



Planning Commission Meeting Agenda
City Council Chambers, City Hall, 612 N. Main Street
April 10, 2023

- 1. 12:00 PM Call to Order**
- 2. Roll Call**
- 3. Declaration Of Conflicts Of Interests**
- 4. Approve Agenda**
- 5. Approval of Previous Minutes: March 27, 2023**
- 6. Schedule Next Meeting: April 24, 2023**
- 7. Conditional Use Permit: Marci Stults**

Marci Stults has applied for a conditional use permit to operate a Childcare (Family Residential), located at 937 E 1st Ave, legally described as Lot 1, Block 1 of Mizener Hager & Hager Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R3 Medium Density Residential District.
- 8. Plat: Lots 1 through 13 and Lot A of Sharpstone Deuce Addition, in the W 1/2 of the S 1/2 of the SW 1/4 of the NW 1/4 of Section 9, Township 103 North, Range 60 West of the 5th P.M., City of Mitchell, Davison County, South Dakota; as requested by Sharpstone Deuce LLC.**
- 9. Approval of Master Plan: Mueller Lumber Company-Morningview Subdivision.**
- 10. Plat: West Plum Avenue; Lots 13 thru 26, Block 2; Lots 1 thru 7, Block 3; and Drainage Tract 1, Block 4, MLC Addition, a subdivision of Block 3; Lot 4B, Block 4; and Block 5, Morningview Addition to the City of Mitchell, Davison County, South Dakota; as requested by Mueller Lumber Company.**
- 11. Plat: Urbana Drive; Sammy Davis Avenue; Dean Martin Court; East South Point Avenue; Lots 7 thru 16, Block 1; Lots 1 thru 15, Block 2; Lot 1, Block 3; and Drainage Tract 1 of Dardust Subdivision to the City of Mitchell, Davison County, South Dakota; as requested by Jensen Capital and Development LLC.**
- 12. Other Business:**
- 13. Public Input:**

If you need to address the Board 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. Adjourn**

Individuals with disabilities who require special assistance to take part in this meeting may contact one of the following at City Hall (605) 995-8420 at least 24 hours prior to the meeting with requests for assistance: Human Resources Officer or the City Administrator.

Planning Commission Minutes
City Council Chambers, City Hall, 612 N. Main Street
March 27, 2023

1. Call to Order

Chairperson Larson called the March 27, 2023 City Planning Commission Meeting to order at 12:00 P.M. noon in the Council Chambers, City Hall, 612 N Main Street.

2. Roll Call

Quorum is met, simple majority vote required for all items.

Present: Doescher, Genzlinger, Jirsa (telephonically), Larson, Osterloo, Sonne.

Absent: Penny, Schmitz.

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

3. Declaration Of Conflicts Of Interests

None.

4. Approve Agenda

Motion by Genzlinger, seconded by Sonne to approve the proposed agenda. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – absent, Schmitz – absent, Sonne – aye. 5 aye, 0 nay, 2 absent; motion carried.

5. Approval of Previous Minutes: March 13, 2023

Motion by Genzlinger, seconded by Osterloo to approve the amended minutes of the March 13, 2023 Planning Commission meeting. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – absent, Schmitz – absent, Sonne – aye. 5 aye, 0 nay, 2 absent; motion carried.

6. Schedule Next Meeting: April 10, 2023

Motion by Osterloo, seconded by Sonne to set the date for the next Planning Commission meeting for April 10, 2023. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – absent, Schmitz – absent, Sonne – aye. 5 aye, 0 nay, 2 absent; motion carried.

7. Plan Approval: Krohmer Plumbing-1900 N Main St, zoned Highway Business District

Jenniges explained this is a change of use for the old Shopko building. Outside Storage and Contractor Storage Yard are both permitted uses in the Highway Business District. The applicant was present to answer questions.

Osterloo questioned if there would still be semi's on the east side, to which Frank Krohmer answered yes, there are some existing easements.

Genzlinger questioned the gate openings for the fenced in area to which was answered there would be one on the east and the west side.

Jirsa questioned if the fence was going to be open or slated, to which it was answered that it would be slated.

Motion by Osterloo, seconded by Genzlinger to approve the plan. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – absent, Schmitz – absent, Sonne – aye. 5 aye, 0 nay, 2 absent; motion carried.

8. Plat: Canal Tract 1, a subdivision of the SE 1/4 of Section 31, T 104 N, R 60 W of the

5th P.M., City of Mitchell, Davison County, South Dakota

Jenniges explained there was an updated plat that didn't make the packet that had new verbiage in the owners' certificate. The applicant had some representatives there to speak for him.

Larson recalled seeing this years ago and thought it was all taken care of back then.

J Johnson stated there is some clean up being done with it finally being platted and some taxation questions/issues that arose with the county.

Don Petersen, representing Maui Farms Inc, said that the Army Corp. of Engineers told them back in the day it would be public right of way. At some point, the county stopped assessing the property for taxes and this is the beginning of getting it all cleaned up. The original plat was in the county but has since been annexed into the city limits.

Motion by Jirsa, seconded by Genzlinger to approve the plat. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – absent, Schmitz – absent, Sonne – aye. 5 aye, 0 nay, 2 absent; motion carried.

9. Recommendation on Alley Vacation

Jenniges noted this in the area of land that was just rezoned from R3 to HB. A few years ago Ivy Ave was vacated and the intention was to vacate this alley shortly after, but it never happened. The four applicants have filed a petition to vacate it now. The applicants were present to answer questions.

Genzlinger noted the board just approved the vacation of an alley at their last meeting.

Schroeder noted the city has no issues as there are no utility easements in it. He also noted most new developments do not have alleys.

Motion by Genzlinger, seconded by Sonne to recommend approval of the vacation of the alley. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – absent, Schmitz – absent, Sonne – aye. 5 aye, 0 nay, 2 absent; motion carried.

10. Other Business:

None.

11. Public Input:

None.

12. Adjourn

Chairperson Larson adjourned the meeting at 12:17 P.M.

Jay Larson
Planning Commission Chairperson



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: _____

☒ Conditional Use Permit \$150 application due with the application.

- Description of Conditional Use: Home daycare use

This Application is for the following described real property:

