AGENDA

REGULAR SCHEDULED MEETINGS
BROWN COUNTY PLANNING/ZONING COMMISSION

TUESDAY, DECEMBER 20, 2022 – 7:00 PM
BROWN COUNTY COURTHOUSE ANNEX in the BASEMENT
(STAIRWAY AND ELEVATOR ACCESS TO BASEMENT)

I. **Call to Order:** for *Brown County Planning/Zoning Commission*

II. **Roll Call:** David North - Vice Chair, Darwin Bettmann, Dale Kurth, Patrick Keatts, James Meyers, Brown County Commissioner Mike Gage, and Chairman Stan Beckler. Also in attendance for today's meeting are Chris Anderson – Planning Specialist and Scott Bader, Planning & Zoning Director

III. **Approval of Agenda:** Motion: 1st _____ 2nd _____

IV. **Minutes:** November 15, 2022 Motion: 1st _____ 2nd _____

V. **Old Business**:

1. **Sign-up sheet:** On the table by the door entrance, and you can clearly mark YES or NO if you want to speak to the Board on any Agenda Item.
2. **Permits:** Anyone present that has submitted a Variance Request or Conditional Use Petition to the Zoning Board of Adjustment (BOA) is still required to get their required PERMITS from the Zoning Office before starting their project if their request gets approved. Penalties may be assessed when starting a project without proper permits in place.

VI. **New Business:** *Brown County Planning/Zoning Commission as **Zoning Board of Adjustment (BOA).***

1. There is not any new business for the Zoning Board of Adjustment (BOA) this month.

VII. **Other Business:** *Completed as Zoning Board of Adjustment (BOA) & going to Planning Commission*

REGULAR SCHEDULED MEETING
BROWN COUNTY PLANNING/ZONING COMMISSION

TUESDAY, DECEMBER 20, 2022 – 7:00 PM
BROWN COUNTY COURTHOUSE ANNEX in the BASMENT
(STAIRWAY AND ELEVATOR ACCESS TO BASEMENT)

I. **Old Business:**

II. **New Business:** *Brown County Planning/Zoning Commission as* ***Planning Commission.***

10. **Rezone Parcel** from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) for Proposed Lot 1, "Palmyra Farmhouse Addition" in the SW1/4 of Section 18-T128N-R65W of the 5th P.M., Brown County, South Dakota (10260 373rd Avenue, Palmyra Twp).

11. **Rezone Parcels** from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) for The South 250' of the East 963', Except Road R.O.W., and the 337' North of the South 250' of the East 963', Except Road R.O.W., both in the NE1/4 of Section 19-T123N-R64W of the 5th P.M., Brown County, South Dakota (13341 & 13345 383rd Avenue, Aberdeen Twp).

12. **Preliminary & Final Plat** for a property described as "Palmyra Farmhouse Addition" in the SW1/4 of Section 18-T128N-R65W of the 5th P.M., Brown County, South Dakota (10260 373rd Avenue, Palmyra Twp

13. **Preliminary & Final Plat** for a property described as "Prairie's Edge Fourteenth Addition" to the City of Aberdeen in the NW1/4 of Section 8-T123N-R63W of the 5th P.M., Brown County, South Dakota (2618 Water View Drive, City of Aberdeen).

14. **Preliminary & Final Plat** for a property described as "Prairie's Edge Fifteenth Addition" to the City of Aberdeen in the NW1/4 of Section 8-T123N-R63W of the 5th P.M., Brown County, South Dakota (3102 24th Avenue NE, Aberdeen Twp.).

15. **Preliminary & Final Plat** for a property described as "Columbia Park First Addition" to the City of Columbia in the SE1/4 of Section 29-T125N-R62W of the 5th P.M., Brown County, South Dakota (Columbia, South Dakota).

16. **Preliminary & Final Plat** for a property described as "Columbia Park Second Addition" to the City of Columbia in the SW1/4 of Section 28-T125N-R62W of the 5th P.M., Brown County, South Dakota (Columbia, South Dakota).

17. **Preliminary & Final Plat** for a property described as "Emmett's First Subdivision" in the SE1/4 of Section 30-T124N-R64W of the 5th P.M., Brown County, South Dakota (38280 129th Street, Lincoln Twp.).

18. **Preliminary & Final Plat** for a property described as "David and Sara Vetch First Addition" in the SE1/4 of Section 26-T124N-R64W of the 5th P.M., Brown County, South Dakota (12870 Cattail Drive, Lincoln Twp.).

III. **Other Business:**

1. Brown County Planning/Zoning Director, Scott Bader, would like to review some ordinances, codified laws, and policies for the upcoming year with the Planning Commission . Scott would also like to introduce a new candidate for alternate of the Planning/Zoning Commission.

IV. **Motion to Adjourn: 1st** _____ **2nd** _____

MINUTES

REGULAR SCHEDULED MEETING
BROWN COUNTY PLANNING/ZONING COMMISSION

TUESDAY November 18, 2022 - 7:00 P.M.
BROWN COUNTY COURTHOUSE ANNEX in the BASEMENT COMMUNITY ROOM

I. **Call to Order:** The ***Brown County Planning/Zoning Commission*** meeting was called to order by Stan Beckler-Chairman.

II. **Roll Call:** Members of the Brown County Planning/Zoning Commission present for roll call were David North-Vice Chairman, Darwin Bettmann, Dale Kurth, James Meyers, County Commissioner Michael Gage, serving on this Board, Deputy States Attorney Ross Aldentaler and Stan Beckler-Chairman. Absent from this meeting was Patrick Keatts. Planning Technician Ron Keller and Planning Director Scott Bader were present from the Planning/Zoning Department.

III. **Minutes:** After discussion, Gage moved and North seconded to approve the October 18, 2022, meeting Minutes from the Brown County Planning/Zoning Commission. All members voted aye; the motion carried.

IV. **Old Business:**

1. **Sign-up Sheet:** at door entrance on the table for anyone to speak on an Agenda Item.
2. **Permits:** Anyone present that has submitted Zoning Board of Adjustment Items such as a Variance Petition or Conditional Use Petition (CUP) is still required to get their required PERMITS from the Zoning Office before starting their project if their request gets approved.

V. **New Business:** *Planning/Zoning Commission as* ***Zoning Board of Adjustment (BOA)***

1. **Variance to Lot Size** in an Agriculture Preservation District (AG-P) described as Proposed Lot 1, "Fischer Land Resources Addition" in the SE1/4 of Section 6-T124N-R63W of the 5th P.M., Brown County, South Dakota (38870 125th Street, Ordway Twp). Submitted by Ron Fischer. Following discussion on FoF, Kurth moved, and Gage seconded to ***approve the finding of facts*** as presented. Also following discussion Kurth moved, and Gage seconded to ***approve the variance to lot size*** in an Agriculture Preservation District (AG-P), all members voting aye, motion carried.

2. **Conditional Use Permit (CUP)** in a Highway Commercial District (HC) described as Lot 1, "Crompton Addition" in the NW1/4 of Section 23-T123N-R63W of the 5th P.M., Brown County, South Dakota (39205 133rd Street, Bath Twp.). Submitted by Jeremy Walberg. In attendance for this item was Jeremy Walberg. Following discussion on FoF, Meyers moved and Bettmann seconded to ***approve the finding of facts*** as presented. Also following discussion of the CUP Meyers moved and Bettmann seconded to ***approve conditional use permit*** in an Highway Commercial District (HC), all members voting aye, motion carried.

3. **Conditional Use Permit (CUP)** in a Heavy Industrial District (H-I) described as "Schley Outlot A" in the SE1/4 of Section 14-T123N-R63W of the 5th P.M., Brown County, South Dakota (39288 133rd Street, Bath Twp.). Submitted by H5 Investments, LLC. Following discussion on FoF, Bettman moved and Meyers seconded to ***approve the finding of facts*** as presented. Also following discussion of the CUP Bettmann moved and Meyers seconded to ***approve conditional use permit*** in a Heavy Industrial District (H-I), all members voting aye, motion carried.

4. **Conditional Use Permit (CUP)** in a Heavy Industrial District (H-I) described as Lot 4, "Wheat Grower's West Subdivision" and Lot 2, "HGF Addition" in the N1/2 of Section 21-T123N-R64W of the 5th P.M., Brown County, South Dakota (38469 133rd Street, Aberdeen Twp.). Submitted by Hub City Energy. David Feickert from Aberdeen Township was in attendance for this item. Following discussion on FoF, North moved and Meyers seconded to ***approve the finding of facts*** as presented. Also following discussion of the CUP North moved and Meyers seconded to ***approve conditional use permit*** in a Heavy Industrial District (H-I), all members voting aye, motion carried.

VI. Other Business: None

Completed as Zoning Board of Adjustment (BOA) & going to Planning Commission

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MINUTES

REGULAR SCHEDULED MEETING
BROWN COUNTY PLANNING/ZONING COMMISSION

TUESDAY, November 15, 2022 - 7:00 P.M.
BROWN COUNTY COURTHOUSE ANNEX in the BASEMENT COMMUNITY ROOM

I. Old Business: Amendment Discussion to Brown County Ordinance Title 4 for Chapters 4.22 through Chapter 4.29 for Administrative Rules and Enforcement are still Tabled until further notice, by the States Attorney Office.

II. New Business: ***Planning Commission***

10. **Rezone Petition** from Multi-Zone District (MZ) and Rural Urban District (RU) to Rural Urban District (RU) for Proposed Lots 1 and 2 and Agriculture Preservation District (AG-P) for Proposed Lot 3 for a property described as Proposed Lot 1, Proposed Lot 2 & Proposed Lot 3, "Mettler Second Subdivision" in the NE1/4 of Section 6-T126N-R61W of the 5th P.M., Brown County, South Dakota (207 Elm Street, 516 Railway Street and 40071 112th Street, Shelby Twp). Submitted by Rick Mettler. Rick Mettler was in attendance for this item. Following discussion, Gage moved, Kurth seconded to ***recommend approval of the rezone petition*** for Proposed Lot 1, Proposed Lot 2 and Proposed Lot 3, "Mettler Second Subdivision" as listed above, for Rural Urban District (RU) and Agriculture Preservation District (AG-P) to the Board of County Commissioners, all members voting aye, motion carried.

11. **Preliminary & Final Plat** for a property described as "Fischer Land Resources Addition" in the SE1/4 of Section 6-T124N-R63W of the 5th P.M., Brown County, South Dakota (38870 125th Street, Ordway Twp.). Submitted by Ron Fischer. Following discussion, North moved, Bettmann seconded the motion to ***recommend approval of this Preliminary & Final Plat*** to the Board of Brown County Commissioners, all members voting aye, motion carried.

12. **Preliminary & Final Plat** for a property described as "Webb Vilhauer Addition" in the E1/2 of Section 20-T123N-R65W of the 5th P.M., Brown County, South Dakota (134th Street & 376th Avenue, Mercier Twp). Submitted by Lance Vilhauer. Following discussion, Kurth moved, Gage seconded the motion to ***recommend approval of this Preliminary & Final Plat*** to the Board of Brown County Commissioners, all members voting aye, motion carried.

13. **Preliminary & Final Plat** for a property described as "Corrective Plat of Carlson Addition" in the NW1/4 of Section 28-T125N-R62W of the 5th P.M., Brown County, South Dakota (City of Columbia). Submitted by Lon Gellhaus. Following discussion, North moved, Meyers seconded the motion to ***recommend approval of this Preliminary & Final Plat*** to the Board of Brown County Commissioners, all members voting aye, motion carried.

14. **Preliminary & Final Plat** for a property described as "Mettler Second Addition" in the NE1/4 of Section 6-T126N-R61W of the 5th P.M., Brown County, South Dakota (207 Elm Street, 516 Railway Street and 40071 112th Street, Shelby Twp). Submitted by Rick Mettler. In attendance for this item was Rick Mettler. Following discussion, Bettmann moved, North seconded the motion to ***recommend approval of this Preliminary & Final Plat*** to the Board of Brown County Commissioners, all members voting aye, motion carried.

15. **Preliminary & Final Plat** for a property described as "Agtegra First Addition" to the City of Columbia in the SW1/4 of Section 28-T125N-R62W of the 5th P.M., Brown County, South Dakota (24 Mill Street South, City of Columbia). Submitted by Agtegra. Following discussion, Kurth moved, Gage seconded the motion to ***recommend approval of this Preliminary & Final Plat*** to the Board of Brown County Commissioners, all members voting aye, motion carried.

16. **Preliminary & Final Plat** for a property described as "Duncan-Tobin Outlots" in the NW1/4 of Section 1-T123N-R64W of the 5th P.M., Brown County, South Dakota (3620 N 5th Street & 3534 Rolling Meadows Drive, Aberdeen Twp.). Submitted by H. Ray Duncan and Rodrick Tobin. Following discussion, Meyers moved, Gage seconded the motion to ***recommend approval of this Preliminary & Final Plat*** to the Board of Brown County Commissioners with a stipulation that no approach access will be allowed in the 50' area of "Tobin Outlot" adjacent to N 5th Street, all members voting aye, motion carried.

III. **Other Business:** Moved by North, seconded by Gage to go into executive session at the request of Deputy States Attorney Ross Aldentaler to discuss current and pending litigation. All members present voting aye. Motion carried. The chair declared the executive session closed with no action taken.

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

Submitted by: Planning Director Scott Bader and Planning Specialist Ron Keller.

STAFF REPORT

December 20, 2022

BROWN COUNTY PLANNING COMMISSION

Rezone Parcel from: *ITEM # 10*

Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG)

GENERAL INFORMATION:

PETITIONER:	Nicole Kempf – Personal Representative of the Estate of Daniel C. Kempf
REQUEST:	Rezone Parcel from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG)
LEGAL DESCRIPTION:	Proposed Lot 1, "Palmyra Farmhouse Addition" in the SW1/4 of Section 18-T128N-R65W of the 5th P.M., Brown County, South Dakota
LOCATION:	10260 373rd Avenue
TOWNSHIP:	Palmyra Twp
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:	McPherson County
PUBLIC UTILITIES:	WEB Water
REPORTED BY:	Chris Anderson

GENERAL COMMENT: This parcel is being sold to non-farm family member. This parcel no longer meets the requirement for 4.0605 family farm unit once it is sold. The petitioner is requesting this rezone to bring this parcel into compliance for its future use.

GENERAL REVIEW: Staff has reviewed this request.

NOTICE OF HEARING

A *PETITION to REZONE* has been submitted to Brown County Planning/Zoning Commission. A hearing will be held in the Courthouse Annex in the Basement Community Meeting Room, on *December 20, 2022, at 7:00 P.M.*

Petitioner: Nicole Kempf – Personal Representative of the Estate of Daniel C. Kempf

Description of property: Proposed Lot 1, "Palmyra Farmhouse Addition" in the SW1/4 of Section 18-T128N-R65W of the 5th P.M., Brown County, South Dakota (10260 373rd Avenue, Palmyra Twp.).

Reason: Rezone parcel from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) for Proposed Lot 1 to bring this parcel into compliance for its future use.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed rezone petition. 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 meeting dates with the Brown County Auditor.

Dated this 8th day of December 2022.

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

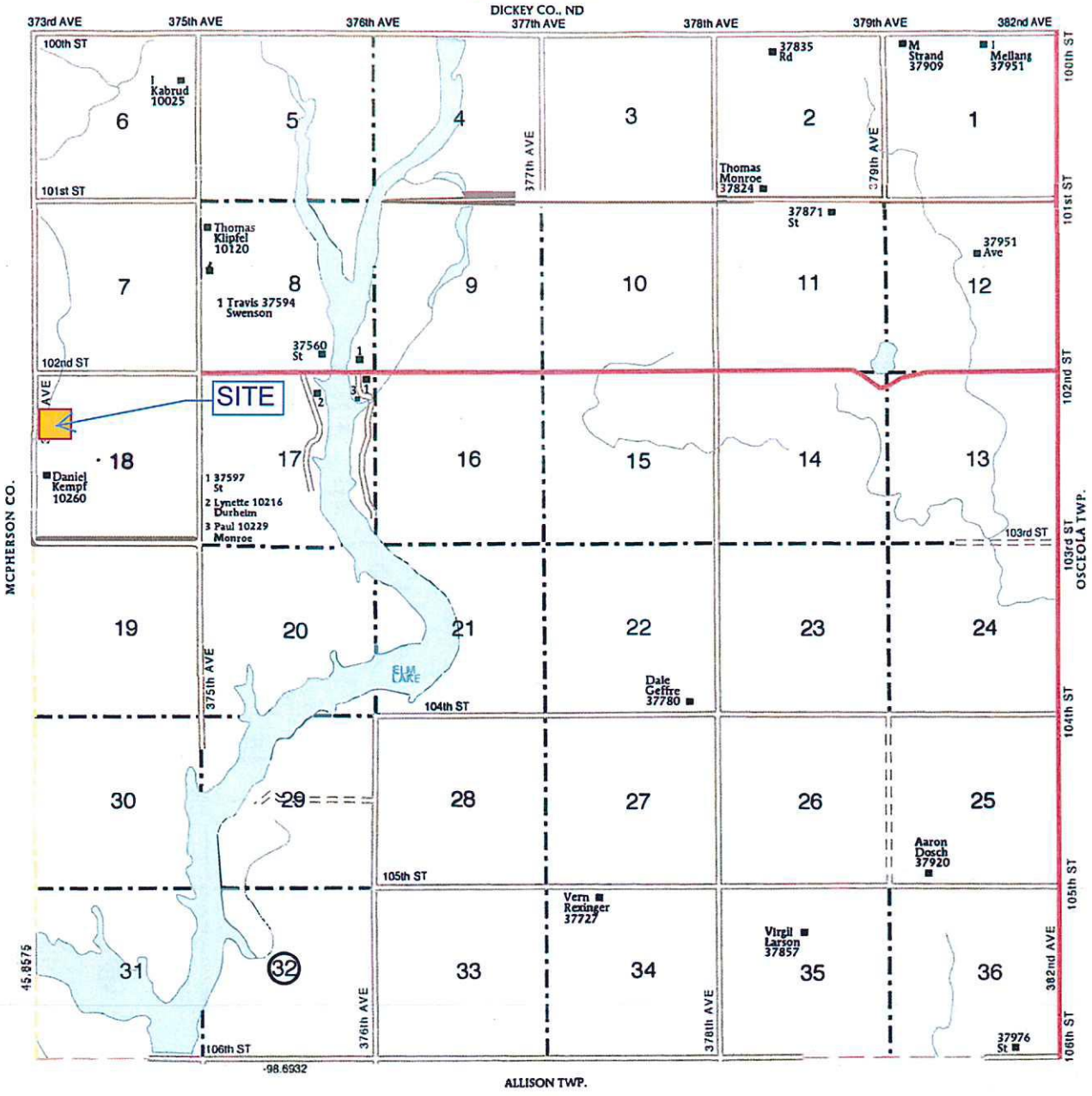
Published once at the total approximate cost of _____.

T-128-N

PALMYRA DIRECTORY

(Residents - Owners or Renters)

R-65-W



REZONE PETITION

Petition No: _____
Date: _____
Receipt: 8/6710
Filing Fee: $350
(non-refundable)

BROWN COUNTY COMMISSION
25 MARKET ST
ABERDEEN, SD 57401

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:
Proposed Lot 1, "Palmyra Farmhouse Addition" in the SW1/4 of Section 18-T128N-65W of the 5th P.M., Brown County, South Dakota

General Area Location or Street Address: 10260 373rd Avenue
From the Agriculture Preservation **District**
To the Mini-Agriculture **District**

Purpose: To Bring into Compliance
Size of Parcel: Lot 1 = 3.98 +/- acres
Existing Land Use: Agriculture

Owner/Petitioner: (Print) Nicole Kempf - Personal Representative of the Estate of Daniel C. Kempf
Signature: Nicole Kempf P.R.
Date: 11/7/22 Phone: 605-380-6294
Address: 308 1st St. N
Ellendale, ND 58436
City State Zip

Owner: (Print) Nicole Kempf - Personal Representative of the Estate of Daniel C. Kempf
Signature: Nicole Kempf P.R.
Date: 11/7/22 Phone: 605-380-6294
Address: 308 1st St. N
Ellendale, ND 58436
City State Zip

Additional Signatures may be submitted on a separate page.

STATE OF SOUTH DAKOTA)) SS COUNTY OF BROWN)	IN CIRCUIT COURT FIFTH JUDICIAL CIRCUIT
IN THE MATTER OF THE ESTATE OF DANIEL KEMPF, Deceased.	06PRO22-000012 **LETTERS OF PERSONAL REPRESENTATIVE**

On the 2ND day of FEBRUARY, 2022, Nicole Kempf, was appointed and qualified as personal representative of the Estate of Daniel Kempf.

These Letters are issued as evidence of the appointment, qualification, and authority of Nicole Kempf, to do and perform all acts authorized by law.

Issued FEBRUARY 2, 2022.

BY THE COURT

MARLA R ZASTROW

CLERK OF THE CIRCUIT COURT

BY BETH SCHMIDT DEPUTY CLERK

Victor B. Fischbach
Fischbach Law Office
14 2nd Ave SE
PO Box 1456
Aberdeen, SD 57402-1456
(605) 225 – 1000

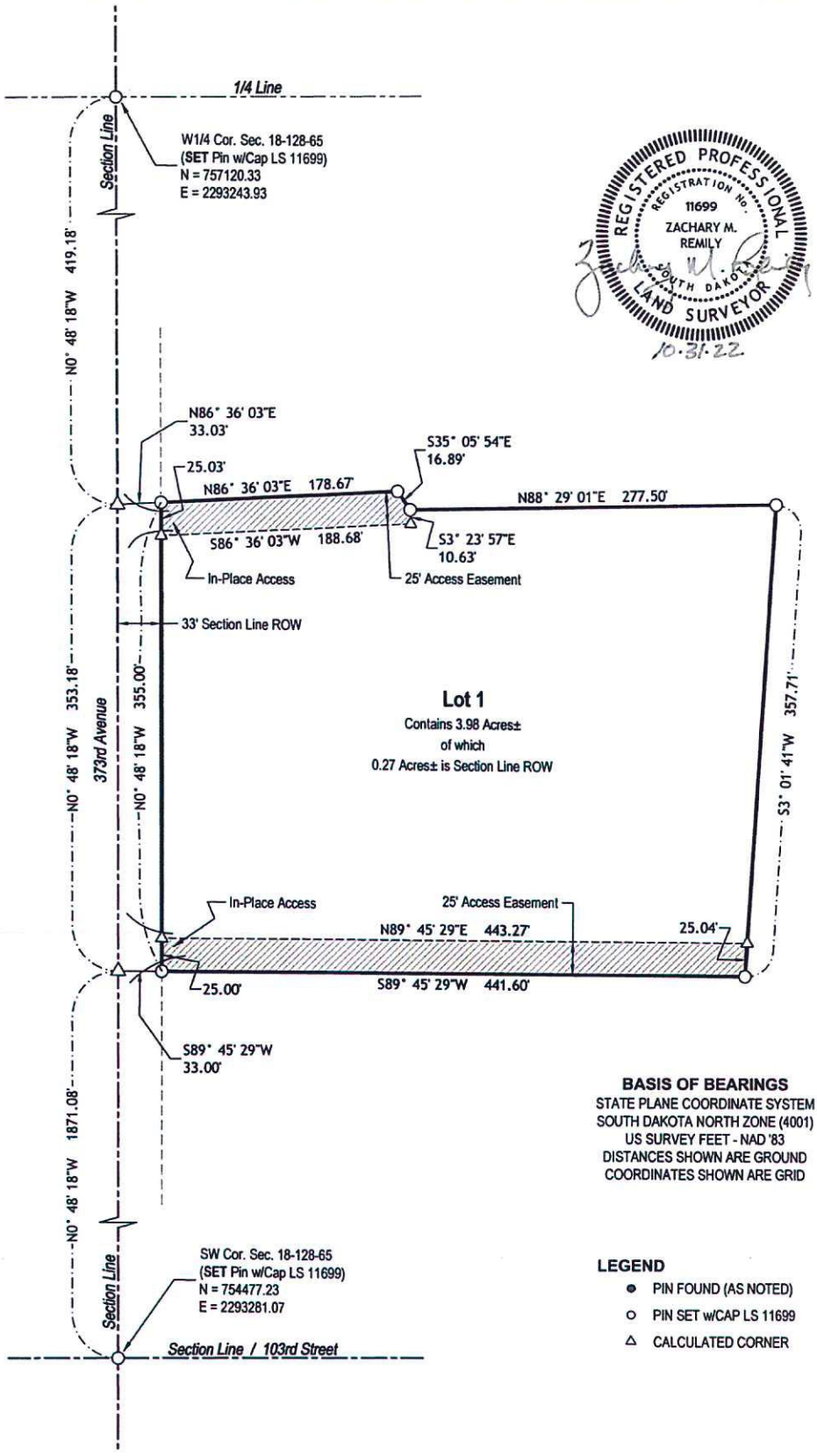
State of South Dakota } ss
County of Brown }
I, Marla R. Zastrow, Clerk of the Circuit Court, do hereby certify that the within and foregoing is a full, true and complete copy of the original instrument, as the same appears on file in this office. The same is in full force and effect.
Dated this 2 day of Feb 2022
Marla R. Zastrow, Clerk of Courts, Brown County
By Deputy

Filed: 2/2/2022 10:18 AM CST Brown County, South Dakota 06PRO22-000012

PLAT SHOWING

PALMYRA FARMHOUSE ADDITION

IN THE SW1/4 OF SECTION 18,
TOWNSHIP 128 NORTH, RANGE 65 WEST OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA



REGISTERED PROFESSIONAL LAND SURVEYOR
REGISTRATION NO. 11699
ZACHARY M. REMILY
SOUTH DAKOTA
10.31.22

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

LEGEND
- ● PIN FOUND (AS NOTED)
- ○ PIN SET w/CAP LS 11699
- △ CALCULATED CORNER

Prepared By:
Assurance LAND SURVEYING
619 14th Avenue S, Faulkton, South Dakota 57438
Phone: 605-290-3090 / Email: zach@assurancelandsurveying.com

Project No. ALS22137 Field Survey Date: 10.14.2022

DRAWING SCALE
0 80'
SCALE IN FEET

NORTH

PLAT SHOWING

PALMYRA FARMHOUSE ADDITION

IN THE SW1/4 OF SECTION 18,
TOWNSHIP 128 NORTH, RANGE 65 WEST OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA

OWNER'S CERTIFICATE

I, Nicole Kempf, Personal Representative of the Estate of Daniel C. Kempf, do hereby certify that the Estate of Daniel C. Kempf is the owner of the Southwest Quarter (SW1/4) of Section Eighteen (18), Township One Hundred Twenty-Eight (128) North, Range Sixty-Five (65) West of the 5th P.M., Brown County, South Dakota, and that I, as Personal Representative of the Estate of Daniel C. Kempf, have caused a portion of the same to be surveyed and platted as shown on the attached plat which shall be hereinafter known and described as:

"PALMYRA FARMHOUSE ADDITION
IN THE SW1/4 OF SECTION 18,
TOWNSHIP 128 NORTH, RANGE 65 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, Nicole Kempf, Personal Representative of the Estate of Daniel C. Kempf, do hereby DEDICATE the 25' Access Easement on the North 25' of Lot 1 and the 25' Access Easement on the South 25' of Lot 1, Palmyra Farmhouse Addition, as shown on the attached plat, for INGRESS/EGRESS to the remaining portion of the Southwest Quarter (SW1/4) of Section 18, Township 128 North, Range 65 West of the 5th P.M., Brown County, South Dakota.

Owner: **Nicole Kempf,**
Personal Representative of the Estate of Daniel C. Kempf

Nicole Kempf P.R.
Signature

Signed this 7th day of November, 2022.

COUNTY OF Brown)
) SS
STATE OF South Dakota)

On this the 7th day of November, 2022, before me, D. Chris Anderson the undersigned officer, personally appeared Nicole Kempf, Personal Representative of the Estate of Daniel C. Kempf, known to me or satisfactorily proven to be the person who, 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.

My Commission Expires: 11-02-2027
D. Chris Anderson
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:

"PALMYRA FARMHOUSE ADDITION
IN THE SW1/4 OF SECTION 18,
TOWNSHIP 128 NORTH, RANGE 65 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 31st day of OCTOBER, 20 22.

Zachary M. Remily
ZACHARY M. REMILY, LS 11699

PALMYRA TOWNSHIP HIGHWAY APPROVAL

"Existing Access to ***373rd AVENUE*** is approved. This access approval does not replace the need for any permits by law to establish the precise access location, including permit requirements set forth in Administrative Rule of South Dakota 70:09:01:02."

Print Name & Title

Signature

Signed this _____ day of _____, 20____.

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.

Meeting held on the _____ day of _____, 20____.

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:

"PALMYRA FARMHOUSE ADDITION
IN THE SW1/4 OF SECTION 18,
TOWNSHIP 128 NORTH, RANGE 65 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.

Meeting held on the _____ day of _____, 20____.

County Auditor
Brown County, South Dakota

"Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing:

"PALMYRA FARMHOUSE ADDITION
IN THE SW1/4 OF SECTION 18,
TOWNSHIP 128 NORTH, RANGE 65 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:
Assurance
LAND SURVEYING

PLAT SHOWING

PALMYRA FARMHOUSE ADDITION

IN THE SW1/4 OF SECTION 18,

TOWNSHIP 128 NORTH, RANGE 65 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 _____, 20_____.

_____
County Treasurer
Brown County, South Dakota

REGISTER OF DEEDS' CERTIFICATE

Filed for record this _____day of_____, 20_____,

at_____ O'clock ____M., and duly recorded as Hanging

Plat No._____.

_____
Register of Deeds
Brown County, South Dakota

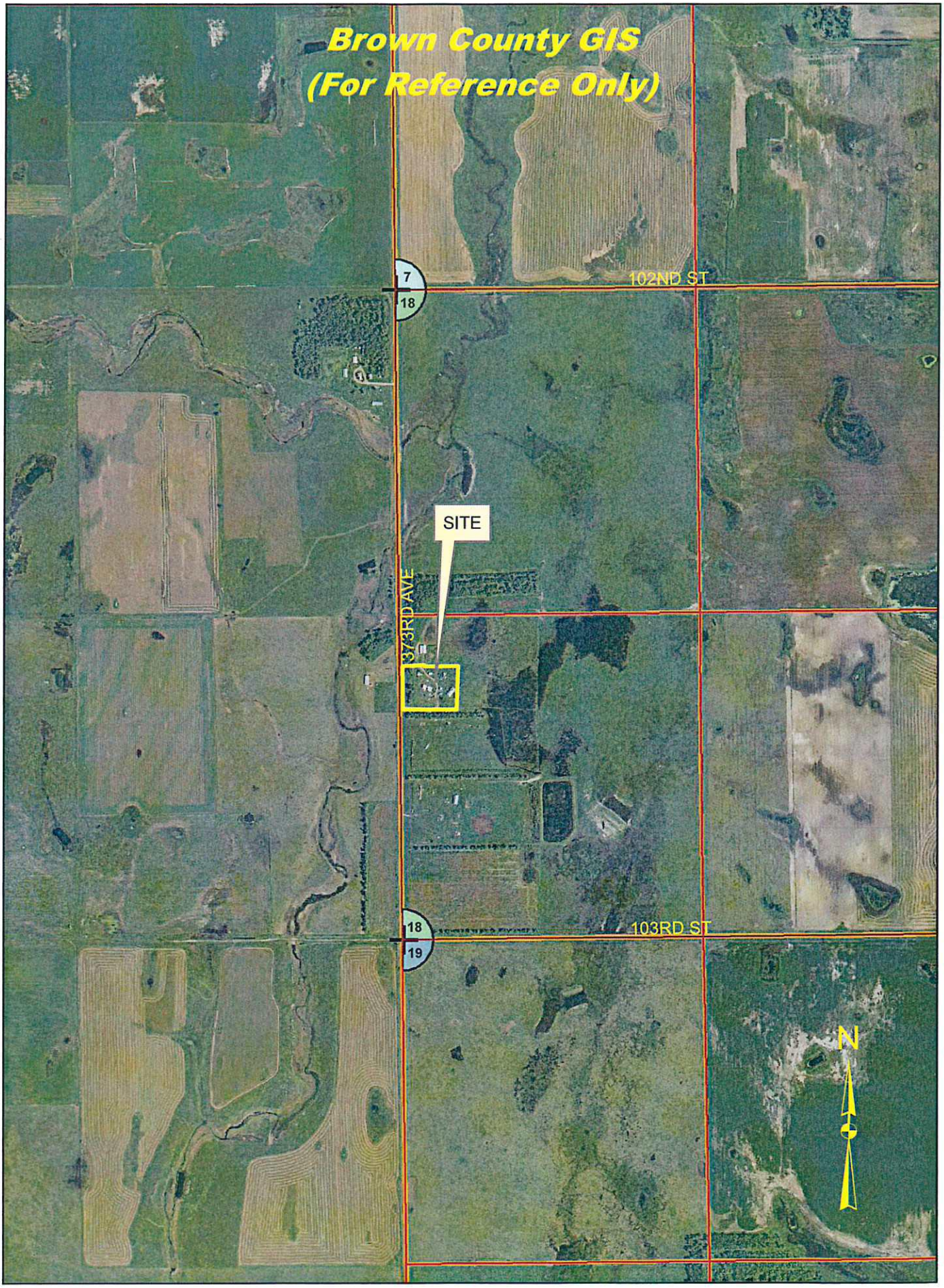
DIRECTOR OF EQUALIZATION CERTIFICATE

I hereby certify that I have received a copy of this plat

this _____ day of _____, 20_____.

_____
Director of Equalization
Brown County, South Dakota

Prepared By:
Assurance
LAND SURVEYING


Brown County GIS
(For Reference Only)
7
18
102ND ST
SITE
373RD AVE
18
19
103RD ST
N

Brown County GIS
(For Reference Only)
8020
8022
373RD AVE
SITE
N

Nicole Kempf
308 1st Street North
Ellendale, ND 58436

Bryson Thorpe
Attn: Palmyra Twp
10235 East Elm Lake Drive
Forbes, ND 58439

Jerry & Gail Klipfel
38223 State Line Road
Ellendale, ND 58436

McPherson County Auditor
PO Box 390
Leola, SD 57456

LOCALiQ

Aberdeen News
Watertown Public Opinion

Order Confirmation

Not an Invoice

Account Number:	556235
Customer Name:	Brown County Auditor-Legals
Customer Address:	Brown County Auditor-Legals 25 Market St ABERDEEN SD 57401-4227
Contact Name:	Brown County Auditor-Legals
Contact Phone:	6056267110
Contact Email:	
PO Number:	

Date:	12/06/2022
Order Number:	8162411
Prepayment Amount:	$ 0.00

Column Count:	1.0000
Line Count:	62.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
ABD The American News	1	12/08/2022 - 12/08/2022	Public Notices
ABD aberdeennews.com	1	12/08/2022 - 12/08/2022	Public Notices

Total Order Confirmation	$22.36

Ad Preview

NOTICE OF HEARING

A *PETITION to REZONE* has been submitted to Brown County Planning/Zoning Commission. A hearing will be held in the Courthouse Annex in the Basement Community Meeting Room, on *December 20, 2022, at 7:00 P.M.*

Petitioner: Nicole Kempf – Personal Representative of the Estate of Daniel C. Kempf

Description of property: Proposed Lot 1, "Palmyra Farmhouse Addition" in the SW1/4 of Section 18-T128N-R65W of the 5th P.M., Brown County, South Dakota (10260 373rd Avenue, Palmyra Twp.).

Reason: Rezone parcel from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) for Proposed Lot 1 to bring this parcel into compliance for its future use.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed rezone petition. 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 meeting dates with the Brown County Auditor.

Dated this 8th day of December 2022.

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

12-08/2022

STAFF REPORT

December 20, 2022

BROWN COUNTY PLANNING COMMISSION

Rezone Parcels from: ***ITEM # 11***

Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG)

GENERAL INFORMATION:

PETITIONER:	Lucas & Mary Keahey, and CJ Lane
REQUEST:	**Rezone Parcels from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG)**
LEGAL DESCRIPTION:	The South 250' of the East 963', Except Road R.O.W., and the 337' North of the South 250' of the East 963', Except Road R.O.W., both in the NE1/4 of Section 19-T123N-R64W of the 5th P.M., Brown County, South Dakota
LOCATION:	13341 & 13345 383rd Avenue
TOWNSHIP:	Aberdeen Twp
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:	Chris Anderson

GENERAL COMMENT: The petitioners are requesting this rezone to bring these parcels into compliance for their current use.

GENERAL REVIEW: Staff has reviewed this request.

NOTICE OF HEARING

A *PETITION to REZONE* has been submitted to Brown County Planning/Zoning Commission. A hearing will be held in the Courthouse Annex in the Basement Community Meeting Room, on *December 20, 2022, at 7:00 P.M.*

Petitioners: Lucas & Mary Keahey and CJ Lane

Description of properties: The South 250' of the East 963', Except Road R.O.W., and the 337' North of the South 250' of the East 963', Except Road R.O.W., both in the NE1/4 of Section 19-T123N-R64W of the 5th P.M., Brown County, South Dakota (13341 & 13345 383rd Avenue, Aberdeen Twp.).

Reason: Rezone parcels from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring these parcels into compliance for their current use.

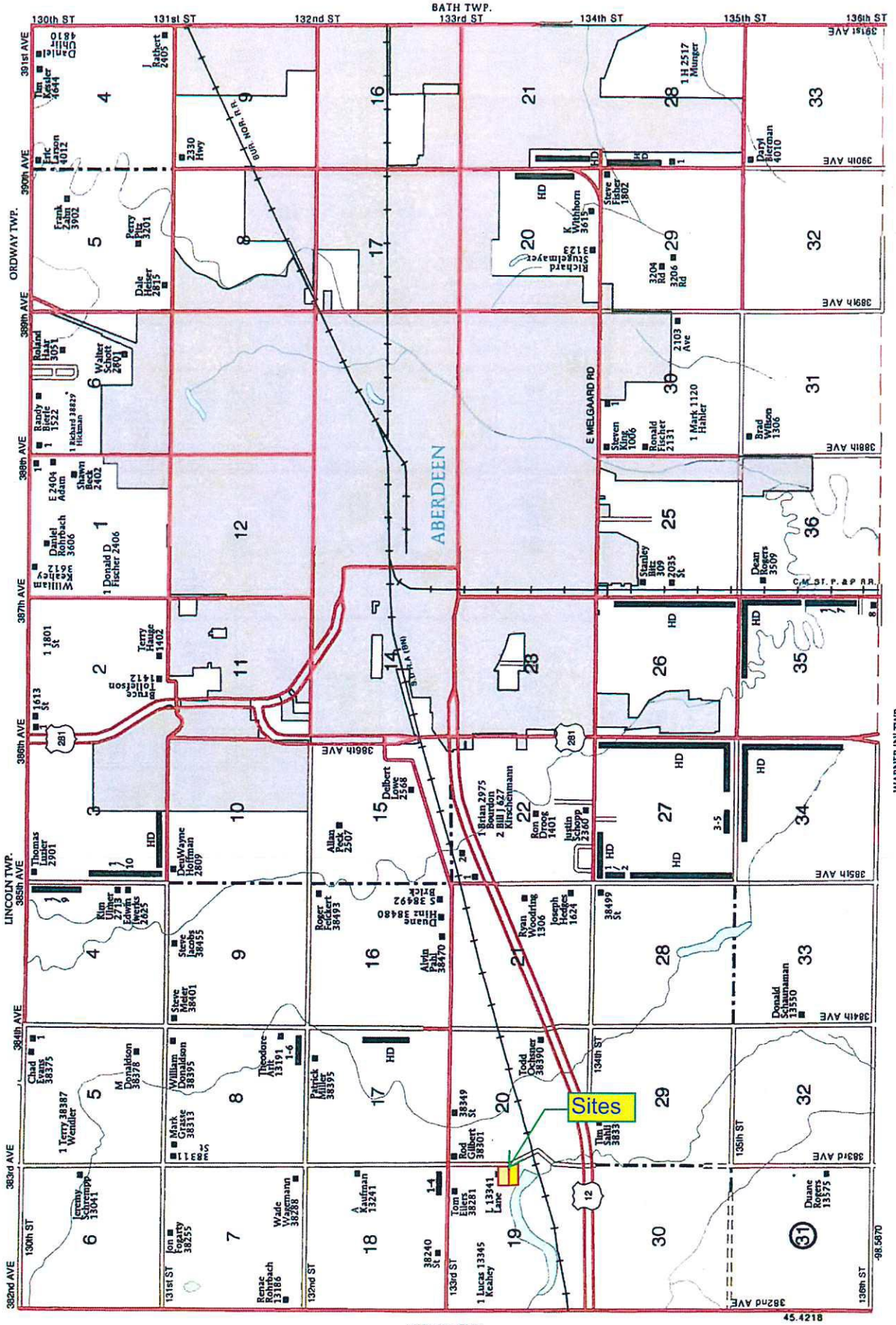
The public is invited to attend the hearing and to present comments and testimony regarding the proposed rezone petition. At the conclusion of the hearing, the Brown County Planning/Zoning Commission will forward a recommendation to the Board of Brown County Commissioner's with a future meeting date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

Dated this 8th day of December 2022.

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 _____.

(Residents - Owners or Renters)



SEE PAGE 21 FOR ADDITIONAL NAMES NOT LISTED ON MAPS.

© Farm & Home Publishers, Ltd.

REZONE PETITION

Petition No: _____
Date: _____
Receipt: 816727
Filing Fee: $350
(non-refundable)

BROWN COUNTY COMMISSION
25 MARKET ST
ABERDEEN, SD 57401

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:
The South 250' of the East 963', Except Road R.O.W., and the 337' North of the South 250' of the East 963', Except Road R.O.W., both in the NE1/4 of Section 19-T123N-R64W of the 5th P.M., Brown County, South Dakota
General Area Location or Street Address: 13341 & 13345 383rd Avenue
From the Agriculture Preservation **District**
To the Mini-Agriculture **District**

Purpose: To Bring into Compliance
Size of Parcel: 13341 383rd Ave = 7.19 +/- acres; 13345 383rd Ave=5.34 +/- acres
Existing Land Use: Mini-Agriculture

Owner/Petitioner: (Print) Mary Keahey
Signature: Mary Keahey
Date: 12-7-22 Phone: 605-290-8210
Address: 13345 383rd Avenue
Aberdeen, SD 57401
City State Zip

Owner: (Print) CJ Lane
Signature: CJ Lane
Date: 12-8-22 Phone: 605-216-3111
Address: 13341 383rd Avenue
Aberdeen, SD 57401
City State Zip

Additional Signatures may be submitted on a separate page.

CT

Prepared by: William D. Gerdes
104 S. Lincoln St., Ste. 111, PO Box 1239
Aberdeen, SD 57402-1239
Telephone: (605) 622-2100

INSTRUMENT NO. 2015003320
BOOK: 298 DEED
PAGE: 341
TRANSFER FEE: $ 230.00
PAID
2015/06/29 10:18:17 AM

CAROL SHERMAN, REGISTER OF DEEDS
BROWN COUNTY, SOUTH DAKOTA

Recording Fee: $ 30.00
Return To: CT

Pages: 1

REGISTER OF DEEDS * Brown SEAL County * STATE OF SOUTH DAKOTA

WARRANTY DEED

John A. Smith, and Lynn M. Smith, husband and wife, Grantors, of 26859 464th Ave., Tea, SD 57064, for and in consideration of One Dollar ($1.00) and other good and valuable consideration, GRANT, CONVEY AND WARRANT to Lucas Keahey and Mary Keahey, husband and wife, Grantees, as joint tenants with the right of survivorship and not as tenants in common, of 13345 - 383rd Ave., Aberdeen, SD 57401, the following described real estate in the County of Brown, State of South Dakota:

The South 250 feet of the East 963 feet of the Northeast Quarter of Section 19, Township 123 North, Range 64 West of the 5th P.M., Brown County, South Dakota

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

Dated June 24, 2015.

John A. Smith

Dated June 26, 2015.

Lynn M. Smith

State of South Dakota
County of Brown

On this the 26 day of June, 2015, before me, the undersigned officer, personally appeared John A. Smith and Lynn M. Smith, 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.

KARI HARRISON NOTARY PUBLIC STATE OF SOUTH DAKOTA SEAL Seal

Notary Public - South Dakota
My commission expires: 8-28-15

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

STATE OF SOUTH DAKOTA COUNTY OF BROWN

COURTHOUSE USE ONLY
Book _____ Page _____
Ratio Card No _____

Sellers: John A. Smith and Lynn M. Smith ( ) _____
Name Phone Number

Mailing Address: 26859 464th Ave. Tea SD 57064
Street/Box Number City State/Zip Code

Buyers: Lucas Keahey and Mary Keahey ( ) _____
Current Name Phone Number

Mailing Address: 13345 - 383rd Ave. Aberdeen SD 57401
New Street/Box Number City State/Zip Code

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)

The South 250 feet of the East 963 feet of the Northeast Quarter of Section 19, Township 123 North, Range 64 West of the 5th P.M., Brown County, South Dakota

(1) Date of Instrument 6-26-15

(2) Type of Instrument:

Contract for Deed	____	Executor's Deed	____	Mineral Deed	____
Quit Claim Deed	____	Trustee's Deed	____	Gift	____
Warranty Deed	X	Administrator's Deed	____	Other (Specify)	____

(3) Items Involved in Transaction

(a) Was this property offered for sale to the general public YES X NO___
(b) Relationship between buyer and seller? YES___ NO X
© Property was sold by owner X agent___

(d) Actual Consideration Exchanged. $ 230,000.00
(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 X NO___ If yes, items (a) and (b) below MUST be completed

(a) Type of Buyer Financing - Check where applicable

Conventional Bank Loan	X	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 _____

John A. Smith
(Signature of Seller, Buyer or agent of _____)

6-26-15
(Date)

PT 56 (Rev 6/05) Form required pursuant to SDCL 7-9-7(4) and Administrative Rule 64:04:01:06.01

CT-2

INSTRUMENT NO. 201800241
BOOK: 302 DEED
PAGE: 105
TRANSFER FEE: Exempt 18
2018/01/12 02:33:34 PM
CAROL SHERMAN, REGISTER OF DEEDS
BROWN COUNTY, SOUTH DAKOTA
Recording Fee: $ 30.00
Return To: CT

Pages: 1

REGISTER OF DEEDS * Brown SEAL County * STATE OF SOUTH DAKOTA

Prepared by : William D. Gerdes, P.C.
PO Box 1239, 104 S. Lincoln St., Ste. 111
Aberdeen, SD 57402-1239
(605) 622-2100

QUIT CLAIM DEED

Leah Anne Lane, a single person, Grantor, of Brown County, South Dakota for One Dollar ($1.00) and other good and valuable consideration, ***CONVEYS AND QUIT CLAIMS TO*** CJ Lane, a single person, Grantee, of 13341 383rd Ave., Aberdeen, SD 57401 all interest in the following described real estate:

The 337 feet next North of the South 250 feet of the East 963 feet in the Northeast Quarter of Section 19, Township 123 North, Range 64 West of the 5th P.M., Brown County, South Dakota

EXEMPT FROM TRANSFER FEE PURSUANT TO SDCL 43-4-22(18)

Dated this 5 day of January, 2018.

Leah Anne Lane
Leah Anne Lane

STATE OF SOUTH DAKOTA

COUNTY OF BROWN

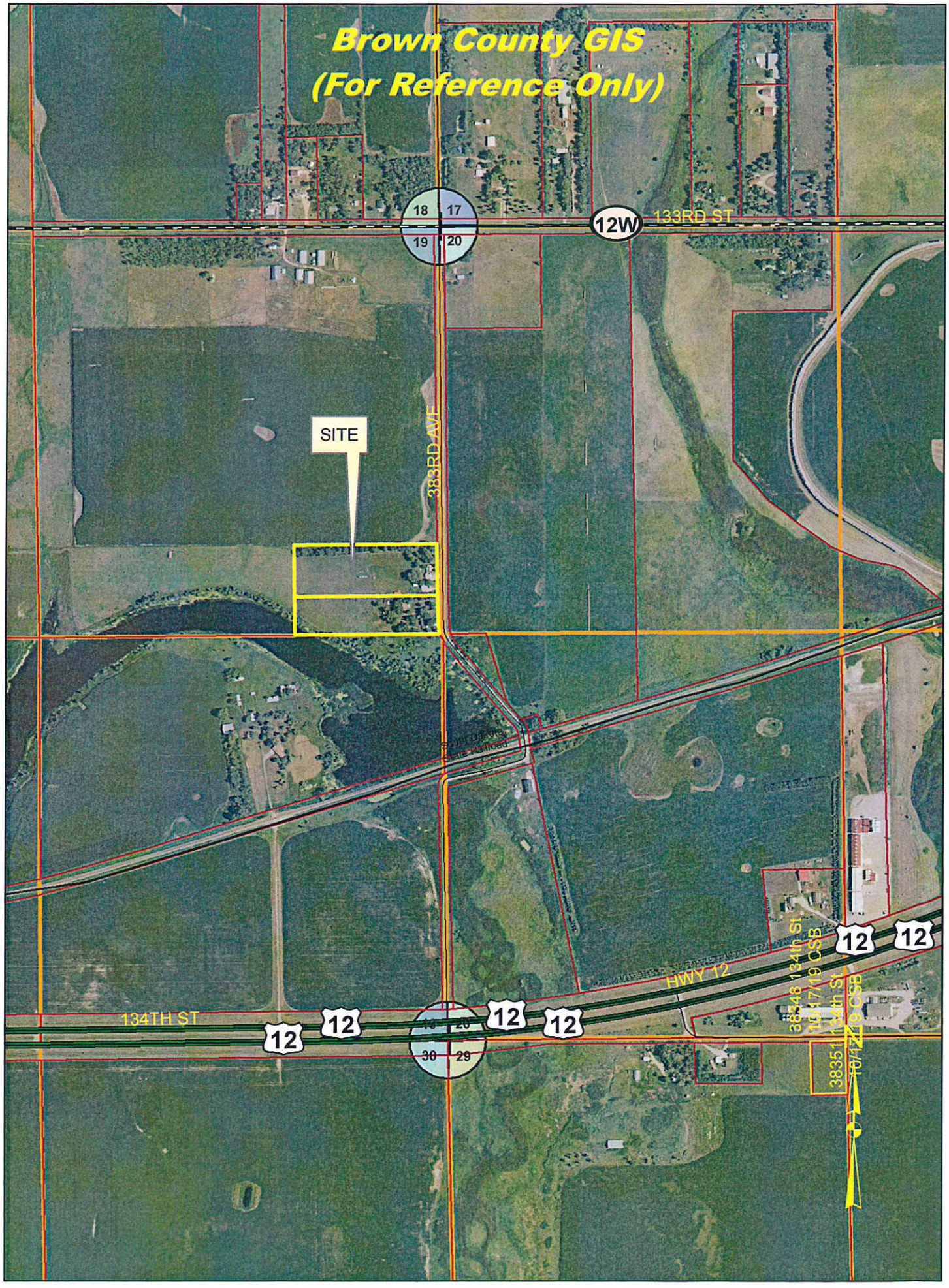
On this the 5 day of January, 2018, before me, the undersigned officer, personally appeared Leah Anne Lane known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

Karla K. Mehlhoff
Notary Public - South Dakota
My commission expires: 6-16-22

(SEAL)

KARLA K. MEHLHOFF
Notary Public
SEAL
South Dakota


Brown County GIS
(For Reference Only)
18
17
19
20
12W
133RD ST
SITE
383RD AVE
HWY 12
134TH ST
12
12
12
12
12
12
30
29
38348 134th St
10/17/19 CSB
38351 134th St
10/17/19 CSB

Brown County GIS
(For Reference Only)
383RD AVE
SITE
LANE
KEAHEY
N
South Dakota
State Railroad
383RD AVE

Lucas & Mary Keahey
13345 383rd Avenue
Aberdeen, SD 57401

CJ Lane
13341 383rd Avenue
Aberdeen, SD 57401

James Kunkle
Attn: Aberdeen Twp
13229 384th Street
Aberdeen, SD 57401

Tom & Peggy Eilers
38281 133rd Street
Aberdeen, SD 57401

Ochsner Real Estate LP
13350 379th Avenue
Aberdeen, SD 57401

LOCALiQ
Aberdeen News
Watertown Public Opinion

Order Confirmation

Not an Invoice

Account Number:	556235
Customer Name:	Brown County Auditor-Legals
Customer Address:	Brown County Auditor-Legals 25 Market St ABERDEEN SD 57401-4227
Contact Name:	Brown County Auditor-Legals
Contact Phone:	6056267110
Contact Email:	
PO Number:	

Date:	12/06/2022
Order Number:	8162429
Prepayment Amount:	$ 0.00

Column Count:	1.0000
Line Count:	62.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
ABD The American News	1	12/08/2022 - 12/08/2022	Public Notices
ABD aberdeennews.com	1	12/08/2022 - 12/08/2022	Public Notices

Total Order Confirmation	$22.36

Ad Preview

NOTICE OF HEARING

A *PETITION to REZONE* has been submitted to Brown County Planning/Zoning Commission. A hearing will be held in the Courthouse Annex in the Basement Community Meeting Room, on *December 20, 2022, at 7:00 P.M.*

Petitioners: Lucas & Mary Keahey and CJ Lane

Description of properties: The South 250' of the East 963', Except Road R.O.W., and the 337' North of the South 250' of the East 963', Except Road R.O.W., both in the NE1/4 of Section 19-T123N-R64W of the 5th P.M., Brown County, South Dakota (13341 & 13345 383rd Avenue, Aberdeen Twp.).

Reason: Rezone parcels from Agriculture Preservation District (AG-P) to Mini-Agriculture District (M-AG) to bring these parcels into compliance for their current use.

The public is invited to attend the hearing and to present comments and testimony regarding the proposed rezone petition. 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 meeting dates with the Brown County Auditor.

Dated this 8th day of December 2022.

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

12-08/2022

STAFF REPORT

December 20, 2022

BROWN COUNTY PLANNING COMMISSION

PRELIMINARY & FINAL PLAT ***ITEM # 12***

GENERAL INFORMATION:

PETITIONER:	Nicole Kempf – Personal Representative of the Estate of Daniel C. Kempf
REQUEST:	**PRELIMINARY & FINAL PLAT**
LEGAL DESCRIPTION:	"Palmyra Farmhouse Addition" in the SW1/4 of Section 18-T128N-R65W of the 5th P.M., Brown County, South Dakota
LOCATION:	10260 373rd Avenue
CITY/TOWNSHIP:	Palmyra Twp
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:	McPherson County
PUBLIC UTILITIES:	WEB Water
REPORTED BY:	Ron Keller

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

GENERAL REVIEW: Staff has reviewed this plat.

PLAT APPROVAL CHECKLIST

SUBDIVISION NAME: Palmyra Farmhouse Addition

LEGAL SECTION: QUARTER: SW **SECTION:** 18 **TOWNSHIP:** 128 **RANGE:** 65

MANDATORY LOTS: 1 **TRACTS** _____ **PARCELS** _____ **OUTLOTS** _____ **OTHER** _____

SCHOOL DISTRICT: Frederick Area

UTILITIES: WEB Water

OWNERS NAMES: Estate of Daniel Kempf _____

OWNERS NAMES: _____ _____

ENGINEER OR SURVEYOR: Zachary Remily (Assurance Land Surveying)

TYPE: PRELIMINARY _____ FINAL _____ BOTH X (both is allowed if there is not a new road needed)

PLAT FEE PER PLAT: $100.00 DATE PAID: 11 / 7 /2022

RECEIVED BY PLANNING DEPARTMENT: 11 / 7 /2022 **BY:** Chris Anderson

REASON FOR PLAT: DEVELOPMENT ____ CONVEYANCE X FINANCIAL PURPOSES ____ OTHER ____

ORIGINAL PLAT DRAWN ON: 11 x 17 MYLAR X 11 x 17 PHOTO PAPER _____ OTHER _____

STREETS/ROADS NAMED PROPERLY: X **NEW STREETS/ROADS REQUIRE PRELIMINARY PLAT:** _____

EXISTING ACCESS SHOWN ON PLAT: X **ACCESS PERMISSION NEEDED BY:** SD____ BC _____ TWP _____

FULLY DIMENSIONED FROM SECTION CORNER: X **OR QUARTER CORNER:** ____ **OR KNOWN MARKER:** ____

PLAT NAME CHECKED FOR DUPLICATION OR SIMILARITIES IN DEEDS OFFICE: X

HIGHWAY SIGNATURE LINE SHOWN: (State, County & Township) X **SIGNATURE LINE SIGNED:** X

TAXES PAID IN FULL: (on all lots involved) FOR THE YEAR X **TREASURER SIGNATURE LINE SIGNED** X

BOLD BOUNDARY DRAWN AROUND COMPLETE LOT: X **PROPERTY PINS SHOWN ON ALL CORNERS:** X

REGULAR BOUNDARY LINE DRAWN AROUND R-O-W X

AFTER PLANNING COMMISSION MEETING

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: November 9, 2022 *FEES:* $100.00
RECEIPT # 816708 *PAID:* YES/NO CHK/CASH
TOWNSHIP: Palmyra Twp *DATE:* November 7, 2022

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

AGENTS SIGNATURE: Nicole Kempf - Personal Representative of the Estate of Daniel C. Kempf Nicole Kempf P.R.
AGENTS ADDRESS: 308 1st St N
AGENTS CITY, STATE, ZIP: Ellendale, ND 58436
AGENTS PHONE: _____

REQUEST: Preliminary & Final Plat

LEGAL DESCRIPTION: "Palmyra Farmhouse Addition" in the SW1/4 of Section 18-T128N-R65W of the 5th P.M., Brown County, South Dakota

Planning Commission Action: Approved / Denied _____

By: _____ ***Date:*** _____

HEARING DATE: December 20, 2022 **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

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF BROWN)

IN CIRCUIT COURT

FIFTH JUDICIAL CIRCUIT

IN THE MATTER OF THE ESTATE OF DANIEL KEMPF, Deceased.	06PRO22-000012 **LETTERS OF PERSONAL REPRESENTATIVE**

On the 2ND day of FEBRUARY, 2022, Nicole Kempf, was appointed and qualified as personal representative of the Estate of Daniel Kempf.

These Letters are issued as evidence of the appointment, qualification, and authority of Nicole Kempf, to do and perform all acts authorized by law.

Issued FEBRUARY 2, 2022.

BY THE COURT

MARLA R ZASTROW

CLERK OF THE CIRCUIT COURT

BY BETH SCHMIDT DEPUTY CLERK

Victor B. Fischbach
Fischbach Law Office
14 2nd Ave SE
PO Box 1456
Aberdeen, SD 57402-1456
(605) 225 – 1000

State of South Dakota } ss
County of Brown }

I, Marla R. Zastrow, Clerk of the Circuit Court, do hereby certify that the within and foregoing is a full, true and complete copy of the original instrument, as the same appears on file in this office. The same is in full force and effect.

Dated this 2 day of Feb 2022

Marla R. Zastrow, Clerk of Courts, Brown County

By Beth Schmidt Deputy

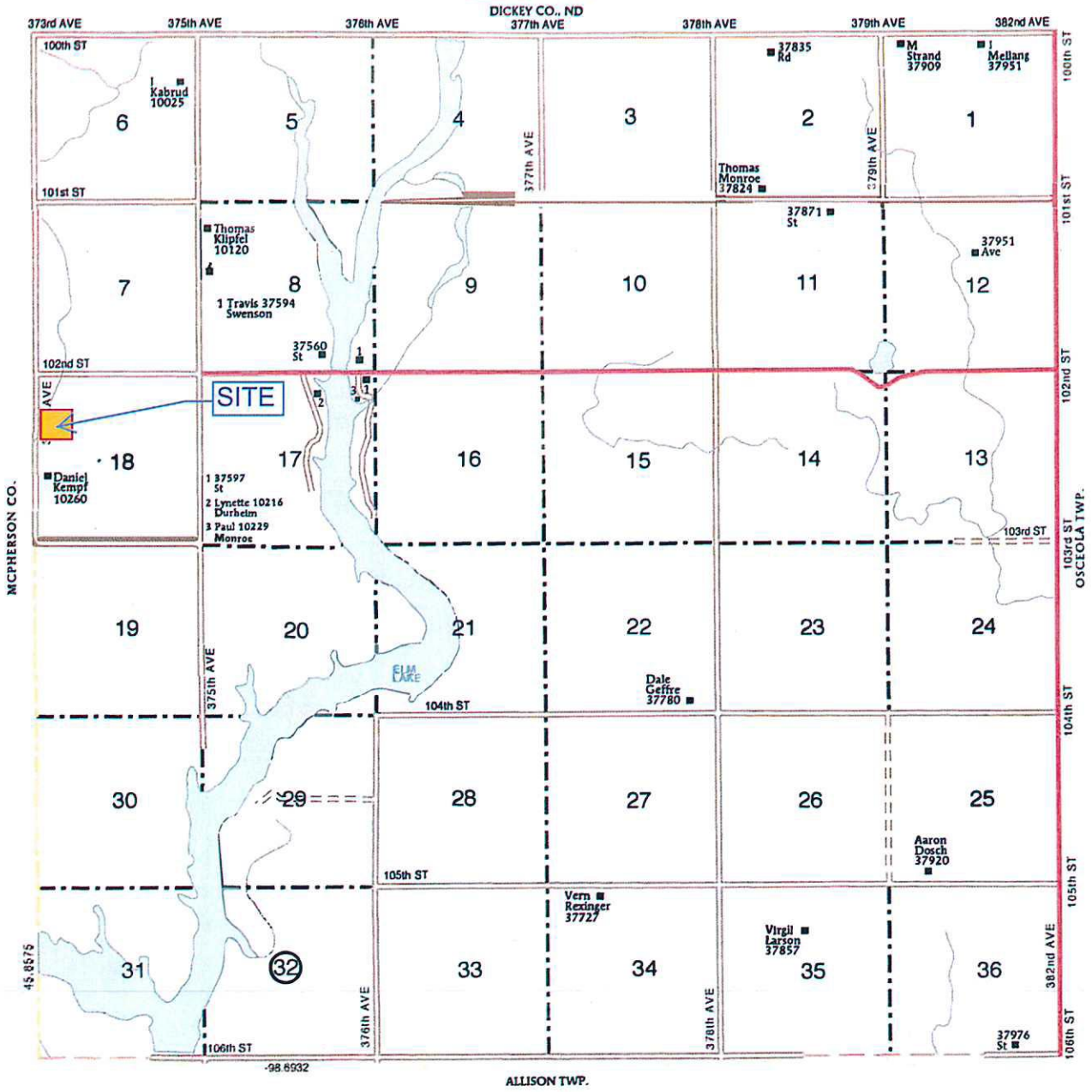
Filed: 2/2/2022 10:18 AM CST Brown County, South Dakota 06PRO22-000012

T-128-N

PALMYRA DIRECTORY

(Residents - Owners or Renters)

R-65-W



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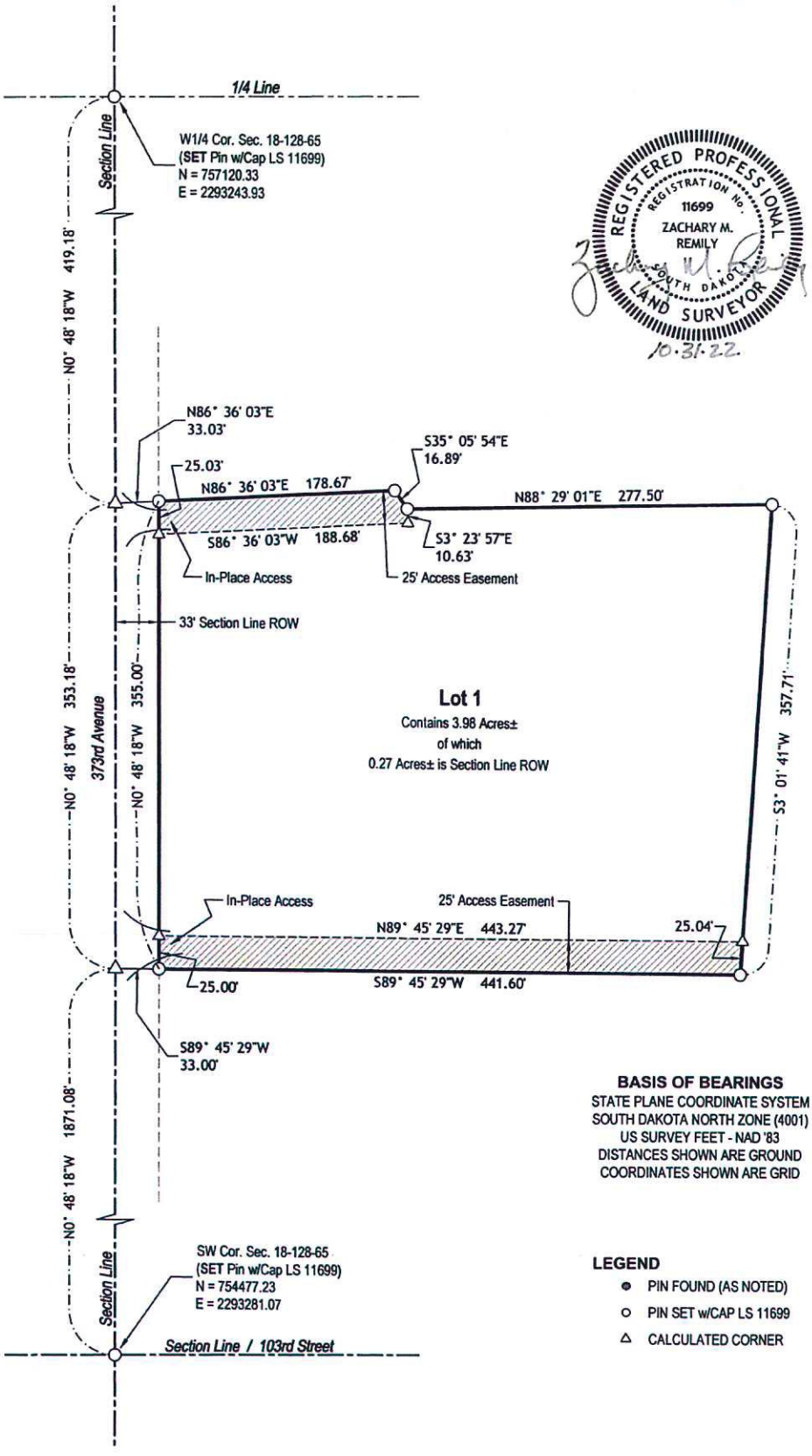
PLAT SHOWING

PALMYRA FARMHOUSE ADDITION

IN THE SW1/4 OF SECTION 18,
TOWNSHIP 128 NORTH, RANGE 65 WEST OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA



REGISTERED PROFESSIONAL LAND SURVEYOR
REGISTRATION NO. 11699
ZACHARY M. REMILY
SOUTH DAKOTA
10.31.22

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

LEGEND
- ● PIN FOUND (AS NOTED)
- ○ PIN SET w/CAP LS 11699
- △ CALCULATED CORNER

Prepared By:
Assurance LAND SURVEYING
619 14th Avenue S, Faulkton, South Dakota 57438
Phone: 605-290-3090 / Email: zach@assurancelandsurveying.com

Project No. ALS22137 Field Survey Date: 10.14.2022

DRAWING SCALE
0 80'
SCALE IN FEET

NORTH

PLAT SHOWING

PALMYRA FARMHOUSE ADDITION

IN THE SW1/4 OF SECTION 18, TOWNSHIP 128 NORTH, RANGE 65 WEST OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA

OWNER'S CERTIFICATE

I, Nicole Kempf, Personal Representative of the Estate of Daniel C. Kempf, do hereby certify that the Estate of Daniel C. Kempf is the owner of the Southwest Quarter (SW1/4) of Section Eighteen (18), Township One Hundred Twenty-Eight (128) North, Range Sixty-Five (65) West of the 5th P.M., Brown County, South Dakota, and that I, as Personal Representative of the Estate of Daniel C. Kempf, have caused a portion of the same to be surveyed and platted as shown on the attached plat which shall be hereinafter known and described as:

"PALMYRA FARMHOUSE ADDITION IN THE SW1/4 OF SECTION 18, TOWNSHIP 128 NORTH, RANGE 65 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, Nicole Kempf, Personal Representative of the Estate of Daniel C. Kempf, do hereby DEDICATE the 25' Access Easement on the North 25' of Lot 1 and the 25' Access Easement on the South 25' of Lot 1, Palmyra Farmhouse Addition, as shown on the attached plat, for INGRESS/EGRESS to the remaining portion of the Southwest Quarter (SW1/4) of Section 18, Township 128 North, Range 65 West of the 5th P.M., Brown County, South Dakota.

Owner: **Nicole Kempf,**
Personal Representative of the Estate of Daniel C. Kempf

Nicole Kempf P.R.
Signature

Signed this 7th day of November, 2022.

COUNTY OF Brown)
) SS
STATE OF South Dakota)

On this the 7th day of November, 2022, before me, D. Chris Anderson the undersigned officer, personally appeared Nicole Kempf, Personal Representative of the Estate of Daniel C. Kempf, known to me or satisfactorily proven to be the person who, 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.

My Commission Expires: 11-02-2027

D. Chris Anderson
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:

"PALMYRA FARMHOUSE ADDITION IN THE SW1/4 OF SECTION 18, TOWNSHIP 128 NORTH, RANGE 65 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 31st day of OCTOBER, 20 22.

Zachary M. Remily
ZACHARY M. REMILY, LS 11699

PALMYRA TOWNSHIP HIGHWAY APPROVAL

"Existing Access to ***373rd AVENUE*** is approved. This access approval does not replace the need for any permits by law to establish the precise access location, including permit requirements set forth in Administrative Rule of South Dakota 70:09:01:02."

Print Name & Title

Signature

Signed this _____ day of _____, 20____.

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.

Meeting held on the _____ day of _____, 20____.

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:

"PALMYRA FARMHOUSE ADDITION IN THE SW1/4 OF SECTION 18, TOWNSHIP 128 NORTH, RANGE 65 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.

Meeting held on the _____ day of _____, 20____.

County Auditor
Brown County, South Dakota

"Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing:

"PALMYRA FARMHOUSE ADDITION IN THE SW1/4 OF SECTION 18, TOWNSHIP 128 NORTH, RANGE 65 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:
Assurance
LAND SURVEYING

PLAT SHOWING

PALMYRA FARMHOUSE ADDITION

IN THE SW1/4 OF SECTION 18,

TOWNSHIP 128 NORTH, RANGE 65 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 _____, 20_____.

_____
County Treasurer
Brown County, South Dakota

REGISTER OF DEEDS' CERTIFICATE

Filed for record this _____day of_____, 20_____,

at_____ O'clock ___M., and duly recorded as Hanging

Plat No._____.

_____
Register of Deeds
Brown County, South Dakota

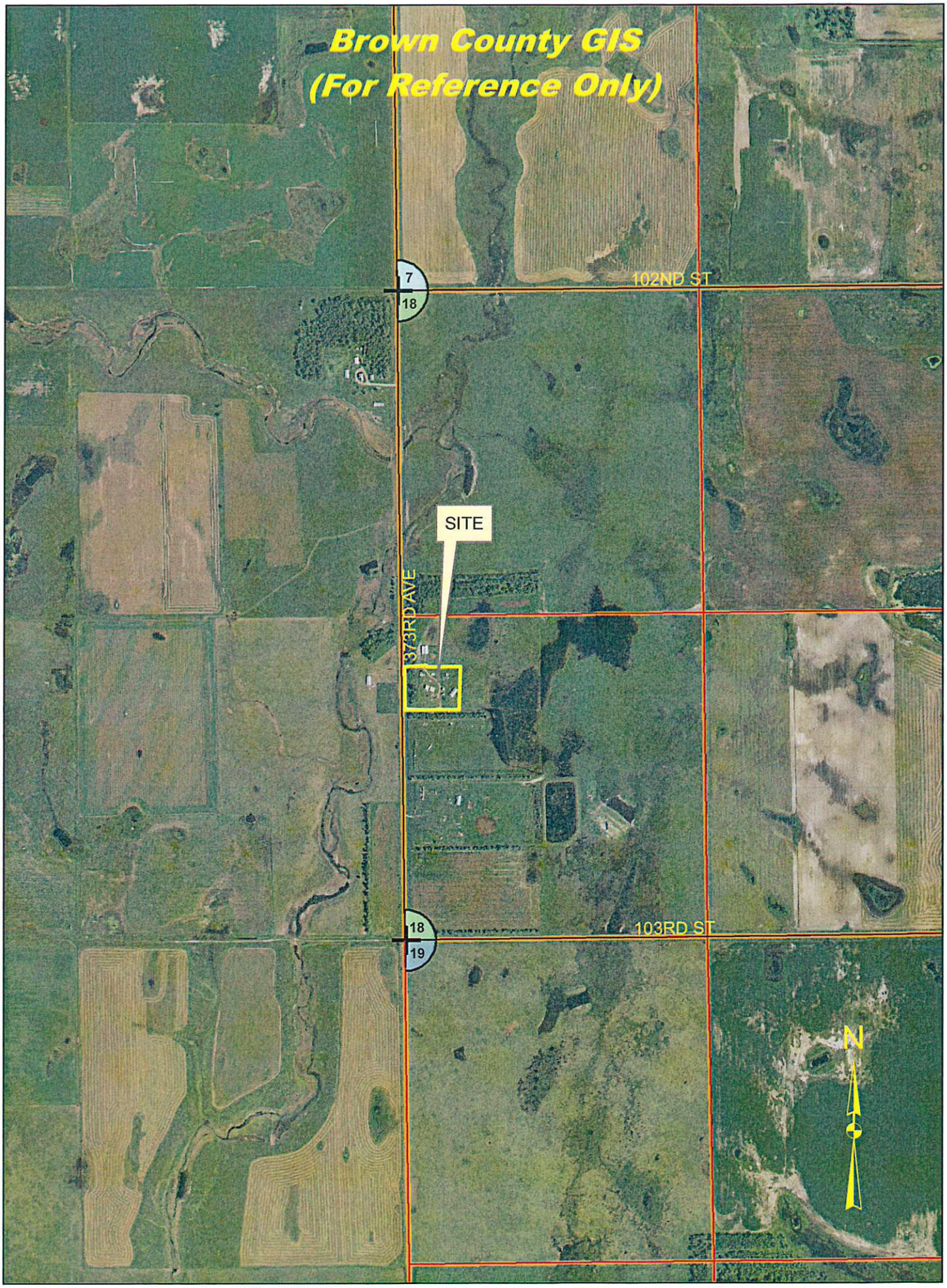
DIRECTOR OF EQUALIZATION CERTIFICATE

I hereby certify that I have received a copy of this plat

this _____ day of _____, 20_____.

_____
Director of Equalization
Brown County, South Dakota

Prepared By:
Assurance
LAND SURVEYING


Brown County GIS
(For Reference Only)
102ND ST
7
18
SITE
373RD AVE
18
19
103RD ST
N

Brown County GIS
(For Reference Only)
8022
SITE
N

STAFF REPORT

December 20, 2022

BROWN COUNTY PLANNING COMMISSION

PRELIMINARY & FINAL PLAT ***ITEM # 13***

GENERAL INFORMATION:

PETITIONER:	Jim & Cheryl Sayler; Rivett Family Trust
REQUEST:	**PRELIMINARY & FINAL PLAT**
LEGAL DESCRIPTION:	"Prairie's Edge Fourteenth Addition" to the City of Aberdeen in the NW1/4 of Section 8-T123N-R63W of the 5th P.M., Brown County, South Dakota
LOCATION:	2618 Water View Drive
CITY/TOWNSHIP:	City of Aberdeen
EXISTING ZONING	City of Aberdeen
SURROUNDING ZONING:	
North:	City of Aberdeen
South:	Agriculture Preservation District (AG-P)
East:	Agriculture Preservation District (AG-P)
West:	City of Aberdeen
PUBLIC UTILITIES:	Aberdeen Utilities
REPORTED BY:	Ron Keller

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

GENERAL REVIEW: Staff has reviewed this plat.

PLAT APPROVAL CHECKLIST

SUBDIVISION NAME: Prairie's Edge Fourteenth Addition

LEGAL SECTION: QUARTER: NW **SECTION:** 8 **TOWNSHIP:** 123 **RANGE:** 63

MANDATORY LOTS: 1 **TRACTS** _____ **PARCELS** _____ **OUTLOTS** _____ **OTHER** _____

SCHOOL DISTRICT: Aberdeen

UTILITIES: City of Aberdeen

OWNERS NAMES: Jim & Cheryl Sayler _____

OWNERS NAMES: Rivett Family Trust _____

ENGINEER OR SURVEYOR: Todd Schlunsen (IMEG)

TYPE: PRELIMINARY _____ FINAL _____ BOTH X (both is allowed if there is not a new road needed)

PLAT FEE PER PLAT: $100.00 **DATE PAID:** 12 / 02 /2022

RECEIVED BY PLANNING DEPARTMENT: 12 / 02 /2022 **BY:** Ron Keller

REASON FOR PLAT: DEVELOPMENT ____ CONVEYANCE X FINANCIAL PURPOSES ____ OTHER ____

ORIGINAL PLAT DRAWN ON: 11 x 17 MYLAR X 11 x 17 PHOTO PAPER _____ OTHER _____

STREETS/ROADS NAMED PROPERLY: X **NEW STREETS/ROADS REQUIRE PRELIMINARY PLAT:** _____

EXISTING ACCESS SHOWN ON PLAT: X **ACCESS PERMISSION NEEDED BY:** SD____ BC _____ TWP _____

FULLY DIMENSIONED FROM SECTION CORNER: ____ **OR QUARTER CORNER:** ____ **OR KNOWN MARKER:** X

PLAT NAME CHECKED FOR DUPLICATION OR SIMILARITIES IN DEEDS OFFICE: X

HIGHWAY SIGNATURE LINE SHOWN: (State, County & Township) NA **SIGNATURE LINE SIGNED:** NA

TAXES PAID IN FULL: (on all lots involved) FOR THE YEAR X **TREASURER SIGNATURE LINE SIGNED** X

BOLD BOUNDARY DRAWN AROUND COMPLETE LOT: X **PROPERTY PINS SHOWN ON ALL CORNERS:** X

REGULAR BOUNDARY LINE DRAWN AROUND R-O-W X

AFTER PLANNING COMMISSION MEETING

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: November 30, 2022 *FEES:* $100.00
RECEIPT # 816724 *PAID:* (YES)/NO (CHK)/CASH
TOWNSHIP: Aberdeen Twp *DATE:* 12/2/2022

OWNERS SIGNATURE: Jim & Cheryl Sayler
OWNERS ADDRESS: 2618 Water View Drive
OWNERS CITY, STATE, ZIP: Aberdeen, SD 57401
OWNERS PHONE:

AGENTS SIGNATURE: Rivett Family Trust 11.29.22 725-5283
AGENTS ADDRESS: PO Box 4850
AGENTS CITY, STATE, ZIP: Aberdeen, SD 57402-4850
AGENTS PHONE: 605-229-8631

REQUEST: Preliminary & Final Plat

LEGAL DESCRIPTION: "Prairie's Edge Fourteenth Addition" to the City of Aberdeen in the NW1/4 of Section 8-T123N-R63W of the 5th P.M., Brown County, South Dakota

Planning Commission Action: Approved / Denied

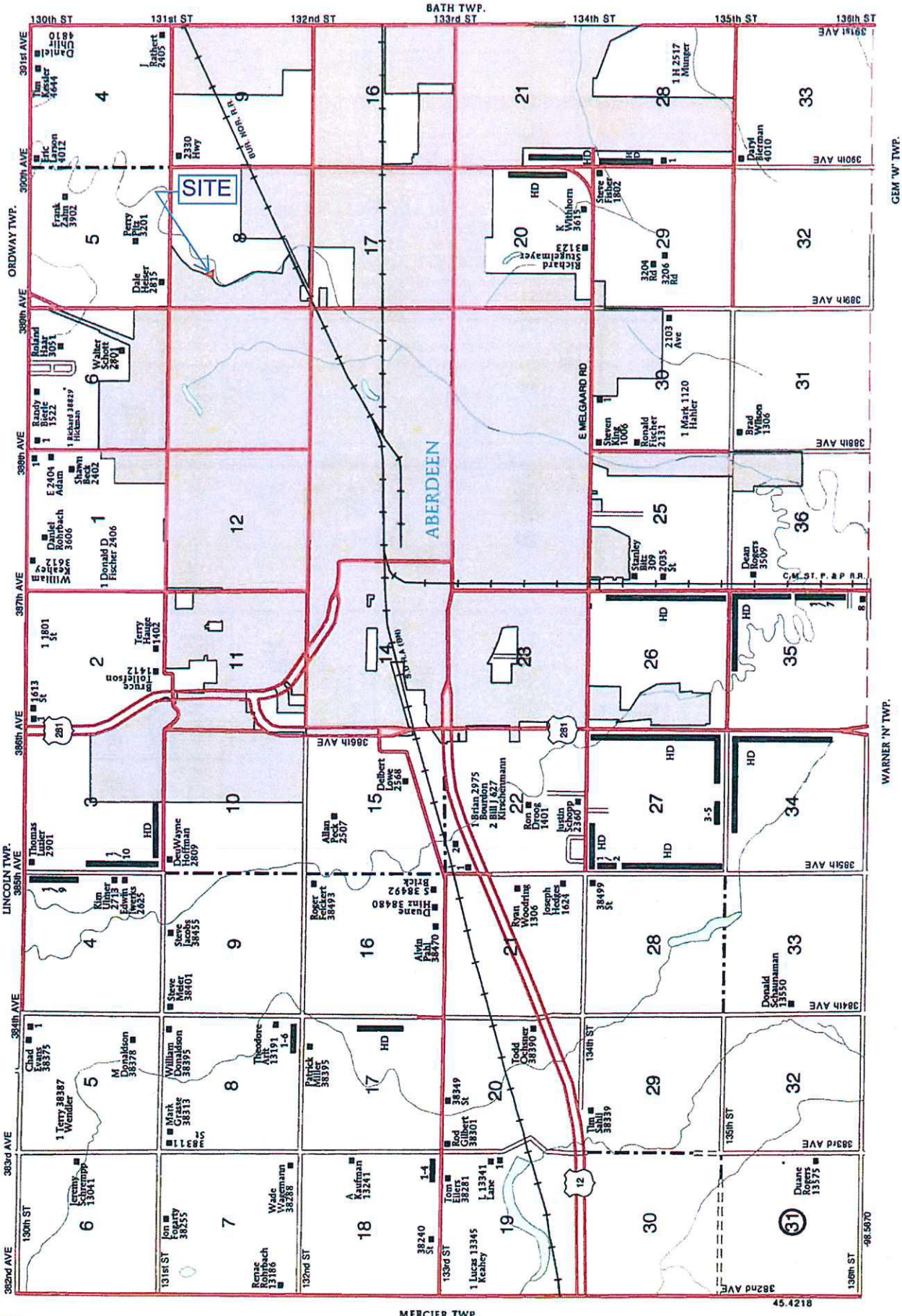
By: ***Date:***

HEARING DATE: December 20, 2022 **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

(Residents - Owners or Renters)



SEE PAGE 21 FOR ADDITIONAL NAMES NOT LISTED ON MAPS.

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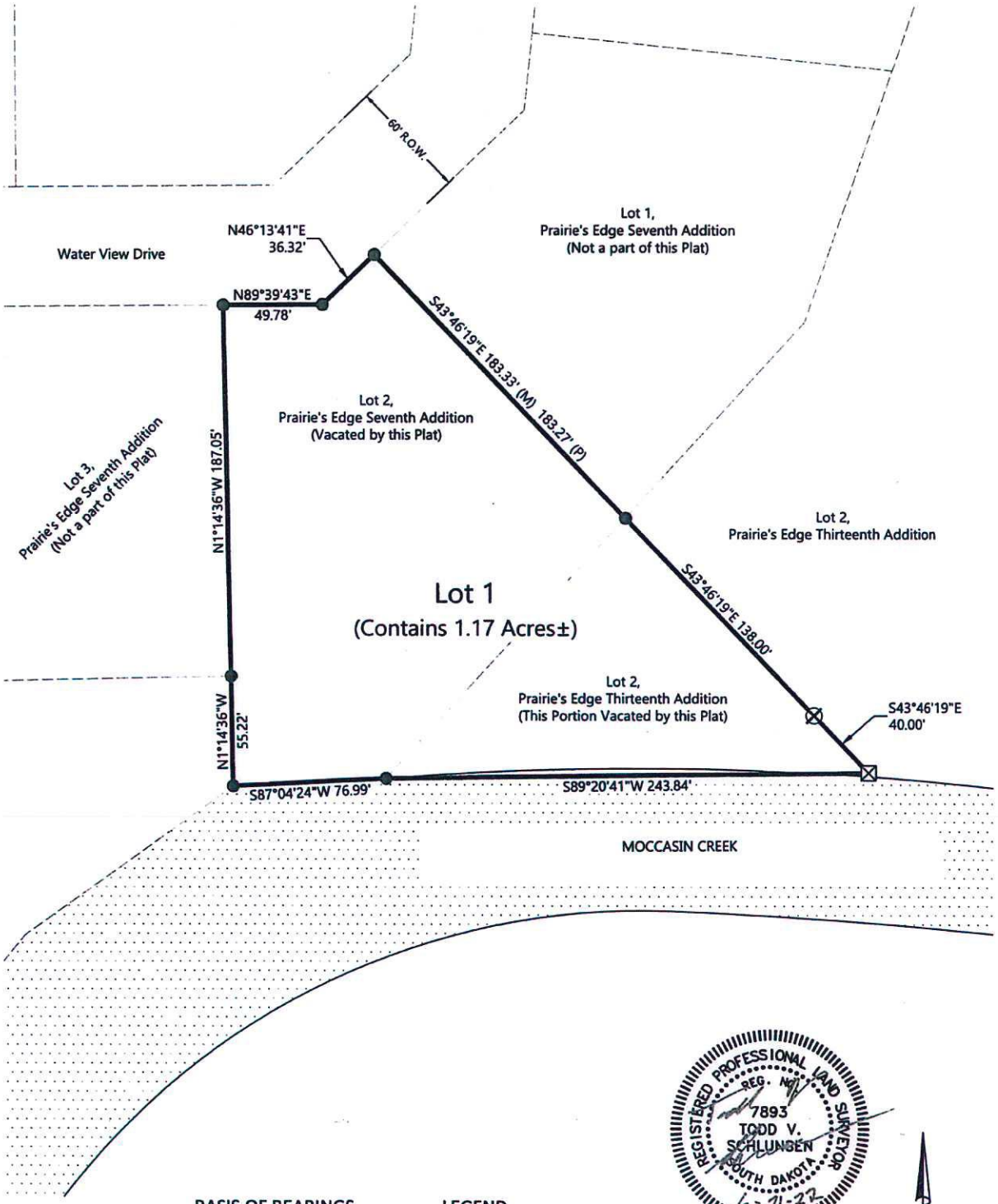
PLAT SHOWING

PRAIRIE'S EDGE FOURTEENTH ADDITION

TO THE CITY OF ABERDEEN IN THE NW1/4 OF SECTION 8,
TOWNSHIP 123 NORTH, RANGE 63 WEST OF THE 5th P.M.
BROWN COUNTY, SOUTH DAKOTA



REGISTERED PROFESSIONAL LAND SURVEYOR
REG. NO.
7893
TODD V.
SCHLUNSEN
SOUTH DAKOTA
6-21-22

BASIS OF BEARINGS
State Plane Grid
South Dakota North Zone (4001)
NAD '83 (2011) US Survey Feet
Distances are GROUND

LEGEND
- ● PIN FOUND w/CAP LS 4792
- ○ PIN FOUND w/CAP LS 11699
- ⊠ PIN SET w/CAP LS 7893 as Witness Corner
- ⊠ CALCULATED CORNER

0 50'
SCALE IN FEET

IMEG
3314 MILWAUKEE AVE N.E.
SUITE 2
ABERDEEN, SD 57401
PH: 605.225.3494
www.imegcorp.com

PLAT SHOWING

PRAIRIE'S EDGE FOURTEENTH ADDITION

TO THE CITY OF ABERDEEN IN THE NW1/4 OF SECTION 8,
TOWNSHIP 123 NORTH, RANGE 63 WEST OF THE 5th P.M.
BROWN COUNTY, SOUTH DAKOTA

OWNER'S CERTIFICATE

We, Jim Sayler, Trustee of the Jim Sayler Living Trust, dated February 8, 2018, and Cheryl Sayler, Trustee of the Cheryl Sayler Living Trust, dated February 8, 2018, tenants in common, do hereby certify that we are the owners of Lot 2, Prairie's Edge Seventh Addition to the City of Aberdeen in the Northwest Quarter (NW1/4) of Section Eight (8), Township One Hundred Twenty-Three (123) North, Range Sixty-Three (63) West of the 5th P.M., Brown County, South Dakota, and that we have caused the same to be surveyed and platted as shown on the attached plat which shall be hereinafter known and described as "PRAIRIE'S EDGE FOURTEENTH ADDITION TO THE CITY OF ABERDEEN IN THE NW1/4 OF SECTION 8, TOWNSHIP 123 NORTH, RANGE 63 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, we, Jim Sayler, Trustee, and Cheryl Sayler, Trustee, do hereby vacate, Lot 2, Prairie's Edge Seventh Addition to the City of Aberdeen, in the NW1/4 of Section 8, Township 123 North, Range 63 West of the 5th P.M., Brown County, South Dakota" as filed for record on August 31, 2012 at 9:00 a.m., and duly recorded as Hanging Plat No. 2905.

Owner:

James Sayler

Jim Sayler, Trustee

Signed this 29 day of November, 2022.

COUNTY OF Brown)
STATE OF South Dakota) SS

On this the 29 day of November, 2022, before me, a notary public, the undersigned officer, personally appeared Jim Sayler, Trustee, known to me or satisfactorily proven to be the person who 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.

My Commission Expires: 12-27-2022

Notary Public

ADAM ALTMAN NOTARY Seal PUBLIC STATE OF SOUTH DAKOTA

Owner:

Cheryl Sayler

Cheryl Sayler, Trustee

Signed this 29 day of November, 2022.

COUNTY OF Brown)
STATE OF South Dakota) SS

On this the 29 day of November, 2022, before me, a notary public, the undersigned officer, personally appeared Cheryl Sayler, known to me or satisfactorily proven to be the person who 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.

My Commission Expires: 12-27-2022

Notary Public

ADAM ALTMAN NOTARY Seal PUBLIC STATE OF SOUTH DAKOTA

OWNER'S CERTIFICATE

We, Ronald J. Rivett and Harvey C. Jewett, Co-Trustees,as amended on September 11, 2002, and November 19, 2002, of the Rivett Family Trust under Trust agreement dated October 20, 1993, do hereby certify that the Rivett Family Trust is the owner of Lot 2, Prairie's Edge Thirteenth Addition to the City of Aberdeen in the Northwest Quarter (NW1/4) of Section Eight (8), Township One Hundred Twenty-Three (123) North, Range Sixty-Three (63) West of the 5th P.M., Brown County, South Dakota, and that we have caused a portion of the same to be surveyed and platted as shown on the attached plat which shall be hereinafter known and described as "PRAIRIE'S EDGE FOURTEENTH ADDITION TO THE CITY OF ABERDEEN IN THE NW1/4 OF SECTION 8, TOWNSHIP 123 NORTH, RANGE 63 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, we, Ronald J. Rivett and Harvey C. Jewett, Co-Trustees, do hereby vacate a portion of Lot 2, Prairie's Edge Thirteenth Addition to the City of Aberdeen, in the NW1/4 of Section 8, Township 123 North, Range 63 West of the 5th P.M., Brown County, South Dakota" as filed for record on January 2, 2019 at 3:25 p.m., and duly recorded as Hanging Plat No. 3531.

Owner:

Ronald J. Rivett, Co-Trustee

Signed this 16 day of November, 2022.

COUNTY OF Brown)
STATE OF South Dakota) SS

On this the 16 day of November, 2022, before me, a notary public, the undersigned officer, personally appeared Ronald J. Rivett, Co-Trustee, known to me or satisfactorily proven to be the person who 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.

My Commission Expires: 10/25/24

Notary Public

CALII HUGHES NOTARY PUBLIC SOUTH DAKOTA SEAL SEAL

Owner:

Harvey C. Jewett, Co-Trustee

Signed this 22 day of November, 2022.

COUNTY OF Brown)
STATE OF South Dakota) SS

On this the 22 day of November, 2022, before me, a notary public, the undersigned officer, personally appeared Harvey C. Jewett, Co-Trustee, known to me or satisfactorily proven to be the person who 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.

My Commission Expires: 11/22/27

Notary Public

ANGELA HUFF NOTARY Seal PUBLIC STATE OF SOUTH DAKOTA

IMEG
3314 MILWAUKEE AVE N.E.
SUITE 2
ABERDEEN, SD 57401
PH: 605.225.3494
www.imegcorp.com

PLAT SHOWING

PRAIRIE'S EDGE FOURTEENTH ADDITION

TO THE CITY OF ABERDEEN IN THE NW1/4 OF SECTION 8,
TOWNSHIP 123 NORTH, RANGE 63 WEST OF THE 5th P.M.
BROWN COUNTY, SOUTH DAKOTA

SURVEYOR'S CERTIFICATE

I, Todd V. Schlunsen, Registered Land Surveyor, in the State of South Dakota, do hereby certify that, at the request of the owners, I have surveyed and platted "PRAIRIE'S EDGE FOURTEENTH ADDITION TO THE CITY OF ABERDEEN IN THE NW1/4 OF SECTION 8, TOWNSHIP 123 NORTH, RANGE 63 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 21st day of June, 2022.

CITY PLANNING COMMISSION APPROVAL

I hereby certify that the following is a correct copy of the resolution duly passed by the City Planning Commission of Aberdeen, South Dakota, at a meeting held on the _____ day of _____, 2022.

_____
Finance Officer, Aberdeen, South Dakota

"Be it resolved by the City Planning Commission of Aberdeen, South Dakota, that the Plat showing "PRAIRIE'S EDGE FOURTEENTH ADDITION TO THE CITY OF ABERDEEN IN THE NW1/4 OF SECTION 8, 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 of 1967, Chapter 11-6, and any amendments.

CITY COUNCIL APPROVAL

I hereby certify that the following is a correct copy of the resolution duly passed by the City Council of Aberdeen, South Dakota, at a meeting held on the _____ day of _____, 2022.

_____
Finance Officer, Aberdeen, South Dakota

"Be it resolved by the City Council of Aberdeen, South Dakota, that the Plat showing "PRAIRIE'S EDGE FOURTEENTH ADDITION TO THE CITY OF ABERDEEN IN THE NW1/4 OF SECTION 8, 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 of 1967, Chapter 11-3, and any amendments thereof."

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 Day County, South Dakota, at a meeting held on the _____ day of _____ _____, 2022.

_____
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 "PRAIRIE'S EDGE FOURTEENTH ADDITION IN THE NW1/4 OF SECTION 8, 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 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 _____, 2022.

_____
County Auditor, Brown County, South Dakota

"Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing "PRAIRIE'S EDGE FOURTEENTH ADDITION IN THE NW1/4 OF SECTION 8, 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 of 1967, Chapter 11-3, and any amendments thereof."

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 record of my office to be fully paid.

Signed this _____ day of _____, 2022.

_____
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 _____, 2022.

_____
Director of Equalization, Brown County, South Dakota

REGISTER OF DEEDS' CERTIFICATE

Filed for record this _____ day of _____, 2022, at _____ O'clock ____M., and duly recorded as Hanging Plat No._____.

_____
Register of Deeds, Brown County, South Dakota

IMEG
3314 MILWAUKEE AVE N.E.
SUITE 2
ABERDEEN, SD 57401
PH: 605.225.3494
www.imegcorp.com

ANNEXATION

AGENDA
ABERDEEN CITY COUNCIL MEETING

MONDAY, APRIL 25, 2022 AT 5:30 P.M.
CITY COUNCIL CHAMBERS
123 S. LINCOLN ST., ABERDEEN, SOUTH DAKOTA 5740[illegible]

---

1. **CALL TO ORDER**
   A. ROLL CALL

   B. PLEDGE OF ALLEGIANCE

2. **APPROVAL OF AGENDA**

3. **APPROVAL OF MINUTES,** CITY COUNCIL MEETING OF APRIL 18, 2022

4. **OPEN FORUM 5:30 TO 5:40 P.M. – 1. SEE FORMAT GUIDELINES AT END OF AGENDA**

5. **CONSENT CALENDAR – POSSIBLE APPROVAL**
   A. LICENSES:
      1. HOME DAY CARE OPERATOR – BRITTANY FEHR
      2. RESIDENTIAL BUILDING CONTRACTOR – TIMOTHY KLEINSASSER
      3. RESIDENTIAL BUILDING CONTRACTOR – KEVIN BOSHARD
   B. PLATS:
      1. CIRCUS BAR FIRST ADDITION TO THE CITY OF ABERDEEN IN THE SW¼ OF SEC. 13, T123N, R64W OF THE 5TH P.M., BR. CO., SD (14 AND 16 THIRD AVE., SE)
      2. SEITZ EAGLE FIRST ADDITION TO THE CITY OF ABERDEEN IN THE NW¼ OF SEC. 23, T123N, R64W OF THE 5TH P.M., BR. CO., SD (1401 AND 1423 SIXTH AVE., SW)
   C. REQUEST FOR A COMMUNITY EVENT PERMIT FOR NORTHERN STATE UNIVERSITY'S "WOLVES TRIATHLON" ON MAY 1, 2022
   D. REPORTS AND MINUTES FROM CITY BOARDS – RECEIVE AND PLACE ON FILE:
      1. ABERDEEN AIRPORT BOARD MEETING MINUTES
      2. ABERDEEN CITY PLANNING COMMISSION MEETING MINUTES
      3. BOARD OF ZONING ADJUSTMENT MEETING MINUTES
      4. K.O. LEE ABERDEEN PUBLIC LIBRARY BOARD OF TRUSTEES MEETING MINUTES
   E. PROCLAMATION – "ARBOR DAY" ON APRIL 29, 2022

6. **OLD BUSINESS**
   A. POSSIBLE SECOND READING AND FINAL ADOPTION OF ORDINANCE NO. 22-04-06 PROHIBITING CHRONIC NUISANCES AND CRIMINAL ACTIVITY PUBLIC NUISANCES

   B. POSSIBLE SECOND READING AND FINAL ADOPTION OF ORDINANCE NO. 22-04-07 REGARDING ALCOHOLIC BEVERAGES IN PARKS AND RECREATION FACILITIES

7. **NEW BUSINESS**
   A. PUBLIC HEARING AND POSSIBLE FIRST READING OF ZONING ORDINANCE NO. 22-04-01 MODIFYING THE PROCEDURE TO AMEND CHAPTER 60 - ZONING

   B. PUBLIC HEARING AND POSSIBLE FIRST READING OF ZONING ORDINANCE NO. 22-04-02 TRANSFERRING THE PLANNING COMMISSION TO CHAPTER 60 – ZONING

C. PUBLIC HEARING AND POSSIBLE FIRST READING OF ORDINANCE NO. 22-04-03 TO REZONE PROPERTY DESCRIBED AS ADC 2019-1 FIRST SUBDIVISION TO THE CITY OF ABERDEEN IN THE NE¼ OF SEC. 16, T123N, R63W OF THE 5TH P.M., BR. CO., SD (4811 MALONEY AVE., NE) FROM (I-2) DISTRICT TO (M) DISTRICT

D. PUBLIC HEARING AND POSSIBLE FIRST READING OF ORDINANCE NO. 22-04-04 TO REZONE PROPERTY DESCRIBED AS WETLAND LOT A AND WETLAND LOT B, ABERDEEN INDUSTRIAL PARK EAST ADDITION TO ABERDEEN IN THE NE¼ OF SEC. 16, T123N, R63W OF THE 5TH P.M., BR. CO., SD (4705 AND 4710 CAPITAL AVE., NE) FROM (I-2) DISTRICT TO (M) DISTRICT

E. PUBLIC HEARING AND POSSIBLE FIRST READING OF ORDINANCE NO. 22-04-05 TO REZONE PROPERTY DESCRIBED AS LOT 1, SAFEGUARD/ADC SUBDIVISION IN ABERDEEN IN THE NE¼ OF SEC. 17, T123N, R63W OF THE 5TH P.M., BR. CO., SD (2830 INDUSTRIAL AVE., NE) FROM (I-2) DISTRICT TO (M) DISTRICT

F. PUBLIC HEARING AND POSSIBLE APPROVAL/DENIAL OF RESOLUTION NO. 22-04-02R FOR ANNEXATION OF CERTAIN PROPERTY INTO THE CITY LIMITS COMMENCING AT SE PROPERTY CORNER OF LOT 2, PRAIRIE'S EDGE SEVENTH ADDITION, THE POINT OF BEGINNING; THENCE S. 43 DEGREES, 46 FT., 19 IN. E., A DISTANCE OF 178 FT.; THENCE S. 89 DEGREES, 20 FT., 41 IN. W., A DISTANCE OF 243.84 FT.; THENCE N. 42 DEGREES, 34 FT., 59 IN. E., A DISTANCE OF 178.35 FT., BACK TO THE POINT OF BEGINNING, CONTAINING 0.36 ACRES MORE OR LESS (E. OF 2618 WATER VIEW DR.)

G. PRESENTATION OF QUARTERLY ACTIVITIES REPORT FOR ABERDEEN DOWNTOWN ASSOCIATION – SHELLEY WESTRA-HEIER, EXECUTIVE DIRECTOR

8. REVIEW AND APPROVAL OF CLAIMS AND PAYROLL

A. BILLS: APPROVAL OF BILL LIST FOR APRIL 25, 2022

B. PAYROLL – APPROVAL FOR PAY PERIOD FROM APRIL 10, 2022 TO APRIL 23, 2022 AND FOR CITY'S SHARE OF SOCIAL SECURITY, OLD AGE AND SURVIVOR'S INSURANCE, RETIREMENT, HEALTH, AND LIFE INSURANCE

COUNCIL MEMBERS MAY ABSTAIN REGARDING AN IDENTIFIED CLAIM IN THE BILL LIST OR PAYROLL AND VOTE TO APPROVE THE REMAINDER OF THE BILLS OR PAYROLL

9. CITY MANAGER'S REPORT

10. ADJOURNMENT

1. OPEN FORUM PROVIDES AN OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE CITY COUNCIL WITH QUESTIONS, CONCERNS OR COMMENTS ON ITEMS, WHICH ARE NOT ON THE AGENDA. CITIZENS ARE ASKED TO SIGN UP TO SPEAK PRIOR TO THE OPEN FORUM PORTION OF THE MEETING. OPEN FORUM WILL BE LIMITED TO 10 MINUTES (IF NO ONE IS IN ATTENDANCE FOR THE OPEN FORUM, THE REGULAR MEETING MAY BEGIN) UNLESS A MAJORITY OF THE CITY COUNCIL AGREES TO EXTEND THE TIME PERIOD. THE OPEN FORUM MAY NOT BE USED TO MAKE PERSONAL ATTACKS, TO AIR PERSONALITY GRIEVANCES, TO MAKE POLITICAL ENDORSEMENTS, OR FOR POLITICAL CAMPAIGN PURPOSES. OPEN FORUM WILL NOT BE USED AS A TIME FOR PROBLEM SOLVING OR REACTING TO THE COMMENTS MADE, BUT, RATHER FOR HEARING THE CITIZEN FOR INFORMATIONAL PURPOSES.

THE CITY COUNCIL MAY RESPOND WITH REQUEST FOR CITY MANAGEMENT TO FOLLOW UP AND REPORT BACK ON ANY ISSUE RAISED DURING THE PUBLIC ADDRESS TIME. A PRESENTATION MAY NOT EXCEED TWO MINUTES IN DURATION.

2. ADA COMPLIANCE: THE CITY OF ABERDEEN FULLY SUBSCRIBES TO THE PROVISIONS OF THE AMERICAN'S WITH DISABILITIES ACT. IF YOU DESIRE TO ATTEND THIS PUBLIC MEETING AND ARE IN NEED OF SPECIAL ACCOMMODATIONS, PLEASE NOTIFY THE CITY FINANCE OFFICE AT LEAST 8 HOURS PRIOR TO THE MEETING SO APPROPRIATE AUXILIARY AIDS AND SERVICES CAN BE MADE AVAILABLE. THE CITY COUNCIL MEETS WEEKLY ON MONDAYS AT 5:30 P.M. EXCEPT WHEN A HOLIDAY FALLS ON MONDAY, IN WHICH CASE THE MEETING IS HELD AT 5:30 P.M. ON THE NEXT BUSINESS DAY.

3. A COPY OF THE SUBJECT MATTER ON THE CITY COUNCIL MEETING AGENDA IS AVAILABLE FOR PUBLIC DISTRIBUTION AT THE CITY FINANCE OFFICE AND AVAILABLE ON THE CITY'S WEBSITE www.aberdeen.sd.us.

MINUTES
ABERDEEN CITY COUNCIL MEETING

City Council Chambers, 123 South Lincoln Street, Municipal Building, Aberdeen, South Dakota, April 25, 2022 at 5:30 p.m., regular meeting of the City Council.

CALL TO ORDER

MEETING ROLL CALL

Present at roll call were City Council Members Mark Remily, Dave Lunzman, Josh Rife, Justin Reinbold, Clint Rux, and Mayor Travis Schaunaman. City Council Members Rob Ronayne, Alan Johnson, and Tiffany Langer were absent.

City Staff present were Joe Gaa, Ron Wager, Robin Bobzien, Brett Bill, Jordan McQuillen, Tanner Jondahl, Joel Weig, and Mark Hoven.

PLEDGE OF ALLEGIANCE

Mayor Schaunaman led the Pledge of Allegiance.

APPROVAL OF AGENDA

Motion by Lunzman, second by Rux to approve the agenda. Voice vote to approve, all present voting aye, motion carried.

MINUTES

Mayor Schaunaman presented an amendment to the minutes of the April 18, 2022 City Council Meeting as follows: BID FOR HIGH PRESSURE SEWER CLEANER AND VACUUM EXTRACTOR FOR PUBLIC WORKS DEPARTMENT – UTILITY DIVISION – City Enginner Robin Bobzien requested approval to award the bid for the High Pressure Sewer Cleaner and Vacuum Extractor for the Public Works Department – Utility Division to Flexible Pipe Tool in the amount of $316,796.00 and declare surplus a 2014 High Pressure Sewer Cleaner and Vacuum Extractor for trade in to Flexible Pipe Tool. Motion by Ronayne, second by Johnson to award the bid for the High Pressure Sewer Cleaner and Vacuum Extractor to Flexible Pipe Tool in the amount of $316,796.00, to declare surplus a 2014 High Pressure Sewer Cleaner and Vacuum Extractor for trade in to Flexible Pipe Tool, and authorize the City Manager and Finance Officer to sign all necessary documents after approval by the City Attorney. Roll call vote to approve, all voting aye, motion carried.

Motion by Reinbold, second by Rux to approve the amendment to the minutes of the April 18, 2022 City Council Meeting. Voice vote to approve, all present voting aye, motion carried.

OPEN FORUM

No one appeared in open forum to address the Council.

CONSENT CALENDAR

Motion by Rux, second by Reinbold to approve the following items on the consent calendar:

LICENSES – Home Day Care Operator – Brittany Fehr; Residential Building Contractor –

Timothy Kleinsasser; Residential Building Contractor – Kevin Boshard

PLATS – 1) Circus Bar First Addition to the City of Aberdeen in the SW¼ of Sec. 13, T123N, R64W of the 5th P.M., Brown County, South Dakota (14 and 16 Third Avenue, SE); 2) Seitz Eagle First Addition to the City of Aberdeen in the NW¼ of Sec. 23, T123N, R64W of the 5th P.M., Brown County, South Dakota (1401 and 1423 Sixth Avenue, SW)

REQUEST FOR COMMUNITY EVENT PERMIT – for Northern State University's "Wolves Triathlon" on May 1, 2022

REPORTS AND MINUTES FROM CITY BOARDS – Aberdeen Airport Board Meeting Minutes; Aberdeen City Planning Commission Meeting Minutes; Board of Zoning Adjustment Meeting Minutes; K.O. Lee Aberdeen Public Library Board of Trustees Meeting Minutes – receive and place on file

PROCLAMATION – "Arbor Day" on April 29, 2022

Voice vote to approve, all present voting aye, motion carried.

OLD BUSINESS

ORDINANCE NO. 22-04-06

Motion by Rife, second by Remily to approve second reading and final adoption of Ordinance No. 22-04-06 prohibiting chronic nuisances and criminal activity public nuisances. Roll call vote to approve, all present voting aye, motion carried.

ORDINANCE NO. 22-04-07

City Attorney Ron Wager presented Ordinance No. 22-04-07 regarding alcoholic beverages in parks and recreation facilities for second reading and final adoption. Wager explained that the Park Board conducted a work session last week to discuss an alcohol policy and it was determined that the Council should delete references to dog parks in an area where alcohol is prohibited in Sec. 36-62 of the ordinance. Wager asked the Council to approve and amend Sec. 36-62 of the ordinance deleting references to dog parks and to renumber subsections thereafter. Also, Wager informed the Council that the changes would not be a substantial alteration to the substance of the ordinance. Motion by Rux, second by Remily to remove references to dog parks in Sec. 36-62 of the ordinance and approve second reading and final adoption of the amended language in Ordinance No. 22-04-07 as recommended by the City Attorney. Roll call vote to approve, all present voting aye, motion carried.

NEW BUSINESS

PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 22-04-01

Mayor Schaunaman opened a hearing on first reading of Ordinance No. 22-04-01 modifying the procedure to amend Chapter 60 – ZONING. City Attorney Ron Wager explained that the proposed ordinance addresses three changes to existing procedures to amend the zoning regulations of the City Code to comply with changes to state law: 1) the three-week publication notice requirement at Sec. 60-286(b) is not required at SDCL §11-4-4,

only one publication notice requirement; 2) to adjust Sec. 60-287 (Petitions for amendments) to conform with SDCL §11-4-9; and 3) to adjust Sec. 60-288 (Protest) to conform with SDCL §11-4-5. No public comments were received so Mayor Schaunaman closed the hearing. Motion by Reinbold, second by Rux to approve first reading of Ordinance No. 22-04-01 modifying the procedure to amend Chapter 60 – ZONING of the Aberdeen City Code to comply with South Dakota law. Roll call vote to approve, all present voting aye, motion carried.

PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 22-04-02

Mayor Schaunaman opened a hearing on first reading of Ordinance No. 22-04-02 transferring the Planning Commission to Chapter 60 – ZONING. City Attorney Ron Wager asked for approval of the ordinance in an effort to centralize all zoning matters to Chapter 60 – ZONING and to transfer the sections at Chapter 2 – ADMINISTRATION establishing the Planning and Zoning Commission. No public comments were received so Mayor Schaunaman closed the hearing. Motion by Remily, second by Rux to approve first reading of Ordinance No. 22-04-02 transferring and renumbering regulations establishing and governing the Planning and Zoning Commission from Chapter 2 – ADMINISTRATION, to Chapter 60 – ZONING of the Aberdeen City Code. Roll call vote to approve, all present voting aye, motion carried.

PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 22-04-03

Mayor Schaunaman opened a hearing on the first reading of Ordinance No. 22-04-03 to rezone property described as ADC 2019-1 First Subdivision to the City of Aberdeen in the NE¼ of Sec. 16, T123N, R63W of the 5th P.M., Brown County, South Dakota (4811 Maloney Avenue, NE) from (I-2) Unrestricted Industrial District to (M) Municipal, State, and County Use District. City Planning/Zoning Director Brett Bill said that the City of Aberdeen is requesting to rezone the property to comply with its current use as a city owned drainage lot. No public comments were received so Mayor Schaunaman closed the hearing. Motion by Rux, second by Rife to approve first reading of Ordinance No. 22-04-03 to rezone the property as requested. Roll call vote to approve, all present voting aye, motion carried.

PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 22-04-04

Mayor Schaunaman opened a hearing on the first reading of Ordinance No. 22-04-04 to rezone property described as Wetland Lot A and Wetland Lot B, Aberdeen Industrial Park East Addition to Aberdeen, in the NE¼ of Sec. 16, T123N, R63W of the 5th P.M., Brown County, South Dakota (4705 and 4710 Capital Avenue, NE) from (I-2) Unrestricted Industrial District to (M) Municipal, State, and County Use District. City Planning/Zoning Director Brett Bill said that the City of Aberdeen is requesting to rezone the property to bring two separate lots into compliance with their current use as city owned drainage lots. No public comments were received so Mayor Schaunaman closed the hearing. Motion by Lunzman, second by Rux to approve first reading of Ordinance No. 22-04-04 to rezone the

property as requested. Roll call vote to approve, all present voting aye, motion carried.

PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 22-04-05

Mayor Schaunaman opened a hearing on first reading of Ordinance No. 22-04-05 to rezone property described as Lot 1, Safeguard/ADC Subdivision in Aberdeen in the NE¼ of Sec. 17, T123N, R63W of the 5th P.M., Brown County, South Dakota (2830 Industrial Avenue, NE) from (I-2) Unrestricted Industrial District to (M) Municipal, State, and County Use District. City Planning/Zoning Director Brett Bill said that the City of Aberdeen is requesting to rezone the property to bring it into a district that will allow for a variety of municipal uses without exception. No public comments were received so Mayor Schaunaman closed the hearing. Motion by Lunzman, second by Rux to approve first reading of Ordinance No. 22-04-05 to rezone property as requested. Roll call vote to approve, all present voting aye, motion carried.

PUBLIC HEARING AND APPROVAL OF RESOLUTION NO. 22-04-02R FOR ANNEXATION OF PROPERTY INTO THE CITY LIMITS

Mayor Schaunaman opened a hearing on a proposed Resolution No. 22-04-02R for annexation of certain property into the city limits commencing at the SE property corner of Lot 2, Prairie's Edge Seventh Addition, the point of beginning, thence S. 43 degrees, 46 feet, 19 inches E., a distance of 178 feet; thence S. 89 degrees, 20 feet, 41 inches W., a distance of 243.84 feet; thence N. 42 degrees, 34 feet, 59 inches E., a distance of 178.35 feet, back to the point of beginning, containing 0.36 acres more or less (East of 2618 Water View Drive) for Rivett Family Trust. City Planning/Zoning Director Brett Bill said that the intention of the annexation is to transfer ownership of the property and plat it into the existing lot at 2618 Water View Drive. No public comments were received so Mayor Schaunaman closed the hearing. Motion by Rux, second by Lunzman to approve Resolution No. 22-04-02R for annexation of the described property into the city limits of Aberdeen. Roll call vote to approve, all present voting aye, number of ayes 6, number of nays 0, members abstaining 0, motion carried.

PRESENTATION OF QUARTERLY REPORT FOR ABERDEEN DOWNTOWN ASSOCIATION

Shelley Westra-Heier, Executive Director of the Aberdeen Downtown Association, presented the quarterly activities report for the Aberdeen Downtown Association.

REVIEW AND APPROVAL OF CLAIMS AND PAYROLL

Motion by Rux, second by Rife to approve payment of the bills listed for April 25, 2022 and payroll for the period from April 10, 2022 through April 23, 2022.

Bills having been audited by the Finance Officer and fully itemized and authorize the Mayor or City Manager to sign, and the Finance Officer to countersign, all warrants for payment of the following approved bills: Ken Dohn 37.70; Healthcare Plus Credit 21.46; Alina Becker 27.27; RSR, LLC 116.30; Tiffany Ewing 20.00; Northwestern Energy 150,000.00; Northern

Electric 7,000.00; Aberdeen Development Corp. 15,000.00; Best Western Ramkota 384.00; MARCO Technologies 97.92; RDO Equipment Co. 890.90; Brown County Landfill 17,786.66; IDEXX Distribution Inc. 1,093.89; Aberdeen News 3,622.12; Hawkins Inc. 6,480.00; Cole Papers Inc. 763.59; Graham Tire Co. 16.20; Direct Automation LLC 1,636.53; Auto Value Parts/Hedahls 5,059.86; Nelson Sales & Service LLC 559.99; Kesslers Inc. 68.54; Lawson Products Inc. 468.75; Michael Todd & Co. Inc. 7,484.24; Pantorium 16.59; Dakota Supply Group 856.26; Graymont LLC 8,784.70; Midstates Group 45.00; SHARE Corp. 3,247.80; Crawford Trucks & Equipment 35,739.99; Western Area Power Adm. 4,884.94; Diesel Machinery Inc. 310.73; Fastenal Company 190.68; McDonalds 700.00; Olson's Pest Technicians 400.00; Dependable Sanitation 237.00; Tanner Jondahl 117.01; Titan Access Productivity 339.94; Automationdirect.com Inc. 395.25; NVC 351.00; Ken's Superfair Foods 129.52; Menards Inc. 1,393.33; American Ramp Company 2,621.98; Aqua Pure Inc. 8,088.64; Dakota Fluid Power Inc. 209.55; EZ-Liner 1,436.04; Killoran Trucking & Brokerage 7,686.35; ATCO International 651.00; Matheson Tri-Gas Inc. 137.45; POMP's Tire Service 63.95; Lou's Gloves Inc. 664.00; Advance Auto Parts 57.12; Jordan Brooks 101.00; Gregory Brooks 127.00; Vollan Oil Co. 13,925.80; Midcontinent Communications 115.42; ARAMARK Uniform Service 240.75; Butler Machinery Co. 17.77; Michael Thomle 112.00; Geffdog Designs 2,016.38; Crescent Electric Supply 78.42; J Gross Equipment 273.19; Linde Gas & Equipment Inc. 8,178.82; G & R Controls Inc. 2,750.00; Guardian Life Ins. Co. 935.94; United Parcel Service 62.19; NAPA Central 115.30; Midland Scientific Inc. 856.86; ISI, LLC 1,792.80; James Valley Coop Tele Co. 41.94; Northern Plains Psych 120.00; MAC Tools/D & D Distributing LLC 45.00; Office Depot 218.49; Autozone 17.81; Runnings Supply Inc. 585.32; Interstate Battery 23.95; MES Companies 2,518.00; Gary's Engine & Repair Inc. 126.27; Frontier Precision Inc. 1,756.00.

Payroll for the period from April 10, 2022 through April 23, 2022 and city share of social security, old age & survivor's insurance, retirement, health and life insurance: EFTPS 152,032.08; SD Retirement 85,062.56; Governing Body 3,351.93; City Manager 8,345.64; City Attorney 7,348.80; Finance 11,321.08; HR 8,080.60, Building 1,887.37; Computer 5,094.86; Planning/Zoning 16,499.35; Engineering 14,913.36; Police 144,251.52, Dylan Thiel 25.18 hr, Fire 121,488.90, Brooks Gilbert 16.30 hr; Housing/Building 7,233.75; Street 37,815.62, Traffic 5,917.60; Solid Waste 25,893.97; Transportation/Ride Line 19,492.72; Library 38,015.38, Ranata Brunson 11.00 hr; Parks, Rec & Forestry 97,447.98, Sydney Kamin 11.25 hr, Jayden Mielke 11.25 hr, Alana Moeller 11.00 hr, Madison Weig 11.25 hr; Airport 16,941.85; Pipe 28,490.77; Water Treatment 21,159.49; Meter 1,780.80; Water Reclamation 22,369.84; Pump 8,474.00. Roll call vote to approve, all present voting aye, motion carried.

CITY MANAGER'S REPORT

City Manager Joe Gaa spoke about the Fire Department's Annual Report, the

Chamber's hosting of a Candidate Forum at the Library, April 28, 2022 at 5:30 p.m., and gave employee recognitions to Eric Miller, five-years of service with the Planning/Zoning Department and Geoff Stoltenburg, five-years of service with the Fire/Rescue Department.

OTHER

Fire Chief Joel Weig answered questions from the Council regarding the Fire Department's Annual Report.

ADJOURNMENT

There being no further business, motion by Rux, second by Reinbold to adjourn the meeting. Voice vote to adjourn, all voting aye, motion carried. The meeting adjourned at 6:07 p.m.

Prepared by Mary Campton for the Finance Office. /s/ Jordan McQuillen, Finance Officer.

City of Aberdeen
Request for Council Action

Agenda Item No.	7F	Meeting Date:	April 25, 2022
Agenda Section	New Business	Originating Dept:	Planning and Zoning
Resolution	22-04-02R		
Ordinance	NA	Prepared by:	Brett Bill, Planning and Zoning Director/Building Official
No. of Attachments	4	Presented by:	Brett Bill, Planning and Zoning Director/Building Official

Item:
Petition of Voluntary Annexation for a 0.36 acre lot located adjacent to the south-east lot line of 2618 Water View Drive – Rivett Family Trust.

City Manager's Proposed Action:
Motion by _____, Second by _____ to approve/deny the request for voluntary annexation for a 0.36 acre lot located adjacent to the south-east lot line of 2618 Water View Drive.

Overview:
The Rivett Family Trust is requesting to voluntarily annex a 0.36 acre lot located adjacent to the south-east lot line of 2618 Water View Drive. The intention of the annexation is to transfer ownership of the 0.36 acre lot and plat it into the existing lot at 2618 Water View Drive. The property borders the current City limit boundary on the west side.

Issues/Alternatives to Consider:
None.

Budgetary/Fiscal Issues:
None.

Attachments:
Resolution for Voluntary Annexation
Petition of Voluntary Annexation.
Site plan.
Metes and Bounds Description of area to be Voluntarily Annexed.

4-22-22

PETITION OF VOLUNTARY ANNEXATION

To the City Council
City Hall
Aberdeen, SD 57401

Petition No: 22-04-02R
Date: 4/8/22

Mayor and City Council:

I/We the undersigned, do hereby petition the City Council of Aberdeen, South Dakota, to annex property as follows:

Legal Description (Please print in black ink or type):

Please see attached.

General Area Location or Street Address: East of 2618 Water View Drive

Purpose of Petition: facilitate Replat

Size of Parcel: 0.36 Ac

Existing Land Use: Vacant

Existing Zoning: A-1 (to be rezoned to R-2)

Petitioner (Print): Rivett Family Trust

Signature: ~~Adam Altman~~ Adam Altman

Title: Attorney

Date: 4.8.2022 Phone: 725-5283

Address: 1910 8th Ave NE

Aberdeen SD 57401

City State Zip

Owner (Print): SAME
(If different than above)

Signature: _____

Title: _____

Date: _____ Phone: _____

Address: _____

City State Zip

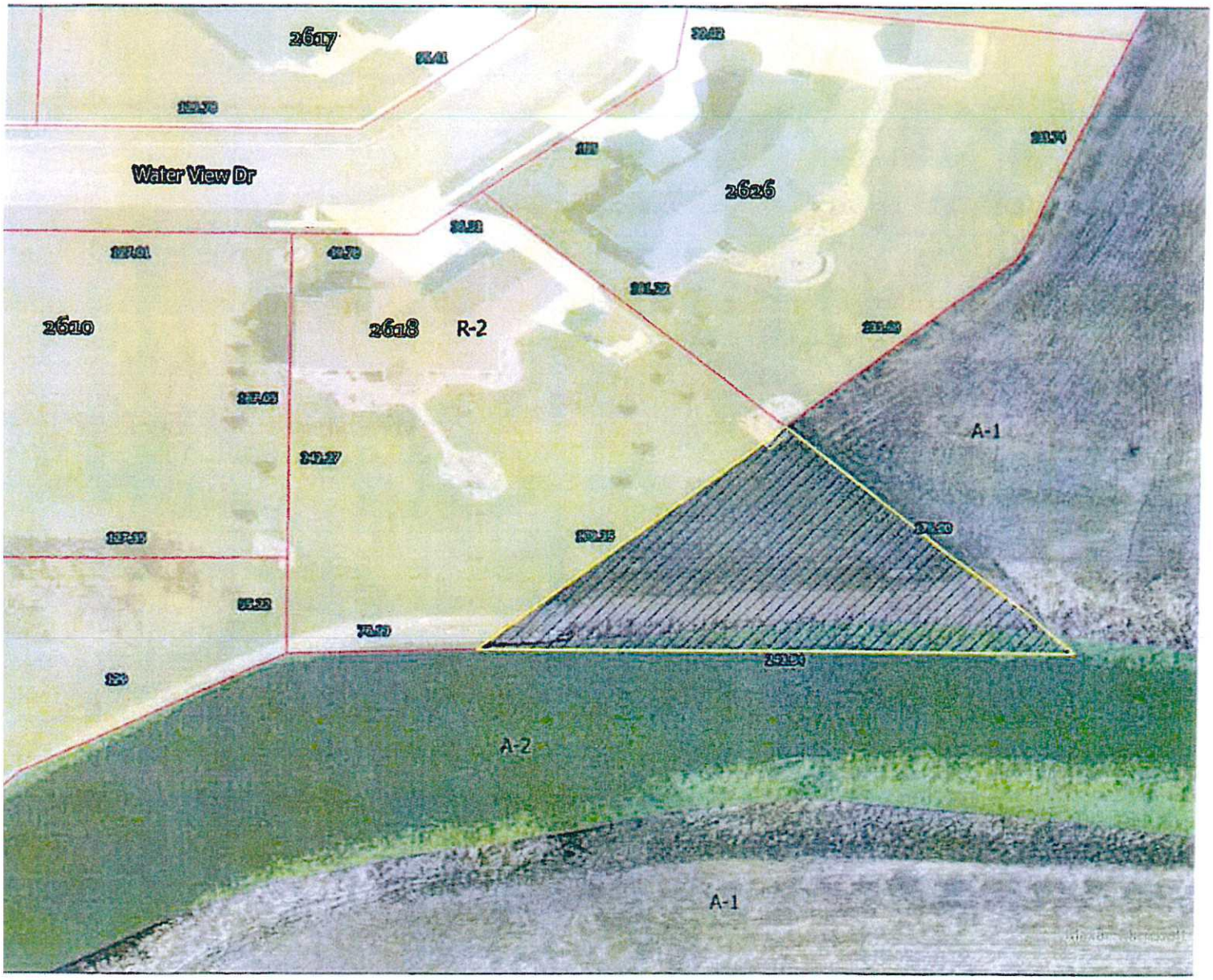
Checked by: Ken
Map: ✓
Signatures:
City Council Meeting: 4/25/22
Annexation Date: 4/25/22 Hearing
5/18/22 Effective Date

(Additional Signatures may be submitted on separate page)

Voluntary Annexation Proposal

Address: 2618 Water View Dr.

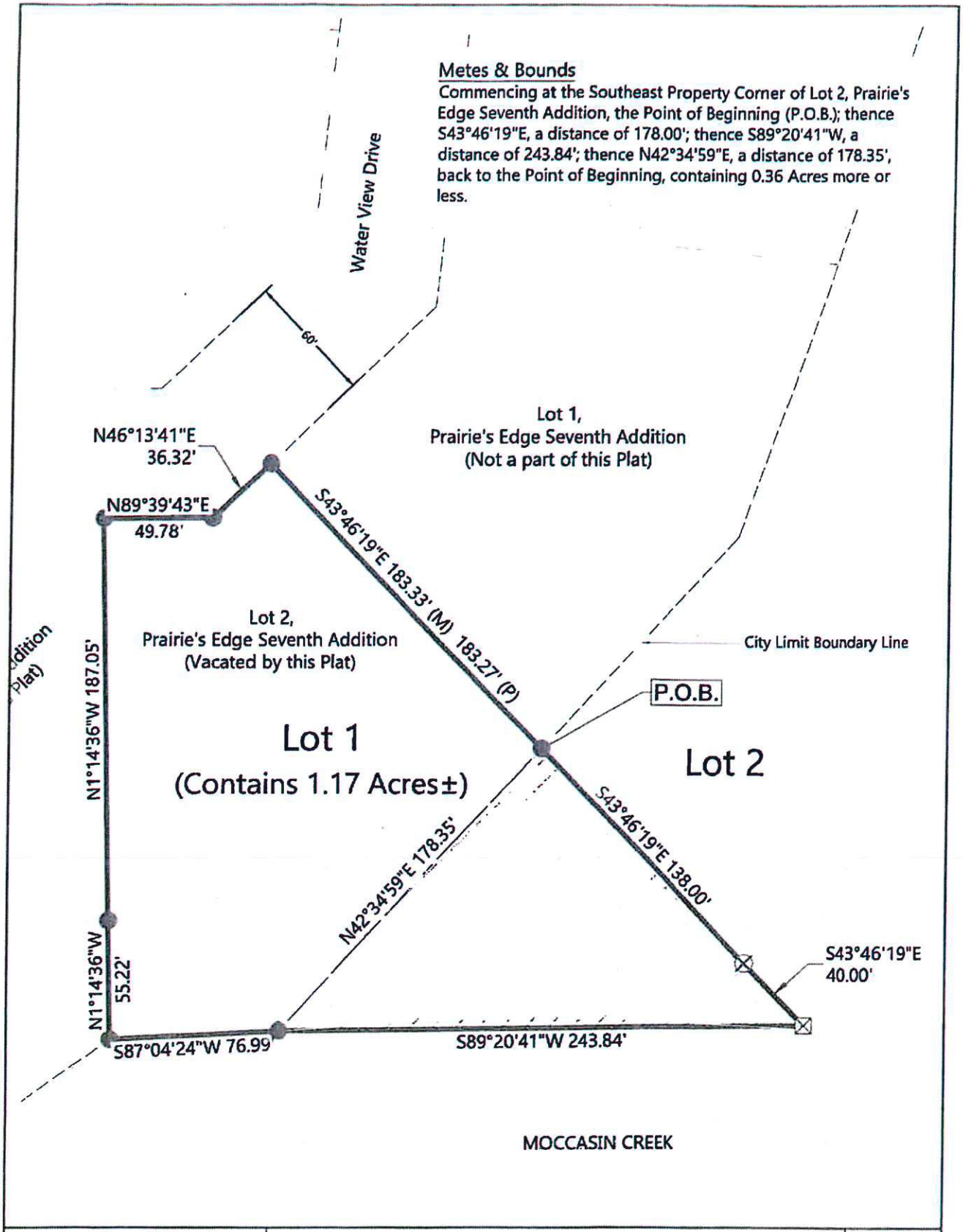
Legal Description: Commencing at the Southeast Property Corner of Lot 2, Prairie's Edge Seventh Addition, the Point of Beginning (P.O.B.); thence S43 46'19"E, a distance of 178.00'; thence S89 20'41"W, a distance of 243.84'; thence N42 34'59'E, a distance of 178.35', back to the Point of Beginning, containing 0.36 Acres more or less.



ABERDEEN

Ordinance No: 00-00-00 Date: 04/08/2022

For Advisory purposes only; not a legal document.



IMEG 3314 MILWAUKEE AVE N.E. SUITE 2 ABERDEEN, SD 57401	Prairie's Edge Fourteenth Addition Aberdeen, South Dakota Metes & Bounds Description Exhibit	EXHIBIT 1

4/8/22 G:\ABERDEEN\CLIENT\PROJECTS\2020 PROJECTS\20086 SAVLIN BOUNDARY SURVEY\PLAT\A20086.DWG

RESOLUTION NO. 22-04-02R
RESOLUTION FOR ANNEXATION OF
CERTAIN PROPERTY INTO THE CITY LIMITS
OF THE CITY OF ABERDEEN, SOUTH DAKOTA

BE IT RESOLVED, by the City Council, Aberdeen, Brown County, South Dakota, that the voluntary petition to annex the following described property filed by Attorney Adam Altman for the Rivett Family Trust is hereby granted and the following described property is hereby added to the municipal boundaries of the City of Aberdeen, South Dakota and shall be within the city limits of said City. Said property described as follows:

Commencing at the Southeast Property Corner of Lot 2, Prairie's Edge Seventh Addition, the Point of Beginning (P.O. B.); thence S.43 degrees, 46 feet, 19 inches E., a distance of 178.00 feet; thence S.89 degrees, 20 feet, 41 inches W., a distance of 243.84 feet; thence N.42 degrees, 34 feet, 59 inches E., a distance of 178.35 feet, back to the Point of Beginning, containing 0.36 acres more or less.
(East of 2618 Water View Drive)

BE IT FURTHER RESOLVED by the Aberdeen City Council, Brown County, Aberdeen, South Dakota, that the Mayor of the City of Aberdeen shall cause an accurate map of such territory together with a copy of this Resolution duly certified to be recorded in the Office of the Register of Deeds, Brown County, South Dakota.

The foregoing Resolution was adopted at a regular meeting of the Council on the _____ day of _____, 2022.

Number of Ayes: _____
Number of Nays: _____
Members abstaining: _____

_____
Mayor

ATTEST:

_____
Finance Officer

INSTRUMENT NO. 202202673 Pages: 3
BOOK: 142MR MISCELLANEOUS
PAGE: 561

2022/05/19 09:20:16 AM

REGISTER OF DEEDS, REGISTER OF DEEDS
BROWN COUNTY, SOUTH DAKOTA

Recording Fee: $ 0.00
Return To: CITY AUDITOR

Prepared by:
Mary Campton
City Finance/Auditor's Office
(605) 626-7023
123 S. Lincoln Street
Aberdeen, SD 57401

CERTIFICATE

The undersigned, Travis Schaunaman, Mayor of the City of Aberdeen, does hereby certify that the hereto attached Resolution Number 22-04-02R changing the limits of the City of Aberdeen, was adopted by the governing board of the City of Aberdeen on the 25th day of April, 2022, and was duly published in the official newspaper of the City of Aberdeen on the 28th day of April, 2022. That more than twenty (20) days have elapsed and no referendum on said Resolution has been filed, and that the undersigned, as Mayor, has caused an accurate map of the territory embraced within such Resolution and annexed to the City of Aberdeen to be prepared, which map is hereby attached and made a part of this certificate.

Dated this 19th day of May, 2022.

Mayor of Aberdeen, South Dakota

ATTEST:

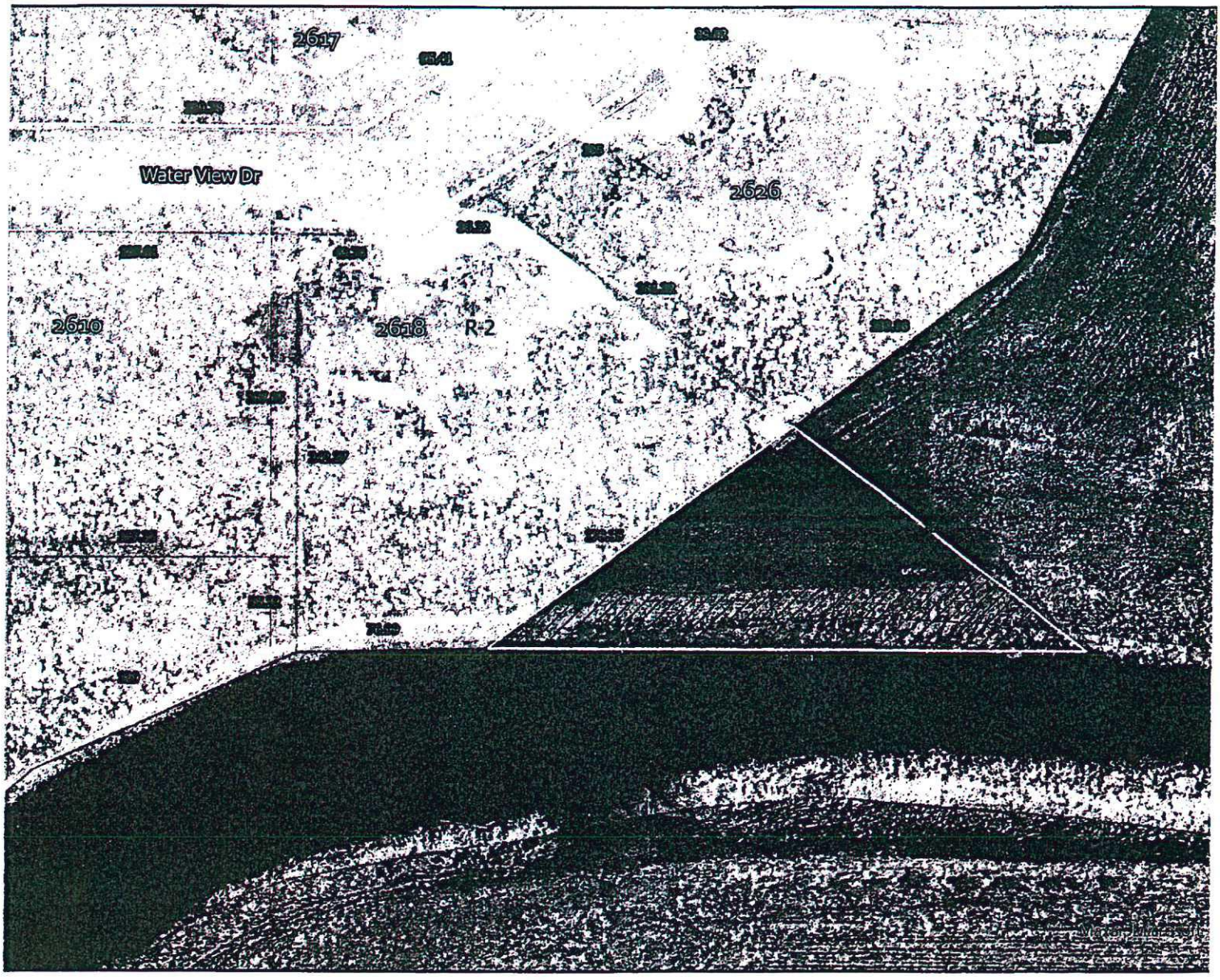
Finance Officer

N

Voluntary Annexation Proposal

Address: 2618 Water View Dr.

Legal Description: Commencing at the Southeast Property Corner of Lot 2, Prairie's Edge Seventh Addition, the Point of Beginning (P.O.B.); thence S43 46'19"E, a distance of 178.00'; thence S89 20'41"W, a distance of 243.84'; thence N42 34'59'E, a distance of 178.35', back to the Point of Beginning, containing 0.36 Acres more or less.



ABERDEEN

Ordinance No: 00-00-00 Date: 04/08/2022

For Advisory purposes only; not a legal document.

RESOLUTION NO. 22-04-02R
RESOLUTION FOR ANNEXATION OF
CERTAIN PROPERTY INTO THE CITY LIMITS
OF THE CITY OF ABERDEEN, SOUTH DAKOTA

BE IT RESOLVED, by the City Council, Aberdeen, Brown County, South Dakota, that the voluntary petition to annex the following described property filed by Attorney Adam Altman for the Rivett Family Trust is hereby granted and the following described property is hereby added to the municipal boundaries of the City of Aberdeen, South Dakota and shall be within the city limits of said City. Said property described as follows:

Commencing at the Southeast Property Corner of Lot 2, Prairie's Edge Seventh Addition, the Point of Beginning (P.O. B.); thence S.43 degrees, 46 feet, 19 inches E., a distance of 178.00 feet; thence S.89 degrees, 20 feet, 41 inches W., a distance of 243.84 feet; thence N.42 degrees, 34 feet, 59 inches E., a distance of 178.35 feet, back to the Point of Beginning, containing 0.36 acres more or less.
(East of 2618 Water View Drive)

BE IT FURTHER RESOLVED by the Aberdeen City Council, Brown County, Aberdeen, South Dakota, that the Mayor of the City of Aberdeen shall cause an accurate map of such territory together with a copy of this Resolution duly certified to be recorded in the Office of the Register of Deeds, Brown County, South Dakota.

The foregoing Resolution was adopted at a regular meeting of the Council on the 25th day of April, 2022.

Number of Ayes: 6
Number of Nays: 0
Members abstaining: 0

CITY OF ABERDEEN CORPORATE Seal STATE OF SOUTH DAKOTA

Mayor

ATTEST:

Finance Officer

PLAT

AGENDA
REGULARLY SCHEDULED MEETING
ABERDEEN CITY PLANNING COMMISSION
Tuesday, October 18, 2022 - 6:00 P.M.
First Floor Council Chambers – Municipal Building

I. Call to Order

II. Roll Call

III. Approval of Minutes

1) September 20, 2022

IV. Open Forum 6:00 – 6:05 P.M. (SEE FORMAT GUIDELINES AT END OF AGENDA)

V. Old Business

VI. New Business

1) Preliminary and Final Plat described as "JT Properties Investments First Addition to the City of Aberdeen, in the SE¼ of Sec. 7-T123N-R63W of the 5th P.M., Brown County, South Dakota" (a.k.a. 1409 Roosevelt St N & 2024 Fifteenth Ave NE).

2) Preliminary and Final Plat described as "Prairie's Edge Fourteenth Addition to the City of Aberdeen, in the NW¼ of Sec. 8-T123N-R63W of the 5th P.M., Brown County, South Dakota" (a.k.a. 2618 Water View Dr & 3102 Twenty-Fourth Ave NE).

3) Rezone from (R-2/A-1/A-2) Medium Density Residential District/Agricultural District/Green Belt District to (R-2/A-2) Medium Density Residential District/Green Belt District described as "Lot 1, Prairie's Edge Fourteenth Addition to the City of Aberdeen, in the NW¼ of Sec. 8-T123N-R63W of the 5th P.M., Brown County, South Dakota" (a.k.a. 2618 Water View Dr & 3102 Twenty-Fourth Ave NE).

VII. Other Business

VIII. Adjournment

FORMAT GUIDELINES:

1) ***Open forum provides an opportunity for the public to address the Aberdeen City Planning Commission with questions, concerns or comments on items, which are not on the agenda. Citizens are asked to sign up to speak prior to the open forum portion of the meeting. Open forum will be limited to 10 minutes (if no one is in attendance for the open forum, the regular meeting may begin) unless a majority of the Aberdeen City Planning Commission agrees to extend the time period. The open forum may not be used to make personal attacks, to air personality grievances, to make political endorsements, or for political campaign purposes. Open forum will not be used as a time for problem solving or reacting to the comments made, but, rather for hearing the citizen for informational purposes. The Aberdeen City Planning Commission may respond with request for city management to follow up and report back on any issue raised during the public address time. A presentation may not exceed two minutes in duration.***
2) ***ADA Compliance: The City of Aberdeen fully subscribes to the provisions of the American's With Disabilities Act. If you desire to attend this public meeting and are need of special accommodations, please notify the City Planning & Zoning Office at least 8 hours prior to the meeting so appropriate auxiliary aids and services can be made available. The Aberdeen City Planning Commission meets monthly on the third Tuesday of each month.***
3) ***A copy of the subject matter on the Aberdeen City Planning Commission meeting agenda is available for public distribution at the City Planning & Zoning Office and available on the City's website @ www.aberdeen.sd.us.***

CITY OF ABERDEEN
CITY COUNCIL MEETING AGENDA

MONDAY, OCTOBER 24, 2022 AT 5:30 P.M.
CITY COUNCIL CHAMBERS
123 S. LINCOLN ST., ABERDEEN, SOUTH DAKOTA 57401

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1. **CALL TO ORDER**
   A. ROLL CALL

   B. PLEDGE OF ALLEGIANCE

2. **APPROVAL OF AGENDA**

3. **APPROVAL OF MINUTES,** CITY COUNCIL MEETING OF OCTOBER 17, 2022

4. **OPEN FORUM 5:30 TO 5:40 P.M. – 1. SEE FORMAT GUIDELINES AT END OF AGENDA**

5. **CONSENT CALENDAR – POSSIBLE APPROVAL**
   A. SET HEARING DATE OF NOVEMBER 7, 2022 AT 5:30 P.M.
      1. SPECIAL FIVE-DAY RETAIL ON-SALE LIQUOR LICENSE ON NOVEMBER 16 – 20, 2022 FOR ACT2, INC. DBA ABERDEEN COMMUNITY THEATRE, 417 SOUTH MAIN STREET
      2. NEW RETAIL ON-OFF SALE MALT BEVERAGE AND SD FARM WINE LICENSE FOR GOLDEN TICKET CINEMAS INC. DBA GOLDEN TICKET CINEMAS ABERDEEN 9, 3315 - 6TH AVENUE, SE – SUITE 4
   B. REQUEST FOR SPECIAL FOUR-DAY RETAIL ON-SALE LIQUOR LICENSE ON OCTOBER 28 – 31, 2022 FOR POUNDERS INC. AT ABERDEEN COMMUNITY THEATRE, 417 SOUTH MAIN STREET
   C. LICENSE – TAXI CAB DRIVER – HENRY MARSHALL EARL COOKS
   D. PLATS
      1. JT PROPERTIES INVESTMENTS FIRST ADDITION TO THE CITY OF ABERDEEN IN THE CITY OF ABERDEEN IN THE SE¼ OF SEC. 7, T123N, R63W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA (1409 NORTH ROOSEVELT STREET AND 2024 – 15TH AVENUE, NE)
      2. PRAIRIE'S EDGE FOURTEENTH ADDITION TO THE CITY OF ABERDEEN IN THE NW¼ OF SEC. 8, T123N, R63W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA (2618 WATERVIEW DRIVE AND 3102 – 24TH AVENUE, NE)
   E. REPORTS AND MINUTES FROM CITY BOARDS – RECEIVE AND PLACE ON FILE
      1. ABERDEEN AIRPORT BOARD MEETING MINUTES
      2. ABERDEEN CITY PLANNING COMMISSION MEETING MINUTES
      3. BOARD OF ZONING ADJUSTMENT MEETING MINUTES
      4. K.O. LEE ABERDEEN PUBLIC LIBRARY BOARD OF TRUSTEES MEETING MINUTES
   F. PROCLAMATION – ANNUAL SALE OF "V.F.W. BUDDY POPPIES" NOVEMBER 3 - 11, 2022

6. **OLD BUSINESS**
   A. POSSIBLE SECOND READING AND FINAL ADOPTION OF ORDINANCE NO. 22-10-05 SUPPLEMENTING THE 2022 BUDGET FOR VARIOUS UNANTICIPATED PROJECTS, ACTIVITIES, AND EXPENSES

7. **NEW BUSINESS**
   A. POSSIBLE APPROVAL OF FIRST READING OF ORDINANCE NO. 22-10-06 AMENDING CHAPTER 8 – ANIMALS AND FOWL OF THE CITY CODE

B. POSSIBLE ACTION ON PROPOSED 2023 ECONOMIC DEVELOPMENT SERVICES

C. POSSIBLE APPROVAL OF LICENSE TO PERMIT WHEELCHAIR RAMP ENCROACHMENT ON RIGHT-OF-WAY ABUTTING 519 SOUTH ARCH STREET AND TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE SAME

D. POSSIBLE APPROVAL OF A BUILDING PERMIT TO REPLACE EIGHTY-SIX WINDOWS AT THE MASONIC LODGE LOCATED AT 505 SOUTH MAIN STREET

E. POSSIBLE APPROVAL OF A TEMPORARY PLACEMENT OF A LARGE INFLATABLE POLAR BEAR AT THE VILLAGE BOWL, 1314 – 8TH AVENUE, NW, FOR THE SD SPECIAL OLYMPICS STATE BOWLING TOURNAMENT FROM NOVEMBER 4 – 6, 2022

F. RECOMMENDATION ON BIDS FOR 2023 WATER TREATMENT CHEMICALS

G. POSSIBLE APPROVAL OF CHANGE ORDER #1 IN THE AMOUNT OF $26,432.00 AND PAYMENT #5 IN THE AMOUNT OF $823,546.90 TO B & B CONTRACTING FOR THE KLINE STREET STORM SEWER IMPROVEMENTS

H. POSSIBLE APPROVAL OF PAYMENT #5 IN THE AMOUNT OF $217,847.20 TO REEDE CONSTRUCTION FOR THE NORTH DAKOTA STREET ROADWAY IMPROVEMENTS

8. REVIEW AND APPROVAL OF CLAIMS AND PAYROLL

A. BILLS: APPROVAL OF BILL LIST FOR OCTOBER 24, 2022

B. PAYROLL – APPROVAL FOR PAY PERIOD FROM OCTOBER 9, 2022 TO OCTOBER 22, 2022 AND FOR CITY'S SHARE OF SOCIAL SECURITY, OLD AGE AND SURVIVOR'S INSURANCE, RETIREMENT, HEALTH, AND LIFE INSURANCE

COUNCIL MEMBERS MAY ABSTAIN REGARDING AN IDENTIFIED CLAIM IN THE BILL LIST OR PAYROLL AND VOTE TO APPROVE THE REMAINDER OF THE BILLS OR PAYROLL

9. CITY MANAGER'S REPORT

10. ADJOURNMENT

1. OPEN FORUM PROVIDES AN OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE CITY COUNCIL WITH QUESTIONS, CONCERNS OR COMMENTS ON ITEMS, WHICH ARE NOT ON THE AGENDA. CITIZENS ARE ASKED TO SIGN UP TO SPEAK PRIOR TO THE OPEN FORUM PORTION OF THE MEETING. OPEN FORUM WILL BE LIMITED TO 10 MINUTES (IF NO ONE IS IN ATTENDANCE FOR THE OPEN FORUM, THE REGULAR MEETING MAY BEGIN) UNLESS A MAJORITY OF THE CITY COUNCIL AGREES TO EXTEND THE TIME PERIOD. THE OPEN FORUM MAY NOT BE USED TO MAKE PERSONAL ATTACKS, TO AIR PERSONALITY GRIEVANCES, TO MAKE POLITICAL ENDORSEMENTS, OR FOR POLITICAL CAMPAIGN PURPOSES. OPEN FORUM WILL NOT BE USED AS A TIME FOR PROBLEM SOLVING OR REACTING TO THE COMMENTS MADE, BUT, RATHER FOR HEARING THE CITIZEN FOR INFORMATIONAL PURPOSES. THE CITY COUNCIL MAY RESPOND WITH REQUEST FOR CITY MANAGEMENT TO FOLLOW UP AND REPORT BACK ON ANY ISSUE RAISED DURING THE PUBLIC ADDRESS TIME. A PRESENTATION MAY NOT EXCEED TWO MINUTES IN DURATION.

2. ADA COMPLIANCE: THE CITY OF ABERDEEN FULLY SUBSCRIBES TO THE PROVISIONS OF THE AMERICAN'S WITH DISABILITIES ACT. IF YOU DESIRE TO ATTEND THIS PUBLIC MEETING AND ARE IN NEED OF SPECIAL ACCOMMODATIONS, PLEASE NOTIFY THE CITY FINANCE OFFICE AT LEAST 8 HOURS PRIOR TO THE MEETING SO APPROPRIATE AUXILIARY AIDS AND SERVICES CAN BE MADE AVAILABLE. THE CITY COUNCIL MEETS WEEKLY ON MONDAYS AT 5:30 P.M. EXCEPT WHEN A HOLIDAY FALLS ON MONDAY, IN WHICH CASE THE MEETING IS HELD AT 5:30 P.M. ON THE NEXT BUSINESS DAY.

3. A COPY OF THE SUBJECT MATTER ON THE CITY COUNCIL MEETING AGENDA IS AVAILABLE FOR PUBLIC DISTRIBUTION AT THE CITY FINANCE OFFICE AND AVAILABLE ON THE CITY'S WEBSITE www.aberdeen.sd.us.

STAFF REPORT
October 18, 2022

PRELIMINARY AND FINAL PLAT

GENERAL INFORMATION

PETITIONER	Jim and Cheryl Sayler & Rivett Family Trust
REQUEST	**Preliminary and Final Plat**
LEGAL DESCRIPTION	Prairie's Edge Fourteenth Addition to the City of Aberdeen, in the NW¼ of Sec.8-T123N-R63W of the 5th P.M., Brown County, South Dakota
LOCATION	2618 Water View Drive & 3102 24th Avenue NE
EXISTING ZONING	Medium Density Residential District, Agricultural District & Green Belt District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Green Belt District & Agricultural District
East:	Medium Density Residential District & Agricultural District
West:	Medium Density Residential District
PUBLIC UTILITIES	City Water and Sewer
REPORTED BY	Eric Miller

RECOMMENDATION: Staff recommends approval of this Preliminary and Final Plat.

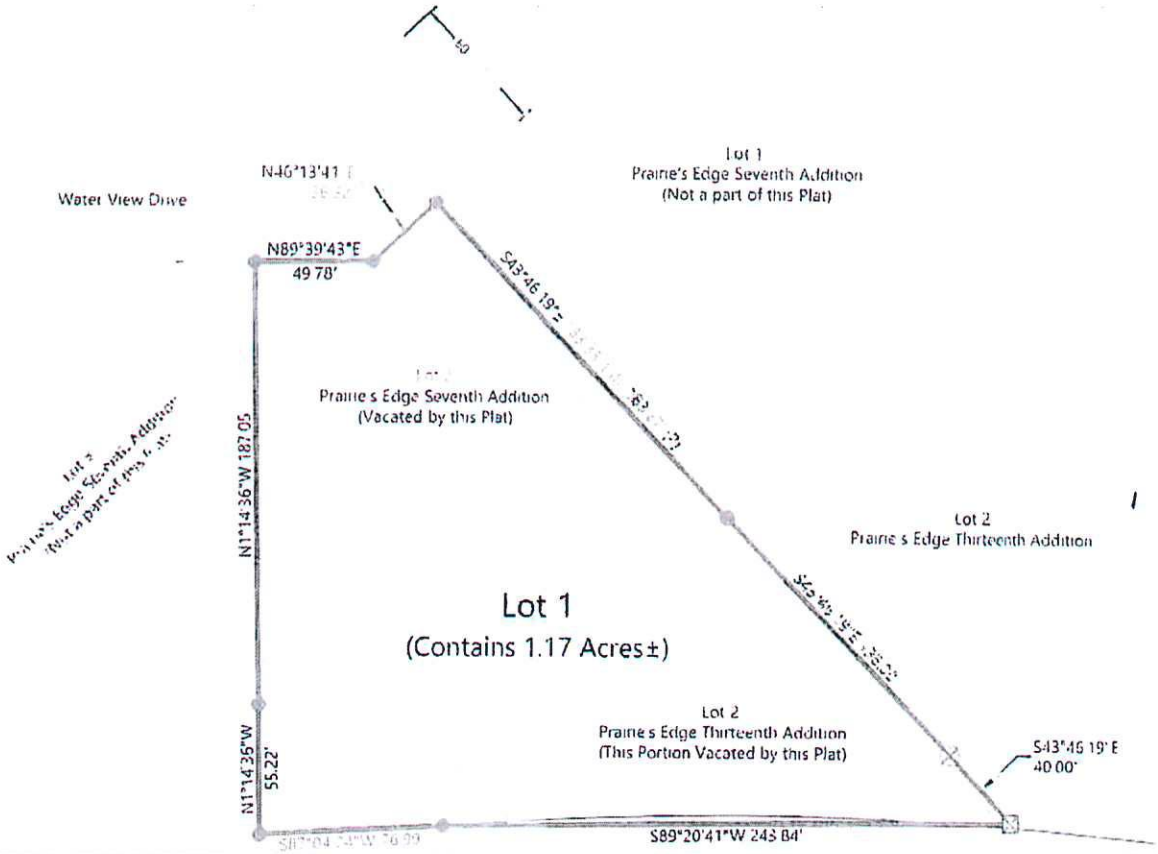
GENERAL COMMENTS: The petitioners are requesting this Preliminary and Final Plat to allow for conveyance of an adjacent tract of land and to combine it with an existing developed lot. A petition to rezone 'Proposed Lot 1' was submitted in conjunction with this Preliminary and Final Plat.

REVIEW: Staff have reviewed this Preliminary and Final Plat and concur with its approval.

PLAT SHOWING

PRAIRIE'S EDGE FOURTEENTH ADDITION

TO THE CITY OF ABERDEEN IN THE NW1/4 OF SECTION 8,
TOWNSHIP 123 NORTH, RANGE 63 WEST OF THE 5th P M.
BROWN COUNTY, SOUTH DAKOTA



REGISTERED PROFESSIONAL LAND SURVEYOR
REG. NO. 7893
TODD V. SCHLUNSEN
SOUTH DAKOTA
12-21-22

BASIS OF BEARINGS
State Plane Grid
South Dakota North Zone (4001)
NAD '83 (2011) US Survey Feet
Distances are GROUND

LEGEND
- ● PIN FOUND w/CAP LS 4792
- ○ PIN FOUND w/CAP LS 11609
- ⊠ PIN SET w/CAP LS 7893 as Witness Corner
- ⊠ CALCULATED CORNER

IMEG

CITY OF ABERDEEN
CITY COUNCIL MEETING AGENDA

MONDAY, NOVEMBER 7, 2022 AT 5:30 P.M.
CITY COUNCIL CHAMBERS
123 S. LINCOLN ST., ABERDEEN, SOUTH DAKOTA 57401

REZONE

1. **CALL TO ORDER**
   A. ROLL CALL

   B. PLEDGE OF ALLEGIANCE

2. **APPROVAL OF AGENDA**

3. **APPROVAL OF MINUTES**, CITY COUNCIL MEETING OF OCTOBER 24, 2022

4. **OPEN FORUM 5:30 TO 5:40 P.M. – 1. SEE FORMAT GUIDELINES AT END OF AGENDA**

5. **CONSENT CALENDAR – POSSIBLE APPROVAL**
   A. SET HEARING DATE OF NOVEMBER 21, 2022 AT 5:30 P.M. – TRANSFER OF RETAIL ON-OFF SALE MALT BEVERAGE & SD FARM WINE LICENSE FROM HUB CITY AXE THROWING LLC DBA HUB CITY AXE THROWING, 3315 – 6TH AVENUE, SE, SUITE 10 TO HUB CITY AXE THROWING LLC DBA HUB CITY AXE THROWING, 210 S. MAIN ST.
   B. REQUEST FOR PROPOSALS FOR WATER TREATMENT SCADA SYSTEM UPGRADES
   C. PETITION OF VOLUNTARY ANNEXATION FOR LOTS 5 - 13, BLOCK 13, WYLIE PARK ESTATES 5TH ADDITION; LOT 4, EXCEPT EAST 25 FEET AND LOTS 5 - 21, EXCEPT EAST 25 FEET OF LOT 21, BLOCK 10, WYLIE PARK ESTATES 5TH ADDITION; LOT 2, EXCEPT EAST 56.5 FEET AND LOTS 3 - 15 AND LOTS 18 - 20, BLOCK 11, WYLIE PARK ESTATES 5TH ADDITION (1414 AND 1415 MAPLE DRIVE, 1416 POPLAR DRIVE, 1416 WILLOW DRIVE) – REFER TO CITY ATTORNEY, CITY ENGINEER, AND THE PLANNING/ ZONING DIRECTOR FOR REVIEW AND RECOMMENDATIONS
   D. LICENSES
      1. RESIDENTIAL BUILDING CONTRACTOR – KEVIN LESOSKI
      2. RESIDENTIAL BUILDING CONTRACTOR – MIKE SHEETS
      3. TAXI CAB DRIVER – KRYSTEL DEMERY
   E. PROCLAMATION – "LUNG CANCER AWARENESS MONTH – NOVEMBER 2022"

6. **OLD BUSINESS**
   A. POSSIBLE SECOND READING AND FINAL ADOPTION OF ORDINANCE NO. 22-10-06 AMENDING CHAPTER 8 – ANIMALS AND FOWL OF THE CITY CODE

   B. POSSIBLE ACTION ON PROPOSED 2023 ECONOMIC DEVELOPMENT SERVICES

7. **NEW BUSINESS**
   A. POSSIBLE APPROVAL OF UTILITY BOX ART AGREEMENT WITH ABERDEEN CHAMBER OF COMMERCE AND RESOLUTION NO. 22-11-03R TO ENTER INTO THE AGREEMENT

   B. PUBLIC HEARING ON PETITION TO REZONE AND POSSIBLE FIRST READING OF ORDINANCE NO. 22-10-04 TO REZONE PROPERTY DESCRIBED AS LOT 1, PRAIRIE'S EDGE 14TH ADDITION (2618 WATER VIEW DRIVE AND 3102 – 24TH AVENUE, NE) FROM (R-2)/(A-1)/(A-2) DISTRICTS TO (R-2) DISTRICT AND (A-2) DISTRICT

   C. PUBLIC HEARING AND POSSIBLE APPROVAL OF SPECIAL FIVE-DAY RETAIL ON-SALE LIQUOR LICENSE ON NOVEMBER 16 – 20, 2022 FOR ACT2, INC. AT THE ABERDEEN COMMUNITY THEATRE, 417 S. MAIN ST.

D. PUBLIC HEARING AND POSSIBLE APPROVAL OF A NEW RETAIL ON-OFF SALE MALT BEVERAGE & SD FARM WINE LICENSE FOR GOLDEN TICKET CINEMAS INC. AT GOLDEN TICKET CINEMAS ABERDEEN 9, 3315 - 6TH AVENUE, SE, SUITE 4

E. POSSIBLE APPROVAL OF REQUEST FROM FIRE DEPARTMENT TO DECLARE MEDICAL EQUIPMENT AND SUPPLIES SURPLUS PROPERTY AND TRANSFER SUCH PROPERTY TO DISASTER MEDICAL SOLUTIONS, A NONPROFIT CORP., FOR HUMANITARIAN PURPOSES

F. POSSIBLE APPROVAL TO AUTHORIZE THE CITY MANAGER TO SIGN SD DOT SECTION 5339 FUNDING AGREEMENT IN THE AMOUNT OF $237,000 FOR FY2023 PROJECTS FOR ABERDEEN RIDE LINE

G. POSSIBLE APPROVAL OF THE APPOINTMENT OF JAMES FISCHER TO THE ABERDEEN AIRPORT BOARD FOR A TERM ENDING JUNE 30, 2023

H. RECOMMENDATION ON WATER TREATMENT CHEMICAL BID FOR CARBON

I. POSSIBLE APPROVAL OF PAYMENT #1 IN THE AMOUNT OF $188,649.94 TO CWF MASONRY & CONSTRUCTION FOR WORK ON STREET MAINTENANCE CONCRETE REPAIR II PROJECT

8. REVIEW AND APPROVAL OF CLAIMS AND PAYROLL

A. BILLS: APPROVAL OF BILL LIST FOR NOVEMBER 7, 2022

B. PAYROLL – APPROVAL FOR THE PAY PERIOD FROM OCTOBER 23, 2022 THROUGH NOVEMBER 5, 2022 AND FOR CITY'S SHARE OF SOCIAL SECURITY, OLD AGE, AND SURVIVOR'S INSURANCE, RETIREMENT, HEALTH, AND LIFE INSURANCE

COUNCIL MEMBERS MAY ABSTAIN REGARDING AN IDENTIFIED CLAIM IN THE BILL LIST OR PAYROLL AND VOTE TO APPROVE THE REMAINDER OF THE BILLS OR PAYROLL

9. CITY MANAGER'S REPORT

10. ADJOURNMENT

1. OPEN FORUM PROVIDES AN OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE CITY COUNCIL WITH QUESTIONS, CONCERNS OR COMMENTS ON ITEMS, WHICH ARE NOT ON THE AGENDA. CITIZENS ARE ASKED TO SIGN UP TO SPEAK PRIOR TO THE OPEN FORUM PORTION OF THE MEETING. OPEN FORUM WILL BE LIMITED TO 10 MINUTES (IF NO ONE IS IN ATTENDANCE FOR THE OPEN FORUM, THE REGULAR MEETING MAY BEGIN) UNLESS A MAJORITY OF THE CITY COUNCIL AGREES TO EXTEND THE TIME PERIOD. THE OPEN FORUM MAY NOT BE USED TO MAKE PERSONAL ATTACKS, TO AIR PERSONALITY GRIEVANCES, TO MAKE POLITICAL ENDORSEMENTS, OR FOR POLITICAL CAMPAIGN PURPOSES. OPEN FORUM WILL NOT BE USED AS A TIME FOR PROBLEM SOLVING OR REACTING TO THE COMMENTS MADE, BUT, RATHER FOR HEARING THE CITIZEN FOR INFORMATIONAL PURPOSES. THE CITY COUNCIL MAY RESPOND WITH REQUEST FOR CITY MANAGEMENT TO FOLLOW UP AND REPORT BACK ON ANY ISSUE RAISED DURING THE PUBLIC ADDRESS TIME. A PRESENTATION MAY NOT EXCEED TWO MINUTES IN DURATION.

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City of Aberdeen
Request for Council Action

Agenda Item No.	7B	Meeting Date:	November 7, 2022
Agenda Section	New Business	Originating Dept:	Planning and Zoning
Resolution	NA		
Ordinance	22-10-04	Prepared by:	Eric Miller, Planner
No. of Attachments	4	Presented by:	Brett Bill, Planning and Zoning Director/Building Official

Item:

Rezone from (R-2) Medium Density Residential District, (A-1) Agricultural District and (A-2) Green Belt District to (R-2) Medium Density Residential District and (A-2) Green Belt District – 2618 Water View Drive and 3102 24th Avenue NE – Jim and Cheryl Sayler and Rivett Family Trust.

City Manager's Proposed Action:

Motion by _____, Second by _____ to approve first/~~second~~ reading of the proposed petition to rezone. Ordinance No. 22-10-04

Overview:

The petitioners are requesting this petition to rezone in order to eliminate split zoning that was created by a replat of the property. The Aberdeen Planning Commission approved this petition to rezone on October 18, 2022.

Issues/Alternatives to Consider:

None.

Budgetary/Fiscal Issues:

None.

Attachments:

Staff Report.
Petition to Rezone.
Map of Area to be Rezoned.
Ordinance.

STAFF REPORT
October 18, 2022

PETITION TO REZONE R-2, A-1, & A-2 TO R-2 & A-2

GENERAL INFORMATION

PETITIONER	Jim and Cheryl Sayler & Rivett Family Trust
REQUEST	**Rezone from (R-2) Medium Density Residential District, (A-1) Agricultural District, & (A-2) Green Belt District to (R-2) Medium Density Residential District & (A-2) Green Belt District**
LEGAL DESCRIPTION	Lot 1, Prairie's Edge Fourteenth Addition to the City of Aberdeen, in the NW¼ of Sec.8-T123N-R63W of the 5th P.M., Brown County, South Dakota
LOCATION	2618 Water View Drive & 3102 24th Avenue NE
EXISTING ZONING	Medium Density Residential District, Agricultural District & Green Belt District
PROPOSED ZONING	Medium Density Residential District & Green Belt District
SURROUNDING ZONING	
North:	Medium Density Residential District
South:	Green Belt District & Agricultural District
East:	Medium Density Residential District & Agricultural District
West:	Medium Density Residential District
PUBLIC UTILITIES	City Water & Sewer
REPORTED BY	Eric Miller

RECOMMENDATION: Staff recommends approval of this petition to rezone.

GENERAL COMMENTS: The petitioners are requesting this petition to rezone in order to eliminate split zoning that was created by a replat of the property.

REVIEW: Staff have reviewed this petition to rezone and concur with its approval.

REZONE PETITION (CITY)

To the City Council
City Hall
Aberdeen, SD 57401

PAID
SEP
CITY FINANCE OFFICE
ABERDEEN, SOUTH DAKOTA

Petition No: _____
Date: 9/29/22
Receipt No: 1752993
Filing Fee: 150 (non-refundable)
Order/Res No: 22-10-04

Mayor and City Council:

I/We the undersigned, do hereby petition the City Council of Aberdeen, South Dakota, to rezone property as follows:

Legal Description (Please print in black ink or type):

Proposed Lot 1, Prairie's Edge 14th Addition to the City of Aberdeen in the NW¼ Sect 8-T123N-R63W of the 5th PM, Brown County, South Dakota

From the R-2 & A-1 & A-2 District
To the R-2 & A-2 District

General Area Location or Street Address: 2618 Waterview Drive
Purpose of Petition: eliminate split zoning of proposed lot
Size of Parcel: 1.17 acres
Existing Land Use: Residential

Petitioner (Print): _____
Signature: _____
Title: Attorney for Petitioner
Date: 9-29-2022 Phone: 725-5283
Address: 1910 8th Ave NE
Aberdeen, SD 57401
City State Zip

Owner (Print): _____
(If different than above)
Signature: _____
Title: _____
Date: _____ Phone: _____
Address: _____
City State Zip

Checked by: _____
Given Sign: _____
Exhibit A: _____
Site Plan: Jeremiah
PC Meeting: 10-13-2022
1st Reading: 10-24-22
2nd Reading/Final Adoption: 11-7-22

(Additional Signatures may be submitted on separate page)

N

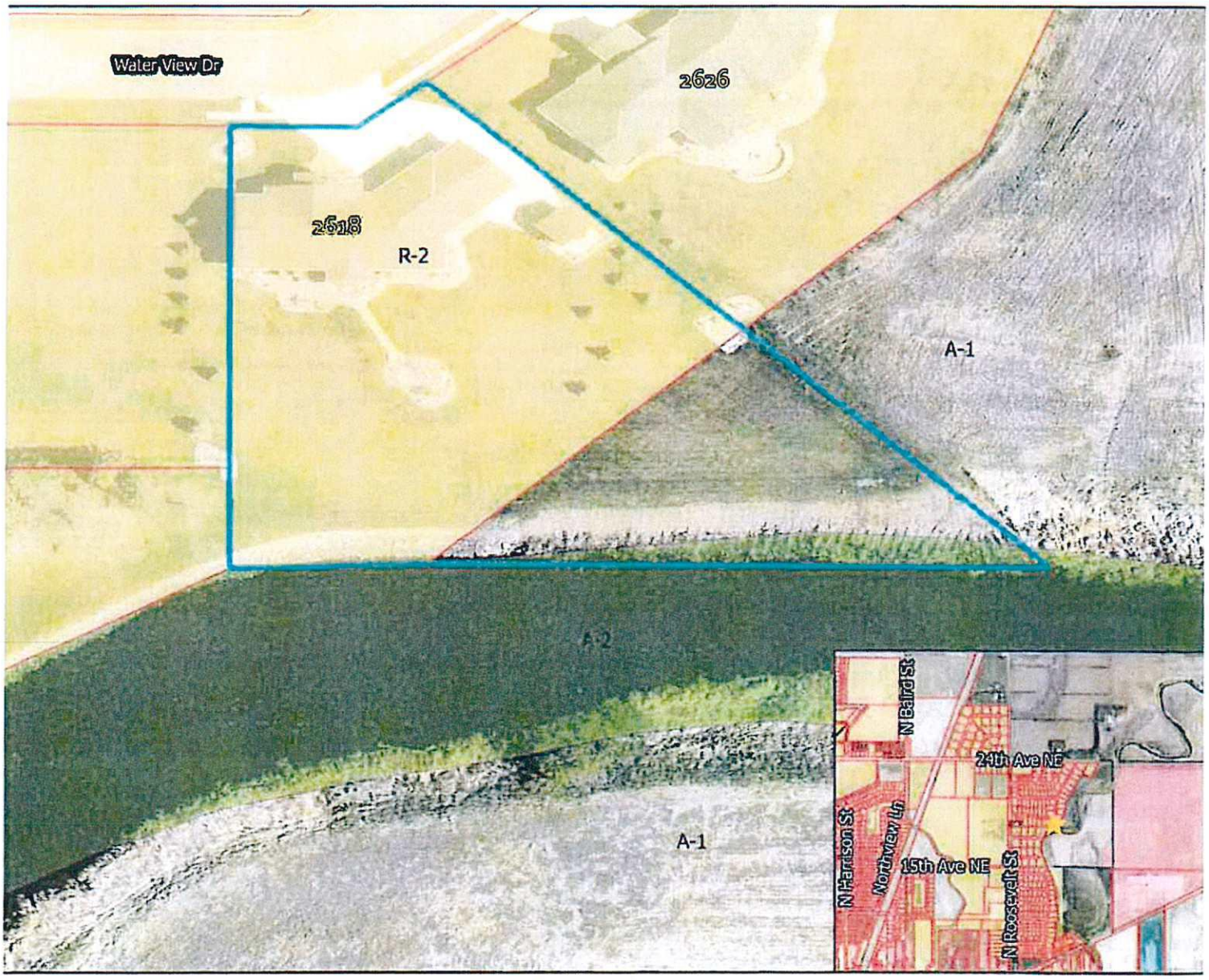
Rezone Proposal

Address: 2618 Water View Dr.

Legal Description: Proposed Lot 1, Prairie's Edge 14th Addition to the City of Aberdeen in the NW1/4 Sect. 8-T123N-R63W of the 5th PM, Brown County, South Dakota.

Current Zoning: R-2 (Medium Density Residential)/ A-1 (Agricultural)/ A-2 (Green Belt)

Proposed Zoning: R-2 (Medium Density Residential)/ A-2 (Green Belt)



ABERDEEN

Ordinance No: 22-10-04 Date: 09/29/2022

For Advisory purposes only; not a legal document.

ORDINANCE NO. 22-10-04
AN ORDINANCE AMENDING ORDINANCE NO. 1164
TO REZONE CERTAIN DESCRIBED PROPERTY

BE IT ORDAINED by the Aberdeen City Council, Brown County, South Dakota, that the petition to amend Ordinance No. 1164 to rezone the following described property, filed by Adam Altman for the Rivett Family Trust and Jim and Cheryl Sayler, is hereby granted and Ordinance No. 1164 is hereby amended to change the zoning on the following described property from (R-2) Medium Density Residential District/(A-1) Agricultural District/(A-2) Green Belt District to (R-2) Medium Density Residential District and (A-2) Green Belt District, said property is described as follows:

Lot 1, Prairie's Edge 14th Addition to the City of Aberdeen in the NW¼ of Section 8, T123N, R63W of the 5th P.M., Brown County, South Dakota (2618 Water View Drive and 3102 – 24th Avenue, NE)

BE IT FURTHER ORDAINED by the Aberdeen City Council, Brown County, Aberdeen South Dakota, that the zoning official for the City of Aberdeen is hereby authorized to change the official zoning map for the City of Aberdeen upon the effective date of this Ordinance.

_____
Mayor

ATTEST:

_____
Finance Officer

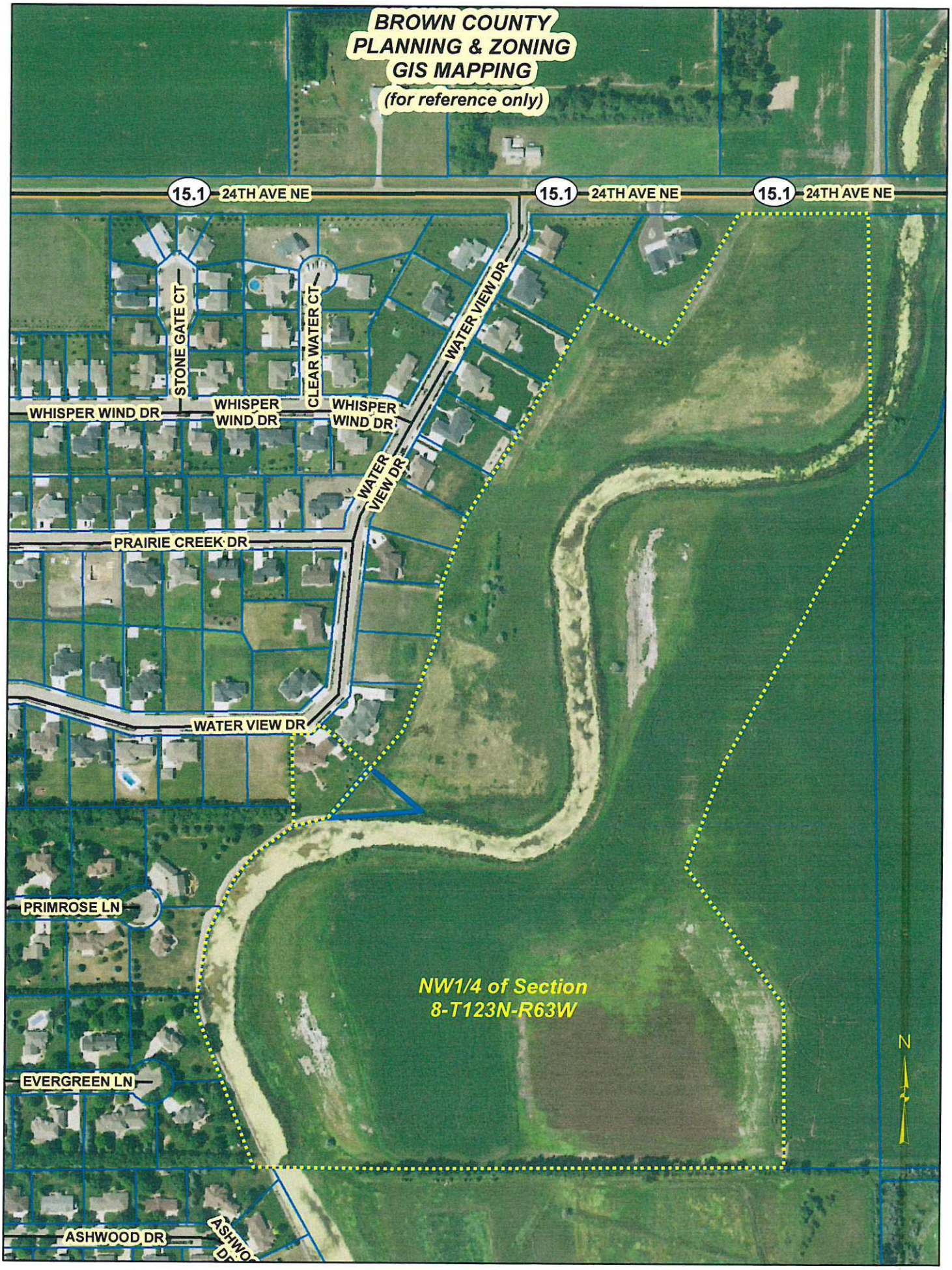
Notice of Hearing October 20, 2022

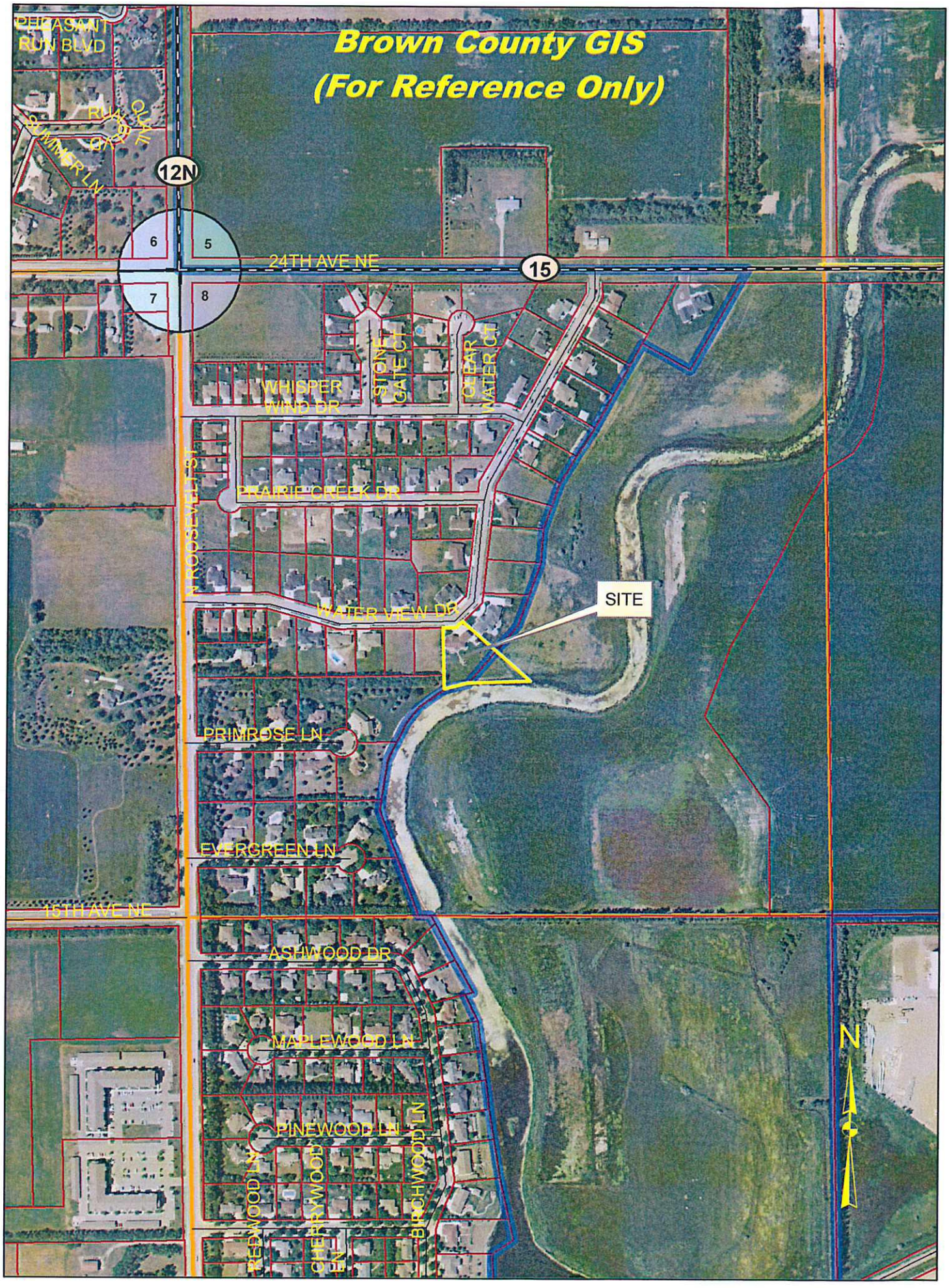
Possible First Reading _____

Possible Second Reading
and Final Adoption _____

Published _____

Effective Date _____


BROWN COUNTY
PLANNING & ZONING
GIS MAPPING
(for reference only)
15.1 24TH AVE NE
15.1 24TH AVE NE
15.1 24TH AVE NE
STONE GATE CT
CLEAR WATER CT
WATER VIEW DR
WHISPER WIND DR
WHISPER WIND DR
WHISPER WIND DR
WATER VIEW DR
PRAIRIE CREEK DR
WATER VIEW DR
PRIMROSE LN
EVERGREEN LN
ASHWOOD DR
NW1/4 of Section
8-T123N-R63W
N


Brown County GIS
(For Reference Only)
PLEASANT RUN BLVD
RUN CT
QUAIL CT
SUMMER LN
12N
6
5
7
8
24TH AVE NE
15
WHISPER WIND DR
STONE GATE CT
CLEAR WATER CT
PRAIRIE CREEK DR
N ROOSEVELT ST
WATER VIEW DR
SITE
PRIMROSE LN
EVERGREEN LN
15TH AVE NE
ASHWOOD DR
MAPLEWOOD LN
PINEWOOD LN
REDWOOD LN
CHERRYWOOD LN
BIRCHWOOD LN
N

Brown County GIS
(For Reference Only)
WATER VIEW DR
SITE
N

STAFF REPORT

December 20, 2022

BROWN COUNTY PLANNING COMMISSION

PRELIMINARY & FINAL PLAT ***ITEM # 14***

GENERAL INFORMATION:

PETITIONER:	Rivett Family Trust
REQUEST:	**PRELIMINARY & FINAL PLAT**
LEGAL DESCRIPTION:	"Prairie's Edge Fifteenth Addition" to the City of Aberdeen in the NW1/4 of Section 8-T123N-R63W of the 5th P.M., Brown County, South Dakota
LOCATION:	3102 24th Avenue NE
CITY/TOWNSHIP:	Aberdeen Twp
EXISTING ZONING	Agriculture Preservation District (AG-P)
SURROUNDING ZONING:	
North:	Agriculture Preservation District (AG-P)
South:	Agriculture Preservation District (AG-P)
East:	Heavy Industrial District (H-I)
West:	City of Aberdeen
PUBLIC UTILITIES:	Unknown
REPORTED BY:	Ron Keller

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

GENERAL REVIEW: Staff has reviewed this plat.

PLAT APPROVAL CHECKLIST

SUBDIVISION NAME: Prairie's Edge Fifteenth Addition

LEGAL SECTION: QUARTER: NW **SECTION:** 8 **TOWNSHIP:** 123 **RANGE:** 63

MANDATORY LOTS: 1 **TRACTS** _____ **PARCELS** _____ **OUTLOTS** _____ **OTHER** _____

SCHOOL DISTRICT: Aberdeen

UTILITIES: Unknown

OWNERS NAMES: Rivett Family Trust _____

OWNERS NAMES: _____ _____

ENGINEER OR SURVEYOR: Todd Schlunsen (IMEG)

TYPE: PRELIMINARY _____ FINAL _____ BOTH X (both is allowed if there is not a new road needed)

PLAT FEE PER PLAT: $100.00 DATE PAID: 12 / 02 /2022

RECEIVED BY PLANNING DEPARTMENT: 12 / 02 /2022 BY: Ron Keller

REASON FOR PLAT: DEVELOPMENT ___ CONVEYANCE X FINANCIAL PURPOSES ___ OTHER ___

ORIGINAL PLAT DRAWN ON: 11 x 17 MYLAR X 11 x 17 PHOTO PAPER _____ OTHER _____

STREETS/ROADS NAMED PROPERLY: X **NEW STREETS/ROADS REQUIRE PRELIMINARY PLAT:** _____

EXISTING ACCESS SHOWN ON PLAT: X **ACCESS PERMISSION NEEDED BY:** SD____ BC _____ TWP _____

FULLY DIMENSIONED FROM SECTION CORNER: ____ **OR QUARTER CORNER:** ____ **OR KNOWN MARKER:** X

PLAT NAME CHECKED FOR DUPLICATION OR SIMILARITIES IN DEEDS OFFICE: X

HIGHWAY SIGNATURE LINE SHOWN: (State, County & Township) X **SIGNATURE LINE SIGNED:** X

TAXES PAID IN FULL: (on all lots involved) FOR THE YEAR X **TREASURER SIGNATURE LINE SIGNED** X

BOLD BOUNDARY DRAWN AROUND COMPLETE LOT: X **PROPERTY PINS SHOWN ON ALL CORNERS:** X

REGULAR BOUNDARY LINE DRAWN AROUND R-O-W X

AFTER PLANNING COMMISSION MEETING

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: November 30, 2022 *FEES:* $100.00
RECEIPT # 816718 *PAID:* (YES)/NO (CHK)/CASH
TOWNSHIP: Aberdeen Twp *DATE:* 11/29/2022

OWNERS SIGNATURE: Rivett Family Trust 11.29.22
OWNERS ADDRESS: PO Box 4850
OWNERS CITY, STATE, ZIP: Aberdeen, SD 57402-4850
OWNERS PHONE: 605-229-8631

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

REQUEST: Preliminary & Final Plat

LEGAL DESCRIPTION: "Prairie's Edge Fifteenth Addition" to the City of Aberdeen in the NW1/4 of Section 8-T123N-R63W of the 5th P.M., Brown County, South Dakota

Planning Commission Action: Approved / Denied

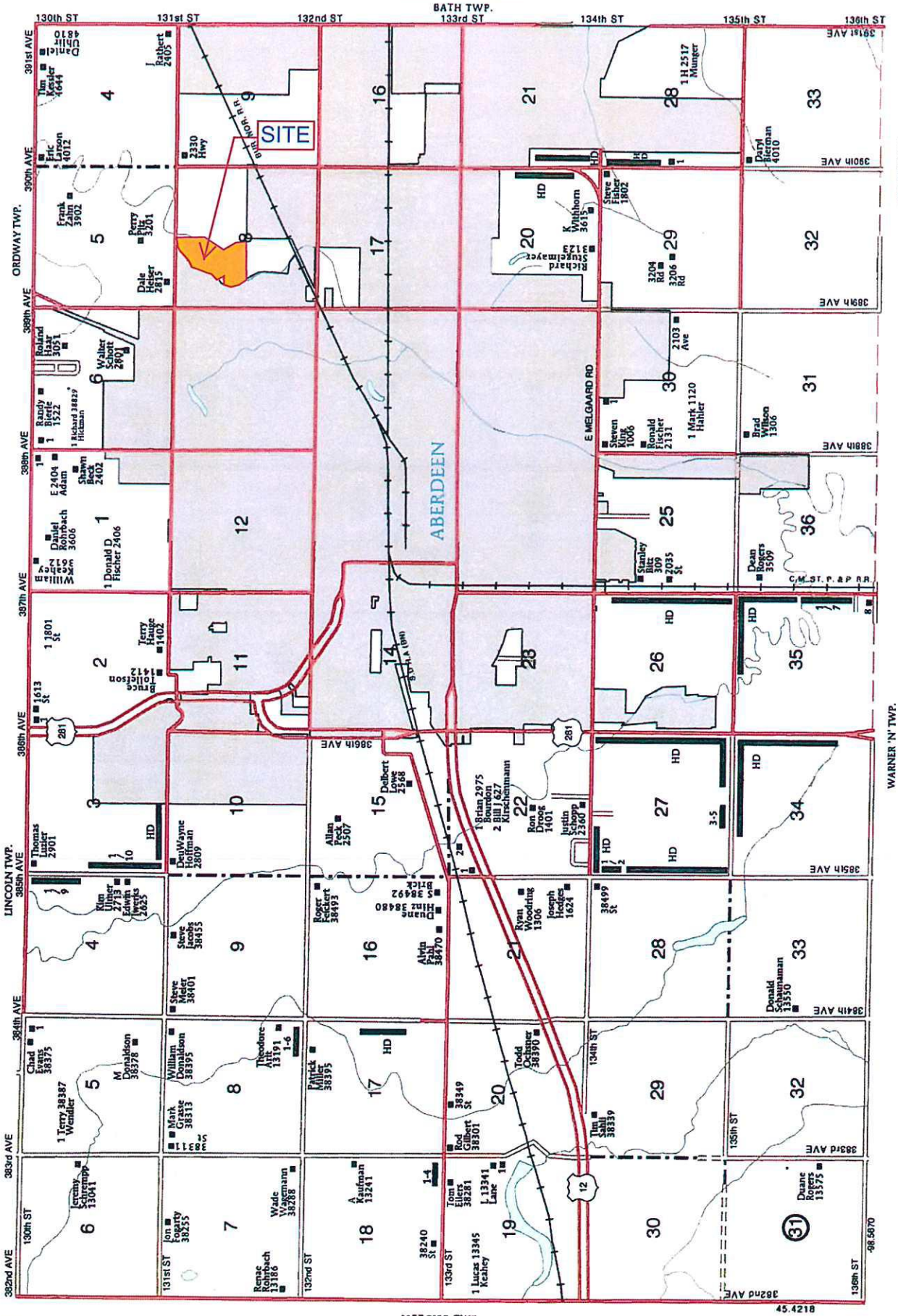
By: ***Date:***

HEARING DATE: December 20, 2022 **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

(Residents - Owners or Renters)



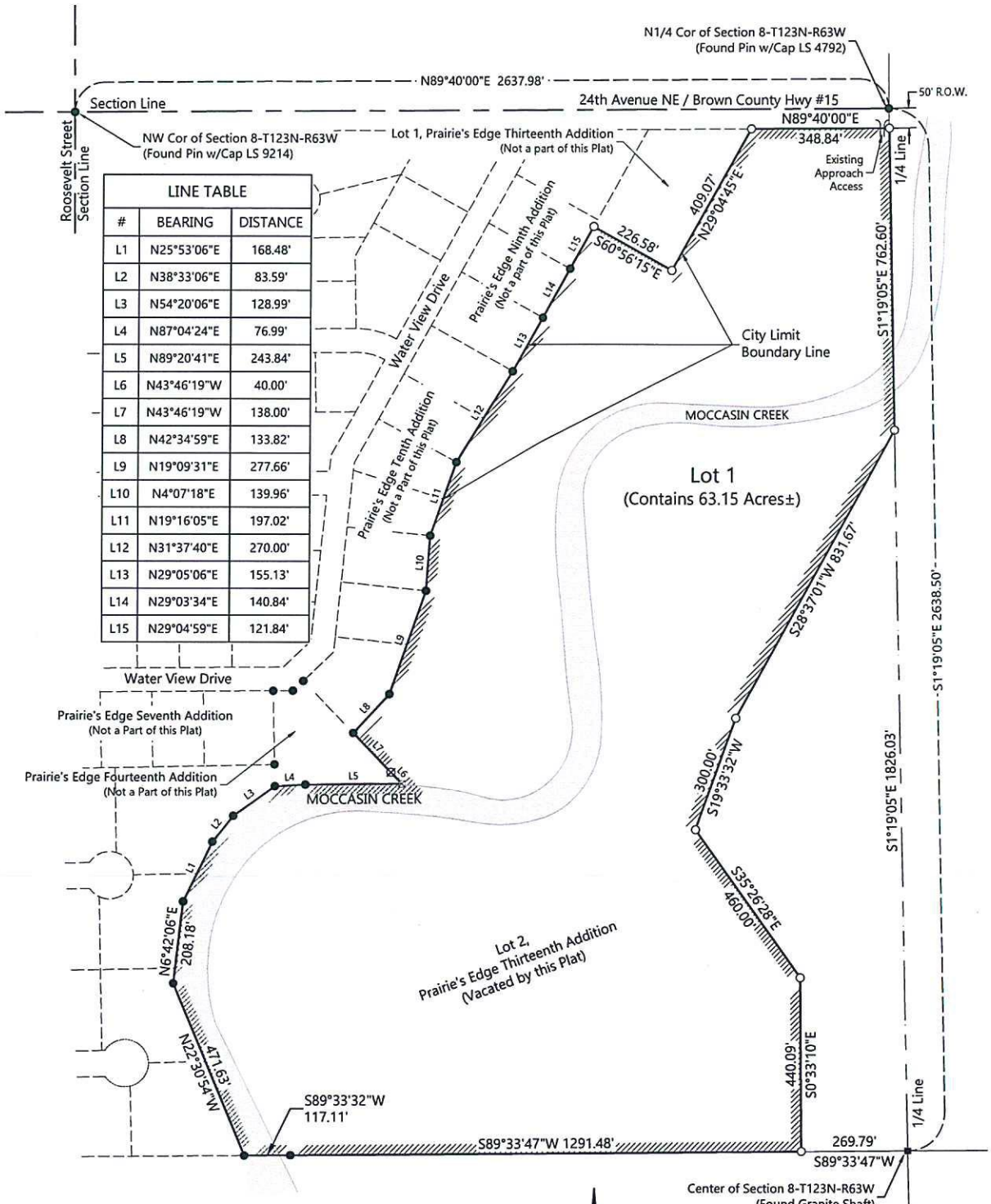
SEE PAGE 21 FOR ADDITIONAL NAMES NOT LISTED ON MAPS.

© Farm & Home Publishers, Ltd.

PLAT SHOWING

PRAIRIE'S EDGE FIFTEENTH ADDITION

IN THE NW1/4 OF SECTION 8,
TOWNSHIP 123 NORTH, RANGE 63 WEST OF THE 5th P.M.
BROWN COUNTY, SOUTH DAKOTA



LINE TABLE		
#	BEARING	DISTANCE
L1	N25°53'06"E	168.48'
L2	N38°33'06"E	83.59'
L3	N54°20'06"E	128.99'
L4	N87°04'24"E	76.99'
L5	N89°20'41"E	243.84'
L6	N43°46'19"W	40.00'
L7	N43°46'19"W	138.00'
L8	N42°34'59"E	133.82'
L9	N19°09'31"E	277.66'
L10	N4°07'18"E	139.96'
L11	N19°16'05"E	197.02'
L12	N31°37'40"E	270.00'
L13	N29°05'06"E	155.13'
L14	N29°03'34"E	140.84'
L15	N29°04'59"E	121.84'

BASIS OF BEARINGS
State Plane Grid
South Dakota North Zone (4001)
NAD '83 (2011) US Survey Feet
Distances are GROUND

LEGEND
- ● PIN FOUND w/CAP LS 4792
- ○ PIN FOUND w/CAP LS 11699
- ⊠ PIN SET w/CAP LS 7893 as Witness Corner
- ⊠ CALCULATED CORNER

0 250'
SCALE IN FEET

REGISTERED PROFESSIONAL LAND SURVEYOR
REG. NO.
7893
TODD V.
SCHLUNSEN
SOUTH DAKOTA

IMEG
3314 MILWAUKEE AVE N.E.
SUITE 2
ABERDEEN, SD 57401
PH: 605.225.3494
www.imegcorp.com

PLAT SHOWING

PRAIRIE'S EDGE FIFTEENTH ADDITION

IN THE NW1/4 OF SECTION 8,
TOWNSHIP 123 NORTH, RANGE 63 WEST OF THE 5th P.M.
BROWN COUNTY, SOUTH DAKOTA

SURVEYOR'S CERTIFICATE

We, Ronald J. Rivett and Harvey C. Jewett, Co-Trustees,as amended on September 11, 2002, and November 19, 2002, of the Rivett Family Trust under Trust agreement dated October 20, 1993, do hereby certify that the Rivett Family Trust is the owner of Lot 2, Prairie's Edge Thirteenth Addition to the City of Aberdeen in the Northwest Quarter (NW1/4) of Section Eight (8), Township One Hundred Twenty-Three (123) North, Range Sixty-Three (63) West of the 5th P.M., Brown County, South Dakota, and that we have caused a portion of the same to be surveyed and platted as shown on the attached plat which shall be hereinafter known and described as "PRAIRIE'S EDGE FIFTEENTH ADDITION IN THE NW1/4 OF SECTION 8, TOWNSHIP 123 NORTH, RANGE 63 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, we, Ronald J. Rivett and Harvey C. Jewett, Co-Trustees, do hereby vacate, Lot 2, Prairie's Edge Thirteenth Addition to the City of Aberdeen, in the NW1/4 of Section 8, Township 123 North, Range 63 West of the 5th P.M., Brown County, South Dakota" as filed for record on January 2, 2019 at 3:25 p.m., and duly recorded as Hanging Plat No. 3531.

Owner:

_____
Ronald J. Rivett, Co-Trustee

Signed this _____ day of _____, 2022.

COUNTY OF _____)
) SS
STATE OF _____)

On this the _____ day of _____, 2022, before me, a notary public, the undersigned officer, personally appeared Ronald J. Rivett, Co-Trustee, known to me or satisfactorily proven to be the person who 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.

My Commission Expires: _____

_____
Notary Public

Owner:

_____
Harvey C. Jewett, Co-Trustee

Signed this _____ day of _____, 2022.

COUNTY OF _____)
) SS
STATE OF _____)

On this the _____ day of _____, 2022, before me, a notary public, the undersigned officer, personally appeared Harvey C. Jewett, Co-Trustee, known to me or satisfactorily proven to be the person who 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.

My Commission Expires: _____

_____
Notary Public

SURVEYOR'S CERTIFICATE

I, Todd V. Schlunsen, Registered Land Surveyor, in the State of South Dakota, do hereby certify that, at the request of the owners, I have surveyed and platted "PRAIRIE'S EDGE FIFTEENTH ADDITION IN THE NW1/4 OF SECTION 8, TOWNSHIP 123 NORTH, RANGE 63 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 _____ day of _____, 2022.

BROWN COUNTY HIGHWAY APPROVAL

"Access to BROWN COUNTY HIGHWAY 15 is existing. This access approval does not replace the need for any permits by law to establish the precise access location, including permit requirements set forth in the Administrative Rule of South Dakota 70:09:01:02."

Signed this _____ day of _____, 2022.

_____
Highway or Street Authority

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 Day County, South Dakota, at a meeting held on the _____ day of _____, 2022.

_____
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 "PRAIRIE'S EDGE FIFTEENTH ADDITION IN THE NW1/4 OF SECTION 8, 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 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 _____, 2022.

_____
County Auditor, Brown County, South Dakota

"Be it resolved by the County Commission of Brown County, South Dakota, that the plat showing "PRAIRIE'S EDGE FIFTEENTH ADDITION IN THE NW1/4 OF SECTION 8, 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 of 1967, Chapter 11-3, and any amendments thereof."

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 record of my office to be fully paid.

Signed this _____ day of _____, 2022.

_____
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 _____, 2022.

_____
Director of Equalization, Brown County, South Dakota

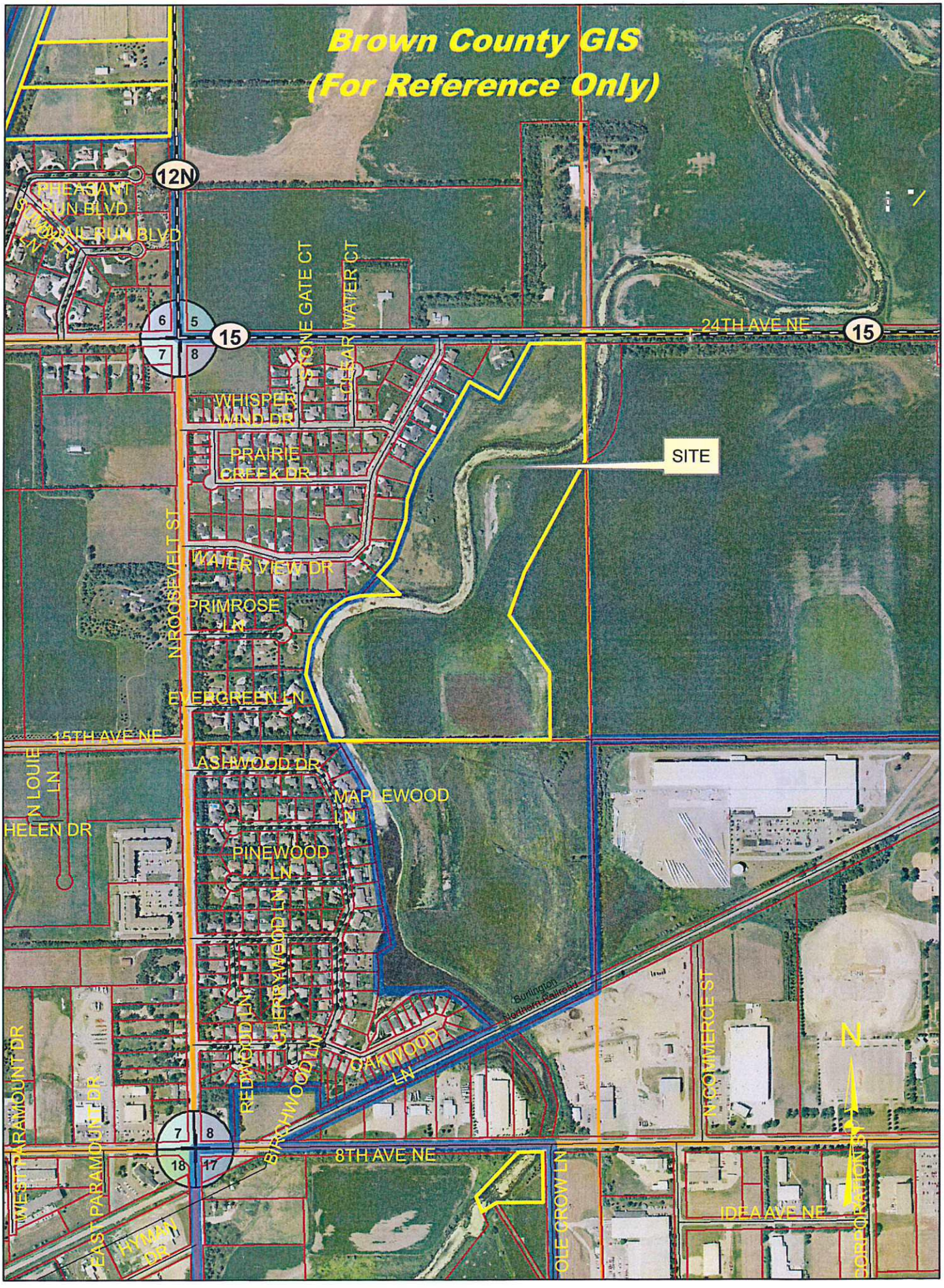
REGISTER OF DEEDS' CERTIFICATE

Filed for record this _____ day of _____, 2022, at

_____ O'clock ____ M., and duly recorded as Hanging Plat No. _____.

_____
Register of Deeds, Brown County, South Dakota

IMEG
3314 MILWAUKEE AVE N.E.
SUITE 2
ABERDEEN, SD 57401
PH: 605.225.3494
www.imegcorp.com


Brown County GIS
(For Reference Only)
12N
15
24TH AVE NE
SITE
PHEASANT RUN BLVD
RAIL RUN BLVD
STONE GATE CT
CLEAR WATER CT
WHISPER WIND DR
PRAIRIE CREEK DR
WATER VIEW DR
PRIMROSE LN
N ROOSEVELT ST
EVERGREEN LN
15TH AVE NE
ASHWOOD DR
MAPLEWOOD LN
PINEWOOD LN
REDWOOD LN
CHERRYWOOD LN
BIRCHWOOD LN
OAKWOOD LN
N LOUIE LN
HELEN DR
WESTBRAMOUNT DR
EAST PARAMOUNT DR
HYMAN DR
8TH AVE NE
OLE CROW LN
N COMMERCE ST
IDEA AVE NE
CORPORATION ST
Burlington Northern Railroad
N

Brown County GIS
(For Reference Only)
15
24TH AVE NE
15
STONE GATE CT
CLEAR WATER CT
WHISPER WIND DR
PRAIRIE CREEK DR
WATER VIEW DR
SITE
PRIMROSE LN
EVERGREEN LN
ASHWOOD DR
MAPLEWOOD LN
N

STAFF REPORT

December 20, 2022

BROWN COUNTY PLANNING COMMISSION

PRELIMINARY & FINAL PLAT ***ITEM # 15***

GENERAL INFORMATION:

PETITIONER:	Kolker Law Office (Kari Bartling)
REQUEST:	**PRELIMINARY & FINAL PLAT**
LEGAL DESCRIPTION:	"Columbia Park First Addition" to the City of Columbia in the SE1/4 of Section 29-T125N-R62W of the 5th P.M., Brown County, South Dakota
LOCATION:	Columbia, South Dakota
CITY/TOWNSHIP:	City of Columbia
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:	Ron Keller

GENERAL COMMENT: The petitioner is requesting this Preliminary & Final Plat for development purposes.

GENERAL REVIEW: Staff has reviewed this plat.

PLAT APPROVAL CHECKLIST

SUBDIVISION NAME: Columbia Park First Addition

LEGAL SECTION: QUARTER: SE **SECTION:** 29 **TOWNSHIP:** 125 **RANGE:** 62

MANDATORY LOTS: 1 **TRACTS** _____ **PARCELS** _____ **OUTLOTS** _____ **OTHER** _____

SCHOOL DISTRICT: Groton Area

UTILITIES: WEB Water

OWNERS NAMES: City of Columbia _____

OWNERS NAMES: Columbia Park LLC _____

ENGINEER OR SURVEYOR: Cory Biegler (Helms & Associates)

TYPE: PRELIMINARY _____ FINAL _____ BOTH X (both is allowed if there is not a new road needed)

PLAT FEE PER PLAT: $100.00 DATE PAID: 12 / 01 /20 22

RECEIVED BY PLANNING DEPARTMENT: 12 / 01 /20 22 **BY:** Ron Keller

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

ORIGINAL PLAT DRAWN ON: 11 x 17 MYLAR X 11 x 17 PHOTO PAPER _____ OTHER _____

STREETS/ROADS NAMED PROPERLY: X **NEW STREETS/ROADS REQUIRE PRELIMINARY PLAT:** _____

EXISTING ACCESS SHOWN ON PLAT: X **ACCESS PERMISSION NEEDED BY:** SD_____ BC _____ TWP _____

FULLY DIMENSIONED FROM SECTION CORNER: _____ **OR QUARTER CORNER:** _____ **OR KNOWN MARKER:** X

PLAT NAME CHECKED FOR DUPLICATION OR SIMILARITIES IN DEEDS OFFICE: X

HIGHWAY SIGNATURE LINE SHOWN: (State, County & Township) X **SIGNATURE LINE SIGNED:** X

TAXES PAID IN FULL: (on all lots involved) FOR THE YEAR X **TREASURER SIGNATURE LINE SIGNED** _____

BOLD BOUNDARY DRAWN AROUND COMPLETE LOT: X **PROPERTY PINS SHOWN ON ALL CORNERS:** X

REGULAR BOUNDARY LINE DRAWN AROUND R-O-W X

AFTER PLANNING COMMISSION MEETING

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: November 30, 2022 *FEES:* $100.00
RECEIPT # 816720 *PAID:* YES/NO CHK/CASH
TOWNSHIP: Columbia Twp *DATE:* 12/1/2022

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

AGENTS SIGNATURE: Kolker Law Office (Kari Bartling) Ky Bar
AGENTS ADDRESS: 102 N Main St PO Box 467
AGENTS CITY, STATE, ZIP: Groton, SD 57445
AGENTS PHONE: 605-397-8464

REQUEST: Preliminary & Final Plat

LEGAL DESCRIPTION: "Columbia Park First Addition" to the City of Columbia in the SE1/4 of Section 29-T125N-R62W of the 5th P.M., Brown County, South Dakota

Planning Commission Action: Approved / Denied _____

By: _____ ***Date:*** _____

HEARING DATE: December 20, 2022 **TIME:** 7:00 pm

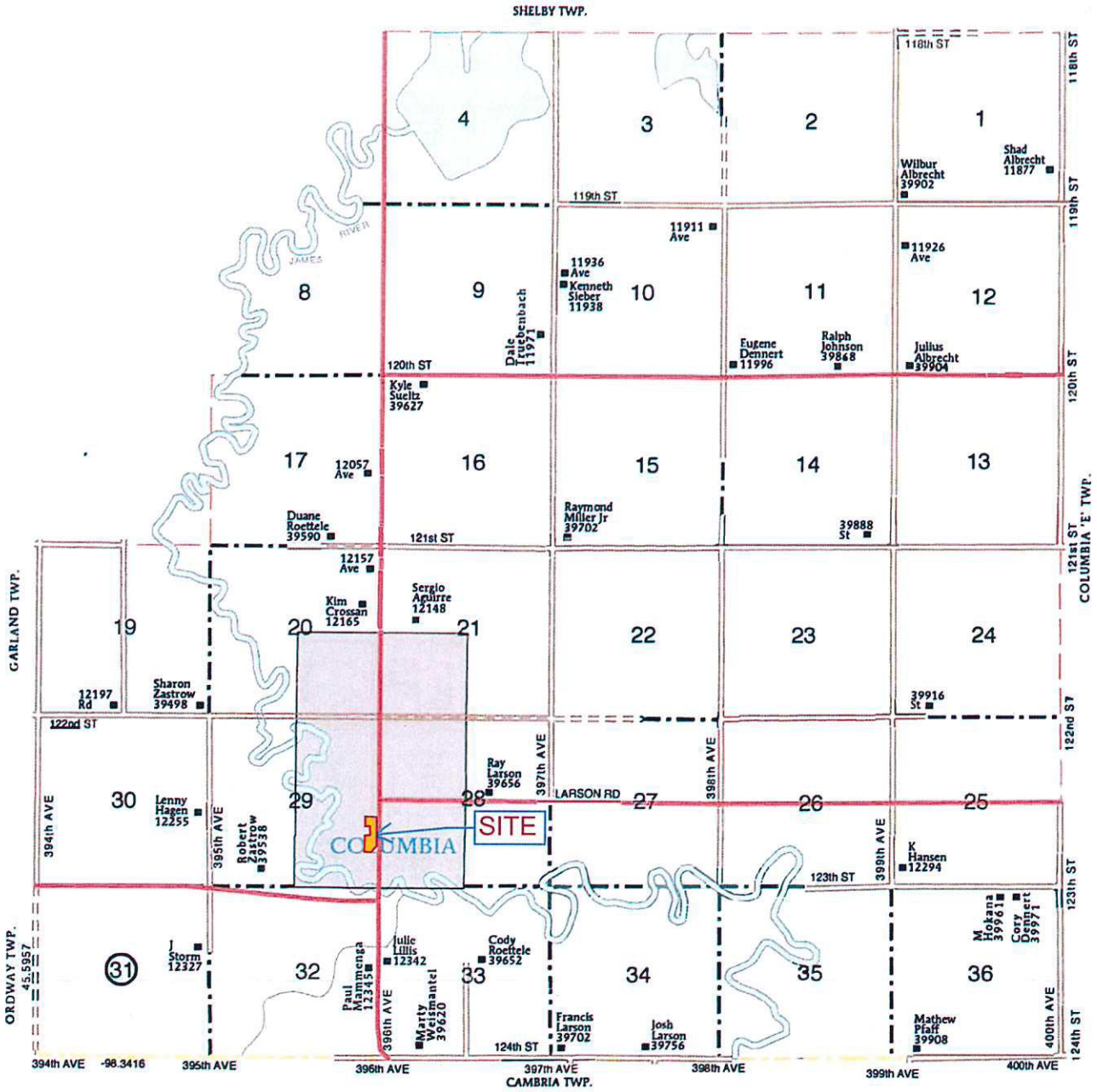
MEETING: located in the Basement Community Room of the Court House Annex
25 Market Street • Aberdeen, South Dakota 57401-4203
Phone: 605-626-7144 • FAX: 605-626-4010 • email: Scott.Bader@browncounty.sd.gov

T-125-N

COLUMBIA 'W' DIRECTORY

(Residents • Owners or Renters)

R-62-W



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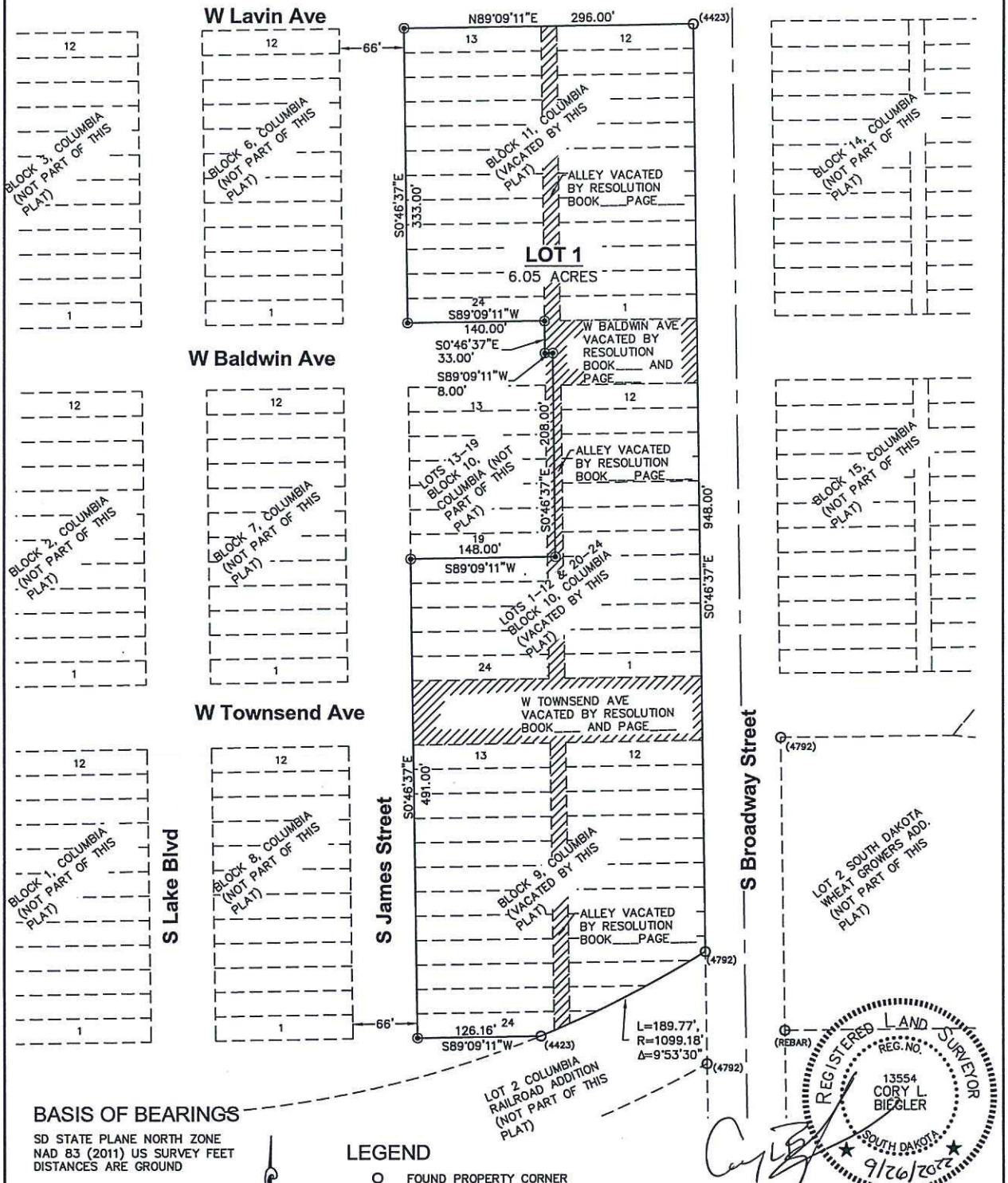
A-8374

PLAT OF

COLUMBIA PARK FIRST ADDITION

TO THE CITY OF COLUMBIA,

IN THE SE 1/4 OF SECTION 29-T125N-R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA



BASIS OF BEARINGS

SD STATE PLANE NORTH ZONE
NAD 83 (2011) US SURVEY FEET
DISTANCES ARE GROUND

100 0 50 100
(IN FEET)
1 inch = 100 ft.

LEGEND

- O FOUND PROPERTY CORNER
- ◉ SET 5/8" X 18" REBAR WITH SURVEY CAP STAMPED BIEGLER RLS 13554
- □ 3/4" DRILL HOLE IN CONCRETE
- ▲ CALCULATED POSITION

REGISTERED LAND SURVEYOR
REG. NO. 13554
CORY L. BIEGLER
SOUTH DAKOTA
9/26/2022

Helms & ASSOCIATES
CIVIL ENGINEERS & LAND SURVEYORS
416 PRODUCTION STREET N.
P.O. Box 111
Aberdeen, S.D. 57401
Phone: 605.225.1212
Fax: 605.225.3189

DWG. 8374-LS | BY: CLB | SHEET 1 OF 3

PLAT OF
COLUMBIA PARK FIRST ADDITION
TO THE CITY OF COLUMBIA,
IN THE SE 1/4 OF SECTION 29-T125N-R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA

OWNER'S CERTIFICATE

WE, COLUMBIA CITY, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF LOTS 1–24, BLOCK 11 INCLUDING VACATED ALLEY OF COLUMBIA, IN THE SE 1/4 OF SECTION 29–T125N–R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA, AND THAT WE HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN ON THE ATTACHED PLAT WHICH SHALL BE HEREAFTER KNOWN AND DESCRIBED AS; COLUMBIA PARK FIRST ADDITION TO THE CITY OF COLUMBIA, IN THE SE 1/4 OF SECTION 29–T125N–R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA, AS SHOWN BY THIS PLAT, AND WE HEREBY DEDICATE TO THE PUBLIC, FOR PUBLIC USE FOREVER AS SUCH, THE STREETS AND ALLEYS, IF ANY, AS SHOWN AND MARKED ON SAID PLAT; AND THAT DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION AND SEDIMENT CONTROL REGULATIONS.

BY THIS PLAT, WE, COLUMBIA CITY, DO HEREBY VACATE LOTS 1–24, BLOCK 11 OF COLUMBIA, IN THE SE 1/4 OF SECTION 29–T125N–R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA AS FILED FOR RECORD ON 22ND OF AUGUST 1881 AND DULY RECORDED AS PLAT NO. 32.

COLUMBIA CITY

Corey Mitchell — Mayor
NAME — TITLE

Signed this 30 day of November, 2022

CORPORATE ACKNOWLEDGEMENT

STATE OF South Dakota)
COUNTY OF Brown)SS
ON THIS THE 30 DAY OF November, 2022, BEFORE ME, Meagan Baumgarn, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED Corey Mitchell OF COLUMBIA CITY, AND THAT HE/SHE, AS SUCH AS Mayor, BEING AUTHORIZED SO TO DO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED, BY SIGNING THE NAME OF Corey Mitchell BY HIMSELF/HERSELF AS Mayor.

IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: 11-18-28

NOTARY PUBLIC

OWNER'S CERTIFICATE

WE, COLUMBIA PARK LLC, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF LOTS 1–12 AND LOTS 20–24, BLOCK 10 INCLUDING VACATED ALLEY AND LOTS 1–24, BLOCK 9 (EXCEPT PORTION OF LOT 2 COLUMBIA RAILROAD ADDITION) OF COLUMBIA, IN THE SE 1/4 OF SECTION 29–T125N–R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA, AND THAT WE HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN ON THE ATTACHED PLAT WHICH SHALL BE HEREAFTER KNOWN AND DESCRIBED AS; COLUMBIA PARK FIRST ADDITION TO THE CITY OF COLUMBIA, COLUMBIA PARK FIRST ADDITION TO THE CITY OF COLUMBIA, IN THE SE 1/4 OF SECTION 29–T125N–R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA, AS SHOWN BY THIS PLAT, AND (I/WE) HEREBY DEDICATE TO THE PUBLIC, FOR PUBLIC USE FOREVER AS SUCH, THE STREETS AND ALLEYS, IF ANY, AS SHOWN AND MARKED ON SAID PLAT; AND THAT DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION AND SEDIMENT CONTROL REGULATIONS.

BY THIS PLAT, WE, COLUMBIA PARK LLC, DO HEREBY VACATE LOTS 1–12 AND LOTS 20–24, BLOCK 10 AND LOTS 1–24, BLOCK 9 (EXCEPT PORTION OF LOT 2 COLUMBIA RAILROAD ADDITION) OF COLUMBIA, IN THE SE 1/4 OF SECTION 29–T125N–R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA AS FILED FOR RECORD ON 22ND OF AUGUST 1881 AND DULY RECORDED AS PLAT NO. 32.

COLUMBIA PARK LLC

Dean L. Buntrock — MANAGER
NAME — TITLE

Signed this 31st day of October 2022

CORPORATE ACKNOWLEDGEMENT

STATE OF Illinois)
COUNTY OF DuPAGE)SS
ON THIS THE 31st DAY OF October, 2022 BEFORE ME, Catherine Laraia Nguyen, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED Dean L. Buntrock OF COLUMBIA PARK LLC, AND THAT (HE)/SHE, AS SUCH AS Manager, BEING AUTHORIZED SO TO DO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED, BY SIGNING THE NAME OF Dean L. Buntrock BY HIMSELF/HERSELF AS Manager.

IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: November 09, 2024

NOTARY PUBLIC

CATHERINE LARAIA NGUYEN
OFFICIAL SEAL
Notary Public, State of Illinois
My Commission Expires
November 09, 2024

A-8374

PLAT OF

COLUMBIA PARK FIRST ADDITION

TO THE CITY OF COLUMBIA, IN THE SE 1/4 OF SECTION 29-T125N-R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA

SURVEYOR'S CERTIFICATE

I, CORY L. BIEGLER, A REGISTERED LAND SURVEYOR OF ABERDEEN, SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE REQUEST OF THE OWNERS, I HAVE SURVEYED AND PLATTED "COLUMBIA PARK FIRST ADDITION TO THE CITY OF COLUMBIA, IN THE SE 1/4 OF SECTION 29-T125N-R62W 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. I FURTHER CERTIFY THAT THE WITHIN AND FOREGOING PLAT IS IN ALL RESPECTS TRUE AND CORRECT.

DATED THIS 26th DAY OF SEPTEMBER, 2022.

CORY L. BIEGLER RLS #13554

APPROVAL BY CITY

I HEREBY CERTIFY THAT THE FOLLOWING IS A CORRECT COPY OF THE RESOLUTION DULY PASSED BY THE CITY COUNCIL OF COLUMBIA, SOUTH DAKOTA AT A MEETING HELD ON THE 1st DAY OF December, 2022

"BE IT RESOLVED BY THE CITY COUNCIL OF COLUMBIA, SOUTH DAKOTA, THAT THE PLAT SHOWING COLUMBIA PARK FIRST ADDITION TO THE CITY OF COLUMBIA, IN THE SE 1/4 OF SECTION 29-T125N-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."

FINANCE OFFICER COLUMBIA, SOUTH DAKOTA

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 COLUMBIA PARK FIRST ADDITION TO THE CITY OF COLUMBIA, IN THE SE 1/4 OF SECTION 29-T125N-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 COLUMBIA PARK FIRST ADDITION TO THE CITY OF COLUMBIA, IN THE SE 1/4 OF SECTION 29-T125N-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

HIGHWAY AUTHORITY CERTIFICATE

THE LOCATION OF THE PROPOSED PROPERTY LINES ABUTTING THE COUNTY OR STATE HIGHWAY, OR THE COUNTY 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: 11-30-22
HIGHWAY AUTHORITY

TITLE: Supt Brown Co. Hwy

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____.

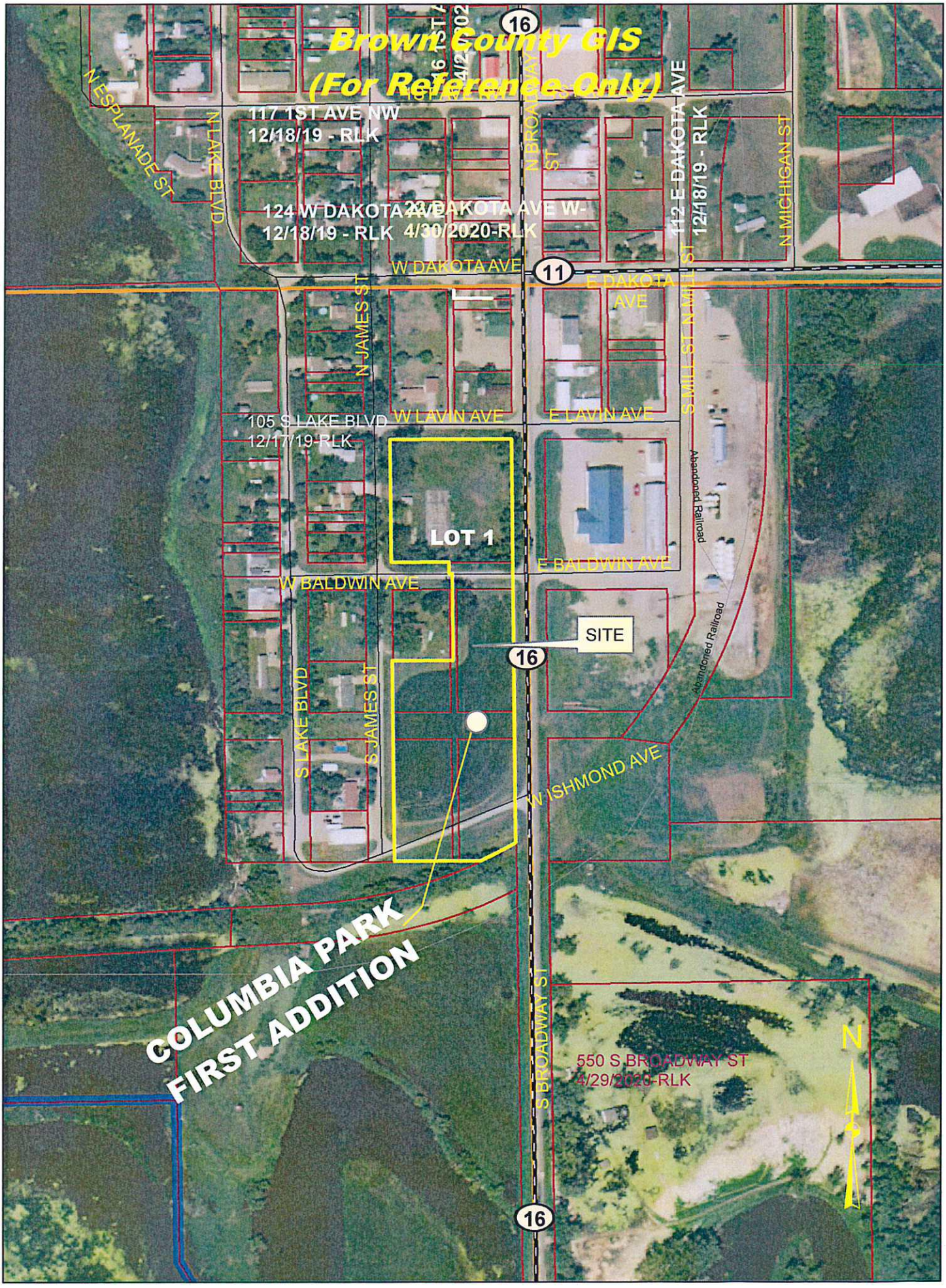
COUNTY TREASURER, BROWN COUNTY, SOUTH DAKOTA

REGISTER OF DEED'S CERTIFICATE

FILED FOR RECORD THIS _____ DAY OF _____, 20____ AT ____ ____O'CLOCK _____, AND DULY RECORDED IN HANGING PLATS NO. _____.

REGISTER OF DEEDS, BROWN COUNTY, SOUTH DAKOTA

DWG. 8374-LS	BY: CLB	SHEET 3 OF 3


Brown County GIS
(For Reference Only)
117 1ST AVE NW
12/18/19 - RLK
124 W DAKOTA AVE
12/18/19 - RLK
23 E DAKOTA AVE W-
4/30/2020-RLK
112 E DAKOTA AVE
12/18/19 - RLK
105 S LAKE BLVD
12/17/19-RLK
LOT 1
SITE
550 S BROADWAY ST
4/29/2020-RLK
COLUMBIA PARK
FIRST ADDITION
N ESPLANADE ST
N LAKE BLVD
N JAMES ST
N BROADWAY ST
N MICHIGAN ST
W DAKOTA AVE
E DAKOTA AVE
S MILL ST
W LAVIN AVE
E LAVIN AVE
W BALDWIN AVE
E BALDWIN AVE
S LAKE BLVD
S JAMES ST
S BROADWAY ST
W ISHMOND AVE
Abandoned Railroad
16
11
N

Brown County GIS
(For Reference Only)
105 S LAKE BLVD
12/17/19-RLK
W LAVIN AVE
E LAVIN AVE
16
Abandoned Railroad
S MILL ST
W BALDWIN AVE
E BALDWIN AVE
LOT 1
SITE
S LAKE BLVD
S JAMES ST
S BROADWAY ST
COLUMBIA PARK
FIRST ADDITION
16
W ISHMOND AVE
Abandoned Railroad
N

STAFF REPORT

December 20, 2022

BROWN COUNTY PLANNING COMMISSION

PRELIMINARY & FINAL PLAT ***ITEM # 16***

GENERAL INFORMATION:

PETITIONER:	Kolker Law Office (Kari Bartling)
REQUEST:	**PRELIMINARY & FINAL PLAT**
LEGAL DESCRIPTION:	"Columbia Park Second Addition" to the City of Columbia in the SW1/4 of Section 28-T125N-R62W of the 5th P.M., Brown County, South Dakota
LOCATION:	Columbia, South Dakota
CITY/TOWNSHIP:	City of Columbia
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:	Ron Keller

GENERAL COMMENT: The petitioner is requesting this Preliminary & Final Plat for development purposes.

GENERAL REVIEW: Staff has reviewed this plat.

PLAT APPROVAL CHECKLIST

SUBDIVISION NAME: Columbia Park Second Addition

LEGAL SECTION: QUARTER: SW **SECTION:** 28 **TOWNSHIP:** 125 **RANGE:** 62

MANDATORY LOTS: 1,2,3 **TRACTS** _____ **PARCELS** _____ **OUTLOTS** _____ **OTHER** _____

SCHOOL DISTRICT: Groton Area

UTILITIES: WEB Water

OWNERS NAMES: City of Columbia _____

OWNERS NAMES: Columbia Park LLC _____

ENGINEER OR SURVEYOR: Cory Biegler (Helms & Associates)

TYPE: PRELIMINARY _____ FINAL _____ BOTH X (both is allowed if there is not a new road needed)

PLAT FEE PER PLAT: $100.00 DATE PAID: 12 / 01 /20 22

RECEIVED BY PLANNING DEPARTMENT: 12 / 01 /20 22 **BY:** Ron Keller

REASON FOR PLAT: DEVELOPMENT X CONVEYANCE ____ FINANCIAL PURPOSES ____ OTHER ____

ORIGINAL PLAT DRAWN ON: 11 x 17 MYLAR X 11 x 17 PHOTO PAPER _____ OTHER _____

STREETS/ROADS NAMED PROPERLY: X **NEW STREETS/ROADS REQUIRE PRELIMINARY PLAT:** _____

EXISTING ACCESS SHOWN ON PLAT: X **ACCESS PERMISSION NEEDED BY:** SD____ BC _____ TWP _____

FULLY DIMENSIONED FROM SECTION CORNER: ____ **OR QUARTER CORNER:** X **OR KNOWN MARKER:** X

PLAT NAME CHECKED FOR DUPLICATION OR SIMILARITIES IN DEEDS OFFICE: X

HIGHWAY SIGNATURE LINE SHOWN: (State, County & Township) X **SIGNATURE LINE SIGNED:** X

TAXES PAID IN FULL: (on all lots involved) FOR THE YEAR X **TREASURER SIGNATURE LINE SIGNED** _____

BOLD BOUNDARY DRAWN AROUND COMPLETE LOT: X **PROPERTY PINS SHOWN ON ALL CORNERS:** X

REGULAR BOUNDARY LINE DRAWN AROUND R-O-W X

AFTER PLANNING COMMISSION MEETING

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: November 30, 2022
RECEIPT # 816720
TOWNSHIP: City of Columbia

FEES: $100.00
PAID: (YES)/NO (CHK)/CASH
DATE: 12/1/2022

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

AGENTS SIGNATURE: Kolker Law Office (Kari Bartling) Mg Bg
AGENTS ADDRESS: 102 N Main St PO Box 467
AGENTS CITY, STATE, ZIP: Groton, SD 57445
AGENTS PHONE: 605-397-8464

REQUEST: Preliminary & Final Plat

LEGAL DESCRIPTION: "Columbia Park Second Addition" to the City of Columbia in the SW1/4 of Section 28-T125N-R62W of the 5th P.M., Brown County, South Dakota

Planning Commission Action: Approved / Denied _____

By: _____ ***Date:*** _____

HEARING DATE: December 20, 2022 **TIME:** 7:00 pm

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

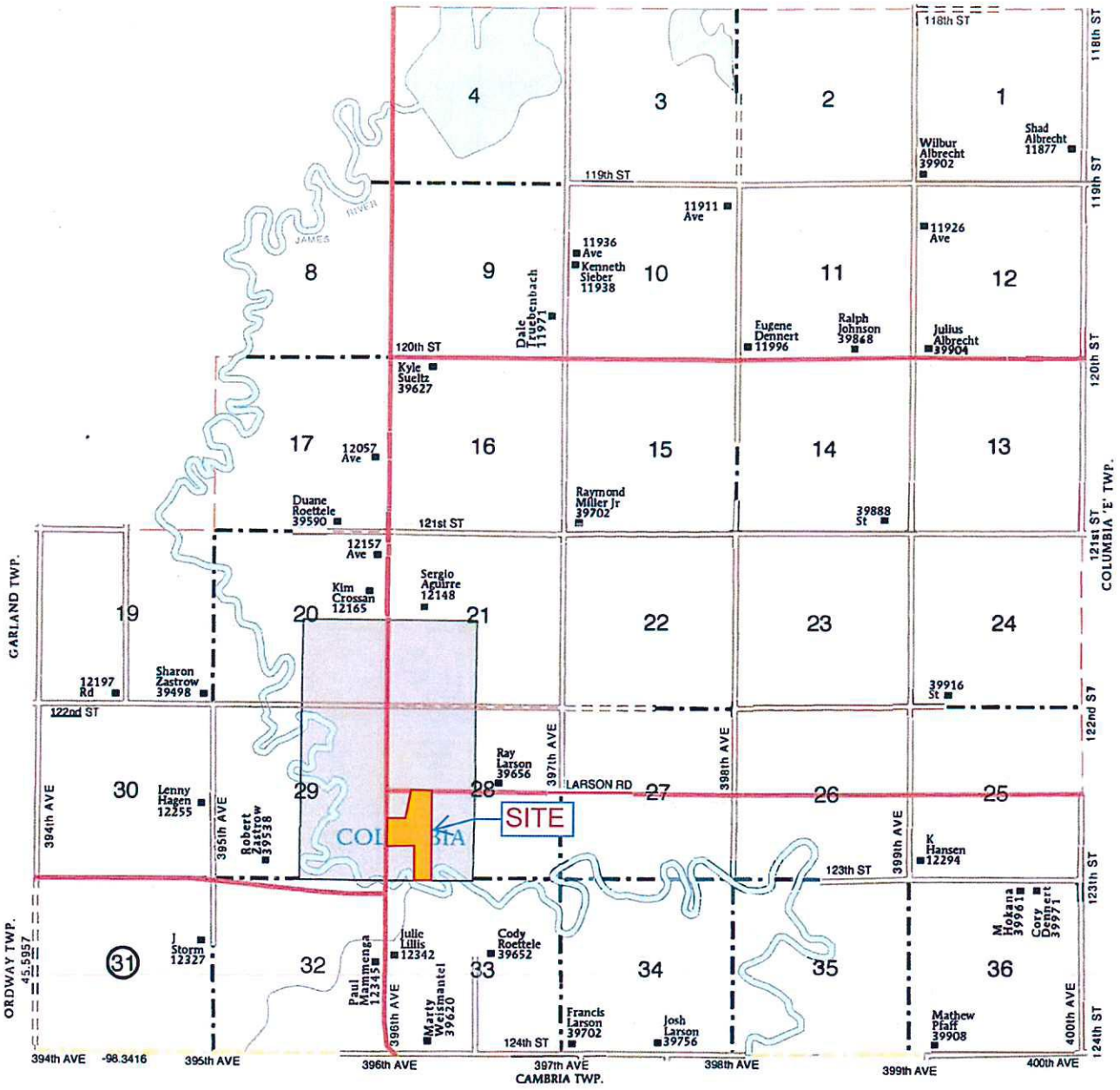
25 Market Street • Aberdeen, South Dakota 57401-4203
Phone: 605-626-7144 • FAX: 605-626-4010 • email: Scott.Bader@browncounty.sd.gov

T-125-N

COLUMBIA 'W' DIRECTORY

(Residents - Owners or Renters)

R-62-W



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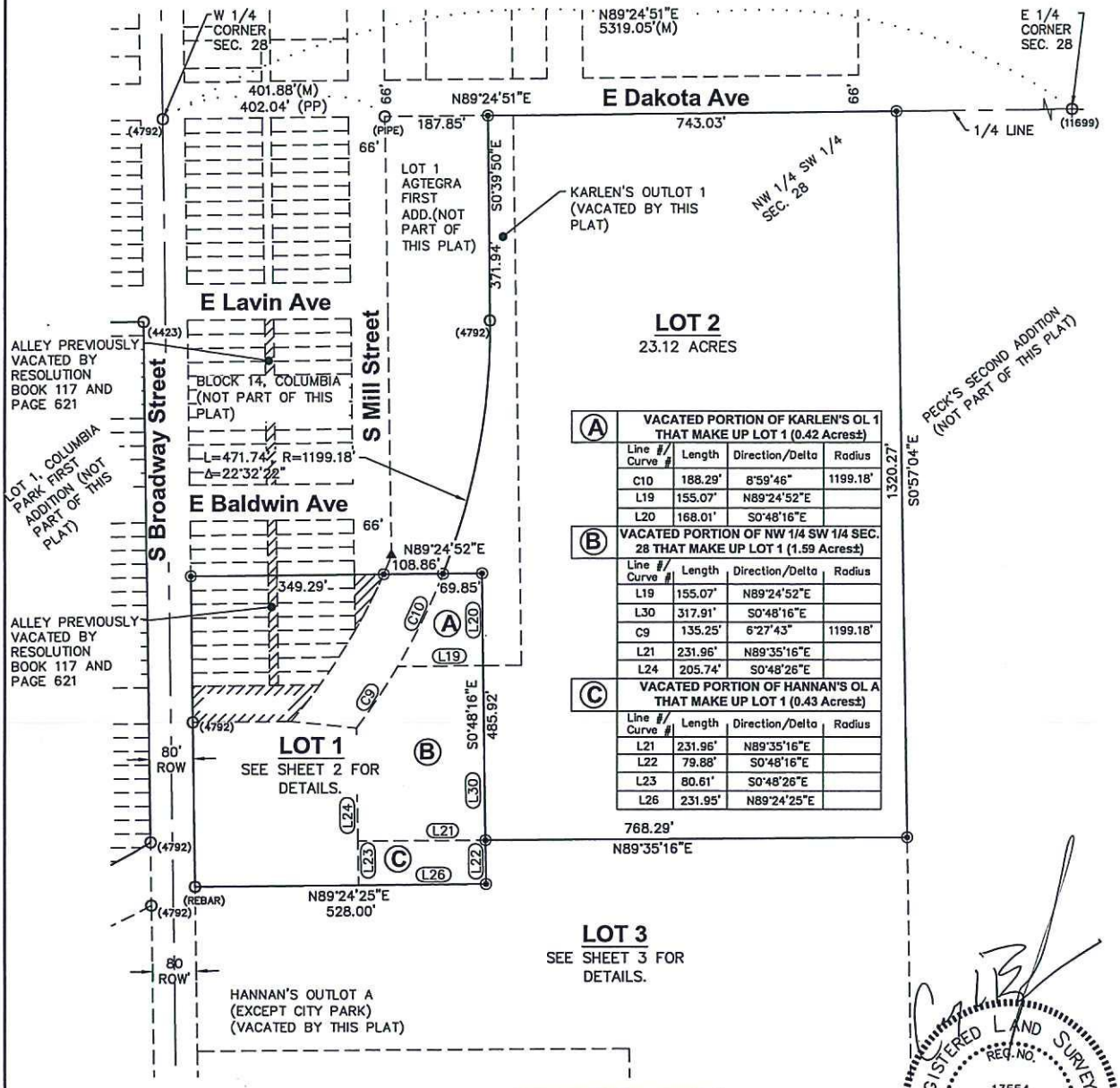
A-8374

PLAT OF

COLUMBIA PARK SECOND ADDITION

TO THE CITY OF COLUMBIA,
IN THE SW 1/4 OF SECTION 28-T125N-R62W OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA



A	VACATED PORTION OF KARLEN'S OL 1 THAT MAKE UP LOT 1 (0.42 Acres±)			
	Line # / Curve #	Length	Direction/Delta	Radius
	C10	188.29'	8°59'46"	1199.18'
	L19	155.07'	N89°24'52"E	
	L20	168.01'	S0°48'16"E	

B	VACATED PORTION OF NW 1/4 SW 1/4 SEC. 28 THAT MAKE UP LOT 1 (1.59 Acres±)			
	Line # / Curve #	Length	Direction/Delta	Radius
	L19	155.07'	N89°24'52"E	
	L30	317.91'	S0°48'16"E	
	C9	135.25'	6°27'43"	1199.18'
	L21	231.96'	N89°35'16"E	
	L24	205.74'	S0°48'26"E	

C	VACATED PORTION OF HANNAN'S OL A THAT MAKE UP LOT 1 (0.43 Acres±)			
	Line # / Curve #	Length	Direction/Delta	Radius
	L21	231.96'	N89°35'16"E	
	L22	79.88'	S0°48'16"E	
	L23	80.61'	S0°48'26"E	
	L26	231.95'	N89°24'25"E	

ACCESS OF LOTS IS CONTROLLED BY THE CITY OF COLUMBIA

BASIS OF BEARINGS

SD STATE PLANE NORTH ZONE
NAD 83 (2011) US SURVEY FEET
DISTANCES ARE GROUND

200 0 100 200
(IN FEET)
1 inch = 200 ft.

LEGEND

- O FOUND PROPERTY CORNER
- ◉ SET 5/8" X 18" REBAR WITH SURVEY CAP STAMPED BIEGLER RLS 13554
- □ 3/4" DRILL HOLE IN CONCRETE
- ▲ CALCULATED POSITION

REGISTERED LAND SURVEYOR
REG. NO. 13554
CORY L. BIEGLER
SOUTH DAKOTA
10/21/22

Helms & ASSOCIATES
CIVIL ENGINEERS & LAND SURVEYORS
416 PRODUCTION STREET N.
P.O. Box 111
Aberdeen, S.D. 57401
Phone: 605.225.1212
Fax: 605.225.3189

DWG. 8374-LS | BY: CLB | SHEET 1 OF 6

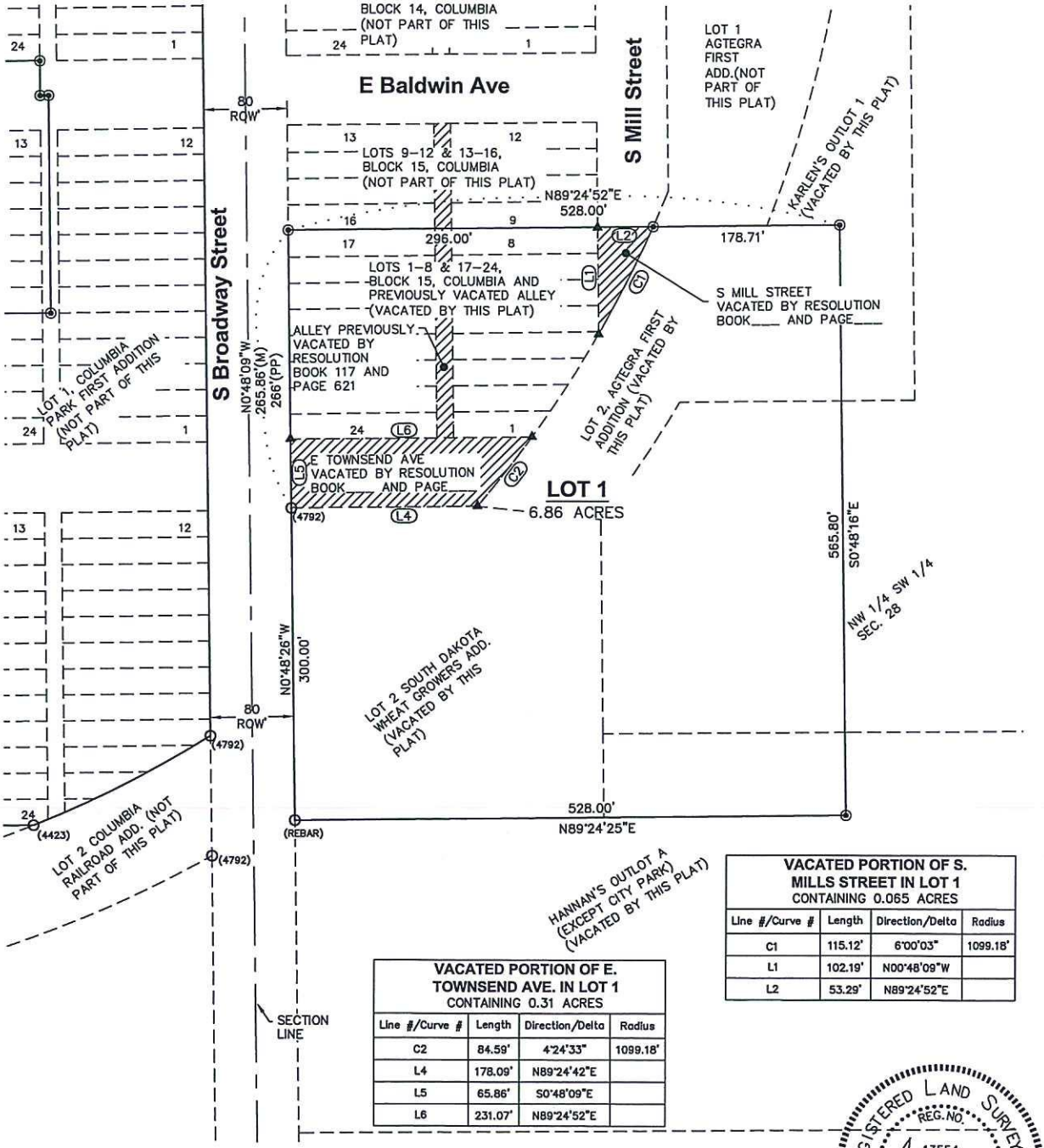
A-8374

PLAT OF

COLUMBIA PARK SECOND ADDITION

TO THE CITY OF COLUMBIA,

IN THE SW 1/4 OF SECTION 28-T125N-R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA



VACATED PORTION OF S. MILLS STREET IN LOT 1
CONTAINING 0.065 ACRES

Line #/Curve #	Length	Direction/Delta	Radius
C1	115.12'	6°00'03"	1099.18'
L1	102.19'	N00°48'09"W	
L2	53.29'	N89°24'52"E	

VACATED PORTION OF E. TOWNSEND AVE. IN LOT 1
CONTAINING 0.31 ACRES

Line #/Curve #	Length	Direction/Delta	Radius
C2	84.59'	4°24'33"	1099.18'
L4	178.09'	N89°24'42"E	
L5	65.86'	S0°48'09"E	
L6	231.07'	N89°24'52"E	

BASIS OF BEARINGS

SD STATE PLANE NORTH ZONE
NAD 83 (2011) US SURVEY FEET
DISTANCES ARE GROUND

100 0 50 100
(IN FEET)
1 Inch = 100 ft.

ACCESS OF LOTS IS CONTROLLED BY THE CITY OF COLUMBIA

LEGEND

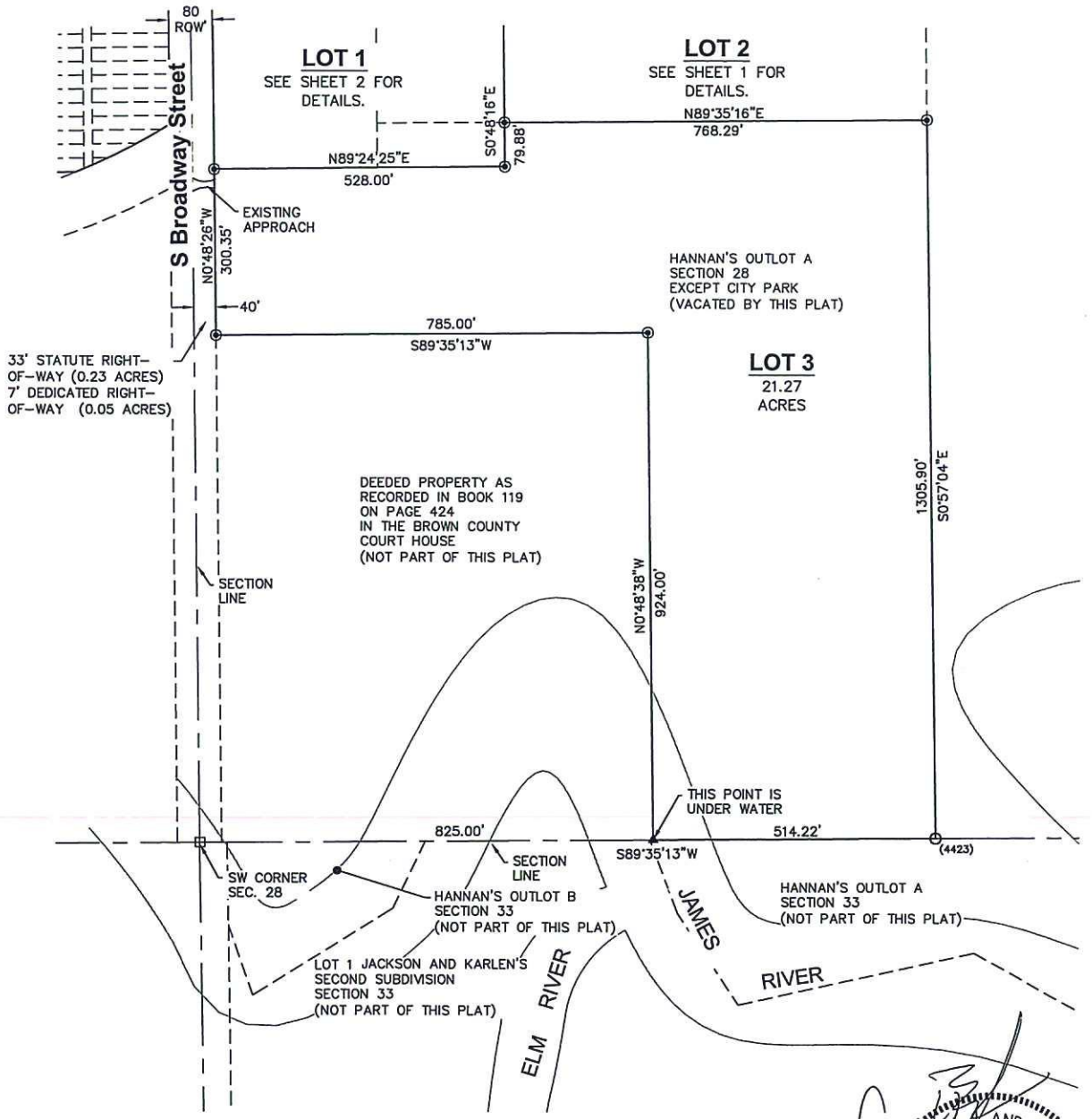
- O FOUND PROPERTY CORNER
- ◉ SET 5/8" X 18" REBAR WITH SURVEY CAP STAMPED BIEGLER RLS 13554
- □ 3/4" DRILL HOLE IN CONCRETE
- ▲ CALCULATED POSITION

REGISTERED LAND SURVEYOR
REG. NO.
13554
CORY L. BIEGLER
SOUTH DAKOTA
10/21/2024

Helms & ASSOCIATES
CIVIL ENGINEERS & LAND SURVEYORS
416 PRODUCTION STREET N.
P.O. Box 111
Aberdeen, S.D. 57401
Phone: 605.225.1212
Fax: 605.225.3189

A-8374

PLAT OF
COLUMBIA PARK SECOND ADDITION
TO THE CITY OF COLUMBIA,
IN THE SW 1/4 OF SECTION 28-T125N-R62W OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA



REGISTERED LAND SURVEYOR
REG. NO. 13554
CORY L. BIEGLER
SOUTH DAKOTA
10/21/2022

BASIS OF BEARINGS

SD STATE PLANE NORTH ZONE
NAD 83 (2011) US SURVEY FEET
DISTANCES ARE GROUND

200 0 100 200
(IN FEET)
1 Inch = 200 ft.

LEGEND

- O FOUND PROPERTY CORNER
- ◉ SET 5/8" X 18" REBAR WITH SURVEY CAP STAMPED BIEGLER RLS 13554
- □ 3/4" DRILL HOLE IN CONCRETE
- ▲ CALCULATED POSITION

ACCESS OF LOTS IS CONTROLLED BY THE CITY OF COLUMBIA

Helms & ASSOCIATES
CIVIL ENGINEERS & LAND SURVEYORS
416 PRODUCTION STREET N.
P.O. Box 111
Aberdeen, S.D. 57401
Phone: 605.225.1212
Fax: 605.225.3189

PLAT OF
COLUMBIA PARK SECOND ADDITION
TO THE CITY OF COLUMBIA,
IN THE SW 1/4 OF SECTION 28-T125N-R62W OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA

OWNER'S CERTIFICATE

WE, COLUMBIA BASEBALL PARK LLC, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF LOT 2 AGTEGRA FIRST ADDITION TO THE CITY OF COLUMBIA, IN THE SW 1/4 OF SECTION 28–T125N–R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA AND LOTS 1–8 & 17–24, BLOCK 15 ORIGINAL PLAT OF COLUMBIA, IN THE SW 1/4 OF SECTION 28–T125N–R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA, AND THAT WE HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN ON THE ATTACHED PLAT WHICH SHALL BE HEREAFTER KNOWN AND DESCRIBED AS; COLUMBIA PARK SECOND ADDITION TO THE CITY OF COLUMBIA, IN THE SW 1/4 OF SECTION 28–T125N–R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA, AS SHOWN BY THIS PLAT, AND THAT DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION AND SEDIMENT CONTROL REGULATIONS.

BY THIS PLAT, WE, COLUMBIA BASEBALL PARK LLC, DO HEREBY VACATE LOT 2 AGTEGRA FIRST ADDITION TO THE CITY OF COLUMBIA, IN THE SW 1/4 OF SECTION 28–T125N–R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA AS FILED FOR RECORD ON _____ AND DULY RECORDED AS PLAT NO. _____.

AND DO HEREBY VACATE LOTS 1–8 & 17–24, BLOCK 15 ORIGINAL PLAT OF COLUMBIA, IN THE SW 1/4 OF SECTION 28–T125N–R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA AS FILED FOR RECORD ON 22ND OF AUGUST 1881 AND DULY RECORDED AS PLAT NO. 32.

COLUMBIA BASEBALL PARK LLC

Dean L. Buntrock MANAGER
NAME TITLE

Signed this 31st day of October, 2022

CORPORATE ACKNOWLEDGEMENT

STATE OF Illinois)
COUNTY OF DuPAGE)SS
ON THIS THE 31st DAY OF October, 2022 BEFORE ME, Catherine Laraia Nguyen, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED Dean L. Buntrock OF COLUMBIA BASEBALL PARK LLC, AND THAT HE/SHE, AS SUCH AS Manager, BEING AUTHORIZED SO TO DO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED, BY SIGNING THE NAME OF Dean L. Buntrock BY HIMSELF/HERSELF AS Manager.

IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: November 09, 2024

Catherine Laraia Nguyen
NOTARY PUBLIC

CATHERINE LARAIA NGUYEN
OFFICIAL SEAL
Notary Public, State of Illinois
My Commission Expires
November 09, 2024

OWNER'S CERTIFICATE

WE, LARSON LAND LIMITED PARTNERSHIP, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF LOT 2 SOUTH DAKOTA WHEAT GROWERS ADDITION TO THE CITY OF COLUMBIA, IN THE SW 1/4 OF SECTION 28–T125N–R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA, AND HANNAN'S OUTLOT A (EXCEPT CITY PARK), IN THE SW 1/4 OF SW 1/4 OF SECTION 28–T125N–R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA, AND KARLEN'S OUTLOT 1, TO COLUMBIA IN THE SW 1/4 OF SECTION 28–T125N–R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA, AND UNPLATTED LAND IN THE NW 1/4 SW 1/4 OF SECTION 28–T125N–R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA AND THAT WE HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN ON THE ATTACHED PLAT WHICH SHALL BE HEREAFTER KNOWN AND DESCRIBED AS; COLUMBIA PARK SECOND ADDITION TO THE CITY OF COLUMBIA, IN THE SW 1/4 OF SECTION 28–T125N–R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA, AS SHOWN BY THIS PLAT, AND THAT DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION AND SEDIMENT CONTROL REGULATIONS.

BY THIS PLAT, WE, LARSON LAND LIMITED PARTNERSHIP, DO HEREBY VACATE LOT 2 SOUTH DAKOTA WHEAT GROWERS ADDITION TO THE CITY OF COLUMBIA, IN THE SW 1/4 OF SECTION 28–T125N–R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA AS FILED FOR RECORD ON 31ST OF DECEMBER 1996 AND DULY RECORDED AS PLAT NO. 1093.

AND DO HEREBY VACATE THAT HANNAN'S OUTLOT A (EXCEPT CITY PARK), IN THE SW 1/4 OF SW 1/4 OF SECTION 28–T125N–R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA AS FILED FOR RECORD ON 20TH OF APRIL 1918 AND DULY RECORDED AS PLAT NO. 280.

AND DO HEREBY VACATE KARLEN'S OUTLOT 1, TO COLUMBIA IN THE SW 1/4 OF SECTION 28–T125N–R62W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA AS FILED FOR RECORD ON 14TH OF OCTOBER 1968 AND DULY RECORDED AS PLAT NO. 478.

LARSON LAND LIMITED PARTNERSHIP

Ray Larson Partner
NAME TITLE

Signed this 29 day of November, 2022

CORPORATE ACKNOWLEDGEMENT

STATE OF South Dakota)
COUNTY OF Brown)SS
ON THIS THE 29 DAY OF November, 2022, BEFORE ME, Kari A. Bartling, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED Ray Larson OF LARSON LAND LIMITED PARTNERSHIP, AND THAT HE/SHE, AS SUCH AS Partner, BEING AUTHORIZED SO TO DO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED, BY SIGNING THE NAME OF Ray Larson BY HIMSELF/HERSELF AS Partner.

IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

KARI L. BARTLING NOTARY PUBLIC SOUTH DAKOTA

MY COMMISSION EXPIRES: 10-14-2027

NOTARY PUBLIC

PLAT OF
COLUMBIA PARK SECOND ADDITION
TO THE CITY OF COLUMBIA,
IN THE SW 1/4 OF SECTION 28-T125N-R62W OF THE 5th P.M.,
BROWN COUNTY, SOUTH DAKOTA

SURVEYOR'S CERTIFICATE

I, CORY L. BIEGLER, A REGISTERED LAND SURVEYOR OF ABERDEEN, SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE REQUEST OF THE OWNERS, I HAVE SURVEYED AND PLATTED "COLUMBIA PARK SECOND ADDITION TO THE CITY OF COLUMBIA, IN THE SW 1/4 OF SECTION 28-T125N-R62W 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. I FURTHER CERTIFY THAT THE WITHIN AND FOREGOING PLAT IS IN ALL RESPECTS TRUE AND CORRECT.

DATED THIS 21th DAY OF OCTOBER, 2022.

CORY L. BIEGLER RLS #13554

APPROVAL BY CITY

I HEREBY CERTIFY THAT THE FOLLOWING IS A CORRECT COPY OF THE RESOLUTION DULY PASSED BY THE CITY COUNCIL OF COLUMBIA, SOUTH DAKOTA AT A MEETING HELD ON THE 1st DAY OF December, 2022.

"BE IT RESOLVED BY THE CITY COUNCIL OF COLUMBIA, SOUTH DAKOTA, THAT THE PLAT SHOWING "COLUMBIA PARK SECOND ADDITION TO THE CITY OF COLUMBIA, IN THE SW 1/4 OF SECTION 28-T125N-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."

FINANCE OFFICER OF THE CITY OF COLUMBIA, SOUTH DAKOTA

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 "COLUMBIA PARK SECOND ADDITION TO THE CITY OF COLUMBIA, IN THE SW 1/4 OF SECTION 28-T125N-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 "COLUMBIA PARK SECOND ADDITION TO THE CITY OF COLUMBIA, IN THE SW 1/4 OF SECTION 28-T125N-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

A-8374

PLAT OF
COLUMBIA PARK SECOND ADDITION
TO THE CITY OF COLUMBIA,
IN THE SW 1/4 OF SECTION 28-T125N-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 COUNTY 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: _____ 11-30-22
HIGHWAY AUTHORITY

TITLE: Supt. Brown Co. HWY

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

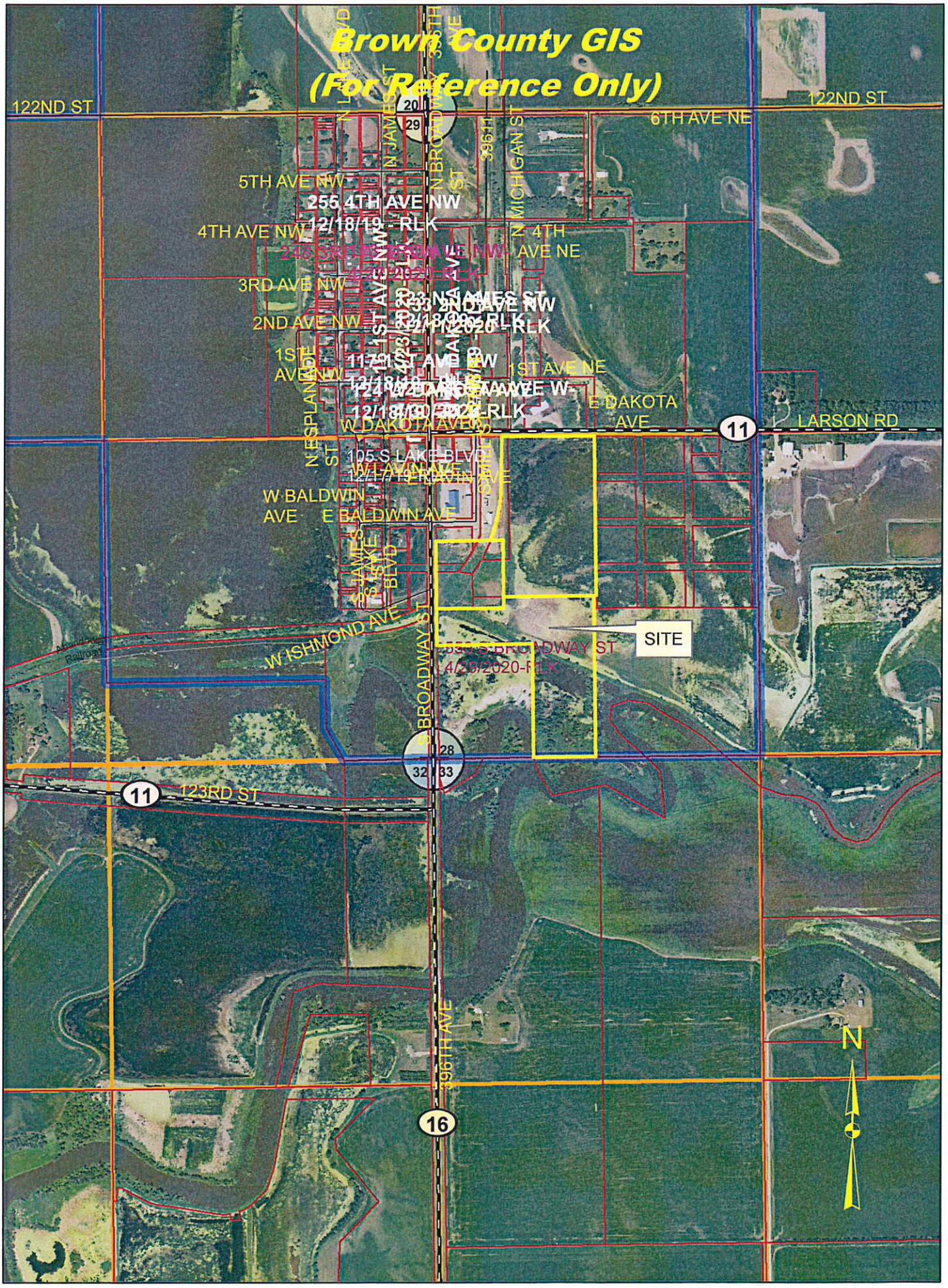
I HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON ANY OF THE LANDS INCLUDED IN THE ABOVE PLAT ARE SHOWN BY THE RECORDS OF MY OFFICE TO BE FULLY PAID. SIGNED THIS _____ DAY OF _____, 20____.

_____
COUNTY TREASURER, BROWN COUNTY, SOUTH DAKOTA

REGISTER OF DEED'S CERTIFICATE

FILED FOR RECORD THIS _____ DAY OF _____, 20____ AT ____ ____O'CLOCK _____, AND DULY RECORDED IN HANGING PLATS NO. _____.

_____
REGISTER OF DEEDS, BROWN COUNTY, SOUTH DAKOTA


Brown County GIS
(For Reference Only)
122ND ST
122ND ST
6TH AVE NE
5TH AVE NW
4TH AVE NW
3RD AVE NW
2ND AVE NW
1ST AVE NW
1ST AVE NE
N JAMES ST
N BROADWAY
N MICHIGAN ST
N ESPLANADE
W DAKOTA AVE
E DAKOTA AVE
LARSON RD
W BALDWIN AVE
E BALDWIN AVE
W ISHMOND AVE
S BROADWAY ST
SITE
123RD ST
396TH AVE
11
16
N

Brown County GIS
(For Reference Only)
117 1ST AVE NW
12/18/19 - RLK
124 W DAKOTA AVE W-
12/18/19 - RLK
112 E DAKOTA AVE
12/18/19 - RLK
105 S LAKE BLVD
12/17/19-RLK
550 S BROADWAY ST
4/29/2020-RLK
W DAKOTA AVE
E DAKOTA AVE
N BROADWAY
N MICHIGAN ST
N JAMES ST
W LAVIN AVE
E LAVIN AVE
S MILL ST
W BALDWIN AVE
E BALDWIN AVE
S LAKE BLVD
S JAMES ST
W ISHMOND AVE
S BROADWAY ST
396TH AVE
123RD ST
LOT 1
LOT 2
LOT 3
COLUMBIA PARK
SECOND ADDITION
SITE
16
11
N

STAFF REPORT

December 20, 2022

BROWN COUNTY PLANNING COMMISSION

PRELIMINARY & FINAL PLAT ***ITEM # 17***

GENERAL INFORMATION:

PETITIONER:	John Emmett
REQUEST:	**PRELIMINARY & FINAL PLAT**
LEGAL DESCRIPTION:	"Emmett's First Subdivision" in the SE1/4 of Section 30-T124N-R64W of the 5th P.M., Brown County, South Dakota
LOCATION:	38280 129th Street
CITY/TOWNSHIP:	Lincoln Twp
EXISTING ZONING	Mini-Agriculture District (M-AG)
SURROUNDING ZONING:	
North:	Mini-Agriculture District (M-AG)
South:	Agriculture Preservation District (AG-P)
East:	Mini-Agriculture District (M-AG)
West:	Mini-Agriculture District (M-AG)
PUBLIC UTILITIES:	WEB Water
REPORTED BY:	Ron Keller

GENERAL COMMENT: The petitioner is requesting this Preliminary & Final Plat for financial purposes.

GENERAL REVIEW: Staff has reviewed this plat.

PLAT APPROVAL CHECKLIST

SUBDIVISION NAME: Emmett First Subdivision

LEGAL SECTION: QUARTER: SE **SECTION:** 30 **TOWNSHIP:** 124 **RANGE:** 64

MANDATORY LOTS: 1 **TRACTS** _____ **PARCELS** _____ **OUTLOTS** _____ **OTHER** _____

SCHOOL DISTRICT: Aberdeen

UTILITIES: WEB Water

OWNERS NAMES: John Emmett _____

OWNERS NAMES: _____ _____

ENGINEER OR SURVEYOR: Robert Kieso (Helms & Associates)

TYPE: PRELIMINARY _____ FINAL _____ BOTH X (both is allowed if there is not a new road needed)

PLAT FEE PER PLAT: $100.00 DATE PAID: 12 / 02 /2022

RECEIVED BY PLANNING DEPARTMENT: 12 / 02 /2022 BY: Ron Keller

REASON FOR PLAT: DEVELOPMENT ___ CONVEYANCE ___ FINANCIAL PURPOSES X OTHER ___

ORIGINAL PLAT DRAWN ON: 11 x 17 MYLAR X 11 x 17 PHOTO PAPER ___ OTHER _____

STREETS/ROADS NAMED PROPERLY: X **NEW STREETS/ROADS REQUIRE PRELIMINARY PLAT:** _____

EXISTING ACCESS SHOWN ON PLAT: X **ACCESS PERMISSION NEEDED BY:** SD___ BC ___ TWP ___

FULLY DIMENSIONED FROM SECTION CORNER: X **OR QUARTER CORNER:** ___ **OR KNOWN MARKER:** ___

PLAT NAME CHECKED FOR DUPLICATION OR SIMILARITIES IN DEEDS OFFICE: X

HIGHWAY SIGNATURE LINE SHOWN: (State, County & Township) X **SIGNATURE LINE SIGNED:** X

TAXES PAID IN FULL: (on all lots involved) FOR THE YEAR X **TREASURER SIGNATURE LINE SIGNED** X

BOLD BOUNDARY DRAWN AROUND COMPLETE LOT: X **PROPERTY PINS SHOWN ON ALL CORNERS:** X

REGULAR BOUNDARY LINE DRAWN AROUND R-O-W X

AFTER PLANNING COMMISSION MEETING

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: November 30, 2022 *FEES:* $100.00
RECEIPT # 816722 *PAID:* (YES)/NO (CHK)/CASH
TOWNSHIP: Lincoln Twp *DATE:* 12/2/2022

OWNERS SIGNATURE: John Emmett
OWNERS ADDRESS: 38280 129th St
OWNERS CITY, STATE, ZIP: Aberdeen, SD 57401
OWNERS PHONE: 228 4075

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

REQUEST: Preliminary & Final Plat

LEGAL DESCRIPTION: "Emmett's First Subdivision" in the SE1/4 of Section 30-T124N-R64W of the 5th P.M., Brown County, South Dakota

Planning Commission Action: Approved / Denied

By: ***Date:***

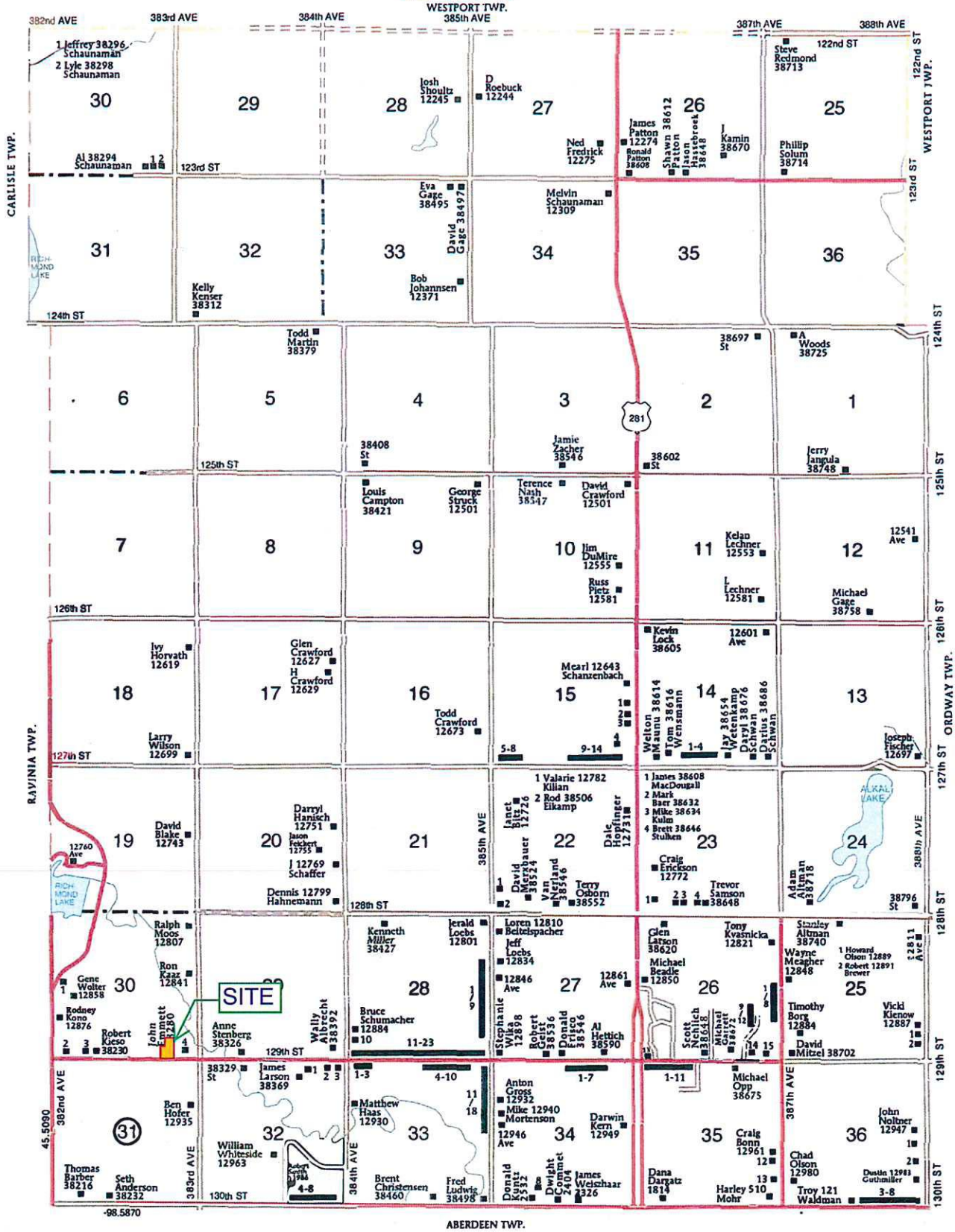
HEARING DATE: December 20, 2022 **TIME:** 7:00 pm

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

T-124-125-N LINCOLN DIRECTORY R-64-W

(Residents - Owners or Renters)



LINCOLN TOWNSHIP

SECTION 14
1 Merriman, Rich 38620
2 Carlson, Perry 38630
3 Allbee, K 38632
4 Mount, Bill 38634

SECTION 15
1 Schaunaman, Mysty 12657
2 Berg, Tom 12663
3 Heath, Pat 12667
4 Kiesz, Marvin 12685
5 Sawatzky, Michael 38502
6 Carroll, Jared 38504
7 Frohling, Leslie 38512
8 Kamphus, Dustin 38518
9 Williams, Eugene 38552
10 Black, Casey 38556
11 Mitzel, Michael 38560
12 Malsam, Adam 38570
13 Nelson, Mark 38574
14 Madsen, Scott 38576

SECTION 26S
1 Wetenkamp, Lloyd D 12847
2 Hedges, Kendall 38693
3 Labay, Richard 12851
4 Kolb, Myron 12855
5 Heidrich, Asher 12857
6 Wacholz, B 12861
7 Simonson, Lee 12869
8 Rychlik, Travis 12875
9 Keller, Mike 12862
10 Matthews, Joshua 12866
11 Vetch, David 12870
12 Call, Ty 12874
13 Johnson, Brandon 38608
14 Wahl, Eldon 38686
15 Kaan, Jason 38690

SECTION 28S
1 Drageset, Jamie 12833
2 Adolf, Gregory 12839
3 Hoeltzner, Curtis 12843
4 Wilkie, Chad 12845
5 Carlson, Cartor 12853
6 Vining, Brad 12861
7 Aman, Dwight 12871
8 Kotzea, Dale 12881
9 Rau, Scott 12891
10 Bulsing, Bren 12888
11 Bitz, Marvin 38404
12 Gab, Dale 38406
13 Poor, Dustin 38412
14 Schauer, Shane 38414
15 Bellikka, Neil 38424
16 Royer, Toby 38434
17 Jakober, Glenn 38452
18 Buechler, Todd 38460
19 Siefken, Lon 38464
20 Habeck, F 38474
21 Kamm, Casey 38478
22 Waage, Adam 38484
23 Peterson, Kenneth 38488

SECTION 30S
1 Odde, Kirby 12852
2 Schlagel, Gene 38206
3 38228
4 Mandel, Lonnie 38294

SEE PAGE 21 FOR ADDITIONAL NAMES NOT LISTED ON MAPS.

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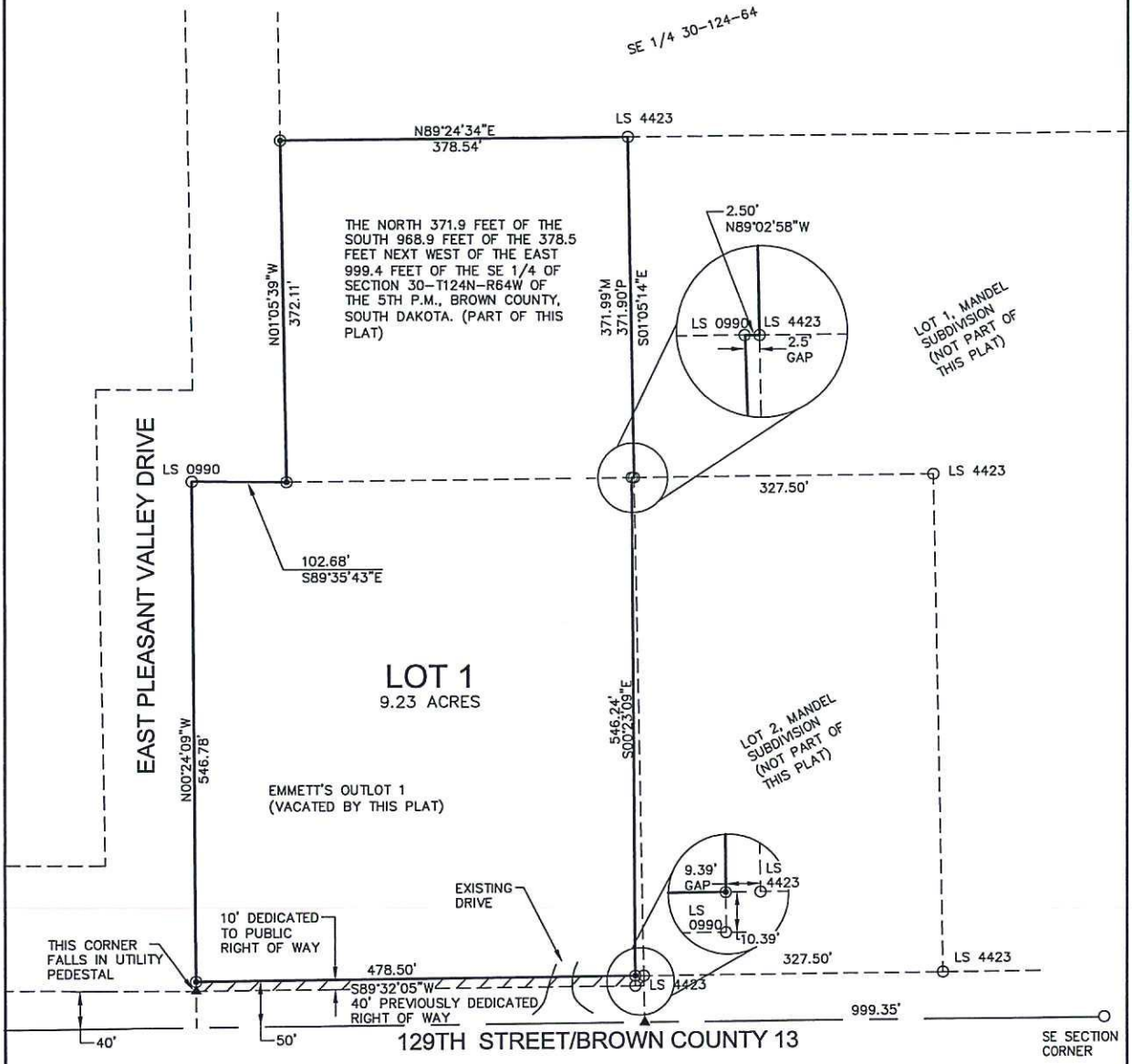
A-9019

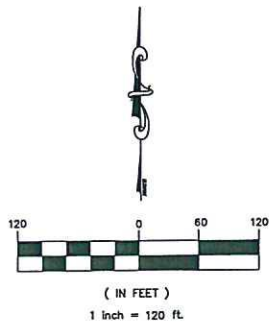
PLAT OF

EMMETT'S FIRST SUBDIVISION
IN THE SE 1/4 OF SECTION 30-T124N-R64W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA



LEGEND

- ○ FOUND PROPERTY CORNER
- ◉ SET 5/8" X 18" REBAR WITH SURVEY CAP STAMPED KIESO RLS 9214
- ■ SET 3" SPIKE W/ WASHER STAMPED KIESO RLS 9214
- ▲ CALCULATED POSITION
- M MEASURED IN FIELD
- P PREVIOUSLY PLATTED
- ▨ DEDICATED TO PUBLIC RIGHT OF WAY



BASIS OF BEARINGS

SD STATE PLANE NORTH ZONE
NAD 83 (2011) US SURVEY FEET
DISTANCES ARE GROUND

Helms & ASSOCIATES
CIVIL ENGINEERS & LAND SURVEYORS
416 PRODUCTION STREET N.
P.O. Box 111
Aberdeen, S.D. 57401
Phone: 605.225.1212
Fax: 605.225.3189

DWG. 9019-LS	BY: BKK	SHEET 1 OF 3

A-9019

PLAT OF
EMMETT'S FIRST SUBDIVISION
IN THE SE 1/4 OF SECTION 30-T124N-R64W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA

OWNER'S CERTIFICATE

WE, JOHN W. EMMETT JR. REVOCABLE LIVING TRUST, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF EMMETT'S OUTLOT 1 IN THE SE 1/4 OF SECTION 30 T124N R64W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA, AND THAT WE HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN ON THE ATTACHED PLAT WHICH SHALL BE HEREAFTER KNOWN AND DESCRIBED AS; EMMETT'S FIRST SUBDIVISION IN THE SE 1/4 OF SECTION 30-T124N-R64W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA, AS SHOWN BY THIS PLAT, AND WE HEREBY DEDICATE TO THE PUBLIC, FOR PUBLIC USE FOREVER AS SUCH, THE STREETS AND ALLEYS, IF ANY, AS SHOWN AND MARKED ON SAID PLAT; AND THAT DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION AND SEDIMENT CONTROL REGULATIONS.

