

AGREEMENT

PW101001-10

Agreement made this 2 day of October, 2001, by and between the MARY ANNE CURRY TRUST, by Mary A. Curry, Trustee, of 5583 Wildwood Drive, Rapid City, South Dakota, 57702 (Curry) and the CITY OF RAPID CITY, a municipal corporation, of 300 Sixth Street, Rapid City, South Dakota, 57701 (City).

For and in consideration of the Mary Anne Curry Trust granting to the City a Permanent Utility Easement to be recorded after the utility alignment has been surveyed, designed, and an exhibit prepared, and a Revised Temporary Construction Easement to be signed after the project limits have been identified, each easement being on Lot Ten (10) of Block Three (3), Wildwood Subdivision, Rapid City, Pennington County, South Dakota, Wildwood Project SSW00-943, the City will pay the required sanitary sewer service connection fees for the property at 5583 Wildwood Drive, Rapid City, South Dakota. The City will also connect the property to the new public sewer main by constructing a sewer service.

It is understood that the Permanent Utility Easement will be located in the northern portion of the Curry lot and will be no more than thirty-five feet (35') in width and will run from the west property line to the east property line. The Permanent Utility Easement will be in the general vicinity as shown on the attached Exhibit "1". It is further understood that this is a utility easement and will not be used as an access easement for any other reasons than those specifically necessary for maintaining said utilities.

MARY ANNE CURRY TRUST

By: Mary A. Curry
Mary A. Curry, Trustee

ATTEST:

CITY OF RAPID CITY

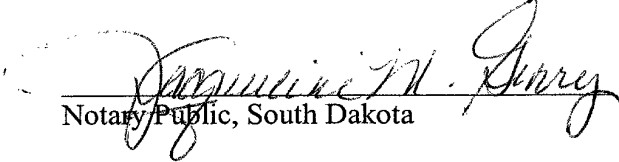
Finance Officer

By: _____
Jerry Munson, Mayor

State of South Dakota)
SS.
County of Pennington)

On this the 2 day of October, 2001, before me, the undersigned officer, personally appeared Mary A. Curry, Trustee of the Mary Anne Curry Trust, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained.

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


Notary Public, South Dakota

My Commission Expires: My Commission Expires
July 15, 2006

(SEAL)

State of South Dakota)
SS.
County of Pennington)

On this the _____ day of _____, 2001, 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
AA 9.18.01

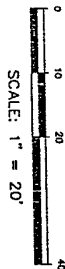
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Exhibit * 1

LOT 10
5583 WILDWOOD DRIVE
OWNER: MARY A. CURRY

APPROX.
PERM. EASEMENT LOC'N.

FILE
COPY



REPLACE ASPHALT DRIVEWAY (58 sq)

4' DIA. ROCK

STA. 26+87.45
OFFSET: 56.33 R
STA. 26+80.98
OFFSET: 46.66 R
STA. 26+58

ASPHALT

CP 12
5/8" REBAR
EL = 3704.28

12" CMP
FL = 3692.47
STA. 24+63.74
OFFSET: 38.07 R
IF Rock
CHPT
Be Kept
Then
Remove

12" CMP
FL = 3692.47
STA. 24+63.74
OFFSET: 38.07 R
LANDSCAPE
TIMBERS
ROCK

REPLACE CONCRETE DRIVEWAY (40.5 sq)