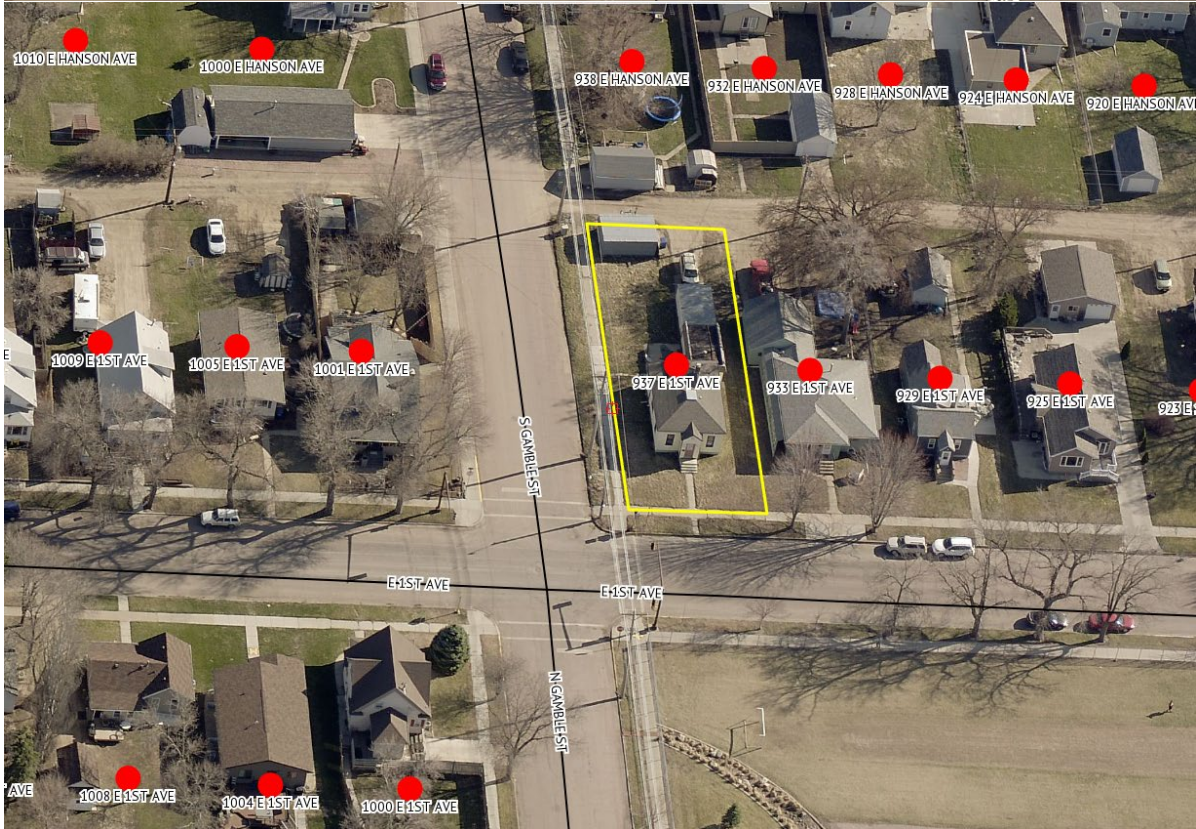
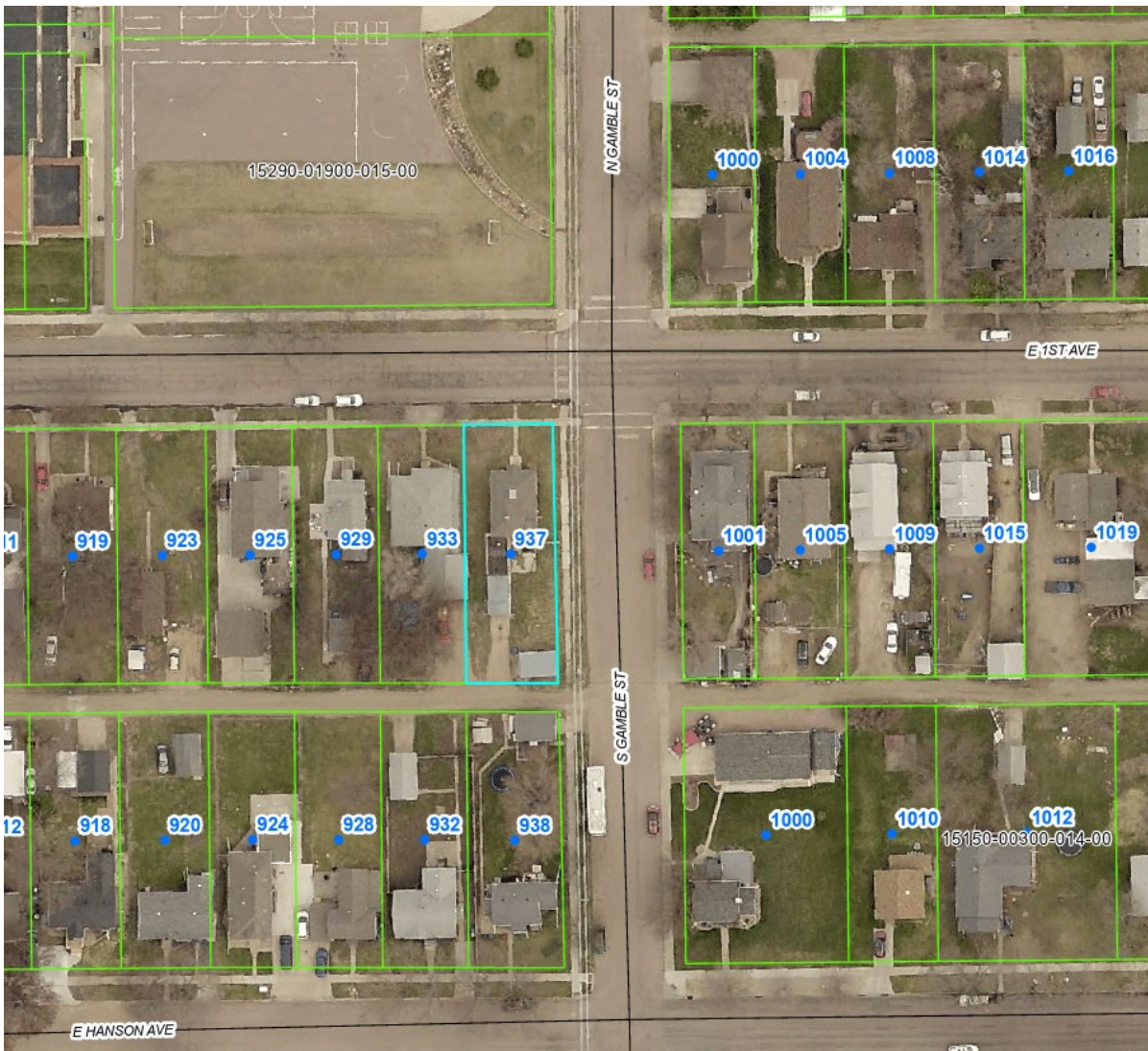
- Legal Description: Lot 1, Block 1 of Mizener Hager & Hager
Addition, City of Mitchell, Davison County, South Dakota

- Property Address: 937 e 18th Street
Mitchell SD 57301

Dated this 20th day of March 2023

Maria Stults
Applicant

Chris Regys
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 Marci Stults has applied for a conditional use permit to operate a Childcare (Family Residential), located at 937 E 1st Ave, legally described as Lot 1, Block 1 of Mizener Hager & Hager Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R3 Medium Density Residential District.

YOU ARE FURTHER NOTIFIED, that public hearings will be held by the City Planning Commission on Monday, April 10, 2023, 12:00 P.M. (Noon) and the Board of Adjustment on Monday, April 17, 2023 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 at Mitchell, South Dakota, this 23rd day of March, 2023.

Michelle Bathke

FINANCE OFFICER

Publish once: 29th day of March, 2023

Approximate Cost:

Marci Stults
937 E 1st Ave
Mitchell, SD 57301

Riggs Rental Properties LLC
41575 Hwy 42
Ethan, SD 57334

Steven Robsahm
933 E 1st Ave
Mitchell, SD 57301

Bonnie Shank
Patricia McCarthy
1025 E 1st Ave
Mitchell, SD 57301

Patricia Wurster
925 E 1st Ave
Mitchell, SD 57301

Mitchell School District 17-2
800 W 10th Ave
Mitchell, SD 57301

Todd Czmowski
1000 E 1st Ave
Mitchell, SD 57301

Amy Jorgensen
C/O Mitchell Habitat for Humanity
1004 e 1st Ave
Mitchell, SD 57301

Darrel Hohn
600 E 7th Ave
Mitchell, SD 57301

Harris Properties LLC
2312 Dean Drive
Mitchell, SD 57301

Steven & Diana Wolbrink
1317 N Lalley Ln
Sioux Falls, SD 57107

Betty McNeil
1001 E 1st Ave
Mitchell, SD 57301

Velasquez Escriba
1010 E Hanson Ave
Mitchell, SD 57301

Lawrence & Susan Munterfering
C/O Kim Muntefering
1000 E Hanson Ave
Mitchell, SD 57301

Tamara Revoir
8130 Timberline Rd
Black Hawk, SD 57718

Nicelle Burger
932 E Hanson Ave
Mitchell, SD 57301

Rieside Properties LLC
PO Box 127
Mitchell, SD 57301

March 29, 2023

TO WHOM IT MAY CONCERN:

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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 Betty McNeil
OWNER

1001 E. 1st Ave., Mitchell, SD 57301

ADDRESS

 APPROVE

✓ DISAPPROVE

COMMENTS:

The last daycare on that block (of which I signed a petition of approval) parked cars - about 8 hours a day - beside my house and would not communicate or agree to any compromise. Snow removal was a problem as often my side of Street would not get swept by the city. I regretted my decision to approve.

Outside expectations



March 29, 2023

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I/We

David E. Hoke
OWNER

1008 E 1 919 E 1 & 923 E F 1
ADDRESS

✓ APPROVE

 DISAPPROVE

COMMENTS:

City of Mitchell | Public Works
612 North Main Street | Mitchell, SD 57301
Phone: 605-995-8433 | Fax: 605-995-8410
CityOfMitchell.org



March 29, 2023

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I/We Quinn Riggs / Riggs Rental Properties
OWNER

937 e. 1st Street - Mitchell, SD 57301
ADDRESS

K APPROVE

_____ DISAPPROVE

COMMENTS:

Outside expectations



March 29, 2023

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I/We


OWNER

1009 E. 1st

ADDRESS

☒ APPROVE

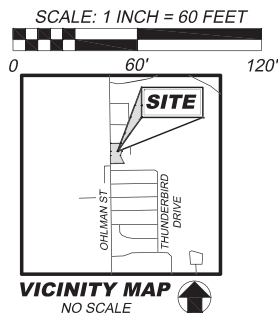
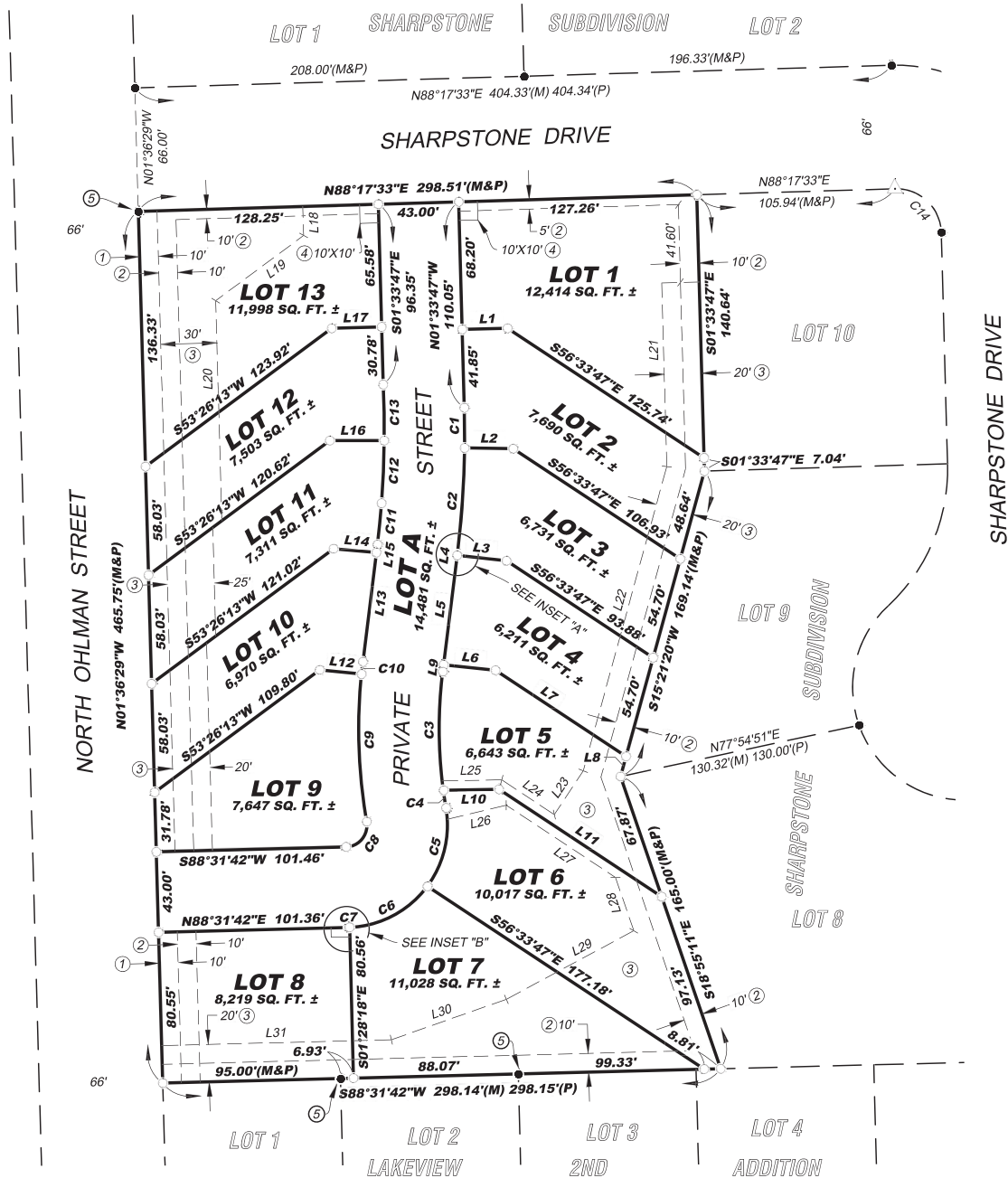
☐ DISAPPROVE

COMMENTS:

SURVEY PLAT

OF

LOTS 1 THROUGH 13 AND LOT A OF SHARPSTONE DEUCE ADDITION, IN THE W1/2 OF THE S1/2 OF THE SW1/4 OF THE NW1/4 OF SECTION 9, TOWNSHIP 103 NORTH, RANGE 60 WEST OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA



LEGEND

- IRON MONUMENT FOUND
KLM "5801" UNLESS NOTED
- IRON MONUMENT SET
5/8" x 18" REBAR W/CAP
"SDRLS KLM 5801"
- △ CALCULATED CORNER
- (M) MEASURED DISTANCE
- (P) PLATTED DISTANCE
- ① BIKE TRAIL EASEMENT
- ② UTILITY EASEMENT
- ③ DRAINAGE EASEMENT
- ④ SIDEWALK EASEMENT
- ⑤ FOUND PJR "6702"

SURVEYORS NOTES:

- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A COMPLETE TITLE REPORT AND DOES NOT PURPORT TO SHOW EASEMENTS OF RECORD, IF ANY.
- BASIS OF BEARING: BEARINGS ARE BASED ON GRID NORTH (WGS84 DATUM) OBTAINED BY DIRECT OBSERVATION USING SURVEY GRADE GPS EQUIPMENT. DISTANCES ARE GROUND IN U.S. SURVEY FEET.

BUILDING RESTRICTIONS:

- FRONT YARD: FIFTEEN FEET (15')
- REAR YARD: TWENTY-FIVE FEET (25')
- SIDE YARD: THREE FEET (3')
- SIDE YARD ON A CORNER LOT: FIFTEEN FEET (15')
- LOT COVERAGE SHALL BE NO MORE THAN 75%



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110 N. 1ST STREET
P.O. BOX 916
PARKSTON, SD 57366
(605) 928-7676

PAGE:	1 OF 4
SCALE:	1" = 60'
PROJECT NO.:	22220403
DRAWN BY:	JPK 03/24/23
SURVEY CREW:	JPG 06/13/22

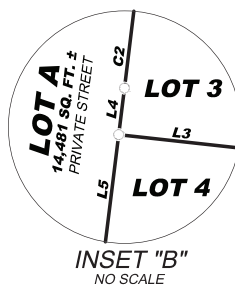
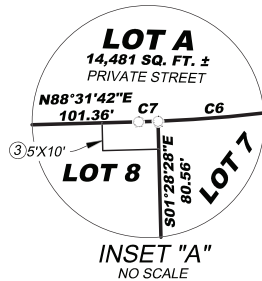
SURVEY PLAT

OF

LOTS 1 THROUGH 13 AND LOT A OF SHARPSTONE DEUCE ADDITION, IN THE W1/2 OF THE S1/2 OF THE SW1/4 OF THE NW1/4 OF SECTION 9, TOWNSHIP 103 NORTH, RANGE 60 WEST OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

NAME	DELTA	RADIUS	ARC LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	2°21'15"	522.00'	21.45'	N00°23'10"W	21.45'
C2	6°15'58"	522.00'	57.09'	N03°55'27"E	57.06'
C3	14°40'21"	248.00'	63.51'	N00°16'44"W	63.34'
C4	2°12'56"	248.00'	9.59'	N08°43'23"W	9.59'
C5	46°29'57"	54.50'	44.23'	N13°25'08"E	43.03'
C6	51°03'06"	54.50'	48.56'	N62°11'39"E	46.97'
C7	0°48'29"	54.50'	0.77'	N88°07'27"E	0.77'
C8	98°21'32"	11.50'	19.74'	S39°20'56"W	17.41'
C9	15°35'08"	291.00'	79.16'	S02°02'17"E	78.91'
C10	1°18'09"	291.00'	6.62'	S06°24'22"W	6.62'
C11	2°39'20"	479.00'	22.20'	S05°43'46"W	22.20'
C12	3°42'20"	518.17'	33.51'	S02°26'10"W	33.51'
C13	3°18'41"	518.17'	29.95'	S01°04'21"E	29.94'
C14	90°08'40"	24.00'(M&P)	37.76'(M&P)	S46°38'07"E	33.98'

NAME	LENGTH	DIRECTION
L1	24.25'	N88°26'13"E
L2	25.97'	S89°12'32"E
L3	26.49'	S83°42'31"E
L4	0.47'	N07°03'02"E
L5	58.84'	N07°03'26"E
L6	27.85'	S83°55'41"E
L7	83.55'	S56°33'47"E
L8	11.10'	S15°21'20"W
L9	3.74'	N07°03'26"E
L10	29.74'	N88°58'18"E
L11	104.14'	S56°33'47"E
L12	22.47'	N84°14'43"W
L13	58.77'	S07°03'26"W
L14	23.02'	S84°53'04"E
L15	4.28'	S07°03'26"W
L16	29.05'	N90°00'00"E
L17	26.63'	S88°26'13"W
L18	15.49'	S01°42'27"E
L19	58.50'	S53°26'13"W
L20	117.54'	S01°36'29"E
L21	98.08'	S01°33'47"E
L22	168.49'	S15°21'20"W
L23	28.03'	S33°26'13"W
L24	33.66'	N56°33'47"W
L25	31.82'	S88°58'18"W
L26	32.28'	N76°38'47"E
L27	69.98'	S56°33'47"E
L28	30.09'	S18°55'11"E
L29	77.26'	S61°42'44"W
L30	65.20'	S70°38'14"W
L31	122.69'	S88°31'42"W



REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR
REG. NO. 5801
KIM LaRUE
McLAURY
03/27/23
KIM LaRUE
McLAURY

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110 N. 1ST STREET
P.O. BOX 916
PARKSTON, SD 57366
(605) 928-7676

PAGE: 2 OF 4
SCALE: 1" = 60'
PROJECT NO.: 22220403
DRAWN BY: JPK 03/24/23
SURVEY CREW: JPG 06/13/22

SURVEY PLAT

OF

LOTS 1 THROUGH 13 AND LOT A OF SHARPSTONE DEUCE ADDITION, IN THE W1/2 OF THE S1/2 OF THE SW1/4 OF THE NW1/4 OF SECTION 9, TOWNSHIP 103 NORTH, RANGE 60 WEST OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

SURVEYOR'S CERTIFICATE:

TO: SHARPSTONE DEUCE, LLC

I, KIM LaRUE McLAURY, REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE DIRECTION OF THE OWNER, I DID, ON OR BEFORE JUNE 13, 2022, SURVEY LOT 11 OF SHARPSTONE SUBDIVISION, IN THE W1/2 OF THE S1/2 OF THE SW1/4 OF THE NW1/4 OF SECTION 9, TOWNSHIP 103 NORTH, RANGE 60 WEST OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, AND SUBDIVIDED THE SAME AS SHOWN ON THE ATTACHED PLAT. THAT PORTION SHALL HEREAFTER BE KNOWN AND DESCRIBED AS "LOTS 1 THROUGH 13 AND LOT A OF SHARPSTONE DEUCE ADDITION, IN THE W1/2 OF THE S1/2 OF THE SW1/4 OF THE NW1/4 OF SECTION 9, TOWNSHIP 103 NORTH, RANGE 60 WEST OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA".

