

DOTRW-69 (8-06)

**TEMPORARY EASEMENT AGREEMENT**

Project No. P 0044(129)42 PCN No. 00X9 Parcel No. 11,A1,A2,A3,A36,A37  
County Pennington

This AGREEMENT for temporary easement rights entered into by the undersigned, hereinafter referred to as the GRANTOR, and the STATE OF SOUTH DAKOTA acting by and through its Department of Transportation, hereinafter referred to as the STATE, Witnesseth;

WHEREAS, the STATE contemplates the construction, operation and maintenance of highway facilities on the above described project as provided for by the Law; and;

WHEREAS, a portion of the temporary easement necessary for the proper completion of such highway facilities, as designated by plans on file at the Department of Transportation, is located over and across the real property hereinafter described as:

Tract 10A of Rapid City Greenway Tracts in the City of Rapid City, Pennington County, South Dakota.

Tract 7 of Rapid City Greenway Tracts in the City of Rapid City, Pennington County, South Dakota.

Tract 8 of Rapid City Greenway Tracts in the City of Rapid City, Pennington County, South Dakota.

Tract 5 of Rapid City Greenway Tracts in the City of Rapid City, Pennington County, South Dakota.

Tract 9 of Rapid City Greenway Tracts in the City of Rapid City, Pennington County, South Dakota.

Lot 2 in the SE1/4 NE1/4 of Section 3 - Township 1 North - Range 7 East of the B.H.M., Pennington County, South Dakota.

DOTRW-69.1 (8-06)

NOW, THEREFORE, it is expressly agreed and understood by the parties hereto that:

(1) The GRANTOR grants permission to the STATE, its agents, representatives and assigns or any Contractor employed by the STATE to enter upon the above described property and to use all designated temporary easement areas for detour, cutslope, fillslope, temporary utility facilities or drainage channel purposes upon approval of this AGREEMENT with the understanding that such permission for entry shall terminate one year after the construction of the project has been completed. The temporary easement area is estimated to be:

Parcel A1	<u>7,027</u>	sq. ft. at \$ <u>N/A</u>	sq. ft.
Parcel A2	<u>14,632</u>	sq. ft. at \$ <u>N/A</u>	sq. ft.
Parcel A3	<u>4,385</u>	sq. ft. at \$ <u>N/A</u>	sq. ft.
Parcel A36	<u>111</u>	sq. ft. at \$ <u>N/A</u>	sq. ft.
Parcel A37	<u>534</u>	sq. ft. at \$ <u>N/A</u>	sq. ft.
Parcel 11	<u>5,695</u>	sq. ft. at \$ <u>N/A</u>	sq. ft.

It is further agreed and understood by the GRANTOR that any additional temporary easement area necessary for the proper completion of the facility may also be so used and the additional area will be measured and paid for separately at the same rate herein stated. It is agreed and understood that all areas used will be sloped and graded as smooth as practicable and left in a neat and workmanlike manner; and;

(2) All fences existing within the temporary easement area shall become the property of and shall be disposed of by the STATE if not salvaged by the GRANTOR prior to being cleared by the STATE. The STATE will not be responsible for retention of livestock when the GRANTOR salvages the fence. A temporary fence will be provided where necessary to retain livestock when the Contractor clears the existing fence. This fence is the property of the Contractor and he will remove it after the permanent fence has been placed. Permanent fence constructed within interstate highway right of way will remain the property of and will be maintained by the STATE whereas all other permanent fence constructed becomes the property of and is to be maintained by the Grantor; and;

(3) Any existing fence so removed will        will not        N/A X be replaced by the STATE with one of its standard fences that conforms as nearly as possible to the existing fence. Any fence provided will be no less than a four strand barb wire fence. Type N/A fence will be provided; and;

(4) The STATE will pay for crop damage within the temporary easement area caused by the STATE, its agents, representatives and assigns or any Contractor employed by the STATE only when such crop has been planted prior to the date the GRANTOR signs this AGREEMENT except that crop damage will not be paid for alfalfa or other perennial grass being used for pasture. The amount of crop damage to be paid will be based on the area damaged, percent of damage, average yield on adjoining fields and market price at the time of harvest less a predetermined harvesting cost. Type and location of crops planted prior to the signing date are:

; and;

DOTRW-69.2 (4-02)

(5) The GRANTOR is allowed to retain for their salvage value, the following buildings or improvements which are considered to be part of the real property, including fixtures, removable building equipment and any trade fixtures, provided they are removed from the above described real property by the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ unless a removal date extension is granted in writing by the STATE. Items being retained and their salvage value are:

N/A

(6) The following mutually agreed upon special conditions are made a binding part of this AGREEMENT:

The GRANTOR has been advised of the right to an appraisal of GRANTOR'S property and hereby waives any right to such appraisal. The parties agree the total payment for all property interests acquired by the STATE, including land conveyed, temporary easements, damages, improvements, and interest, is \_\_\_\_\_\* dollars (\$ \_\_\_\_\_\*).

