

**DEVELOPMENT SERVICES CENTER**

Growth Management Department  
City of Rapid City

300 Sixth Street, Rapid City, SD 57701-2724

Phone: (605) 394-4120

Fax: (605) 394-6636

Web: www.rcgov.com

**APPLICATION FOR  
TAX INCREMENT  
FINANCING**

**LEGAL DESCRIPTION**

Legal Description *(Attached additional sheets as necessary)*  
*See Attached*  
 Location *East of Elk Vale Road; South of I-90 Exit 60; North of Twilight Ave.*  
 Size of Site-Acres *Approx. 640 acres*

**APPLICANT**

Name City of Rapid City Phone (605) 394-4165  
 Address 300 Sixth St. Fax (605) 355-3083  
 City, State, Zip Rapid City, SA 57702

**PROJECT PLANNER - AGENT**

Name City of Rapid City Phone (605) 394-4165  
 Address 300 Sixth St. Fax (605) 355-3083  
 City, State, Zip Rapid City, SA 57702

Property Owner Signature		Date		Property Owner Signature		Date	
		11-16-10					
Applicant Signature		Date		Applicant Signature		Date	
<i>(if difference from Property Owner)</i>				<i>(if difference from Property Owner)</i>			
Print Name: <u>Robert Ellis</u>				Print Name:			
Title* <u>Public Works Director</u>				Title*			

\*required for Corporations, Partnerships, Etc.

An application for the use of Tax Increment Financing must include the following information or the project will not be processed. **Attachments may be provided in order to fully provide the following information.**

APPLICATION INFORMATION <i>(attach additional sheets as necessary)</i>	Submitted
1. A detailed project description.	<input checked="" type="checkbox"/>
2. Purpose of the Tax Increment Financing.	<input checked="" type="checkbox"/>
3. List of project costs to be funded by the Tax Increment Financing including identification of typical developer costs, exceptional costs and oversizing costs. The applicant shall provide written justification when the sum of the Necessary and Convenient Costs and Contingency Cost line items exceed 10% of the total Project Costs. The proposed project costs shall include an itemized list of all Estimated Costs, including the Professional Fees.	<input checked="" type="checkbox"/>
4. A preliminary development financing plan, including sources of funds, identification of lender, interest rates, financing costs and loan terms.	<input checked="" type="checkbox"/>
5. The applicant shall identify all persons and entities that have an interest in the project and/or in the entity applying for the tax increment financing district. The disclosures shall require identification of all members of an LLC or LLP, other partners, investors, shareholders and directors of a corporation or any other person who has a financial interest in the project or in the entity applying for the tax increment financing. This provision requires identification of all persons who have an interest in the project, including those whose interest exists through, an LLC, LLP, corporation (whether as a director or shareholder) or other legal entity. The applicant shall be under a continuing obligation to update this disclosure within thirty (30) days of any changes throughout the application process and throughout the	<input checked="" type="checkbox"/>



**DEVELOPMENT SERVICES CENTER**

Growth Management Department

City of Rapid City

300 Sixth Street, Rapid City, SD 57701-2724

Phone: (605) 394-4120

Fax: (605) 394-6636

Web: www.rcgov.com

**APPLICATION FOR  
TAX INCREMENT  
FINANCING**

life of the developer's agreement. If the applicant is a publicly traded company, the applicant shall be deemed to have complied with this provision if it has provided the City a copy of its most recent annual report with the application.	<input type="checkbox"/>
6. A pro forma indicating projected costs and revenues.	<input checked="" type="checkbox"/>
7. A statement and demonstration that the project would not proceed without the use of Tax Increment Financing.	<input checked="" type="checkbox"/>
8. A statement identifying the specific Statutory, Other Local and Discretionary evaluation criteria that the applicant believes the request meets. <i>(Please refer to the Tax Increment Financing Guide for specific evaluation criteria).</i>	<input checked="" type="checkbox"/>
9. Conceptual plans, sketches, maps or site plans for the project.	<input checked="" type="checkbox"/>
10. A development time schedule including specific phasing of improvements and project costs.	<input checked="" type="checkbox"/>
11. A list of the specific public improvements and a list of the specific private improvements proposed to be constructed along with the project.	<input checked="" type="checkbox"/>
12. Corporation, LLC, partnership papers or other business documents identifying the parties with ownership interest in the corporation and property involved in the project, including land ownership, contract for deed or other contractual information relating to control of the property and the applicant's ability to complete the project.	<input type="checkbox"/>
13. A financial statement of the corporation, partnership, or individual for the most recent five years or life of the company.	<input type="checkbox"/>
14. A copy of the proposed wage scale, employee benefits package, and full and part time employment levels or, in the case of an affordable housing project, a copy of the applicable federal housing grant program.	<input type="checkbox"/>
15. The applicant shall notify by certified, return receipt mail every owner of property contained within the proposed boundaries of a tax increment district and shall notify by first class mail every owner of property that is adjacent to the proposed boundaries of the tax increment district. The notification shall contain the proposed boundaries as well as a description of the proposed improvements. The Growth Management Department shall provide the applicant with a list of property owners to be notified. The return receipts shall be directed to the Growth Management Department. The applicant shall pay a fee of \$20.00 per list for the cost of compiling the two property owners lists.	<input type="checkbox"/>
16. A \$1,000 non-refundable application fee.	<input checked="" type="checkbox"/>
17. Other information that may be required by the Tax Increment Finance Project Review Committee.	<input type="checkbox"/>

**Cost Reallocation Request  
Tax Increment District No. 42  
For Elk Vale Water/Timmons Boulevard  
City of Rapid City**

The City of Rapid City (City) requests the project funding for Tax Increment District No. 42 be revised to reflect actual project costs.

1. Project Description

The original Tax Increment District No. 42 was created to reimburse the costs for construction of a Water Reservoir and Water Tower in the Elk Vale Road area. The currently approved plan as revised in November 2007 shifted all available funding to reimbursement of the cost of a Water Reservoir. Reimbursement for funding of the Water Tower was removed from the project plan.

The Elk Vale Low Level Water Reservoir has been constructed and is now part of the City's water infrastructure. The project consisted of construction of a 3.5 million gallon prestressed concrete reservoir, a valve vault building, a 24 inch water main, site grading, access road improvements, storm water features, electrical and control components and site security.

The project also included piping and valve improvements at the City's Signal Hill reservoir location. However, these improvements were conducted outside the boundary of Tax Increment District No. 42 and are thus ineligible for reimbursement.

2. Purpose of the Tax Increment Financing

The purpose of the tax increment financing is to reimburse the costs of construction of the Elk Vale Low Level Water Reservoir.

3. Project Costs

The final project costs to be funded by Tax Increment District No. 42, the currently approved project cost and the relative difference are provided in Attachment B.

4. Project Financing

The project was fully funded from the City's .16 Utility Facility Fund and the Water Enterprise Fund. The project is complete and all project cost have been paid.

5. Interest in Project

The project was conducted by the City of Rapid City who retains full ownership of the water utility improvements.

## 6. Pro Forma

The project construction cost eligible for reimbursement by TID No. 42 is \$5,700,000.00. The Elk Vale Low Level Water Reservoir is one component of the City of Rapid City water system. It is impossible to determine the revenue generated by any one component of the water system. However, the Elk Vale Water Reservoir allowed the City of Rapid City to continue to provide service to existing water customers and will allow the City to provide water service within the reservoirs service area.

## 7. Project Need

A portion of the project funding (\$3,500,000.00) was provided by the .16 Utility Facility Fund. A requirement of this fund is that a source of repayment to the fund be available prior to a project receiving funding. Tax Increment District No. 42 was identified as the repayment source for funding from the .16 Utility Facility Fund for this project. It is unlikely this funding would have been made available without the ability to repay the .16 Utility Facility Fund from Tax Increment District No. 42. Therefore, it is unlikely the project would have proceeded without Tax Increment Financing.

## 8. Criteria

### Statutory

The project meets the statutory criteria found in SDCL 11-9-8.

At the December 1, 2003 City Council meeting the city council determined that:

- (1) Not less than twenty-five percent (25%), by area, of the real property within the district is a blighted area as defined in SDCL 11-9-9 through 11-9-11 and,
- (2) The improvement of the area is likely to significantly enhance the value of substantially all of the other real property in the district.

A copy of the pertinent section of the December 1, 2003 City Council meeting minutes is provided in Attachment C.

### Additional

The project meets the following additional criteria:

Item 1 - It has been demonstrated that the project would not have been economically feasible without the use of Tax Increment Financing.

Item 3 – The project will not provide direct or indirect assistance to retail or service businesses competing with existing businesses in the Rapid City trade area.

