08'04"W, 932.73 feet to the southwest section corner of aforementioned Section 12, monumented by a 1968 brass cap stamped RLS 366 and being the point of termination of said permanent easement.

The sidelines of said permanent easement are to be shortened or extended to prevent gaps and overlaps.

Said permanent easement contains 29465 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 "B" is Wyoming State Plane Grid, NAD83, East Zone (4901).

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


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.

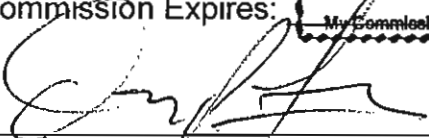
GRANTORS:

BY:   
Daniel J. Barton, Member of B & F, LLC

STATE OF WYOMING )  
 ) ss.  
County of Campbell )


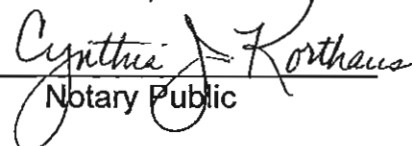
The above and foregoing instrument was acknowledged before me by Daniel J. Barton, Member of B & F, LLC, this 7<sup>th</sup> day of August, 2013, who stated that his signature hereto is the free and voluntary act of B & F, LLC.

My Commission Expires:    
Notary Public

BY:   
David P. Fakler, Member of B & F, LLC

STATE OF WYOMING )  
 ) ss.  
County of Campbell )

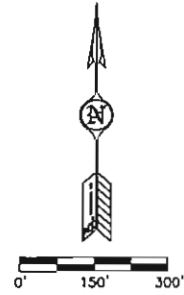
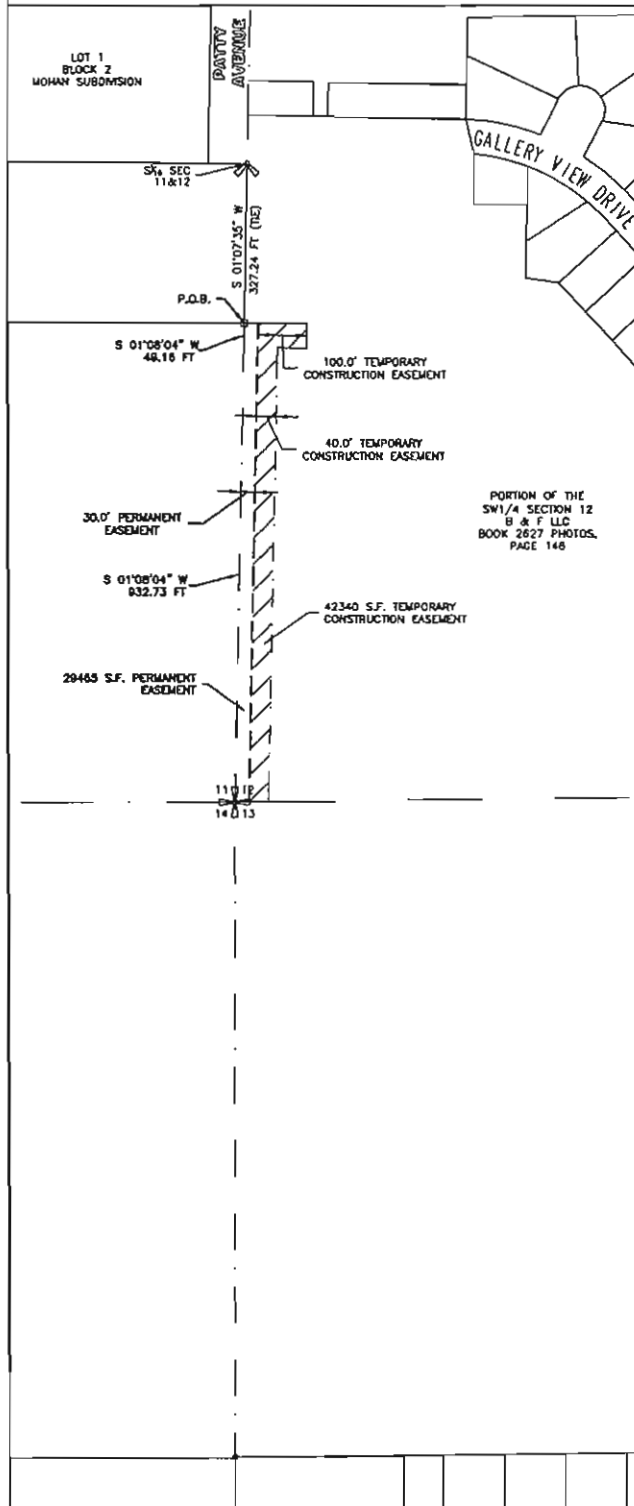
The above and foregoing instrument was acknowledged before me by David P. Fakler, Member of B & F, LLC, this 7<sup>th</sup> day of August, 2013, who stated that his signature hereto is the free and voluntary act of B & F, LLC.

