



STATE OF SOUTH DAKOTA } SS  
Kingsbury County

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Recording Fee: \$30.00 Page: 1 of 2  
Transfer Fee: \$0.00

Caryn J. Hojer

By Brian C. Tash Register of Deeds  
Deputy

This Instrument Drafted by:  
Wilkinson & Schumacher Law Prof LLC  
103 Joliet Avenue SE  
P.O. Box 29  
De Smet, South Dakota 57231-0029  
Telephone: (605) 854-3378

CFEE \$30.00  
RECORDED  
INDEXED  
COMP.

### EASEMENT

Dennis Ryland as Trustee of the Dennis Ryland Living Trust, of 600 4<sup>th</sup> Street Southeast, Lake Preston, South Dakota 57249, Grantors, for and in consideration of the sum of One Dollar (\$1.00) in hand paid and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell, convey, and warrant unto the Arlie D. Ellingson and Pamela J. Ellingson, husband and wife, of 44693 208<sup>th</sup> Street, Lake Preston, South Dakota 57249 as Grantees, and their successors, or assigns, an easement for the construction, operation, maintenance, use, and repair or removal of the private sewer pipes, connections, valves, controls, and all other devises and appurtenances used in connection with the operation of a private sewer system, through, over, and across the following described lands situated in the County of Brookings, in the State of South Dakota, to wit:

Gov't Lots One (1) and Two (2) and the South Half of the Northeast Quarter (S  $\frac{1}{2}$  NE  $\frac{1}{4}$ ) [also described as the Northeast Quarter (NE  $\frac{1}{4}$ )], except the North 597.0 Feet of the East 878.0 Feet of Gov't Lot 1, excluding the South 95.0 Feet of the North 597.0 Feet of the West 326.0 Feet of the East 878.0 Feet thereof; and excluding the South 143.0 Feet of the North 597.0 Feet of the East 347.0 Feet thereof; and except Lots H-1 and H-2, of Section Two (2), Township One Hundred Ten (110) North, Range Fifty Four (54) West of the 5<sup>th</sup> P.M., in Kingsbury County, South Dakota. Subject to easements and reservations of record.

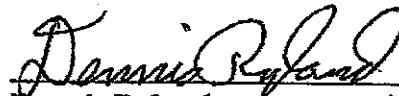
Arlie D. Ellingson and Pamela J. Ellingson have constructed a leech field under the above-described land. The Grantees are granted an easement for the leech field lines as presently situated.

The Grantor covenants and agrees that he is well seized in fee of the lands described herein, and have good right to grant, convey, and warrant the easement granted herein, free and clear of all encumbrances, subject to easements, reservations, and record. The easements and the rights granted, conveyed, and warranted hereunder shall run with the lands described above

and shall inure to the benefit and be binding on the heirs, lessees, successors, or assigns of the respective parties hereto.

No installation, repair or maintenance shall occur during periods when growing crops are present on the land unless failure to do so would result in the system becoming damaged or inoperable. While crops are present, Grantees shall enter the Property only as reasonably necessary and in such a manner as to not unreasonably damage any crop. If entry is required that would knowingly cause damage to crops, Grantees shall pay the reasonable expected damages for crop loss prior to entry.

IN WITNESS WHEREOF, the Grantor has executed this Easement this 17 day of May 2023.



Dennis Ryland as Trustee of the Dennis Ryland Living Trust

State of South Dakota     )  
County of Kingsbury     ): ss

On this the 17<sup>th</sup> day of May 2023 before me, the undersigned officer, personally appeared Dennis Ryland as Trustee of the Dennis Ryland Living Trust, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



Notary Public, South Dakota  
My Commission Expires: 4-1-2025