



PW110910-15
CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701

Public Works Department
Engineering Services Division

300 Sixth Street

Telephone: (605) 394-4154 FAX: (605) 355-3083

Web: www.rcgov.org

October 26, 2010

To: City Council
City of Rapid City

From: Dan Coon
Operations Management Engineer

Ref: Acceptance of Easements
Jackson Springs Water Treatment Plant

The City of Rapid City has obtained easements as listed below and attached for construction of the Jackson Springs Water Treatment Plant and related improvements. City staff requests acceptance of these easements by the City Council.

- Permanent Sanitary Sewer Easement as provided by Terrance J. Aisenbrey
- Temporary Construction Easement for construction of a sewer line as provided by Terrance J. Aisenbrey
- Two Temporary Construction Easements for road and utility construction as provided by Terrance J. Aisenbrey
- Permanent Drainage Easement as provided by Ross and Angie Hill
- Temporary Construction Easement as provided by Ross and Angie Hill.



EQUAL OPPORTUNITY EMPLOYER

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

WEN
11/5/10

STATE OF SOUTH DAKOTA)
 SS.
COUNTY OF PENNINGTON)

**PERMANENT SANITARY
SEWER EASEMENT**

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, TERRANCE J. AISENBREY, of 5100 Cleghorn Canyon Road, Rapid City, South Dakota, 57702, Grantor, hereby grants to the CITY OF RAPID CITY, the Grantee, of 300 Sixth Street, Rapid City, South Dakota, 57701, a perpetual sewer easement, subject to the conditions hereinafter set forth and as hereinafter described.

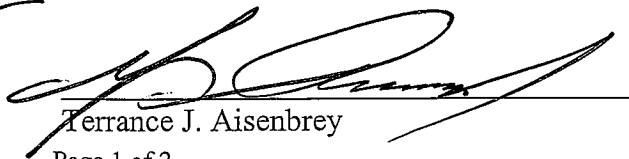
The property which is the subject of this permanent sewer easement is legally described as:

A strip of land twenty feet in width across a portion of North Lot, less right of way, Block Three (3), Cleghorn Canyon No. 2 located in the Northeast Quarter of the Southwest Quarter (NE¼SW¼) of Section Eight (8), Township One North (T1N), Range Seven East (R7E) of the Black Hills Meridian, Rapid City, Pennington County, South Dakota, as more fully described on Exhibit "A", attached hereto and incorporated herein by reference.

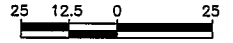
Such easement shall include the right to construct, operate, maintain and repair a sanitary sewer and all related appurtenant facilities upon said property. The Grantee has the right to enter upon the aforescribed real property for purposes of access to this easement and otherwise to do those things reasonably necessary to effectuate its purpose.

The property which is the subject of this easement shall be kept free of all obstructions including but not limited to buildings, walls, fences, hedges, trees, and shrubs.

DATED this 28th day of July, 2010.


Terrance J. Aisenbrey

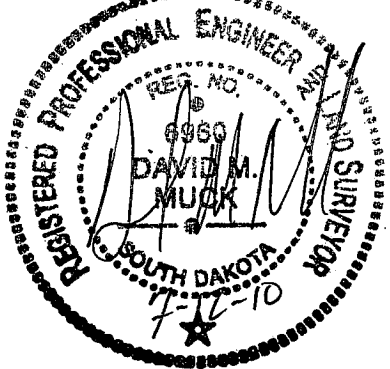
SANITARY SEWER EASEMENT
 LOCATED ON NORTH LOT LESS RIGHT-OF-WAY BLOCK 3
 OF CLEGHORN CANYON #2
 LOCATED IN THE NE 1/4 OF THE SW 1/4 OF SECTION 8, T1N,
 R7E OF THE BHM
 RAPID CITY, PENNINGTON COUNTY, SOUTH DAKOTA



LEGEND

- FOUND MONUMENT
- TEMPORARY CONSTRUCTION EASEMENT
- PROPERTY LINE

LINE TABLE		
LINE #	DIRECTION	L (FT)
L1	S88°06'10"E	112.17
L2	S88°06'10"E	20.06
L3	S02°38'46"E	30.38
L4	S12°39'29"W	71.37
L5	N67°42'37"W	20.29
L6	N12°35'40"E	65.55
L7	N02°38'46"W	29.00



