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*From the offices of Donald R. Shultz
e-mail address: dshultz@lynnjackson.com*

December 6, 2004

HAND DELIVERED

Ms. Marcia Elkins Buskerud, Director
Growth Planning
City of Rapid City
300 Sixth Street
Rapid City, SD 57701

Rapid City Planning Commission

Re: No. 04CA060 – Application for Amendment to the Comprehensive Plan
Major Street Plan dated 11/15/04
Foye, Butler, Shultz – five parcels
Schmid, Shultz – five parcels

Dear Marcia and Members of the Rapid City Planning Commission

This confirms our telephone conversation on Monday, November 29, 2004 and thanks for the proposed amendment to Major Street Plan, 8" x 12" overlay of the existing Major Street Plan and the proposed Major Street Plan. I enclose a copy of the notice of hearing, which appeared in the classified advertisements on Thanksgiving Day, Thursday, November 25, 2004. This is the only Notice we have received for the proposed Amendment.

After quickly reviewing your proposed Major Street Plan, we have several critical issues and comments concerning our properties, which are on the east side and west side of Highway 16 and along Catron Boulevard, north and south, and cover 200 acres. This Amendment seems to alter or eliminate many existing accesses to our properties, including the 5 parcels owned by Foye, Butler, and Shultz; and the 5 parcels owned by Schmid-Shultz.

Because of the vast land area, (your proposed plan covers 17 sections, 10,880 acres and over 200 acres of our property), we will require more detail and information on the changes to our properties, and your Plan, so we can determine exactly what the impact will be on the present accesses and future development of our properties. We cannot determine from your Notice of

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Management Department

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the proposed Plan what "several collector and arterial roads" are planned for "elimination" and "realignment"; and what, if any, new collector and arterial roads are proposed and how it affects our property and existing accesses.

We cannot respond or comment until we have the following documents for study:

1. Copies of the complete engineering studies affecting our properties, together with copies of all memoranda, studies and staff meeting minutes on which the proposed Plan is based.
2. Because our properties are impacted along Highway 16 and 16B (Catron Boulevard) from 5th Street to the east, to the Police Station access point on the west, we will need to have these materials covering the ½ mile radius of the Proposed Major Street Plan.

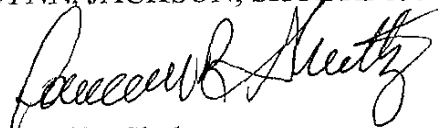
In the Notice, the matter is scheduled for consideration at 7:00 a.m. at the Planning Commission on December 9, 2004. Obviously, because of the huge impact to our 10 properties, as well as numerous other Landowners, we cannot be prepared to study and comment on December 9, 2004 -- we suggest at least a one-month delay after receipt of all requested materials.

Please call me when the studies, memoranda, the staff meeting minutes and materials are available and I will come down and pick them up.

Thank you for your courtesies.

Yours truly,

LYNN, JACKSON, SHULTZ & LEBRUN, P.C.



Donald R. Shultz

Enc.

DRS:pjl

cc: Mayor Jim Shaw (all with enc.)
Barbara Butler
Thomas Foye
George Schmidt
Bob Piacesi