

CITY OF MITCHELL
CITY PLANNING COMMISSION MEETING
COUNCIL CHAMBERS, 612 N MAIN ST.
DATE: JANUARY 8, 2018, TIME: 12:00 PM (NOON)

1. CALL TO ORDER:

2. ROLL CALL:

3. APPROVE AGENDA:

4. Approval Of Minutes: December 11, 2017

Documents:

[PLANNINGCOMMINUTES12112017.PDF](#)

5. SCHEDULE NEXT MEETING: JANUARY 22, 2018

6. CONDITIONAL USE PERMIT: 801 W. 7th Ave

Amber Kurtenbach has applied for a conditional use permit to operate a family residential child care business at her home located at 801 W. 7th Avenue, legally described as Lots 1 & 2, Block 27, Rowley's 2nd Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R2 Single Family Residential District.

Documents:

[KURTENBACHAPP.PDF](#)
[KURTENBACHNEIGHBORS.PDF](#)
[KURTENBACHNOH.PDF](#)
[KURTENBACHMAP.PDF](#)
[L12B27 ROWLEYS 2ND.PDF](#)
[KURTENBACHLETTER.PDF](#)

7. Rezone: From UD Urban Development To HB Highway Oriented Business District

AN ORDINANCE OF THE CITY OF MITCHELL, THAT CHANGES THE ZONING DISTRICT CLASSIFICATION OF THE REAL PROPERTY LEGALLY DESCRIBED AS; SE ¼ including Lot A of Moneke's Subdivision, Ex. H2 & Schlaffman Tract 1, Mitchell Township 26-103-60 and SW ¼ Ex H2 & Ex H2 & Ex Lot A of Mitchell Landfill 1st Addition, Mitchell Township 25-103-60 Davison County, SD from UD Urban Development District to Highway Oriented Business District AND THE OFFICIAL ZONING MAP BE CHANGED TO THE REFLECT THE SAME

Documents:

[NOHSCHLAFFMAN.PDF](#)
[SCHLAFFMANGIS.PDF](#)
[SCHLAFFMANZONING.PDF](#)

8. CONDITIONAL USE PERMIT & VARIANCE: Gary & Margaret Schlaffman,

Gary & Margaret Schlaffman, have applied for a conditional use permit/variance to replace existing off-premise signs (billboards) on the property legally described in this notice. The applicants wish to replace the signs with newer ones and will be greater than 300 square feet in sign area and less than 600 square feet sign area. SE ¼ including Lot A of Moneke's Subdivision, Ex. H2 & Schlaffman Tract 1, Mitchell Township 26-103-60 and SW ¼ Ex H2 & Ex H2 & Ex Lot A of Mitchell Landfill 1st Addition, Mitchell Township

25-103-60 Davison County. Approximate nine (11) billboards.

9. Approval Of Plat: Plat Of Lot 6 Of Tract H, Wild Oak Golf Club Addition To The City Of Mitchell, Davison County, South Dakota

Documents:

[L6 TH WILD OAK.PDF](#)

[PLAT DRAWING 3D 12-8-17 LOT 6 OF TRACT H-LOT 6 OF TRACT H.PDF](#)

10. PLAT

A Plat of D.W.U. Lot RH-1, A Subdivision of the Replat of Dakota Wesleyan University Campus, City of Mitchell, Davison County, South Dakota.

Documents:

[DWUPLAT.PDF](#)

[DWU LRH-1.PDF](#)

11. OTHER BUSINESS:

12. ADJOURNMENT:

"The City of Mitchell invites all interested parties to give oral or written comments. If special accommodations are required, please notify the Public Works Department at 605-995-8433 at least 24 hour prior to the scheduled meeting."

**CITY OF MITCHELL
CITY PLANNING COMMISSION
MINUTES, DECEMBER 11, 2017**

NOT APPROVED

Chairman Larson called the December 11, 2017 Planning Commission Meeting to order at 12:00 pm in the Council Chambers of City Hall, 612 N. Main St, Mitchell, SD.

Members Present: Larson, Everson, Griffith, Jirsa and Schmucker

Members Absent: Fergen, Molumby, and Allen

Others Present: Putnam, Ellwein, J. Johnson, T. Johnson, Powell, Hegg

Larson asked for any disclosures of conflicts. None were declared.

Approval of Agenda: Motion by Everson, seconded by Griffith to approve the agenda as presented. All members present voting aye, motion carried.

Approval of Minutes: Motion by Everson, seconded by Griffith to approve the minutes of the November 13, 2017 meeting. All members present voting aye, motion carried.

Schedule Next Meeting: Motion by Everson, seconded by Griffith to schedule the next meeting for January 8, 2018. All members present voting aye, motion carried.

Conditional Use Permit: Amber Kurtenbach has applied for a conditional use permit to operate family residential child care center in her home at 801 W 7th Ave, legally described as Lots 1 & 2, Block 27, Rowley 2nd Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R2 Single Family Residential District.

The applicant requested the commission to postpone the hearing, as she would like to be present. She was not available for the scheduled date. Motion by Everson, seconded by Griffith to postpone the hearing until the next meeting. All members present voting aye, motion carried.

Plat: A Plat of Lot 9, Block 5 of Woodland Heights First Addition, a Subdivision of Lot 2, Crane's Addition in the SE ¼ of Section 34, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota.

The plat appears to follow the master plan. Motion by Griffith, seconded by Jirsa to approve the plat, all members present voting aye, motion carried.

Possible Rezone & Variance/Conditional Use: Gary Schlaffman was present to discuss his property north of I-90 and Dakotafest. Putnam received an inquiry from one of the sign owners who wish to replace two of their billboards with newer ones. It was discovered the property is zoned UD Urban Development, so billboards (off-premise signs) are not permitted or conditional in the UD District.

Additionally, the SD DOT also requires property to be zoned commercial if billboards are to be located on a site. Simply, once the signs are removed the 'grandfathering' is lost per city zoning and DOT regulations. Putnam also noted the signs must be less than 600 square feet, however a billboard between 300 square feet and 600 square feet require a conditional use. Rezoning will facilitate future replacement of existing signs. The commission did not take action and encouraged Schlaffman to apply for the change in zoning and permit.

Chairman Larson adjourned the meeting at 12:15 pm.

Chairperson

Date

APPLICATION FOR CONDITIONAL USE PERMIT

TO: THE MITCHELL PLANNING COMMISSION AND THE BOARD OF
ADJUSTMENT THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.

The undersigned applicant(s) Amber Kurtenbach hereby is making an application for a conditional use permit pursuant to the provisions of the City of Mitchell Zoning Code as amended.

This Application is for the following described real property:

Lots 1 & 2, Block 27, Rowley's 2nd Addition to the City of Mitchell, Davison County, South Dakota (801 W 7th Ave)

Applicant(s) ^{Amber}~~Amber~~ Kurtenbach of the above described real estate, request(s) to operate a child care center in her home. The said real property is zoned (R2) Single Family Residential District.

The names and addresses of the current property owners within one hundred and forty feet (140') of the applicant's property (excluding streets and alleys) will be notified upon the filing of this application.

