

STATE OF SOUTH DAKOTA  
DEPARTMENT OF TRANSPORTATION  
AGREEMENT

This Agreement is made by and between the State of South Dakota, acting by and through its Department of Transportation, referred to in this Agreement as the "SDDOT," and the City of Rapid, South Dakota, referred to in this Agreement as the "CITY."

BACKGROUND:

1. The SDDOT wants to purchase the highway right of way in compliance with federal aid requirements on the highway project identified as NH 2016(17)64, PCN 6875, Pennington County, further described as: from US16 to SD79 in Rapid City;
2. The SDDOT must assure right of way acquisition is accomplished pursuant to federal aid requirements in order to receive federal participation in right of way costs and not jeopardize the use of Federal funds in construction costs; and
3. SDDOT Project NH 2016(17)64 has created the need to acquire right of way for the parcel(s) indicated in Section 1, below.

THE SDDOT AND THE CITY MUTUALLY AGREE AS FOLLOWS:

1. The SDDOT will negotiate and acquire the following parcel(s) in the name of the CITY pursuant to provisions of the policies and procedures of the Right of Way Program, South Dakota Department of Transportation:

Parcel 2A – Lot H4 in Tract AR2 of the Needles Subdivision in the City of Rapid City, Pennington County, South Dakota.

2. If negotiations are unsuccessful in securing the right of way, the SDDOT will negotiate and acquire these parcels in the name of the SDDOT and will handle the condemnation of any right of way and temporary easements. Upon completion of the construction and approval of the South Dakota Transportation Commission, the SDDOT will transfer these parcels to the CITY.
3. **Authority to Sign Right of Way and Easement Documents:** The CITY has designated its Mayor as the CITY'S authorized representative and has empowered its Mayor with the authority to negotiate and approve of acquisition of right of way for the purpose of road and bridge construction in CITY'S jurisdiction. A copy of the CITY'S Commission minutes or resolution authorizing said authority is attached to this Agreement as **Exhibit A**.

- 4. **Authority to Sign Agreement with the SDDOT:** The CITY has designated the Mayor as the CITY'S authorized representative and has empowered the Mayor with the authority to sign this Agreement on behalf of the CITY. A copy of the CITY'S Commission minutes or resolution authorizing the execution of this Agreement by the Mayor as the CITY'S authorized representative is attached to this Agreement as **Exhibit B**.

The signing of this Agreement signifies the governmental agencies have taken all necessary official action to enter into this Agreement.

City of Rapid City, South Dakota

State of South Dakota  
Department of Transportation

By: \_\_\_\_\_

By: \_\_\_\_\_

Its: Mayor

Its: Program Manager, Right of Way Program

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Attest:

Approved as to Form:

\_\_\_\_\_  
City Auditor/Clerk

*William J. Nordin*  
\_\_\_\_\_  
Special Assistant Attorney General

(CITY SEAL)

|                            |               |                  |              |
|----------------------------|---------------|------------------|--------------|
| STATE OF SOUTH DAKOTA      | PROJECT       | SHEET            | TOTAL SHEETS |
|                            | NH 2016(17)64 | 1                | 442          |
| Plotting Date: 06-JAN-2010 |               | Rev. 01/06/10 SB |              |

