Planning Commission Agenda 5-8-23 Agenda
City Council Chambers, City Hall, 612 N. Main Street
May 8, 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: April 24, 2023**
6. **Schedule Next Meeting: May 22, 2023**
7. **Plat: Tract 2 in the West 626.84 feet of Lot 5 of Crane's Addition, in the SE 1/4 of Section 34, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota; as requested by Ronald & Michele Riggs**
8. **Plat: Lots 42, 43 and 44 of the Island First Addition, a subdivision of the SE ¼ of Section 31, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota; as requested by Maui Farms Inc**
9. **Plat: Lots 2-B, 2-C and 2-D, a subdivision of Lot 2 in the NE 1/4 of Section 33, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota; as requested by JVN Properties LLC**
10. **Conditional Use Permit: Jensen Capital and Development LLC**
    Jensen Capital and Development LLC has applied for a conditional use permit to construct Multi-Family Dwelling Units, located at 1303 S Ohlman St, legally described as the E625' of Lot X Lying North of X-2 in SE ¼ of NE 1/4 of Section 29, T 103 N, R 60 W of 5th P.M., City of Mitchell, Davison County, South Dakota. The said real property is zoned HB Highway Business District.
11. **Hearing and Action on Establishing the Boundaries and Approval of the Project Plan for Tax Increment Financing District #30**
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
April 24, 2023

1. Call to Order
Chairperson Larson called the April 24, 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, Penney, Schmitz, Sonne.
Absent: None.
Staff Present: Dammann, Ellwein, Mayor Everson, Hegg, Jenniges, J Johnson, Schroeder.

3. Declaration Of Conflicts Of Interests
Jirsa item #7.

4. Approve Agenda
Motion by Schmitz, seconded by Genzlinger to approve the proposed agenda. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – aye, Schmitz – aye, Sonne – aye. 7 aye, 0 nay; motion carried.

5. Approval of Previous Minutes: April 10, 2023
Motion by Penney, seconded by Osterloo to approve the proposed minutes of the April 10, 2023 Planning Commission meeting. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – aye, Schmitz – aye, Sonne – aye. 7 aye, 0 nay; motion carried.

6. Schedule Next Meeting: May 8, 2023
Motion by Osterloo, seconded by Penney to set the date for the next Planning Commission meeting for May 8, 2023. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – aye, Schmitz – aye, Sonne – aye. 7 aye, 0 nay; motion carried.

7. Plan Approval: Agronomy Plus LLC, 2450 W Havens, zoned Highway Business
Jenniges explained the applicant would like to build a new 64' x 136' Chemical Storage Building. Jenniges showed the location of the proposed building. The applicant was present to answer any questions.

Hegg noted that since the building is over 50' wide it will require a stamped structural plan prior to issuing a building permit which the applicant is already aware of.

Motion by Genzlinger, seconded by Penney to approve the plan. Roll call vote: Genzlinger – aye, Jirsa – abstain, Larson – aye, Osterloo – aye, Penney – aye, Schmitz – aye, Sonne – aye. 6 aye, 0 nay, 1 abstain; motion carried.

8. Plan Approval: Plains Commerce Bank, 900 S Burr St, zoned Highway Business
Jenniges explained the plat for this was approved in January of 2022. The applicants tore down some buildings in preparation for building the new bank. Public Works has reviewed the plan and will work through some small issues through the building permit process. The applicant was present to answer questions.

Motion by Schmitz, seconded by Genzlinger to approve the plan. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – aye, Schmitz – aye, Sonne – aye. 7

aye, 0 nay; motion carried.

9. Conditional Use Permit: Erika Hennessey

Erika Hennessey has applied for a conditional use permit to operate a Childcare, preschool and nursery, located at 1325 Palmer Place, legally described as Lot 5 and West 3' of Lot 4, Block 8, Gardenview Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R2 Single Family Residential District.

Jenniges explained that notices were sent out to neighbors, sign posted and it was published in the official newspaper with one response in favor and one against. The applicant was granted a conditional use permit for a Family Residential Childcare Center in May of 2021. The applicant has since moved to the house next door but would like to continue the daycare at 1325 Palmer Place. Per the city ordinance which they were approved before required them to live in the residence of the childcare center, the new application allows them not to live on premises. The applicant was not present to answer questions.

Motion by Penney, seconded by Genzlinger to recommend approval of the conditional use with the following conditions: 1) the permit is non-transferable, 2) if the business ceases to operate for six months, then a new application would be required, (3) pass a fire inspection. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – aye, Schmitz – aye, Sonne – aye. 7 aye, 0 nay; motion carried.

10. Conditional Use Permit: Cully Evers

Cully Evers has applied for a conditional use permit to operate a Telecommunication Tower, located at 2700 N Main St, legally described as Lot 1 of Brig Addition, a subdivision of Irregular Tract 12 in the SW 1/4 of Section 10, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. The said real property is zoned HB Highway Business District.

Jenniges explained notices were sent out to neighbors, sign posted and it was published in the official newspaper with three responses in favor and one requesting more information that did not make the packet. Jenniges also noted the next item on the agenda is the variance for the telecommunication tower, so discussion can be had about both items just has to be acted on separately. The applicant was present to answer questions.

Evers stated he has approval from the FAA to build to the height of 159' anywhere on the parcel. If he gets approved for the CUP and Variance, he will have to have SPN complete a 2C form for the FAA showing latitude, longitude and elevation for them to approve the extra height. He does not have any providers lined up to use the tower. It's a speculative tower. He builds cell phone towers for a living. This will be a monopole with no guidance wires.

Paul Koch, neighbor to the east/southest, is against the location of the tower. He plans to build next to the location and has concerns of the tower falling.

Motion by Genzlinger, seconded by Schmitz to recommend approval of the conditional use. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – aye, Schmitz – aye, Sonne – aye. 7 aye, 0 nay; motion carried.

11. Variance Permit: Cully Evers

Cully Evers has applied for a variance permit for a height of 174' vs 65' for construction of a telecommunication tower, located at 2700 N Main St, legally described as Lot 1 of Brig Addition, a subdivision of Irregular Tract 12 in the SW 1/4 of Section 10, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. The said real property is zoned HB Highway

Business District.

Jenniges explained notices were sent out to neighbors, sign posted and it was published in the official newspaper with three responses in favor. The applicant was present to answer questions.

Schmitz questioned where the 174' height came from. Evers stated that he is approved to 159' for the entire parcel, but if it is approved at 174' he can get one more carrier on the tower and just has to complete the 2C form done by SPN. He explained the poles are designed to collapse within themselves.

Paul Koch said he plans to develop his lots in the future and there is a better location that is not next to his property.

Jenniges reminded the board they are just approving the height variance with this application. This is zoned HB so prior to the issuance of a building permit, Planning Commission will have to approve the plan showing the location of the tower on the parcel.

Motion by Osterloo, seconded by Sonne to recommend approval of the variance. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – aye, Schmitz – aye, Sonne – aye. 7 aye, 0 nay; motion carried.

12. Variance Permit: Kelly Jones

Kelly Jones has applied for a variance permit for rear yard (road side) setback of 20' vs 30' for construction of a house and attached garage, located at 84 N Harmon Dr, legally described as Lot 42 of Bayside Subdivision, City of Mitchell, Davison County, South Dakota. The said real property is zoned RL Lake Residential District District.

Jenniges explained that notices were sent out to neighbors, sign posted and it was published in the official newspaper with one response in favor from the applicant explaining the reason for the requested variance. In 2008, there was a variance approved for a rear yard setback but that was from the road and not the right of way. The applicant moved the existing garage to another location and demolished the house. Because of the demolition, the existing variance is voided and they have to meet the required setbacks or request a variance again. The applicant was present to answer questions.

Larson acknowledged RL District lots have always been difficult for zoning and setbacks.

Osterloo questioned what the hardship was and the need for the variance. Jones explained that they would like to have more space on the lake side incase the lake floods and also for more privacy from the neighbors to the north.

Sonne questioned if the lot will require an elevation certificate. Schroeder said this lot will not. Sonne said that if the building is built outside the floodplain then in theory it shouldn't flood.

Motion by Jirsa, seconded by Schmitz to recommend approval of the variance. Roll call vote: Genzlinger – nay, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – aye, Schmitz – aye, Sonne – aye. 6 aye, 1 nay; motion carried.

13. Plat: Lot 4 in Tract D, Wild Oak Golf Club Addition to the City of Mitchell, Davison County, South Dakota; as requested by Firesteel Links LLC

Jenniges explained this follows the master plan and Public Works has reviewed and has no issues with it. The applicant was not present to answer any questions.

Motion by Schmitz, seconded by Osterloo to approve the plat. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – aye, Schmitz – aye, Sonne – aye. 7 aye, 0 nay; motion carried.

14. Plat: Lot 5 of North Maui's First Addition and Sara Avenue, a subdivision of Lot 4 in the East 1/2 of the West 1/2 of Section 31, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota; as requested by Maui Farms Inc.

Jenniges explained this is outside city limits but within the ETJ so it's city's zoning jurisdiction. The county will hear it on May 2 and 9. The applicant was not present to answer questions.

Motion by Genzlinger, seconded by Penney to approve the plat. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – aye, Schmitz – aye, Sonne – aye. 7 aye, 0 nay; motion carried.

15. Plat: Lot 10, Block 4 of the Woods First Addition, a subdivision of the East 1/2 of the SW 1/4 of Section 23, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota; as requested by CJM Consulting Inc

Jenniges explained this follows the master plan and Public Works has reviewed and has no issues with it. The applicant was not present to answer questions.

Motion by Genzlinger, seconded by Osterloo to approve the plat. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – aye, Schmitz – aye, Sonne – aye. 7 aye, 0 nay; motion carried.

16. Plat: Plat of Lot C, Block 1 and Lot 1, Block 3 of Lakeridge Addition, a subdivision of Irregular Tracts Nos. 1 and 2 in the NW 1/4 of Section 10, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota; as requested by Ethan Coop Lumber

Jenniges explained this follows the master plan and Public Works has reviewed and has no issues with it. The applicant was not present to answer questions.

Motion by Penney, seconded by Osterloo to approve the plat. Roll call vote: Genzlinger – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Penney – aye, Schmitz – aye, Sonne – aye. 7 aye, 0 nay; motion carried.

17. Other Business:

Jenniges anounced the South Dakota Planners Association conference will be held in Mitchell October 24 through 26. He will send out the agenda once it is made public so board members can decide if they would like to attend.

18. Public Input:

None.

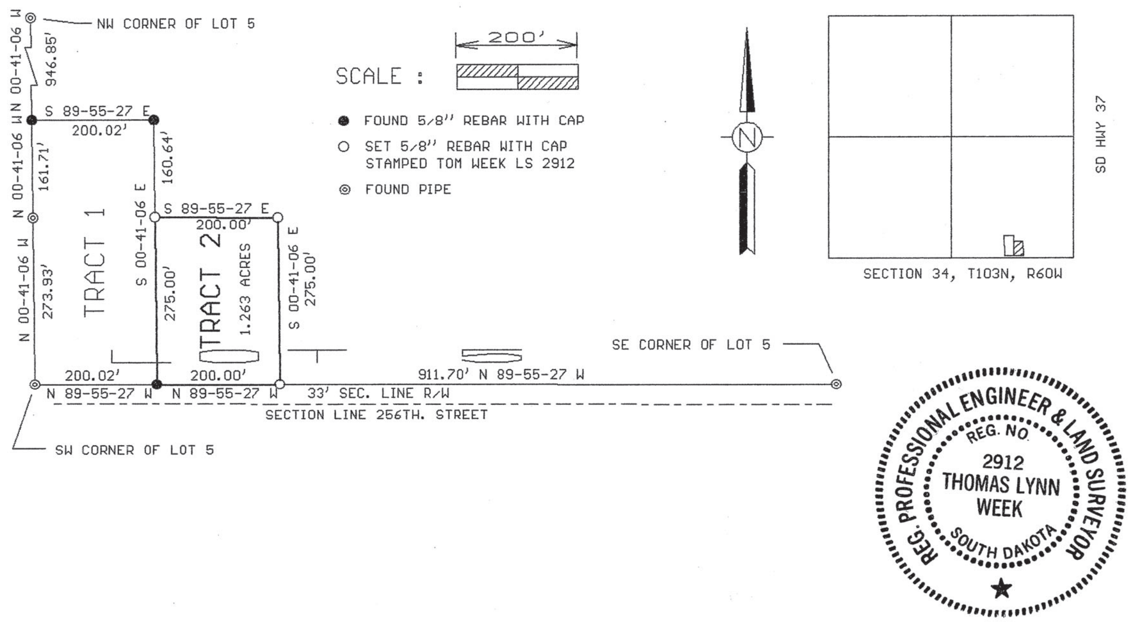
19. Adjourn

Chairperson Larson adjourned the meeting at 12:42 P.M.

____

Jay A. Larson
Planning Commission Chairperson

PLAT OF TRACT 2 IN THE WEST 626.84 FEET OF LOT 5 OF CRANE'S ADDITION, IN THE SE1/4 OF SECTION 34, T103N, R60W OF THE 5TH. P.M., DAVISON COUNTY, SOUTH DAKOTA.



SURVEYORS CERTIFICATE

I, THOMAS LYNN WEEK, REGISTERED LAND SURVEYOR IN YANKTON, SOUTH DAKOTA, HAVE AT THE DIRECTION OF THE OWNERS, MADE A SURVEY OF TRACT 2 IN THE WEST 626.84 FEET OF LOT 5 OF CRANE'S ADDITION, IN THE SE1/4 OF SECTION 34, T103N, R60W OF THE 5TH. P.M., DAVISON COUNTY, SOUTH DAKOTA. SAID SURVEY AND PLAT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATED THIS 22ND. DAY OF APRIL, 2023.

____
THOMAS LYNN WEEK
REGISTERED LAND SURVEYOR
REG. NO. 2912

CERTIFICATE OF STREET AUTHORITY

THERE IS NO EXISTING ACCESS TO TRACT 2. ACCESS WILL NEED TO BE APPROVED.
DATED THIS_____DAY OF__________, ______.

____
TOWNSHIP / COUNTY HIGHWAY REPRESENTATIVE

DIRECTOR OF EQUALIZATION CERTIFICATE

THE UNDERSIGNED, COUNTY DIRECTOR OF EQUALIZATION/DEPUTY DIRECTOR OF EQUALIZATION OF DAVISON COUNTY, SOUTH DAKOTA, HEREBY CERTIFIES THAT HE/SHE HAS RECEIVED A COPY OF THE FOREGOING PLAT. DATED THIS____DAY OF___________, ______.

____
DIRECTOR OF EQUALIZATION/DEPUTY DIRECTOR OF EQUALIZATION, DAVISON COUNTY, S.D.

TREASURER CERTIFICATE

THE UNDERSIGNED, COUNTY TREASURER\DEPUTY TREASURER OF DAVISON COUNTY, SOUTH DAKOTA, HEREBY CERTIFIES THAT ALL TAXES WHICH ARE LIENS UPON ANY LAND INCLUDED IN THE ABOVE PLAT, AS SHOWN BY THE RECORDS OF THIS OFFICE, HAVE BEEN PAID. DATED THIS____ DAY OF___________, _______.

____
TREASURER/DEPUTY TREASURER DAVISON COUNTY, S.D.

SHEET 1 OF 3

PLAT OF TRACT 2 IN THE WEST 626.84 FEET OF LOT 5 OF CRANE'S ADDITION, IN THE SE1/4 OF SECTION 34, T103N, R60W OF THE 5TH. P.M., DAVISON COUNTY, SOUTH DAKOTA.