Applicant(s) request that dates be set for public hearings before the Mitchell Planning Commission and the Board of Adjustment. Furthermore, the applicant requests the City of Mitchell to publish the appropriate notice(s) in accordance with the City of Mitchell's Ordinances.

Dated this 15 of November, 2017.

Amber Kurtenbach Amber Kurtenbach
APPLICANT

Amber Kurtenbach Amber Kurtenbach
OWNER

JOSHUA KURTENBACH
801 W 7TH AVE
MITCHELL SD 57301

RICHARD & SANDRA GERSTENECKER
809 W 7TH AVE
MITCHELL SD 57301

GREGORY & JOANN KAPPENMAN
TRUST
813 W 7TH AVE
MITCHELL SD 57301

JOHN SFEFFIELD
817 W 7TH AVE
MITCHELL SD 57301

GEORGE & SHERRY MORGAN
940 N HARMON DR
MITCHELL SD 57301

SEAN DEVRIES
810 W 6TH AVE
MITCHELL SD 57301

TREVER VERMEULEN
808 W 6TH AVE
MITCHELL SD 57301

JAMES & TERI BENSON
806 W 6TH AVE
MITCHELL SD 57301

WADE VICKERS
800 W 6TH AVE
MITCHELL SD 57301

LOIS UHRE
720 W 6TH AVE
MITCHELL SD 57301

GARY & KAREN IVERSON
718 W 6TH AVE
MITCHELL SD 57301

JEREMY ANDERSEN
712 W 6TH AVE
MITCHELL SD 57301

CAROL RAGLE
820 W 3RD AVE
MITCHELL SD 57301

DAVID & TERESA BUCHMANN
719 W 7TH AVE
MITCHELL SD 57301

JACQUELINE BERGREEN
715 W 7TH AVE
MITCHELL SD 57301

DEREK & DEBORAH VENDT
804 W 7TH AVE
MITCHELL SD 57301

CLARKE COMPANIES
40735 250TH ST
BAL TIC SD 57003

RANDOLPH SHANK
812 W 7TH AVE
MITCHELL SD 57301

LELAND & TRINA JOHNSON
816 W 7TH AVE
MITCHELL SD 57301

DANIEL & ANGELA MASTEL
714 W 7TH AVE
MITCHELL SD 57301

FRANCISCO & JANEL CONTRERAS
710 W 7TH AVE
MITCHELL SD 57301

MITCHELL CONCRETE PRODUCTS
721 E EDMUNDS ST
MITCHELL SD 57301

NOTICE OF HEARING

To: City Planning Commission, City of Mitchell Board of Adjustment and the General Public,

You are hereby notified that Amber Kurtenbach has applied for a conditional use permit to operate a family residential child care business at her home located at 801 W. 7th Avenue, legally described as Lots 1 & 2, Block 27, Rowley's 2nd Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R2 Single Family Residential District.

The City Planning Commission will be conducting a hearing on this application on Monday, December 11, 2017 at 12:00 pm and the Board of Adjustment will be holding a hearing on Monday, December 18, 2017 at 6:00 pm, all meetings will be in the Council Chambers, City Hall, 612 N. Main St, Mitchell, SD. All interested parties may attend the hearings.

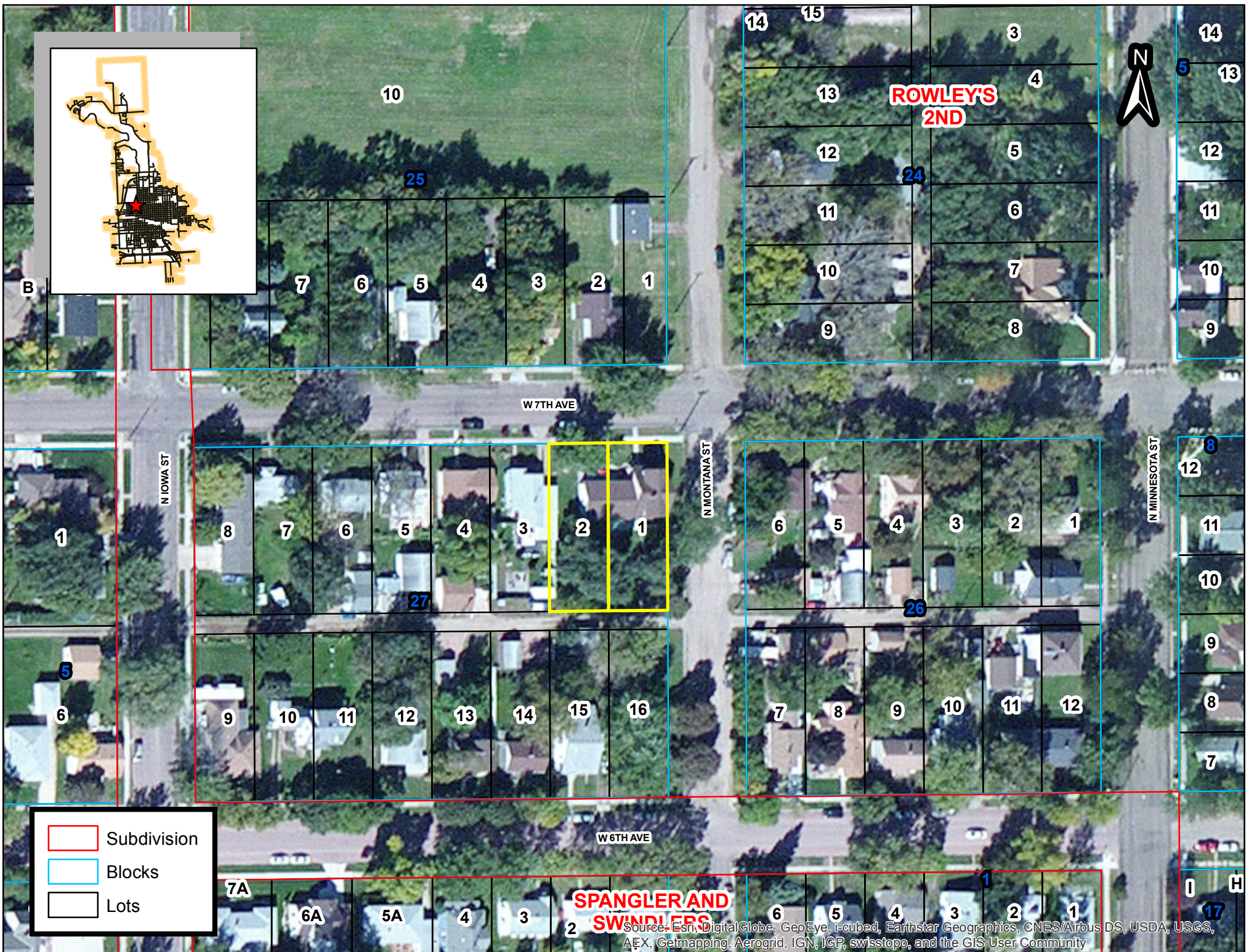
Dated at Mitchell, South Dakota, this the 24th day of November, 2017.