Discretionary

The project meets the following discretionary criteria:

Item 2 – All Tax Increment Financing proceeds were used for the construction of public improvements.

9. Project Plans

Project plans are provided in Attachment D.

10. Time Schedule

The project is complete.

11. List of Improvements

The project has been constructed and is now part of the City's water infrastructure. The project consisted of the following public improvements:

Water Reservoir	\$3,750,000.00
Professional Services	\$ 650,000.00
Access Road	\$ 150,000.00
Land Purchase	\$ 56,000.00
Water Lines and Appurtenances	\$ 500,000.00
Electrical	\$ 400,000.00
Security	\$ 194,000.00

No private improvements were conducted as part of the project.

12. Documents

The easement and land purchase agreements are provided in Attachment E.

13. Corporate Documentation

The project was conducted by the City of Rapid City and thus these requirements do not apply.

Reallocation of Project Costs

The City of Rapid City requests the project cost be reallocated as shown Attachment B.



**ATTACHMENT A**  
**Legal Description**

NE1/4NE1/4 less ROW, GL2, SW1/4NE1/4, N1/2GL3, GL 4 less ROW, E1/2SW1/4NW1/4, S1/2GL3 less Big Sky Subdivision, SE1/4NW1/4 less Big Sky Subdivision, W1/2SW1/4NW1/4 including private Drive and less ROW, all located in Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Tract A, Big Sky Subdivision, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot 2 and Lot 8 including ROW, Block 13, Big Sky Subdivision, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lots 2, 3, 4, and 5 including ROW, Block 14, Big Sky Subdivision, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, NE1/4SE1/4, NW1/4SE1/4, SW1/4SE1/4, SE1/4NW1/4, SW1/4NW1/4 less ROW, N1/2SW1/4 less ROW, S1/2SW1/4 less Lot 1 of Neff Subdivision #3 less ROW, all located in Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot 1, Neff Subdivision #3, Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H1 in SW1/4NW1/4, Lot H2 in SW1/4NW1/4, Lot H1 in W1/2SW1/4, Lot H2 in N1/2W1/2SW1/4, and Lot H3 in S1/2SW1/4, all located in Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H2 in N1/2 of Government Lot 4, Lot H3 in S1/2 of Government Lot 4, Lot H2 in W1/2SW1/4NW1/4, Lot H1 in NW1/4NW1/4, and Lot H1 in SW1/4NW1/4, all located in Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H1 in E1/2NE1/4, Lot H2 in E1/2NE1/4, Lot H2 in E1/2SE1/4, and Lot H1 in SE1/4, all located in Section 33, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H1 in NE1/4, and Lot H2 in Government Lot 1 and the SE1/4NE1/4, all located in Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Elk Vale Road right-of-way between SE1/4NE1/4, Section 33, and SW1/4NW1/4, Section 34, all in T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Elk Vale Road right-of-way between SE1/4, Section 33 and SW1/4, Section 34, all in T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Elk Vale Road between NE1/4 of Section 4 and NW1/4 of Section 3, all in T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Homestead Drive and Degeest Street rights-of-way, located in the NW1/4 of Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota

**Attachment B**  
**Tax Increment District Elk Vale Water/Timmons Blvd.**  
**Tax Increment District No. 42**  
**Final Project Cost Reallocation Request**

	Original Estimate (November 2003)	Change	Approved Allocation (November 2007)	Change	Requested Cost Reallocation
Capital Costs:					
Water Reservoir	\$2,250,000.00	\$1,500,000.00	\$3,750,000.00	\$0.00	\$3,750,000.00
Water Tower	\$2,500,000.00	(\$2,500,000.00)	\$0.00		
Professional Services:					
Engineering Costs for Water Reservoir	\$225,000.00	\$425,000.00	\$650,000.00	\$0.00	\$650,000.00
Engineering Costs for Water Tower	\$250,000.00	(\$250,000.00)	\$0.00		
Financing Costs:					
Financing Interest	\$3,157,916.36	\$0.00	\$3,157,916.36	\$0.00	\$3,157,916.36
Relocation Costs	\$0.00	\$0.00	\$0.00		
Organizational Cost	\$0.00	\$0.00	\$0.00		
Other Necessary and Convenient Costs:					
Contingency Costs for Water Reservoir	\$225,000.00	(\$225,000.00)	\$0.00		
Contingency Costs for Water Tower	\$225,000.00	(\$225,000.00)	\$0.00		
Other	\$25,000.00	(\$25,000.00)	\$0.00		
Access Road	\$0.00	\$400,000.00	\$400,000.00	(\$250,000.00)	\$150,000.00
Land Purchase	\$0.00	\$50,000.00	\$50,000.00	\$6,000.00	\$56,000.00
Water Lines and Appurtenances	\$0.00	\$450,000.00	\$450,000.00	\$50,000.00	\$500,000.00
Electrical	\$0.00	\$150,000.00	\$150,000.00	\$250,000.00	\$400,000.00
Security	\$0.00	\$250,000.00	\$250,000.00	(\$56,000.00)	\$194,000.00
<b>TOTAL</b>	<b>\$8,857,916.36</b>	<b>\$0.00</b>	<b>\$8,857,916.36</b>	<b>\$0.00</b>	<b>\$8,857,916.36</b>
Imputed Administrative Costs					
City of Rapid City	\$2,050.00	\$0.00	\$2,050.00	\$0.00	\$2,050.00

**Attachment C**

**Rapid City Council Meeting Minutes**

**December 1, 2003**



Watertown Street lying north of the railroad right-of-way, and the vacated portions of Herman Street, East Madison Street and Maple Avenue all in Schnasse Addition; all located in NW1/4 SW1/4 of Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at 110 East Watertown Street.

**Raffle**

- 118. No. CC120103-03 – Acknowledge notification from Counts of the Cobblestone Car Club of their intent to conduct a raffle on February 15, 2004

**END OF CONSENT CALENDAR**

Motion was made by Rodriguez and seconded by Murphy to authorize staff to advertise for bids for One (1) New Current Model Year **Trash Compactor** for Landfill. Kooiker asked that staff initiate the process to declare the property surplus that will be traded in. Upon vote being taken, the motion carried unanimously.

Motion was made by Hanks, seconded by Kooiker and carried to direct staff to prepare a resolution declaring the equipment to be traded-in surplus.

Motion was made by Kroeger and seconded by Rodriguez to authorize Mayor and Finance Officer to sign Unsolicited Proposal to Transfer Ownership of Ellsworth Air Force Base 16" Water Service Main to the City of Rapid City (**No. PW112503-04**). Hadley asked for a brief explanation on this item. Public Works Director Vore explained that in light of the city's water expansion needs in this area of town, it was suggested that the City submit an unsolicited proposed to Ellsworth Air Force Base to take over the 16" water line that they have along with the repair couplings they have on hand. This will allow the city to utilize that line for use in this area of the community. The meter would be moved to the entrance to the Base. The benefits to the Base would be the city would be able to connect on Elk Vale and provide another line to tie into the base line giving them a better and more secure back-up water supply in case of an outage. Upon vote being taken, the motion carried unanimously.

Motion was made by Rodriguez, seconded by Hanks and carried to request Rapid Transit staff to work with Shelly Schock, Western Resources for dis-ABLED Independence to come up with ideas to improve the **Saturday service** and bring forward recommendations to the Legal & Finance Committee.

The Mayor presented **No. 03TI009**, a request by Dream Design International for a **Resolution Creating Tax Increment District No. 42**, located east of Elk Vale Road and north of Twilight Drive. The following Resolution was introduced, read and Kroeger moved its adoption:

A RESOLUTION CREATING TAX INCREMENT DISTRICT #42 – ELK VALE  
 WATER/TIMMONS BOULEVARD  
 CITY OF RAPID CITY

WHEREAS the property within the following described District meets the qualifications and criteria set forth in SDCL 11-9; and,

WHEREAS the Council of the City of Rapid City finds that the aggregated assessed value of taxable property in this District, plus the assessed values of all other districts currently in effect, does not exceed ten percent (10%) of the total assessed value of taxable property in the City of Rapid City; and,

WHEREAS the Council finds that:

- (1) Not less than twenty-five percent (25%), by area, of the real property within the district is a blighted area as defined in SDCL 11-9-9 through 11-9-11; and,
- (2) The improvement of the area is likely to significantly enhance the value of substantially all of the other real property in the district.