OWNER'S CERTIFICATE AND AGREEMENT OF PROTECTION OF WATER

WE, RONALD L. RIGGS AND MICHELE S. RIGGS, DO HEREBY CERTIFY, THAT WE ARE THE ABSOLUTE AND UNQUALIFIED OWNERS OF THE ABOVE DESCRIBED REAL PROPERTY: TRACT 2 IN THE WEST 626.84 FEET OF LOT 5 OF CRANE'S ADDITION, IN THE SE1/4 OF SECTION 34, T103N, R60W OF THE 5TH. P.M., DAVISON COUNTY, SOUTH DAKOTA. THAT THE ABOVE SURVEY AND PLAT WERE MADE AT OUR REQUEST AND UNDER OUR DIRECTION FOR THE PURPOSE OF LOCATING, MARKING AND PLATTING THE SAME, AND THAT SAID PROPERTY IS FREE FROM ALL ENCUMBRANCES. THE DEVELOPMENT OF THIS LAND INCLUDED IN THE BOUNDARIES OF TRACT 2, SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING SUBDIVISION AND EROSION AND SEDIMENT CONTROL REGULATIONS. PURSUANT TO SDCL 11-3-8.1 AND 11-3-8.2 THE DEVELOPER OF THIS 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 ADDITION, AND SHALL IN PROSECUTION OF SUCH PROTECTION CONFORM TO AND FOLLOW ALL REGULATIONS OF THE SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES RELATING TO THE SAME. ADDITIONALLY THE DEVELOPER OF THIS 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 DOCUMENTATIONS THAT WASTE WATER DRAINAGE SHALL BE CONNECTED TO A MUNICIPAL SYSTEM.

DATED THIS____DAY OF__________, _______.

________________________ RONALD L. RIGGS

________________________ MICHELE S. RIGGS

STATE OF _______________
COUNTY OF _______________
ON THIS____DAY OF___________, _______, BEFORE ME THE UNDERSIGNED OFFICER, PERSONALLY APPEARED RONALD L. RIGGS AND MICHELE S. RIGGS, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND WHO ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED. IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES ________________

________________________________ NOTARY PUBLIC

RESOLUTION OF COUNTY PLANNING COMMISSION

BE IT RESOLVED BY THE DAVISON COUNTY, SOUTH DAKOTA, PLANNING COMMISSION THAT THE ABOVE PLAT REPRESENTING TRACT 2 IN THE WEST 626.84 FEET OF LOT 5 OF CRANE'S ADDITION, IN THE SE1/4 OF SECTION 34, T103N, R60W OF THE 5TH. P.M., DAVISON COUNTY, SOUTH DAKOTA, AND FINDS AS A FACT THAT SAID PLAT IS IN CONFORMITY AND DOES NOT CONFLICT WITH THE MASTER PLAN FOR DAVISON COUNTY, AND THE SAME IS HEREBY APPROVED AND ITS ADOPTION BY THE BOARD OF COMMISSIONERS OF DAVISON COUNTY, SOUTH DAKOTA IS RECOMMENDED.

THE FOREGOING RESOLUTION WAS PASSED BY THE COUNTY PLANNING COMMISSION OF DAVISON COUNTY, SOUTH DAKOTA, AT A MEETING THEREOF HELD ON THE _____ DAY OF ______________, _______.

____
CHAIRMAN/VICE CHAIRMAN, PLANNING COMMISSION

RESOLUTION OF APPROVAL

WHEREAS, IT APPEARS THAT THE OWNERS THEREOF HAVE CAUSED A PLAT TO BE MADE OF THE FOLLOWING REAL PROPERTY: TRACT 2 IN THE WEST 626.84 FEET OF LOT 5 OF CRANE'S ADDITION, IN THE SE1/4 OF SECTION 34, T103N, R60W OF THE 5TH. P.M., DAVISON COUNTY, SOUTH DAKOTA AND HAVE SUBMITTED SUCH PLAT TO THE COUNTY COMMISSION OF DAVISON COUNTY, SOUTH DAKOTA FOR APPROVAL. NOW THEREFORE BE IT RESOLVED, THAT SUCH PLAT HAS BEEN EXECUTED ACCORDING TO THE LAW AND SAME IS HEREBY APPROVED. THE COUNTY AUDITOR IS HEREBY AUTHORIZED AND DIRECTED TO ENDORSE ON SUCH PLAT A COPY OF THIS RESOLUTION AND CERTIFY THE SAME.

I, ________________________, COUNTY AUDITOR/DEPUTY AUDITOR OF DAVISON COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE WITHIN AND FOREGOING IS A TRUE COPY OF THE RESOLUTION PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF DAVISON COUNTY, SOUTH DAKOTA, ON THIS ____DAY OF______________, _______.

____
COUNTY AUDITOR/DEPUTY AUDITOR

____
CHAIRMAN/VICE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS

PLAT OF TRACT 2 IN THE WEST 626.84 FEET OF LOT 5 OF CRANE'S ADDITION, IN THE SE1/4 OF SECTION 34, T103N, R60W OF THE 5TH. P.M., DAVISON COUNTY, SOUTH DAKOTA.

RESOLUTION OF CITY PLANNING COMMISSION

WHEREAS, THE PLAT OF TRACT 2 IN THE WEST 626.84 FEET OF LOT 5 OF CRANE'S ADDITION, IN THE SE1/4 OF SECTION 34, T103N, R60W OF THE 5TH. P.M., DAVISON COUNTY, SOUTH DAKOTA, PREPARED BY THOMAS LYNN WEEK, DULY LICENSED LAND SURVEYOR IN AND FOR THE STATE OF SOUTH DAKOTA, HERETOFORE FILED IN THE OFFICE OF 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 TRACT 2 IN THE WEST 626.84 FEET OF LOT 5 OF CRANE'S ADDITION, IN THE SE1/4 OF SECTION 34, T103N, R60W OF THE 5TH. P.M., DAVISON COUNTY, SOUTH DAKOTA, PREPARED BY THOMAS LYNN WEEK, 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.

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

CITY PLANNING COMMISSION BY: ____________________________________

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 ______________, ______; AND WHEREAS, IT APPEARS FROM AN EXAMINATION OF THE PLAT OF TRACT 2 IN THE WEST 626.84 FEET OF LOT 5 OF CRANE'S ADDITION, IN THE SE1/4 OF SECTION 34, T103N, R60W OF THE 5TH. P.M., DAVISON COUNTY, SOUTH DAKOTA, AS PREPARED BY THOMAS LYNN WEEK, 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 TRACT 2 IN THE WEST 626.84 FEET OF LOT 5 OF CRANE'S ADDITION, IN THE SE1/4 OF SECTION 34, T103N, R60W OF THE 5TH. P.M., DAVISON COUNTY, SOUTH DAKOTA, PREPARED BY THOMAS LYNN WEEK, A LAND SURVEYOR, BE AND THE SAME IS HEREBY APPROVED AND THE DESCRIPTION SET FORTH HEREIN AND THE ACCOMPANYING SURVEYOR'S CERTIFICATE SHALL PREVAIL.

I, ____________________________, FINANCE OFFICER OF THE CITY OF MITCHELL, SOUTH DAKOTA, HEREBY CERTIFY THAT THE FOREGOING RESOLUTION WAS PASSED BY THE CITY OF MITCHELL, SOUTH DAKOTA, AT A MEETING HELD ON THE ______ DAY OF _______________, _______.

FINANCE OFFICER BY: ____________________________________

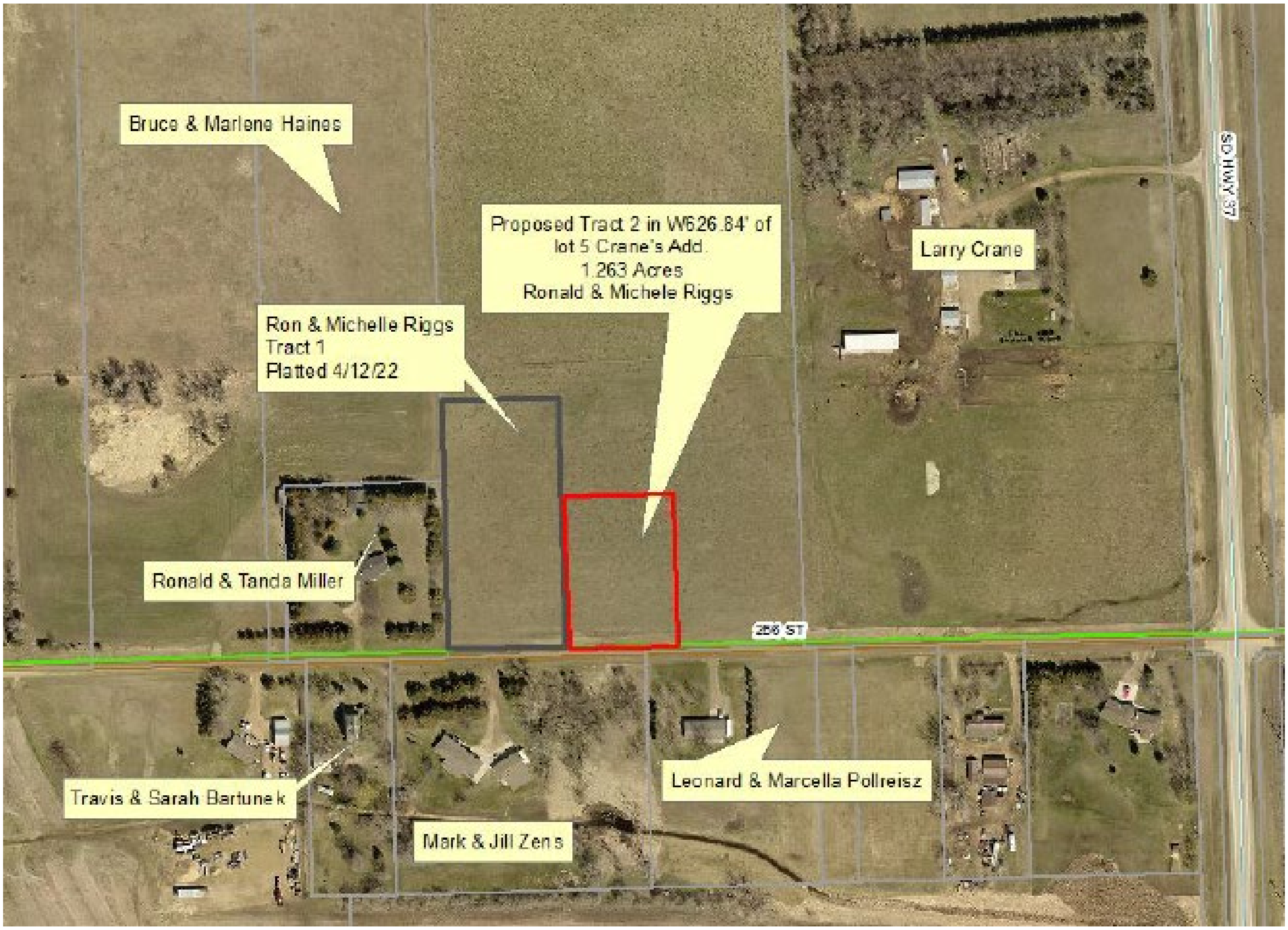
REGISTER OF DEEDS CERTIFICATE

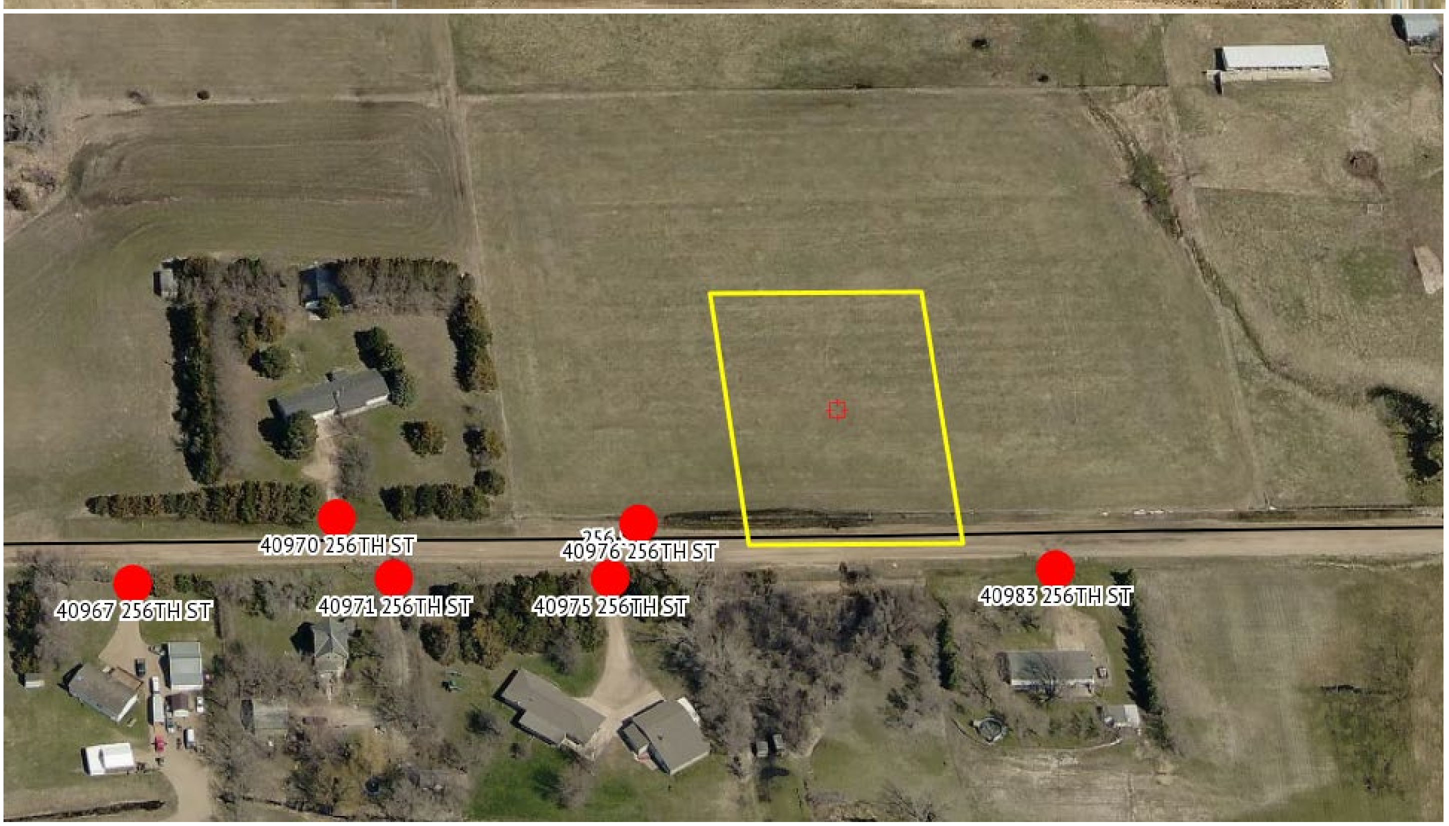
THE UNDERSIGNED, REGISTER OF DEEDS\DEPUTY REGISTER OF DEEDS, DAVISON COUNTY, SOUTH DAKOTA, HEREBY CERTIFIES THAT THE ORIGINAL PLAT WAS FILED FOR RECORD THIS____DAY OF___________, _______,_________O'CLOCK __. M., AND DULY RECORDED IN BOOK ______, PAGE ______.

____

REGISTER OF DEEDS/DEPUTY REGISTER OF DEEDS, DAVISON COUNTY, S.D.

