PREPARED BY:

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

)ss.

STATE OF SOUTH DAKOTA
COUNTY OF PENNINGTON

PERMANENT UTILITY EASEMENT

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, a municipal corporation, 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 permanent utility easement in, on, over, under, and across the following described real property:

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 a natural gas distribution line and all necessary related appurtenant facilities upon said property. The Grantee shall perform all work in a workmanlike manner and shall leave the property in as good condition as existed prior to entry thereon.

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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 above described real property and

otherwise to do those things reas	onably necessary to effectuate its purpose.
DATED this day of	, 2011.
	CITY OF RAPID CITY
	By:Alan Hanks, Mayor
ATTEST:	
Finance Officer	
(SEAL)	
State of South Dakota))ss County of Pennington)	-
personally appeared Alan Hanks Mayor and Finance Officer, resp and Finance Officer, being autho	, 2011, before me, the undersigned officer, and Pauline Sumption, who acknowledged themselves to be the ectively, of the City of Rapid City and that he, as such Mayor orized so to do, executed the foregoing instrument for the gning as such Mayor and Finance Officer of the City of Rapid
IN WITNESS WHEREO	F, I hereunto set my hand and official seal.
My Commission Expires:	Notary Public, State of South Dakota
(SEAL)	
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