

Remit Payment To:
Big Horn County Title Company
P.O. Box 72
Greybull, WY 82426
(307)765-9999

INVOICE

Billed To:
Musser Brothers, Inc.
1131 13th Street, Suite 101
Cody, WY 82414

Invoice Date: July 30, 2020
Please Pay: at Closing
Our File Number: TC007234
Your Reference Number: WERBELOW BROTHERS

Property:
Hwy 14/16/20 - Parcel 6
Greybull, WY 82426
Big Horn County

Brief Legal: T52N,R94W, Sec 2, Lt 38 H, 1 Pt Lt
38 D,E in BHC, WY See Schedule
C for Full Legal

DESCRIPTION	AMOUNT
Preliminary Search - No Charge - the Basic Rate Premium will be charged when the property sells NOTE: If property is conveyed without a Title Policy being issued; then there is a search fee of \$200	0.00
Invoice Total Amount Due	\$ 0.00

Parcel 6
Thank You

Big Horn County Title Company
Preliminary Title Search

SCHEDULE A

Preliminary Search

Prepared For: **Musser Brothers, Inc.**

This Report is done solely for Musser Brothers, Inc. by Big Horn County Title Company for informational purposes only and is in no way intended to represent marketable title.

1. Report Date: **July 30, 2020**
2. Search Dates From: **May 23, 1950** To: **July 16, 2020** **08:00 AM**
3. Fee Simple interest in the land described in this Preliminary Search is owned, on the Search Date, by:
Werbelow Brothers Partnership, a Wyoming partnership
4. The land referred to in this Preliminary Search is described as follows:
T52N,R94W, Sec 2, Lt 38 H, 1 Pt Lt 38 D,E in BHC, WY See Schedule C for Full Legal
(see Schedule C for full legal description)

BIG HORN COUNTY TITLE COMPANY

July 30, 2020

By: _____


TRACY A. LAFOLLETTE, TITLE INSURANCE AGENT

Big Horn County Title Company

Preliminary Title Search

SCHEDULE B - SECTION I REQUIREMENTS

The following requirements would have to be met

1. Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
2. Pay us the premiums, fees and charges for the policy.
3. Documents satisfactory to us creating the interest in the land and/or the mortgage to be insured must be signed, delivered and recorded.
4. You must tell us in writing the name of anyone not referred to in this Commitment who will get an interest in the land or who will make a loan on the land. We may then make additional requirements and exceptions.
5. Payment of all taxes through and including those for the year 2019.
 - A. Taxes for the year 2019 in the amount of \$1853.31 for Tax Parcel No. 52-94-002-00346 are PAID. (Other lands Included)
6. Provide Title Company with a signed Owner's/Borrower's and/or Lien Affidavits.
7. Warranty Deed from Werbelow Brothers, a Wyoming Partnership, to Grantee "To Be Determined", to be recorded in the Public Records of Big Horn County, Wyoming.
8. Affidavit stating the Partnership Agreement of Werbelow Brothers Partnership has not been further amended and the names of the partners are the same as the original Partnership Agreement that is on file at the Title Company.
9. The requirement to contact the Title Company when a transaction is determined as exceptions and requirements may change and the title insurance premium will be collected.
10. Provide Title Company with a signed Owner's/Borrower's and/or Lien Affidavits.

Big Horn County Title Company

Preliminary Title Search

SCHEDULE B - SECTION II EXCEPTIONS

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction.

