

CENTURY MOTELS, INC.

P.O. Box 9279
Rapid City, SD 57709
(605) 343-7117 Fax (605) 343-6285

RECEIVED

DEC 15 2000

Rapid City
Planning Department

00VE014

December 12, 2000

Montana-Dakota Utilities
Box 1060
Rapid City, SD 57709

Hand Delivery

RE: (UTILITY EASEMENT ADJACENT TO THE NORTH SIDE OF BLOCKS 1 & 2 IN THE ORIGINAL TOWN OF RAPID CITY, PENNINGTON COUNTY, SOUTH DAKOTA)

We are proposing to vacate the utility easement on the above-described property.

In order to act on this proposal, the Common Council needs to have comments of any affected utility. I would appreciate your prompt consideration on this proposal. Your comments may be made on this letter and returned to the planning office, 300 6th Street, Rapid City, South Dakota 57701

For further information, a copy of the vacation instrument is included herein.

Sincerely,



Robert J. Blumenthal

MONTANA-DAKOTA UTILITIES CO. HAS A 6" STEEL MAIN LOCATED IN THE SOUTHERN HALF OF THIS SECTION OF NORTH STREET. THE MAIN IS LOCATED VERY CLOSE TO THE NORTHERN BOUNDARY OF THE PROPOSED VACATION. SINCE IT CAN NOT BE READILY DETERMINED WHETHER SEGMENTS OF THE MAIN ACTUALLY LIE IN THE VACATION AREA, MONTANA-DAKOTA IS REQUESTING AN EASEMENT BE GRANTED FOR THIS LINE. SHOULD A WIDTH AND MORE EXACT LOCATION BE SPECIFIED IN THIS EASEMENT, I WOULD MAKE IT 8' WIDE AND LOCATE IT ADJACENT TO THE NORTHERN BOUNDARY OF THE PROPOSED VACATION (SEE ATTACHED MAP). *Rob Baker, SR. REGION ENGR.*

MONTANA-DAKOTA UTILITIES CO.
PIPELINE EASEMENT BY OWNER

THIS INDENTURE, made this 4th day of January, A.D., 2000, between MONTANA DAKOTA UTILITIES CO., A DIVISION OF MDU RESOURCES GROUP, INC., a corporation, 400 North Fourth Street, Bismarck, North Dakota 58501, hereinafter called "COMPANY," its successors and assigns, and the following named persons, herein, whether singular or plural, called "OWNER," namely:

Vantage Properties LLC
PO Box 9279
Rapid City SD 57709

WITNESSETH, that for valuable considerations received, OWNER does hereby grant, bargain, sell and convey unto COMPANY, its successors and assigns, an easement 4 feet in width, being N/A feet left, and N/A feet right of the center line as laid out and/or surveyed, or as finally installed on the hereinafter described lands, together with the right to construct, operate, maintain, repair, increase the capacity of, remove, and replace a gas pipeline or lines, including necessary pipes, poles, and fixtures, through, over, under and across the following described real estate, situated in the County of Pennington, State of South Dakota, namely:

A four (4) foot wide strip within Blocks 1 and 2, contiguous to the North property line. All located within the original Town of Rapid City, Pennington County, South Dakota and as depicted in the attached Exhibit A, hereby incorporated in this document.

OWNER, its successors and assigns, agrees not to build, create or construct or permit to be built, created, or constructed, any obstruction, building, engineering works or other structures upon, over, or under the strip of land herein described or that would interfere with said pipeline or lines or COMPANY'S rights hereunder.

OWNER, its successors and assigns, hereby grants to COMPANY, its successors and assigns, the right at all reasonable times to enter upon said premises for the purpose of laying, constructing, maintaining, operating, replacing, increasing the capacity of, repairing or removing said gas pipeline or lines and for the purpose of doing all necessary work in connection therewith.

If the herein described lands are in the State of North Dakota, this easement is limited to a term of 99 years.

If the herein described lands are in the State of Wyoming, OWNER does hereby release and waive all rights under and by virtue of the homestead exemption laws of that state.

IN WITNESS WHEREOF, OWNER has executed these presents as of the day and year first above written.

