

October 9, 2008

Vicki Fisher  
Growth Management Department  
City of Rapid City  
300 6<sup>TH</sup> Street  
Rapid City, SD 57701

RECEIVED

OCT 09 2008

Rapid City Growth  
Management Department

RE: 11-6-19 SDCL Review  
Covert Existing Private Water Main to Public Water Main  
North of West Chicago Street  
SE ¼ of Section 33, T2N, R7E, BHM  
Rapid City, SD

Dear Vicki:

Transmitted herewith is the Application for Development Review 11-6-19 Review along with four (4) sets of plans and a vicinity map for the referenced project.

The purpose of this letter is to request that the City of Rapid City accept approximately 460 feet of existing 8" PVC private water main as a public water main. The existing water main extends through Lot 6R of Mann Subdivision, Lot C of NE¼ of SE¼ of Section 33, T2N, R7E, BHM and Lot D of NE¼ of SE¼ of Section 33, T2N, R7E, BHM to the GCC Dacotah property as on the project plans.

That portion of the existing private water main requested for acceptance as a public water main extends from West Chicago Street to a proposed new main line gate valve and fire hydrant to be constructed in Lot C of NE¼ of SE¼ of Section 33, T2N, R7E, BHM.

The 8" PVC water main was constructed by Dacotah Cement Plant under a project entitled "Water Distribution System for Fire Protection, Dacotah Cement Plant". Plans for the project construction were prepared by Clark Engineering Corporation in 1993 and "As Constructed" plans are on file at the City. The water main was constructed to City Specifications at that time.

Hills Material Company proposes to connect to this line in Lot D of NE¼ of SE¼ of Section 33, T2N, R7E, BHM and extend water service to the asphalt plant facility. This proposed construction prompted this request since City code does not allow the two separate parties to be served by a single private line.

Proposed easements for Public Water Main have been prepared and will be filed at the court house once we have received notice that the main has been accepted as a public water main. A copy of the proposed easements are attached.

If you have any questions, or desire any additional information, please call us.

Sincerely,

FMG Inc.,

Allen D. Foster, P.E.

Enclosures

c: Hills Materials Company, Rob Hengen  
File #9016

June 4, 2008

RECEIVED

OCT 09 2008

Robert Ellis, P.E., P.T.O.E.  
Public Works Director  
City of Rapid City  
300 6<sup>TH</sup> Street  
Rapid City, SD 57701

Rapid City Growth  
Management Department

**RE: REQUEST TO ACCEPT EXISTING PRIVATE WATER MAIN AS PUBLIC MAIN**

Dear Mr. Ellis:

The purpose of this letter is to request that the City of Rapid City accept approximately 460 feet of existing 8" PVC private water main as a public water main. The existing water main extends through Lot 6R of Mann Subdivision, Lot C of NE¼ of SE¼ of Section 33, T2N, R7E, BHM and Lot D of NE¼ of SE¼ of Section 33, T2N, R7E, BHM to the GCC Dacotah property as shown on the attached Map of Survey prepared by FMG, Inc.

That portion of the existing private water main requested for acceptance as a public water main extends from West Chicago Street to a proposed new main line gate valve and fire hydrant to be constructed in Lot C of NE¼ of SE¼ of Section 33, T2N, R7E, BHM.

The 8" PVC water main was constructed by Dacotah Cement Plant under a project entitled "Water Distribution System for Fire Protection, Dacotah Cement Plant". Plans for the project construction were prepared by Clark Engineering Corporation in 1993 and "As Constructed" plans are on file at the City. The water main was constructed to City Specifications at that time.

Hills Material Company proposes to connect to this line in Lot D of NE¼ of SE¼ of Section 33, T2N, R7E, BHM and extend water service to the asphalt plant facility. Plans for this water main are being prepared by FMG, Inc. This proposed construction prompted this request since City code does not allow the two separate parties to be served by a private line.

A proposed easement for Public Water Main has been prepared and will be filed at the court house once we have received notice that the main has been accepted as a public water main. A copy of the proposed easement is attached.

