

**CITY OF MITCHELL
CITY PLANNING COMMISSION AGENDA
CITY COUNCIL CHAMBERS, CITY HALL
612 N MAIN ST
JULY 25, 2022 @ 12:00P.M. (NOON)**

- 1. Call To Order:**
- 2. Roll Call:**
- 3. Declaration Of Conflicts Of Interests**
- 4. Approve Agenda:**
- 5. Approval Of Previous Minutes 7-11-22.**

Documents:

[PLANNING COMMISSION UNSIGNED MINUTES 7-11-22.PDF](#)

- 6. Schedule Next Meeting-8-8-22 @ 12:00 P.M.**

- 7. Variance: Darwin And Pat Kreth-2709 Mentzer Ct.**

Ethan Coop Lumber on behalf of Darwin & Pat Kreth have applied for a variance for combination of attached and detached accessory buildings of 3,036 square feet vs 1,050 square feet to build a new detached accessory building of 1,656 square feet located at 2709 Mentzer Court, legally described as Lots 5 & 6, Block 3, Woodland Heights 1st Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned Woodland Heights Planned Development District.

Documents:

[KRETH-APPLICATION.PDF](#)
[KRETH-GIS.PDF](#)
[KRETH-NOTICE OF HEARING.PDF](#)
[KRETH-NEIGHBORS.PDF](#)
[KRETH-LETTER FROM NEIGHBOR-DEROUCHEY.PDF](#)
[KRETH-LETTER FROM NEIGHBOR-MURTHA.PDF](#)
[KRETH-LETTER FROM NEIGHBOR-KOCH.PDF](#)
[KRETH-LETTER FROM NEIGHBOR-GOODWIN.PDF](#)
[KRETH-LETTER FROM NEIGHBOR-MUSICK.PDF](#)

- 8. Conditional Use Permit: Matt Evers-E Spruce And Urbana Drive-WITHDRAWN.**

Matt Evers has applied for a conditional use permit for Multi-family Dwellings; legally described as Lot 23 of Starlite Estates, in the NE ¼ of the NW ¼ of Section 34, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota. The said real property is zoned UD Urban Development District.

- 9. Plat: Lots 3, 4 And 5 Of CJM Third Addition, A Subdivision Of The NW ¼ And Of Irregular Tract No. 3 In The SW ¼ Of Section 32 T 104 N, R 60 W Of The P.M., Davison County, South Dakota; As Requested By CJM Consulting Inc.**

Documents:

[CJM CONSULTING INC-PLAT.PDF](#)

- 10. Plat: Kelley Tracts 1A And 2, A Subdivision Of The South $\frac{1}{2}$ Of The SE $\frac{1}{4}$ Of Section 36, T 104 N, R 61 W Of The P.M., City Of Mitchell, Davison County, South Dakota; As Requested By City Of Mitchell.**

Documents:

[CITY OF MITCHELL-PLAT.PDF](#)
[CITY OF MITCHELL-GIS.PDF](#)

11. Other Business:

- 12. 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.**

13. 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

7/11/2022 - Minutes

1. Call To Order:

Chairperson Larson called the July 11, 2022 City Planning Commission Meeting to order at 12:00 P.M. in Council Chambers, City Hall, 612 N Main St.

2. Introduction Of New Member: Jon Schmitz.

Schmitz stated he moved to Mitchell in 1994. He is married and has four children. His children have all grown up and moved around the country now. He works for Puetz Corporation and has for the past 29 years.

3. Roll Call:

Roll Call-quorum is met, simple majority vote required for all items.

Present: Larson, Genzlinger, Osterloo, Sonne, Penney, Schmitz, Doescher.

Absent: Jirsa.

Staff Present: Jenniges, Schroeder, J Johnson, Hegg, Ellwein, Mayor Everson.

4. Election Of Officers:

Election of Chairperson for a 1 year term from July 2022 to July 2023.

Motion by Genzlinger, seconded by Osterloo, to nominate Larson as Chairperson.

There being no other nominations, motion by Genzlinger, seconded by Sonne, that nominations cease and a unanimous ballot be cast. All present members voting aye, with the exception of Larson abstaining, motion carried.

