

CITY OF MITCHELL  
CITY PLANNING COMMISSION AGENDA  
COUNCIL CHAMBERS, CITY HALL, 612 N MAIN ST  
DATE: JUNE 25, 2018 TIME: 12:00 PM (NOON)

**1. CALL TO ORDER:**

**2. ROLL CALL:**

**3. APPROVE AGENDA:**

**4. Approval Of Minutes: May 29, 2018**

Documents:

[PLANNINGCOMMMIN5292018.PDF](#)

**5. SCHEDULE NEXT MEETING: JULY 9, 2018**

**6. CONDITIONAL USE PERMIT:**

*Laura Picek has made an application for a home occupation/conditional use permit to operate a family residential child care center in her home located at 1033 E. 1st Ave, legally described as Lot 2, Block 3, Driving Park Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R3 Medium Density Residential District.*

Documents:

[PICEKLETTER.PDF](#)  
[PICEKNEIGHBORS.PDF](#)  
[1033E1STPICEKAERIAL.PDF](#)  
[PICEKMAP.PDF](#)

**7. Plat: A Plat Of Lot 1 Of Peters Addition In The SW 1/4 Of Section 10, T 103 N, R 60 W Of The 5th P.M., City Of Mitchell, Davison County, South Dakota**

Documents:

[PLATL1PETERSADD.PDF](#)  
[AERIALL1PETERS.PDF](#)

**8. PLAT: A Plat Of Lot 2-B, A Subdivision Of Lots 1 And 2 Of Skyline Estates In The South 100 Acres In The NW 1/4 Of Section 14, T 103 N, R 60 W Of The 5th P.M., Davison County, South Dakota**

Documents:

[PLATL2BSKYLINEEST.PDF](#)  
[AERIALLOT2BSKYLINE.PDF](#)

**9. Discussion Of Possible Changes To The Sign Regulations**

**10. Recognition Of Outgoing Planning Commission Members: Bob Everson & Larry Griffith**

**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  
MAY 29, 2018**

**NOT APPROVED**

Chairman Larson called the May 29, 2018 City Planning Commission Meeting to order at 12:00 pm in the Council Chambers, City Hall, 612 N Main St, Mitchell, SD

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

Members Absent: Fergen, Quenzer and Allen

Staff Present: Putnam, Ellwein, T. Johnson, J. Johnson, J. Hegg, Laursen, Croce

Approval of Agenda: Motion by Molumby, 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 May 14, 2018 meeting. All members present voting aye, motion carried.

No conflicts of interest were declared.

Schedule Next Meeting: Motion by Molumby, seconded Griffith to schedule the next meeting for June 11, 2018. All members present voting aye, motion carried.

Variance: Radke Construction is requesting an oversize variance of 4,000 vs 2,000 square feet as required and a height variance of 24' vs 22' as required at the property located in the 2001 block of W 5<sup>th</sup> Ave, legally described as the 84' of the North 100' of Irregular Tract No. 9 and the W 16' of the North 100' of Vacated Dupree Street abutting and lying south of west 5<sup>th</sup> Avenue and Abutting Irregular Tract No. 9, Davison County, South Dakota. The real property is zoned R4 High Density Residential District.

Mr. Radke was available for questions. He indicated it will be used for storage and pole construction. It was noted that he owns a large portion of the property. No written comments were received. No one testify in opposition of the variance. The public notice was published May 18, 2018 and letters were sent to the neighboring property owners on May 16, 2018. The county indicated the property may be in a flood plain. However, Hegg and another staff member reviewed the elevations and it appears the subject property will be above the base elevation. The building will be accessed from W 5<sup>th</sup> Ave. Motion by Jirsa, seconded by Griffith to recommend the Board of Adjustment approve the variances. All members present voting aye, motion carried.

Plat: A Plat of Lot P, A Subdivision of Previously Platted Lot S of Maui Farms, Second Addition, City of Mitchell, Davison County, South Dakota. Motion by Everson, seconded by Jirsa to approve the plat. All members present voting aye, motion carried.

Plat: A Plat of Lot 18 of Airport Addition, A Subdivision of Previously Platted Lot 2 of Fiala's Addition in the East ½ of the NW ¼ of Section 4, T 103 N, R 60 W of the 5<sup>th</sup> P.M., City of Mitchell, Davison County, South Dakota. Motion by Molumby, seconded by Griffith to approve the plat. All members present voting aye, motion carried.

Plat: A Plat of Lot 5, Block 10 of the Woods First Addition, A Subdivision of the East ½ of the SW ¼ of Section 23, T 103 N, R 60 W of the 5<sup>th</sup> P.M., City of Mitchell, Davison County, South Dakota. Motion by Everson, seconded by Griffith to approve the plat. All members present voting aye, motion carried.

