

AGREEMENT FOR VOLUNTARY RIGHT OF WAY DONATION

PROJECT NO: P1774(04) PCN: 02SE COUNTY/CITY: Rapid City PARCEL NO: F4

This Agreement is made and entered into by and between the County/City of Rapid City acting by and through its County/City Commission, hereinafter referred to as "COUNTY/CITY," and Paradise Properties, LLC, whose postal address is 3535 Canyon View Court, Rapid City, SD 57701, hereinafter referred to as "DONOR";

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

Perpetual Easement: For Road Construction and ROW in Lot 14 Excepting there from Lot H1, Subdivision of Block 4 Feigel Addition to Rapid City South Dakota in NW 1/4, SE 1/4, SEC 31, T2N, R8E Black Hills Meridian

Temporary Easement: _____

NOW, THEREFORE, DONOR and COUNTY/CITY hereby agree as follows:

1. DONOR does hereby voluntarily grant and donate to COUNTY/CITY, for and in consideration of ~~One Dollar (\$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. ~~Five~~ Thousand Dollars (\$5,000.00)

Stipulations of conditional donation: _____

2. DONOR understands DONOR'S right to have an appraisal prepared and DONOR'S right to receive just compensation for the above described perpetual and/or temporary easement in accordance with the Uniform Relocation Assessment and Real Property Acquisition Act of 1970, as amended.

3. DONOR shall not erect fences, structures, or obstacles within the perpetual easement.

4. DONOR grants permission to COUNTY/CITY or COUNTY'S/CITY'S agent to enter upon above described easement upon approval of this Agreement.

5. The perpetual easement shall be in effect until the highway is abandoned by the proper action of the COUNTY/CITY Commission and the temporary easement shall be in effect until one (1) year after construction of the Project is completed.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on this _____ day of _____ in the year _____.

Legal Name of Donor
Paradis Properties LLC
By: Steve Paradis
Name: Steve Paradis
Title: MANAGER
(Corporate Seal)

County/City of _____
By: _____
Its: County Commission Chairperson/
City Mayor
Attest:

County Auditor/City Finance Officer

[County/City Seal]

DONOR ACKNOWLEDGMENT

STATE OF SD)
COUNTY OF Meade) ss

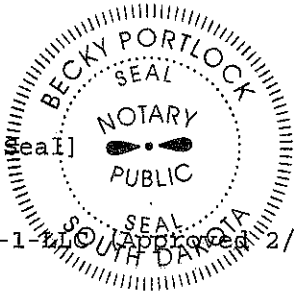
On this the 3rd day of October in the year of 2012, before me, Becky Portlock a Notary Public, within and for said County and State, personally appeared Steve Paradis, who acknowledged himself/herself to be the manager of Paradis Properties, LLC, a limited liability company, and that he/she, as such manager, being authorized so to do, executed the foregoing instrument for the purposes therein stated, by signing the name of the limited liability company by himself/herself as manager.

In witness whereof I hereunto set my hand and official seal.

Becky Portlock
Notary Public

My Commission Expires: May 20, 2017

[Notary Seal]



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

PROJECT NO: _____ PCN: _____ COUNTY/CITY: _____
LANDOWNER: STEVE PARADIS

NAME OF NEGOTIATOR: TODD PECKOSH
TITLE: PROJECT MANAGER

The following document(s) was/were shown and/or explained to the Landowner:

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

Call/Visit Number: 1
Time: 10:30 AM/PM Date: 5/4/12
Visit Location: INTERSECTION EAST NORTH/LACROSSE
List people present during meeting: STEVE PARADIS, TODD PECKOSH, MIKE MAHONEY (KLS)

Notes of the Discussion: OWNER OK W/ACQUISITION. REQUESTS COMPENSATION. MEET AGAIN IN LATE MAY TO SETTLE CONCURRENTLY W/ EASEMENTS.

Call/Visit Number: 2
Time: 10:00 AM/PM Date: 8/13/2012
Visit Location: 610 E. NORTH Street
List people present during meeting: Steve Paradis, Todd Peckosh, Sara Odden (KLS)

Notes of the Discussion: OWNER OK with revised plans. Requested additional compensation - over city's offer of \$10,000 City to discuss and have Sara contact owner tomorrow.

Call/Visit Number: 3
Time: 3:18 AM/PM Date: 10/3/12
Visit Location: KLS OFFICE - RAPID CITY
List people present during meeting: STEVE PARADIS (OWNER) TODD PECKOSH (CITY) RON WILLIAMS (KLS) BECKY PORTLOCK (KLS)

Notes of the Discussion: OWNER SIGNED DOCUMENTS

Call/Visit Number: 4
Time: _____ AM/PM Date: _____
Visit Location: _____
List people present during meeting: _____

Notes of the Discussion: _____

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.