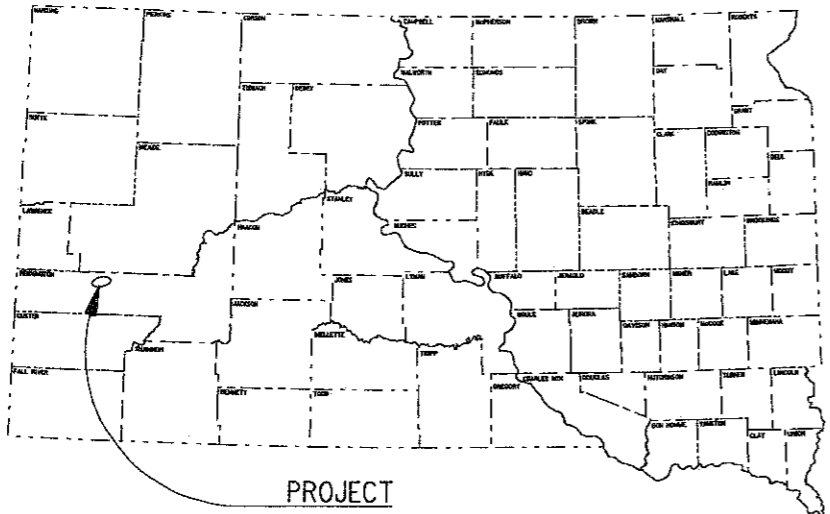
STATE OF SOUTH DAKOTA  
DEPARTMENT OF TRANSPORTATION  
PLANS FOR PROPOSED

**PROJECT NH 2016(17)64**  
**U.S. HIGHWAY 16B**  
**PENNINGTON COUNTY**

GRADING, PCC PAVING, LIGHTING, SIGNALS, PAVEMENT MARKING, AND PERMANENT SIGNING  
PCN 6875

INDEX OF SECTIONS

- Section A: Estimate of Quantities
- Section B: Grading Plans
- Section C: Traffic Control Plans
- Section D: Erosion Control
- Section E: Structure Plans
- Section F: Surfacing Plans
- Section L: Lighting & Signal Plans
- Section M: Pavement Marking Plans
- Section S: Permanent Signing Plans
- Section X: Cross Sections
- Section Z: Pipe Sections



END NH 2016(17)64

Station: 165+00.00 = Station: 164+95.65  
on C-279 Approximately 1804.18 feet West  
and 247.50 feet South of the Sec. Cor.  
common to Section 17, 18, 19 & 20  
Township 1 North - Range 8 East of the BHM  
M.R.M. 67.17 + 0.000

BEGIN NH 2016(17)64

Station: 2+74.00 = Station: 1+52.54  
on C-279 approximately 631.86 feet North  
and 621.10 feet East of the W 1/4 Cor.  
Sec. 26 - Township 1 North - Range 7 East BHM  
M.R.M. 64.19 + 0.004

DESIGN DESIGNATION

|            |        |
|------------|--------|
| ADT (2008) | 7,670  |
| ADT (2028) | 10,585 |
| DHV        | 1,115  |
| D          | 50%    |
| T DHV      | 4.3%   |
| T ADT      | 9.5%   |
| V          | 60 mph |

STORM WATER PERMIT

Major Stream: Unnamed Tributary  
Area Disturbed: 97 Acres  
Total Project Area: 135 Acres

SCALES

|                 |                     |          |        |
|-----------------|---------------------|----------|--------|
|                 | RURAL               | SUBURBAN | URBAN  |
| PLAN            | 1"=200'             | 1"=100'  | 1"=40' |
| PROFILE:        | HORIZONTAL: 1"=200' | 1"=100'  | 1"=40' |
|                 | VERTICAL: 1"=20'    | 1"=20'   | 1"=10' |
| CROSS SECTIONS: | HORIZONTAL: 1"=40'  | 1"=20'   | 1"=20' |
|                 | VERTICAL: 1"=20'    | 1"=10'   | 1"=10' |

GROSS LENGTH 16 226 FEET 3.073 MILES

THIS HIGHWAY IS A "CONTROL OF ACCESS" HIGHWAY AS ADOPTED BY THE SOUTH DAKOTA TRANSPORTATION COMMISSION. ACCESS POINTS TO BE LIMITED TO THOSE SHOWN ON THE CONSTRUCTION PLANS EXCEPT ANY ADDITIONAL THAT ARE REQUIRED AS A RESULT OF RIGHT OF WAY ACQUISITION.

PLOT SCALE - 288.00000001.00000000

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| STATE OF     | PROJECT       | SHEET | TOTAL SHEETS |
|--------------|---------------|-------|--------------|
| SOUTH DAKOTA | NH 2016(17)64 | 824   | 882          |