Prepared By: Rick Backes
Address: 703 Kansas City St
Rapid City SD 57701
Telephone No: 605 355-4021

Robert J. Summittal Manager

STATE OF South Dakota)
):SS
COUNTY OF Pennington)

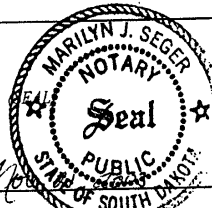
On this 4 day of January 2001, before me personally appeared ROBERT J. SUMMITTAL

known to me to be the same person described in and who executed the above and foregoing instrument and acknowledged to me that he executed the same, (known to me to be the _____ and _____ respectively, of

the corporation that is described in and that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.)

(THIS SPACE FOR RECORDING DATA ONLY)

Marilyn J. Seger
Notary Public, Pennington County,
State of South Dakota
Residing at _____



My Commission Expires: Nov 2001
W.O. _____ L.R.R.N.O. _____
FILE NO. _____ TRACT NO. _____

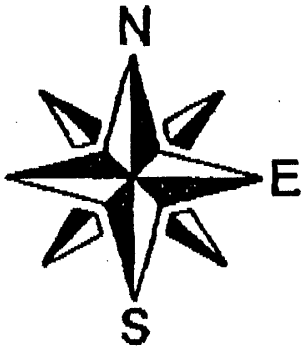
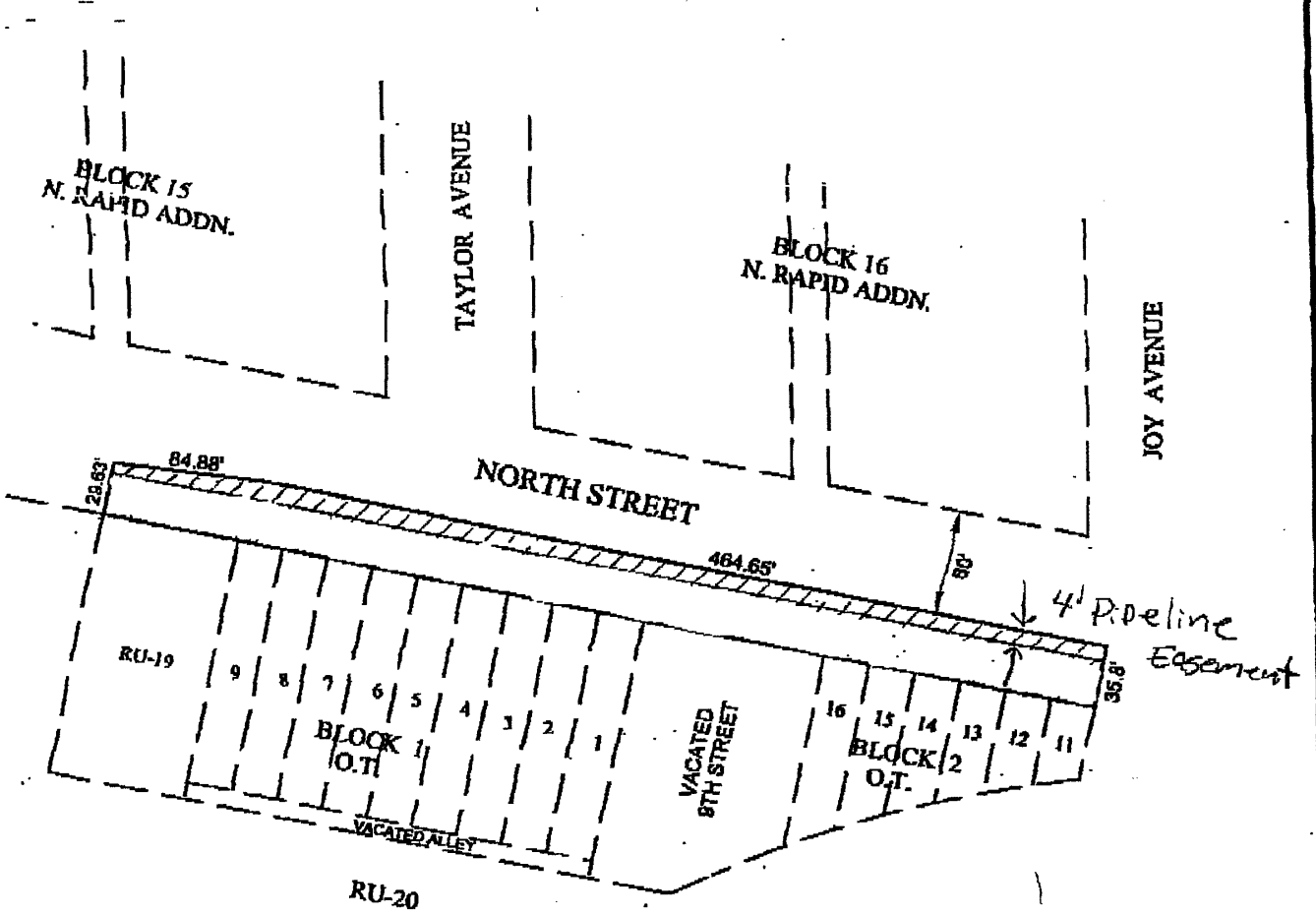


