

CITY OF MITCHELL
CITY PLANNING COMMISSION
COUNCIL CHAMBERS, CITY HALL, 612 N MAIN ST
MAY 13, 2019, 12:00 pm

1. CALL TO ORDER:

2. ROLL CALL:

3. Declaration Of Conflicts Of Interests

4. Approval Of Minutes: April 22, 2019

Documents:

[PLANNINGCOMMINUTES4222019.PDF](#)

5. APPROVE AGENDA:

6. Schedule Next Meeting: May 28, 2019 (TUESDAY)

7. VARIANCE:

Terrance & Michelle Lynde have applied for a front yard variance of 13 feet vs 25 feet as required to construct a covered porch and placement of an accessory building at their home located at 324 E 14th Ave, legally described as Lot 4, Block 1, Fullerton Terrance Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R2 Single Family Residential District.

Documents:

[LYNDEAPP.PDF](#)
[LYNDEPLAN.PDF](#)
[LYNDENEIGHBORS.PDF](#)
[LYNDENOH.PDF](#)
[AERIAL324E14TH.PDF](#)

8. CONDITIONAL USE PERMIT:

Carlos & Alayna Reyes have applied for a conditional use permit to operate a family residential child care facility in their residence located at 412 E. 12th Ave, legally described as Lot 11, Block 1, Frost's Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R2 Single Family Residential District.

Documents:

[REYESAPP.PDF](#)
[REYESNOH.PDF](#)
[REYESNEIGHBORS.PDF](#)
[REYESLETTER.PDF](#)
[AERIALREYESDAYCARE.PDF](#)

9. Continued Discussion Or Possible Action On Puetz Proposal Of The SE Corner Of N. Kimball Street And East 9th Avenue

Documents:

[PUETZCORPPARKINGPLANS.PDF](#)

10. Plan Approval: 201 E 2nd Ave, CB District

Documents:

[201E2ND2.JPG](#)
[201E2ND1.JPG](#)
[BUILDING DIAGRAM.PDF](#)
[GUNKEL.PDF](#)

- 11. Plat: A Plat Of Lot 7, Block 9 Of Westwood First Addition, A Subdivision Of Block 4 Of Westwood First Addition In The NW 1/4 Of Section 16, T 103 N, R 60 W Of The 5th P.M., City Of Mitchell, Davison County, South Dakota**

Documents:

[PLATL7B9WESTWOOD.PDF](#)
[AERIALL7B9WESTWOODPLAT.PDF](#)

12. OTHER BUSINESS:

- 13. PUBLIC INPUT: If You Need To Address The City Planning Commission On An Item That Was Not On The Agenda, Excluding Personnel Items, Please Come Forward To The Podium And State Your Name And Your Concern. Presentations Are Limited To Three Minutes. Items Will Be Considered But No Action Will Be Taken At This Time.**

14. 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, APRIL 22, 2019**

NOT APPROVED

Chairman Larson called the April 22, 2019 City Planning Commission to order at 12:00 pm, Council Chambers, City Hall, 612 N Main St, Mitchell, SD

Members Present: Larson, Genzlinger, Osterloo, Quenzer and Allen

Members Absent: Fergen, Jirsa, and Molumby

Staff Present: Putnam, Croce, T. Johnson, J. Johnson, London, Sandoval, Jenniges and Mayor Everson

Declaration of Conflicts of Interest: Genzlinger declared a conflict on Agenda Item #12

Approval of Agenda: Motion by Osterloo, seconded by Genzlinger to approve the agenda. All members present voting aye, motion carried.

Approval of Minutes: Motion by Genzlinger, seconded by Osterloo to approve the minutes of the April 8, 2019 meeting. All members present voting aye, motion carried.

Schedule Next Meeting: Motion by Genzlinger, seconded by Quenzer to schedule the next meeting for May 13, 2019. All members present voting aye, motion carried.

Approval of Plat: A Plat of Lots 1 and 2 of GRS Addition in the S ½ of the N1/2 of the N ½ of the SE ¼ of Section 3, T 102 N, R 60 W of the 5th P.M., Davison County, South Dakota. This plat is outside the city's zoning jurisdiction, but within the 3 mile platting area. Mark Jenniges, Davison County, informed the commissioners that the purpose of this plat is clean up a difficult legal description. He also noted that part of the property is within a flood plain. Genzlinger noted that if the lots are ever subdivided that access would need should be noted. Motion by Osterloo, seconded by Quenzer to approve the plat. All members present voting aye, motion carried.

Approval of Plat: A Plat of Lot 4, Block 5 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 5th P.M., Davison County, South Dakota. Putnam reported this plat follows the master plan. Motion by Genzlinger, seconded by Osterloo to approve the plat. All members present voting aye, motion carried.

Conditional Use Permit: On Sight Storage LLC has applied for a conditional use permit to operate a self-service storage facility in the property located at 120 S Lawler, legally described as Lots 10 & 11, Block 20, Original Addition, City of Mitchell, Davison County, South Dakota. The property is zoned CB Central Business District. Brian Price, owner, was available by conference call. Putnam did receive an inquiry if there was going to be outside storage. Mr. Price responded no. No one testified in opposition. Letters to the neighbors were sent April 11, 2019 and the public notice was published April 11 & April 24, 2019. Motion by Osterloo seconded by Quenzer to recommend the Board of Adjustment approve the conditional use permit with a condition there will not be outside storage. All members present voting aye, motion carried.