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

CLEGHORN CANYON LANE

LOT 13 REVISED
 CLEGHORN CANYON #2
 5100 CLEGHORN CANYON RD
 TERRENCE J AISENBREY

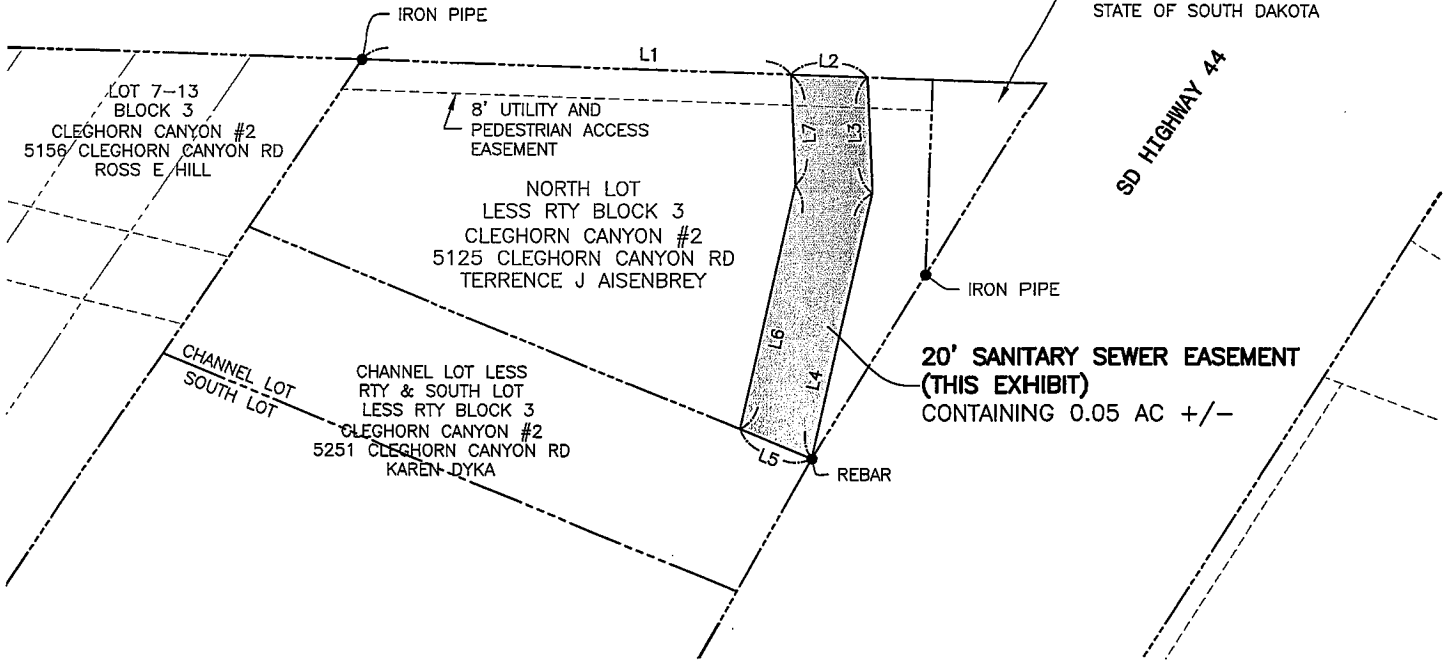
8' UTILITY AND MINOR DRAINAGE EASEMENT

CONCRETE ROW MARKER

CLEGHORN CANYON ROAD

LOT F-4
 FISH HATCHERY SUBDIVISION
 STATE OF SOUTH DAKOTA

SD HIGHWAY 44



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

F:\09-128\AutoCAD\Easements\North Lot Sewer Easement.dwg

07-12-10

Ferber Engineering Company, Inc.
 Civil Engineering • Water Resources • Transportation • Land Surveying • GIS
 729 East Waterman St, Rapid City, SD 57701 • Phone: (605) 343-3311

EXHIBIT A

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

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

WEN
7-21-10

STATE OF SOUTH DAKOTA)
) SS. **TEMPORARY CONSTRUCTION**
COUNTY OF PENNINGTON) **EASEMENT**

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, TERRANCE J. AISENBREY, of 5100 Cleghorn Canyon Road, Rapid City, South Dakota, 57702, Grantor, hereby grants to the CITY OF RAPID CITY, a South Dakota municipality, of 300 Sixth Street, Rapid City, South Dakota, 57701, its agents, employees, and contractors, a temporary construction easement over and across the following described real property:

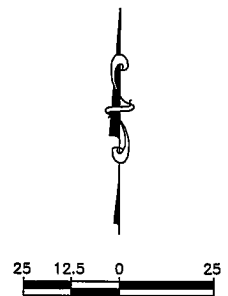
A portion of North Lot, less right of way, Block Three (3), Cleghorn Canyon No. 2 located in the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Eight (8), Township One North (T1N), Range Seven East (R7E) of the Black Hills Meridian, Rapid City, Pennington County, South Dakota, as more fully described on Exhibit "A", attached hereto and incorporated herein by reference.

This easement shall include the right to enter upon the easement property for the purpose of constructing the project entitled, "Jackson Springs Water Treatment Plant, Project No. W07-1689."

The City shall perform all work in a workmanlike manner and shall leave the property in as good condition as existed prior to entry thereon. However, the City will not be responsible for repairing or replacing any structures or improvements that are placed in the temporary easement after the effective date of the easement.

This Temporary Easement shall be effective from the date of signing to July 31, 2012.

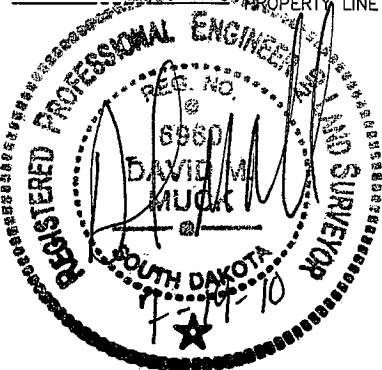
TEMPORARY CONSTRUCTION EASEMENT
 LOCATED ON NORTH LOT LESS RIGHT-OF-WAY BLOCK 3
 OF CLEGHORN CANYON #2
 LOCATED IN THE NE 1/4 OF THE SW 1/4 OF SECTION 8, T1N,
 R7E OF THE BHM
 RAPID CITY, PENNINGTON COUNTY, SOUTH DAKOTA



LEGEND

- FOUND MONUMENT
- ▭ TEMPORARY CONSTRUCTION EASEMENT
- PROPERTY LINE

LINE TABLE		
LINE #	DIRECTION	L (FT)
L1	S88°06'10"E	102.14
L2	S88°06'10"E	10.03
L3	S02°38'46"E	29.00
L4	S12°35'40"W	65.55
L5	N67°42'37"W	10.14
L6	N12°35'40"E	62.51
L7	N02°38'46"W	28.46