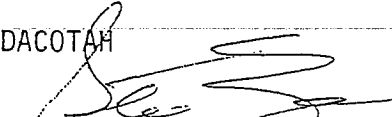
If you have any questions or need additional information, please contact me.

Sincerely,


GCC DACOTAH

HILLS MATERIALS COMPANY

BY:

  
STEVE ZECKEL  
U.P. SALES

BY:

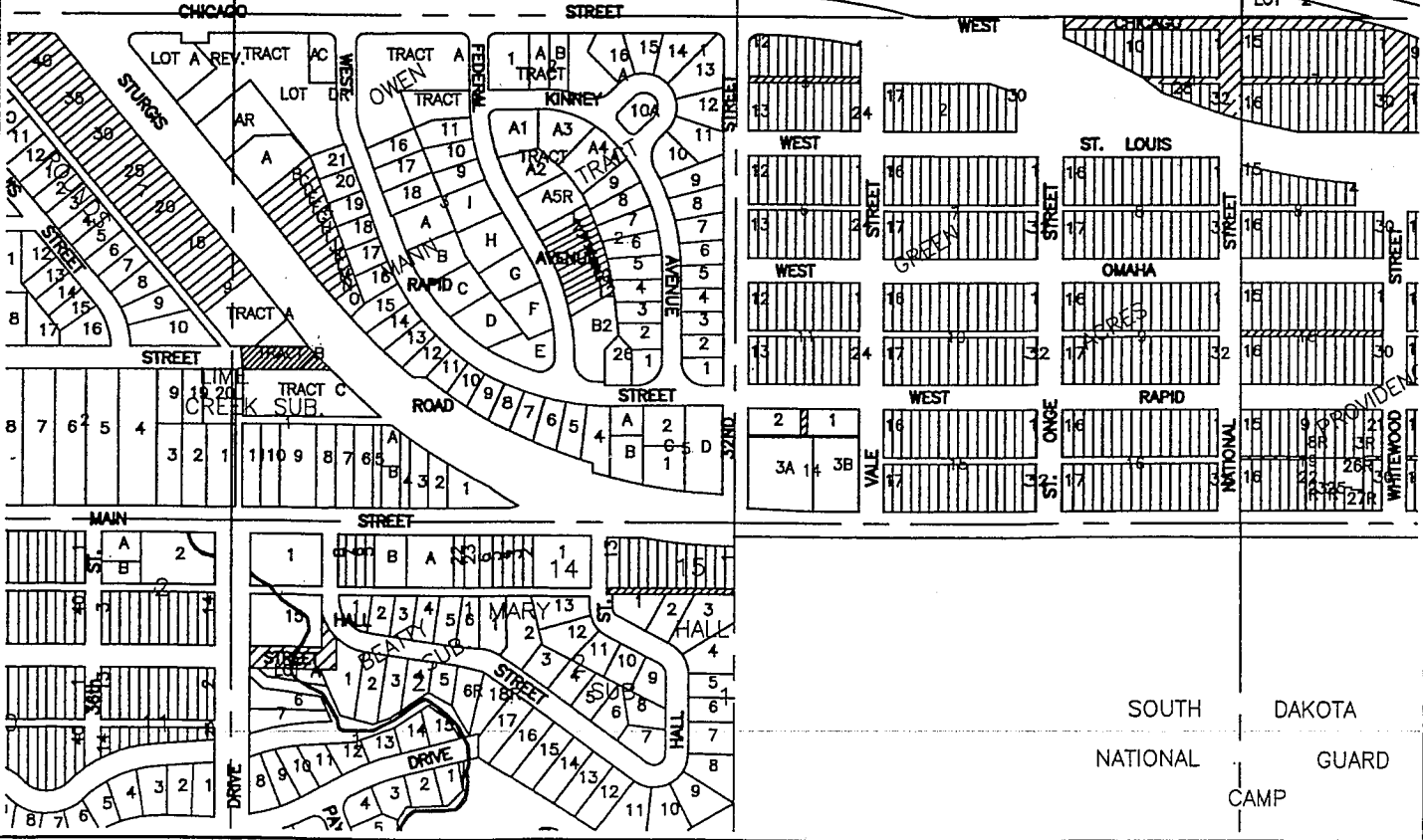
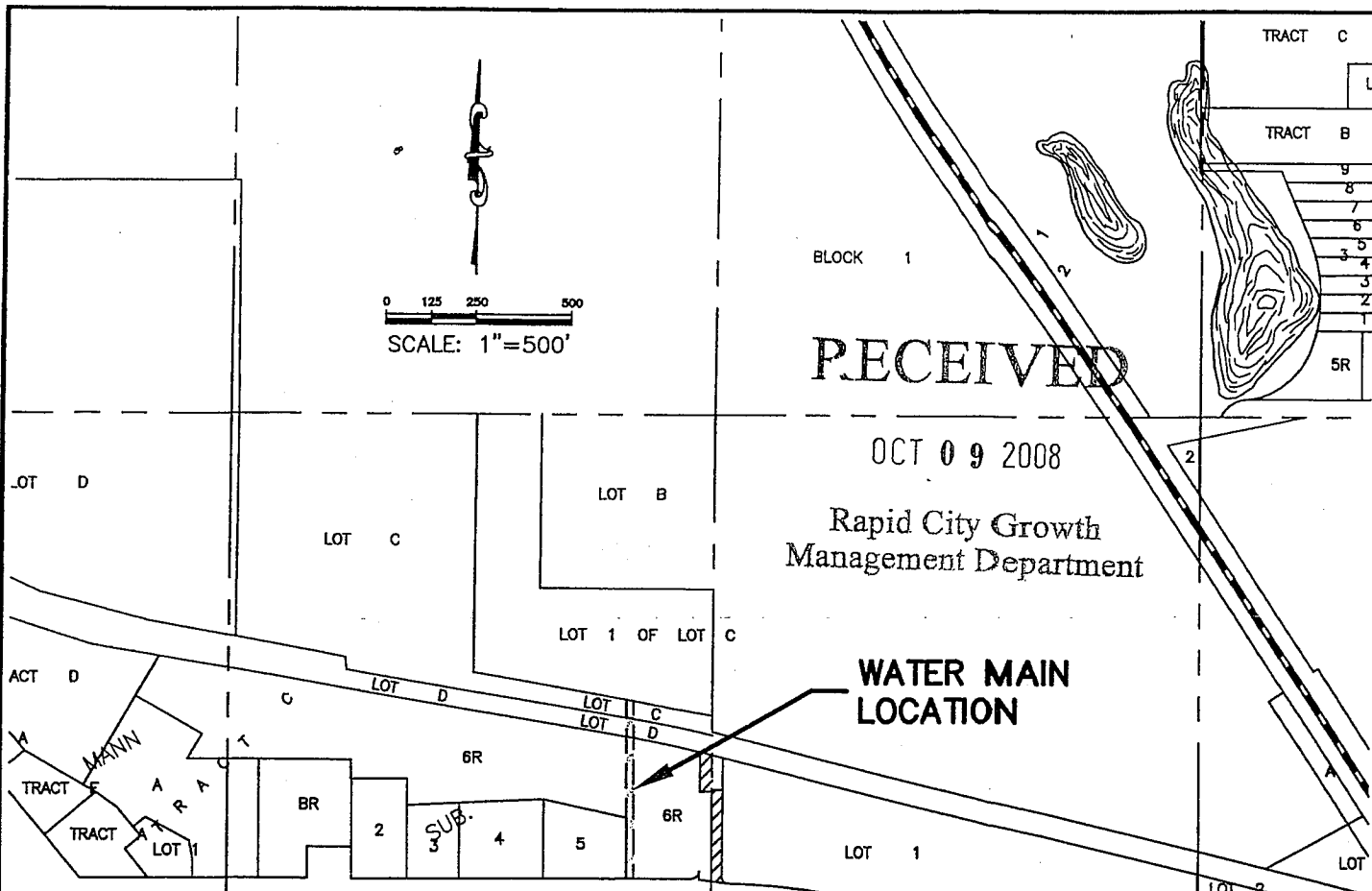
  
