

STATE OF SOUTH DAKOTA
DEPARTMENT OF TRANSPORTATION
AMENDMENT NUMBER 1

BACKGROUND:

1. On June 17, 2010, the State of South Dakota, acting by and through its Department of Transportation, hereinafter referred to as "SDDOT," and the City of Rapid City, South Dakota, hereinafter referred to as the "CITY," entered into an agreement to purchase certain highway right of way, which agreement, hereinafter referred to as the "AGREEMENT," was signed by representatives of each party; and,
2. The parties previously wish to amend the AGREEMENT.
3. SDDOT desires to purchase the highway right of way in compliance with federal aid requirements on the highway project identified as P 0044(129)42, PCN 00X9, Pennington County, and further described as: SD44 (Jackson Boulevard) from Rapid Creek to Mountain View Road in Rapid City; and,
4. SDDOT is responsible to assure right of way acquisition is accomplished pursuant to federal aid requirements in order to receive federal participation in right of way costs and to not jeopardize the use of Federal funds in construction costs; and,
5. SDDOT has created the need to acquire right of way for the parcel indicated in Section 1 of the AGREEMENT as the result of SDDOT Project P 0044(129)42;

SDDOT AND THE CITY MUTUALLY AGREE AS FOLLOWS:

1. The correct acreage of Parcel 8, described in the AGREEMENT, is 0.01 acre (628 square feet), more or less.
2. The CITY has designated its Mayor as the CITY'S authorized representative and has empowered the Mayor with the authority to sign this Amendment on behalf of the CITY. A copy of the CITY'S Commission minutes or resolution authorizing the execution of this Amendment by the Mayor as the CITY'S authorized representatives is attached hereto as **Exhibit A**.
3. The CITY and SDDOT agree, except as specifically modified by this Amendment, all other terms and conditions of the original AGREEMENT shall remain in full force and effect.

This Amendment is binding upon the signatories hereto not as individuals, but solely in their capacities as officials of their respective organizations and acknowledges proper action of the SDDOT and the CITY to enter into the same.

City of Rapid City, South Dakota

State of South Dakota
Department of Transportation

By: _____

By: _____

Its: Mayor

Its: Right of Way Program Manager

Date: _____

Date: _____

Attest:

Approved as to Form:


City Auditor/Clerk



Special Assistant Attorney General

(CITY SEAL)

APPROVED AS TO FORM
CITY ATTORNEY'S OFFICE



Attorney

10-28-10
Date

Parcel 8

PLAT OF LOT H2

Showing a parcel of land to be acquired for highway purposes in Lot 1 of Lot C of Rapid River Subdivision in the City of Rapid City for construction of Project P 0044(129)42