PREPARED BY TOM WEEK
407 REGAL DRIVE
YANKTON, SOUTH DAKOTA 57078
605-665-8333


Bruce & Marlene Haines
Proposed Tract 2 in W626.84' of lot 5 Crane's Add.
1.263 Acres
Ronald & Michele Riggs
Larry Crane
SD HWY 37
Ron & Michelle Riggs
Tract 1
Platted 4/12/22
Ronald & Tanda Miller
256 ST
Travis & Sarah Bartunek
Leonard & Marcella Pollreisz
Mark & Jill Zens


40970 256TH ST
40976 256TH ST
40967 256TH ST
40971 256TH ST
40975 256TH ST
40983 256TH ST

1 Inch = 100 Feet

LEGEND

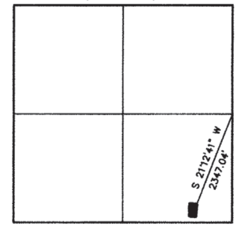
- ● = FOUND IRON MONUMENT
- O = SET 5/8" X 18" REBAR WITH PLASTIC CAP NO. 6702
- 100' (P) = PLATTED BEARING OR DISTANCE
- 100' = MEASURED BEARING OR DISTANCE
- □ = SET NAIL
- ▲ = SET SURVEY SPIKE
- 4.00 CH (P) = PLATTED DISTANCE IN CHAINS
- ■ = FOUND NAIL
- ◇ = SET 3/8" x 12" SPIKE W/WASHER PJR-6702
- WM = WITNESS MONUMENT

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

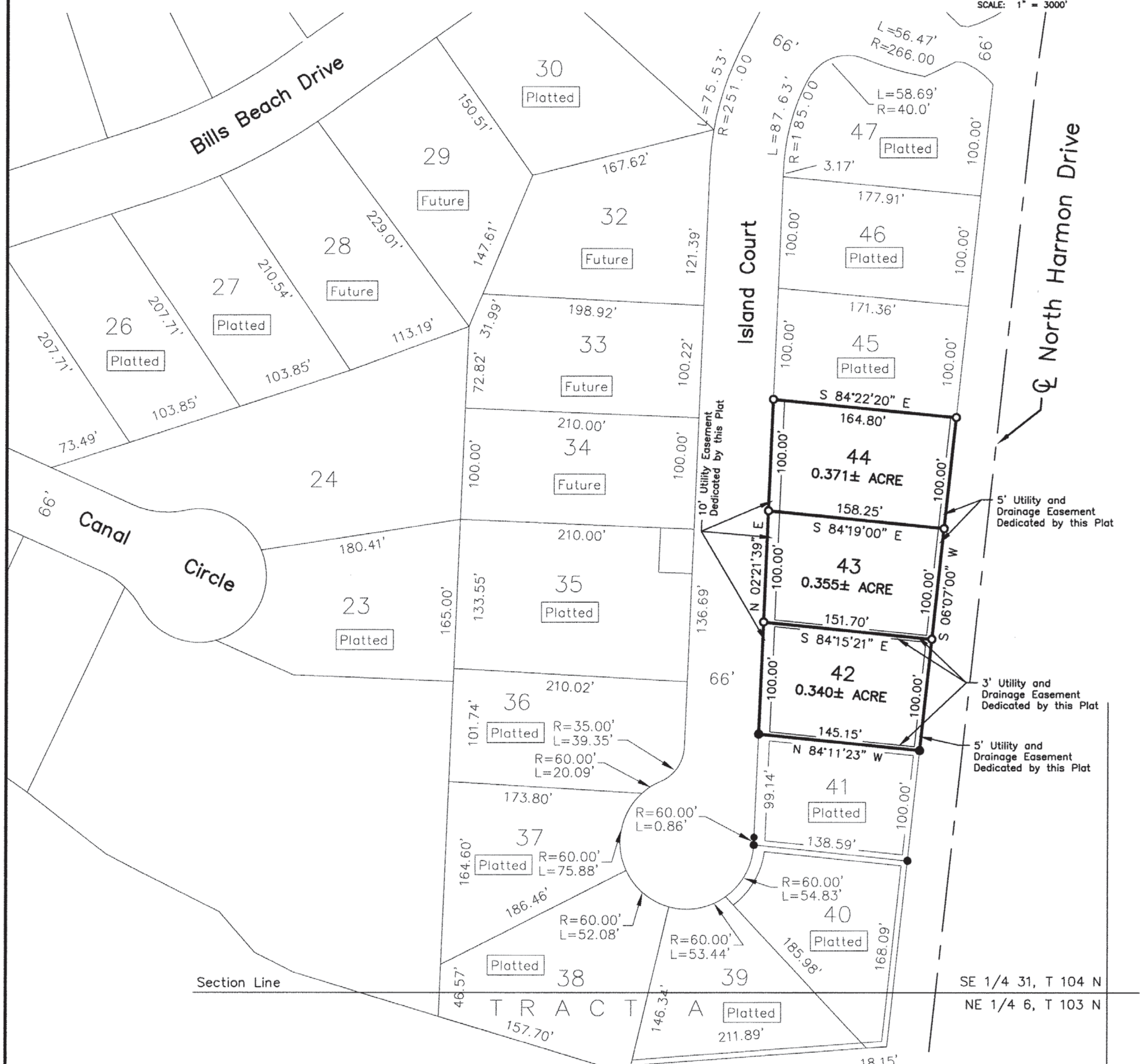
COORDINATE SYSTEM IS SOUTH DAKOTA SOUTH ZONE, STATE PLANE – NORTH AMERICAN DATUM 1983 – GEOID 12B. GRID BEARINGS AND GROUND DISTANCES ARE SHOWN.

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.

SEC. 31, T 104 N, R 60 W



LOCATION MAP
SCALE: 1" = 3000'



A PLAT OF LOTS 42, 43 and 44 OF THE ISLAND FIRST ADDITION, 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

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 Maui Farms Inc., a South Dakota corporation, as owner, and under its direction for purposes indicated therein, I did on or prior to April 27, 2023, survey those parcels of land described as follows: LOTS 42, 43 AND 44 OF THE ISLAND FIRST ADDITION, 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.

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

REGISTERED PROFESSIONAL LAND SURVEYOR REG. NO. 6702 PAUL J. REILAND 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 LOTS 42, 43 and 44 OF THE ISLAND FIRST ADDITION, 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

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

KNOW ALL MEN BY THESE PRESENTS that I, the undersigned, hereby certify that Maui Farms 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 THE ISLAND FIRST ADDITION, 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; that the plat has been made at the request of Maui Farms 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 LOTS 42, 43 AND 44 OF THE ISLAND FIRST ADDITION, 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, as shown by this plat; and Maui Farms Inc., a South Dakota corporation, hereby dedicates to the public, for public use forever as such, the streets, alleys and easements, if any, as shown and marked on said plat; and that development of the land included within the boundaries of said Lots 42, 43 and 44 shall conform to all existing applicable zoning, subdivision, erosion, sediment control and drainage regulations and ordinances; further that there now exists Island Court. 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 ________________, 2023.

____
Charles J. Mauszycki, Jr., Vice President of Maui Farms Inc.,
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 Charles J. Mauszycki, Jr., of Maui Farms 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 LOTS 42, 43 AND 44 OF THE ISLAND FIRST ADDITION, 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, 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 LOTS 42, 43 AND 44 OF THE ISLAND FIRST ADDITION, 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, 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

REGISTERED PROFESSIONAL LAND SURVEYOR
REG. NO. 6702
PAUL J. REILAND
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 LOTS 42, 43 and 44 OF THE ISLAND FIRST ADDITION, 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

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 __________________, 2023; and

WHEREAS, it appears from an examination of the plat of LOTS 42, 43 AND 44 OF THE ISLAND FIRST ADDITION, 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, 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 LOTS 42, 43 AND 44 OF THE ISLAND FIRST ADDITION, 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, 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 __________________, 2023.

____
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 LOTS 42, 43 AND 44 OF THE ISLAND FIRST ADDITION, 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, 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 __________________, 2023, at ________________, and recorded in Book ______ of Plats on Page ________ therein and recorded on Microfilm Number __________.

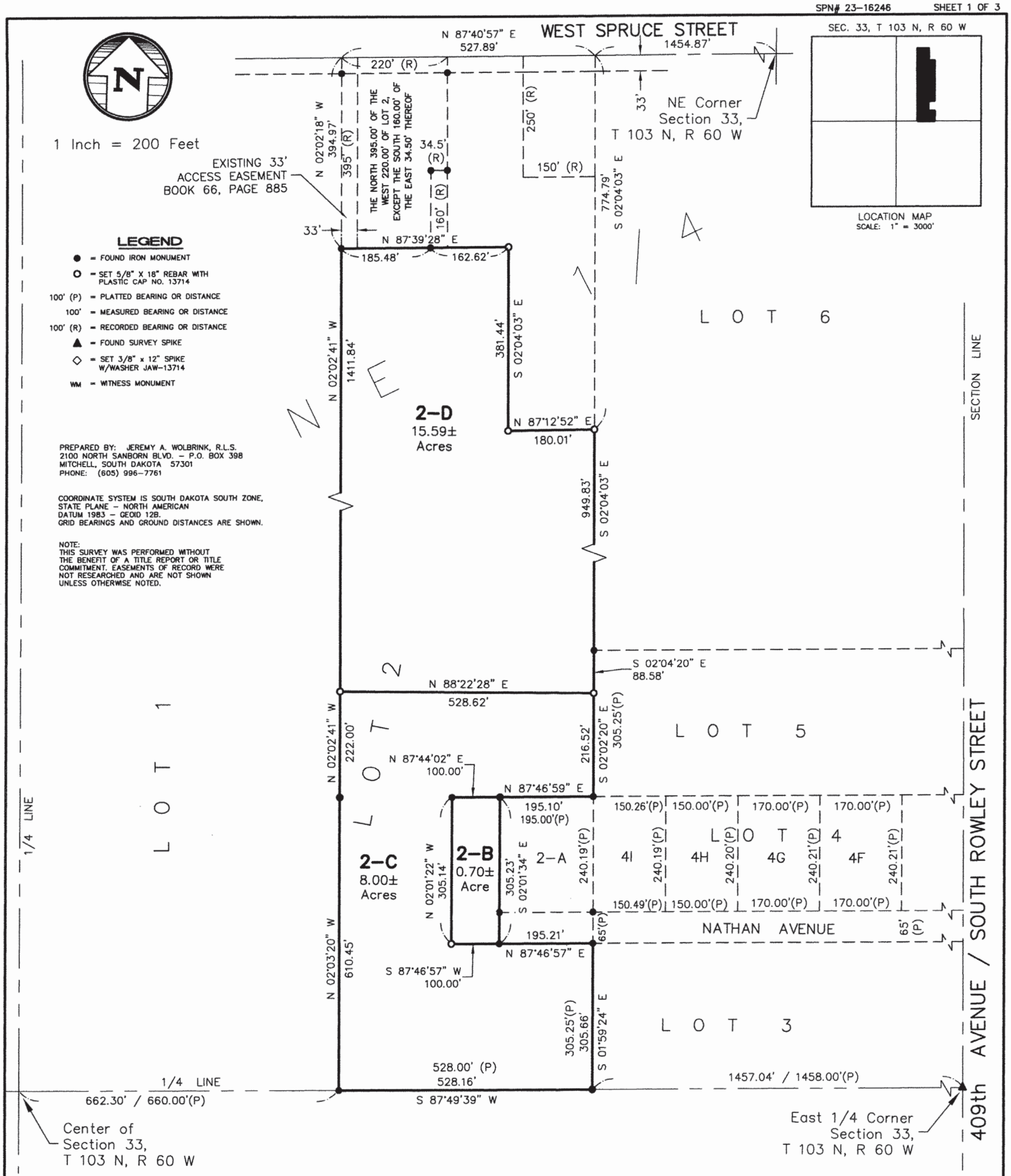
____ By____
Register of Deeds, Davison County Deput

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


BILLS BEACH DR
CANAL CIR
Emily & Jordan Hanson
Maui Farms Inc
ISLAND CT
Lot 44
+/- .371 Acre
Lot 43
+/- .355 Acre
Lot 42
+/- .340 Acre
City of Mitchell
Future Investements LLC
Steven & Jennifer Herrmann
N HARMON DR


N HARMON DR
CANAL CIR
ISLAND CT



A PLAT OF LOTS 2-B, 2-C AND 2-D, A SUBDIVISION OF LOT 2 IN THE NE 1/4 OF SECTION 33, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA

SURVEYOR'S CERTIFICATE

I, Jeremy A. Wolbrink, the undersigned, do hereby certify that I am a Registered Land Surveyor in the State of South Dakota. At the request of JVN Properties LLC, a South Dakota limited liability company, as owner, and under its direction for purposes indicated therein, I did on or prior to April 13, 2023, survey those parcels of land described as follows: LOTS 2-B, 2-C AND 2-D, A SUBDIVISION OF LOT 2 IN THE NE 1/4 OF SECTION 33, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA. In my professional opinion and to the best of my knowledge, information and belief, the within and foregoing plat is true and correct.

Dated this ________ day of ____________________, 2023.

Registered Land Surveyor #SD13714

REGISTERED LAND SURVEYOR REG. NO. 13714 JEREMY A. WOLBRINK 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 LOTS 2-B, 2-C AND 2-D, A SUBDIVISION OF LOT 2 IN THE NE 1/4 OF SECTION 33, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA

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

KNOW ALL MEN BY THESE PRESENTS that I the undersigned, hereby certify that JVN Properties 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 THE NE 1/4 OF SECTION 33, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA; that the plat has been made at the request of JVN Properties 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 LOTS 2-B, 2-C AND 2-D, A SUBDIVISION OF LOT 2 IN THE NE 1/4 OF SECTION 33, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, as shown by this plat; and JVN Properties LLC, a South Dakota limited liability company, hereby dedicates to the public, for public use forever as such, the streets and alleys, if any, as shown or described on said plat; and that development of the land included within the boundaries of said Lots 2-B, 2-C AND 2-D shall conform to all existing applicable zoning, subdivision, erosion, sediment control and drainage regulations and ordinances; further that Lots 2-B and 2-C shall have access from Nathan Avenue and that Lot 2-D shall have access from an existing 33' easement recorded in Book 66 of Miscellaneous Records on Page 885. 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 ________________, 2023.

____
Jeffrey A. Heppler, member of JVN Properties 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 Jeffrey A. Heppler, who acknowledged himself to be a member of JVN Properties 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 limited liability company by himself as a member.

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 LOTS 2-B, 2-C AND 2-D, A SUBDIVISION OF LOT 2 IN THE NE 1/4 OF SECTION 33, T 103 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 2-B, 2-C AND 2-D, A SUBDIVISION OF LOT 2 IN THE NE 1/4 OF SECTION 33, T 103 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 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 ___________________, 2023.

____
Chairperson/Vice-Chairperson of Mitchell City Planning Commission

RESOLUTION OF CITY COUNCIL

WHEREAS, it appears that the City Planning Commission of the City of Mitchell, South Dakota, did duly consider and did recommend the approval and adoption of the hereinafter described plat, at its meeting held on the ______ day of _________________, 2023; and

WHEREAS, it appears from an examination of the plat of LOTS 2-B, 2-C AND 2-D, A SUBDIVISION OF LOT 2 IN THE NE 1/4 OF SECTION 33, T 103 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 2-B, 2-C AND 2-D, A SUBDIVISION OF LOT 2 IN THE NE 1/4 OF SECTION 33, T 103 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 hereby certifies that the foregoing resolution was passed by the City of Mitchell, South Dakota, at a meeting held on the ________ day of _________________, 2023.

____
Finance Officer/Deputy Finance Officer of City of Mitchell

REGISTERED LAND SURVEYOR
REG. NO. 13714
JEREMY A. WOLBRINK
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 LOTS 2-B, 2-C AND 2-D, A SUBDIVISION OF LOT 2 IN THE NE 1/4 OF SECTION 33, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA

RESOLUTION OF COUNTY PLANNING COMMISSION

WHEREAS, the plat of LOTS 2-B, 2-C AND 2-D, A SUBDIVISION OF LOT 2 IN THE NE 1/4 OF SECTION 33, T 103 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 2-B, 2-C AND 2-D, A SUBDIVISION OF LOT 2 IN THE NE 1/4 OF SECTION 33, T 103 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 ___________________, 2023.

____
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 2-B, 2-C AND 2-D, A SUBDIVISION OF LOT 2 IN THE NE 1/4 OF SECTION 33, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, which has been submitted for examination pursuant to law, is hereby approved and the County Auditor is hereby authorized and directed to endorse on such plat a copy of this Resolution and certify the same.