DATED THIS 27th DAY OF March, 2023.

REGISTERED LAND SURVEYOR - KIM L. McLAURY, R.L.S SD-5801

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OWNER'S CERTIFICATE:

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT SHARPSTONE DEUCE, LLC, IS THE OWNER OF ALL LAND INCLUDED IN THE ABOVE PLAT AND THAT SAID PLAT HAS BEEN MADE AT MY REQUEST AND IN ACCORDANCE WITH MY INSTRUCTIONS FOR THE PURPOSES OF LOCATING, MONUMENTING AND PLATTING, AND THAT THE DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, EROSION AND SEDIMENT CONTROL REGULATIONS.

I HEREBY DEDICATE TO THE CITY OF MITCHELL, EASEMENTS FOR PUBLIC UTILITY PURPOSES TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OF SERVICE AND EMERGENCY VEHICLES OVER LOT A.

I HEREBY RETAIN LOT A AS A PRIVATE STREET FOR PRIVATE USE FOR THE SOLE BENEFIT OF OURSELVES, OUR SUCCESSORS, ASSIGNS AND LOT OWNERS WITHIN THIS PLAT.

IT IS FURTHER PROVIDED THAT ANY STREETS, ROADS, ALLEYS, DRAINAGE, UTILITY AND/OR OTHER EASEMENTS SHOWN ON THIS PLAT ARE HEREBY, OR HAVE BEEN PREVIOUSLY DEDICATED FOR THE PURPOSES INDICATED HEREON.

PURSUANT TO SDCL 11.3.20, 11.3.20.1 AND 11.3.20.3, THE APPROVAL AND FILING OF THIS PLAT VACATES "LOT 11 OF SHARPSTONE SUBDIVISION, IN THE W1/2 OF THE S1/2 OF THE SW1/4 OF THE NW1/4 OF SECTION 9, TOWNSHIP 103 NORTH, RANGE 60 WEST OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY SOUTH DAKOTA", AS PLATTED IN BOOK 17, PAGE 38, IN THE DAVISON COUNTY REGISTER OF DEEDS OFFICE.

CALEB KOERNER, MANAGING MEMBER
SHARPSTONE DEUCE, LLC

DATE

ACKNOWLEDGMENT OF OWNER:

STATE OF _____ COUNTY OF _____

ON THIS DAY OF _____, 20____, BEFORE ME,

_____, THE UNDERSIGNED OFFICER,

PERSONALLY APPEARED CALEB KOERNER, WHO ACKNOWLEDGED HIMSELF TO BE MANAGING MEMBER OF SHARPSTONE DEUCE, LLC, AND THAT HE AS MANAGING MEMBER, BEING AUTHORIZED TO DO SO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

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

NOTARY PUBLIC

MY COMMISSION EXPIRES _____

RESOLUTION OF CITY PLANNING COMMISSION:

WHEREAS, THE PLAT OF LOTS 1 THROUGH 13 AND LOT A OF SHARPSTONE DEUCE ADDITION, IN THE W1/2 OF THE S1/2 OF THE SW1/4 OF THE NW1/4 OF SECTION 9, TOWNSHIP 103 NORTH, RANGE 60 WEST OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, PREPARED BY KIM LaRUE McLAURY, 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 1 THROUGH 13 AND LOT A OF SHARPSTONE DEUCE ADDITION, IN THE W1/2 OF THE S1/2 OF THE SW1/4 OF THE NW1/4 OF SECTION 9, TOWNSHIP 103 NORTH, RANGE 60 WEST OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, PREPARED BY KIM LaRUE McLAURY, 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 _____, 20____.

CHAIRPERSON/VICE-CHAIRPERSON
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 HERINAFTER DESCRIBED PLAT, AT ITS MEETING HELD ON THE _____ DAY OF _____, 20____, AND

WHEREAS, IT APPEARS FROM AN EXAMINATION OF THE PLAT OF LOTS 1 THROUGH 13 AND LOT A OF SHARPSTONE DEUCE ADDITION, IN THE W1/2 OF THE S1/2 OF THE SW1/4 OF THE NW1/4 OF SECTION 9, TOWNSHIP 103 NORTH, RANGE 60 WEST OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, AS PREPARED BY KIM LaRUE McLAURY, 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 1 THROUGH 13 AND LOT A OF SHARPSTONE DEUCE ADDITION, IN THE W1/2 OF THE S1/2 OF THE SW1/4 OF THE NW1/4 OF SECTION 9, TOWNSHIP 103 NORTH, RANGE 60 WEST OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, PREPARED BY KIM LaRUE McLAURY, 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 WAS PASSED BY THE CITY OF MITCHELL, SOUTH DAKOTA, AT A MEETING HELD

ON THE _____ DAY OF _____, 20____.

FINANCE OFFICER/DEPUTY FINANCE OFFICER
CITY OF MITCHELL



P.O. BOX 916
110 N. FIRST STREET
PARKSTON, SD 57366
(605) 928-7676

PAGE:	3 OF 4
SCALE:	NONE
PROJECT NO.:	22220403
DRAWN BY:	JPK 03/24/23
SURVEY CREW:	JPG 06/13/22

SURVEY PLAT

OF

**LOTS 1 THROUGH 13 AND LOT A OF SHARPSTONE DEUCE ADDITION, IN THE W1/2 OF THE S1/2 OF
THE SW1/4 OF THE NW1/4 OF SECTION 9, TOWNSHIP 103 NORTH, RANGE 60 WEST OF THE 5TH P.M.,
CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA**

CERTIFICATE OF COUNTY TREASURER:

STATE OF SOUTH DAKOTA - COUNTY OF DAVISON

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

DATED THIS _____ DAY OF _____, 20____.

DIRECTOR/DEPUTY TREASURER
DAVISON COUNTY, SOUTH DAKOTA

CERTIFICATE OF DIRECTOR OF EQUALIZATION:

STATE OF SOUTH DAKOTA - COUNTY OF DAVISON

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

DATED THIS _____ DAY OF _____, 20____.

DIRECTOR/DEPUTY DIRECTOR OF EQUALIZATION
DAVISON COUNTY, SOUTH DAKOTA

CERTIFICATE OF REGISTER OF DEEDS:

STATE OF SOUTH DAKOTA - COUNTY OF DAVISON

FILED FOR RECORD THIS _____ DAY OF _____, 20____.

