Prepared By:
Jacob T. Morris, PE
DeWild Grant Reckert & Associates Company
1300 S Highline Avenue
Sioux Falls, SD 57110
Phone (605)339-4157

UTILITY EASEMENT

THIS EASEMENT is granted this _____ day of _____, 20_____, by the City of Winner of 325 S. Monroe Street, Suite #118, Winner, SD 57580 being the current Owner of the below described real estate near the City of Winner, Tripp County, SD to the City of Winner, South Dakota (City).

WHEREAS, the City will construct and maintain sanitary sewer, electrical power lines and equipment, and water main over, under, and upon the land belonging to the Owner, and the Owner will cooperate with the City in the construction of said drainage intakes and storm sewer to its mutual benefit.

NOW THEREFORE, in consideration of the construction and maintenance of said sanitary sewer, electrical power lines and equipment, and water main by the City, the Owner grants to the City the perpetual right and easement to construct, maintain, and repair said sanitary sewer, electrical power lines and equipment, and water main over, under, and upon a permanent utility easement as described in the following:

>   Utility Easement – A 1,500 +/- SF parcel described as the East Ten Feet (E10') of Lots Eight (8), Nine (9), and Ten (10), Block Forty-one (41), First Addition to the City of Winner, Tripp County, South Dakota.

This grant is subject to the following conditions:
1.   The sanitary sewer, electrical power lines and equipment, and water main shall be constructed in a good and workmanlike manner, and all disturbed area shall be restored to a finished grade similar to that now existing, per plans and specifications, and seeded to grass.
2.   The City will save the Owner harmless from any claims for damage arising out of the construction and maintenance of the sanitary sewer, electrical power lines and equipment, and water main.
3.   The Owner will maintain the surface area of the easement following construction. The Owner will keep the easement area clear of any structure, debris, trees, shrubs, or landscaping whatsoever and not impede surface drainage or drainage flow paths.

IN WITNESS WHEREOF the Owner has executed this easement this _____ day of _____, 20___.

City of Winner, South Dakota

_____(Owner)
Brad Schramm, Mayor

STATE OF SOUTH DAKOTA   )
                               :SS
COUNTY OF _____   )

On this the _____ day of _____, 20_____, before me, the undersigned officer, personally appeared Brad Schramm, Mayor of the City of Winner, South Dakota, to me or satisfactorily proven to be the persons described in the foregoing instrument, and acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

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

_____
Notary Public - State of South Dakota
My Commission Expires:_____