____
Chairperson/Vice-Chairperson, Board of County Commissioners
of Davison County

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 ____________________, 2023, 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:________________________________ Title:________________________________ Date:_______________________
Highway Authority

CERTIFICATE OF COUNTY TREASURER

I 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

I hereby certify that a copy of the plat of LOTS 2-B, 2-C AND 2-D, A SUBDIVISION OF LOT 2 IN THE NE 1/4 OF SECTION 33, T 103 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 Date
of Equalization, Davison County

REGISTER OF DEEDS

STATE OF SOUTH DAKOTA)
)SS
COUNTY OF DAVISON)

FILED for record this ______ day of __________________, 2023, at ________________, and recorded in Book ________ of Plats on Page(s) __________ therein and recorded on Microfilm Number _____________.

____ By_____________________________________
Register of Deeds, Davison County Deputy

REGISTERED LAND SURVEYOR
REG. NO. 13714
JEREMY A. WOLBRINK
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


W SPRUCE ST
S
JVN Properties LLC
Joshua & Melissa Stange
33' Access Easement
JVN Properties LLC
Carolyn Moe
Elaine Feldhaus Revocable Trust
JVN Properties LLC
Lot 2-D
+/- 15.59 Acres
S ROWLEY ST
George & Donna Wilson
409TH AVE
Evan & Rachel Davis
JVN Properties LLC
Lot 2-B
+/-.70 Acres
NATHAN AVE
Jeff & Deanna Heppler
S ROWLEY ST
Judy Kenton
JVN Properties LLC
Lot 2-C
+/- 8.00 Acres
Millbrook Hutterian Brethren Inc
Carey Delbert


712 W SPRUCE ST
709 W SPRUCE ST
600 W SPRUCE
S WISCONSIN
516 W SPRU
600 NATHAN AVE
512 NATHAN AVE

City of
Mitchell
SOUTH DAKOTA

TO: THE MITCHELL PLANNING COMMISSION AND CITY COUNCIL, 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. 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 Click or tap here to enter text. District to Click or tap here to enter text. District.

☐ **Variance** *$100 application fee due with application.*
Description of Variance: Click or tap here to enter text.

☒ **Conditional Use Permit** *$150 application fee due with application*
Description of Conditional Use: Multi-family dwelling units

This Application is for the following described real property:

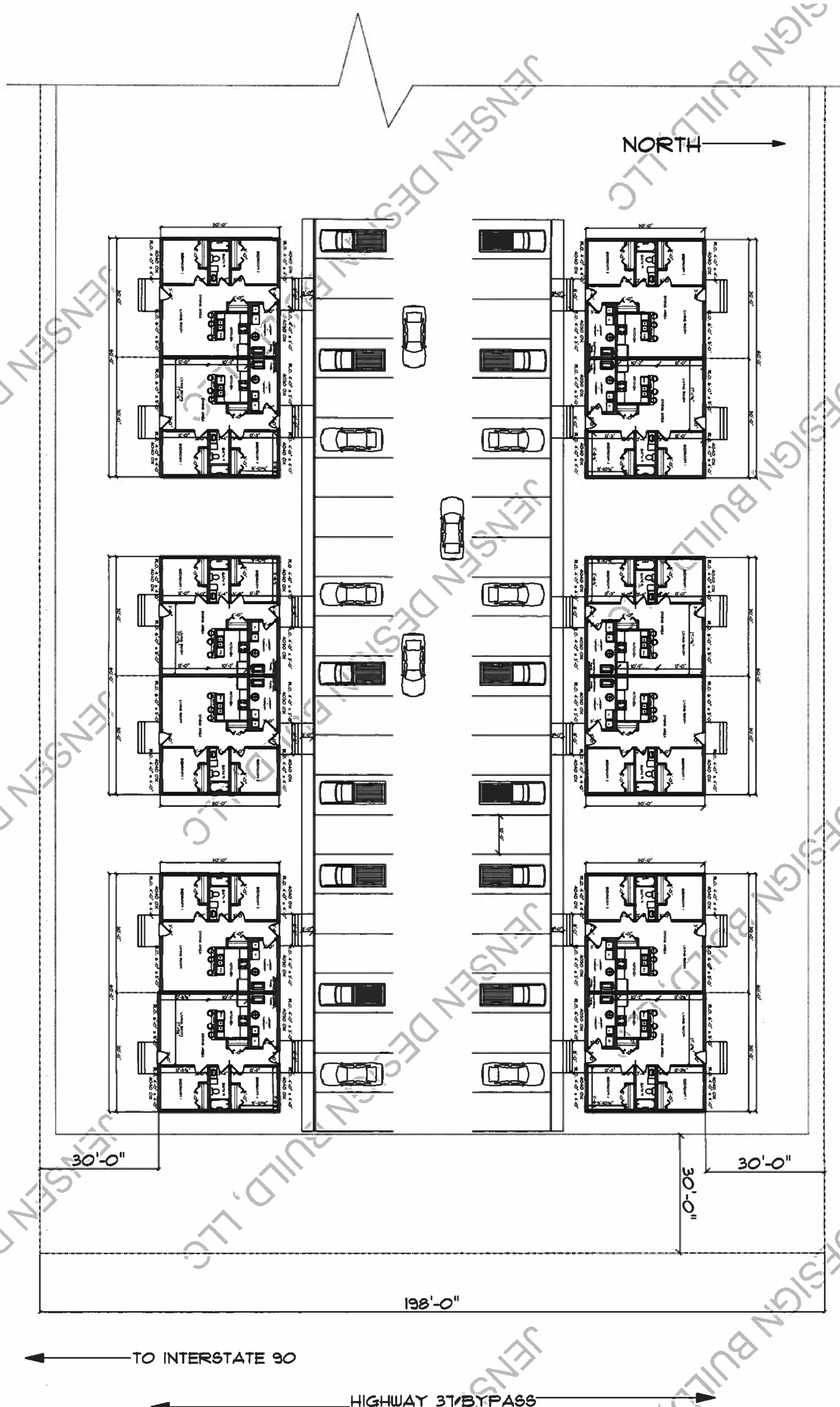
Legal Description: E625' of Lot X Lying North of X-2 in SE ¼ of NE 1/4 of Section 29, T 103 N, R 60 W of 5th P.M., City of Mitchell, Davison County, South Dakota.

Property Address: 1303 S Ohlman St

Dated this 18th of April, 2023

Jensen Capital and Development LLC
APPLICANT

OWNER


NORTH
30'-0"
30'-0"
30'-0"
198'-0"
TO INTERSTATE 90
HIGHWAY 37/BYPASS


15700-00500-001-
15800-02900-102-00
1210
15700-00500-001-
WILLIAMS AVE
15800-02900-103-40
S OHLMAN ST
15800-02900-104-20
1309
15800-02900-104-00
15700-01100-000-
1313
1800
15800-02900-104-60
15800-02900-103-80
15800-02900-103-60
1900
LOMA LINDA DR


15800-02900-104-40
15800-02900-104-20
900-103-80
A LINDA DR
15800-02900-104-00
15800-02900-103-40
1309 S OHLMAN ST
SD HWY 37

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 Jensen Capital and Development LLC has applied for a conditional use permit to construct Multi-Family Dwelling Units, located at 1303 S Ohlman St, legally described as the E625’ of Lot X Lying North of X-2 in SE ¼ of NE 1/4 of Section 29, T 103 N, R 60 W of 5th P.M., City of Mitchell, Davison County, South Dakota. The said real property is zoned HB Highway Business District.

YOU ARE FURTHER NOTIFIED, that public hearings will be held by the City Planning Commission on Monday, May 8, 2023, 12:00 P.M. (Noon) and the Board of Adjustment on Monday, May 15, 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 20th day of April, 2023.

Michelle Bathke

FINANCE OFFICER

Publish once: 26th day of April, 2023
Approximate Cost:

Jensen Capital and Development LLC
25063 Alex Ct
Mitchell, SD 57301

Boehnen Holdings LLLP
C/O Nina Theiss
5722 Preston Lane
Charlotte, NC 28270

Larson Ventures SD Partnership
1210 S Ohlman St
Mitchell, SD 57301

South Dakota DOT
700 E Broadway Ave
Pierre, SD 57501

MSTM Properties LLC
41090 Mountain Pl
Mitchell, SD 57301

BHOLE LLC
1601 S Burr St
Mitchell, SD 57301

City of Mitchell
612 N Main St
Mitchell, SD 57301

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN to the general public and all interested parties that the City of Mitchell Planning Commission will conduct a public hearing and acted upon in the City Hall Council Chambers at 612 North Main Street, Mitchell, South Dakota at 12:00 pm (noon) on May 8, 2023 in regards to a proposed project plan and the establishment of boundaries for the proposed tax increment financing district known as City of Mitchell Tax Incremental District Number Thirty (30).

The following real property is to be included in this district and is legally described as follows:

LOTS 1 THROUGH 13 AND LOT A OF SHARPSTONE DEUCE ADDITION, IN THE W ½ OF THE S ½ OF THE SW ¼ OF THE NW ¼ OF SECTION 9, TOWNSHIP 103 NORTH, RANGE 60 WEST OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

At the above stated time and place, all interested parties will be afforded a reasonable opportunity to express their views on the proposed creation of the Tax Incremental District and its proposed boundaries. The project plan may be viewed on the city's website at www.cityofmitchell.org. Following such hearing, the matter will be heard and acted upon by the Mitchell City Council on May 15, 2023 at 6:00 pm in the City Hall Council Chambers.

Dated this 20th day of April, 2023.

____
Michelle Bathke – Finance Officer

Published once: 26th day of April, 2023
Approximate publication cost: ____________

TAX INCREMENTAL DISTRICT NUMBER 30 CITY OF MITCHELL TAX INCREMENTAL PROJECT PLAN

Mitchell TIF District 30 Boundary Map

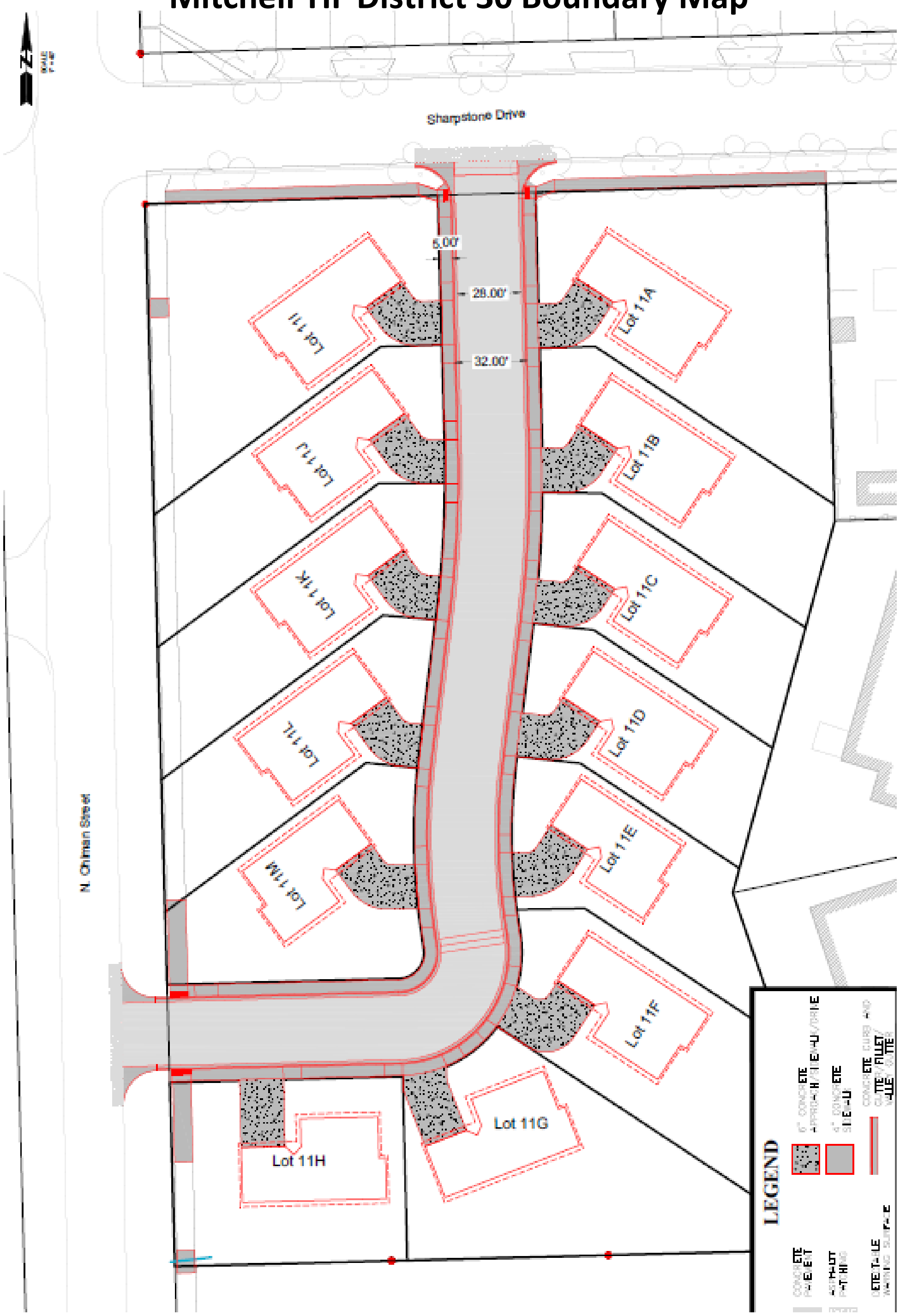


Table of Contents

INTRODUCTION AND PURPOSE

The purpose of this Plan, to be implemented by the City of Mitchell, Davison County, South Dakota, is to satisfy the requirements for a Tax Incremental District Plan Number 30, City of Mitchell, Davison County as specified in SDCL Chapter 11-9. There are 11 mandated requirements of the Plan, each to be addressed in this Plan. The principal purpose of the Plan is to define eligible property and to define a Tax Increment Plan for funding eligible activities in an eligible area of the city.

This Plan was prepared for adoption by the City Planning Commission and the City Council in recognition that the area requires a coordinated, cooperative strategy, with financing possibilities, to promote economic development through the construction of Affordable Housing through a single-family affordable housing residential development project (the "Project"). The Project shall consist of one (1) Phase. The proposed TIF boundaries consist of approximately three (3) acres. Within the TIF boundaries, a total of thirteen (13) lots will be developed into affordable single-family houses. All houses built within the TIF District boundaries shall have an original selling price at or below the first-time homebuyer's purchase price limit being used by the South Dakota Housing Development Authority at the time of sale or completion of initial construction (which, at the time of the drafting of this Project Plan for Mitchell, Davison County, South Dakota is $340,000 for a single-family residence, whether single residence or a portion (unit) of a twin home). The intent of the Project is to create new, affordable homeownership opportunities for the City of Mitchell, South Dakota community.

The driving interest in the establishment of this Plan is to offer tax increment financing as a tool to stimulate and leverage private sector development to provide Affordable Housing and to promote economic development throughout the TIF District and the City of Mitchell.

Development in the area is anticipated to occur in the near future, with the potential for tax increment financing to provide the impetus and means to undertake this development at a faster pace than might occur otherwise.

The area is known as Sharpstone Subdivision, consisting of thirteen (13) undeveloped lots. The undeveloped lots located within the TIF boundaries are owned and being developed by Sharpestone Deuce LLC, a South Dakota limited liability company whose members are Caleb Koerner, Jesse Koerner, and Levi Koerner ("Developer"). The Developer plans to develop the thirteen (13) lots into an affordable housing project.

GENERAL DEFINITIONS AS USED IN THIS PLAN

The following terms found in this Plan have the following meanings:

"Base" or "Tax Incremental Base" means the aggregate assessed value of all taxable property located within a Tax Incremental District on the date the district is created, as determined by SDCL § 11-9-20.

