



**Ferber
Engineering
Company, Inc.**

PW042710-06

- Civil Engineering
- Water Resources
- Transportation
- Land Surveying

April 16, 2010

Ms. Karley Halsted
Rapid City Growth Management
300 6th Street
Rapid City, SD 57701

**RE: Temporary Construction Easement on City Property
Floodway Tract of Lombardy Industrial Park – Section 8, T1N, R8E**

RECEIVED
APR 16 2010
Rapid City Growth
Management Department

Dear Karley,

Please find attached a Temporary Construction Easement exhibit and an 8.5"x11" RapidMap exhibit showing the location of the proposed construction easement. The temporary construction easement is for drainage outlet improvements from Lot 9 of Block 1 of Lombardy Industrial Park owned by Hook Enterprises Limited Partnership. A building permit application will be submitted within the next few days for a new cold storage building to be located on the aforementioned lot.

Based on our conversation on April 14, 2010, the proposed improvements on Lot 9 will require both stormwater quality and quantity treatment. Due to the lack of adequate drainage facilities in Lombardy Drive and lack of topographic relief, a portion of the proposed drainage improvements will direct stormwater to the Floodway Tract. The proposed improvements include discharging treated stormwater from a portion of Lot 9 onto the Floodway Tract. The area of developed property contributing to the existing spill point in the southeast corner of Lot 9 is approximately 0.5 acres; under existing conditions the contributing area is approximately 0.3 acres. The stormwater will be discharged through an on-site detention facility will continue south across the Floodway Tract to Rapid Creek. The drainage report that will accompany the building permit application will outline actual contributing areas and the proposed improvements.

The temporary construction easement is necessary to install permanent turf reinforcement matting down the existing slope from the crest to the toe. The total length of the matting that will be on City property is approximately 50 feet.

It is our understanding that the temporary construction easement request must be approved by the Legal and Finance Committee. Please forward the attached exhibit through the City Attorney's Office for inclusion in the upcoming Legal and Finance Committee agenda.

Thank you for your assistance. If you have any questions, please call.

Sincerely,
FERBER ENGINEERING COMPANY, INC.

Dave Muck, PE/LS, CFM
Project Manager

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

4/16/10 MCS

STATE OF SOUTH DAKOTA)
) SS. TEMPORARY CONSTRUCTION
COUNTY OF PENNINGTON) EASEMENT

FOR AND IN CONSIDERATION of the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, CITY OF RAPID CITY, a municipal corporation, of 300 Sixth Street, Rapid City, South Dakota, 57701, Grantor, hereby grants to HOOK ENTERPRISES LIMITED PARTNERSHIP, of 1906 Lombardy Drive, Rapid City, South Dakota, 57703, its agents, employees, and contractors, a temporary construction easement over and across the following described real property:

A portion of the Floodway Tract of the Lombardy Industrial Park located in the Northwest Quarter (NW¼) of Section Eight (8), Township One North (T1N), Range Eight East (R8E) of the Black Hills Meridian, Rapid City, Pennington County, South Dakota, as shown on Exhibit "A", attached hereto and incorporated herein by reference.

This easement shall include the right to enter upon the easement property for the purpose of constructing the Rousch Moving and Storage expansion project.

This Temporary Easement shall be effective from the date of signing to December 31, 2010.

CITY OF RAPID CITY

Alan Hanks, Mayor

ATTEST:

Finance Officer

(SEAL)

State of South Dakota)
 ss.
County of Pennington)

On this the _____ day of _____, 2010, 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 Agreement Consenting to Assessed Project for the purposes therein contained by signing the name of the City of Rapid City by themselves as Mayor and Finance Officer.

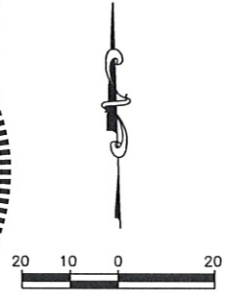
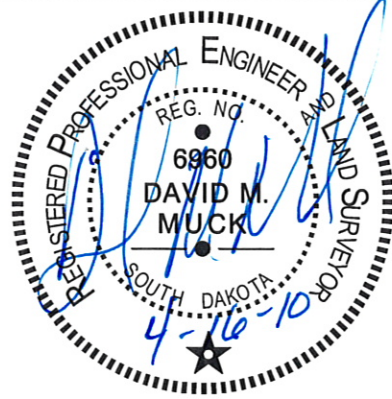
IN WITNESS WHEREOF I hereunto set my hand and official seal.