AT _____ O'CLOCK ____ M., AND RECORDED IN BOOK _____ OF PLATS

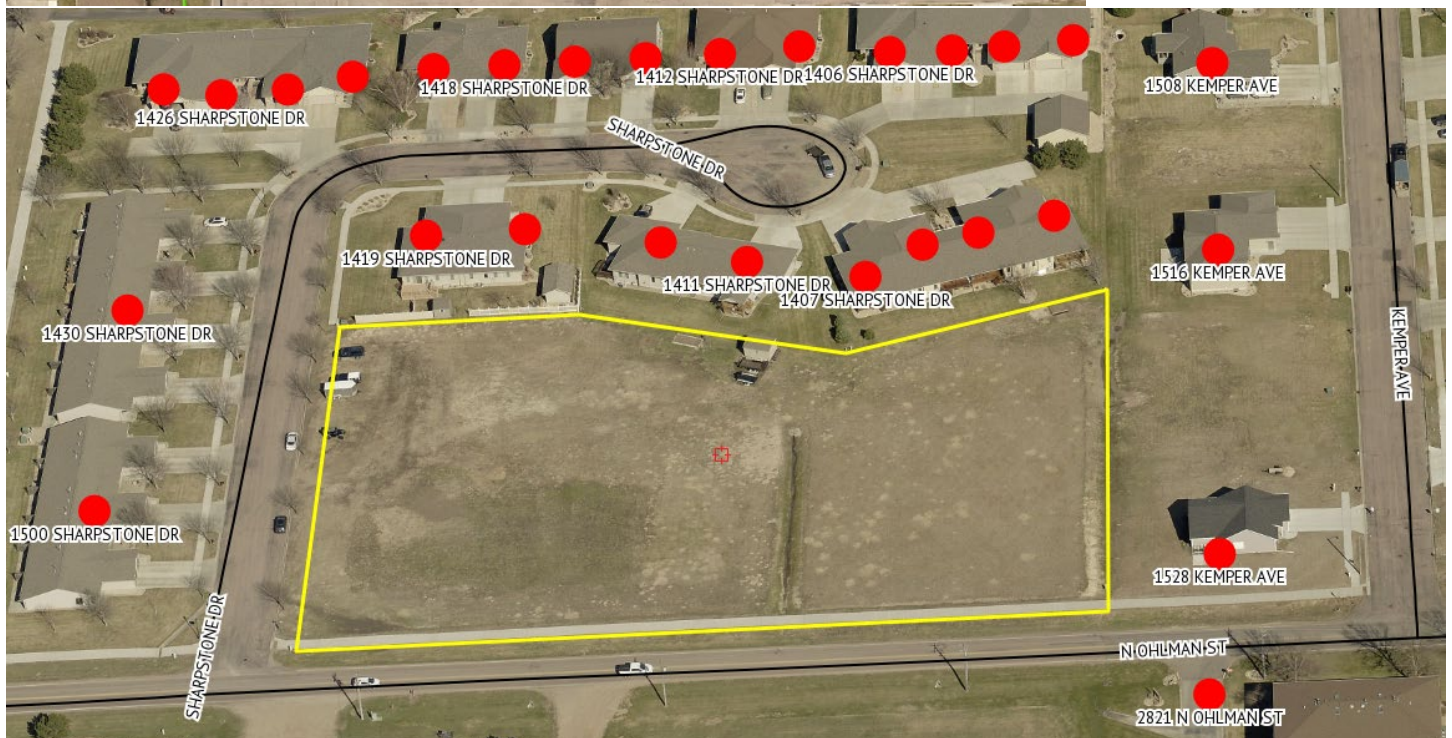
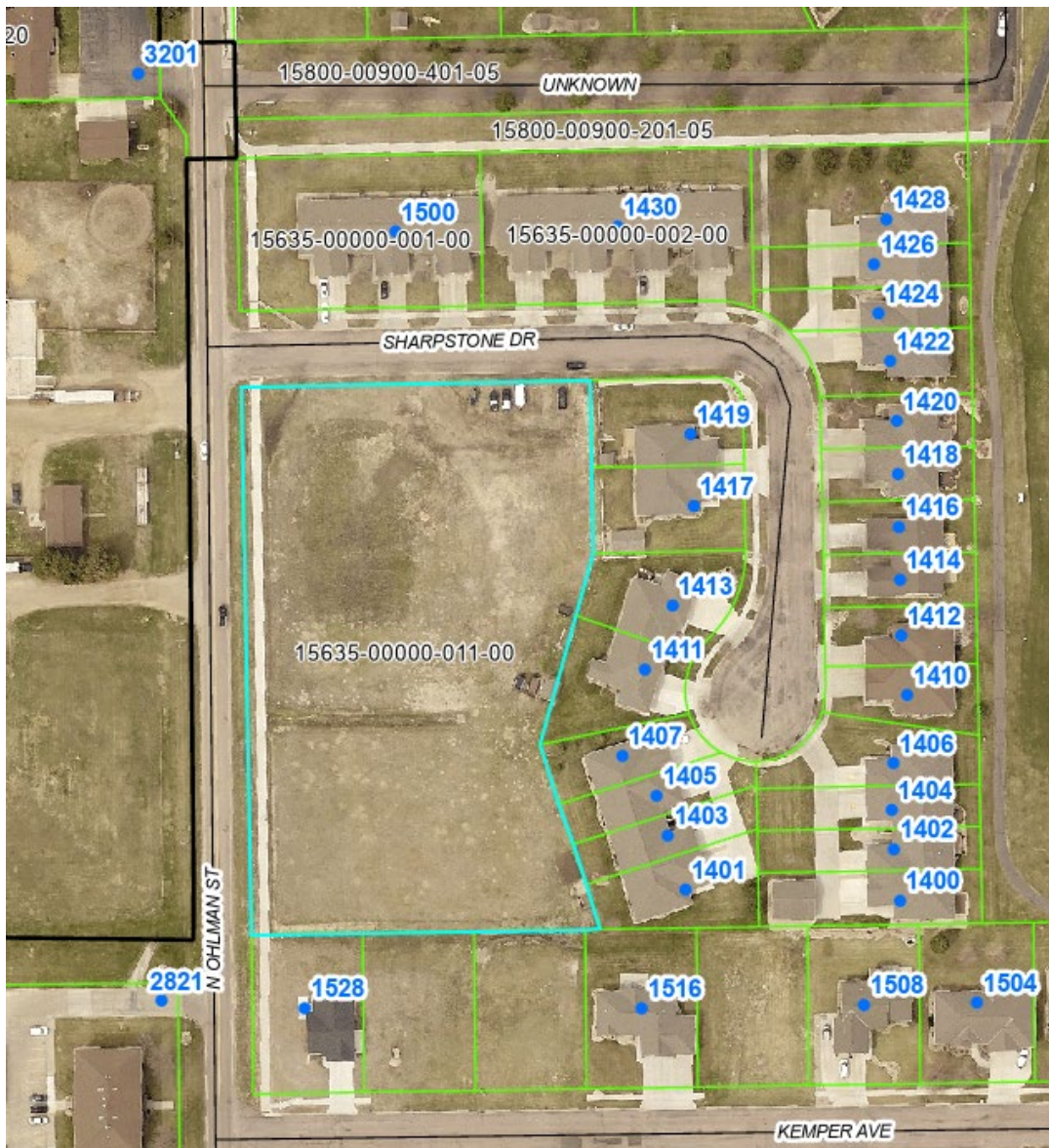
ON PAGE _____ THEREIN.

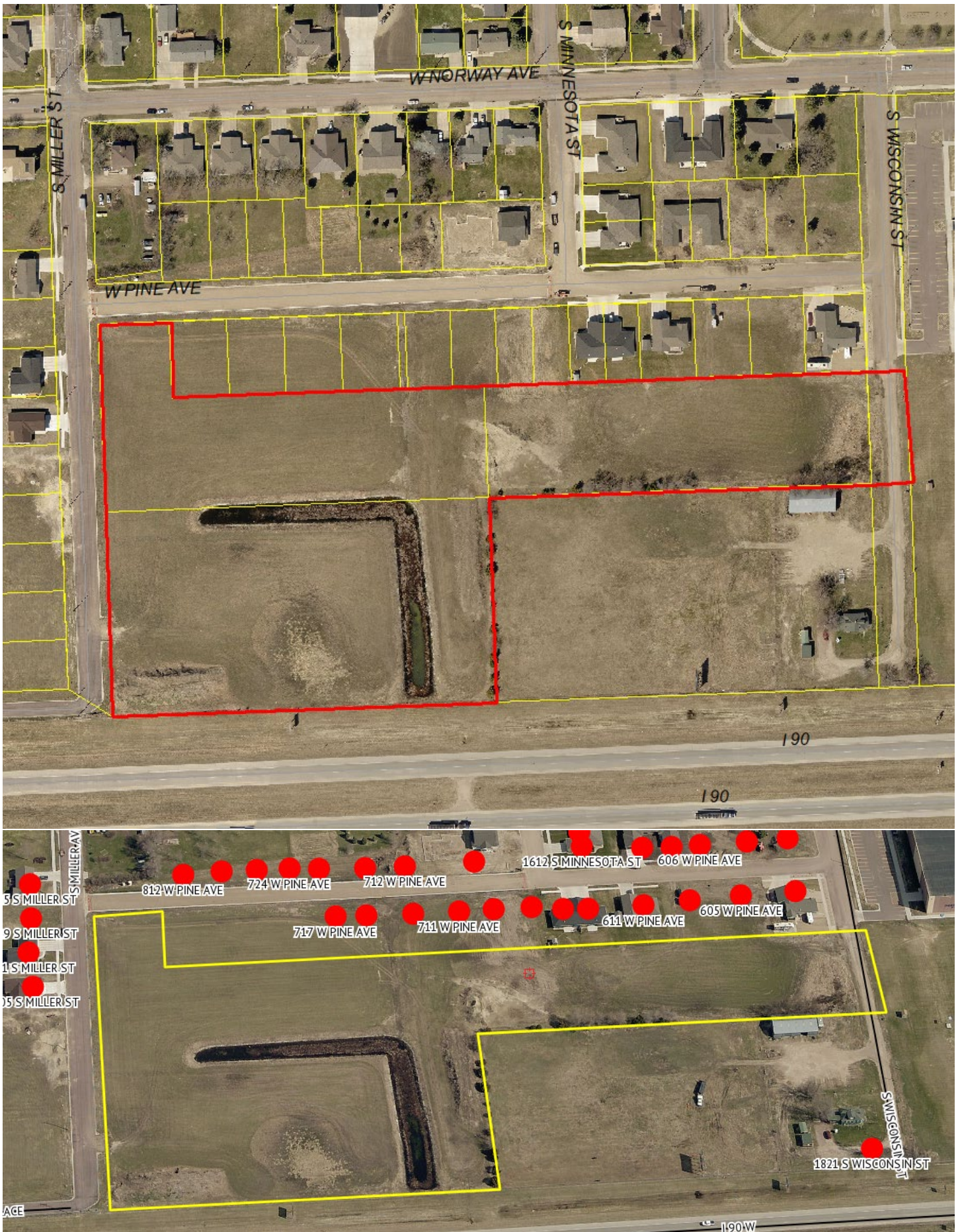
DIRECTOR/DEPUTY REGISTER OF DEEDS
DAVISON COUNTY, SOUTH DAKOTA



P.O. BOX 916
110 N. FIRST STREET
PARKSTON, SD 57366
(605) 928-7676

PAGE:	4 OF 4
SCALE:	NONE
PROJECT NO.:	22220403
DRAWN BY:	JPK 03/24/23
SURVEY CREW:	JPG 06/13/22

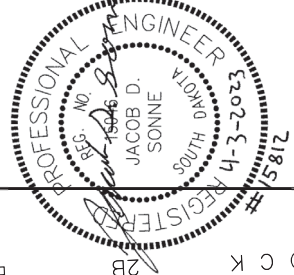






SPN
& Associates
 Engineers - Planners - Surveyors
 2100 North Samba Boulevard - P.O. Box 298
 Mitchell, South Dakota 57301-0298
 Phone: (605) 996-7761 - Fax: (605) 996-0015

Certificate
 I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of South Dakota.