NOW, THEREFORE, BE IT RESOLVED by the City of Rapid City that the real property legally described as:

NE1/4NE1/4 less ROW, GL2, SW1/4NE1/4, N1/2GL3, GL4 less ROW, E1/2SW1/4NW1/4, S1/2GL3 less Big Sky Subdivision, SE1/4NW1/4 less Big Sky Subdivision, W1/2SW1/4NW1/4 including private Drive and less ROW, all located in Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and,

Tract A, Big Sky Subdivision, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and,

Lot 2 and Lot 8 including ROW, Block 13, Big Sky Subdivision, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and,

Lots 2, 3, 4, and 5 including ROW, Block 14, Big Sky Subdivision, Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and,

NE1/4SE1/4, NW1/4SE1/4, SW1/4SE1/4, SE1/4NW1/4, SW1/4NW1/4 less ROW, N1/2SW1/4 less ROW, S1/2SW1/4 less Lot 1 of Neff Subdivision #3 less ROW, all located in Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and,

Lot 1, Neff Subdivision #3, Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and,

Lot H1 in SW1/4NW1/4, Lot H2 in SW1/4NW1/4, Lot H1 in W1/2SW1/4, Lot H2 in N1/2W1/2SW1/4, and Lot H3 in S1/2SW1/4, all located in Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and,

Lot H2 in N1/2 of Government Lot 4, Lot H3 in S1/2 of Government Lot 4, Lot H2 in W1/2SW1/4NW1/4, Lot H1 in NW1/4NW1/4, and Lot H1 in SW1/4NW1/4, all located in Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and,

Lot H1 in E1/2NE1/4, Lot H2 in E1/2NE1/4, Lot H2 in E1/2SE1/4, and Lot H1 in SE1/4, all located in Section 33, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and,

Lot H1 in NE1/4, and Lot H2 in Government Lot 1 and the SE1/4NE1/4, all located in Section 4, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and,

Elk Vale Road right-of-way between SE1/4NE1/4, Section 33, and SW1/4NW1/4, Section 34, all in T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Elk Vale Road right-of-way between SE1/4, Section 33 and SW1/4, Section 34, all in T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Elk Vale Road between NE1/4 of Section 4 and NW1/4 of Section 3, all in T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and,

Homestead Drive and Degeest Street rights-of-way, located in the NW1/4 of Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota.

is hereby designated as Tax Increment District Number 42, City of Rapid City.

DATED this 1<sup>st</sup> day of December 2003.

ATTEST:  
s/ James F. Preston  
Finance Officer  
(SEAL)

CITY OF RAPID CITY  
s/ Jim Shaw, Mayor

The motion for adoption of the foregoing Resolution was seconded by Hanks. City Attorney Green stated that it is the opinion of the City Attorney's Office that 25% of the land contained in this proposed tax increment district is not blighted as required by state law. Roll call vote was taken: AYE: Hanks, Murphy, Rodriguez, Waugh, Hadley, Kroeger and Partridge; NO: French and Kooiker. The motion carried, 7-2.

The Mayor presented **No. 03TI010**, a request by Dream Design International for a **Tax Increment District No. 42 - Project Plan** located east of Elk Vale Road and north of Twilight Drive. The following Resolution was introduced, read and Hanks moved its adoption:

RESOLUTION APPROVING THE PROJECT PLAN  
FOR TAX INCREMENT DISTRICT #42 – ELK CREEK WATER/TIMMONS BOULEVARD  
AS SUBMITTED BY THE RAPID CITY PLANNING COMMISSION

WHEREAS the Council of the City of Rapid City has determined that it is in the best interest of the City to implement plans which promote economic development and growth in the City; and,

WHEREAS the Council embraces the concept of Tax Increment Financing as a tool to encourage this desirable growth and redevelopment; and,

WHEREAS there has been established Tax Increment District #42 – Elk Creek Water/Timmons Boulevard; and,

WHEREAS the Council deems desirable to promote economic development and create jobs in the corporate limits of the City of Rapid City; and,

WHEREAS the Project Plan submitted helps make this development feasible by assisting with the development of a water reservoir and water tower; and,

WHEREAS the use of Tax Increment Funding to promote this development is in keeping within the statutes adopted by the South Dakota State Legislature; and,

WHEREAS there has been developed a Project Plan for this Tax Increment District which proposes this improvement; and,

WHEREAS the Council has considered the Project Plan submitted by the Planning Commission and determined that the Project Plan for Tax Increment District #42 – Elk Creek Water/Timmons Boulevard is economically feasible; and,

WHEREAS the Council has further determined that this Project Plan is in conformity with the adopted Comprehensive Plan,

NOW, THEREFORE, BE IT RESOLVED by the City of Rapid City that the Tax Increment District Project Plan for Tax Increment District #42 – Elk Creek Water/Timmons Boulevard be, and is hereby, approved as attached hereto.



DATED this 1<sup>st</sup> day of December 2003.

ATTEST:  
s/ James F. Preston  
Finance Officer  
(SEAL)

CITY OF RAPID CITY  
s/ Jim Shaw, Mayor

The motion for adoption of the foregoing Resolution was seconded by Hadley. Roll call vote was taken: AYE: Hanks, Murphy, Waugh, Hadley, Kroeger and Partridge; NO: French and Kooiker. The motion carried, 6-2.

Motion was made by Hanks, seconded by Kroeger and carried to authorize Mayor and Finance Officer to sign Agreement with Humane Society for **Animal Control Services** (No. LF112403-17).

Motion was made by Waugh, seconded by French and carried to authorize Mayor and Finance Officer to sign Agreement with Humane Society for **Animal Shelter Services** (No. LF112403-18).

Motion was made by Kroeger, seconded by Rodriguez and carried to **approve the following licenses**: Central Station Service: Checkpoint Security Systems Group, Inc., Edward Morrissey; SNC, Inc., Butch Neel; Electrical Apprentice: William (Bill) H. Chapman, Jr., Jim Hall, Dale Marti, Thor Soder, Roy Thomas, Larry D. Wiechmann; House Mover: Warner Ghere, Ghere House Moving; O'Neil Company, Inc.; Master Electrician: Gilbert Allen Hatch; Metals and Gems: Douglas L. Kinniburgh, Gun Haven; Pawn Shop: Douglas L. Kinniburgh, Gun Haven; Pigeon Loft: Jacob Miller; Plumbing Contractor: Steve Darling, Plumbing Design & Installation; Second Hand: Mathew J. Batchelder, Batchelder's Plummer Piano & Organ; Thomas J. Haggerty, Haggerty's Inc.; Douglas L. Kinniburgh, Gun Haven; Sewer & Water Installer Journeyman: John R. Page; Sewer & Water Installer Contractor: Vince Finkhouse, Jr., CK Excavating; Sign Contractor: ABC Signs and Vinyl Graphics, Jack Venable; Flat Earth Sign Co., Tim Peterson; Lamar Outdoor Advertising, Doug Rumpca; Pride Neon, Inc., George Menke; Sign Service & Supply, Todd Koehne; Residential Contractor: American Builders, Inc., Joel W. Boylan; Brenneise Homes, Ken H. Brenneise; Contemporary Construction, Lee A. & Terry J. Kenney; E-Z Home Repair, Robert J. Boyer; Ekco Development Company, Gary A. & Dorothy J. Rasmusson; GlenMar Enterprises, Inc., Glen Kane; Gustafson Builders, Wayne & David Gustafson; K 1 Construction, Ken Fuerst; Kangas Construction, Gail Kangas; Lifestyle Homes, Marcy Charlton; Lost Cabin Constructors, Inc., Richard Quinn; Marx Construction, Duane Marx; Oligmueller Incorporated, Brad J. Oligmueller; Olson Services, Jeremy Olson; Radke Construction, Dennis Radke; Specialty Installation LLC, Randy L. Ross; Seco Construction, Inc., Neal A. Schlottman; Site Work Specialists, Inc., Mike Ryan; Sun Rise Construction, Inc., Brian Sykora, Sykora Construction; T&P Builders, Patric Traxinger; Triple R Construction, Randal Ruthford; Mike Tennyson/Greg Brink; United Building Center, Keith Ginter; W D Masonry & Concrete, Inc., Wayne L. & Dale R. Sartorius; Schad Construction, Inc., James A. Schad; Mike Tipton & Sons Const., Kenneth Michael Tipton.

