

RIGHT OF ENTRY AGREEMENT
SOUTH DAKOTA OFFICE OF SCHOOL & PUBLIC LANDS
500 EAST CAPITOL AVENUE, SUITE 108
PIERRE, SD 57501-5070

This agreement is made this 10th day of July 2015, by and between the Office of School and Public Lands on behalf the South Dakota Board of Regents, hereinafter referred to as "Grantor", and City of Rapid City, 300 Sixth Street, Rapid City, SD 57701 hereinafter referred to as "Grantee".

WHEREAS Grantee contemplates the construction, operation and maintenance of a Permanent Drainage Easement (Major Drainage) on the hereinafter described real property: A portion of Lots Sixteen (16) through Eighteen (18) of Block Thirty-four (34), Brennan & Sweeney Addition, together with a portion of the 70' wide vacated right-of-way of East Saint Cloud Street all located in 'Government' Lot Six (6) of Section Six (6), Township One North (T1N), Range Eight East (R8E) of the Black Hills Meridian, Rapid City, Pennington County, South Dakota, and as further described in attachments and drawings; and the Grantee agrees to install the Major Drainage, and other supporting structures necessary thereto, with as minimal damage as possible.

WHEREAS the State of South Dakota, Office of School and Public Lands has received and reviewed: Exhibit "A" Attachment VI 10, Major Drainage Easement dated 3-11-15, Exhibit "A" Attachment III 6, Temporary Construction Easement dated 3-11-15 both by Sperlich Consulting, Inc., 821 Columbus Street, Rapid City, SD 57701; which plots out the proposed Permanent Drainage Easement and Temporary Construction Easement, which shows in greater detail the location of the proposed Permanent Drainage Easement and Temporary Construction Easement.

The Grantor will allow the Grantee to proceed with the construction of the said Major Drainage, and supporting structures as proposed prior to the negotiation and execution of a Permanent Drainage Easement, now, therefore, it is hereby agreed as follows:

- 1) Grantor hereby grants Grantee a right to enter onto the above-described real property and to make all observations, measurements, surveys, and all other reasonable preparations for construction within the Temporary Construction Easement associated with the construction of Major Drainage and supporting structures, including, construction within the Temporary Construction Easement associated with the construction of the Major Drainage and supporting structures;
- 2) That an As Built Drawing of the constructed Major Drainage and supporting structures will be submitted to the Office of School and Public Lands to be incorporated into and final permanent easement on the land described in Exhibit "A" Attachment VI 10 for the referenced Major Drainage and supporting structures;
- 3) The parties hereto agree to continue negotiations for a Temporary Construction Easement and associated Major Drainage on some or all of the described land for the Temporary Construction Easement and associated Major Drainage and supporting structures.

7-10-2015

Date

Mike Lauritsen

Mike Lauritsen, Deputy Commissioner
Office of School & Public Lands

7-10-15

Date

Terry Wolterstorff

Terry Wolterstorff, Director of Public Works
City of Rapid City

RIGHT OF ENTRY AGREEMENT
SOUTH DAKOTA OFFICE OF SCHOOL & PUBLIC LANDS
500 EAST CAPITOL AVENUE, SUITE 108
PIERRE, SD 57501-5070

This agreement is made this 10th day of July 2015, by and between the Office of School and Public Lands on behalf the South Dakota Board of Regents, hereinafter referred to as "Grantor", and City of Rapid City, 300 Sixth Street, Rapid City, SD 57701 hereinafter referred to as "Grantee".

WHEREAS Grantee contemplates the construction, operation and maintenance of a Temporary Construction Easement needed to install associated Major Drainage on the hereinafter described real property: A portion of Lots Sixteen (16) through Twenty-one (21) of Block Thirty-four (34), and a portion of Lots Six (6) through Eleven (11) of Block Forty-five (45), Brennan & Sweeney Addition, together with a portion of the 70' wide vacated right-of-way of East Saint Cloud Street all located in 'Government' Lot Six (6) of Section Six (6), Township One North (T1N), Range Eight East (R8E) of the Black Hills Meridian, Rapid City, Pennington County, South Dakota, and as further described in attachments and drawings; and the Grantee agrees to install the Temporary Construction Easement associated with installation Major Drainage, and other supporting structures necessary thereto, with as minimal damage as possible.

WHEREAS the State of South Dakota, Office of School and Public Lands has received and reviewed: Exhibit "A" Attachment III 6, Temporary Construction Easement dated 3-11-15, Exhibit "A" Attachment VI 10, Major Drainage Easement dated 3-11-15, both by Sperlich Consulting, Inc., 821 Columbus Street, Rapid City, SD 57701; which plots out the proposed Temporary Construction Easement and Major Drainage, which shows in greater detail the location of the proposed Temporary Construction Easement and associated Major Drainage.

The Grantor will allow the Grantee to proceed with construction associated with Temporary Construction Easement associated with the construction of Major Drainage, and supporting structures as proposed prior to the negotiation and execution of a Temporary Construction Easement, now, therefore, it is hereby agreed as follows:

- 1) Grantor hereby grants Grantee a right to enter onto the above-described real property and to make all observations, measurements, surveys, and all other reasonable preparations for construction of the referenced Major Drainage and supporting structures, including, construction of the Major Drainage and supporting structures;
- 2) That an As Built Drawing of the constructed Major Drainage and supporting structures will be submitted to the Office of School and Public Lands to be incorporated into and final Permanent Drainage Easement on the described land for the referenced Major Drainage and supporting structures;
- 3) The parties hereto agree to continue negotiations for a Permanent Drainage Easement on some or all of the described land for the referenced Major Drainage and supporting structures.

7-10-2015
Date

Mike Lauritsen
Mike Lauritsen, Deputy Commissioner
Office of School & Public Lands

7-10-15
Date

Terry Wolterstorff
Terry Wolterstorff, Director of Public Works
City of Rapid City