

When recorded return to:
Ulteig Engineers, Inc.
5701 S. Corporate Place
Sioux Falls, SD 57108
(605)323-2306

The Instrument Drafted By:
Qwest Corporation
1801 California St. Suite 5200
Denver, CO 80202
(605)339-5343

RECORDING INFORMATION ABOVE

EASEMENT AGREEMENT

The undersigned **City of Rapid City** (Grantor), for and in consideration of one dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant and convey unto QWEST CORPORATION, a Colorado corporation (Grantee), whose address is 1801 California St., Suite 5200, Denver, CO 80202, and its successors, assigns, affiliates, lessees, licensees, and agents, a perpetual non-exclusive easement to construct, modify, add to, maintain, and remove such telecommunications facilities, electrical facilities and gas facilities, and other appurtenances, from time to time, as Grantee may require upon, over, under and across the following described property situated in the County of Pemington, State of South Dakota, which the Grantor owns or in which Grantor has an interest to wit:

SEE LEGAL AND EASEMENT DESCRIPTION ON PAGE THREE FOR EXHIBIT A ATTACHED
 HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

Grantor further conveys to Grantee the right of ingress and egress to and from the Easement Area during all periods of construction, maintenance, installation, reinforcement, repair and removal over and across Grantor's lands with the right to clear and keep cleared all trees and other obstructions as may be necessary for Grantee's use and enjoyment of the Easement Area.

Grantee shall indemnify Grantor for all damages caused to Grantor as a result of Grantee's negligent exercise of the rights and privileges herein granted. Grantee shall have no responsibility for environmental contamination, which is either pre-existing or not caused by Grantee.

Grantor reserves the right to occupy, use and cultivate the Easement Area for all purposes not inconsistent with the rights herein granted.

Grantor covenants that Grantor is the fee simple owner of the Easement Area or has an interest in the Easement Area. Grantor will warrant and defend title to the Easement Area against all claims.

Grantor hereby covenants that no excavation, structure or obstruction will be constructed, or permitted on the Easement Area and no change will be made by grading or otherwise that would adversely affect Grantee's use and enjoyment of the Easement Area.

The rights, conditions and provisions of this Agreement shall run with the land and shall inure to the benefit of and be binding upon Grantor and Grantee and their respective successors and assigns.

R/W # _____

Initials _____

Dated this _____ day of _____, 2010.

City of Rapid City

By _____
Its Mayor

By _____
Its City Clerk

STATE OF SOUTH DAKOTA }
 }ss
COUNTY OF PENNINGTON }

This _____ day of _____, 2010, before me, the undersigned officer, a Notary Public in and for the State of South Dakota, personally appeared _____ and _____ to me personally known, and who, being by me duly sworn, did say that they are the **Mayor** and **City Clerk**, respectively, of the City of Rapid City, South Dakota; that the seal affixed to the foregoing instrument is the corporate seal of the municipal corporation, and that the instrument was signed and sealed on behalf of the municipal corporation, by authority of its City Council; and that _____ and _____ acknowledged the execution of the instrument to be their voluntary act and deed of said municipal corporation, by it and them voluntarily executed.