### **Public Hearings**

The Mayor announced the meeting was open for hearing on the proposed lease of **LaCroix Links Golf Course** to the Rapid City YMCA (No. **LF102903-12**). City Attorney Green briefed the Council on changes that were recently made to the contract with the YMCA. No additional public comments were made. Motion was made by Rodriguez, seconded by French and carried to close the public hearing on this item. Motion was made by Rodriguez and seconded by Waugh to authorize the Mayor and Finance Officer to sign a lease of the

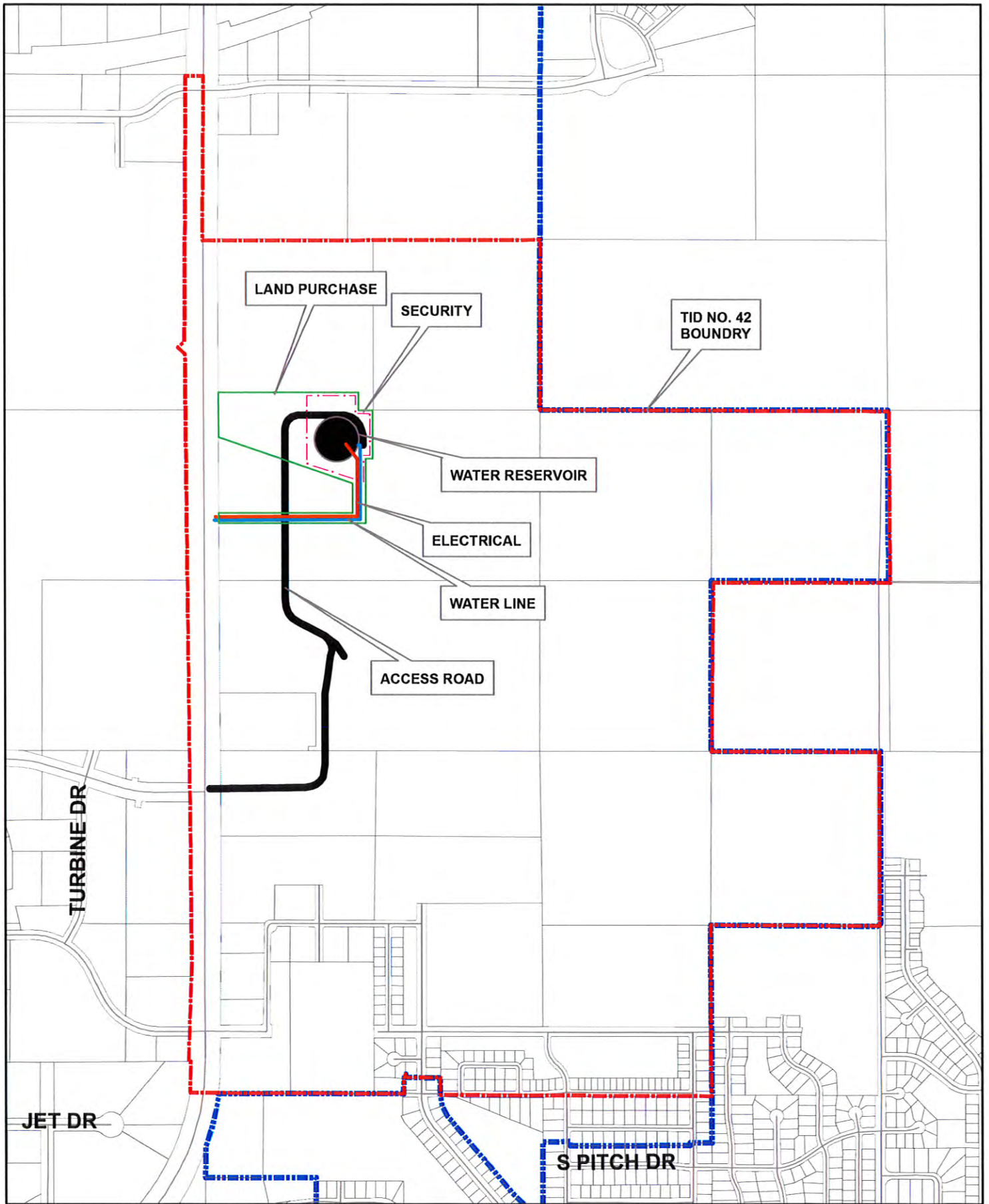


**Attachment D**

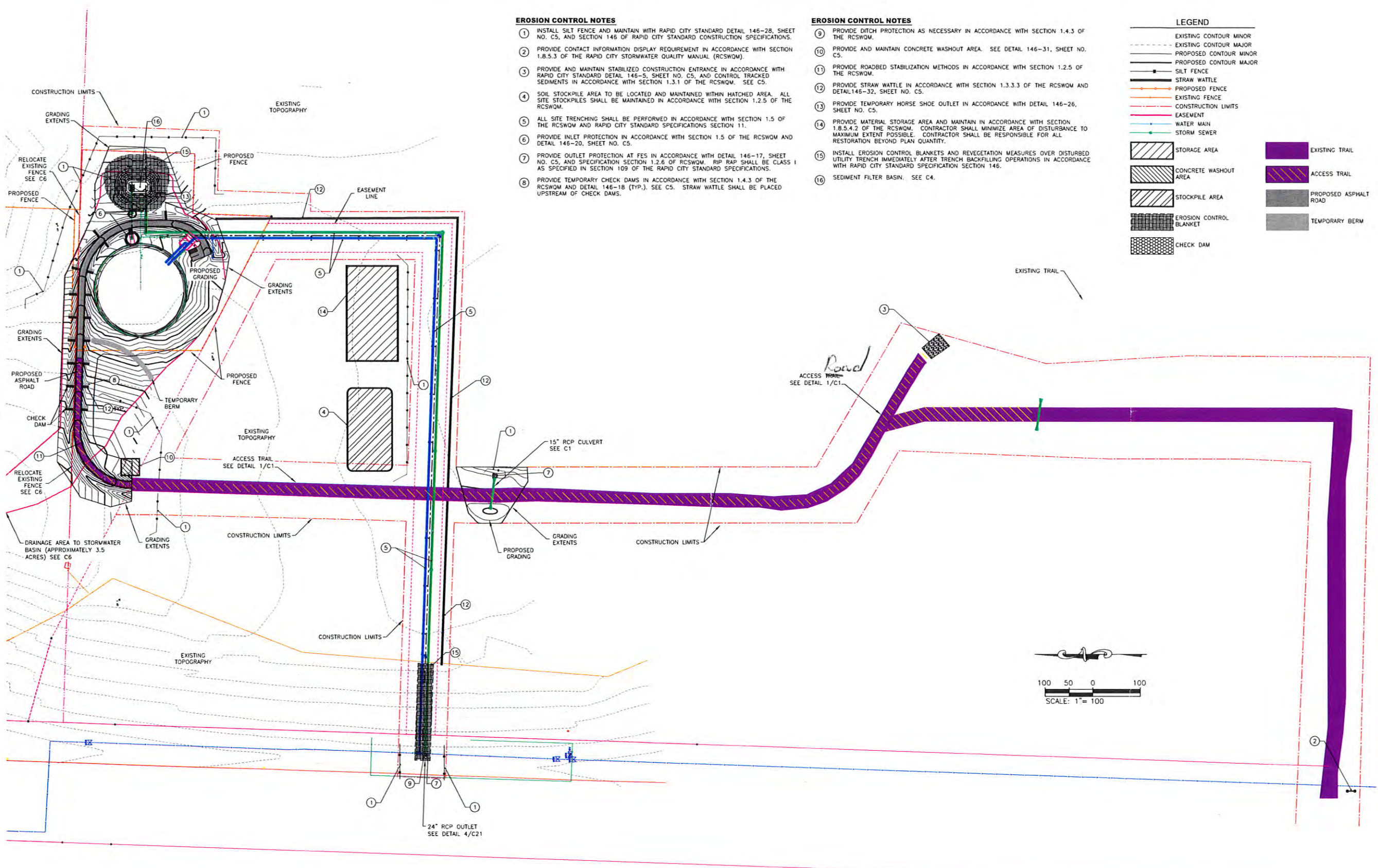
**Project Plans**

**Tax Increment District No. 42**

# TAX INCREMENT DISTRICT NO. 42 PUBLIC IMPROVEMENTS







**EROSION CONTROL NOTES**

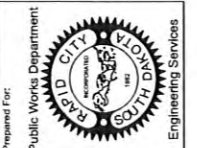
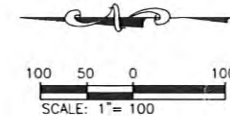
- 1 INSTALL SILT FENCE AND MAINTAIN WITH RAPID CITY STANDARD DETAIL 146-28, SHEET NO. C5, AND SECTION 146 OF RAPID CITY STANDARD CONSTRUCTION SPECIFICATIONS.
- 2 PROVIDE CONTACT INFORMATION DISPLAY REQUIREMENT IN ACCORDANCE WITH SECTION 1.8.5.3 OF THE RAPID CITY STORMWATER QUALITY MANUAL (RCSWM).
- 3 PROVIDE AND MAINTAIN STABILIZED CONSTRUCTION ENTRANCE IN ACCORDANCE WITH RAPID CITY STANDARD DETAIL 146-5, SHEET NO. C5, AND CONTROL TRACKED SEDIMENTS IN ACCORDANCE WITH SECTION 1.3.1 OF THE RCSWM. SEE C5.
- 4 SOIL STOCKPILE AREA TO BE LOCATED AND MAINTAINED WITHIN HATCHED AREA. ALL SITE STOCKPILES SHALL BE MAINTAINED IN ACCORDANCE WITH SECTION 1.2.5 OF THE RCSWM.
- 5 ALL SITE TRENCHING SHALL BE PERFORMED IN ACCORDANCE WITH SECTION 1.5 OF THE RCSWM AND RAPID CITY STANDARD SPECIFICATIONS SECTION 11.
- 6 PROVIDE INLET PROTECTION IN ACCORDANCE WITH SECTION 1.5 OF THE RCSWM AND DETAIL 146-20, SHEET NO. C5.
- 7 PROVIDE OUTLET PROTECTION AT FES IN ACCORDANCE WITH DETAIL 146-17, SHEET NO. C5, AND SPECIFICATION SECTION 1.2.6 OF RCSWM. RIP RAP SHALL BE CLASS 1 AS SPECIFIED IN SECTION 109 OF THE RAPID CITY STANDARD SPECIFICATIONS.
- 8 PROVIDE TEMPORARY CHECK DAMS IN ACCORDANCE WITH SECTION 1.4.3 OF THE RCSWM AND DETAIL 146-18 (TYP.). SEE C5. STRAW WATTLE SHALL BE PLACED UPSTREAM OF CHECK DAMS.

**EROSION CONTROL NOTES**

- 9 PROVIDE DITCH PROTECTION AS NECESSARY IN ACCORDANCE WITH SECTION 1.4.3 OF THE RCSWM.
- 10 PROVIDE AND MAINTAIN CONCRETE WASHOUT AREA. SEE DETAIL 146-31, SHEET NO. C5.
