

**FIRST AMENDMENT
TO
LEASE AGREEMENT
BETWEEN HILLS MATERIALS COMPANY AND
THE CITY OF RAPID CITY, SOUTH DAKOTA**

This First Amendment to Lease Agreement (“*First Amendment*”) is entered into this [__] day of [_____], 2013, between the City of Rapid City, South Dakota, a South Dakota municipality (“*Lessor*”) and Hills Materials Company, a South Dakota corporation (“*Lessee*”).

RECITALS

A. Lessor and Lessee entered into that certain lease agreement dated July 18, 2013 (“*Lease Agreement*”), the subject of which is a parcel of real property located in Rapid City, Pennington County, South Dakota, as more particularly described in the Lease Agreement, a copy of which is attached hereto as Exhibit A.

B. The Lessee and Lessor desire to amend the Lease Agreement, all as more fully set forth herein.

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

AGREEMENT

1. Paragraph one of the Lease Agreement is hereby amended to read follows: This Agreement shall commence on the Effective Date, and expire on June 15, 2014.

2. In all other regards, and except as modified by this First Amendment, the Lease Agreement and each and every term thereof remains in full force and effect.

[Signature Page Follows]

IN WITNESS WHEREOF, the parties have executed this First Amendment as of the date first herein set forth.

LESSEE:

HILLS MATERIALS COMPANY,
a South Dakota corporation

By: _____(SEAL)

Name:

Title:

LESSOR:

CITY OF RAPID CITY, SOUTH DAKOTA,
a South Dakota municipality

By: _____

Name:

Title:

ATTEST:

By: _____

Name:

Title:

Exhibit "A"
Lease Agreement