



CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-2724

Growth Management Department

300 Sixth Street

Emily Fisher, Project Manager
Growth Management Department
city web: www.rcgov.org

Phone: 605-394-4157
Fax: 605-394-6636
e-mail: emily.fisher@rcgov.org

MEMORANDUM

TO: Rapid City Legal and Finance Committee

FROM: Emily Fisher, Project Manager *EF*

DATE: April 5, 2006

RE: Authorization for Mayor and Finance Officer to sign the Utility Easement Document on Lots 12B and Lot 13 of Block 1, Fountain Springs Park Subdivision

Legal Description: Lot 12B and Lot 13 of Block 1, Fountain Springs Park Subdivision, located in Section 27, T2N, R7E, BHM, Rapid City, Pennington County, SD.

An easement has been submitted to reflect the rerouting of an 8" sewer main on the subject property. The sewer main was rerouted in order to avoid conflicts with the drainage structure at the intersection of Sunny Springs Drive and Wesleyan Boulevard.

Staff Recommendation: Authorize the Mayor and Finance Officer to sign the easement document that pertains to Exhibit "A"



EQUAL HOUSING
OPPORTUNITY

EQUAL OPPORTUNITY EMPLOYER



1830 West Fulton Street
 P.O. Box 9014
 Rapid City, SD 57709
 Phone (605) 341-7800
 Fax (605) 341-7864
 www.cetecengineering.com

Letter of Transmittal

DATE: 04-03-2006	JOB NO: 04198.00
ATTENTION: Emily Fisher	
RE: Fountain Springs Townhouses	
Revised Utility Easement	

TO: City of Rapid City
 Growth Management
 300 6th Street
 Rapid City, SD 57701-2726

WE ARE SENDING YOU Attached Under separate cover via _____ the following items:

- Shop drawings Prints Plans Samples Specifications
 Copy of letter Change Order _____

COPIES	DATE	NO.	DESCRIPTION
1			Utility Easement Document and Exhibit A.

THESE ARE TRANSMITTED as checked below:

- For approval Reviewed Revise and resubmit
 For your use Rejected Resubmit _____ copies for approval
 As requested Make corrections noted Return _____ corrected prints
 For review and comment Other _____

REMARKS:

Emily,

The easement has been revised to only show a utility easement.

Thank you.

RECEIVED

APR 05 2006

Rapid City Growth
 Management Department

COPY TO: Dave Simpson
Frank Simpson

SIGNED: Ted Schultz
 Ted Schultz, P.E.

Prepared By:

CETEC Engineering Services, Inc.
1830 West Fulton Street
P.O. Box 9014
Rapid City, SD 57709-9014

Telephone: (605) 341-7800

STATE OF SOUTH DAKOTA)
) SS.
COUNTY OF PENNINGTON)

UTILITY EASEMENT

Franklin O. Simpson

Franklin O. Simpson, Grantor, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, hereby grants, conveys, bargains and warrants unto City of Rapid City, SD, Grantee, utility easement over and across the following described real property:

Lot 12B and Lot 13 of Block 1, Fountain Springs Park Subdivision, located in Section 27, T2N, R7E, BHM, Rapid City, Pennington County, SD.

This easement shall include the right to construct, operate, maintain and repair sanitary sewer pipe and/or structures upon said property. The easement area shall be kept free of structures, fences and other obstructions inconsistent with its use for sanitary sewer access.

Dated this 4th day of April, 2006.

GRANTOR:

Franklin O. Simpson

By: Franklin O. Simpson
Its: _____

Date: April 4 2006

STATE OF SOUTH DAKOTA)
) SS.
COUNTY OF PENNINGTON)

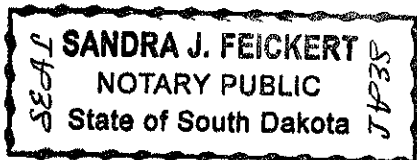
On this the 4th day of April, 2006, before me, the undersigned Notary Public, personally appeared Franklin O. Simpson, Grantor, representing himself, and that as such Grantor, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of Franklin Simpson as Grantor.

IN WITNESS WHEREOF I hereunto set my hand and official seal

Sandra J. Feickert
Notary Public, South Dakota

My Commission Expires: 12-08-2009

(SEAL)



GRANTEE

City of Rapid City, SD

Jim Shaw, Mayor

ATTEST:

Finance Officer

(SEAL)

On this the _____ day of _____, 2005, before me, the undersigned officer, personally appeared Jim Shaw 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 Drainage and Utility Easement 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.