- 11 PROVIDE ROADBED STABILIZATION METHODS IN ACCORDANCE WITH SECTION 1.2.5 OF THE RCSWM.
- 12 PROVIDE STRAW WATTLE IN ACCORDANCE WITH SECTION 1.3.3.3 OF THE RCSWM AND DETAIL 146-32, SHEET NO. C5.
- 13 PROVIDE TEMPORARY HORSE SHOE OUTLET IN ACCORDANCE WITH DETAIL 146-26, SHEET NO. C5.
- 14 PROVIDE MATERIAL STORAGE AREA AND MAINTAIN IN ACCORDANCE WITH SECTION 1.8.5.4.2 OF THE RCSWM. CONTRACTOR SHALL MINIMIZE AREA OF DISTURBANCE TO MAXIMUM EXTENT POSSIBLE. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RESTORATION BEYOND PLAN QUANTITY.
- 15 INSTALL EROSION CONTROL BLANKETS AND REVEGETATION MEASURES OVER DISTURBED UTILITY TRENCH IMMEDIATELY AFTER TRENCH BACKFILLING OPERATIONS IN ACCORDANCE WITH RAPID CITY STANDARD SPECIFICATION SECTION 146.
- 16 SEDIMENT FILTER BASIN. SEE C4.

**LEGEND**

- EXISTING CONTOUR MINOR
- EXISTING CONTOUR MAJOR
- PROPOSED CONTOUR MINOR
- PROPOSED CONTOUR MAJOR
- SILT FENCE
- STRAW WATTLE
- PROPOSED FENCE
- EXISTING FENCE
- CONSTRUCTION LIMITS
- EASEMENT
- WATER MAIN
- STORM SEWER
- STORAGE AREA
- CONCRETE WASHOUT AREA
- STOCKPILE AREA
- EROSION CONTROL BLANKET
- CHECK DAM
- EXISTING TRAIL
- ACCESS TRAIL
- PROPOSED ASPHALT ROAD
- TEMPORARY BERM



Record Drawing Based On Project Annotated Record Documents Received From Contractor

Scale:	AS NOTED
Designed By:	DMS
Drawn By:	NRS/RJO
Design Date:	7-08
Print Date:	6/05/08
Internal Job No:	P00549-2007-06
Surveyed By:	KLJ
Survey Date:	11/19/07
Revisions:	

RECORD DRAWING

**ELK VALE  
LOW LEVEL RESERVOIR**

CITY OF RAPID CITY PROJECT NO. W07-1638

Sheet Title:  
**ELK VALE  
SITE EROSION  
CONTROL PLAN**

Sheet:  
**C3 of 82**

REVISED TO SHOW RECORD DRAWINGS - 8/4/2010

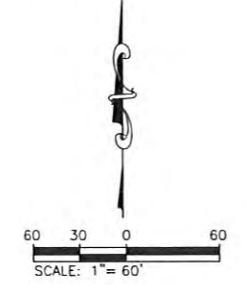
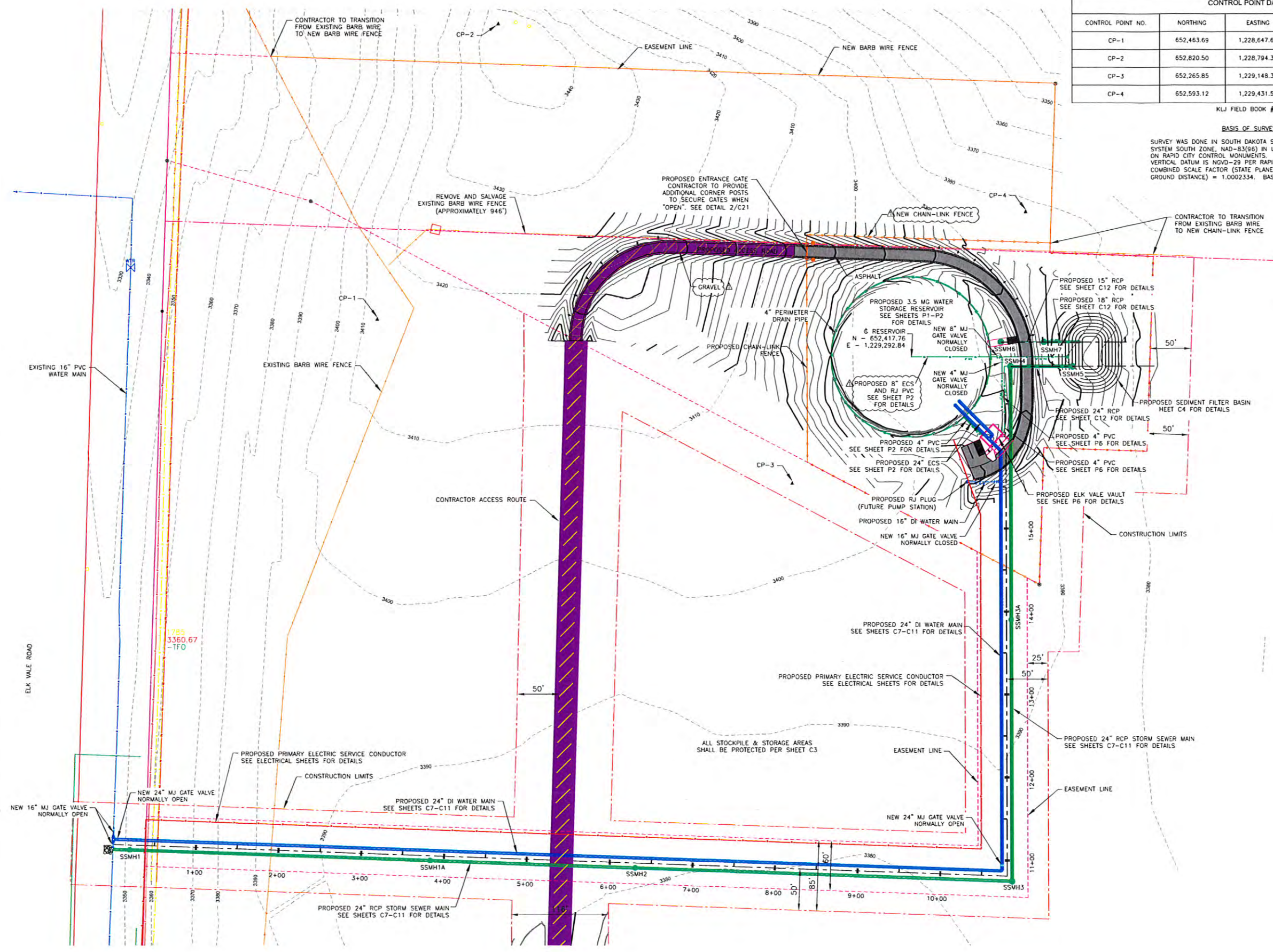


CONTROL POINT DATA				
CONTROL POINT NO.	NORTHING	EASTING	ELEVATION	DESCRIPTION
CP-1	652,463.69	1,228,647.67	3414.19	REBAR
CP-2	652,820.50	1,228,794.30	3445.83	REBAR
CP-3	652,265.85	1,229,148.33	3404.04	REBAR
CP-4	652,593.12	1,229,431.57	3383.06	REBAR

KLJ FIELD BOOK #22

**BASIS OF SURVEY**  
 SURVEY WAS DONE IN SOUTH DAKOTA STATE PLANE COORDINATE SYSTEM SOUTH ZONE, NAD-83(96) IN US FEET AND IS BASED ON RAPID CITY CONTROL MONUMENTS. VERTICAL DATUM IS NGVD-29 PER RAPID CITY CONTROL. COMBINED SCALE FACTOR (STATE PLANE DISTANCE (GRID) TO GROUND DISTANCE) = 1.0002334. BASIS OF BEARING IS GRID NORTH.