Plan Horiz. Scale:	1" = 120'
Drawn By:	MD
Checked By:	JDS
Date:	4/3/2023
Project No.:	15812
File Name:	15812-Muelier Lumber Morningview Addition

Project Name:
**MLC Addition
 Phase IV**

Located in:
**Mitchell,
 South Dakota**

Sheet Name:
Overall Lot Layout

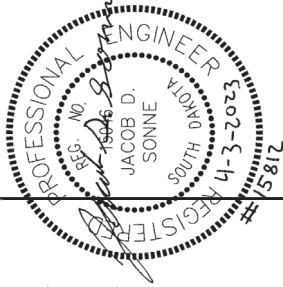
Sheet Number:	2
Total Sheets:	78



SPN
& Associates

Engineers - Planners - Surveyors
2100 North Sunborn Boulevard - P.O. Box 298
Mitchell, South Dakota 57301-0298
Phone: (605) 996-7761 - Fax: (605) 996-0015

Certificate
I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of South Dakota.



Plan Horiz. Scale:	1" = 120'
Drawn By:	JDS
Checked By:	JDS
Date:	4/3/2023
Project No.:	15812
File Name:	15812-Miller Lumber Morningview Addition

Project Name:
**MLC Addition
Phase IV**

Located in:
**Mitchell,
South Dakota**

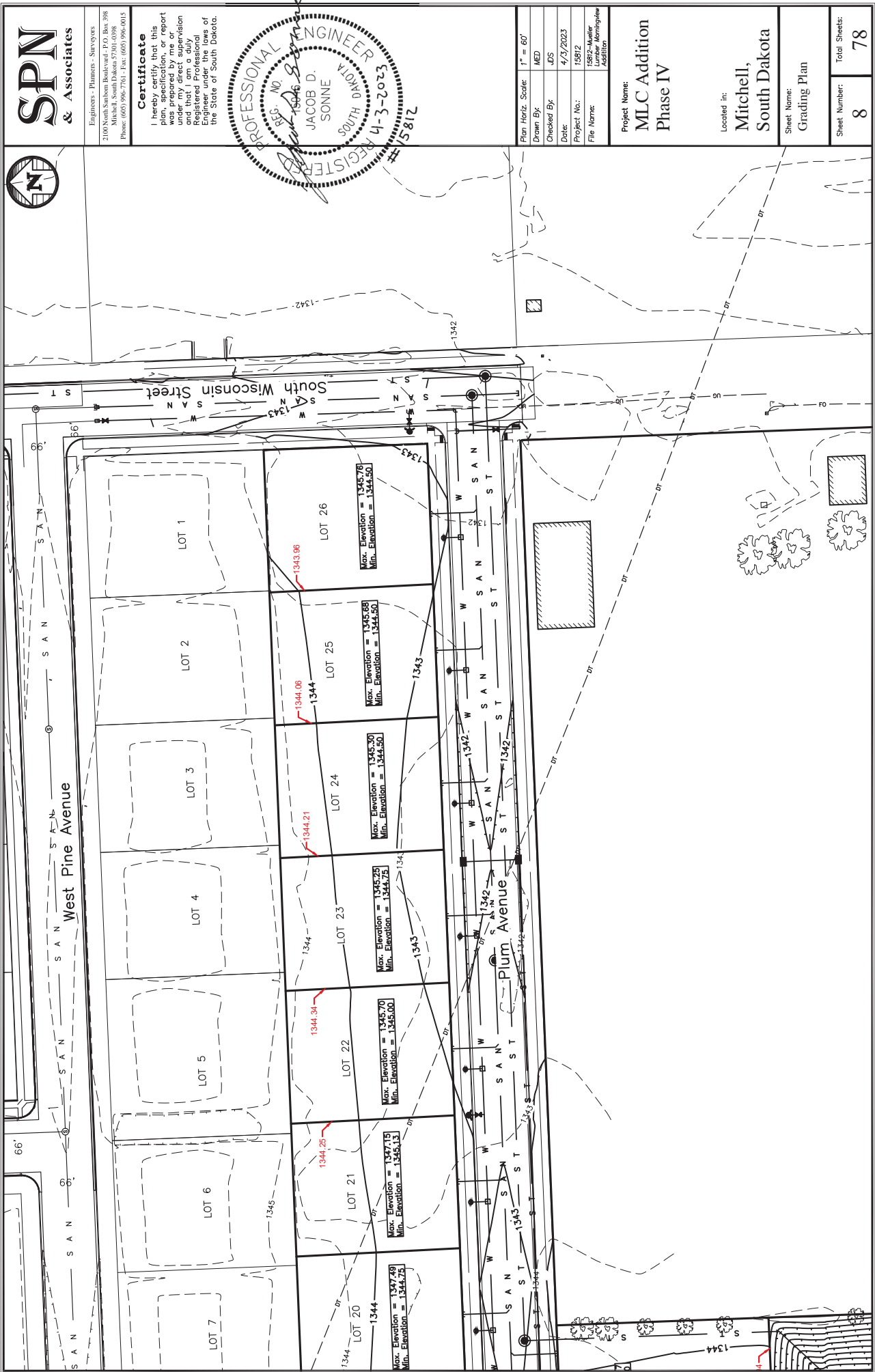
Sheet Name:
**Overall Utility
Layout**

Sheet Number:	3
Total Sheets:	78



I-90 Right-Of-Way





Certificate

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Registered Professional Engineer under the laws of the State of South Dakota.



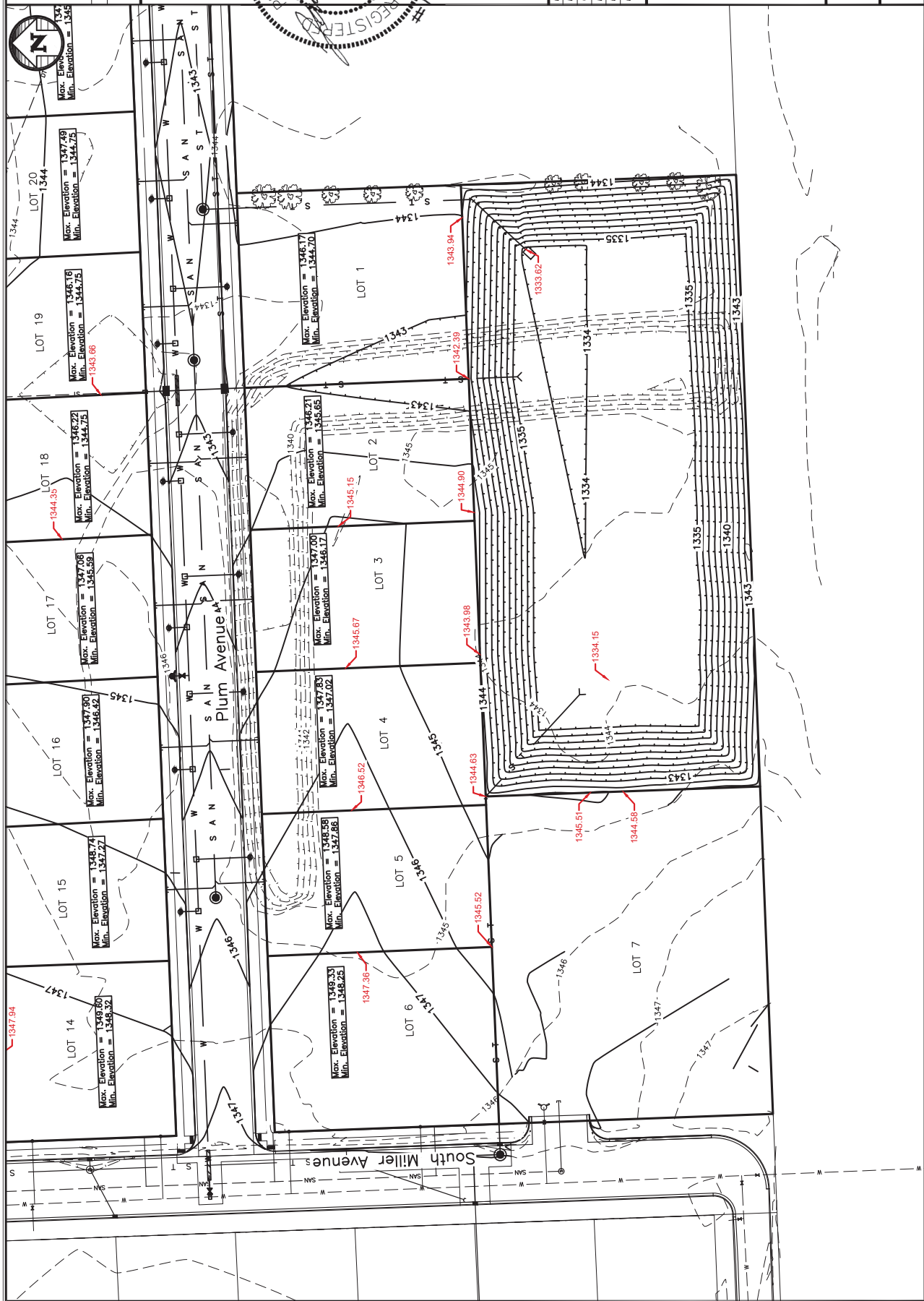
Plan Horiz. Scale:	1" = 60'
Drawn By:	MED
Checked By:	JDS
Date:	4/3/2023
Project No.:	15812
File Name:	15812-Mueller Lumber Morningview Addition

