

AGREEMENT RC 2010-1

This agreement, hereinafter referred to as AGREEMENT, by and between the County of Pennington, acting by and through the Pennington County Commission, hereinafter referred to as COUNTY, and the CITY OF RAPID CITY, South Dakota, acting by and through the City Council, hereinafter referred to as CITY OF RAPID CITY, for the purpose of reassigning the jurisdiction and responsibility for certain portions of county roads known as Haines Avenue, 143rd Avenue, Dyess Avenue and Elk Vale Road to best serve the transportation needs of the residents of the COUNTY and CITY OF RAPID CITY.

WHEREAS, COUNTY and CITY OF RAPID CITY have a mutual interest in the public roads hereinafter referred to as **Haines Avenue, 143rd Avenue, Dyess Avenue and Elk Vale Road**, a total of 2.20 miles and further described below as follows:

Haines Avenue, beginning at the South East/West 1/16th line of Sections 13, thence northwesterly to the North East/West 1/16th line of Section 13, the Haines Avenue right of way and any adjacent additional platted right of way, all in T2N, R7E, BHM, a distance of 2920 feet more or less;

143rd Avenue, beginning at the Section Corner of Sections 19, 20, 29, and 30, thence north to the 1/4 Corner Sections 19/20, the section line right of way and any adjacent additional platted right of way, all in T2N, R8E, BHM, a distance of 2640 feet more or less;

Dyess Avenue, beginning at the eastern extension of the north lot line of Lot 2B of Lot C, Golden Eagle Subdivision with the section line of Sections 20/21, thence north to the N 1/16th Corner Section 20/21, the section line right of way and any adjacent additional platted right of way all in T2N, R8E, BHM, a distance of 3440 feet more or less; and

Elk Vale Road, beginning at the 1/4 Corner Sections 21, 22, thence north to the Section Corner Sections 15, 16, 21, 22, the section line right of way and any adjacent additional platted right of way, all in T2N, R8E, BHM, a distance of 2640 feet more or less.

WHEREAS, COUNTY and CITY OF RAPID CITY have a mutual interest in reassigning the jurisdiction and continued maintenance responsibility of Haines Avenue, 143rd Avenue, Dyess Avenue and Elk Vale Road from COUNTY to CITY OF RAPID CITY for public use until such time as COUNTY and CITY OF RAPID CITY agree otherwise or the public roads are otherwise abandoned, vacated, or changed by law; and

NOW THEREFORE, COUNTY and CITY OF RAPID CITY agree as follows:

As of the effective date set forth below, CITY OF RAPID CITY shall assume jurisdiction and full maintenance responsibility for those portions of Haines Avenue, 143rd Avenue, Dyess Avenue and Elk Vale Road as described herein.

By signing below, the parties hereto accept the terms of this AGREEMENT as binding upon the public bodies named herein and acknowledge proper action of COUNTY and CITY OF RAPID CITY to enter the same.

This AGREEMENT shall become effective on the first day of May, 2010.

COUNTY OF PENNINGTON,
SOUTH DAKOTA

CITY OF RAPID CITY,
SOUTH DAKOTA

BY: _____
Chairman, County Commission

BY: _____
Mayor, City of Rapid City

DATE: _____

DATE: _____

ATTEST: _____
Auditor, Julie Pearson