

Prepared By: Duane Biever
Hamlin County Zoning
P.O. Box 341, Hayti, SD 57241
605-783-2020

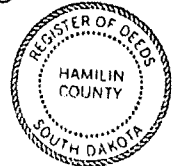
0645

State of SD, Hamlin Co. Recorded S-1 2007
at 10:00 A M in Book 54 of MR page 71

Fees \$ 102.55

Zoning

Marlene Schaefer
REGISTER OF DEEDS



AGRICULTURAL EASEMENT-HAMLIN COUNTY

1. Purpose. This easement is required in the Agricultural District.
2. Easement.

("Grantors") are the owners of real property described as follows: NW 1/4 of section

5 Hamlin Twp 115-51

In accordance with the conditions set forth in the decision of Hamlin County, dated 5-1 2007, approving a permit for a dwelling on the above described property, and in consideration of such approval, Grantors grant to the owners of all property adjacent to the above described property, a perpetual nonexclusive easement as follows:

- a. The Grantors, their heirs, successors, and assigns acknowledge by the granting of this easement that the above described property is situated in an agricultural area and may be subjected to conditions resulting from commercial agricultural operations on adjacent lands. Such operations include the cultivation, harvesting, and storage of crops and livestock raising and the application of chemicals, operation of machinery, application of irrigation water, and other accepted and customary agricultural activities conducted in accordance with Federal and State laws. These activities ordinarily and necessarily produce noise, dust, smoke, and other conditions that may conflict with Grantors' use of Grantors' property for residential purposes. Grantors hereby waive all common law rights to object to normal and necessary agricultural management activities legally conducted on adjacent lands which may conflict with Grantors' use of Grantors' property for residential purposes, and Grantors hereby grant an easement to adjacent property owners for such activities.
- b. Nothing in this easement shall grant a right to adjacent property owners for ingress or egress upon or across the described property. Nothing in this easement shall prohibit or otherwise restrict the Grantors from enforcing or seeking enforcement of statutes or regulations of governmental agencies for activities conducted on adjacent properties.

This easement is appurtenant to all property adjacent to the above described property and shall bind to the heirs, successors and assigns of Grantors and shall endure for the benefit of the adjoining landowners, their heirs, successors, and assigns. The adjacent landowners, their heirs, successors, and assigns are hereby expressly granted the right of third party enforcement of this easement.

IN WITNESS WHEREOF, the Grantors have executed this easement on 5-1 2007.

