

Water Facility Easement

The City of Gillette, Wyoming, a municipal corporation and city of the first class, of Box 3003, Gillette, Wyoming, 82717, hereinafter GRANTOR, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby Grant and Convey to the Campbell County Cemetery District, Campbell County, Wyoming, hereinafter GRANTEE, an easement for water facilities, including water wells, water storage tanks and related irrigation facilities in and to the following described land:

DESCRIPTION

Legal Description – Water Facility Easement City of Gillette Property Owner November 14, 2013

A water facility easement located in a portion of Lot 2 of the Washington Memorial Park Addition being located in the W $\frac{1}{2}$ of Section 27, T50N, R72W of the 6th P.M., Campbell County, Wyoming as recorded in Book 6 of Plats, Page 60 of the Campbell County Clerks records, being more particularly described as follows:

Commencing at the center 1/4 corner of said Section 27, being monumented by a bare 5/8 inch rebar;

Thence S82°24'03"W, 780.52 feet to the southwest corner of a parcel as described in Book 112 of Photos, Page 410, monumented by a bare 5/8 inch rebar;

Thence along the south line of a water facility easement, S89°46'47"W, 110.04 feet to a 3 inch brass cap with no stamping visible monumenting the southeast corner of aforementioned Lot 2, also being the northeast corner of Saunders Subdivision – 1st Extension as recorded in Book 1 of Plats, Page 104, and being the point of beginning of said water facility easement;

Thence along the common boundary of said Washington Memorial Park Addition and Saunders Subdivision – 1st Extension, along said water facility easement, S88°07'15"W, 63.36 feet to a point;

Thence leaving said common boundary and continuing along said water facility easement, N00°03'38"W, 154.69 feet to a point;

Thence continuing along said water facility easement, N90°00'00"E, 19.05 feet to a point;

Thence continuing along said water facility easement, N28°43'21"W, 237.03 feet to a point;

Thence continuing along said water facility easement, N61°16'39"E, 15.00 feet to a point;

Thence continuing along said water facility easement, S28°43'21"E, 245.25 feet to a point;

Thence continuing along said water facility easement, N90°00'00"E, 86.26 feet to a point on the easterly boundary of aforementioned Lot 2 of the Washington Memorial Park Addition;

Thence along said easterly boundary and said water facility easement, S25°56'41"W, 134.56 feet to a rebar with 1 ½ inch aluminum cap stamped Scott Engineering, LS 2218;

Thence continuing along said easterly boundary and said water facility easement, S00°06'38"W, 31.61 feet to the point of beginning of said water facility easement.

Said water facility easement contains 16940 square feet more or less.

All areas are computed at ground.

All measured distances are grid, for conversion to ground, multiply by 1.00026964.

The basis of bearing for this legal description and for the attached Exhibit "A" is the City of Gillette Horizontal Control Network.

GRANTEE, its successors, licensees and assigns to have and to hold the lands described above for an easement under, upon and within which to construct, maintain, service, reconstruct, operate, and locate at any time and from time to

time, water storage tanks and related irrigation facilities to serve the adjacent Mt. Pisgah Cemetery, subject to the following conditions:

At the conclusion of initial construction and any reconstruction or repair activities within the easement, GRANTEE shall restore the surface and any improvements damaged by the construction or repair activities, whether within or without the easement, to a condition comparable to the condition of the affected land or improvements before construction within the easement. GRANTEE may fence the area around the new water storage tank. GRANTEE shall also install and maintain a pathway across the easement area near the boundary with the Saunders subdivision to access the cemetery from the existing pathways in Lot 2 of the Washington Memorial Park Addition.

If GRANTEE abandons this easement by failing to install improvements within the easement within five (5) years of the execution of this easement or by failing to use, operate or maintain any improvements installed within the easement for one year or formally resolves that it has no further need for it and any improvements constructed thereon, then this easement shall become of no effect and title thereto shall revert to GRANTOR.

The GRANTEE shall indemnify and hold the GRANTOR harmless from and defend it and its employees, officers and elected public officials against any and all claims, losses, expenses, damages, judgments and liability of any sort arising out of, or in connection with GRANTEE's use of the above-described lands.

GRANTOR may install utility improvements thereon so long as such improvements do not interfere with the exercise by the GRANTEE of the permitted activities granted by this easement.

Dated this, the _____ day of _____, 2013.

City of Gillette

Tom Murphy, Mayor

(S E A L)
ATTEST:

Karlene Abelseth, City Clerk

[illegible]

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 _____