

Engineering Services Request  
To

**Record Water and Sewer Main Utility Easements**  
For  
Proposed Water and Sewer Mains Along Palo Verde Drive  
City Project No.: W06-1564

**DESCRIPTION**

This is a Request for Council Authorization to record water and sewer main easements for proposed water and sewer mains along Palo Verde Drive. The residences in this area currently derive City water and sewer service from a private common sewer service line and private long water service lines. The private common sewer service and long water service lines don't meet City Standards, which require individual water and sewer services for each residence and water and sewer mains to front the property being served. The easements will provide the residences the opportunity to construct public water and sewer mains and become compliant with City Standards.

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

STATE OF SOUTH DAKOTA     )  
                                          )ss.         PERMANENT UTILITY EASEMENT  
COUNTY OF PENNINGTON     )

FOR AND IN CONSIDERATION of the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Oliver Johnson and Ardelle Johnson, record owners of 1715 Palo Verde Drive, Rapid City, South Dakota, 57701, Grantors, hereby grants exclusively to the CITY OF RAPID CITY, a South Dakota municipality, 300 Sixth Street, Rapid City, South Dakota, 57701, Grantee, its agents, employees, and contractors a perpetual utility easement, subject to the conditions hereinafter set forth, as hereinafter described.

The property which is the subject of this permanent utility easement is legally described as:

A portion of Lot Seven (7) of Block One (1) of Palo Verde Heights, located in the South West Quarter of the South East Quarter (SW¼ SE ¼) of Section Two (2), Township One North (T1N), Range Seven East (R7E) of the Black Hills Meridian, Rapid City, Pennington County, as shown on Exhibit A attached hereto and incorporated herein.

Such easement shall include the right to enter upon the easement property to construct, install, operate, inspect, maintain, and repair water and/or sewer mains and related appurtenant facilities upon said property. The City shall perform all work in a workmanlike manner, and as

nearly as reasonable possible, shall leave the surface of the property in as good condition as existed prior to entry thereon.

As of the date this easement is recorded, no new obstacles, including fences, shrubs, walls, or other items which obstruct the visibility or usefulness of the easement shall be placed in or on the area which is the subject of this easement. Nor shall any existing obstacles be replaced. The City shall not be responsible for any disturbance, injury or removal of any obstacle caused by the City when carrying out the purpose of this easement.

This easement shall include the right to enter upon the aforescribed real property and otherwise to do those things reasonably necessary to effectuate its purpose.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Oliver Johnson

\_\_\_\_\_  
Ardelle Johnson

State of South Dakota   )  
                                          SS.  
County of Pennington   )

On this the \_\_\_\_ day of \_\_\_\_\_, 2006, before me, the undersigned officer, personally appeared Oliver Johnson and Ardelle Johnson, husband and wife, known to me or satisfactorily proven to be the persons whose names are subscribed to within the instrument and acknowledge that they signed the same for the purposes therein contained.

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

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

My Commission Expires:

(SEAL)

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

STATE OF SOUTH DAKOTA     )  
                                          )ss.       PERMANENT UTILITY EASEMENT  
COUNTY OF PENNINGTON     )

FOR AND IN CONSIDERATION of the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Paul M. Johnson and Karen Johnson, record owners of 1705 Palo Verde Drive, Rapid City, South Dakota, 57701, Grantors, hereby grants exclusively to the CITY OF RAPID CITY, a South Dakota municipality, 300 Sixth Street, Rapid City, South Dakota, 57701, Grantee, its agents, employees, and contractors a perpetual utility easement, subject to the conditions hereinafter set forth, as hereinafter described.

The property which is the subject of this permanent utility easement is legally described as:

A portion of Lot Six (6) of Block One (1) of Palo Verde Heights, located in the South West Quarter of the South East Quarter (SW $\frac{1}{4}$  SE  $\frac{1}{4}$ ) of Section Two (2), Township One North (T1N), Range Seven East (R7E) of the Black Hills Meridian, Rapid City, Pennington County, as shown on Exhibit A attached hereto and incorporated herein.

Such easement shall include the right to enter upon the easement property to construct, install, operate, inspect, maintain, and repair water and/or sewer mains and related appurtenant facilities upon said property. The City shall perform all work in a workmanlike manner, and as

nearly as reasonable possible, shall leave the surface of the property in as good condition as existed prior to entry thereon.

As of the date this easement is recorded, no new obstacles, including fences, shrubs, walls, or other items which obstruct the visibility or usefulness of the easement shall be placed in or on the area which is the subject of this easement. Nor shall any existing obstacles be replaced. The City shall not be responsible for any disturbance, injury or removal of any obstacle caused by the City when carrying out the purpose of this easement.

