

AGREEMENT FOR VOLUNTARY RIGHT OF WAY DONATION

PROJECT NO: P 1648(03) CITY: Rapid City PARCEL NO: 9

This agreement made and entered into this day of , 20 10 by and between Rapid City acting by and through the City Council City Commission/Council, hereinafter referred to as CITY, and Daryl Dressler/Patricia Erickson, whose postal address is 234 Anamosa Street South Dakota, 57767, hereinafter referred to as DONOR.

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

Temporary Easement: "Exhibit A" Temporary Easement for Construction E82' of Block 117 of Mahoney Addition 1/4, SEC. 25 T2N, R7E, BHM between station 11+43.26 to 12+25.12, 409 sq. ft. more or less.

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 the Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended. DONOR does hereby voluntarily grant and donate to CITY, for and in consideration of \$1.00 and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged by DONOR, the above described easements as shown on the plans for construction of the above cited PROJECT. Stipulations of conditional donation:

DONOR agrees that the erection of fences, structures or obstacles within the perpetual easement 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 perpetual easement shall be in effect until the highway is abandoned by proper action of the Rapid City City Commission/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: [Signature] Donor

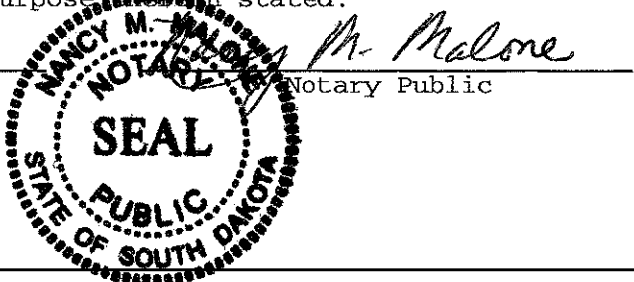
By: Mayor

By: [Signature] Donor

STATE OF South Dakota COUNTY OF Pennington

On this 11th day of January in the year of 2010, before me, Nancy M. Malone, a Notary Public within and for said county and State, personally appeared Daryl Dressler & Patricia Erickson known to me to be the person(s) described in and who executed the foregoing instrument and acknowledged to me that they executed the same for the purpose therein stated.

My Commission Expires: 11-10-14



RECORD OF CALLS/VISITS AND DISCUSSION RECORD  
TO ACCOMPANY DONATION FORM LGA-ROW-1

PROJECT NO: P 1648(03) CITY: Rapid City PCN: H021  
LANDOWNER: Daryl Dressler

NAME OF NEGOTIATOR: Richard Sudmeier - FMG Inc.  
TITLE: Project Engineer

The following was shown and/or explained to the landowner:

Construction  Right of Way  Right of Way  Other   
Plan Sheet Document(s) Brochures

Call/Visit Number: 1  
Time: 10:20 AM Date: 6/18/09  
Visit Location: \_\_\_\_\_

List people present during meeting: Daryl Dressler and Richard Sudmeier

Notes of Discussion:

We met to discuss the need for a temporary construction easement at 242 Anamosa Street which is a property he owns. We discussed the need to remove the Elm Tree located next to the sidewalk. I told Daryl under City of Rapid City Policy he was entitled to three new 2.5" Cal. trees which could be planted on his property at 242 Anamosa Street. We also discussed there was going to be new 4" PVC sewer service built up to his property line and a new 1" water service and curb stop built up to his property line. New sidewalk would be built, new concrete driveway would be built in the Right-of-Way and the temporary easement area would be graded to drain towards the Anamosa St.

He asked about whether he needed to sign the documents. I told him they had to be notarized and I'd send him the documents in the mail for his signature.

Call/Visit Number: 2  
Time: 12:15 AM / PM Date: 1/11/2010  
Visit Location: Ace Steel & Recycling (Daryl's place of Employment)  
List people present during meeting: Daryl Dressler, Richard Sudmeier, Nancy Malone

Notes of the Discussion: met with Daryl to have him sign easement document which he did. Told him project start date had not been set yet.

Call/Visit Number: 3  
Time: 9:00 AM / PM Date: 1/14/2010  
Visit Location: Patricia Erickson's house met with house  
List people present during meeting: Patricia Erickson, Richard Sudmeier and Nancy Malone (FMG)

Notes of the Discussion: Met with Patricia to get her signature for the easement. She asked when the project might start, which I told her a date had not been determined yet.

