

A G R E E M E N T

IT IS HEREBY AGREED between the State of South Dakota, Department of Transportation, hereinafter referred to as "SDDOT" and the City of Rapid City, South Dakota, hereinafter referred to as the "CITY".

WHEREAS, the CITY desires to purchase the highway right of way in compliance with federal aid requirements on P 0044(52)50, PCEMS 6437, Pennington County, described as: SD44 from the end of the concrete in Rapid City to the Intersection with Airport Road.

AND, WHEREAS, the SDDOT is responsible to assure right of way acquisition is accomplished pursuant to federal aid requirements in order to receive federal participation in right of way costs and to not jeopardize the use of Federal funds in construction costs:

NOW, THEREFORE, it is agreed as follows:

1. The SDDOT will secure any needed Federal Highway Administration approval.
2. The SDDOT will furnish the necessary Certificates of Title for the project.
3. The SDDOT will prepare acquisition documents, including relocation assistance papers.
4. The SDDOT will contact the owners of the property involved to secure donations, if any, on forms provided by the SDDOT.
5. If unsuccessful in securing the donations, the SDDOT will appraise the property needed pursuant to provisions of the policies and procedures of the Right of Way Program, South Dakota Department of Transportation.
6. The SDDOT will review the appraisals.
7. The SDDOT will negotiate and acquire Parcel 28 (Lot H1 in Lot B of BAR P-S Subdivision in the SW1/4 of Section 20, Township 1 North, Range 9 East, B.H.M., Pennington County) in the name of the CITY and pursuant to provisions of the policies and procedures of the Right of Way Program, South Dakota Department of Transportation.
8. All relocation assistance will be handled by the SDDOT.

9. If negotiations are unsuccessful in securing the right of way, the CITY will handle any and all condemnation of any right of way and/or temporary easements. Upon request by the CITY and approval of the Attorney General, the SDDOT will provide guidance to the CITY in condemnation.
10. The CITY will be reimbursed for all of the CITY'S expense involving condemnation of the highway right of way including but not limited to CITY appraisal and legal costs.
11. The SDDOT will furnish the CITY a copy of all signed acquisition documents and the SDDOT will be responsible for filing and recording all documents.
12. The CITY has designated Mayor Jim Shaw as the authorized representative of the CITY and has empowered him the authority to approve agreements for right of way and easements on behalf of the CITY.
13. The funding for the acquisition of right of way and relocation assistance for this Project will be 100% State Funds.

The signing of this document signifies that the governmental agencies have taken official action to enter into this agreement.

DATED THIS _____ DAY OF _____, 2006.

APPROVED AS TO FORM:

SOUTH DAKOTA DEPARTMENT OF
TRANSPORTATION

Assistant Attorney General

Joel Gengler, Program Manager

CITY OF RAPID CITY

ATTEST:

Mayor

Finance Officer

Parcel 28

PLAT OF LOT H1

Showing a parcel of land to be acquired for highway purposes in Lot B of BAR P-S Subdivision in the SW1/4 of Section 20 - Township 1 North - Range 9 East of the B.H.M. for construction of Project P 0044(52)50

PENNINGTON COUNTY, SOUTH DAKOTA

Scale: 1 inch = 200 feet

LEGEND
 ● = found corner
 ○ = set corner
 ■ = reset found corner
 All monumentation will be set upon project completion

