

**FILE COPY
NON-NEGOTIABLE**



CITY OF GILLETTE

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

Finance

*CCA
124705*

August 6, 2013

Amanda L. Phillips
29 Overbrook Rd.
Gillette WY 82718-4092

301-70-72-441-70-47411

RE: Gillette Regional Water Project, Phase I District Extensions (4973-OB05PH1)

Dear Ms. Phillips,

I have received revised permanent and temporary easement description for the City's requested "Madison" pipeline across your property. I have incorporated those descriptions into new easement documents, and I enclosed those for your signature. Our agreement as I understand it is as follows:

- 1.) You will execute and deliver the requested easements. We will pay for them as follows:

(a.) Permanent: 19,865 sq. ft @ \$.20 per sq. ft. = \$3,973.00

(b.) Temporary: 21,700 sq. ft. @ \$.10 per sq. ft. = \$2,170.00

*\$6,143.00 + 250.00 = \$6,393.00
recording fees*

- 2.) During construction the City or its contractors will erect temporary fencing to enclose and restrain your dogs.

- 3.) At close of construction and/or reclamation on your property, the City will erect a permanent fence of the same type and size that is presently in place (woven wire approximately four to five feet high.) If the materials from your existing fence are serviceable the City may use them for this fence.

If I've correctly set down our agreement, please sign below. I'll have the agreement approved by the City Council and set up a closing through Campbell County Abstract. If you have any questions or concerns please feel free to call. Thank you for your help with this project.

Yours Very Truly,

R. Douglas Dumbrell
R. Douglas Dumbrell
Land Consultant

RDD/sdg

Cc: Mike Cole

AGREED TO BY:

Amanda L. Phillips

Amanda L. Phillips

8/19/13

Date

(4973-OB05PH1) Amanda L. Phillips

Amanda L. Phillips of 29 Overbrook Rd., Gillette, WY, 82718-4092, 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, 82717, hereinafter GRANTEE a temporary construction easement in and to the following described tract of land:

See attached Exhibit "A" which is 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: Amanda L. Phillips
Amanda L. Phillips

STATE OF Wyoming)
) ss.
County of Campbell)

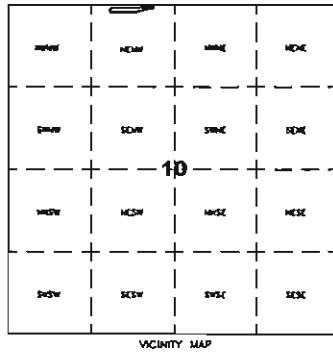
The above and foregoing instrument was acknowledged before me by Amanda L. Phillips, this 16th day of August, 2013.

My Commission Expires:

11-20-13

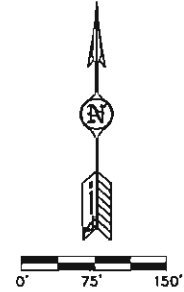
Bonnie Jardele
Notary Public

EXHIBIT "A" AN EASEMENT LOCATED IN A PORTION OF LOT 5 OVERBROOK SUBDIVISION, PHASE 1 IN SECTION 10, T49N, R73W OF THE 6TH P.M. CAMPBELL COUNTY, WYOMING