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

CLEGHORN CANYON
 LANE

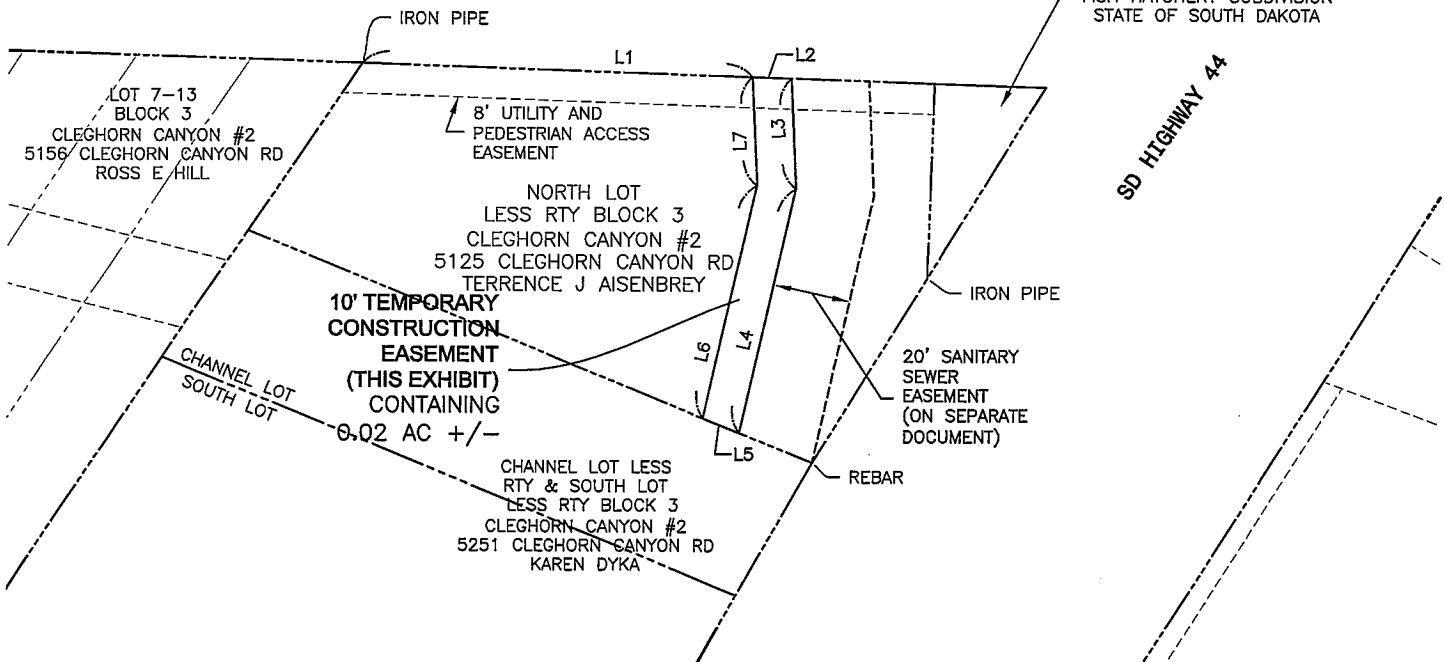
LOT 13 REVISED
 CLEGHORN CANYON #2
 5100 CLEGHORN CANYON RD
 TERRENCE J AISENBREY

8' UTILITY AND MINOR
 DRAINAGE EASEMENT

CONCRETE
 ROW MARKER

CLEGHORN CANYON ROAD

LOT F-4
 FISH HATCHERY SUBDIVISION
 STATE OF SOUTH DAKOTA



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

E:\09-128\AutoCAD\Easements\North Lot Temporary Const. Easement.dwg

07-19-10

Ferber Engineering Company, Inc.
 Civil Engineering • Water Resources • Transportation • Land Surveying • GIS
 729 East Watkinson St, Rapid City, SD 57701 • Phone: (605) 343-3311

EXHIBIT A

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

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

WEN
1/22/10

STATE OF SOUTH DAKOTA)
) SS. **TEMPORARY CONSTRUCTION**
COUNTY OF PENNINGTON) **EASEMENT**

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, TERRANCE J. AISENBREY, of 5100 Cleghorn Canyon Road, Rapid City, South Dakota, 57702, Grantor, hereby grants to the CITY OF RAPID CITY, a South Dakota municipality, of 300 Sixth Street, Rapid City, South Dakota, 57701, its agents, employees, and contractors, a temporary construction easement over and across the following described real property:

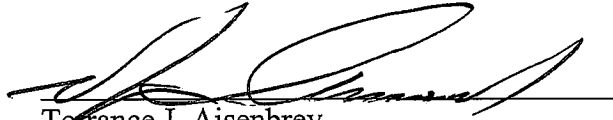
A portion of Lot Thirteen (13) Revised of Block Two (2), Cleghorn Canyon No. 2 located in the Southwest Quarter (SW¼) of Section Eight (8), Township One North (T1N), Range Seven East (R7E) of the Black Hills Meridian, Rapid City, Pennington County, South Dakota, as more fully described on Exhibit "A", attached hereto and incorporated herein by reference.

This easement shall include the right to enter upon the easement property for the purpose of constructing the project entitled, "Jackson Springs Water Treatment Plant, Project No. W07-1689."

The City shall perform all work in a workmanlike manner and shall leave the property in as good condition as existed prior to entry thereon. However, the City will not be responsible for repairing or replacing any structures or improvements that are placed in the temporary easement after the effective date of the easement.

This Temporary Easement shall be effective from the date of signing to July 31, 2012.

Dated this 28th day of July, 2010.


