

AGREEMENT FOR VOLUNTARY RIGHT OF WAY DONATION

PROJECT NO: BRF 6295(10) PCN: 01W9 COUNTY/CITY: Brookings PARCEL NO: \_\_\_\_\_

This Agreement is made and entered into by and between the County/City of Brookings acting by and through its County/City Commission, hereinafter referred to as "COUNTY/CITY," and Tracy + Letanne Johnson, whose postal address is 19707 465<sup>th</sup> Ave, hereinafter referred to as "DONOR";  
Bruce, SD 57220

WHEREAS, COUNTY/CITY needs the following easements for construction, operation, and maintenance of a highway:

Perpetual Easement: 0.02 acres ± From Station 43+90-60' LT to 44+90-60' LT

Temporary Easement: 0.14 acres ± From Station 43+25-80' LT to 45+50-80' LT

NOW, THEREFORE, DONOR and COUNTY/CITY hereby agree as follows:

1. DONOR does hereby voluntarily grant and donate to COUNTY/CITY, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged by DONOR, the above described easements as shown on the plans for construction of the above cited Project.

Stipulations of conditional donation: condition Restore to pre-construction

2. DONOR understands DONOR'S right to have an appraisal prepared and DONOR'S right to receive just compensation for the above described perpetual and/or temporary easement in accordance with the Uniform Relocation Assessment and Real Property Acquisition Act of 1970, as amended.

3. DONOR shall not erect fences, structures, or obstacles within the perpetual easement.

4. DONOR grants permission to COUNTY/CITY or COUNTY'S/CITY'S agent to enter upon above described easement upon approval of this Agreement.

5. The perpetual easement shall be in effect until the highway is abandoned by the proper action of the COUNTY/CITY Commission and the temporary easement shall be in effect until one (1) year after construction of the Project is completed.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on this 12 day of Feb. in the year 2016

Donor County/City of \_\_\_\_\_

By: Tracy Johnson

By: \_\_\_\_\_

Name: Tracy Johnson

Its: County Commission Chairperson/  
City Mayor

By: \_\_\_\_\_

Attest:

Name: \_\_\_\_\_

\_\_\_\_\_  
County Auditor/City Finance Officer

[County/City Seal]

DONOR ACKNOWLEDGMENT

STATE OF \_\_\_\_\_ )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

On this the 12 day of February in the year of \_\_\_\_\_, before me, \_\_\_\_\_, a Notary Public, within and for said County and State, personally appeared Tracy Johnson known to me to be the person(s) described in and who executed the foregoing instrument and acknowledged to me that he/she/they executed the same for the purposes therein stated.

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

Notary Public

My Commission Expires: Aug 20, 2020



RECORD OF CALLS/VISITS AND DISCUSSION RECORD  
TO ACCOMPANY DONATION FORM LG-ROW-1

PROJECT NO: BRF 6295(10) PCN: 01W9 COUNTY/CITY: Brookings  
LANDOWNER: TRACY & LEANNE JOHNSON

NAME OF NEGOTIATOR: \_\_\_\_\_  
TITLE: \_\_\_\_\_

The following document(s) was/were shown and/or explained to the Landowner:

Construction  Right of Way  Right of Way  Other   
Plan Sheet Document(s) Brochures

Call/Visit Number: 1  
Time: 9:15 AM/PM Date: 2-12-2016  
Visit Location: Johnson Farm  
List people present during meeting: Tracy Johnson, Jeff  
Anderson, Dick Birk

Notes of the Discussion: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Call/Visit Number: 2  
Time: \_\_\_\_\_ AM/PM Date: \_\_\_\_\_  
Visit Location: \_\_\_\_\_  
List people present during meeting: \_\_\_\_\_

Notes of the Discussion: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Call/Visit Number: 3  
Time: \_\_\_\_\_ AM/PM Date: \_\_\_\_\_  
Visit Location: \_\_\_\_\_  
List people present during meeting: \_\_\_\_\_

Notes of the Discussion: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Call/Visit Number: 4  
Time: \_\_\_\_\_ AM/PM Date: \_\_\_\_\_  
Visit Location: \_\_\_\_\_  
List people present during meeting: \_\_\_\_\_

Notes of the Discussion: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Note: Please indicate in the Notes of Discussion, any agreement made as part of the donation, such as an additional approach, a load of gravel, etc.