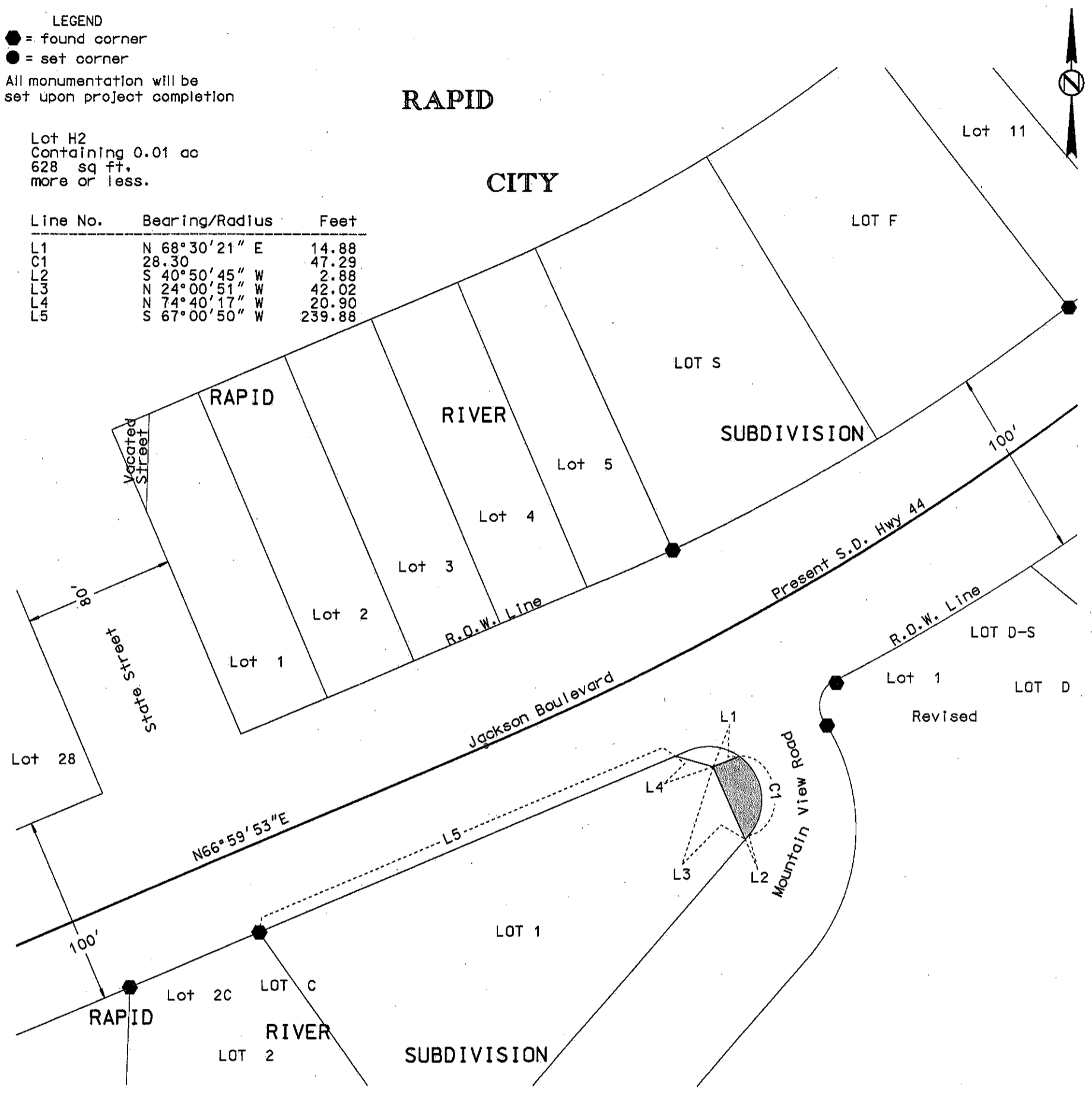
PENNINGTON COUNTY, SOUTH DAKOTA

Scale: 1 Inch = 60 feet

LEGEND
 ● = found corner
 ● = set corner
 All monumentation will be set upon project completion

Lot H2
 Containing 0.01 ac
 628 sq ft.
 more or less.

Line No.	Bearing/Radius	Feet
L1	N 68° 30' 21" E	14.88
C1	28.30	47.29
L2	S 40° 50' 45" W	2.88
L3	N 24° 00' 51" W	42.02
L4	N 74° 40' 17" W	20.90
L5	S 67° 00' 50" W	239.88



Note 1: The coordinates, distances and areas shown on this plat are based on the South Dakota State Plane coordinate System - South Zone NAD 83/96 SF = 0.99978075

Note 2: The bearings shown within the Right of Way lines on this plat denote the Construction Survey Line, which may or may not be the theoretical midpoint between the Right of Way lines or the same as the Section Line when noted hereon.

Revised Date: 10-06-2010 RAT
 Drawn By Ray A. Trujillo Date 03-23-2010
 Checked By Joseph R. Piper Date 03-29-2010

SURVEYOR'S CERTIFICATE

I, JOSEPH ROY PIPER, Registered Land Surveyor, in and for the State of South Dakota, do hereby certify that as ordered by the South Dakota Department of Transportation the parcel of land as shown on this plat has been surveyed at my direction and under my control, and such parcel of land shall be hereafter known by the lot number designated herein. The location and dimensions of the parcel are shown on this plat.

In witness whereof, I have set my hand and seal this _____ day of _____ A.D., 20_____.

Registered Land Surveyor
 Registration No. 7290

OFFICE OF REGISTER OF DEEDS

State of South Dakota
 County of _____ ss
 Filed for record the _____ day of _____, A.D., 20_____, at _____ M., and recorded in Books of Plats _____ on Page _____ therein.