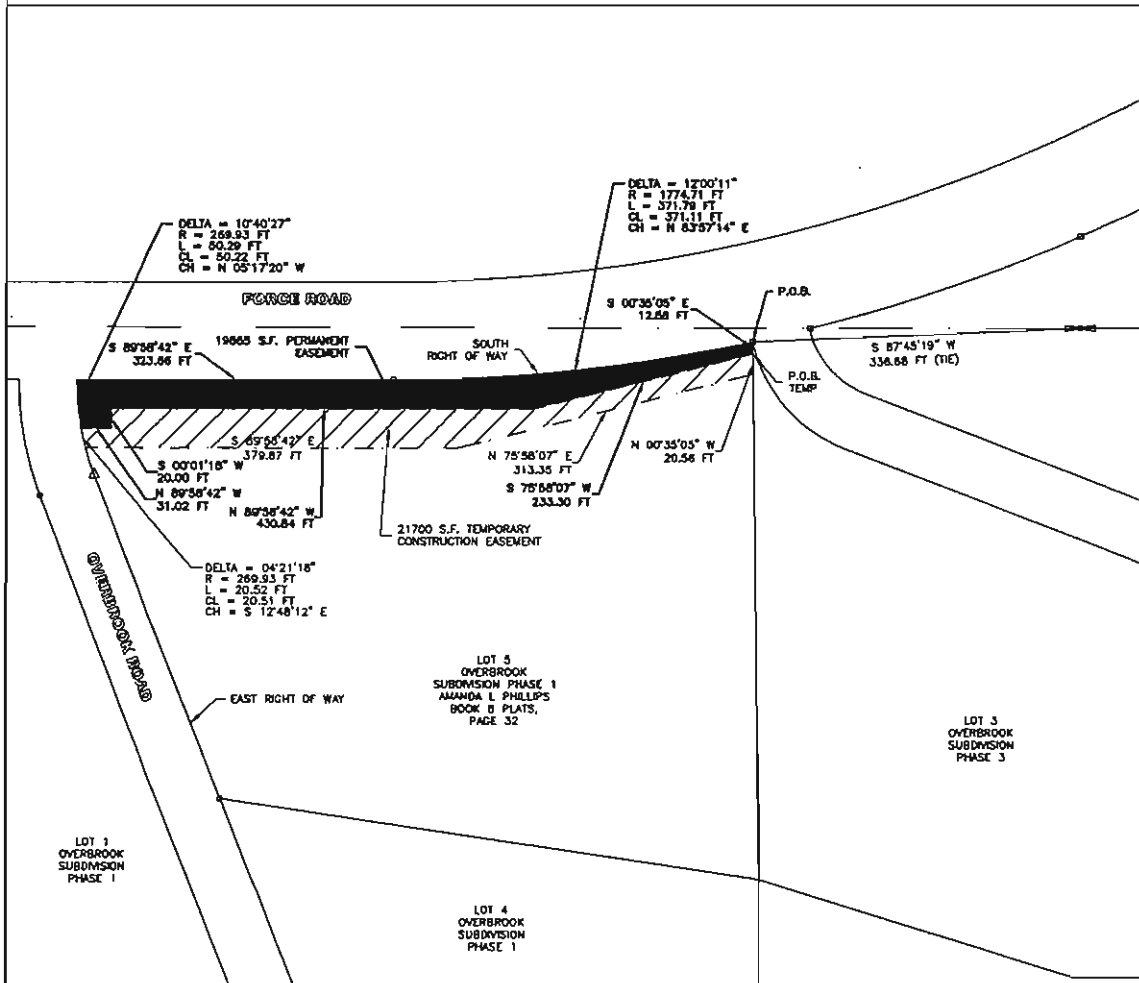


- LEGEND**
- SECTION LINE
 - - - EXISTING EASEMENT
 - - - CONSTRUCTION EASEMENT
 - FOUND QUARTER CORNER
1881 BLUE BRASS CAP
 - FOUND RIGHT OF WAY MONUMENT
ALUMINUM CAP P.O.B. 2295
 - FOUND PROPERTY CORNER
ALUMINUM CAP P.O.B. 2333
 - △ FOUND PROPERTY CORNER
BARE REBAR

DATE: 07/11/13
 PROJECT NUMBER: 123569.00
 GRANTOR: AMANDA L. PHILLIPS

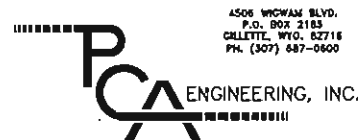


BASIS OF BEARING: WYOMING STATE PLANE GRID,
 NAD83, EAST ZONE (4801)
GRID TO GROUND CONVERSION: 1.00025907
 ***ALL AREAS ARE COMPUTED TO GROUND



SURVEYOR'S CERTIFICATE

I, DAVID L. 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.



Legal Description – Temporary Construction Easement
4973-OB05PH1 Amanda L. Phillips
July 11, 2013

A temporary easement located in Lot 5 Overbrook Subdivision Phase 1 in Section 10, T49N, R73W of the 6th P.M., Campbell County, Wyoming, as recorded in Book 8 of Plats, Page 32 of the Campbell County Clerks records, more particularly described as follows:

Commencing at the north quarter corner of said Section 10, being monumented by a 1991 BLM brass cap;

Thence S87°45'19"W, 336.68 feet to the northeast corner of said Lot 5, monumented by an aluminum cap stamped PELS 2395, also being the point of intersection of the south right of way of Force Road and the west right of way of Catalina Court;

Thence leaving said south right of way, along the easterly boundary of said Lot 5, S00°35'05"E, 12.58 feet to the southerly limits of a permanent easement and being the point of beginning of said temporary easement;

Thence leaving said easterly boundary, along said southerly limits, S75°58'07"W, 233.30 feet to an angle point;

Thence continuing along said southerly limits, N89°58'42"W, 430.84 feet to an angle point;

