

PREPARED BY: City Attorney's Office
300 Sixth Street
Rapid City, SD 57701
(605) 394-4140

CK
9-12-18

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, 7001 Mount Rushmore Road, Rapid City, South Dakota, 57702, the Grantee, a power pole and anchor easement in, on, over, under, and across the following described real property:

A Portion of Tract 17 of Rapid City Greenway Tracts, Located in the SW1/4 of the SW1/4, of Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, as shown on Exhibit "A", attached hereto and incorporated herein by reference.

This easement grants to the Grantor the right to survey, construct, operate and maintain, repair and replace an electrical power system consisting of buried cables or wires, surface terminals, surface markers, transformer pads or vaults, and associated equipment, with the right of ingress and egress, together with the right to cut, trim, or remove any brush, trees, stumps, or roots where necessary within said easement, to secure a clearance of ten feet (10') 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.

DATED this ____ day of _____, 2018.

CITY OF RAPID CITY

By: _____
Steve Allender, Mayor

ATTEST:

Finance Officer

(SEAL)

State of South Dakota)
 ss.
County of Pennington)

On this the ____ day of _____, 2018, before me, the undersigned officer, personally appeared, Steve Allender 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)

EXHIBIT 'A'

POWER POLE & ANCHOR EASEMENT, TRACT 17 OF RAPID CITY GREENWAY TRACTS

LOCATED IN SW1/4 OF SW1/4 OF SECTION 35, T2N, R7E, BHM,
RAPID CITY, PENNINGTON COUNTY, SOUTH DAKOTA



AUGUST 6, 2018

0 20' 40'

SCALE: 1" = 40'

SECTION 34
SECTION 35

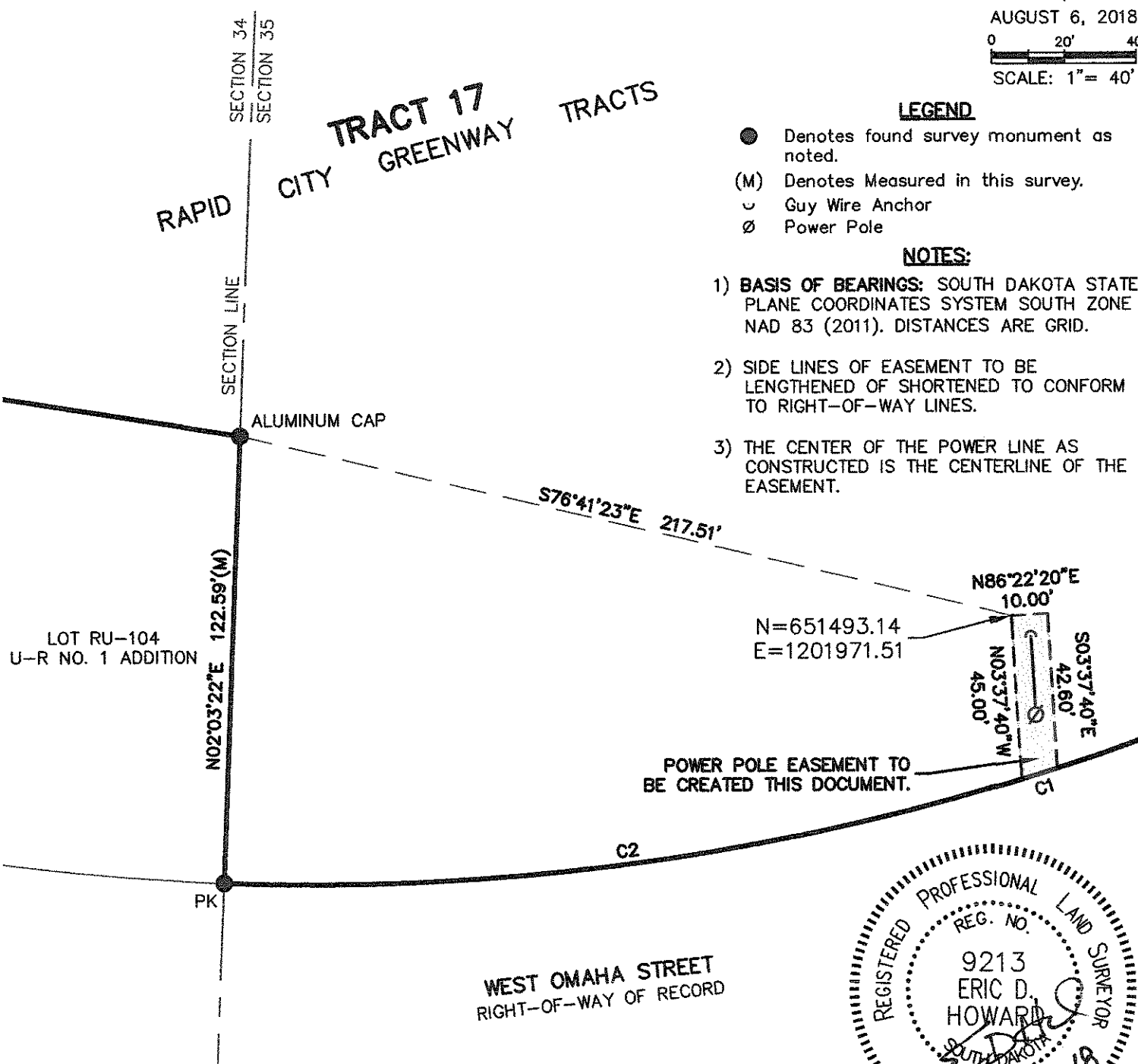
RAPID CITY GREENWAY TRACTS

LEGEND

- Denotes found survey monument as noted.
- (M) Denotes Measured in this survey.
- ∩ Guy Wire Anchor
- ⊘ Power Pole

NOTES:

- 1) **BASIS OF BEARINGS:** SOUTH DAKOTA STATE PLANE COORDINATES SYSTEM SOUTH ZONE NAD 83 (2011). DISTANCES ARE GRID.
- 2) SIDE LINES OF EASEMENT TO BE LENGTHENED OF SHORTENED TO CONFORM TO RIGHT-OF-WAY LINES.
- 3) THE CENTER OF THE POWER LINE AS CONSTRUCTED IS THE CENTERLINE OF THE EASEMENT.

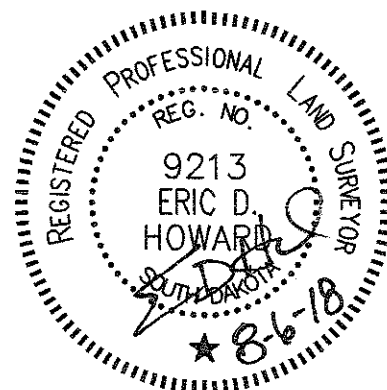


LOT RU-104
U-R NO. 1 ADDITION

N=651493.14
E=1201971.51

POWER POLE EASEMENT TO
BE CREATED THIS DOCUMENT.

WEST OMAHA STREET
RIGHT-OF-WAY OF RECORD



CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	10.29'	666.20'	0°53'04"	S72°51'37"W	10.29'
C2	221.66'	666.20'	19°03'49"	N82°50'04"E	220.64'

RENNER ASSOCIATES, LLC

CIVIL ENGINEERING
LAND SURVEYING

616 SIXTH STREET, RAPID CITY, SD 57701
PH: 605. 721-7310 FX: 605. 721-7313
RENNERASSOC.COM

S:\2503.18 BH ENERGY TRACT 17-PP EASEMENT\2503.18 TRACT 17-PP EASEMENT.dwg 8/6/2018 7:52:25 AM