

Prepared By:  
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P.O. Box 8008  
Rapid City, SD 57709  
Phone: 605-348-1125

### **GRANT OF EASEMENT FOR EMERGENCY ACCESS**

Duininck Bros. & Gilchrist Land Co., Inc. (hereafter "Grantor"), of Pennington County, South Dakota, for One Dollar (\$1.00) and other good and valuable consideration, hereby grants, conveys and declares an emergency access easement to Rapid City Christian Education Association, Inc., and Rapid City Christian High School (hereafter "Grantee"), a not for profit association, of Pennington County, South Dakota, its successors and assigns, a perpetual emergency access easement, to run with the land, with right of ingress and egress, for the limited and restricted use of emergency access only, from South Dakota Highway 79 across Grantor's property, to-wit:

NE $\frac{1}{4}$ SW $\frac{1}{4}$  less Lot H3; W $\frac{1}{2}$ SW $\frac{1}{4}$ ; Lot 1 of SE $\frac{1}{4}$ SW $\frac{1}{4}$  less Lot H3;  
Lot 1 of NW $\frac{1}{4}$ SE $\frac{1}{4}$  less Lot H3, Section 20, T1S, R08E, Black Hills  
Meridian, Pennington County, South Dakota;

and

GL 2-4; SE $\frac{1}{4}$ NW $\frac{1}{4}$ ; E $\frac{1}{2}$ ; E $\frac{1}{2}$ SW $\frac{1}{4}$ , Section 19, T1S, R08E, Black  
Hills Meridian, Pennington County, South Dakota;

to the facility to be known as Rapid City Christian High School (or such other name designated by said Association), located at Spring Creek Development at Hart Ranch; provided, however, said easement shall be terminated and released in the event Grantee gains acceptable access by an alternative route rendering the use of the easement granted herein unnecessary.

Grantee further agrees to save and hold Grantor harmless and indemnify Grantor from any and all damages, claims, demands, actions and causes of actions, whatever kind or character, for any damage to or destruction of Grantor's property or for injury to or death of any persons arising out of or in connection with Grantee's use and exercise of any privileges within the scope and terms of the easement granted herein.

**RECEIVED**

**MAR 11 2003**

**Rapid City  
Planning Department**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

GRANTOR:

GRANTEE:

Duininck Bros. & Gilchrist Land Co., Inc.

Rapid City Christian Education Association, Inc.

By: \_\_\_\_\_  
Its \_\_\_\_\_

By \_\_\_\_\_  
Its \_\_\_\_\_

(SEAL)

(SEAL)

State of South Dakota     )  
  )ss.  
County of Pennington     )

On this the \_\_\_\_\_ day of \_\_\_\_\_, 2003, before me, the undersigned officer, personally appeared \_\_\_\_\_, known to me or satisfactorily proven to be the \_\_\_\_\_ of Duininck Bros. & Gilchrist Land Co., Inc., and that he as such officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained.

In Witness Whereof, I hereunto set my hand and official seal.

\_\_\_\_\_  
Notary Public, South Dakota

My Commission Expires: \_\_\_\_\_  
(SEAL)

State of South Dakota     )  
  )ss.  
County of Pennington     )

On this the \_\_\_\_\_ day of \_\_\_\_\_, 2003, before me, the undersigned officer, personally appeared \_\_\_\_\_, known to me or satisfactorily proven to be the \_\_\_\_\_ of Rapid City Christian Education Association, Inc., and that he as such officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained.

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Notary Public, South Dakota

My Commission Expires: \_\_\_\_\_  
(SEAL)