Variance: Brenda Oleson & Dan Hauser have applied for a front yard variance of 10 feet vs 25 feet as required for moving an accessory building located at 721 W Hanson Ave, legally described as Lot 12, Block 8, Railroad Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R2 Single Family Residential District. Mr. Hauser was present to answer questions. Letters to the neighboring property owners were sent on April 11, 2019 and the public notice was published April 11, 2019. Mr. Hauser would like to move the existing garage closer to Montana Street in order to shorten the drive way and enlarge the yard. He said that he has been working on 'cleaning' up the property. He also would like to improve the drainage. A neighbor at 215 S Montana expressed concern about the notice and the appearance of the property. Apparently, this property was a nuisance at one time. Another neighbor inquired about the location of the garage in relation to the property lines. Hegg and Chairman Larson provide the guest an explanation of where property lines are in relation to residences. Motion by Genzliner, seconded by Osterloo to recommend the Board of Adjustment approve the variance with the condition there be no parking over the sidewalk and that the roofline of the garage not be past the existing roofline of the house. All members present voting aye, motion carried.

Variance: Gary & Sandy Butterfield have applied for a backyard variance of 20 feet vs. 25 feet as required and an oversize variance of 1,848 square feet vs. 1,200 square feet for construction of an accessory building located at 700 W Pine Ave, legally described as Lot 1, Block 6, MLC Addition, City of Mitchell, Davison County, South Dakota. The property is zoned PD Mueller Lumber Morningview Subdivision Planned Development District. The Butterfields were present to answer questions and a representative of Mueller Lumber was present. The commissioners reviewed the written comments. No one testified in opposition. Letters to the neighboring property owners were sent April 11, 2019 and the public notice was published April 11, 2019. It was noted that Mr. Mueller has approved this project. Motion by Quenzer, seconded by Genzlinger to recommend the Board of Adjustment approve the variance. All members present voting aye, motion carried.

Proposal of parking lot, Puetz Corp.

Mark Puetz presented a plan to convert two bare lots on the SW corner of N. Kimball & E. 9th Ave. The two lots each had a residential structure on the lots respectively. Puetz Corp. is looking to convert the western lot into a parking lot to be used by employees and visitors. The eastern lot is to be used for storage of the cranes. A private fence would enclose this lot and lighting would be installed for protection. A letter and detailed plan was submitted. The plan also calls for no parking restrictions on a couple areas on E. 9th. Various neighbors stated concerns and objections to the proposal. They citing concerns about the significant traffic due to the closeness of the Mitchell Fine Arts Center and Mitchell High School. Additionally, they expressed concern about the appearance and the compatibility to of the proposed use in relation to the residential property in the area. Puetz indicated that they welcome the input and they are willing to make accommodations and meet with the neighboring property owners. It was noted that a couple of the houses in the area are rental, therefore those property owners may not have the same concerns as those whom live in the neighborhood. The neighbors also expressed concern about the existing facility. It was noted the property is zoned R2 Single Family Residential. J. Johnson recommended a delay in any action of the planning commission, as he would like to research the plan and noted that only four (3 voting) commissioners were present. Chairman Larson recommended Puetz meet with the neighbors soon. Motion by Osterloo, seconded by Quenzer to table the agenda item to the next meeting. All members present voting aye, motion carried.

Plan Approval: City of Mitchell, 514 N. Main St, (formerly Northwestern Energy), zoned CB Central Business District. A plan to remodel the existing building interior has to accommodate the relocation of the Daily Republic employees. It was noted the Mitchell Area Development Corp. from the City leases the building. Genzlinger asked Hegg about if the plans needed to be stamped by an architect, Hegg responded no. Motion by Osterloo seconded by Larson to approve the plan.

Other Business: none

Public Input: none

Chairman Larson adjourned the meeting at 1:10 pm.

TO: Whom It May Concern:

RE: Variance Request

We are writing to seek a variance to add a 10 x 16 covered porch to the front of our home and a 8 x 10 shed to the side of our home at 324 E 14th Ave. Current zoning regulations say we must be 25' 6" away from the front sidewalk to make additions to our home. As you can see from the attached drawing, we are closer to the sidewalk than zoning would allow, so we are asking for your consideration in lieu of this regulation.

