

Form FmHA 1955-49
(Rev. 10-28-81)

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

QUITCLAIM DEED

The UNITED STATES OF AMERICA, acting through the Administrator of the Farmers Home Administration, United States Department of Agriculture, CONVEYS and QUITCLAIMS to Henry R. Prasnicki and Dorothy A. Prasnicki, husband and wife, as joint tenants with right of survivorship and not as tenants in common, RR 1, Box 197, Big Stone City, South Dakota 57216, Grantee, for the sum of Seventy Thousand Three Hundred Eighteen Dollars and No/100 (\$70,318.00)

all interest in the following described real estate situated in the County of Roberts

State of South Dakota, to-wit:
South Half of the Northeast Quarter (S $\frac{1}{2}$ NE $\frac{1}{4}$) except a tract of land shown in Book 55 of Deeds, page 103, and the North Half of the Southeast Quarter (N $\frac{1}{2}$ SE $\frac{1}{4}$) and the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) and the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) and the East Half of the Northwest Quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$) and the West Half of the Northwest Quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$) of Section 17, all in Township One Hundred Twenty-Two (122), Range Forty-Seven (47), West of the 5th P.M., Roberts County, South Dakota.

Reserving unto the United States of America in perpetuity those wetland areas including lakes, ponds, marshes, sloughs, swales, swamps, potholes and riparian rights, if any, to these wetlands now in existence or to be restored within the above described land and shown on the attached map, Exhibit 1, which is made a part of this deed. That the grantees, their heirs and assigns, covenant that they will cooperate in the maintenance of the aforesaid wetlands by not draining, by not cleaning out nor maintaining non-functional drainage facilities, by not burning the vegetation, nor filling with any material those wetland areas shown on Exhibit 1. And the grantees further agree not to interfere with the natural rise and fall of water within the wetland basins shown on Exhibit 1. However, this reservation shall place no restriction on the grantees in carrying on farming practices such as grazing, hay cutting, plowing, working and cropping the wetlands shown on Exhibit 1 when the same are dry of natural causes.

Further reserving unto the United States Fish and Wildlife Service, or its authorized representative, the right of access to the above described wetlands shown in Exhibit 1 to restore these wetlands, to examine them in accordance with the aforementioned reservation and to enforce the provisions of the reservation in accordance with 16 U.S.C. 668dd.

Exempt from transfer fee under SDCL 43-4-22(2).
* * * * *

Together with all water and water rights, ditches and ditch rights, used thereon or appurtenant thereto.

Subject to exceptions and reservations contained in patents from the United States.

Subject to existing easements for roads, highways, ditches, canals, laterals, and power and transmission lines.

Subject to the purchase money mortgage to be executed simultaneously with the delivery of this deed by the Grantees herein in favor of the United States of America, acting through the Farmers Home Administration. The mortgage is to secure the \$70,318.00 owing on the purchase price of the land hereby conveyed. The delivery of this quitclaim deed is conditioned upon the simultaneous execution and delivery to the United States of said security instrument by the Grantees herein:

FmHA 1955-49 (Rev. 10-28-81)

Book 80 Page 443

This deed is executed and delivered pursuant to the provisions of Section 335 of the Consolidated Farm and Rural Development Act (75 Stat. 307; 7 USC 1985), as implemented by

authority set forth in 7 CFR 1900, Subpart A.

No member of Congress shall be admitted to any share or part of this deed or to any benefit that may arise therefrom.

Dated September 20, 1989

UNITED STATES OF AMERICA (Grantor)

By Thomas J. Kostel
THOMAS J. KOSTEL, Acting State Director
Farmers Home Administration
United States Department of Agriculture

73521

In the presence of:

* _____
* _____

STATE OF SOUTH DAKOTA } ss.
ROBERTS COUNTY

Filed for record on the 26th day of September
1989 at 4:40 o'clock P.M. and recorded in Book
80 pages 443-445 of Beadle
Thomas J. Kostel
Register of Deeds
Fee \$ 7.00

ACKNOWLEDGMENT

STATE OF SOUTH DAKOTA)
) ss:
COUNTY OF BEADLE)

On this 20th day of September, 1989, before me, the undersigned duly qualified and acting Notary public in and for said County and State, personally appeared Thomas J. Kostel, to me known to be the person whose name is subscribed to the foregoing instrument as the Acting State Director for the State of South Dakota of the Farmers Home Administration of the United States Department of Agriculture, and acknowledged to me that he signed, executed and delivered the said instrument in the capacity therein stated, as his free and voluntary act and deed, and as the free and voluntary act and deed of the United States of America, for the uses and purposes and consideration therein mentioned and set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this the day and year last above written.