Michelle Bathke

Finance Officer

Publish Twice November 30, & December 7, 2017

Approximate Costs:



To whom it concerns,

I, Amber Kurtenbach am asking the city to approve me for a conditional use permit for running an in home daycare. At this time I have been doing daycare since June. I have 4 families who bring their children. Two of those families are full time and two are part time. A normal day consists of 3 parent pickup/drop offs as one of my part time kids only comes a few days a month. I am asking for the permit because I would like to become state registered at some point.

I am aware that my next door neighbor Sandy has went around to our neighbors and asked them to sign a paper saying they disapprove of me getting a conditional use permit. My neighbor is upset with me because she loves to feed squirrels, however my dog likes to chase them out of our yard and she is convinced my dog is chasing them out of the neighborhood.

My husband and I went around and talked to most of the neighbors who signed disapprove on their letters and almost all of them told us they only signed it because Sandy and her husband were so persistent in asking them to do so.

The facts are I did pass my inspection from the fire marshal.

I do own my property.

I have a privacy fenced in two lot yard, plenty of room for kids to play safely when the weather permits it.

The noise is not too loud as the children I have are 4 years old and under.

Weather permitting our time outside is limited, our schedule permits us to be outside in the morning between 9:00a.m. -10:30, then from 3:30p.m.-5:00pm at which time I close.

My daycare hours are from 7a.m. to 5:00p.m Monday through Friday.

The neighbors my husband and I talked to include,

Lois Uhre-told us Sandy asked her to say no- also thought the neighborhood kids running in the streets were mine- they are not.

James and Teri Benson- said she was also asked to say no by Sandy and Richard. Teri Benson did sign the copy I had saying she approved as she changed her mind.

Randolph Shank- told us he also said no because Sandy asked him too. But after explaining to him why she was upset with us over squirrels he said he would think about it.

Sean Devries didn't answer his door.

Gregory and Joann Kappenman wouldn't talk to us.

John Sfeffield wasn't home.

Wade Vickers- I talked to Anne on 12/7/17, she complained of noise over the summer and told me she works from home. We did talk about most of the noise was not coming from my yard or home, and that my husband works from home as well. I gave her my phone number and asked her to text or call me if the noise was becoming too loud and interrupting her work and that I would then bring the children in the house or take them to the park if I could.

I feel I have made every possible attempt to satisfy my neighbors concerns to the best of my ability.

Thank you for your time in this matter.

Amber Kurtenbach

801 west 7th Ave

NOTICE OF HEARING

TO: Mitchell City Planning Commission, Board of Adjustment, City Council, and the General Public:

The City Planning Commission has scheduled a public hearing and action on the following ordinance. The hearing will be Monday, January 8, 2018 at 12:00 p.m., the city council will consider 1st Reading of the Ordinance on Tuesday, January 16, 2018 at 6:00 p.m. and 2nd Reading and Adoption on Monday, February 5, 2018 at 12:00 p.m. all meetings will be held in the Council Chambers, City Hall, 612 N Main St, Mitchell, SD. All interested parties are encouraged to attend the meetings.

Additionally, the owner of the property Gary & Margaret Schlaffman, have applied for a conditional use permit/variance to replace existing off-premise signs (billboards) on the property legally described in this notice. The applicants wish to replace the signs with newer ones and will be greater than 300 square feet in sign area and less than 600 square feet sign area. The planning commission will conduct a public hearing and recommend action of the conditional use permit/variance on January 8, 2018 at 12:00 pm and the Board of Adjustment will hold a hearing and final action of the permit on February 5, 2018 at 6:00 p.m. Both hearings will be held in the Council Chambers, City Hall.

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF MITCHELL, THAT CHANGES THE ZONING DISTRICT CLASSIFICATION OF THE REAL PROPERTY LEGALLY DESCRIBED AS; SE ¼ including Lot A of Moneke's Subdivision, Ex. H2 & Schlaffman Tract 1, Mitchell Township 26-103-60 and SW ¼ Ex H2 & Ex H2 & Ex Lot A of Mitchell Landfill 1st Addition, Mitchell Township 25-103-60 Davison County, SD from UD Urban Development District to Highway Oriented Business District AND THE OFFICIAL ZONING MAP BE CHANGED TO THE REFLECT THE SAME.

BE IT ORDAINED BY THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA:

Section 1: THE ZONING DISTRICT CLASSIFICATION OF THE REAL PROPERTY LEGALLY DESCRIBED AS; SE ¼ including Lot A of Moneke's Subdivision, Ex. H2 & Schlaffman Tract 1, Mitchell Township 26-103-60 and SW ¼ Ex H2 & Ex H2 & Ex Lot A of Mitchell Landfill 1st Addition, Mitchell Township 25-103-60 Davison County, SD from UD Urban Development District to Highway Oriented Business District AND THE OFFICIAL ZONING MAP BE CHANGED TO THE REFLECT THE SAME.

Section 2. The City Finance Officer shall publish notice of this ordinance and the same shall be effective 20 days after the completed publication thereof, unless the referendum shall be invoked as provided by law.

Passed and approved this the ____ day of ____, 2018.

MAYOR

ATTEST:

FINANCE OFFICER

{SEAL}

FIRST READING: January 16, 2018
SECOND READING: February 5, 2018
ADOPTION: February 5, 2018

Published three times: December 28, 2017, January 4 & January 18, 2018

Approximate Costs:



DigitalGlobe, GeoEye, Microsoft, CNES/Airbus DS |

DAVISON COUNTY WEB VIEWER

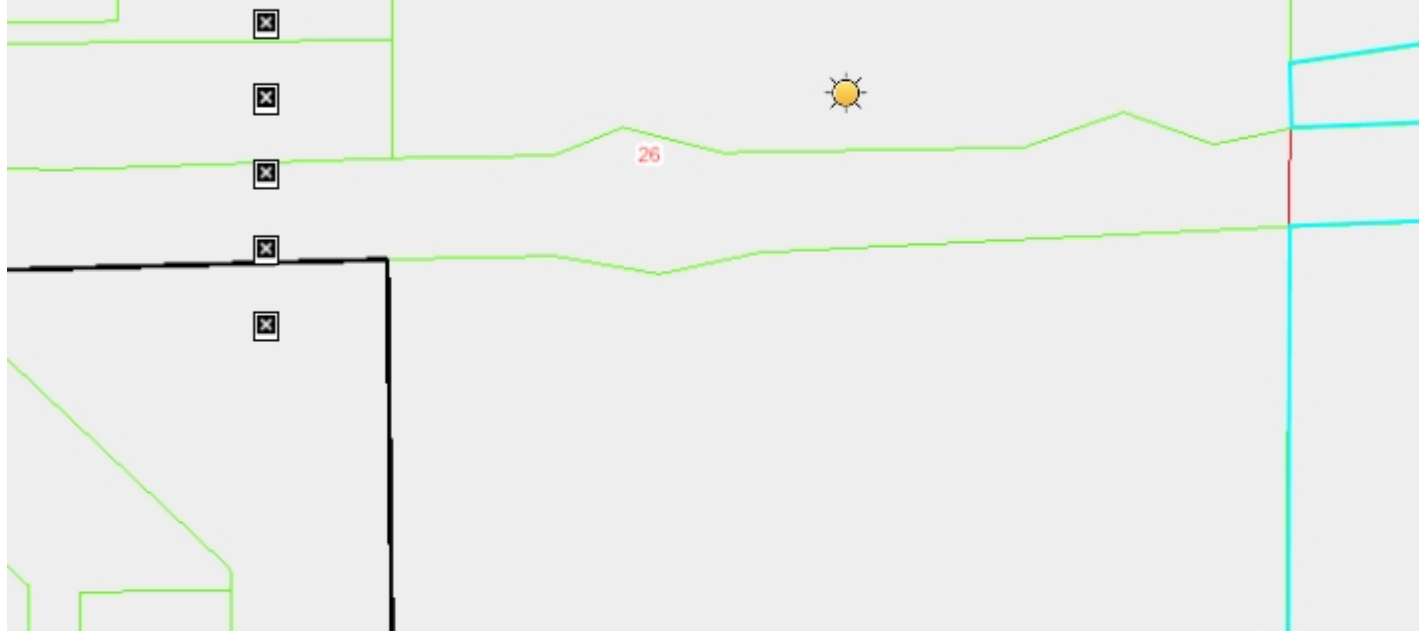
[Zoom to](#)