Exhibit A



LEGEND

 4' MDU Pipeline Easement

CENTURY MOTELS, INC.

P.O. Box 9279
Rapid City, SD 57709
(605) 343-7117 Fax (605) 343-6285

00VE014

December 12, 2000

US West Communications
612 Mount Rushmore Road
Rapid City, SD 57701

RECEIVED

DEC 14 2000

Rapid City
Planning Department

**RE: (UTILITY EASEMENT ADJACENT TO THE NORTH SIDE OF BLOCKS 1
& 2 IN THE ORIGINAL TOWN OF RAPID CITY, PENNINGTON COUNTY,
SOUTH DAKOTA)**

We are proposing to vacate the utility easement on the above-described property.

In order to act on this proposal, the Common Council needs to have comments of any affected utility. I would appreciate your prompt consideration on this proposal. Your comments may be made on this letter and returned to the planning office, 300 6th Street, Rapid City, South Dakota 57701

For further information, a copy of the vacation instrument is included herein.

Sincerely,



Robert J. Blumenthal

*West Communications has no objections to
this vacation.*

*William L. Rabbin
Design Eng*

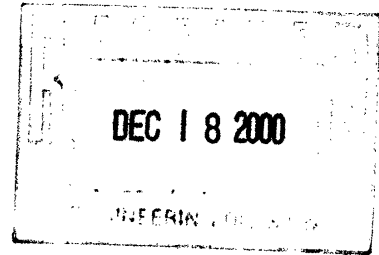
12-12-00



1001 E. Philadelphia
P.O. Box 537
Rapid City, South Dakota 57709
605/343-3402 • Fax: 605/343-6380

00VE014

December 12, 2000



Century Motels, Inc.
P.O. Box 9279
Rapid City, SD 57709

To Whom It May Concern:

Midcontinent Communications has no objections to the vacate of the utility easement located on the north side of Blocks 1 & 2 in the original town of Rapid City, Pennington County, South Dakota. If you have any questions, please feel free to call (605) 342-1870.

Thank you.

Sincerely,

Craig Fuhrmann
Service Supervisor

CF/ck1

Black Hills Power and Light Company

P.O. Box 1400, 409 Deadwood Avenue Rapid City, South Dakota 57709

Mark Lemery
Customer Services Supervisor
Electric Distribution Department

Tele: (605) 342-3200
Fax: (605) 342-4991

December 29, 2000

00VE014

Lisa
William Lass
City of RC Planning Dept
300 6th Street
Rapid City, SD 57701

RE: *The proposed utility vacation of the Vacated part of North Street of Block 1 in the original town of Rapid City. Requested by Robert Blumenthal, Century Motels Inc.*

Dear Mr. Lass,

This letter is in regards to the above referenced project. Vantage Properties, LLC has granted BHP Rights-of-way for the existing power line that is within the portion of property they are requesting to vacate from the City. Based on this ROW, BHP takes no exceptions to their vacation request.

If you have any questions or concerns please feel free to contact me.

