

Prepared By: Renner & Associates, LLC
616 Sixth Street
Rapid City, SD 57701
605-721-7310

STATE OF SOUTH DAKOTA)
)ss. “NO-BUILD” EASEMENT
COUNTY OF PENNINGTON)

As consideration for the City approving the variance for side yard setback, good and valuable consideration, the sufficiency of which is hereby acknowledged, John B. Walker and Kitty Walker, 1608 Pevans Parkway, Rapid City, South Dakota, 57701 as owners of real property located at 1616 Pevans Parkway, Rapid City, South Dakota, 57701, hereby grants to the CITY OF RAPID CITY, a municipal corporation, a No-Build Easement in, under, over and across the following described real property:

The property, which is the subject of this “No-Build” Easement, is legally described as:

Lot 7, Block 3 of Skyline Pines Subdivision, located in the SW1/4 of Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, as shown in Exhibit ‘A’.

Whereas the Property Owner also owns property legally described as the Lot 8 of Block 3 of Skyline Pines Subdivision, located in Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, and sought from the Rapid City Zoning Board of Adjustment a variance to reduce the side yard setback to eight (8) feet in lieu of the thirty (30) foot minimum requirement as per Chapter 17.08.040 of the Rapid City Municipal Code for Lot 8, and

Whereas, the Zoning Board of Adjustment in Appeal No. VAR118 granted the variance request on October 1, 2013, pursuant to the stipulation that Property Owner file with the Register of

(SEAL)

DATED this _____ day of _____, 2013.

IN WITNESS WHEREOF, the parties have executed this easement the day and year first above written.

CITY OF RAPID CITY

Mayor Sam Kooiker

ATTEST:

Finance Officer

(SEAL)

STATE OF SOUTH DAKOTA)
)ss.
COUNTY OF PENNINGTON)

On this ____ day of _____, 2013, before me, the undersigned officer, personally appeared Sam Kooiker and Pauline Sumption, who acknowledged themselves to be the Mayor and Finance Officer, respectively, of the City of Rapid City and that he, as such Mayor and Finance Officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing as such Mayor and Finance Officer of the City of Rapid City.

IN WITNESS WHEREOF I hereunto set my hand and official seal.

Notary Public, South Dakota

My Commission Expires: _____

(SEAL)