Plat: A Plat of Tract 1 of Odland's First Addition an Addition in the East 860 feet (E 860') of the South 646 feet (S 646') of the Southeast Quarter (SE ¼) of Section 18, T 103 N, R 60 W of the 5<sup>th</sup> P.M., Davison County, South Dakota. This is outside the city's zoning jurisdiction, but within the 3 mile platting jurisdiction. Motion by Molumby, seconded by Griffith to approve this plat. All members present voting aye, motion carried.

Plan Approval: Dr. Lucky's, 205 N Main St, CB District. The owner wishes to build a permanent awning structure on the vacant lot to the south. Hegg and Jirsa noted that it should be designed to withstand snow load and strong winds. The owner was present. It was noted this property is within the historic district and it should be review by the historic entities. Jirsa provided examples of a similar site in downtown and with the new Main Street design this should be review. Motion by Jirsa, seconded by Everson to approve the plan subject to approval by the appropriate historic entities. All members present voting aye, motion carried.

Plan Approval: Thune's Hardware, 1400 N Main St, Central Business District. The owner was presented. He indicated that the proposed addition will now be 26 feet wide instead of 30 feet. This will be used for storage and it will be more accommodating for semi-trucks. Motion by Molumby, seconded by Griffith to approve the plan. All members present voting aye, motion carried.

Chairman Larson adjourned the meeting at 12:20 pm.

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June 13, 2018

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED, that Laura Picek has made an application for a home occupation/conditional use permit to operate a family residential child care center in her home located at 1033 E 1<sup>st</sup> Ave, legally described Lot 2, Block 3, Driving Park Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R3 Medium Density Residential District.

YOU ARE FURTHER NOTIFIED, that public hearings in regards to the conditional use permit will be held by the Planning Commission on June 25, 2018 at 12:00 pm and the City Council acting as the Board of Adjustment will conduct their hearing on July 2, 2018 at 6:00 pm. Both hearings will be held in the Council Chambers, Mitchell City Hall, 612 N Main St. All interested parties may attend the public hearings and provide comments in regards to the applicant's request.

I/We Boyd Reimnitz  
OWNER  
1020 E 1<sup>st</sup> AVE

ADDRESS

X APPROVE

       DISAPPROVE

*No response will indicate approval.*

COMMENTS:

DALE & KAROL PORTER  
1704 N MAIN ST  
MITCHELL SD 57301

LAURA PICEK  
1033 E 1<sup>ST</sup> AVE  
MITCHELL SD 57301

SAUKERSON VEHLE REAL ESTATE  
132 N HARMON DR  
MITCHELL SD 57301

KATIE KNUTSON  
1025 E 1<sup>ST</sup> AVE  
MITCHELL SD 57301

STUART SULLIVAN  
1019 E 1<sup>ST</sup> AVE  
MITCHELL SD 57301

FREDERICK & ELAINE JORAMO  
PO BOX 26  
MITCHELL SD 57301

DODD HANSON & DONNA SPIER  
1030 E 1<sup>ST</sup> AVE  
MITCHELL SD 57301

BOYD REIMNITZ  
407 N MAIN ST  
MITCHELL SD 57301

CRAIG & AMY HILDEBRAND  
719 S DAVISON  
MITCHELL SD 57301

JIM & LINDA PICEK  
1036 E HANSON AVE  
MITCHELL SD 57301

CASEY CARSTENS  
1026 E HANSON AVE  
MITCHELL SD 57301

DONNA JOHNSON  
1024 E HANSON AVE  
MITCHELL SD 57301

TONIA ROWLEY  
1020 E HANSON AVE  
MITCHELL SD 57301

PAUL & SUSAN FENSKE  
1100 E HANSON AVE  
MITCHELL SD 57301



|     |     |     |     |     |     |     |     |     |     |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 11  | 12  | 13  | 14  | 15  | 16  | 17  | 18  | 19  | 20  |
| 50' | 50' | 50' | 50' | 50' | 50' | 50' | 50' | 50' | 44' |

EAST 2 ND

|     |     |     |     |     |     |     |     |     |     |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 10  | 9   | 8   | 7   | 6   | 5   | 4   | 3   | 2   | 1   |
| 50' | 50' | 50' | 50' | 50' | 50' | 50' | 50' | 50' | 50' |

EAST 1 ST

|     |     |     |     |     |     |     |     |     |     |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 11  | 12  | 13  | 14  | 15  | 16  | 17  | 18  | 19  | 20  |
| 50' | 50' | 50' | 50' | 50' | 50' | 50' | 50' | 50' | 50' |

EAST 1 ST

|     |     |     |     |     |     |     |     |     |     |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 6   | 5   | 4   | 3   | 2   | 1   | 4   | 3   | 2   | 1   |
| 50' | 50' | 50' | 50' | 50' | 50' | 50' | 50' | 50' | 50' |

EAST 1 ST

|     |     |     |     |     |     |     |     |     |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 7   | 8   | 9   | 10  | 11  | 12  | 5   | 7   | 8   |
| 50' | 50' | 50' | 50' | 50' | 50' | 50' | 50' | 50' |

EAST 1 ST

|     |     |     |     |     |     |     |     |     |     |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 50' | 50' | 50' | 50' | 50' | 50' | 50' | 50' | 50' | 50' |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|

EAST 1 ST

|     |     |     |     |     |     |     |     |     |     |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 11  | 12  | 13  | 14  | 15  | 16  | 17  | 18  | 19  | 20  |
| 44' | 50' | 50' | 50' | 50' | 50' | 50' | 50' | 50' | 50' |

EAST 1000 AVENUE

|       |     |     |     |     |     |     |     |     |     |
|-------|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 10    | 9   | 8   | 7   | 6   | 5   | 4   | 3   | 2   | 1   |
| 45.6' | 50' | 50' | 50' | 50' | 50' | 50' | 50' | 50' | 50' |

EAST 1000 AVENUE

|     |     |     |     |     |     |     |     |     |     |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 11  | 12  | 13  | 14  | 15  | 16  | 17  | 18  | 19  | 20  |
| 48' | 50' | 50' | 50' | 50' | 50' | 50' | 50' | 50' | 50' |

EAST 1000 AVENUE

|       |     |     |     |     |     |     |     |     |     |
|-------|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 10    | 9   | 8   | 7   | 6   | 5   | 4   | 3   | 2   | 1   |
| 40.9' | 50' | 50' | 50' | 50' | 50' | 50' | 50' | 50' | 50' |

EAST 1000 AVENUE

|       |     |     |     |     |     |     |     |     |     |
|-------|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 11    | 12  | 13  | 14  | 15  | 16  | 17  | 18  | 19  | 20  |
| 40.9' | 50' | 50' | 50' | 50' | 50' | 50' | 50' | 50' | 50' |

EAST 1000 AVENUE

|     |     |     |     |     |     |
|-----|-----|-----|-----|-----|-----|
| 7   | 8   | 9   | 10  | 11  | 12  |
| 50' | 50' | 50' | 50' | 50' | 50' |

EAST 1100 AVENUE

|     |     |     |     |     |     |
|-----|-----|-----|-----|-----|-----|
| 6   | 5   | 4   | 3   | 2   | 1   |
| 50' | 50' | 50' | 50' | 50' | 50' |

EAST 1100 AVENUE

|     |     |     |     |     |     |
|-----|-----|-----|-----|-----|-----|
| 7   | 8   | 9   | 10  | 11  | 12  |
| 50' | 50' | 50' | 50' | 50' | 50' |

EAST 1100 AVENUE

|     |     |     |     |     |     |
|-----|-----|-----|-----|-----|-----|
| 6   | 5   | 4   | 3   | 2   | 1   |
| 50' | 50' | 50' | 50' | 50' | 50' |

EAST 1100 AVENUE

|     |     |     |     |     |     |
|-----|-----|-----|-----|-----|-----|
| 7   | 8   | 9   | 10  | 11  | 12  |
| 50' | 50' | 50' | 50' | 50' | 50' |

EAST 1100 AVENUE

1228.17'