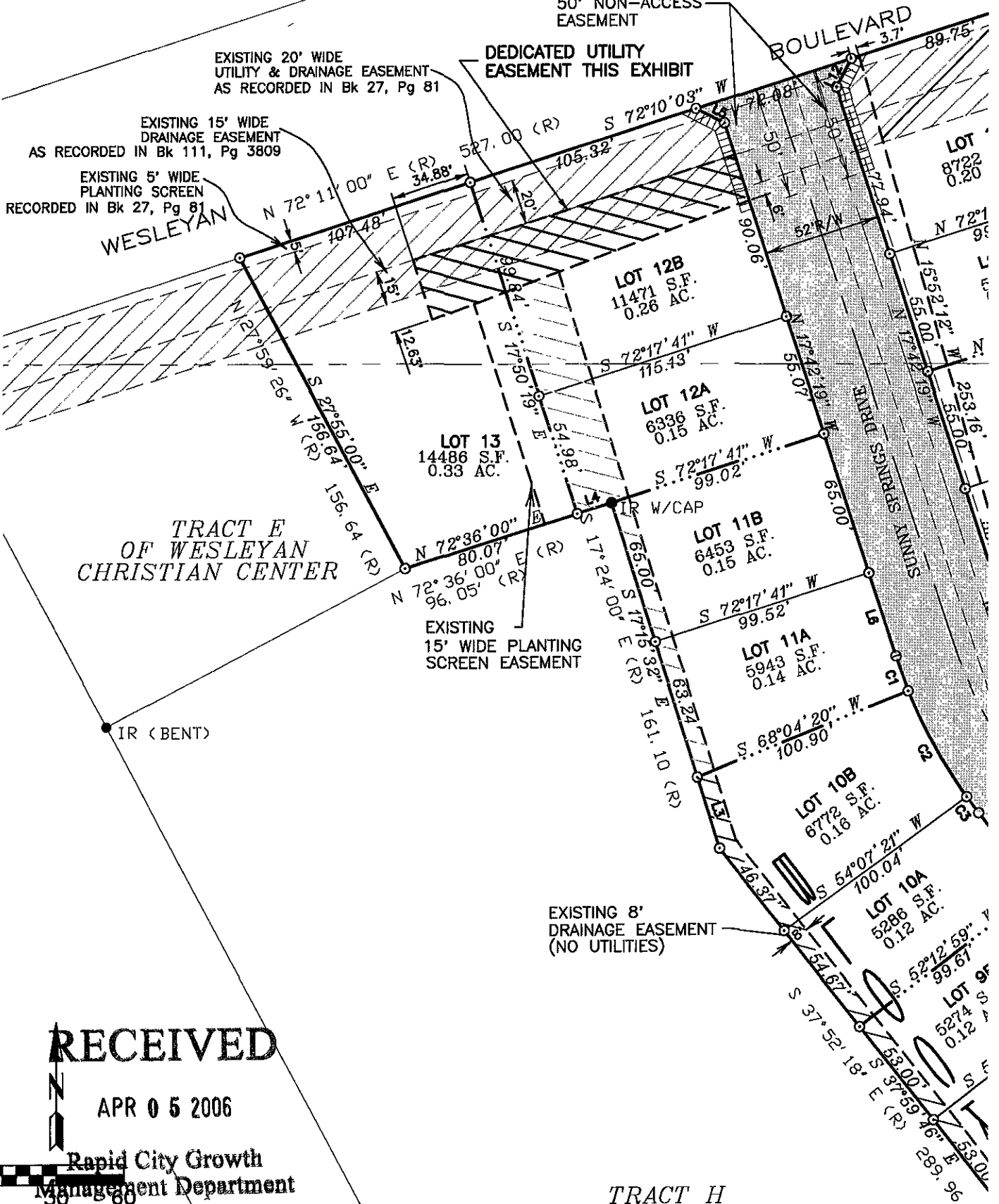
Notary Public, South Dakota

My Commission Expires: _____

(SEAL)

EXHIBIT "A"
LOTS 12B AND LOT 13 OF BLOCK 1,
FOUNTAIN SPRINGS PARK SUBDIVISION
 SECTION 27, T2N, R7E, B.H.M.

RAPID CITY, PENNINGTON COUNTY, SOUTH DAKOTA
 50' NON-ACCESS EASEMENT



RECEIVED

APR 05 2006

Rapid City Growth
 Management Department



TRACT H



April 04, 2006 3:27:45 a.m.
 Drawing: EXHIBIT A REVISED 1-12-06.DWG (FOX) (\\CED001\CE\ESTED\CH188 SUNNY SPRINGS)