

This indenture made this 29th day of May, 1958, between Ed Moller and Pearl Moller, of the County of Lawrence, State of South Dakota, parties of the first part, and Lawrence County, a municipal corporation, party of the second part.

WITNESSETH: For and in consideration of One (\$1.00) Dollar, the receipt of which is hereby acknowledged, parties of the first part do hereby grant and convey to the party of the second part an easement and right of way to construct and maintain a road over the property described in accordance with Exhibit "A" attached hereto and made a part hereof.

It is understood that the road for which this easement is granted is to be constructed by or under the supervision of the United States Forest Service under specifications also described in Exhibit "A", and that maintenance of the road is also to be provided by the United States Forest Service to the extent that appropriations are available therefor.

Parties of the first part do hereby relieve party of the second part of any claim for damages as a result of the building and maintenance of the road on the premises.

Provided, however, that if at any time this road shall be abandoned by the party of the second part that the rights and privileges hereby granted shall cease and terminate, and the land traversed thereby shall be freed from said easement as fully and completely as if this indenture had not been made.

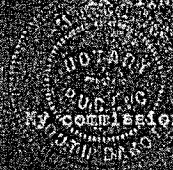
IN WITNESS WHEREOF the parties of the first part hereunto subscribe their names on the day and year first above written.

STATE OF SOUTH DAKOTA)
) ss
COUNTY OF LAWRENCE)

Ed Moller
Pearl Moller

On this, the 29th day of May, 1958, before me, the undersigned officer, personally appeared Ed Moller and Pearl Moller, known to me to be the 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 seal.



[Signature]
Notary Public

218783

Office of Register of Deeds
State of South Dakota }
County of Lawrence } ss.

Filed for record this 11th day
of August 1958 at 2:20 o'clock

P. M. and recorded in Book No. 42 Custer, S. Dak.
Page 245-246 May 20, 1958



1. *Ernest D. Dillon*
ACQUISITION-Black Hills *3-26-58* Register of Deeds
Right-of-Way-Admin. *3-26-58* Deputy
Higgin's Gulch Road No. 214

Description for a right-of-way for Higgin's Gulch Road No. 214 across land owned by Ed Moller and Pearl Moller of Spearfish, South Dakota consisting of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13, the west half of the SE $\frac{1}{4}$ of Section 12, and the south half of the NE $\frac{1}{4}$ of Section 12, T 6 N, R 1 E, B1M, Lawrence County, South Dakota, to the extent that said lands lie within a strip of land 66 feet in width over which the right-of-way extends, the centerline is described more particularly as follows:

Beginning at Station 519 + 79.0 of this survey which point falls on the East-West boundary line of said section whence the NE section corner of Section 13, T6N, R1E, B1M bears N 37° 17' E., 2176.6 feet distant and running;

- (a) Thence N 19° 43' E, 230.5 feet;
- (b) Thence on the arc of a circular curve to the left whose radius is 358.1 feet, and whose central angle is 34° 12', 213.8 feet;
- (c) Thence N 14° 29' W., 930.7 feet;
- (d) Thence on the arc of a circular curve to the right whose radius is 573.0 feet, and whose central angle is 09° 11', 91.8 feet;
- (e) Thence N 05° 18' W, 770.9 feet;
- (f) Thence on the arc of a circular curve to the left whose radius is 573.0 feet, and whose central angle is 09° 04', 90.7 feet;
- (g) Thence N 14° 22' W, 801.0 feet;
- (h) Thence on the arc of a circular curve to the right whose radius is 1432.5 feet, and whose central angle is 04° 25', 110.4 feet;
- (i) Thence 09° 57' W, 318.8 feet;
- (j) Thence on the arc of a circular curve to the right whose radius is 191.0 feet, and whose central angle is 55° 16', 184.0 feet;
- (k) Thence N 45° 19' E, 460.2 feet;
- (l) Thence on the arc of a circular curve to the right whose radius is 573.0 feet, and whose central angle is 37° 29', 374.8 feet;
- (m) Thence S82° 48' E, 363.1 feet;
- (n) Thence on the arc of a circular curve to the right whose radius is 573.0 feet, and whose central angle is 14° 22', 143.7 feet;
- (o) Thence S 82° 50' E., 582.6 feet;
- (p) Thence on the arc of a circular curve to the left whose radius is 573.0 feet, and whose central angle is 27° 47', 277.8 feet;
- (q) Thence N 69° 23' E, 174.4 feet to Station 581 + 17.2 of this survey which falls on the North-South boundary line, whence the SE section corner of Section 12, T6N, R1E, B1M bears due South, 2951.45 feet distant.

The above-described right-of-way contains 7.02 acres more or less all within the Ed Moller & Pearl Moller property in Section 12, T6N, R1E, B1M.

Ernest D. Dillon
Register of Deeds