Election of Vice-Chairperson for a 1 year term from July 2022 to July 2023. Motion by Osterloo, seconded by Sonne, to nominate Genzlinger as Vice-Chairperson.

There being no other nominations, motion by Penney, seconded by Osterloo, that nominations cease and a unanimous ballot be cast. All present members voting aye, with the exception of Genzlinger abstaining, motion carried.

5. Declaration Of Conflicts Of Interests

None.

6. Approve Agenda:

Motion by Genzlinger, seconded by Osterloo, to approve the proposed agenda. All present members voting aye, motion carried.

7. Approval Of Previous Minutes 6-27-22.

Motion by Sonne, seconded by Genzlinger, to approve the proposed minutes of the June 27, 2022 Planning Commission meeting. All present members voting aye, motion carried.

8. Schedule Next Meeting-7-25-22 @ 12:00 P.M.

Motion by Penney, seconded by Sonne, to approve to set the date for the the next meeting Planning Commission meeting for July 25, 2022 . All present members voting aye, motion carried.

9. Conditional Use: Vander Hamm Motorsports-2951 S Rowley St.

Jenniges explained his office received a complaint about an automotive repair business being run at 2951 S Rowley and after some investigation it was found to be true. A certified letter was sent and an application was received for the Conditional Use Permit. This is outside the city limits but with in the ETJ. It was published in the official newspaper and neighbors were notified with one response against that made the packet and two more against that did not make the packet. The applicant was present to answer questions.

Dustin Vander Hamm stated he thought he had applied for everything he needed. This will be a part time job for him, he already has a full time job. He mainly works on his own equipment, but did just purchase a tire machine so he could expand to working on more equipment. He uses the back shed for his shop.

Schmitz questioned the covenants that were sent along with the letters to which Jenniges explained the City of Mitchell has no regulatory authority over covenants, just the City of Mitchell Zoning Ordinance. Covenants are a civil matter.

Motion by Osterloo, seconded by Genzlinger, to recommend approval of the Conditional Use Permit. Roll call vote: Osterloo – aye, Genzlinger – aye, Sonne – aye, Penney – aye, Schmitz – aye, Larson – aye, Jirsa - absent. 6 aye, 0 nay, 1 absent, motion carried.

10. Hearing And Recommendation: Ordinance #2022-10-Changing Zoning From Lake Residential (RL) To South Lake Estates PUD; As Requested By CJM Consulting Inc. (WITHDRAWN)

Chuck Mauszycki Sr stated he would be withdrawing his application for the PUD.

Jenniges explained that since the application has been withdrawn, no action will be required from the boards.

Chris Wieczorek stated his concerns to the development of the area and the cost and burden it will put on existing landowners.

Dale Odegaard questioned if this PUD could be reapplied for. Jenniges answered since it was withdrawn and not denied the applicant could reapply again and notices would be sent out again and the whole process begins again.

11. Other Business:

None.

12. 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.

None.

13. Adjournment:

Chairperson Larson adjourned the meeting at 12:25 P.M.



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

The undersigned applicant(s) and owner(s) is hereby making an application pursuant to the provisions of the City of Mitchell Zoning Code.

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 City Council or City Board of Adjustment. Furthermore, the applicant(s) request the City of Mitchell to publish the appropriate notice(s) in accordance with the City of Mitchell's Ordinances.

☐ **Rezoning** \$150 application due with the application.

- Applicant is request to rezone property from _____ District to _____ District.

☒ **Variance** \$100 application due with the application.

- Description of Variance Requested: Over square foot allowable

☐ **Conditional Use Permit** \$150 application due with the application.

- Description of Conditional Use: _____

This Application is for the following described real property:

• Legal Description: Lots 5th Block 3, Woodland Heights 1st Addition,
City of Mitchell, Davison County, SD 2709 Mentzer Crt

- Property Address: _____

Dated this 27th day of June, 2022

Applicant

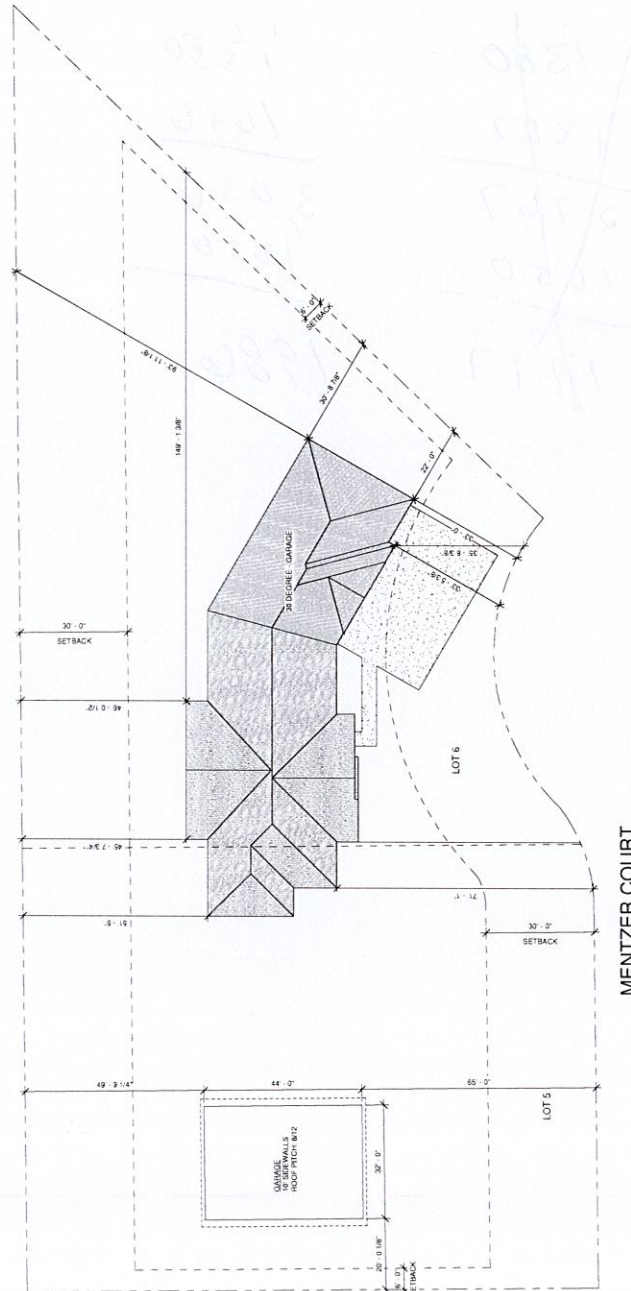
Owner

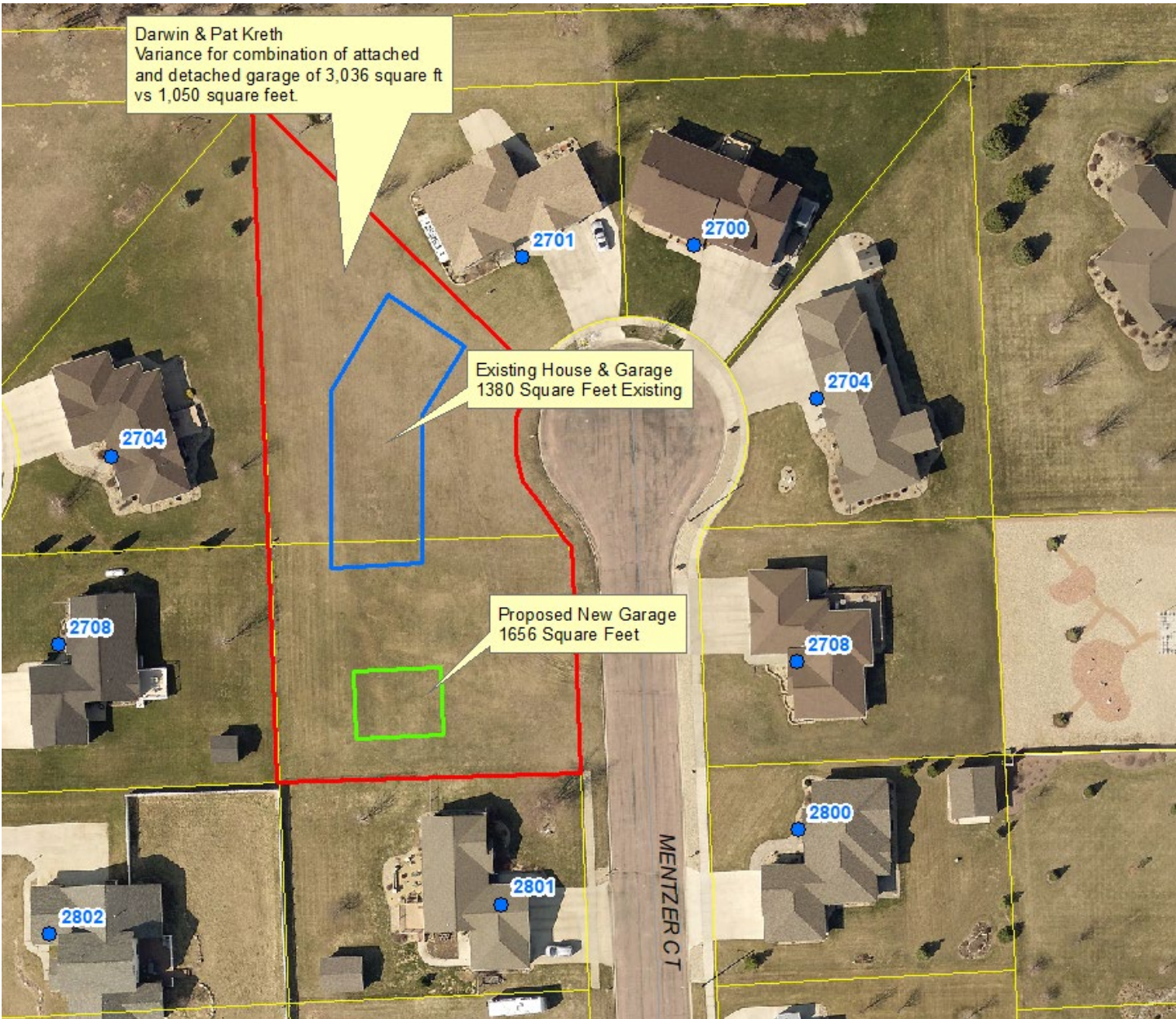
Drawn By	Ashley Gurnea
Truss Depth	24'
Wall Height	Basement: 10'
Sheet Name	Site Plan
Date Revised	June 24, 2022
Darwin & Pat Kreith	



PO Box 67 117 West Main Street
 Emporium, SD 57334
 Office: (605) 227-4225
 Fax: (605) 227-4225
 www.emporiumpolice.com

Scale	1/16" = 1'-0"
Sheet	C1
Project	Garage for House
Designer	1387
Checker	
Approver	





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 Darwin & Pat Kreth have applied for a variance for combination of attached and detached accessory buildings of 3,036 square feet vs 1,050 square feet to build a new detached accessory building of 1,656 square feet located at 2709 Mentzer Court, legally described as Lots 5 & 6, Block 3, Woodland Heights 1st Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned Woodland Heights Planned Development District.

YOU ARE FURTHER NOTIFIED, that public hearings will be held by the City Planning Commission on July 25, 2022, 12:00 P.M. (Noon) and the Board of Adjustment on August 1, 2022 at 6:00 P.M., at 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.

Dated this 7th day of July, 2022.

Michelle Bathke

FINANCE OFFICER

Publish once: 13th day of July, 2022

Approximate Cost:

Darwin & Patricia Kreth
2709 Mentzer Ct
Mitchell, SD 57301

Ethan Coop Lumber
PO Box 167
Ethan, SD 57334

Menard Inc
4777 Menard Dr
Eau Claire, WI 54703

Robert & Janice Pollreisz
2705 Winsor Ct
Mitchell, SD 57301

William & Rachel Maeschen
2701 Winsor Ct
Mitchell, SD 57301

Kenneth & Andra Semmler
28282 406th Ave
Delmont, SD 57330

Kevin & Sheila Bruscher
2704 Winsor Ct
Mitchell, SD 57301

Gordon & Betty Visscher
PO Box 593
Mitchell, SD 57301

Margaret Korzan
2802 Winsor Ct
Mitchell, SD 57301

Jon & Michelle Farris
2801 Mentzer Ct
Mitchell, SD 57301

Timothy & Crystal Reitzel
2701 Mentzer Ct
Mitchell, SD 57301

Stacy & Lavonne Murtha
2700 Mentzer Ct
Mitchell, SD 57301

Ronald & Aletha Koch
2704 Mentzer Ct
Mitchell, SD 57301

VI H Hoang
Liz Nguyen
2708 Mentzer Ct
Mitchell, SD 57301

Deanna Musick
2800 Mentzer Ct
Mitchell, SD 57301

Lorene Goodwin
2804 Mentzer Ct
Mitchell, SD 57301

Fred & Joan Derouchey
2703 Gamble Ct
Mitchell, SD 57301

Richard & Theresa Kriese
2709 Gamble Ct
Mitchell, SD 57301



July 13, 2022

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED that Ethan Coop Lumber on behalf of Darwin & Pat Kreth have applied for a variance for combination of attached and detached accessory buildings of 3,036 square feet vs 1,050 square feet to build a new detached accessory building of 1,656 square feet located at 2709 Mentzer Court, legally described as Lots 5 & 6, Block 3, Woodland Heights 1st Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned Woodland Heights Planned Development District.

YOU ARE FURTHER NOTIFIED that the City Planning Commission will be conducting a hearing on this application on Monday, July 25, 2022 at 12:00 pm (noon) and the Board of Adjustment will be holding a hearing on Monday, August 1, 2022 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.

All interested parties may be present and be heard on said request, either in person or by agent. Please submit written comments by 5:00 P.M. the Friday prior to the meeting, in the City of Mitchell Public Works Office or Finance Office.

I/We Fred + Joan DeRouchey
OWNER

2703 Gamble ct
ADDRESS

☒ APPROVE

☐ DISAPPROVE

COMMENTS:

July 13, 2022

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I/We Stacy + Laverne Mentzer
OWNER

2700 Mentzer Ct.
ADDRESS

☒ APPROVE

☐ DISAPPROVE

COMMENTS:



July 13, 2022

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I/We

Ronald Aletha Koch

OWNER

2704 Mentzer Ct.

ADDRESS

X

APPROVE

DISAPPROVE

COMMENTS:



July 13, 2022

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By Lorene Goodwin
OWNER

2804 Mentzer Ct Mitchell
ADDRESS

☒ APPROVE

☐ DISAPPROVE

COMMENTS:

July 13, 2022

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I/We

Heanna Musick

OWNER

2800 Mentzer Ct.

ADDRESS

X

APPROVE

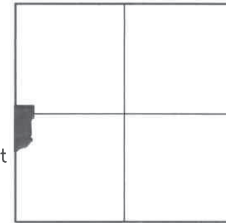
DISAPPROVE

COMMENTS:

SEC. 32, T 104 N, R 60 W



1 Inch = 100 Feet

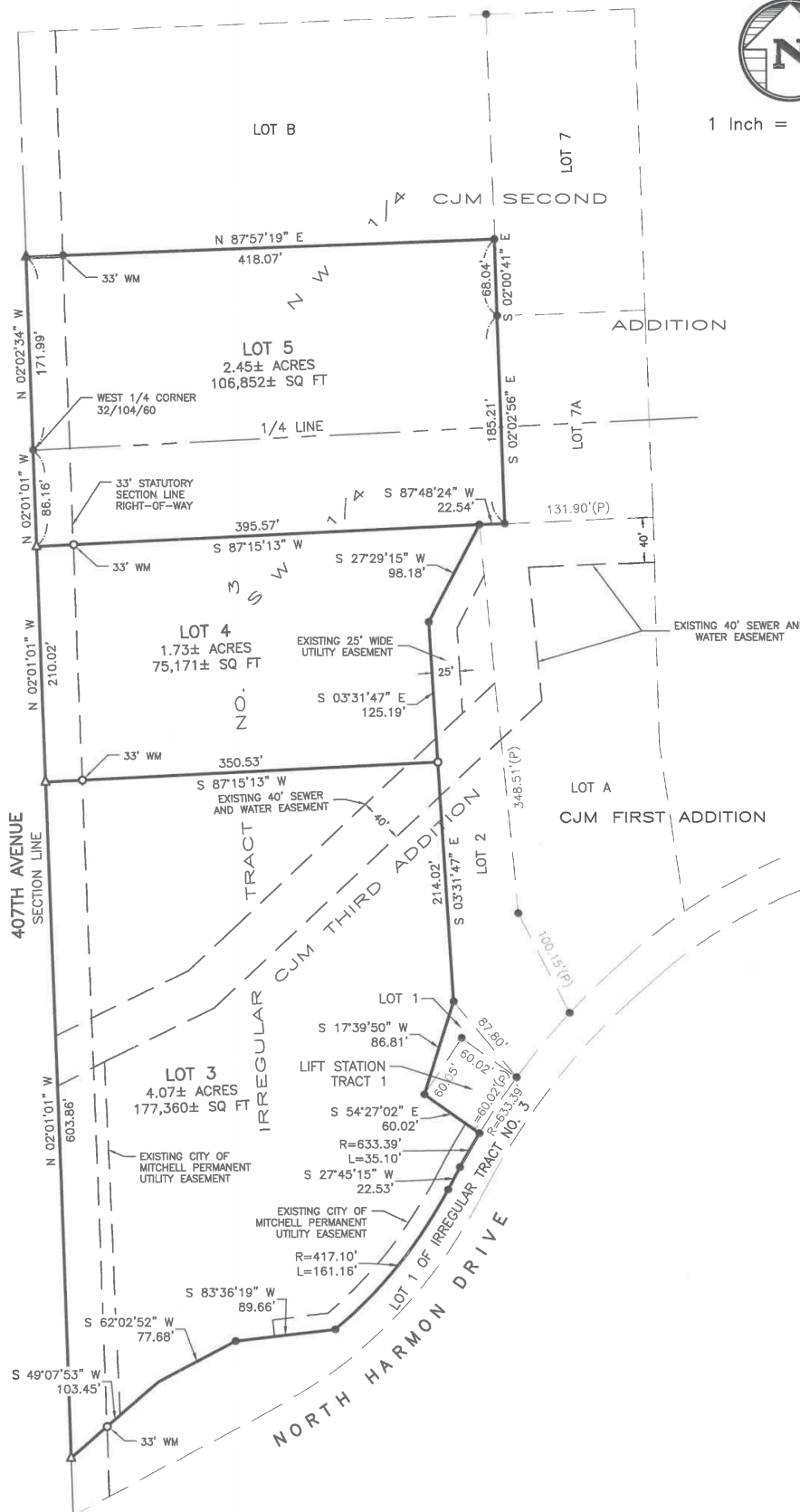
LOCATION MAP
SCALE: 1" = 3000'**LEGEND**

- = FOUND IRON MONUMENT
- = SET 5/8" x 18" REBAR WITH PLASTIC CAP NO. 13714
- 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 JAW-13714
- WM = WITNESS MONUMENT

PREPARED BY: JEREMY A. WOLBRINK, 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.
GRID BEARINGS AND GROUND DISTANCES ARE SHOWN.

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 LOTS 3, 4 AND 5 OF CJM THIRD ADDITION, A SUBDIVISION OF THE NW 1/4 AND OF IRREGULAR TRACT NO. 3 IN THE SW 1/4 OF SECTION 32, T 104 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA

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



I, Jeremy A. Wolbrink, the undersigned, do hereby certify that I am a Registered Land Surveyor in and for the State of South Dakota. At the request of the owner as listed in the Owner's Certificate, Dedication and Agreement of Protection of Water, and under its direction for purposes indicated therein, I did on or prior to July 8, 2022, survey those parcels of land described as follows: LOTS 3, 4 AND 5 OF CJM THIRD ADDITION, A SUBDIVISION OF THE NW 1/4 AND OF IRREGULAR TRACT NO. 3 IN THE SW 1/4 OF SECTION 32, T 104 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA.


Registered Land Surveyor #SD13714



IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2022.

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 LOTS 3, 4 AND 5 OF CJM THIRD ADDITION, A SUBDIVISION OF THE NW 1/4 AND OF IRREGULAR TRACT NO. 3 IN THE SW 1/4 OF SECTION 32, T 104 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA

RESOLUTION OF CITY PLANNING COMMISSION

WHEREAS, the plat of LOTS 3, 4 AND 5 OF CJM THIRD ADDITION, A SUBDIVISION OF THE NW 1/4 AND OF IRREGULAR TRACT NO. 3 IN THE SW 1/4 OF SECTION 32, T 104 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, prepared by Jeremy A. Wolbrink, 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 LOTS 3, 4 AND 5 OF CJM THIRD ADDITION, A SUBDIVISION OF THE NW 1/4 AND OF IRREGULAR TRACT NO. 3 IN THE SW 1/4 OF SECTION 32, T 104 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, prepared by Jeremy A. Wolbrink, 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 _____, 2022.

Chairperson/Vice Chairperson of the 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 _____, 2022; and

WHEREAS, it appears from an examination of the plat of LOTS 3, 4 AND 5 OF CJM THIRD ADDITION, A SUBDIVISION OF THE NW 1/4 AND OF IRREGULAR TRACT NO. 3 IN THE SW 1/4 OF SECTION 32, T 104 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, as prepared by Jeremy A. Wolbrink, 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 LOTS 3, 4 AND 5 OF CJM THIRD ADDITION, A SUBDIVISION OF THE NW 1/4 AND OF IRREGULAR TRACT NO. 3 IN THE SW 1/4 OF SECTION 32, T 104 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, prepared by Jeremy A. Wolbrink, 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 _____, 2022.

Finance Officer/Deputy Finance Officer: _____

RESOLUTION OF COUNTY PLANNING COMMISSION

WHEREAS, the plat of LOTS 3, 4 AND 5 OF CJM THIRD ADDITION, A SUBDIVISION OF THE NW 1/4 AND OF IRREGULAR TRACT NO. 3 IN THE SW 1/4 OF SECTION 32, T 104 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, prepared by Jeremy A. Wolbrink, 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 LOTS 3, 4 AND 5 OF CJM THIRD ADDITION, A SUBDIVISION OF THE NW 1/4 AND OF IRREGULAR TRACT NO. 3 IN THE SW 1/4 OF SECTION 32, T 104 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, prepared by Jeremy A. Wolbrink, 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 _____, 2022.

Chairperson/Vice-Chairperson of Davison County Planning Commission _____

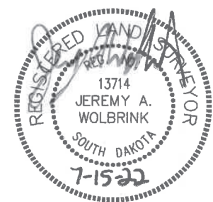
RESOLUTION BY BOARD OF COUNTY COMMISSIONERS

Be it resolved by the Board of County Commissioners of Davison County, South Dakota, that the plat of LOTS 3, 4 AND 5 OF CJM THIRD ADDITION, A SUBDIVISION OF THE NW 1/4 AND OF IRREGULAR TRACT NO. 3 IN THE SW 1/4 OF SECTION 32, T 104 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
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 LOTS 3, 4 AND 5 OF CJM THIRD ADDITION, A SUBDIVISION OF THE NW 1/4 AND OF IRREGULAR TRACT NO. 3 IN THE SW 1/4 OF SECTION 32, T 104 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA

AUDITOR'S CERTIFICATE

I do hereby certify that the above resolution was adopted by the Board of County Commissioners of Davison County, South Dakota, at a regular meeting held on _____, 2022, approving the above-named plat.

Auditor/Deputy Auditor, Davison County

CERTIFICATE OF HIGHWAY AUTHORITY

The location(s) of the existing approach(es) is/are hereby approved. Any change in the location(s) of the existing approach(es) shall require additional approval.

By: _____
Highway Authority

Title: _____

Date: _____

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 my office, have been fully paid.

Treasurer/Deputy Treasurer, Davison County

Date

DIRECTOR OF EQUALIZATION

The undersigned does hereby certify that a copy of the plat of LOTS 3, 4 AND 5 OF CJM THIRD ADDITION, A SUBDIVISION OF THE NW 1/4 AND OF IRREGULAR TRACT NO. 3 IN THE SW 1/4 OF SECTION 32, T 104 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, has been received by me and is filed in my office.