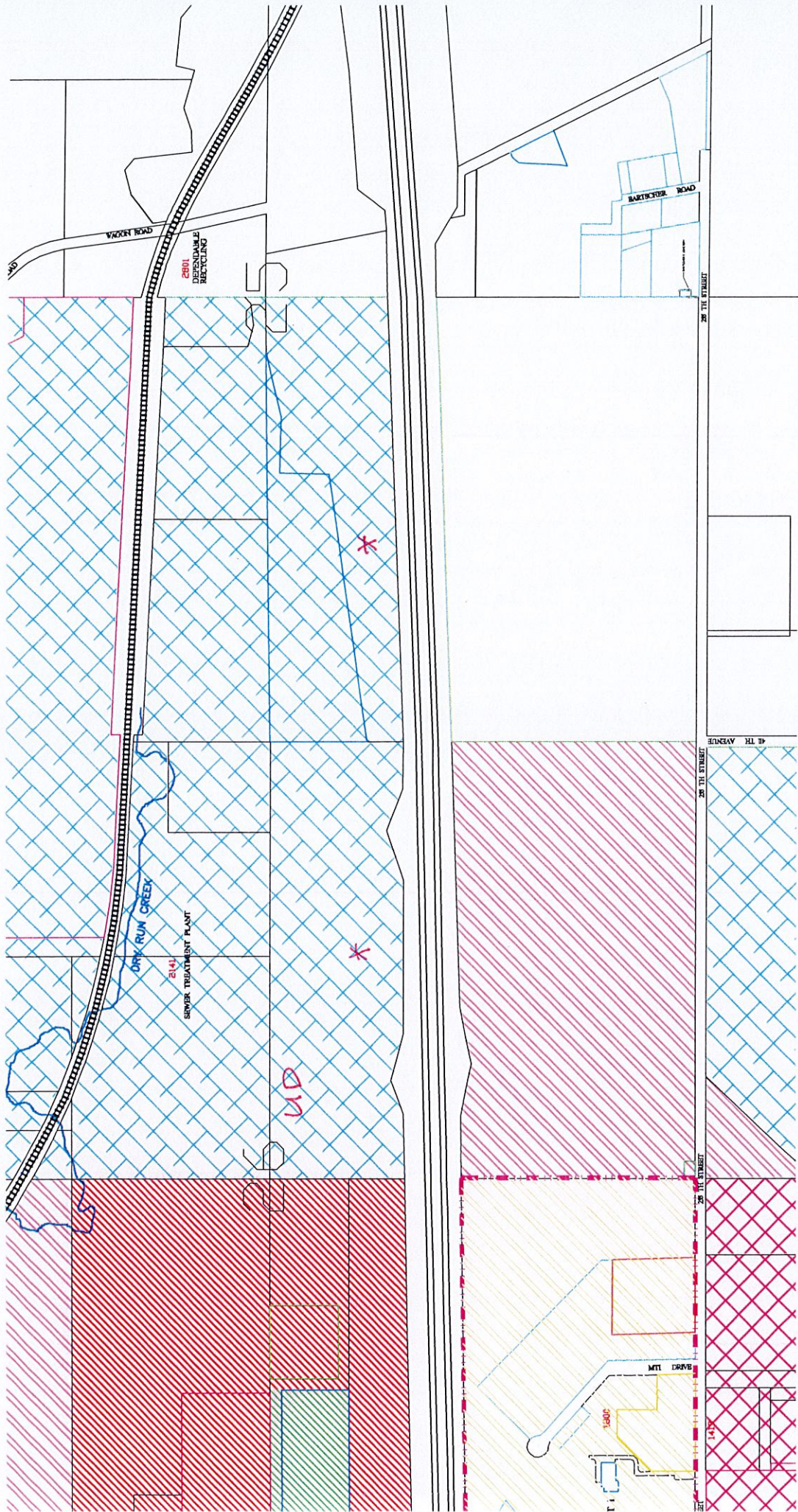
Search
PARCEL: 06000-10-50-253-00

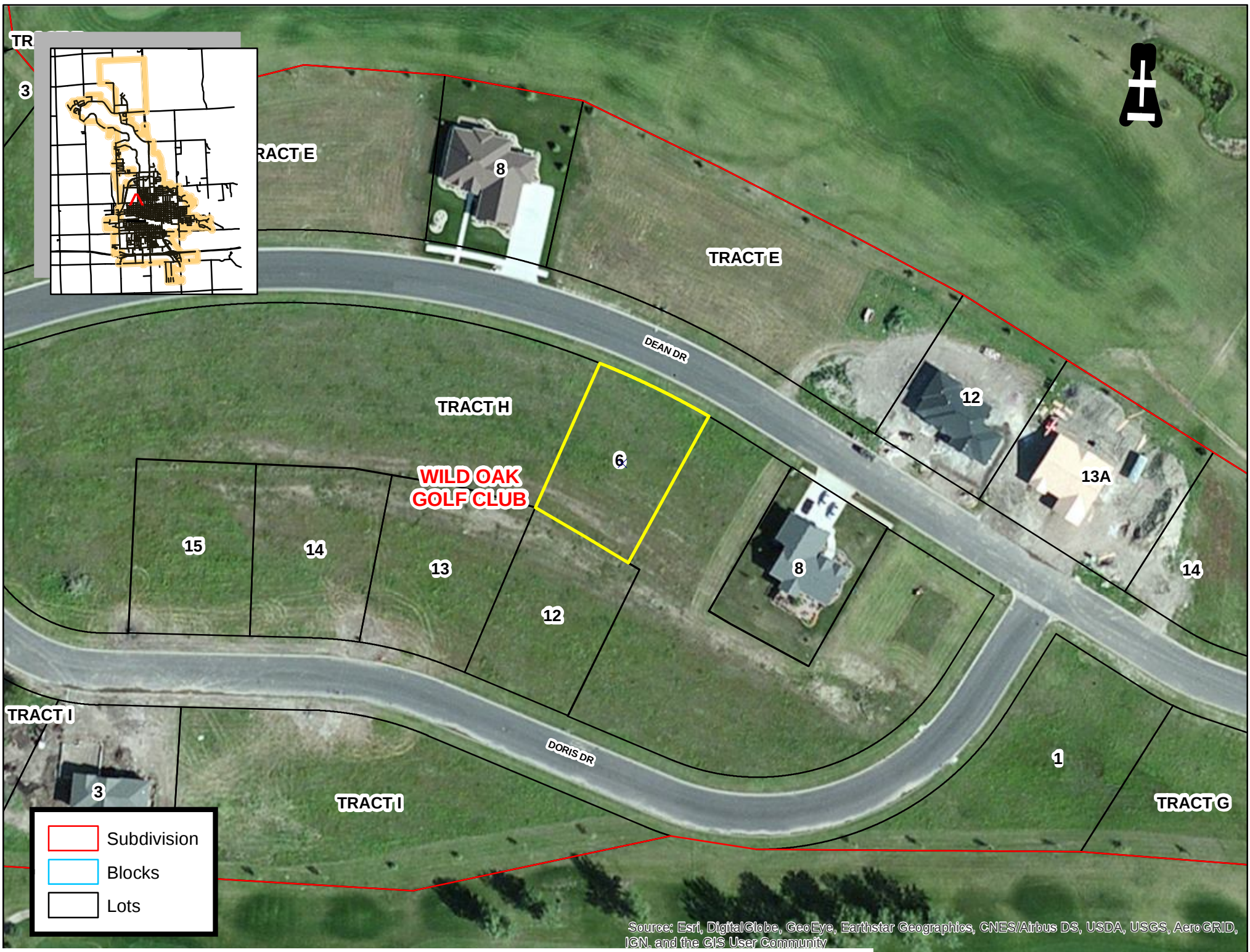
Home
Loading

- All
- Parcel ID
- Site Address
- Owner Name

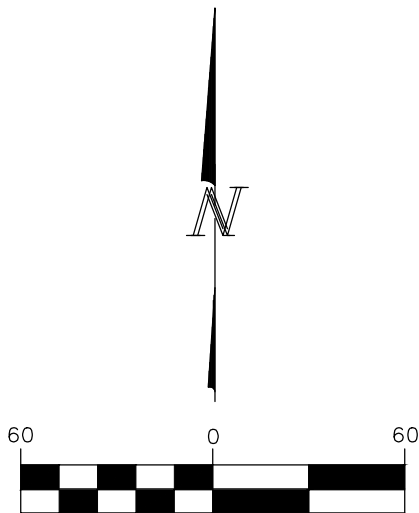
1 of 1