"Blighted" means property that meets any of the following criteria:

Any area, including slum area, in which the structures, buildings, or improvements, by reason of:

(1) dilapidation, age, or obsolescence;

(2) inadequate provisions for ventilation, light, air, sanitation, or open spaces;

(3) high density of population and overcrowding;

(4) the existence of conditions which endanger life or property by fire and other causes; or

(5) any combination of such factors;

are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and which is detrimental to the public health, safety, morals, or welfare, is a blighted area[1]; or

Any area which by reason of:

(1) the presence of a substantial number of substandard, slum, deteriorated, or deteriorating structures;

(2) predominance of defective or inadequate street layouts;

(3) faulty lot layout in relation to size, adequacy, accessibility, or usefulness;

(4) unsanitary or unsafe conditions;

(5) deterioration of site or other improvements;

(6) diversity of ownership, tax, or special assessment delinquency exceeding the fair value of the land;

(7) defective or unusual conditions of title;

(8) the existence of conditions which endanger life or property by fire and other causes; or

(9) any combination of such factors;

substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations, or constitutes an economic or social liability and is a menace to the public health, safety, morals, or welfare in its present condition and use, is a blighted area [2]; or

Any area which is predominantly open and which because of obsolete platting, diversity of ownership, deterioration of structures or of site improvements, or otherwise, substantially impairs or arrests the sound growth of a municipality, is a blighted area.[3]

"City of Mitchell" means Mitchell, South Dakota.

"Department of Revenue" means the South Dakota Department of Revenue.

"Developer" means Sharpestone Deuce LLC, a South Dakota limited liability company .

"Developer's Agreement" means the agreement between Sharpestone Deuce LLC and the City of Mitchell concerning this Tax Incremental District.

"District" means the Tax Incremental District.

"Economic Development" means all powers expressly granted and reasonably inferred pursuant to SDCL §9-54.

[1] SDCL § 11-9-9
[2] SDCL § 11-9-10
[3] SDCL § 11-9-11

"Fiscal year" means that fiscal year of City of Mitchell.

"Generally Applicable Taxes" shall have the same meaning as set forth in 26 CFR § 1.141-4(e).

"Governing body" means City of Mitchell City Council.

"Grant" means the transfer for a governmental purpose of money or property to a transferee that is not a related party to or an agent of the municipality;

"Infrastructure Improvements" means a street, road, sidewalk, parking facility, pedestrian mall, alley, bridge, sewer, sewage treatment plant, property designed to reduce, eliminate, or prevent the spread of identified soil or groundwater contamination, drainage system, waterway, waterline, water storage facility, rail line, utility line or pipeline, or other similar or related structure or improvement, together with necessary easements for the structure or improvement, for the benefit of or for the protection of the health, welfare, or safety of the public generally.

"Municipality" means any incorporated city or county in this state.

"Owner" means Sharpestone Deuce LLC, a South Dakota limited liability company.

"Planning Commission" means City of Mitchell Planning Commission.

"Plan" means this Project Plan.

"Project Costs" means any expenditure or monetary obligations by Developer, whether made, estimated to be made, incurred or estimated to be incurred, which are listed as Project Costs herein will include any costs incidental thereto but diminished by any income, special assessments, or other revenues, other than tax increments, received, or reasonably expected to be received, by Developer in connection with the implementation of this Plan.

"Project Plan" means properly approved Plan for the development or redevelopment of a tax incremental district including all properly approved amendments thereto as recommended pursuant to SDCL § 11-9-13.

"Public Works" means the Infrastructure Improvements, the acquisition by purchase or condemnation of real and personal property within the Tax Incremental District and the sale, lease, or other disposition of such property to private individuals, partnerships, corporations, or other entities at a price less than the cost of such acquisition which benefit or further the health, safety, welfare and economic development of the City and Project Costs.

"Taxable Property" means all real taxable property located in a Tax Incremental District.

"Tax Incremental District" means a contiguous geographic area within a City and/or County defined and created by resolution of the governing body and named City of Mitchell Tax Incremental District #30.

"Tax Increment Valuation" is the total value of the Tax Incremental District minus the tax incremental base pursuant to § 11-9-19.

"Tax Increment Law" means South Dakota Codified Laws Chapter 11-9.

PROPERTY WITHIN THE TAX INCREMENT DISTRICT

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, subject to easements, restrictions and reservations of record.

The area making up Tax Increment District #30 is shown on the Boundary Map attached to the following page.

CREATION OF CITY OF MITCHELL TID NUMBER 30

Developer desires to create a Tax Incremental Financing District ("TID") to assist in the construction of public infrastructure and other TID eligible expenses on land located within the corporate limits of the City of Mitchell, Davison County, South Dakota. As presented by the Developer, the TID will consist of one phase as follows:

> Site preparation, street, curb and gutter, drainage and other TID-eligible expenses for the Affordable Housing Project proposed for the TID area.

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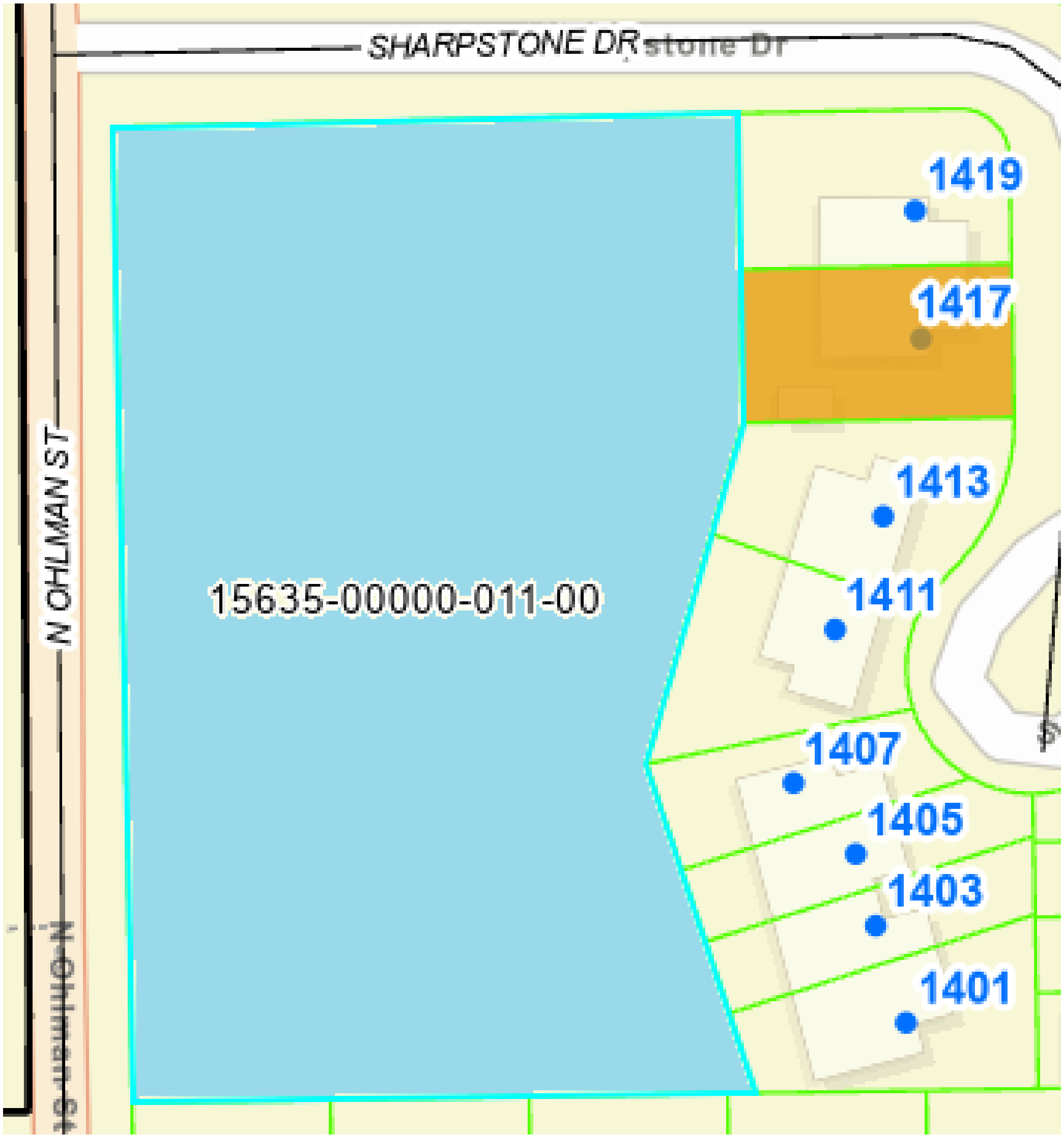
Figure 1. TID 30 Boundary

Mitchell TIF District 30 Boundary Map



The TIF area is to be composed of the area highlighted in cyan depicted above.

Listing Of Kind, Number, Location And Detailed Costs Of Proposed Public Works And Improvements[4]

In order to implement the provisions of SDCL Chapter 11-9, the following are Project Costs and expenditures made or estimated to be made and the monetary obligations incurred or estimated to be incurred by the Developer. The Project Costs may, by South Dakota law, include capital costs, financing costs, real property assembly costs, professional fee costs, imputed administration costs, relocation costs, organizational costs, discretionary costs and grants, plus any costs incidental thereto, diminished by any income, special assessments, or other revenues, other than tax increments, received, or reasonably expected to be received, by the City.

The City is working to develop an economic and competitive base to benefit the City and the state as a whole. All project costs are found to be necessary and convenient to the creation of the Tax Incremental District and its implementation. The project constitutes an Affordable Housing Project and is a proper public purpose of the City. The City exercises the powers expressly stated in and reasonably inferred by SDCL §11-9-15 and Chapter 9-54. The Developer or its assignee shall enter into all contracts in accordance with South Dakota law.

A combination of private financing and tax increment financing will assist progress toward the following additional objectives:

- To address and remedy conditions in the area that impair or arrest the sound growth of the City;
- To implement the Comprehensive Plan and its related element;
- To redevelop and rehabilitate the area in a manner which is compatible with and complementary to unique circumstances in the area;
- To effectively utilize undeveloped and underdeveloped land;
- To improve pedestrian, bicycle, vehicular, and transit-related circulation and safety;
- To ultimately contribute to increased revenues for all taxing entities;
- To encourage the voluntary construction of residential homes, improvements, and conditions;
- To watch for market and/or project opportunities to promote economic development, and when such opportunities exist, to take action within the financial, legal and political limits of the City to acquire land, pursue redevelopment, improvement and construction projects; and
- To improve areas that are likely to significantly enhance the value of substantially all property in the district.

Taxable Value of City of Mitchell

State law requires that tax increment districts cannot exceed ten percent of the taxable value of any municipality. The taxable value for the City of Mitchell is approximately $1,219,928,179 pending certification from the South Dakota Department of Revenue. The base value of the taxable property for inclusion into this Tax Incremental District, as per the Director of Equalization’s records is $55,610.

[4] SDCL §11-9-16(1)

South Dakota Codified Law 11-9-7 provides that in order to implement the provisions of this chapter (the TIF statute), the resolution required by §11-9-5 shall contain a finding that the aggregate assessed value of the taxable property in the district plus the **tax incremental base of all other existing districts does not exceed ten percent** of the total assessed value of taxable property in the municipality.

Total base value of active TIF Districts in the City of Mitchell, South Dakota is as follows:

TIF #	Certified Base Value State of South Dakota Department of Revenue City of Mitchell
7	$265,415
8	$6,002,565
9	$50,400
14	$37,850
16	$5,005,495
19	$13,370
20	$151,890
21	$142,235
23	$3,004,275
24	$612,635
26	0
27	$1,002,685
28	$2,119,490
29	$397,815
30	$55,610
Total Base Value(s)	$18,861,730

The total value of all active TIF districts in the City of Mitchell is less than ten percent (10%) of total taxable value in the City. Using the estimates provided, with TIF #30 included, the total Tax Increment Districts combined is less than 2% when compared to the 2022 Taxable Valuation.

Kind, Number, Location and Detailed Costs of Public Works and Improvements. SDCL §11-9-13(1).

In order to implement the provisions of SDCL Chapter 11-9, the following are Project Costs and expenditures made or estimated to be made and the monetary obligations incurred or estimated to be incurred. The Project Costs may, in any TIF, include capital costs, financing costs, real property assembly costs, professional fee costs, imputed administration costs, relocation costs, organizational costs, discretionary costs and grants, plus any costs incidental thereto.

The City is working to develop an economic and competitive base to benefit the City and the State of South Dakota as a whole, to include additional affordable housing. All Project Costs are found to be necessary and convenient to the creation of the Tax Incremental District and its implementation. The Project constitutes affordable housing which is a proper public purpose of the City. The City exercises the powers expressly stated in and reasonably inferred by SDCL §11-9-15 and Chapter 9-54. The Developer/City shall enter into all contracts in accordance with South Dakota law.

A combination of private financing and tax increment financing will assist progress toward the overall objectives of future development of the City of Mitchell. The Project is part of the overall mission of the City of Mitchell, which includes:

- To recruit new business(s) to the City of Mitchell
- To retain and expand existing business(s) within the City of Mitchell
- To address and remedy conditions in the area that impair or arrest the sound growth of City of Mitchell;
- To develop, redevelop and rehabilitate the area in a manner which is compatible with and
- complementary to unique circumstances in the area;
- To effectively utilize undeveloped and underdeveloped land;
- To ultimately contribute to increased revenues for all taxing entities;
- To improve areas that are likely to significantly enhance the value of substantially all property in the district.

The Affordable Housing Project will help in addressing all of the above.

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Costs of Public Works or Improvements

In accordance with SDCL § 11-9-14 the following is the kind, number, location and dollar amount of estimated Project Costs, costs of public works and improvements.

The following are listed as estimated costs of the Project.

Kind of Project	Location[1]	Amount	Reference[2]
Capital Costs (Street, Water & Sewer) (Cleaning & grading of land & associated costs)	District		11-9-15(1)
Financing Costs	District		11-9-15(2)
Real Property Assembly	District		11-9-15(3)
Professional Fees	District		11-9-15(4)
Administrative Costs	District		11-9-15(5)
Relocation Costs	District		11-9-15(6)
Organizational Costs	District		11-9-15(7)
Discretionary Costs and Grants	District		11-9-15(8)
Eligible Project Costs		$1,002,469	

[1] District shall mean the Tax Increment District.

[2] SDCL §11 -9-15

(1)) Capital costs, including the actual costs of the construction of public works or improvements, buildings, structures, and permanent fixtures; the demolition, alteration, remodeling, repair, or reconstruction of existing buildings, structures, and permanent fixture s; the acquisition of equipment; the clearing and grading of land; and the amount of interest payable on tax incremental bonds or notes issued pursuant to this chapter until such time as positive tax increments to be received from the district, as estimated by the Project Plan, are sufficient to pay the principal of and interest on the tax incremental bonds or notes when due;

(2) Financing costs, including all interest paid to holders of evidences of indebtedness issued to pay for Project Costs, any premium paid over the principal amount thereof because of the redemption of such obligations prior to maturity and a reserve for the payment of principal of and interest on such obligations in an amount determined by the governing body to be reasonably required for the marketability of such obligations;

(3)) Real property assembly costs, including the actual cost of the acquisition by a municipality of real or personal property within a tax incremental district less any proceeds to be received by the municipality from the sale, lease, or other disposition of such property pursuant to a Project Plan;

(4) Professional service costs, including those costs incurred for architectural, planning, engineering, and legal advice and services;

(5) Imputed administrative costs, including reasonable charges for the time spent by municipal employees in connection with the implementation of a Project Plan;

(6)) Relocation costs;

(7) Organizational costs, including the costs of conducting environmental impact and other studies and the costs of informing the public of the creation of tax incremental districts and the implementation of project plans; and

(8) Payments and grants made, at the discretion of the governing body, which are found to be necessary or convenient to the creation of tax incremental districts or the implementation of project plans.

