

AGREEMENT FOR VOLUNTARY RIGHT OF WAY DONATION

PROJECT NO: 22872.00.00 COUNTY: Brookings PARCEL NO: N/A

This agreement made and entered into this day of , 2019 by and between Brookings County acting by and through the Brookings County Commission, hereinafter referred to as COUNTY, and Philip T. Davis (So Dak Holding, LLC), whose postal address is 2830 E. 3725 N. Layton, UT 84040, hereinafter referred to as DONOR.

WHEREAS, COUNTY needs the following easements for construction, operation and maintenance of a highway: Perpetual Easement: None.

Temporary Easement: 0.21 acres more or less in the SW 1/4 of Sec. 35-T111N-R48W (between project stations 7+70 Rt. & 12+30 Rt.)

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 DONOR, the above described easements as shown on the plans for construction of the above cited PROJECT.

Stipulations of conditional donation:

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: [Signature] Donor

By: Chairman of County Commission

By: Donor

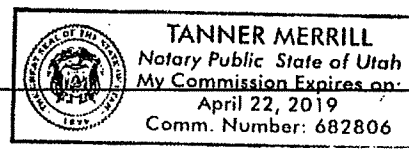
STATE OF Utah
COUNTY OF Davis

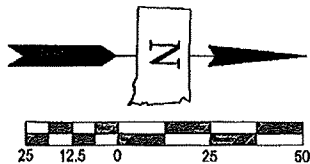
By: Donor

On this 17th day of April in the year of 2019, before me, Tanner Merrill, a Notary Public within and for said County and State, personally appeared Philip Davis known to me to be the person(s) described in and who executed the foregoing instrument and acknowledged to me that He executed the same for the purpose therein stated.

My Commission Expires: April 22, 2019

[Signature] Notary Public

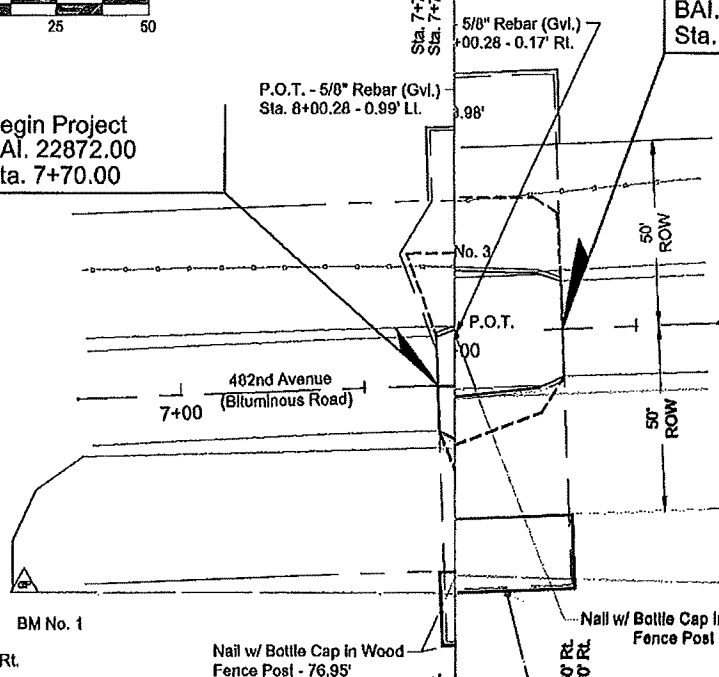




| | | | |
|-----------------------------|-------------------|--------------|-----------------|
| STATE OF SOUTH DAKOTA | PROJECT | SHEET No. | TOTAL SHEETS |
| | BAI. No. 22872.00 | 11 | 37 |

Begin Project
BAI. 22872.00
Sta. 7+70.00

End Project
BAI. 22872.00
Sta. 12+30.00



Sta. 9+74.75 to Sta. 10+25.25
Remove in-place 60.6' long x 30.7'
wide single-span concrete double-tee
bridge (Incidental Work, Structure)

Sta. 9+66.50 to Sta. 10+33.50
Install 67'-0" Prestressed Concrete
Double Tee Bridge (0° Skew)
(Drainage Area = 46 Sq. Mi.)

Sta. 9+41.50 to Sta. 10+58.50
Install Class B Riprap & Type B Drainage Fabric
(See Structure Details)

LEGEND:

- Construction Limits
- - - Fence - Barbed Wire
- - - Fence - Electric
- ⊕ Telephone Pedestal
- △ Control Point

Benchmark No. 1
Elev. = 1703.59
5/8" Dia. Rebar
Sta. 6+55.71 - 49.38' Rt.

BM No. 1

Nail w/ Bottle Cap in Wood
Fence Post - 76.95'

Nail w/ Bottle Cap in Wood
Fence Post - 71.13'

Sta. 7+70 - 50' Lt. to 70' Lt.
Sta. 12+30 - 50' Lt. to 70' Lt.
Temporary Easement for Construction of 67'-0" Prestressed
Concrete Double Tee Bridge Containing 0.21 Acres, more or
less (to be obtained by Brookings County).

Sta. 7+70 - 50' Rt. to 70' Rt.
Sta. 12+30 - 50' Rt. to 70' Rt.
Temporary Easement for Construction of 67'-0" Prestressed
Concrete Double Tee Bridge Containing 0.21 Acres, more or
less (to be obtained by Brookings County).

NOTE:
Roadway elevations shown are at centerline
of new roadway.

| | | | | | | |
|------------|---|----------|------------|---|----------|------|
| EXCAVATION | = | --- C.Y. | EMBANKMENT | = | --- C.Y. | 1720 |
| BORROW | = | --- C.Y. | +30% | = | --- C.Y. | |
| TOPSOIL | = | --- C.Y. | TOPSOIL | = | --- C.Y. | |
| | | --- C.Y. | | | --- C.Y. | |

| | | | | | | | | | | |
|------|--|--|--|--|--|--|--|--|--|------|
| 1720 | | | | | | | | | | |
| 1715 | | | | | | | | | | 1715 |
| 1710 | | | | | | | | | | 1710 |
| 1705 | | | | | | | | | | 1705 |
| 1700 | | | | | | | | | | 1700 |
| 1695 | | | | | | | | | | 1695 |
| 1800 | | | | | | | | | | 1690 |
| 1685 | | | | | | | | | | 1685 |
| 1680 | | | | | | | | | | 1800 |
| 1675 | | | | | | | | | | 1675 |
| 1670 | | | | | | | | | | 1670 |
| 1665 | | | | | | | | | | 1665 |

PVI 7+70
Elev 1702.90
(Finish Grade)

PVI 12+30.00
Elev 1699.63
(Finish Grade)

0.56%

| FLOW | | ELEV. |
|--------------------------------------|---|-----------------|
| Q _d | = | 2250 cfs 1695.6 |
| Q ₁₀₀ | = | 3760 cfs 1697.7 |
| Q _{O.T.} = Q ₂₀₀ | = | 4670 cfs 1699.4 |

7+00 10 13+00