

AGREEMENT FOR VOLUNTARY RIGHT OF WAY DONATION

PROJECT NO: P1774(04) PCN: 02SE COUNTY/CITY: Rapid City PARCEL NO: E19

This Agreement is made and entered into by and between the County/City of Rapid City acting by and through its County/City Commission, hereinafter referred to as "COUNTY/CITY," and John Ashley, whose postal address is 4291 Rosemary Lane Rapid City, SD 57102-6903, hereinafter referred to as "DONOR";

WHEREAS, COUNTY/CITY needs the following easements for construction, operation, and maintenance of a highway:

Perpetual Easement: _____

Temporary Easement: Construction Easement in lots 14, 15, 16, 17, the west 32 Feet of Lot 18, Block 10, Schnasse Addition, N 1/2, SW 1/4, SEC 31, T2N, R9E, BLACK HILLS MERIDIAN as SHOWN IN EXHIBIT A.

NOW, THEREFORE, DONOR and COUNTY/CITY hereby agree as follows:

1. DONOR does hereby voluntarily grant and donate to COUNTY/CITY, for and in consideration of ~~One Dollar (\$1.00)~~ and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged by DONOR, the above described easements as shown on the plans for construction of the above cited Project. Five hundred Dollars (\$500.00)

Stipulations of conditional donation: _____

2. DONOR understands DONOR'S right to have an appraisal prepared and DONOR'S right to receive just compensation for the above described perpetual and/or temporary easement in accordance with the Uniform Relocation Assessment and Real Property Acquisition Act of 1970, as amended.

3. DONOR shall not erect fences, structures, or obstacles within the perpetual easement.

4. DONOR grants permission to COUNTY/CITY or COUNTY'S/CITY'S agent to enter upon above described easement upon approval of this Agreement.

5. The perpetual easement shall be in effect until the highway is abandoned by the proper action of the COUNTY/CITY Commission and the temporary easement shall be in effect until one (1) year after construction of the Project is completed.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on this _____ day of _____ in the year _____.

Donor _____ County/City of _____

By: John W. Ashley "owner" By: _____

Name: John W. Ashley Its: County Commission Chairperson/
City Mayor

By: _____ Attest: _____

Name: _____

County Auditor/City Finance Officer

[County/City Seal]

DONOR ACKNOWLEDGMENT

STATE OF SD)
) ss
COUNTY OF Meade)

On this the 30th day of July in the year of 2012, before me, Becky Portlock, a Notary Public, within and for said County and State, personally appeared John Ashley

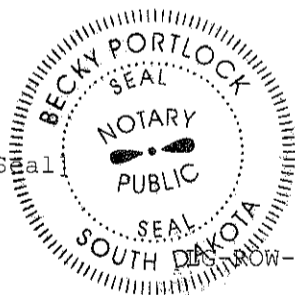
_____ known to me to be the person(s) described in and who executed the foregoing instrument and acknowledged to me that he/she/they executed the same for the purposes therein stated.

In witness whereof I hereunto set my hand and official seal.

Becky Portlock
Notary Public

[Notary Seal]

My Commission Expires: May 20, 2017



RECORD OF CALLS/VISITS AND DISCUSSION RECORD
TO ACCOMPANY DONATION FORM LG-ROW-1

PROJECT NO: P1774(04) PCN: 02SE COUNTY/CITY: Rapid City
LANDOWNER: John Ashley

NAME OF NEGOTIATOR: Todd Peckosh
TITLE: Project Manager

The following document(s) was/were shown and/or explained to the Landowner:

Construction Plan Sheet Right of Way Document(s) Right of Way Brochures Other

Call/Visit Number: 1
Time: AM/PM Date: 7/13/2012
Visit Location:
List people present during meeting:

Notes of the Discussion: MAILED Documents to owner at 4291 Rosemary Lane, Rapid city 57702. Certified Mail with Read Receipt

Call/Visit Number: 2
Time: 8:00 AM PM Date: 7/23/12
Visit Location: ~~520~~ 520 E North Street
List people present during meeting: John Ashley (owner), Mike Mahoney & Sara Odden (KLJ)

Notes of the Discussion: Mike described project timeline and work and purpose of easement. John purchased from Pat Vidal thru contract for deed and was told by pat to get money for easement John will contact Todd Peckosh (city) to discuss and contact Sara to sign documents.

