

PROJECT NO: BRO 8052(56) CITY: Rapid City PARCEL NO: 3 & 3A

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 Fay E. Bice, Trustee,
 , whose postal address is 2623 Evergreen Drive,
Rapid City, SD 57702, 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 2 of Lot K of Bice Subdivision located
in Section 5, T1N, R8E, BHM. Approximately 3069
square feet more or less as shown on Plat of Lot H1.

Lot PE1 of Lot 2 of Lot K of Bice Subdivision located
in Section 5, T1N, R8E, BHM. Approximately 2183
square feet more or less as shown on Plat of Lot PE1.

Temporary Easement: Parcel 3 in Lot 2 of Lot K of Bice Subdivision located
in Section 5, T1N, R8E, BHM. Approximately 1385
square feet more or less as shown on Exhibit A.

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: City of Rapid City will pave
with asphalt concrete from the edge of the roadway an area 50' long by 28'
wide by 4" thick along the existing entrance alignment. Paving will take
place at the same time as paving along Creek Drive as part of the above
referenced project.

DONOR agrees that the erection of fences, structures or obstacles within
the Right of Way will not be permitted.

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: *Fay E. Bice*
Donor

By: _____
Mayor

By: _____
Donor

STATE OF South Dakota

COUNTY OF Pennington

On this 24th day of May in the year of 2006, before
me, Jean M. Nicholson, a Notary Public within and for said
County and State, personally appeared Fay E. Bice
 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: 5-25-2008

Jean M. Nicholson
Notary Public