

PREPARED BY: City Attorney's Office
300 Sixth Street
Rapid City, SD 57701
(605) 394-4140 *B. 03/04/14*

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 WEST RIVER ELECTRIC ASSOCIATION, INC., a South Dakota corporation, P.O. Box 412, Wall, South Dakota, 57790, the Grantee, a permanent utility easement eight feet (8') in width in, on, over, under, and across the following described real property:

The South Four Hundred Sixty Four and Sixty-Four Hundredths Feet (464.64') of the Southeast Quarter of the Northwest Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$); the South Four Hundred Sixty Four and Sixty-Four Hundredths Feet (464.64') of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) less Lot H1; the East Half of the Southwest Quarter of the Northeast Quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$); and the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) in Section Twenty-one (21), Township Two North (T2N), Range Eight East (R8E) 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 West River Electric Association, 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.

DATED this ____ day of _____, 2014.

CITY OF RAPID CITY

By: _____
Sam Kooiker, Mayor

ATTEST:

Finance Officer

(SEAL)

State of South Dakota)
 ss.
County of Pennington)

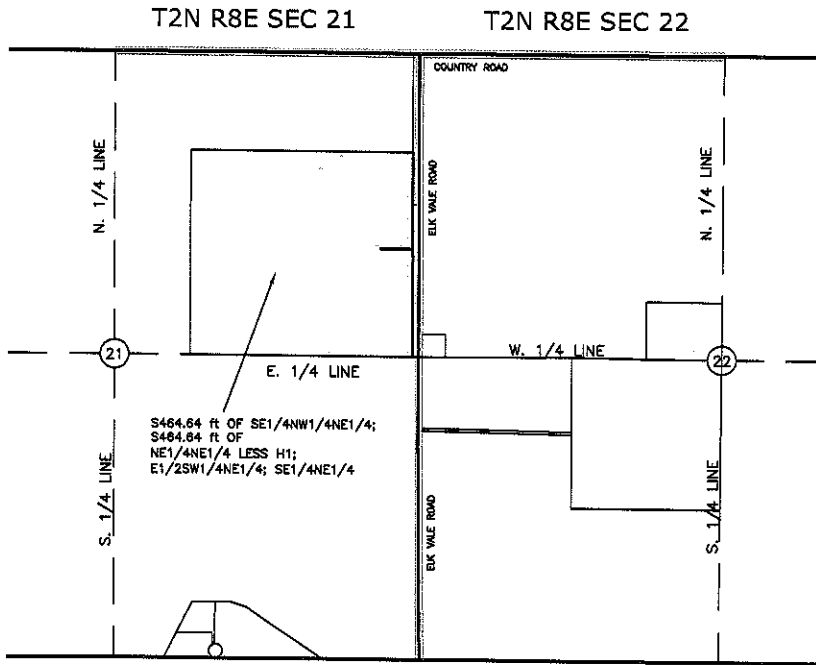
On this the ____ day of _____, 2014, before me, the undersigned officer, personally appeared Sam Kooiker and Pauline Sumption, who acknowledged themselves to be the Mayor and Finance Officer, respectively, of the City of Rapid City, a municipal corporation, and that they, as such Mayor and Finance Officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the City of Rapid City by themselves as Mayor and Finance Officer.

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

Notary Public, South Dakota

My Commission Expires:

(SEAL)



VICINITY MAP

SCALE
1"=1600'

Disclaimer:

The information contained in this document was NOT obtained using a Registered Land Surveyor, therefore its use is for informational purposes only.

March 19, 2014

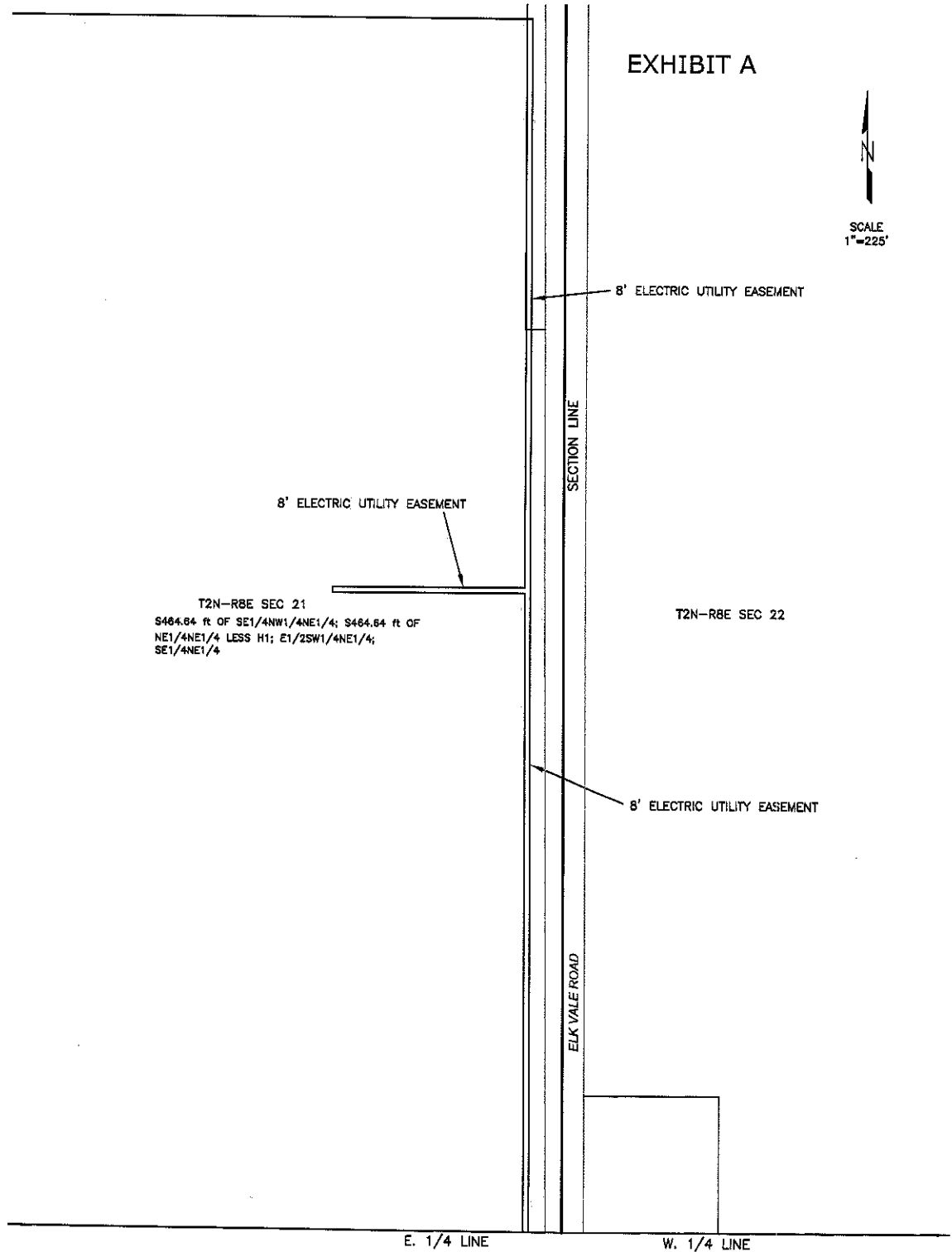


EXHIBIT A

SCALE
1"=225'