

Prepared by:  
Christopher L. Fideler  
Christopherson, Anderson, Paulson & Fideler, LLP  
426 E. 8<sup>th</sup> Street  
Sioux Falls, SD 57103  
(605) 336-1030

OFFICE OF REGISTER OF DEEDS #21-0215  
STATE OF SOUTH DAKOTA, County of McCook, as  
Filed for record this 29 day of Jan  
20 21 at 3:05 o'clock P.M. and Recorded  
in Book 190 of Deeds on Page 263  
Laurie A. Schuman Register of Deeds  
Deputy  
Fee: 30.00



**TRUSTEE'S DEED**

Victor L. Weber and Kellie M. Weber, Trustees of the Victor L. Weber Trust dated February 28, 2013, as amended October 9, 2018 (Grantor), for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, do hereby grant, convey, transfer, assign and release unto Frank Howe, of 1500 N. Oak Ridge Place, Sioux Falls, South Dakota 57110, (Grantee), the following real property and all of the right, title and interest acquired by Grantor, by operation of law or otherwise, which real estate is situated in the County of McCook, in the State of South Dakota, and is described as follows, to wit:

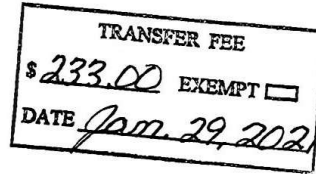
L. D. Terveen Conservation Easement Tract 1 in the West Half (W ½) of Section 16, Township 102 North, Range 56 West of the 5th P.M., McCook County, South Dakota, according to the recorded plat thereof; and

The West 750 feet of the North 1252.47 feet in the Southwest Quarter of Section 16, Township 102 North, Range 56 West of the 5th P.M., including that part of the L.D. Terveen Conservation Easement Tract One lying therein, McCook County, South Dakota.

Subject to easements and restrictions of record.

**TRANSFER FEE \$233.**

Dated this 29<sup>th</sup> day of January, 2021.



Victor L. Weber Trust

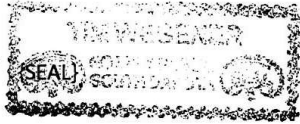
By: [Signature]  
Victor L. Weber, Trustee

Victor L. Weber Trust

By: [Signature]  
Kellie M. Weber, Trustee

STATE OF SOUTH DAKOTA    )  
  :SS  
COUNTY OF MCCOOK        )

On this, the 27<sup>th</sup> day of January, 2021, before me, the undersigned officer, personally appeared Victor L. Weber and Kellie M. Weber, who acknowledged themselves to be the Trustees of the Victor L. Weber Trust, known to me or satisfactorily proven to be the persons described in the foregoing instrument, and acknowledged that they as such Trustees, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the trust by themselves as Trustees.



Tim Wiegner  
Notary Public – State of South Dakota  
My Commission Expires: 2/15/2023

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STATE OF SOUTH DAKOTA    )  
  : SS                    CERTIFICATE OF TRUST  
COUNTY OF MCCOOK        )

Victor L. Weber and Kellie M. Weber, Trustees of the Victor L. Weber Trust, being first duly sworn on oath says that:

1. A trust instrument executed on February 28, 2013, established a trust which is still in existence on the date this Certificate is signed. The trust was amended on October 9, 2018. The name of the trust is the Victor L. Weber Trust.

2. The name of the Grantor is Victor L. Weber.

3. The names and addresses of the Trustees are as follows:

Victor L. Weber and Kellie M. Weber  
42682 258<sup>th</sup> Street  
Emery, SD 57332

4. Pursuant to Section 9.1 of the Victor L. Weber Trust, any power vested in the Trustee or Trustees under the Trust Instrument may be exercised by any single Trustee acting independently and without the consent of the Grantor or any other Trustee. The names and address of the Trustees empowered by the Trust Instrument to act at the time of the execution of this Certificate of Trust are as follows:

Victor L. Weber and Kellie M. Weber  
42682 258<sup>th</sup> Street  
Emery, SD 57332

