

DOTRW-71 (8-06)

**PERMANENT EASEMENT FOR DRAINAGE AND UTILITY
PURPOSES**

Project No. P 0044(129)42 PCN No. 00X9 Parcel No. 11
County Pennington

This Easement by and between the State of South Dakota acting by and through its Department of Transportation, 700 E. Broadway Avenue, Pierre, SD 57501 hereinafter referred to as the GRANTEE, and the City of Rapid City, 300 6th Street, Rapid City, SD 57701 hereinafter referred to as the OWNER,
Witnesseth:

WHEREAS the GRANTEE is desirous of constructing and maintaining a drainageway improvement and other utilities, and the OWNER is desirous of cooperating with the GRANTEE in the construction of said drainageway improvement to his mutual benefit upon the following real property hereinafter described as:

Lot PE1 in Tract 10A of Rapid City Greenway Tracts in the City of Rapid City, Pennington County, South Dakota.

Said Lot PE1 contains 0.07 acre (2947 sq. ft.), more or less.

DOTRW-71.1 (4-02)

NOW, THEREFORE, in total consideration of \$ one dollar (1.00) for easements, improvements and damages, the OWNER hereby grants to the GRANTEE a Perpetual Easement for drainage and other utility purposes, and for the maintenance of said drainageway improvement, in accordance with the project plans and specifications now on file. The GRANTEE may use all necessary easement area upon said real estate for the proper construction of said drainage improvement.

The OWNER grants permission to the GRANTEE, its agents, representatives, assigns, or any Contractor employed by the GRANTEE to enter upon the above described premises and make upon such premises such changes as are found necessary for the proper construction and maintenance thereof. It is agreed and understood that all the areas used shall be sloped, graded and restored as is practicable in the construction of said drainage improvement and left in a neat and workmanlike manner.

THE OWNER, his heirs, successors, or his assigns shall not interfere with or disturb the construction work within the easement area without express approval of the GRANTEE.

THE FOLLOWING AGREEMENTS mutually agreed upon by and between the parties hereto are made a binding part of this agreement:

The GRANTOR has been advised of the right to an appraisal of GRANTOR'S property and hereby waives any right to such appraisal. The parties agree the total payment for all property interests acquired by the STATE, including land conveyed, temporary easements, damages, improvements, and interest, is one and no/100 dollars (\$ 1.00).

DOTRW-71.2 (4-02)

THE OWNER grants permission to the GRANTEE to enter upon the above described property to commence construction upon signing of this AGREEMENT.

IN WITNESS WHEREOF the OWNER has executed this easement this _____ day of _____, _____.

_____	City of Rapid City	_____	Attest
By: _____		By: _____	
Its: _____		Its: _____	

ACKNOWLEDGMENT

STATE OF _____)
) SS
 COUNTY OF _____)

On this _____ day of _____, in the year _____, before me a Notary Public within and for said County and State, has personally appeared _____, known to me to be the person _____ who _____ described in, and who executed the within instrument and acknowledged to me that _____ he _____ executed the same.

(SEAL)