Sincerely,


Mark Lemery
Customer Services Supervisor

CC: Robert Blumenthal
Century Motels Inc.
PO Box 9279
Rapid City, SD 57709

RECEIVED

JAN - 2001

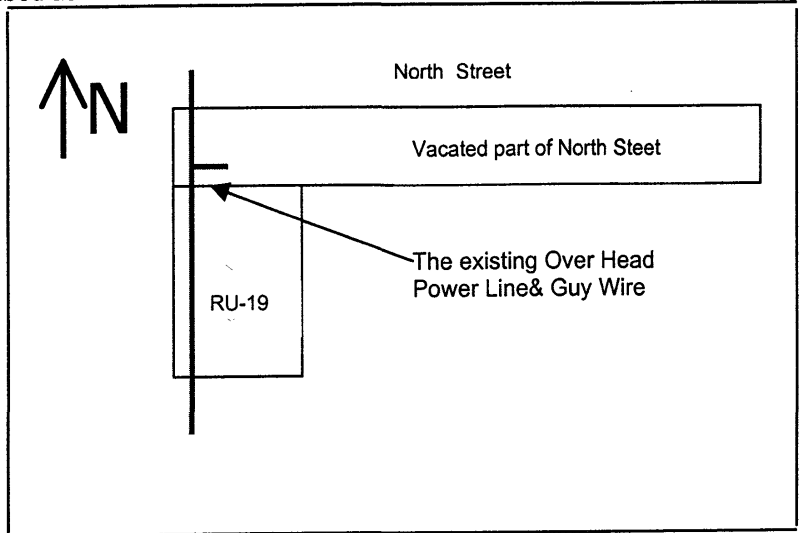
Rapid City
Planning Department

RIGHT-OF-WAY PERMIT - OH/UG CORPORATION

I, VANTAGE PROPERTIES, LLC., in consideration of the sum of \$1.00, receipt of which is hereby acknowledged, hereby grants to BLACK HILLS CORPORATION, a Corporation formerly known as and currently operating its electric utility under the name of Black Hills Power and Light Company, having its principal place of business and post office address at 625 Ninth Street, P.O. Box 1400, Rapid City, South Dakota 57709, its successors and assigns, a perpetual right-of-way and easement to construct, operate and maintain, repair, alter, inspect, remove, upgrade, enhance and replace an electrical power system consisting of buried cables or wires, surface terminals, surface markers, transformer pads or vaults, and associated equipment, and an electric power line with poles, wires and all necessary attachments and appurtenances, with the right of ingress and egress therefor, together with the power to extend to any communications company the right to use any pole or trench placed pursuant to the provisions hereof, upon, over and across that certain piece of real estate hereinafter described, together with the right to cut, trim, or remove from said right-of-way any brush, trees, stumps, or roots where necessary to secure a clearance from the conductors of at least 10 feet on each side of the center line of said right-of-way.

The real estate above referred to is specifically described as follows:

The part of vacated North Street adjacent to Lot RU-19 of Block 1 in the Original Town of Rapid City, Pennington County, South Dakota



NOTE: The centerline of the power line as constructed is the center line of the easement.

The foregoing right is granted upon the express condition that Black Hills Corporation will assume liability for all damage to the herein before described property caused by said Corporation's failure to use due care in its exercise of the granted right.

Dated this 28 day of December, 2000.

Signed: Michelle Wagner

Signed: _____

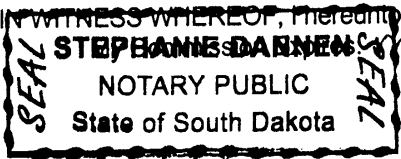


[Corporate Seal]

STATE OF: South Dakota COUNTY OF: Pennington

On this 28 day of December, 2000, before me, the undersigned officers, personally appeared _____ Michelle Wagner, who acknowledged themselves to be the Vice President of VANTAGE PROPERTIES, LLC., a Corporation, and that they as such officers, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the Corporation by themselves as such officers.

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



Stephanie Damm
Notary Public

Prepared By: Mark Lemery
Black Hills Power & Light Company
P.O. Box 1400
Rapid City, SD 57709
605-721-3200