

Michael Maxwell
City of Rapid City
Growth Management Department
300 Sixth Street
Rapid City, SD 57701-2724

April 20, 2006

RE: Proposed Vacation of Access Easement – Case # 06V008

Dear Mr. Maxwell:

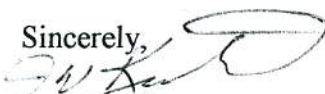
I am the owner of the 15 acres of property directly adjacent, (on the South), to the property in question. "CNJ, Inc./Kutil" As such, I want to voice my extreme opposition to this proposed Vacation of the Access Easement. I purchased this property with the express knowledge that the easement was in place and would be available for future use and more importantly, for future utility access. In fact, when the City of Rapid City was annexing this area, I met with the city planner and was assured that the proposed annexation would not in any way effect this easement, as it was extremely important to me, even way back then.

My particular piece of property is situated in such a manner that this access is very important for any future development or use. In addition, it is imperative that we maintain this easement for future utility use, especially future fire protection. The entire area is very susceptible to fire danger and as you are probably aware, it was only a short time ago that some kids started a fire on my property which spilled over onto the property in question. Luckily the fire department was able to access the fire and quickly extinguish it, but had it gotten any farther out of control, who knows what may have happened.

I realize that the prospective buyer of this property wants to have the easement vacated as it does in fact cut through the area they wish to utilize, however everyone is fully aware that the easement has been in place for well over 25 years and was specifically put there for this purpose. A great deal of planning and expense went into designing and granting this easement for the benefit of the entire area and it would certainly seem to me that this action would definitely fall into the category of not being in the publics best interest.

In closing, I would urge you to please deny the request and to keep in mind that in the event this section of the easement were to be vacated, the entire easement would be rendered useless, much in the same way that removing a bridge on the interstate would render the highway useless.

Sincerely,



Jerry Kutil
CNJ, Inc.
1217 West Blvd.,
Rapid City, SD 57701
(605) 348-3729

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Rapid City Growth
Management Department