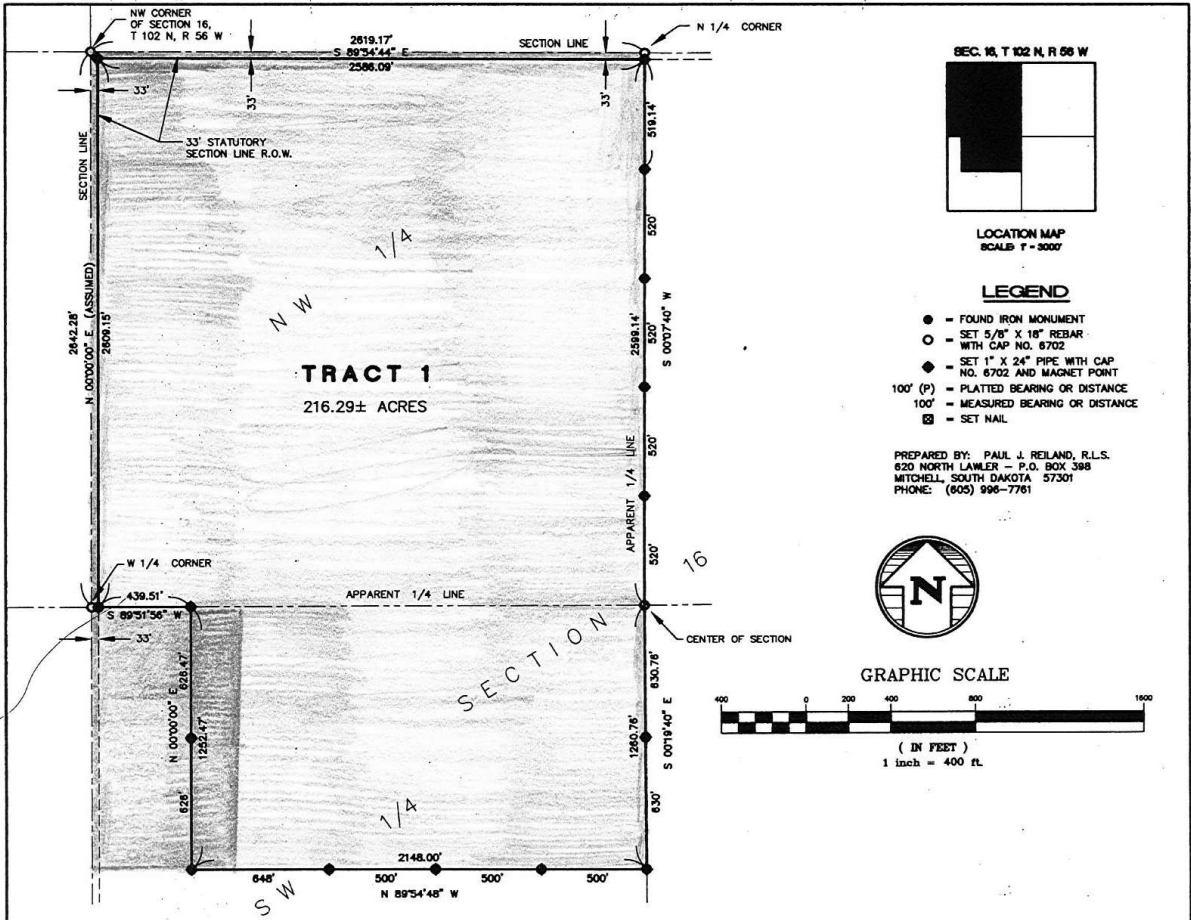
5. The person who signs this certificate below certifies that the trust instrument contains the following powers which are given to the Trustee:

All of the powers granted under the South Dakota Trustee's Powers Act (SDCL 55-1A) as currently in effect or as modified by any subsequent amendment, including the power to