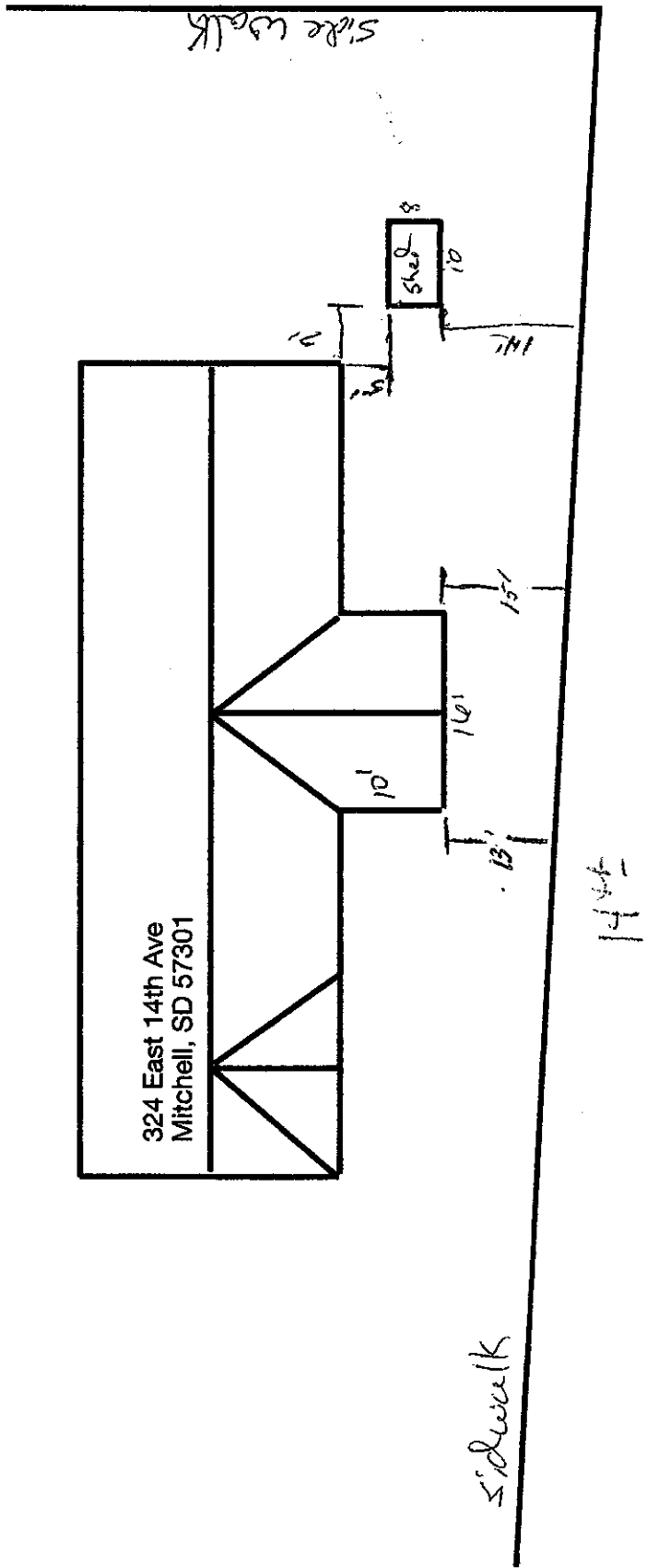
Our request for the front porch is for the of purpose of stopping water issues that we continue to have when it rains or even the melting snow. We believe we have a crack in our foundation, since our sump hole is dry. We moved here 3+ years ago and have had water problems ever since we bought our home. We believe by adding a covered porch onto the front will keep the water away from our foundation where it seems to continue to leak. We feel by granting the variance the character of the neighborhood will not be altered, but would enhance it. It will be aesthetically appealing, which will also increase the property value of our home. We'd also like to purchase a 8 x 10 shed to put at the end of our house for additional storage. It also will be appealing as we will landscape around it and add some trees. Since we don't really have a backyard, we feel this is the most convenient place to place it.

We hope you will agree with our requests to help us maintain the integrity of our home by stopping the water issues we continue to have. Should you have any questions, please feel free to contact us at the numbers below. Thank you again for your consideration.

Respectfully,

Terry and Michelle Lynde
324 E 14th Ave
Mitchell

Terry - 605-470-0461
Michelle - 605-470-0098



Longdown

12' 10" 10' 10"

Sidewalk

MATHEW MORGAN
1407 N LANGDON
MITCHELL SD 57301

JAMES HORSTMAN
1415 N LANGDON
MITCHELL SD 57301

LYNN PUTZIER
325 E 15TH
MITCHELL SD 57301

GARY & MARY HIEB
317 E 15TH
MITCHELL SD 57301

MARK & JANELLE MCMAHON
313 E 15TH
MITCHELL SD 57301

JOYCE HOHN
309 E 15TH
MITCHELL SD 57301

JOHN & JUDITH MAGSTADT
1015 E 8TH
MITCHELL SD 57301

SCOTT SADOWSKI
320 E 14TH
MITCHELL SD 57301

PATRICK HARRIS
314 E 14TH
MITCHELL SD 57301

MARK & DIANNE ELIASON
306 E 14TH
MITCHELL SD 57301

DONALD & LYNETTE VERMEULEN
300 E 14TH
MITCHELL SD 57301

JULIE & DOUGLAS BROOKBANK
215 W 4TH
MITCHELL SD 57301

CLINTON HILKEMEIER
309 E 14TH
MITCHELL SD 57301

JENNIFER ENDORF
301 E 14TH
MITCHELL SD 57301

ERIC RAJCHEL
401 E 15TH
MITCHELL SD 57301

WILLARD PAYNE
1414 N LANGDON
MITCHELL SD 57301

MARIBETH HOEK
1406 N LANGDON
MITCHELL SD 57301

ERIC LOFGREN
410 E 14TH
MITCHELL SD 57301

WANDA HOHN
415 E 15TH
MITCHELL SD 57301

BENJAMMAN & TINA MCINTYRE
416 E 14TH AVE
MITCHELL SD 57301

GENEVIEVE KAPSCH
1320 N LANGDON
MITCHELL SD 57301

KYLE HOHN
409 E 14TH
MITCHELL SD 57301

DENNIS & HEIDI THOMPSON
413 E 14TH
MITCHELL SD 57301

JEFFREY & HEATHER TUTTLE
417 E 14TH
MITCHELL SD 57301

NOTICE OF HEARING

To: The Planning Commission, Board of Adjustment of the City of Mitchell, Mitchell South Dakota, and to the general public:

YOU ARE HEREBY NOTIFIED, that Terrance & Michelle Lynde have applied for a front yard variance of 13 feet vs 25 feet as required for construction of an covered porch and placement of a small accessory building at 324 E 14th Ave, legally described as Lot 4, Block 1, Fullerton Terrance Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned (R2) Single Family Residential District.

YOU ARE FURTHER NOTIFIED, that public hearings will be held by the Planning Commission on May 13, 2019, 12:00 P.M and the Board of Adjustment on May 20, 2019 at 6:00 P.M., at the Council Chambers, Mitchell City Hall. All interested parties may attend the public hearings and provide comments in regards to the applicant's request.