Lynn Kading, President

Date:

6/15/08

Date:

June 12, 2008



**WATER MAIN EXTENSION**  
**ASPHALT PLANT FACILITY**  
**HILLS MATERIALS COMPANY**  
**RAPID CITY, SD**

Sheet Title:  
**VICINITY MAP**

Location:  
 SE1/4 SECTION 33  
 T2N, R7E, B1W

Surveyed By: DW/JP  
 Date: NOV. 2007

Designed By:  
 Drawn By: KJS  
 Checked By: ADF

File Number:  
 9016

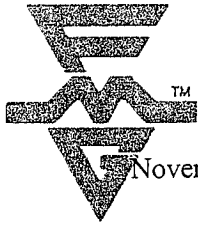
**F M G, Inc.**

3700 Sturgis Road  
 Rapid City, SD 57702-0317  
 (605) 342-4105 FAX (605) 342-4222  
 www.fmgengineering.com

Sheet Number:  
**1**

Total Sheets:  
**1**

OCTOBER 2008



**FMG, INC.** 3700 Sturgis Road, Rapid City, South Dakota 57702-0317 605/342-4105  
FAX 605/342-4222

November 5, 2008

Ted Johnson  
Growth Management Department  
City of Rapid City  
300 6<sup>TH</sup> Street  
Rapid City, SD 57701

**RE: 11-6-19 SDCL Review**  
**Covert Existing Private Water Main to Public Water Main**  
**North of West Chicago Street**  
**SE ¼ of Section 33, T2N, R7E, BHM**  
**Rapid City, SD**

Dear Ted:

Transmitted herewith are the following documents for the referenced project.

1. Four (4) sets of revised plans for construction of the Hills Materials private main. These plans were revised per your red-line comments.
2. One (1) copy each of the signed easements for the GCC Property and the Hills property. Please don't file these until such time as the water main has been accepted as a public main by both the 11-6-19 review process and the City Council.
3. "Red-Line" drawings
4. Copy of letter to Hills Materials Company regarding Field Resistivity Testing.

If you have any questions, or desire any additional information, please call us.

Sincerely,

**FMG Inc.,**

Allen D. Foster, P.E.

Enclosures

c: Hills Materials Company, Rob Hengen  
File #9016

**RECEIVED**

NOV 05 2008

**Rapid City Growth  
Management Department**

PREPARED by: FMG Engineering  
3700 Sturgis Road  
Rapid City, SD 57702  
(605) 342-4105

STATE OF SOUTH DAKOTA )  
S  
COUNTY OF PENNINGTON )

PERMANENT WATER LINE  
EASEMENT

FOR AND IN CONSIDERATION of the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, GCC Dacotah, Inc. of PO Box 360, Rapid City, SD, 57709 Grantor, hereby grants to the CITY OF RAPID CITY, the Grantee, of 300 Sixth Street, Rapid City, South Dakota 57701 a 20' wide permanent water line easement subject to the conditions hereinafter set forth and as hereinafter described.

Lot 6R of Mann Subdivision all located within the SE¼ of Section 33, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota as shown on EXHIBIT "A" which has been attached hereto and incorporated herein by this reference.

Such easement shall include the right to construct, operate, maintain and repair a water main and all appurtenant facilities thereto on said property.

This easement shall include the right to enter upon the aforescribed real property and otherwise to do those things reasonably necessary to effectuate its purpose.

It is understood that repairs to the ground surface, pavements, sidewalks, curbs and gutters resulting from the City's repair or maintenance of the water main will be the responsibility of the City unless such work is necessitated by the actions and/or negligence of the Grantor of someone doing work on the property for the Grantor. With the exception of the items previously listed, the property which is the subject of this easement shall be kept free of all obstructions including but not limited to buildings, walls, fences, hedges, trees and shrubs.

Dated this 5 day of November, 2008.

Owner: GCC Dacotah, Inc.

By: Stephen J. Post Title: Plant Manager

State of South Dakota: )  
) SS.