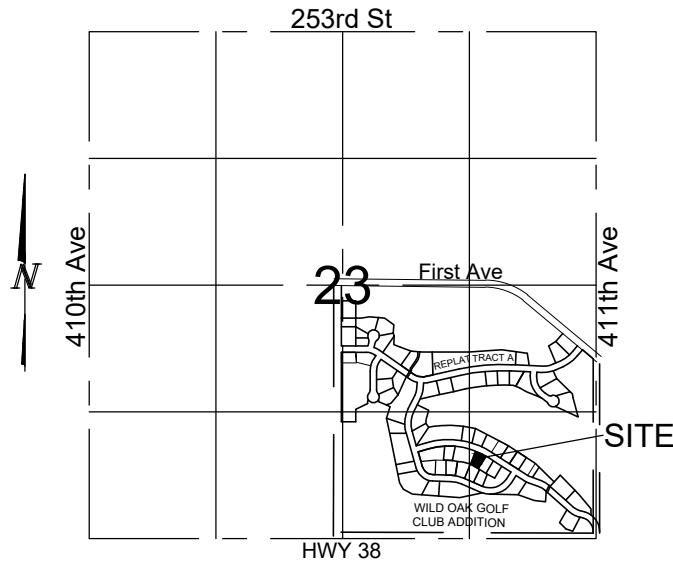


PLAT OF
LOT 6 OF TRACT H,
WILD OAK GOLF CLUB ADDITION
TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA



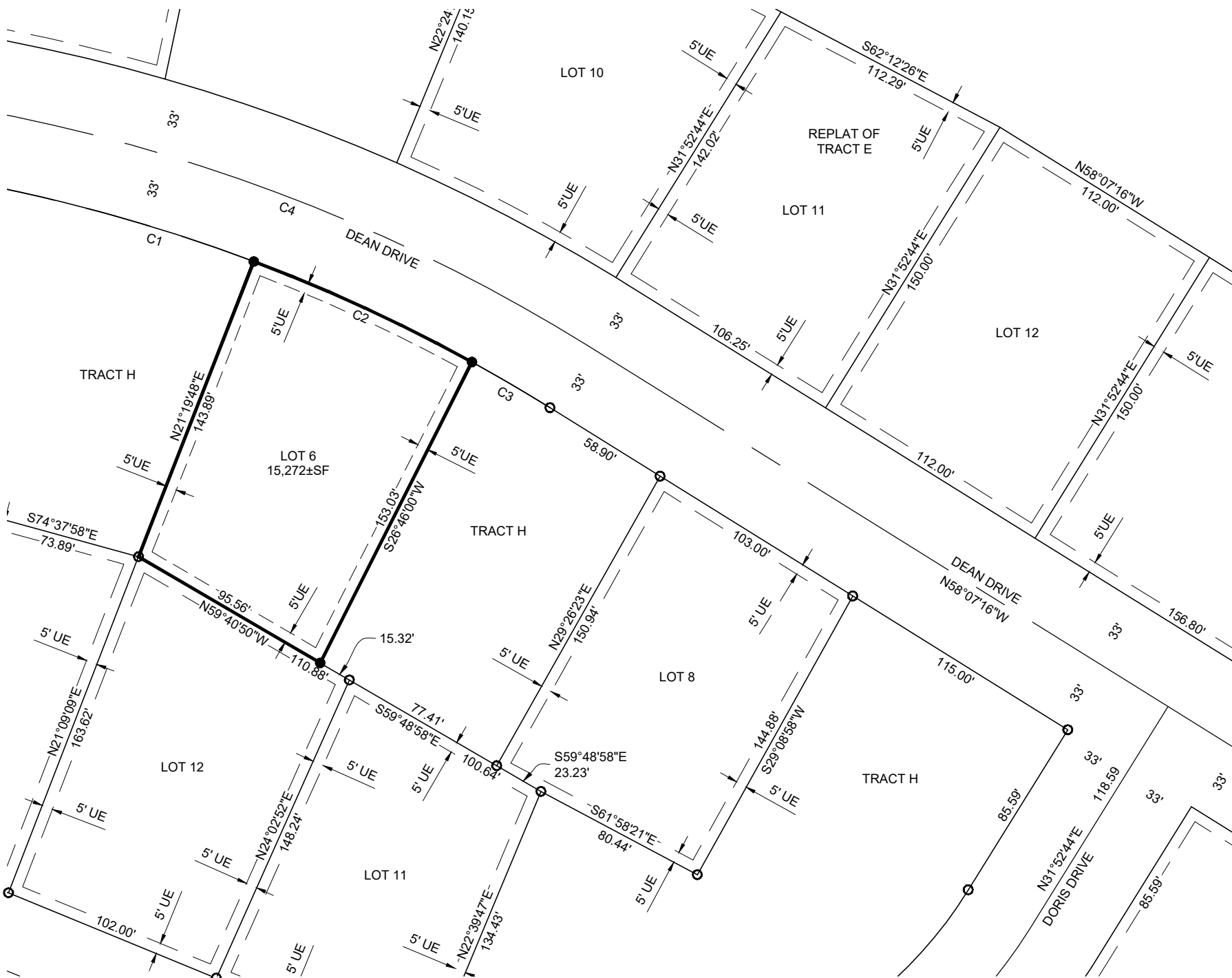
○ = FOUND IRON PIN
● = SET IRON PIN
UE = UTILITY EASEMENT

