

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

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, of 300 Sixth Street, Rapid City, South Dakota, 57701, Grantor, hereby grants to MONTANA-DAKOTA UTILITIES CO., a division of MDU Resources Group, Inc., of 718 Steele Street, Rapid City, South Dakota, 57701, the Grantee, a perpetual utility 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 16 ft wide strip of land located 10 ft west of the existing water line, and adjoin to the west edge of the existing utility easement located along the west side of Elk Vale Rd in Lot 1, Blk 1, along the I-90 Heartland Business Park, located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28, T-2N., R-8E. Rapid City, 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 natural gas distribution 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.