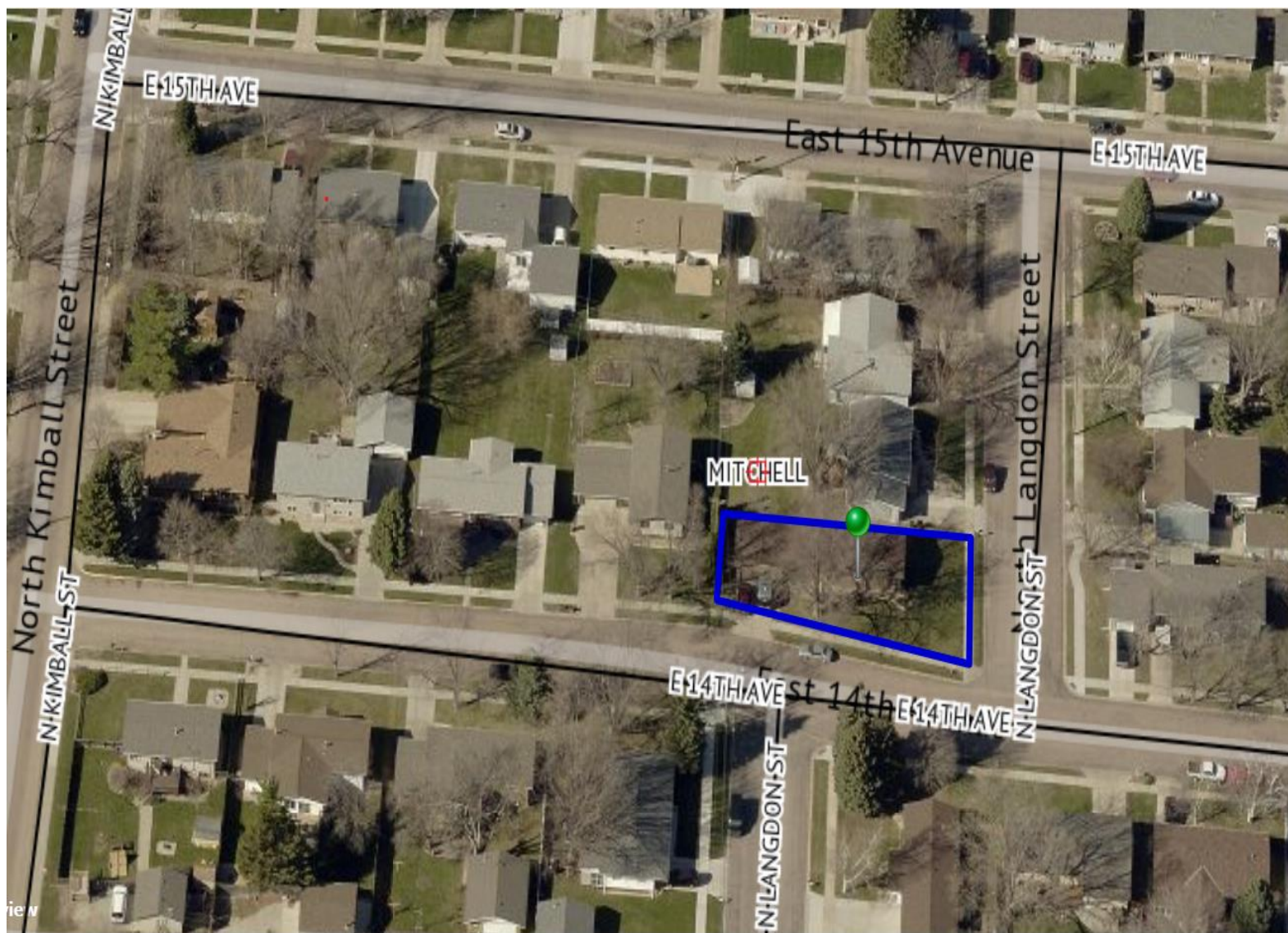
Dated at Mitchell, South Dakota, this 26th day of April 2019.

Michelle Bathke

FINANCE OFFICER

Publish once: May 2, 2019

Approximate Cost:



Pd #73152 4/16/19

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) Carlos & Alayna Reyes are hereby 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:

Lot 11, Block 1, Frosts Addition to the City of Mitchell, Davison County, South Dakota
(412 12th Ave)

Applicant(s) Carlos & Alayna Reyes of the above-described real estate, request(s) to operate a childcare 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 5th of March, 2019.

Alayna Reyes
APPLICANT

Alayna Reyes
OWNER

NOTICE OF HEARING

To: The Planning Commission, Board of Adjustment of the City of Mitchell, Mitchell South Dakota, and to the general public:

YOU ARE HEREBY NOTIFIED, that Carlos & Alayna Reyes have applied for a conditional use permit to operate a family residential child care center in their residence located at 412 E 12th Ave, legally described as Lot 11, Block 1, Frosts Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned (R2) Single Family Residential Central Business District.

YOU ARE FURTHER NOTIFIED, that public hearings will be held by the Planning Commission on May 13, 2019 at 12:00 P.M and the Board of Adjustment on May 20, 2019 at 6:00 P.M., at the Council Chambers, Mitchell City Hall. All interested parties may attend the public hearings and provide comments in regards to the applicant's request.

Dated at Mitchell, South Dakota, this 26th day of April 2019.