Register of Deeds _____ by _____ Deputy

00X9

STATE OF SOUTH DAKOTA	PROJECT P 0044(129)42	TOTAL SHEETS B47
		SHEET B22

Plotting Date: 07-Oct-2010
 Revision Date: 06-Oct-2010
 Initials: RAT
 Install 4' X 11' Type S Drop Inlet Base, Type S Precast Lid and Type S Manhole Frame and Lid at the following locations:
 119+18-34.63' R
 119+50-34.63' R
 119+50-34.63' R
 Install 6' X 10' Type B Drop Inlet with Type S Manhole Frame and Lid at the following locations:
 119+18-36.17' L
 120+22-36.17' L
 120+17-40.34' R
 Install 2' X 3' Type B Drop Inlet with 6" Concrete Collar and Special Frame and Grate
 Nancy I. Bradsky Parcel A23

Take Out Drop Inlets at the Following Locations:
 118+01-33' L
 118+01-23' R
 122+41-66-59.08' R
 Install 5.5' X 3' Type B Drop Inlet with 6" Concrete Collar and Type B Frame and Grate
 122+57-34' L
 Install 7' X 7' Junction Box with Type A10 Manhole Frame and Lid and 48" X 24" RC ECCT Manhole
 122+83.46-63.29' R
 Install 2' X 3' Type B Drop Inlet with 6" Concrete Collar and Type B Frame and Grate

122+41-66-59.08' R to 122+83.46-63.29' R
 Install 18" - 62' RCP (Between Drop Inlets)
 120+22-36.17' L to 122+57-34' L
 Install 48" - 224' RCP (Between Drop Inlet & Junction Box)
 122+57-34' L to 126+01-36.67' L
 Install 66" - 328' RCP (Between Junction Box & Drop Inlets)

118+01-7' L to 33' L
 Take Out Junction Box (Incidental Work, Grading)
 1+14.80-17.38' L (Mountain View Road South) to 122+41-66-59.08' R
 Install 48" - 30' RCP (Between RCP Bend and Drop Inlet)
 1+50' R (Mountain View Road South) to 124+17.50' R
 Install Type C Concrete Retaining Wall
 120+07' R to 1+05' R (Mountain View Road South) to 124+17.50' R
 Install Type C Concrete Retaining Wall

