

MEMORANDUM OF UNDERSTANDING
BETWEEN
CITY OF RAPID CITY
AND
MONTANA DAKOTA UTILITIES

This agreement between the City of Rapid City and Montana Dakota Utilities is entered into to provide permission to MDU to encroach into Lot B Revised of Greenway Tract 32 for the purposes of filling the property owned by MDU to comply with the 100-year floodplain development criteria.

This agreement will facilitate the construction of the new MDU complex consisting of offices, warehouse storage yard facility.

MDU agrees to the following:

1. The slope of the fill encroaching into the Greenway Tract shall not exceed 2:1, and the bank will be stabilized to eliminate erosion.
2. Any maintenance required of the sloped bank area will be the responsibility of MDU.
3. MDU will provide access to the City crews through MDU's property to Lot B Revised for purposes of the City's maintenance of the area and possible future development activities.
4. The fill and grading plan shall be approved by the Engineering Division and any fill and grade work performed by MDU will be done in compliance with City standards.

Approved this _____ day of December 2000.

CITY OF RAPID CITY

MONTANA DAKOTA UTILITIES, INC.

Jim Shaw, Mayor

ATTEST:

Finance Officer

SEAL

