

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

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

THE CITY OF RAPID CITY, a municipal corporation, located at 300 Sixth Street, Rapid City, South Dakota, hereby agrees to cancel and release the Covenant Agreement between the City of Rapid City and Midland Rushmore, LLC regarding the construction of off-site improvements at the intersection of LaCrosse and Rapp Streets dated June 18, 2007, on land legally described as:

Formerly Lot BR of Lot 2 of the SE¹/₄SW¹/₄ of Section 29; Lot C of Lot 2 of the SE¹/₄SW¹/₄ of Section 29; Tract C of the SW¹/₄ of Section 29; Lot 1 of the SW¹/₄SE¹/₄ Section 29; Lot A of Lots 1 and 2 of the SE¹/₄SW¹/₄ of Section 29; Lot 1R of Lots 1 and 2 of the SE¹/₄SW¹/₄ of Section 29; unplatted portions of the SW¹/₄ of Section 29; Lot H-1, located in the S¹/₂N¹/₂SE¹/₄ of Section 30; Lot H-10, a portion of Lots H-1 and H-4, located in the NW¹/₄SW¹/₄ Section 29; Lot H-11, a portion of Lot H-2, located in the NW¹/₄SW¹/₄ Section 29; Lots 1 and 2 of Bedco Subdivision, located in the SE¹/₄ of Section 30; part of Lot M of the NW¹/₄SE¹/₄ of Section 30; part of Lot K-4 of Marshall Heights Tract, located in the SW¹/₄ of Section 30; part of Lots 1 and 2 of Block 2 of Rapps Addition and the South Half of the vacated alley adjacent to Rapp's Addition, located in the NW¹/₄SE¹/₄ of Section 30; and the unplatted portions of the SE¹/₄ of Section 30; and Tract C in the NE¹/₄NW¹/₄ and the NW¹/₄NE¹/₄ of Section 32; all located in Township 2 North, Range 8 East, of the Black Hills Meridian, the City of Rapid City, Pennington County, South Dakota; and recorded with the Pennington County Register of Deeds on July 24, 2007, in Book 171, Page 7112.

Dated this _____ day of April, 2009.

CITY OF RAPID CITY

Alan Hanks, Mayor

