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30 pcd (2080)  
Trademark Homes  
6221 E Silver Maple Cir Ste 2  
Sioux Falls, SD 57110

This document was prepared  
By: Jon R. Steckler  
The Coleman Law Firm  
800 North Washington Ave.  
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Minneapolis, MN 55401  
612-877-8411



Recorded Oct 17, 2019 at 10:35  
In Book 290 of Misc. on Page 230

Julie D. Risty, Register of Deeds  
Minnehaha County, South Dakota  
By: *[Signature]* Deputy *[Signature]*

8924331

### DECLARATION OF EASEMENTS

For Lot 5A and Lot 8B in Block 2 of Arbor's Edge Addition, an Addition to the City of Sioux Falls, Minnehaha County, South Dakota

#### A. PREAMBLE

1. This Declaration is made this 11<sup>th</sup> day of October, 2019, by Christensen Enterprises, LLC, with respect to Lot 5A, and Trademark Homes, Incorporated, with respect to Lot 8B (each a "Declarant" as appropriate), their respective successors and assigns, for all the land and improvements for the property described as:

Lot 5A and Lot 8B in Block 2 of Arbor's Edge Addition, an Addition to the City of Sioux Falls, Minnehaha County, South Dakota (the "Property") as depicted in the Exhibit (Exhibit A).

2. Declarants are the owners of the respective parcels of the Property. It is the intention of the Declarants to grant to Willow's Edge Homeowner's Association, Inc., its successors and assigns, an easement for access—ingress and egress for the maintenance and servicing, and all related purposes, related to a well existing on Lot 5A.

3. The Property, or any portion of it, together with any improvements thereon, shall be held, sold, conveyed, and owned, leased, mortgaged and otherwise transferred subject to the covenants, restrictions, easements and conditions established by this Declaration.

4. This Declaration and the easements and covenants created herein shall run with the land and be binding upon and inure to the benefit of any and all persons who acquire a right, title or interest in and to such land, or part thereof, from the date of the recording of the Declaration until the date that it is terminated.

## B. DECLARATION OF EASEMENTS

1. **INGRESS/EGRESS EASEMENT.** Declarants respectively reserve and impose a right of way and/or easement or easements, as indicated on Exhibit A, pursuant to which Willow's Edge Homeowner's Association, Inc., and its successors or assigns, may cross and enter the Property for the purpose of using, servicing and/or maintaining the well on Lot 5A, and for all related purposes. These easements shall be perpetual and shall run with the land.

2. If any provision of this Declaration or the application thereof shall be determined to be invalid or unlawful or otherwise unenforceable under applicable law, the remainder of this Declaration shall not be affected and shall remain valid and enforceable to the fullest extent permitted by law.

3. This Declaration shall be construed and governed in accordance with the laws of the State of South Dakota.

[Signature Page Follows]

**Trademark Homes, Incorporated**

  
By: Erik Christensen  
Its: President

**Christensen Enterprises, LLC**

  
By: Erik Christensen  
Its: Chief Manager

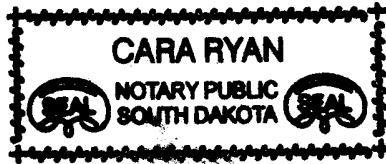
STATE OF SOUTH DAKOTA     )  
  )  
MINNEHAHA COUNTY         )

On this 17<sup>th</sup> day of OCTOBER, 2019, before me, the undersigned officer, personally appeared **Erik Christensen**, who acknowledged himself to be the president of Trademark Homes, Incorporated, a South Dakota limited liability company, and that he, as such officer, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the company by himself as president.

In witness whereof, I have set my hand and official seal:

  
Notary Public

My Commission Expires: 12/16/2022



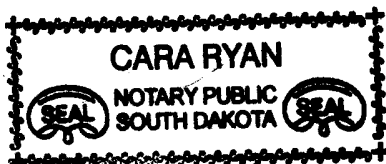
STATE OF SOUTH DAKOTA     )  
  )  
MINNEHAHA COUNTY         )

On this 17<sup>th</sup> day of OCTOBER, 2019, before me, the undersigned officer, personally appeared **Erik Christensen**, who acknowledged himself to be the president of the Christensen Enterprises, LLC, a South Dakota limited liability company, and that he, as such officer, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the company by himself as chief manager.

