

AGREEMENT FOR VOLUNTARY RIGHT OF WAY DONATION

PROJECT NO: BRO 8052(56) CITY: Rapid City PARCEL NO: 2 & 2A

This agreement made and entered into this day of , 2013 by and between Rapid City acting by and through the RC Common Council, hereinafter referred to as CITY, and Jay L. Roberts

 , whose postal address is P. O. BOX 229,
BRADWOOD, SOUTH DAKOTA 57732, hereinafter referred to as DONOR.

WHEREAS, CITY needs the following easements for construction, operation and maintenance of a highway:

Right of Way: Lot E1 of Lot La of Lot L in the NE 1/4 SW 1/4 of Section 5, T1N, R8E, S2M. Approximately 12388 square feet more or less as shown on Plat of Lot E1.

Permanent Easement: Lot PE1 of Lot La of Lot L in the NE 1/4 SW 1/4 of Section 5, T1N, R8E, S2M. Approximately 5123 square feet more or less as shown on Plat of Lot PE1.

NOW THEREFORE, DONOR understands his/her right to have an appraisal prepared and his/her right to receive just compensation for the above described perpetual and/or temporary easement in accordance with Title III Public Law 91-646. DONOR does hereby voluntarily donate to CITY the above-described easements as shown on the plans for construction of the above-cited PROJECT.

Stipulations of conditional donation: _____

DONOR agrees that the erection of fences, structures or obstacles within the permanent easement will not be permitted.

DONOR grants permission to CITY or CITY'S agent to enter upon above described easement upon approval of this AGREEMENT.

The permanent easement shall be in effect until the highway is abandoned by proper action of the Rapid City Common Council and the temporary easement shall be in effect until construction of the project is completed.

IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be executed.

Attest: _____
City Finance Officer

By: Jay L Roberts
Donor

By: _____
Mayor

By: _____
Donor

STATE OF South Dakota

COUNTY OF Lawrence

On this 27th day of FEBRUARY in the year of 2013, before me, P L ROBERTS, a Notary Public within and for said County and State, personally appeared JAY L ROBERTS

known to me to be the person(s) described in and who executed the foregoing instrument and acknowledged to me that HE executed the same for the purpose therein stated.

My Commission Expires: 4-24-2014

P L Roberts
Notary Public