\* Consideration included in the total compensation of the permanent easement agreement.

; and;



STATE OF SOUTH DAKOTA	PROJECT	SHEET	TOTAL SHEETS
	P 0044(129)42	B8	B97

Plotting Date: 20-APR-2011  
 Revision Date: 13-APR-2011  
 Initials: HAT

Install 4' X 11' Type S Drop Inlet Base, Type S Precast Lid and Type S Manhole Frame and Lid at the following locations:  
 71+00-23.63' L  
 71+00-34.63' R

Take Out Drop Inlet and Frame & Grate at the following locations:  
 71+27-21' L  
 71+27-32' R

71+27-21' L to 32' R  
 Take Out 18" - 52' RCP  
 (Incidental Work, Grading)

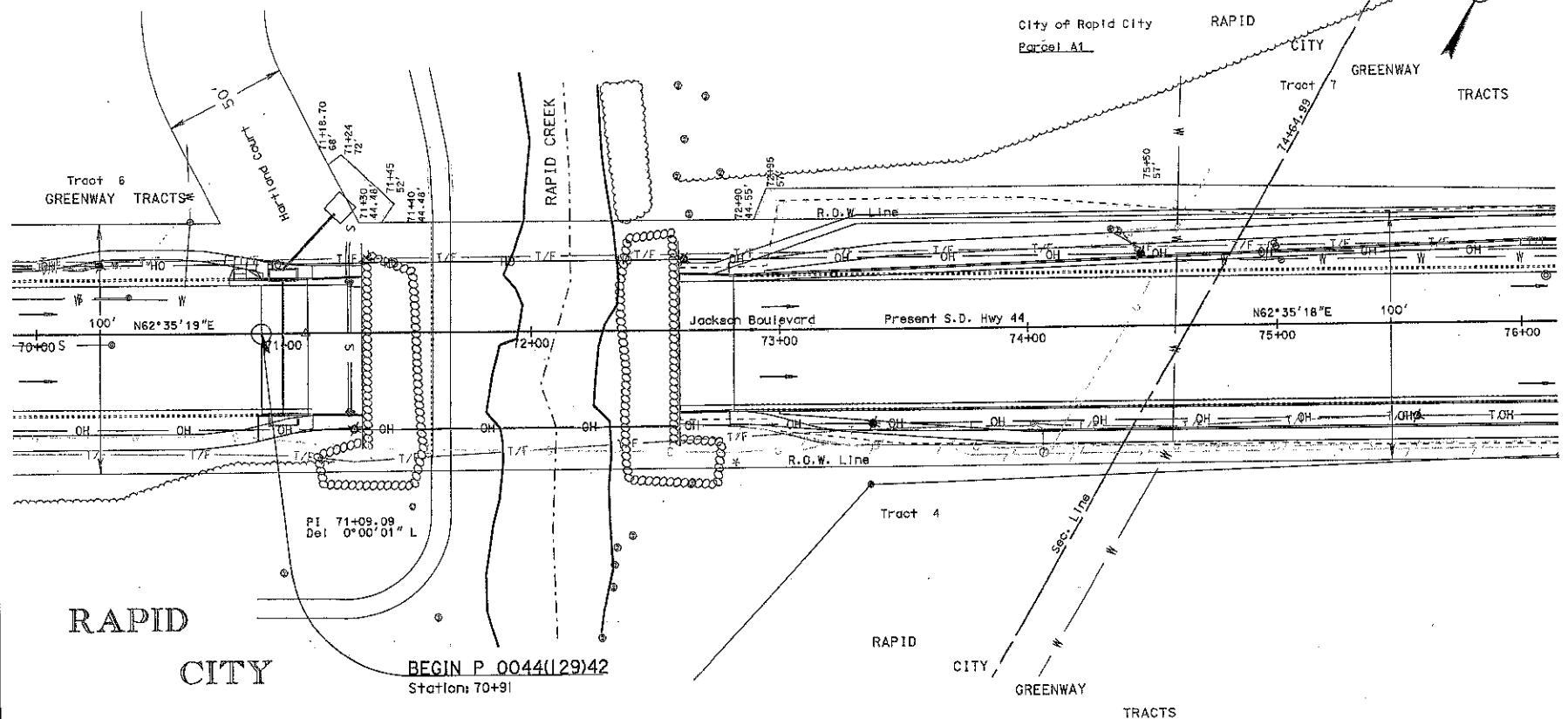
71+27-21' L to 37' L  
 Take Out 18" - 16' RCP  
 (Incidental Work, Grading)

71+00-34.63' R to 23.63' L  
 Install 18" - 56' RCP  
 (Between Drop Inlets)

71+00-23.63' L to 71+21.10-48' L  
 Install 18" - 32' RCP & 1 Flared End  
 71+21.10-48' L  
 Install Riprap

71+07.15 to 72+84.47  
 Bridge and Approach Slab Work  
 (See Section E)