In witness whereof, I have set my hand and official seal:

  
Notary Public

My Commission Expires: 12/16/2022

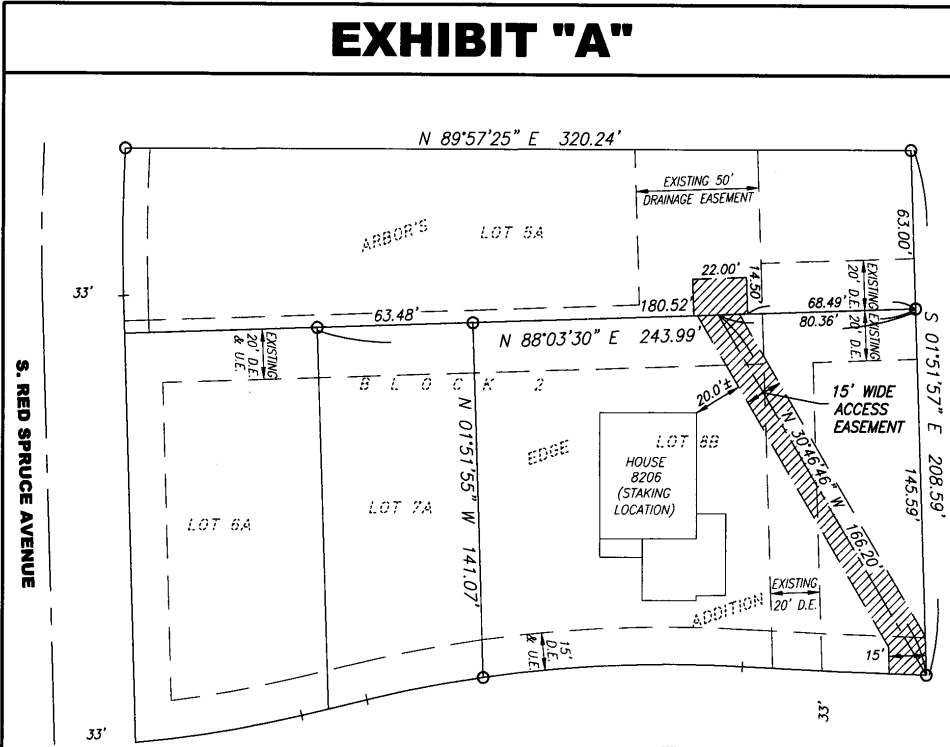


LOCATION:  
 LOTS 5A AND 8B IN BLOCK 2 OF ARBOR'S EDGE ADDITION, AN ADDITION TO THE  
 CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA.

PREPARED BY:

PAUL A. SANDMAN, RLS  
 MIDWEST LAND SURVEYING, INC.  
 211 E. 14TH STREET  
 SIOUX FALLS, SOUTH DAKOTA 57104  
 PHONE: 605-339-8901

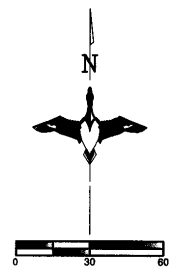
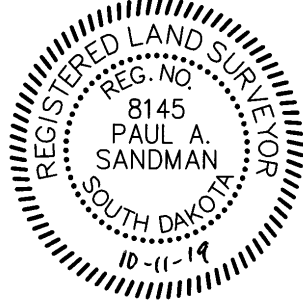
# EXHIBIT "A"



S. RED SPRUCE AVENUE

E. PALAMETTO STREET

**LEGAL DESCRIPTION:**  
 AN EASEMENT FOR INGRESS/EGRESS ACROSS LOT 8B AND A  
 PORTION OF LOT 5A IN BLOCK 2 OF ARBOR'S EDGE ADDITION,  
 AN ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA  
 COUNTY, SOUTH DAKOTA.  
 CONTAINING 2,776 SQUARE FEET OR 0.06 ACRES, MORE OR  
 LESS.



**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT THIS EXHIBIT WAS PREPARED AND THE  
 RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY  
 DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND  
 SURVEYOR UNDER THE LAWS OF THE STATE OF SOUTH DAKOTA.

*Paul A. Sandman* 10-4-19  
 PAUL A. SANDMAN DATE  
 R.L.S. 8145  
 (THIS PAGE ONLY IS COVERED BY THIS SEAL)

- LEGEND**
- EXISTING PROPERTY LINE
  - PLATTED PARCEL
  - FOUND IRON PIN W/CAP #8145 (UNLESS OTHERWISE NOTED)
  - SET NO.5 REBAR W/CAP RLS NO. 8145
  - (R) RECORD DIMENSION

Project Number:	19-783
Date:	10/10/19
Drawn By:	JEB
Approved By:	PAS
Sheets:	1 of 1

SURVEY REQUESTED BY: TRADEMARK HOMES  
 RETURN TO: MIDWEST LAND SURVEYING, INC. ATTN: PAUL A. SANDMAN

PREPARED BY:

Land Surveying and GPS Consulting  
 211 E. 14th Street Suite 100  
 Sioux Falls, South Dakota 57104  
 Phone: (605) 339-8901 FAX: (605) 274-8951

RECEIVED  
 10:35  
 OCT 17 2019