 Notary Public
 My Commission Expires: _____

Parcel 11

PLAT OF LOT PE1

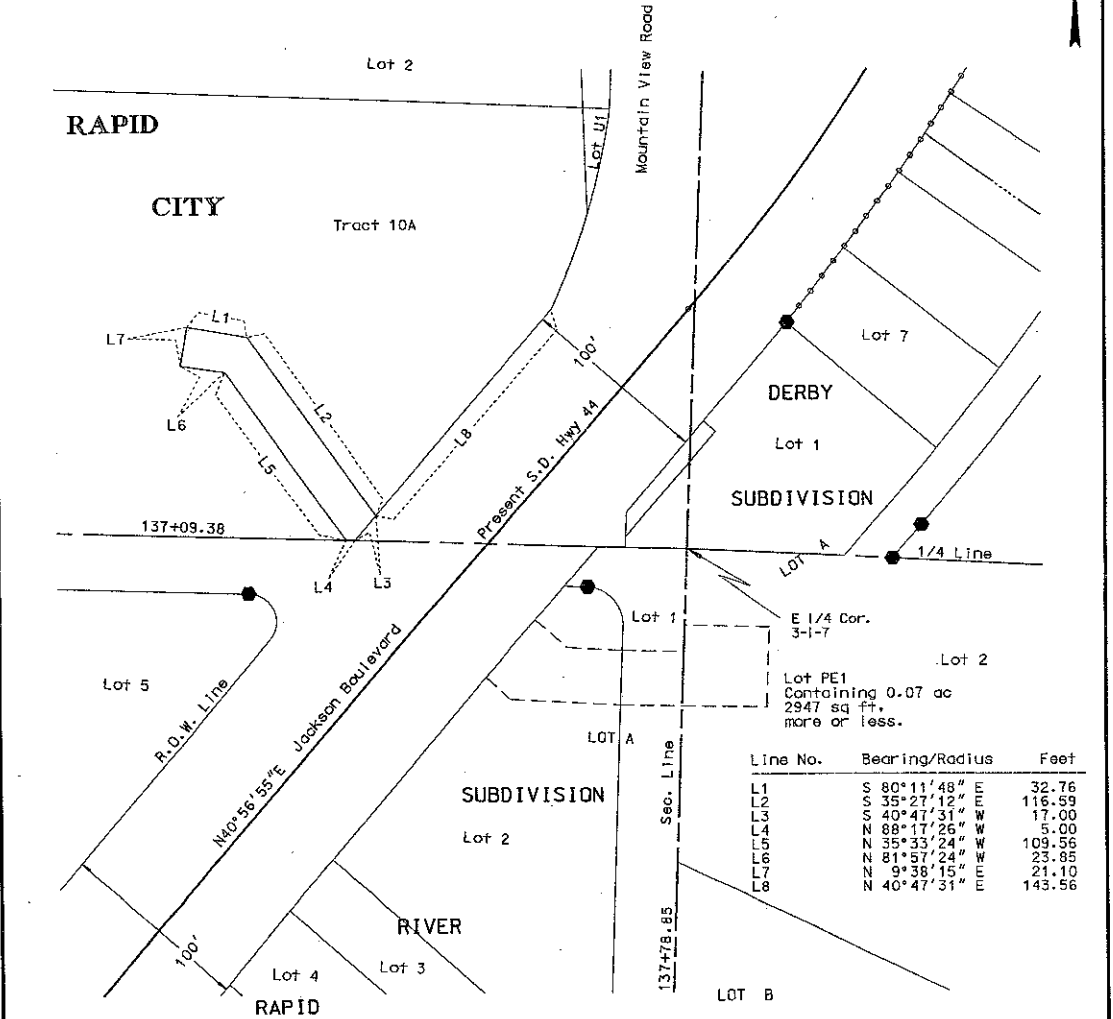
Showing a permanent easement to be acquired for drainage purposes in Tract 10A of Rapid City Greenway Tracts in the City of Rapid City

for construction of Project P 0044(129)42

PENNINGTON COUNTY, SOUTH DAKOTA

Scale: 1 inch = 60 feet

LEGEND
 ● = found corner
 ● = set corner
 All monumentation will be set upon project completion



Line No.	Bearing/Radius	Feet
L1	S 80°11'48" E	32.76
L2	S 35°27'12" E	116.59
L3	S 40°47'31" W	17.00
L4	N 88°17'26" W	5.00
L5	N 35°33'24" W	109.56
L6	N 81°57'24" W	23.85
L7	N 9°38'15" W	21.10
L8	N 40°47'31" W	143.56

Note 1: The coordinates, distances and areas shown on this plat are based on the South Dakota State Plane coordinate System - South Zone NAD 83/96 SF = 0.99978075

Note 2: The bearings shown within the Right of Way lines on this plat denote the Construction Survey Line, which may or may not be the theoretical midpoint between the Right of Way lines or the same as the Section Line when noted hereon.

Revised: 05-18-2011 RAT
 Drawn By Ray A. Trullillo Date 03-23-2010
 Checked By Joseph R. Piper Date 03-29-2010

SURVEYOR'S CERTIFICATE

I, JOSEPH ROY PIPER, Registered Land Surveyor, in and for the State of South Dakota, do hereby certify that as ordered by the South Dakota Department of Transportation the parcel of land as shown on this plat has been surveyed at my direction and under my control, and such parcel of land shall be hereafter known by the lot number designated herein. The location and dimensions of the parcel are shown on this plat.

In witness whereof, I have set my hand and seal this _____ day of _____, A.D., 20____.

Registered Land Surveyor
 Registration No. 7290

OFFICE OF REGISTER OF DEEDS

State of South Dakota
 County of _____ as
 Filed for record the _____ day of _____, A.D., 20____ at _____ M., and recorded in Books of Plats _____ on Page _____ therein.

Register of Deeds by _____ Deputy

00X9

134p2