

RELEASE

The City of Rapid City, a municipal corporation under the laws of the State of South Dakota, for and in consideration of the completion of the required improvements, does hereby agree to release a portion of the property owned by Walgar Development Corporation from the restrictions imposed by an Agreement with the City of Rapid City dated December 18, 1995.

The released property is legally described as:

Lot 26 of Block 23 and Lot 6 of Block 24 of Robbinsdale Addition No. 10 (formerly a portion of Tract A of Robbinsdale Addition No. 10 and a portion of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 13) located in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota.

The Agreement dated December 18, 1995, shall remain in full force and effect as to the remaining property described therein and not hereby released, and nothing contained in this release shall effect, impair, or invalidate the terms and conditions of this prior Agreement.

Dated this _____ day of _____, 2002.

CITY OF RAPID CITY

By: _____
Jerry Munson, Mayor

ATTEST:

Finance Officer

(SEAL)

State of South Dakota)
 SS.
County of Pennington)

On this the ____ day of _____, 2002, before me, the undersigned officer, personally appeared Jerry Munson 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 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)

Prepared By: CITY ATTORNEY'S OFFICE