Sec. 9 - T1N - R7E



BEGIN P\_0044(129)42  
 Station: 70+91

Parcel A1  
 71+18.70 to 71+40 L  
 Temporary easement for  
 Riprap containing  
 341 sq ft, more or less

Parcel A1  
 72+90 to 73+49.48 L  
 Temporary easement for  
 fill & sidewalk containing  
 6686 sq ft, more or less

Sec. 10 - T1N - R7E

PLANT SCALE - AS SHOWN

PLOTTER FROM 12501425

PLOT ISSUE - B

FILE - U:\WORKSPACE\PROJECTS\12501425.DWG

STATE OF SOUTH DAKOTA	PROJECT	SHEET	TOTAL SHEETS
	P 0044(129)42	B10	B97

Plotting Date: 20-APR-2011  
 Revision Date: 13-APR-2011  
 Initials: RAT

Install 4' X 11' Type S Drop Inlet Base, Type S Precast Lid and Type S Manhole Frame and Lid at the following locations:  
 79+65-34.63' L  
 79+65-34.63' R

80+02.91-101.61' R  
 Install 3' X 5' Type S Drop Inlet with Type S Manhole Frame and Lid



City of Rapid City  
 Parcel A2  
 CITY  
 Tract 8 GREENWAY TRACTS

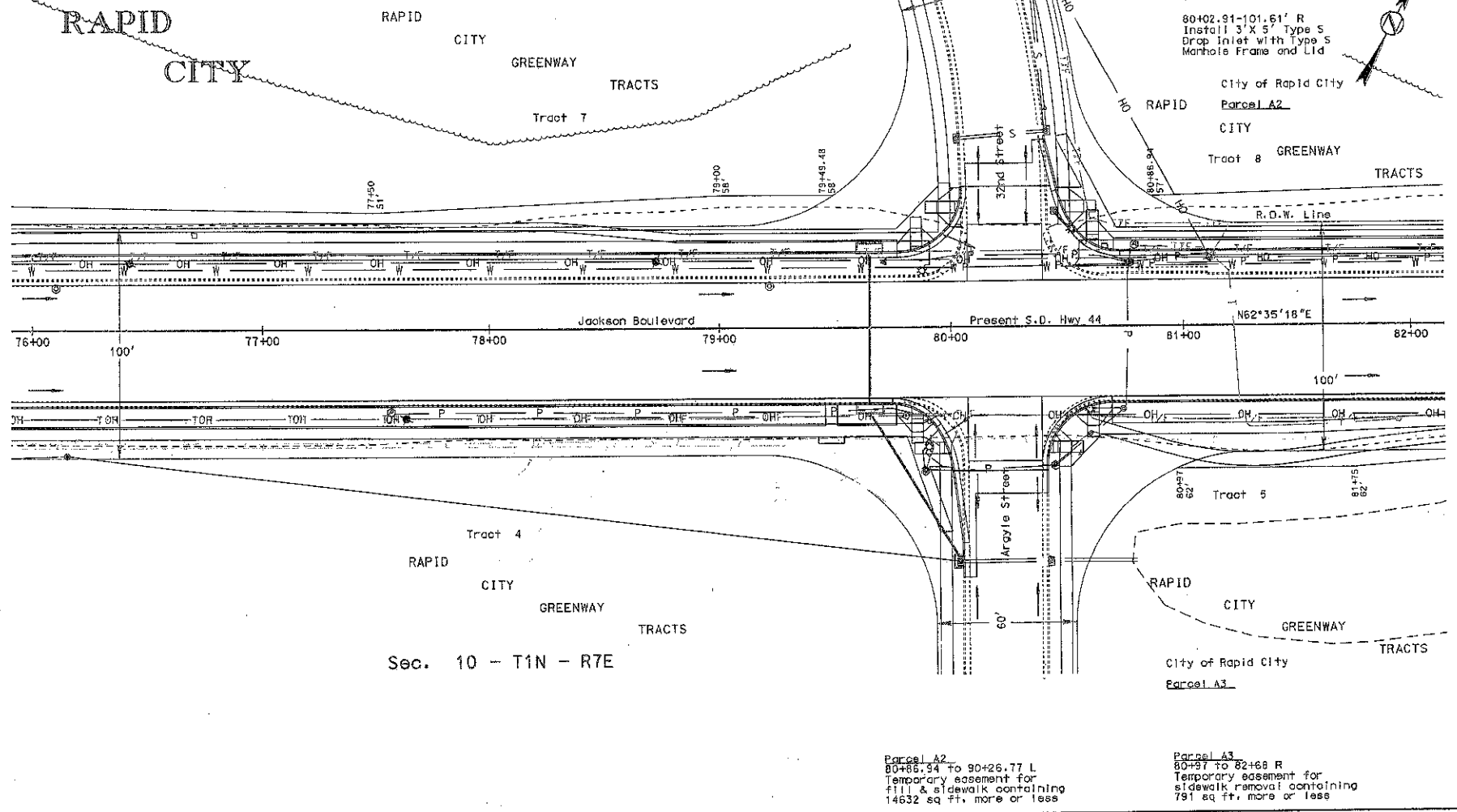
Tract 5  
 CITY  
 GREENWAY TRACTS

City of Rapid City  
 Parcel A3

Parcel A2  
 80+86.94 to 90+26.77 L  
 Temporary easement for fill & sidewalk containing 14632 sq ft. more or less

