

PREPARED BY: City Attorney's Office
300 Sixth Street
Rapid City, SD 57701
(605) 394-4140
JPC
12-15-05

STATE OF SOUTH DAKOTA)
) SS. ACCESS EASEMENT
COUNTY OF PENNINGTON)

For and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, CITY OF RAPID CITY, a municipal corporation, of 300 Sixth Street, Rapid City, South Dakota, 57701, Grantor, hereby grants to McARTHUR PROPERTIES, LLC, of 4420 Universal Drive, Rapid City, South Dakota, 57702, its employees, agents, and authorized representatives, Grantee, a perpetual access easement over and across the following described real property:

Tract Eight (8) (also in T1N, R7E, Section 4 and 10), Rapid City Greenway Tract, Section Three (3), Township One North (T1N), Range Seven East (R7E) of the Black Hills Meridian, Rapid City, Pennington County, South Dakota, as shown on Exhibit "A", attached hereto and incorporated herein by reference.

This easement is to provide access to Grantee to its property described as Lot One (1) of Lot A of the Southeast Quarter of the Southwest Quarter (SE¼SW¼) of Section Three (3), Township One North (T1N), Range Seven East (R7E) of the Black Hills Meridian, Rapid City, Pennington County, South Dakota, Haines Avenue from the above-described property.

Dated this _____ day of _____, 2004.

CITY OF RAPID CITY

By: _____
Jim Shaw, Mayor

ATTEST:

James F. Preston, Finance Officer

(SEAL)

State of South Dakota)
 ss.
County of Pennington)

On this the _____ day of _____, 2005, before me, the undersigned officer, personally appeared Jim Shaw 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 Agreement Consenting to Assessed Project 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)