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STATE OF SOUTH DAKOTA)
) ss **PERMANENT UTILITY AND PRIVATE**
COUNTY OF LAWRENCE) **ACCESS EASEMENT**

The City of Deadwood, a South Dakota municipality of 102 Sherman Street, Deadwood, SD 57732 (Grantor) hereby grants and conveys unto the Kraft Living Trust of 18786 Modjeska Road, Trabuco Canyon, CA 92679 (Grantee), a twenty-four (24) foot-wide Permanent Utility and Private Access Easement as shown on the attached Exhibit A, subject to the conditions hereinafter set forth.

The property owned by the Grantor and subject to this Permanent Utility and Private Access Easement is legally described as:

Lot A1 in a portion of Lot H2 and the 66 foot right-of-way of US Highway 85 in Tract 1 of the Jim Lode Mineral Survey 1636; the 66-foot right-of-way of US Highway 85 in Lot 7 and Placer Claim 57 and a portion of Lot H2 and the 66 foot right-of-way of US Highway 85 in M.S. 107; all in Section 27 – Township 5 North – Range 3 East of B.H.M., in the City of Deadwood.

These easements shall include the right to enter upon the afore-described real property and otherwise to do those things reasonably necessary to access the property owned by the Grantee and located at 1 Katon Drive, Deadwood, SD 57732 and legally described as:

Plat of Lot 3R-1 revised of Katon Subdivision formerly Lot 3R-1 of Katon Subdivision, Lot AB1 of Placer 58, Lot AB1 of Placer Claim 57 and Lot 1 of the subdivision of Tract E-1 being a portion of Placer M.S. 57, Placer M.S. 58 and Hillside Placer M.S. 749 located in the SE ¼ of Section 27, T5N, R3E, B.H.M. City of Deadwood, Lawrence County, South Dakota.

These easements will not interfere with Grantor’s ingress and egress to the property via the existing entrance to the property.

Grantee and its successors and assigns agree not to build, create, construct, or permit to be built, created, or constructed any obstruction, building, or other structures upon, over, or under the land