Terrance J. Aisenbrey

State of South Dakota)
SS.
County of Pennington)

On this the 28th day of July, 2010, before me, the undersigned officer, personally appeared Terrance J. Aisenbrey, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

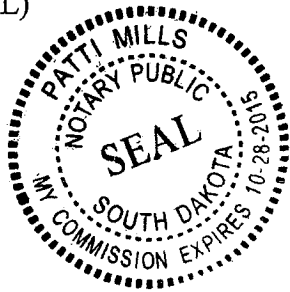
IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Notary Public, South Dakota




My Commission Expires: 10/28/2013

(SEAL)

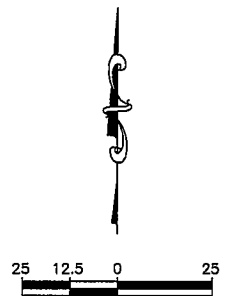


TEMPORARY CONSTRUCTION EASEMENT
 LOCATED ON LOT 13 REVISED OF BLOCK 2
 CLEGHORN CANYON #2
 LOCATED IN THE SW 1/4 OF SECTION 8, T1N, R7E OF THE BHM
 RAPID CITY, PENNINGTON COUNTY, SOUTH DAKOTA

LEGEND

-  FOUND MONUMENT
-  TEMPORARY CONSTRUCTION EASEMENT
-  PROPERTY LINE

LINE TABLE		
LINE #	DIRECTION	L (FT)
L1	S32°41'06"W	9.00
L2	S32°41'06"W	11.67
L3	N88°21'48"W	51.80
L4	N01°38'12"E	10.00
L5	S88°21'48"E	57.82
L6	N88°21'48"W	3.00
L7	N88°21'48"W	16.00
L8	N01°38'12"E	10.00
L9	S88°21'48"E	16.00
L10	S01°38'12"W	10.00



TOTAL TEMPORARY
 CONSTRUCTION EASEMENT
 AREA 0.017 AC +/-

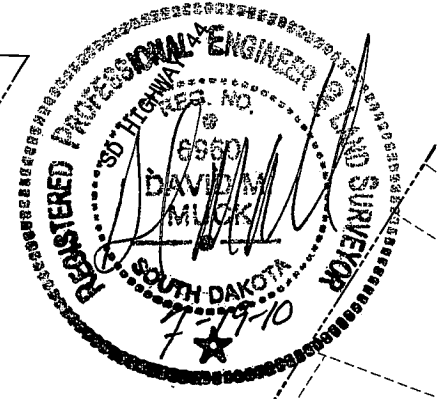
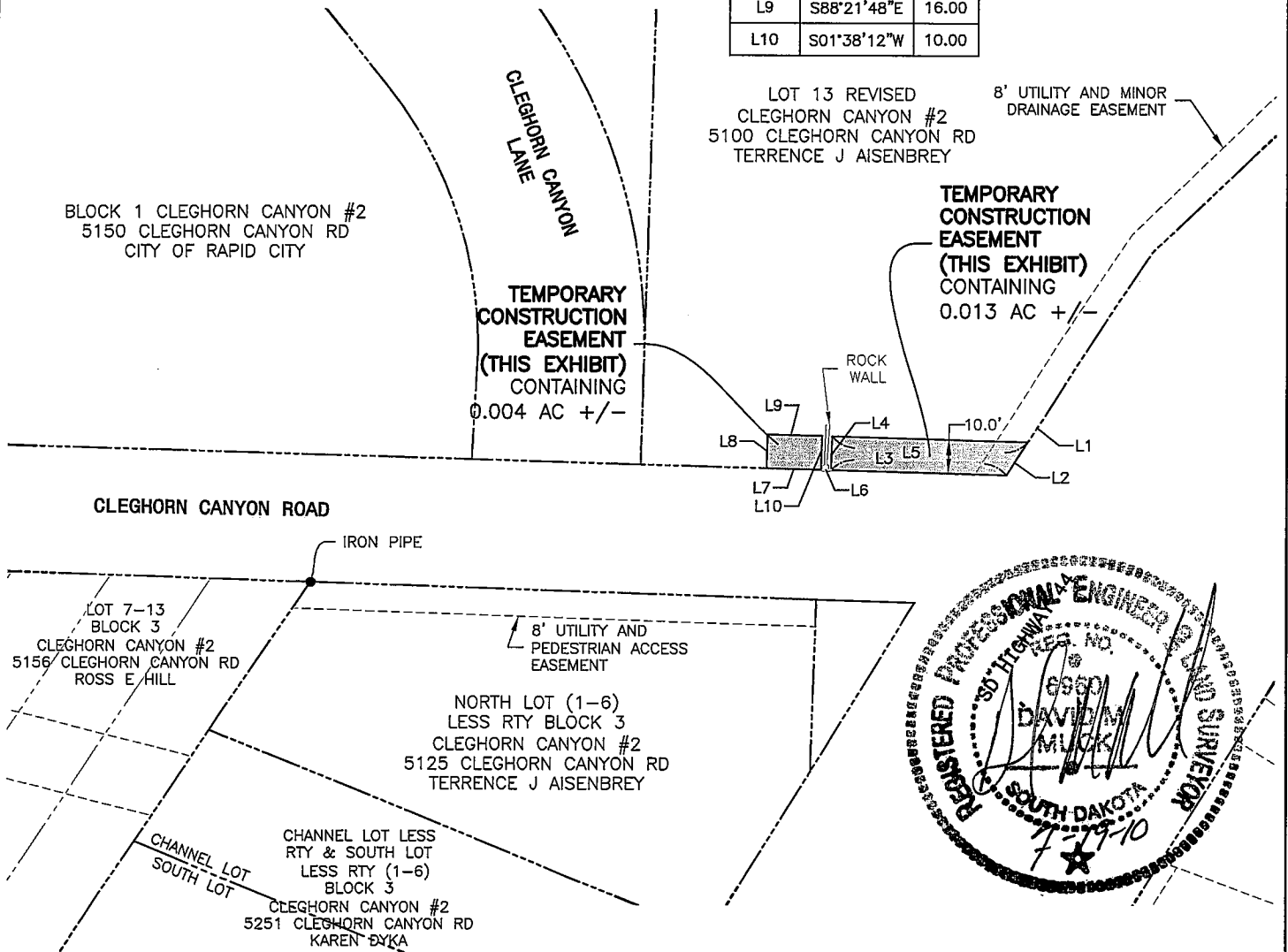
LOT 13 REVISED
 CLEGHORN CANYON #2
 5100 CLEGHORN CANYON RD
 TERRENCE J AISENBREY

