SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION
AGREEMENT FOR USE AND RESTORATION OF DETOUR AND/OR WET WEATHER DETOUR

Agreement # 1
File # _____

This Agreement is made by and between the State of South Dakota, acting by and through its Department of Transportation, hereafter referred to as "STATE," and City of Rapid City, South Dakota, hereafter referred to as "GOVERNING AGENCY."

WHEREAS, the STATE has authorized the preliminary engineering for Highway Project Number NH 0016(84)67, PCN 049F and in order to complete said project it may become necessary to detour traffic over a portion of the Highway System of GOVERNING AGENCY.

NOW, THEREFORE, in consideration of the mutual promises and obligations set out in this Agreement, the parties agree as follows:

1. The portion of the GOVERNING AGENCY'S highway system which may be used as a detour road by the STATE is identified as follows and will hereinafter be referred to as the "DETOUR ROAD":

   Flormann Street between US Highway 16 (Mt. Rushmore Road) and 5th Street
   5th Street between Flormann Street and E. Saint Patrick Street

2. Unless otherwise agreed herein, the STATE or the STATE'S Assignee, will restore the DETOUR ROAD, after it has been used as a detour, to the condition which existed immediately prior to the STATE'S use or as near as possible thereto. Estimates and projections concerning loss of useful life will not be considered in determining the restored condition of the highway roadbed and highway appurtenances.

3. An inspection team, consisting of representatives of the GOVERNING AGENCY and the STATE, will inspect the DETOUR ROAD prior to its use as a detour to determine and record its existing condition, including the type, thickness, and width of surfacing material in place. Authorized representatives of the GOVERNING AGENCY and the STATE will sign the report of the inspection, thereby agreeing to the original condition of the DETOUR ROAD as contained in the report.

4. The STATE or the STATE'S Assignee will be responsible for the maintenance of the DETOUR ROAD during the time the DETOUR ROAD is used as a detour.

5. The STATE or the STATE'S Assignee shall erect and maintain all traffic control signs, devices, and pavement markings necessary for the safe and efficient flow of traffic while the DETOUR ROAD is being used for a detour.

6. Once the STATE is no longer using the DETOUR ROAD as a detour, the GOVERNING AGENCY shall be responsible for maintenance of the DETOUR ROAD.

7. It is further agreed the use of the DETOUR ROAD shall be subject to the following additional conditions:

The State will install a temporary traffic signal at the intersection of Flormann Street and 5th Street. The temporary traffic signal will be coordinated with the City's existing signal at 5th Street and Meade Street.

IN WITNESS WHEREOF, the said parties hereto have caused this Agreement to be entered into be their respective and duly authorized representatives.

Name of Governing Agency:

_____, South Dakota

By: _____

Its: _____

Date: _____

Attest:

_____
Financial Clerk/Auditor

(Seal)

State of South Dakota
Department of Transportation

By: _____

Its: _____

Date: _____