

Prepared By: **Robert Usera**  
Black Hills Power, Inc.  
P.O. Box 1400  
Rapid City, SD 57709  
605-721-3200

WO#85182

**RIGHT-OF-WAY PERMIT - OH/UG CORPORATION**

I, or We, City Of Rapid City, in consideration of the sum of \$1.00, receipt of which is hereby acknowledged, hereby grants to BLACK HILLS POWER, INC. having its principal place of business and post office address at 625 Ninth Street, P.O. Box 1400, Rapid City, South Dakota 57709, its successors and assigns, a perpetual right-of-way and easement to construct, operate and maintain, repair, alter, inspect, remove, upgrade, enhance and replace an electrical power system consisting of buried cables or wires, surface terminals, surface markers, transformer pads or vaults, and an electrical power line with poles, wires and associated equipment, and all necessary attachments and appurtenances, with the right of ingress and egress therefor, together with the right to cut, trim, or remove from said right-of-way any brush, trees, stumps, or roots where necessary to secure a clearance from the conductors of at least **10** feet on each side of the center line of said right-of-way. This easement shall run with the land. The centerline of the powerline as constructed is the center line of the easement.

The real estate above referred to is specifically described as follows:

**SEE EXHIBIT "A"**

The foregoing right is granted upon the express condition that Black Hills Power, Inc. will assume liability for all damage to the hereinbefore described property caused by said Black Hills Power, Inc. failure to use due care in its exercise of the granted right.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

CITY OF RAPID CITY

By: \_\_\_\_\_  
Jim Shaw, Mayor

ATTEST:

\_\_\_\_\_  
Finance Officer

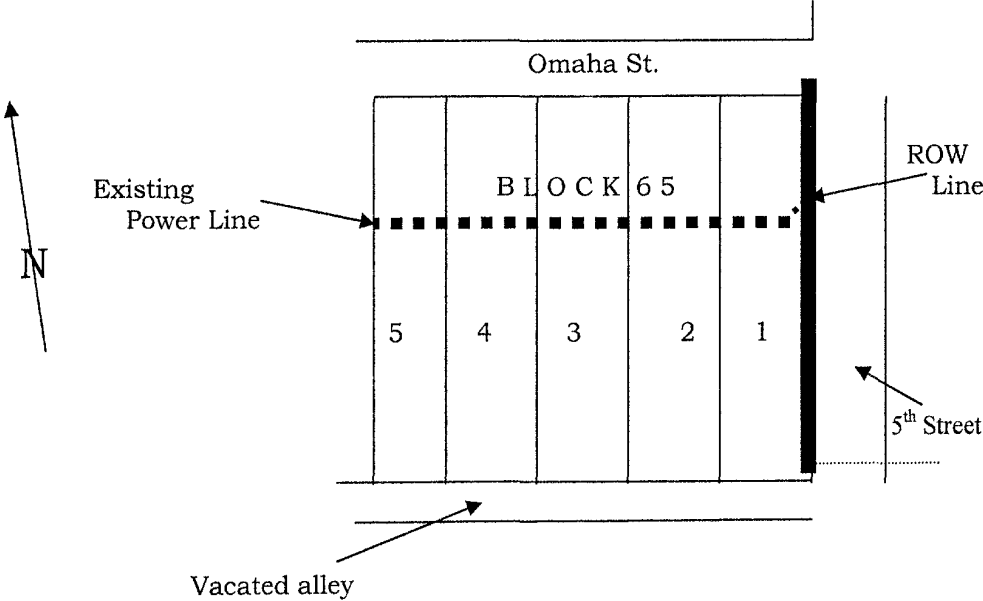
(SEAL)

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EXHIBIT A

Legal Description:

Lots 1 of Block 65 and vacated alley adjacent to said lots of the Original Town of Rapid City Located in the SW ¼ of Section 36, T2N, R7E B.H.M., Pennington County, South Dakota



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

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STATE OF: South Dakota

COUNTY OF: Pennington

On this \_\_\_\_ day of \_\_\_\_\_, 2003, before me, the undersigned officer, personally appeared \_\_\_\_\_ and \_\_\_\_\_, who acknowledged themselves to be the Mayor and Finance Officer, respectively, of the City of Rapid City, a Corporation, and at that they as such officers, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the Corporation by themselves as such officers.

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

My Commission Expires  
(Seal)

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\_\_\_\_\_  
Notary Public