My Commission Expires:    
Notary Public



# EXHIBIT "B"

AN EASEMENT LOCATED IN A PORTION OF THE SW1/4 SECTION 12,  
T48N, R72W OF THE 6TH P.M.  
CAMPBELL COUNTY, WYOMING

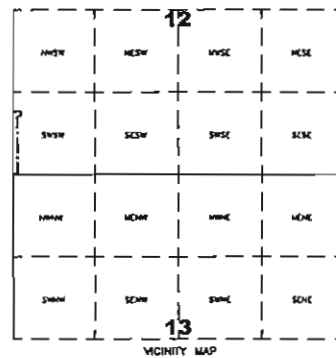


## LEGEND

- SECTION LINE
- QUARTER SECTION LINE
- EXISTING EASEMENT
- FDC PARCEL
- PERMANENT EASEMENT
- CONSTRUCTION EASEMENT
- ✕ FOUND SECTION CORNER  
1988 BRASS CAP RLS 346
- ✕ FOUND SIXTEENTH CORNER  
1976 BRASS CAP LS377
- FOUND PROPERTY CORNER  
BAVE REBAR
- FOUND PROPERTY CORNER  
PLASTIC CAP LS 2076

DATE: 07/11/13  
PROJECT NUMBER: 123569.00  
GRANTOR: B & F, LLC

BASIS OF BEARING: WYOMING STATE PLANE GRID,  
NAD83, EAST ZONE (4801)  
GRID TO GROUND CONVERSION: 1.00025907  
\*\*\*ALL AREAS ARE COMPUTED TO GROUND



## SURVEYOR'S CERTIFICATE

I, DAVID L. VILLEN, 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.





## TEMPORARY CONSTRUCTION EASEMENT

4972-01&02- B & F, LLC

B & F, LLC of 646 Par Drive, Gillette, WY, 82718, hereinafter GRANTOR(S), 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(S):

BY:

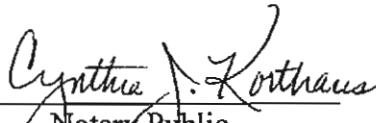
  
Daniel J. Barton, Member of B & F, LLC

STATE OF WYOMING )  
 ) ss.  
County of Campbell )

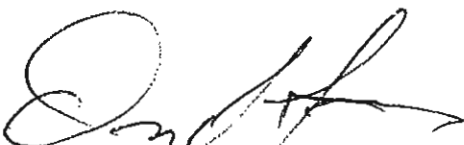
The above and foregoing instrument was acknowledged before me by Daniel J. Barton, Member of B & F, LLC, this 7<sup>th</sup> day of August, 2013, who stated that his signature hereto is the free and voluntary act of B & F, LLC.

My Commission Expires:



  
Cynthia J. Korthaus  
Notary Public



BY:   
David P. Fakler, Member of B & F, LLC

STATE OF WYOMING )  
County of Campbell ) ss.

The above and foregoing instrument was acknowledged before me by David P. Fakler, Member of B & F, LLC, this 17<sup>th</sup> day of August, 2013, who stated that his signature hereto is the free and voluntary act of B & F, LLC.