1. Rights of claims of parties in possession or claiming to be in possession not shown by the public records.
2. Easements, or claims of easements, not shown by the public records.
3. Encroachments, or questions of location, boundary, and area which are dependent upon a correct survey or inspection of the premises for determination.
4. Any lien, or right to a lien, for services, labor, or material heretofore to hereafter furnished, imposed by law and not shown by the public records.
5. Unpatented mining claims, reservations or exceptions in patents or in acts authorizing the issuance thereof; water rights, claims or title to water.
6. Any service, installation or connection charge for sewer, water or electricity.
7. General taxes not now payable; matters relating to special levies or assessments, if any, preceding the same becoming a lien.
8. Right, title and interest of any parties in possession by reason of any unrecorded leases or rental agreements affecting said property.
9. All right, title or interest in any minerals, mineral rights or related matters or interests derive therefrom, including, but not limited to, oil, gas, coal, and other hydrocarbons, whether shown or not by Public Record.
10. Right, title and interest in and to any personal property located on said land not attached and appurtenant to said land and any UCC that may be filed against said personal property.
11. Right, title and interest to any and all fences appurtenant to or encroaching upon said land, whose exact location is not disclosed by any survey of record, and to the ownership of said fences and the maintenance thereof.
12. Right-of-Way for a road as officially taken and established by Big Horn County, Wyoming or the Wyoming Department of Transportation, and incidental purposes as they pertain to county or state roads across and to said lands; including Road Highway 14/16/20 as depicted with in the County Assessor GIS map.

SCHEDULE B - SECTION II
EXCEPTIONS
(continued)

13. Reservations to the United States of America, all the oil and gas in the lands so patented, and to it or persons authorized by it, the right to prospect for, mine, and remove such deposits from the same upon compliance with the conditions and subject to the provisions and limitations of the Act of July 17, 1914. Subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; but excepting nevertheless, and reserving unto the United States, rights-of-way over, across, and through said lands for canals and ditches constructed, or to be constructed by its authority, all in the manner prescribed and directed by the Act of Congress approved August 30, 1890. Patents recorded in Book 94 at Page 181 and in Book 97 at Pages 190, 191 and 194, Big Horn County, Wyoming records.
14. Right-of-Way, whether in fee or easement only, right for a road for the use of the public, and for incidental purposes, as granted to the State of Wyoming, as recorded on June 15, 196, in Book 206 at Pages 534 and 537 and in Book , Big Horn County, Wyoming records.
15. Right-of-Way, whether in fee or easement only, right for the construction, repair and maintenance of an irrigation canal, and for incidental purposes, as granted to Agrarian Irrigation Corporation, a Wyoming Corporation, its successors and assigns, as recorded on April 6, 1967, in Book 244 at Page 476, Big Horn County, Wyoming records.

Big Horn County Title Company
Preliminary Title Search

SCHEDULE C
PROPERTY DESCRIPTION

The land referred to in this Preliminary Title Search is described as follows:

Township 52 North, Range 94 West, 6th P.M., Big Horn County, Wyoming.

Section 2: 38H and 38I EXCEPTING THEREFROM that portion of Lot 38 granted to the State of Wyoming, by and through its State Highway Commission in Book 206, page 534.

Section 2: That Part of Tracts 38D and 38E lying South of US Highway 14, 16, 20

AND

A parcel of land in Lot 38-C and Lot 38-J, Resurvey Township 52 North, Range 94 West, 6th P.M., Big Horn County, Wyoming, being described as follows: Beginning at a point on the South line of Lot No. 38-J, Township 52 North, Range 94 West, said point being located South 89°53' West, 1075.2 feet from the Southeast corner of said Lot No. 38-J; thence South 89°53' West 249.0 feet, along the South line of said Lot No. 38-J to the Southwest corner of said Lot No. 38-J; thence Northerly 1726.1 feet along the West line of said Lot No. 38-J and along the West line of Lot No. 38-C to a point on the Southerly Right-of-Way line of State Highway 14, 16, 20; thence North 85°05' East 238.2 feet, more or less, along the Southerly Highway Right-of-Way line; thence South 0°23' East 1746.1 feet to the Point of Beginning;

EXCEPTING THEREFROM; any portion of the above described lands that may lie within lands granted to the State of Wyoming, by and through its State Highway Commission, recorded June 15, 1961, in Book 206, Page 537.

