

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

WGN
115-10

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, the CITY OF RAPID CITY, of 300 Sixth Street, Rapid City, South Dakota, 57701, Grantor, hereby grants to MONTANA-DAKOTA UTILITIES COMPANY, of 400 North Fourth Street, Bismarck, North Dakota, 58501, the Grantee, 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 strip of land twenty feet (20') in width, in, on, over and across Block One (1) of Cleghorn Canyon No. 2, located in the Southwest Quarter (SW¼) of Section Eight (8), Township One North (T1N), Range Seven East (R7E) of the Black Hills Meridian, Pennington County, South Dakota, as shown on Exhibit "A", attached hereto and incorporated herein by reference.

Such easement shall include the right to enter upon the easement property to construct, install, operate, inspect, maintain, and repair natural gas distribution and related appurtenant facilities upon said property.

The area which is the subject of this easement shall be kept free of all obstacles, including fences, shrubs, walls, or other items which obstruct the visibility or usefulness of the 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 _____, 2010.

CITY OF RAPID CITY

By: _____
Alan Hanks, Mayor

ATTEST:

Finance Officer

(SEAL)

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

On this ____ day of _____, 2010, before me, the undersigned officer, personally appeared Alan Hanks and Pauline Sumption, who acknowledged themselves to be the Mayor and Finance Officer, respectively, of the City of Rapid City and that he, as such Mayor and Finance Officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing as such Mayor and Finance Officer of the City of Rapid City.

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

Notary Public, State of South Dakota



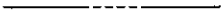
My Commission Expires:

(SEAL)

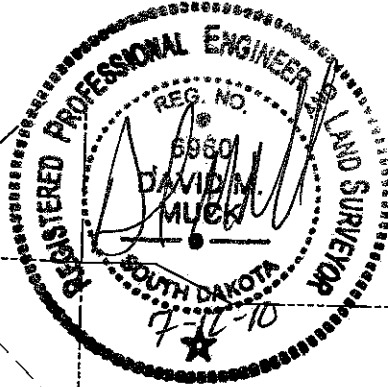
UTILITY EASEMENT TO BE DEDICATED
 IN BLOCK 1 OF CLEGHORN CANYON #2
 LOCATED IN THE SW 1/4 OF SECTION 8, T1N, R7E OF THE BHM
 RAPID CITY, PENNINGTON COUNTY, SOUTH DAKOTA



LEGEND

-  FOUND MONUMENT
-  UTILITY EASEMENT
-  PROPERTY LINE

CURVE TABLE					
CURVE #	DELTA ANGLE	R (FT)	L (FT)	CHORD BEARING	LC (FT)
C1	8°04'08"	123.24	17.36	S84°32'33"E	17.34



BLOCK 1
 CLEGHORN CANYON #2
 5150 CLEGHORN CANYON RD
 CITY OF RAPID CITY

N202' OF LOT 4 &
 VAC ST LYING E &
 ADJ TO SAID LOT
 BLOCK 2
 CLEGHORN CANYON #2
 5200 CLEGHORN CANYON RD
 CITY OF RAPID CITY

UTILITY EASEMENT
 (THIS EXHIBIT)
 CONTAINING 0.10 AC +/-

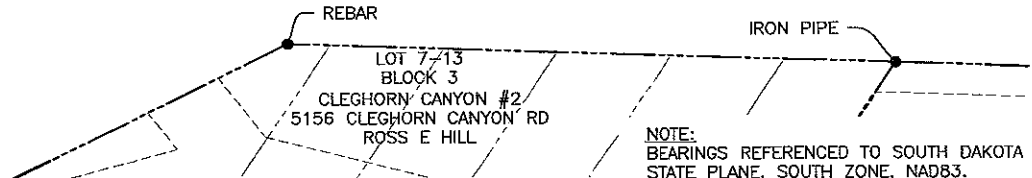
LINE TABLE		
LINE #	DIRECTION	L (FT)
L1	S88°21'07"E	93.89
L2	N02°20'56"E	210.22
L3	S88°34'37"E	2.68
L4	S02°20'56"W	209.08
L5	N88°21'07"W	20.00

20' UTILITY
 EASEMENT
 (VACATED ON
 SEPARATE
 DOCUMENT)

BLOCK 1 CLEGHORN CANYON #2
 5150 CLEGHORN CANYON RD
 CITY OF RAPID CITY

LOT B OF LOT 4
 BLOCK 2
 CLEGHORN CANYON #2
 5250 CLEGHORN CANYON RD
 CITY OF RAPID CITY

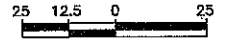
CLEGHORN CANYON ROAD



NOTE:
 BEARINGS REFERENCED TO SOUTH DAKOTA
 STATE PLANE, SOUTH ZONE, NAD83.

07-12-10 P:\09-128\AutoCAD\Easements\BLK 1 UTILITY EASEMENT.dwg

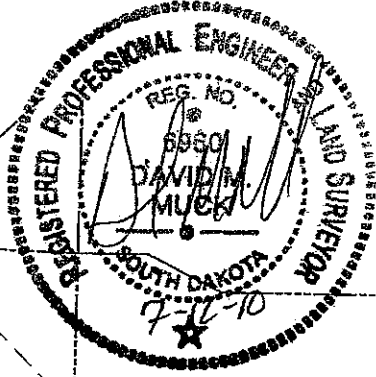
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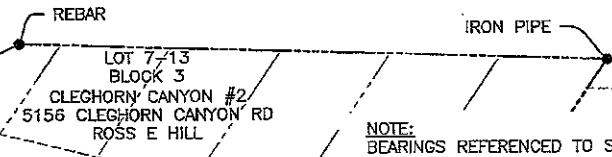
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CLEGHORN CANYON ROAD



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 STATE PLANE, SOUTH ZONE, NAD83.

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EXHIBIT A

PROJECT NO.
 J09-128
 FIGURE NO.
 1 OF 1