(S E A L)

Allen S. Cassara
Notary Public for the State of South Dakota

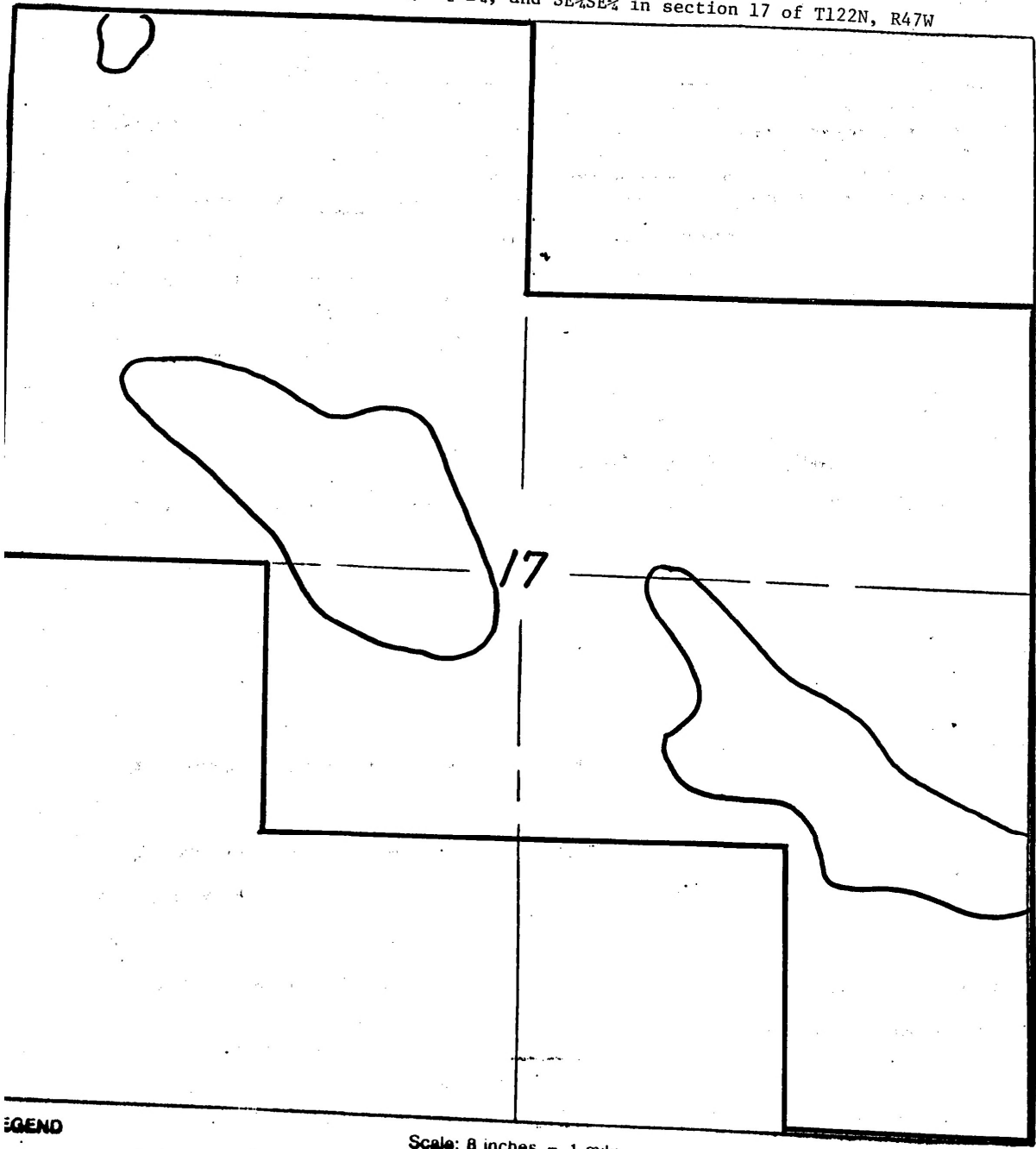
My commission expires:
June 27, 1997

Book 80 Page 444


FARMERS HOME ADMINISTRATION
Exhibit 1 of Deed Reservation

Wetlands located in Roberts County, State of South Dakota

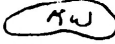
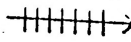
to wit: NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$ in section 17 of T122N, R47W



LEGEND

———— Boundary of deed reservation description
 Wetland included in deed reservation

Scale: 8 inches = 1 mile

 Wetland to be restored
 Non-functional drainage facilities