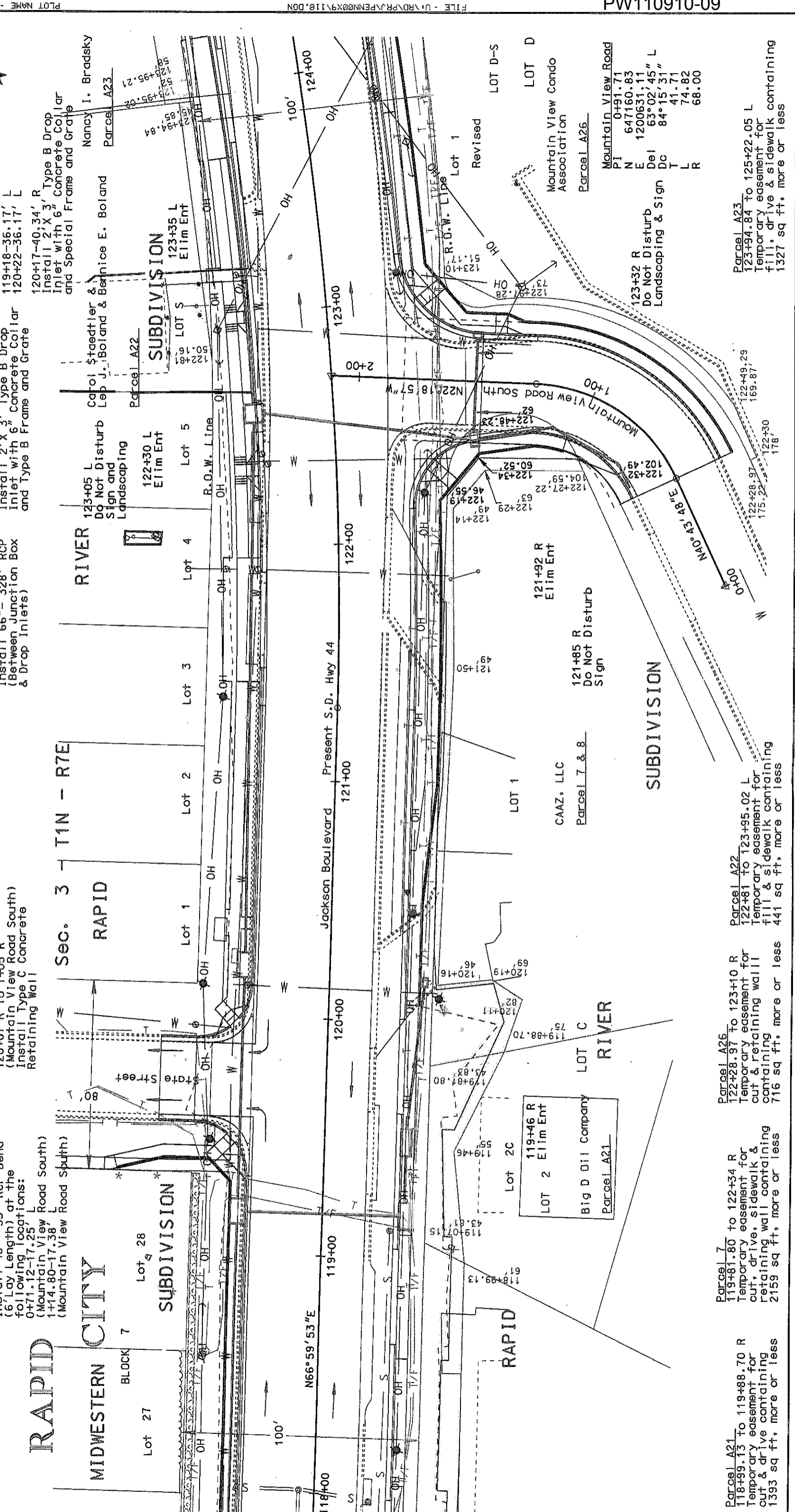
119+50-34.63' R to 120+17-40.34' R
 Install 18" - 62' RCP (Between Drop Inlets)
 120+22-36.17' L to 122+57-34' L
 Install 48" - 224' RCP (Between Drop Inlet & Junction Box)
 122+57-34' L to 126+01-36.67' L
 Install 66" - 328' RCP (Between Junction Box & Drop Inlets)

118+01-7' L to 23' R
 Take Out Junction Box
 0+56.33-19.67' L (Mountain View Road South) to 122+41-66-59.08' R
 Install 48" - 8' RCP (Between Plugged End and RCP Bend)
 0+71.12-17.25' L (Mountain View Road South) to 122+41-66-59.08' R
 Install 48" - 26' RCP (Between RCP Bends)
 Install 48" - 35' RCP Bend (6' Lay Length) at the following locations:
 0+71.12-17.25' L (Mountain View Road South) to 1+14.80-17.38' L (Mountain View Road South)