All of the above are estimates of the costs involved in the project, and the actual total may be greater or smaller. An itemized listing of the estimated costs is set forth on Schedule 1. Because the cost estimates are only estimated costs, the total authorized TID costs of $1,002,469 is the controlling value with respect to authorized TID Project Costs, rather than the particular line item amounts contained in the above Chart and Schedule 1. The line item categories proposed are for guidance only, and actual costs will be determined upon completion of the improvements. The above total represents eligible Project Costs. Only such amounts as are feasible will be allowed by the City or by monetary obligation. Developer reserves the right to be reimbursed for any expenses and advances made by the Developer for the TIF project from TIF funds, so long as the total amount of funds advanced for the TIF District do not exceed $1,002,469.

*Costs incurred may be allocated and may be completed in any order.

Expenditures Exceeding Estimated Cost

Any expenditures which in sum would exceed the total amount of the TID amount of $1,002,469 will require an amendment of this Plan. All amendments would be undertaken pursuant to SDCL §11-9-23.

If the expenditures within the Plan are increased in excess of the total above, the Department of Revenue will be required to reset the base, in accordance with SDCL §11-9-23.

If the Project Costs are not provided for in the original plan, the governing body would be required to amend the plan which requires the South Dakota Department of Revenue to re-determine the tax increment base when additional Project Costs are added to a plan. SDCL §11-9-23.

Developer's Agreement

The City of Mitchell will enter into a Contract for Private Development with the Developer with the following as the guidelines for the Agreement:

Financing Terms:

- Amount. The total amount of the TIF will not exceed $1,002,469.
- Interest Rate. There may be no interest rate associated with this TIF.
- Length. The TIF will not exceed 20 calendar years from the year of creation.
- Expiration. The TIF will expire at the end of 20 years or when the $1,002,469 has been paid out in tax payment to the Developer from the taxes generated within the District, whichever comes first. Should there be a balance on the TIF note at the end of year 20, the TIF will still expire.

Legal Terms:

- Should the State of South Dakota not classify the TIF as Affordable Housing or Economic Development, the TIF will not be finalized and will cease to exist.
- Any owners of real property located within the TIF District will waive their right to the discretionary tax abatement program authorized and in effect for Mitchell, Davison County, South Dakota.

Conditions of the Developer Agreement relating to Constitutional Debt:

> The exclusive funding mechanism for this TID will be a grant pass-through of positive tax increment from the TID receipted into the TIF Fund. It is specifically a condition of the proposed Contract for Private Development that the City's obligation to pay is limited to the proceeds of the positive tax increment from the TID receipted into the TIF Fund. The City shall have no obligation to commit any City funds from any other source into the TIF Fund other than the positive tax increment from the TID receipted into the TIF Fund. It is also to be specifically agreed that the City has made no representation that the proceeds from the TIF Fund shall be sufficient to retire any indebtedness incurred by Developer. The parties further acknowledge that SDCL 11-9-25 limits the duration of allocation of the positive tax increment payments and the fund created by the TID to 20 years from the year of creation. As such, it is further

understood that the amount of $1,002,469 will be the maximum amount the City will ever pass on acting as a conduit for TIF #30 for eligible project costs, including any and all interest which may apply.

All TIF revenue will be passed onto the Developer as a grant until the full amount has been paid or 20 years from the year of creation, whichever happens first. The payment of tax increment funds under this Agreement is a grant under SDCL Chapter 11-9 (the "Grant"). The Grant is a personal property right vested with the Developer on the effective date of the Developer Agreement. The City will grant this amount to the Developer and thus not have to account for any assets on the City's financial statement. The Developer will be responsible for obtaining their financing and the City will not be liable for any Developer debt.

Upon completion of the purchase and construction of the Project involving eligible project costs, the Developer shall certify to the City's Finance Officer the eligible project costs in sufficient detail to determine that payment of grant funds is solely for eligible project costs. The Developer shall provide contractor/ supplier invoices or other supporting documentation upon request of the Finance Officer. Upon certification and verification of eligible project costs, the City shall pass-through all available tax increment fund revenues not to exceed $1,002,469 in a manner consistent with this section.

Given that the exclusive funding mechanism for this TID is the grant pass-through of positive tax increment from the TIF Fund, that no tax increment bonds will be issued in relation to this TID, and that the City shall have no obligation to commit other City funds, the City's obligation hereunder shall not in any way be construed to be a debt of the City in contravention of any applicable constitutional or statutory limitation or requirement concerning the creation of indebtedness by the City, nor shall anything contained herein constitute a pledge of the general credit, tax revenues, funds or moneys of the City. In recognition that the City cannot appropriate funds that have not accrued, the City's exclusive obligation shall be to budget and appropriate the positive tax increment from the TID receipted into the TIF Fund on an annual basis during the City's then current fiscal year, as may be required. Notwithstanding anything to the contrary contained in the proposed Agreement, the City hereby acknowledges and agrees that the obligations of the City under this Agreement are a material inducement for Developer to purchase the real property and to incur various development and construct improvements upon the TID property and the failure to pay tax increment to Developer will be financial detrimental to future improvements on said property.

If at any time during the term of this Agreement, (i) the governing body of the City shall fail or refuse to approve or authorize the funds due hereunder, and (ii) if the TID is eligible to be terminated pursuant to SDCL 11-9-46, then the Agreement shall terminate upon the end of the fiscal year for which funds were approved or authorized, without penalty to the City, if both (i) and (ii) occur.

Developer Terms:

- Sharpestone Deuce LLC will act as the Developer and all TIF proceeds will flow to Sharpestone Deuce LLC according to the terms of the Developer's Agreement.
- Developer will certify the costs to the City for reimbursement.
- Developer shall submit a report to the City no later than November 15 of each calendar year on a form provided by the City.
- In Developer's deed to an initial owner, Developer shall include a covenant that the property be "owner-occupied" for a period of 2 year from the time of the initial sale. However, in the event Developer holds one or more "developed" lots with completed single family dwellings that have not sold within three (3) months of completion of construction, Developer reserves the right to rent such a property as a single family dwelling with the rental amount to be at or below the calculated rent for the State of South Dakota 80% area median income being utilized by the South Dakota Housing Development Authority at the time such rental

agreement is entered into.

- In the event that a home is constructed which exceeds the affordable housing value criteria, whether by developer or an initial buyer, Developer shall be ineligible to collect further TIF proceeds.

Detailed List of Estimated Project Costs

Attached as Schedule 1 is a detailed list of estimated Project Costs as per SDCL § 11-9-13(3). No expenditure for Project Costs is provided for more than five years after the District is created.

Feasibility Study

An economic feasibility study per SDCL § 11-9-13(2) is attached as Schedule 2.

Economic Development Study

Not less than 50% of the area within the proposed district will stimulate and develop the general economic welfare and prosperity of the state through commercial, manufacturing, agricultural development and affordable housing as evidenced by the Economic Development Study attached as Schedule 3.

Fiscal Impact Statement

Attached as Schedule 4 is a Fiscal Impact Statement showing the impact of the Tax Increment District, until and after the bonds are repaid, upon all entities levying property taxes in the district. Required as per SDCL § 11-9-13(4).

Method of Financing. Timing of Costs and Monetary Obligations

The payment of Project Costs is anticipated to be made by the City to Developer from the special fund of the Tax Incremental District. SDCL § 11-9-13(5). Pursuant to the Developer's Agreement, the City will pay to the Developer all available positive tax increment funds it receives from the District.

Maximum Amount of Tax Incremental Revenue

The maximum amount of tax incremental revenue bonds or monetary obligations to be paid through Tax Increment District #30 shall be the amount sufficient to reimburse the City for the payments made for Project Costs and pay all tax increment bonds or monetary obligations in an amount not to exceed $1,002,469 principal and interest or such lesser amount as may be feasible with the estimated revenue generated by the Tax Increment District. The final terms and conditions will be set forth in the Developer's Agreement

Duration of Tax Incremental Plan

The duration of the Plan will extend to the number of years it will take for the reimbursement of the City, the extinguishment of bonds and the monetary obligation except that the Plan duration **shall not exceed 20 calendar years** of revenue from the date of creation of the District.

Estimated Impact of Tax Increment Financing on Revenues of Taxing Jurisdictions

The site will generate taxes to the local jurisdictions at or above the assessed value of the Base. All taxing districts shall receive that base which will be the value set for 2022 taxes payable in 2023. The tax increment will be available to the taxing jurisdictions at or before twenty (20) years after the creation of the District. Schedule 5 details the tax capture implications to each of the local taxing jurisdictions. After the repayment of the bonds and monetary obligations, taxing entities will receive their proportionate share of tax dollars for the base value and the tax incremental values.

Conditions Map, Improvements Map, Zoning Change Map

The Conditions Map, SDCL § 11-9-16(1), is included as Attachment 1.

The Improvements Map, SDCL § 11-9-16(2), is included as Attachment 2.

The Zoning Change Map, SDCL § 11-9-16(3), is included as Attachment 3.

Changes to the City of Mitchell Comprehensive/Master Plan/Map, Building Codes & County Ordinances per SDCL § 11-9-16(4)

The City will not have to rezone the real property located within the TIF boundaries, as it is zoned as Sharpestone Planned Development District.

List of Estimated Non-Project Costs

The following is a list of the Non-Project Costs per SDCL § 11-9-16(5). All costs are listed as taxable value; actual non-project costs will exceed the following amounts.

Item	Amount
Single-family residential homes – tax-assessed values	$4,076,400
TOTAL	$4,076,400

Statement of Displacement and Relocation Plan

No residents or families will be displaced by the Project. SDCL § 11-9-16(6)

Performance Bond Surety Bond or other Guaranty

As security for its fulfillment of the agreement with the governing body, a purchaser or lessee of redevelopment property may furnish a performance bond, with such surety and in such form and amount as the governing body may approve or make such other guaranty as the governing body may deem necessary in the public interest. This additional security may be provided for in a Developer's Agreement.

LIST OF SCHEDULES

LIST OF ATTACHMENTS

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SCHEDULE 1 – "DETAIL OF PROJECT COSTS"

Kind of Project Cost	Number of Projects	Location[5]	Amount	Reference[6]
Capital Costs		District	$0	11-9-14(1)
Financing Costs		District	$0	11-9-14(2)
Real Property Assembly		District	$0	11-9-14(3)
Professional Fees		District	$0	11-9-14(4)
Administrative Costs		District	$0	11-9-14(5)
Relocation Costs		District	$0	11-9-14(6)
Organizational Costs		District	$0	11-9-14(7)
Discretionary Costs and Grants	1	District	$1,002,469	11-9-14(8)
		Eligible Project Costs	$1,002,469	

[5] District shall mean the Tax Increment District.

[6] SDCL §11-9-14

(1) Capital costs, including the actual costs of the construction of public works or improvements, buildings, structures, and permanent fixtures; the demolition, alteration, remodeling, repair, or reconstruction of existing buildings, structures, and permanent fixtures; the acquisition of equipment; the clearing and grading of land; and the amount of interest payable on tax incremental bonds or notes issued pursuant to this chapter until such time as positive tax increments to be received from the district, as estimated by the Project Plan, are sufficient to pay the principal of and interest on the tax incremental bonds or notes when due;

(2) Financing costs, including all interest paid to holders of evidences of indebtedness issued to pay for Project Costs, any premium paid over the principal amount thereof because of the redemption of such obligations prior to maturity and a reserve for the payment of principal of and interest on such obligations in an amount determined by the governing body to be reasonably required for the marketability of such obligations;
(3) Real property assembly costs, including the actual cost of the acquisition by a municipality of real or personal property within a tax incremental district less any proceeds to be received by the municipality from the sale, lease, or other disposition of such property pursuant to a Project Plan;

(4) Professional service costs, including those costs incurred for architectural, planning, engineering, and legal advice and services;

(5) Imputed administrative costs, including reasonable charges for the time spent by municipal employees in connection with the implementation of a Project Plan;

(6) Relocation costs;

(7) Organizational costs, including the costs of conducting environmental impact and other studies and the costs of informing the public of the creation of tax incremental districts and the implementation of project plans; and

(8) Payments and grants made, at the discretion of the governing body, which are found to be necessary or convenient to the creation of tax incremental districts or the implementation of project plans.

TIF ELIGIBLE EXPENSES/RESPONSIBLE DEVELOPER

SDCL 11-9-15

SHARPSTONE VILLA'S DEVELOPMENT COST 4-4-23

	TOTAL COST	NON PROJECT COSTS	PROJECT COSTS
LAND	$ 150,000.00		$ 150,000.00
ARCHITECT/ENGINEERING	$ 45,000.00		$ 45,000.00
PROFESSIONAL FEES	$ 25,000.00		$ 25,000.00
DEVELOPER FEES	$ 15,000.00	$ 15,000.00	
SURVEYING	$ 6,000.00		$ 6,000.00
PERMITS	$ 11,050.00		$ 11,050.00
SITE WORK/UTILITIES	$ 536,134.00		$ 536,134.00
BUILDERS RISK INSURANCE	$ 45,000.00	$ 45,000.00	
BUILDING MATERIALS	$ 1,454,007.10	$ 1,454,007.10	
CABINETS AND TOPS	$ 157,300.00	$ 157,300.00	
INSULATION	$ 58,500.00	$ 58,500.00	
CARPENTRY LABOR	$ 753,749.10	$ 753,749.10	
GARAGE DOORS	$ 46,800.00	$ 46,800.00	
BATHROOMS	$ 63,544.00	$ 63,544.00	
EXCAVATION	$ 40,040.00	$ 40,040.00	
FILL MATERIAL	$ 39,000.00	$ 39,000.00	
CONCRETE	$ 351,000.00	$ 351,000.00	
DRYWALL HANG TAPE TEXTU	$ 107,965.00	$ 107,965.00	
PAINT AND TRIM	$ 117,000.00	$ 117,000.00	
FLOORING	$ 78,650.00	$ 78,650.00	
ELECTRICAL	$ 97,500.00	$ 97,500.00	
LIGHT FIXTURES	$ 23,400.00	$ 23,400.00	
PLUMBING	$ 97,500.00	$ 97,500.00	
HVAC	$ 88,400.00	$ 88,400.00	
LANDSCAPING	$ 20,800.00	$ 20,800.00	
FINAL CLEANING	$ 7,475.00	$ 7,475.00	
EXCISE TAX	$ 72,952.60	$ 72,952.60	
CONTINGENCY	$ 225,438.34	$ 225,438.34	
ADMINISTRATIVE	$ 415,000.00	$ 185,715.43	$ 229,284.57
	$ 5,149,205.14	$ 4,146,736.57	$ 1,002,468.57

*An estimate of infrastructure costs is attached to this Schedule.

Based upon the foregoing tables and for purposes of this Project Plan, the completion of the first Homes are contemplated to be in calendar year 2023.

There will be additional Homes built within the District in 2024 & 2025.

It is anticipated that the Developer will procure financing to fund the public infrastructure going into the TID improvements by way of a loan in the amount of $580,000 with First Dakota Bank of Mitchell, South Dakota.

It is assumed that all obligations within the TID will be adequately secured as to allow the payment of principal and interest when due.

The attached table is an illustration of an amortization schedule for the loan--for illustrative purposes only. It provides for the drawdown of funds as indicated in the table, including an interest only payment of $25,000 in Year 1. An interest rate of 7.25% is utilized for the amortization. The actual amortization schedule and interest rate will be set when Developer borrows funds.

