

## South Dakota Law

43-13-18. Required terms and provisions of wind easements. Any deed, will, or other instrument that creates a wind easement shall include:

- (1) A description of the real property subject to the easement and a description of the real property benefiting from the wind easement;
- (2) A description of the vertical and horizontal angles, expressed in degrees, and distances from the site of the wind power system in which an obstruction to the wind is prohibited or limited;
- (3) Any terms or conditions under which the easement is granted or may be terminated;
- (4) Any provisions for compensation of the owner of the real property benefiting from the easement in the event of interference with the enjoyment of the easement, or compensation of the owner of the real property subject to the easement for maintaining the easement; and
- (5) Any other provisions necessary or desirable to execute the instrument.

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