My Commission Expires:

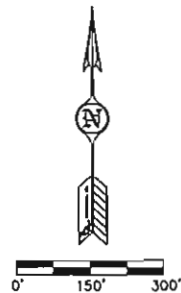
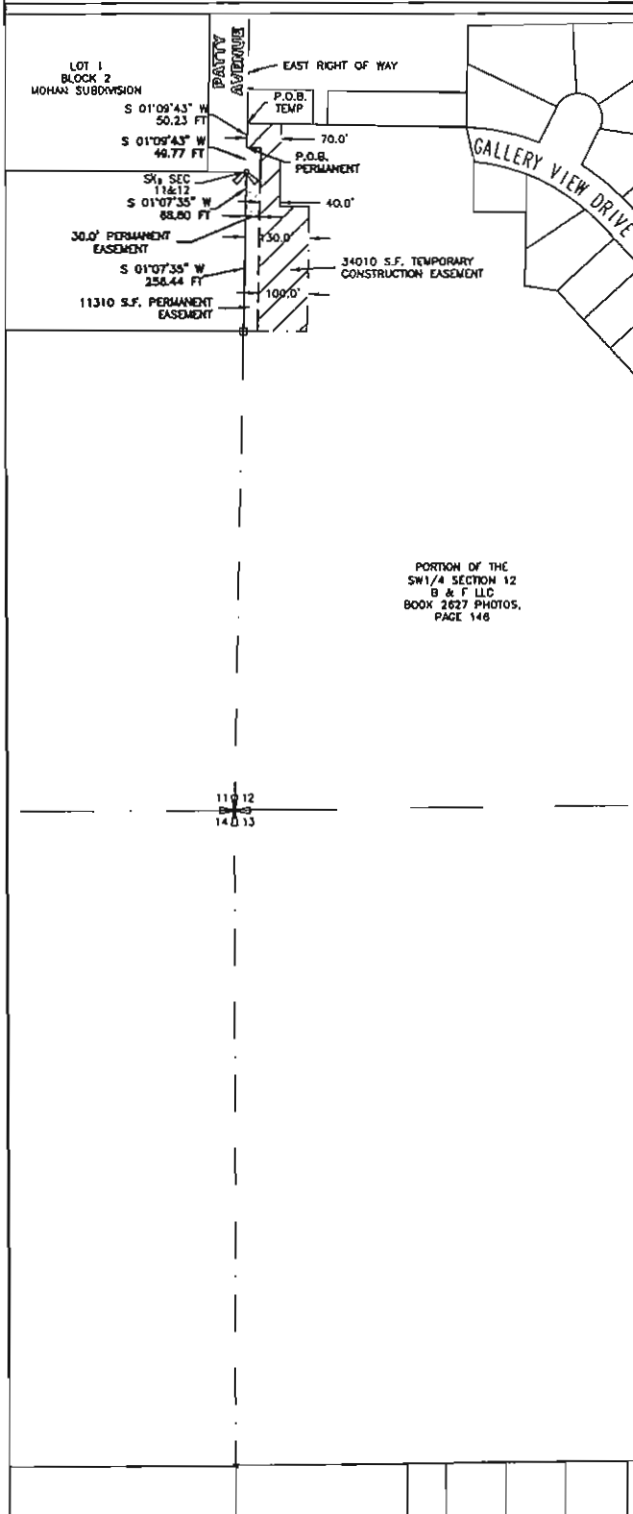


  
Notary Public



# EXHIBIT "A"

AN EASEMENT LOCATED IN A PORTION OF THE SW1/4 SECTION 12,  
T49N, R72W OF THE 6TH P.M.  
CAMPBELL COUNTY, WYOMING

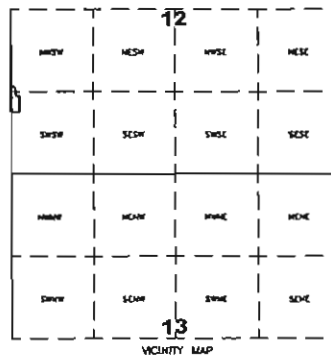


## LEGEND

- SECTION LINE
- QUARTER SECTION LINE
- EXISTING EASEMENT
- FEE PARCEL
- PERMANENT EASEMENT
- CONSTRUCTION EASEMENT
- ✕ FOUND SECTION CORNER  
1968 BRASS CAP PLS 366
- △ FOUND SECTION CORNER  
1978 BRASS CAP L53.77
- FOUND PROPERTY CORNER  
BARE REBAR
- FOUND PROPERTY CORNER  
PLASTIC CAP L5 3078

DATE: 07/11/13  
PROJECT NUMBER: 123569.00  
GRANTOR: B & F, LLC

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. VUEN, 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.