STA. 43+25 - 50' LT. TO 80' LT. TO  
 STA. 45+50 - 50' LT. TO 80' LT.  
**TEMPORARY EASEMENT FOR CONSTRUCTION**  
 OF (3) - 12'x6' REINFORCED CONCRETE BOX  
 CULVERT CONTAINING 0.14 ACRES, MORE OR  
 LESS (TO BE OBTAINED BY BROOKINGS  
 COUNTY W/O FEDERAL PARTICIPATION).

TRACY & LEANNE JOHNSON  
 19707 465TH AVE.  
 BRUCE, SD 57220  
 (605) 873-2521

**SEC. 1-T112N-R51W**

STA. 16+24.00 TO STA. 16+88.00  
 INSTALL CLASS B RIPRAP & TYPE B  
 DRAINAGE FABRIC (SEE SHEET 23  
 OF 25).

STA. 16+51.50 TO STA. 18+96.50  
 IN-PLACE 27' LONG x 26.5' WIDE  
 BRIDGE (TO BE REMOVED AS  
 INCIDENTAL WORK, STRUCTURE)

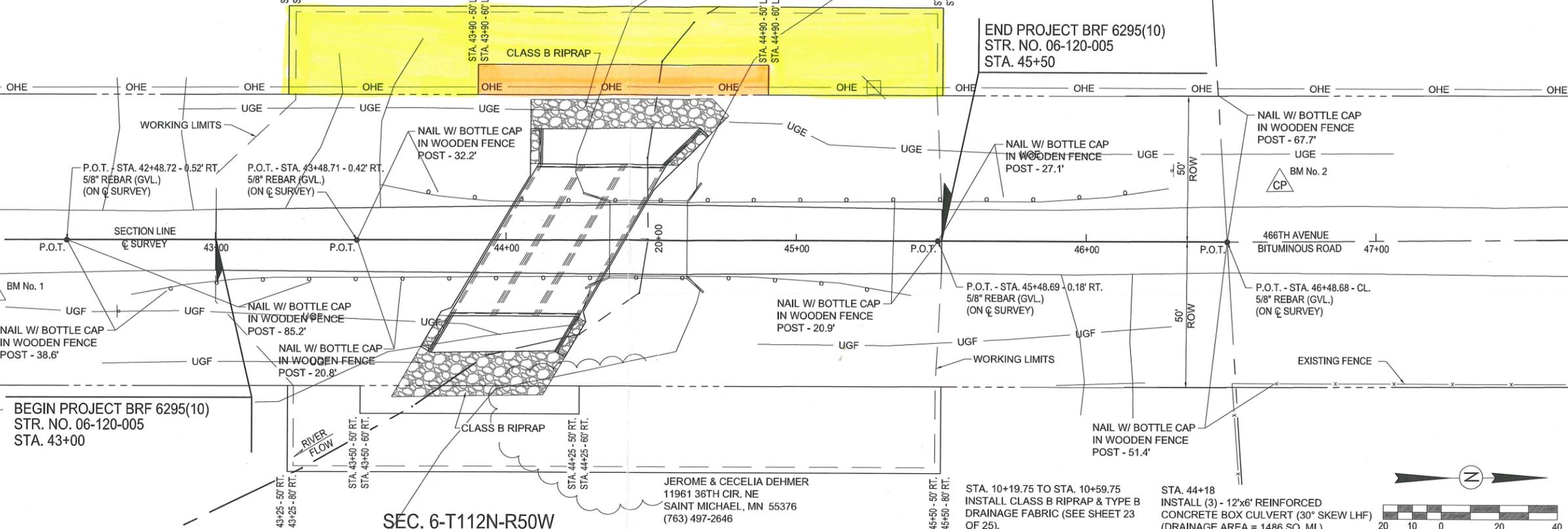
STATE OF SOUTH DAKOTA	PROJECT BRF 6295(10)	SHEET No. 76	TOTAL SHEETS 91
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END PROJECT BRF 6295(10)  
 STR. NO. 06-120-005  
 STA. 45+50

STA. 43+90 - 50' LT. TO 60' LT. TO  
 STA. 44+90 - 50' LT. TO 60' LT.  
**PERMANENT EASEMENT FOR MAINTENANCE**  
 OF (3) - 12'x6' REINFORCED CONCRETE BOX  
 CULVERT CONTAINING 0.02 ACRES, MORE OR  
 LESS (TO BE OBTAINED BY BROOKINGS  
 COUNTY W/O FEDERAL PARTICIPATION).

