

Prepared By:
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PRIVATE ACCESS EASEMENT

The parties to this Private Access Easement are as follows:

- A. Lonnie S. Giedd and Joyce A. Giedd, husband and wife, of 12996 Pony Express, Piedmont, South Dakota 57769, hereinafter referred to collectively as Giedd.
- B. Meade School District 46-1, of 1230 Douglas Street, Sturgis, South Dakota 57785, hereinafter referred to as Meade 46-1.

WHEREAS Giedd is the owner of the following described real property, located in Meade County, South Dakota, to-wit:

Lot 12 in Block 1 of Stagebarn Subdivision, City of Piedmont, Meade County, South Dakota, as shown on the plat recorded in Plat Book 18 on Page 11,

hereinafter referred to as "Giedd Property".

WHEREAS Meade 46-1 is the owner of the following described real property, located in Meade County, South Dakota, to-wit:

Lot 2 of Indian Hills No. 4, City of Summerset, Meade County, South Dakota, as shown on the plat recorded in Plat Book 12 on Page 61,

hereinafter referred to as "Meade 46-1 Property".

WHEREAS a portion of the area being used for ingress and egress to the Giedd Property encroaches onto the Meade 46-1 Property a width of approximately 20 feet from the Giedd Property southern boundary onto the Meade 46-1 Property and a length of 293.44 feet along and across the Meade 46-1 Property. The specific length, width and location of the easement shall be as shown on the Exhibit A.

WHEREAS, Giedd has requested authorization from Meade 46-1 to allow the encroach onto the Meade 46-1 Property and to grant an easement for the ingress and egress onto the Giedd Property in the form of a private access easement.

WHEREAS, Meade 46-1 is willing to authorize the encroachment and grant the easement under certain terms and conditions designed to protect Meade 46-1 and to further insulate Meade 46-1 from liability for Giedd's use of Meade 46-1 Property.

NOW THEREFORE, in consideration of the mutual covenants and conditions contained herein, it is agreed by the parties as follows:

1. **Grant of Easement.** Meade 46-1 does hereby grant to Giedd, their heirs, successors and assigns, a private access easement upon, over, and across the Meade 46-1 Property the specific, width, length, and location as specifically shown on the attached Exhibit A prepared by Baseline Surveying, Inc., attached hereto and by specific reference made a part hereof.

2. **Purpose and Use of Easement.** Giedd, their heirs, successors, and assigns shall have the right to use the easement for the limited use of ingress and egress to the Giedd Property for residential purposes.

3. **Private Easement.** The easement granted herein shall be for the benefit of the Giedd Property and no other property owner shall use this easement for any purpose.

4. **Maintenance.** Giedd shall be responsible for the maintenance, including snow removal, grass and weed control of the easement.

5. **Binding Effect.** This Private Access Easement is made for the direct benefit of the Giedd Property and all of the terms and conditions herein shall extend to and be binding upon both parties hereto, and the personal representatives, heirs, assigns and successors in title; and is and shall be a covenant running with the land. It is agreed that, in accepting title to the Giedd Property or 46-1 Property, any grantee, heir, or successor in interest of the undersigned expressly agrees to be bound by the terms of this Private Access Easement which shall be recorded with the Office of the Meade County Register of Deeds.

6. **Hold Harmless.** Giedd, their successors and assigns, hereby agree to hold Meade 46-1 harmless from any and all claims, demands, and liabilities arising out of the use of the easement.

