AGREEMENT FOR VOLUNTARY RIGHT OF WAY DONATION

PROJECT NO: 22220.00.00 COUNTY: Brookings PARCEL NO: N/A

This agreement made and entered into this _____ day of _____, 2016 by and between Brookings County acting by and through the Brookings County Commission, hereinafter referred to as COUNTY, and James A. and Shirley M. Cooper, whose postal address is 20838 466th Ave. Brookings, SD 57106, hereinafter referred to as DONOR.

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

Perpetual Easement: None

Temporary Easement: 0.05 acres more or less in the SW1/4 of Sec. 6-T110N-R50W (between project stations 9+50 Lt. & 10+30 Lt.

NOW THEREFORE, DONOR understands his/her right to have an appraisal prepared and his/her right to receive just compensation for the above described perpetual and/or temporary easement in accordance with the Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended. DONOR does hereby voluntarily grant and donate to COUNTY, for and in consideration of _____ and other good and valuable consideration, the adequacy of which is hereby acknowledged by DONER, the above described easements as shown on the plans for construction of the above cited PROJECT.

Stipulations of conditional donation: Two-three loads of gravel for approach

DONOR agrees that the erection of fences, structures or obstacles within the perpetual easement will not be permitted.

DONOR grants permission to COUNTY or COUNTY'S agent to enter upon above described easement upon approval of this AGREEMENT.

The perpetual easement shall be in effect until the highway is abandoned by proper action of the Brookings County Commission and the temporary easement shall be in effect until construction of the project is completed.

IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be executed.

Attest: _____ County Auditor

By: Jim Cooper Donor

By: _____ Chairman of County Commission

By: _____ Donor

STATE OF

COUNTY OF

By: _____ Donor

On this 18th day of May in the year of 2016, before me, Richard Birk, a Notary Public within and for said County and State, personally appeared _____ known to me to be the person(s) described in and who executed the foregoing instrument and acknowledged to me that they executed the same for the purpose therein stated.

My Commission Expires: August 10, 2021 Richard Birk Notary Public

RICHARD BIRK NOTARY PUBLIC SEAL STATE OF SOUTH DAKOTA