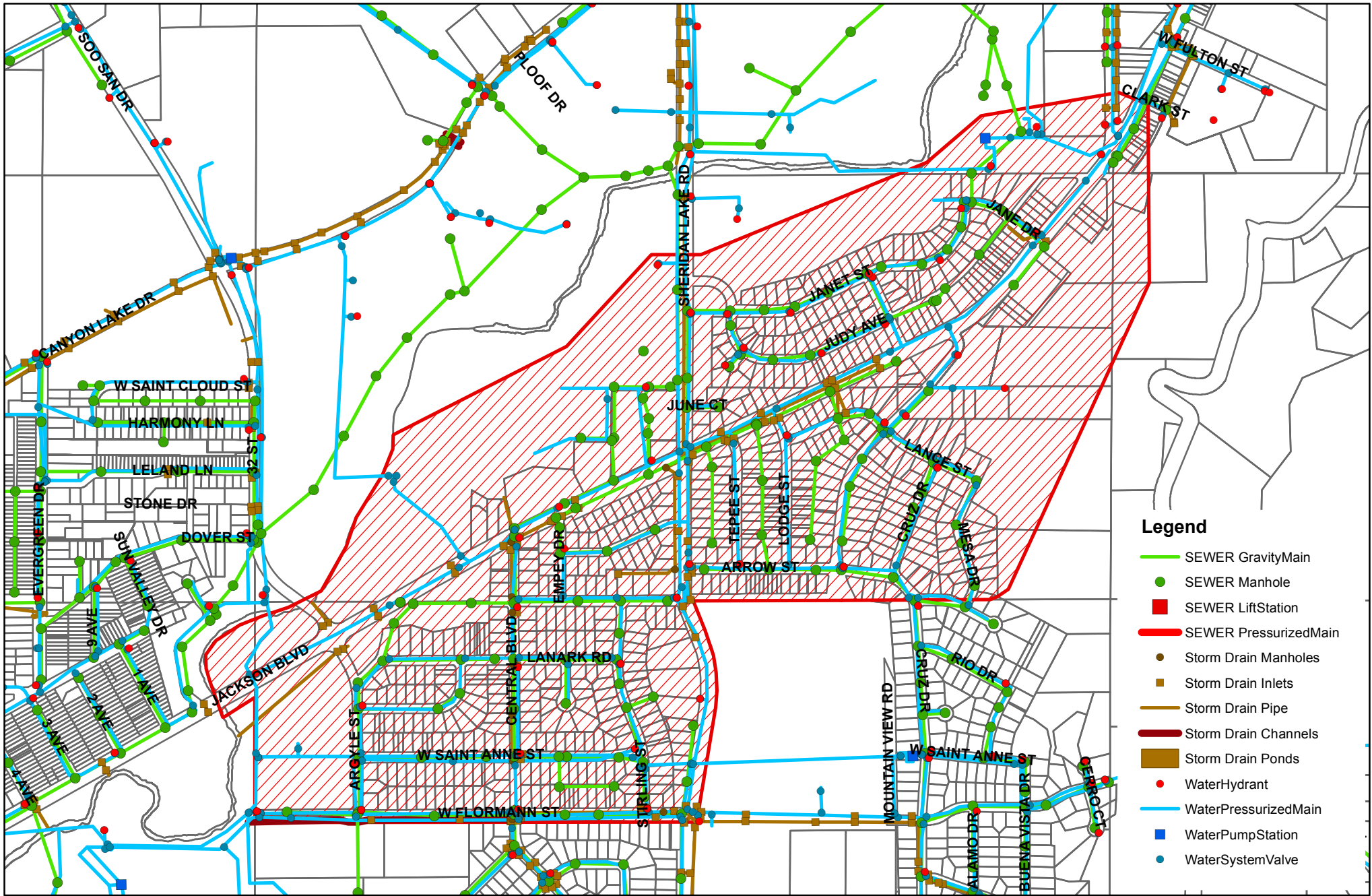
119+18-34.63' R to 119+50-34.63' R
 Install 18" - 22' RCP (Between Drop Inlets)
 119+18-34.63' R to 36.17' L
 Install 18" - 66' RCP (Between Drop Inlets)

Parcel A21
 118+99.13 to 119+88.70 R
 Temporary easement for cut & drive containing 1393 sq ft, more or less
 Parcel 7
 119+81.80 to 122+34 R
 Temporary easement for cut, drive, sidewalk & retaining wall containing 2159 sq ft, more or less
 Parcel A26
 122+28.97 to 123+10 R
 Temporary easement for cut & retaining wall containing 716 sq ft, more or less
 Parcel A22
 122+81 to 123+95.02 L
 Temporary easement for fill & sidewalk containing 441 sq ft, more or less














Parcel A23
 123+94.84 to 125+22.05 L
 Temporary easement for fill, drive & sidewalk containing 1327 sq ft, more or less



Item # 21
 PLOTTED FROM: 10/8/2010 10:43:55
 FILE - U:\RD\PRJ\PENN20X9\118.DGN
 PLOT NAME - 22



Legend

-  SEWER GravityMain
-  SEWER Manhole
-  SEWER LiftStation
-  SEWER PressurizedMain
-  Storm Drain Manholes
-  Storm Drain Inlets
-  Storm Drain Pipe
-  Storm Drain Channels
-  Storm Drain Ponds
-  WaterHydrant
-  WaterPressurizedMain
-  WaterPumpStation
-  WaterSystemValve

JACKSON BLVD UTILITIES PROJECT
PROJECT NO. SSW09-1509 CIP NO. 50351