

**RESOLUTION APPROVING LICENSE ASSIGNMENT**

BE IT RESOLVED by the City of Rapid City that the assignment of the LICENSE TO MAINTAIN PARKING LOT ON MUNICIPALLY-OWNED PARKLAND from Canyon Lake Club, LLC to Derby Advertising, Inc. dated December 31, 2001, is hereby approved.

Dated this 7th day of January, 2002.

CITY OF RAPID CITY

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Finance Officer

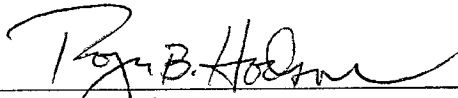
(SEAL)

**ASSIGNMENT OF LICENSE TO MAINTAIN  
PARKING LOT ON MUNICIPALLY-OWNED PARK LAND**

Assignor, Canyon Lake Chophouse, L.L.C. (Canyon Lake Club, LLC), for good and valuable consideration, the receipt of which is acknowledged, hereby assigns to Derby Advertising, Inc. all of its right, title, and interest in and to the attached License to Maintain Parking Lot on Municipally-Owned Park Land between Canyon Lake Chophouse, L.L.C. and the City of Rapid City, dated July 29, 1998. The parties acknowledge that assignee will be required to obtain the approval of the City of Rapid City before this Assignment shall be effective.

Dated this 31<sup>st</sup> day of December, 2001.

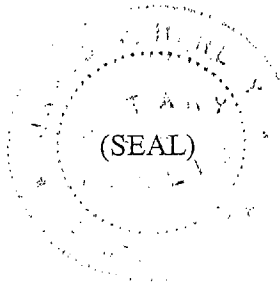
CANYON LAKE CHOPHOUSE, L.L.C.

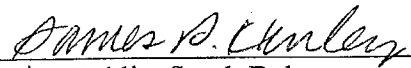
By:   
Roger B. Hodson  
Its: CEO

STATE OF SOUTH DAKOTA:  
SS  
COUNTY OF PENNINGTON :

On this the 31<sup>st</sup> day of December, 2001, before me, the undersigned officer, personally appeared Roger B. Hodson, who acknowledged himself to be the CEO of Canyon Lake Chophouse, L.L.C., a South Dakota limited liability company, and in such capacity, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the company by himself as CEO.

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



  
Notary Public, South Dakota

My Commission Expires: MY COMMISSION EXPIRES OCTOBER 6, 2006

LICENSE TO MAINTAIN PARKING LOT  
ON MUNICIPALLY-OWNED PARK LAND

Whereas the City of Rapid City finds it to be in the public interest and in furtherance of park purposes to allow Canyon Lake Club, LLC, to construct, operate, and maintain paved parking facilities upon certain municipally-owned park lands as hereinafter described, now, therefore, for and in consideration of the benefits to accrue herefrom, the City of Rapid City, 300 Sixth Street, Rapid City, SD 57701, hereby grants to Canyon Lake Club, LLC, 1240 Jackson Boulevard, Rapid City, SD 57702 a revocable license to construct, operate, and maintain paved parking facilities upon certain municipally-owned land legally described as:

A portion of Tract 1 of Rapid City Greenway Tracts, comprising some 2770.97 square feet, more or less, and located as shown on Exhibit "A", attached hereto, abutting Lots D, E, F, G, and K of Kashmir Subdivision in the City of Rapid City, Pennington County, South Dakota.

This license shall be revocable upon sixty (60) days notice, without compensation, if the City shall reasonably determine that the public interest would be served thereby.

Dated this 29<sup>th</sup> day of July, 1998.

CITY OF RAPID CITY

By: Jim Shaw  
Jim Shaw, Mayor

ATTEST:

Charles J. Schmidt  
Assistant Finance Officer

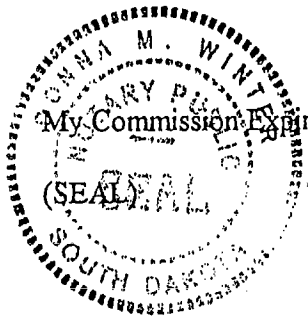
(SEAL)

State of South Dakota)  
SS.  
County of Pennington )

On this the 19 day of July, 1998, before me, the undersigned officer, personally appeared Jim Shaw and Coleen J. Schmidt, who acknowledged themselves to be the Mayor and Assistant Finance Officer, respectively, of the City of Rapid City, a municipal corporation, and that they as such Mayor and Assistant Finance Officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the City of Rapid City by themselves as Mayor and Assistant Finance Officer.

