



CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-5035

City Finance Office

300 Sixth Street

Rapid City, South Dakota 57701-5035

605-394-4143

October 26, 2011

MEMO: Partial Release and Discharge of lien for
Lot 1 Block 2 of Terracita Park Subdivision

TO: Joel Landeen
Office of the City Attorney

FROM: Connie Ewing *ame*
City Finance Office

An agreement entered into on the 20th day of January 1997 obligated Walgar to payment in lieu of assessment. Upon selling property described in the agreement, Walgar would pay the city the cost of Assessment per Front Foot in the amount described in the agreement.

On June 16, 2011, First American Title Co. on behalf of Walgar Development Corp., paid the City of Rapid City \$23,266.57 as part of the amount owed for this agreement. The City holds a lien until such agreement is satisfied in full. First American Title asked for a partial release of this portion of land so the title could be transferred to the new owner. At the time, they only asked for a partial release of Lot 2 Block 2 of Minnesota Park Subdivision which was approved at the Council meeting of July 5, 2011. This payment included a second piece of property. First American Title is now asking for release of that piece of property as well which was not included in the original request but is applicable to the same payment. The request of release of lien of this piece of property is for Lot 1 Block 2 of Terracita Park Subdivision.



EQUAL OPPORTUNITY EMPLOYER

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

STATE OF SOUTH DAKOTA)
) SS. PARTIAL RELEASE AND DISCHARGE
COUNTY OF PENNINGTON)

THE CITY OF RAPID CITY, a municipal corporation, of 300 Sixth Street, Rapid City, South Dakota, does hereby release and discharge Lot 1 in Block 2 of Terracita Park Subdivision in the City of Rapid City, Pennington County, South Dakota, as shown on the plat filed in Plat Book 34, Page 194, from the lien and operation of the Agreement made and entered into as of the 20th day of January, 1997, by and between Walgar Development Corporation ("Walgar") and the City of Rapid City, recorded with the Pennington County Register of Deeds on January 27, 1997, in Book 65, Page 9490.

Dated this ____ day of _____, 2011.

CITY OF RAPID CITY

Sam Kooiker, Mayor

ATTEST:

Finance Officer
(SEAL)

State of South Dakota)
) SS.
County of Pennington)

On this the ____ day of _____, 2011, before me, the undersigned officer, personally appeared Sam Kooiker and Pauline Sumption, 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 instrument 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)