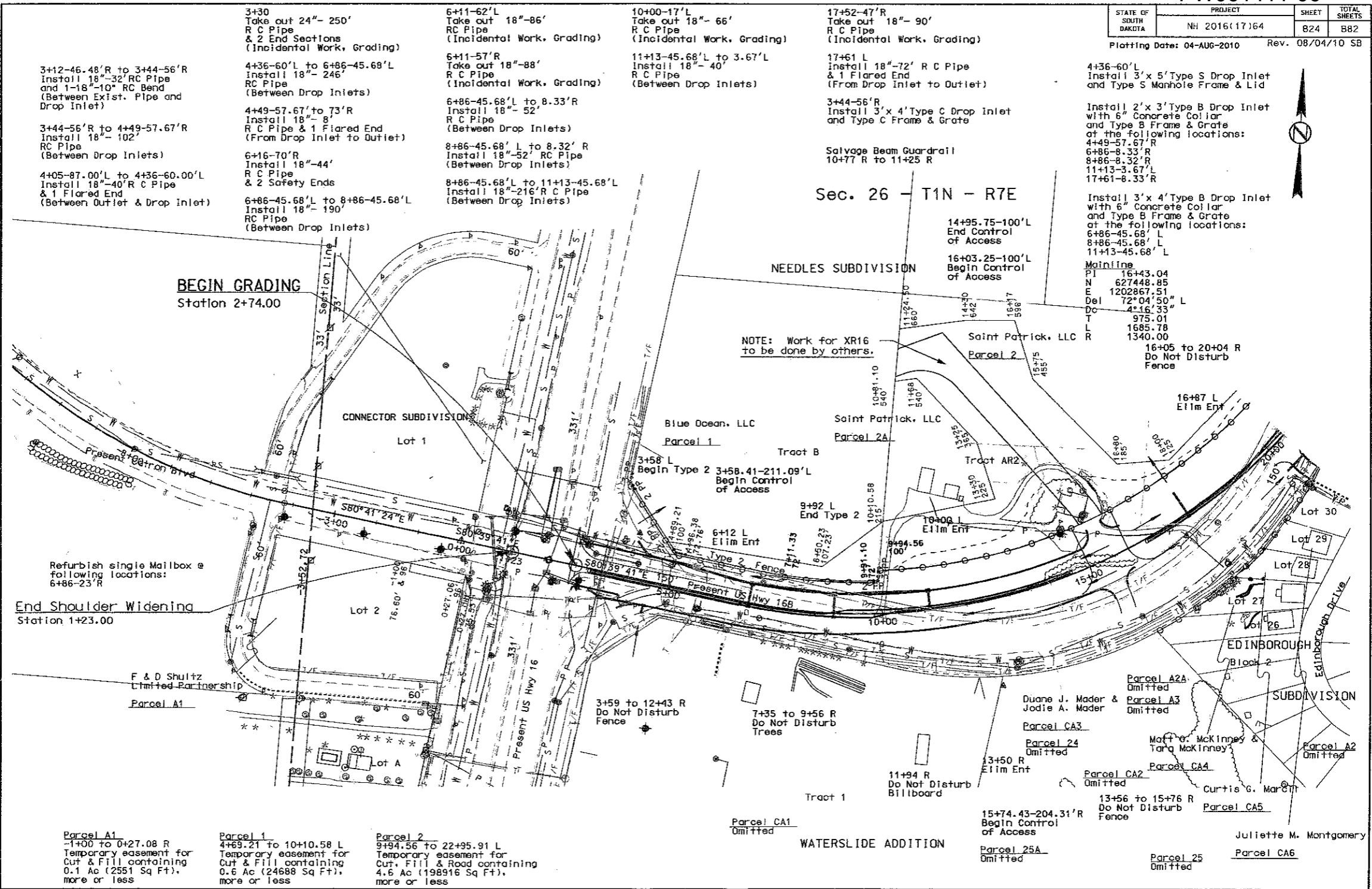
Plotting Date: 04-AUG-2010 Rev. 08/04/10 SB



PLOT SCALE - 2500' = 1" (SEE SHEET PW061411-01)

PLOTTED FROM - FTR16336

FILE - U:\RD\PR\PEINER\75-018.DWG



3+12-46.48'R to 3+44-56'R  
Install 18"-32' RC Pipe  
and 1-18"-10' RC Bend  
(Between Exist. Pipe and  
Drop Inlet)

3+44-56'R to 4+49-57.67'R  
Install 18"-102'  
RC Pipe  
(Between Drop Inlets)

4+05-87.00'L to 4+36-60.00'L  
Install 18"-40' R C Pipe  
& 1 Flared End  
(Between Outlet & Drop Inlet)

3+30  
Take out 24"- 250'  
R C Pipe  
& 2 End Sections  
(Incidental Work, Grading)

