PREPARED BY:

City Attorney's Office 300 Sixth Street Rapid City, SD 57701 (605) 394-4140 3/23/10 MCS

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, the CITY OF RAPID CITY, of 300 Sixth Street, Rapid City, South Dakota, 57701, Grantor, hereby grants to MONTANA-DAKOTA UTILITIES COMPANY, of 400 North Fourth Street, Bismarck, North Dakota, 58501, 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 strip of land twenty feet (20') in width, in, on, over and across Tract Nineteen (19) of Rapid City Greenway Tract located in the East Half (E½) of Section Thirty-five (35) and in the West Half (W½) of Section Thirty-six (36), all in Township Two North (T2N), Range Seven East (R7E) of the Black Hills Meridian, Pennington County, South Dakota, as shown on Exhibit "A", attached hereto and incorporated herein by reference.

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.

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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 aforedescribed real property and otherwise to do those things reasonably necessary to effectuate its purpose.

DATED this	day of	, 2010.
		CITY OF RAPID CITY
		By:Alan Hanks, Mayor
ATTEST:		
Finance Officer		
(SEAL)		
State of South Dakota County of Pennington))ss.)	
personally appeared A Mayor and Finance O and Finance Officer, b	lan Hanks an fficer, respect eing authoriz	, 2007, before me, the undersigned officer, ad James F. Preston, who acknowledged themselves to be the tively, of the City of Rapid City and that he, as such Mayor and so to do, executed the foregoing instrument for the ling as such Mayor and Finance Officer of the City of Rapid
IN WITNESS	WHEREOF,	I hereunto set my hand and official seal.
My Commission Expir	·es:	Notary Public, State of South Dakota
(SEAL)		
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EXHIBIT 'A'

PW033010-09

20' WIDE GAS LINE EASEMENT, TRACT 19 OF THE RAPID CITY GREENWAY TRACT

LOCATED IN THE E1/2 OF SECTION 35 AND IN THE W1/2 OF SECTION 36
ALL IN T2N, R7E, BHM,
RAPID CITY, PENNINGTON COUNTY, SOUTH DAKOTA