Michelle Bathke

FINANCE OFFICER

Publish twice: May 2 & May 9, 2019

Approximate Cost:

DON & DONNA FITZLER
401 E 13TH
MITCHELL SD 57301

DENNIS & LINDA DEINERT
407 E 13TH
MITCHELL SD 57301

GARY BALDING
413 E 13TH
MITCHELL SD 57301

CLAYTON & DEBORAH CHRISTIANSEN
415 E 13TH
MITCHELL SD 57301

MICHAEL & LINDSEY THOMPSON
419 E 13TH
MITCHELL SD 57301

MARTY & MARY ELLEN BARINGTON
427 E 13TH
MITCHELL SD 57301

STEVE & KATHY FEELDY
501 E 13TH
MITCHELL SD 57301

JAMIE HOEFERT
401 E 12TH
MITCHELL SD 57301

ERIC MILLER
404 E 12TH
MITCHELL SD 57301

TORY & DEBORAH KAUFMAN
1125 SUNNYSIDE CT
MITCHELL SD 57301

COLEEN KIRCHHEVEL
418 E 12TH
MITCHELL SD 57301

DONALD TISCHLER
308 S MENTZER
MITCHELL SD 57301

JAN & BARBARA BERKHOUT
500 E 12TH
MITCHELL SD 57301

LEGACY LEASING
1208 JOGENE CT
MITCHELL SD 57301

BEVERLY DVORAK
409 E 12TH
MITCHELL SD 57301

LANDON SAPP
413 E 12TH
MITCHELL SD 57301

LAURIE COOPER
LYNN METCALF
500 S EDMUNDS
MITCHELL SD 57301

DENNIS & SUE OLSON
421 E 12TH
MITCHELL SD 57301

FRANK & FOANNE FREIDRICK
501 E 12TH
MITCHELL SD 57301



May 2, 2019

To Whom It May Concern:

YOU ARE HEREBY NOTIFIED, that Carlos & Alayna Reyes have applied for a conditional use permit to operate a family residential child care center in their residence located at 412 E 12th Ave, legally described as Lot 11, Block 1, Frosts Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned (R2) Single Family Residential Central Business District.

YOU ARE FURTHER NOTIFIED, that public hearings will be held by the Planning Commission on May 13, 2019 at 12:00 P.M and the Board of Adjustment on May 20, 2019 at 6:00 P.M., at the Council Chambers, Mitchell City Hall. All interested parties may attend the public hearings and provide comments in regards to the applicant's request.

I/We

Gary L. Balding
OWNER

413 East 13th Ave.
ADDRESS

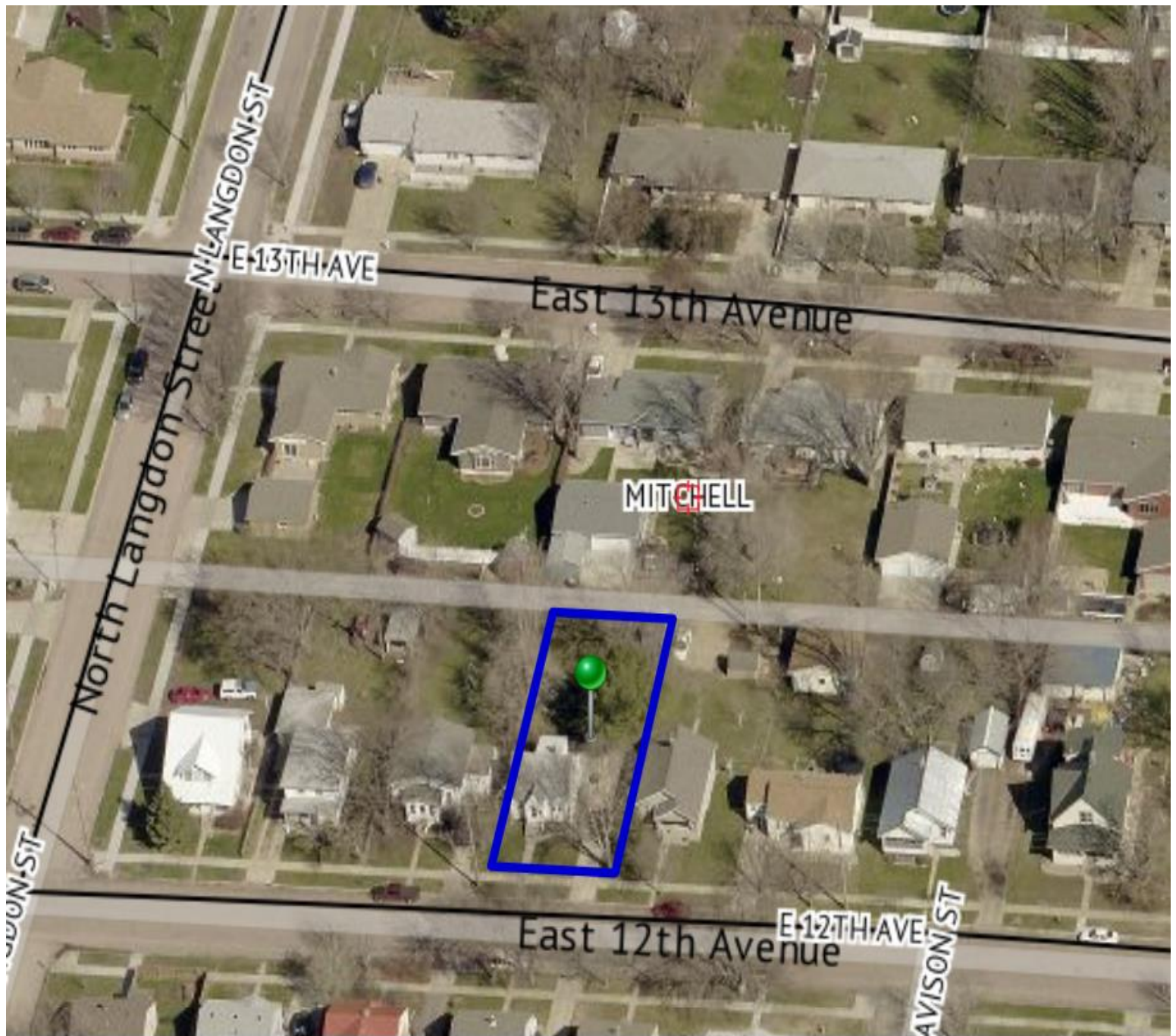
____ APPROVE

X DISAPPROVE

No response will indicate approval.

