



**Department of Transportation**  
**Division of Planning/Engineering**  
**Right of Way Program**  
**700 E Broadway Avenue**  
**Pierre, South Dakota 57501-2586**  
**605/773-3746 FAX: 605/773-4249**

September 8, 2016

Mike Behm,  
Director of Planning and Engineering  
Department of Transportation  
Pierre, South Dakota 57501

RE: September 9, 2016 Transportation Commission Agenda

Dear Mr. Behm:

The following items are recommended for Commission consideration:

1. Abandonment – Pennington County

This resolution will abandon the temporary easements on Pennington County Project NH 0235(01)0, PCN 3151.

2. Amendment to dispose of excess property in Pennington County.

Request Transportation Commission approval to amend the following DOT property trade approved on July 28, 2016 in accordance with the procedures provided by SDCL 31-2-27, SDCL 31-19-46 and ARSD chapter 10:02:01.

Lot 6 of Lot D, Wood Subdivision, less Lot H1, and the east 88 feet of Lot D, less Lot H1, all in the NE1/4 NW1/4 of Section 9, Township 1 North, Range 8 East of the B.H.M., Pennington County, South Dakota.

The above property contains 0.33 acre located at the Elk Vale Road / School Drive intersection in Rapid City.

Rapid City Area DOT desires to trade the above property to Holiday Stationstores, Inc. for the following Highway right-of-way, drainage easement and assess easement also located at the Elk Vale Road / School Drive intersection in Rapid City:

Lot H1 in Lot X of Lot B of Johnson School Subdivision in the NE1/4 NW1/4 of Section 9, Township 1 North, Range 8 East of the B.H.M., Pennington County, SD.

Lot H1 in Vacated School Drive in the NE1/4 NW1/4 of Section 9, Township 1 North, Range 8 East of the B.H.M., Pennington County, South Dakota.

Drainage easement located in Lot X of Lot B of Johnson School Subdivision in the NE1/4 NW1/4 of Section 9, Township 1 North, Range 8 East of the B.H.M., Pennington County, South Dakota.

Access easement located in Lot C of NE1/4 NW1/4 and Lot X of Lot B of NE1/4 NW1/4, all of Johnson School Subdivision; and E88' of Lot D of NE1/4 NW1/4 and Vacated School Drive and Lot 6 of Wood Subdivision, all in NE1/4 NW1/4 of S9-T1N-R8E of the B.H.M., Rapid City, South Dakota.

Holiday Stationstores will perform all the surveys, plats, recordings and appraisals at their expense and any trade valuation difference will be incurred by the appropriate party.

Amended request is to accept a corrected Permanent Drainage Easement "Exhibit A" and a corrected Permanent Access Easement "Exhibit A" (see attachments).

The corrected plat legal descriptions will be:

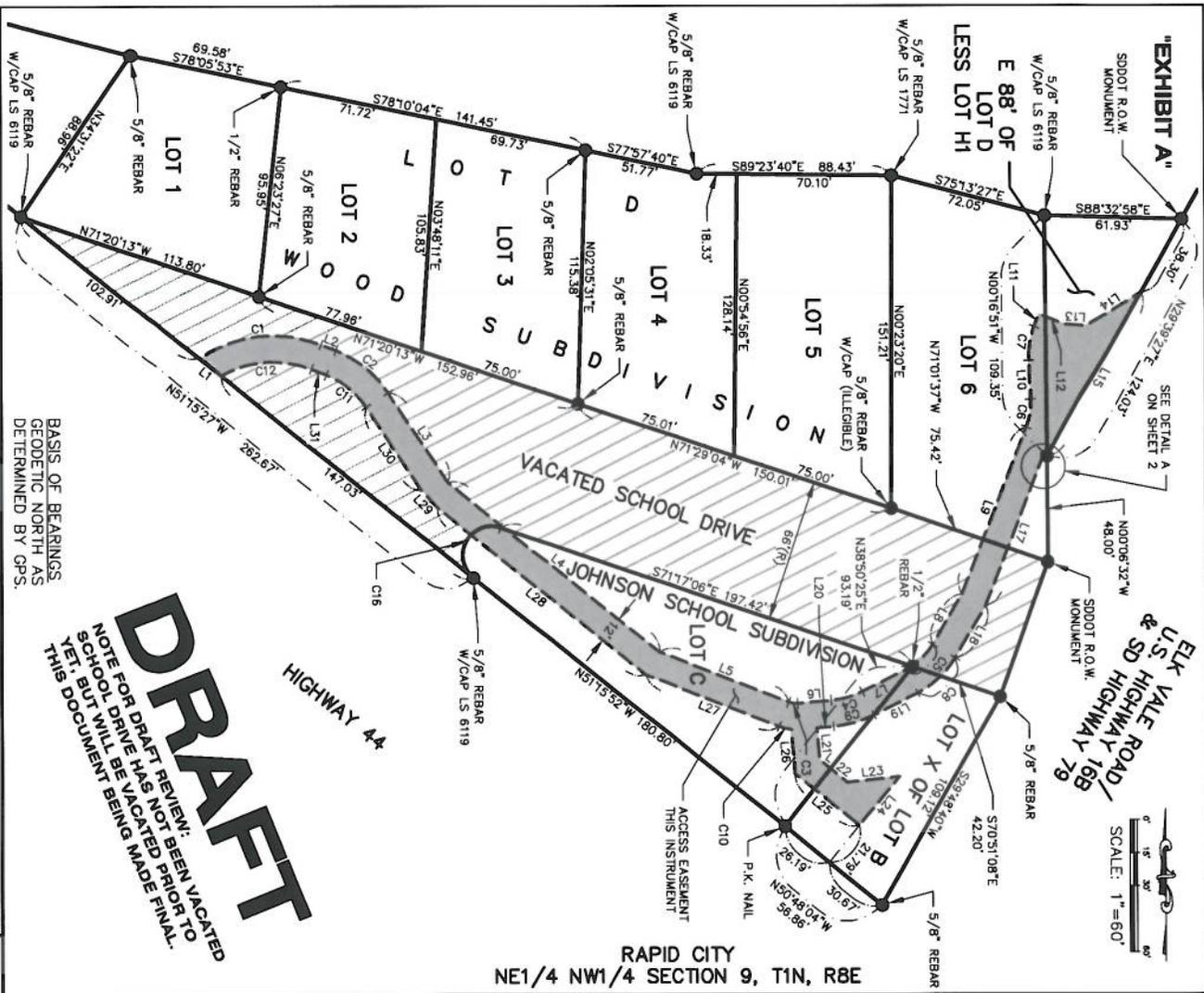
Permanent drainage easement located in Lot X of Lot B of Johnson School Subdivision in the NE1/4 NW1/4 and East 88 feet of Lot D in the NE1/4 NW1/4 less Lot H1 and Vacated School Drive and Lot 6 of Wood Subdivision, all in the NE1/4 NW1/4 of Section 9, Township 1 North, Range 8 East of the B.H.M., Pennington County, South Dakota.

Permanent access easement located in Lot C of the NE1/4 NW1/4 and Lot X of Lot B of the NE1/4 NW1/4, all of Johnson School Subdivision; and the East 88 feet of Lot D of the NE1/4 NW1/4 less Lot H1 and Vacated School Drive and Lot 6 of Wood Subdivision, all in the NE1/4 NW1/4 of Section 9, Township 1 North, Range 8 East of the B.H.M., Rapid City, South Dakota.

Sincerely,

Joel W. Gengler,  
Right of Way Program Manager





BASIS OF BEARINGS  
 GEODETIC NORTH AS  
 DETERMINED BY GPS.

**DRAFT**

NOTE FOR DRAFT REVIEW:  
 SCHOOL DRIVE HAS NOT BEEN VACATED  
 YET, BUT WILL BE VACATED PRIOR TO  
 THIS DOCUMENT BEING MADE FINAL.

RAPID CITY  
 NE1/4 NW1/4 SECTION 9, T1N, R8E

**PERMANENT ACCESS EASEMENT**  
 LOCATED IN LOT C OF NE1/4 NW1/4 AND LOT X OF LOT B OF  
 NE1/4 NW1/4 ALL OF JOHNSON SCHOOL SUBDIVISION AND EBR  
 OF LOT D OF NE1/4 NW1/4 LESS LOT H1 AND VACATED SCHOOL  
 DRIVE AND LOT 6 OF WOOD SUBDIVISION ALL IN NE1/4 NW1/4  
 SECTION 9, T1N, R8E, BHM, RAPID CITY, SOUTH DAKOTA  
 SURVEYED 1, 2018

Drawn By:             
 Checked By:             
 Location:             
 Scale: 1" = 60'

**F M G, Inc.**

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Sheet Number: **1**  
 Total Sheets: **2**

Item #2