534

ADELLA E. SMITH

grantor

206 534 ✓
380/E

for and in consideration of Ten Dollars and other valuable considerations
in hand paid, convey and warrant to THE STATE OF WYOMING, BY AND THROUGH ITS STATE HIGHWAY COMMISSION, grantee, the following described real estate, situated in the County of Big Horn, State of Wyoming,

TO-WIT: All that portion of Lot 38E and Lot 38D, Resurvey T. 52 N., R 94 W. of the 6th P. M., Wyoming, lying between parallel right of way lines 120 feet apart, being 40 feet to the right or southerly side and 80 feet to the left or northerly side when measured at right angles to the following described survey line of highway, said parallel right of way lines extending to and terminating at the legal boundaries of the said lands:
Beginning at a point on the west boundary of Lot 38E which bears N. 85° 32' E. a distance of 1338 feet, more or less, from a point on the westerly boundary of Lot 38F, said township and range, from which the northwest corner of said Lot 38F bears S. 0° 33.5' E. a distance of 1260.9 feet;
thence N. 85° 32' E. a distance of 2680 feet, more or less, to a point on the easterly boundary of the said Lot 38D, from which the southeast corner thereof bears southerly a distance of 431 feet, more or less.
Said parcel of land containing 7.4 acres, more or less, of which 4.9 acres, more or less, are in the present highway right of way.

As an essential part of this transaction, we, the undersigned, do for ourselves, our heirs and assigns, sell, transfer, convey and relinquish to the grantee, its successors and assigns, forever, all easement of access and all rights of ingress, egress and regress to, from and between the remaining portions of said lands and that portion hereby conveyed

Except there is reserved unto the undersigned grantor, her heirs and assigns, a certain right of access to the above described lands, such access to be limited to four (4) openings thirty (30) feet in width centered about points normal to the above described survey line of highway and located as follows from the west boundary of said Lot 38-E when measured easterly along the above described survey line of highway, to-wit: (1) At a distance of not less than 40 feet, nor more than 140 feet on the left or northerly side; (2) At a distance of not less than 1500 feet, nor more than 1500 feet on the left or northerly side; (3) At a distance of not less than 1480 feet, nor more than 1680 feet on the right or southerly side; and (4) At a distance of not less than 2500 feet, nor more than 2500 feet on the left or northerly side.

And said grantor hereby covenants with the said State of Wyoming, by and through its State Highway Commission, that she is lawfully seized of said premises; that said premises are free from encumbrances, and said grantor hereby warrants the title thereto against the lawful claims of all persons whomsoever.

Excepting and reserving unto the grantors herein all minerals of every kind and nature that can be removed from the ground without jeopardy to the maintenance or safety or public travel upon the surface estate herein granted and without using the surface of the lands hereby granted.

Hereby releasing and waiving any and all rights under and by virtue of the Homestead Exemption Laws of this State.

Dated this, the 12th day of December, 1960
Adella E. Smith
Adella E. Smith
Grantors

ACKNOWLEDGMENT

THE STATE OF COLORADO
COUNTY OF JEFFERSON } ss.

On this 12th day of December, 1960, before me personally appeared Adella E. Smith

the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed, including the release and waiver of the right of homestead, the same having been by me fully apprised of her right and the effect of signing and executing the same instrument.
Given under my hand and seal, the day and year last above written.



My Commission expires June 30, 1962
Filed for record at 10:38 A.M. June 15, 1961
County Clerk and Ex. Office Register of Deeds
Franz Pearson
Notary Public

✓
P 206@537

429419

537

JAMES P. YATES and MARIE W. YATES, husband and wife

, grantors

for and in consideration of Ten Dollars and other valuable considerations

\$10.00

in hand paid, convey and warrant to THE STATE OF WYOMING, BY AND THROUGH ITS STATE HIGHWAY COMMISSION, grantee, the following described real estate, situated in the County of Big Horn

, State of Wyoming,

TO-WIT: All that portion of Lot 12 of Section 1 and Lot 38C, Resurvey T. 52 N., R. 94 W. of the 6th P. M., Wyoming, lying between the southerly boundary of the presently existing U. S. Highway No. 14 and 20 and a parallel right of way line 60 feet to the right or northerly side when measured at right angles or radially to the following described survey line of highway, said parallel right of way line extending to and terminating at the legal boundaries of said lands:

Beginning at a point on the easterly boundary of said Lot 12 from which the center of said Section 1 bears S. 69° 19' W. a distance of 634.5 feet;
thence N. 84° 59' W. a distance of 1431.3 feet to the point of beginning of a circular curve to the left, the radius of which is 5739.58 feet;
thence along said curve to the left through a central angle of 9° 59' a distance of 99.3 feet to the point of ending of said curve;
thence S. 69° 19' W. a distance of 754 feet, more or less, to a point on the westerly boundary of the said Lot 38C from which the southwest corner thereof bears southerly a distance of 451 feet, more or less.