1 Inch = 50 Feet

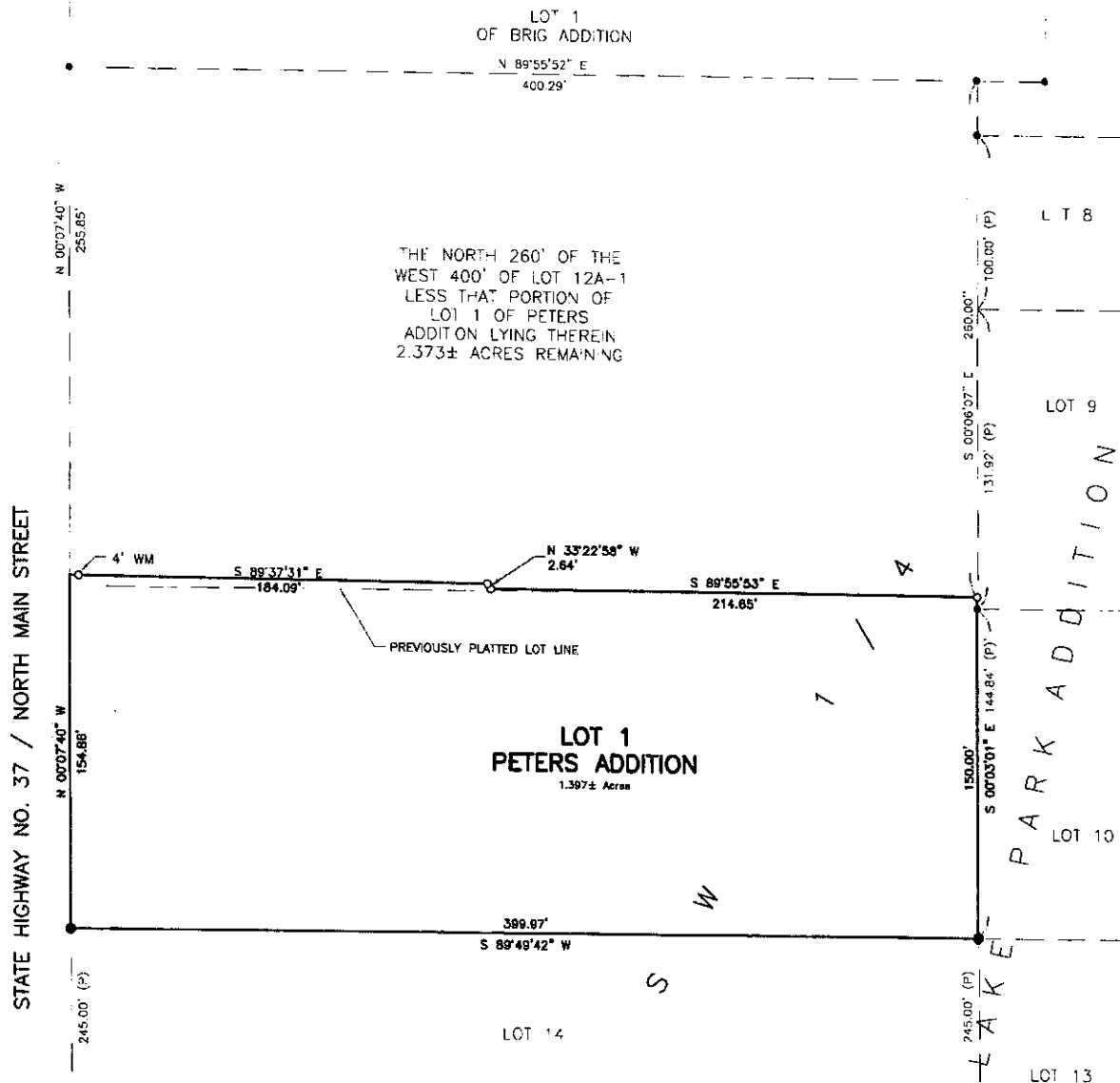
**LEGEND**

- - FOUND IRON MONUMENT
- - SET 5/8" x 10" REBAR WITH PLASTIC CAP NO. 8702
- 100' (P) - PLATTED BEARING OR DISTANCE
- 100' (R) - RECORDED BEARING OR DISTANCE
- 100' - MEASURED BEARING OR DISTANCE
- - SET NAIL
- ▲ - SET SURVEY SPIKE
- 4.00 CH (P) - PLATTED DISTANCE IN CHAINS
- - FOUND NAIL
- ◇ - SET 3/8" x 12" SPIKE W/ WASHER P.R. 6702
- WM - WITNESS MONUMENT

PREPARED BY: PAUL J. REILAND, R.L.S.  
2100 NORTH SANBORN BLVD. - P.O. BOX 398  
MITCHELL, SOUTH DAKOTA 57301  
PHONE: (605) 996-7761

COORDINATE SYSTEM IS SOUTH DAKOTA SOUTH  
ZONE, STATE PLANE - NORTH AMERICAN  
DATUM 1983 - GEOID 12B.

NOTE:  
THIS SURVEY WAS PERFORMED WITHOUT  
THE BENEFIT OF A TITLE REPORT OR TITLE  
COMMITMENT. EASEMENTS OF RECORD WERE  
NOT RESEARCHED AND ARE NOT SHOWN  
UNLESS OTHERWISE NOTED.



A PLAT OF LOT 1 OF PETERS ADDITION IN THE SW 1/4 OF SECTION 10,  
T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY,  
SOUTH DAKOTA.

**SURVEYOR'S CERTIFICATE**

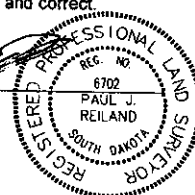
I, Paul J. Reiland, the undersigned, do hereby certify that I am a Registered Land Surveyor in and for the State of South Dakota. At the request of Kenneth Bussmus and Rosann Legge, as Personal Representatives of the Estate of Rita Ann Bussmus, and under their direction for purposes indicated therein, I did on or prior to June 7, 2018, survey those parcels of land described as follows: LOT 1 OF PETERS ADDITION IN THE SW 1/4 OF SECTION 10, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA. This plat does hereby vacate A PORTION OF THE NORTH 260' OF THE WEST 400' OF LOT 12A-1 AND ALL OF LOT 12A-1A IN THE SW 1/4 OF SECTION 10, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, AS RECORDED IN PLAT BOOK 4 ON PAGE 145 AND PLAT BOOK 6 ON PAGE 58 RESPECTIVELY.

