STATE OF SOUTH DAKOTA  
COUNTY OF PENNINGTON  

) ss. PERMANENT 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 BLACK HILLS POWER, INC., a South Dakota corporation, 625 Ninth Street, P.O. Box 1400, Rapid City, South Dakota, 57709, the Grantee, a permanent utility easement in, on, over, under, and across the following described real property:

A portion of all of Block 128 and the E66 feet of Block 127 and all of Lot 98A except W99 feet of said lot of Mahoney Addition, in the SE1/4 of SE1/4 of Section 25, T2N, R7E, B.H.M., Rapid City, 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, 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 associated equipment, together with the power to extend to any communications company the right to use any trench placed pursuant to the provisions hereof, 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 ______________________, 2017.

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 ______________________, 2017, 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

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"EXHIBIT A"

LOT 8 OF BLOCK 98B OF MAHONEY ADDITION

MAC ARTHUR STREET

TRACT A OF LOT C AND OF LOT S-T OF MARSHALL HEIGHTS TRACT

ALL OF BLOCK 128 & E66' OF BLOCK 127 & ALL OF LOT 98A EXCEPT W99' OF SAID LOT OF MAHONEY ADDITION

ANAMOSA STREET

LOTS PE1 CONTAINING 2,330 SF MORE OR LESS

LEGEND

DENOTES FOUND SURVEY MONUMENT

DENOTES LOTS PE1: PERMANENT EASEMENTS FOR UTILITIES

NOTE
THE BEARINGS SHOWN ON THIS PLAT ARE BASED ON THE SOUTH DAKOTA STATE PLANE COORDINATE SYSTEM - SOUTH ZONE, NAD 83/96
NO SCALE FACTOR APPLIED.

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MAY 19, 2017