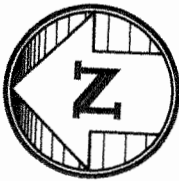
Project Name: **MLC Addition
Phase IV**

Located in:
**Mitchell,
South Dakota**

Sheet Name:
Grading Plan

Sheet Number:	9	Total Sheets:	78
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1 Inch = 100 Feet

LEGEND

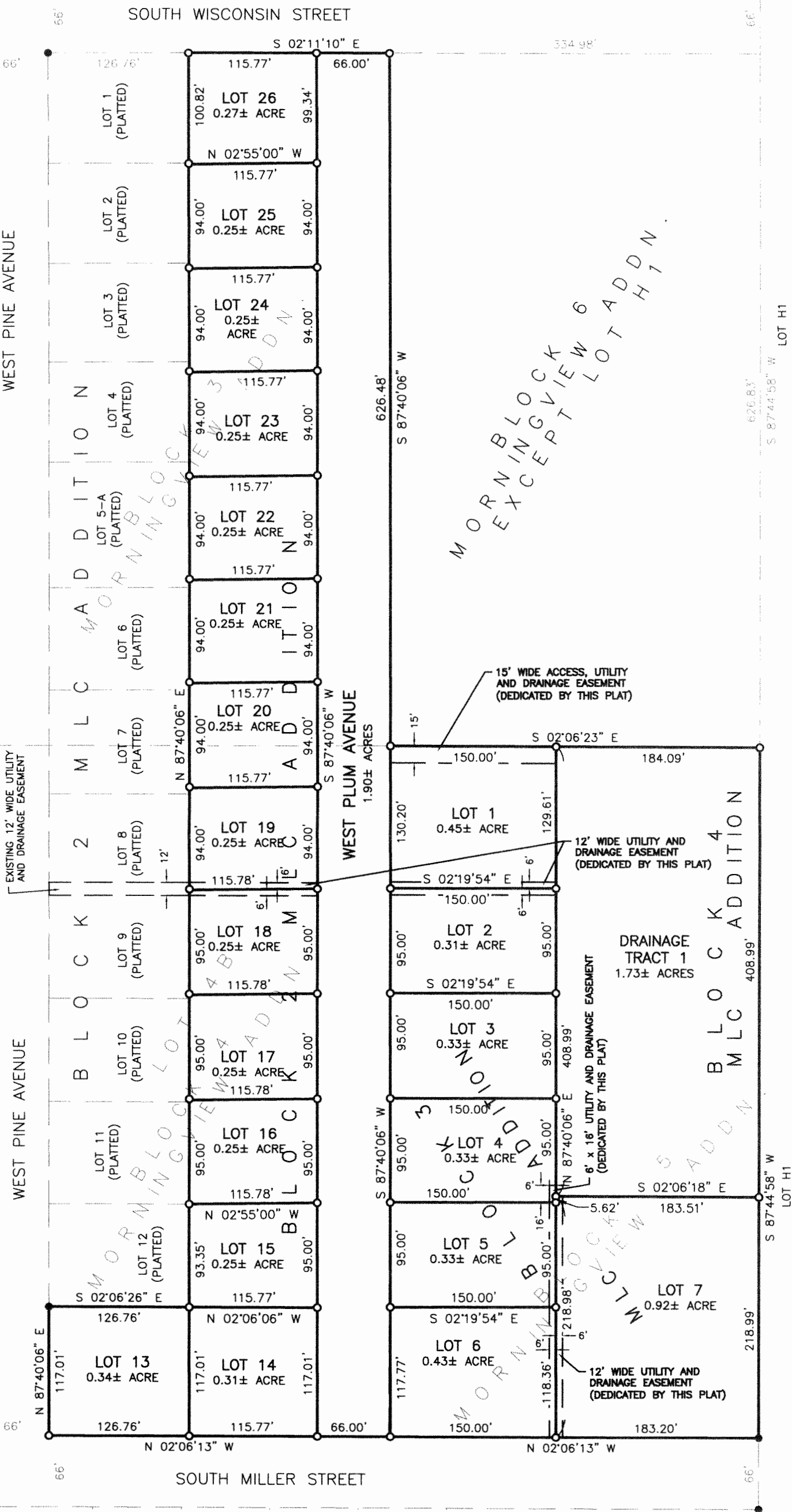
- = FOUND IRON MONUMENT
- = SET 5/8" X 18" REBAR WITH PLASTIC CAP NO. 6702
- 100' (P) = PLATTED BEARING OR DISTANCE
- 100' = MEASURED BEARING OR DISTANCE

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.
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.

**ADDITIONAL EASEMENTS NOT SHOWN ON THE
DRAWING TO BE DEDICATED BY THIS PLAT:**
3' Drainage Easement along the North/South
interior property lines of Lots 13 thru 26,
Block 2 and Lots 2 thru 6, Block 3; except
between Lots 18 and 19, Block 2 and
between Lots 1 and 2, Block 3 as noted on
the drawing; except along South Miller Street
and South Wisconsin Street.



A PLAT OF WEST PLUM AVENUE; LOTS 13 THRU 26, BLOCK 2; LOTS 1 THRU 7, BLOCK 3; AND DRAINAGE TRACT 1, BLOCK 4, MLC ADDITION, A SUBDIVISION OF BLOCK 3; LOT 4B, BLOCK 4; AND BLOCK 5, MORNINGVIEW ADDITION TO THE CITY OF MITCHELL, 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

A PLAT OF WEST PLUM AVENUE; LOTS 13 THRU 26, BLOCK 2; LOTS 1 THRU 7, BLOCK 3; AND DRAINAGE TRACT 1, BLOCK 4, MLC ADDITION, A SUBDIVISION OF BLOCK 3; LOT 4B, BLOCK 4; AND BLOCK 5, MORNINGVIEW ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

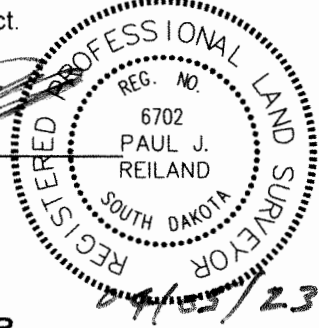
SURVEYOR'S CERTIFICATE

I, Paul J. Reiland, the undersigned, do hereby certify that I am a Registered Land Surveyor in the State of South Dakota. At the request of Mueller Lumber Company, a South Dakota corporation, and under its direction for purposes indicated therein, I did on or prior to April 3, 2023, survey those parcels of land described as follows: WEST PLUM AVENUE; LOTS 13 THRU 26, BLOCK 2; LOTS 1 THRU 7, BLOCK 3; AND DRAINAGE TRACT 1, BLOCK 4, MLC ADDITION, A SUBDIVISION OF BLOCK 3; LOT 4B, BLOCK 4; AND BLOCK 5, MORNINGVIEW ADDITION TO THE 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 5TH day of APRIL, 2023.


Registered Land Surveyor #SD6702



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

KNOW ALL MEN BY THESE PRESENTS that Robert W. Mueller, the undersigned, hereby certifies that Mueller Lumber Company, 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 3; LOT 4B, BLOCK 4; AND BLOCK 5, MORNINGVIEW ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA; that the plat has been made at the request of Mueller Lumber Company, 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 WEST PLUM AVENUE; LOTS 13 THRU 26, BLOCK 2; LOTS 1 THRU 7, BLOCK 3; AND DRAINAGE TRACT 1, BLOCK 4, MLC ADDITION, A SUBDIVISION OF BLOCK 3; LOT 4B, BLOCK 4; AND BLOCK 5; MORNINGVIEW ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, as shown by this plat; and Mueller Lumber Company, a South Dakota corporation, hereby dedicates to the public, for public use forever as such, the streets, alleys and easements, if any, as shown or noted on said plat; and that development of the land included within the boundaries of said Lots 13 thru 26, Block 2; Lots 1 thru 7, Block 3; and Drainage Tract 1, Block 4, MLC Addition shall conform to all existing applicable zoning, subdivision, erosion, sediment control and drainage regulations and ordinances; further that there now exists West Pine Avenue, South Miller Street and South Wisconsin Street. 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 developers 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 _____, 2023.

Robert W. Mueller, President of Mueller Lumber Company,
a South Dakota corporation

CORPORATION ACKNOWLEDGMENT

STATE OF SOUTH DAKOTA)
)SS
COUNTY OF DAVISON)

On this, the _____ day of _____, 2023, before me, _____, the undersigned officer, personally appeared Robert W. Mueller, of Mueller Lumber Company, a South Dakota corporation, and that he, as such 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 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 WEST PLUM AVENUE; LOTS 13 THRU 26, BLOCK 2; LOTS 1 THRU 7, BLOCK 3; AND DRAINAGE TRACT 1, BLOCK 4, MLC ADDITION, A SUBDIVISION OF BLOCK 3; LOT 4B, BLOCK 4; AND BLOCK 5; MORNINGVIEW ADDITION TO THE 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 WEST PLUM AVENUE; LOTS 13 THRU 26, BLOCK 2; LOTS 1 THRU 7, BLOCK 3; AND DRAINAGE TRACT 1, BLOCK 4, MLC ADDITION, A SUBDIVISION OF BLOCK 3; LOT 4B, BLOCK 4; AND BLOCK 5; MORNINGVIEW ADDITION TO THE 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 _____, 2023.