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

Nonna M. Winter  
Notary Public, South Dakota

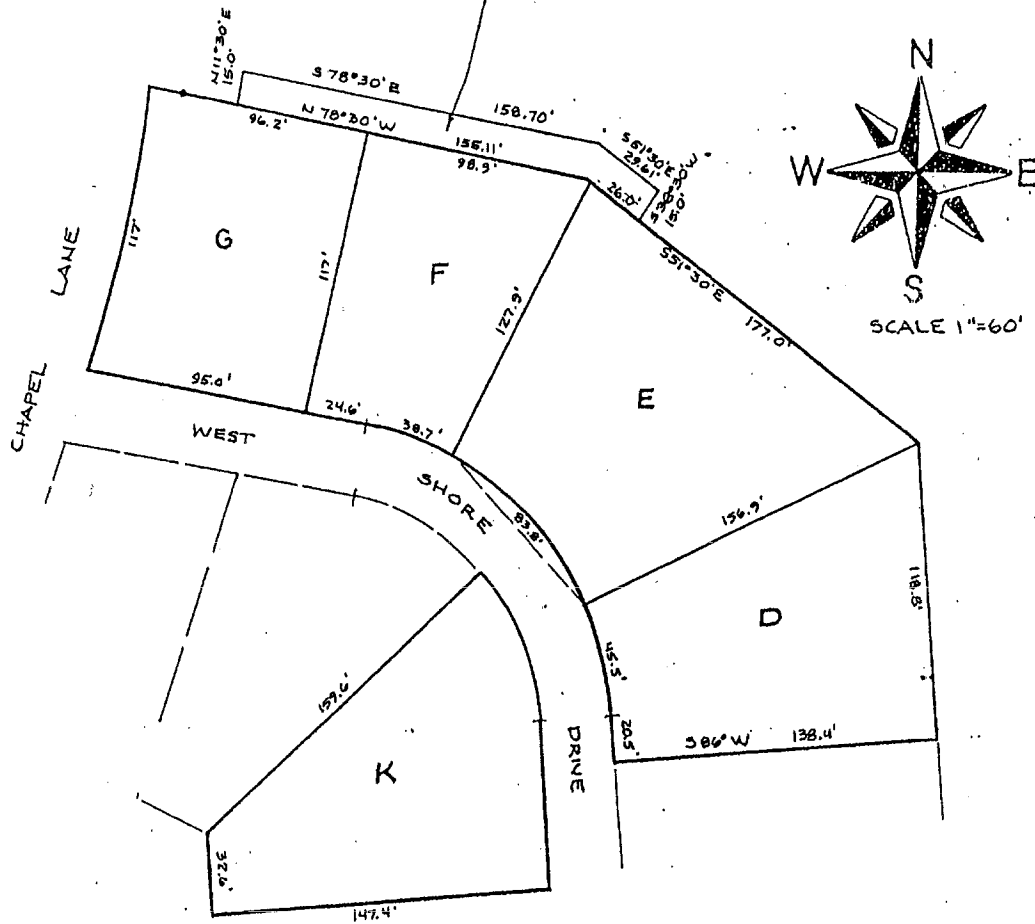


My Commission Expires: April 19, 1999

# EXHIBIT "A"

CANYON LAKE CHOPHOUSE PROPERTY  
Lots D,E,F,G and K of Kashmir Subdivision to the  
City of Rapid City, Pennington County, South Dakota.

50 Year Lease Land From City of Rapid City contains 2770.97 sq. ft.



PREPARED BY: POLENZ LAND SURVEYING  
3412 MEADOWBROOK DRIVE  
RAPID CITY, SD 57702  
(605)-342-6155

3708-429-002  
005

12-4-98

OFFICIAL NOTICE OF HEARING FOR VARIANCE  
City of Rapid City  
Zoning Board of Adjustment

NOTICE OF APPEAL FOR VARIATION FROM THE REQUIREMENTS OF THE CITY  
ZONING ORDINANCE

The Zoning Board of Adjustment hears appeals on the first and third Tuesday of the month. Neighboring property owners, within 150 feet, inclusive of right-of-way, are notified by letter; other property owners in the City, by notice in a local newspaper. The date and time of the hearing is given below.

If you object to this proposed variance, you will have an opportunity to fully express your objections. If it is not convenient for you to appear at the meeting, you may file your objection by letter, giving the address and legal description of your property, the purpose for which your property is now used, and the approximate number of feet of frontage. State your objection and the reason fully. Mail it to the Zoning Board of Adjustment, Building Inspection Division, 300 Sixth Street, Rapid City, South Dakota 57701-2724. Objections must be received before the hearing date.

PLACE OF HEARING: Rapid City Building Inspection Division  
City/School Administration Building  
300 Sixth Street  
Rapid City, South Dakota 57701  
Telephone No. (605) 394-4157

DATE OF HEARING: JANUARY 5, 1998 TIME: 7:00 AM

APPELLANT'S NAME: GENE QUINN

APPELLANT'S ADDRESS: 4510 SHORE DR RAPID CITY SD 57702

OWNER'S NAME: Gene Quinn

OWNER'S ADDRESS: 4510 Shore Dr. RC SD 57702

VARIANCE LOCATION: 4510 Shore Dr. - see plan RC SD 5770

LEGAL DESCRIPTION: Lots J & M<sup>FW</sup> Hashmi's Subdivision

ZONING: Commercial

LOT DIMENSIONS: Frontage: VARIABLES Depth: VARIABLES Sq. Footage of Lot: 19090

LOT COVERAGE: 2800 Sq. Feet + 19090 = 14 1/3 %