

Prepared By: **Robert Usera**
Black Hills Power, Inc.
P.O. Box 1400
Rapid City, SD 57709
605-721-3200

WO#86297

RIGHT-OF-WAY PERMIT - OH/UG CORPORATION

I, or We, City Of Rapid City, in consideration of the sum of \$1.00, receipt of which is hereby acknowledged, hereby grants to BLACK HILLS POWER, INC. having its principal place of business and post office address at 625 Ninth Street, P.O. Box 1400, Rapid City, South Dakota 57709, its successors and assigns, a perpetual right-of-way and easement to construct, operate and maintain, repair, alter, inspect, remove, upgrade, enhance and replace an electrical power system consisting of buried cables or wires, surface terminals, surface markers, transformer pads or vaults, and an electrical power line with poles, wires and associated equipment, and all necessary attachments and appurtenances, with the right of ingress and egress therefor, together with the right to cut, trim, or remove from said right-of-way any brush, trees, stumps, or roots where necessary to secure a clearance from the conductors of at least 10 feet on each side of the center line of said right-of-way. This easement shall run with the land. The centerline of the powerline as constructed is the center line of the easement.

The real estate above referred to is specifically described as follows:

SEE EXHIBIT "A"

The foregoing right is granted upon the express condition that Black Hills Power, Inc. will assume liability for all damage to the hereinbefore described property caused by said Black Hills Power, Inc. failure to use due care in its exercise of the granted right.

Dated this _____ day of _____, 2002.

CITY OF RAPID CITY

By: _____
Jerry Munson, Mayor

ATTEST:

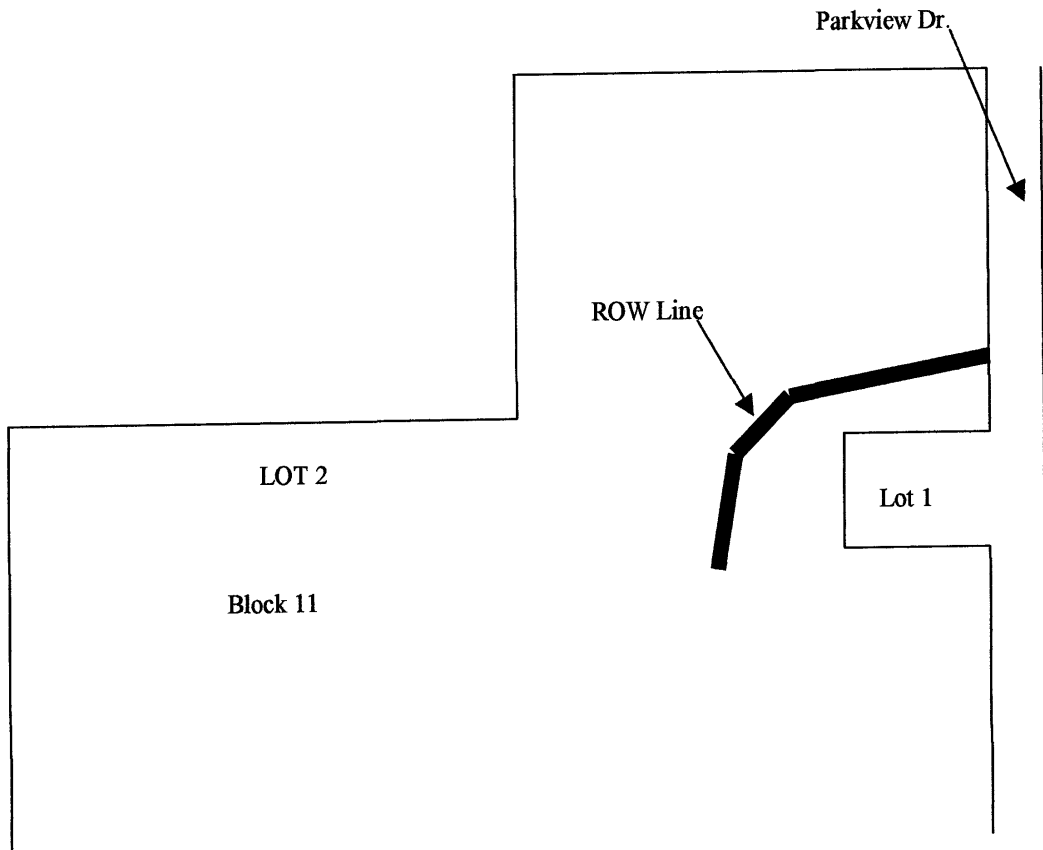
Finance Officer

(SEAL)

WO#86297

RIGHT-OF-WAY PERMIT - OH/UG CORPORATION
EXHIBIT A

Legal Description:
Lot 2 of Block 11 Robbinsdale Addition No. 10
N ½ NE ¼ of Section 24, T1N, R7E,
B.H.M., Rapid City, Pennington County, South Dakota



Note: The Centerline of the powerline as constructed is the center line of the easement.

State of South Dakota)
 SS.
County of Pennington)

On this the ____ day of _____, 2002, before me, the undersigned officer, personally appeared Jerry Munson and James F. Preston, who acknowledged themselves to be the Mayor and Finance Officer, respectively, of the City of Rapid City, a municipal corporation, and that they, as such Mayor and Finance Officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the City of Rapid City by themselves as Mayor and Finance Officer.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public, South Dakota

My Commission Expires:

(SEAL)