Call/Visit Number: 4

Time: \_\_\_\_\_ AM / PM Date: \_\_\_\_\_

Visit Location: \_\_\_\_\_

List people present during meeting: \_\_\_\_\_

\_\_\_\_\_

Notes of the Discussion: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

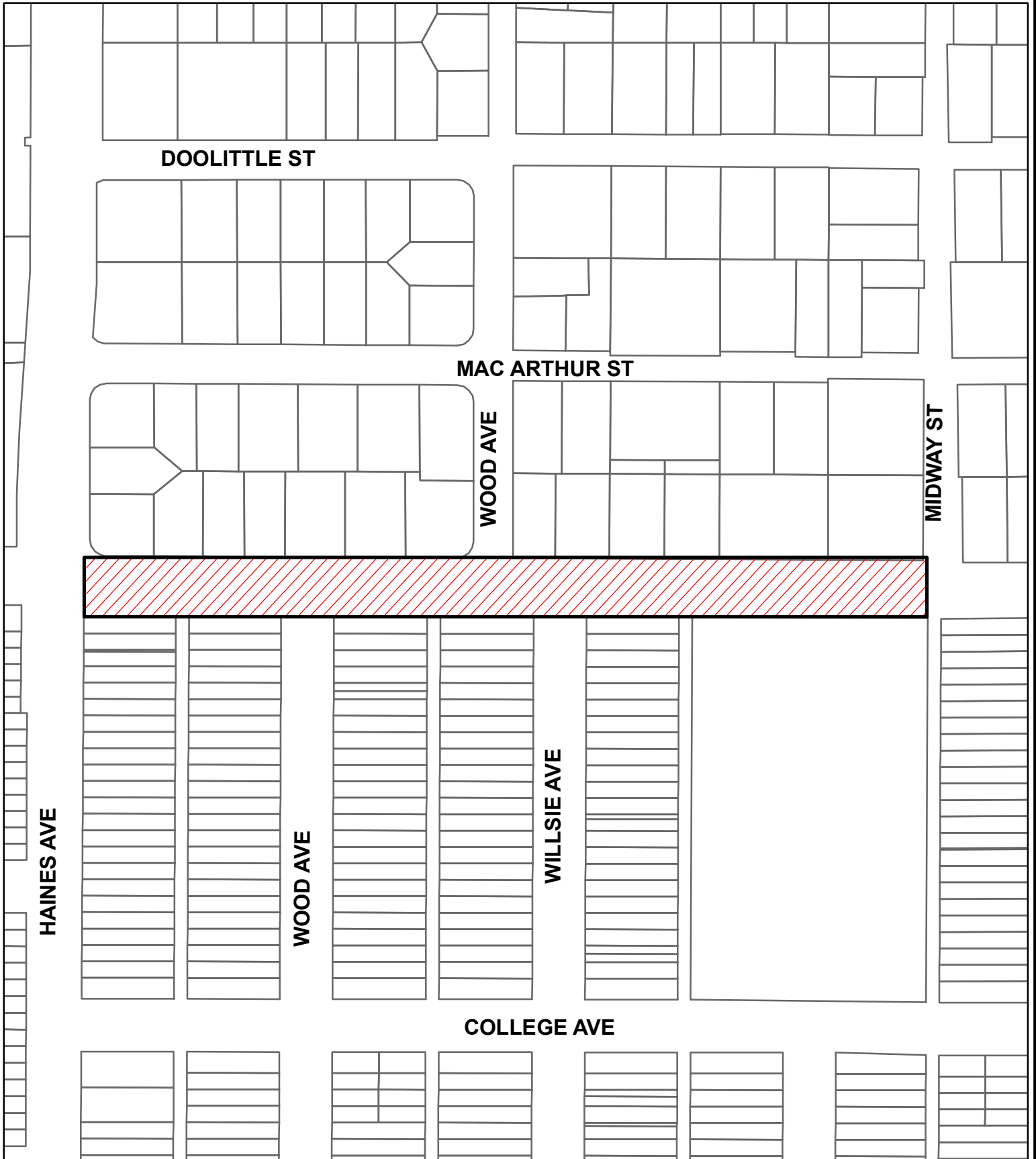
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Note: Please indicate in the Notes of Discussion, any agreement made as part of the donation, such as an additional approach, a load of gravel, etc.



# EXHIBIT "A"

PW012610-14



**ANAMOSA ST. RECONSTRUCTION PHASE 2**  
**PROJECT NO. ST07-1472      CIP # 50519**

Item #15