Notary Public, South Dakota

My Commission Expires:

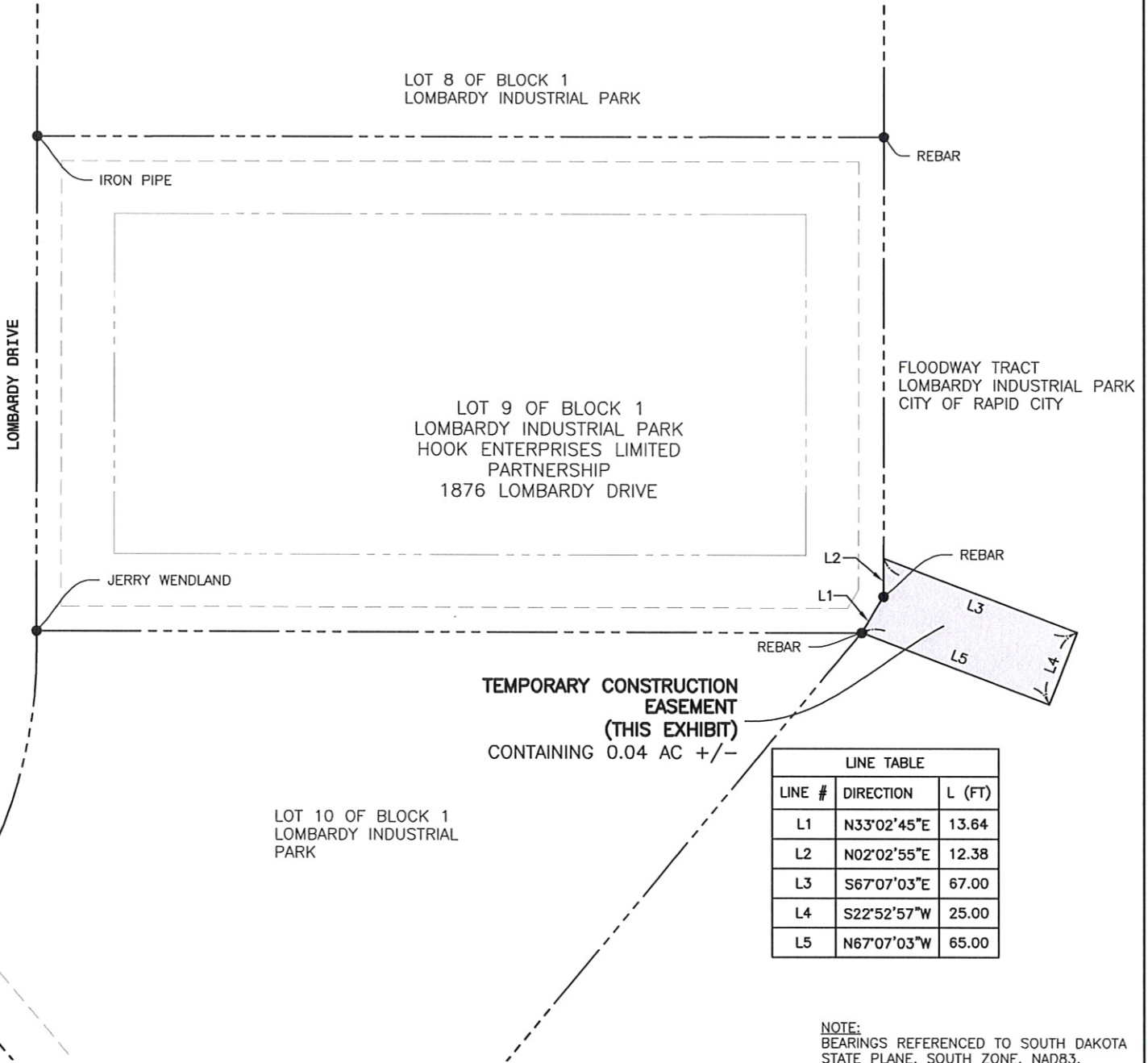
(SEAL)

TEMPORARY CONSTRUCTION EASEMENT
 ON
 FLOODWAY TRACT
 OF THE LOMBARDY INDUSTRIAL PARK
 LOCATED IN THE NW 1/4 OF
 SECTION 8, T1N, R8E, BHM
 RAPID CITY, PENNINGTON COUNTY, SOUTH DAKOTA