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 11<sup>TH</sup> day of JUNE, 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



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

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

A PLAT OF LOT 1 OF PETERS ADDITION IN THE SW 1/4 OF SECTION 10,  
T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY,  
SOUTH DAKOTA.

### RESOLUTION OF CITY PLANNING COMMISSION

WHEREAS, the plat of LOT 1 OF PETERS ADDITION IN THE SW 1/4 OF SECTION 10, T 103 N, R 60 W OF THE 5TH P.M., 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 LOT 1 OF PETERS ADDITION IN THE SW 1/4 OF SECTION 10, T 103 N, R 60 W OF THE 5TH P.M., 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

### 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 LOT 1 OF PETERS ADDITION IN THE SW 1/4 OF SECTION 10, T 103 N, R 60 W OF THE 5TH P.M., 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 LOT 1 OF PETERS ADDITION IN THE SW 1/4 OF SECTION 10, T 103 N, R 60 W OF THE 5TH P.M., 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 LOT 1 OF PETERS ADDITION IN THE SW 1/4 OF SECTION 10, T 103 N, R 60 W OF THE 5TH P.M., 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)  
JSS  
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 \_\_\_\_\_

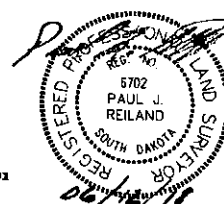
\_\_\_\_\_  
Deputy

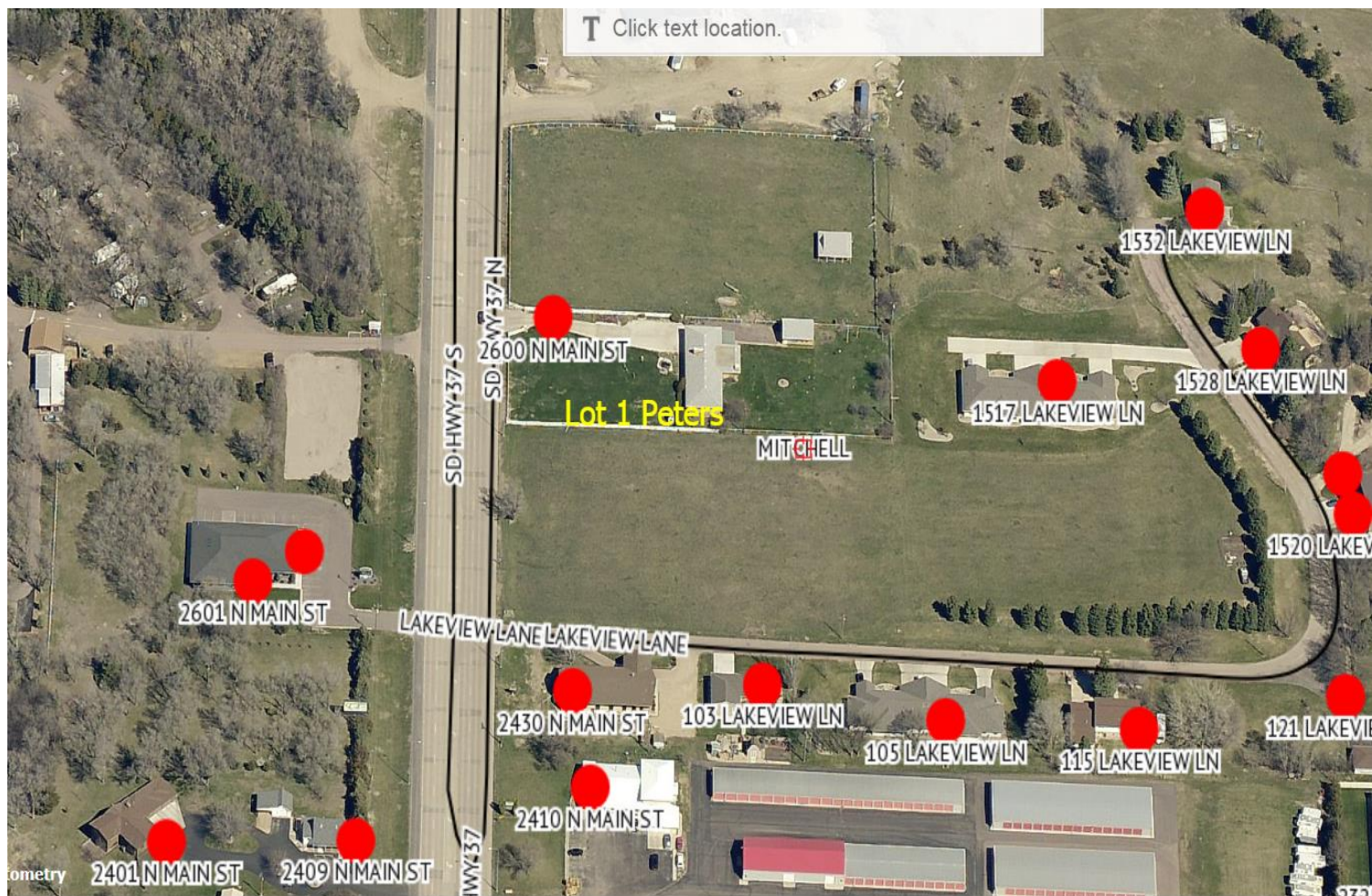
**SPN**

**& Associates**

Engineers, Planners and Surveyors

2109 North Sanborn Blvd. - P.O. Box 398 Mitchell, South Dakota 57301  
Phone: (605) 996-7161 Fax: (605) 996-0015







1 Inch = 60 Feet

**LEGEND**

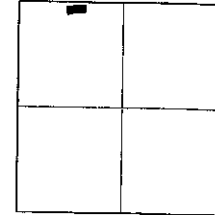
- = FOUND IRON MONUMENT
- = SET 5/8" X 18" REBAR WITH PLASTIC CAP NO. 8296
- 100' (P) = PLATTED BEARING OR DISTANCE
- 100' = MEASURED BEARING OR DISTANCE
- = SET NAIL
- ▲ = SET SURVEY SPIKE
- 100.0' (R) = RECORDED DISTANCE
- 100.0' (M) = MEASURED DISTANCE
- = FOUND NAIL
- ◇ = SET 3/8" X 12" SPIKE W/WASHER PCK-8296
- WM = WITNESS MONUMENT

PREPARED BY: PAUL C. KIEPKE, R.L.S.  
2100 NORTH SANBORN BLVD. - P.O. BOX 390  
MITCHELL, SOUTH DAKOTA 57301  
PHONE: (605) 996-7761

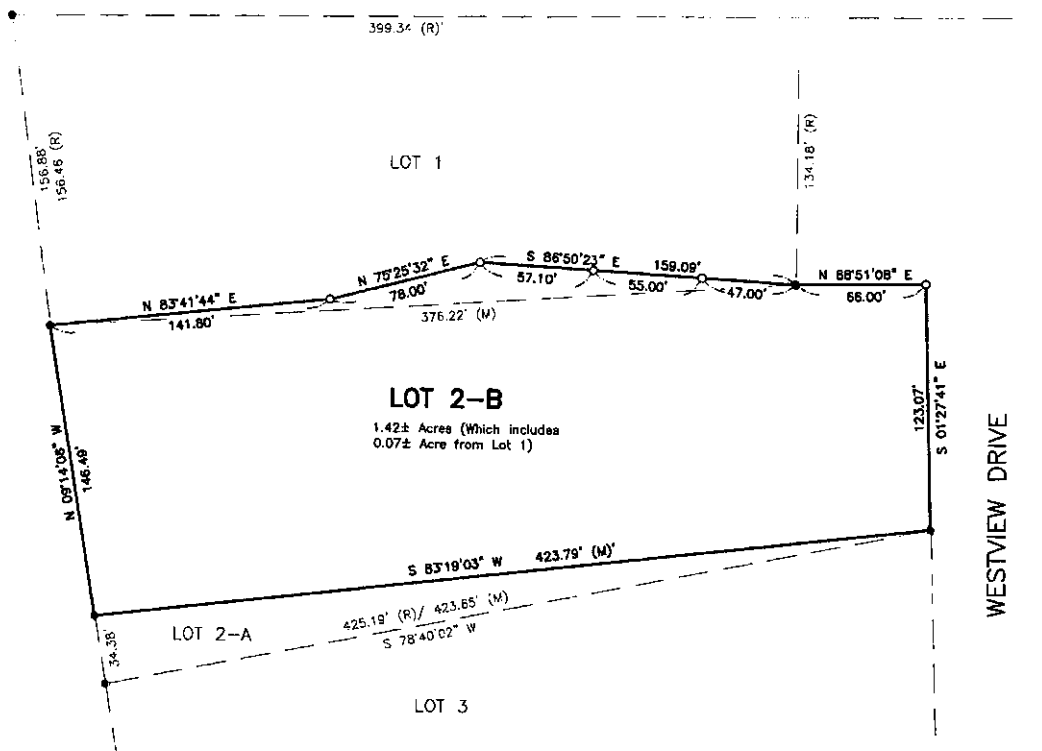
COORDINATE SYSTEM IS SOUTH DAKOTA SOUTH  
ZONE STATE PLANE - NORTH AMERICAN  
DATUM 1983 - GEOID 128

NOTE:  
THIS SURVEY WAS PERFORMED WITHOUT  
THE BENEFIT OF A TITLE REPORT OR TITLE  
COMMITMENT. EASEMENTS OF RECORD WERE  
NOT RESEARCHED AND ARE NOT SHOWN  
UNLESS OTHERWISE NOTED.