Parcel A3  
 80+49 to 82+68 R  
 Temporary easement for sidewalk removal containing 791 sq ft. more or less

79+65-34.63' L to 34.63' R  
 Install 18" - 66' RCP Arch  
 (Between Drop Inlets)  
 79+65-34.63' R to 80+02.91-101.61' R  
 Install 18" - 76' RCP Arch  
 (Between Drop Inlets)



Sec. 10 - T1N - R7E

FILE - GREENWAY - 100000000

FILE - GREENWAY - 100000000

STATE OF SOUTH DAKOTA	PROJECT	SHEET	TOTAL SHEETS
	P 0044(129)42	812	897

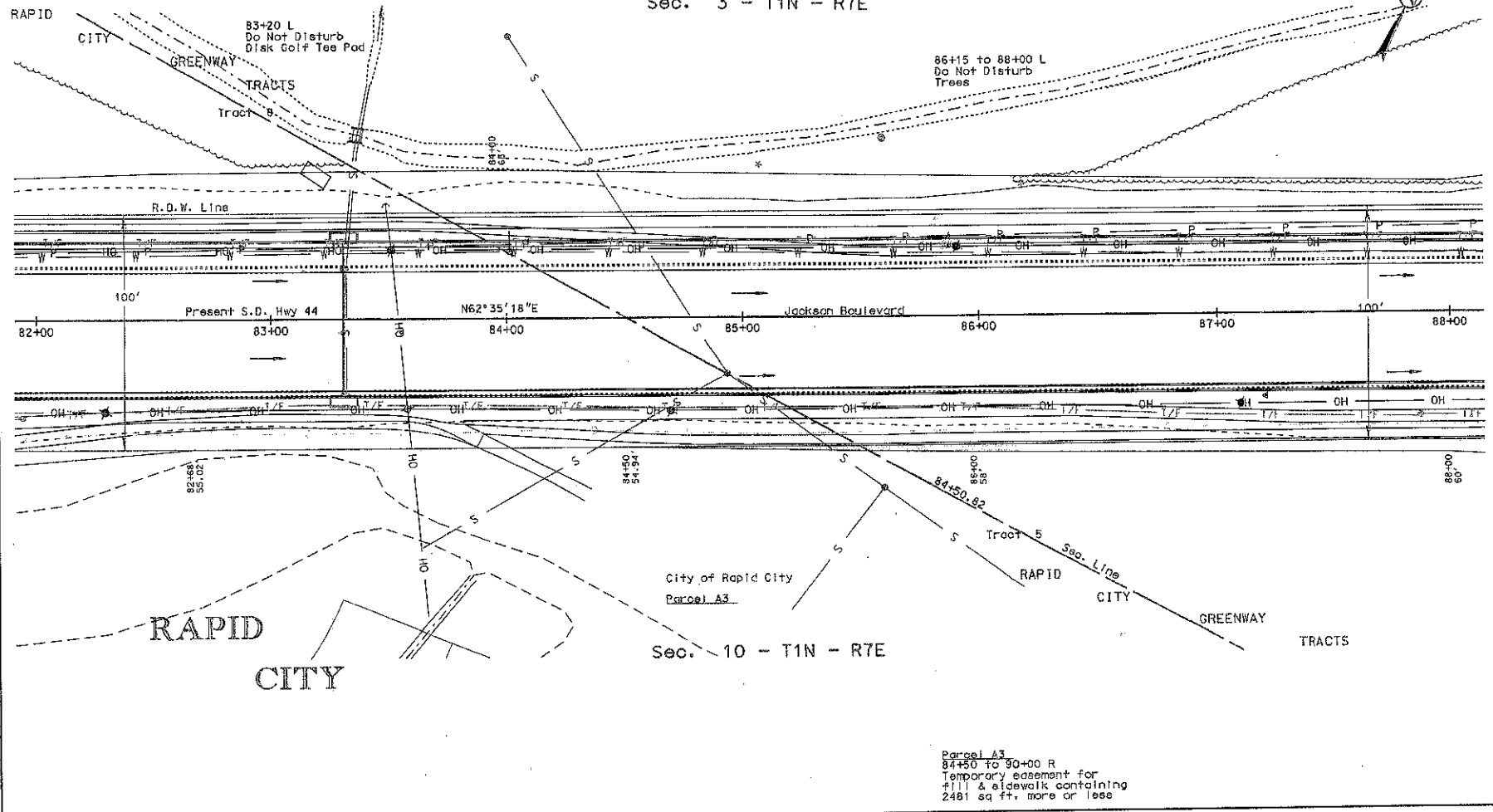
Plotting Date: 20-APR-2011  
 Revision Date: 13-APR-2011  
 Initials: RAJ

