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January 4, 2006

City Planning Commission
c/o Ms. Marcia Elkins
300 Sixth Street
Rapid City, SD 57701-2724

VIA E-MAIL
marcia.elkins@rcgov.org

Re: Plum Creek Development
Revision of Major Street Plan

Ladies and Gentlemen:

Our firm represents Plum Creek Development, LLC. It is my understanding that you are considering a revision in the major street plan that would alter the route of Minnesota Street in a way that is quite harmful to our client and is contrary to the preliminary plan that has already been approved by the City Council. Please accept this letter as the protest and objection of Plum Creek Development, LLC to that proposed change.

It is my understanding that the City's policy in the past has been to work with affected developers and not make such changes in development areas without the participation and concurrence of the affected developers. Accordingly, our clients are puzzled and disappointed that this change is being considered without following past practice.

I know these issues have been the subject of strong words and heightened emotions and I don't intend to try to raise the decibel level on this subject. But I certainly hope you can understand how all this looks "from behind our eyeballs."

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Our clients obtained approval of a preliminary plan on the condition that our clients grant a temporary easement connecting Willow Bend Road to South Valley Road, so that lot purchasers would have two routes in and out. That was done, but then the State cut off the access by the construction of Elk Vale Road. Then our clients were forbidden to open any more lots and the benefit to all the effort and expense was lost, including the effort and expense to open the temporary easement (which is private property still owned by our clients).

Now there is apparently talk that this temporary easement can be used by others as a basis for opening a development even though our clients were "shut off" despite the existence of this temporary easement. On top of all that, now there comes this plan to re-route Minnesota Street to our clients' detriment.

I certainly hope that there is an agreed solution "out there" somewhere that can resolve these various difficulties. Rather than get into the legal issues, I am hoping that your discretion and good judgment will result in setting the Minnesota Street re-route idea aside until a mutually acceptable arrangement for the benefit of all would-be developers can be reached.

Thank you for your attention to our clients' objection.

Sincerely,

CADWELL SANFORD DEIBERT & GARRY LLP

A handwritten signature in black ink, appearing to read "S. Sanford", written in a cursive style.

Steven W. Sanford

SWS/gl