Thence continuing along said southerly limits, S00°01'18"W, 20.00 feet to an angle point;

Thence continuing along said southerly limits, N89°58'42"W, 31.02 feet to the east right of way of Overbrook Road, being a non-tangent curve concave to the east;

Thence along said east right of way, through said curve with a delta angle of 04°21'18", a radius length of 269.93 feet, an arc length of 20.52 feet, a chord bearing of S12°48'12"E and a chord length of 20.51 feet to the southerly limits of the temporary easement;

Thence leaving said east right of way, along said southerly limits, S89°58'42"E, 379.87 feet to an angle point;

Thence continuing along said southerly limits, N75°58'07"E, 313.35 feet to the aforementioned easterly boundary of Lot 5;

Thence along said easterly boundary, N00°35'05"W, 20.56 feet to the point of beginning.

Said temporary easement contains 21700 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).

**PERMANENT WATER LINE AND GENERAL UTILITY EASEMENT
(Amanda L. Phillips-4973-OB05PH1)**

Amanda L. Phillips of 29 Overbrook Rd., Gillette, WY 82718-4092 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, Convey, and Warrant to the City of Gillette, Wyoming, a municipal corporation and city of the first class, of 201 E. 5th 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
4973-OB05PH1**

A permanent easement located in Lot 5 Overbrook Subdivision Phase 1 in Section 10, T49N, R73W of the 6th P.M., Campbell County, Wyoming, as recorded in Book 8 of Plats, Page 32 of the Campbell County Clerks records, more particularly described as follows:

Commencing at the north quarter corner of said Section 10, being monumented by a 1991 BLM brass cap;

Thence S87°45'19"W, 336.68 feet to the northeast corner of said Lot 5, monumented by an aluminum cap stamped PELS 2395, also being the point of intersection of the south right of way of Force Road and the west right of way of Catalina Court and being the point of beginning of said permanent easement;

Thence leaving said south right of way, along the easterly boundary of said Lot 5, S00°35'05"E, 12.58 feet to the southerly limits of said permanent easement;

Thence leaving said easterly boundary, along said southerly limits, S75°58'07"W, 233.30 feet to an angle point;

Thence continuing along said southerly limits, N89°58'42"W, 430.84 feet to an angle point;

Thence continuing along said southerly limits, S00°01'18"W, 20.00 feet to an angle point;

Thence continuing along said southerly limits, N89°58'42"W, 31.02 feet to the east right of way of Overbrook Road, being on a non-tangent curve concave to the east;

Thence along said east right of way, through said curve with a delta angle of 10°40'27", a radius length of 269.93 feet, an arc length of 50.29 feet, a chord bearing of N05°17'20"W and a chord length of 50.22 feet to the northwest corner

of aforementioned Lot 5, also being the point of intersection of the south right of way of Force Road and the east right of way of Overbrook Road;

Thence along the south right of way of Force Road, S89°58'42"E, 323.66 feet to a non-tangent circular curve concave to the north, monumented with an aluminum cap stamped PELS 2395;

Thence continuing along said south right of way, through said curve with a delta angle of 12°00'11", a radius length of 1774.71 feet, an arc length of 371.79 feet, a chord bearing of N83°57'14"E and a chord length of 371.11 feet to the point of beginning.

Said permanent easement contains 19865 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(S):

BY: Amanda L. Phillips
Amanda L. Phillips

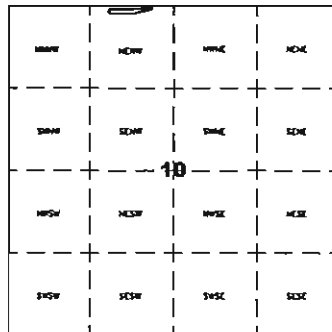
STATE OF Wyoming)
) ss.
County of Campbell)

The above and foregoing instrument was acknowledged before me by Amanda L. Phillips, this 16th day of August, 2013.

