STATE OF SOUTH DAKOTA     )
COUNTY OF PENNINGTON     )ss.
PENDING UTILITY EASEMENT

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 RUSHMORE ELECTRIC POWER COOPERATIVE, INC., a
South Dakota corporation, of 1715 Cambell Street, Rapid City, South Dakota, 57701, the
Grantee, a permanent utility easement eight feet (8') in width in, on, over, under, and across the
following described real property:

Tract 1 of Shamrock Subdivision, located in Section Five (5), Township One
North (T1N), Range Eight East (R8E) of the Black Hills Meridian, Rapid City,
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 survey, construct, operate and maintain,
repair, alter, inspect, remove, upgrade, enhance and replace an underground fiber optic cable 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.
The foregoing easement is granted upon the express condition that Grantee 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 __________________, 2016.

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 ________________, 2016, 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.

My Commission Expires:

(SEAL)

Notary Public, South Dakota