

274991

Prepared by:

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STATE OF SOUTH DAKOTA } ss
Brookings County

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Serving Chopra, Register of Deeds
By _____ Deputy

LIFE OF STRUCTURE EASEMENT

This Encroachment Easement, made this 17th day of October, 2018, by and between MARGO MORTLAND and RANDY MORTLAND, of 209 East Second Street, Elkton, South Dakota 57026, hereinafter designated as Grantors, as owners of the following described real property:

Lots One (1) and Two (2), EXCEPT the West Sixty Feet (W 60') thereof, in Block One (1) of the Original Plat to the City of Elkton, Brookings County, South Dakota, and that portion of the vacated First Street abutting and accruing thereto.

which property is more fully shown on the title insurance drawing, a copy of which is attached hereto, and by this reference incorporated herein, and which shows the encroachment of roof eave and rain gutter approximately six inches (6") onto and across the west boundary line of Grantors' real property from the following described real property owned by STEWART SALZMAN and MARY SALZMAN hereinafter designated as Grantees:

The West Sixty Feet (W 60') of Lots One (1) and Two (2) in Block One (1) of the Original Plat to the City of Elkton, Brookings County, South Dakota.

WITNESSETH:

In consideration of one dollar and other valuable consideration, the receipt of which is hereby acknowledged, Grantors do hereby grant, bargain, sell and convey to Grantees Stewart Salzman and Mary Salzman an encroachment easement for the roof eave and rain gutter reflected on the annexed title insurance drawing which encroaches over a portion of Grantors' land, which easement shall run with Grantors' land and the title thereto, and be binding upon Grantors and their heirs and any person who shall hereafter acquire title to Grantors' property. However, should said roof eave and rain gutter be destroyed, torn down, moved, or otherwise cease to exist, this easement shall terminate.

Margo Mortland
MARGO MORTLAND

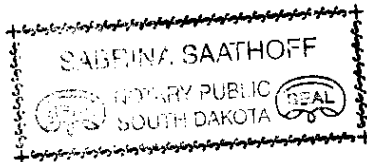
Randy Mortland
RANDY MORTLAND


STEWART SALZMAN


MARY SALZMAN

[illegible]

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



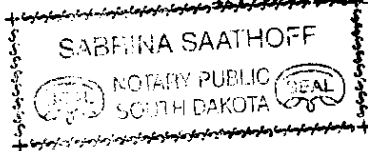
Salmon Smith
Notary Public – South Dakota

11/2/22

COUNTY OF BROOKINGS)

On this, the 17th day of October, 2018, before me, the undersigned officer, personally appeared STEWART SALZMAN and MARY SALZMAN, known to me or satisfactorily proven to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

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



Sulma Sanchez
Notary Public – South Dakota

My commission expires:

11/2/22

TITLE INSURANCE DRAWING

(FOR MORTGAGE PURPOSES ONLY)

FOR: FIRST BANK & TRUST
520 6th STREET
BROOKINGS, SD 57006

LEGAL DESCRIPTION:

LOTS 1 & 2, EXCEPT THE WEST 60', BLOCK 1,
ORIGINAL PLAT TO THE CITY OF ELKTON,
BROOKINGS COUNTY, SOUTH DAKOTA AND THAT
PORTION OF THE VACATED FIRST STREET
ABUTTING AND ACCRUING THERETO.

