

AMENDMENT NUMBER 3 TO AGREEMENT NUMBER 713770

BACKGROUND:

1. On January 7, 2009, the State of South Dakota, acting by and through its Department of Transportation, referred to in this Amendment as "STATE," and the City of Rapid City, South Dakota, referred to in this Amendment as "CITY," entered into a funding agreement to construct project number EM 8052(59) PCN 010E, which agreement, referred to in this Amendment as the "AGREEMENT," was signed by representatives of each party and assigned agreement number 713770 by STATE; and,
2. STATE and CITY wish to amend the AGREEMENT.

STATE AND CITY MUTUALLY AGREE AS FOLLOWS:

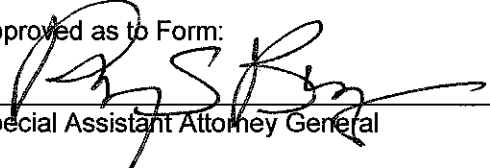
1. Paragraph F. is revised to read as follows:
 - F. This Agreement will become effective on the date of signature by the STATE'S Secretary. The work contemplated by this Agreement will be completed by October 1, 2013.
2. It is understood and agreed between the parties that certain work was performed before this amendment was approved. Further, it was the intent of the parties that this work was to be performed and paid in accordance with this contract. In light of the forgoing, the parties ratify the work which may have been performed during this period of time and agree to pay for this work which was performed.
3. CITY and STATE agree, except as amended, all other terms and conditions of the AGREEMENT, along with the prior amendments, will remain in full force and effect.
4. CITY has designated its Mayor as CITY'S authorized representative and has empowered the Mayor with the authority to sign this Amendment on behalf of CITY. A copy of CITY'S Commission minutes or resolution authorizing the execution of this Amendment by the Mayor as the authorized representative for CITY is attached to this Amendment as Exhibit 2.

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

City of Rapid City, South Dakota By: _____ Its: Mayor Date: _____	State of South Dakota Department of Transportation By: _____ Its: Secretary Date: _____
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Attest:

 City Auditor/Clerk

Approved as to Form:


 Special Assistant Attorney General

[City Seal]