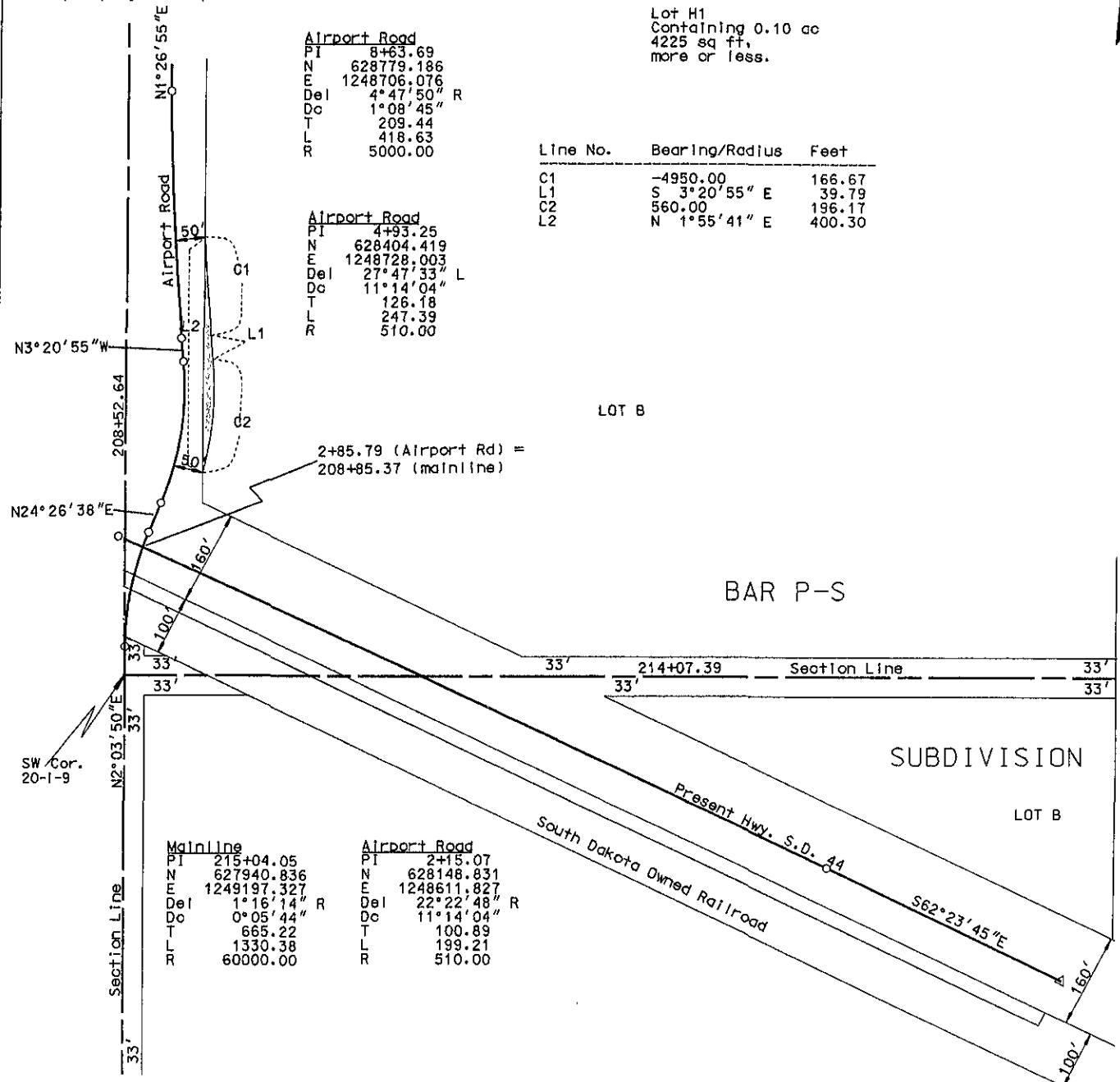


Lot H1
 Containing 0.10 ac
 4225 sq ft,
 more or less.

Airport Road
 PI 8+63.69
 N 628779.186
 E 1248706.076
 Del 4°47'50" R
 Dc 1°08'45" R
 T 209.44
 L 418.63
 R 5000.00

Line No.	Bearing/Radius	Feet
C1	-4950.00	166.67
L1	S 3°20'55" E	39.79
C2	560.00	196.17
L2	N 1°55'41" E	400.30

Airport Road
 PI 4+93.25
 N 628404.419
 E 1248728.003
 Del 27°47'33" L
 Dc 11°14'04" L
 T 126.18
 L 247.39
 R 510.00



Mainline
 PI 215+04.05
 N 627940.836
 E 1249197.327
 Del 1°16'14" R
 Dc 0°05'44" R
 T 665.22
 L 1330.38
 R 60000.00

Airport Road
 PI 2+15.07
 N 628148.831
 E 1248611.827
 Del 22°22'48" R
 Dc 11°14'04" L
 T 100.89
 L 199.21
 R 510.00

Note: The coordinates and/or distances shown on this plat are based on the South Dakota State Plane coordinate System - North Zone NAD 83/96 SF = 0.99979090

Drawn By R. Mickel Date 8/31/2005
 Checked By M. Jordan Date 10/26/2005

SURVEYOR'S CERTIFICATE

I, MICHAEL A. JORDAN, Registered Land Surveyor, in and for the State of South Dakota, do hereby certify that as ordered by the South Dakota State Transportation Commission the parcel of land as shown on this plat has been surveyed at my direction and under my control, and such parcel of land shall be hereafter known by the lot number designated herein. The location and dimensions of the parcel are shown on this plat.

In witness whereof, I have set my hand and seal this _____ day of _____ A.D., 20____.

Registered Land Surveyor
 Registration No. 5353

OFFICE OF REGISTER OF DEEDS

State of South Dakota
 County of _____ as
 Filed for record the _____ day of _____, A.D., 20____, at _____ M., and recorded in Books of Plats _____ on Page _____ therein.

Register of Deeds by _____ Deputy