

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

STATE OF SOUTH DAKOTA)
) SS. PERMANENT ACCESS AND UTILITY
 COUNTY OF PENNINGTON) EASEMENT

FOR AND IN CONSIDERATION of the sum of Fifty-Six Thousand Dollars (\$56,000), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, G & G Investments, LLP, Grantor, of 3118 Glenwood Drive, Rapid City, South Dakota 57702, hereby grants to the City of Rapid City, of 300 Sixth Street, Rapid City, South Dakota, 57701, a permanent access and utility easement in, on, under, and across the following described property:

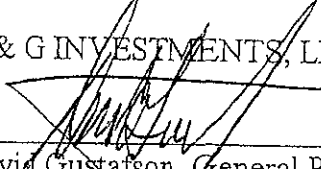
The Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) & the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of Section 34, of Township Two North (T2N), Range Eight East (R8E), of the Black Hills Meridian, Rapid City, Pennington County, State of South Dakota, consisting of 11.21 acres, more or less, as shown on Exhibit "A" which has been attached hereto and incorporated herein by this reference.

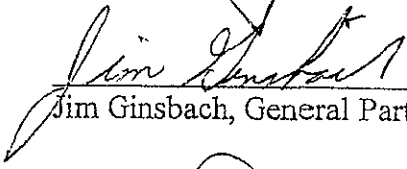
Such easement shall include the right to enter upon the easement property to construct, install, operate, inspect, maintain, and repair a high and low pressure water reservoir and all related appurtenant facilities upon said property, including all pipes and mains needed to bring water from the Elk Vale Road right-of-way to the reservoir site. The access easement shall follow the current gravel road located on the property unless the parties agree in the future to a

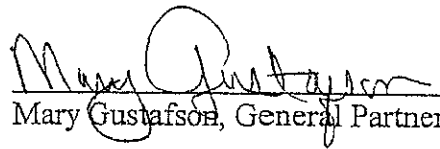
different location pursuant to the terms of the Covenant Agreement they have previously entered into. The City shall perform all work in a workmanlike manner. This easement includes the right to enter upon the above described real property and otherwise to do those things reasonably necessary to effectuate its purpose. The City may also fence in the area of the reservoir site.

DATED this 4 day of February, 2008.

G & G INVESTMENTS, LLP


David Gustafson, General Partner

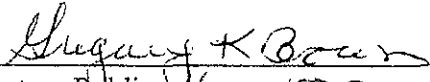

Jim Ginsbach, General Partner


Mary Gustafson, General Partner

STATE OF SOUTH DAKOTA)
) ss.
COUNTY OF PENNINGTON)

On this the 26th day of February, 2008, before me, the undersigned officer, personally appeared David Gustafson, 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.

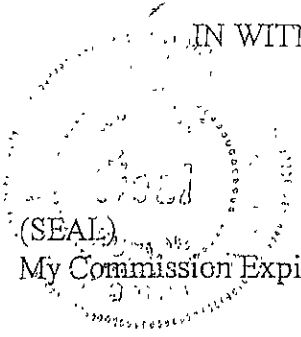

Notary Public May 15, 2012

(SEAL)
My Commission Expires:


STATE OF SOUTH DAKOTA)
) ss.
COUNTY OF PENNINGTON)

On this the 26th day of February, 2008, before me, the undersigned officer, personally appeared Jim Ginsbach, 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.



Megany K Brown
Notary Public May 15, 2012

(SEAL)
My Commission Expires:

STATE OF SOUTH DAKOTA)
) ss.
COUNTY OF PENNINGTON)

On this the 4 day of March, 2008, before me, the undersigned officer, personally appeared Mary Gustafson, 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.

C. Jenee Dedi
Notary Public

(SEAL)
My Commission Expires:

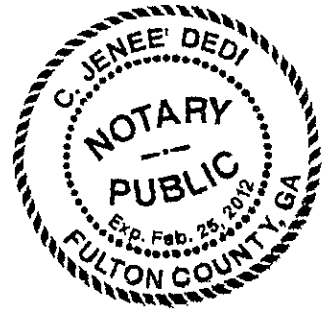
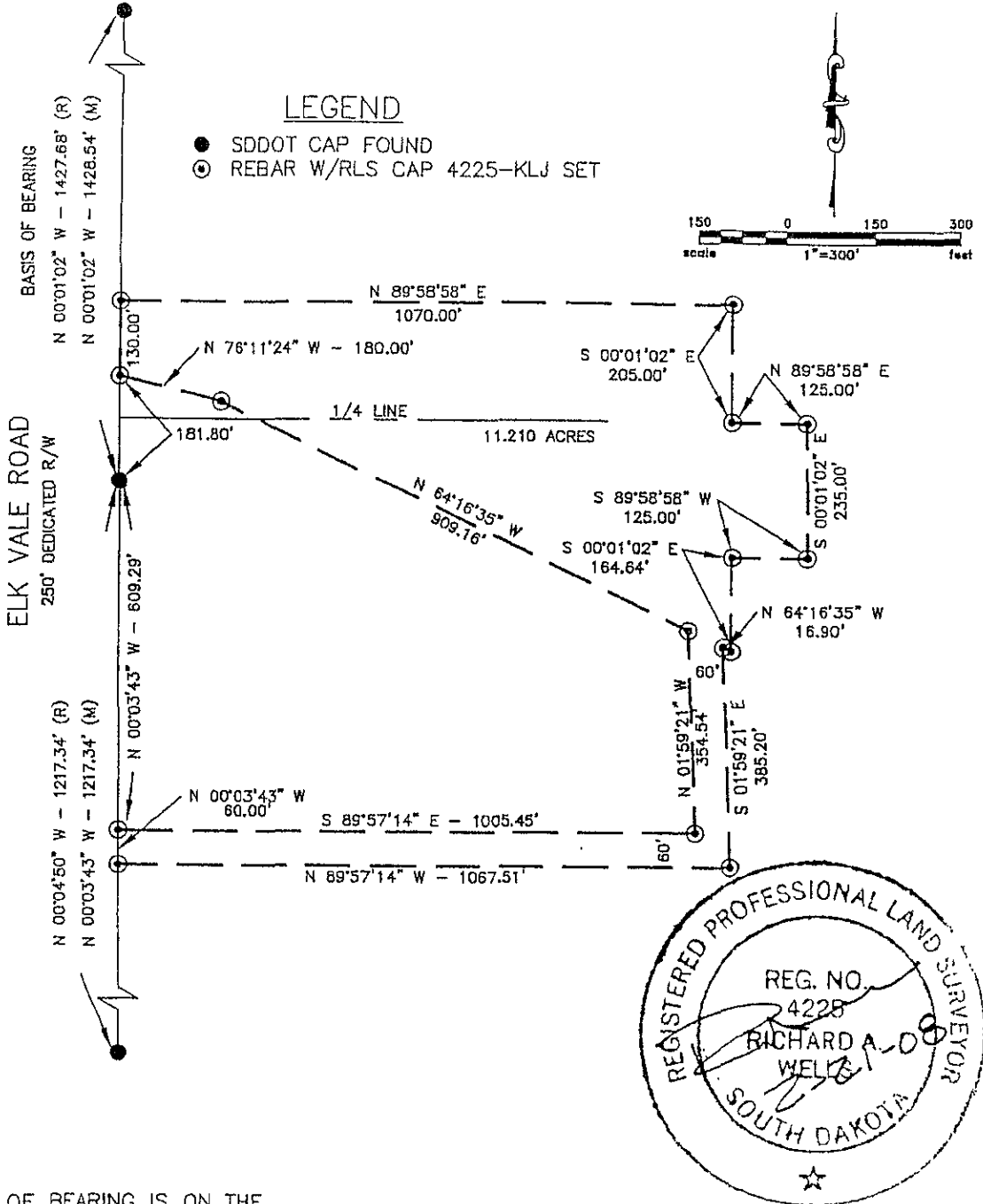




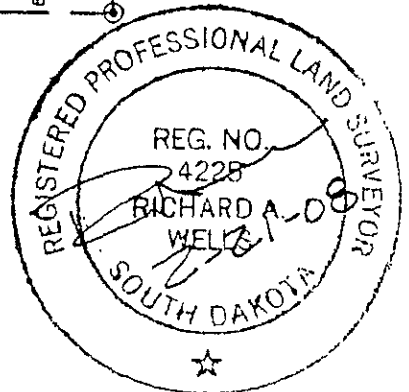
EXHIBIT A
UTILITY EASEMENT

LOCATED IN THE SW1/4 NW1/4 & NW1/4 SW1/4 OF SECTION 34 TOWNSHIP 2 NORTH,
 RANGE 8 EAST OF THE BLACK HILLS MERIDIAN
 RAPID CITY, PENNINGTON COUNTY, SOUTH DAKOTA



BASIS OF BEARING IS ON THE
 EAST LINE OF ELK VALE ROAD
 RIGHT OF WAY (S00°01'02"E)
 AS SHOWN IN BOOK OF PLATS
 9 HWY, PAGE 82 & 125.

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



Kadmas
Lee &
Jackson
 Engineers Surveyors
 Planners