

AMENDMENT NUMBER 1 TO AGREEMENT NUMBER 613517

BACKGROUND:

- A. On October 19, 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 letting and financial agreement, which agreement, referred to in this Amendment as the "AGREEMENT," was signed by representatives of each party and assigned agreement number 613517 by STATE; and,
- B. STATE and CITY wish to amend the AGREEMENT.

STATE AND CITY MUTUALLY AGREE AS FOLLOWS:

- 1. Section 1. PROJECT is replaced with the following:
 - 1. PROJECT

STATE and CITY concur in the proposal to relocate the 6 ½ Street pedestrian crossing on Omaha Street (SD Hwy 44) to the intersection of 6th Street. The pedestrian crossing relocation project, referred to in this Agreement as the "CITY PROJECT," consists of relocation of the existing pedestrian crossing and signal system to the intersection of Omaha Street and 6th Street. The new pedestrian crossing will be configured such that the eastbound lanes of Omaha Street have two pedestrian crossings, one on each of the east and west sides of 6th Street, and the westbound lanes of Omaha Street have a single pedestrian crossing. Exhibit A, attached to and incorporated into this Agreement, depicts the approximate locations of the new pedestrian crossings. The CITY PROJECT will include relocation of traffic signals from 6 ½ Street to 6th Street, installation of new pedestrian curb ramps, signing, pavement markings, and traffic signals at 6th Street, and removal of curb ramps and pavement markings at 6 ½ Street.

It is anticipated that the relocation of the pedestrian crossing will have only a minor effect on the current level of service (LOS) for Omaha Street (SD Hwy 44) considering present average daily traffic (ADT).

- 2. Except as specifically modified by the Amendment, all terms and conditions of the original AGREEMENT will remain in full force and effect.
- 3. CITY has designated its Mayor as CITY'S authorized representative and has empowered the Mayor with the authority to sign the AGREEMENT 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 B

The Amendment is binding upon the 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.

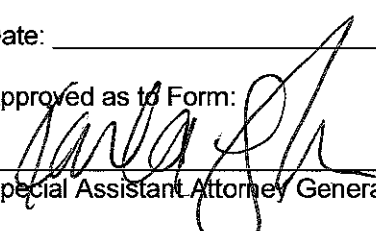
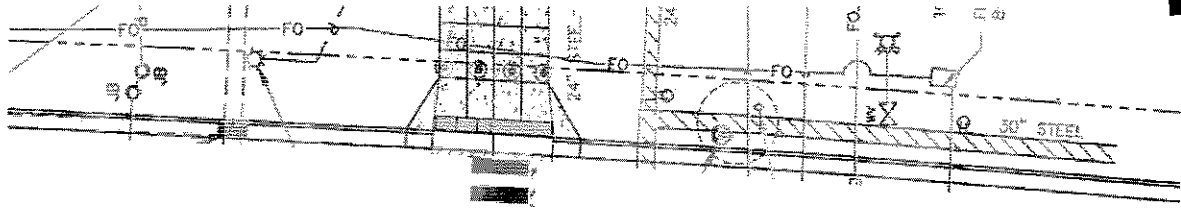
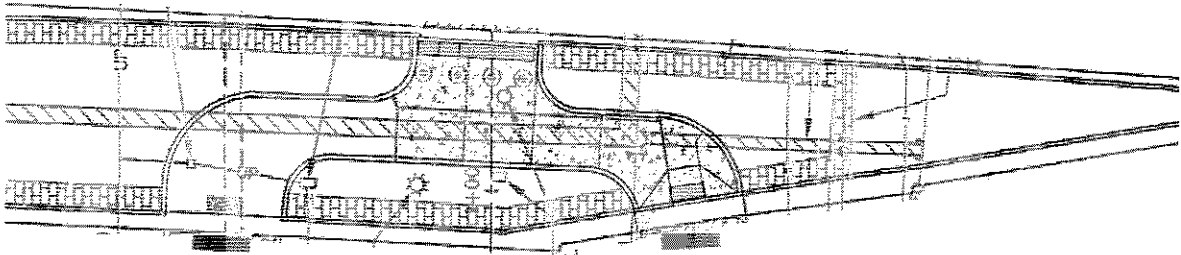
<p>City of Rapid City, South Dakota</p> <p>By: _____</p> <p>Its: Mayor</p> <p>Date: _____</p> <p>Attest:</p> <p>_____</p> <p>City Auditor/Clerk</p> <p>(CITY SEAL)</p>	<p>State of South Dakota</p> <p>Department of Transportation</p> <p>By: _____</p> <p>Its: Region Engineer</p> <p>Date: _____</p> <p>Approved as to Form:</p> <p></p> <p>_____</p> <p>Special Assistant Attorney General</p>
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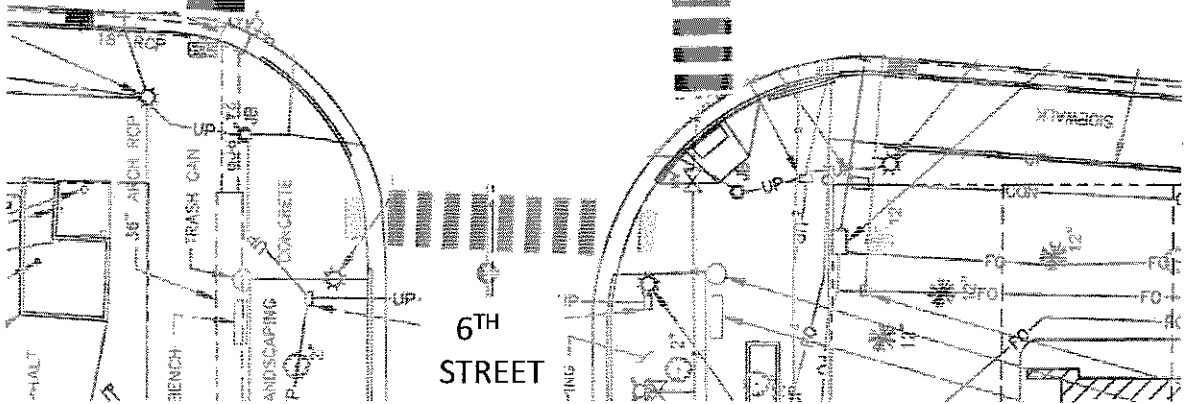
EXHIBIT A



WESTBOUND OMAHA STREET



EASTBOUND OMAHA STREET



6TH STREET