8' UTILITY AND MINOR
 DRAINAGE EASEMENT

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

TEMPORARY
 CONSTRUCTION
 EASEMENT
 (THIS EXHIBIT)
 CONTAINING
 0.004 AC +/-

TEMPORARY
 CONSTRUCTION
 EASEMENT
 (THIS EXHIBIT)
 CONTAINING
 0.013 AC +/-



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

P:\09-128\AutoCAD\Easements\5100-Temp Construction Easement-2.dwg

Ferber Engineering Company, Inc.
 Civil Engineering • Water Resources • Transportation • Land Surveying • GIS
 729 East Waterman St, Rapid City, SD 57701 • Phone: (605) 343-3313

EXHIBIT A

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

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

WEN
1-21-10

STATE OF SOUTH DAKOTA)
) SS. **TEMPORARY CONSTRUCTION**
COUNTY OF PENNINGTON) **EASEMENT**

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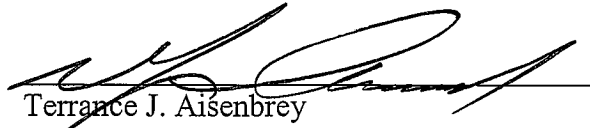
A portion of North Lot, less right of way, Block Three (3), Cleghorn Canyon No. 2 located in the Northeast Quarter of the Southwest Quarter (NE¼SW¼) of Section Eight (8), Township One North (T1N), Range Seven East (R7E) of the Black Hills Meridian, Rapid City, Pennington County, South Dakota, as more fully described on Exhibit "A", attached hereto and incorporated herein by reference.

This easement shall include the right to enter upon the easement property for the purpose of constructing the project entitled, "Jackson Springs Water Treatment Plant, Project No. W07-1689."

The City shall perform all work in a workmanlike manner and shall leave the property in as good condition as existed prior to entry thereon. However, the City will not be responsible for repairing or replacing any structures or improvements that are placed in the temporary easement after the effective date of the easement.

This Temporary Easement shall be effective from the date of signing to July 31, 2012.

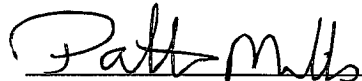
Dated this 28th day of July, 2010.


Terrance J. Aisenbrey

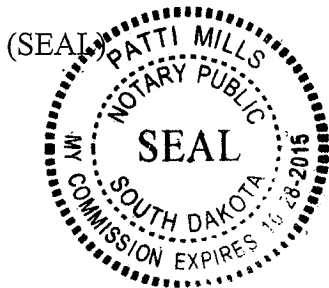
State of South Dakota)
 SS.
County of Pennington)

On this the 28th day of July, 2010, before me, the undersigned officer, personally appeared Terrance J. Aisenbrey, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that he executed 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: 10/28/2015