LEGEND

- FOUND MONUMENT
- TEMPORARY CONSTRUCTION EASEMENT
- PROPERTY LINE



TEMPORARY CONSTRUCTION
 EASEMENT
 (THIS EXHIBIT)
 CONTAINING 0.04 AC +/-

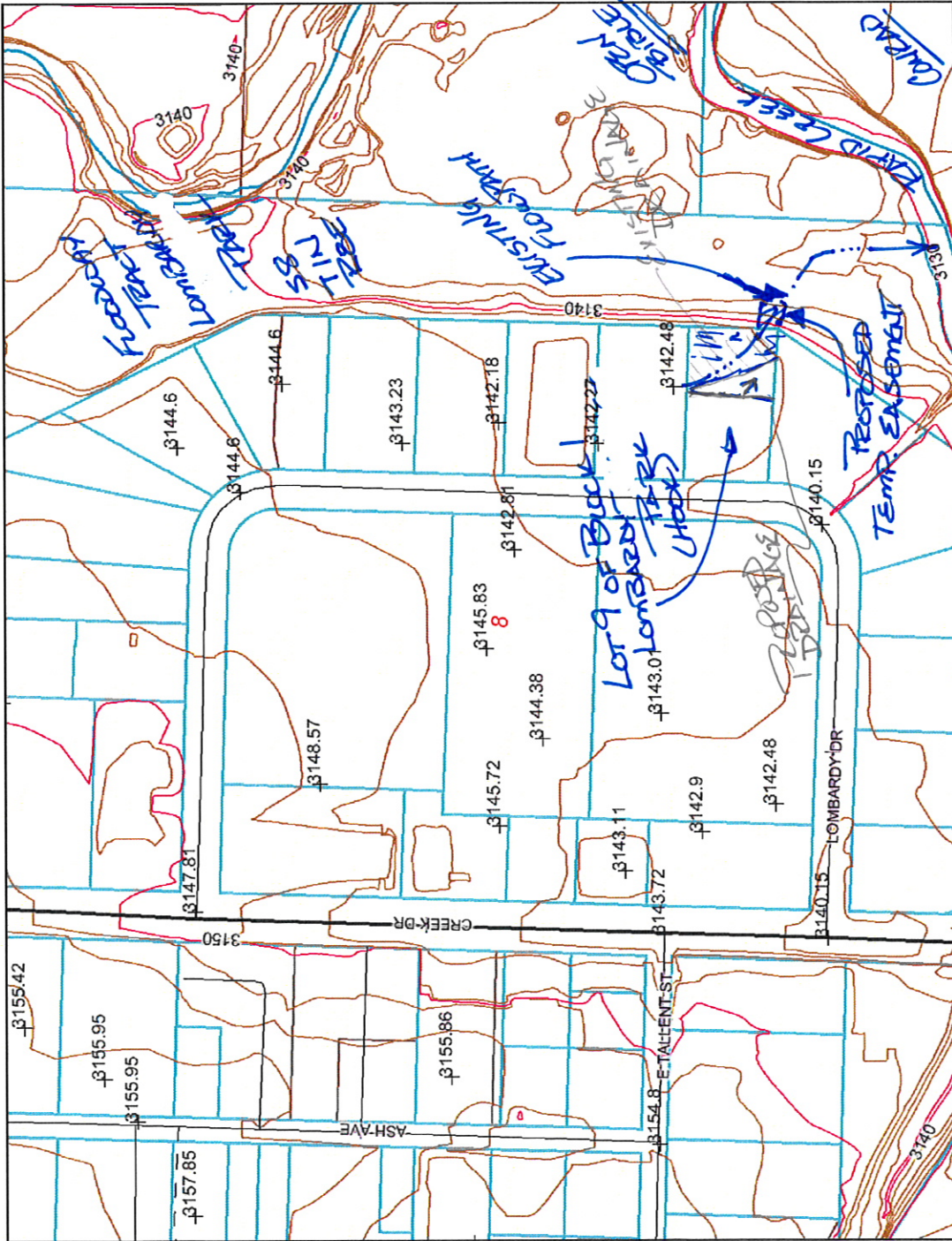
LINE TABLE		
LINE #	DIRECTION	L (FT)
L1	N33°02'45"E	13.64
L2	N02°02'55"E	12.38
L3	S67°07'03"E	67.00
L4	S22°52'57"W	25.00
L5	N67°07'03"W	65.00

NOTE:
 BEARINGS REFERENCED TO SOUTH DAKOTA
 STATE PLANE, SOUTH ZONE, NAD83.

P:\10-110\AutoCAD\Easement\Floodway_Track_Temporary_Easement.dwg

Flow Direction for Lot 9 Block 1

RapidMap
 Rapid City-Pennington County GIS
 www.RapidMap.org



Map center: 44° 3' 53.3" N, 103° 11' 4.0" W



DISCLAIMER: This map is provided "as is" without warranty of any representation of accuracy, timeliness, or completeness. The burden for determining accuracy, timeliness, completeness, timeliness, merchantability, and fitness for or the appropriateness for use rests solely on the user. Rapid City and Pennington County make no warranties, express or implied, for the data used in this map. There are no implied warranties of merchantability or fitness for use or a particular purpose or a particular use of the data. This document does not represent a legal survey of the land. There are no restrictions on the distribution of printed Rapid City/Pennington County maps, other than the City of Rapid City copyright/credit notice must be legible on the print. The user agrees to recognize and honor in perpetuity the copyrights and other proprietary claims for the map(s) established or produced by the City of Rapid City or the vendors furnishing said items to the City of Rapid City.

4-16-10

dmw/fcc

Legend

- Roads
 - Not classified
 - Interstate
 - US Highway
 - SD Highway
 - County Highway
 - Main Road
 - Minor Arterial
 - Collector
 - Ramp
 - Paved Road
 - Unpaved Road
 - Unimproved Road
 - Trail
 - other
 - Not yet coded
- City Spot Elevations
- City Contour Lines
- INDEX
- INTERMEDIATE
- Township/Section lines
- SECTION
- TOWNSHIP
- Parcel Boundary
- Lot Lines
- COUNTY
- LOT LINE
- PARCEL LINE
- ROAD ROW
- RR ROW
- SECTION
- TOWNSHIP
- WATER LINE
- PLSS Sections

Scale: 1:3,600