83+31  
 Take Out 24" - 52' RCP  
 (Incidental Work, Grading)  
 83+31-21' L to 83+33-36' L  
 Take Out 24" - 14' CMP  
 (Incidental Work, Grading)  
 83+31-34.63' L to 83+31-34.63' R  
 Install 24" - 66' RCP  
 (Between Drop Inlets)

Take Out Drop Inlet and  
 Frame & Grate at the  
 following locations:  
 83+31-21' L  
 83+32-32' R

Install 4' X 11' Type S Drop  
 Inlet Base, Type S Precast Lid  
 and Type S Manhole Frame and Lid  
 at the following locations:  
 83+31-34.63' L  
 83+31-34.63' R

Sec. 3 - T1N - R7E



Sec. 10 - T1N - R7E

Parcel A3  
 84+50 to 90+00 R  
 Temporary easement for  
 fill & sidewalk containing  
 2481 sq ft, more or less

83+31-34.63' L to 83+31-34.63' R  
 82+00  
 83+00  
 84+00  
 85+00  
 86+00  
 87+00  
 88+00  
 82+00  
 83+00  
 84+00  
 85+00  
 86+00  
 87+00  
 88+00  
 82+00  
 83+00  
 84+00  
 85+00  
 86+00  
 87+00  
 88+00

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STATE OF SOUTH DAKOTA	PROJECT P 00441129142	SHEET B28	TOTAL SHEETS B100
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Plotting Date: 27-APR-2011  
 Revision Date: 27-APR-2011  
 Initial: RAT

129+95 R to 131+67 R  
 Install Type C Concrete Retaining Wall with Pipe Handrail from 130+70 to 131+60

129+98-45.34' R to 130+53-34.63' R  
 Install 18" - 50' RCP (Between Drop Inlets)

131+05-56' L to 131+01-25' R  
 Take Out 18" - 82' RCP (Incidental Work, Grading)

129+98-45.34' R  
 Install 2' X 3' Type B drop Inlet with 6" concrete Collar and Special Frame and Grate

130+24-36.13' L to 131+24-36.13' L  
 Install 66" - 90' RCP (Between Drop Inlets)

130+73-34.63' R to 131+24-34.63' R  
 Install 18" - 40' RCP (Between Drop Inlets)

130+53-34.63' R to 130+73-34.63' R  
 Install 18" - 10' RCP (Between Drop Inlets)

131+24-36.13' L to 135+68-37.56' L  
 Install 66" - 434' RCP (Between Drop Inlets)

131+01-25' R  
 Take Out Drop Inlet (Incidental Work, Grading)

131+24-34.63' R to 131+24-36.13' L  
 Install 24" - 66' RCP (Between Drop Inlets)

135+68-37.56' L to 136+10-34.63' R  
 Install 30" - 82' RCP (Between Drop Inlets)

135+68-37.56' L to 135+98.06-166.07' L  
 Install 66" - 128' RCP (Between Drop Inlet and RCP Bend)

135+98.06-166.07' L  
 Install 66" - 45' RCP Bend (6' Lay Length)

135+98.06-166.07' L to 135+85.88-185.88' L  
 Install 66" - 12' RCP & 1 Flared End with Headwall (Between RCP Bend and Outlet)

135+85.88-185.88' L  
 Install 2.5' Thick Class B Riprap & Type B Drainage Fabric  
 (See Riprap Detail Sheets)

Install 4' X 11' Type S Drop Inlet Base, Type S Precast Lid and Type S Manhole Frame and Lid at the following locations:  
 130+53-34.63' R  
 130+73-34.63' R  
 131+24-34.63' R

Install 7' X 11' Type S Drop Inlet Base, Type S Precast Lid and Type S Manhole Frame and Lid at the following locations:  
 130+24-36.13' L  
 131+24-36.13' L  
 135+68-37.56' L

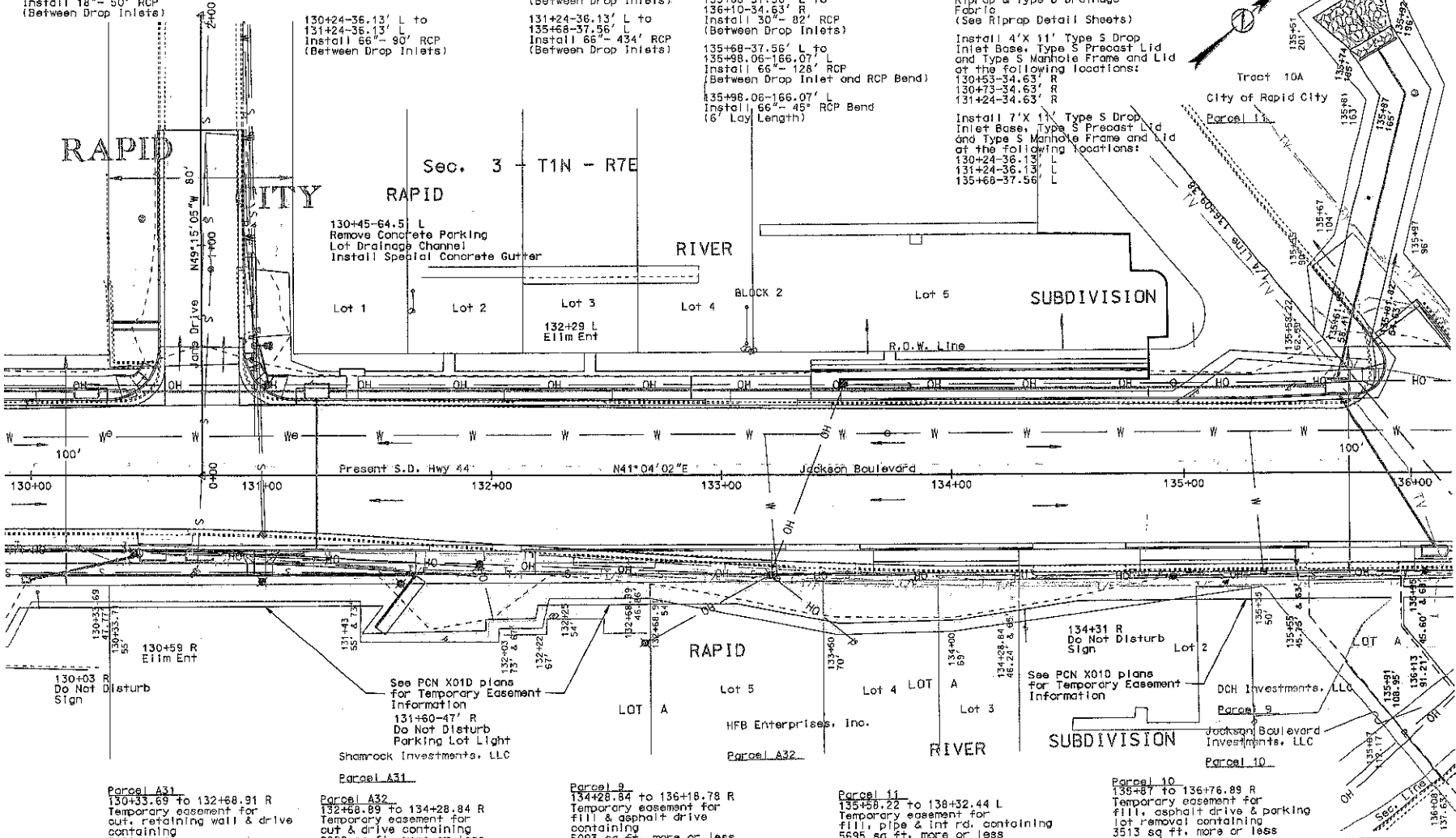
RAPID

Sec. 3 - T1N - R7E

RAPID

RIVER

SUBDIVISION



Parcel A31  
 130+33.69 to 132+68.91 R  
 Temporary easement for out, retaining wall & drive containing 3089 sq ft, more or less

Parcel A32  
 132+68.89 to 134+28.84 R  
 Temporary easement for out & drive containing 2290 sq ft, more or less

Parcel A33  
 134+28.84 to 136+18.78 R  
 Temporary easement for fill & asphalt drive containing 5095 sq ft, more or less

Parcel A34  
 135+58.22 to 138+32.44 L  
 Temporary easement for fill, pipe & int rd, containing 5695 sq ft, more or less

Parcel A35  
 135+87 to 136+76.89 R  
 Temporary easement for fill, asphalt drive & parking lot removal containing 3513 sq ft, more or less

PLOT SCALE - 1" = 40'

AS SHOWN - SEE NOTES

FILE - 135+98.06-166.07' L TO 135+85.88-185.88' L

STATE OF SOUTH CAROLINA	PROJECT	SHEET	TOTAL SHEETS
	P 00441129142	B30	B100

Plotting Date: 21-APR-2011  
 Revision Date: 13-APR-2011  
 Initials: RAI



Remove Concrete Curb and Gutter in Parking Lot of the following locations:  
 136+13-137' R to 136+37-118' R  
 136+13-39' R to 136+46-110' R  
 136+58-58' R to 136+74-39' R  
 136+75-53' R to 137+33-55' R  
 135+90 R  
 Install Asphalt Concrete in Parking Lot  
 Install Concrete Curb and Gutter in Parking Lot at the following locations:  
 136+46-110' R to 136+78-81' R  
 136+58.06-43.17' R to 57.86' R  
 136+79-53 to 137+33-55' R