STA. 43+25 - 50' RT. TO 80' RT. TO  
 STA. 45+50 - 50' RT. TO 80' RT.  
**TEMPORARY EASEMENT FOR CONSTRUCTION**  
 OF (3) - 12'x6' REINFORCED CONCRETE BOX  
 CULVERT CONTAINING 0.14 ACRES, MORE OR  
 LESS (TO BE OBTAINED BY BROOKINGS  
 COUNTY W/O FEDERAL PARTICIPATION).

STA. 43+50 - 50' RT. TO 60' RT. TO  
 STA. 44+25 - 50' RT. TO 60' RT.  
**PERMANENT EASEMENT FOR MAINTENANCE**  
 OF (3) - 12'x6' REINFORCED CONCRETE BOX  
 CULVERT CONTAINING 0.02 ACRES, MORE OR  
 LESS (TO BE OBTAINED BY BROOKINGS  
 COUNTY W/O FEDERAL PARTICIPATION).



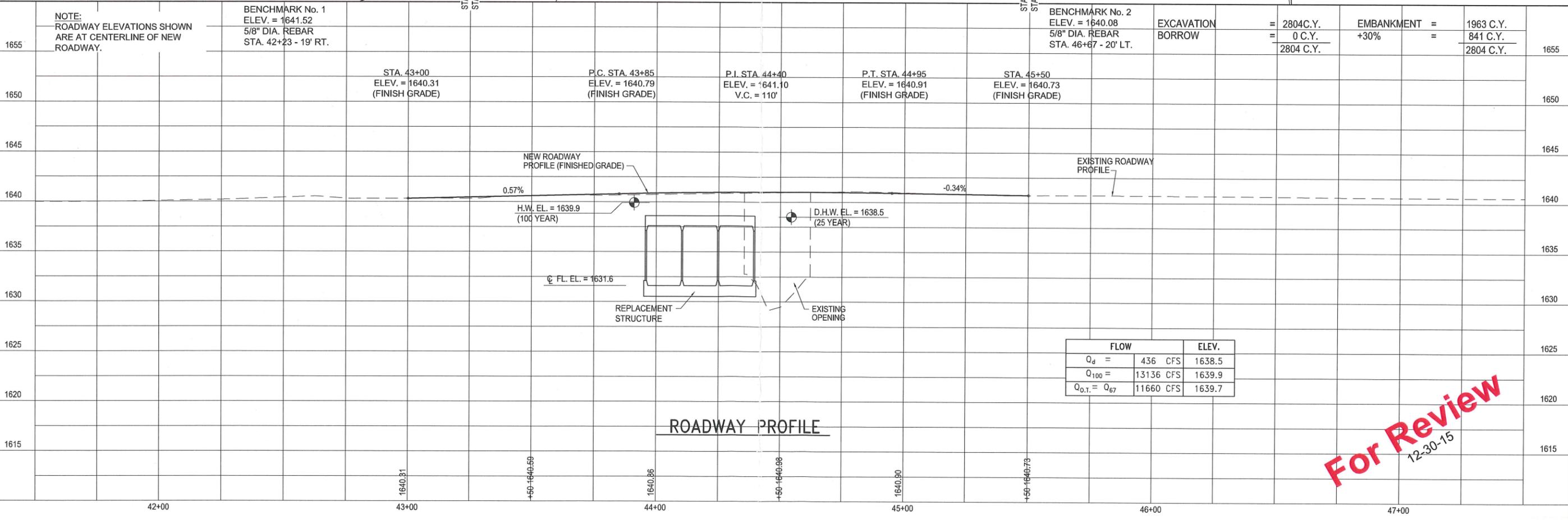
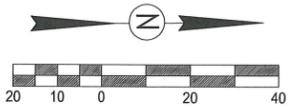
BEGIN PROJECT BRF 6295(10)  
 STR. NO. 06-120-005  
 STA. 43+00

**SEC. 6-T112N-R50W**

JEROME & CECELIA DEHMER  
 11961 36TH CIR. NE  
 SAINT MICHAEL, MN 55376  
 (763) 497-2646

STA. 10+19.75 TO STA. 10+59.75  
 INSTALL CLASS B RIPRAP & TYPE B  
 DRAINAGE FABRIC (SEE SHEET 23  
 OF 25).

STA. 44+18  
 INSTALL (3) - 12'x6' REINFORCED  
 CONCRETE BOX CULVERT (30° SKEW LHF)  
 (DRAINAGE AREA = 1486 SQ. MI.)



FLOW	ELEV.
Q <sub>d</sub> = 436 CFS	1638.5
Q <sub>100</sub> = 13136 CFS	1639.9
Q <sub>0.T.</sub> = Q <sub>67</sub> = 11660 CFS	1639.7

**For Review**  
 12-30-15