This easement shall include the right to enter upon the aforescribed real property and otherwise to do those things reasonably necessary to effectuate its purpose.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Paul M. Johnson

\_\_\_\_\_  
Karen Johnson

State of South Dakota   )  
                                          SS.  
County of Pennington    )

On this the \_\_\_\_ day of \_\_\_\_\_, 2006, before me, the undersigned officer, personally appeared Paul M. Johnson and Karen Johnson, husband and wife, known to me or satisfactorily proven to be the persons whose names are subscribed to within the instrument and acknowledge that they signed the same for the purposes therein contained.

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

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

My Commission Expires:

(SEAL)

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

STATE OF SOUTH DAKOTA     )  
                                           )ss.       PERMANENT UTILITY EASEMENT  
 COUNTY OF PENNINGTON     )

FOR AND IN CONSIDERATION of the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Daniel D. Rasby and Molly Meehan-Rasby, record owners of 1615 Palo Verde Drive, Rapid City, South Dakota, 57701, Grantors, hereby grants exclusively to the CITY OF RAPID CITY, a South Dakota municipality, 300 Sixth Street, Rapid City, South Dakota, 57701, Grantee, its agents, employees, and contractors a perpetual utility easement, subject to the conditions hereinafter set forth, as hereinafter described.

The property which is the subject of this permanent utility easement is legally described as:

A portion of Lot Three (3) of Block One (1) of Palo Verde Heights, located in the South West Quarter of the South East Quarter (SW $\frac{1}{4}$  SE  $\frac{1}{4}$ ) of Section Two (2), Township One North (T1N), Range Seven East (R7E) of the Black Hills Meridian, Rapid City, Pennington County, as shown on Exhibit A attached hereto and incorporated herein.

Such easement shall include the right to enter upon the easement property to construct, install, operate, inspect, maintain, and repair water and/or sewer mains and related appurtenant facilities upon said property. The City shall perform all work in a workmanlike manner, and as

nearly as reasonable possible, shall leave the surface of the property in as good condition as existed prior to entry thereon.

As of the date this easement is recorded, no new obstacles, including fences, shrubs, walls, or other items which obstruct the visibility or usefulness of the easement shall be placed in or on the area which is the subject of this easement. Nor shall any existing obstacles be replaced. The City shall not be responsible for any disturbance, injury or removal of any obstacle caused by the City when carrying out the purpose of this easement.

This easement shall include the right to enter upon the aforescribed real property and otherwise to do those things reasonably necessary to effectuate its purpose.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Daniel D. Rasby

\_\_\_\_\_  
Molly Meehan-Rasby

State of South Dakota   )  
                                          SS.  
County of Pennington   )

On this the \_\_\_\_ day of \_\_\_\_\_, 2006, before me, the undersigned officer, personally appeared Daniel D. Rasby and Molly Meehan-Rasby, husband and wife, known to me or satisfactorily proven to be the persons whose names are subscribed to within the instrument and acknowledge that they signed the same for the purposes therein contained.

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

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

My Commission Expires:

(SEAL)

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

STATE OF SOUTH DAKOTA    )  
                                          )ss.       PERMANENT UTILITY EASEMENT  
COUNTY OF PENNINGTON    )

FOR AND IN CONSIDERATION of the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Heather M. Krafka, record owner of 1625 Palo Verde Drive, Rapid City, South Dakota, 57701, Grantor, hereby grants exclusively to the CITY OF RAPID CITY, a South Dakota municipality, 300 Sixth Street, Rapid City, South Dakota, 57701, Grantee, its agents, employees, and contractors a perpetual utility easement, subject to the conditions hereinafter set forth, as hereinafter described.

The property which is the subject of this permanent utility easement is legally described as:

A portion of Lot Five (5) of Block One (1) of Palo Verde Heights, located in the South West Quarter of the South East Quarter (SW¼ SE ¼) of Section Two (2), Township One North (T1N), Range Seven East (R7E) of the Black Hills Meridian, Rapid City, Pennington County, as shown on Exhibit A attached hereto and incorporated herein.

Such easement shall include the right to enter upon the easement property to construct, install, operate, inspect, maintain, and repair water and/or sewer mains and related appurtenant facilities upon said property. The City shall perform all work in a workmanlike manner, and as nearly as reasonable possible, shall leave the surface of the property in as good condition as existed prior to entry thereon.

As of the date this easement is recorded, no new obstacles, including fences, shrubs, walls, or other items which obstruct the visibility or usefulness of the easement shall be placed in or on the area which is the subject of this easement. Nor shall any existing obstacles be replaced. The City shall not be responsible for any disturbance, injury or removal of any obstacle caused by the City when carrying out the purpose of this easement.

