

RIGHT OF WAY AGREEMENT (CITY/COUNTY)

Project No. IM-NH 90-2(39)61 PCEMS No. 1939 Parcel No. 2
County Pennington

This AGREEMENT for highway right of way and facilities entered into by the undersigned hereinafter referred to as Grantor, to the City of Rapid City South Dakota, hereinafter referred to as Grantee, witnesseth:

WHEREAS, the Grantee contemplates the construction, operation and maintenance of highway facilities on the above described project, as described by plans; and;

WHEREAS, a portion of the right of way for such highway is located over and across the real property hereinafter described as:

Lot H2 in the S1/2 SE1/4 NE1/4 of Section 28, Township 2 North, Range 8 East of the B.H.M. excepting therefrom Tracts 1 and 2 of Discovery Subdivision, City of Rapid City, Pennington County, South Dakota.

Said Lot H2 contains 0.01 acre (356 sq. ft.), more or less.

WHEREAS, the Grantor has this date executed and delivered a Highway Use Deed conveying the above described real property to the Grantee.

NOW, THEREFORE, it is expressly covenanted, agreed and understood by the parties hereto, as follows:

(1) This AGREEMENT shall be in full force and effect until such highway is abandoned by proper action by the Grantee and;

(2) That the following special agreements mutually agreed upon by and between the parties hereto are made a binding part of this AGREEMENT:

