

AGENDA

REGULAR SCHEDULED MEETINGS BROWN COUNTY PLANNING/ZONING COMMISSION

TUESDAY, OCTOBER 17, 2019 – 7:00 PM
EAST SIDE of BSMNT COMMUNITY ROOM,
BROWN COUNTY COURTHOUSE ANNEX

- I. Call to Order: Planning/Zoning Commissioner Chairman Jerry Streckfuss
- II. Roll Call: Vice Chairman Stan Beckler, Darwin Bettmann, David North, Dale Kurth, Patrick Keatts, B.C. Commissioner Rachel Kippley serving on the Planning/Zoning Commission & Chairman Jerry Streckfuss.
- III. Minutes: ***September 17, 2019***
- IV. Old Business: Zoning Commission as ***Zoning Board of Adjustment (BOA)***
 - A. **Special Exception/Conditional Use** in an Agriculture Preservation District (AG-P) for a property described as NW1/4 of Section 28-T127N-R63W of the 5th P.M., Brown County, South Dakota (39010 110th Street).
 - B. **Special Exception/Conditional Use** in a Lake Front Residential District (R-3) for a property described as Lot 18, Lutgen & Davis Richmond Lake Development in the NE1/4 of Section 25-T124N-R65W of the 5th P.M., Brown County, South Dakota (379836 South Shore Dr.).
- V. New Business: Zoning Commission as ***Zoning Board of Adjustment (BOA)***
 1. **Variance to Shelterbelt Setbacks** in Agricultural Preservation District (AG-P) described as NW1/4 of Section 2-T125N-R61W of the 5th P.M., Brown County, South Dakota (11812 404th Ave).
 2. **Variance to Building Setbacks** in Agricultural Preservation District (AG-P) described as Lot 2C of Lot 2, "Schaeffer Richmond Lake Subdivision" in the NW1/4 of Section 25-T124N-R65W of the 5th P.M., Brown County, South Dakota (379305 South Shore Dr).
 3. **Variance to Building Setbacks** in Lake Front Residential District (R-3) described as Lot 20-21 "Miller's Subdivision of Richmond Lake" in the SE1/4 of Section 24-T124N-R65W of the 5th P.M., Brown County, South Dakota (379653 North Shore Drive).
 4. **Variance to Approach Separation** in Mini Agricultural District (M-AG) described as Outlot 17, "Jobee Acres" in the NE1/4 of Section 27-T123N-R63W of the 5th P.M., Brown County, South Dakota (5860 134th Street).
 5. **Variance to Shelterbelt Setbacks** in Mini Agricultural District (M-AG) described as Outlot 17, "Jobee Acres" in the NE1/4 of Section 27-T123N-R63W of the 5th P.M., Brown County, South Dakota (5860 134th Street).
- VI Other Business:
Completed as Zoning Board of Adjustment (BOA) & going to Planning Commission

**REGULARLY SCHEDULED MEETING
BROWN COUNTY PLANNING/ZONING COMMISSION**

Beginning as Planning Commission

I. Old Business:

II. New Business: **Planning Commission**

10. **Petition to Re-Zone** from an Agricultural Preservation District (AG-P) to Mini Agricultural District (M-AG) for a property described as: Lot 2 "Pence Addition" in the SE1/4 of Section 2-T126N-R64W of the 5th P.M., Brown County, South Dakota (38696 113th Street).
11. **Petition to Re-Zone** from an Agricultural Preservation District (AG-P) to Mini Agricultural District (M-AG) for a proposed property described as: East half of Lot 1, "Keatts 3rd Subdivision" in the NE1/4 of Section 22-T124M-R65W of the 5th P.M., Brown County, South Dakota).
12. **Preliminary and Final Plat** for a property described as "J Voeller Addition" to the City of Columbia in the NW1/4 of Section 28-T125N-R62W of the 5th P.M., Brown County, South Dakota (39611 122nd Street).
13. **Preliminary and Final Plat** for a property described as "Berbos Subdivision" in the S ½ of the SW1/4 of Section 35-T124N-R64W of the 5th P.M., Brown County, South Dakota (1814 130th St NW).
14. **Preliminary and Final Plat** for a property described as "Dalager Second Addition to Bath" in the NW1/4 of Section 17-T123N-R62W of the 5th P.M., Brown County, South Dakota (936 RR Ave in Bath, SD 57427).
15. **Discussion on possible Title 4 Ordinance change for Approaches**
16. **Discussion on possible Title 4 Ordinance change for Shelterbelts**

III. Other Business:

MINUTES

BROWN COUNTY PLANNING/ZONING COMMISSION

TUESDAY, September 17, 2019 - 7:00 P.M.

COMMUNITY ROOM, BROWN COUNTY COURTHOUSE

The Brown County Planning / Zoning Commission meeting was called to order by Brown County Planning Commission Chairman Jerry Streckfuss. Members of the Brown County Planning Commission present at roll call were, Vice Chairman Stan Beckler, Darwin Bettmann, Dale Kurth, and Patrick Keatts. Absent B.C. Commissioner Rachel Kippley and Scott Bader Planning and Zoning Director. Also present at the meeting was and Nancy North from Planning & Zoning.

After discussion, Kurth moved and Beckler seconded to approve the minutes of the August 20, 2019 meeting. All members voted aye, the motion carried.

Chairman Streckfuss then continued with business as follows:

Old Business:

New Business: Planning/Zoning Commission as Zoning *Board of Adjustment*

1. **Variance to Building Setbacks** in Agricultural Preservation District (AG-P) described as Lots 16, 17, 18 except west 60' of 18, all in the NW1/4 of Section 25-T124N-R65W of the 5th P.M., Brown County, South Dakota (37926 & 379290 South Shore Drive). Submitted by Roger Gray. Present for this item was Roger Gray. Following discussion, Keatts moved to approve a variance to building setback rear yard to be 30' rather than the 100' and Side yard to be 07' rather than 20' required from property lines in an AG-P District, North seconded, all members voting aye, motion carried.
2. **Variance to Approach Separation** in an Agriculture Preservation District (AG-P) described as Lot 2, Lilac Subdivision in the SW1/4 of Section 31, T121N and R64W, of the 5th P.M., Brown County, South Dakota (38234 148th St Mansfield, SD). Submitted by

Thomas Leonhardt. Present for this item was Thomas and Jean Leonhardt. Following discussion, Beckler moved to approve variance to Approach Separation to have two (2) approaches 300' apart rather than the 500' minimum required in an AG-P District. Kurth seconded, members voting aye, Beckler, Kurth, North, Keatts and Bettmann voting nay, motion carried.

3. Variance to Minimum Lot Size in an Agriculture Preservation District (AG-P) for a property described as Lot 1 "Paepke Farm Subdivision in the SW1/4 of Section 27-T122N-R61W, of the 5th P.M., Brown County, South Dakota (40306 141st St). Submitted by Thomas Paepke. Following discussion, Beckler moved to approve a variance to minimum lot size for Lot 1 to be 18.53 ± acres rather than minimum 40.0 acres required with the stipulation that if it is sold to a non-family member it must be rezoned to Mini Ag, North seconded all members voting aye, motion carried.
4. Special Exception/Conditional Use in a Lake Front Residential District (R-3) for property described as Lot 18, Lutgen & Davis Richmond Lake Development in the NE1/4 of Section 25-T124N - R65W, of the 5th P.M., Brown County, South Dakota (379836 South Shore Drive). Submitted by Carrie Weisenburger. Present for this item was Jamie and Carrie Weisenburger, Lanny and Kathy Wahl, Don and Vicki Eimers, Doris Bell, Greg Lingor, Dennis Chasteen, Tom Aman and Ken Hier. Following discussion, Bettmann moved to table Conditional Use for 30 days giving the Richmond Lake Association time to meet and discuss. Beckler seconded, all members voting aye, motion carried.
5. Variance to Minimum Lot Size in an Agriculture Preservation District (AG-P) for property described as Lot 1 "Travis and Danielle Olson Subdivision" in the SW1/4 of Section 10-T123N-R62W, of the 5th P.M., Brown County, South Dakota (39712 132nd St). Submitted by Travis Olson. Present for this was Travis and Danielle Olson. Following discussion, Beckler moved approve variance to minimum lot size for Lot 1 to be 2.75± acres rather

than the minimum 40.0 acres required. North seconded, all members voting aye, motion carried.

6. **Special Exception/Conditional Use** in an Agriculture Preservation District (AG-P) for property described as NW1/4 of Section 28-T127N-R63W of the 5th P.M., Brown County, South Dakota (39010 110th Street). Submitted by Sumption Farms. Present for this item were Taylor Sumption. Sumption Farms has requested to table the request until next month due to unavailability of the project coordinator and needing further discussion with neighbors. Beckler moved to approve a tabling of **Special Exception/Conditional Use** until October meeting. Kurth seconded, all members voting aye, motion carried.

Other Business: none

*Completed as Zoning Board of Adjustment (BOA) and
Beginning as Planning Commission*

REGULARLY SCHEDULED MEETING BROWN COUNTY PLANNING/ZONING COMMISSION

Old Business:

New Business: *Brown County Planning Commission*

10. **Petition to Re-Zone** from an Agricultural Preservation District (AG-P) to Lake Front Residential District (R-3) for a property described as : Lots 16, 17, 18 except west 60' of 18, all in the NW1/4 of Section 25-T124N-R64W of the 5th P.M., Brown County, South Dakota (378268 & 379290 South Shore Drive). Submitted by Roger Gray. Present for this item Roger Gray. Following discussion, North moved to **recommend approval of this rezone to the Board of County Commissioners**, Beckler seconded, all members voting aye, motion carried.
11. **Petition to Re-Zone** from an Agricultural Preservation District (AG-P) to Lake Front Residential District (R-3) for property: Lots 1&2, "BNB Richmond Lake Subdivision in the NW1/4 of Section 25-T124N-R65W of the 5th P.M., Brown County, South Dakota, 379224 & 379252 South

Shore Drive; (this includes previous legal descriptions Lot 19 and the west 60' of Lot 18, "Lutgen's South Shore Drive; Lot 2 "Bindenagel 2nd Subd of Richmond Lake Subd"; Lot 2 "Bindenagel 3rd Subd of Richmond Lake Subd" all in the NW1/4 of Section 25-T124N-R65W of the 5th P.M., Brown County, South Dakota). Following discussion, Beckler moved to recommend approval of this rezone to the Board of County Commissioners seconded by Bettmann, all members voting aye, motion carried.

12. Preliminary and Final Plat for property described as "BNB Richmond Lake Subdivision" in the NW1/4 of Section 25-T124N-R65W of the 5th P.M., Brown County, South Dakota (379248 & 379252 South Shore Drive). Submitted by Randy Bacon. Following discussion, Keatts moved to recommend approval of this plat to the Board of County Commissioners, seconded by Beckler, all members voting aye, motion carried.
13. Preliminary and Final Plat for property described as "Dobberpuhl Second Addition" in the NW1/4 of Section 15-T121N-R60W of the 5th P.M., Brown County, South Dakota (14420 & 14428 490th Ave). Submitted by Ron Dobberpuhl. Following discussion, Beckler moved to recommend approval of this plat to the Board of County Commissioners, seconded by Keatts, all members voting aye, motion carried.
14. Preliminary and Final Plat for property described as Lot 1, "Paepke Farm Subdivision" in the SW1/4 of Section 27-T122N-R61W of the 5th P.M., Brown County, South Dakota (40306 141st St). Submitted by Thomas Paepke. Following discussion, North moved to recommend approval of this plat to the Board of County Commissioners with the stipulation that if not sold to a family member it must be rezone to M-AG, seconded by Keatts, all members voting aye, motion carried.
15. Preliminary and Final Plat for a property described as Lot 1 "Travis and Danielle Olson Subdivision" in the SW1/4 of Section 10-T123N-R62W of the 5th P.M., Brown County, South Dakota (39712 132nd Street). Submitted by Travis Olson. Following discussion, Beckler moved to recommend approval of this plat to the Board of County

Commissioners, seconded by Kurth, all members voting aye, motion carried.

16. **Published Update of Comprehensive Plan** for Brown County, South Dakota to meet the needs of Brown County in the future. The plan was be published for the September meeting.

Other Business:

There being no further business before the Planning/Zoning Commission, Kurth moved and Keatts seconded to adjourn, all members voting aye, motion carried.

Submitted by: Nancy North - Planning & Zoning.

STAFF REPORT

~~September 17, 2019~~

October 15, 2019

Spec Exc/Conditional Use for CAFO

ITEM # A

GENERAL INFORMATION

PETITIONER: Taylor Sumption
~~Mark Sumption~~ for Sumption Farms

REQUEST: Special Exception/Conditional Use for an expansion of their existing CAFO.

LEGAL DESCRIPTION: NW1/4 of Section 28-T127N-R63W of the 5th P.M.,
Brown County, South Dakota

LOCATION: 39010 110th Street

EXISTING ZONING: Agriculture Preservation District (AG-P)

SURROUNDING ZONING:

North: Agriculture Preservation District (AG-P)
South: Agriculture Preservation District (AG-P)
East: Agriculture Preservation District (AG-P)
West: Agriculture Preservation District (AG-P)

REPORTED BY: Scott Bader.

GENERAL COMMENT: The petitioner is requesting this Conditional Use for an expansion of their existing CAFO. The existing is approved for 800 beef cattle and the proposed expansion of is for 1,000 head beef cattle.

This is a Class B

REVIEW: The existing is being combined with the expansion since they will be using the same fields for manure fertilizer. They also plan to expand another 1,000 in the long term, so we are looking at that setback requirement also. ~~Since they own most of the surrounding land, they only need one (1) WAIVER signed for this expansion. "on a Site by Site basis"~~

A Waiver is not required for the first building since only one-half mile is required as a Class B. Any expansion would put this into a Class A which is three-quarters of a mile.

BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR SPECIAL EXCEPTION / CONDITIONAL USE

October 15, 2019

DATE: ~~September 3, 2019~~

RECEIPT # 132214

TOWNSHIP: Richland Twp

FEES: 200.00

PAID: YES NO CHK CASH

DATE: Sept 4, 2019

OWNERS SIGNATURE: _____

OWNERS ADDRESS: _____

OWNERS CITY, STATE, ZIP: _____

OWNERS PHONE: _____

Taylor Sumption

AGENTS SIGNATURE: Mark Sumption for Diamond Five Inc

AGENTS ADDRESS: 10997 390th Ave

AGENTS CITY, STATE, ZIP: Frederick, SD 57441

AGENTS PHONE: 605-252-6579

REQUEST: Expansion of an existing Concentrated Animal Feeding Operation (CAFO) in an
Agricultural Preservation District (AG-P).

LEGAL DESCRIPTION: NW1/4 of Section 28-T127N-R63W of the 5th P.M., Brown County,
South Dakota (11010 390th Ave).

SIGNATURE:  _____

Planning Commission Action: Approved / Denied _____

By: _____ Date: _____

October 15, 2019

HEARING DATE: ~~September 17, 2019~~ TIME: 7:00 pm

MEETING: located in the Basement Community Room of the Court House Annex

25 Market Street • Aberdeen, South Dakota 57401-4203

Phone: 605-626-7144 • FAX: 605-626-4010 • email: Scott.Bader@browncounty.sd.gov

NOTICE OF HEARING

Application has been made to the Brown County Planning/Zoning Commission for a *Special Exception/Conditional Use Petition*. A hearing will be held in the basement of the Courthouse Annex, east Community Meeting Room on Tuesday October 15, 2019 at 7:00 pm for the purpose of expanding an existing Concentrated Animal Feeding Operation (CAFO) in an Agricultural Preservation District (AG-P).

Petitioner & owner: Sumption Farms to Diamond Five Inc

Description of property: NW1/4 of Section 28-T127N-R63W of the 5th P.M., Brown County, South Dakota (11010 390th Ave).

Reason: Expansion of an existing Concentrated Animal Feeding Operation (CAFO) in an Agricultural Preservation District (AG-P). This item was tabled on the September 17, 2019 to be heard on the October 15, 2019 meeting.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed Special Exception/Conditional Use.

Dated this *5th day of October 2019*

Planning/Zoning Commission and
Scott Bader – P&Z Director
25 Market Street
Aberdeen, SD 57401
Office: (605) 626-7144

Published once at the total approximate cost of _____.



SPORTSMEN Hunters

What Our Book Can Do For You Fishermen

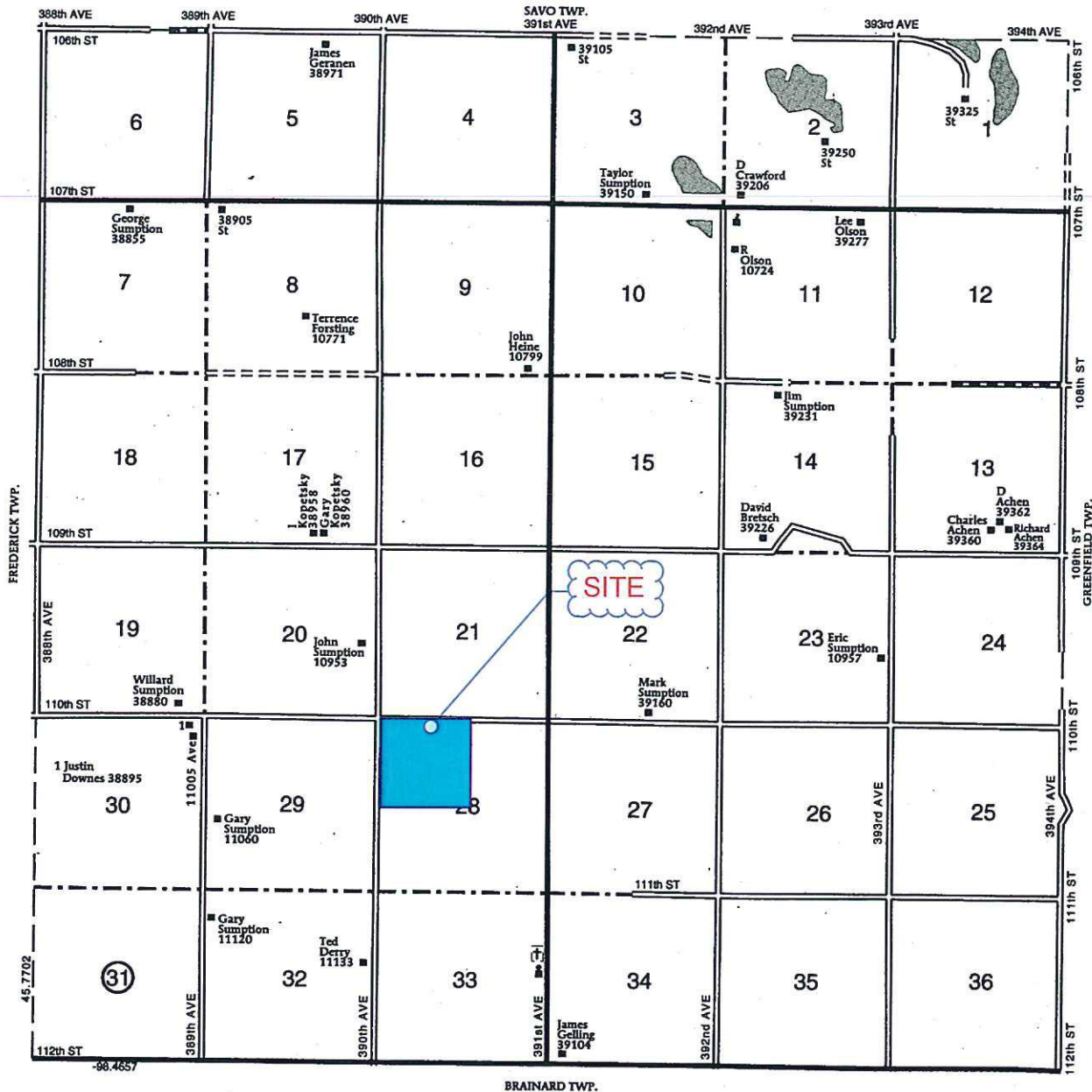
- Find hunting and fishing areas owned by U.S. Wildlife or Game & Fish Depts.
- Identifies names of rural residents and landowners to obtain permission to hunt and fish.
- Find the best and shortest routes and identifies the type of roads, like paved, gravel, etc.
- Two page county map.
- Yearly updated Township maps

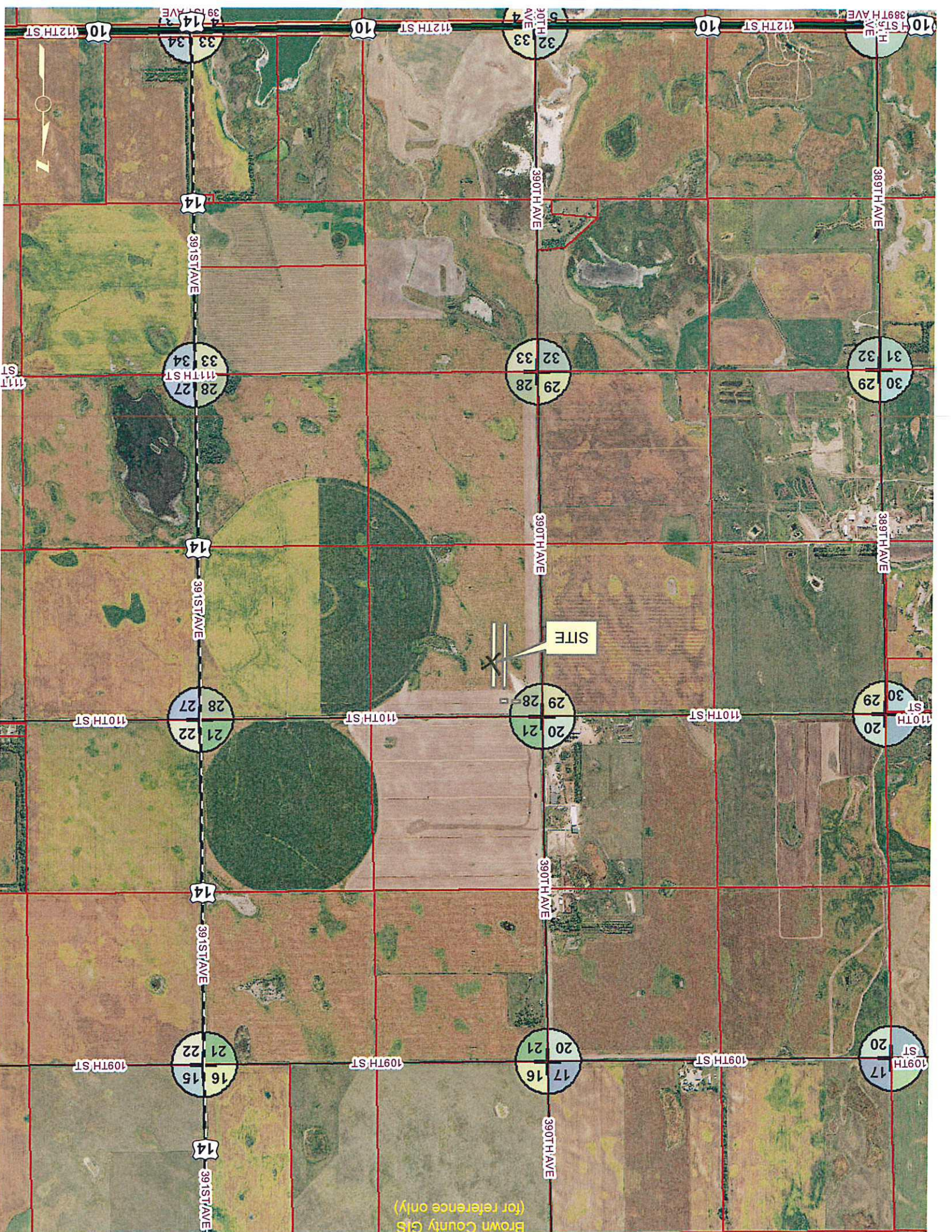
T-127-N

RICHLAND DIRECTORY

(Residents - Owners or Renters)

R-63-W





Brown County GIS
(for reference only)

Brown County GIS
(for reference only)



SITE

29
28
20
21

390TH AVE

110TH ST

110TH ST

390TH AVE



y

x

STAFF REPORT

~~September 17, 2019~~

October 15, 2019

Spec Exc/Conditional Use for CAFO

ITEM # 06

GENERAL INFORMATION

PETITIONER: Taylor Sumption
~~Mark Sumption~~ for Sumption Farms

REQUEST: Special Exception/Conditional Use for an expansion of their existing CAFO.

LEGAL DESCRIPTION: NW1/4 of Section 28-T127N-R63W of the 5th P.M.,
Brown County, South Dakota

LOCATION: 39010 110th Street

EXISTING ZONING: Agriculture Preservation District (AG-P)

SURROUNDING ZONING:

North: Agriculture Preservation District (AG-P)
South: Agriculture Preservation District (AG-P)
East: Agriculture Preservation District (AG-P)
West: Agriculture Preservation District (AG-P)

REPORTED BY: Scott Bader

GENERAL COMMENT: The petitioner is requesting this Conditional Use for an expansion of their existing CAFO. The existing is approved for 800 beef cattle and the proposed expansion of is for 1,000 head beef cattle.

This is a Class B

REVIEW: The existing is being combined with the expansion since they will be using the same fields for manure fertilizer. They also plan to expand another 1,000 in the long term, so we are looking at that setback requirement also. ~~Since they own most of the surrounding land, they only need one (1) WAIVER signed for this expansion. "on a Site by Site basis"~~

A Waiver is not required for the first building since only one-half mile is required as a Class B. Any expansion would put this into a Class A which is three-quarters of a mile.

390th Ave

110th Street

150' TWP
Setback

50'x130'

60'x120'

215'x215'
~45,000 SF

300' County
Setback

~730'

66'x1,000'

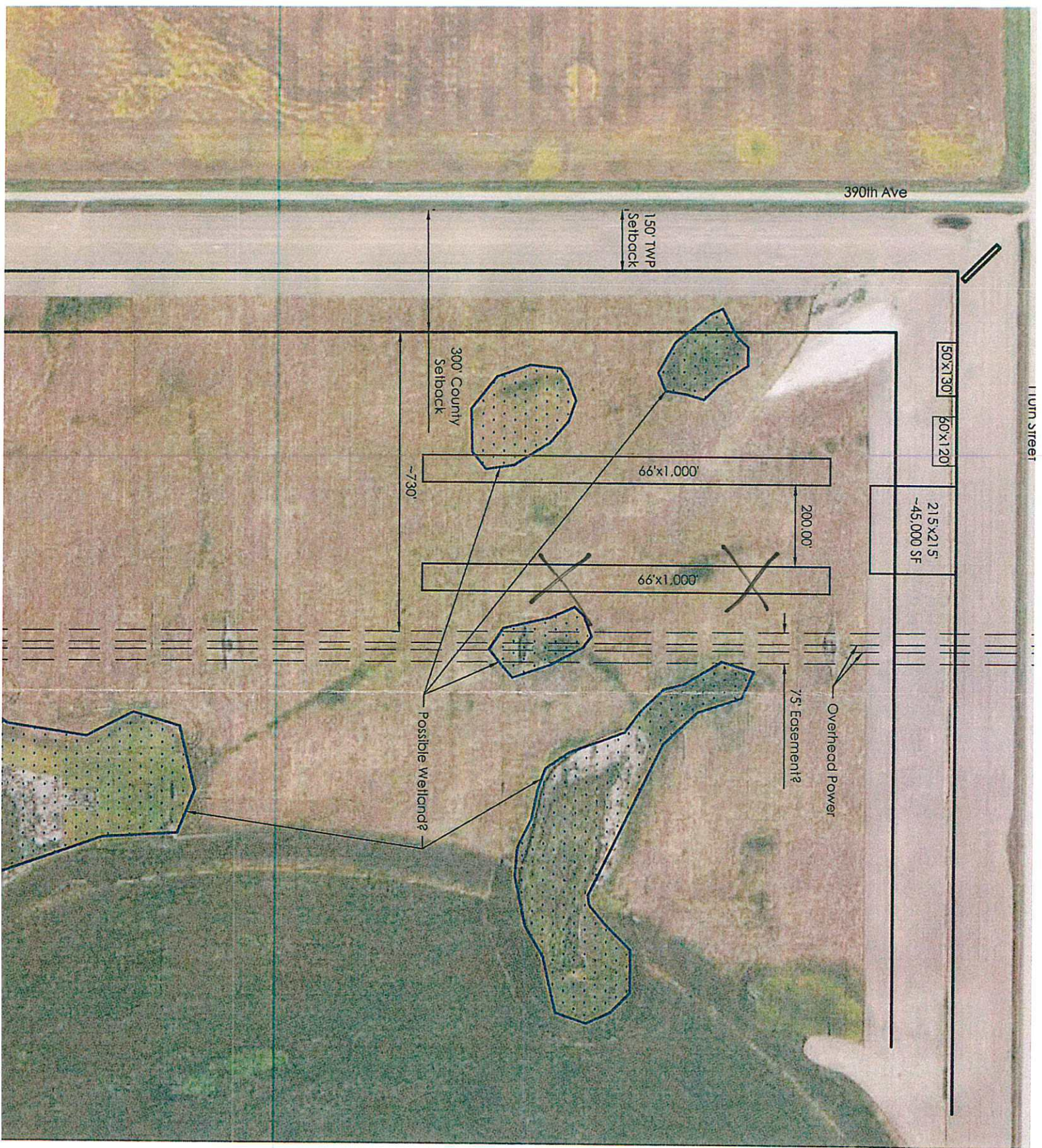
200.00'

66'x1,000'

7.5' Easement?

Overhead Power

Possible Wetland?

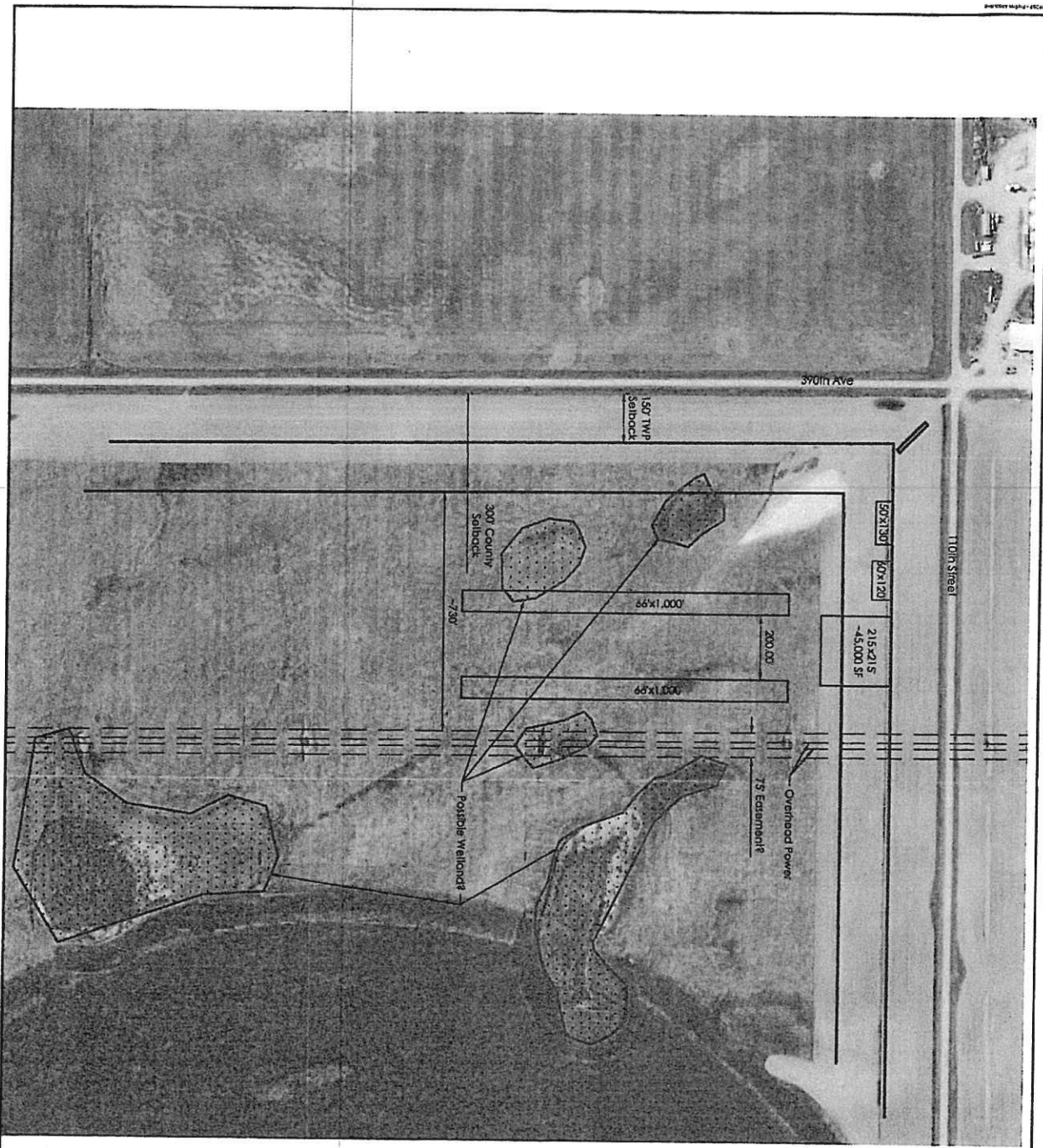


20

20

20

20



AERIAL

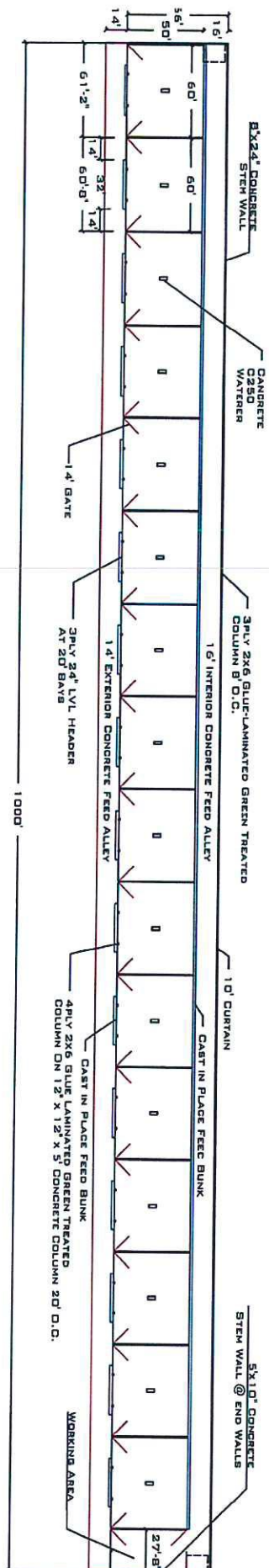
DATE: 08/27/2014

Sumption Farms Cattle Barn
 NW 1/4, Section 28, T127N, R63W
 Brown County, SD
 PROJECT #: P17281

MARK
 252-6579

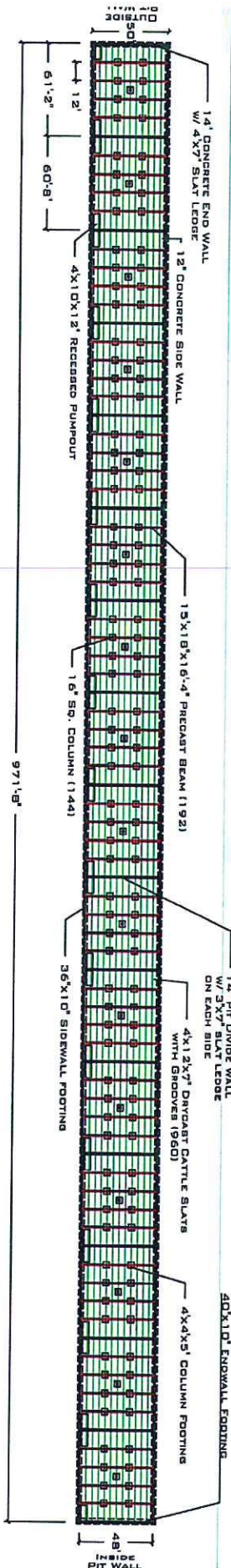


STOCKWELL
 STOCKWELL ENGINEERING, INC.
 1000 W. 10TH STREET
 SIOUX FALLS, SD 57105
 P: 605.336.8333



FLOOR PLAN

NTS



12' PIT PLAN

NTS

DRAWN BY:
 IVAN ALLEN
 50-5168
 1
 SCALE: 3/16" = 1'

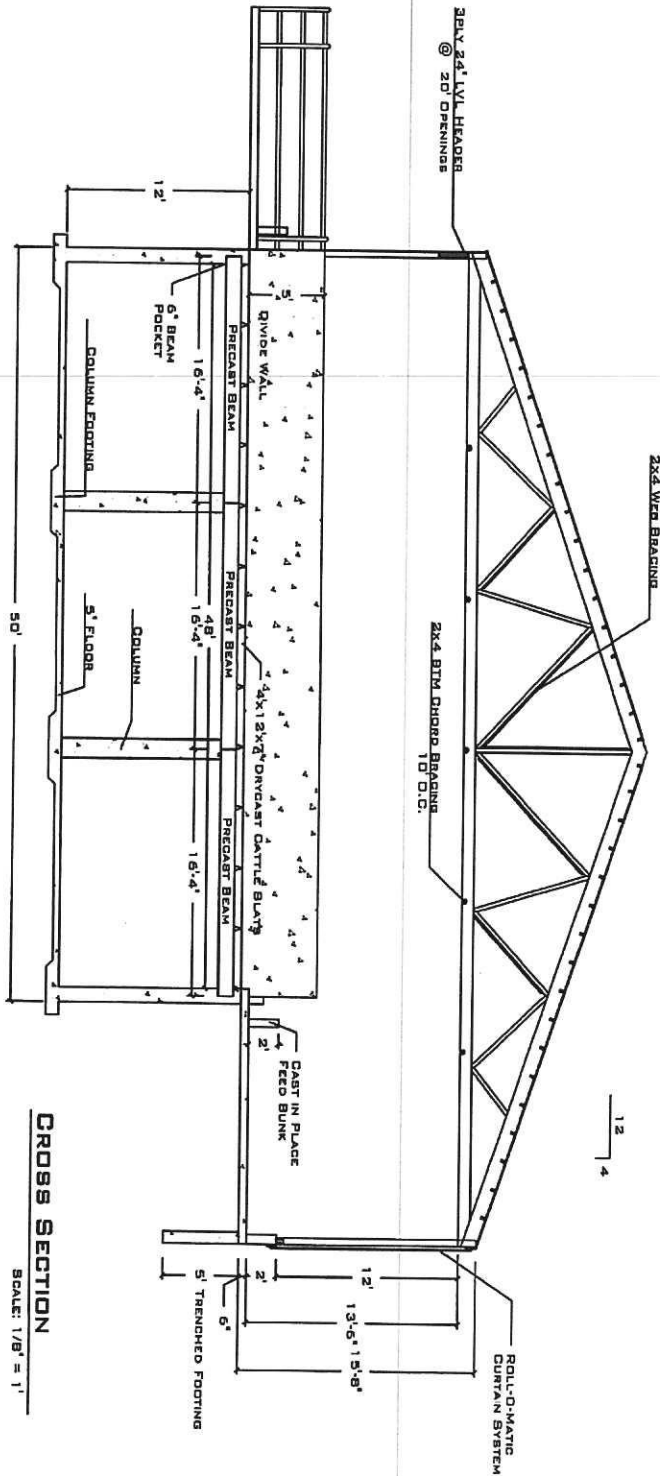


APEX BUILDINGS

3658 I 60 HWY 44
 PLATTE SD. 57369
 WWW.SUMMITCONTRACTINGSD.COM

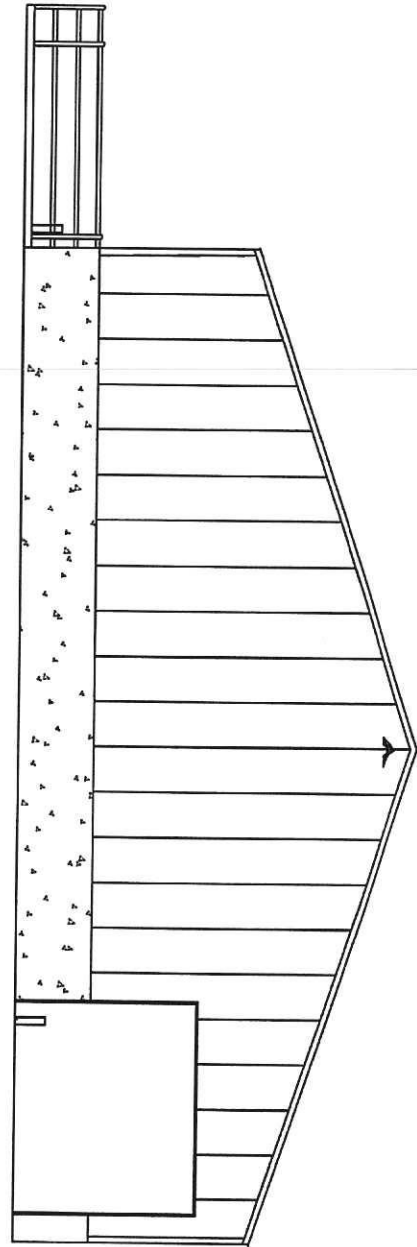


2000 HD
 12' DEEP PIT
 66x1000x14'
 GABLE



CROSS SECTION

SCALE: 1/8" = 1'



EAST END WALL ELEVATION

SCALE: 1/8" = 1'

DRAWN BY:
 IYAN ALLEN
 180-5168
2
 SCALE: 1/8" : 1

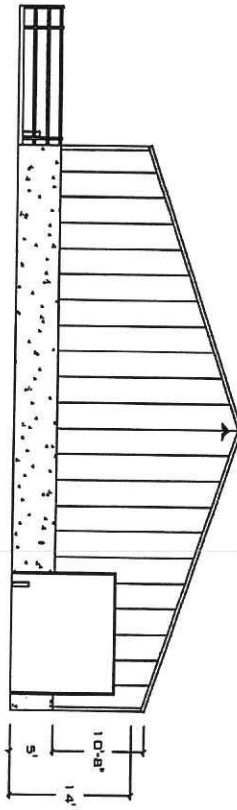


APEX BUILDINGS

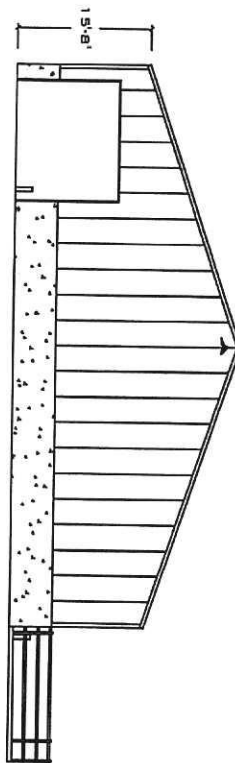
3658 180 Hwy 44
 PLATTE CO, 57369
 WWW.SUMMITCONTRACTINGCO.COM



2000 HD
 12' DEEP PIT
 66'x100'x14'
 GABLE



EAST END WALL ELEVATION



WEST END WALL ELEVATION



SOUTH SIDE WALL ELEVATION



NORTH SIDE WALL ELEVATION

ELEVATIONS

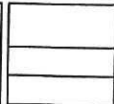
SCALE: NTS

RAWN BY:
YAN ALLEN
80-5168
3
DATE:



APEX BUILDINGS

36581 80 Hwy 44
PLATTE SD, 57369
WWW.SUMMITCONTRACTINGSO.COM





STAFF REPORT

~~September 17, 2019~~

October 15, 2019

Spec Exc/Conditional Use for AIR B&B

ITEM # B

GENERAL INFORMATION

PETITIONER: Carrie Weisenburger

REQUEST: Special Exception/Conditional Use for an AIR B&B in an R-3 District.

LEGAL DESCRIPTION: Lot 18, Lutgen & Davis Richmond Lake Development in the NE1/4 of Section 25-T124N-R65W of the 5th P.M., Brown County, South Dakota

LOCATION: 379836 South Shore Dr

EXISTING ZONING: Lake Front Residential District (R-3)

SURROUNDING ZONING:

North: Lake Front Residential District (R-3)
South: Agriculture Preservation District (AG-P)
East: Lake Front Residential District (R-3)
West: Lake Front Residential District (R-3)

REPORTED BY: Scott Bader

GENERAL COMMENT: The petitioner is requesting this Conditional Use for a proposed AIR B&B which does not provide any meals, just a room for sleep.

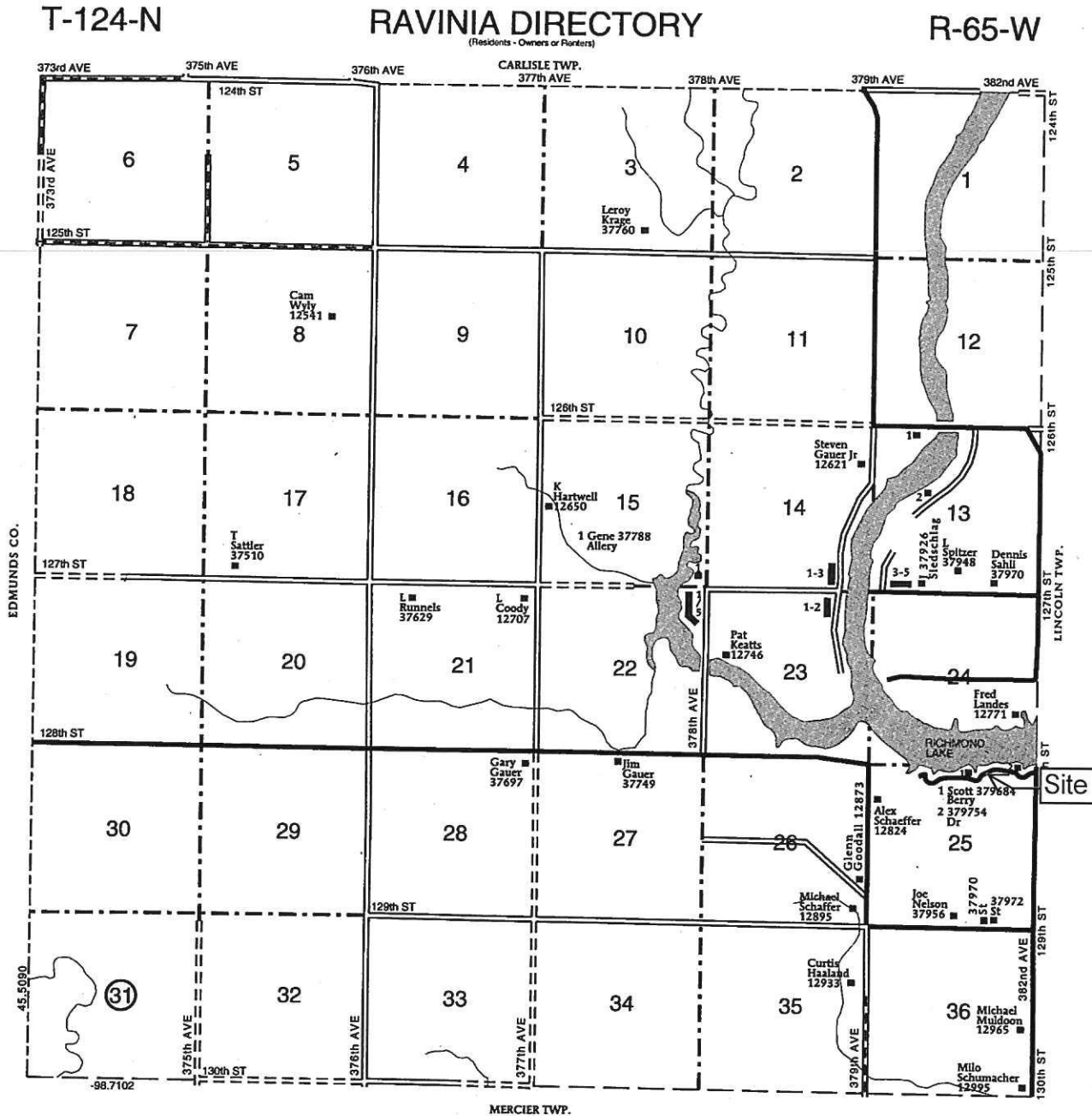
REVIEW: The Richmond Lake Association contacted the zoning office and said these are not allowed in the lake area. I told them I can't enforce their covenants and it is allowed in our ordinance by special exception/conditional use. The owner wants to apply for the CU. This item was tabled on the September 17, 2019 meeting and carried forward to the October 15, 2019 meeting.

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RAVINIA TOWNSHIP

SECTION 13

- 1 Kirchgesler, Jim 37935
- 2 Bahr, Justin 126401
- 3 Schmitz, B 37902
- 4 Vitense, David 37908
- 5 Biegler, Jerry 37910

SECTION 14

- 1 Mishaw, Mark 126928
- 2 Lutz, Douglas 126966
- 3 126974

SECTION 22

- 1 Myhre, Gary 127093
- 2 Anderson, Jeremiah 127131
- 3 Millett, Craig 127151
- 4 Thayer, Dan 127257
- 5 Wahl, Lanny 127395

SECTION 23

- 1 Wolf, Frank 127148
- 2 Fischer, Brock 127216

NOTICE OF HEARING

Application has been made to the Brown County Planning/Zoning Commission for a Petition for a Special Exception/Conditional Use. A hearing will be held in the basement of the Courthouse Annex, east Community Meeting Room on October 15, 2019 at 7:00 pm for the purpose of an "AIR Bed and Breakfast".

Petitioner & owner: *Jamie Weisenburger for Michael and Andrew Weisenburger*

Description of property: *Lot 18, "Lutgen & Davis Richmond Lake Development" in the NE1/4 of Section 25-T124N-R65W (379836 South Shore Dr).*

Reason: *Petition for a Conditional Use to have an "AIR Bed & Breakfast" at Richmond Lake South Shore Dr area. **This item was tabled in the September 17, 2019 meeting and carried to the October 15, 2019 meeting.***

The public is invited to attend the hearing and to present comments and testimony regarding the proposed Special Exception/Conditional Use.

Dated this *5th* day of *October* 2019

Planning/Zoning Commission and
Scott Bader – P&Z Director
25 Market St., Suite #5
Aberdeen, SD 57401
Office: (605) 626-7144

Published once at the total approximate cost of _____.

BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR SPECIAL EXCEPTION / CONDITIONAL USE

October 15, 2019
DATE: ~~August 30, 2019~~
RECEIPT # 132212
TOWNSHIP: Ravinia Twp

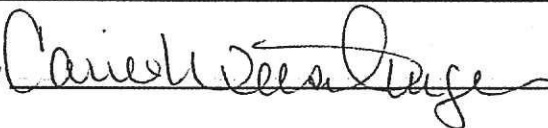
FEES: 200.00
PAID: YES NO CHK CASH
DATE: 09/02/2019

OWNERS SIGNATURE: _____
OWNERS ADDRESS: _____
OWNERS CITY, STATE, ZIP: _____
OWNERS PHONE: _____

AGENTS SIGNATURE: Carrie Weisenburger
AGENTS ADDRESS: 379820 South Shore Dr
AGENTS CITY, STATE, ZIP: Aberdeen, SD 57401
AGENTS PHONE: 605-290-3633 (cell); Jamie=605-216-5423 (cell)

REQUEST: Conditional Use for an AIR B&B in a Lake Front Residential District (R-3)

LEGAL DESCRIPTION: Lot 18, "Lutgen and Davis Richmond Lake Development" in the
NE1/4 of Section 25-T124N-R65W of the 5th P.M., Brown County, South Dakota

SIGNATURE: 

Planning Commission Action: <u>Approved</u> / Denied	

By: _____	Date: _____
HEARING DATE: <u>October 15</u> September 17, 2019	TIME: <u>7:00 p.m.</u>

Special Exception/Conditional Use application for:

Carrie Weisenburger = Air B&B

Phone call was received from Todd Campbell – President for the Richmond Lake Association

On Friday September 13th requesting that the agenda item be moved to next month as the member of the association have not had time to discussion nor review this item. They are saying that they are not in favor of it going forward as it is not in their covenants.

Phone call was received and a personal visit from Thomas Aman asking to move the agenda item to next month as not enough time to review and wait for the next Lake association meeting for discussion. He is not in favor of approval.



Brown County GIS
(for reference only)



SITE

S SHORE DR 6D



STAFF REPORT

October 15, 2019

VARIANCE - SETBACKS on SHELTERBELTS

ITEM # 01

GENERAL INFORMATION

PETITIONER	Justin Freeland
REQUEST	Variance for Setbacks Shelterbelts
LEGAL DESCRIPTION	NW1/4 of Section 2-T125N-R61W of the 5 th P.M., Brown County, South Dakota.
LOCATION	11812 404 th Ave
EXISTING ZONING	Agricultural Preservation District (AG-P)
SURROUNDING ZONING	
North:	Agricultural Preservation District (AG2-P)
South:	Agricultural Preservation District (AG-P)
East:	Agricultural Preservation District (AG-P)
West:	Agricultural Preservation District (AG-P)
PUBLIC UTILITIES	Unknown
REPORTED BY	Scott Bader

GENERAL COMMENT: The petitioner is requesting a Variance for parallel shelterbelt setbacks for the west front yard and the north front yard.

REVIEW: The petitioner would like to set his shelterbelts 30' from the west and north right-of-way lines rather than the 150' required in Ordinance. The Township said they are OK with this. Staff recommends 50' because of the corner and future visibility.

BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR VARIANCE

DATE: SEPT 25, 2019
RECEIPT # 132238
TOWNSHIP: COLUMBIA TWP

FEE: 100.00
PAID: (YES/NO) (CHK/CASH)
DATE: 10/7/19

OWNERS SIGNATURE: FREELAND, J *John Freeland*
OWNERS ADDRESS: 11812 404 AVE
OWNERS CITY, STATE, ZIP: HOUGHTON, SD 57449
OWNERS PHONE: 605 290 9894

AGENTS SIGNATURE: _____
AGENTS ADDRESS: _____
AGENTS CITY, STATE, ZIP: _____
AGENTS PHONE: _____

REQUEST: VARIANCE TO SETBACKS IN AN AG-P DISTRICT FOR
SHELTERBELT TO BE AT 30' RATHER THAN 150' REQUIRED.

LEGAL DESCRIPTION: NW 1/4 OF SECTION 2-125-61

Planning Commission Action: Approved / Denied

By: _____ Date: _____

HEARING DATE: OCTOBER 15, 2019 TIME: 7:00 pm

MEETING: located in the Basement Community Room of the Court House Annex

25 Market Street • Aberdeen, South Dakota 57401-4203

Phone: 605-626-7144 • FAX: 605-626-4010 • email: Scott.Bader@browncounty.sd.gov

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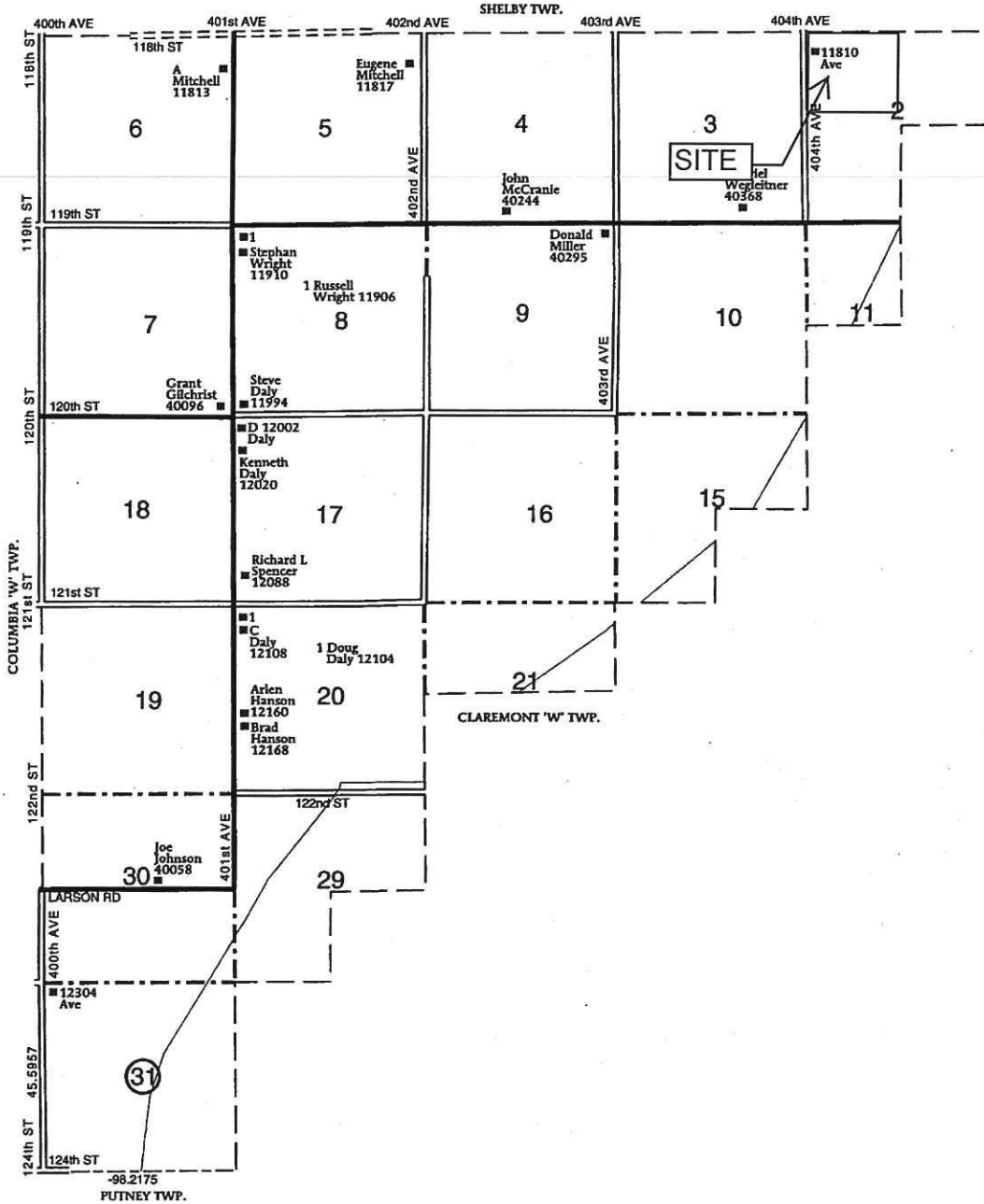
800-685-7432-ext. 2605 or

email: amanda.engebretson@farmandhomepublishers.com

T-125-N

COLUMBIA 'E' DIRECTORY

R-61-W



NOTICE OF HEARING

Application has been made to the Brown County Planning/Zoning Commission for a *VARIANCE PETITION*. A hearing will be held in the Courthouse Annex, basement Community Meeting Room, on *October 15, 2019 at 7:00 P.M.* for the purpose of a Variance request in an Agricultural Preservation District (AG-P).

Petitioner & owner: *Justin Freeland*

Description of property: *NW1/4 of Section 2-T125N-R61W of the 5th P.M., Brown County, South Dakota (11812 404th Ave).*

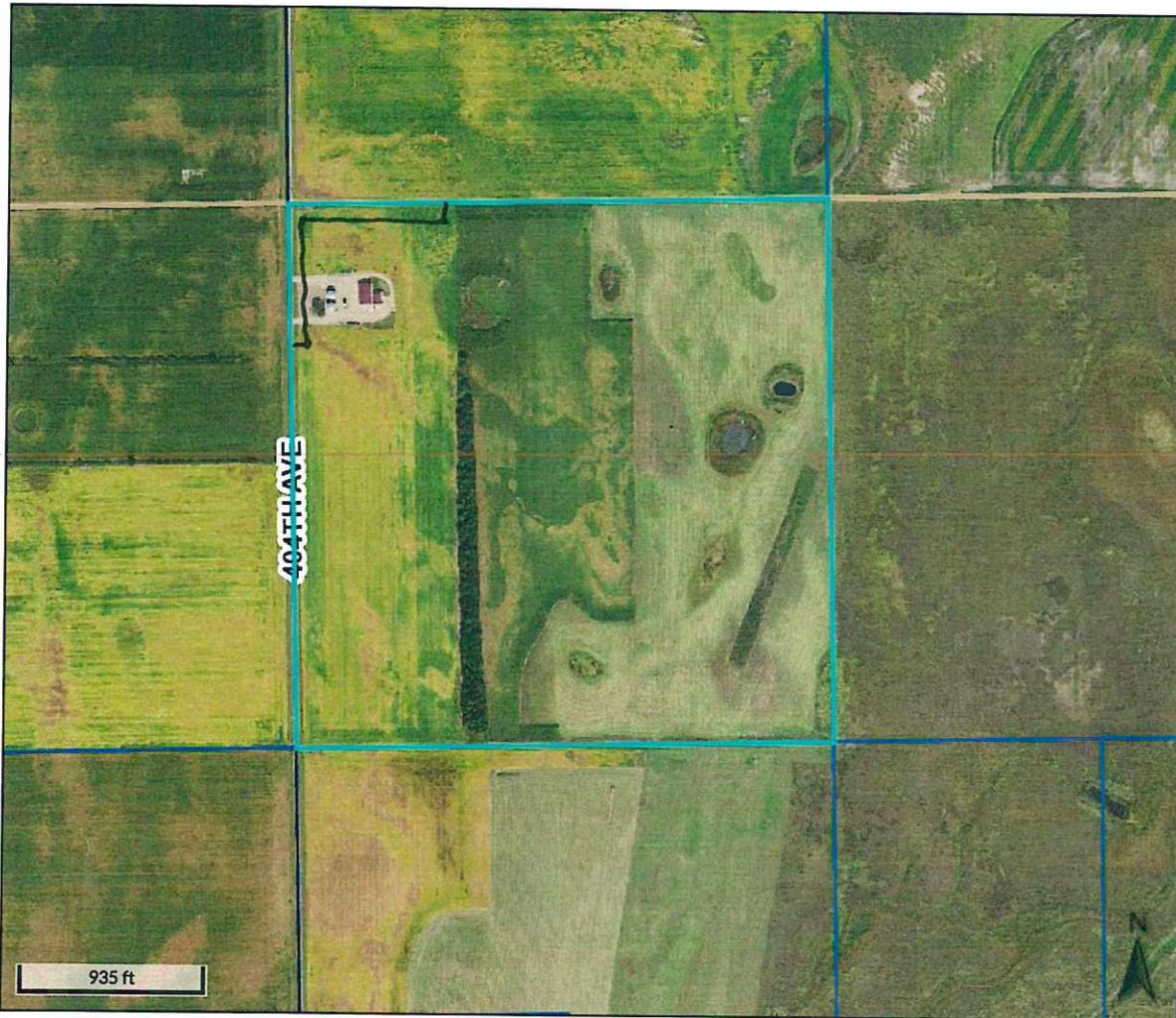
Reason: *Variance to Setbacks in an Agricultural Preservation District (AG-P) to be 30' back from the right-of-way (R.O.W.) line rather than 150' required for a shelterbelt that is parallel to a R.O.W. line..*

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance.

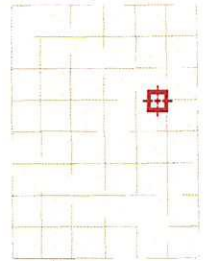
Dated this 2nd day of October 2019

Planning/Zoning Commission
Scott Bader – P&Z Director
25 Market St., Suite #5
Aberdeen, SD 57401
Office: (605) 626-7144

Published once at the total approximate cost of _____.



Overview



Legend

-  Railroad
-  Highways
- Roads**
-  City Street
-  County System Ro.
-  No Local Administration
-  Township System Road
-  Legal Townships
-  Parcels
-  Cities and Towns

Parcel ID	2212	Class	AGA	Owner Address	JUSTIN FREELAND
Sec/Twp/Rng	2-125-61	Acreage	158		11812 404TH AVE
Property Address	11812 404TH AVE				HOUGHTON SD 57449
	COLUMBIA TWP				
District	1166B0				
Brief Tax Description	NW 2-125-61				
	(Note: Not to be used on legal documents)				

Date created: 9/12/2019
 Last Data Uploaded: 9/12/2019 7:44:32 AM

Developed by  **Schneider**
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Untitled Map

Write a description for your map.

Legend



404th Ave

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500 ft



STAFF REPORT

October 15, 2019

VARIANCE FOR BLDG SETBACKS IN AG-P

ITEM # 02

GENERAL INFORMATION

PETITIONER	Roger Gray
REQUEST	Variance for Building Setbacks
LEGAL DESCRIPTION	Lot 2C of Lot 2, "Schaeffer Richmond Lake Subdivision" in the NW1/4 of Section 25-T124N-R65W of the 5 th P.M., Brown County, South Dakota.
LOCATION	379305 South Shore Dr
EXISTING ZONING	Agricultural Preservation District (AG-P)
SURROUNDING ZONING	
North:	Lake Front Residential District (R-3)
South:	Agricultural Preservation District (AG-P)
East:	Agricultural Preservation District (AG-P)
West:	Lake Front Residential District (R-3)
PUBLIC UTILITIES	WEB Water; Central Sewer System
REPORTED BY	Scott Bader

GENERAL COMMENT: The petitioner is requesting a Variance for side yard & front yard setbacks for building a new pole building with a "man-cave", storage and dog kennels.

REVIEW: The existing non-compliant lot is zoned AG-P (4.35 acres) which does not meet the minimum of 40.0 acres for AG-P District. This lot should be rezoned to Lake Front Residential District (R-3). Staff recommends variance approval with the stipulation to rezone. If this lot was compliant, it would meet required setbacks in R-3.

BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR VARIANCE

DATE: Oct 3, 2019
RECEIPT # 132235
TOWNSHIP: Ravinia

FEES: \$ 100.00
PAID: YES NO (CHK) CASH
DATE: 10-3-19

OWNERS SIGNATURE: Roger Gray
OWNERS ADDRESS: 420 18TH AVE NE
OWNERS CITY, STATE, ZIP: ABERDEEN, SD 57401
OWNERS PHONE: 605-380-3838

AGENTS SIGNATURE: Michelle Bacon ssamichelle@nvc.net
AGENTS ADDRESS: P.O. Box 1208
AGENTS CITY, STATE, ZIP: Aberdeen, SD, 57401
AGENTS PHONE: 225 9345, 216-6878 cell

REQUEST: Building Setback in AEP to be 15' ^{side} yard rather than 20'
Required: 75' Front yard setback rather than 100' for new bldg.

LEGAL DESCRIPTION: Lot 2C of Lot 2 Schaeffer Richmond Lake
Subdivision NW 1/4 Sec 25-T124N-R165W

Planning Commission Action: Approved / Denied

By: _____ Date: _____

HEARING DATE: October 15, 2019 TIME: 7:00 pm

MEETING: located in the Basement Community Room of the Court House Annex

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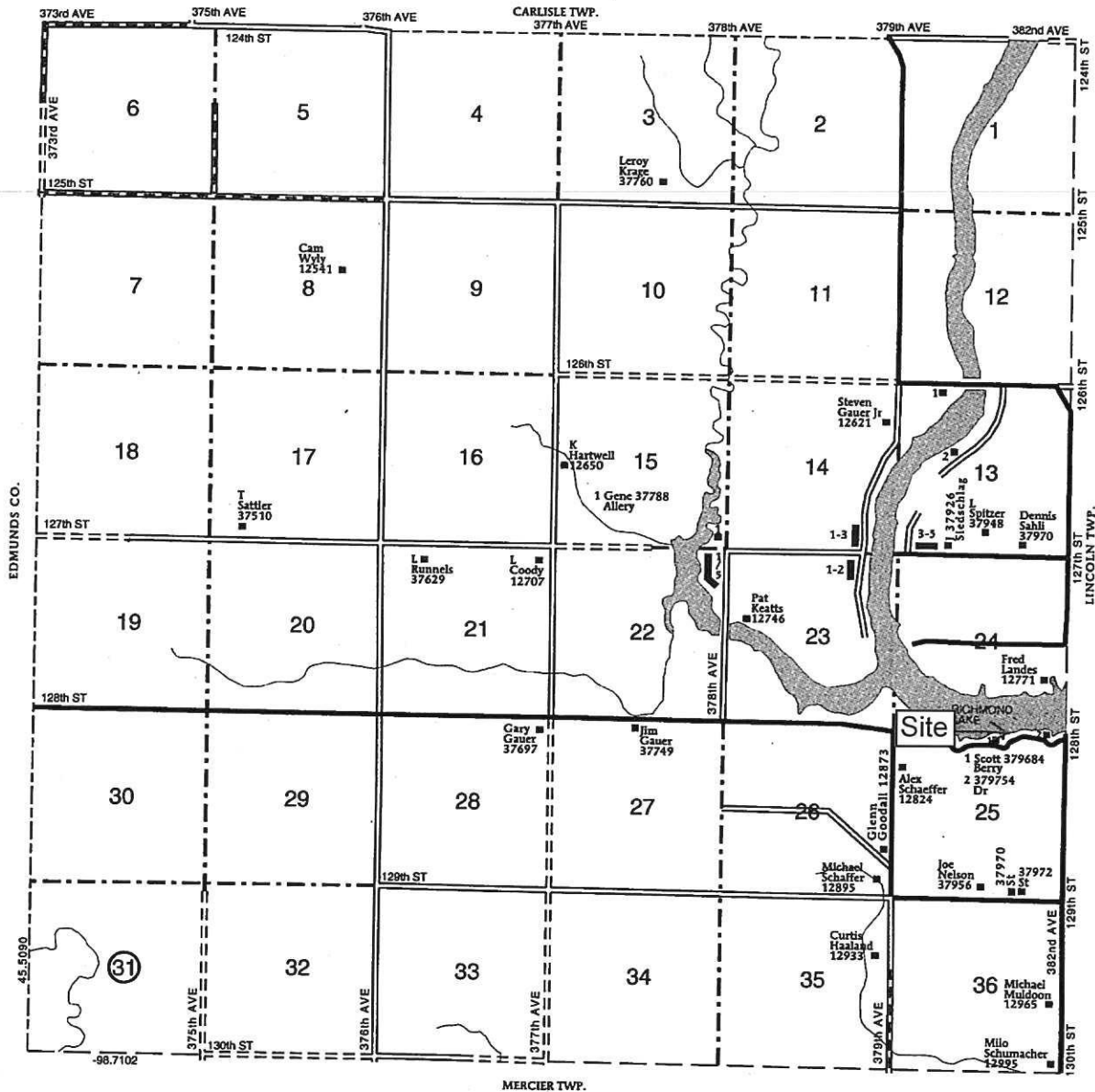
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T-124-N

RAVINIA DIRECTORY

(Residents - Owners or Renters)

R-65-W



RAVINIA TOWNSHIP

SECTION 13

- 1 Kirchgessler, Jim 37935
- 2 Bahr, Justin 126401
- 3 Schmitz, B 37902
- 4 Vitense, David 37908
- 5 Biegler, Jerry 37910

SECTION 14

- 1 Mishaw, Mark 126928
- 2 Lutz, Douglas 126966
- 3 126974

SECTION 22

- 1 Myhre, Gary 127093
- 2 Anderson, Jeremiah 127131
- 3 Millett, Craig 127151
- 4 Thayer, Dan 127257
- 5 Wahl, Lanny 127395

SECTION 23

- 1 Wolf, Frank 127148
- 2 Fischer, Brock 127216

NOTICE OF HEARING

Application has been made to the Brown County Planning/Zoning Commission for a VARIANCE PETITION. A hearing will be held in the Courthouse Annex, basement Community Meeting Room, on October 15, 2019 at 7:00 P.M. for the purpose of a Variance to Setbacks in an Agricultural Preservation District (AG-P).

Petitioner & owner: Roger & Lora Gray

Description of property: Lot 2C of Lot 2, "Schaeffer Richmond Lake Subdivision" in the NW1/4 of Section 25-T124N-R65W of the 5th P.M., Brown County, South Dakota (379305 South Shore Dr).

Reason: *Variance to Building Setbacks in AG-P District to be 15' Side Yard Setback rather than 20' required and 75' Front Yard Setback rather than 100' required for a new steel building.*

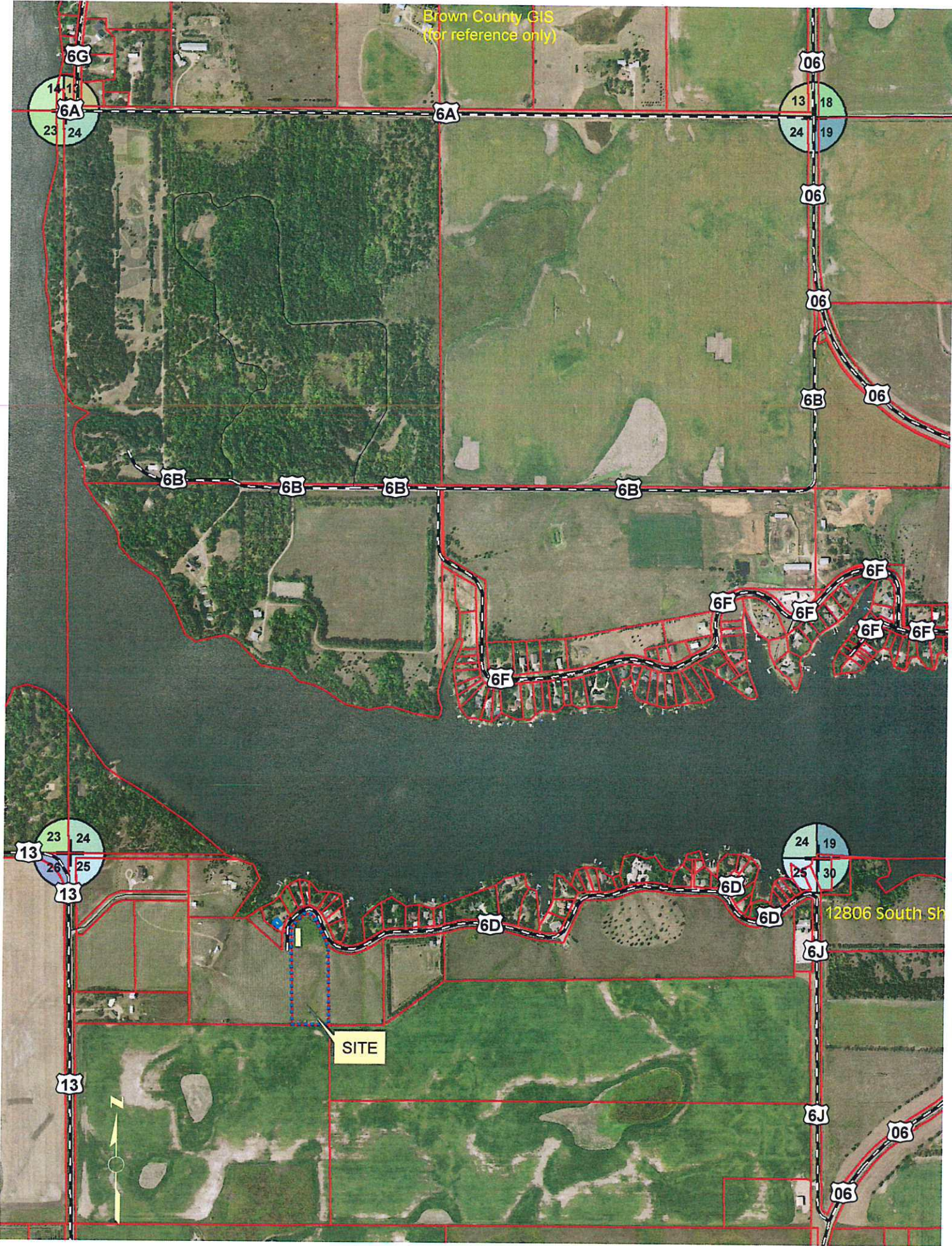
The public is invited to attend the hearing and to present comments and testimony regarding the proposed ordinance amendment.

Dated this 2nd day of October 2019

Planning/Zoning Commission and
Scott Bader – P&Z Director
25 Market St., Suite #5
Aberdeen, SD 57401
Office: (605) 626-7144

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(for reference only)



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Brown County GIS
(for reference only)



STAFF REPORT
October 15, 2019

VARIANCE FOR BLDG SETBACKS IN AG-P

ITEM # 03

GENERAL INFORMATION

PETITIONER	Doug Eisenbeisz
REQUEST	Variance for Building Setbacks
LEGAL DESCRIPTION	Lot 20-21 "Miller's Subdivision of Richmond Lake" in the SE1/4 of Section 24-T124N-R65W of the 5th P.M., Brown County, South Dakota
LOCATION	379653 North Shore Drive
EXISTING ZONING	Lake Front Residential District (R-3)
SURROUNDING ZONING	
North:	Agriculture Preservation District (AG-P)
South:	Richmond Lake District (AG-P2)
East:	Lake Front Residential District (R-3)
West:	Lake Front Residential District (R-3)
PUBLIC UTILITIES	WEB Water; Central Sewer System
REPORTED BY	Scott Bader

GENERAL COMMENT: The petitioner is requesting a Variance for side yard & front yard setbacks for building a new garage.

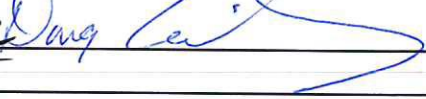
REVIEW: The petitioner has recently purchased this lot and would like to build a garage on the north side of some existing trees in the NE corner of the lot without having to remove the trees. On the south side of the trees there is a very steep slope which would add considerable cost to the project that the owner does not have any interest in doing.

BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR VARIANCE

DATE: SEPT 24, 2019
RECEIPT # 132234
TOWNSHIP: RAVINIA TWP

FEE: 100.00
PAID: YES/NO CHK/CASH
DATE: 10/2/19

OWNERS SIGNATURE: DOUG EISENBEISZ 
OWNERS ADDRESS: 1643 S Wells ST
OWNERS CITY, STATE, ZIP: ABERDEEN, SD 57401
OWNERS PHONE: 605-216-5312

AGENTS SIGNATURE: _____
AGENTS ADDRESS: _____
AGENTS CITY, STATE, ZIP: _____
AGENTS PHONE: _____

REQUEST: 30' x 36' UNATTACHED GARAGE

LEGAL DESCRIPTION: LOTS 20-21, "MILLER'S RICHMOND LAKE
SUBDIVISION" IN THE SE 1/4 OF SECTION 24-T124N-R65W
OF THE 5TH P.M. BROWN COUNTY, SD

Planning Commission Action: Approved / Denied

By: _____ Date: _____

HEARING DATE: OCT 15, 2019 TIME: 7:00 pm

MEETING: located in the Basement Community Room of the Court House Annex

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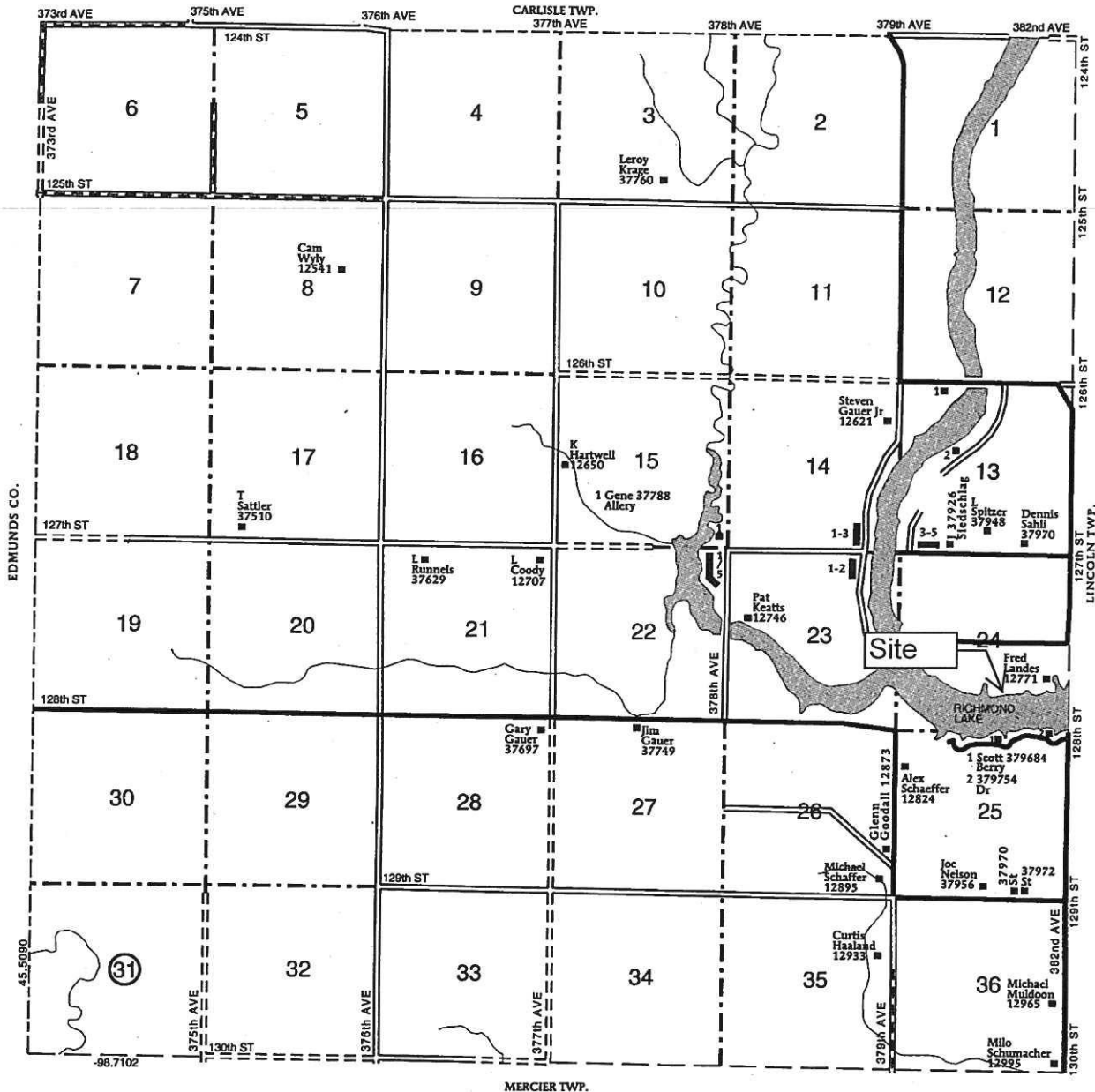
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T-124-N

RAVINIA DIRECTORY

(Residents - Owners or Renters)

R-65-W



RAVINIA TOWNSHIP

SECTION 13

- 1 Kirchgessler, Jim 37935
- 2 Bahr, Justin 126401
- 3 Schmitz, B 37902
- 4 Vitense, David 37908
- 5 Biegler, Jerry 37910

SECTION 14

- 1 Mishaw, Mark 126928
- 2 Lutz, Douglas 126966
- 3 126974

SECTION 22

- 1 Myhre, Gary 127093
- 2 Anderson, Jeremiah 127131
- 3 Millett, Craig 127151
- 4 Thayer, Dan 127257
- 5 Wahl, Lanny 127395

SECTION 23

- 1 Wolf, Frank 127148
- 2 Fischer, Brock 127216

NOTICE OF HEARING

Application has been made to the Brown County Planning/Zoning Commission for a VARIANCE PETITION. A hearing will be held in the Courthouse Annex, basement Community Meeting Room, on September 27, 2019 at 7:00 P.M. for the purpose of a Variance to Setbacks in a Lake Front Residential District (R-3).

Petitioner & owner: *Doug Eisenbeis for Roger Latt*

Description of property: Lots 20-21, "Miller's Subdivision of Richmond Lake" in the SE1/4 of Section 24-T124N-R65W of the 5th P.M., Brown County, South Dakota (379653 North Shore Dr)

Reason: Variance to setbacks in an R-3 District to be 4' from the north Rear Yard rather than 30' required and 4' from the east Side Yard rather than 07' required.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed zoning variance.

Dated this 2nd day of October 2019

Planning/Zoning Commission and
Scott Bader – P&Z Director
25 Market St., Suite #5
Aberdeen, SD 57401
Office: (605) 626-7144

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SITE



STAFF REPORT
October 15, 2019

VARIANCE FOR APPROACH SEPARATION

ITEM # 04

GENERAL INFORMATION

PETITIONER	Homer Caton
REQUEST	Variance for Approach Separation
LEGAL DESCRIPTION	Outlot 17, "Jobee Acres" in the NE1/4 of Section 27-T123N-R63W of the 5th P.M., Brown County, South Dakota
LOCATION	5860 134 th Street
EXISTING ZONING	Mini Agricultural District (M-AG)
SURROUNDING ZONING	
North:	Agriculture Preservation District (AG2-P)
South:	Mini Agricultural District (M-AG)
East:	Mini Agricultural District (M-AG)
West:	Agriculture Preservation District (AG-P)
PUBLIC UTILITIES	WEB Water
REPORTED BY	Scott Bader

GENERAL COMMENT: The petitioner is requesting a Variance for approach separation distance in a M-AG District

REVIEW: Variance to Approach Distance Separation to be 310' apart from an approach to the east rather than 500' required in a M-AG District. The Brown County Highway Department has looked at this location and will require an 18" CMP culvert if this approach location is approved.

BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR VARIANCE

DATE: 9/30/19
RECEIPT # 132240
TOWNSHIP: 27

FEES: \$100.00
PAID: (YES) (NO) (CHK) CASH
DATE: 10-7-19

OWNERS SIGNATURE: Homer G. Caplan Homer G. Caplan
OWNERS ADDRESS: 3270 N.W. 89th Lane
OWNERS CITY, STATE, ZIP: Ankeny, IA 50023
OWNERS PHONE: 402-616-0176

AGENTS SIGNATURE: _____
AGENTS ADDRESS: _____
AGENTS CITY, STATE, ZIP: _____
AGENTS PHONE: _____

REQUEST: Construct ^{single} Access Approach (in area suggested by County)
but too close to adjacent neighbor's (to west) Approach
(within 500' of neighbor)
LEGAL DESCRIPTION: Outlot 17, Jobe Acres... (see attached copy of deed)

Planning Commission Action: Approved / Denied

By: _____ Date: _____

HEARING DATE: October 15, 2019 TIME: 7:00 p.m.

MEETING: located in the Basement Community Room of the Court House Annex
25 Market Street • Aberdeen, South Dakota 57401-4203
Phone: 605-626-7144 • FAX: 605-626-4010 • email: Scott.Bader@browncounty.sd.gov

**Brown County Planning & Zoning Department
Application for Permit to Construct an Access Approach**

The undersigned hereby makes application for permission to construct an access approach described as:

NE 1/4 of
Section 27 Township 123 Range 63
County Highway: #14 Approximate location: SE of Airport in Jobee Acres

For the purpose of serving: Outlot 17 if needed

The approach is to be constructed to a width of not less than 24' at the tops of the approach with a side slope of 4:1 ratio. A _____" (inch) diameter by _____' (foot) in length culvert will be required if so designated by the Brown County Highway Department Superintendent. **A culvert will be required unless the approach is located on a hill (breakpoint).** Other requirements: _____

Special Note: All approach work must be completed within 1 year from date of application or a new application must be made.

If two (2) similar approaches are to be constructed, they must be a minimum of five hundred feet (500') apart from center-to-center and standard ditch section maintained between approaches.

I, the undersigned, request permission to construct an access approach on public right-of-way at the above location subject to the rules and regulations set forth. It is understood that the construction of the approach be in a safe manner so as not to interfere with or endanger public travel and to perform all work in a workmanlike manner using materials acceptable to the Brown County Highway Department Superintendent and that the right-of-way will be cleaned and left in a condition equal to or better than the original condition. The construction and furnishing of the culvert needed, and any other materials that are needed, will be done by the applicant and at his own expense and also the work is to be done under the supervision and satisfaction of the Brown County Highway Department Superintendent. Applicant accepts all responsibility of damages, expenses, claims, and all liabilities of work or existence of said approach. Applicants must notify the Brown County Highway Department Superintendent when the approach is finished, so it can be inspected.

Homer Caton

Print Name

3270 NW 87th Lane

Address

Ankeny, IA 50023

City/State/Zip

402-616-0176

Phone/Cell Phone

\$50.00 Fee (please attach copy of check)

Check # 50⁰⁰ Date 10-7-19

Receipt # 132241

Date _____

Applicants Signature _____

**Brown County Planning & Zoning Department
Application for Permit to Construct an Access Approach**

Culvert Required: 18" CMP Yes _____ No _____

Remarks: Owner furnishes dirtwork and culvert if approved

Dirk Rogers _____ Date May 21, 2019 by email
Brown County Highway Superintendent Signature

_____ Date _____
Planning & Zoning Director

The approach permit is granted with the conditions stated herein on this _____ day
of _____, 20__.

Section 4.2208 – Approach Permit

No approach shall be constructed upon any County Road or Highway without an approach permit issued by the Zoning Administrator. No approach permit shall be issued by the Zoning Administrator except in conformity with the following criteria, unless he/she received a written order form the Board of Adjustment in the form of a variance as provided by this Ordinance.

The Criteria for Approaches Shall:

- Have no two (2) approaches closer than five-hundred (500') feet apart center-to-center.
- Not to be located on the crest of a hill nor other location where sight visibility will be impaired.
- Have a side slope of four to one (4:1).
- Have a minimum driving width of twenty-four (24') feet.
- Have a culvert installed at owners expense if required by Highway Department.
- Require the final approval of the Brown County Highway Department Superintendent.

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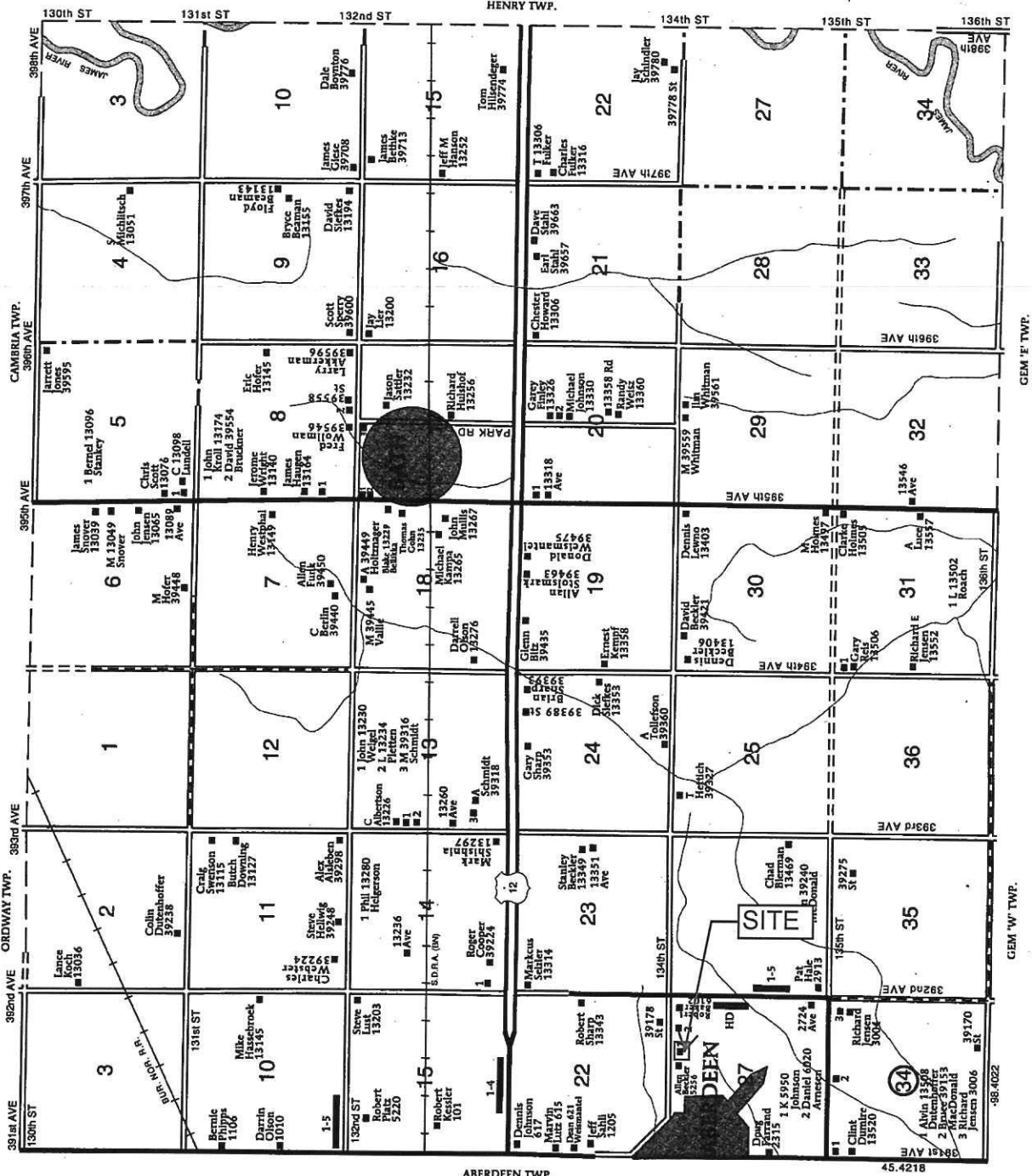
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T-123-N

BATH DIRECTORY

(Residents - Owners or Renters)

R-62-63-W



- BATH TOWNSHIP**
- SECTION 10W**
- 1 Beckler, Ron 5005
 - 2 Tennant, Cory 5025
 - 3 5091
 - 4 Gross, Del 5115
 - 5 Harper, Steve 5219
- SECTION 15W**
- 1 Gossman, C 5405
 - 2 Eilers, Todd 5455
 - 3 Knudson, R 5485
 - 4 Gossman, S 5755
- SECTION 17**
- 1 Bluechler, Jerry 13228
 - 2 Brinkman, Stanley 13280
- SECTION 20**
- 1 Westphal, Henry 13316
 - 2 Rombach, Kevin 13328
- SECTION 28**
- 1 Bellikka, Daryl 2111
 - 2 Kohlihaas, Paul 2135
 - 3 Grisea, Doug 2215
 - 4 Rud, Robert 2317
 - 5 Matern, R 2519

NOTICE OF HEARING

Application has been made to the Brown County Planning/Zoning Commission for a *VARIANCE PETITION*. A hearing will be held in the Courthouse Annex, basement Community Meeting Room, on *October 15, 2019 at 7:00 P.M.* for the purpose of a Variance to Approach Distance Separation in a Mini Agriculture District (M-AG).

Petitioner / Owner: *Homer Caton*

Description of property: *Outlot 17, "Jobee Acres" in the NE1/4 of Section 27-T123N-R63W of the 5th P.M., Brown County, South Dakota (5860 134th Street).*

Reason: Variance to Approach Distance Separation to be 310' apart from an approach to the east rather than 500' required in a M-AG District.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance.

Dated this 5th day October 2019

Planning/Zoning Commission and
Scott Bader – P&Z Director
25 Market Street
Aberdeen, SD 57401
Office: (605) 626-7144

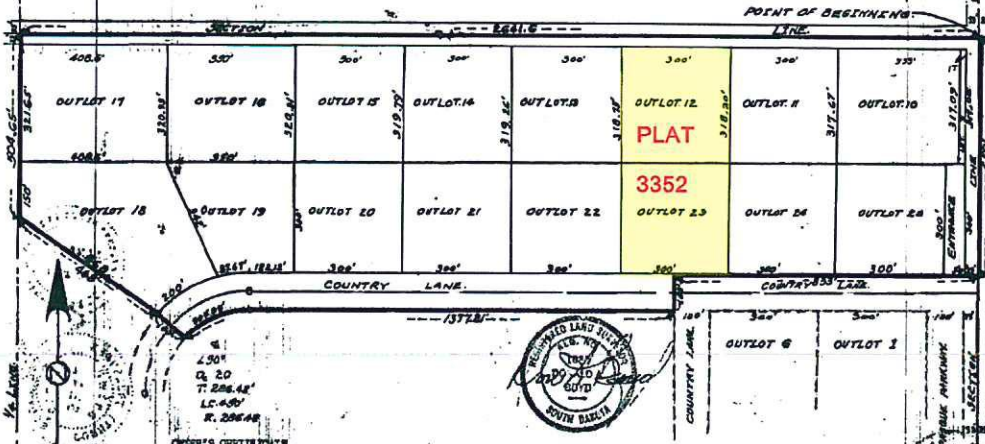
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3-2165

181

PLAT OF OUTLOTS 9 THROUGH 25, JOSEPH ACRES, LOCATED IN THE NE 1/4 OF SECTION 27, TOWNSHIP 123 NORTH, RANGE 63 WEST OF THE 5TH P.M.,

BROWN COUNTY, SOUTH DAKOTA



I, Dorothy Jean Johnson, do hereby certify that I am the absolute and unequal owner of Outlots 9 through 25, JOSEPH ACRES, located in the NE 1/4 of Section 27, Township 123 North, Range 63 West of the 5th P.M., Brown County, South Dakota, the boundaries of said Outlots 9 through 25 as indicated on the within plat. I further certify that said Outlots 9 through 25 are free from any incumbrance, and that the within plat was made at my request for the purpose of facilitating thereon, and that same shall hereafter be known as "Plat of Outlots 9 through 25, JOSEPH ACRES, located in the NE 1/4 of Section 27, Township 123 North, Range 63 West of the 5th P.M., Brown County, South Dakota."

Date December 20, 1972
Dorothy Jean Johnson
 Dorothy Jean Johnson, OWNER

State of South Dakota) County of Brown) ss On this the 20th day of December, 1972, before me, a Notary Public, personally appeared Dorothy Jean Johnson known to me to be the person described in and who acknowledged within instrument, and who acknowledged to me that she executed the same.
 My commission expires July 15, 1979
Robert M. Milstein
 Robert M. Milstein, Notary Public

I, Don A. Boyd, a Registered Professional Engineer and Land Surveyor in the State of South Dakota, do hereby certify that I have surveyed and platted Outlots 9 through 25, JOSEPH ACRES, located in the NE 1/4 of Section 27, Township 123 North, Range 63 West of the 5th P.M., Brown County, South Dakota, as shown on the within plat, and said survey and plat is in all respects true and correct. I further certify that I have placed iron pipe in the ground at all of the property corners of said Outlots 9 through 25 as shown herein. Said Outlots 9 through 25 contain 3.72 acres. Service road right of way contains 0.264 acres. Public road right of way contains 3.72 acres.
 Date 13 Nov 1972
Don A. Boyd
 Don A. Boyd, P.E. and L.S., South Dakota No. 1030

State of South Dakota) County of Brown) ss On this the 13th day of November, 1972, before me, a Notary Public, personally appeared Don A. Boyd known to me to be the person described in and who executed the within instrument, and who acknowledged to me that he executed the same.
 My commission expires 24 March 1978
Robert M. Milstein
 Robert M. Milstein, Notary Public

It is resolved by the City Plan Commission that the within plat is hereby approved in the manner provided by SDCL Chapter 11-6, and all acts amendatory thereto. I, Minifred Kraft, City Auditor, hereby certify that the above resolution is a true copy of the resolution passed by the Board of the City Plan Commission of Aberdeen, South Dakota, at a meeting of the Board held on the 17 day of January, 1972.
Minifred Kraft
 Minifred Kraft, City Auditor, City of Aberdeen, South Dakota

I, Minifred Kraft, City Auditor of Aberdeen, South Dakota, do hereby certify that the plat showing Outlots 9 through 25, JOSEPH ACRES, located in the NE 1/4 of Section 27, Township 123 North, Range 63 West of the 5th P.M., Brown County, South Dakota, having been examined, is hereby approved in accordance with the provisions of SDCL 11-6-6, and all acts amendatory thereto. I, Minifred Kraft, City Auditor, hereby certify that the above resolution is a correct copy of the resolution passed by the Board of City Commissioners of Aberdeen, South Dakota, at a meeting of the Board held on the 30 day of January, 1972.
Minifred Kraft
 Minifred Kraft, City Auditor, City of Aberdeen, South Dakota

On motion made and carried the following resolution was adopted: "It is resolved by the Board of County Commissioners of Brown County, South Dakota, in their regular session assembled, that the plat of Outlots 9 through 25, JOSEPH ACRES, located in the NE 1/4 of Section 27, Township 123 North, Range 63 West of the 5th P.M., Brown County, South Dakota, be approved this 16 day of March, 1972, in accordance with the provisions of SDCL Chapter 11-6, and all acts amendatory thereto." I, Ruth Mephris, County Auditor of Brown County, South Dakota, do hereby certify that the foregoing is a true copy of the resolution adopted by the Board of County Commissioners of Brown County, South Dakota. Dated this 16 day of March, 1972.
Ruth Mephris
 Ruth Mephris, County Auditor, Brown County, South Dakota

I, Bernard L. Larson, Treasurer of Brown County, South Dakota, hereby certify that all the taxes which are liens upon any land included in the above plat are shown by the records of my office to be fully paid.
 Date 3/14/73
Bernard L. Larson
 Bernard L. Larson, Treasurer, Brown County, South Dakota

I, Harry Anderson, Director of Equalization, Brown County, South Dakota, hereby certify that I have received a copy of this plat this 20 day of December, 1972.
Harry Anderson
 Harry Anderson, Director of Equalization, Brown County, South Dakota

This plat was filed this 16 day of March, 1972, at 4 o'clock P.M., and duly recorded in Book 3, Page 2165
Donna Kuffeld
 Donna Kuffeld, Register of Deeds, Brown County, South Dakota

INSTRUMENT NO. 201903597
BOOK: 304 DEED
PAGE: 278
TRANSFER FEE: \$ 54.00
PAID

Pages: 1



2019/07/18 02:30:42 PM

THIS INSTRUMENT PREPARED BY:

Robert M. Ronayne
Attorney at Law
24 Fifth Avenue SW
Post Office Box 759
Aberdeen, SD 57402-0759
(605) 225-0100

ROBERTA NICHOLS, REGISTER OF DEEDS
BROWN COUNTY, SOUTH DAKOTA

Recording Fee: \$ 30.00
Return To: TITLES OF DAKOTA

WARRANTY DEED

Lowell L. Nally and Rosemary A. Nally, husband and wife, of Ramsey County, State of Minnesota, grantors, for and in consideration of One Dollar and other good and valuable consideration, grant, convey and warrant to:

Homer G. Caton and Doroitha Rohner, husband and wife,
as joint tenants with right of survivorship and not as tenants in common

grantees, of 3270 Northwest 87th Lane, Ankeny, Iowa 50023, the following described real estate in the County of Brown, in the State of South Dakota:

Outlot 17, Jobee Acres in the Northeast Quarter of Section 27, Township 123 North, Range 63 West of the Fifth Principal Meridian, according to the plat thereof of record, Brown County, South Dakota, subject to easements, reservations and restrictions of record, if any.

Dated this 12 day of July, 2019.

Lowell L. Nally
Lowell L. Nally

Rosemary A. Nally
Rosemary A. Nally

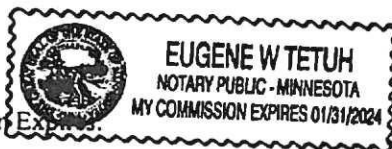
MN
STATE OF SOUTH DAKOTA)
 RAMSEY) ss
COUNTY OF BROWN)

On this the 12 day of July, 2019, before me, the undersigned officer, personally appeared Lowell L. Nally and Rosemary A. Nally, husband and wife, known to me or satisfactorily proven to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF I hereunto set my hand and official seal.

(SEAL)

My Commission Expires



Eugene W Tetuh
Notary Public - South Dakota



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL)

COMMUNITY AND MAP PANEL INFORMATION		LEGAL PROPERTY DESCRIPTION
COMMUNITY	CITY OF ABERDEEN, BROWN COUNTY, SOUTH DAKOTA	A portion of Outlot 17, Jobee Acres as shown on the Plat recorded in Book 3, Page 216-E, in the Office of the Register of Deeds, Brown County, South Dakota The portion of property is more particularly described by the following metes and bounds:
	COMMUNITY NO.: 460007	
AFFECTED MAP PANEL	NUMBER: 46013C0760E DATE: 3/18/2008	
FLOODING SOURCE: LOCAL FLOODING		APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY: 45.444243, -98.401407 SOURCE OF LAT & LONG: LOMA LOGIC DATUM: NAD 83

DETERMINATION

LOT	BLOCK/SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NAVD 88)	LOWEST ADJACENT GRADE ELEVATION (NAVD 88)	LOWEST LOT ELEVATION (NAVD 88)
Outlot 17	—	Jobee Acres	5860 134th Street SE	Portion of Property	X (unshaded)	—	—	1294.5 feet

Special Flood Hazard Area (SFHA) - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

ADDITIONAL CONSIDERATIONS (Please refer to the appropriate section on Attachment 1 for the additional considerations listed below.)

LEGAL PROPERTY DESCRIPTION
PORTIONS REMAIN IN THE SFHA
EXTRATERRITORIAL JURISDICTION

This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Amendment for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the described portion(s) of the property(ies) is/are not located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This document amends the effective NFIP map to remove the subject property from the SFHA located on the effective NFIP map; therefore, the Federal mandatory flood insurance requirement does not apply. However, the lender has the option to continue the flood insurance requirement to protect its financial risk on the loan. A Preferred Risk Policy (PRP) is available for buildings located outside the SFHA. Information about the PRP and how one can apply is enclosed.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Information eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Engineering Library, 3601 Eisenhower Ave Ste 500, Alexandria, VA 22304-6426.

Luis V. Rodriguez, P.E., Director
Engineering and Modeling Division
Federal Insurance and Mitigation Administration



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL)

ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

LEGAL PROPERTY DESCRIPTION (CONTINUED)

BEGINNING at the Northeast (NE) corner of said Outlot 17, Jobee Acres (found iron pipe); thence S 01°03'00" E along the East line of said Outlot 17, a distance of 152.66'; thence N 89°34'29" W, a distance of 77.66'; thence S 73°31'26" W, a distance of 106.80'; thence N 52°53'57" W, a distance of 60.71'; thence N 33°31'03" W, a distance of 101.44'; thence N 38°03'29" E, a distance of 54.54'; thence N 07°38'04" E, a distance of 14.17'; thence N 89°01'45" E along the South Right-of-way line of 134th Street/North line of said Outlot 17, a distance of 246.24' to the POINT OF BEGINNING

PORTIONS OF THE PROPERTY REMAIN IN THE SFHA (This Additional Consideration applies to the preceding 1 Property.)

Portions of this property, but not the subject of the Determination/Comment document, may remain in the Special Flood Hazard Area. Therefore, any future construction or substantial improvement on the property remains subject to Federal, State/Commonwealth, and local regulations for floodplain management.

EXTRATERRITORIAL JURISDICTION (This Additional Consideration applies to the preceding 1 Property.)

The subject of the determination/comment is shown on the National Flood Insurance Program map as being located in an Extraterritorial Jurisdiction area for the community indicated on the Determination/Comment Document.

ZONE A (This Additional Consideration applies to the preceding 1 Property.)

The National Flood Insurance Program map affecting this property depicts a Special Flood Hazard Area that was determined using the best flood hazard data available to FEMA, but without performing a detailed engineering analysis. The flood elevation used to make this determination is based on approximate methods and has not been formalized through the standard process for establishing base flood elevations published in the Flood Insurance Study. This flood elevation is subject to change.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Map Information eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Engineering Library, 3601 Eisenhower Ave Ste 500, Alexandria, VA 22304-6426.

A handwritten signature in black ink, appearing to read "Luis V. Rodriguez".

Luis V. Rodriguez, P.E., Director
Engineering and Modeling Division
Federal Insurance and Mitigation Administration

Brown County GIS
(for reference only)

5401 134TH
ST SE

1528 392ND
AVE S

SITE

510'

310'

134TH ST SE 14

5860
134TH ST

5950
134TH ST

6020
134TH ST

6102
134TH ST

6170
134TH ST

5237
COUNTRY LN

5857
COUNTRY LN

5949
COUNTRY LN

6021
COUNTRY LN

6105
COUNTRY LN

6173
COUNTRY LN

5256
134TH ST

COUNTRY LN

COUN
LN

5860
COUNTRY LN

6018
COUNTRY LN

6104
COUNTRY LN

6168
COUNTRY LN

1906
COUNTRY LN

COUN
LN

4400 6TH
AVE SE

6103
JOBEE
AVE

6167
JOBEE
AVE

6245
JOBEE
AVE

JOBEE AVE

1964
COUNTRY LN

COUN
LN



STAFF REPORT
October 15, 2019

VARIANCE FOR SHELTERBELT SETBACKS

ITEM # 05

GENERAL INFORMATION

PETITIONER	Homer Caton
REQUEST	Variance for Shelterbelt Setbacks
LEGAL DESCRIPTION	Outlot 17, "Jobee Acres" in the NE1/4 of Section 27-T123N-R63W of the 5th P.M., Brown County, South Dakota
LOCATION	5860 134 th Street
EXISTING ZONING	Mini Agricultural District (M-AG)
SURROUNDING ZONING	
North:	Agriculture Preservation District (AG2-P)
South:	Mini Agricultural District (M-AG)
East:	Mini Agricultural District (M-AG)
West:	Agriculture Preservation District (AG-P)
PUBLIC UTILITIES	WEB Water
REPORTED BY	Scott Bader

GENERAL COMMENT: The petitioner is requesting a Variance to put shelterbelts parallel with the front property line on each side in a M-AG District

REVIEW: Variance to parallel shelterbelt to be setback a minimum of 40' from the north front property line rather than 150' required. Also, a Variance to perpendicular shelterbelts on the east and west property lines to be setback a minimum of 40' from the north property line. Staff recommends that the two parcels to the west that were also purchased and owned by the petitioner, should be re-platted as one lot and rezoned to M-AG District to be brought into compliance. It appears that they will enter in the SW corner from the previous farm lots.

Want a "free" extra book?

By reviewing township Directory maps for correct information before we publish the next issue, FHP will send you a free book of any county in any state printed by FHP for that year.

Contact our updating dept. at

800-685-7432-ext. 2605 or

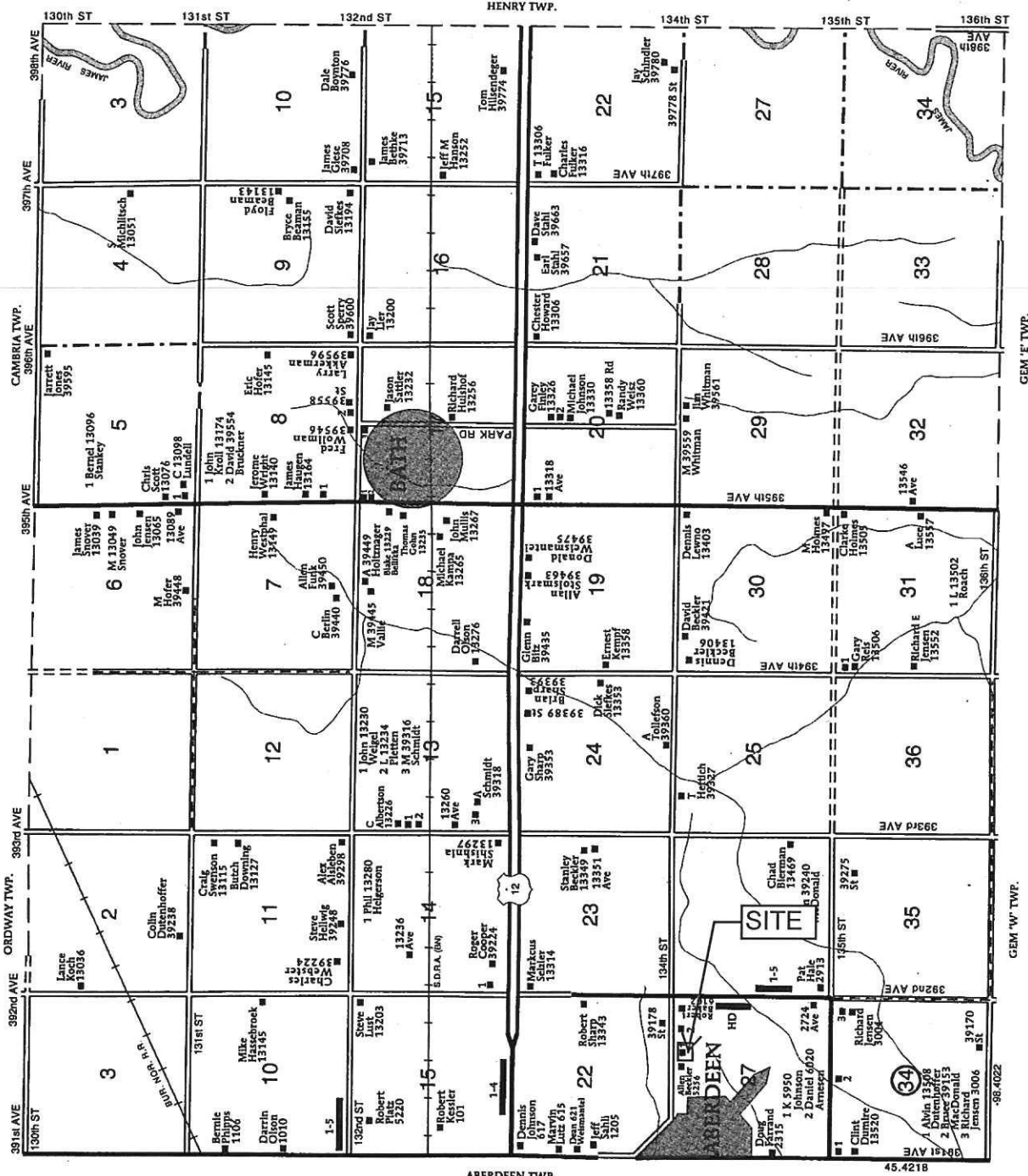
email: amanda.engebretson@farmandhomepublishers.com

T-123-N

BATH DIRECTORY

R-62-63-W

(Residents - Owners or Renters)



ABERDEEN TWP.

45.4218

BATH TOWNSHIP

- SECTION 10W
 - 1 Beckler, Ron 5005
 - 2 Tennant, Cory 5025
 - 3 5081
 - 4 Gross, Del 5115
 - 5 Harper, Steve 5219
- SECTION 15W
 - 1 Gossman, C 5405
 - 2 Eilers, Todd 5455
 - 3 Knudson, R 5485
 - 4 Gossman, S 5755
- SECTION 17
 - 1 Buechler, Jerry 13228
 - 2 Brinkman, Stanley 13280
- SECTION 20
 - 1 Westphal, Henry 13316
 - 2 Rohrbach, Kevin 13328
- SECTION 26
 - 1 Bellikka, Daryl 2111
 - 2 Kohlhaas, Paul 2135
 - 3 Grise, Doug 2215
 - 4 Rudi, Robert 2317
 - 5 Matern, R 2519

NOTICE OF HEARING

Application has been made to the Brown County Planning/Zoning Commission for a *VARIANCE PETITION*. A hearing will be held in the Courthouse Annex, basement Community Meeting Room, on *October 15, 2019 at 7:00 P.M.* for the purpose of a Variance to shelterbelt setbacks in a Mini Agriculture District (M-AG).

Petitioner / Owner: *Caton Homer*

Description of property: *Outlot 17, "Jobee Acres" in the NE1/4 of Section 27-T123N-R63W of the 5th P.M., Brown County, South Dakota (5860 134th Street).*

Reason: *Variance to parallel shelterbelt to be setback a minimum of 40' from the north front property line rather than 150' required. Also a Variance to perpendicular shelterbelts to be setback a minimum of 40' from the north property line on the east and west property lines..*

The public is invited to attend the hearing and to present comments and testimony regarding the proposed variance.

Dated this this 5th day October 2019

Planning/Zoning Commission and
Scott Bader – P&Z Director
25 Market Street
Aberdeen, SD 57401
Office: (605) 626-7144


Published once at the total approximate cost of _____.

BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR VARIANCE

DATE: 9/30
RECEIPT # 132239
TOWNSHIP: 27

FEES: \$100.00
PAID: YES NO CHK CASH
DATE: 10/7/19

OWNERS SIGNATURE: 
OWNERS ADDRESS: 3270 N.W. 87th Lane
OWNERS CITY, STATE, ZIP: Ankeny, IA 50023
OWNERS PHONE: 402-616-0176

AGENTS SIGNATURE: _____
AGENTS ADDRESS: _____
AGENTS CITY, STATE, ZIP: _____
AGENTS PHONE: _____

REQUEST: Existing shelter belt to be replaced
To place Northern most row of ^{New} shelterbelt/windbreak
Aligned with neighboring shelter belts.

LEGAL DESCRIPTION: Outlot 17, Tobe Acres ...
(see Attached copy of deed)

Planning Commission Action: <u>Approved / Denied</u>	

By: _____	Date: _____
HEARING DATE: <u>October 15, 2019</u>	TIME: <u>7:00 p.m.</u>

MEETING: located in the Basement Community Room of the Court House Annex
25 Market Street • Aberdeen, South Dakota 57401-4203
Phone: 605-626-7144 • FAX: 605-626-4010 • email: Scott.Bader@browncounty.sd.gov

STAFF REPORT
October 15, 2019

REZONE PARCEL from an AG-P District

ITEM # 10

GENERAL INFORMATION

PETITIONER	Mike Morlock
REQUEST	Petition to rezone property
LEGAL DESCRIPTION	“Pence Addition” in the SE1/4 of Section 2-T126N-R64W of the 5th P.M., Brown County, South Dakota
TOWNSHIP:	Oneota Twp
LOCATION	38696 113 th Street
EXISTING ZONING	Agriculture Preservation District (AG-P)
SURROUNDING ZONING	
North:	Agriculture Preservation District (AG-P)
South:	Agriculture Preservation District (AG-P)
East:	Agriculture Preservation District (AG-P)
West:	Agriculture Preservation District (AG-P)
PUBLIC UTILITIES	WEB Water
REPORTED BY	Scott Bader

GENERAL COMMENT: The petitioner is requesting this rezone for a Non-conforming lot to bring it into compliance.

REVIEW: Parcel (7.78 ± acres) does not meet a minimum 40.0 acres for AG-P District and does not qualify for the “farm unit” reduction for AG-P District. Rezoning to Mini Agriculture District (M-AG) brings this parcel into compliance for its current and intended use.

NOTICE OF HEARING

Application has been made to Brown County Planning/Zoning Commission for a REZONE PETITION. A hearing will be held in the Courthouse Annex in the basement Community Meeting Room, on October 15, 2019 at 7:00 p.m. for the purpose of Rezoning from Agriculture Preservation District (AG-P) Mini Agriculture District (M-AG).

Owner & Petitioner: Mike Morelock

Description of property: Lot 2, "Pence Addition" in the SE1/4 of Section 2-T126M-R64W of the 5th P.M., Brown County, South Dakota.

Reason: Parcel (7.78± acres) does not meet a minimum 40.0 acres for AG-P District. Rezoning to Mini Agriculture District (M-AG) brings this parcel into compliance for its current and intended use.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed ordinance amendment. At the conclusion of the hearing, the Brown County Planning/Zoning Commission will forward a recommendation to the Board of Brown County Commissioner's with a future meeting date in the Commission Chambers. Verify the date with the Brown County Auditor.

Dated this 25th day of September 2019

Planning/Zoning Commission
Scott Bader – P&Z Director
25 Market St.
Aberdeen, SD 57401
Office: (605) 626-7144

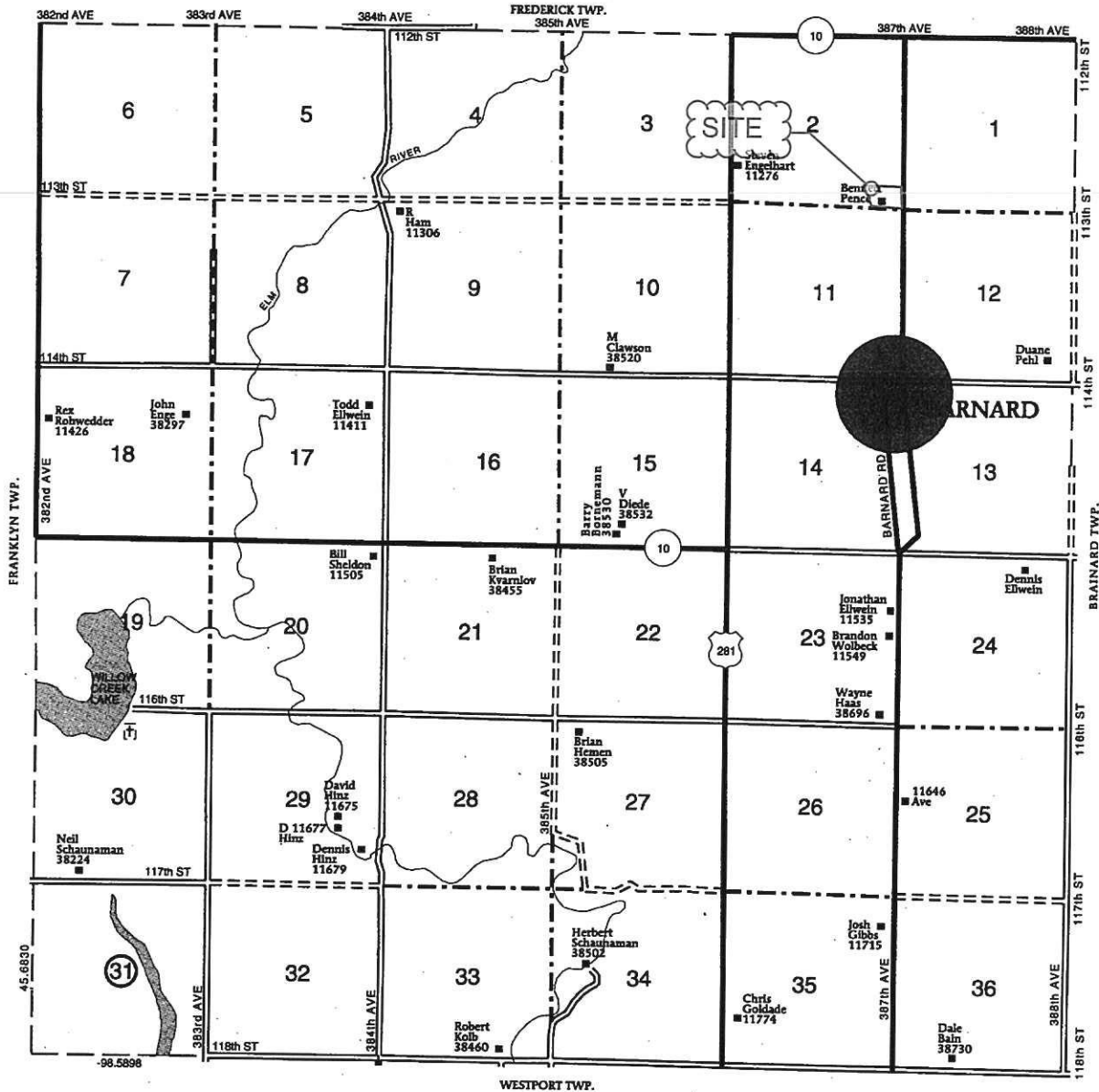
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10mm = 0.40in. = 1cm
100mm = 3.97 in. = 10 cm

T-126-N

ONEOTA DIRECTORY
(Residents - Owners or Renters)

R-64-W



REZONE PETITION

BROWN COUNTY COMMISSION
25 MARKET ST
ABERDEEN, SD 57401

Petition No: _____
Date: 9-18-19
Receipt: 132227
Filing Fee: \$350
(non-refundable)

Brown County Commission Members:

I/We the undersigned, do hereby *petition* the Brown County Commission of Brown County, South Dakota to *rezone* property as follows:

Legal Description: Lot 2, "Pence Addition" in the SE1/4 of Section 2-T126M-R64W of the 5th P.M., Brown County, South Dakota

General Area Location or Street Address: 38696 113th St
From: Agriculture Preservation District (AG-P)
To: Mini Agriculture District (M-AG)

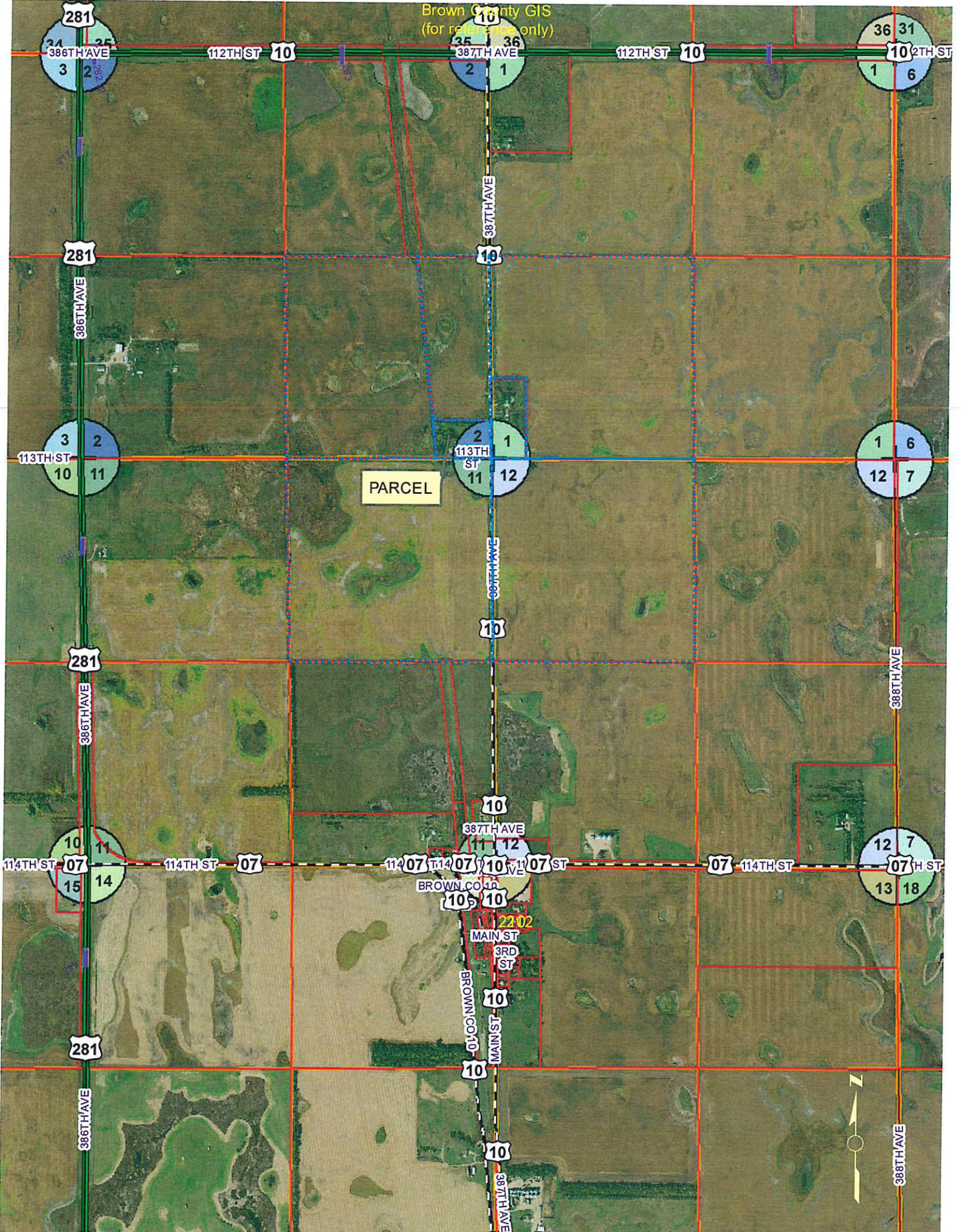
Purpose: Parcel (7.78+ acres) does not meet a minimum 40.0 acres for AG-P District. Rezoning to Mini Agriculture District (M-AG) brings this parcel into compliance for its current and intended use.

Size of Parcel: 7.78+ acres
Existing Land Use: Rural Residential

Petitioner: (Print) MICHAEL J. MORLOCK
Signature: *Michael J. Morlock*
Date: 8/28/19 Phone: 440-477-0723
Address: 38696 113TH ST
BARNARD, SD 57426

Owner: (Print) _____
Signature: _____
Date: _____ Phone: _____
Address: _____

Brown County GIS
(for reference only)



PARCEL

BROWN CO 15
105

2302
MAIN ST
3RD ST

BROWN CO 10
10
MAIN ST
10
387TH AVE



Brown County GIS
(for reference only)

887TH AVE
10

40TH AVE

887TH AVE
10

PARCEL



Brown County GIS
(for reference only)

11259
387TH AVE

387TH AVE
10

11296
387TH AVE

38696
113TH ST

SITE

113TH ST

211
113TH ST

387TH AVE
10



STAFF REPORT

October 15, 2019

REZONE PARCEL from an AG-P District

ITEM # 11

GENERAL INFORMATION:

PETITIONER: Shane Reich

REQUEST: Petition to rezone property

LEGAL DESCRIPTION: East half of Lot 1, "Keatts 3rd Subdivision" in the NE1/4 of Section 22-T124M-R65W of the 5th P.M., Brown County, South Dakota

TOWNSHIP: Ravinia Twp

LOCATION: 127005 378th Ave

EXISTING ZONING: Agriculture Preservation District (AG-P)

SURROUNDING ZONING:

North: Agriculture Preservation District (AG-P)
South: Agriculture Preservation District (AG-P)
East: Agriculture Preservation District (AG-P)
West: Agriculture Preservation District (AG-P)

PUBLIC UTILITIES: WEB Water

REPORTED BY: Scott Bader

GENERAL COMMENT: The petitioner is requesting this rezone for a Non-conforming lot to bring it into compliance.

REVIEW: Parcel (1.50± acres) does not meet a minimum 40.0 acres for AG-P District and does not qualify for the "farm unit" reduction for AG-P District. These lots should have been rezoned during the Subdivision Plat. Rezoning to Mini Agriculture District (M-AG) brings this parcel into compliance for its current and intended use.

NOTICE OF HEARING

Application has been made to Brown County Planning/Zoning Commission for a REZONE PETITION. A hearing will be held in the Courthouse Annex in the basement Community Meeting Room, on **Tuesday, October 15, 2019 at 7:00 PM** for the purpose of Rezoning from Agricultural Preservation District (AG-P) to Mini Agriculture (M-AG)

Owner & Petitioner: Shane Reich

Description of property: East half of Lot 1, "Keatts 3rd Subdivision" in the NE1/4 of Section 22-T124N-R65W of the 5th P.M., Brown County, South Dakota (127005 378th Ave).

Reason: Rezoning from AG-P District to M-AG District to bring the parcel into compliance as a Rural Residential lot. This parcel does not meet the minimum of 40 acres for AG-P District since it is 1.5 acres.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed ordinance amendment. At the conclusion of the hearing, the Brown County Planning/Zoning Commission will forward a recommendation to the Board of Brown County Commissioner's with a future meeting date in the Commission Chambers. Verify the date with the Brown County Auditor.

Dated this September 25th 2019

Planning/Zoning Commission
Scott Bader – P&Z Director
25 Market St., Suite #5
Aberdeen, SD 57401
Office: (605) 626-7144

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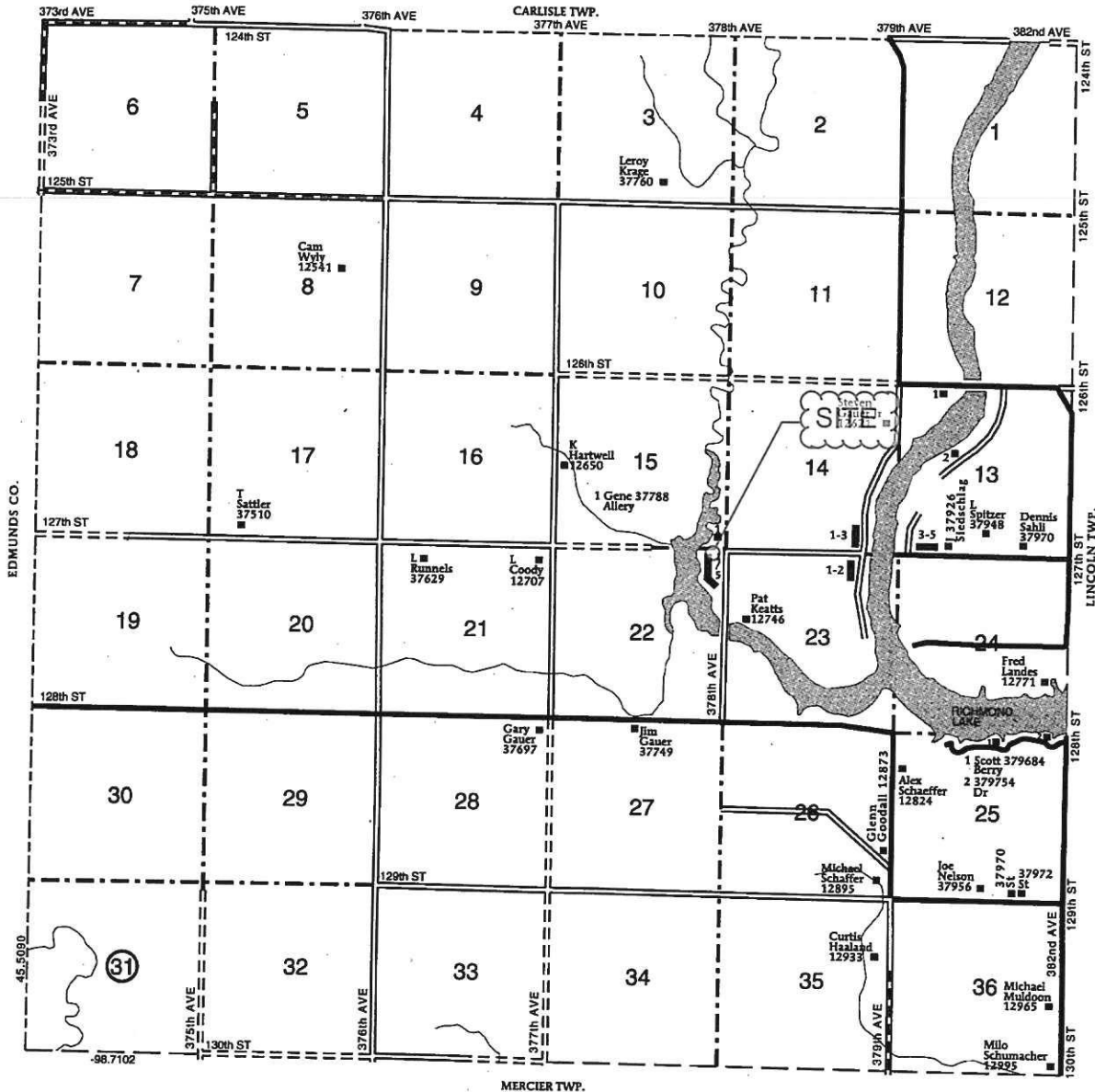
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T-124-N

RAVINIA DIRECTORY

(Residents - Owners or Renters)

R-65-W



RAVINIA TOWNSHIP

SECTION 13

- 1 Kirchgesler, Jim 37935
- 2 Bahr, Justin 128401
- 3 Schmitz, B 37902
- 4 Vitense, David 37908
- 5 Biegler, Jerry 37910

SECTION 14

- 1 Mishaw, Mark 126928
- 2 Lutz, Douglas 126966
- 3 126974

SECTION 22

- 1 Myhre, Gary 127093
- 2 Anderson, Jeremiah 127131
- 3 Millett, Craig 127151
- 4 Thayer, Dan 127257
- 5 Wahl, Lanny 127395

SECTION 23

- 1 Wolf, Frank 127148
- 2 Fischer, Brock 127216

REZONE PETITION

BROWN COUNTY COMMISSION
25 MARKET ST
ABERDEEN, SD 57401

Petition No: _____
Date: 9-5-19
Receipt: 132219
Filing Fee: \$350
(non-refundable)

Brown County Commission Members:

I/We the undersigned, do hereby *petition* the Brown County Commission of Brown County, South Dakota to *rezone* property as follows:

Legal Description: *East half of Lot 1, "Keatts 3rd Subdivision" in the NE1/4 of Section 22-T124N-R65W of the 5th P.M., Brown County, South Dakota.*

General Area Location or Street Address: 127005 378th Ave
From: Agricultural Preservation District (AG-P)
To: Mini Agriculture District (M-AG)

Purpose: Rezoning from AG-P District to M-AG District to bring the parcel into compliance as a Rural Residential lot.

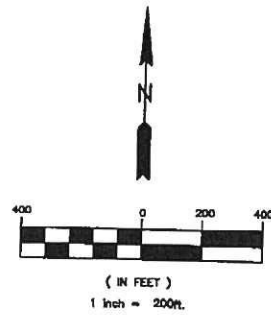
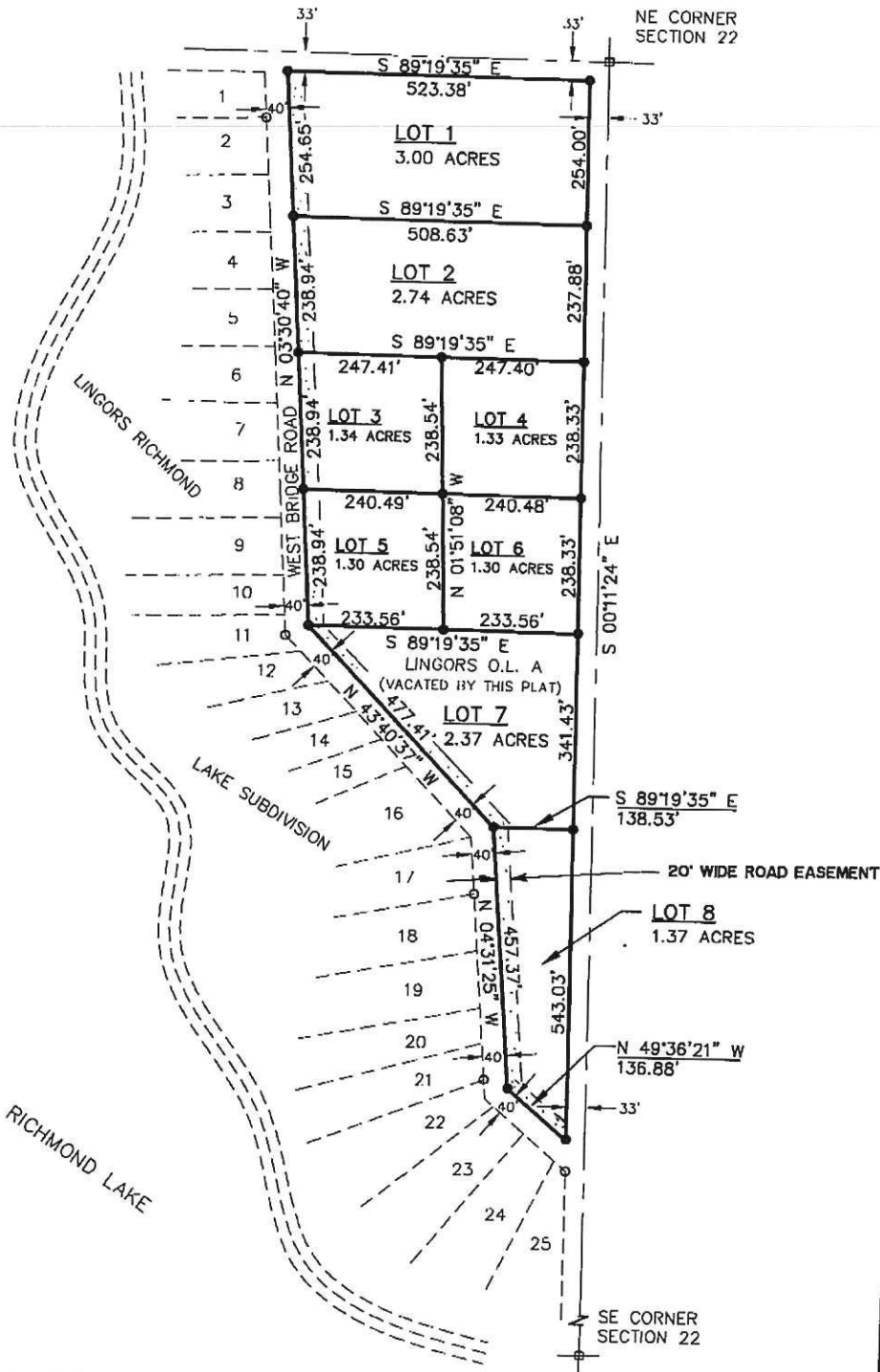
Size of Parcel: 1.5 acres

Existing Land Use: Rural residential, then burnt down, rebuilding a structure

Petitioner: Shane Reich
Signature: 
Date: 09/05/2019 Phone: 605-380-6154
Address: 2504 N Harrison St
Aberdeen, SD 57401

PLAT OF KEATTS THIRD SUBDIVISION IN THE NE 1/4 OF SECTION 22-T124N-R65W OF THE 5TH P.M. BROWN COUNTY, SOUTH DAKOTA

3306-PLAT/CAD6

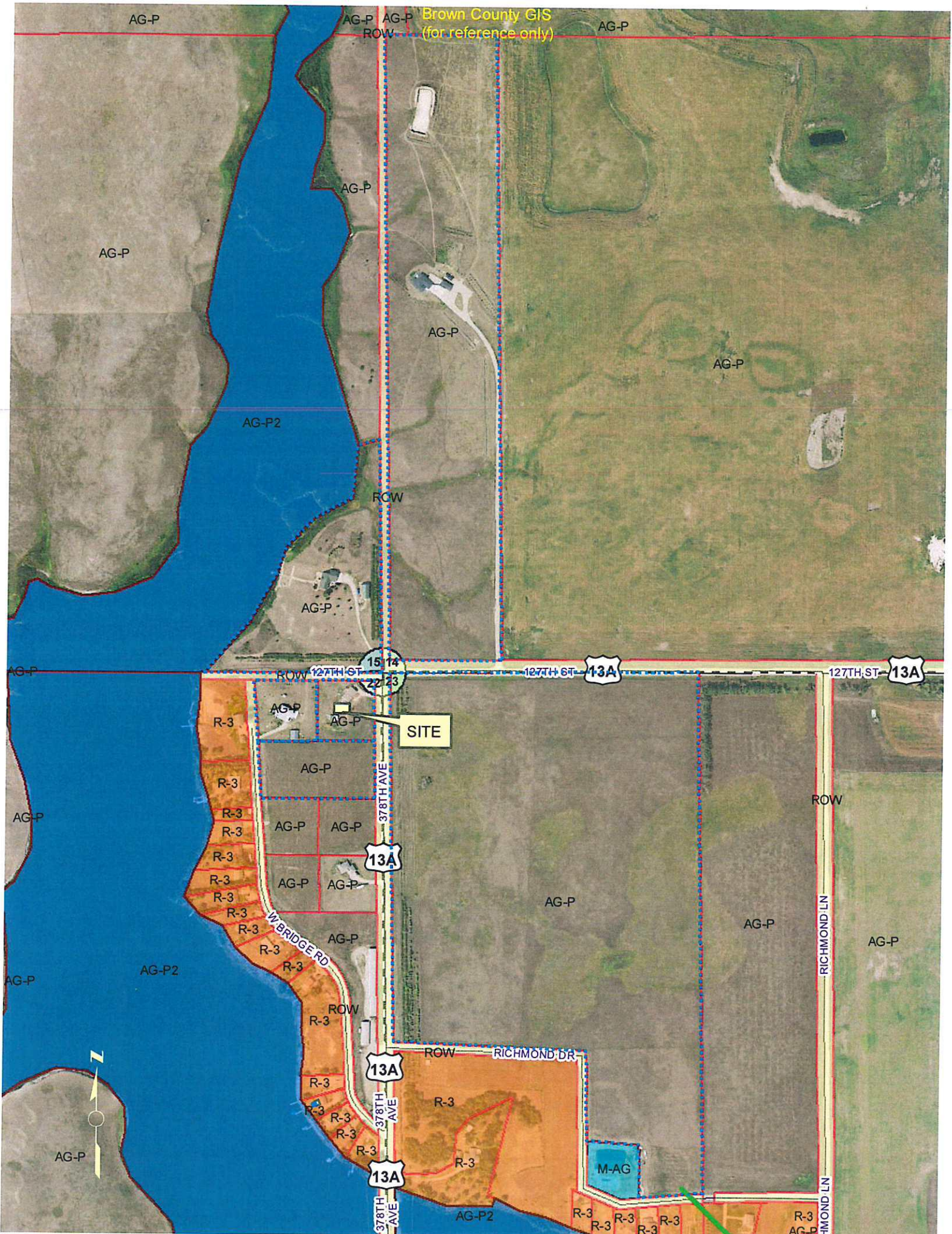


- LEGEND**
- SET 5/8" X 18" REBAR WITH SURVEY CAP STAMPED BACON RLS 4423
 - FOUND 5/8" X 18" PROPERTY CORNER BACON RLS 4423
 - BASIS OF BEARING
GPS OBSERVATION

H HELMS and ASSOCIATES
 CONSULTING ENGINEERS AND LAND SURVEYORS
 P.O. BOX 11 - SUITE 202 BENDWATER PLAZA
 406 4TH AVENUE NW - ABERDEEN, SOUTH DAKOTA 57401
 PHONE 605-225-1222 - FAX 605-225-2702

DWG. 3306-PLAT/CAD6 SHEET 1 OF 2

Brown County GIS
(for reference only)



Brown County GIS
(for reference only)

SITE

127TH ST

15 14
22 23

127TH ST

13A

378TH AVE

13A

W BRIDGE RD



STAFF REPORT

October 15, 2019

PRELIMINARY & FINAL PLAT

ITEM # 12

GENERAL INFORMATION:

PETITIONER: Julie Voeller

REQUEST: Preliminary & Final Plat

LEGAL DESCRIPTION: "J Voeller Addition" to the City of Columbia in the NW1/4 of Section 28-T125N-R62W of the 5th P.M., Brown County, South Dakota

LOCATION: 39611 122nd Street

EXISTING ZONING: Rural Urban District (RU)

SURROUNDING ZONING:

North:	Rural Urban District (RU)
South:	Rural Urban District (RU)
East:	Rural Urban District (RU)
West:	Rural Urban District (RU)

PUBLIC UTILITIES: WEB Water

REPORTED BY: Scott Bader

GENERAL COMMENT: The petitioner is requesting this Preliminary and Final Plat for cleaning up and clarifying lot lines.

REVIEW: Staff has reviewed this Preliminary and Final Plat and acknowledges that they have existing access. There is floodplain in 70% of this lot and an abandoned railroad grade that runs through this lot.

PLAT APPROVAL CHECKLIST

SUBDIVISION NAME J. Voeller Addition

QUARTER: NW SECTION: 28 TOWNSHIP: 125 RANGE: 62

LOTS 1, 2, 3 1 TRACTS 1, 2, 3 PARCELS 1, 2, 3 NOTHING SHOWN _____

OWNERS NAMES: Julie Voeller

OWNERS NAMES: _____

OWNERS NAMES: _____

ENGINEER OR SURVEYOR: Zach Remily (Clark Engineering)

TYPE: PRELIMINARY _____ FINAL _____ BOTH X

FEE: \$25.00 ACRES x \$1.00 4.00 TOTAL: \$ 29.00 DATE PAID: 07 / 15 /20 19

RECEIVED BY PLANNING DEPARTMENT: 07 / 15 /2019 BY: Scott Bader

REASON FOR PLAT: DEVELOPMENT _____ CONVEYANCE X FINANCIAL PURPOSES _____ BOTH _____

PLAT: ON 11 x 17 MYLAR X ON 11 x 17 PHOTO PAPER _____

STREETS/ROADS NAMED PROPERLY X

EXISTING ACCESS SHOWN ON PLAT _____ ACCESS NEEDED _____

DIMENSION ALL LINEWORK FOR GIS DEPT. _____ BEARINGS & DISTANCES SHOWN TO "CLOSE" _____

PLAT NAME CHECKED FOR DUPLICATION OR SIMILARITIES IN DEEDS OFFICE X

HIGHWAY SIGNATURE LINE SHOWN (STATE, COUNTY, TOWNSHIP) NA

HIGHWAY SIGNATURE LINE SIGNED NA

TAXES PAID IN FULL FOR THE YEAR _____ TREASURER SIGNATURE LINE SIGNED _____

CONSIDERED BY COUNTY PLANNING COMMISSION:

RECOMMENDATION: _____ APPROVE _____ DENY _____ RE-SUBMIT ON _____

CONSIDERED BY COUNTY COMMISSION:

RECOMMENDATION: _____ APPROVE _____ DENY _____ RE-SUBMIT ON _____

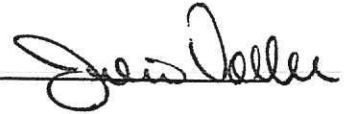
BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR PLAT APPROVAL

DATE: July 15, 2019
RECEIPT # 132155
TOWNSHIP: Columbia

FEES: 29⁰⁰
PAID: YES / NO CHK / CASH
DATE: July 15, 2019

OWNERS SIGNATURE: Julie Voeller
OWNERS ADDRESS: 39611 122nd Street
OWNERS CITY, STATE, ZIP: Columbia, SD 57433
OWNERS PHONE: _____



605-278-4813

AGENTS SIGNATURE: _____
AGENTS ADDRESS: _____
AGENTS CITY, STATE, ZIP: _____
AGENTS PHONE: _____

REQUEST: Preliminary and Final Plat

LEGAL DESCRIPTION: J. Voeller Addition to the City of Columbia in the NW 1/4 of Section 28-T125N-R62W of the 5th P.M., Brown County, South Dakota
39611 122nd St

Planning Commission Action: <u>Approved / Denied</u>	

By: _____	Date: _____
HEARING DATE: <u>October 15, 2019</u>	TIME: <u>7:00 PM</u>

Thank You

Farm & Home Publishers

Extends Its Thanks To All The Businesses Who Have Made This Plat & Directory Possible Through Their Advertisements. These Advertisers Are Community-Minded Individuals Who Are Willing To Support This Plat & Directory. Support These Fine Businesses!

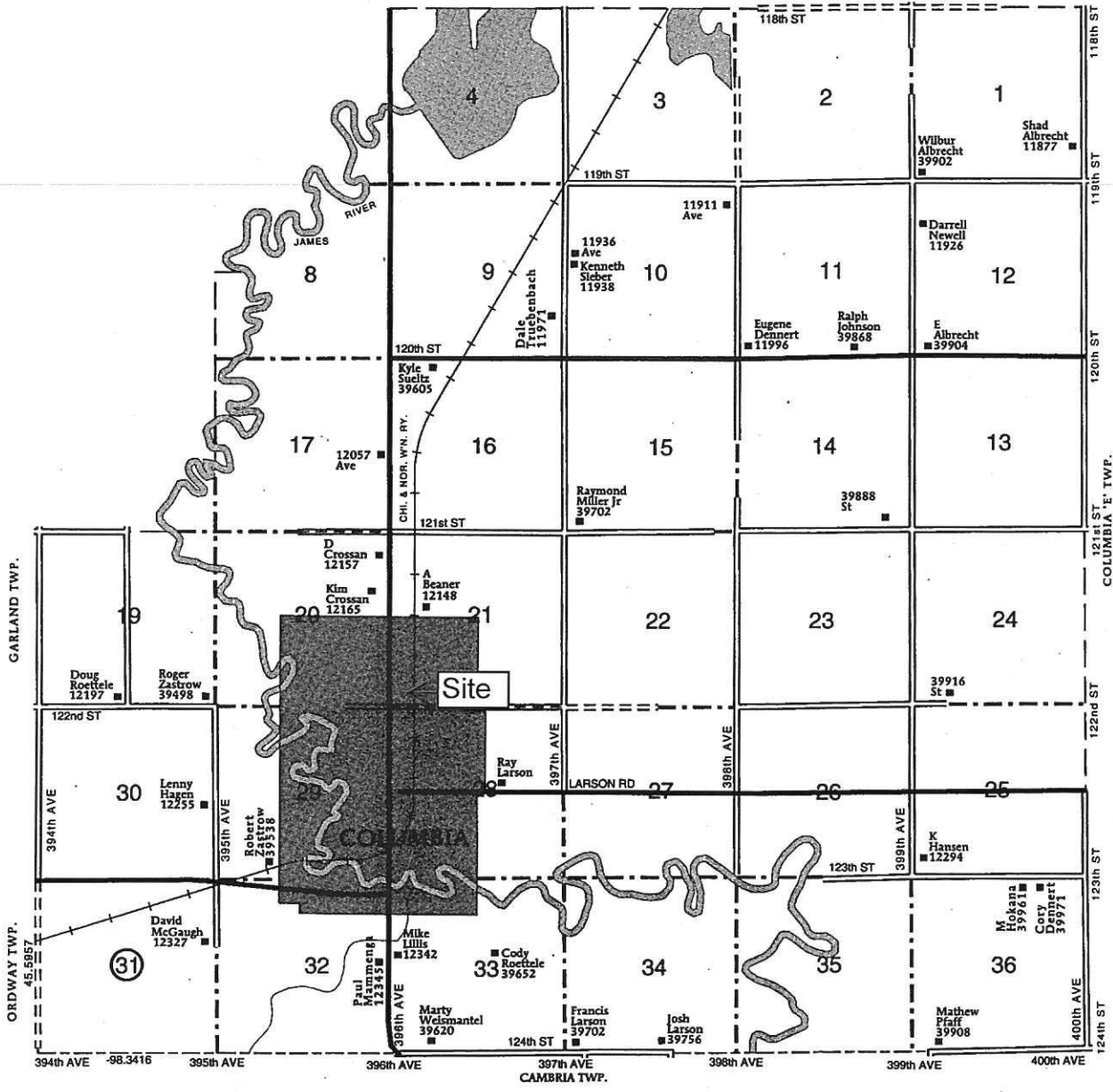
T-125-N

COLUMBIA 'W' DIRECTORY

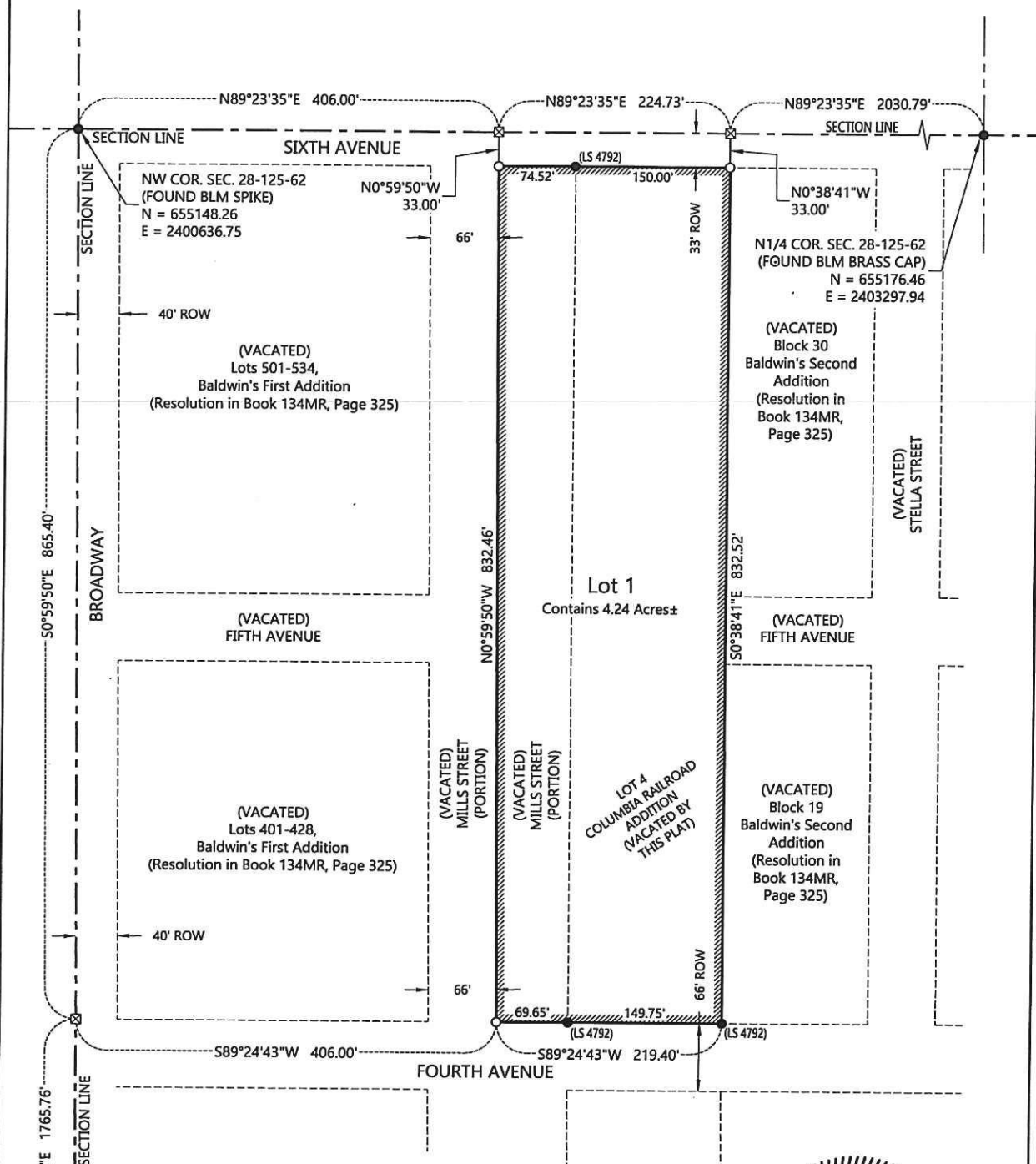
R-62-W

(Residents - Owners or Renters)

SHELBY TWP.



PLAT SHOWING
J. VOELLER ADDITION
 TO THE CITY OF COLUMBIA, IN THE NW1/4 OF SECTION 28,
 TOWNSHIP 125 NORTH, RANGE 62 WEST OF THE 5th P.M.
 BROWN COUNTY, SOUTH DAKOTA



BASIS OF BEARINGS
 STATE PLANE GRID
 SOUTH DAKOTA NORTH ZONE (4001)
 NAD '83 (2011) US SURVEY FEET
 DISTANCES ARE GROUND
 COORDINATES ARE GRID

- LEGEND**
- PIN FOUND (AS NOTED)
 - PIN SET w/CAP LS 11699
 - ⊠ CALCULATED CORNER
 - ▲ FOUND SPIKE (AS NOTED)



PREPARED BY:

CLARK ENGINEERING
 Clark Engineering Corporation
 3314 Milwaukee Avenue NE, Suite 2
 Aberdeen, SD 57401
 Phone: (605) 225-3494
 Fax: (605) 225-5433
 Aberdeen@clark-eng.com EOE



PLAT SHOWING
J. VOELLER ADDITION
TO THE CITY OF COLUMBIA, IN THE NW1/4 OF SECTION 28,
TOWNSHIP 125 NORTH, RANGE 62 WEST OF THE 5th P.M.
BROWN COUNTY, SOUTH DAKOTA

OWNER'S CERTIFICATE

I, Julie A. Voeller, do hereby certify that I am the owner of Lot 4, Columbia Railroad Addition (along with Vacated portion of Mills Street as vacated in Resolution filed in Book 134MR, Page 325), in the Northwest Quarter (NW1/4) of Section Twenty-Eight (28) Township One Hundred Twenty-Five (125) North, Range Sixty-Two (62) West of the 5th P.M., Brown County, South Dakota (Quit Claim Deed filed in Book 295 Deeds, Page 269), and that I have caused the same to be surveyed and platted as shown on the attached plat which shall be hereinafter known and described as "J. VOELLER ADDITION IN THE NW1/4 OF SECTION 28, TOWNSHIP 125 NORTH, RANGE 62 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA" and that development of this land shall conform to all existing applicable zoning, subdivision and sediment control regulations.

By this plat, I, Julie A. Voeller, do hereby VACATE Lot 4, Columbia Railroad Addition in the Northwest Quarter (NW1/4) of Section Twenty-Five (125) North, Range Sixty-Two (62) West of the 5th P.M., Brown County, South Dakota as filed September 20, 1996 at 8:00 a.m., and duly recorded in Book 14, Page 1054E.

Owner: Julie A. Voeller

Julie A. Voeller
Signature

Signed this 15 day of July, 2019.

COUNTY OF BROWN)
STATE OF SD) SS

On this 15 day of JULY, 2019, before me, a notary public, the undersigned officer, personally appeared Julie A. Voeller, known to me to be the person in and who executed the within instrument.

My Commission Expires: 05/05/2022

[Signature]
Notary Public

SURVEYOR'S CERTIFICATE

I, Zachary M. Remily, Registered Land Surveyor, in the State of South Dakota, do hereby certify that, at the request of the owner, I have surveyed and platted VOELLER ADDITION IN THE NW1/4 OF SECTION 28, TOWNSHIP 125 NORTH, RANGE 62 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA" as shown on the attached plat, that I have found and/or set iron pins as indicated thereon, and that said survey and plat are true and correct.

Signed this 12th day of JULY, 2019.



COUNTY PLANNING COMMISSION APPROVAL

I hereby certify that the following is a correct copy of the resolution duly passed by the County Planning Commission of Brown County, South Dakota, at a meeting held on the _____ day of _____, 2019.

Secretary of County Planning Commission
Brown County, South Dakota

"Be it resolved by the County Planning Commission of Brown County, South Dakota, that the plat showing "J. VOELLER ADDITION IN THE NW1/4 OF SECTION 28, TOWNSHIP 125 NORTH, RANGE 62 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA" having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-6, and any amendments.

COUNTY COMMISSION APPROVAL

I hereby certify that the following is a correct copy of the resolution duly passed by the County Commission of Brown County, South Dakota, at a meeting held on the _____ day of _____, 2019.

County Auditor
Brown County, South Dakota

"Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing "J. VOELLER ADDITION IN THE NW1/4 OF SECTION 28, TOWNSHIP 125 NORTH, RANGE 62 WEST OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA" having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof."

PREPARED BY:

CLARK
ENGINEERING

Clark Engineering Corporation
3314 Milwaukee Avenue NE, Suite 2
Aberdeen, SD 57401
Phone: (605) 225-3494
Fax: (605) 225-5433
Aberdeen@clark-eng.com EOE

PLAT SHOWING
J. VOELLER ADDITION
TO THE CITY OF COLUMBIA, IN THE NW1/4 OF SECTION 28,
TOWNSHIP 125 NORTH, RANGE 62 WEST OF THE 5th P.M.
BROWN COUNTY, SOUTH DAKOTA

TREASURER'S CERTIFICATE

I hereby certify that all taxes which are liens upon any of the lands included in the attached plat are shown by the records of my office to be fully paid.

Signed this ____ day of _____, 2019.

County Treasurer
Brown County, South Dakota

DIRECTOR OF EQUALIZATION CERTIFICATE

I hereby certify that I have received a copy of this plat this ____ day of _____, 2019.

Director of Equalization
Brown County, South Dakota

REGISTER OF DEEDS' CERTIFICATE

Filed for record this ____ day of _____, 2019, at ____ O'clock __ M., and duly recorded as Hanging Plat No. _____.

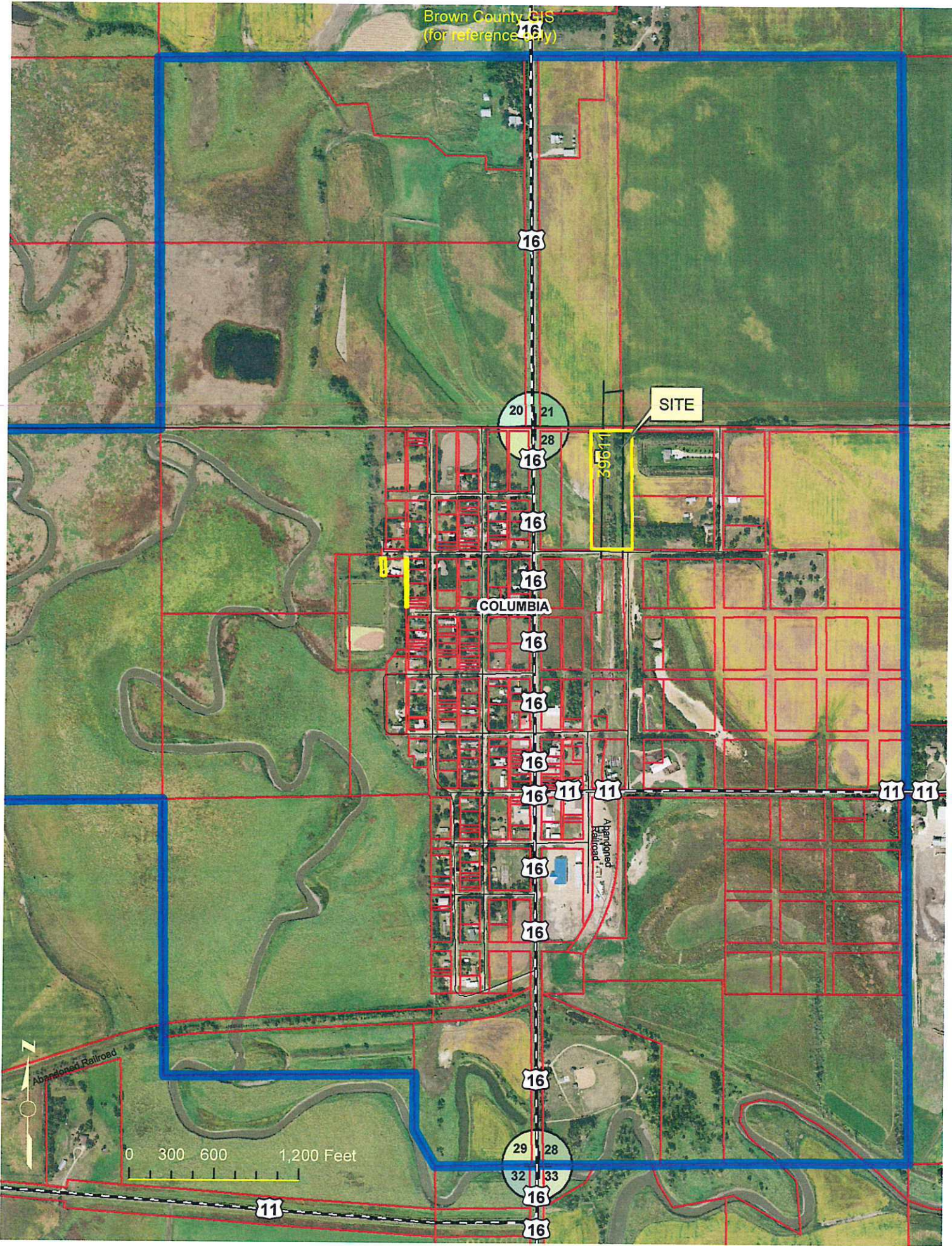
Register of Deeds
Brown County, South Dakota

PREPARED BY:

CLARK
ENGINEERING

Clark Engineering Corporation
3314 Milwaukee Avenue NE, Suite 2
Aberdeen, SD 57401
Phone: (605) 225-3494
Fax: (605) 225-5433
Aberdeen@clark-eng.com EOE

Brown County GIS
(for reference only)



Brown County GIS
(for reference only)

16

20 21
29 28

16

16

16

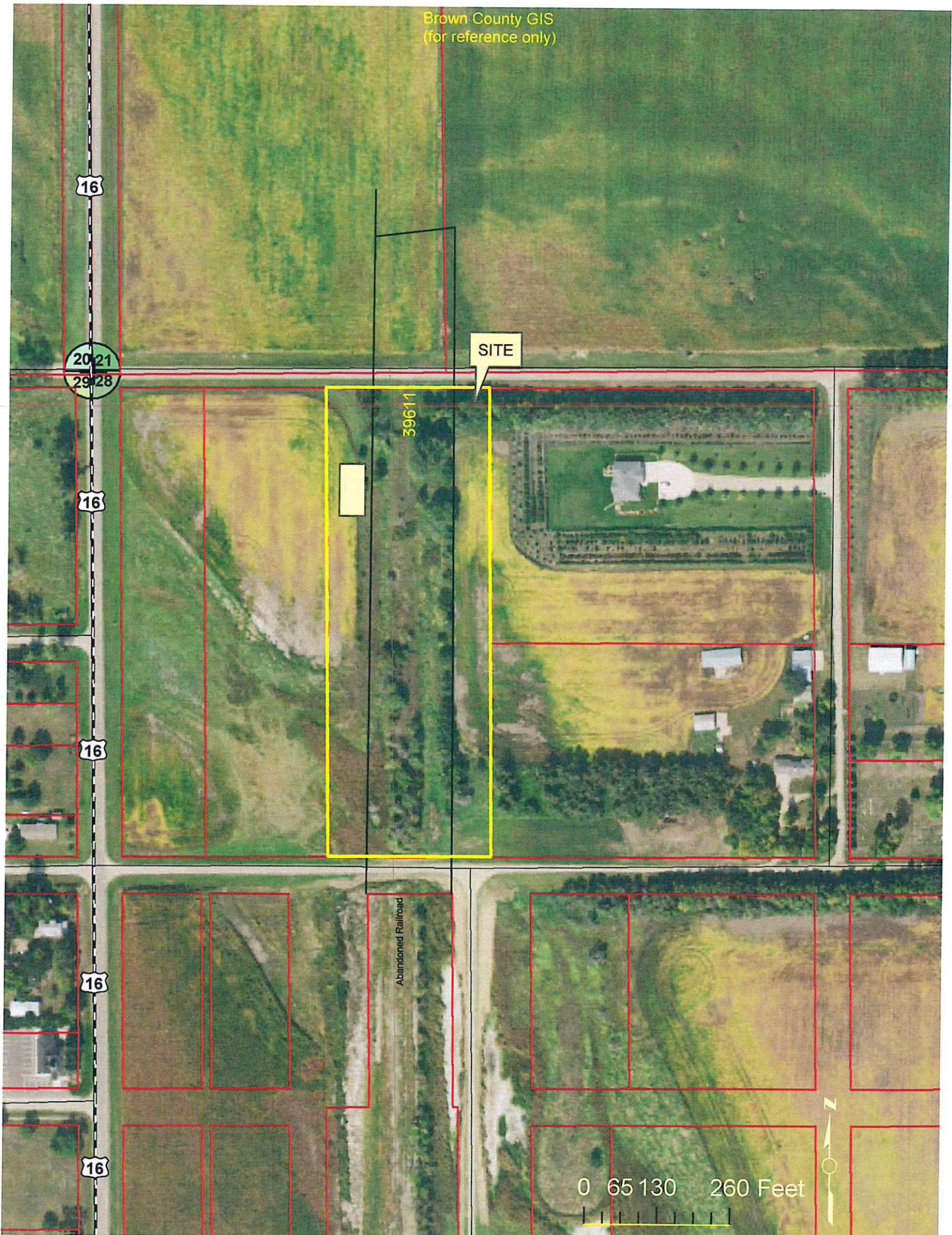
16

SITE

39611

Abandoned Railroad

0 65 130 260 Feet



STAFF REPORT
October 15, 2019

PRELIMINARY & FINAL PLAT

ITEM # 13

GENERAL INFORMATION

PETITIONER	Nick Berbos
REQUEST	Preliminary & Final Plat
LEGAL DESCRIPTION	Lot 1 "Bebos Subdivision" in the S ½ of the SW1/4 of Section 35-T124N-R64W of the 5th P.M., Brown County, South Dakota
LOCATION	1814 130 th St NW
EXISTING ZONING	Agriculture Preservation District (AG-P)
SURROUNDING ZONING	
North:	Agriculture Preservation District (AG-P)
South:	Agriculture Preservation District (AG-P)
East:	Agriculture Preservation District (AG-P)
West:	Agriculture Preservation District (AG-P)
PUBLIC UTILITIES	WEB Water
REPORTED BY	Scott Bader

GENERAL COMMENT: The petitioner is requesting this Preliminary and Final Plat for conveyance.

REVIEW: Staff has reviewed this Preliminary and Final Plat and acknowledges the plat and existing access. This parcel requires this lot to be rezoned to Mini-Ag (M-AG) since it does not meet the "Farm Unit" requirements. An application for Rezone has been submitted.

PLAT APPROVAL CHECKLIST

SUBDIVISION NAME Berbos Subdivision

QUARTER: SW SECTION: 35 TOWNSHIP: 124 RANGE: 64

LOTS 1, 2, 3 1 TRACTS 1, 2, 3 _____ PARCELS 1, 2, 3 _____ NOTHING SHOWN _____

OWNERS NAMES: Nick Berbos

OWNERS NAMES: Cathryn Berbos Stieger Trust

OWNERS NAMES: _____

ENGINEER OR SURVEYOR: Cory Biegler (Helms & Assoc)

TYPE: PRELIMINARY _____ FINAL _____ BOTH X

FEE: ~~\$25.00~~ ACRES x \$1.00 _____ TOTAL: \$ 100.00 DATE PAID: 09 / 11 / 2019

RECEIVED BY PLANNING DEPARTMENT: 09 / 11 / 2019 BY: Scott Bader

REASON FOR PLAT: DEVELOPMENT _____ CONVEYANCE X FINANCIAL PURPOSES _____ BOTH _____

PLAT: ON 11 x 17 MYLAR X ON 11 x 17 PHOTO PAPER _____

STREETS/ROADS NAMED PROPERLY X

EXISTING ACCESS SHOWN ON PLAT X ACCESS NEEDED _____

DIMENSION ALL LINEWORK FOR GIS DEPT. _____ BEARINGS & DISTANCES SHOWN TO "CLOSE" _____

PLAT NAME CHECKED FOR DUPLICATION OR SIMILARITIES IN DEEDS OFFICE X

HIGHWAY SIGNATURE LINE SHOWN (STATE, COUNTY, TOWNSHIP) X

HIGHWAY SIGNATURE LINE SIGNED X

TAXES PAID IN FULL FOR THE YEAR X TREASURER SIGNATURE LINE SIGNED X

CONSIDERED BY COUNTY PLANNING COMMISSION:

RECOMMENDATION: _____ APPROVE _____ DENY _____ RE-SUBMIT ON _____

CONSIDERED BY COUNTY COMMISSION:

RECOMMENDATION: _____ APPROVE _____ DENY _____ RE-SUBMIT ON _____

**BROWN COUNTY
PLANNING & ZONING COMMISSION**

APPLICATION FOR PLAT APPROVAL

DATE 9-11-19 FEES: \$100
RECEIPT # 132225 PAID: YES NO
TOWNSHIP: Lincoln DATE: 9-11-19

TO: BROWN COUNTY PLANNING & ZONING COMMISSION

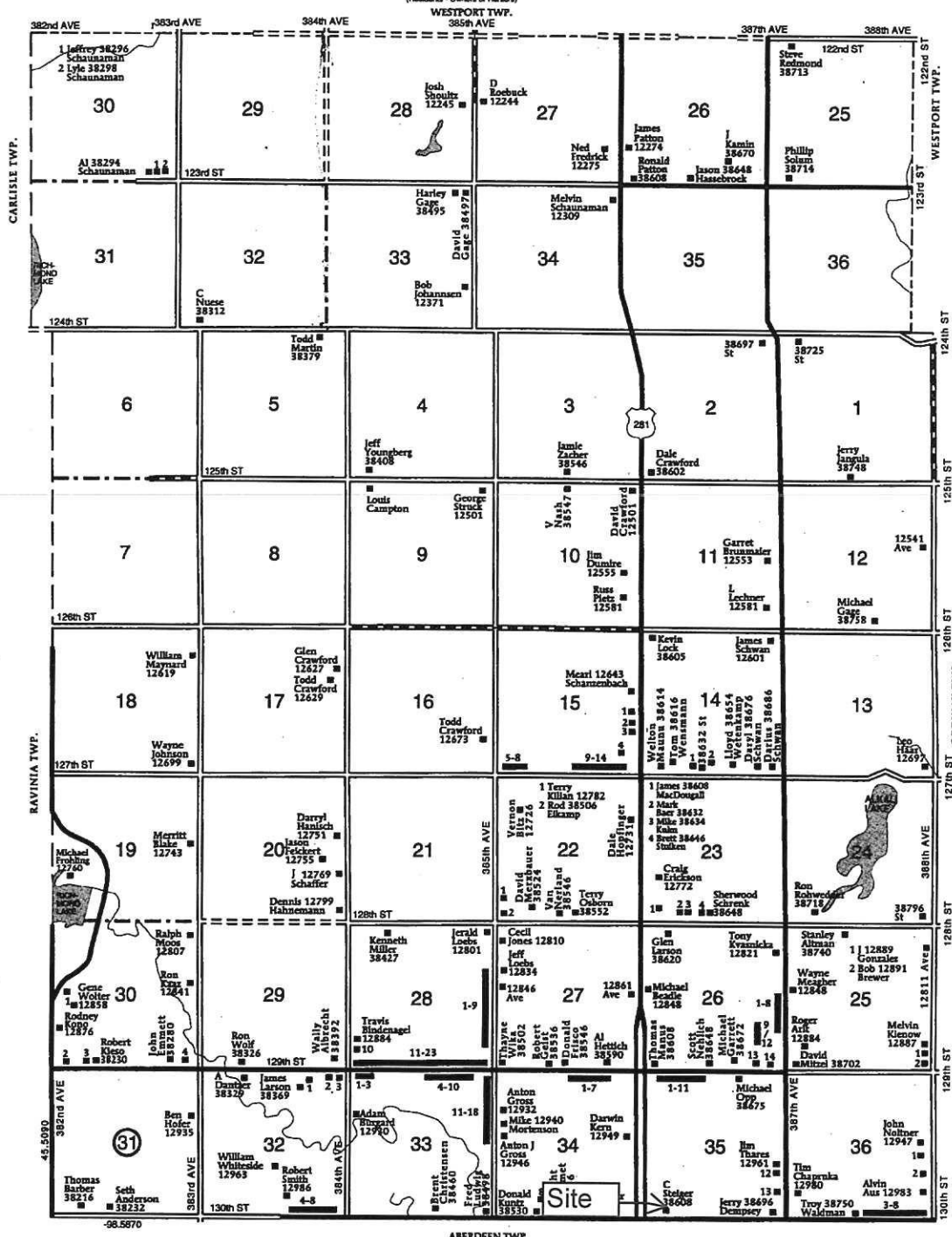
The undersigned do hereby request: Preliminary & final plat

LEGAL DESCRIPTION: Lot 1 Berbos Subdivision in the SW 1/4 of the SW 1/4 of Sec. 35, T124N, R64W

OWNERS SIGNATURE: John Berbos
OWNERS ADDRESS: 1105 Seashore Ave
OWNERS CITY, STATE, ZIP: Port Charlotte, FL 33948
OWNERS PHONE: 941-875-8657

AGENTS SIGNATURE: _____
AGENTS ADDRESS: _____
AGENTS CITY, STATE, ZIP: _____
AGENTS PHONE: _____

Planning Commission Action:	Approved	or	Denied
By: _____	Date: _____		
HEARING DATE: <u>10-15-19</u> TIME: <u>7:00 PM</u>			
BROWN COUNTY COURTHOUSE COMMUNITY ROOM LOCATED IN BASEMENT			



- LINCOLN TOWNSHIP**
- SECTION 14**
- 1 Adams, John 38630
 - 2 Mount, Bill 38634
- SECTION 15**
- 1 Schaunaman, Chad 12657
 - 2 Berg, Tom 12663
 - 3 Heath, Pat 12667
 - 4 Kiesz, Marvin 12855
 - 5 Huetti, Roger 38502
 - 6 Klapperich, Ed 38504
 - 7 Frohling, Leslie 38512
 - 8 Moore, Joe 38518
 - 9 Williams, Eugene 38552
 - 10 Black, Casey 38556
 - 11 Mitzel, Michael 38560
 - 12 Malsam, Adam 38570
 - 13 Nelson, Mark 38574
 - 14 Roso, R 38576

- SECTION 26S**
- 1 Wetankamp, Lloyd D 12847
 - 2 Hedges, Kendall 12849
 - 3 Labay, Richard 12851
 - 4 Kolb, Myron 12855
 - 5 12857
 - 6 Wacholz, B 12861
 - 7 Simonson, Lee 12869
 - 8 Rychlik, Jerald 12875
 - 9 Kaller, Mike 12862
 - 10 Stein, Craig 12866
 - 11 Hedge, Duane 12870
 - 12 Call, Ty 12874
 - 13 Wahl, Merle 38696
 - 14 Punt, Lawayne 38690
- SECTION 28S**
- 1 Drageset, Jamie 12833
 - 2 Adolf, Gregory 12839
 - 3 Hoeltzner, Curtie 12843
 - 4 Wilkie, Chad 12845
 - 5 Carlson, Cartor 12853

- SECTION 30S**
- 1 Podoll, M 12852
 - 2 Schlagel, Gene 38206
- SECTION 32S**
- 3 38228
 - 4 Mandel, Lonnie 38294
- SECTION 33S**
- 1 Lehr, Cary 38373
 - 2 Otto, Randall 38393
 - 3 Gosvener, Ken 12901
 - 4 Martinmaas, Roger 38364
 - 5 Thorstenson, Casey 38370
 - 6 Harms, Bruce 38374
 - 7 Hartung, Mark 38386
 - 8 Ketter, Edward 38392
- SECTION 34S**
- 1 Waitman, Frank 38405
 - 2 Malsam, Ervin 38409
 - 3 Krueger, Gerald 38413
 - 4 Burt, Roy 38453
 - 5 Sutton, Duane 38459
 - 6 Aman, Bonnell 38463
 - 7 Hagmann, Rick 38469
 - 8 Allbie, M 38479

- SECTION 35S**
- 9 Felckert, Dennis 38485
 - 10 Foss, Kevin 38489
 - 11 Martal, Don 12903
 - 12 Entzel, Ernest 12907
 - 13 Malsam, Bob 12909
 - 14 Falken, Jess 12915
 - 15 Skott, Randy 12921
 - 16 Kurtz, B 12927
 - 17 Gross, Joe 12941
 - 18 Schlosser, Rudolph 12945
- SECTION 36S**
- 1 Hartung, John 38549
 - 2 Shilman, Larry 38557
 - 3 Tarrell, Ron 38559
 - 4 Odde, N 38563
 - 5 Volzke, Randy 38587
 - 6 Malsam, Melvin 38589
 - 7 Igo, Loren 38591
 - 8 Ritter, Loren 38534

- SECTION 37S**
- 1 Fordham, Donald 38621
 - 2 Luitjens, Mark 38631
 - 3 Hollan, Ray 38635
 - 4 Hendrickson, J 38649
 - 5 Aniker, Alvin 38655
 - 6 Malsam, Joe 38629
 - 7 Hanley, Tom 38630
 - 8 Fix, Jeffrey 38637
 - 9 Binder, Brandon 38643
 - 10 Mercer, V 12911
 - 11 Tchida, Mervin 12914
 - 12 Thares, Clark 12969
 - 13 Diede, James 12979
 - 1 Dalager, John 12953
 - 2 Hinds, Bill 12971
 - 3 Waldman, Clarence 38756
 - 4 Waldman, Galen 38762
 - 5 Pence, Bryan 38766
 - 6 Cowan, Richard 38770
 - 7 Lonning, Stuart 38782
 - 8 Bock, Jeff 38792

REZONE PETITION

BROWN COUNTY COMMISSION
25 MARKET ST
ABERDEEN, SD 57401

Petition No: _____
Date: 9-11-19
Receipt: 132225
Filing Fee: \$350
(non-refundable)

Brown County Commission Members:

I/We the undersigned, do hereby petition the Brown County Commission of Brown County, South Dakota to rezone property as follows:

Legal Description:

Lot 1 Berbos Subdivision in the S¹/₂ of the SW¹/₄ of
Sec. 35, T124N, R64W

General Area Location or Street Address: 1814 130th St. NW
From the AG-P Agricultural Preservation District
To the M-AG Mini-Agricultural District

Purpose: Bring zoning in compliance with use
Size of Parcel: 10.29 Ac.
Existing Land Use: Ag use

Petitioner: (Print) Nick Berbos
Signature: Nick Berbos
Date: 9/11/19 Phone: 941-875-8657
Address: 1705 Seashore Ave
Aberdeen SD 57401
City State Zip

Owner: (Print) Nick Berbos
Signature: Nick Berbos
Date: 9/11/19 Phone: 941-875-8657
Address: 1705 Seashore Ave
Port Charlotte, FL 33948
City State Zip

Additional Signatures may be submitted on a separate page.

Prepared by: Kenneth L. Gosch
Bantz, Gosch & Cremer, L.L.C.
Attorneys at Law
305 Sixth Avenue SE, P.O. Box 970
Aberdeen, SD 57402-0970
(605) 225-2232

CERTIFICATE OF TRUST

STATE OF FLORIDA)
 SS
COUNTY OF CHARLOTTE)

Nickolas James Berbos, being duly sworn under oath, hereby states as follows:

1. A trust instrument executed on November 10, 1998, established a trust, which is still in existence on the date this Certificate is signed. Said trust was amended on June 25, 2002. The current name of the trust is the Berbos Trust. The name of the trust was not changed.

2. The name of the settlor is Thomas N. Berbos, who died on November 5, 2002.

3. The name of each original trustee and the name and address of each trustee and each trust protector currently empowered to act under the trust instrument on the date of the execution of this Certificate of Trust is as follows:

Original Trustee: Thomas N. Berbos

Successor and Current Trustees: Nickolas James Berbos
 17105 Seashore Ave
 Port Charlotte, FL 33948

 Joseph Alexander Berbos
 126741 E Shore Dr
 Aberdeen, SD 57401

Certificate of Trust

Trust Protector: None.

4. The person who signs this certificate below certifies that the trust instrument, under Article IX, contains the following powers, which are given to the trustees, which may or may not be inclusive of all of the powers given to the trustees:

I give and grant unto my Trustee herein named all of the powers enumerated in the "South Dakota Trustee's Powers Act" SDCL 55-1A, as exists at the date of this Revocable Trust Agreement, and by specific reference to SDCL 55-1A-3, hereby incorporate the entirety of said powers to be exercised by my Trustee, in the exercise of his or her discretion, determined to be in the best interest of the Trust herein created, such powers being in addition to, and not in limitation of, all other common law and statutory powers of Trustee.

The number of trustees required to join in an action by the provisions of the trust instrument is two.

5. The trust is irrevocable.
6. The trust is not supervised by a court.
7. The co-trustees intend to convey the following property owned by the Trust in Brown County, South Dakota:

Township 124 North, Range 63 West of the 5th P.M.:

Section 3: N $\frac{1}{2}$ SE $\frac{1}{4}$
S $\frac{1}{2}$ NE $\frac{1}{4}$
SE $\frac{1}{4}$ NW $\frac{1}{4}$
NE $\frac{1}{4}$ SW $\frac{1}{4}$

Township 124 North, Range 64 West of the 5th P.M.:

Section 25: Abandoned railroad right-of-way, except portion of Valnes Outlot 1, in the NW $\frac{1}{4}$ of Section 25 (consisting of 7.28 acres, more or less), and

Section 26: Abandoned railroad right-of-way, except portion of Valnes Outlot 1, in the NE $\frac{1}{4}$ of Section 26 (consisting of .23 acres, more or less), and

Section 35: SW $\frac{1}{4}$

subject to easements, restrictions and reservations of record, if any.

8. The trust has not been modified or amended in any manner that would cause the representations contained in this Certificate of Trust to be incorrect. The statements contained in this Certificate of Trust are true and correct.

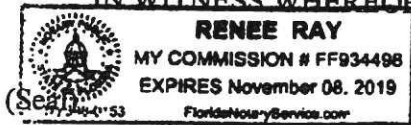
Dated this 27 day of February, 2017.

Nickolas James Berbos
Nickolas James Berbos

STATE OF FLORIDA)
 SS
COUNTY OF CHARLOTTE)

On this, the 27 day of February, 2017, before me, the undersigned officer, personally appeared Nickolas James Berbos, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Renee Ray
Notary Public, Florida

My Comm. Expires: 11/8/19

CERTIFICATE OF REAL ESTATE VALUE [SDCL 7-9-7(4)]

COURTHOUSE USE ONLY
 Book _____ Page _____
 Ratio Card No. _____

State of South Dakota, County of Brown

Seller(s): Berbos Revocable Trust u/t/d 11-10-1998, as amended 6-25-2002 ()
 Name _____ Phone Number _____

Mailing Address: c/o Joseph Alexander Berbos, 126741 E Shore Dr, Aberdeen, SD 57401
 Street/Box Number _____ City _____ State/Zip Code _____

Buyer(s): Nickolas James Berbos, as Trustee for the benefit of Cathryn Sue Berbos Steiger, Joseph Alexander Berbos, Nickolas James Berbos, and Thomas Gian Berbos ()
 Name _____ Phone Number _____

Current Mailing Address: 17105 Seashore Ave, Port Charlotte, FL 33948; 126741 E Shore Dr, Aberdeen, SD 57401; 17105 Seashore Ave, Port Charlotte, FL 33948; and 4364 Vesta Dr, Helena, MT 59602
 Street/Box Number _____ City _____ State/Zip Code _____

NEW Mailing Address: _____
 Street/Box Number _____ City _____ State/Zip Code _____

OWNER OCCUPIED - THIS BOX TO BE COMPLETED BY BUYER ONLY
 These items are important to complete for property to continue to be classified as owner occupied for a lower property tax rate.

Property is currently classified as owner-occupied YES NO
 Property will be occupied by buyer on _____ (date) YES NO
 Property will be principal residence of buyer on the above stated date YES NO
 Do you own any other residential property in the United States? YES NO If yes, state location _____

Signature (BUYER ONLY) _____

Legal Description (Please include the number of acres for unplatted properties)

Township 124 North, Range 63 West of the 5th P.M.:

Section 3: N $\frac{1}{2}$ SE $\frac{1}{4}$
 S $\frac{1}{2}$ NE $\frac{1}{4}$
 SE $\frac{1}{4}$ NW $\frac{1}{4}$
 NE $\frac{1}{4}$ SW $\frac{1}{4}$

Township 124 North, Range 64 West of the 5th P.M.:

Section 25: Abandoned railroad right-of-way, except portion of Valnes Outlot 1, in the NW $\frac{1}{4}$ of Section 25 (consisting of 7.28 acres, more or less), and
 Section 26: Abandoned railroad right-of-way, except portion of Valnes Outlot 1, in the NE $\frac{1}{4}$ of Section 26 (consisting of .23 acres, more or less), and
 Section 35: SW $\frac{1}{4}$

subject to easements, restrictions and reservations of record, if any.

(1) Date of Instrument February 27 2017

(2) Type of Instrument:

Contract for Deed Warranty Deed Executor's Deed Mineral Deed
 Quit Claim Deed Trustee's Deed Administrator's Deed Gift
 Other (specify) Corrective Trustees' Deed

(3) Items Involved In Transaction

(a) Was this property offered for sale to the general public YES NO
 (b) Relationship between buyer and seller? YES NO
 (c) Was this property sold by owner agent
 (d) Actual Consideration Exchanged: **\$0.00**
 (e) Adjusted price paid for real estate: \$
 (actual consideration less amount paid for major items of personal property which are listed below)

In the blanks below, list any major items of personal property and their value which were included in the total purchase price (i.e. furniture, inventory, crops, leases, franchises): _____

(4) Was there Buyer Financing YES _____ NO X If yes, items (a) and (b) below MUST be completed

(a) Type of Buyer Financing – check where applicable

Conventional Bank Loan _____ Like Kind Exchange _____
Cash Sale _____ Assumed Mortgage _____
FHA, FmHA, SDHA Loan _____ Farm Credit Service _____
Contract for Deed _____ [must complete part (b)]

(b) Contract for Deed YES _____ NO _____
(If yes, MUST complete items below)

Down Payment _____
Monthly/Yearly Payment _____ Interest Rate _____
No. of Payments _____ Balloon Payment _____

Nicholas Butler
Signature of seller, Buyer, or agent of _____

February 27, 2017
Date

PT 56 (Rev 06/05)

Form required pursuant to SDCL 7-9-7(4) and Administrative Rule 64:04:01:06.01

Corrective Trustees' Deed
Bebos Trust to Steiger Trust, et al.
Page 2

SEPARATE SIGNATURE PAGE OF
JOSEPH ALEXANDER BERBOS, TRUSTEE

Dated this 30 day of March, 2017.

Joseph Alexander Berbos
Joseph Alexander Berbos, Trustee

STATE OF SOUTH DAKOTA

SS

COUNTY OF BROWN

On this the 30 day of March, 2017, before me, the undersigned officer, personally appeared **Joseph Alexander Berbos**, one of the Co-Trustees of the Berbos Revocable Trust, u/t/d 11-10-1998, as amended 6-25-2002, known to me to be the person described in the foregoing instrument and acknowledged that he executed the same in the capacity therein stated and for the purposes therein contained.

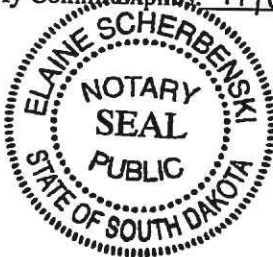
IN WITNESS WHEREOF I have hereunto set my hand and official seal.

