

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, CITY OF RAPID CITY, a municipal corporation, of 300 Sixth Street, Rapid City, South Dakota, 57701, Grantor, hereby grants to the CITY OF RAPID CITY, 300 Sixth Street, Rapid City, South Dakota, 57701, and RAPID VALLEY SANITARY DISTRICT & WATER SERVICE COMPANY, 3201 School Drive, Rapid City, South Dakota, 57703, the Grantees, a perpetual 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 fifty feet (50') in width located north of the quarter section line on, over, under, and across the South Half of the Southeast Quarter of the Northwest Quarter (S½SE¼NW¼), less Lot H1, of Section Nine (9), Township One North (T1N), Range Eight East (R8E) of the Black Hills Meridian, Pennington County, South Dakota , as shown on Exhibit "A", attached hereto.

Such easement shall include the right to enter upon the easement property to construct, install, operate, inspect, maintain, and repair public water and sewer mains 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 \_\_\_\_\_, 2001.

CITY OF RAPID CITY

By: \_\_\_\_\_  
Jerry Munson, Mayor

ATTEST:

\_\_\_\_\_  
Finance Officer

(SEAL)

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

On this the \_\_\_\_\_ of \_\_\_\_\_, 2001, before me, the undersigned officer, personally appeared Jerry Munson and James F. Preston, who acknowledged themselves to be the Mayor and Finance Officer, respectively, of the City of Rapid City, a municipal corporation, and that they as such Mayor and Finance Officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the City of Rapid City by themselves as Mayor and Finance Officer.

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

\_\_\_\_\_  
Notary Public, South Dakota

My Commission Expires:

(SEAL)

Prepared By: CITY ATTORNEY'S OFFICE