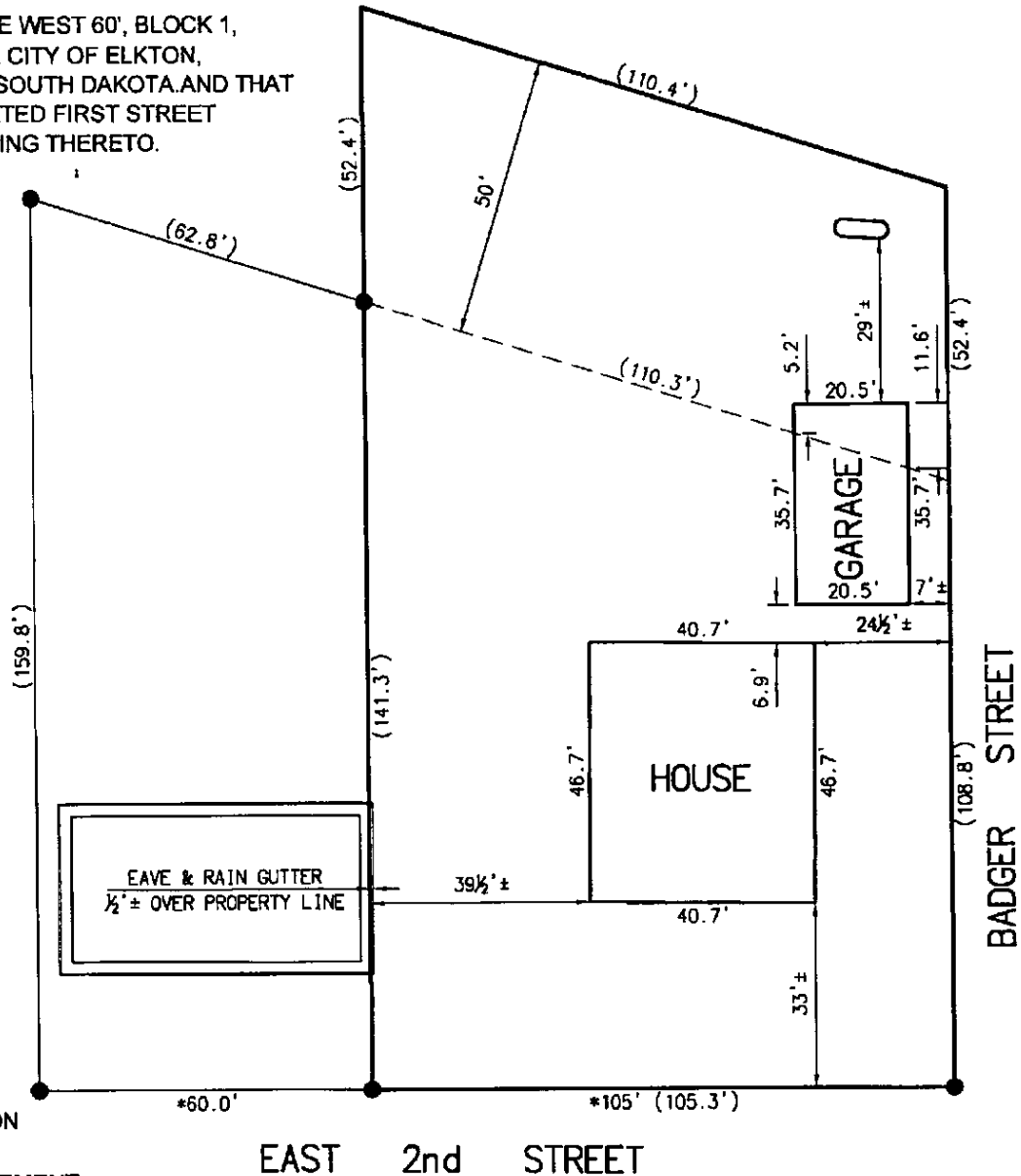


LEGEND:

● FOUND 3 PINS

* PLAT DIMENSION

() FIELD MEASUREMENT



OWNER: MARGO & RANDY MORTLAND
209 E 2nd STREET, ELKTON, SD 57026

SURVEYOR'S STATEMENT

Field work performed to determine approximate location of structures on lot. A detailed field survey must be completed to determine and verify the exact location of property corners and property lines.

Brian D. Ernst
Brian D. Ernst, PLS 11114

10/9/18
Date

NOTES:

THIS IS NOT A BOUNDARY SURVEY.

THIS EXHIBIT SHALL NOT BE USED AS AN EASEMENT OR RECORDED EXHIBIT OR FOR CONSTRUCTION PURPOSES, INCLUDING BUT NOT LIMITED TO STRUCTURES, FENCES, UNDERGROUND SPRINKLER SYSTEMS, ETC.

FORESIGHT
LAND SURVEYORS

1311 MAIN AVE. S, BROOKINGS, SD 57006
PHONE: 605.695.6442 Foresight@brookings.net

DATE: 10/3/18

J.N. 18-0392