PREPARED BY: City Attorney's Office 300 Sixth Street Rapid City, SD 57701

(605) 394-4140

RO BIHH

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, a municipal corporation, of 300 Sixth Street, Rapid City, South Dakota, 57701, Grantor, hereby grants to BLACK HILLS POWER, INC., a South Dakota corporation, 625 Ninth Street, P.O. Box 1400, Rapid City, South Dakota, 57709, the Grantee, a twenty foot (20') permanent utility easement in, on, over, under, and across the following described real property:

Tract 4 and the North Twenty-seven feet (N 27') of Vacated Flormann Street of Rapid City Greenway Tracts located in Section Nine (9) and Ten (10), Township One North (T1N), 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.

This easement grants to the Grantee the right to construct, operate, maintain, alter, remove, upgrade, enhance, and replace an electrical power system consisting of buried cables or wires, surface terminals, surface markers, vaults, and all associated equipment, along with the right of ingress and egress therefore, together with the right to cut, trim, or remove any brush, trees,

stumps, or roots where necessary within said easement, to secure a clearance from the conductors.

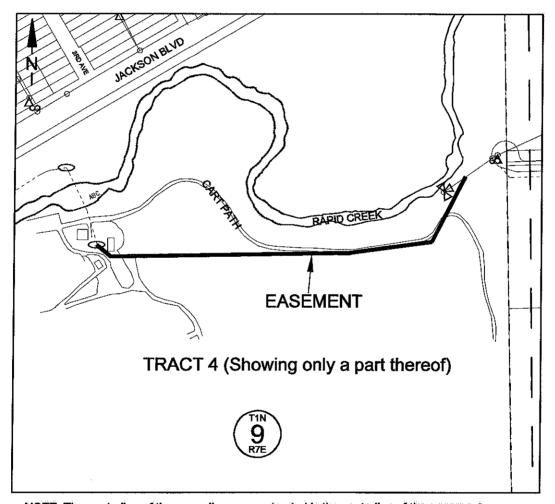
The foregoing easement is granted upon the express condition that Black Hills Power, Inc. will assume liability for any and all injuries or damage caused by the Grantee's failure to use due care in its exercise of the rights granted.

care in its exercise of the	ne rights granted.	
DATED this	day of	, 2014.
	Cľ	TY OF RAPID CITY
	Ву	: Sam Kooiker, Mayor
		Sail Rooker, Mayor
ATTEST:		
Finance Officer		
(SEAL)		
State of South Dakota)	
County of Pennington	ss.)	
personally appeared Sar the Mayor and Finance and that they, as such M	m Kooiker and Pa Officer, respectiv layor and Finance or the purposes the	, 2014, before me, the undersigned officer, auline Sumption, who acknowledged themselves to be vely, of the City of Rapid City, a municipal corporation, e Officer, being authorized so to do, executed the erein contained by signing the name of the City of Rapid e Officer.
IN WITNESS WI	HEREOF I hereur	nto set my hand and official seal.
My Commission Expire	es:	Notary Public, South Dakota
(SEAL)		

EXHIBIT "A"

The real estate referred to is specifically described as follows:

A twenty foot (20') strip of land located in, on, over and across Tract Four (4) and the North Twenty Seven feet (27') of Vacated Flormann Street, of Rapid City Greenway Tracts Located in Section Nine (9) and Ten (10), Township 1 North (T1N), Range Seven East (R7E), Black Hills Meridian, Pennington County South Dakota.



NOTE: The centerline of the powerline as constructed is the centerline of the easement.