STATE OF SOUTH DAKOTA  )
COUNTY OF PENNINGTON     )

PERMANENT ACCESS 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, Grantor, of 300 Sixth Street, Rapid City, SD 57701, hereby grants and conveys a perpetual public access easement to the Rapid City Area School District 51-4, Grantee, of 300 Sixth Street, Rapid City, SD 57701, subject to the conditions hereinafter set forth, as hereinafter described.

The property, which is the subject of this public access easement, is legally described as:

LOCATED IN TRACT 4 OF RAPID CITY GREENWAY TRACTS, AND IN VACATED PORTION OF WEST FLORENS TRACTS, ALL LOCATED IN E1/2 OF NE1/4, SECTION 9 AND NW1/4 OF NW1/4, SECTION 10, T1N, R7E, BHM, RAPID CITY, PENNINGTON COUNTY, SOUTH DAKOTA, as Shown in Exhibit ‘A’.

Such easement shall include the right of Grantee to enter upon the easement property to construct, install, operate, inspect, maintain, and repair all public roads and utilities and related appurtenant facilities including but not limited to lighting and parking lot construction and maintenance upon said property.

This easement shall give the Grantee, its assigns, and the public the right of ingress and egress over and across the above-described property.
The area, which is the subject of this easement, shall be kept free of all obstacles, including fences, gates, walls, or other items which obstruct the public’s use of the easement.

All work shall be performed in a workmanlike manner and shall leave the property in as good condition as existed prior to entry thereon. This easement shall include the right to enter upon the aforesaid real property and otherwise to do those things reasonably necessary to effectuate its purpose.

This easement shall run with the land, shall be perpetual, and shall be binding on and insure to the benefit of the parties and their respective successors and assigns.

DATED this ______ day of ______________________, 2018.

CITY OF RAPID CITY:

By: ______________________________

Its: ______________________________

STATE OF SOUTH DAKOTA )
COUNTY OF PENNINGTON )ss

On this the ______ day of ______________________, 2018, before me, the undersigned officer, personally appeared ______________________, who acknowledged her/himself to be the ______________________ of the City of Rapid City, and that s/he, as such ______________________, being authorized so to do, executed the foregoing instrument for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Notary Public, South Dakota

(SEAL)

My Commission Expires: ______________________