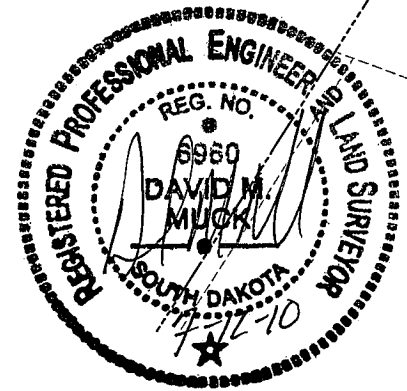
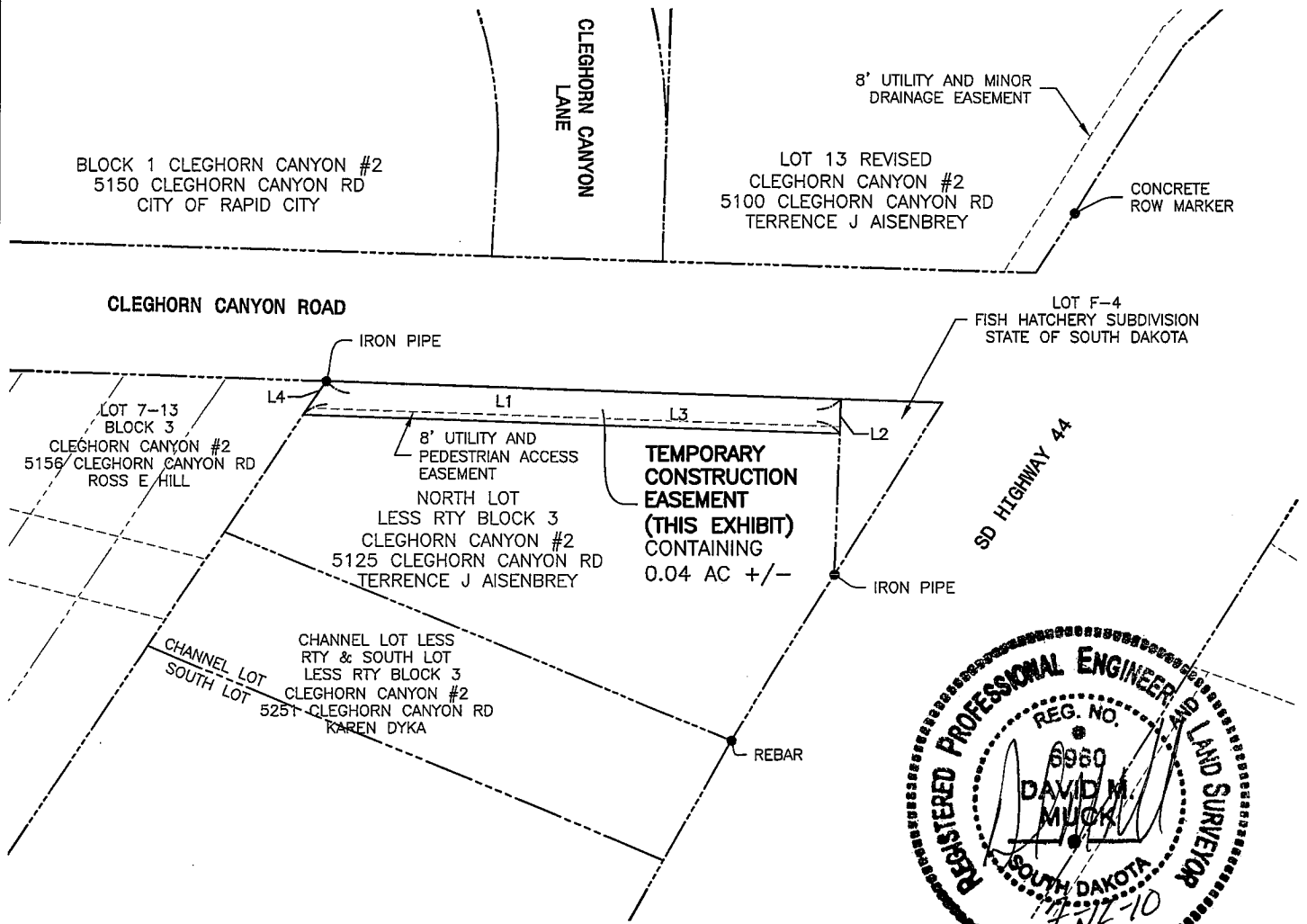
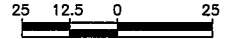
TEMPORARY CONSTRUCTION EASEMENT
 NORTH LOT LESS RIGHT-OF-WAY
 BLOCK 3 OF CLEGHORN CANYON #2
 LOCATED IN THE NE 1/4 SW 1/4 OF SECTION 8, T1N, R7E OF THE BHM
 PENNINGTON COUNTY, SOUTH DAKOTA



LEGEND

- FOUND MONUMENT
- TEMPORARY CONSTRUCTION EASEMENT
- PROPERTY LINE

LINE TABLE		
LINE #	DIRECTION	L (FT)
L1	S88°06'10"E	149.42
L2	S01°53'50"W	10.00
L3	N88°06'10"W	155.65
L4	N33°48'09"E	11.78



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

P:\09-128\AutoCAD\Easements\5251-Temp Construction Easement.dwg

FEC
Ferber Engineering Company, Inc.
 Civil Engineering • Water Resources • Transportation • Land Surveying • GIS
 729 East Watertown St., Rapid City, SD 57701 • Phone: (605) 343-3311

EXHIBIT A

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

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

WEN
 1-15-10

STATE OF SOUTH DAKOTA)
) SS. **PERMANENT DRAINAGE**
 COUNTY OF PENNINGTON) **EASEMENT**

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, ROSS EDWIN HILL and ANGIE HILL, husband and wife, of 18586 U.S. Highway 83, Onida, South Dakota, 57564, Grantors, hereby grant to the CITY OF RAPID CITY, a municipal corporation, Grantee, of 300 Sixth Street, Rapid City, South Dakota, 57701, a permanent drainage easement, subject to the conditions hereinafter set forth, in, on, over, under, and across the following described property:

A portion of Lots Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), and Thirteen (13), Block Three (3) of Cleghorn Canyon No. 2 located in the Northeast Quarter of the Southwest Quarter (NE¼SW¼) of Section Eight (8), 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.

Such easement shall include the right to construct, operate, maintain, inspect, and repair drainage structures upon said property.

The property which is the subject of this easement shall be kept free of all obstructions including but not limited to buildings, walls, fences, hedges, trees, and shrubs.

This easement grants to all public authorities the right to enter upon the aforescribed real property and otherwise to do those things reasonably necessary to effectuate its purpose.

DATED this 17 day of Sept, 2010.

Ross Hill
Ross Edwin Hill

Angie Hill
Angie Hill

State of South Dakota)
 SS.
County of Sully)

On this the 17 day of Sept, 2010, before me, the undersigned officer, personally appeared Ross Edwin Hill and Angie Hill, husband and wife, known to me or satisfactorily proven to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

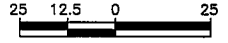
IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Patty McGee
Notary Public, South Dakota

My Commission Expires:

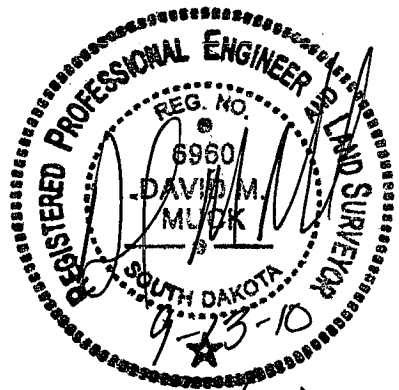
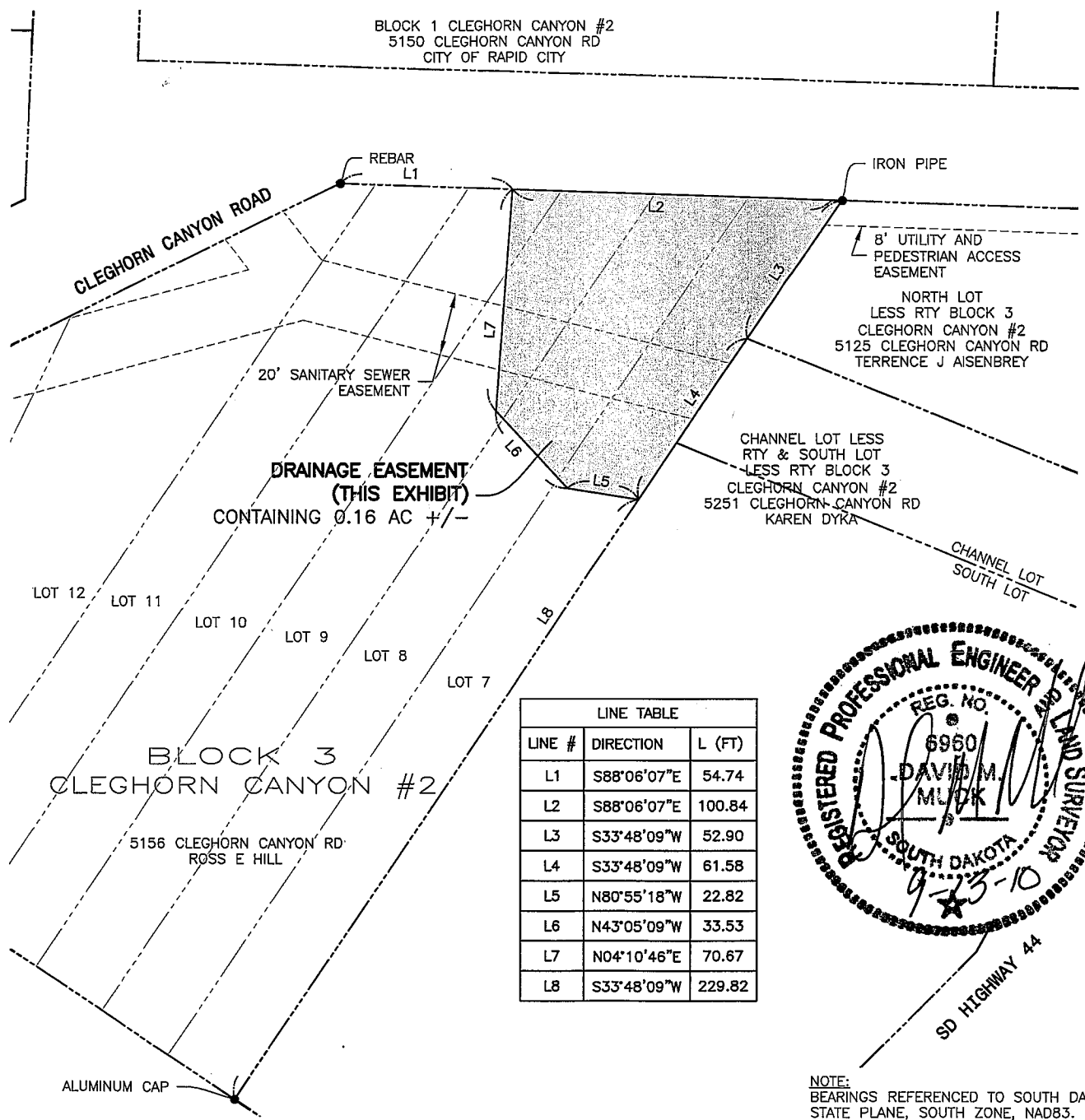
(SEAL)
Seal of the County Auditor
Sully County, South Dakota
Patty McGee, Auditor
No Commission

DRAINAGE EASEMENT
LOTS 7, 8, 9, 10, 11, 12 AND 13 BLOCK 3
OF CLEGHORN CANYON NO. 2
 LOCATED IN THE NE 1/4 SW 1/4 OF SECTION 8, T1N, R7E OF THE BHM
 PENNINGTON COUNTY, SOUTH DAKOTA



LEGEND

- FOUND MONUMENT
- DRAINAGE EASEMENT
- PROPERTY LINE



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

P:\09-128\AutoCAD\Easements\5156-DRAINAGE EASEMENT.dwg

Ferber Engineering Company, Inc.
 Civil Engineering • Water Resources • Transportation • Land Surveying • GIS
 729 East Watertown St., Rapid City, SD 57701 • Phone: (605) 343-3111

EXHIBIT A

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

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

7/21/10

STATE OF SOUTH DAKOTA)
) SS. **TEMPORARY CONSTRUCTION**
COUNTY OF PENNINGTON) **EASEMENT**

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, ROSS EDWIN HILL and ANGIE HILL, husband and wife, of 18586 U.S. Highway 83, Onida, South Dakota, 57564, Grantors, hereby grant to the CITY OF RAPID CITY, a South Dakota municipality, of 300 Sixth Street, Rapid City, South Dakota, 57701, its agents, employees, and contractors, a temporary construction easement over and across the following described real property:

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Dated this 17 day of Sept, 2010.