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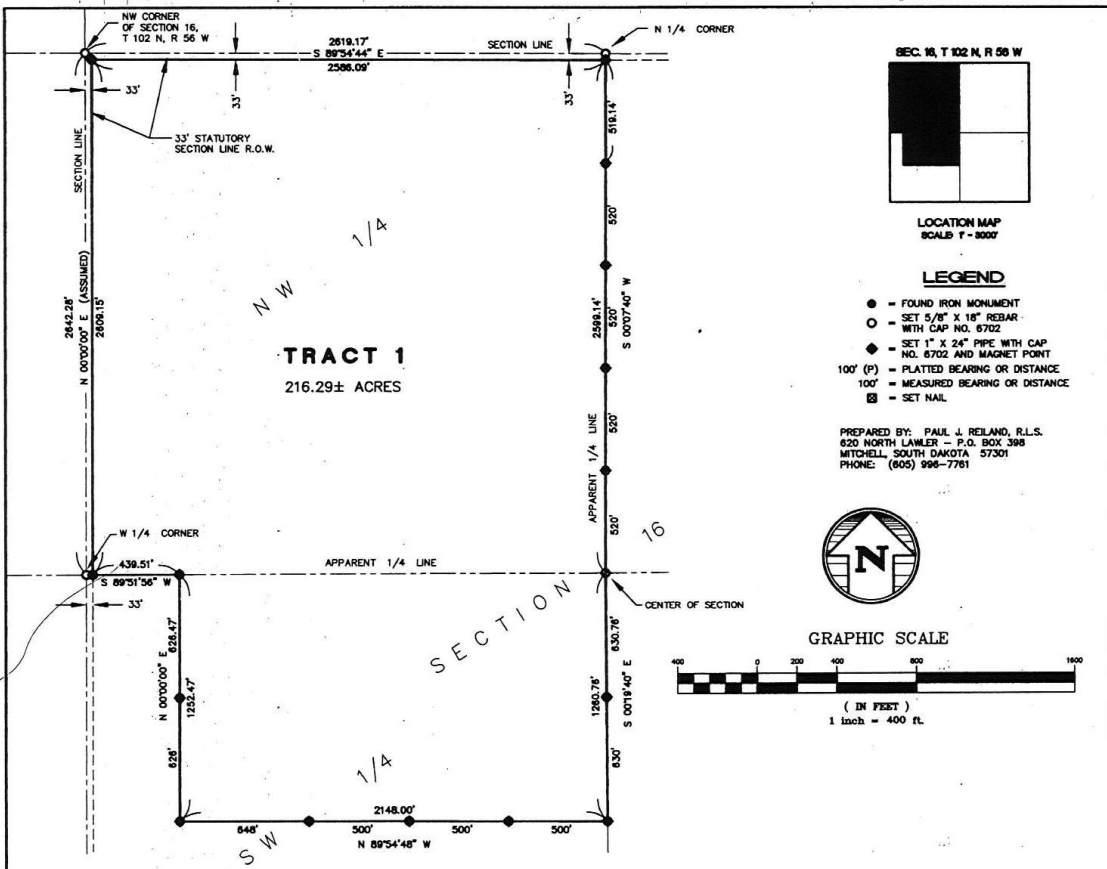
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A PLAT OF L.D. TERVEEN CONSERVATION EASEMENT TRACT 1, IN THE WEST 1/2 OF SECTION 16, T 102 N, R 56 W OF THE 5th P.M., McCOOK COUNTY, SOUTH DAKOTA.

*Does not own to the center of the road because Tract 1 does not go to the section line.*

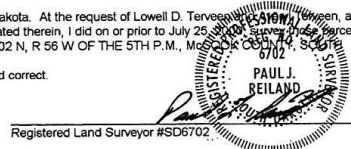


**A PLAT OF L.D. TERVEEN CONSERVATION EASEMENT TRACT 1, IN THE WEST 1/2 OF SECTION 16, T 102 N, R 56 W OF THE 5th P.M., McCOOK COUNTY, SOUTH DAKOTA.**

**SURVEYOR'S CERTIFICATE**

I, Paul J. Reiland, the undersigned, do hereby certify that I am a Registered Land Surveyor in and for the State of South Dakota. At the request of Lowell D. Terveen, as Owners and as Trustees of the Lowell D. Terveen Trust and the Averyl Terveen Trust, and under their direction for purposes indicated therein, I did on or prior to July 25, 2000, survey the parcels of land described as follows: L.D. TERVEEN CONSERVATION EASEMENT TRACT 1, IN THE WEST 1/2 OF SECTION 16, T 102 N, R 56 W OF THE 5TH P.M., McCOOK COUNTY, SOUTH DAKOTA.