4+36-60'L to 6+86-45.68'L  
Install 18"- 246'  
RC Pipe  
(Between Drop Inlets)

4+49-57.67' to 73'R  
Install 18"- 8'  
R C Pipe & 1 Flared End  
(From Drop Inlet to Outlet)

6+16-70'R  
Install 18"-44'  
R C Pipe  
& 2 Safety Ends  
(Between Drop Inlets)

6+86-45.68'L to 8+86-45.68'L  
Install 18"- 190'  
RC Pipe  
(Between Drop Inlets)

6+11-62'L  
Take out 18"-86'  
RC Pipe  
(Incidental Work, Grading)

6+11-57'R  
Take out 18"-88'  
R C Pipe  
(Incidental Work, Grading)

6+86-45.68'L to 8.33'R  
Install 18"- 52'  
R C Pipe  
(Between Drop Inlets)

8+86-45.68' L to 8.32' R  
Install 18"-52' RC Pipe  
(Between Drop Inlets)

8+86-45.68'L to 11+13-45.68'L  
Install 18"-216' R C Pipe  
(Between Drop Inlets)

10+00-17'L  
Take out 18"- 66'  
R C Pipe  
(Incidental Work, Grading)

11+13-45.68'L to 3.67'L  
Install 18"- 40'  
R C Pipe  
(Between Drop Inlets)

17+52-47'R  
Take out 18"- 90'  
R C Pipe  
(Incidental Work, Grading)

17+61 L  
Install 18"-72' R C Pipe  
& 1 Flared End  
(From Drop Inlet to Outlet)

3+44-56'R  
Install 3'x 4'Type C Drop Inlet  
and Type C Frame & Grate

4+36-60'L  
Install 3'x 5'Type S Drop Inlet  
and Type S Manhole Frame & Lid

Install 2'x 3'Type B Drop Inlet  
with 6" Concrete Collar  
and Type B Frame & Grate  
at the following locations:  
4+49-57.67'R  
6+86-8.33'R  
8+86-8.32'R  
11+13-3.67'L  
17+61-8.33'R

Install 3'x 4'Type B Drop Inlet  
with 6" Concrete Collar  
and Type B Frame & Grate  
at the following locations:  
6+86-45.68' L  
8+86-45.68' L  
11+13-45.68' L

Sec. 26 - T1N - R7E

14+95.75-100'L  
End Control  
of Access

16+03.25-100'L  
Begin Control  
of Access

Mainline  
PI 16+43.04  
N 627448.85  
E 1202867.51  
Del 72°04'50" L  
DC 4°16'33" L  
T 975.01  
L 1685.78  
R 1340.00

NOTE: Work for XR16  
to be done by others.

16+05 to 20+04 R  
Do Not Disturb  
Fence

Refurbish single Mailbox @  
following locations:  
6+86-23'R

End Shoulder Widening  
Station 1+23.00

F & D Shultz  
Limited Partnership  
Parcel A1

3+59 to 12+43 R  
Do Not Disturb  
Fence

7+35 to 9+56 R  
Do Not Disturb  
Trees

Duane J. Mader &  
Jodie A. Mader  
Parcel CA3

11+94 R  
Do Not Disturb  
Billboard

13+56 to 15+76 R  
Do Not Disturb  
Fence

Parcel A1  
-1+00 to 0+27.08 R  
Temporary easement for  
Cut & Fill containing  
0.1 Ac (2551 Sq Ft),  
more or less

Parcel 1  
4+69.21 to 10+10.58 L  
Temporary easement for  
Cut & Fill containing  
0.6 Ac (24688 Sq Ft),  
more or less

Parcel 2  
9+94.56 to 22+95.91 L  
Temporary easement for  
Cut, Fill & Road containing  
4.6 Ac (198916 Sq Ft),  
more or less

Parcel CA1  
Omitted

15+74.43-204.31'R  
Begin Control  
of Access  
Parcel 25A  
Omitted

Parcel 25  
Omitted

Juliette M. Montgomery  
Parcel CA6

| STATE OF SOUTH DAKOTA | PROJECT       | SHEET | TOTAL SHEETS |
|-----------------------|---------------|-------|--------------|
|                       | NH 2016(17)64 | B24   | B82          |

