

AGREEMENT FOR VOLUNTARY RIGHT OF WAY DONATION

PW042506-09

PROJECT NO: BRO 8052(56) CITY: Rapid City PARCEL NO: 2 & 2A
This agreement made and entered into this ___ day of ___, 2006
by and between Rapid City acting by and through the RC Common Council,
hereinafter referred to as CITY, and Christopher S. Horlock
, whose postal address is 1312 Creek Drive,
Rapid City, SD 57703, hereinafter referred to as DONOR.

WHEREAS, CITY needs the following easements for construction, operation
and maintenance of a highway:

Right of Way: Lot H1 of Lot La of Lot L in the NW 1/4 SW 1/4 of Section
5, T1N, R8E, BHM. Approximately 12388 square feet
more or less as shown on Plat of Lot H1.

Permanent Easement: Lot PE1 of Lot La of Lot L in the NW 1/4 SW 1/4 of Section
5, T1N, R8E, BHM. Approximately 5123 square feet more
or less as shown on Plat of Lot PE1.

NOW THEREFORE, DONOR understands his/her right to have an appraisal prepared
and his/her right to receive just compensation for the above described
perpetual and/or temporary easement in accordance with Title III Public Law
91-646. DONOR does hereby voluntarily donate to CITY the above-described
easements as shown on the plans for construction of the above-cited PROJECT.

Stipulations of conditional donation: 1.City shall construct as part
of project BRO 8052(56), a 6' high woven wire fence along proposed ROW line
offset 1' onto Donor's property. Fence locations are as follows: Sta. 0+06 R
to Sta. 1+56 R and from 2+25 R to 4+50 R. 2.City shall remove 3 tree stumps
at 2+40+/- R. 3.Donor shall remove existing split rail fence from 0+06 R to
1+56 R. 4.Donation of Lot H1 will not require existing structures at 1+90 R
and 2+50 R to be removed or relocated as a result of this project or future
use of this right-of-way. 5.Donor hereby Grants to the City and it's
Contractor, a temporary construction easement to erect fence and remove
stumps listed in stipulations 1 and 2.

DONOR agrees that the erection of fences, structures or obstacles within
the permanent easement will not be permitted except as listed above.

DONOR grants permission to CITY or CITY'S agent to enter upon above
described easement upon approval of this AGREEMENT.

The permanent easement shall be in effect until the highway is abandoned
by proper action of the Rapid City Common Council and the temporary easement
shall be in effect until construction of the project is completed.

IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be
executed.

Attest: _____
City Finance Officer

By: Christopher Horlock by
Pat Horlock as POA
Donor

By: _____
Mayor

By: _____
Donor

STATE OF South Dakota

COUNTY OF Pennington

On this 12th day of April in the year of 2006, before
me, Karen Jones, a Notary Public within and for said
County and State, personally appeared Patricia Horlock
known to me to be the person(s) described

in and who executed the foregoing instrument and acknowledged to me that
She executed the same for the purpose therein stated.

My Commission Expires: July 11, 2008

Karen Jones
Notary Public

STATE OF SOUTH DAKOTA)
) SS.
COUNTY OF PENNINGTON)

On this the 12th day of April, 2006, before me, the undersigned Notary Public, personally appeared Patricia Horlock, Grantor, representing himself, and that as such Grantor, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of Christopher Horlock as Grantor.