Curve Table					
Curve	Length	Radius	Delta	Chord Distance	Chord Bearing
C1	219.48'	767.00'	16°23'44"	218.73'	S77°32'19"E
C2	109.17'	767.00'	8°09'19"	109.08'	S65°15'48"E
C3	41.03'	767.00'	3°03'53"	41.02'	S59°39'12"E
C4	685.70'	800.00'	49°06'35"	664.90'	S82°40'33"E



VICINITY MAP

SEC 23, T103N, R60W



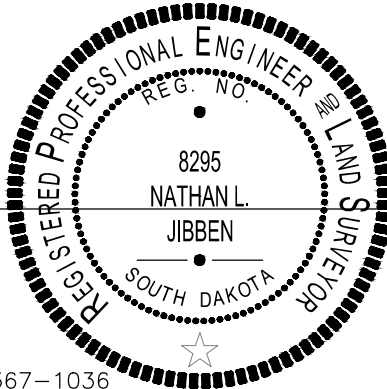
SURVEYOR'S CERTIFICATE

I, NATHAN L. JIBBEN, OF JSA CONSULTING ENGINEERS/LAND SURVEYORS, INC., A REGISTERED LAND SURVEYOR IN THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT I DID, ON OR BEFORE DECEMBER 8TH, 2017, SURVEY A PORTION OF TRACT H, WILD OAK GOLF CLUB ADDITION, IN THE SE1/4 OF SECTION 23, T103N, R60W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA AS SHOWN ON THE ABOVE PLAT. THAT PORTION OF LAND SHALL HEREAFTER BE KNOWN AND DESCRIBED AS LOT 6 OF TRACT H, WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, CONTAINING 0.35 ACRES±.

I FURTHER CERTIFY THAT TO THE BEST OF MY KNOWLEDGE THE ABOVE PLAT CORRECTLY REPRESENTS THE SAME, IS TRUE AND CORRECT AND THAT IT WAS MADE UNDER MY DIRECT SUPERVISION.

DATED THIS _____ DAY OF _____, 201_____.

NATHAN L. JIBBEN, RLS 8295



PLAT OF
LOT 6 OF TRACT H,
WILD OAK GOLF CLUB ADDITION
TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

OWNER'S CERTIFICATE

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF ALL LAND INCLUDED IN THE ABOVE PLAT AND THAT SAID PLAT HAS BEEN MADE AT OUR REQUEST AND IN ACCORDANCE WITH OUR INSTRUCTIONS FOR THE PURPOSE OF TRANSFER, AND THAT THE DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, EROSION AND SEDIMENT CONTROL REGULATIONS.

WE HEREBY DEDICATE TO THE PUBLIC FOR PUBLIC USE FOREVER THE STREETS, ROADS AND ALLEYS, PARKS AND PUBLIC GROUNDS, IF ANY, AS SHOWN ON SAID PLAT, INCLUDING ALL SEWERS, CULVERTS, BRIDGES, WATER DISTRIBUTION LINES, SIDEWALKS AND OTHER IMPROVEMENTS ON OR UNDER THE STREETS, ALLEYS, PARKS AND PUBLIC GROUNDS WHETHER SUCH IMPROVEMENTS ARE SHOWN OR NOT. WE ALSO HEREBY GRANT EASEMENTS TO RUN WITH THE LAND FOR GOLF PATH STREET CROSSINGS, WATER, DRAINAGE, SEWER, GAS, ELECTRIC, TELEPHONE OR OTHER PUBLIC UTILITY LINES OR SERVICES UNDER, ON OR OVER THOSE STRIPS OF LAND DESIGNATED HEREON AS EASEMENTS.

DATED THIS _____ DAY OF _____, 201____.

DAVID A. BACKLUND, PARTNER
FIRESTEEL LINKS, LLC, OWNER

STATE OF SOUTH DAKOTA

COUNTY OF _____

ON THIS _____ DAY OF _____, 201____,
BEFORE ME, THE UNDERSIGNED OFFICER, APPEARED DAVID A.
BACKLUND, WHO ACKNOWLEDGED HIMSELF TO BE AN AUTHORIZED
PARTNER OF FIRESTEEL LINKS LLC, OWNER, AND KNOWN TO BE THE
PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT
AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR
THE PURPOSES THEREIN CONTAINED.

IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL
SEAL

THIS _____ DAY OF _____, 201____.

MY COMMISSION EXPIRES: _____, 201____.

NOTARY PUBLIC

_____ COUNTY, SOUTH DAKOTA

PLAT OF
LOT 6 OF TRACT H,
WILD OAK GOLF CLUB ADDITION
TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

RESOLUTION OF CITY PLANNING COMMISSION

WHEREAS, THE PLAT OF LOT 6 OF TRACT H, WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, HERETOFORE FILED IN THE OFFICE OF THE CITY FINANCE OFFICER OF MITCHELL, SOUTH DAKOTA, HAS BEEN SUBMITTED TO THE CITY PLANNING COMMISSION OF THE SAID CITY OF MITCHELL, SOUTH DAKOTA; AND

WHEREAS, THE CITY PLANNING COMMISSION, IN REGULAR MEETING ASSEMBLED, HAD DULY CONSIDERED SAID PLAT AND FINDS AS A FACT THAT SAID PLAT IS IN CONFORMITY AND DOES NOT CONFLICT WITH THE MASTER PLAN FOR THE CITY OF MITCHELL, SOUTH DAKOTA, HERETOFORE ADOPTED BY THIS COMMISSION;

NOW THEREFORE, BE IT RESOLVED BY THE CITY PLANNING COMMISSION OF MITCHELL, SOUTH DAKOTA, THAT THE PLAT OF LOT 6 OF TRACT H, WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, BE AND THE SAME IS HEREBY APPROVED AND ITS ADOPTION BY THE CITY COUNCIL OF THE CITY OF MITCHELL, SOUTH DAKOTA, IS HEREBY RECOMMENDED.