County of Pennington: )

On this 5<sup>th</sup> day of November, 2008, before me, the undersigned officer, personally appeared, Stephen J. Post who acknowledged themselves to be the Plant Mgr of the GCC Dacotah and that as such, being duly authorized to do so executed the foregoing instrument by signing the name of Stephen J. Post for the purposes herein contained.

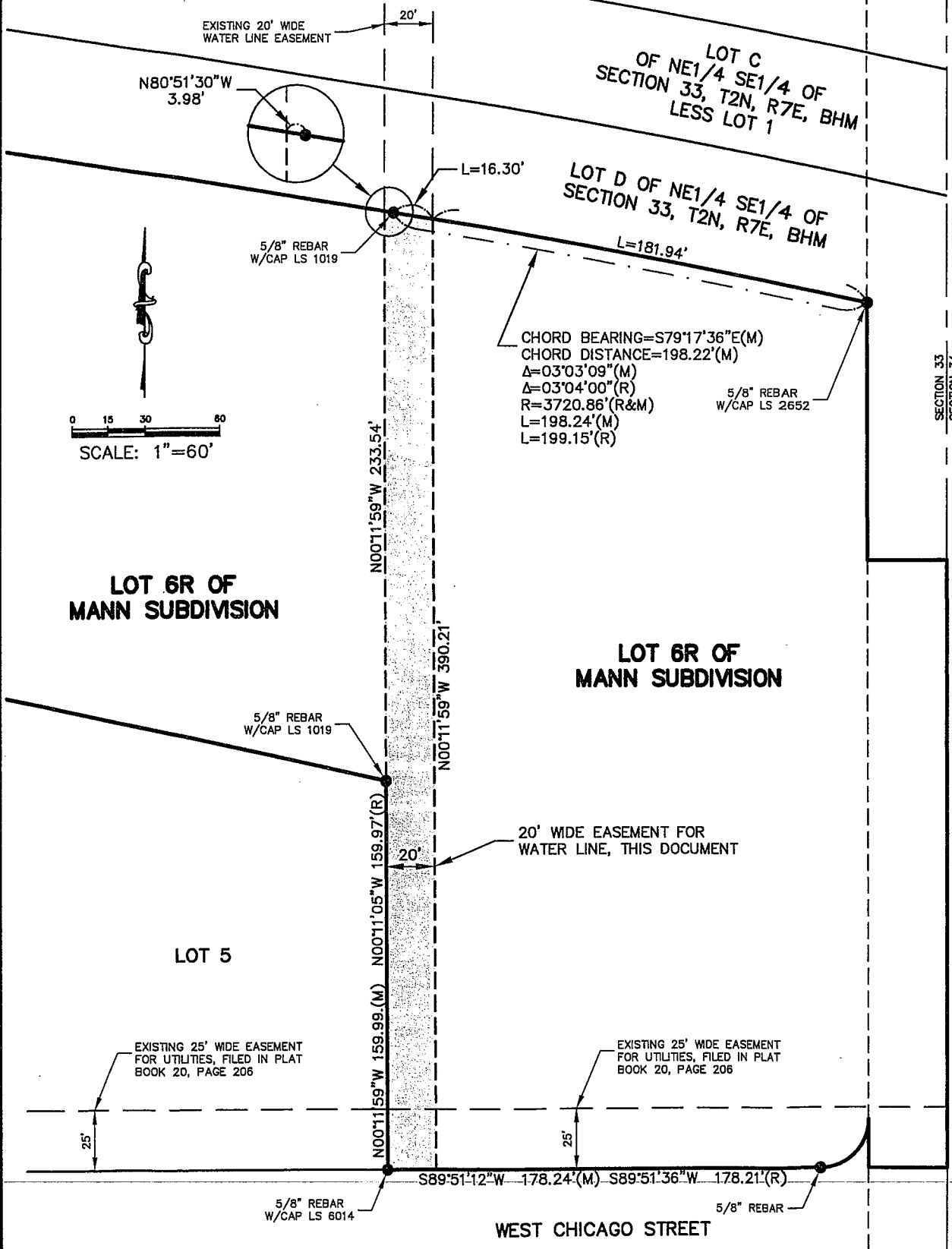
IN WITNESS WHEREOF I hereunto set my hand and official seal.