136+10-34.63' R to 136+51-34.63' R  
 Install 30" - 30' RCP (Between Drop Inlets)  
 136+51-34.63' R to 137+08-34.63' R  
 Install 24" - 46' RCP (Between Drop Inlets)  
 137+08-34.63' R to 137+49-34.63' R  
 Install 18" - 30' RCP (Between Drop Inlets)  
 137+08-34.63' R to 49' R  
 Install 24" - 12' RCP (Between Drop Inlets)

137+08-49' R to 137+23-49' R  
 Install 18" - 4' RCP (Between Drop Inlets)  
 137+33 to 139+00 R  
 Install Special Type C Concrete Retaining Wall  
 138+96.47-49.19' L to 139+08-7.17' L  
 Install 18" - 42' RCP (Between Drop Inlets)  
 138+96.47-49.19' L to 140+33.58-64.03' L  
 Install 18" - 128' RCP (Between Drop Inlet & Junction Box)

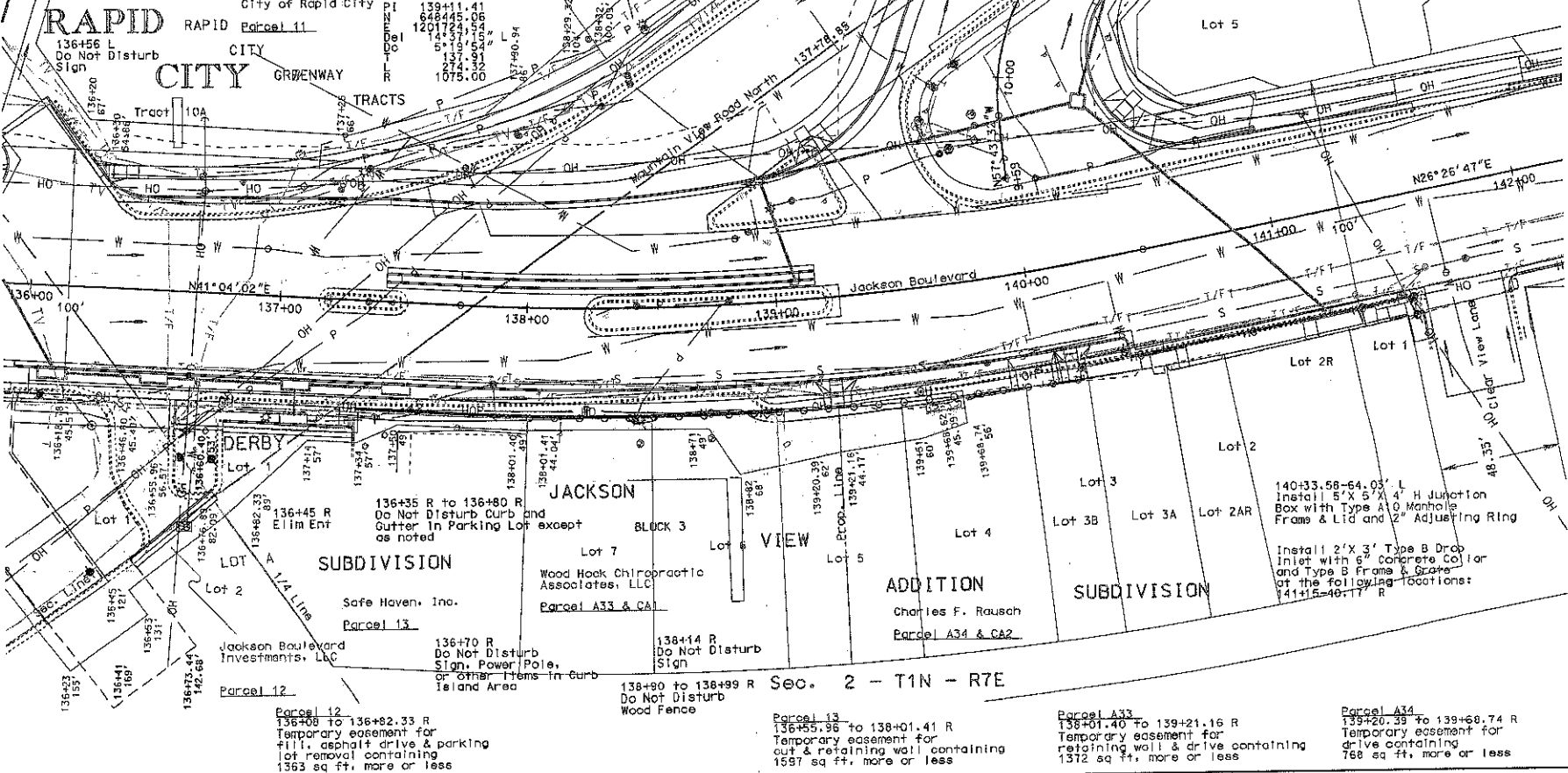
Install 4' X 11' Type S Drop Inlet Base, Type S Precast Lid and Type S Manhole Frame and Lid at the following locations:  
 136+10-34.63' R  
 136+51-34.63' R  
 137+08-34.63' R  
 137+08-49' R  
 137+23-49' R  
 137+49-34.63' R  
 Install 2' X 3' Type B Drop Inlet with 6" Concrete Collar and Reset Type B Frame & Grate at the following locations:  
 138+96.47-49.19' L  
 139+08-7.17' L