I, _____, CHAIRMAN OF THE CITY PLANNING COMMISSION FOR THE CITY OF MITCHELL, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE FOREGOING RESOLUTION WAS PASSED BY THE CITY PLANNING COMMISSION OF MITCHELL, SOUTH DAKOTA, AT A MEETING THEREOF HELD ON THE

_____ DAY OF _____, 201_____.

CHAIRMAN CITY PLANNING COMMISSION

RESOLUTION OF CITY COUNCIL

WHEREAS, IT APPEARS THAT THE CITY PLANNING COMMISSION OF THE CITY OF MITCHELL, SOUTH DAKOTA, DID DULY CONSIDER AND DID RECOMMEND THE

APPROVAL AND ADOPTION OF THE HEREINAFTER DESCRIBED PLAT, AT ITS MEETING HELD ON THE _____ DAY OF _____, 201_____; AND

WHEREAS, IT APPEARS FROM AN EXAMINATION OF THE PLAT OF LOT 6 OF TRACT H, WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, THAT SAID PLAT IS IN ACCORDANCE WITH THE SYSTEM OF STREETS AND ALLEYS SET FORTH IN THE MASTER PLAN ADOPTED BY THE CITY PLANNING COMMISSION OF THE CITY OF MITCHELL, SOUTH DAKOTA, AND THAT SUCH PLAT HAS BEEN PREPARED ACCORDING TO LAW;

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MITCHELL, SOUTH DAKOTA, THAT THE PLAT OF LOT 6 OF TRACT H, WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA BE AND THE SAME IS APPROVED AND THE DESCRIPTION SET FORTH THEREIN AND THE ACCOMPANYING SURVEYOR'S CERTIFICATE SHALL PREVAIL.

I, _____, FINANCE OFFICER OF THE CITY OF MITCHELL, SOUTH DAKOTA, HEREBY CERTIFY THAT THE FORGOING RESOLUTION WAS PASSED BY THE CITY OF MITCHELL, SOUTH DAKOTA, AT A MEETING THEREOF HELD ON THE _____ DAY OF _____, 201_____.

FINANCE OFFICER

COUNTY TREASURER'S CERTIFICATE

I, TREASURER/DEPUTY TREASURER OF DAVISON COUNTY, SOUTH DAKOTA, HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON ANY LAND SHOWN IN THE ABOVE PLAT AS SHOWN BY THE RECORDS OF MY OFFICE, HAVE BEEN PAID IN FULL.

DATE

TREASURER/DEPUTY TREASURER, DAVISON COUNTY, SD

DIRECTOR OF EQUALIZATION

I, DIRECTOR OF EQUALIZATION OF DAVISON COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT A COPY OF THE ABOVE PLAT HAS BEEN FILED AT MY OFFICE.

DIRECTOR OF EQUALIZATION/DEPUTY DIRECTOR OF EQUALIZATION, DAVISON COUNTY, SD

REGISTER OF DEEDS

FILED FOR RECORD THIS _____ DAY OF _____, 201_____, AT _____ O'CLOCK, _____ M., AND RECORDED IN BOOK

_____ OF PLATS ON PAGE _____ THEREIN AND RECORDED ON MICROFILM NUMBER _____.

REGISTER OF DEEDS, DAVISON COUNTY, SD



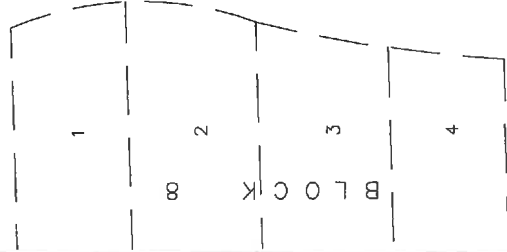
GRAPHIC SCALE



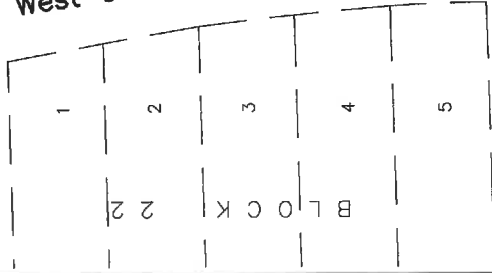
(IN FEET)

1 inch = 100 ft.

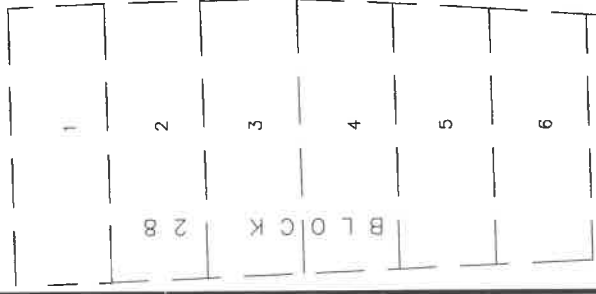
McCabe Street



Ninde Street



Williams Street



West University Avenue

20' Wide Perpetual Easement to the City of Mitchell, 10' on each side of the centerline of the pedestrian and bike path as constructed, Recorded in Book 57 of Misc. Records on Page 269.

N 88°11'53" E
171.36'
R=334.75'
L=30.22'

D.W.U. LOT RH-1
0.71± ACRE

R=7038.98'
L=106.19'

R=2152.32'
L=62.39'

S 88°11'53" W
R=2152.32'
L=42.75'

R=1012.04'
L=54.27'

S 06°19'52" E
62.89'

S 02°10'58" E
86.29'

S 00°03'11" E
63.92'

D.W.U. LOT A

D.W.U. LOT B

D.W.U. LOT C

D.W.U. LOT E

D.W.U. LOT F

D.W.U. LOT D

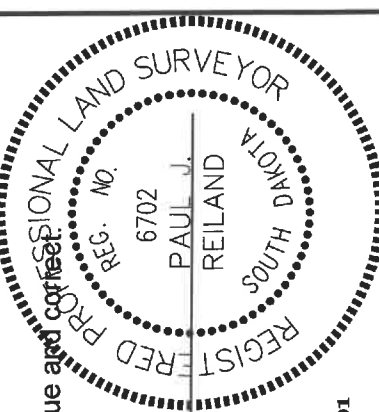
WESLEYAN UNIVERSITY CAMPUS

A PLAT OF D.W.U. LOT RH-1, A SUBDIVISION OF THE REPLAT OF DAKOTA WESLEYAN UNIVERSITY CAMPUS, CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.

SURVEYOR'S CERTIFICATE

I, Paul J. Reiland, the undersigned, do hereby certify that I am a Registered Land Surveyor in and for the State of South Dakota. At the request of Dakota Wesleyan University, a South Dakota nonprofit corporation, as owner, and under its direction for purposes indicated therein, I did on or prior to January 2, 2018, survey those parcels of land described as follows: D.W.U. LOT RH-1, A SUBDIVISION OF THE REPLAT OF DAKOTA WESLEYAN UNIVERSITY CAMPUS, CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.

In my professional opinion and to the best of my knowledge, information and belief, the within and foregoing plat is true and correct.
Dated this ____ day of ____, 2018.