BY THIS PLAT, (I/WE)(COMPANY NAME) DO HEREBY VACATE EMMETT'S OUTLOT 1 IN THE SE 1/4 OF SECTION 30 T124N R64W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA AS FILED FOR RECORD ON JUNE 6, 2005 AND DULY RECORDED AS PLAT NO. 2135, IN THE BROWN COUNTY REGISTER OF DEEDS OFFICE.

JOHN W. EMMETT JR. REVOCABLE LIVING TRUST

_____
JOHN W. EMMETT (TRUSTEE)

Signed this _____ day of _____, 20____

OWNER'S CERTIFICATE

I, JOHN EMMETT, DO HEREBY CERTIFY THAT I AM THE OWNER OF THE NORTH 371.9 FEET OF THE SOUTH 968.9 FEET OF THE 378.5 FEET NEXT WEST OF THE EAST 999.4 FEET OF THE SE 1/4 OF SECTION 30-T124N-R64W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA, AND THAT I HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN ON THE ATTACHED PLAT WHICH SHALL BE HEREAFTER KNOWN AND DESCRIBED AS; EMMETT'S FIRST SUBDIVISION IN THE SE 1/4 OF SECTION 30-T124N-R64W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA, AS SHOWN BY THIS PLAT, AND WE HEREBY DEDICATE TO THE PUBLIC, FOR PUBLIC USE FOREVER AS SUCH, THE STREETS AND ALLEYS, IF ANY, AS SHOWN AND MARKED ON SAID PLAT; AND THAT DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION AND SEDIMENT CONTROL REGULATIONS.

_____
JOHN EMMETT

Signed this _____ day of _____, 20____

ACKNOWLEDGMENT

STATE OF)
COUNTY OF)SS

ON THIS THE _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED JOHN W. EMMETT (TRUSTEE) 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.

MY COMMISSION EXPIRES: _____

_____
NOTARY PUBLIC

ACKNOWLEDGMENT

STATE OF)
COUNTY OF)SS

ON THIS THE _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED JOHN EMMETT 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.

MY COMMISSION EXPIRES: _____

_____
NOTARY PUBLIC

SURVEYOR'S CERTIFICATE

I, ROBERT K. KIESO, A REGISTERED LAND SURVEYOR OF ABERDEEN, SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE REQUEST OF THE OWNERS, I HAVE SURVEYED AND PLATTED " EMMETT'S FIRST SUBDIVISION IN THE SE 1/4 OF SECTION 30-T124N-R64W 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. I FURTHER CERTIFY THAT THE WITHIN AND FOREGOING PLAT IS IN ALL RESPECTS TRUE AND CORRECT.

DATED THIS ____ DAY OF _____, 20____.

ROBERT K. KIESO RLS #9214

A-9019

PLAT OF
EMMETT'S FIRST SUBDIVISION
IN THE SE 1/4 OF SECTION 30-T124N-R64W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA

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 EMMETT'S FIRST SUBDIVISION IN THE SE 1/4 OF SECTION 30-T124N-R64W 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 EMMETT'S FIRST SUBDIVISION IN THE SE 1/4 OF SECTION 30-T124N-R64W 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

HIGHWAY AUTHORITY CERTIFICATE

THE LOCATION OF THE PROPOSED PROPERTY LINES ABUTTING THE COUNTY OR STATE HIGHWAY, OR THE COUNTY 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: _____

HIGHWAY AUTHORITY

TITLE: _____

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_____.

_____

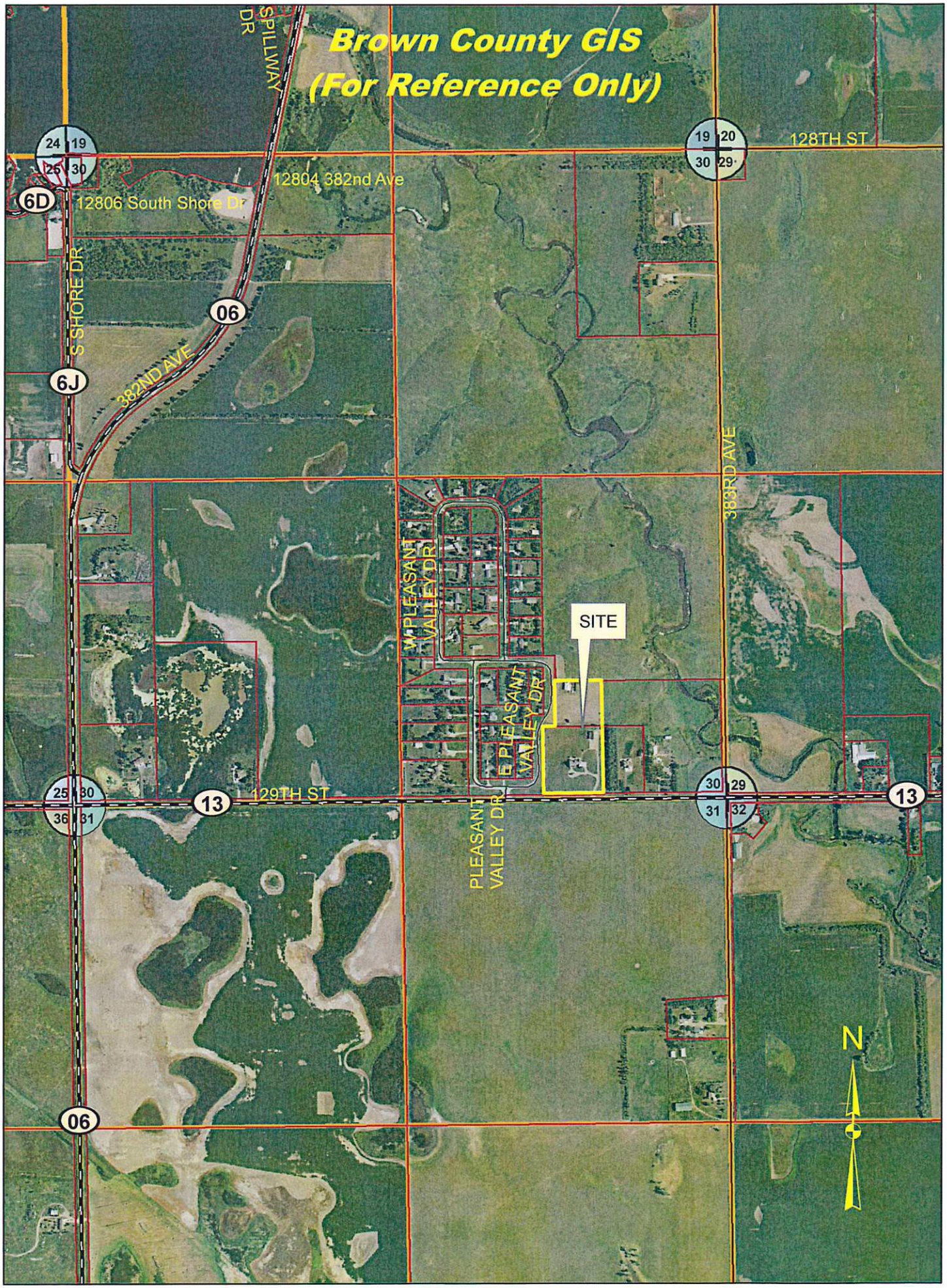
COUNTY TREASURER, BROWN COUNTY, SOUTH DAKOTA

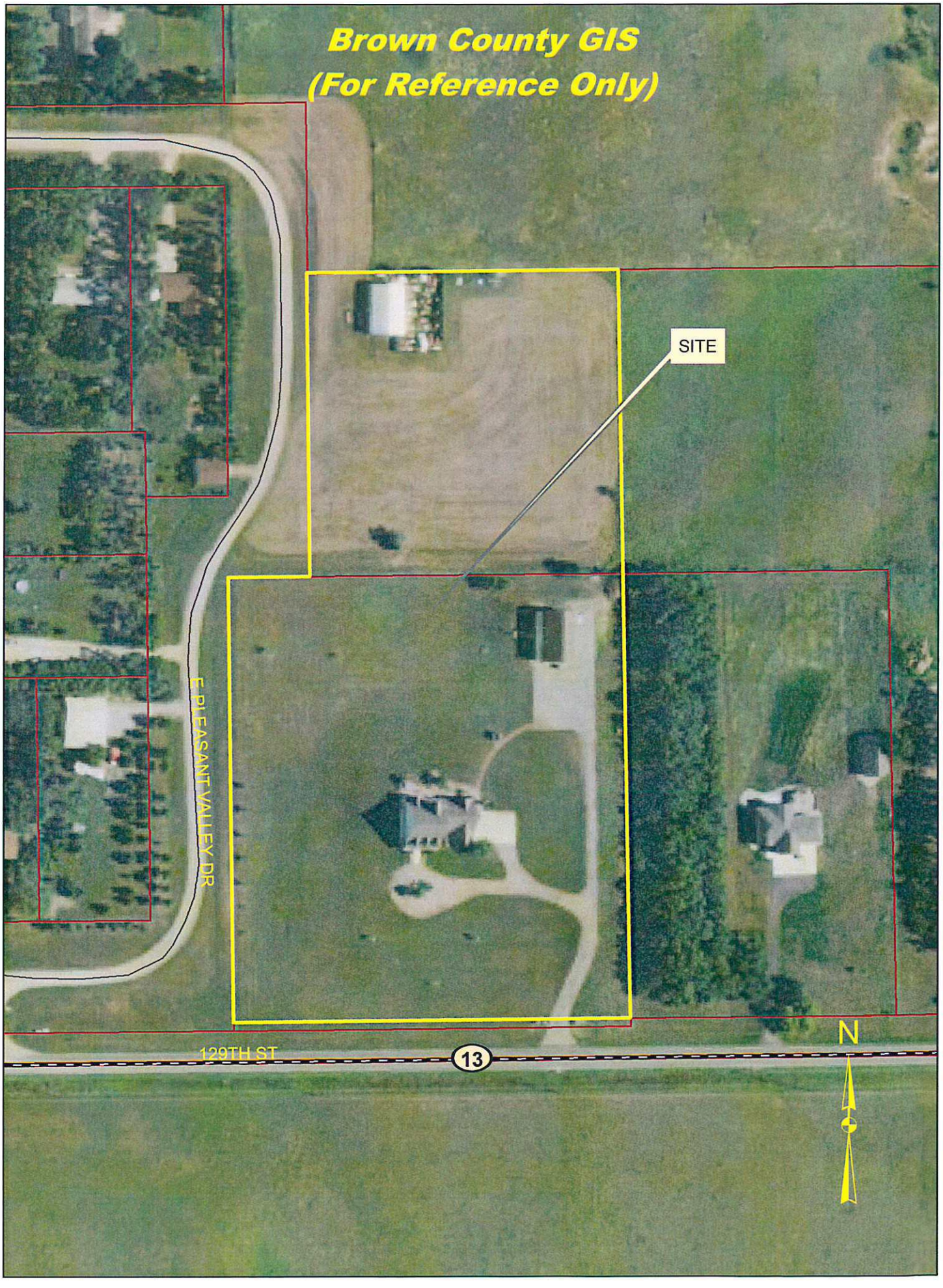
REGISTER OF DEED'S CERTIFICATE

FILED FOR RECORD THIS _____ DAY OF _____, 20____ AT ____ ____O'CLOCK _____, AND DULY RECORDED IN HANGING PLATS NO. _____.

_____

REGISTER OF DEEDS, BROWN COUNTY, SOUTH DAKOTA


Brown County GIS
(For Reference Only)
SPILLWAY DR
12804 382nd Ave
12806 South Shore Dr
S SHORE DR
382ND AVE
06
6D
6J
128TH ST
383RD AVE
W PLEASANT VALLEY DR
E PLEASANT VALLEY DR
PLEASANT VALLEY DR
SITE
129TH ST
13
N


Brown County GIS
(For Reference Only)
SITE
E PLEASANT VALLEY DR
129TH ST
13
N

STAFF REPORT

December 20, 2022

BROWN COUNTY PLANNING COMMISSION

PRELIMINARY & FINAL PLAT ***ITEM # 18***

GENERAL INFORMATION:

PETITIONER:	David Vetch
REQUEST:	**PRELIMINARY & FINAL PLAT**
LEGAL DESCRIPTION:	"David and Sara Vetch First Addition" in the SE1/4 of Section 26-T124N-R64W of the 5th P.M., Brown County, South Dakota
LOCATION:	12870 Cattail Drive
CITY/TOWNSHIP:	Lincoln Twp
EXISTING ZONING	Mini-Agriculture District (M-AG)
SURROUNDING ZONING:	
North:	Mini-Agriculture District (M-AG)
South:	Mini-Agriculture District (M-AG)
East:	Mini-Agriculture District (M-AG)
West:	Mini-Agriculture District (M-AG)
PUBLIC UTILITIES:	WEB Water
REPORTED BY:	Ron Keller

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

GENERAL REVIEW: Staff has reviewed this plat.

PLAT APPROVAL CHECKLIST

SUBDIVISION NAME: David and Sara Vetch Addition

LEGAL SECTION: QUARTER: SE **SECTION:** 26 **TOWNSHIP:** 124 **RANGE:** 64

MANDATORY LOTS: 1, 2 TRACTS _____ PARCELS _____ OUTLOTS _____ OTHER _____

SCHOOL DISTRICT: Aberdeen

UTILITIES: WEB Water

OWNERS NAMES: David & Sara Vetch _____

OWNERS NAMES: _____ _____

ENGINEER OR SURVEYOR: Robert Kieso (Helms & Associates)

TYPE: PRELIMINARY _____ FINAL _____ BOTH X (both is allowed if there is not a new road needed)

PLAT FEE PER PLAT: $100.00 DATE PAID: 12 / 2 /20 22

RECEIVED BY PLANNING DEPARTMENT: 12 / 2 /2022 BY: Ron Keller

REASON FOR PLAT: DEVELOPMENT ___ CONVEYANCE X FINANCIAL PURPOSES ___ OTHER ___

ORIGINAL PLAT DRAWN ON: 11 x 17 MYLAR X 11 x 17 PHOTO PAPER _____ OTHER _____

STREETS/ROADS NAMED PROPERLY: X **NEW STREETS/ROADS REQUIRE PRELIMINARY PLAT:** _____

EXISTING ACCESS SHOWN ON PLAT: ____ **ACCESS PERMISSION NEEDED BY:** SD____ BC _____ TWP ____(Road District)

FULLY DIMENSIONED FROM SECTION CORNER: ____ **OR QUARTER CORNER:** ____ **OR KNOWN MARKER:** X

PLAT NAME CHECKED FOR DUPLICATION OR SIMILARITIES IN DEEDS OFFICE: X

HIGHWAY SIGNATURE LINE SHOWN: (State, County & Township) NA **SIGNATURE LINE SIGNED:** NA

TAXES PAID IN FULL: (on all lots involved) FOR THE YEAR X **TREASURER SIGNATURE LINE SIGNED** X

BOLD BOUNDARY DRAWN AROUND COMPLETE LOT: X **PROPERTY PINS SHOWN ON ALL CORNERS:** X

REGULAR BOUNDARY LINE DRAWN AROUND R-O-W X

AFTER PLANNING COMMISSION MEETING

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: December 2, 2022 *FEES:* $100.00
RECEIPT # 816725 *PAID:* YES/NO CHK/CASH
TOWNSHIP: Lincoln Twp *DATE:* 12/2/2022

OWNERS SIGNATURE: David Vetch
OWNERS ADDRESS: 12870 Cattail Drive
OWNERS CITY, STATE, ZIP: Aberdeen, SD 57401
OWNERS PHONE: 605-218-0072

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

REQUEST: Preliminary & Final Plat

LEGAL DESCRIPTION: "David and Sara Vetch First Addition" in the SE1/4 of Section 26-T124N-R64W of the 5th P.M., Brown County, South Dakota

Planning Commission Action: Approved / Denied

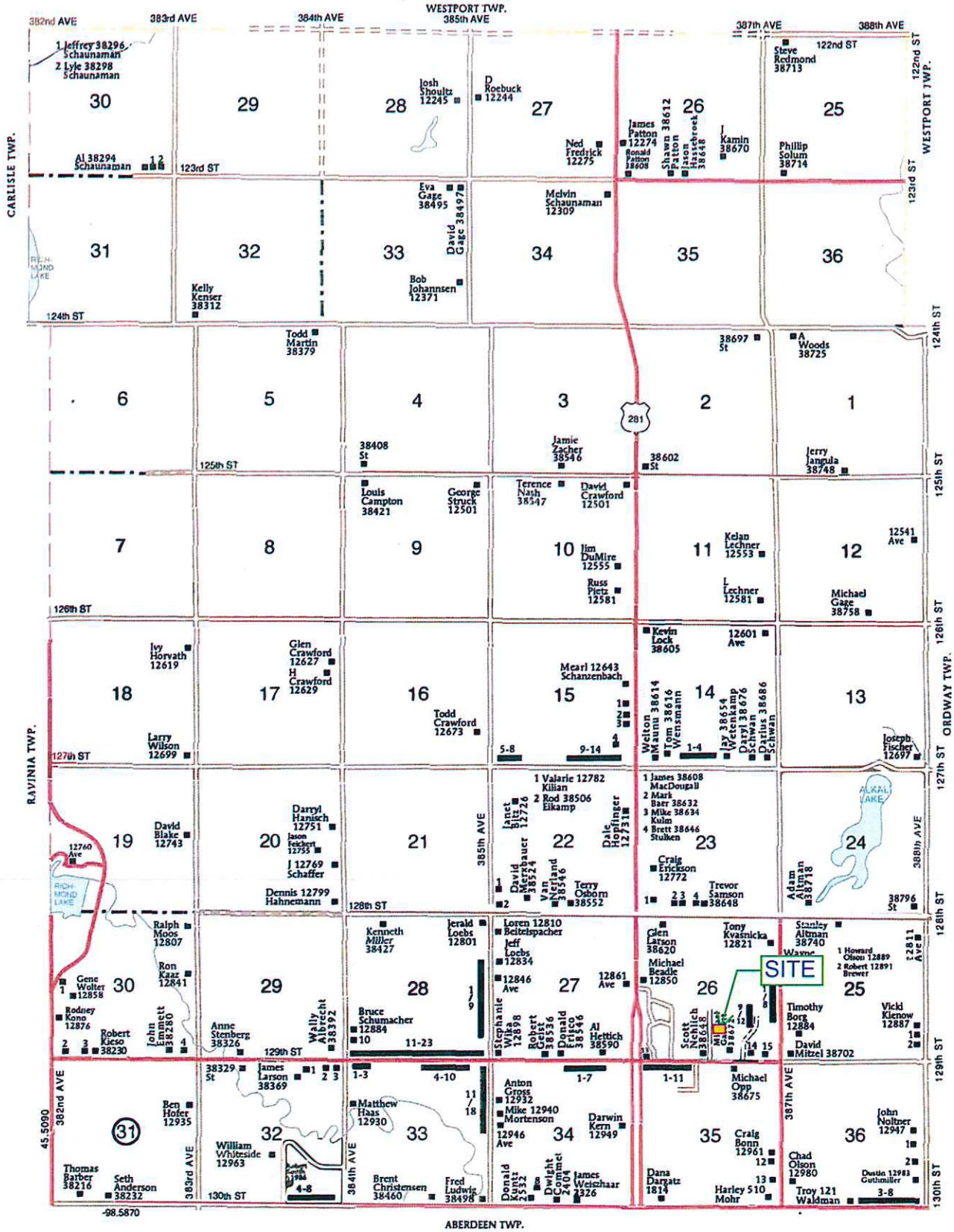
By: ***Date:***

HEARING DATE: December 20, 2022 **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

T-124-125-N LINCOLN DIRECTORY R-64-W

(Residents - Owners or Renters)



LINCOLN TOWNSHIP

SECTION 14
1 Merriman, Rich 38620
2 Carlson, Perry 38630
3 Allbee, K 38632
4 Mount, Bill 38634

SECTION 15
1 Schaunaman, Mysty 12657
2 Berg, Tom 12663
3 Heath, Pat 12667
4 Kiesz, Marvin 12685
5 Sawatzky, Michael 38502
6 Carroll, Jared 38504
7 Frohling, Leslie 38512
8 Kamphus, Dustin 38518
9 Williams, Eugene 38552
10 Black, Casey 38556
11 Mitzel, Michael 38560
12 Malsam, Adam 38570
13 Nelson, Mark 38574
14 Madsen, Scott 38576

SECTION 26S
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2 Hedges, Kendall 38693
3 Labay, Richard 12851
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21 Kamm, Casey 38478
22 Waage, Adam 38484
23 Peterson, Kenneth 38488

SECTION 30S
1 Odde, Kirby 12852
2 Schlagel, Gene 38206
3 38228
4 Mandel, Lonnie 38294

SEE PAGE 21 FOR ADDITIONAL NAMES NOT LISTED ON MAPS.

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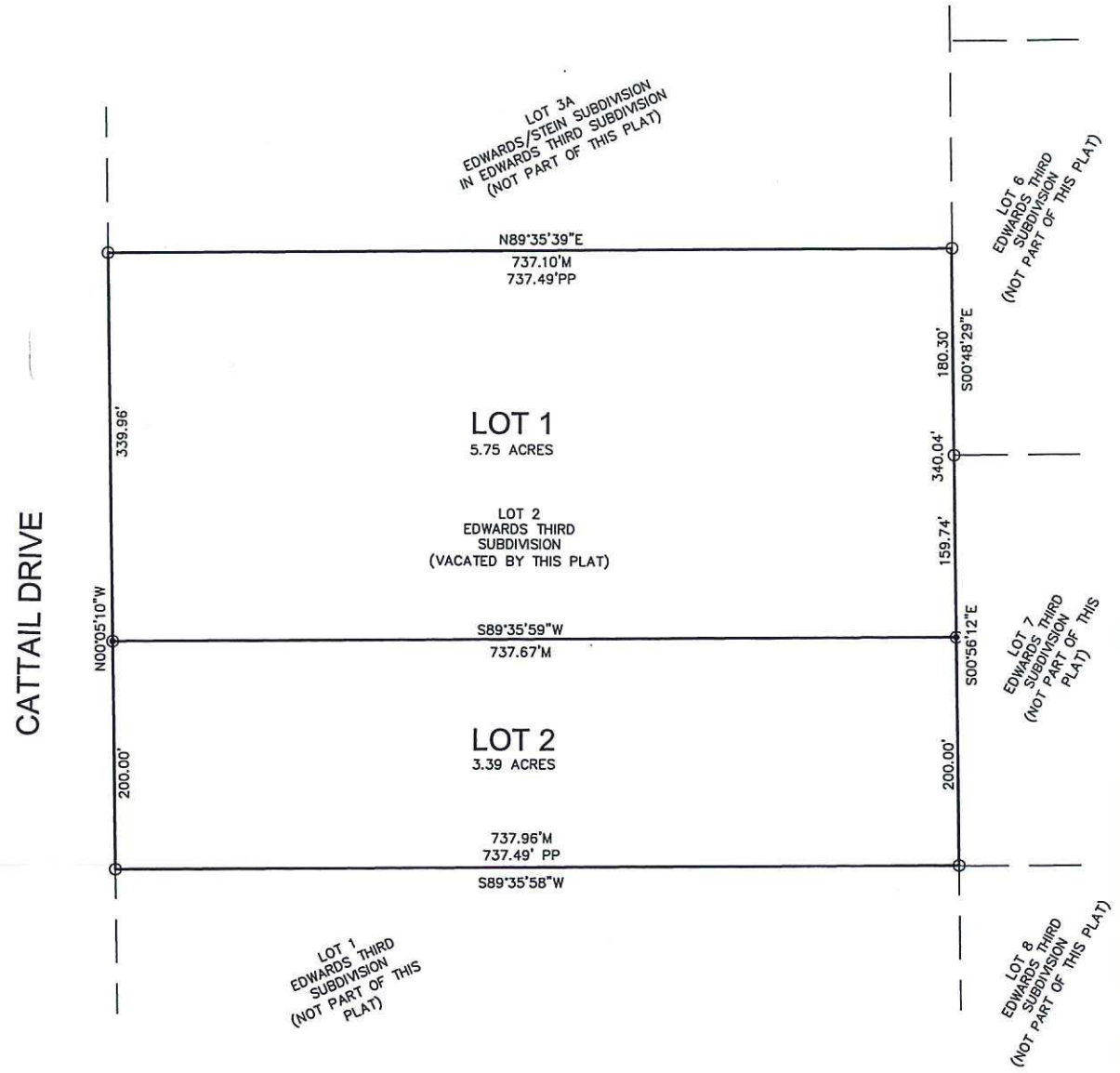
A-9037

PLAT OF

DAVID AND SARA VETCH FIRST ADDITION
IN THE SE 1/4 OF SECTION 26-T124N-R64W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA



LEGEND

- O FOUND PROPERTY CORNER
- ◉ SET 5/8" X 18" REBAR WITH SURVEY CAP STAMPED KIESO RLS 9214
- M MEASURED DISTANCE
- PP PREVIOUSLY PLATED DISTANCE

BASIS OF BEARINGS

SD STATE PLANE COORDINATES
NORTH ZONE

Helms ASSOCIATES
CIVIL ENGINEERS & LAND SURVEYORS
416 PRODUCTION STREET N.
P.O. Box 111
Aberdeen, S.D. 57401
Phone: 605.225.1212
Fax: 605.225.3189

A-9037

PLAT OF

DAVID AND SARA VETCH FIRST ADDITION IN THE SE 1/4 OF SECTION 26-T124N-R64W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA

OWNER'S CERTIFICATE

WE DAVID VETCH AND SARA J. VETCH, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF LOT 2, EDWARDS THIRD SUBDIVISION IN THE SE 1/4 OF SECTION 26-T124N-R64W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA, AND THAT WE HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN ON THE ATTACHED PLAT WHICH SHALL BE HEREAFTER KNOWN AND DESCRIBED AS; DAVID AND SARA VETCH FIRST ADDITION IN THE SE 1/4 OF SECTION 26-T124N-R64W 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, WE DAVID VETCH AND SARA J. VETCH DO HEREBY VACATE LOT 2 EDWARDS THIRD SUBDIVISIONIN THE SE 1/4 OF SECTION 26-T124N-R64W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA, AS FILED FOR RECORD ON JUNE 2, 2003 AN DULY RECORDED AS PLAT NO. 1862H IN THE BROWN COUNTY REGISTER OF DEEDS OFFICE.

DAVID VETCH

Signed this 2nd day of December 2022

SARA J. VETCH

Signed this 2 day of December 2022

ACKNOWLEDGMENT

STATE OF SD)

COUNTY OF Brown)SS

ON THIS THE 2nd DAY OF Dec., 2022, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED DAVID VETCH AND SARA J. VETCH, KNOWN TO ME OR SATISFACTORILY PROVEN TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: 2-13-26

NOTARY PUBLIC

DONNA M. LAUSENG
NOTARY PUBLIC SOUTH DAKOTA

SURVEYOR'S CERTIFICATE

I, ROBERT K. KIESO, A REGISTERED LAND SURVEYOR OF ABERDEEN, SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE REQUEST OF THE OWNERS, I HAVE SURVEYED AND PLATTED "DAVID AND SARA VETCH FIRST ADDITION IN THE SE 1/4 OF SECTION 26-T124N-R64W 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. I FURTHER CERTIFY THAT THE WITHIN AND FOREGOING PLAT IS IN ALL RESPECTS TRUE AND CORRECT.

DATED THIS 2nd DAY OF December, 2022.

ROBERT K. KIESO RLS #9214

DWG. 9037-LS	BY: JSW	SHEET 2 OF 3

A-9037

PLAT OF

DAVID AND SARA VETCH FIRST ADDITION IN THE SE 1/4 OF SECTION 26-T124N-R64W OF THE 5th P.M., BROWN COUNTY, SOUTH DAKOTA

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 DAVID AND SARA VETCH FIRST ADDITION IN THE SE 1/4 OF SECTION 26-T124N-R64W 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 DAVID AND SARA VETCH FIRST ADDITION IN THE SE 1/4 OF SECTION 26-T124N-R64W 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

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 IN HANGING PLATS NO. _____.

_____

REGISTER OF DEEDS, BROWN COUNTY, SOUTH DAKOTA

December 3, 2022

Brown County Planning & Zoning Office

Attn: Scott Bader

The Cattail Drive Road District has preliminarily approved the request for David and Sara Vetch First Addition Lot 2 for one approach and Culvert under the following conditions:

The approach construction must adhere to the attached Cattail Drive Road District Ordinance #1 (Cattail Drive Approach Construction) this ordinance includes the following elements:

A. That the David and Sara Vetch first Addition lot 2 is a member of the Cattail Drive Road District and added to the district membership by the county.
B. That the final approval for the approach is obtained before construction. When the location, width and culvert size can be provided to the district for the final approval.

If you have further questions, Please contact Mike Keller, Clerk.

Mike Keller, Clerk (605-216-4228) 12/3/22

Nick Kampa, President (605-216-0559) 12-3-22

Cattail Drive Road District

Ordinance #1

Cattail Drive Approach Construction

Whereas, SDCL §31-12A-22 allows the Cattail Drive Road District Board of Trustees to pass and enforce rules and regulations for the proper management and conduct of Cattail Drive Road District; and

Whereas, it is necessary to provide for regulations regarding approaches providing access to and from private property from Cattail Drive.

Now, therefore, be it hereby ordained by the Cattail Drive Road District as follows:

Cattail Drive Approach Regulations:

A. All approaches constructed need prior approval from the Board of Trustees. Approaches will only be approved to allow access to property located within the Cattail Drive Road District.

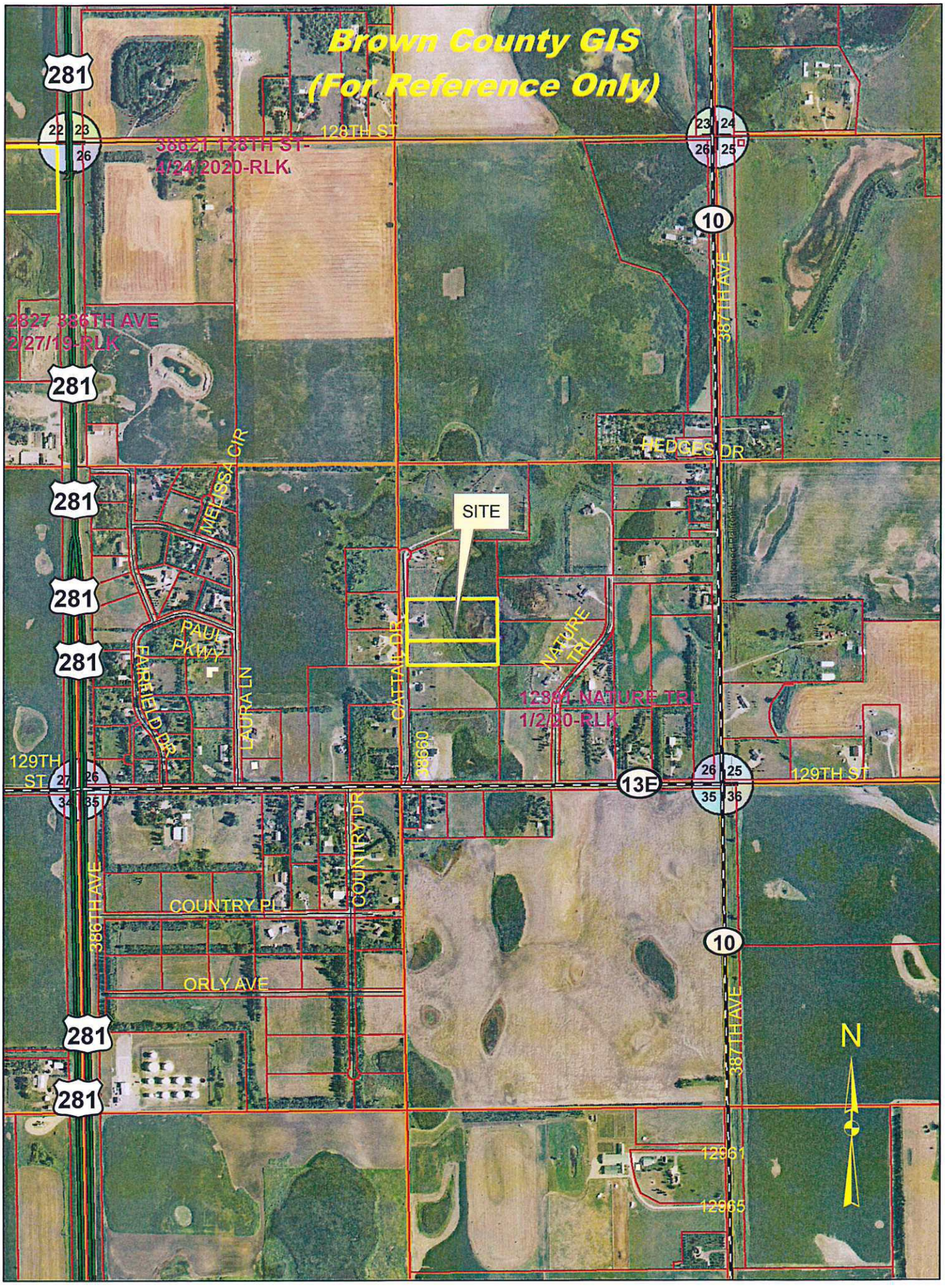
B. The landowner shall be responsible for constructing the approach in conformance with specifications relating to location, width, culvert size, and other factors as determined by Cattail Drive Road District Board of Trustees.

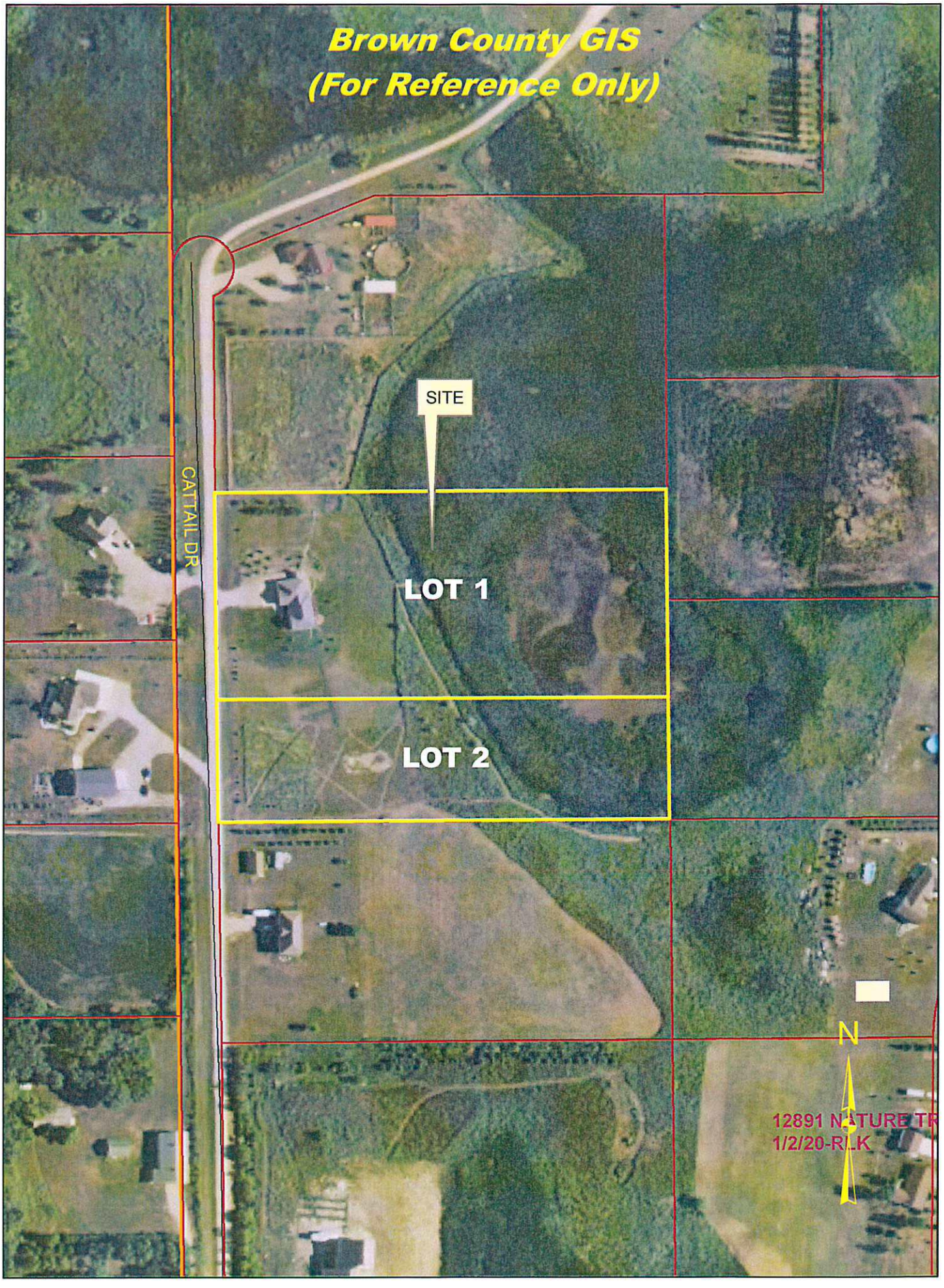
Dated this 26 day of June, 2016.

Board of Trustees

Mike Keller

Duey Hedge


Brown County GIS
(For Reference Only)
281
22
23
26
128TH ST
3862 128TH ST-
4/24/2020-RLK
23
24
26
25
10
387TH AVE
2827 386TH AVE
2/27/19-RLK
281
HEDGES DR
MELISSA CIR
281
SITE
281
PAUL PKWY
FAIRFIELD DR
LAURA LN
CATTAIL DR
NATURE TRL
12861 NATURE TRL
1/2/20-RLK
129TH ST
27
26
34
35
13E
26
25
35
36
129TH ST
386TH AVE
COUNTRY DR
COUNTRY PL
10
ORLY AVE
281
387TH AVE
281
N
12961
12965


Brown County GIS
(For Reference Only)
SITE
CATTAIL DR
LOT 1
LOT 2
N
12891 NATURE TR
1/2/20-RLK