

AGREEMENT
BETWEEN BLESSED SACRAMENT CHURCH AND
THE CITY OF RAPID CITY

AGREEMENT made this ____ day of March, 1994, by and between Blessed Sacrament Church and the City of Rapid City.

1. Use on Review: The City of Rapid City Common Council on March 21, 1994 granted a Use on Review application for Blessed Sacrament Church (legally described as Tract A, less Lot 1 of Tract A, Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota).

2. Terms of Use on Review: The above-mentioned Use on Review was approved with several stipulations (see Exhibit A) including the following:

The property owner shall permanently close the existing western-most curb cut and driveway and move it so as to be located directly opposite the intersection of State Highway 44 and Chapel Lane no later than when the above-mentioned intersection is signalized.

3. Costs: The Blessed Sacrament Church shall bear all appropriate costs for closure of the existing western-driveway and construction of the new driveway within the time-frame outlined in #2 above.

4. Terms: This agreement shall be filed as a legal covenant in the Pennington County Register of Deeds Office and shall be effective until the above-mentioned improvements are completed. This agreement shall apply to Blessed Sacrament Church or any other subsequent property owners.

IN WITNESS WHEREOF, the parties have executed this agreement on the day and year first above written.

CITY OF RAPID CITY

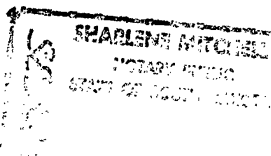
Ed McLaughlin
Ed McLaughlin, Mayor

ATTEST

Richard Wahlstrom
Richard Wahlstrom, Finance Officer

BLESSED SACRAMENT CHURCH

Father Raymond Deisch
Father Raymond Deisch



NOTARY

Sharlene Mitchell

My Commission Expires: 4-13-2001

APPROVED AS TO FORM
CITY ATTORNEY'S OFFICE

3/21/94
Attorney Date

OFFICIAL PROCEEDINGS OF THE COMMON COUNCIL
Rapid City, South Dakota
March 21, 1994

Pursuant to due call and notice thereof, a regular meeting of the Common Council was held at the City/School Administration Center in Rapid City, South Dakota on Monday, March 21, 1994 at 7:00 P.M.

Mayor McLaughlin, Finance Officer Wahlstrom and the following Alderpersons were present: Steinburg, Schleusener, O'Grady, Kennedy, Johnson, Knapp, Meisner, Coffing, Bulman and Albrecht; the following arrived during the course of the meeting: None; and the following were absent: None.

The Mayor presented a request by Galyardt Associates Inc. on behalf of Blessed Sacrament Church for a Use on Review for a church on Tract A less Lot 1 of Tract A, Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as 4500 Jackson Boulevard. Motion was made by Coffing and seconded by Meisner to approve the requested Use on Review with the following stipulations: 1) that the existing four curb cuts be allowed to remain with the following designations: a) that the two curb cuts located furthest east and furthest west shall be utilized for both ingress and egress; and b) that the center two curb cuts shall be utilized for ingress only. These two center curb cuts must be constructed to facilitate one-way entrance traffic only; 2) that when Chapel Lane becomes signalized or earlier, the western-most curb cut must be permanently closed and moved in alignment with the Chapel Lane intersection; 3) that all applicable life, safety, building and fire codes shall be continually met; 4) that all requirements of the Off-Street Parking and Landscape Ordinances shall be met; 5) that the petitioner shall provide handicapped accessible sidewalk ramps where the existing driveways intersect the public sidewalk; 6) that prior to issuance of a building permit and subject to approval of the Engineering Division, the petitioner shall submit a complete grading and drainage plan; 7) that if applicable, a grease interceptor shall be required with issuance of a building permit; and 8) that the Planning Director may allow additional development or construction which is consistent with the existing development on this property; significant changes in the use or impacts on adjacent land uses as determined by the Planning Director shall require an amendment to this Use on Review. Motion was made by Bulman and seconded by to amend the motion to require that an Agreement outlining Stipulation No. 2 be filed with the Register of Deeds Office as a covenant on the property. Upon vote being taken thereon, the motion to amend carried unanimously. Upon vote being taken thereon, the original motion, as amended, carried unanimously.