**Legal Description – Temporary Construction Easement "A"**  
**4972-01&02 B & F, LLC**  
**July 11, 2013**

A temporary easement located in a parcel located in a portion of the SW1/4 of Section 12, T49N, R72W of the 6<sup>th</sup> P.M., Campbell County, Wyoming, as recorded in Book 2627 of Photos, Page 146 of the Campbell County Clerks records, being more particularly described as follows:

Commencing at the northwest corner of said parcel being a point on the west line of said Section 12 and being the westerly limit of a 70 foot wide temporary easement, also being on the east right of way of Patty Avenue, and being the point of beginning;

Thence along said west line, along said 70 foot wide temporary easement parallel with said west line, S01°09'43"W, 50.23 feet to a point;

Thence continuing along said west line, along said 70 foot wide temporary easement parallel with said west line, S01°09'43"W, 49.77 feet to the south sixteenth corner of aforementioned Section 12 and Section 11, monumented by a 1976 brass cap stamped LS 577;

Thence continuing along said west line, along said 70 foot wide temporary easement, parallel with said west line, S01°07'35"W, 68.80 feet to the end of said 70 foot wide temporary easement;

Thence continuing along said west line, being the westerly limit of a 130 foot wide temporary easement, parallel with said west line, S01°07'35"W, 258.44 feet to a plastic cap stamped LS 2079 and being the point of termination of said temporary easement.

The sidelines of said temporary easement are to be shortened or extended to prevent gaps and overlaps.

Said temporary easement contains 34010 square feet more or less.

The area computed does not include the permanent easement area. 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).



**PERMANENT WATER LINE AND GENERAL UTILITY EASEMENT  
B & F, LLC-4972-01&02**

B & F, LLC of 646 Par Drive, Gillette, WY 82718, 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 parcel located in a portion of the SW1/4 of Section 12, T49N, R72W of the 6<sup>th</sup> P.M., Campbell County, Wyoming, as recorded in Book 2627 of Photos, Page 146 of the Campbell County Clerks records, lying 30 feet easterly and parallel with the following described line:

Commencing at a point on the west line of said Section 12, also being on the east right of way of Patty Avenue, and being the point of beginning;

Thence along said east right of way, S01°09'43"W, 49.77 feet to the south sixteenth corner of aforementioned Section 12 and Section 11, monumented by a 1976 brass cap stamped LS 577;

Thence continuing along aforementioned west line, S01°07'35"W, 68.80 feet to a point;

Thence continuing along said west line, S01°07'35"W, 258.44 feet to a plastic cap stamped LS 2079 and being the point of termination of said permanent easement.

The sidelines of said permanent easement are to be shortened or extended to prevent gaps and overlaps.

Said permanent easement contains 11310 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.

GRANTORS:

BY:

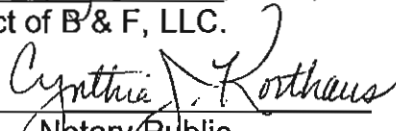
  
Daniel J. Barton, Member of B & F, LLC

STATE OF Wyoming )  
County of Campbell ) ss.

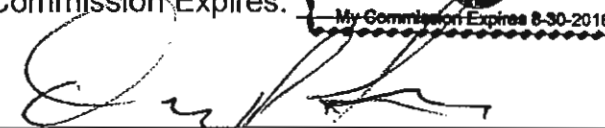
The above and foregoing instrument was acknowledged before me by Daniel J. Barton, Member of B & F, LLC, this 7<sup>th</sup> day of August, 2013, who stated that his signature hereto is the free and voluntary act of B & F, LLC.

My Commission Expires:



  
Cynthia J. Korthaus  
Notary Public

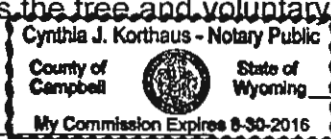
BY:

  
David P. Fakler, Member of B & F, LLC

STATE OF WYOMING )  
County of Campbell ) ss.

The above and foregoing instrument was acknowledged before me by David P. Fakler, Member of B & F, LLC, this 7<sup>th</sup> day of August, 2013, who stated that his signature hereto is the free and voluntary act of B & F, LLC.