COMMENTS:

Outside expectations





05-06-2019

Dear Neighbors of 9th Avenue,

I first want to say thank you for your feedback both at the last planning and zoning committee and in person or over the phone over the last week and a half or so.

After listening to your comments, I have tasked my design team to come up with a couple of revised plans for the parking lot. With these new options based on your feedback, my team has eliminated the crane / material storage all together. I very much respect and can understand your concern with this portion of the project. As far as the parking lot for cars and pickups, my team has also made some changes based on your comments. I heard from many of you that there is a concern with the traffic from the school in the morning and after school around 3:30pm.

To not contribute further to this traffic at these times, option B shows the entrance to the parking through the alleyway off Kimball and an exit on 9th Avenue. The thought here is that in the morning, our staff would pull into the parking lot from Kimball and leave at 5pm to 7pm via 9th Avenue. With these changes, the addition of 26 or less vehicles won't be coinciding with the high traffic times from the school in the morning and after school gets out. Puetz Corporation would also plant additional trees on the Northeast corner and on the eastern edge of our east lot to help minimize the view of the parking lot. The rest of the east lot would be turned into grass.

In option C, my team has designed the parking, so the entrance is still through the alley way off Kimball, but then the exit is also via Kimball. The rest of the green space and tree planting is the same as option B.

I'd very much appreciate your thoughts as to your preferred parking lot plan. I haven't shown either of these two plans to the city of Mitchell yet as I wanted to get your thoughts and feedback first.

As a side note, I talked with one neighbor who would like to see if Puetz Corporation could improve our existing yard fence with maybe some paint or darker colored metal panels. I very much appreciate this feedback and I am working to make this change happen. A little history on the fence. It has been there since the early 1980s. Originally it was a chain-link fence, but we had issues with people climbing the fence and stealing from us. We later added the metal panels at an 8ft height, we continued to have the issue of people cutting the lower portion of the fence or climbing over. That is when we added the higher metal panels in the early 1990's and we haven't had issues since. The fence is there to keep people out who are trying to do us harm. I have always wondered what the neighbors thought of the fence as I periodically walk the alley. I didn't know anyone who lived in the houses so quite frankly, I didn't know who to ask for their thoughts. Now I have some faces and names and I can't thank you enough for the opportunities to get to know my neighbors better.

I want to work with all of you. As property owners, we are all looking to improve our homes, businesses and property in general. Puetz purchased the two lots to the North of us because they were eye sours for a very long time. I wanted to make the neighborhood better. I hope it works for you to continue to share your thoughts with me on these two new parking lot options. If everyone seems to be ok with the idea, then I will

take it to the city planning and zoning once again. In the future, Puetz Corporation would like to be involved with neighborhood projects. If you have ideas, I love to hear them. It has been nice getting to know my neighbors more and I look forward to a continued relationship in the future.

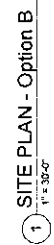
Please let me know your feedback once you have had a chance to review these plans. The office number here at Puetz Corporation is 996-2276 or you can reach me on my cell phone at 770-4947. I will call all of you again and stop by to drop off these plans and hopefully talk with you in person.

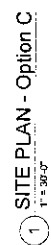
Kind Regards,

A handwritten signature in black ink, appearing to read 'Mark Puetz', with a stylized flourish at the end.

