

**SUPPLEMENTAL MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY
OF RAPID CITY AND THE RAPID CITY AREA SCHOOL DISTRICT
TO PROVIDE FOR REIMBURSEMENT OF DESIGN EXPENSES
FOR A PERFORMING ARTS FACILITY**

THIS SUPPLEMENTAL MEMORANDUM OF UNDERSTANDING is made this _____ day of _____, 20___, by and between the City of Rapid City and the Rapid City Area School District.

WHEREAS, the Parties hereto have executed a prior agreement entitled “Memorandum of Understanding Between the City of Rapid City, Rapid City Performing Arts Coalition, and the Rapid City Area School District” in October of 2009, (hereinafter “Prior Agreement”); and

WHEREAS, the City of Rapid City (hereafter “City”) has allocated funds from its 2012 Program for the construction of a performing arts facility (hereinafter “Facility”); and

WHEREAS, the Rapid City Area School District 51-4 (hereafter “School District”) is ready to begin to process of designing said Facility at the location contemplated in the Prior Agreement.

NOW THEREFORE, for and in consideration of the terms, conditions and mutual covenants contained herein and other good and valuable consideration received by each party, the sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. The City has authorized the expenditure of 2012 Funds to fund its contribution of the design and construction costs of the Facility.
2. The City agrees to reimburse the School District for its actual expenses in having a preliminary design prepared for the Facility up to and including the total amount of One Hundred Thousand Dollars (\$100,000.00).
3. The City shall have forty-five (45) days to provide such reimbursement after submission of an invoice with documentation of actual design expenses and proof of payment thereof by the School District.
4. This Agreement is made in consideration of the above recitals and the covenants and agreements in the Prior Agreement.
5. This Agreement in addition to and along with the Prior Agreement constitutes the entire agreement of the Parties. This Agreement may only be modified by mutual agreement of the Parties, and any amendments, modifications, or addendums must be made in writing.
6. This Agreement may be executed in counterparts; each such counterpart shall be deemed an original and when taken together with other signed counterparts, shall constitute one Agreement.

CITY OF RAPID CITY

Mayor

ATTEST

Finance Officer

RAPID CITY AREA SCHOOL DISTRICT

School Board President

ATTEST

Business Manager