In my professional opinion and to the best of my knowledge, information and belief, the within and foregoing plat is true and correct.  
 Dated this 22<sup>nd</sup> day of August, 2000.



**OWNER'S CERTIFICATE AND DEDICATION**

KNOW ALL MEN BY THESE PRESENTS that we, the undersigned, hereby certify that we are the absolute and unqualified owners of all of the land included in the within and foregoing plat and the Trustees of the Lowell D. Terveen Trust and the Averyl Terveen Trust; the plat is of a parcel of ground located in THE WEST 1/2 OF SECTION 16, T 102 N, R 56 W OF THE 5TH P.M., McCOOK COUNTY, SOUTH DAKOTA; that the plat has been made at our request and under our direction for the purposes indicated therein; which said property as so surveyed and platted shall hereafter be known as L.D. TERVEEN CONSERVATION EASEMENT TRACT 1, IN THE WEST 1/2 OF SECTION 16, T 102 N, R 56 W OF THE 5TH P.M., McCOOK COUNTY, SOUTH DAKOTA, as shown by this plat; and we hereby dedicate to the public, for public use forever as such, the streets and alleys, if any, as shown and marked on said plat; and that development of the land included within the boundaries of said Tract 1 shall conform to all existing applicable zoning, subdivision, and erosion and sediment control regulations; further that there now exists a statutory section line right-of-way on the north and west sides of Tract 1.

IN WITNESS WHEREOF, we have hereunto set our hands this 28 day of Sept, 2000.

STATE OF SOUTH DAKOTA)  
 COUNTY OF McCook) SS

*Lowell D. Terveen*  
 Lowell D. Terveen

*Averyl Terveen*  
 Averyl Terveen

On this, the 28 day of Sept, 2000, before me, *Jean Matthews*, the undersigned officer, personally appeared Lowell D. Terveen and Averyl Terveen, known to me or satisfactorily proven to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same for the purposes therein contained.

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

*Jean Matthews*  
 Notary Public, South Dakota  
 My Commission Expires 7/12/2001 (SEAL)

**RESOLUTION OF COUNTY PLANNING COMMISSION**

WHEREAS, the plat of L.D. TERVEEN CONSERVATION EASEMENT TRACT 1, IN THE WEST 1/2 OF SECTION 16, T 102 N, R 56 W OF THE 5TH P.M., McCOOK COUNTY, SOUTH DAKOTA, prepared by Paul J. Reiland, duly licensed Land Surveyor in and for the State of South Dakota, heretofore filed in the office of the County Auditor of McCook County, South Dakota, has been submitted to the County Planning Commission of the said County of McCook, South Dakota; and  
 WHEREAS, the County Planning Commission, in regular meeting assembled, had duly considered said plat and finds as a fact that said plat is in conformity and does not conflict with the Master Plan for the County of McCook, South Dakota, heretofore adopted by this Commission;  
 NOW THEREFORE, be it resolved by the County Planning Commission of McCook County, South Dakota, that the plat of L.D. TERVEEN CONSERVATION EASEMENT TRACT 1, IN THE WEST 1/2 OF SECTION 16, T 102 N, R 56 W OF THE 5TH P.M., McCOOK COUNTY, SOUTH DAKOTA, prepared by Paul J. Reiland, a Land Surveyor, be and the same is hereby approved and its adoption by the Board of Commissioners of the County of McCook, South Dakota, is hereby recommended.  
 I, Harold Huitt, of the County Planning Commission for the County of McCook, South Dakota, do hereby certify that the foregoing resolution was passed by the County Planning Commission of McCook County, South Dakota, at a meeting thereof held on the 14th day of October, 2000.

COUNTY PLANNING COMMISSION --- BY: *Harold Huitt*