

AGREEMENT BETWEEN THE CITY OF RAPID CITY AND THE SOUTH DAKOTA
DEPARTMENT OF GAME, FISH AND PARKS FOR THE PURCHASE OF LAND
LOCATED AT THE CLEGHORN SPRINGS FISH HATCHERY.

WHEREAS, the City of Rapid City ("City") has need to acquire property owned by the State of South Dakota ("State") located at the Cleghorn Springs Fish Hatchery in order to construct a water pumping facility; and

WHEREAS, the State has recognized the City's need to acquire the property and has enacted legislation specifically authorizing the South Dakota Department of Game, Fish and Parks to transfer title to the property to the City; and

WHEREAS, it is the intent of the parties to enter into an agreement transferring the property consistent with the terms of the enabling legislation; and

Whereas, this Agreement encompasses and incorporates all terms and conditions of any oral understandings between the City and the State.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties mutually covenant and agree as follows:

1. The property which is the subject of this agreement is located in Rapid City, Pennington County, South Dakota and is legally described as follows:

Lot 1 of Fish Hatchery Subdivision located in the South ½ of Section 8, T1N, R7E, BHM containing 4.27 acres, more or less, as recorded in the Pennington County Register of Deeds Office in Plat Book 36, Page 29, filed on October 13, 2010; and

Lot F-3 of Fish Hatchery Subdivision located in the NE ¼ of the SW ¼ of Section 8, T1N, R7E, BHM, containing 0.45 acres, more or less, as recorded in the Pennington County Register of Deeds Office in Plat Book 11, Page 238, filed on December 30, 1971; and

Lot F-4 of Fish Hatchery Subdivision located in the NE ¼ of the SW ¼ of Section 8, T1N, R7E, BHM, containing 0.02 acres, more or less, as recorded in the Pennington County Register of Deeds Office in Plat Book 11, Page 238, filed on December 30, 1971.

2. The State of South Dakota is the owner of the property identified in Paragraph 1 and has been authorized by the South Dakota Legislature to sell this property to the City of Rapid City.
3. The purchase price of the real property identified in paragraph 1 is One hundred fifty-five thousand eight hundred dollars and no/00 (\$155,800.00). This amount is based on an appraisal prepared for the Department of Game, Fish and Parks by John Haeder, a State Certified Appraiser.

State of South Dakota)
 ss.
 County of Pennington)

On this the _____ day of _____, 2010, before me, the undersigned officer, personally appeared Allan Hanks and Pauline Sumption, 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.

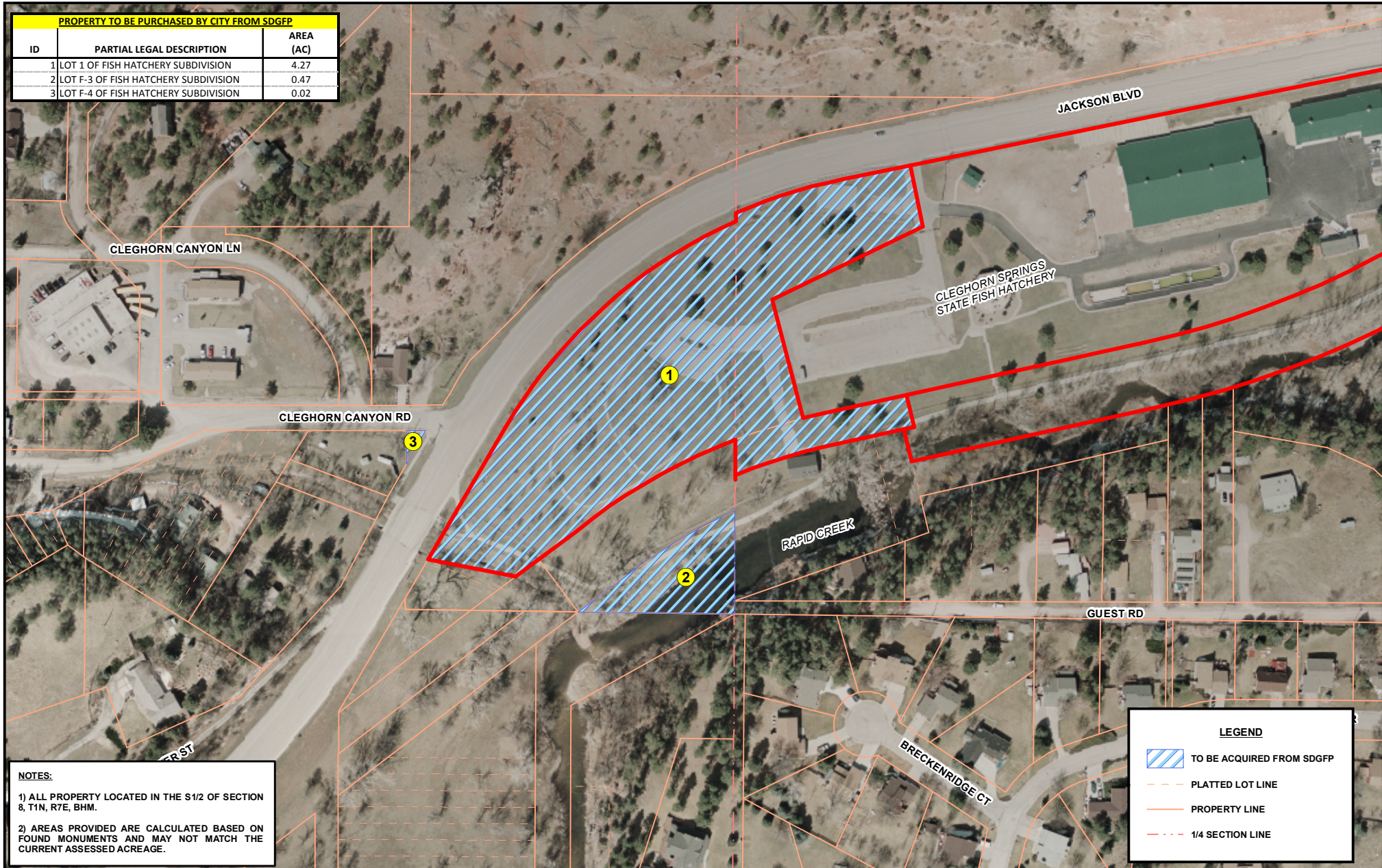
IN WITNESS WHEREOF I hereunto set my hand and official seal.



 Notary Public, South Dakota
 My Commission Expires:

SEAL

APPROVED AS TO FORM
 CITY ATTORNEY'S OFFICE

 Ja 10-29-10
 Attorney Date



<p>Sheet Title:</p> <p>FIGURE 1.</p> <p>PROPERTY TO BE ACQUIRED FROM SDGFP</p> <p>1</p>	<p>JACKSON SPRINGS WATER TREATMENT PLANT</p> <p>LAND TO BE PURCHASED BY CITY OF RAPID CITY</p> <p>FROM SOUTH DAKOTA GAME, FISH & PARKS</p>	<p>200 100 0 Feet</p>		<p>Prepared By:</p>  <p>Ferber Engineering Company, Inc.</p>	<p>Prepared For:</p>  <p>Item #17</p>
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