Witness My Hand and Official Seal

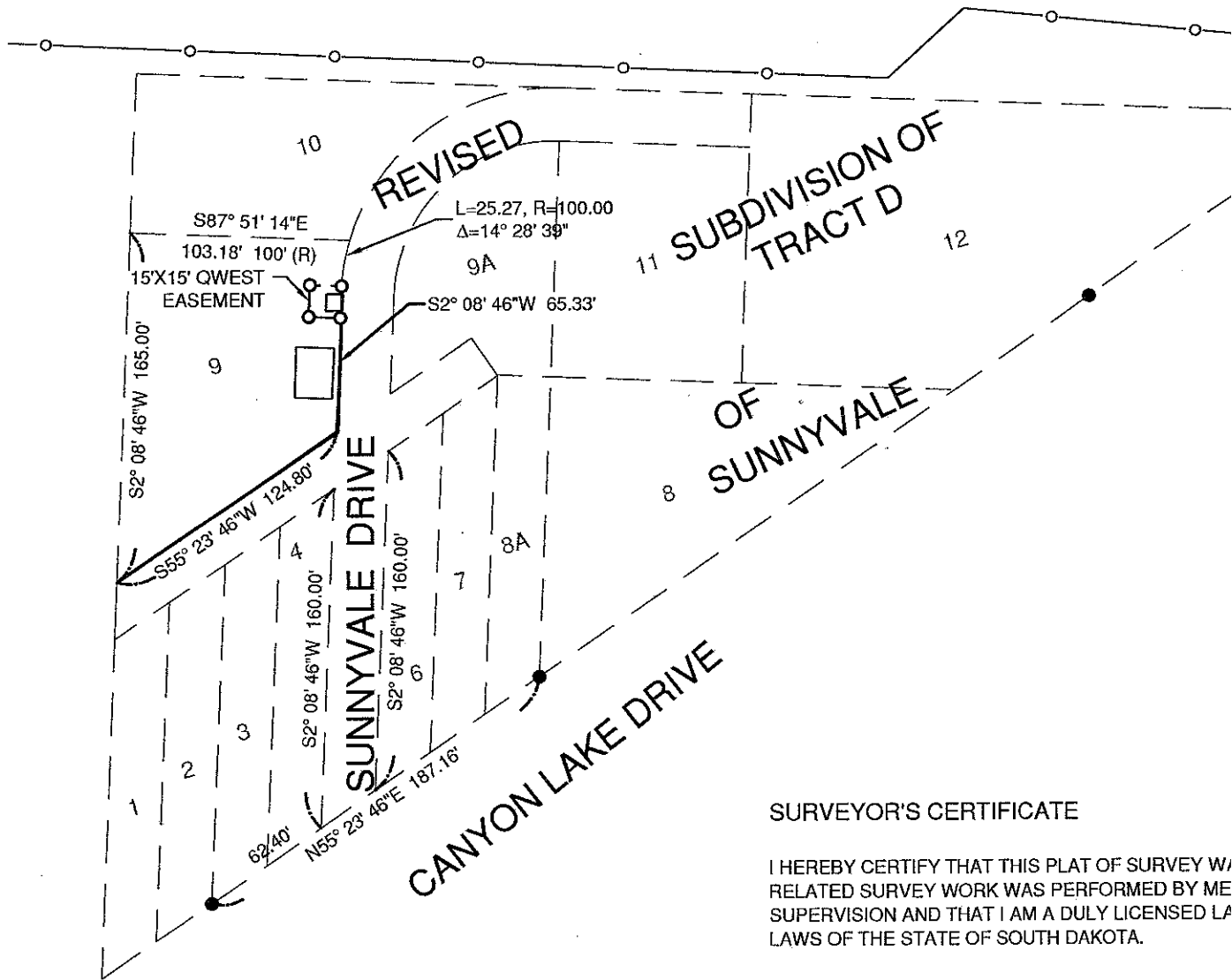
Notary Public
My commission expires: _____

R/W # _____ Job # 01T16YB

Exchange Rapid City County Pennington

1/4 Section SE Section 4 Township 1 N Range 7E BHM

EASEMENT
QWEST JOB
CITY OF F
PENNINGTON COU



SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT OF SURVEY WITH RELATED SURVEY WORK WAS PERFORMED BY ME UNDER MY SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF SOUTH DAKOTA.

ERIC D. MEYER

DATE

SOUTH DAKOTA LICENSE NUMBER 9592

(THIS PAGE ONLY IS COVERED BY THIS SEAL)



Sioux Falls - Bismarck - Denver - Detroit Lakes - Fargo - Minneapolis
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Web: www.ulteig.com

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