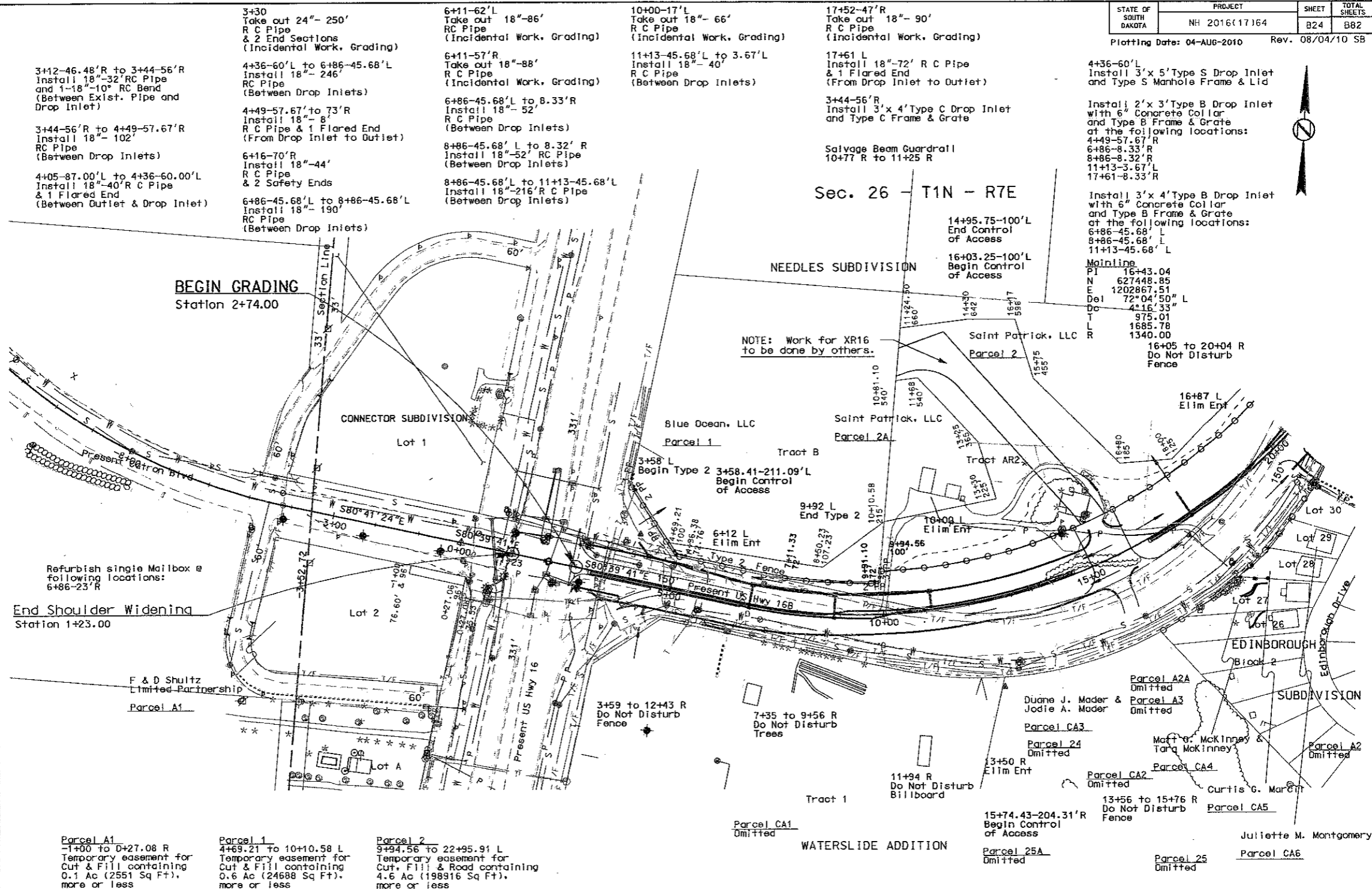
Plotting Date: 04-AUG-2010 Rev. 08/04/10 SB

PLAT SCALE - 2000 HORIZONTAL, 1000 VERTICAL

PLOTTED FROM - IPR16558

PLAT NAME - 24

FILE - U:\PROJ\PRJ\INSTR\75-019.DGN



3+30  
Take out 24"- 250'  
R C Pipe  
& 2 End Sections  
(Incidental Work, Grading)