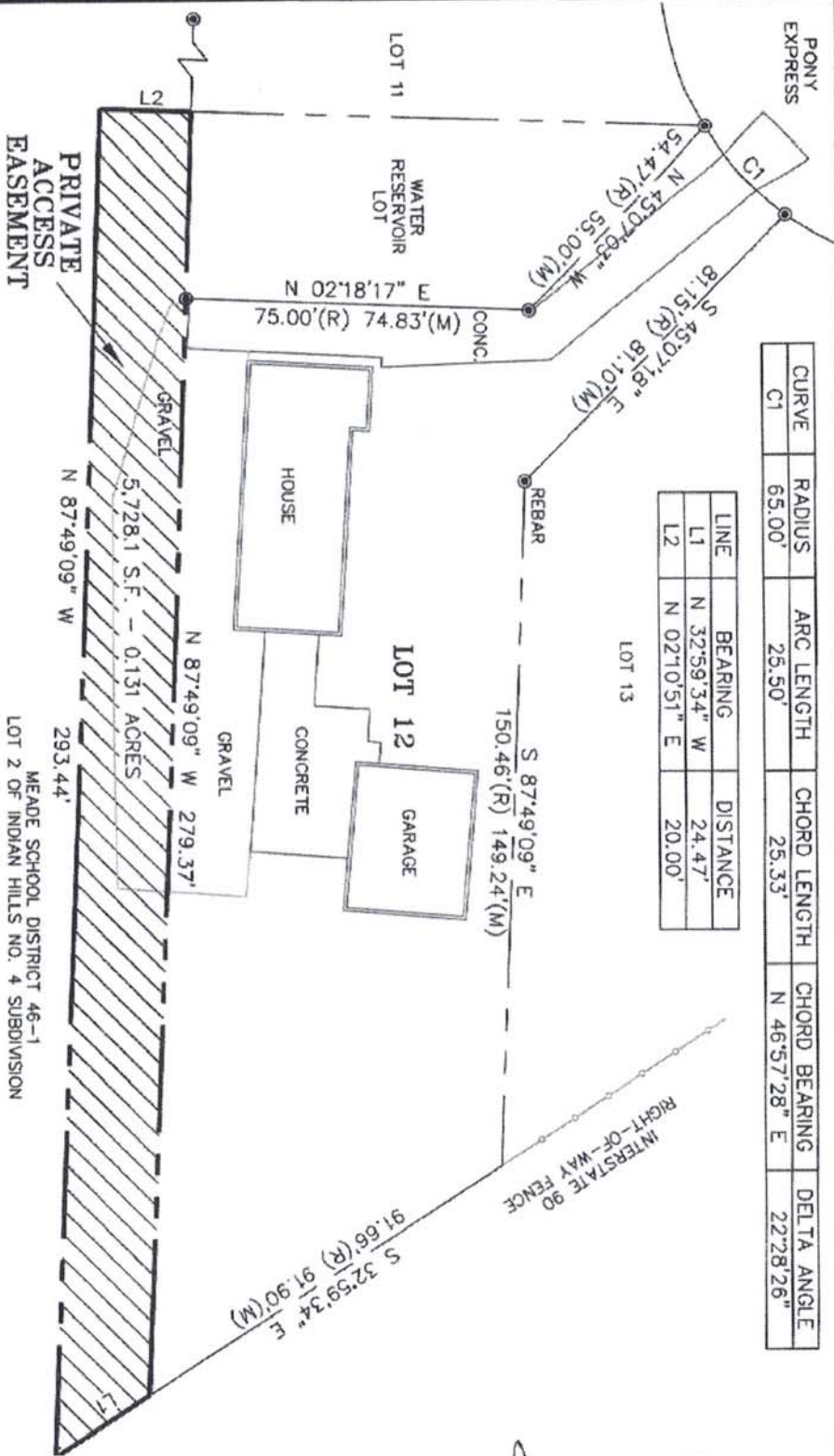
[SIGNATURES TO FOLLOW ON NEXT PAGE]

'EXHIBIT A'

For the Purpose of Showing the Location of A Private Access Easement for Lot 12, Block 1 of Stagebarn Subdivision.
 Located on Meade School District 46-1 Property, Lot 2 of Indian Hills No. 4 Subdivision in the NW 1/4 of the NE 1/4 of the SE 1/4 of Section 23,
 Township 3 North, Range 6 East, Black Hills Meridian, City of Summerset, Meade County, South Dakota.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	65.00'	25.50'	25.33'	N 46°57'28" E	22°28'26"

LINE	BEARING	DISTANCE
L1	N 32°59'34" W	24.47'
L2	N 02°10'51" E	20.00'




 Shannon Vasknetz SDRLS 7719



1" = 30 Feet
MAY 2018

LEGEND
 Found Survey monument
 Marked "KENNER 1S2662"
 Unless Otherwise Noted.
 Reference Plat:
 Stagebarn Subdivision,
 Plat Book 18 at Page 11.

PREPARED BY: Baseline Surveying Inc. 1921 Lazelle Street, Sturgis, SD 57785 Phone (605) 490-1401 EMAIL: baseline7719@gmail.com JOB NO. 18-133

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