SEC. 14, T 103 N, R 60 W



LOCATION MAP  
SCALE: 1" = 3000'



A PLAT OF LOT 2-B, A SUBDIVISION OF LOTS 1 AND 2 OF SKYLINE ESTATES IN THE SOUTH 100 ACRES IN THE NW 1/4 OF SECTION 14, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA.

**SURVEYOR'S CERTIFICATE**

I, Paul C. Kiepke, the undersigned, do hereby certify that I am a Registered Land Surveyor in and for the State of South Dakota. At the request of Brock Properties LLC, a South Dakota limited liability company, as owner of Lot 1, and Rocky L. Brenden and Diane J. Brenden, as owners of Lot 2, and under their direction for purposes indicated therein, I did on or prior to May 15, 2018, survey those parcels of land described as follows: LOT 2-B, A SUBDIVISION OF LOTS 1 AND 2 OF SKYLINE ESTATES IN THE SOUTH 100 ACRES IN THE NW 1/4 OF SECTION 14, T 103 N, R 60 W OF THE 5TH P.M., 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. This plat does hereby vacate that portion of LOT 1 to be included in proposed Lot 2-B; AND LOT 2, EXCEPT LOT 2-A, OF SKYLINE ESTATES IN THE SOUTH 100 ACRES OF SECTION 14, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, AS RECORDED IN PLAT BOOK 10 ON PAGE 62.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

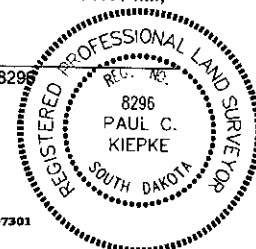
Registered Land Surveyor #SD8296

**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 LOT 2-B, A SUBDIVISION OF LOTS 1 AND 2 OF SKYLINE ESTATES IN THE SOUTH 100 ACRES IN THE NW 1/4 OF SECTION 14, T 103 N, R 60 W OF THE 5TH P.M., 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 Brock Properties, LLC, a South Dakota limited liability company, and Rocky L. Brenden and Diane J. Brenden are the absolute and unqualified owners of all of the land included in the within and foregoing plat; the plat is of a parcel of ground located in LOTS 1 AND 2 EXCEPT LOT 2-A OF SKYLINE ESTATES IN THE SOUTH 100 ACRES OF THE NW 1/4 OF SECTION 14, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA; that the plat has been made at the request of Brock Properties, LLC, a South Dakota limited liability company, Rocky L. Brenden and Diane J. Brenden and under their direction for the purposes indicated therein; which said property as so surveyed and platted shall hereafter be known as LOT 2-B, A SUBDIVISION OF LOTS 1 AND 2 OF SKYLINE ESTATES IN THE SOUTH 100 ACRES IN THE NW 1/4 OF SECTION 14, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, as shown by this plat; and Brock Properties, LLC, a South Dakota limited liability company, and Rocky L. Brenden and Diane J. Brenden, 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 the land included within the boundaries of said Lot 2-B shall conform to all existing applicable zoning, subdivision, and erosion and sediment control regulations; further that there now exists Westview Drive. 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.

We also hereby certify that the platting of said LOT 2-B, A SUBDIVISION OF LOTS 1 AND 2 OF SKYLINE ESTATES IN THE SOUTH 100 ACRES IN THE NW 1/4 OF SECTION 14, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, does hereby vacate that portion of LOT 1 to be included in proposed Lot 2-B; AND LOT 2, EXCEPT LOT 2-A, OF SKYLINE ESTATES IN THE SOUTH 100 ACRES OF SECTION 14, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, AS RECORDED IN PLAT BOOK 10 ON PAGE 62.

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

Kristi R. Martin, Registered Agent of Brock Properties, a  
South Dakota limited liability company

### ACKNOWLEDGMENT

STATE OF SOUTH DAKOTA)  
 )SS  
COUNTY OF DAVISON)

On this, the \_\_\_\_\_ day of \_\_\_\_\_, 2018, before me, \_\_\_\_\_, the undersigned officer, personally appeared Kristi R. Martin, who acknowledged herself to be the Registered Agent of Brock Properties, LLC, a South Dakota limited liability company, and that she, as such Registered Agent, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the company by herself as the Registered Agent.