TO WHOM IT MAY CONCERN:

I Alvin V. Aisenbrey, Owner of lot 13 in Block2 of Cleghorn Canyon
#2 in the E $\frac{1}{2}$ of SW $\frac{1}{4}$ Section 8 Township 1N Range 7E

Do concur with enlarging Lot 13

With a portion of approximately 4.92 Acres of Lot F-1

N $\frac{1}{2}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 8 Township 1-N Range 7-E

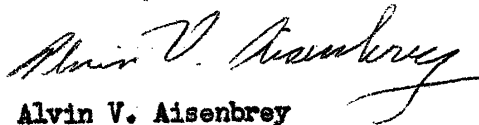
Adjacent to and having a common Border

Currently owned by - John B. Skulberstad

And

Peter S. Torino

March 14, 2001

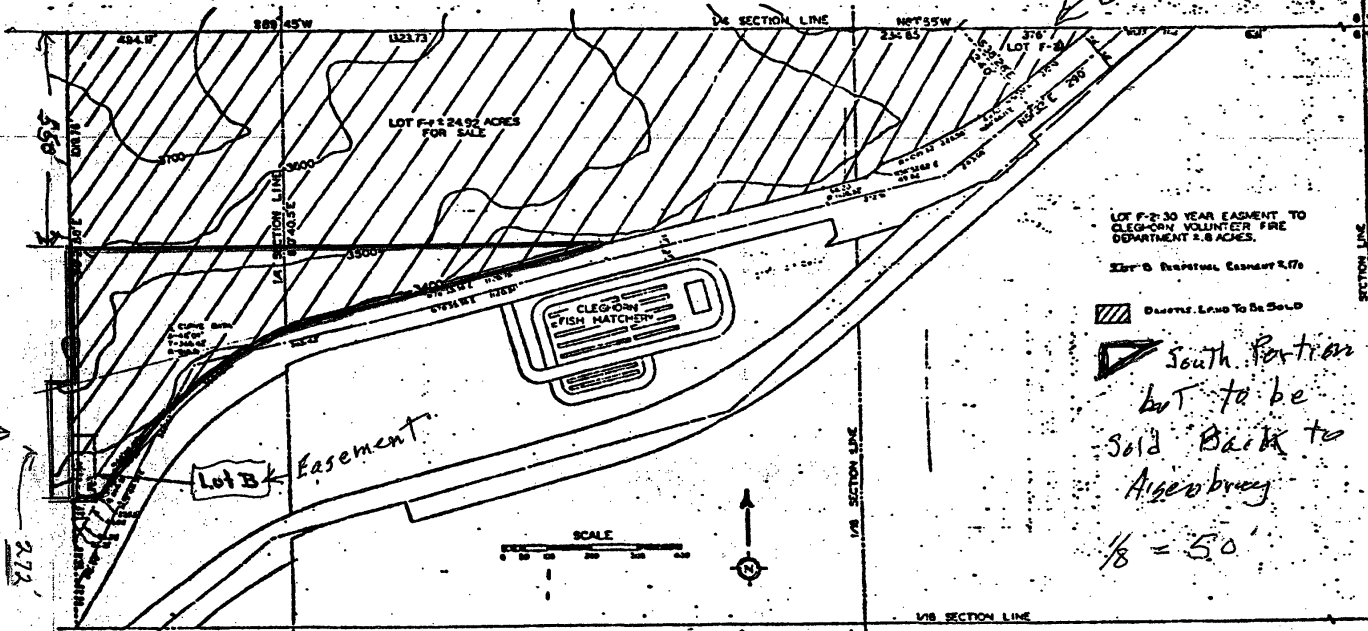

Alvin V. Aisenbrey

RECEIVED

APR 26 2001


Rapid City
Planning Department


(3) (3) 01PL007



LOT F-2: 30 YEAR EASMENT TO
CLEGHORN VOLUNTEER FIRE
DEPARTMENT 2.8 ACRES.

LOT B: Perpetual Easment 2.176

 Diagonal Lines To Be Sold

 South Portion
but to be
Sold Back to
Aisenbrey

1/8 = 50'

Lot 13

Lot B Easement

FISH HATCHERY SUBDIVISION