- NEW SS MANHOLE #1 - (48")**  
 Northing = 651,823.76  
 Easting = 1,228,346.76  
 Elevations:  
 RIM = 3351.69  
 NEW INV. OUT W = 3343.10  
 NEW INV. IN E = 3344.25
- NEW SS MANHOLE #1A - (48")**  
 Northing = 651,811.24  
 Easting = 1,228,707.54  
 Elevations:  
 RIM = 3386.35  
 NEW INV. OUT W = 3368.35  
 NEW INV. IN E = 3369.45
- NEW SS MANHOLE #2 - (48")**  
 Northing = 651,802.38  
 Easting = 1,228,957.07  
 Elevations:  
 RIM = 3381.22  
 NEW INV. OUT W = 3369.24  
 NEW INV. IN E = 3369.32
- NEW SS MANHOLE #3 - (60")**  
 Northing = 651,786.13  
 Easting = 1,229,413.19  
 Elevations:  
 RIM = 3386.14  
 NEW INV. OUT W = 3374.86  
 NEW INV. IN E = 3374.88
- NEW SS MANHOLE #3A - (48")**  
 Northing = 652,094.45  
 Easting = 1,229,413.15  
 Elevations:  
 RIM = 3393.85  
 NEW INV. OUT S = 3375.79  
 NEW INV. IN N = 3375.69
- NEW SS MANHOLE #4 - (60")**  
 Northing = 652,406.58  
 Easting = 1,229,413.21  
 Elevations:  
 RIM = 3387.28  
 NEW INV. OUT S = 3377.10  
 NEW INV. IN E = 3377.22  
 NEW 4" INV. IN W = 3382.17
- NEW SS MANHOLE #5 - (48")**  
 Northing = 1,229,488.22  
 Easting = 652,406.40  
 Elevations:  
 RIM = 3382.00  
 NEW INV. OUT W = 3377.50
- NEW SS MANHOLE #6 - (48")**  
 Northing = 652,435.91  
 Easting = 1,229,401.70  
 Elevations:  
 RIM = 3386.50  
 NEW INV. OUT E = 3379.57
- NEW SS MANHOLE #7 - (48")**  
 Northing = 652,435.91  
 Easting = 1,229,453.38  
 Elevations:  
 RIM = 3383.50  
 NEW INV. IN W = 3379.39  
 NEW INV. OUT E = 3379.16



Record Drawing  
 Based On  
 Project Annotated  
 Record Documents  
 Received From  
 Contractor

Scale: AS NOTED  
 Designed By: DMS  
 Drawn By: JRH  
 Design Date: 7-08  
 Print Date: 6/05/08  
 Internal Job No: P00549-2007-06  
 Surveyed By: KLJ  
 Survey Date: 11/19/07

Revisions:  
 RECORD DRAWING

**ELK VALE  
 LOW LEVEL RESERVOIR**

CITY OF RAPID CITY PROJECT NO. W07-1638

Sheet Title:  
 ELK VALE  
 UTILITY SITE PLAN

Sheet:  
**C6 of 82**

REVISED TO SHOW RECORD DRAWINGS - 8/4/2010



**Attachment E**

**Easement and Land Purchase Agreements**

**Tax Increment District No. 42**

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

STATE OF SOUTH DAKOTA     )  
  ) SS.     PERMANENT ACCESS AND UTILITY  
COUNTY OF PENNINGTON     )                     EASEMENT

FOR AND IN CONSIDERATION of the sum of Fifty-Six Thousand Dollars (\$56,000), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, G & G Investments, LLP, Grantor, of 3118 Glenwood Drive, Rapid City, South Dakota 57702, hereby grants to the City of Rapid City, of 300 Sixth Street, Rapid City, South Dakota, 57701, a permanent access and utility easement in, on, under, and across the following described property:

The Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) & the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of Section 34, of Township Two North (T2N), Range Eight East (R8E), of the Black Hills Meridian, Rapid City, Pennington County, State of South Dakota, consisting of 11.21 acres, more or less, as shown on Exhibit "A" which has been attached hereto and incorporated herein by this reference.

Such easement shall include the right to enter upon the easement property to construct, install, operate, inspect, maintain, and repair a high and low pressure water reservoir and all related appurtenant facilities upon said property, including all pipes and mains needed to bring water from the Elk Vale Road right-of-way to the reservoir site. The access easement shall follow the current gravel road located on the property unless the parties agree in the future to a

different location pursuant to the terms of the Covenant Agreement they have previously entered into. The City shall perform all work in a workmanlike manner. This easement includes the right to enter upon the above described real property and otherwise to do those things reasonably necessary to effectuate its purpose. The City may also fence in the area of the reservoir site.

DATED this 4 day of February, 2008.

G & G INVESTMENTS, LLP

David Gustafson  
David Gustafson, General Partner

Jim Ginsbach  
Jim Ginsbach, General Partner

Mary Gustafson  
Mary Gustafson, General Partner

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

On this the 26<sup>th</sup> day of February, 2008, before me, the undersigned officer, personally appeared David Gustafson, known to me, or satisfactorily proven, to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF I hereunto set my hand and official seal.

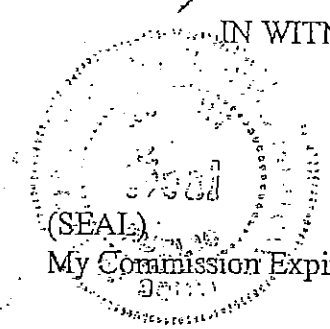
Shirley K Brown  
Notary Public May 15, 2012



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

On this the 26<sup>th</sup> day of February, 2008, before me, the undersigned officer, personally appeared Jim Ginsbach, known to me, or satisfactorily proven, to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF I hereunto set my hand and official seal.



Megany K Brown  
Notary Public May 15, 2012

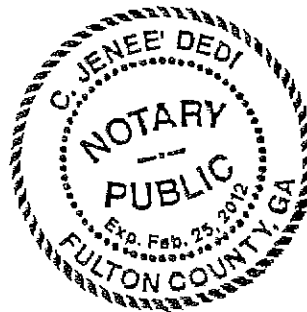
STATE OF SOUTH DAKOTA )  
 ) ss.  
COUNTY OF PENNINGTON )

On this the 4 day of March, 2008, before me, the undersigned officer, personally appeared Mary Gustafson, known to me, or satisfactorily proven, to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF I hereunto set my hand and official seal.

C. Jenee Dedi  
Notary Public

(SEAL)  
My Commission Expires:



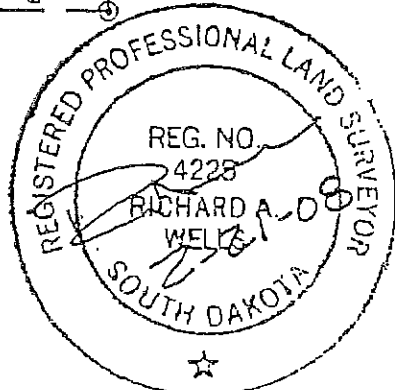
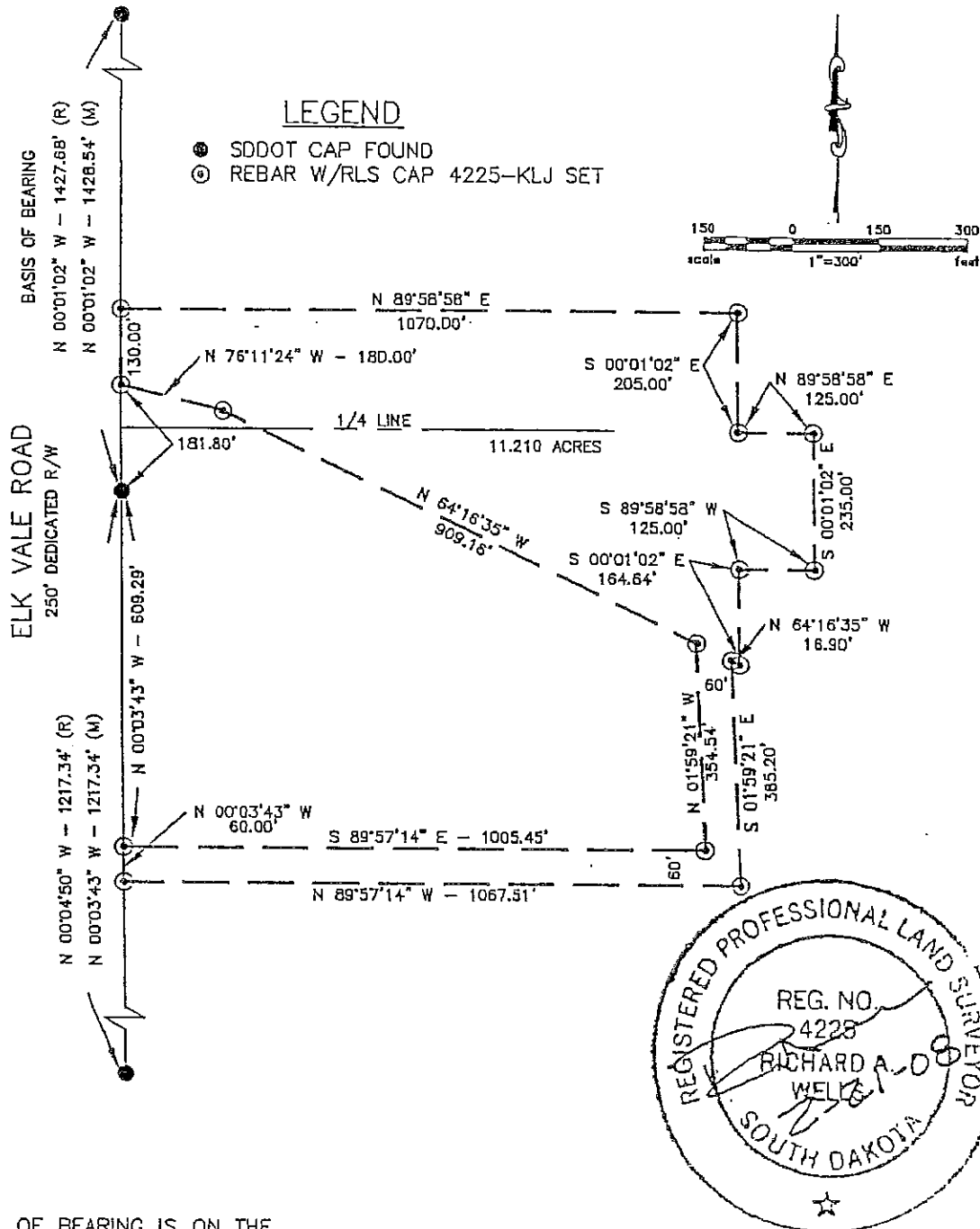




Book: 178  
 Page: 3034  
 R08- 4359.0 Page: 004 of 004  
 03/20/2008 11:08a 15.00  
 Pennington County, South Dakota  
 Donna M. Mayer Misc Real Est

## EXHIBIT A UTILITY EASEMENT

LOCATED IN THE SW1/4 NW1/4 & NW1/4 SW1/4 OF SECTION 34 TOWNSHIP 2 NORTH,  
 RANGE 8 EAST OF THE BLACK HILLS MERIDIAN  
 RAPID CITY, PENNINGTON COUNTY, SOUTH DAKOTA



BASIS OF BEARING IS ON THE EAST LINE OF ELK VALE ROAD RIGHT OF WAY (S00°01'02"E) AS SHOWN IN BOOK OF PLATS 9 HWY, PAGE 82 & 125.

PREPARED BY:  
 KADRMAS, LEE & JACKSON, INC.  
 330 KNOLLWOOD DRIVE  
 RAPID CITY, SD 57701-6611  
 (605) 721-5553

**Kadmas Lee & Jackson**  
 Registered Surveyors  
 Planners

PREPARED BY: City Attorney's Office  
300 Sixth Street  
Rapid City, SD 57702  
(605) 394-4140

STATE OF SOUTH DAKOTA        )  
  )SS        **COVENANT AGREEMENT**  
COUNTY OF PENNINGTON        )

**AGREEMENT BETWEEN THE CITY OF RAPID CITY AND G AND G INVESTMENTS LLP FOR THE ACQUISITION OF A PERMANENT UTILITY EASEMENT.**

This agreement is made and entered into by and between the CITY OF RAPID CITY ("City") located at 300 Sixth Street, Rapid City, South Dakota 57701, and G & G INVESTMENTS, LLP ("Landowner") located at 3118 Glenwood Drive, Rapid City, South Dakota 57702.

WHEREAS, the City plans to construct a high and low level reservoir in the area of Elk Vale Road; and

WHEREAS, the Landowner has property which contains topography that is ideal for the location of both of these reservoirs; and

WHEREAS, it is the intent of the parties to enter into an agreement whereby the City can obtain a permanent utility easement from the Landowner on which to locate both reservoirs.

NOW THEREFORE, the parties agree as follows:

1. The Landowner shall grant to the City concurrent with the execution of this agreement a permanent utility easement across the following property:

The Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) & the Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of Section 34, of Township Two North (T2N), Range Eight East (R8E), of the Black Hills Meridian, Rapid City, Pennington County, State of South Dakota, consisting of 11.21 acres, more or less, as shown on Exhibit "A" which has been attached hereto and incorporated herein by this reference.

2. The permanent utility easement will allow the City to construct a high and low level reservoir and appurtenant facilities on the property. The City may also fence in the easement area to limit access and protect the reservoirs.
3. The Landowner also agrees to provide temporary construction easements as necessary for construction of the reservoir, water main and drain line, water quality pond and any other items necessary to effectuate construction of the infrastructure necessary to carry out the intended use of the easement.
4. The Landowner shall also grant to the City concurrent with the execution of this agreement an access easement across its property connecting the reservoir easement site to a public right-of way. Such easement will authorize the City to cross the property in order to both construct and maintain the reservoirs and their appurtenant facilities. The access easement will be located along the existing gravel road to the south of the proposed reservoir site. In order to facilitate access to the reservoir site, the easement shall grant to the City the right to make improvements to the existing gravel road. The alignment of the road/access may be changed upon mutual agreement of the parties. It is understood that access will be coordinated to accommodate further development of the balance of the Landowner's property. At such time as the City can access the reservoir site through dedicated right-of-ways the City will release the access easement across the Landowner's property.
5. At the time the Landowner plats any property which is adjacent to the City's easement, the Landowner agrees to plat the easement area and donate the City fee title to the lot. At the time a final plat for the easement area has been approved, the City agrees to accept fee title to the lot.
6. It is anticipated that the low level reservoir will be constructed in 2008 and 2009. Construction of the high level reservoir will occur when funding is available and water demands from development in the area dictate. If the high level reservoir is constructed prior to the development of the remaining Landowner's property, the Landowner agrees to provide the necessary easements and/or right-of-way necessary for the installation of water mains and appurtenances to the south of the reservoir site at no additional cost to the City. The Landowner will also be responsible for paying its proportional share of the costs of the water mains that will be necessary to serve its property.
7. The City shall pay the Landowner \$56,000 to obtain the promises it has made in this agreement. The money will be paid to the Landowner within Forty-Five (45) days of this agreement being approved.
8. The Landowner acknowledges that the payment of \$56,000 is sufficient consideration for the promises it has made herein. The Landowner further acknowledges that the subject property will materially benefit from the construction of these reservoirs which serves as additional consideration for the promises it has made herein.
9. All of the terms and conditions set forth herein shall extend to and be binding upon the heirs, assigns, and successors in interest of G & G Investments, and shall be considered as a

covenant running with the above described property. Furthermore, it is agreed that, in accepting title to the above described property, any grantee, heir, assign, or successor in interest to the undersigned expressly agrees to be bound by the terms of this agreement recorded with the Pennington County Register of Deeds' Office.

10. The City may undertake any legal or equitable action available to enforce the provisions of this agreement in addition to any remedy provided herein. In the event the City is required to undertake any action to enforce the terms of this agreement or its subdivision regulations in connection with this agreement, the undersigned, heirs, assigns and/or successors in interest agree the City may recover from the owner of said property its reasonable expenses, including attorney's fees incurred with respect to such action.

11. If any section(s), or provision of this agreement is declared invalid for any reason whatsoever by any competent court, such invalidity shall not affect any other section(s) or provision of this application if they can be given effect without the invalid section(s) or provisions.