3+12-46.48'R to 3+44-56'R  
Install 18"-32' RC Pipe  
and 1-18"-10' RC Bend  
(Between Exist. Pipe and  
Drop Inlet)

3+44-56'R to 4+49-57.67'R  
Install 18"- 102'  
RC Pipe  
(Between Drop Inlets)

4+05-87.00'L to 4+36-60.00'L  
Install 18"-40' R C Pipe  
& 1 Flared End  
(Between Outlet & Drop Inlet)

4+36-60'L to 6+86-45.68'L  
Install 18"- 246'  
RC Pipe  
(Between Drop Inlets)

4+49-57.67' to 73'R  
Install 18"- 8'  
R C Pipe & 1 Flared End  
(From Drop Inlet to Outlet)

6+16-70'R  
Install 18"-44'  
R C Pipe  
& 2 Safety Ends

6+86-45.68'L to 8+86-45.68'L  
Install 18"- 190'  
RC Pipe  
(Between Drop Inlets)

6+11-62'L  
Take out 18"-86'  
RC Pipe  
(Incidental Work, Grading)

6+11-57'R  
Take out 18"-88'  
R C Pipe  
(Incidental Work, Grading)

6+86-45.68'L to 8.33'R  
Install 18"- 52'  
R C Pipe  
(Between Drop Inlets)

8+86-45.68' L to 8.32' R  
Install 18"-52' RC Pipe  
(Between Drop Inlets)

8+86-45.68'L to 11+13-45.68'L  
Install 18"-216' R C Pipe  
(Between Drop Inlets)

10+00-17'L  
Take out 18"- 66'  
R C Pipe  
(Incidental Work, Grading)

11+13-45.68'L to 3.67'L  
Install 18"- 40'  
R C Pipe  
(Between Drop Inlets)

17+52-47'R  
Take out 18"- 90'  
R C Pipe  
(Incidental Work, Grading)

17+61 L  
Install 18"-72' R C Pipe  
& 1 Flared End  
(From Drop Inlet to Outlet)

3+44-56'R  
Install 3'x 4' Type C Drop Inlet  
and Type C Frame & Grate

Salvage Beam Guardrail  
10+77 R to 11+25 R

4+36-60'L  
Install 3'x 5' Type S Drop Inlet  
and Type S Manhole Frame & Lid

Install 2'x 3' Type B Drop Inlet  
with 6" Concrete Collar  
and Type B Frame & Grate  
at the following locations:  
4+49-57.67' R  
6+86-8.33' R  
8+86-9.32' R  
11+13-3.67' L  
17+61-8.33' R

Install 3'x 4' Type B Drop Inlet  
with 6" Concrete Collar  
and Type B Frame & Grate  
at the following locations:  
6+86-45.68' L  
8+86-45.68' L  
11+13-45.68' L

Mainline  
PI 16+43.04  
N 627448.85  
E 1202867.51  
Del 72°04'50" L  
Dc 4'16'33" L  
T 975.01  
L 1685.78  
R 1340.00

16+05 to 20+04 R  
Do Not Disturb  
Fence



**BEGIN GRADING**  
Station 2+74.00

**End Shoulder Widening**  
Station 1+23.00

NOTE: Work for XR16  
to be done by others.

Refurbish single Mailbox @  
following locations:  
6+86-23'R

F & D Shultz  
Limited Partnership  
Parcel A1

Parcel A1  
-1+00 to 0+27.08 R  
Temporary easement for  
Cut & Fill containing  
0.1 Ac (2551 Sq Ft),  
more or less

Parcel 1  
4+69.21 to 10+10.58 L  
Temporary easement for  
Cut & Fill containing  
0.6 Ac (24688 Sq Ft),  
more or less

Parcel 2  
9+94.56 to 22+95.91 L  
Temporary easement for  
Cut, Fill & Road containing  
4.6 Ac (198916 Sq Ft),  
more or less

3+59 to 12+43 R  
Do Not Disturb  
Fence

Parcel CA1  
Omitted

WATERSLIDE ADDITION

15+74.43-204.31'R  
Begin Control  
of Access  
Parcel 25A  
Omitted

Parcel 25  
Omitted

Parcel CA5  
Parcel CA6  
Parcel CA7  
Parcel CA8  
Parcel CA9  
Parcel CA10  
Parcel CA11  
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