Registered Land Surveyor #SD6702

SPN & Associates
Engineers, Planners and Surveyors
2100 North Sanborn Blvd. - P.O. Box 398 Mitchell, South Dakota 57301
Phone: (605) 996-7761 Fax: (605) 996-0015

A PLAT OF D.W.U. LOT RH-1, A SUBDIVISION OF THE REPLAT OF DAKOTA
WESLEYAN UNIVERSITY CAMPUS, CITY OF MITCHELL, DAVISON COUNTY, SOUTH
DAKOTA.

OWNER'S CERTIFICATE, DEDICATION AND AGREEMENT OF PROTECTION OF WATER

KNOW ALL MEN BY THESE PRESENTS that I, the undersigned, hereby certify that Dakota Wesleyan University, a South Dakota nonprofit corporation, is the absolute and unqualified owner of all of the land included in the within and foregoing plat; the plat is of a parcel of ground located in THE REPLAT OF DAKOTA WESLEYAN UNIVERSITY CAMPUS, CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA; that the plat has been made at the request of Dakota Wesleyan University, a South Dakota nonprofit corporation, and under its direction for the purposes indicated therein; which said property as so surveyed and platted shall hereafter be known as D.W.U. LOT RH-1, A SUBDIVISION OF THE REPLAT OF DAKOTA WESLEYAN UNIVERSITY CAMPUS, CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, as shown by this plat; and Dakota Wesleyan University, a South Dakota nonprofit corporation, hereby dedicates 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 the land included within the boundaries of said D.W.U. Lot RH-1 shall conform to all existing applicable zoning, subdivision, and erosion and sediment control regulations; further that there now exists West University Avenue. Pursuant to SDCL 11-3-8.1 and 11-3-8.2 the developer of the property described within this plat shall be responsible for protecting any waters of the state located adjacent to or within such platted area from pollution from sewage from such subdivision and shall, in prosecution of such protections conform to and follow all regulations of the South Dakota Department of Environment and Natural Resources relating to the same. Additionally the developer of the property described within this plat shall be liable for any pollution that occurs from failure to execute such protections or follow such regulations, exception being those lots in subdivisions that show documentation that wastewater drainage shall be connected to a municipal system.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2018.

Theresa Kriese, Executive Vice President of Dakota Wesleyan
University, a South Dakota nonprofit corporation

CORPORATION ACKNOWLEDGMENT

STATE OF SOUTH DAKOTA)
COUNTY OF DAVISON)SS

On this, the _____ day of _____, 2018, before me, _____, the undersigned officer, personally appeared Theresa Kriese, who acknowledged herself to be the Executive Vice President of Dakota Wesleyan University, a South Dakota nonprofit corporation, and that she, as such Executive Vice President, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by herself as the Executive Vice President.

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

Notary Public, South Dakota
My Commission Expires: _____

RESOLUTION OF CITY PLANNING COMMISSION

WHEREAS, the plat of D.W.U. LOT RH-1, A SUBDIVISION OF THE REPLAT OF DAKOTA WESLEYAN UNIVERSITY CAMPUS, CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul J. Reiland, duly licensed Land Surveyor in and for the State of South Dakota, heretofore filed in the office of the City Finance Officer of Mitchell, South Dakota, has been submitted to the City Planning Commission of the said City of Mitchell, South Dakota; and

WHEREAS, the City Planning Commission, in regular meeting assembled, had duly considered said plat and finds as a fact that said plat is in conformity and does not conflict with the Master Plan for the City of Mitchell, South Dakota, heretofore adopted by this Commission;

NOW THEREFORE, be it resolved by the City Planning Commission of Mitchell, South Dakota, that the plat of D.W.U. LOT RH-1, A SUBDIVISION OF THE REPLAT OF DAKOTA WESLEYAN UNIVERSITY CAMPUS, CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul J. Reiland, a Land Surveyor, be and the same is hereby approved and its adoption by the City Council of the City of Mitchell, South Dakota, is hereby recommended.

The undersigned does hereby certify that the foregoing resolution was passed by the City Planning Commission of Mitchell, South Dakota, at a meeting thereof held on the _____ day of _____, 2018.



Chairman/Vice Chairman of the City of Mitchell
Planning Commission

SPN & Associates
Engineers, Planners and Surveyors
2100 North Sanborn Blvd. - P.O. Box 398 Mitchell, South Dakota 57301
Phone: (605) 996-7761 Fax: (605) 996-0015

A PLAT OF D.W.U. LOT RH-1, A SUBDIVISION OF THE REPLAT OF DAKOTA
WESLEYAN UNIVERSITY CAMPUS, CITY OF MITCHELL, DAVISON COUNTY, SOUTH
DAKOTA.

RESOLUTION OF CITY COUNCIL

WHEREAS, it appears that the City Planning Commission of the City of Mitchell, South Dakota, did duly consider and did recommend the approval and adoption of the hereinafter described plat, at its meeting held on the _____ day of _____, 2018; and
WHEREAS, it appears from an examination of the plat of D.W.U. LOT RH-1, A SUBDIVISION OF THE REPLAT OF DAKOTA WESLEYAN UNIVERSITY CAMPUS, CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, as prepared by Paul J. Reiland, a duly licensed Land Surveyor in and for the State of South Dakota, that said plat is in accordance with the system of streets and alleys set forth in the Master Plan adopted by the City Planning Commission of the City of Mitchell, South Dakota; and that such plat has been prepared according to law;
THEREFORE, be it resolved by the City Council of Mitchell, South Dakota, that the plat of D.W.U. LOT RH-1, A SUBDIVISION OF THE REPLAT OF DAKOTA WESLEYAN UNIVERSITY CAMPUS, CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul J. Reiland, be and the same is hereby approved and the description set forth therein and the accompanying surveyor's certificate shall prevail.
The undersigned does hereby certify that the foregoing resolution was passed by the City of Mitchell, South Dakota, at a meeting held on the _____ day of _____, 2018.

Finance Officer/Deputy Finance Officer of the City of Mitchell

CERTIFICATE OF COUNTY TREASURER

The undersigned does hereby certify that all taxes which would, if not paid, be liens upon any of the land included in the within and foregoing plat, as shown by the records of this office, have been fully paid.

Treasurer/Deputy Treasurer of Davison County

Date

DIRECTOR OF EQUALIZATION

The undersigned does hereby certify that a copy of the plat of D.W.U. LOT RH-1, A SUBDIVISION OF THE REPLAT OF DAKOTA WESLEYAN UNIVERSITY CAMPUS, CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, has been received by me and is filed in this office.

Director of Equalization/Deputy Director of Equalization of Davison County

Date

REGISTER OF DEEDS

STATE OF SOUTH DAKOTA)
COUNTY OF DAVISON)

FILED for record this _____ day of _____, 2018, at _____, and recorded in Book _____ of Plats on Page _____ therein and recorded on Microfilm Number _____.

Register of Deeds, Davison County

By _____ Deputy

SPN & Associates

Engineers, Planners and Surveyors
2100 North Sanborn Blvd. - P.O. Box 398 Mitchell, South Dakota 57301
Phone: (605) 996-7761 Fax: (605) 996-0015

REGISTERED PROFESSIONAL LAND SURVEYOR

REG. NO. 6702
PAUL J. REILAND
SOUTH DAKOTA