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TO ACCOMMODATE TABLES]

Estimate of Infrastructure Costs

BID ITEM NUMBER	ITEM	QUANTITY	UNIT	UNIT PRICE	COST
	Streets				
1	Mobilization	1	Lump Sum	$15,000.00	$ 15,000.00
2	Remove Concrete Curb and/or Gutter	62	Ft	$4.00	$ 248.00
12	Unclassified Excavation	5230	CuYd	$8.00	$ 41,840.00
13	Unclassified Excavation, Digouts	50	CuYd	$16.50	$ 825.00
16	Base Course	845	Ton	$20.00	$ 16,900.00
19	8" Nonreinforced PCC Pavement	1626	SqYd	$66.20	$ 107,643.00
22	Dowel Bars	910	Each	$14.00	$ 12,740.00
18	6" PCC Driveway Pavement	922	SqYd	$65.00	$ 59,930.00
22	6" PCC Fillet Section	48	SqYd	$125.00	$ 6,000.00
26	Traffic Control Signs	76	SqFt	$5.00	$ 380.00
27	Traffic Control, Miscellaneous	1	Lump Sum	$1,000.00	$ 1,000.00
28	Type 3 Barricade	6	Each	$110.00	$ 660.00
34	6" Type B Concrete Curb and Gutter	724	Ft	$30.00	$ 21,720.00
35	6" Type P Concrete Gutter	254	Ft	$40.00	$ 10,160.00
37	4" Concrete Sidewalk	4397	SqFt	$7.00	$ 30,779.00
38	6" Concrete Sidewalk	1788	SqFt	$8.00	$ 14,304.00
41	Type 1 Detectale Warnings	20	SqFt	$85.00	$ 1,700.00
42	Remove & Replace Topsoil	1	Lump Sum	$3,500.00	$ 3,500.00
43	Type D Permanent Seed Mixture	515	Lb	$8.00	$ 4,120.00
44	Fertilizing	2500	Lb	$1.00	$ 2,500.00
46	high Flow Silt Fence	40	Ft	$5.00	$ 200.00
47	Sediment Control at Inlet with Frame and Grate	2	Each	$130.00	$ 260.00
	Subtotal				$ 352,409.00
	Storm				
54	18" RCP Class 2, Furnish	130	Ft	$30.00	$ 3,900.00
55	18" RCP, Install	130	Ft	$40.00	$ 5,200.00
66	12" PVC Storm Sewer	30	Ft	$70.00	$ 2,100.00
72	4' x 6' Concrete Type S Drop Inlet Base	2	Each	$3,500.00	$ 7,000.00
73	4' x 6' Precast Concrete Type S Drop Inlet Lid	2	Each	$3,500.00	$ 7,000.00
75	5' x 5' Junction Box	1	Each	$4,500.00	$ 4,500.00
76	Type A7 Manhole Frame and Lid	1	Each	$625.00	$ 625.00
77	2" Adjusting Ring	2	Each	$70.00	$ 140.00
	Subtotal				$ 30,465.00
	Water				
79	1" Water Service Piping	546	Ft	$34.00	$ 18,564.00
80	1" Water Service Tap	13	Each	$627.00	$ 8,151.00
81	1" Water Service Curb Stop with Box	13	Each	$620.00	$ 8,060.00
88	Cut and Tie to Existing 6" Water Main	1	Each	$1,750.00	$ 1,750.00
90	6" PVC Water Main	410	Ft	$60.00	$ 24,600.00
98	6" MJ Pipe Bend	3	Each	$600.00	$ 1,800.00
100	6" Gate Valve with Box	2	Each	$1,610.00	$ 3,220.00
102	Valve Box Adjustment	2	Each	$340.00	$ 680.00
103	Standard Fire Hydrant	1	Each	$4,800.00	$ 4,800.00
	Subtotal				$ 71,625.00
	Sanitary				
108	8" PVC Sanitary Sewer Pipe	457	Ft	$62.00	$ 28,334.00
111	4" PVC Sanitary Sewer Service	610	Ft	$46.00	$ 28,060.00
113	Sanitary Sewer Video Inspection	457	Ft	$3.00	$ 1,371.00
114	8" x 4" Sewer Wye/Tap	13	Each	$450.00	$ 5,850.00
116	4" Sanitary Sewer Cap	13	Each	$100.00	$ 1,300.00
118	Connect to Existing 8" Sanitary Sewer Main	2	Each	$1,610.00	$ 3,220.00
121	Sanitary Sewer Temporary Bypass	1	Lump Sum	$1,500.00	$ 1,500.00
123	48" Manhole	3	Each	$4,000.00	$ 12,000.00
	Subtotal				$ 81,635.00
				Total	$ 536,134.00

The Estimate of Infrastructure Costs does not take into consideration costs such as land acquisition ($150,000), architect and engineering costs ($45,000), professional fees ($25,000), developer fees ($15,000), surveying ($6,000), permits ($11,050) and administrative costs ($229,285) as set forth on page 17.

Input Data	
Advance Date of Bond	6/1/2023
First Payment Date	12/1/2024
Bond Amount	580,000
Rate	7.25%
Maturity Date	12/1/2043
Repayment Frequency	Semi-Annual

First Dakota Loan

Payment Dates	Number Days Betw een Payments	Actual Interest Expense	Principal Balance	Capitalized Interest Amount	Principal Payment	Pmt Amt
06/01/23			580,000.00			
12/01/24	549	64,126.25	619,126.25	39,126.25	-	25,000.00
06/01/25	182	22,692.70	626,103.95	6,977.70	-	15,715.00
12/01/25	183	23,074.54	633,463.49	7,359.54	-	15,715.00
06/01/26	182	23,218.20	625,868.68	-	7,594.80	30,813.00
12/01/26	183	23,065.87	618,121.55	-	7,747.13	30,813.00
06/01/27	182	22,655.87	607,652.59	-	10,468.96	33,124.83
12/01/27	183	22,394.53	596,922.29	-	10,730.30	33,124.83
06/01/28	183	21,999.07	585,796.54	-	11,125.76	33,124.83
12/01/28	183	21,589.04	574,260.75	-	11,535.79	33,124.83
06/01/29	182	21,048.25	562,184.17	-	12,076.58	33,124.83
12/01/29	183	20,718.83	549,778.17	-	12,406.00	33,124.83
06/01/30	182	20,150.90	536,804.24	-	12,973.93	33,124.83
12/01/30	183	19,783.47	523,462.88	-	13,341.36	33,124.83
06/01/31	182	19,186.37	509,524.42	-	13,938.46	33,124.83
12/01/31	183	18,778.10	495,177.69	-	14,346.73	33,124.83
06/01/32	183	18,249.36	480,302.22	-	14,875.47	33,124.83
12/01/32	183	17,701.14	464,878.53	-	15,423.69	33,124.83
06/01/33	182	17,039.09	448,792.79	-	16,085.74	33,124.83
12/01/33	183	16,539.88	432,207.84	-	16,584.95	33,124.83
06/01/34	182	15,841.62	414,924.63	-	17,283.21	33,124.83
12/01/34	183	15,291.70	397,091.50	-	17,833.13	33,124.83
06/01/35	182	14,554.51	378,521.18	-	18,570.32	33,124.83
12/01/35	183	13,950.08	359,346.43	-	19,174.75	33,124.83
06/01/36	183	13,243.41	339,465.01	-	19,881.42	33,124.83
12/01/36	183	12,510.70	318,850.88	-	20,614.13	33,124.83
06/01/37	182	11,686.77	297,412.82	-	21,438.06	33,124.83
12/01/37	183	10,960.90	275,248.89	-	22,163.93	33,124.83
06/01/38	182	10,088.64	252,212.70	-	23,036.19	33,124.83
12/01/38	183	9,295.09	228,382.96	-	23,829.74	33,124.83
06/01/39	182	8,370.87	203,629.00	-	24,753.96	33,124.83
12/01/39	183	7,504.58	178,008.75	-	25,620.25	33,124.83
06/01/40	183	6,560.36	151,444.28	-	26,564.47	33,124.83
12/01/40	183	5,581.35	123,900.80	-	27,543.48	33,124.83
06/01/41	182	4,541.31	95,317.28	-	28,583.52	33,124.83
12/01/41	183	3,512.84	65,705.29	-	29,611.99	33,124.83
06/01/42	182	2,408.28	34,988.74	-	30,716.55	33,124.83
12/01/42	183	1,289.48	3,153.39	-	31,835.35	33,124.83
06/01/43	182	115.58	-	-	3,153.39	33,124.83
				53,463.49	633,463.49	1,211,175.39

SCHEDULE 2 – "ECONOMIC FEASIBILITY STUDY"

The City of Mitchell has been approached by the Developer concerning the creation of a tax increment district to be located within the City of Mitchell, Davison County, South Dakota. The Project will consist of an Affordable Housing Housing Project located on a tract of land containing thirteen (13) lots that will be developed into single-family residential homes with initial tax-assessed values at or below the first-time homebuyer purchase price limits for Mitchell, South Dakota. Developer owns the undeveloped lots and has plans for building an Affordable Housing Housing Project.

Developer's purpose for purchasing the property is to develop a single-family home development consisting of thirteen (13) single-family residential development units. All new homes built on the 13 lots of the development shall be built as "single family affordable housing," all having an original selling price at or below the first-time home buyer's purchase price limit being used by the South Dakota Housing Development Authority. The intent of the Project is to create new, affordable/work force homeownership opportunities for the City of Mitchell, South Dakota, as there is a shortage of such housing in the City of Mitchell. The Owner will, prior to the sale of the first lot, cause covenants to be placed on the 13 lots to be developed by Developer, incorporating the requirement that all homes constructed on the 13 lots shall have an assessed value, upon completion of the construction or original purchase of the house and lot, to include the value of the real estate and the home, at or below the first-time home buyer's purchase price limits for Mitchell, South Dakota being used by the South Dakota Housing Development Authority.

The Developer has indicated that the project is not feasible without the assistance of the Tax Increment District. This is a "but for" type of tax increment district financing. The project will not proceed further and within a reasonable time frame "but for" the assistance from the City through the creation of a tax increment district for the project. With the assistance of a TIF, the project will be able to be built out much quicker and provide the affordable housing sooner (as it is needed now) than having the project built out over a 15-year-plus time period, if at all.

The City has made it clear that City funding for these public improvements must be supported by the tax revenues generated by the Project, and not by the general revenues of the City. The vehicle through which this can be accomplished is through tax increment financing under the South Dakota Tax Incremental District Law (South Dakota Codified Laws Chapter 11-9). Tax increment financing is an indispensable self-financing tools used throughout the United States to help local governments successfully develop and redevelop areas and encourage economic development.

In tax increment financing, the current real property tax assessed value of all properties in a designated project area ("tax increment financing district") is established as the "base value." As development in the tax increment financing district increases the assessed values of the redeveloped properties, a portion of the additional tax revenue generated by the increase in assessed value over the base value is set aside and committed by the City to the reimbursement of approved project costs.

Tax increment financing is permitted only in connection with a "Project Plan" duly adopted by the City.

The estimated increment resulting from the improvements would be up to the sum of $1,219,302 if the TIF were to stay in existence for the full 20 years, as evidenced by the Tables on pages 22 and 23.

Revenue Assumptions / Feasibility Study

Levies are based on 2021 payable in 2022

Construction Year	Valuation Year	Revenue Year	300K Purchase Price Units Built	Valuation Increments	Valuation Total	Davison County	City of Mitchell	JR	Mitchell School District	Total Mill Rate*	Non-Ag Factor	Total Revenue Increment	Cumulative Amt Paid
2023	2024	2025	-	-	-	0.003778	0.005068	0.000061	0.007345	0.016252	0.948	-	-
2024	2025	2026	2	$ 568,800.00	$ 568,800.00	0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 9,244.14	$ 9,244.14
2025	2026	2027	1	$ 284,400.00	$ 853,200.00	0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 13,866.21	$ 23,110.34
2026	2027	2028	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 13,866.21	$ 36,976.55
2027	2028	2029	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 13,866.21	$ 50,842.76
2028	2029	2030	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 13,866.21	$ 64,708.96
2029	2030	2031	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 13,866.21	$ 78,575.17
2030	2031	2032	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 13,866.21	$ 92,441.38
2031	2032	2033	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 13,866.21	$ 106,307.58
2032	2033	2034	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 13,866.21	$ 120,173.79
2033	2034	2035	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 13,866.21	$ 134,040.00
2034	2035	2036	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 13,866.21	$ 147,906.20
2035	2036	2037	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 13,866.21	$ 161,772.41
2036	2037	2038	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 13,866.21	$ 175,638.61
2037	2038	2039	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 13,866.21	$ 189,504.82
2038	2039	2040	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 13,866.21	$ 203,371.03
2039	2040	2041	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 13,866.21	$ 217,237.23
2040	2041	2042	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 13,866.21	$ 231,103.44
2041	2042	2043	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 13,866.21	$\boxed{\$ 244,969.65}$
2042	2043	-	-										
2043	-	-	-										

Owner Occupied
True & Full Value $ 300,000.00
Tax Assessed Value $ 284,400.00

Assumptions:
* Assumes Mill Levies remain constant for the duration of the TIF

Notes:
These numbers are for projection purposes only and do not reflect what the actual number(s) may be.
The projection numbers are based on assumptions provided by the developer.

Revenue Assumptions / Feasibility Study

Levies are based on 2021 payable in 2022

Construction Year	Valuation Year	Revenue Year	340K Purchase Price Units Built	Valuation Increments	Valuation Total	Davison County	City of Mitchell	JR	Mitchell School District	Total Mill Rate*	Non-Ag Factor	Total Revenue Increment	Cumulative Amt Paid
2023	2024	2025	6	$ 1,933,920.00	$ 1,933,920.00	0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 31,430.07	$ 31,430.07
2024	2025	2026	4	$ 1,289,280.00	$ 3,223,200.00	0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 52,383.45	$ 83,813.51
2025	2026	2027	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 52,383.45	$ 136,196.96
2026	2027	2028	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 52,383.45	$ 188,580.41
2027	2028	2029	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 52,383.45	$ 240,963.85
2028	2029	2030	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 52,383.45	$ 293,347.30
2029	2030	2031	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 52,383.45	$ 345,730.75
2030	2031	2032	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 52,383.45	$ 398,114.19
2031	2032	2033	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 52,383.45	$ 450,497.64
2032	2033	2034	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 52,383.45	$ 502,881.09
2033	2034	2035	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 52,383.45	$ 555,264.53
2034	2035	2036	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 52,383.45	$ 607,647.98
2035	2036	2037	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 52,383.45	$ 660,031.42
2036	2037	2038	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 52,383.45	$ 712,414.87
2037	2038	2039	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 52,383.45	$ 764,798.32
2038	2039	2040	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 52,383.45	$ 817,181.76
2039	2040	2041	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 52,383.45	$ 869,565.21
2040	2041	2042	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 52,383.45	$ 921,948.66
2041	2042	2043	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 52,383.45	$ 974,332.10
2042	2043	-	-										
2043	-	-	-										

Owner Occupied		
True & Full Value	$ 340,000.00	$ 244,969.65
Tax Assessed Value	$ 322,320.00	$ 974,332.10
		$ 1,219,301.75

Assumptions:

* Assumes Mill Levies remain constant for the duration of the TIF

Notes:

These numbers are for projection purposes only and do not reflect what the actual number(s) may be.

The projection numbers are based on assumptions provided by the developer.

SCHEDULE 3 – "ECONOMIC DEVELOPMENT STUDY"

SECTION 1- INTRODUCTION

The City has been approached concerning the creation of a tax increment district located within the City of Mitchell, Davison County, South Dakota. In order to determine whether a tax increment district (TID) may be created, the governing body must make a finding that not less than 50%, by area, of the real property within the district will stimulate and develop the general economic welfare and prosperity of the State through the promotion and advancement of industrial, commercial, manufacturing, Affordable Housing, agricultural and natural resources, and the improvement of the area is likely to enhance significantly the value of substantially all of the other real property in the district. This Schedule will address Economic Development through the development of an Affordable Housing Project within the City of Mitchell city limits.

SECTION 2 - STUDY AREA BOUNDARY/FINDING OF BLIGHT

The Study area is described as the area depicted on the map attached to this Project Plan as Attachment 2 and includes the legal descriptions set forth within this Project Plan. The TIF district contains over 3 acres of open ground. It currently has no site improvements. An open area such as this within the City limits of the City of Mitchell substantially impairs and arrests the sound growth of the City as defined by SDCL 11-9-11, which provides an open area as blighted. A factor keeping this area from being fully developed is the cost of public infrastructure. The approval of this TIF will provide a way for the Developer to provide the required infrastructure improvements, which could not be done without the TIF. The TIF will also allow the Developer to sell the lots for less, thus making the area amenable to Affordable Housing.