12. This agreement shall be construed according to the laws of the State of South Dakota. No modification or amendment to this agreement shall be valid, unless evidenced by a writing signed by the parties hereto. Any action concerning this agreement shall be venued in the Circuit Court for the Seventh Judicial Circuit located in Rapid City, South Dakota.

Dated this 17 day of March, 2008.


CITY OF RAPID CITY

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
James Preston  
Finance Officer

G & G INVESTMENTS, LLP

  
\_\_\_\_\_  
David Gustafson, General Partner

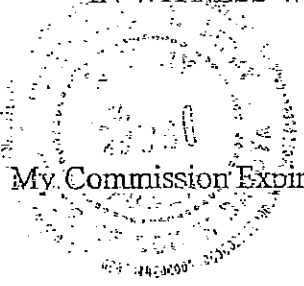
Jim Ginsbach  
Jim Ginsbach, General Partner

Mary Gustafson  
Mary Gustafson, General Partner

STATE OF SOUTH DAKOTA     )  
  ss.  
COUNTY OF PENNINGTON     )

On this the 19<sup>th</sup> day of March, 2008, before me, the undersigned officer, personally appeared Alan Hanks 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 Agreement Consenting to Assessed Project 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.



Angeline M. Gary  
Notary Public, State of South Dakota

My Commission Expires: 7-15-2012

STATE OF SOUTH DAKOTA     )  
  ) ss. =  
COUNTY OF PENNINGTON     )

On this the 26<sup>th</sup> day of February, 2008, before me, the undersigned officer, personally appeared David Gustafson, known to me, or satisfactorily proven, to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF I hereunto set my hand and official seal.

Hequay K Brown  
Notary Public March 15, 2012

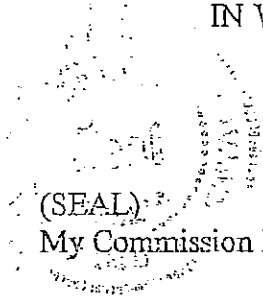
(SEAL)  
My Commission Expires:



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

On this the 26<sup>th</sup> day of February, 2008, before me, the undersigned officer, personally appeared Jim Ginsbach, known to me, or satisfactorily proven, to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF I hereunto set my hand and official seal.



Gregory K Brown  
Notary Public May 15, 2012

(SEAL)  
My Commission Expires:

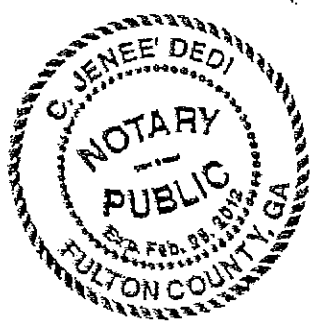
STATE OF SOUTH DAKOTA )  
 ) ss.  
COUNTY OF PENNINGTON )

On this the 4 day of March, 200 , before me, the undersigned officer, personally appeared Mary Gustafson, known to me, or satisfactorily proven, to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF I hereunto set my hand and official seal.

C. Jenée Dedi  
Notary Public

(SEAL)  
My Commission Expires:



## EXHIBIT A

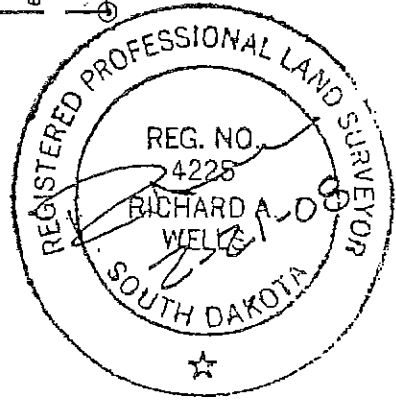
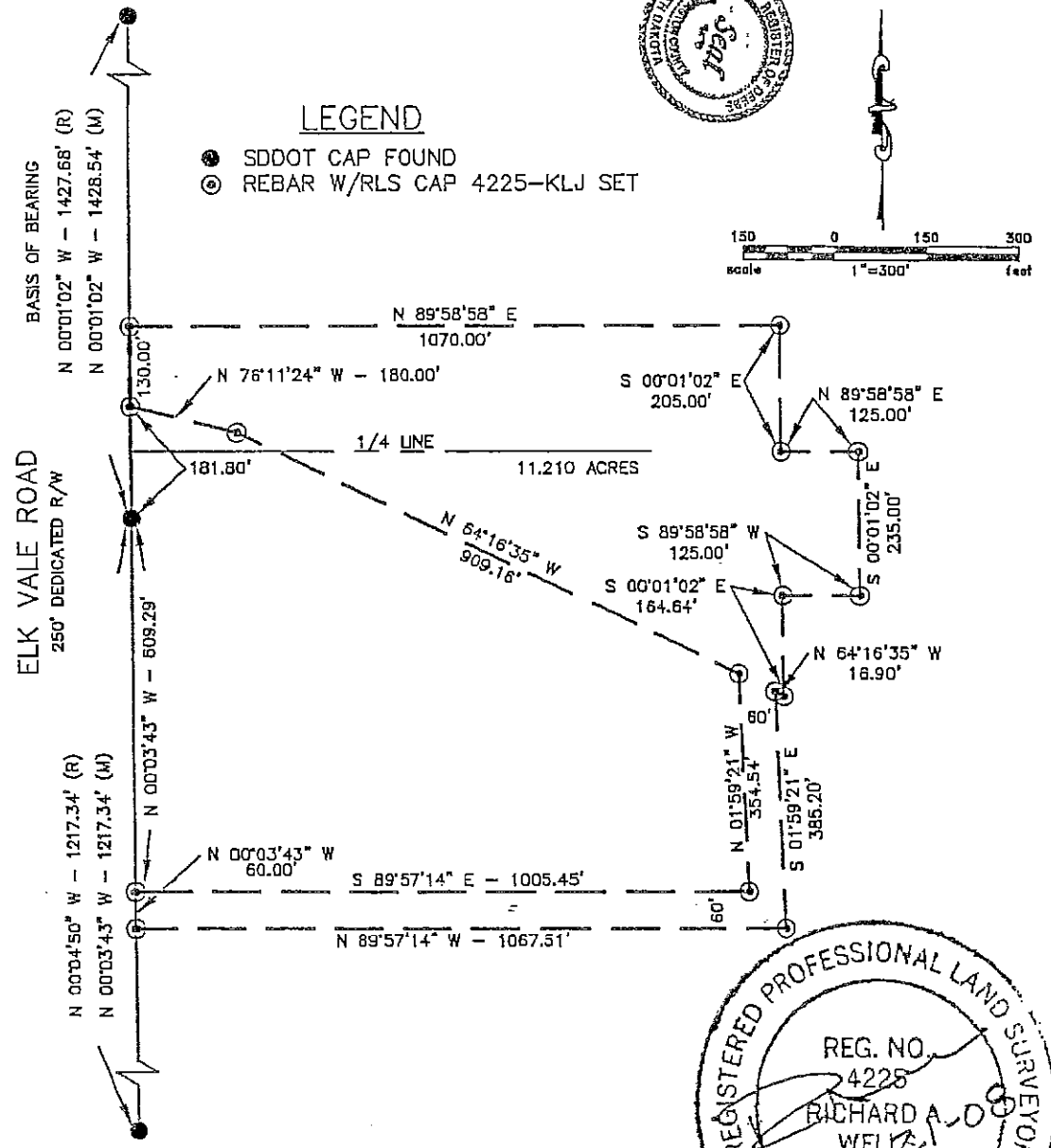
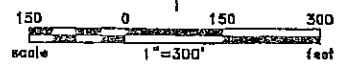
### UTILITY EASEMENT

LOCATED IN THE SW1/4 NW1/4 & NW1/4 SW1/4 OF SECTION 34 TOWNSHIP 2 NORTH,  
 RANGE 8 EAST OF THE BLACK HILLS MERIDIAN  
 RAPID CITY, PENNINGTON COUNTY, SOUTH DAKOTA



### LEGEND

- SDDOT CAP FOUND
- ⊙ REBAR W/RLS CAP 4225-KLJ SET



BASIS OF BEARING IS ON THE  
 EAST LINE OF ELK VALE ROAD  
 RIGHT OF WAY (S00°01'02"E)  
 AS SHOWN IN BOOK OF PLATS  
 9 HWY, PAGE 82 & 125.

PREPARED BY:  
 KADRMAS, LEE & JACKSON, INC.  
 330 KNOLLWOOD DRIVE  
 RAPID CITY, SD 57701-6611  
 (605) 721-5553

**Kadmas**  
**Lee &**  
**Jackson**  
 Registered Surveyors  
 PLANNERS