This easement shall include the right to enter upon the aforescribed real property and otherwise to do those things reasonably necessary to effectuate its purpose.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Heather M. Krafka

State of South Dakota   )  
                                          SS.  
County of Pennington   )

On this the \_\_\_\_ day of \_\_\_\_\_, 2006, before me, the undersigned officer, personally appeared Heather M. Krafka, known to me or satisfactorily proven to be the person whose name is subscribed to within the instrument and acknowledge that she signed the same for the purposes therein contained.

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

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

My Commission Expires:

(SEAL)

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

STATE OF SOUTH DAKOTA     )  
                                          )ss.       PERMANENT UTILITY EASEMENT  
COUNTY OF PENNINGTON     )

FOR AND IN CONSIDERATION of the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Richard J. Gowen, record owner of 1609 Palo Verde Drive, Rapid City, South Dakota, 57701, Grantor, hereby grants exclusively to the CITY OF RAPID CITY, a South Dakota municipality, 300 Sixth Street, Rapid City, South Dakota, 57701, Grantee, its agents, employees, and contractors a perpetual utility easement, subject to the conditions hereinafter set forth, as hereinafter described.

The property which is the subject of this permanent utility easement is legally described as:

A portion of Lot Two (2) of Block One (1) of Palo Verde Heights, located in the South West Quarter of the South East Quarter (SW¼ SE ¼) of Section Two (2), Township One North (T1N), Range Seven East (R7E) of the Black Hills Meridian, Rapid City, Pennington County, as shown on Exhibit A attached hereto and incorporated herein.

Such easement shall include the right to enter upon the easement property to construct, install, operate, inspect, maintain, and repair water and/or sewer mains and related appurtenant facilities upon said property. The City shall perform all work in a workmanlike manner, and as nearly as reasonable possible, shall leave the surface of the property in as good condition as existed prior to entry thereon.

As of the date this easement is recorded, no new obstacles, including fences, shrubs, walls, or other items which obstruct the visibility or usefulness of the easement shall be placed in or on the area which is the subject of this easement. Nor shall any existing obstacles be replaced. The City shall not be responsible for any disturbance, injury or removal of any obstacle caused by the City when carrying out the purpose of this easement.

This easement shall include the right to enter upon the aforescribed real property and otherwise to do those things reasonably necessary to effectuate its purpose.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Richard J. Gowen

State of South Dakota   )  
                                          SS.  
County of Pennington   )

On this the \_\_\_\_ day of \_\_\_\_\_, 2006, before me, the undersigned officer, personally appeared Richard J. Gowen, known to me or satisfactorily proven to be the person whose name is subscribed to within the instrument and acknowledge that she signed the same for the purposes therein contained.

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

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

My Commission Expires:

(SEAL)

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

STATE OF SOUTH DAKOTA    )  
                                          )ss.       PERMANENT UTILITY EASEMENT  
COUNTY OF PENNINGTON    )

FOR AND IN CONSIDERATION of the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Catherine K. Vogeles, record owner of 1605 Palo Verde Drive, Rapid City, South Dakota, 57701, Grantor, hereby grants exclusively to the CITY OF RAPID CITY, a South Dakota municipality, 300 Sixth Street, Rapid City, South Dakota, 57701, Grantee, its agents, employees, and contractors a perpetual utility easement, subject to the conditions hereinafter set forth, as hereinafter described.

The property which is the subject of this permanent utility easement is legally described as:

A portion of Lot One (1) of Block One (1) of Palo Verde Heights, located in the South West Quarter of the South East Quarter (SW¼ SE ¼) of Section Two (2), Township One North (T1N), Range Seven East (R7E) of the Black Hills Meridian, Rapid City, Pennington County, as shown on Exhibit A attached hereto and incorporated herein.

Such easement shall include the right to enter upon the easement property to construct, install, operate, inspect, maintain, and repair water and/or sewer mains and related appurtenant facilities upon said property. The City shall perform all work in a workmanlike manner, and as nearly as reasonable possible, shall leave the surface of the property in as good condition as existed prior to entry thereon.

As of the date this easement is recorded, no new obstacles, including fences, shrubs, walls, or other items which obstruct the visibility or usefulness of the easement shall be placed in or on the area which is the subject of this easement. Nor shall any existing obstacles be replaced. The City shall not be responsible for any disturbance, injury or removal of any obstacle caused by the City when carrying out the purpose of this easement.

This easement shall include the right to enter upon the aforescribed real property and otherwise to do those things reasonably necessary to effectuate its purpose.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Catherine K. Vogele

State of South Dakota    )  
                                          SS.  
County of Pennington    )

On this the \_\_\_\_ day of \_\_\_\_\_, 2006, before me, the undersigned officer, personally appeared Catherine K. Vogele, known to me or satisfactorily proven to be the person whose name is subscribed to within the instrument and acknowledge that she signed the same for the purposes therein contained.

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

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

My Commission Expires:

(SEAL)

## Rapid City Geographic Information System