Ross Hill
Ross Edwin Hill

Angie Hill
Angie Hill

State of South Dakota)
 SS.
County of Sully)

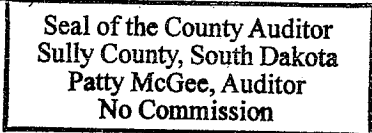
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IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Patty McGee
Notary Public, South Dakota
Sully County Auditor

My Commission Expires:




(SEAL)

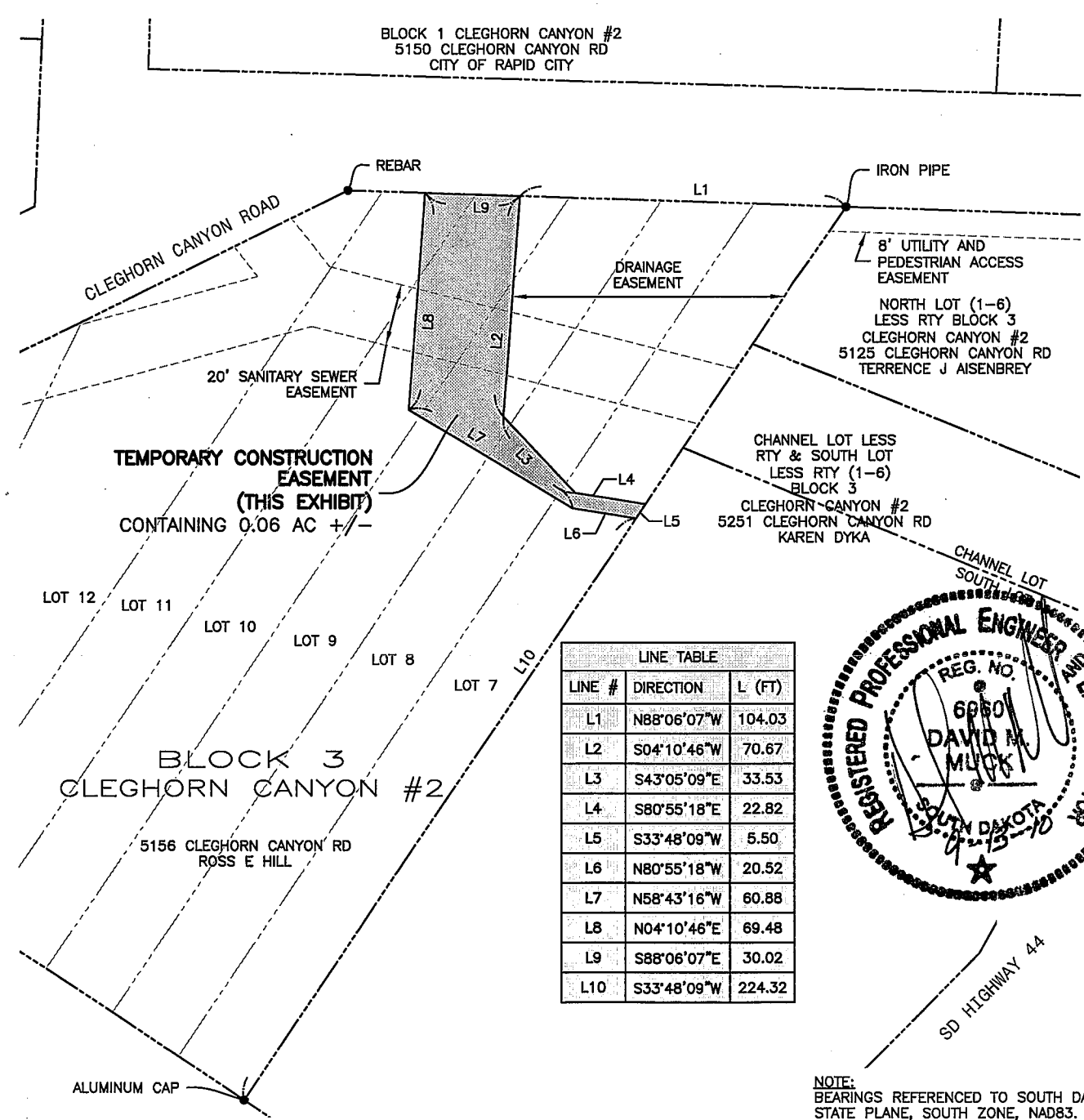
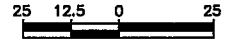


TEMPORARY CONSTRUCTION EASEMENT
 LOTS 7, 8, 9, 10, 11, 12 AND 13 BLOCK 3
 OF CLEGHORN CANYON NO. 2

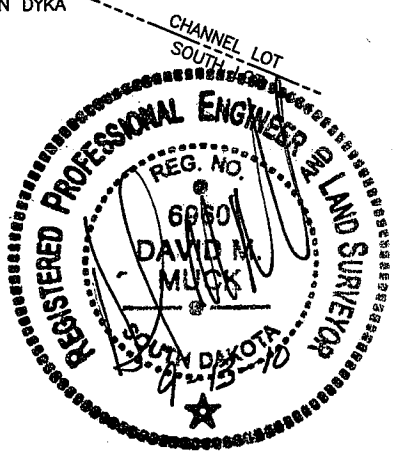
LOCATED IN THE NE 1/4 SW 1/4 OF SECTION 8, T1N, R7E OF THE BHM
 PENNINGTON COUNTY, SOUTH DAKOTA

LEGEND

-  FOUND MONUMENT
-  DRAINAGE EASEMENT
-  PROPERTY LINE



LINE TABLE		
LINE #	DIRECTION	L (FT)
L1	N88°06'07"W	104.03
L2	S04°10'46"W	70.67
L3	S43°05'09"E	33.53
L4	S80°55'18"E	22.82
L5	S33°48'09"W	5.50
L6	N80°55'18"W	20.52
L7	N58°43'16"W	60.88
L8	N04°10'46"E	69.48
L9	S88°06'07"E	30.02
L10	S33°48'09"W	224.32



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

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EXHIBIT A

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