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

Karen Jones
Notary Public, South Dakota

My Commission Expires: July 11, 2008

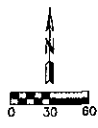
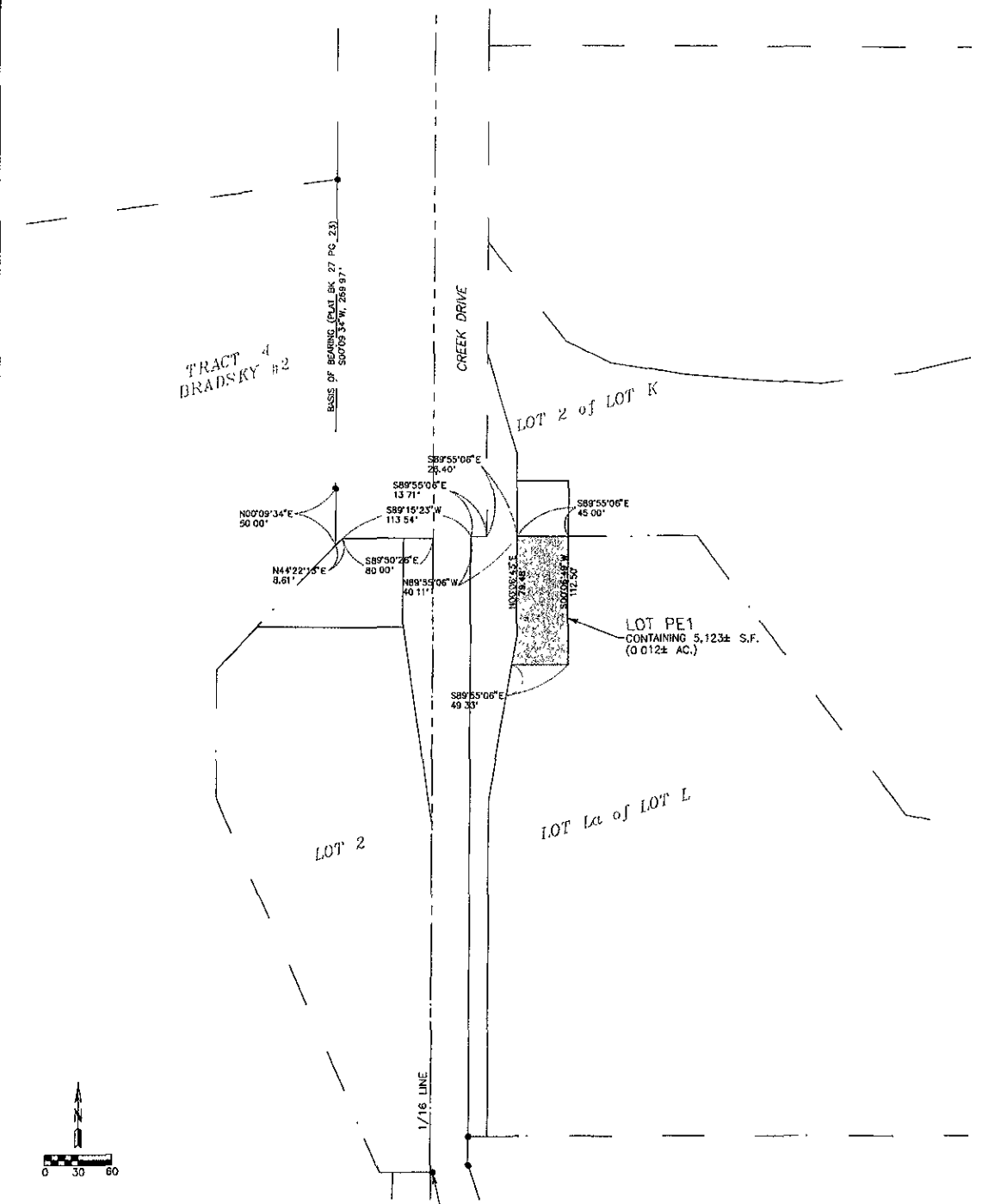
(SEAL)

PLAT OF LOT PE1 OF LOT La OF LOT L
SHOWING A PARCEL OF LAND TO BE ACQUIRED FOR DRAINAGE PURPOSES IN
LOT La OF LOT L OF NE1/4 SW1/4 SECTION 5, T1N, R8E, B.H.M
FOR CONSTRUCTION OF PROJECT BRO 8052(56)
RAPID CITY, PENNINGTON COUNTY, SOUTH DAKOTA

PW042506-09

SCALE 1 INCH = 80 FEET

PAGE 1 OF 1



LEGEND

- FOUND SURVEY MONUMENT
- (R) INDICATES DIMENSION PREVIOUSLY RECORDED
- (M) INDICATES DIMENSION MEASURED THIS SURVEY

Plat prepared by

Drawn By RE Date X

Checked By KP Date X

SURVEYOR'S CERTIFICATE

I, Keith S. Peterson, Registered Land Surveyor, in and for the State of South Dakota, do hereby certify that as ordered by the South Dakota State Transportation Commission the tract of land as shown on this plat has been surveyed at my direction and under my control and such tract of land shall be hereafter known by the lot number designated herein. The location and dimensions of the tract are shown on this plat.