Said parcel containing 4.0 acres more or less, of which 5.9 acres, more or less, are in present right of way.

As an essential part of this transaction, we, the undersigned, do for ourselves, our heirs and assigns, sell, transfer, convey and relinquish to the grantee, its successors and assigns, forever, all easement of access and all rights of ingress, egress and regress to, from and between the remaining portions of said lands and that portion hereby conveyed

Except there is reserved unto the undersigned grantors, their heirs and assigns, a certain right of access to the above described lands, such access to be limited to four (4) openings thirty (30) feet in width centered about points perpendicular to the above described survey line of highway and located as follows from the easterly boundary of said Lot 12 when measured westerly along the above described survey line of highway, to-wit:

- (1) and (2) At a distance of not less than 1550 feet, nor more than 1750 feet on the left or southerly side and on the right or northerly side;
- (3) At a distance of not less than 2400 feet, nor more than 2600 feet on the right or northerly side, and
- (4) At a distance of not less than 2900 feet, nor more than 3100 feet on the left or southerly side.

And said grantors hereby covenant with the said State of Wyoming, by and through its State Highway Commission, that they are lawfully seized of said premises; that said premises are free from encumbrances, and said grantors hereby warrant the title thereto against the lawful claims of all persons whomsoever.

Excepting and reserving unto the grantors herein all minerals of every kind and nature that can be removed from the ground without jeopardy to the maintenance or safety of public travel upon the surface estate herein granted and without using the surface of the lands hereby granted.

Hereby releasing and waiving any and all rights under and by virtue of the Homestead Exemption Laws of this State.

Dated this, the 16 day of November, A. D., 1960

James P. Yates
Marie W. Yates
Grantors

244 @ 476

476

48879

RIGHT OF WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that Adella Smith, a single woman, grantor, does hereby grant and convey to the Agrarian Irrigation Corporation, a Wyoming Corporation, grantee, and its successors and assigns forever, an easement and right of way for the construction, repair, improvement and maintenance of the present irrigation canal for conducting and flowing water therein, for the sum of One (\$1.00) Dollar and other valuable considerations, the receipt whereof is hereby acknowledged.

The grantor does hereby grant a perpetual easement for the purposes hereinabove mentioned, together with the right of ingress and egress to and from said lands for any and all purposes necessary and incident to the exercise by the grantee of the rights granted by this conveyance.

This conveyance is made to grantee as a right of way easement for said ditch which is not to exceed twenty-five (25) feet in width, over and across the following described premises, and only so much of said width is to be used for the construction, operation and maintenance of said canal as shall be absolutely necessary for said ditch purposes:

Tracts D, E, H and I of Lot 38, Section 2, Township S2 North, Range 94 West of the 6th P.M., Big Horn County, Wyoming.

For the purpose of the foregoing conveyance, grantor does hereby release and waive as to said right of way, all exemptions and privileges of the homestead laws of the State of Wyoming.

IN WITNESS WHEREOF, the grantor has hereunto set her hand and seal, this 6th day of April, 1967.

Adella E. Smith
Adella Smith
By [Signature]
Her Agent and Attorney in Fact.

THE STATE OF WYOMING:
COUNTY OF BIG HORN :

On this 11th day of April, 1967, before me a Notary Public within and for the said County and State, personally appeared JAMES YATES, personally known to me to be the same person whose name subscribed to the foregoing instrument and acknowledged that he freely and voluntarily signed, executed and delivered the same for the purposes therein set forth, and further acknowledges that he is the Agent and Attorney in Fact for the said Adella Smith.

WITNESS my hand and notarial seal in the County and State aforesaid, this day and year first above written.

Chace A. Perkins
Notary Public
Notary Public, Expired at 10:05 AM
Big Horn County, Wyoming
My Commission Expires January 31, 1967

Filed for records at 10:05 AM, April 11, 1967
Eileen Cowan Wilgus, County Clerk and Ex-Officio Treasurer
Bertha Perkins