Lorita J. Perry  
Notary Public, South Dakota

(SEAL)

My Commission Expires: May 8, 2013

**"EXHIBIT A"**



**LOT 6R OF MANN SUBDIVISION**  
**WATER LINE EASEMENT**  
 RAPID CITY, SOUTH DAKOTA

Surveyed By: DW/MM  
 Date: APRIL 28, 2008  
 Drawn By: KJS  
 Checked By: DW  
 Location:  
SE1/4 SECTION 33  
T2N, R7E, BHM



**F M G, Inc.**  
 3700 Sturgis Road  
 Rapid City, SD 57702-0317  
 (605) 342-4105 FAX (605) 342-4222  
 www.fmgengineering.com

APRIL 30, 2008

PREPARED by: FMG Engineering  
3700 Sturgis Road  
Rapid City, SD 57702  
(605) 342-4105

STATE OF SOUTH DAKOTA )  
S  
COUNTY OF PENNINGTON )

PERMANENT WATER LINE  
EASEMENT

FOR AND IN CONSIDERATION of the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Oldcastle Materials, SD, Inc., PO Box 2320, Rapid City, SD 57709 Grantor, hereby grants to the CITY OF RAPID CITY, the Grantee, of 300 Sixth Street, Rapid City, South Dakota 57701 a 20' wide permanent water line easement subject to the conditions hereinafter set forth and as hereinafter described.

Lot C of NE¼ of SE¼ of Section 33, T2N, R7E, BHM Less Lot 1 and Lot D of NE¼ of SE¼ of Section 33, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota as shown on EXHIBIT "A" which has been attached hereto and incorporated herein by this reference.

Such easement shall include the right to construct, operate, maintain and repair a water main and all appurtenant facilities thereto on said property.

This easement shall include the right to enter upon the aforescribed real property and otherwise to do those things reasonably necessary to effectuate its purpose.

It is understood that repairs to the ground surface, pavements, sidewalks, curbs and gutters resulting from the City's repair or maintenance of the water main will be the responsibility of the City unless such work is necessitated by the actions and/or negligence of the Grantor of someone doing work on the property for the Grantor. With the exception of the items previously listed, the property which is the subject of this easement shall be kept free of all obstructions including but not limited to buildings, walls, fences, hedges, trees and shrubs.

Dated this 5<sup>th</sup> day of November, 2008.

Owner: Oldcastle Materials SD, Inc.

By: [Signature] Title: President

State of South Dakota: )  
) SS.  
County of Pennington: )

On this 5<sup>th</sup> day of November, 2008, before me, the undersigned officer, personally appeared, Lynn Kading who acknowledged themselves to be the President of the Oldcastle Mats and that as such, being duly authorized to do so executed the foregoing instrument by signing the name of President for the purposes herein contained.