In witness whereof, I have set my hand and seal this _____ day of _____ A.D., 20____

Registered Land Surveyor
Registration No. 4725

OFFICE OF REGISTER OF DEEDS

State of South Dakota
County of Pennington ss

Filed for record the _____ day of _____ A.D., 20____, at _____, and recorded in Books of Plats _____ on Page _____ therein.

Register of Deeds by Deputy

Prepared By:

CETEC Engineering Services, Inc.
1830 West Fulton Street
P.O. Box 9014
Rapid City, SD 57709-9014
Telephone: (605) 341-7800

QUIT CLAIM DEED

Christopher S. Horlock, 1312 Creek Drive, Rapid City, SD 57703, Grantor, for and inconsideration of One Dollar (\$1.00) and other good and valuable consideration, convey and quit claim to the CITY OF RAPID CITY, a municipal corporation, of 300 Sixth Street, Rapid City, South Dakota, 57701, all interest in the following described real estate in the County of Pennington in the State of South Dakota:

Lot H1 of Lot La of Lot L in the NW ¼ SW ¼ of Section 5, T1N, R8E, BHM. Approximately 12388 square feet more or less as shown on Plat of Lot H1.

EXEMPT FROM TRANSFER FEE: SDCL Section 43-4-22(2)

Dated this 12th day of April, 2006.

GRANTOR:

Christopher S. Horlock

By: Christopher Horlock by
Pat Horlock as POA

Date: 4-12-2006

STATE OF SOUTH DAKOTA)
) SS.
COUNTY OF PENNINGTON)

On this the 12th day of April, 2006, before me, the undersigned Notary Public, personally appeared Patricia Hollock, Grantor, representing himself, and that as such Grantor, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of Christopher Hollock as Grantor.