Mark Puetz, CEO

Puetz Corporation





Site Options

© Date: 04/30/19



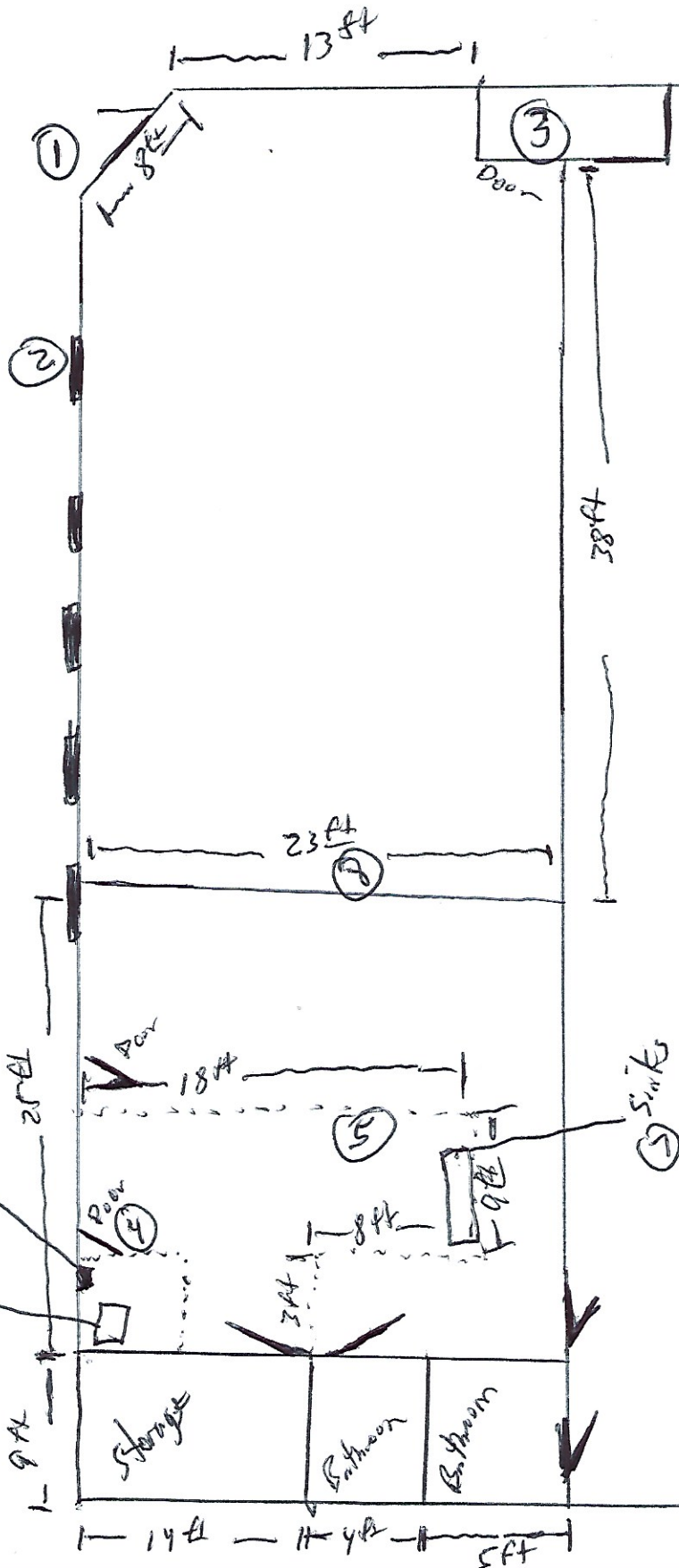


2nd

201 E 2nd Ave

Lawler

6 New Barker
Box
Furnace



Changes made to current commercial space

1. Replace the original door in the corner of the shop
2. Replace the windows along Lawler which are currently just boarded up
3. Remove the existing door
4. Place a wall around the furnace with still leaving enough room to make repairs if needed with a access door
5. Add walls for making space more useable and still having access to the bathroom (please see diagram
6. Install new 3 phase breaker box for new equipment being installed and to reduce current load on existing breaker box
7. Install sink basins in newly formed area
8. Remove the current wall in place
9. Will be repainting the front wood and overhang.

The diagram provided gives an idea of what is currently there and an approximation of our plans for the newly formed walls.

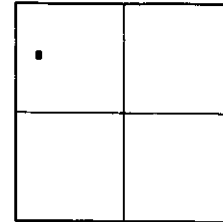
I also provided pictures of the corner of the building and windows currently look like. I think the outside appearance of the building would be enhanced by removing the plywood and placing windows back in. Also adding the corner door will give the building a more inviting look for the business.

I did have conversations with Northwestern Energy and Bechen Electric about the electrical needs of the building and new equipment being installed.

GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.



LOCATION MAP

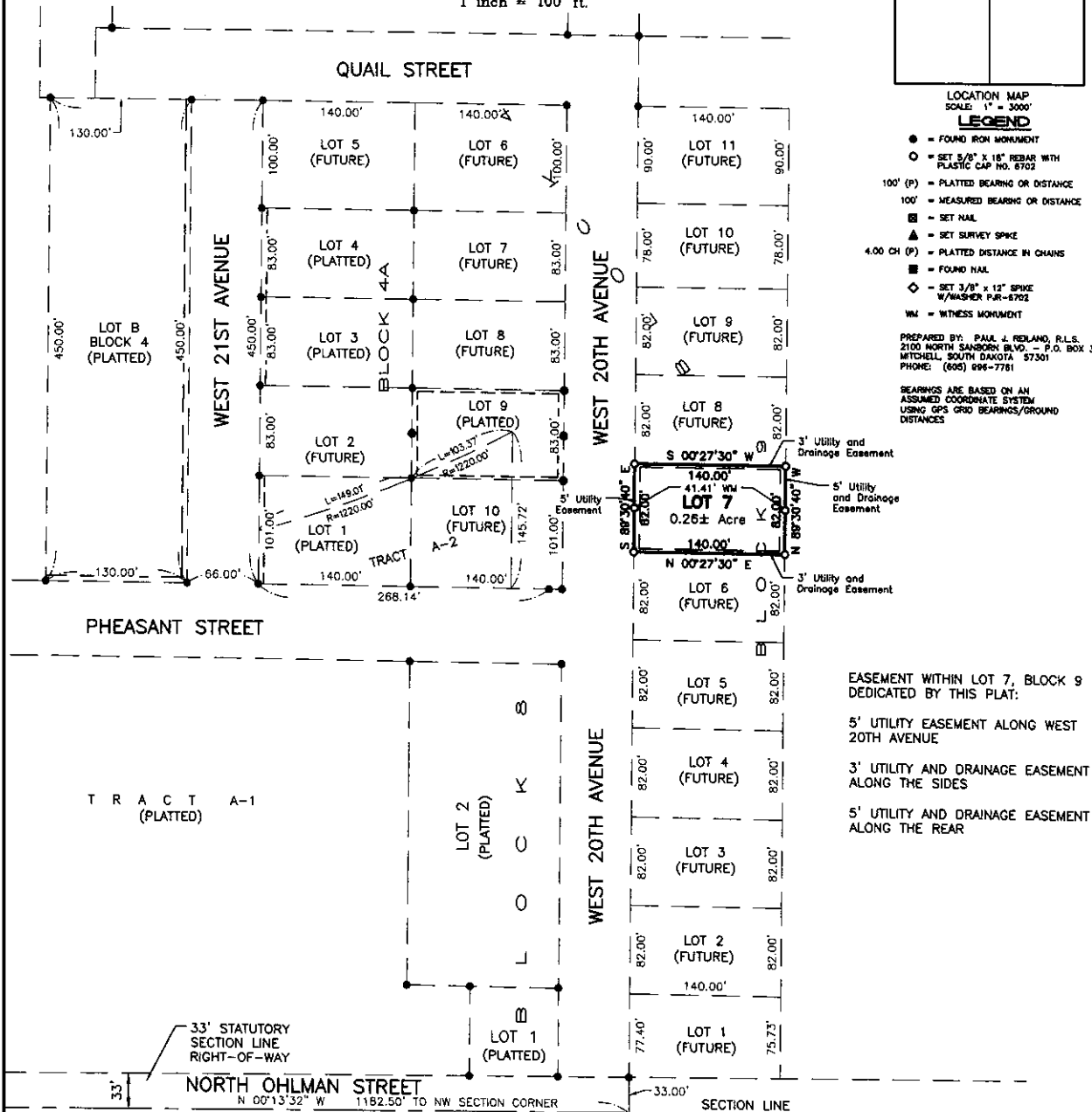
SCALE: 1" = 3000'

