

DECLARATION AND RESERVATION OF PUBLIC UTILITY EASEMENT

NOTICE: This instrument is drafted as a declaration and reservation rather than a quitclaim deed because the Town of Saratoga presently owns both the fee estate and the intended easement interest. It is intended to establish and give record notice of the easement before any later conveyance of the underlying property. The Town Attorney should review this instrument before execution and recording.

THIS DECLARATION AND RESERVATION OF PUBLIC UTILITY EASEMENT (the "Declaration") is made this 5th day of August, 2026, by the TOWN OF SARATOGA, WYOMING, a Wyoming municipal corporation ("Town" or "Declarant").

RECITALS

A. The Town is the owner of certain real property located in the Northwest Quarter of the Southwest Quarter of Section 13, Township 17 North, Range 84 West of the 6th Principal Meridian, Town of Saratoga, Carbon County, Wyoming, being the parcel described in Book 848, Page 754 of the Carbon County Records (the "Property").

B. The Town desires to establish and reserve a permanent public utility easement over a portion of the Property for the installation, construction, operation, inspection, maintenance, repair, replacement, relocation, and removal of public utility facilities.

C. The Town intends that this Declaration be recorded before any conveyance of the Property and that the easement described below burden the Property and remain in effect following any later conveyance.

NOW, THEREFORE, the Town declares and reserves as follows:

1. Easement Created and Reserved. The Town hereby declares, establishes, and reserves a perpetual, nonexclusive public utility easement in, on, over, under, across, and through the portion of the Property described in Exhibit A, attached hereto and incorporated by reference (the "Easement Area").

2. Easement Purposes. The Easement Area may be used by the Town, its departments, boards, authorities, contractors, agents, permittees, franchisees, utility providers, successors, and assigns for the installation, construction, operation, inspection, maintenance, repair, replacement, relocation, and removal of water and sanitary sewer utility infrastructure and related appurtenances.

3. Access. The rights reserved include reasonable ingress and egress over the Property to and from the Easement Area when reasonably necessary to exercise the rights granted by this Declaration, together with the right to enter the Easement Area with personnel, vehicles, machinery, and equipment.

4. Surface Use and Restoration. The owner of the Property may use the surface of the Easement Area in any manner that does not unreasonably interfere with the rights reserved by this Declaration. Following utility work, the party performing the work shall restore disturbed surfaces to a reasonably comparable condition, ordinary wear, settlement, and emergency conditions excepted.

5. Prohibited Improvements. No building, permanent structure, foundation, retaining wall, or other improvement that would unreasonably interfere with utility access, operation, maintenance, repair, replacement, or removal shall be constructed or placed within the Easement Area without the Town's prior written approval.

6. Runs With the Land. This Declaration and the rights and obligations created by it shall run with and burden the Property and shall bind the Town and all subsequent owners, purchasers, successors, and

assigns of the Property. The easement is intended for the benefit of the public and the Town's utility systems and shall not be extinguished by a later conveyance of the Property.

7. Nonexclusive Easement. The easement is nonexclusive. The Town may authorize compatible utility uses within the Easement Area, provided those uses do not materially interfere with existing facilities or rights.

8. Amendment or Release. This Declaration may be amended, relocated, or released only by a written instrument approved by the Town Council of the Town of Saratoga, executed by an authorized Town representative, and recorded in the office of the Carbon County Clerk.

9. Governing Law. This Declaration shall be governed by the laws of the State of Wyoming.

IN WITNESS WHEREOF, the Town of Saratoga has caused this Declaration to be executed by its duly authorized representatives.

TOWN OF SARATOGA, WYOMING

By: _____

Chuck Davis, Mayor

Date: _____

Attest: _____

Jennifer Anderson, Town Clerk

Date: _____

STATE OF WYOMING)
) ss.
County of Carbon)

On this _____ day of _____ 2026, before me, a Notary Public in and for said State, personally appeared Chuck Davis, known or identified to me to be the Mayor of the Town of Saratoga that executed the said instrument, and acknowledged to me that such Town of Saratoga executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Notary Public for Wyoming
Residing at:
My commission expires: _____

EXHIBIT A

20-FOOT-WIDE UTILITY EASEMENT

A strip of land described for the installation and maintenance of public utilities located in the Northwest 1/4 of the Southwest 1/4 of Section 13, Township 17 North, Range 84 West of the 6th P.M., Town of Saratoga, Carbon County, Wyoming, being 20 feet in width, located within the bounds of the parcel described in Book 848, Page 754 of the Carbon County Records, East and South of the following described line, extending and shortening the sidelines so as to terminate at the property lines. Further described as beginning at the Southwest corner of the said parcel described in Book 848, Page 754, as monumented by a recovered 5/8-inch rebar with a stamped aluminum cap which bears N89°28'39"E (against a call of N89°47'53"E), 80.0 feet from the Northeast corner of Lot 14, Block 48 of the Crawford Highlands Addition to the Town of Saratoga;

Thence N00°42'14"W along the East line of South Veteran's Street a distance of 259.64 feet (against a call of N00°18'48"W, 260.00 feet) to the South line of Myrtle Avenue;

Thence N89°28'24"E along the South line of said Myrtle Avenue a distance of 422.17 feet (against a call of N89°47'53"E, 421.68 feet);

Thence continuing along the said South line of said Myrtle Avenue 130.53 feet along the arc of a curve to the left (against a call of 130.39 feet), said curve having a radius of 185.0 feet and a long chord which bears N69°14'38"E a distance of 127.48 feet;

Thence continuing along the said South line of Myrtle Avenue N49°01'44"E a distance of 260.39 feet (against a call of N49°24'43"E, 260.67 feet) to the Northeast corner of the said Book 848, Page 754 parcel, as monumented by a recovered 5/8-inch rebar with a stamped aluminum cap, and the Point of Ending of this easement description.

Containing 1,072.73 linear feet, 65.01 rods, and 0.49 acres, more or less.

The easement is shown on the Record of Survey completed by Douglas Boyd a licensed PLS in the State of Wyoming. The ROS is recorded at the office of the Carbon County Clerk, BK _____ PG _____.