

From: Joel.Gengler@state.sd.us [mailto:Joel.Gengler@state.sd.us]
Sent: Tuesday, February 24, 2009 10:05 AM
To: Elkins Marcia
Cc: Ellis Robert; Karla.Engle@state.sd.us; Joel.Gengler@state.sd.us
Subject: RE: Tower Road Transfer proposed termini and responsibilities

Marcia;

The draft is not ready. Based on our telephone conversation a little while ago I will summarize the transfer. The draft transfer agreement will be sent as soon as we can prepare it. It is likely late this week.

Current Tower Road ownership by the City of Rapid City:

Tower Road east of present US16 - DOT abandon ROW and interest in Section line ROW in 1993 and 1994 respectively. City of Rapid City approved subdivision in 1994 effectively incorporating Tower Road from Cathedral Drive to the overpass structure.

Developer subdivision plat for Section 14 - Abandonment proposal and plat approval/adoption:

Recent subdivision request from developer for the segment immediately west of the overpass structure to the City of Rapid City. SDDOT will submit to the Transportation Commission for abandonment of Lot AB1 a portion of Lot H1 in SE1/4 of Section 11, Township 1 North, Range 7 East of the B.H.M, Pennington County, South Dakota containing 4.14 acres more or less and Lot H1 SW1/4 of Section 11, Township 1 North, Range 7 East of the B.H.M , Pennington County, South Dakota containing 0.67 acres more or less. This will be contingent upon the City approving the subdivision plat of Lots 1 thru 18 as contemplated by the developer and reviewed by the City. It is also contingent upon agreement of transfer of Tower Road which you verbally verified in our telephone conversation and will be discussing today in your meeting. Once the concurrence for transfer of Tower Road is passed by the City Council I will forward the abandonment plat and resolution for you to file whereupon you will immediately file the approved plat for Lots 1 thru 18.

Transfer:

The transfer of ROW legal descriptions are as follows

Lot H1 of the NW1/4 of Section 14, Township 1 North, Range 7 East of the B.H.M., Pennington County, South Dakota. Containing 4.40 acres more or less.

Lot H1 of the SW1/4 of Section 14, Township 1 North, Range 7 East of the B.H.M., Pennington County, South Dakota. Containing 3.99 acres more or less

DOT to retain ownership of the structure overpass near the north termini with responsibility as follows

- City to and repair as necessary and maintain guard rail, maintain pavement markings across the structure and roadway to the structure.
- City to complete snow removal across the structure.
- DOT responsible for bridge inspections, repair, maintenance, and replacement if necessary. DOT responsible for guard rail upgrades based on standard changes.

Please let me know if you have any questions or need additional information for your meeting. I apologize I do not have the draft transfer ready at this time.

Joel W Gengler, ROW Program Manager
joel.gengler@state.sd.us
605.773.3746
FAX: 605.773.4249

