

PREPARED BY: City Attorney's Office  
300 Sixth Street  
Rapid City, SD 57701  
(605) 394-4140

STATE OF SOUTH DAKOTA     )  
  ) SS.     PARTIAL RELEASE AND DISCHARGE  
COUNTY OF PENNINGTON     )

THE CITY OF RAPID CITY, a municipal corporation, of 300 Sixth Street, Rapid City, South Dakota, does hereby release and discharge Lot 7 in Block 1 of I-90 Heartland Business Park, City of Rapid City, Pennington County, South Dakota, as shown on the plat filed in Plat Book 32, Page 153, from the lien and operation of the Covenant Agreement made and entered into as of the 3rd day of December, 2007, by and between THE CITY OF RAPID CITY ("City") and BY-PASS DEVELOPMENT, LLC, ("Developer") and recorded with the Pennington County Register of Deeds on December 11, 2007, in Book 175, Page 6781. This Partial Release shall not affect any obligation of the "Developer" to otherwise perform or pay any balances owed under the terms of the Covenant Agreement, and the Covenant Agreement shall otherwise remain in full force and effect.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

CITY OF RAPID CITY

\_\_\_\_\_  
Alan Hanks, Mayor

ATTEST:

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

(SEAL)

State of South Dakota                    )  
  SS.  
County of Pennington                    )

On this the \_\_\_\_\_ day of \_\_\_\_\_, 2008, before me, the undersigned officer, personally appeared Alan Hanks and James F. Preston, who acknowledged themselves to be the Mayor and Finance Officer, respectively, of the City of Rapid City, a municipal corporation, and that they as such Mayor and 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 Finance Officer.

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

\_\_\_\_\_  
Notary Public, South Dakota

My Commission Expires:

(SEAL)