Chairperson/Vice Chairperson of the City of Mitchell
Planning Commission

RESOLUTION OF CITY COUNCIL

Finance Officer/Deputy Finance Officer of the City of Mitchell

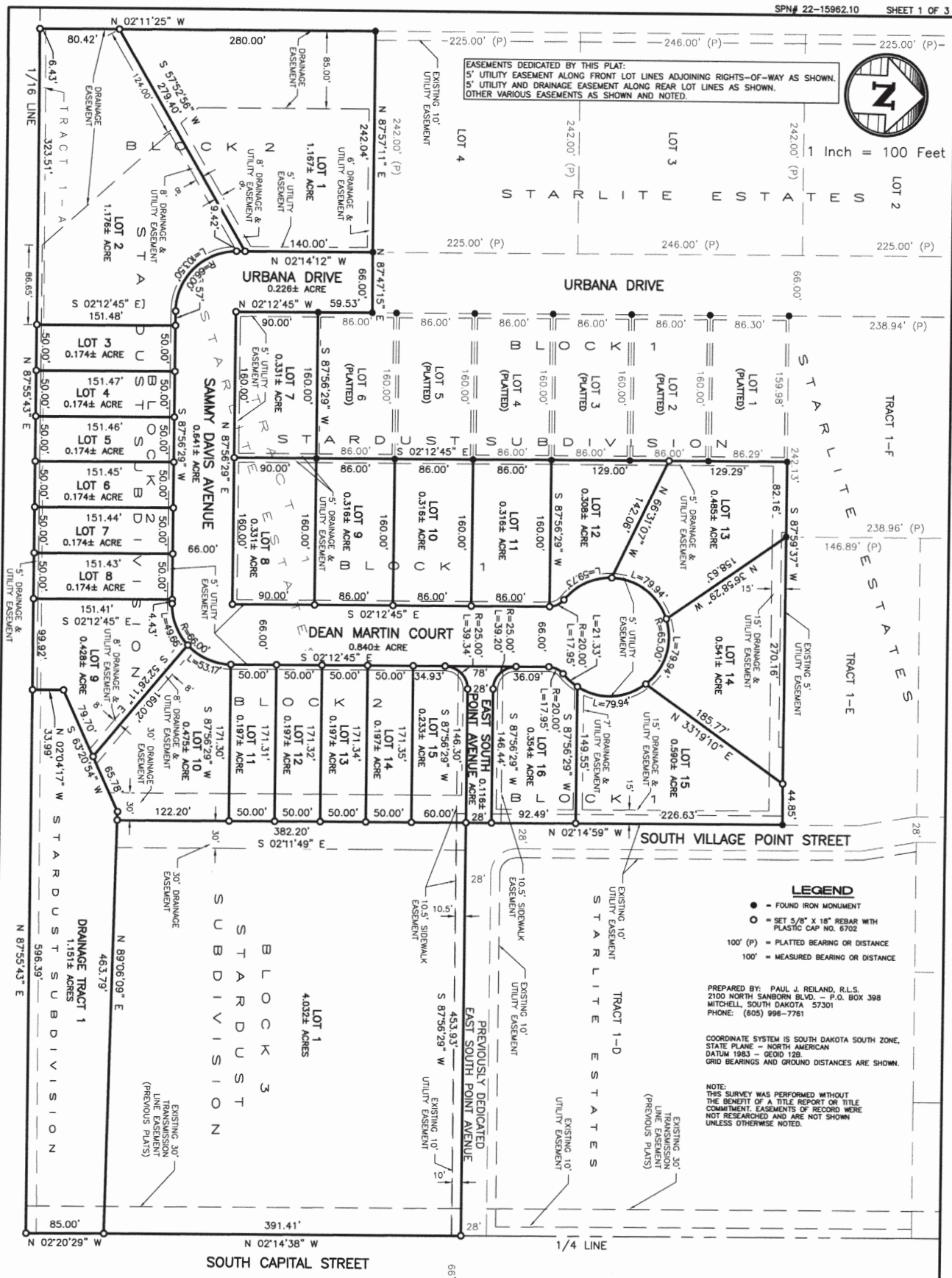
Date _____

Date _____

By _____ Deputy

REGISTERED PROFESSIONAL LAND SURVEYOR
REG. NO. 6702
PAUL J. REILAND
SOUTH DAKOTA

04185/23



A PLAT OF URBANA DRIVE; SAMMY DAVIS AVENUE; DEAN MARTIN COURT;
 EAST SOUTH POINT AVENUE; LOTS 7 THRU 16, BLOCK 1; LOTS 1 THRU
 15, BLOCK 2; LOT 1, BLOCK 3; AND DRAINAGE TRACT 1 OF STARDUST
 SUBDIVISION TO THE CITY OF MITCHELL, 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



**A PLAT OF URBANA DRIVE; SAMMY DAVIS AVENUE; DEAN MARTIN COURT;
EAST SOUTH POINT AVENUE; LOTS 7 THRU 16, BLOCK 1; LOTS 1 THRU 15,
BLOCK 2; LOT 1, BLOCK 3; AND DRAINAGE TRACT 1 OF STARDUST
SUBDIVISION TO THE 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 the State of South Dakota. At the request of Jensen Capital & Development, LLC, a South Dakota limited liability company, as owner, and under its direction for purposes indicated therein, I did on or prior to April 4, 2023, survey those parcels of land described as follows: URBANA DRIVE; SAMMY DAVIS AVENUE; DEAN MARTIN COURT; EAST SOUTH POINT AVENUE; LOTS 7 THRU 16, BLOCK 1; LOTS 1 THRU 15, BLOCK 2; LOT 1, BLOCK 3; AND DRAINAGE TRACT 1 OF STARDUST SUBDIVISION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.

This plat does hereby vacate portions of previously platted TRACT 1 AND ALL OF TRACT 1-A OF STARLITE ESTATES IN THE NE 1/4 OF THE NW 1/4 OF SECTION 34, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, RECORDED IN PLAT BOOK 22 ON PAGE 43. The portions of Tract 1 of Starlite Estates intended to be vacated lie within proposed URBANA DRIVE; SAMMY DAVIS AVENUE; DEAN MARTIN COURT; EAST SOUTH POINT AVENUE; LOTS 7 THRU 16, BLOCK 1; LOTS 1 THRU 15, BLOCK 2; LOT 1, BLOCK 3; AND DRAINAGE TRACT 1 OF STARDUST SUBDIVISION.

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

Dated this _____ day of _____, 2023.

Registered Land Surveyor #SD6702



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

KNOW ALL MEN BY THESE PRESENTS that I, the undersigned, hereby certify that Jensen Capital & Development, LLC, a South Dakota limited liability company, 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 portions of previously platted TRACT 1 OF STARLITE ESTATES IN THE NE 1/4 OF THE NW 1/4 OF SECTION 34, 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 Jensen Capital & Development, LLC, a South Dakota limited liability company, and under its direction for the purposes indicated therein; which said property as so surveyed and platted shall hereafter be known as URBANA DRIVE; SAMMY DAVIS AVENUE; DEAN MARTIN COURT; EAST SOUTH POINT AVENUE; LOTS 7 THRU 16, BLOCK 1; LOTS 1 THRU 15, BLOCK 2; LOT 1, BLOCK 3; AND DRAINAGE TRACT 1 OF STARDUST SUBDIVISION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, as shown by this plat; and Jensen Capital & Development, LLC, a South Dakota limited liability company, hereby dedicates to the public, for public use forever as such, the streets, alleys and easements, if any, as shown or noted on said plat; and that development of the land included within the boundaries of said Lots 1 thru 16, Block 1; Lots 1 thru 15, Block 2; Lot 1, Block 3 and Drainage Tract 1 shall conform to all applicable zoning, subdivision, erosion, sediment control and drainage regulations and ordinances; further that there now exists Urbana Drive, South Village Point Street, East South Point Avenue and South Capital Street. 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.

This plat does hereby vacate portions of previously platted TRACT 1 AND ALL OF TRACT 1-A OF STARLITE ESTATES IN THE NE 1/4 OF THE NW 1/4 OF SECTION 34, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, RECORDED IN PLAT BOOK 22 ON PAGE 43. The portions of Tract 1 of Starlite Estates intended to be vacated lie within proposed URBANA DRIVE; SAMMY DAVIS AVENUE; DEAN MARTIN COURT; EAST SOUTH POINT AVENUE; LOTS 7 THRU 16, BLOCK 1; LOTS 1 THRU 15, BLOCK 2; LOT 1, BLOCK 3; AND DRAINAGE TRACT 1 OF STARDUST SUBDIVISION.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2023.

Jeremy Jensen, member of Jensen Capital & Development, LLC,
a South Dakota limited liability company

STATE OF SOUTH DAKOTA)
)SS
COUNTY OF DAVISON)

On this, the _____ day of _____, 2023, before me, _____, the undersigned officer, personally appeared Jeremy Jensen, who acknowledged himself to be a member of Jensen Capital & Development, LLC, a South Dakota limited liability company, and that he, as such member, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the company by himself as a member.

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

Page 29 of 30