My Commission Expires:

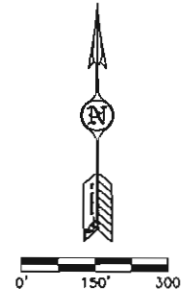
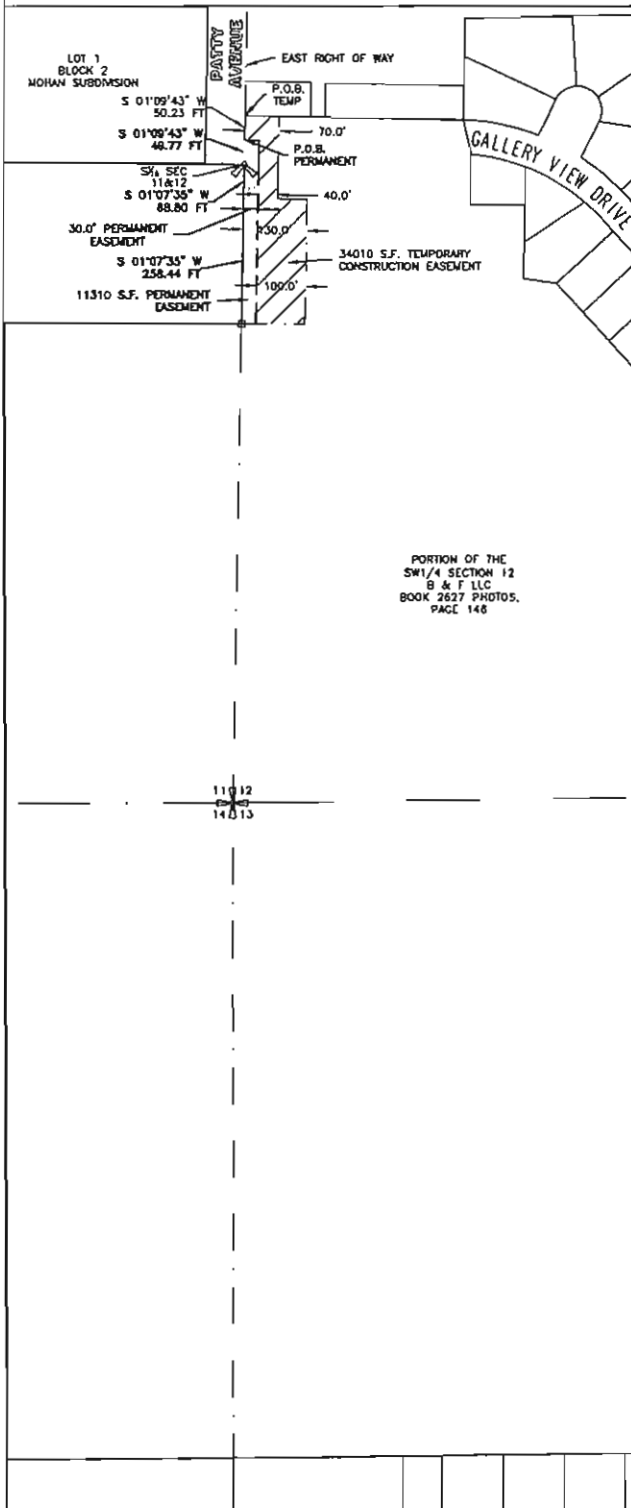


  
Cynthia J. Korthaus  
Notary Public



# EXHIBIT "A"

AN EASEMENT LOCATED IN A PORTION OF THE SW1/4 SECTION 12,  
T49N, R72W OF THE 6TH P.M.  
CAMPBELL COUNTY, WYOMING

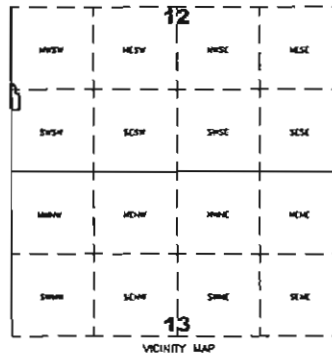


## LEGEND

- SECTION LINE
- QUARTER SECTION LINE
- DISTING. EASEMENT
- FEE PARCEL
- PERMANENT EASEMENT
- CONSTRUCTION EASEMENT
- ✕ FOUND SECTION CORNER  
1988 BRASS CAP 103 346
- ✕ FOUND SECTION CORNER  
1978 BRASS CAP 15577
- FOUND PROPERTY CORNER  
BARE REBAR
- FOUND PROPERTY CORNER  
PLASTIC CAP 13 2078

DATE: 07/11/13  
PROJECT NUMBER: 123569.00  
GRANTOR: B & F, LLC

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



## SURVEYOR'S CERTIFICATE

I, DAVID L. VJEM, 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.

