

**Temporary Construction Easement  
City of Gillette, Wyoming and  
Nellie Wermager**

Nellie Wermager, 3420 N 73<sup>rd</sup> Street, Lincoln, NE 68507 ("Grantor"), for and in consideration of one thousand one hundred seventy six dollars and twelve cents (\$1,176.12) and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, hereby grants and conveys to the City of Gillette, Wyoming, a municipal corporation and city of the first class ("Grantee"), their heirs, administrators, successors, executors, legal representatives, and assigns for use, in the following described tract(s) of land, a Temporary Construction Easement, more particularly described as follows:

A TWENTY FOOT WIDE TEMPORARY CONSTRUCTION  
EASEMENT LOCATED IN THE NWNE OF SECTION 8,  
TOWNSHIP 49 NORTH, RANGE 73 WEST OF THE 6TH  
PRINCIPAL MERIDIAN, CAMPBELL COUNTY, WYOMING,  
THE NORTH LINE OF SAID EASEMENT IS COINCIDENT  
WITH THE SOUTH RIGHT OF WAY LINE OF INTERSTATE  
90. SAID EASEMENT CONTAINS 0.27 ACRES, MORE OR  
LESS

*See Exhibit A – 20' Wide Temporary Construction Easement.*

TO HAVE AND TO HOLD this Temporary Construction Easement across upon and within the above-described land for the purpose of installation of an 8" water transmission line ("Project"). Grantee, their heirs, administrators, successors, executors, legal representatives, and assigns, shall have the right of ingress and egress, and the right to temporarily operate, and park machinery upon the tract(s) of land described above during the Project. The easement includes an immediate right to use the tract(s) of land described above to survey, lay-out, prepare, construct, and complete the entire Project, subject to the following conditions:

1. The rights granted herein shall forever be subject to the rights of the Grantor, its assigns or lessees to explore for, develop, and extract any and all minerals or other subsurface resources beneath this easement. If required for mineral exploration, development or extraction, the Grantee shall, upon written notice from the Grantor, remove or relocate at its own expense the above-described easement.
2. Upon completion of the Project, all of Grantee's rights under this grant of Temporary Construction Easement shall revert to the Grantor or its assigns, the same as if this grant had never been made. Grantee shall restore the surface and any improvements damaged and any adjacent areas disturbed during the Project to a condition substantially equal to the condition of the disrobbed or damaged areas before the Project.
3. For record keeping purposes only, any transfer in ownership of the benefited property, or any change of name or mailing address of the owner of this easement, shall be reported to the City of Gillette, Wyoming within thirty days (30) of the transfer or change.

The City of Gillette does not waive its governmental immunity by entering into this agreement and specifically retains immunity and all defenses available to it pursuant to WYO. STAT. §§ 1-39-101-121 and all other applicable law(s).

IN TESTIMONY WHEREOF, the Gillette City Council has caused this instrument to be signed by its Mayor and by its Clerk, and its seal to be affixed on the \_\_\_\_ day of \_\_\_\_\_, 2019.

Grantor:

Nellie Wermager  
Nellie Wermager

STATE OF WY )  
 ) ss.  
County of Campbell )

The above and foregoing instrument was acknowledged before me by Nellie Wermager, this 13<sup>th</sup> day of May, 2019.

Witness my hand and official seal.

My Commission Expires:

Julie Belicky  
Notary Public

Grantee: City of Gillette

\_\_\_\_\_  
Louise Carter King, Mayor

( S E A L )  
ATTEST:

\_\_\_\_\_  
Cindy Staskiewicz, City Clerk

STATE OF WYOMING )  
 ) ss.  
County of Campbell )

The above and foregoing instrument was acknowledged before me by Louise Carter King, Mayor, City of Gillette, this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Witness my hand and official seal.

My Commission Expires:

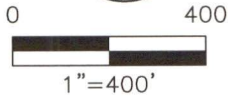
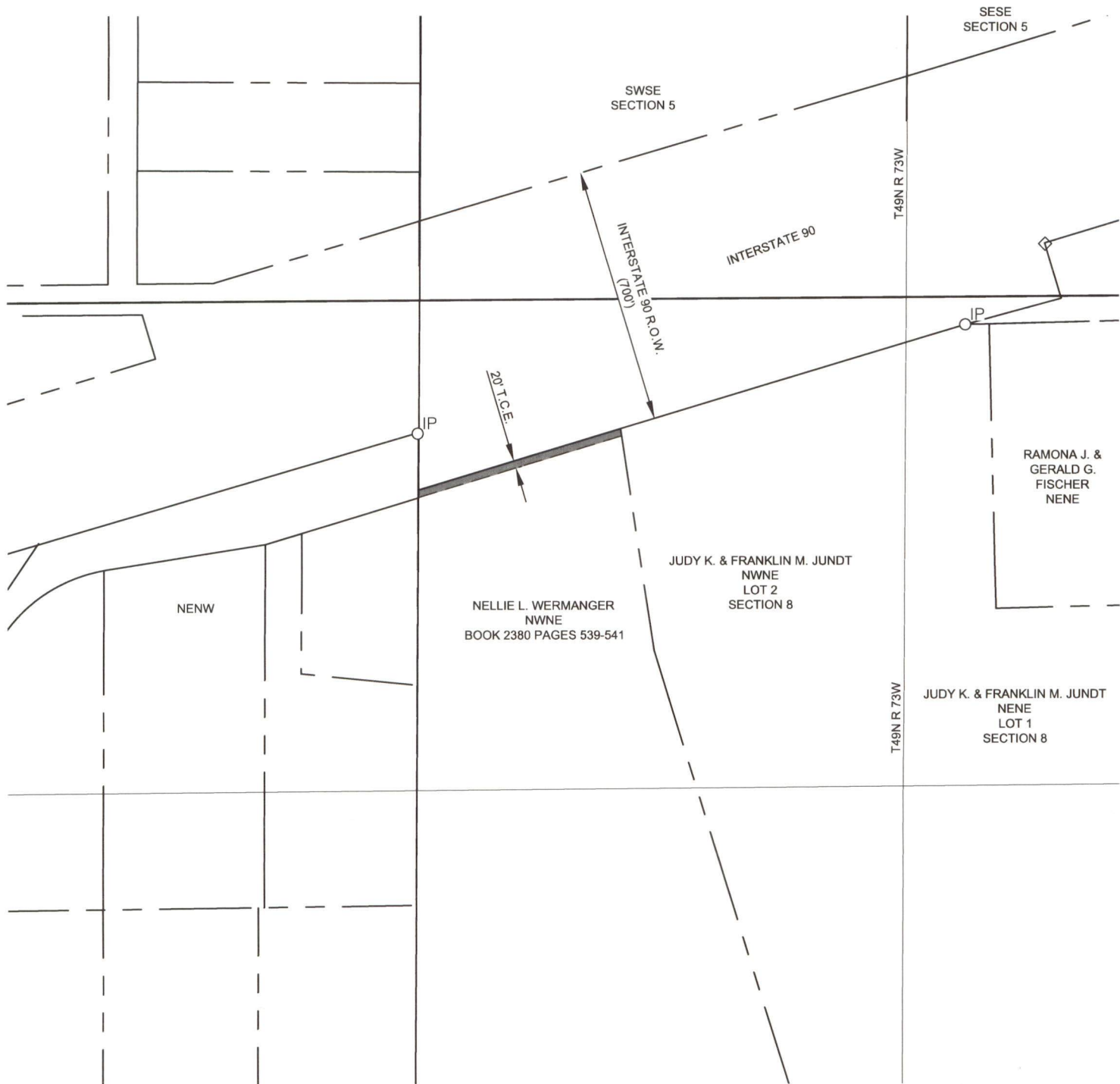
\_\_\_\_\_  
Notary Public

City Attorney's Office Approval as to Form:

\_\_\_\_\_  
Anthony Reyes, City Attorney

EXHIBIT A  
20' WIDE TEMPORARY CONSTRUCTION EASEMENT

A TWENTY FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT LOCATED IN THE NWNE OF SECTION 8, TOWNSHIP 49 NORTH, RANGE 73 WEST OF THE 6TH PRINCIPAL MERIDIAN, CAMPBELL COUNTY, WYOMING,  
THE NORTH LINE OF SAID EASEMENT IS COINCIDENT WITH THE SOUTH RIGHT OF WAY LINE OF INTERSTATE 90.  
SAID EASEMENT CONTAINS 0.27 ACRES, MORE OR LESS



LEGEND

- EXISTING PROPERTY LINE
- - - - - RIGHT OF WAY LINE (R.O.W.)
- QUARTER SECTION
- SECTION LINE
- SIXTEENTH SECTION LINE
- TEMP. CONST. EASEMENT LINE
- IP FOUND CAP IRON PIN
- △ REFERENCE MARKER
- ◇ HIGHWAY MONUMENT
- TEMPORARY CONSTRUCTION EASEMENT (T.C.E.)

AREA DATA
20' TEMPORARY CONSTRUCTION EASEMENT (T.C.E.)
11588.97 SQ.FT OR 0.27 AC MORE OR LESS



20' WIDE TEMPORARY CONSTRUCTION  
EASEMENT EXHIBIT

PROJECT # 10065862	DATE 2/25/2019
DRAWN BY JEO	FIGURE EXHIBIT A
CHECKED BY GDA	