(Seal)

Elaine Scherbenski
Notary Public, South Dakota

My Comm. Expires:

11/09/22



Prepared by: Kenneth L. Gosch
Bantz, Gosch & Cremer, L.L.C.
Attorneys at Law
305 Sixth Avenue SE, P.O. Box 970
Aberdeen, SD 57402-0970
(605) 225-2232

INSTRUMENT NO. 201701600
BOOK: 300 DEED
PAGE: 891
TRANSFER FEE: Exempt 4

Pages: 6

2017/03/31 04:01:12 PM

CAROL SHERMAN, REGISTER OF DEEDS
BROWN COUNTY, SOUTH DAKOTA



Recording Fee: \$ 30.00
Return To: BANTZ GOSCH CREMER

CORRECTIVE TRUSTEES' DEED

Joseph Alexander Berbos and Nickolas James Berbos, co-trustees of the Berbos Revocable Trust, w/t/d 11-10-1998, as amended 6-25-2002, (Certificate of Trust attached) Grantors, of Brown County, South Dakota, and Charlotte County, Florida, respectively, for and in consideration of One Dollar and Other Good and Valuable Consideration, GRANT, CONVEY and WARRANT to

Nickolas James Berbos, as Trustee for the benefit of Cathryn Sue Berbos Steiger, now from 17105 Seashore Avenue, Port Charlotte, Florida 33948;
Joseph Alexander Berbos, 126741 East Shore Drive, Aberdeen, South Dakota 57401;
Nickolas James Berbos, now from 17105 Seashore Avenue, Port Charlotte, Florida 33948; and
Thomas Gian Berbos, now from 4364 Vesta Drive, Helena, Montana 59602;

Grantees, the following described real estate in the County of BROWN, in the State of South Dakota:

Township 124 North, Range 63 West of the 5th P.M.:

Section 3: N $\frac{1}{2}$ SE $\frac{1}{4}$
S $\frac{1}{2}$ NE $\frac{1}{4}$
SE $\frac{1}{4}$ NW $\frac{1}{4}$
NE $\frac{1}{4}$ SW $\frac{1}{4}$

Township 124 North, Range 64 West of the 5th P.M.:

Section 25: Abandoned railroad right-of-way, except portion of Valnes Outlot 1, in the NW $\frac{1}{4}$ of Section 25 (consisting of 7.28 acres, more or less), and
Section 26: Abandoned railroad right-of-way, except portion of Valnes Outlot 1, in the NE $\frac{1}{4}$ of Section 26 (consisting of .23 acres, more or less), and
Section 35: SW $\frac{1}{4}$

subject to easements, restrictions and reservations of record, if any.

EXEMPT FROM TRANSFER FEE SDCL 43-4-22(4)


This deed is given to correct that certain Trustee's Deed dated August 1, 2003, which was recorded with the Brown County Register of Deeds on August 1, 2003, at 2:07 PM as Instrument No. 42 in Book 279, page 558. Said deed incorrectly described the "Abandoned railroad right-of-way, except portion of Valnes Outlot 1 in the NE $\frac{1}{4}$ of Section 26 (consisting of .23 acres, more or less)," as the "Abandoned railroad right-of-way, except portion of Valnes Outlot 1, in the NW $\frac{1}{4}$ of Section 25 (consisting of .23 acre, more or less)."

[SEPARATE SIGNATURE PAGES TO FOLLOW]

Corrective Trustees' Deed
Berbos Trust to Steiger Trust, et al.
Page 3

**SEPARATE SIGNATURE PAGE OF
NICKOLAS JAMES BERBOS, TRUSTEE**

Dated this 27 day of February, 2017.



Nickolas James Berbos, Trustee

STATE OF FLORIDA

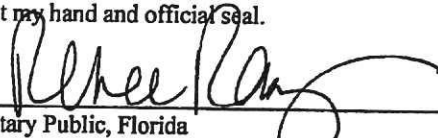
SS

COUNTY OF CHARLOTTE

On this the 27 day of February, 2017, before me, the undersigned officer, personally appeared **Nickolas James Berbos**, one of the Co-Trustees of the Berbos Revocable Trust, u/t/d 11-10-1998, as amended 6-25-2002, known to me to be the person described in the foregoing instrument and acknowledged that he executed the same in the capacity therein stated and for the purposes therein contained.

IN WITNESS WHEREOF I have hereunto set my hand and official seal.





Notary Public, Florida

My Comm. Expires: 11/8/19

Brown County GIS
(for reference only)

COUNTRY
DR

281

386TH AVE

386TH AVE

SITE

ST 130TH
ST NW

130TH ST NW 13

281

281

N HWY 281
N HWY 281



Brown County GIS
(for reference only)

281

281

SITE

13W

3 2

13

281

281

0 90 180 360 Feet



STAFF REPORT
October 15, 2019

PRELIMINARY & FINAL PLAT

ITEM # 14

GENERAL INFORMATION

PETITIONER	John Dalager
REQUEST	Preliminary & Final Plat
LEGAL DESCRIPTION	“Dalager Second Addition to Bath” in the NW1/4 of Section 17-T123N-R62W of the 5th P.M., Brown County, South Dakota
LOCATION	936 RR Ave
EXISTING ZONING	Rural Urban District (RU)
SURROUNDING ZONING	
North:	Rural Urban District (RU)
South:	Agriculture Preservation District (AG-P)
East:	Rural Urban District (RU)
West:	Rural Urban District (RU)
PUBLIC UTILITIES	WEB Water
REPORTED BY	Scott Bader

GENERAL COMMENT: The petitioner is requesting this Preliminary and Final Plat for dedicated right of way.

REVIEW: Staff has reviewed this Preliminary and Final Plat and acknowledges the plat and existing access. This plat creates the right of way needed for the access for Main Street in the city of Bath.

PLAT APPROVAL CHECKLIST

SUBDIVISION NAME Dalager Second Addition to Bath

QUARTER: NW SECTION: 17 TOWNSHIP: 123 RANGE: 62

LOTS 1, 2, 3 1 TRACTS 1, 2, 3 _____ PARCELS 1, 2, 3 _____ NOTHING SHOWN _____

OWNERS NAMES: John Dalager

OWNERS NAMES: _____

OWNERS NAMES: _____

ENGINEER OR SURVEYOR: Randy Bacon (Helm's & Assoc)

TYPE: PRELIMINARY _____ FINAL _____ BOTH X

FEE: ~~\$25.00~~ ACRES x \$1.00 _____ TOTAL: \$ 100.00 DATE PAID: _____/_____/20

RECEIVED BY PLANNING DEPARTMENT: _____/_____/20 BY: Scott Bader

REASON FOR PLAT: DEVELOPMENT _____ CONVEYANCE _____ FINANCIAL PURPOSES _____ BOTH _____

PLAT: ON 11 x 17 MYLAR X ON 11 x 17 PHOTO PAPER _____

STREETS/ROADS NAMED PROPERLY X

EXISTING ACCESS SHOWN ON PLAT X ACCESS NEEDED _____

DIMENSION ALL LINEWORK FOR GIS DEPT. _____ BEARINGS & DISTANCES SHOWN TO "CLOSE" _____

PLAT NAME CHECKED FOR DUPLICATION OR SIMILARITIES IN DEEDS OFFICE X

HIGHWAY SIGNATURE LINE SHOWN (STATE, COUNTY, TOWNSHIP) X

HIGHWAY SIGNATURE LINE SIGNED X

TAXES PAID IN FULL FOR THE YEAR X TREASURER SIGNATURE LINE SIGNED X

CONSIDERED BY COUNTY PLANNING COMMISSION:

RECOMMENDATION: _____ APPROVE _____ DENY _____ RE-SUBMIT ON _____

CONSIDERED BY COUNTY COMMISSION:

RECOMMENDATION: _____ APPROVE _____ DENY _____ RE-SUBMIT ON _____

BROWN COUNTY PLANNING & ZONING COMMISSION

APPLICATION FOR PLAT APPROVAL

DATE: 10-10-19
RECEIPT # 132242
TOWNSHIP: Bath Twp

FEES: \$100.00
PAID: (YES/NO) (CHK) CASH
DATE: 10-10-19

OWNERS SIGNATURE: John Dalager
OWNERS ADDRESS: 936 Railroad Ave
OWNERS CITY, STATE, ZIP: Bath, SD 57427-2005
OWNERS PHONE: 605 229-2412

AGENTS SIGNATURE: Bath Township - Scott Sperry (Clerk) James M. Bader
AGENTS ADDRESS: 13186 396th ave Supervisor
AGENTS CITY, STATE, ZIP: Bath, SD 57427
AGENTS PHONE: 605-228-3461

REQUEST: Preliminary & Final Plat

LEGAL DESCRIPTION: "Dalager Second Addition to Bath" in the NW1/4 of Section
17-T123N-R62W of the 5th P.M., Brown County, South Dakota

Planning Commission Action: Approved / Denied

By: _____ Date: _____

HEARING DATE: October 15, 2019 TIME: 7:00 P.M.

MEETING: located in the Basement Community Room of the Court House Annex

25 Market Street • Aberdeen, South Dakota 57401-4203

Phone: 605-626-7144 • FAX: 605-626-4010 • email: Scott.Bader@browncounty.sd.gov

Want a "free" extra book?

By reviewing township Directory maps for correct information before we publish the next issue, FHP will send you a free book of any county in any state printed by FHP for that year.

Contact our updating dept. at

800-685-7432-ext. 2605 or

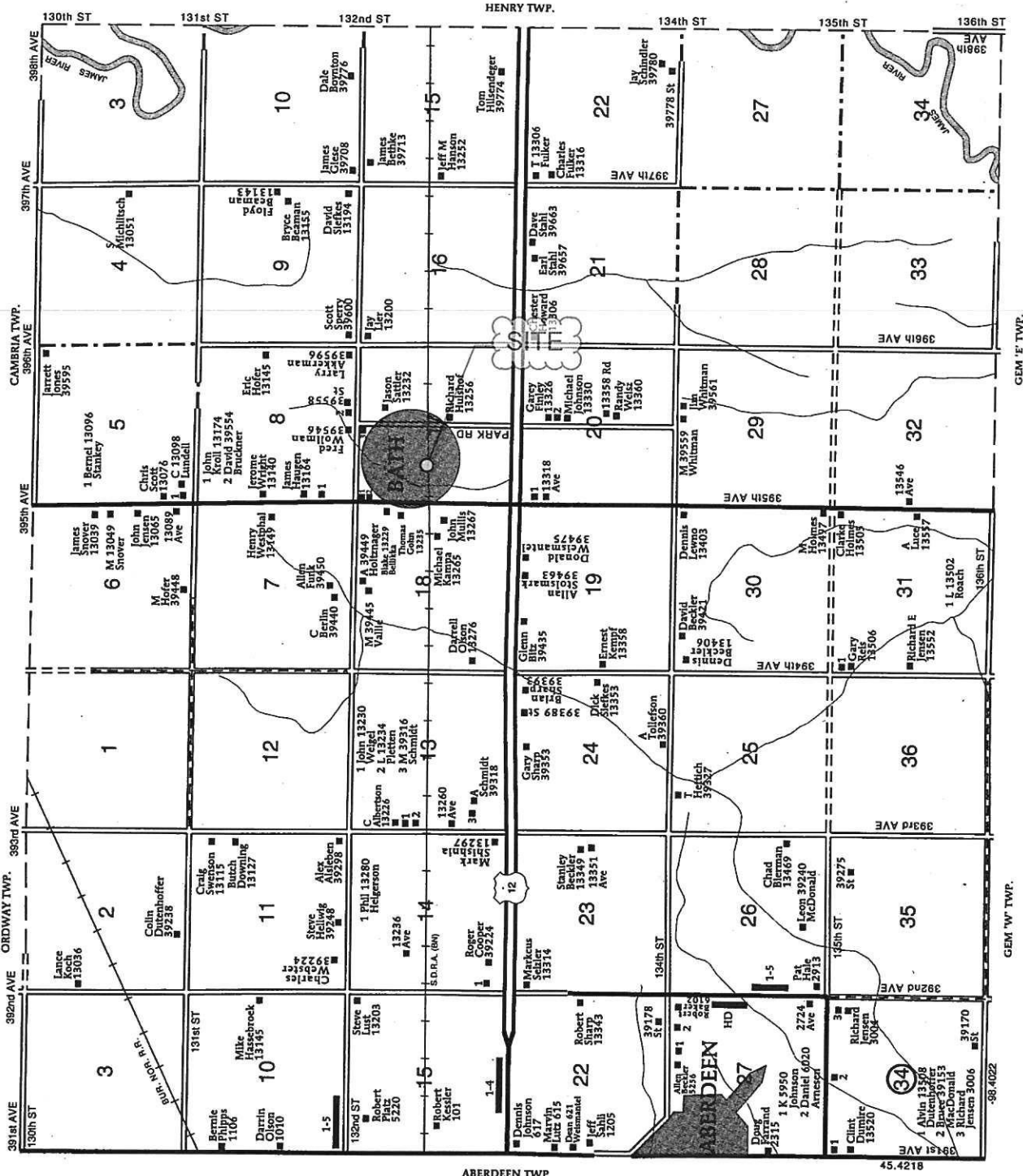
email: amanda.engebretson@farmandhomepublishers.com

T-123-N

BATH DIRECTORY

R-62-63-W

(Residents - Owners or Renters)



ABERDEEN TWP.

45.4218

BATH TOWNSHIP

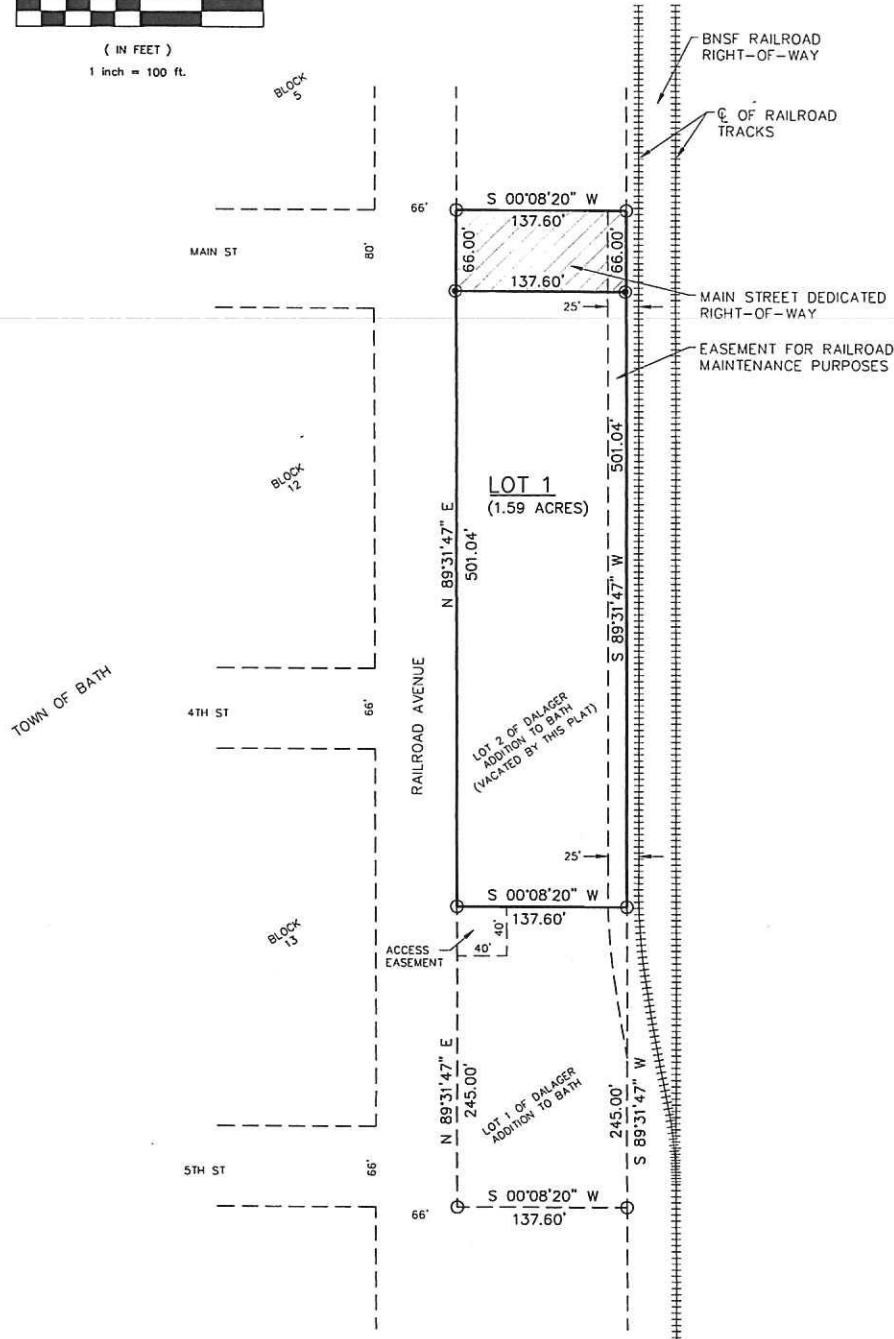
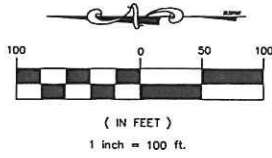
- SECTION 10W
 - 1 Beckler, Ron 5005
 - 2 Tennant, Cory 5025
 - 3 5091
 - 4 Gross, Del 5115
 - 5 Harper, Steve 5219
- SECTION 15W
 - 1 Gossman, C 5405
 - 2 Eilers, Todd 5455
 - 3 Knudson, R 5485
 - 4 Gossman, S 5755
- SECTION 17
 - 1 Buechler, Jerry 13228
 - 2 Brinkman, Stanley 13230
- SECTION 20
 - 1 Westphal, Henry 13316
 - 2 Rohrbach, Kevin 13328
- SECTION 28
 - 1 Beilikka, Daryl 2111
 - 2 Kohlhaas, Paul 2135
 - 3 Griesse, Doug 2215
 - 4 Rud, Robert 2317
 - 5 Mattern, R 2519

BROWN CO., SD

PLAT OF

A-7428

**DALAGER SECOND ADDITION TO BATH,
IN THE NW 1/4 OF SECTION 17-T123N-R62W OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA**



REGISTERED LAND SURVEYOR
REG. NO. 4423
RANDY D. BACON
SOUTH DAKOTA
9-9-2019

LEGEND

- FOUND REBAR AND ALUM. CAP #4792
- SET 5/8" X 18" REBAR WITH SURVEY CAP STAMPED BACON RLS 4423

BASIS OF BEARINGS

TRUE MERIDIAN - GPS

Helms & Associates
CIVIL ENGINEERS & LAND SURVEYORS

221 Brown County
Highway 19
P.O. Box 111
Aberdeen, S.D. 57401
Phone: 605.225.1212
Fax: 605.225.3189

PLAT OF

A-7428

**DALAGER SECOND ADDITION TO BATH,
IN THE NW 1/4 OF SECTION 17-T123N-R62W OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA**

SURVEYOR'S CERTIFICATE

I, RANDY D. BACON, A REGISTERED LAND SURVEYOR OF ABERDEEN, SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE REQUEST OF JOHN A. DALAGER AS OWNER, AND UNDER HIS DIRECTION FOR THE PURPOSES INDICATED THEREIN, I DID ON OR PRIOR TO AUGUST 22, 2019, SURVEY THOSE PARCELS OF LAND DESCRIBED AS FOLLOWS: DALAGER SECOND ADDITION TO BATH, IN THE NW 1/4 OF SECTION 17-T123N-R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA.

I FURTHER CERTIFY THAT THE WITHIN AND FOREGOING PLAT IS IN ALL RESPECTS TRUE AND CORRECT.

DATED THIS 9 DAY OF September, 2019.


RANDY D. BACON, REGISTERED LAND SURVEYOR #4423

OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS THAT I THE UNDERSIGNED, HEREBY CERTIFY THAT I AM THE ABSOLUTE AND UNQUALIFIED OWNER OF ALL THE LAND INCLUDED IN THE WITHIN AND FOREGOING PLAT; THAT THE PLAT HAS BEEN MADE AT MY REQUEST AND UNDER MY DIRECTION FOR THE PURPOSES INDICATED THEREIN; WHICH SAID PROPERTY AS SO SURVEYED AND PLATTED SHALL HEREAFTER BE KNOWN AS DALAGER SECOND ADDITION TO BATH, IN THE NW 1/4 OF SECTION 17-T123N-R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA, AS SHOWN BY THIS PLAT, AND I HEREBY DEDICATE TO THE PUBLIC, FOR USE FOREVER AS SUCH, THE STREETS, AS SHOWN AND MARKED ON SAID PLAT, AND THAT DEVELOPMENT OF THE LAND INCLUDED WITHIN THE BOUNDARIES OF SAID ADDITION SHALL CONFORM TO ALL EXISTING APPLICABLE EASEMENTS, ZONING, SUBDIVISION, AND EROSION AND SEDIMENT CONTROL REGULATIONS.

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND THIS ____ DAY OF _____, 20____.

JOHN A. DALAGER

DECLARATION OF VACATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED HEREBY DECLARE TO VACATE THAT PORTION AS SHOWN AND MARKED ON THE FOREGOING PLAT AND OF THE PLAT OF DALAGER ADDITION TO BATH, AS RECORDED AS PLAT NO. 3571, ON JULY 3, 2019 IN THE BROWN COUNTY, REGISTER OF DEEDS OFFICE.

THIS IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND THIS ____ DAY OF _____, 20____.

FORMERLY DESCRIBED AS:

LOT 2 OF DALAGER ADDITION TO BATH IN THE NW 1/4 OF SECTION 17-T123N-R62W OF THE 5TH P.M.

JOHN A. DALAGER

ACKNOWLEDGEMENT

STATE OF _____)
COUNTY OF _____)SS

ON THIS THE ____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED JOHN A. DALAGER KNOWN TO ME OR SATISFACTORILY PROVEN TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED. IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC, _____ STATE

MY COMMISSION EXPIRES: _____

COUNTY PLANNING COMMISSION CERTIFICATION

I HEREBY CERTIFY THAT THE FOLLOWING IS A CORRECT COPY OF THE RESOLUTION DULY PASSED BY THE COUNTY PLANNING COMMISSION OF BROWN COUNTY, SOUTH DAKOTA AT A MEETING HELD ON THE ____ DAY OF _____, 20____.

"BE IT RESOLVED BY THE COUNTY PLANNING COMMISSION OF BROWN COUNTY, SOUTH DAKOTA, THAT THE PLAT SHOWING DALAGER SECOND ADDITION TO BATH, IN THE NW 1/4 OF SECTION 17-T123N-R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA. HAVING BEEN EXAMINED, IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL 11-2-2, AND ANY AMENDMENTS THEREOF."

SECRETARY OF BROWN COUNTY PLANNING COMMISSION, SOUTH DAKOTA

APPROVAL BY COUNTY

I HEREBY CERTIFY THAT THE FOLLOWING IS A CORRECT COPY OF THE RESOLUTION DULY PASSED BY THE BOARD OF COMMISSIONERS OF BROWN COUNTY, SOUTH DAKOTA AT A MEETING HELD ON THE ____ DAY OF _____, 20____.

"BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWN COUNTY, SOUTH DAKOTA, THAT THE PLAT SHOWING DALAGER SECOND ADDITION TO BATH, IN THE NW 1/4 OF SECTION 17-T123N-R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA. HAVING BEEN EXAMINED, IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL 11-3, AND ANY AMENDMENTS THEREOF."

COUNTY AUDITOR, BROWN COUNTY, SOUTH DAKOTA

PLAT OF

A-7428

**DALAGER SECOND ADDITION TO BATH,
IN THE NW 1/4 OF SECTION 17-T123N-R62W OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA**

HIGHWAY AUTHORITY CERTIFICATE

THE LOCATION OF THE PROPOSED PROPERTY LINES ABUTTING THE COUNTY OR STATE HIGHWAY, OR THE COUNTRY ROAD AS SHOWN HEREON, IS HEREBY APPROVED ANY CHANGE IN THE LOCATION OF THE EXISTING ACCESS OR ANY NEW ACCESS SHALL REQUIRE ADDITIONAL APPROVAL.

BY: James M. Johnson
HIGHWAY AUTHORITY
TITLE: Supervisor

DIRECTOR OF EQUALIZATION'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE RECEIVED A COPY OF THIS PLAT ON THIS ____ DAY OF _____, 20____.

DIRECTOR OF EQUALIZATION, BROWN COUNTY, SOUTH DAKOTA

TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON ANY OF THE LANDS INCLUDED IN THE ABOVE PLAT ARE SHOWN BY THE RECORDS OF MY OFFICE TO BE FULLY PAID. SIGNED THIS ____ DAY OF _____, 20____.

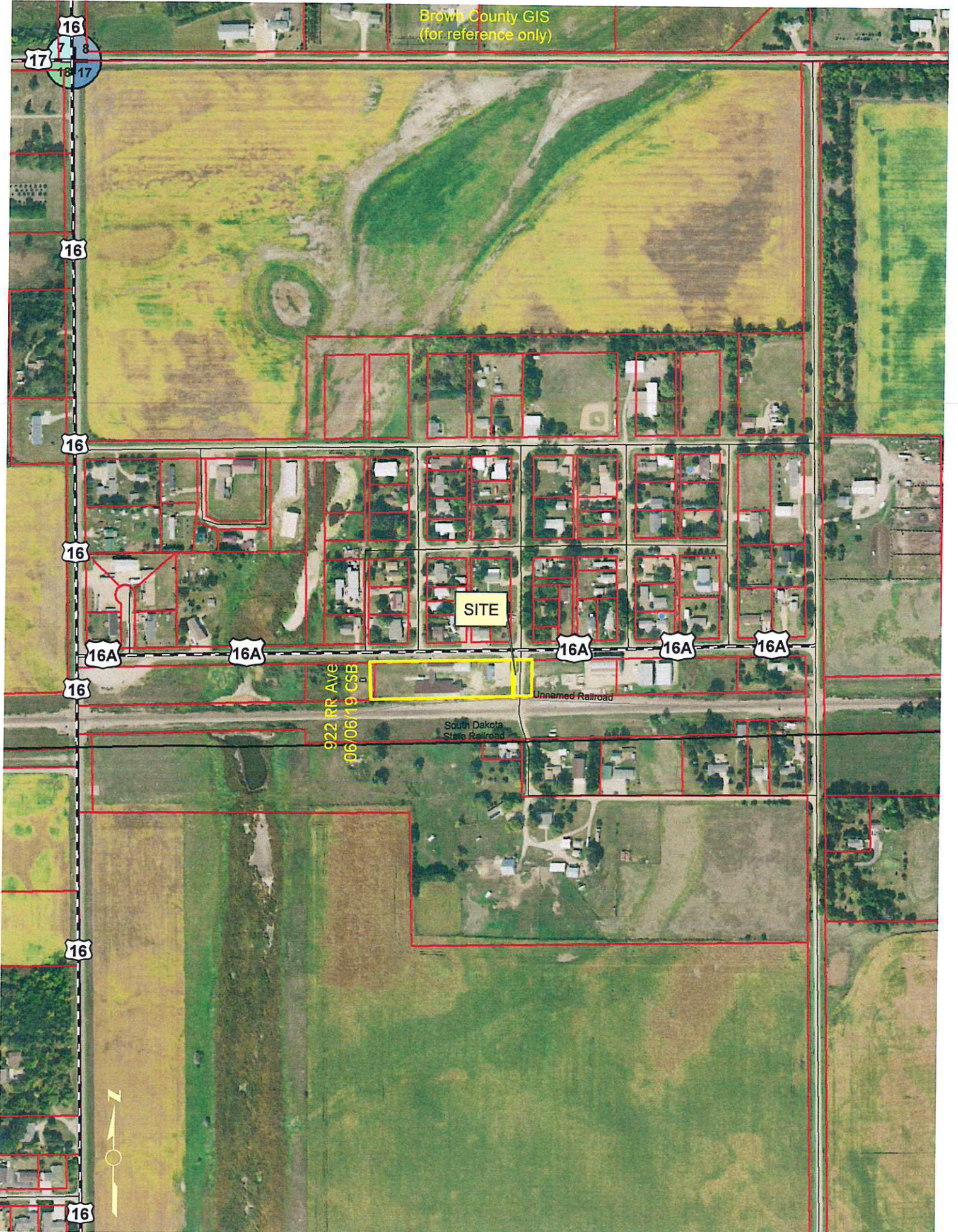
COUNTY TREASURER, BROWN COUNTY, SOUTH DAKOTA

REGISTER OF DEED'S CERTIFICATE

FILED FOR RECORD THIS _____ DAY OF _____, 20____ AT ____ O'CLOCK _____, AND DULY RECORDED AS
PLAT NO. _____

REGISTER OF DEEDS, BROWN COUNTY, SOUTH DAKOTA

Brown County GIS
(for reference only)



SITE

922 RR AVE
06/06/19 CSB

Unnamed Railroad

South Dakota
State Railroad



Brown County GIS
(for reference only)

16A

16A

16A

16A

SITE

922 RR AVE
06/06/19 CSB

Unnamed Railroad

South Dakota
State Railroad