140+33.58-64.03' L to 10+58.60-28.67' R (Mountain View Road North)  
 Install 18" - 48' RCP (Between Junction Box and Drop Inlet)

140+33.58-64.03' L to 141+15-40.17' R  
 Install 18" - 130' RCP (Between Drop Inlet and Junction Box)

140+33.58-64.03' L  
 Install 5' X 5' X 4' H Junction Box with Lid and 2" Adjusting Ring  
 Install 2' X 3' Type B Drop Inlet with 6" Concrete Collar and Type B Frame & Grate at the following locations:  
 141+15-40.17' R

Sec. 3 - T1N - R7E



Parcel 12  
 136+08 to 136+82.33 R  
 Temporary easement for fill, asphalt drive & parking lot removal containing 1563 sq ft, more or less

Sec. 2 - T1N - R7E

Parcel 13  
 136+55.96 to 138+01.41 R  
 Temporary easement for out & retaining wall containing 1587 sq ft, more or less

Parcel 133  
 138+01.40 to 139+21.16 R  
 Temporary easement for retaining wall & drive containing 1372 sq ft, more or less

Parcel 134  
 139+20.39 to 139+68.74 R  
 Temporary easement for drive containing 768 sq ft, more or less

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DATE PLOTTED: 21-APR-2011 10:53:41 AM

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STATE OF	PROJECT	SHEET	TOTAL SHEETS
SOUTH DAKOTA	P 00441129142	B31	B47

# SHERIDAN LAKE ROAD

Plotting Date: 20-Dec-2010  
 Revision Date: 20-Dec-2010  
 Initials: R.A.T.

Retain Sidewalk at the following locations:  
 0+40 to 0+63 L  
 3+75 to 4+63.50 L  
 4+78.50 to 5+34.32 L  
 5+49.34 to 6+00 L  
 0+40 to 1+57 R  
 3+54 to 4+82 R  
 5+44.30 to 6+00 R

2+59 to 6+00-4' L  
 Retain 48" RCP

5+25.23-1.73' L to 54' R  
 Install 18" - 56" RCP  
 (Between Exist 48" RCP & Drop Inlet)

5+25.23-54' R  
 Install 2' X 3' Type B Drop Inlet with 6" Concrete Collar and Type B Frms and Grate

**BEGIN REGRADING & PCC RESURFACING**

Stations: 0+40

LAWDALE

Lot 1

SUBDIVISION

BOULEVARD

3+39 to 3+80 L  
 Do Not Disturb Parking Lot Concrete Curb and Gutter

TRACT 2

Sec. 3 - T1N - R7E SHERIDAN LAKE ROAD

OFFICE

Creskide Professional Office Condominiums

Parcel 2 & 2B

**END PCC SURFACING**  
**BEGIN AC SURFACING**

Station: 3+16.75

SHERIDAN LAKE ROAD

PI 4402.63  
 N 44678.33  
 E 1198934.86  
 Del 1'30'52" L  
 Dc 1'38'13" L  
 T 46.25  
 L 92.50  
 R 3500.00

**END REGRADING**

**BEGIN ROADWAY WIDENING RIGHT WITH AC SURFACING, MILL AND OVERLAY REST OF ROADWAY**

Station: 4+00

4+00 to 6+00  
 Mill and Overlay Roadway

PARK

100' Sheridan Lake Road N1°58'21"E

N2°08'08"E

N3°41'00"E

1/4 Line

SIoux

Lot 3

Lot 2 PARK

John F. Zanka & Cindy J. Zanka  
 Parcel 3 Lot 1

Block 4

ADDITION

RAPID CITY

RAPID CITY

SHERIDAN LAKE ROAD

PI 2+53.43  
 Del 1'32'52" R

MIDWESTERN

Lot 2

James E. Deay & Sandra L. Deay  
 Parcel A13

Block 1

Martin A. Culbertson  
 Parcel A35

SUBDIVISION

NO. 2

TRACT 9

Lot 10

4+00 to 6+00 R  
 Widen Roadway. Install Asphalt Concrete Surfacing and Curb and Gutter

RAPID CITY

City of Rapid City  
 Parcel A36

TRACTS

Parcel A35  
 4+57 to 4+85.46 R  
 Temporary easement for sidewalk containing 183 sq ft, more or less

Parcel A36  
 5+35.42 to 5+50 R  
 Temporary easement for sidewalk containing 111 sq ft, more or less

PLOTTER FROM ... 7/26/11/11

PW053111-17