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

Notary Public, South Dakota  
My Commission Expires: \_\_\_\_\_

IN WITNESS WHEREOF, we have hereunto set our hands this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Rocky L. Brenden

Diane J. Brenden

### ACKNOWLEDGMENT

STATE OF SOUTH DAKOTA)  
 )SS  
COUNTY OF DAVISON)

On this, the \_\_\_\_\_ day of \_\_\_\_\_, 2018 before me, \_\_\_\_\_, the undersigned officer, personally appeared Rocky L. Brenden and Diane J. Brenden, 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.

Notary Public, South Dakota  
My Commission Expires: \_\_\_\_\_



**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 LOT 2-B, A SUBDIVISION OF LOTS 1 AND 2 OF SKYLINE ESTATES IN THE SOUTH 100 ACRES IN THE NW 1/4 OF SECTION 14, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA.

### RESOLUTION OF CITY PLANNING COMMISSION

WHEREAS, the plat of LOT 2-B, A SUBDIVISION OF LOTS 1 AND 2 OF SKYLINE ESTATES IN THE SOUTH 100 ACRES IN THE NW 1/4 OF SECTION 14, T 103 N, R 60 W OF THE 5TH P.M., 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 LOT 2-B, A SUBDIVISION OF LOTS 1 AND 2 OF SKYLINE ESTATES IN THE SOUTH 100 ACRES IN THE NW 1/4 OF SECTION 14, T 103 N, R 60 W OF THE 5TH P.M., 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 hereby certifies 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 Mitchell 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 \_\_\_\_\_, 2018; and

WHEREAS, it appears from an examination of the plat of LOT 2-B, A SUBDIVISION OF LOTS 1 AND 2 OF SKYLINE ESTATES IN THE SOUTH 100 ACRES IN THE NW 1/4 OF SECTION 14, T 103 N, R 60 W OF THE 5TH P.M., 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 LOT 2-B, A SUBDIVISION OF LOTS 1 AND 2 OF SKYLINE ESTATES IN THE SOUTH 100 ACRES IN THE NW 1/4 OF SECTION 14, T 103 N, R 60 W OF THE 5TH P.M., 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 hereby certifies 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 City of Mitchell

### RESOLUTION OF COUNTY PLANNING COMMISSION

WHEREAS, the plat of LOT 2-B, A SUBDIVISION OF LOTS 1 AND 2 OF SKYLINE ESTATES IN THE SOUTH 100 ACRES IN THE NW 1/4 OF SECTION 14, T 103 N, R 60 W OF THE 5TH P.M., 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 County Auditor of Davison County, South Dakota, has been submitted to the County Planning Commission of the said County of Davison, South Dakota; and

WHEREAS, the County 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 County of Davison, South Dakota, heretofore adopted by this Commission;

NOW THEREFORE, be it resolved by the County Planning Commission of Davison County, South Dakota, that the plat of LOT 2-B, A SUBDIVISION OF LOTS 1 AND 2 OF SKYLINE ESTATES IN THE SOUTH 100 ACRES IN THE NW 1/4 OF SECTION 14, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul J. Reiland, a Land Surveyor, be and the same is hereby approved and its adoption by the Board of Commissioners of the County of Davison, South Dakota, is hereby recommended.

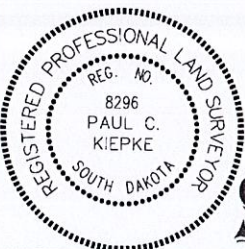
The undersigned hereby certifies that the foregoing resolution was passed by the County Planning Commission of Davison County, South Dakota, at a meeting thereof held on the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Chairman/Vice-Chairman of Davison County Planning Commission

### RESOLUTION BY BOARD OF COUNTY COMMISSIONERS

Be it resolved by the Board of County Commissioners of Davison County, South Dakota, that the plat of LOT 2-B, A SUBDIVISION OF LOTS 1 AND 2 OF SKYLINE ESTATES IN THE SOUTH 100 ACRES IN THE NW 1/4 OF SECTION 14, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, which has been submitted for examination pursuant to law, is hereby approved and the County Auditor is hereby authorized and directed to endorse on such plat a copy of this Resolution and certify the same.

\_\_\_\_\_  
Chairperson/Vice-Chairperson, Board of County Commissioners of Davison County



**SPN**

**& Associates**

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## AUDITOR'S CERTIFICATE

Auditor/Deputy Auditor, Davison County

## Date:\_\_\_\_

Treasurer/Deputy Treasurer, Davison County      Date \_\_\_\_\_

## Date \_\_\_\_\_

By \_\_\_\_\_ Deputy



# SPN

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