

MID-DAKOTA RURAL WATER SYSTEM, INC.

608 WEST 14TH STREET • P.O. BOX 318 • MILLER, SOUTH DAKOTA 57362-0318

Prepared by
Mid-Dakota Rural Water System, Inc.
608 W. 14th Street
P.O. Box 318
Miller, SD 57362-0318
Phone: (605) 888-6100

RIGHT-OF-WAY EASEMENT

5-41

KNOW ALL MEN BY THESE PRESENTS—

In consideration of One Dollar (\$1.00) and other good and valuable consideration paid by Mid-Dakota Rural Water System, Inc., hereafter referred to as GRANTEE, to

Mary T. Hafner

hereinafter referred to as GRANTOR, the receipt and sufficiency of which is hereby acknowledged by the GRANTOR, the GRANTOR, for GRANTOR'S heirs, successors and assigns does hereby grant, bargain, sell, transfer, and convey unto the GRANTEE and its successors and assigns a perpetual easement over, across and through the land of the GRANTOR, situated in Hand County, South Dakota, with the right to erect, construct, install and lay, and thereafter perpetually use, operate, inspect, repair, maintain, replace, and remove water pipes, connections, valves and all other devices used in connection with the operation of a rural water system, said land being described as follows:

W 1/2 of Sec. 11 in T111N R68W

together with right of ingress and egress over adjacent land of the GRANTOR, his heirs, successors and assigns for the purposes of this easement.

The easement shall be thirty (30) feet in width, the center line of which is described as follows: Fifteen (15) feet on each side of the center line of the pipeline as constructed and insofar as possible, the center line shall be Fifteen (15) feet inside of the fence line which fence line is the boundary of the property of the GRANTOR.

The consideration hereinabove recited shall constitute payment in full for any damages to the land of the GRANTOR, his heirs, successors, and assigns by reason of the installation, operation, and maintenance of the structures or improvements referred to herein including, but not limited to loss of income. The GRANTEE covenants to maintain the easement in good repair so that no unreasonable damage will result from its use to the adjacent land of the GRANTOR, his heirs, successors and assigns.

The grant and other provisions of this easement shall constitute a covenant running with the land for the benefit of the GRANTEE, its successors and assigns.

IN WITNESS WHEREOF, the GRANTOR has executed this instrument this 21 day of May, 19 99

Mary T. Hafner
Mary T. Hafner

MICHIGAN
STATE OF SOUTH DAKOTA)
COUNTY OF OAKLAND)ss

On this the 21 day of MAY, 19 99, before me, MARY T. HAFNER, the undersigned officer, personally appeared the above signed known to me or satisfactorily proven to be the person whose name above is Mary T. Hafner subscribed to the within instrument and acknowledged that he executed the same for the purpose therein contained.

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

SEAL

Helen F. Miller
Notary Public
HELEN F. MILLER
Notary Public, Oakland County, MI
My Commission Expires Feb. 24, 2001

STATE OF SOUTH DAKOTA, COUNTY OF HAND
Filed for record this 25th day of May A.D. 1999 at 9:00
o'clock A.M., and recorded in Book 49 of Misc., page 262.
(SEAL) Darlene Droz, Register of Deeds

* * * * *

WARRANTY DEED RECORD No. 104

SHORT STATUTORY FORM

311

Mary Katharina Williams, also known as Mary K. Williams, a single woman
 of Dane County, State of Wisconsin
 for and in consideration of One dollar and other good and valuable consideration DOLLARS,
 GRANTS, CONVEYS AND WARRANTS TO J. E. Toltes and Mary D. Knittas, as joint tenants
 with right of survivorship and not as tenants in common
 of Mitchell, South Dakota P. O., the following described
 real estate in the County of Hand, in the State of South Dakota:
 Southwest Quarter (SW $\frac{1}{4}$) of Section Twenty Eight (28), Township One Hundred Ten North
 (110 N.), Range Sixty Eight (68), West of the 5th Principal Meridian; Northwest Quarter
 (NW $\frac{1}{4}$) of Section Twenty nine (29), Township One Hundred Thirteen North (113 N.), Range
 Sixty (60), West of the 5th Principal Meridian; Northeast Quarter (NE $\frac{1}{4}$) of Section
 Thirty (30), Township One Hundred Thirteen (113 N.), Range Seventy (70) West of the
 5th Principal Meridian.
 Subject to and excepting the rights of tenants, if any such rights, exist.
 Dated this 27th day of December, 1967
 Mary Katharina Williams
 Mary Katharina Williams, a/w/a
 Mary K. Williams

STATE OF WISCONSIN
 County of Dane
 On this the 27th day of December, 1967
 in the year 1967, before me, Thomas D. Brader, the undersigned officer,
 personally appeared Mary Katharina Williams, also known as Mary K. Williams,
 known to me or satisfactorily proven to be the person whose name is subscribed to the
 within instrument and acknowledged that she executed the same for the purposes therein contained.
 In witness whereof I hereunto set my hand and official seal.
 Thomas D. Brader
 Thomas D. Brader Notary Public
 My commission expires 18 permanent, 19
 STATE OF SOUTH DAKOTA, County of Hand, ss.
 Filed for record this 10 day of January, A. D. 19 68, at 9:30 o'clock A. M.,
 and recorded in Book 104, Page 311
 Barbara Alley
 Register of Deeds
 By Deputy.

Lois M. Sherwood (formerly Lois M. Gussler) and Wayne S. Sherwood, her husband,
 of Jones County, State of South Dakota
 for and in consideration of One dollar and other good and valuable consideration DOLLARS,
 GRANTS, CONVEYS AND WARRANTS TO Joseph G. Hafner and Mary T. Hafner, husband and wife
 as joint tenants with right of survivorship, and not as tenants in common, Grantees
 of Southfield, Michigan P. O., the following described
 real estate in the County of Hand, in the State of South Dakota:
 The North West Quarter (NW $\frac{1}{4}$) and the South West Quarter (SW $\frac{1}{4}$) of Section Eleven
 (Sec. 11), in Township One Hundred Eleven (Twp. 111), North, of Range Sixty Eight (68)
 West of the Fifth P.M., Hand County, S. D.
 Less some 4.80 acres heretofore conveyed by deed of record to the State of South Dakota
 and subject to any outstanding reservations and easements of record.
 Dated this 30th day of December, 1967
 Lois M. Sherwood
 Lois M. Sherwood
 Wayne S. Sherwood
 Wayne S. Sherwood

STATE OF SOUTH DAKOTA
 County of Hand
 On this the 30th day of December, 1967
 in the year 1967, before me, D. C. Walsh, the undersigned officer,
 personally appeared Lois M. Sherwood (formerly Lois M. Gussler) and Wayne S.
 Sherwood, her husband,
 known to me or satisfactorily proven to be the persons whose name is 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 seal.
 D. C. Walsh
 Notary Public.
 My commission expires May 18, 1969, 19
 STATE OF SOUTH DAKOTA, County of Hand, ss.
 Filed for record this 11th day of January, A. D. 19 68, at 1:55 o'clock P. M.,
 and recorded in Book 104, Page 311
 Barbara Alley
 Register of Deeds
 By Deputy.