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

Karen Jones
Notary Public, South Dakota

My Commission Expires: July 11, 2008

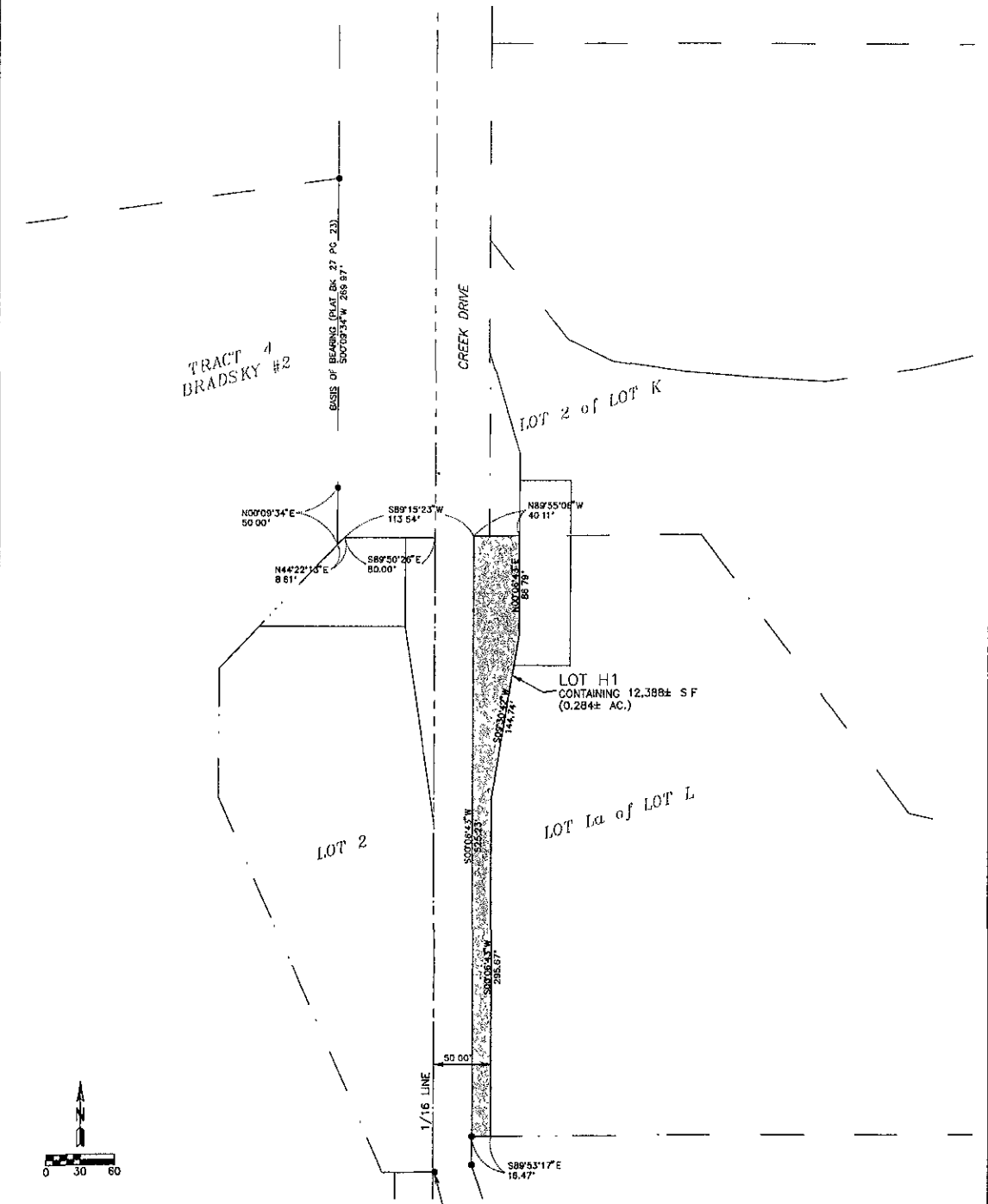
(SEAL)

PLAT OF LOT H1 OF LOT La OF LOT L
SHOWING A PARCEL OF LAND TO BE ACQUIRED FOR HIGHWAY AND UTILITY PURPOSES IN
LOT La OF LOT L OF NE1/4 SW1/4 SECTION 5, T1N, R8E, B.H.M.
FOR CONSTRUCTION OF PROJECT BRO 8052(56)
RAPID CITY, PENNINGTON COUNTY, SOUTH DAKOTA

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SCALE: 1 INCH = 60 FEET

PAGE 1 OF 1



LEGEND

- FOUND SURVEY MONUMENT
- (R) INDICATES DIMENSION PREVIOUSLY RECORDED
- (M) INDICATES DIMENSION MEASURED THIS SURVEY

Plat prepared by

Drawn By BE Date X
 Checked By KP Date X



1850 West Pulaski Street
 Rapid City, SD 57702
 Phone: (605) 341-7800
 www.cetecsurveying.com

SURVEYOR'S CERTIFICATE

I, Keith S. Peterson, Registered Land Surveyor, in and for the State of South Dakota, do hereby certify that as ordered by the South Dakota State Transportation Commission the tract of land as shown on this plat has been surveyed at my direction and under my control and such tract of land shall be hereafter known by the lot number designated herein. The location and dimensions of the tract are shown on this plat.

In witness whereof, I have set my hand and seal this _____ day of _____ A.D., 20____.

Registered Land Surveyor
 Registration No. 4725

OFFICE OF REGISTER OF DEEDS

State of South Dakota
 County of Pennington ss

Filed for record the _____ day of _____, A.D., 20____, at _____, and recorded in Books of Plats _____ on Page _____ therein

Register of Deeds

by

Deputy