My Commission Expires:
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Bonnie Gardner
Notary Public

EXHIBIT "A" AN EASEMENT LOCATED IN A PORTION OF LOT 5 OVERBROOK SUBDIVISION, PHASE 1 IN SECTION 10, T49N, R73W OF THE 6TH P.M. CAMPBELL COUNTY, WYOMING

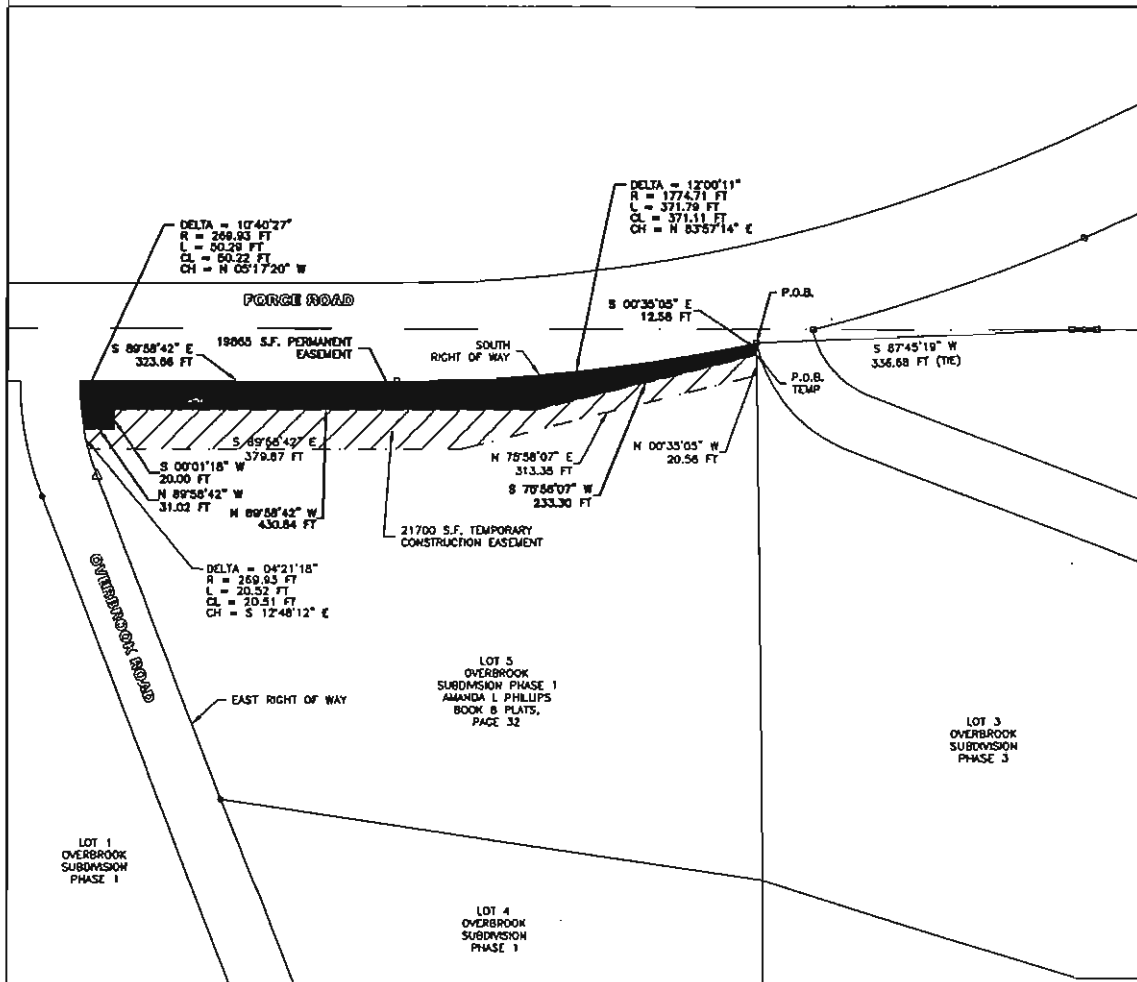
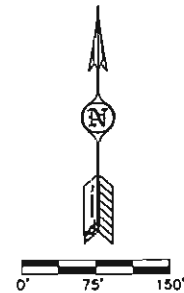


VICINITY MAP

- LEGEND**
- SECTION LINE
 - - - EXISTING EASEMENT
 - - - CONSTRUCTION EASEMENT
 - FOUND QUARTER CORNER
1991 BLN BRASS CAP
 - FOUND RIGHT OF WAY MONUMENT
ALUMINUM CAP PELS 2365
 - FOUND PROPERTY CORNER
ALUMINUM CAP PELS 2333
 - △ FOUND PROPERTY CORNER
BARE REBAR

DATE: 07/11/13
PROJECT NUMBER: 123569.00
GRANTOR: AMANDA L PHILLIPS

BASIS OF BEARING: WYOMING STATE PLANE GRID,
NAD83, EAST ZONE (4801)
GRID TO GROUND CONVERSION: 1.00025807
***ALL AREAS ARE COMPUTED TO GROUND



SURVEYOR'S CERTIFICATE

I, DAVID L. VUEW, 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.