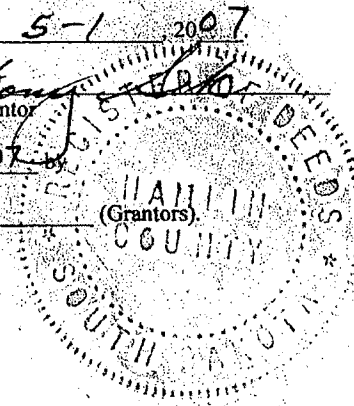
Anthony Sik
Name, Print

Anthony Sik
Signature, Grantor

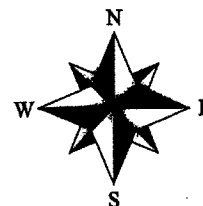
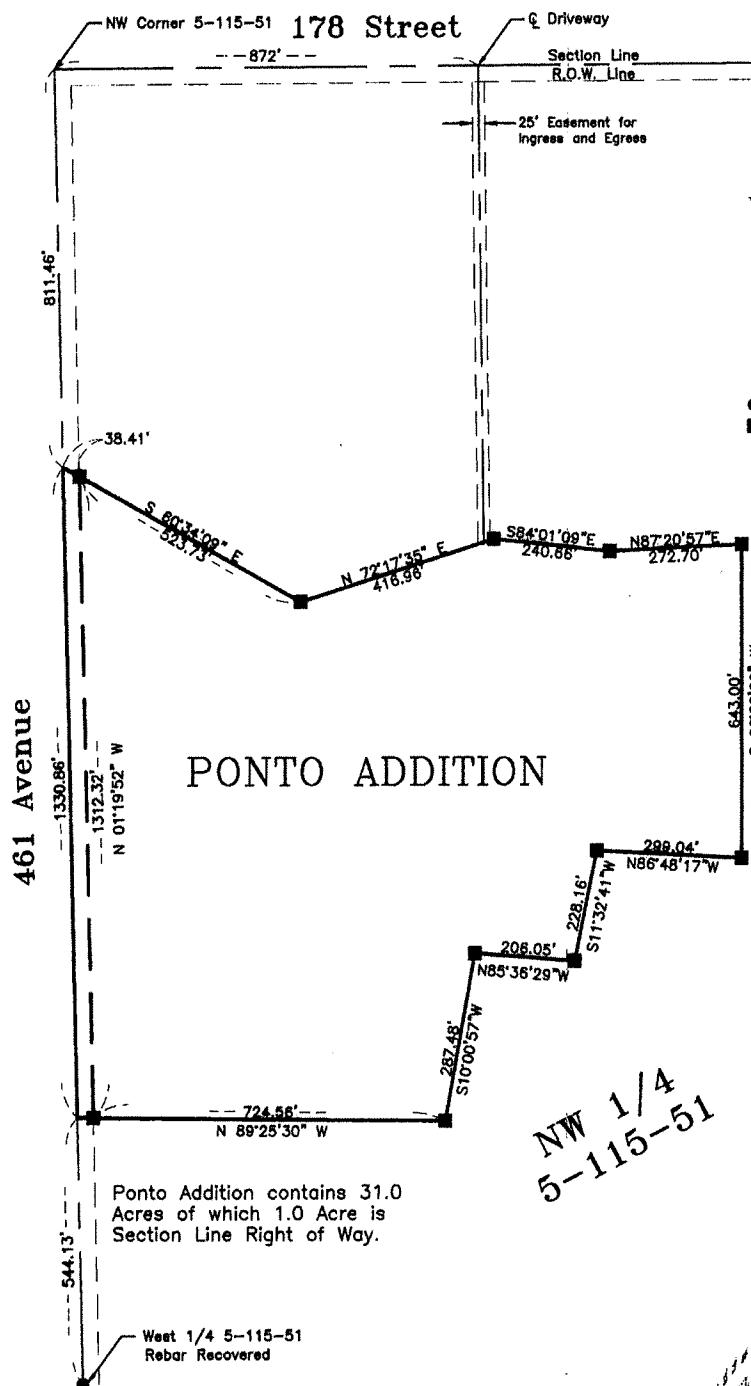
This instrument was acknowledged before me on 5-1 2007 by

Marlene Schaefer Notary Public

My Commission Expires: 12-31-10



Plat of
Ponto Addition located in the Northwest Quarter of
Section 5, Township 115 North, Range 51 West of
the 5th P.M., Hamlin County, South Dakota.



May, 2013
Scale: 1"=300'

- Monument Recovered
- Monument Set

PONTO ADDITION

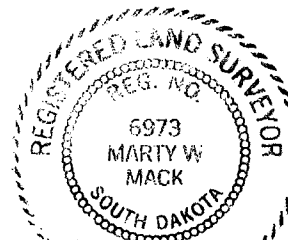
Ponto Addition contains 31.0
Acres of which 1.0 Acre is
Section Line Right of Way.

NW 1/4
5-115-51

MACK
Land Surveying, LLC

Cell: (605) 880-3108 • Phone: (605) 878-2007
322 30th St. NW • Watertown, SD 57201
mackids@midco.net

Marty Mack
Registered Land Surveyor
Certified Professional Surveyor



Marty W. Mack
Registered Land Surveyor

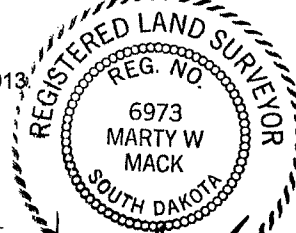
SURVEYOR'S CERTIFICATE

I, Marty W. Mack, a Registered Land Surveyor in the State of South Dakota, do hereby certify that at the instance and requests of Anthony Sik and Joan M. Sik did on or before May 8, 2013, survey the parcel of land as shown on the accompanying plat.

I further certify that the said plat is a true and correct representation of the said parcel as surveyed and platted by me into:

"Ponto Addition located in the Northwest Quarter of Section 5, Township 115 North, Range 51 West of the 5th P.M., Hamlin County, South Dakota."

I hereby set my hand this 8th day of May, 2013.