Call/Visit Number: 3
Time: AM/PM Date: 7/30/12
Visit Location: KLJ
List people present during meeting: John Ashley, Becky Portlock (KLJ)

Notes of the Discussion: Owner agreed to easement depicted and executed the document

Call/Visit Number: 4
Time: AM/PM Date:
Visit Location:
List people present during meeting:

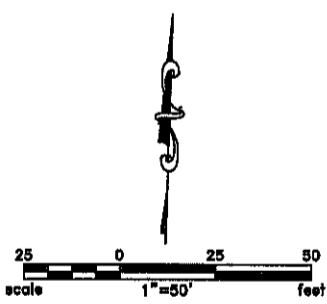
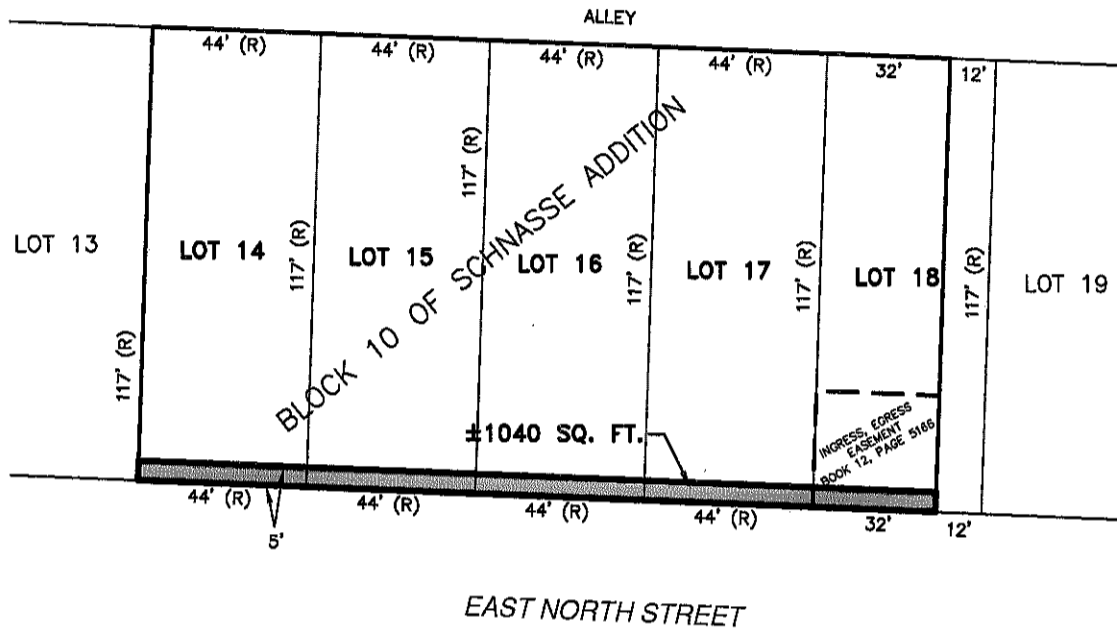
Notes of the Discussion:

Note: Please indicate in the Notes of Discussion, any agreement made as part of the donation, such as an additional approach, a load of gravel, etc.

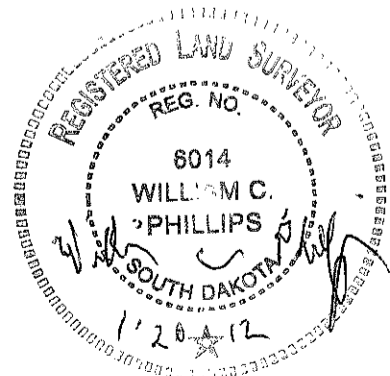
EXHIBIT A

5' WIDE TEMPORARY CONSTRUCTION EASEMENT

LOCATED IN LOTS 14, 15, 16, 17 & THE WEST 32 FEET OF LOT 18 IN BLOCK 10 OF SCHNASSE ADDITION TO THE CITY OF RAPID CITY IN THE N1/2 OF THE SW1/4 OF SECTION 31, TOWNSHIP 2 NORTH, RANGE 8 EAST OF THE BLACK HILLS MERIDIAN RAPID CITY, PENNINGTON COUNTY, SOUTH DAKOTA



I, WILLIAM C. PHILLIPS, PROFESSIONAL LAND SURVEYOR, S.D. NO. 6014, DO HEREBY CERTIFY THAT THE EASEMENT LOCATION SHOWN HEREON WAS MADE BY ME, OR UNDER MY DIRECTION, FROM NOTES MADE IN THE FIELD AND RECORD DOCUMENTS, THE SAME IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



(R) RECORD DIMENSION PER PLAT BOOK NO. 1, PAGE 3.

TEMPORARY CONSTRUCTION EASEMENT

PREPARED BY:
 KADRMAS, LEE & JACKSON, INC.
 330 KNOLLWOOD DRIVE
 RAPID CITY, SD 57701-6611
 (605) 721-5553

Kadmas
Lee &
Jackson
 Engineers Surveyors
 Planners