LEGEND

- = FOUND IRON MONUMENT
- = SET 5/8" X 18" REBAR WITH PLASTIC CAP NO. 8702
- 100' (P) = PLATTED 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.-8702
- 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

BEARINGS ARE BASED ON AN ASSUMED COORDINATE SYSTEM USING GPS GRID BEARINGS/GROUND DISTANCES



EASEMENT WITHIN LOT 7, BLOCK 9 DEDICATED BY THIS PLAT:

- 5' UTILITY EASEMENT ALONG WEST 20TH AVENUE
- 3' UTILITY AND DRAINAGE EASEMENT ALONG THE SIDES
- 5' UTILITY AND DRAINAGE EASEMENT ALONG THE REAR

A PLAT OF LOT 7, BLOCK 9 OF WESTWOOD FIRST ADDITION, A SUBDIVISION OF BLOCK 4 OF WESTWOOD FIRST ADDITION IN THE NW 1/4 OF SECTION 16, 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 CJM Consulting, Inc., a South Dakota corporation, as owner, and under its direction for purposes indicated therein, I did on or prior to August 20, 2018, survey those parcels of land described as follows: LOT 7, BLOCK 9 OF WESTWOOD FIRST ADDITION, A SUBDIVISION OF BLOCK 4 OF WESTWOOD FIRST ADDITION IN THE NW 1/4 OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., 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 30TH day of August, 2018.

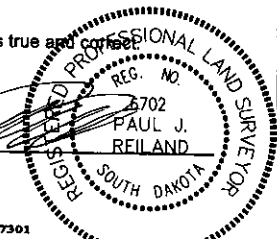
Registered Land Surveyor #SD6702

SPN

& Associates

Engineers, Planners and Surveyors

2100 North Sanborn Blvd. - P.O. Box 398 Mitchell, South Dakota 57301
Phone: (605) 996-7761 Fax: (605) 996-0615



A PLAT OF LOT 7, BLOCK 9 OF WESTWOOD FIRST ADDITION, A SUBDIVISION OF BLOCK 4 OF WESTWOOD FIRST ADDITION IN THE NW 1/4 OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., 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 CJM Consulting, Inc., a South Dakota 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 BLOCK 4 OF WESTWOOD FIRST ADDITION IN THE NW 1/4 OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA; that the plat has been made at the request of CJM Consulting, Inc., a South Dakota corporation, and under its direction for the purposes indicated therein; which said property as so surveyed and platted shall hereafter be known as LOT 7, BLOCK 9 OF WESTWOOD FIRST ADDITION, A SUBDIVISION OF BLOCK 4 OF WESTWOOD FIRST ADDITION IN THE NW 1/4 OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, as shown by this plat; and CJM Consulting, Inc., a South Dakota 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 Lot 7, Block 9 shall conform to all existing applicable zoning, subdivision, and erosion and sediment control regulations; further that there now exists West 20th 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.

Charles J. Mauszycki, Jr., Vice President of CJM Consulting, Inc.,
a South Dakota corporation

CORPORATION ACKNOWLEDGMENT

STATE OF SOUTH DAKOTA)
)SS
COUNTY OF DAVISON)

On this, the _____ day of _____, 2018, before me, _____, the undersigned officer, personally appeared Charles J. Mauszycki, Jr., of CJM Consulting, Inc., a South Dakota corporation, and that he, as such Vice President, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as 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 LOT 7, BLOCK 9 OF WESTWOOD FIRST ADDITION, A SUBDIVISION OF BLOCK 4 OF WESTWOOD FIRST ADDITION IN THE NW 1/4 OF SECTION 16, 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;

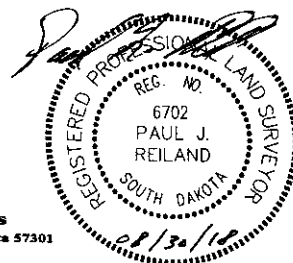
NOW THEREFORE, be it resolved by the City Planning Commission of Mitchell, South Dakota, that the plat of LOT 7, BLOCK 9 OF WESTWOOD FIRST ADDITION, A SUBDIVISION OF BLOCK 4 OF WESTWOOD FIRST ADDITION IN THE NW 1/4 OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH 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

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 7, BLOCK 9 OF WESTWOOD FIRST ADDITION, A SUBDIVISION OF BLOCK 4 OF WESTWOOD FIRST ADDITION IN THE NW 1/4 OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., 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 LOT 7, BLOCK 9 OF WESTWOOD FIRST ADDITION, A SUBDIVISION OF BLOCK 4 OF WESTWOOD FIRST ADDITION IN THE NW 1/4 OF SECTION 16, 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 7, BLOCK 9 OF WESTWOOD FIRST ADDITION, A SUBDIVISION OF BLOCK 4 OF WESTWOOD FIRST ADDITION IN THE NW 1/4 OF SECTION 16, 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 7, BLOCK 9 OF WESTWOOD FIRST ADDITION, A SUBDIVISION OF BLOCK 4 OF WESTWOOD FIRST ADDITION IN THE NW 1/4 OF SECTION 16, 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)
)SS
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

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