SECTION 3 - ESTABLISHING AFFORDABLE HOUSING CRITERIA

Owner has purchased real estate consisting of 13 lots located in an area known as Sharpstone Subdivision in Mitchell, South Dakota. Developer will develop the real estate into an affordable housing development. The Project will consist of up to 13 residential dwelling units in the Project. All homes built in the Project shall be built to comply as "single-family affordable housing," all having an original selling price/construction price, to include the real estate cost and construction cost, at or below the first-time home buyer's purchase price limits for Mitchell, South Dakota being used by the South Dakota Housing Development Authority at the time of initial sale/initial construction. The intent of the Project is to create new, affordable homeownership opportunities for the City of Mitchell, South Dakota to offer to new and existing residents.

Section 4 - Finding That the Improvements to the Area are Likely to Enhance Significantly the Value of Substantially All of the Other Real Property in the District

The primary goal of the TID is to provide additional Affordable Housing by developing a project to be constructed upon real property located within the TID boundaries, to complete site preparation and public infrastructure necessary to serve the real property located within the TID boundaries to include internal streets.

The TID area consists of 13 undeveloped lots within the corporate city limits of the City. The completion of the Affordable Housing development will allow for the creation of new jobs and the retention of existing jobs and develop not only the general economic welfare and prosperity of the City of Mitchell, but also of the State of South Dakota through promotion and advancement of commercial and industrial business. Owner will cause a set of covenants to be placed against the 13 undeveloped lots to assure that Affordable Housing guidelines are followed for all first-time sales of homes/construction of homes in the 13 undeveloped lots in the TID boundaries.

It is specifically found that once the improvements set forth within City TID #30 Project Plan are completed, this Project will significantly enhance the value of substantially all of the other real property in the TID District. It is anticipated that the Project will provide additional development and employment opportunities in the Mitchell and Davison County area through providing Affordable Housing options in Mitchell, South Dakota.

Augustana University research recently published a housing study for the City of Mitchell. They have determined that in Mitchell, there is a need for 34-42 homes per year to be built to accommodate the 65 new jobs per year. The last two years, Mitchell has built 17-20 homes, so this is the main reason Mitchell has only 4-10 homes on the market in this lower price range.

The study found Mitchell's existing housing stock to be generally old—29% of the units were built before 1940, emphasizing the need for more new homes to provide options to allow us to grow the workforce in Mitchell.

The study also predicts that the number of people in their 30s and 40s will grow the most and will grow the need for more affordable housing options. As a result, housing options appealing to older adults who are ready to downsize or move into more accessible housing such as single-floor, villa-style will increase, which may mean a softening demand for larger single -family homes over the coming decade or two.

The extremely low vacancies in owner-occupied homes reflects the need to focus on providing more affordable homes in this range that will enable newcomers to come to Mitchell for employment. If they are not able to find a home, they will pass over Mitchell and go to one of the other similar-sized cities, as all cities have employment available for newcomers.

Finally, the study also recommends new construction incentives including reduced lot prices and local government-provided infrastructure which we are proposing with the use of this TIF to assist in the payment of the infrastructure costs.

Section 5 - Conditions within the Study Area; Land Use and Planning

Land Use and Planning

Comprehensive Plan

The proposed use of the district is consistent with the City of Mitchell Comprehensive Plan.

SECTION 6 - FINDINGS WITHIN THE STUDY AREA ANALYSIS

In accordance with state law, it is found that not less than fifty percent (50%) by area of the real property within the District will stimulate and develop the general economic welfare and prosperity of the State of South Dakota through the promotion and advancement of industrial, commercial, manufacturing, agricultural, and natural resources by increasing the number of Affordable Housing single family homes in Mitchell, Davison County area, as well as creating new employment opportunities and retaining existing jobs for the Mitchell area, and it is found that the improvement of the area is likely to enhance significantly the value of substantially all of the other real property in the District in accord with SDCL 11-9-8(1) and (2).

SCHEDULE 4 - “FISCAL IMPACT STATEMENT”

FISCAL IMPACT STATEMENT - TAX INCREMENT DISTRICT NUMBER 30

INTRODUCTION

The fiscal impact statement is intended to provide a succinct analysis of the estimated impact of the Tax Increment District to the public pursuant to SDCL § 11-9-16(4). It is not intended to rival the level of detail required by a detailed financial analysis. A fiscal impact statement shows the impact of the Tax Increment District, both until and after the bonds or obligations are repaid, upon all entities levying taxes upon property in the district.

DEFINITIONS

“***Assumptions***” means factors or definitions used in the fiscal analysis. Assumptions may include facts and figures identified by the District and educated guesses that are sometimes necessary when not all of the information is available. Assumptions are often used to extrapolate an estimate. Assumptions may include an estimate of tax levies of each taxing entity, the school aid formula contribution, the value of the real property, etc.

"Base Revenues” means the taxes collected on the base value.

“***Fiscal Impact”*** means the increase or decrease in revenues and generally refers to an impact to revenues caused by the district.

“Revenue” means ad valorem taxes.

“Tax Increment District“ means City of Mitchell Tax Increment District Number 30.

“Taxing Districts” means all political subdivisions of the state which have ad valorem taxing power over property within the boundaries of the Tax Increment District.

“Tax Increment Revenues" means all revenues above the Base Revenues.

ASSUMPTIONS:

1. The property will have improvements which at completion will be valued for taxable purposes at a minimum of $3,891,500.

2. The average tax levy of all taxing districts will be $16.252 per thousand dollars of taxable valuation (2022).

3. Tax increment will start to be collected in 2025 and end in or prior to 2043.

4. The discretionary formula will be waived by the Developer as well as any property owner located within the TIF District.

5. Interest: The loan obligations may be capitalized.

FISCAL IMPACT:

The total fiscal impact upon the taxing entities during the term of the Tax Increment District will be an estimated $1,279,378. There will be no fiscal impact for the first year of the Tax Increment District.

FISCAL IMPACT

The total fiscal impact upon the taxing entities during the term of the Tax Increment District is as follows:

Valuation Assumptions	Base Full/True Value	Increase	Positive Increment
Land/Existing Improvements	$55,610	0	
Additional Improvements		$4,076,400	$4,076,400
Total Positive Increment		$4,076,400	$4,076,400

SCHEDULE 5 – "ESTIMATED CAPTURED TAXABLE VALUES"

It is assumed, for purposes of this Plan, that six (6) single-family residences will be constructed in Year 1 of the TIF; six (6) single-family residences will be constructed in Year 2 of the TIF; and one (1) single-family residence will be constructed in Year 3 of the TIF, for a total of 13 single-family residences.

Actual valuation shall depend upon the value determined by the Davison County Director of Equalization when assessed, with the application of dollars-per-thousand from local taxes. All tax increment revenues shall be from Generally Applicable Taxes attributable to the improvements to be constructed in the TID. The potential for total increment collections are estimated to be at the maximum range of $1,219,302 covering a span of captured tax years not to exceed twenty (20). Collection is anticipated to begin in 2024, and the schedule carries out the tax captured 20 years from the date of Plan adoption.

The following dollars-per-thousand rates are the current taxing rates of the local taxing jurisdictions:

Taxing Districts	**Levy ($ per 1000)**
Davison County	$3.778
Mitchell School District	$7.345
City of Mitchell	$5.068
JR Water	$.061
Total Tax Levy	$16.252

Using the information regarding expected increment valuation and tax generation, it is possible to generate an expected revenue stream that can be utilized to retire debt that will be created as a result of implementing the Project Plan.

See Tables on Page 29 & 30.

Revenue Assumptions / Feasibility Study

Levies are based on 2021 payable in 2022

Construction Year	Valuation Year	Revenue Year	300K Purchase Price Units Built	Valuation Increments	Valuation Total	Davison County	City of Mitchell	JR	Mitchell School District	Total Mill Rate*	Non-Ag Factor	Total Revenue Increment	Cumulative Amt Paid
2023	2024	2025	-	-	-	0.003778	0.005068	0.000061	0.007345	0.016252	0.948	-	-
2024	2025	2026	2	$ 568,800.00	$ 568,800.00	0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 9,244.14	$ 9,244.14
2025	2026	2027	1	$ 284,400.00	$ 853,200.00	0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 13,866.21	$ 23,110.34
2026	2027	2028	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 13,866.21	$ 36,976.55
2027	2028	2029	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 13,866.21	$ 50,842.76
2028	2029	2030	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 13,866.21	$ 64,708.96
2029	2030	2031	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 13,866.21	$ 78,575.17
2030	2031	2032	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 13,866.21	$ 92,441.38
2031	2032	2033	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 13,866.21	$ 106,307.58
2032	2033	2034	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 13,866.21	$ 120,173.79
2033	2034	2035	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 13,866.21	$ 134,040.00
2034	2035	2036	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 13,866.21	$ 147,906.20
2035	2036	2037	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 13,866.21	$ 161,772.41
2036	2037	2038	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 13,866.21	$ 175,638.61
2037	2038	2039	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 13,866.21	$ 189,504.82
2038	2039	2040	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 13,866.21	$ 203,371.03
2039	2040	2041	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 13,866.21	$ 217,237.23
2040	2041	2042	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 13,866.21	$ 231,103.44
2041	2042	2043	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 13,866.21	$ 244,969.65
2042	2043	-	-										
2043	-	-	-										

Owner Occupied

True & Full Value $ 300,000.00

Tax Assessed Value $ 284,400.00

Assumptions:

* Assumes Mill Levies remain constant for the duration of the TIF

Notes:

These numbers are for projection purposes only and do not reflect what the actual number(s) may be.

The projection numbers are based on assumptions provided by the developer.

Revenue Assumptions / Feasibility Study

Levies are based on 2021 payable in 2022

Construction Year	Valuation Year	Revenue Year	340K Purchase Price Units Built	Valuation Increments	Valuation Total	Davison County	City of Mitchell	JR	Mitchell School District	Total Mill Rate*	Non-Ag Factor	Total Revenue Increment	Cumulative Amt Paid
2023	2024	2025	6	$ 1,933,920.00	$ 1,933,920.00	0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 31,430.07	$ 31,430.07
2024	2025	2026	4	$ 1,289,280.00	$ 3,223,200.00	0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 52,383.45	$ 83,813.51
2025	2026	2027	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 52,383.45	$ 136,196.96
2026	2027	2028	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 52,383.45	$ 188,580.41
2027	2028	2029	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 52,383.45	$ 240,963.85
2028	2029	2030	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 52,383.45	$ 293,347.30
2029	2030	2031	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 52,383.45	$ 345,730.75
2030	2031	2032	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 52,383.45	$ 398,114.19
2031	2032	2033	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 52,383.45	$ 450,497.64
2032	2033	2034	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 52,383.45	$ 502,881.09
2033	2034	2035	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 52,383.45	$ 555,264.53
2034	2035	2036	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 52,383.45	$ 607,647.98
2035	2036	2037	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 52,383.45	$ 660,031.42
2036	2037	2038	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 52,383.45	$ 712,414.87
2037	2038	2039	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 52,383.45	$ 764,798.32
2038	2039	2040	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 52,383.45	$ 817,181.76
2039	2040	2041	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 52,383.45	$ 869,565.21
2040	2041	2042	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 52,383.45	$ 921,948.66
2041	2042	2043	-			0.003778	0.005068	0.000061	0.007345	0.016252	0.948	$ 52,383.45	$ 974,332.10
2042	2043	-	-										
2043	-	-	-										

Owner Occupied		
True & Full Value	$ 340,000.00	$ 244,969.65
Tax Assessed Value	$ 322,320.00	$ 974,332.10
		$ 1,219,301.75

Assumptions:

* Assumes Mill Levies remain constant for the duration of the TIF

Notes:

These numbers are for projection purposes only and do not reflect what the actual number(s) may be.

The projection numbers are based on assumptions provided by the developer.

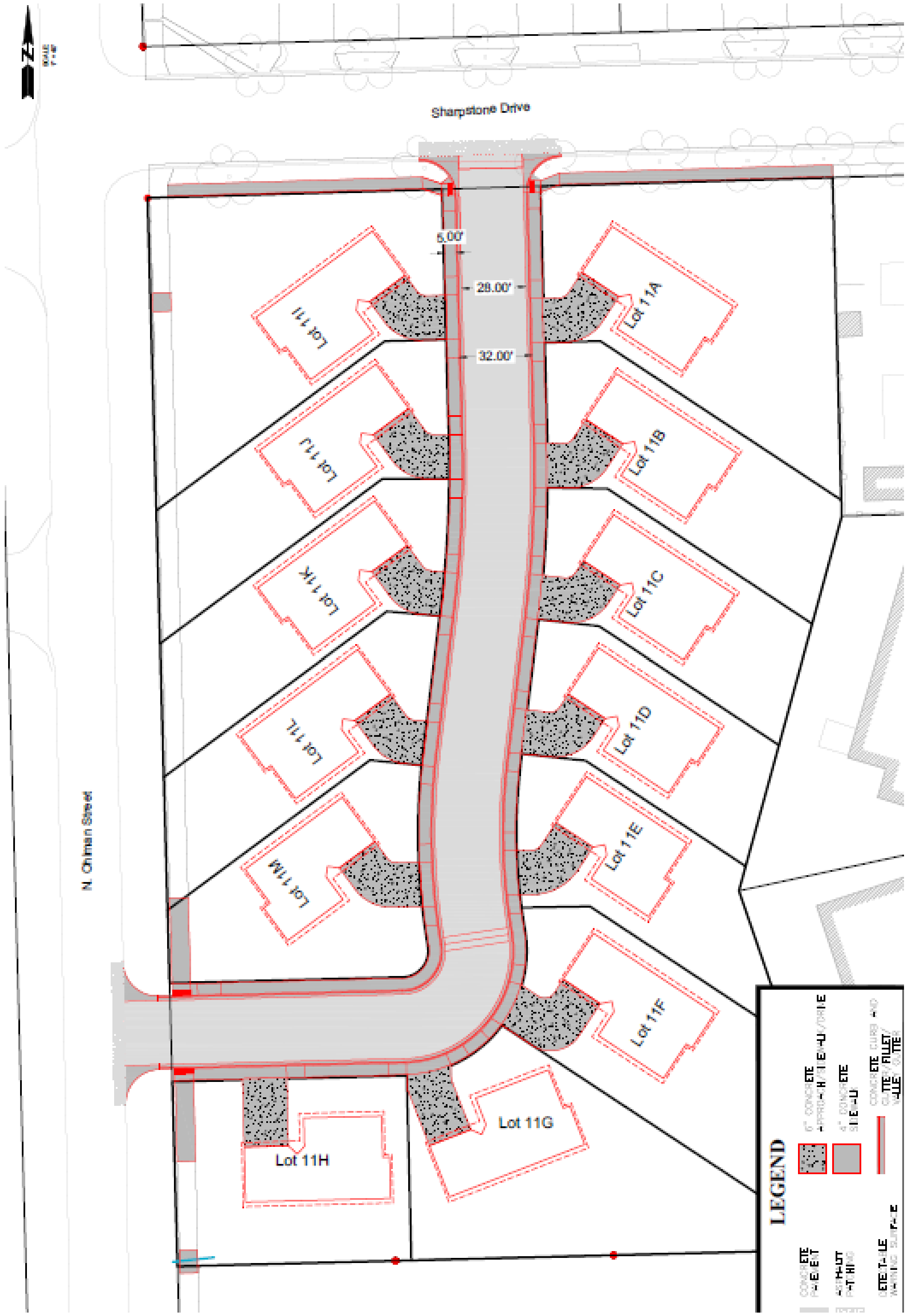
ATTACHMENT 1

LEGAL DESCRIPTION OF REAL PROPERTY

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 depicted on the Master Plan for the development.

ATTACHMENT 2

MAP OF REAL PROPERTY/IMPROVEMENTS



ATTACHMENT 3

LIST OF PROPOSED CHANGES IN ZONING ORDINANCES

No changes, as the area is zoned as Sharpestone Planned Development District.