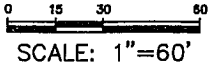
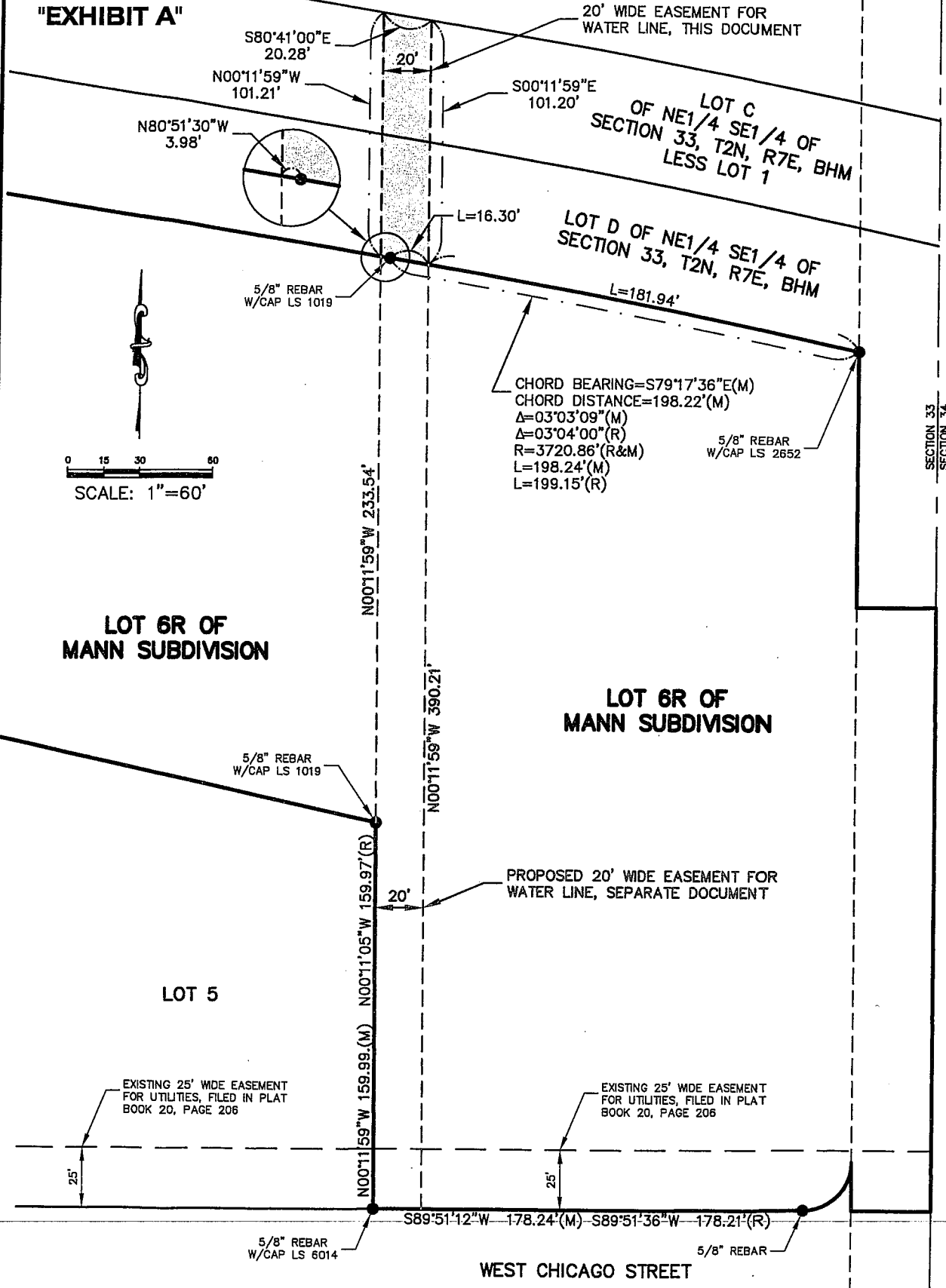
IN WITNESS WHEREOF I hereunto set my hand and official seal.

[Signature]  
Notary Public, South Dakota

(SEAL)

My Commission Expires: 2-2-2010

**"EXHIBIT A"**



**LOT 6R OF MANN SUBDIVISION**

**LOT 6R OF MANN SUBDIVISION**

**LOT 5**

**WEST CHICAGO STREET**

**LOT C LESS LOT 1 AND LOT D ALL OF NE1/4 SE1/4 SECTION 33, T2N, R7E, BHM**  
**WATER LINE EASEMENT**  
**RAPID CITY, SOUTH DAKOTA**

Surveyed By:	DW/AM
Date:	APRIL 29, 2008
Drawn By:	KJS
Checked By:	DW
Location:	SE1/4 SECTION 33 T2N, R7E, BHM



**F M G, Inc.**

3700 Sturgis Road  
 Rapid City, SD 57702-0317  
 (605) 342-4105 FAX (605) 342-4222  
 www.fmgengineering.com

JULY 23, 2008