Marty W. Mack
Registered Land Surveyor

APPROVAL OF HAMLIN COUNTY PLANNING COMMISSION
RESOLUTION NO. _____

The plat of **"Ponto Addition located in the Northwest Quarter of Section 5, Township 115 North, Range 51 West of the 5th P.M., Hamlin County, South Dakota."** and has been duly examined and it appears that said plat is in all respects lawful and proper and entitled to approval and is hereby recommended for approval by the 9th day of May, 2013.

[Signature]
Chairman - Hamlin County Planning and Zoning

HAMLIN COUNTY COMMISSION RESOLUTION
RESOLUTION NO. _____

BE IT RESOLVED by the Board of County Commissioners of Hamlin County, South Dakota, that the plat entitled: **"Ponto Addition located in the Northwest Quarter of Section 5, Township 115 North, Range 51 West of the 5th P.M., Hamlin County, South Dakota."** which has been submitted for examination pursuant to law, and appearing that all taxes and special assessments have been paid and that such plat and the survey thereof have been made and executed according to the law, the plat is hereby approved, and the County Auditor is hereby authorized and directed to endorse on plat a copy of this Resolution and certify the same.

Dated at Hayti, South Dakota this 21 day of May, 2013 A.D.

[Signature]
County Auditor, Hamlin County, South Dakota



Randall Rudebusch
Chairman, Board of County Commissioners,
Hamlin County, South Dakota

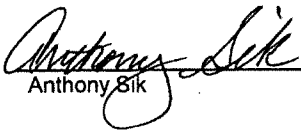
PROPRIETOR'S CERTIFICATE

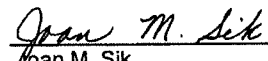
We, Anthony Sik and Joan M. Sik, the owners of the Northwest Quarter of Section 5, Township 115 North, Range 51 West of the 5th P.M., Hamlin County, South Dakota, hereby certify that we have caused the above described property to be surveyed and platted into a parcel of land hereafter to be known as:

"Ponto Addition located in the Northwest Quarter of Section 5, Township 115 North, Range 51 West of the 5th P.M., Hamlin County, South Dakota."

and that we have caused the same to be platted as shown on the accompanying plat certified by Marty W. Mack, a Registered Land Survey in the State of South Dakota, and that said plat was made at our request and under our direction and for the purpose indicated thereon and herein. We further certify that the development of this land shall conform to all existing applicable zoning, subdivision and erosion and sediment control regulations.

In witness whereof we have caused these presents to be executed this 8th day of May, 2013.


Anthony Sik


Joan M. Sik

State of South Dakota)

)ss

County of Hamlin)

On this the 8th day of May, 2013, before me, the undersigned officer, personally appeared Anthony Sik and Joan M. Sik, known to me or satisfactorily proven to be the persons whose names are subscribed to the within instrument and who acknowledged that they executed the foregoing instrument for the purposes therein contained.

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




Notary Public, South Dakota

My Commission Expires: 10/22/2017

DIRECTOR OF EQUALIZATION CERTIFICATE

I hereby certify that I have received a copy of this plat entitled: "Ponto Addition located in the Northwest Quarter of Section 5, Township 115 North, Range 51 West of the 5th P.M., Hamlin County, South Dakota."

Dated this 22 day of May, 2013 A.D.

Melissa Roe Deputy
Director of Equalization, Hamlin County, SD

TREASURER'S CERTIFICATE

I hereby certify that I am the duly elected, qualified, and acting Treasurer of Hamlin County, South Dakota, and I hereby certify that all taxes which would, if not paid, be liens upon any of the land included in the plat of "Ponto Addition located in the Northwest Quarter of Section 5, Township 115 North, Range 51 West of the 5th P.M., Hamlin County, South Dakota." as shown by the records of my office, have been fully paid.

Dated this 9 day of May, 2013 A.D.

Roberta Jensen Nemick
Treasurer, Hamlin County, SD

REGISTER OF DEED CERTIFICATE

0862

I hereby certify that I have received the plat entitled "Ponto Addition located in the Northwest Quarter of Section 5, Township 115 North, Range 51 West of the 5th P.M., Hamlin County, South Dakota." and have:

FILED FOR RECORD this 22 day of May, 2013 A.D. at 9:00 O'Clock A M., and duly recorded in Book E Page 374.

