



**RESOLUTION ACKNOWLEDGING CHARITABLE DONATION OF LAND TO
THE CITY OF RAPID CITY**

WHEREAS the City of Rapid City intends to extend Fifth Street south to Catron Boulevard; and

WHEREAS Lazy P-6 Land Company, Inc. (hereinafter Lazy P-6) owns certain real property generally south of the currently existing Fifth Street and north of Catron Boulevard and legally described as:

Lot H2 located in Government Lot Two (2) in Section Nineteen (19), Township One North (T1N), Range Eight East (R8E) of the Black Hills Meridian, Rapid City, Pennington County, South Dakota, containing 1.07 acres, more or less; and

WHEREAS, Lazy P-6 intends to develop its property in accordance with City subdivision regulations; and

WHEREAS, the City's subdivision regulations require as a condition of plat approval, that the developer dedicate public right-of-ways of one hundred (100) feet in width across a portion of the proposed development to be used for the purpose of public streets; and

WHEREAS, the City desires a right-of way through the Development with a width of one hundred twenty four (124) feet for the public benefit; and

WHEREAS, the City does not own or have rights to land suitable for such a public right-of-way; and

WHEREAS, Lazy P-6 is willing to (a) dedicate to the City a public right-of-way with a width of one hundred (100) feet; and to (b) donate for public use and benefit to the City an additional twenty four (24) feet of width to said public right-of-way.

NOW THEREFORE, BE IT RESOLVED that the donation of an additional twenty four (24) feet of width of public right-of-way by Lazy P-6 for the purpose of the extension of Fifth Street is hereby acknowledged and accepted; and

BE IT FURTHER RESOLVED that the City of Rapid City acknowledges that this donation is charitable in nature, and is not required by the City subdivision ordinance.

DATED this _____ day of _____, 2004.

THE CITY COUNCIL

Mayor

ATTEST:

Finance Officer

(SEAL)

**RESOLUTION ACKNOWLEDGING CHARITABLE DONATION OF LAND TO
THE CITY OF RAPID CITY**

WHEREAS the City of Rapid City intends to extend Fifth Street south to Catron Boulevard; and

WHEREAS Stoneridge, LLC, a South Dakota Limited Liability Company (hereinafter Stoneridge) owns certain real property generally south of the currently existing Fifth Street and north of Catron Boulevard and legally described as:

Parcel No. 37-24-200-003: NE1/4 of the NW1/4; and the N1/2 of the NE1/4 less NW1/4 of the NW1/4 of the NE1/4 and less NE1/4, NW1/4, NE1/4 and less the NW1/4 of the NE1/4 of the NE1/4, located in Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota

Parcel No. 37-24-200-005: E1/2 W1/2SE1/4 NE1/4; W1/2 E1/2 SE1/4 NE1/4; SW1/4 NE1/4 less NW1/4 SW1/4 NE1/4 & less ROW in S1/2 NE1/4, located in Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota

Parcel No. 37-24-200-006: E1/2 of the E1/2 of the SE1/4 of the NE1/4; and the W1/2 of the W1/2 of the SE1/4 of the NE1/4; and the E1/2 of the W1/2 of the W1/2 of the SE1/4 of the NE1/4, located in Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota

Parcel No. 38-19-100-002: Government Lots 1 and 2, less right-of-way, located in Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and

WHEREAS, Stoneridge intends to develop its property in accordance with City subdivision regulations; and

WHEREAS, the City's subdivision regulations require as a condition of plat approval, that the developer dedicate public right-of-ways of one hundred (100) feet in width across a portion of the proposed development to be used for the purpose of public streets; and

WHEREAS, the City desires a right-of way through the Development with a width of one hundred twenty four (124) feet for the public benefit; and

WHEREAS, the City does not own or have rights to land suitable for such a public right-of-way; and

WHEREAS, the City has a need for a drainage basin within the property owned by Stoneridge for the public benefit; and

WHEREAS, the City does not own or have rights to land suitable for such drainage uses; and

WHEREAS, Stoneridge is willing to (a) dedicate to the City a public right-of-way with a width of one hundred (100) feet; and to (b) donate for public use and benefit to the City an additional twenty four (24) feet of width to said public right-of-way, and a two (2) acre drainage basin.

NOW THEREFORE, BE IT RESOLVED that the donation of an additional twenty four (24) feet of width of public right-of-way by Stoneridge for the purpose of the extension of Fifth Street is hereby acknowledged and accepted; and

BE IT FURTHER RESOLVED that the City of Rapid City hereby accepts the charitable donation of two (2) acres of land for the purpose of the construction of a drainage basin; and

BE IT FURTHER RESOLVED that the City of Rapid City acknowledges that these donations are charitable in nature, and are not required by the City subdivision ordinance.

DATED this _____ day of _____, 2004.

THE CITY COUNCIL

Mayor

ATTEST:

Finance Officer

(SEAL)