Director of Equalization/Deputy Director of Equalization

Date

REGISTER OF DEEDS

STATE OF SOUTH DAKOTA)
COUNTY OF DAVISON)SS

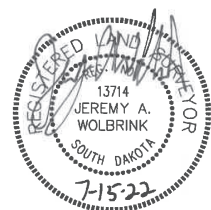
FILED for record this _____ day of _____, 2022, at _____, and recorded in Book _____ of Plats on Page _____ therein and recorded on Microfilm Number _____.

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





LEGEND

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

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.

1/4 Line

1/16 Line

250th Street

Section Line

406th Avenue

THE SW 1/4 OF THE SE 1/4

THE SE 1/4 OF THE SE 1/4

KELLEY TRACT 1A
4.432± ACRES

KELLEY TRACT 2
0.894± ACRE

LOT 1 OF
DN & KN ADDITION

THE WEST 208.75'
OF THE SOUTH
208.75' OF THE
SE 1/4 OF THE
SE 1/4

36' WM

33' Statutory
Section Line
Right-Of-Way

36' WM

33' WM

South 1/4 Corner
36/104/61

SE Section Corner
36/104/61

319.66'

359.90'

N 0°03'06" W

N 32°12'33" E

S 89°56'54" E

221.68'

S 22°09'50" E

263.21'

N 01°13'06" W

312.06'

N 26°11'02" E

235.05'

N 73°44'25" E

253.43'

S 89°56'54" E

61.13'

S 89°56'54" W

242.73'

S 01°13'06" E

466.35'

512.20'

208.75'

1082.98'

208.75'

208.64'

101.17'

85.04'

232.39'

N 17°46'05" W

N 01°29'21" W

S 01°31'17" E

N 89°56'54" W

208.75' (E)

208.83'

208.75'

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A PLAT OF KELLEY TRACTS 1A AND 2, A SUBDIVISION OF THE SOUTH 1/2 OF THE SE 1/4 OF SECTION 36, T 104 N, R 61 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 the City of Mitchell, South Dakota, a South Dakota municipal corporation, does hereby certify that it is the absolute and unqualified owner of the land included in the within and foregoing plat; the plat is of a parcel of ground located in THE SOUTH 1/2 OF THE SE 1/4 OF SECTION 36, T 104 N, R 61 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA; that the plat has been made at its request and its direction for the purposes indicated therein; which said property as so surveyed and platted shall hereafter be known as KELLEY TRACTS 1A AND 2, A SUBDIVISION OF THE SOUTH 1/2 OF THE SE 1/4 OF SECTION 36, T 104 N, R 61 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, as shown by this plat; and The City of Mitchell 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 Kelley Tracts 1A and 2 shall conform to all existing applicable zoning, subdivision, erosion, sediment control and drainage regulations and ordinances; further that there now exists 250th Street and that this plat shall dedicate a 20 foot wide access easement for ingress and egress to Kelley Tract 2 within the east 20 feet of the west 208.75 feet of the south 208.75 feet of the SE 1/4 of the SE 1/4. 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 Agriculture 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 _____, 2022.

The City of Mitchell, South Dakota, a South Dakota
municipal corporation

Robert B. Everson, Jr., Mayor

CORPORATION ACKNOWLEDGMENT

STATE OF SOUTH DAKOTA)
)SS
COUNTY OF DAVISON)

On this, the _____ day of _____, 2022, before me, _____, the undersigned officer, personally appeared Robert B. Everson, Jr., of the City of Mitchell, South Dakota, a South Dakota municipal corporation, and that he, as such Mayor, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the municipal corporation by himself as Mayor.

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 KELLEY TRACTS 1A AND 2, A SUBDIVISION OF THE SOUTH 1/2 OF THE SE 1/4 OF SECTION 36, T 104 N, R 61 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 KELLEY TRACTS 1A AND 2, A SUBDIVISION OF THE SOUTH 1/2 OF THE SE 1/4 OF SECTION 36, T 104 N, R 61 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 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 _____, 2022.

Chairman/Vice-Chairman of Mitchell City Planning Commission



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