Amber Raasch
Register of Deeds, Hamlin County,
South Dakota



✓
This Instrument Prepared By:
BURNS LAW OFFICE
P. O. Box 903
16 East Kemp
Watertown, SD 57201-0903
(605) 886-5885

0909
State of SD, Hamlin Co. Recorded MAY 29 2013
at 10:00 A.M. in Book 60 of MC page 64
Fees 30⁰⁰ Amber Raasch
REGISTER OF DEEDS



CN131915C

CROSS EASEMENT AGREEMENT

This Cross Easement Agreement is made between Anthony Sik and Joan M. Sik, husband and wife, (hereafter referred to as "Siks") of and Steven M. Ponto and Vonda K. Ponto, husband and wife, (hereafter referred to as "Pontos") of 17832 461st Avenue, Watertown, SD 57201, WITNESSETH:

Siks are the owners of the following real property (hereafter referred to as "Parcel I") situated in the County of Hamlin State of South Dakota:

The Northwest Quarter of Section 5, Township 115 North, Range 51 West of the 5th P.M., less Ponto Addition.

Pontos are the owners of the following real property (hereafter referred as "Parcel II") situated in the County of Hamlin, State of South Dakota:

Ponto Addition located in the Northwest Quarter of Section 5, Township 115 North, Range 51 West of the 5th P.M.

Siks grant to Pontos and their successors in interest to all or any part of Parcel II an easement for Pontos, their successors, invitees and permittees to use for purposes of ingress and egress, with or without vehicles and machinery, the existing driveway which runs North from Parcel II across Parcel I, and the existing driveway running South and then West along the boundary of Parcel II to the extent it encroaches upon Parcel I.

Pontos grant to Siks and their successors in interest to all or any part of Parcel I an easement for Siks, their successors, invitees and permittees to use for purposes of ingress and egress, with or without vehicles and machinery, the existing driveway which runs through Parcel II. That driveway is a continuous coarse running North and South and then turning West and meeting the public road on the West side of Parcel II. This easement includes the whole course of the driveway.

Pontos and their successors in interest shall maintain the driveway in a reasonable condition. Siks and their successors in

interest shall have no obligation to repair or maintain the driveway, except to reasonably repair any unusual damage done by them. ^{ACCESS WILL BE PERMITTED TO THE SIKS AND THEIR SUCCESSORS ON THE NORTH DRIVEWAY UP TO THE PROPERTY LINE, AND ON THE SOUTH DRIVEWAY UP TO THE POINT AT WHICH THE DRIVEWAY TURNS THE CORNER TO THE NORTH.} This Cross Easement runs with the lands of the respective parties. ^{SLP MP} ^{gs}

WITNESS their hands set this 24 day of May, 2013.

Anthony Sik
Anthony Sik

Joan M. Sik
Joan M. Sik

Steven M. Ponto
Steven M. Ponto

Vonda K. Ponto
Vonda K. Ponto

STATE OF SOUTH DAKOTA

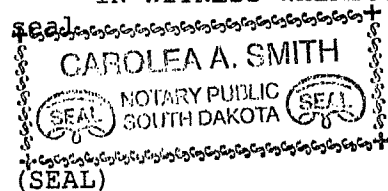
SS

ACKNOWLEDGMENT

COUNTY OF CODINGTON

On this the 24 day of May, 2013, before me, the undersigned officer, personally appeared Anthony Sik and Joan M. Sik, known to me or satisfactorily proven to be persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official



Carolea A. Smith
Notary Public
State of South Dakota
My commission expires: 11/13/2015

STATE OF SOUTH DAKOTA

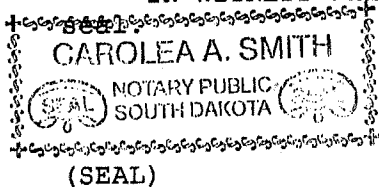
SS

ACKNOWLEDGMENT

COUNTY OF CODINGTON

On this the 24 day of May, 2013, before me, the undersigned officer, personally appeared Steven M. Ponto and Vonda K. Ponto, known to me or satisfactorily proven to be persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official



Carolea A. Smith
Notary Public
State of South Dakota
My commission expires: 11/13/2015