



Planning Commission Agenda
City Council Chambers, City Hall, 612 N. Main Street
March 11, 2024

- 1. 12:00 PM Call to Order**
- 2. Roll Call**
- 3. Declaration Of Conflicts Of Interests**
- 4. Approve Agenda**
- 5. Approval of Previous Minutes: February 26, 2024**
- 6. Schedule Next Meeting: March 25, 2024**
- 7. Plat: Tract 1 of Tupper's Addition, in the NE 1/4 of the NE 1/4 of Section 8, T 102 N, R 60 W of the 5th P.M., Davison County, South Dakota; as requested by Focus Land & Cattle LLC**
- 8. Conditional Use Permit: Tara Volesky**

Tara Volesky has applied for a Conditional Use Permit for multi-family dwelling; located at 2221 E Havens Ave, legally described as Lot 2 in the NE ¼ & Lot 3B in the NW ¼ of the NE ¼ Ex H-1 & W 7 Rods of Lot 1 in the NE ¼ & W 7 Rods of the NE ¼ of NE Ex H1 of Section 26, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota. The said real property is zoned UD Urban Development District.
- 9. Conditional Use Permit: Erika Hennessey**

Erika Hennessey has applied for a conditional use permit to operate an Educational Institution, 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.
- 10. Plat: Lot 1A in Block 3 of Stardust Subdivision to the City of Mitchell, Davison County, South Dakota; as requested by Jensen Capital & Development LLC**
- 11. Plat: Portion of North Capital Street, a subdivision of Lot 14, except the West 40 feet, Block 1, Scott's Second Addition to the City of Mitchell, Davison County, South Dakota; as requested by City of Mitchell**
- 12. Plat: Lots A, B, and C of Fawn Creek Addition, a subdivision of previously platted Lot No. 3, in the West 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; and Lots D and E of Fawn Creek Addition, a subdivision of previously platted Lot No. 3 and of Irregular Tract No. 2 within Lot No. 3, in the West 1/2 of the West 1/2 of Section 31, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota; as requested by City of Mitchell**
- 13. Plat: West Plum Avenue; Lots 13-A thru 26-A, Block 2; Lots 1-A thru 7-A, Block 3;**

and Drainage Tract 1-A, Block 4, MLC Addition, a subdivision of Block 3; Lot 4B, Block 4; and Block 5, Morningview Addition to the City of Mitchell, Davison County, South Dakota; as requested by Mueller Lumber Company

- 14. Plat: Lots 1 through 6, Block 1-A; Lots 1 through 10, Block 1-B, Tract DR1-A; Block 2-A; Lots 1 through 9, Block 3-A; Lots 1 and 2, Block 4-A; Lots 1 through 13, Block 5-A; Block 6-A; Nagle Lane; Peace Place; Nursia Drive; and North Calhoun Street, all in Ridge View on Foster Addition in the NW 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 Avera Queen of Peace**

- 15. Other Business:**

- 16. 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.

- 17. 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
City Council Chambers, City Hall, 612 N. Main Street
February 26, 2024

1. Call to Order

Chairperson Larson called the February 26, 2024 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, Havlik, Jirsa (telephoncially), Larson, Osterloo, Sonne.

Absent: Schmitz

Staff Present: Dammann, Mayor Everson, T Johnson, Schroeder.

3. Declaration Of Conflicts Of Interests

None.

4. Approve Agenda

Motion by Genzlinger, seconded by Osterloo to approve the proposed agenda. Roll call vote: Genzlinger – aye, Havlik – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Schmitz – absent, Sonne – aye. 6 aye, 0 nay, 1 absent; motion carried.

5. Approval of Previous Minutes: February 12, 2024

Motion by Sonne, seconded by Havlik to approve the proposed minutes of the February 12, 2024 Planning Commission meeting. Roll call vote: Genzlinger – aye, Havlik – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Schmitz – absent, Sonne – aye. 6 aye, 0 nay, 1 absent; motion carried.

6. Schedule Next Meeting: March 11, 2024

Motion by Osterloo, seconded by Genzlinger to set the date for the next Planning Commission meeting for March 11, 2024. Roll call vote: Genzlinger – aye, Havlik – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Schmitz – absent, Sonne – aye. 6 aye, 0 nay, 1 absent; motion carried.

7. Conditional Use Permit: Ron Peterson

Ron Peterson has applied for a Conditional Use Permit for multi-family dwelling; located in the 1100 block of S Lawler St, legally described as Lots 6, 7, and 8, Block 18, Weavers Squares Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned HB Highway Oriented Business District.

Schoeder noted that a notice was sent out to the neighbors, it was published in the official newspaper and sign posted. There were 2 letters received in favor. The applicant was present to answer questions.

Peterson believes this will improve the area from the existing vacant lot.

T Johnson noted sidewalks will be required.

Motion by Genzlinger, seconded by Osterloo to recommend approval of the conditional use.

Roll call vote: Genzlinger – aye, Havlik – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Schmitz – absent, Sonne – aye. 6 aye, 0 nay, 1 absent; motion carried.

8. Plan Approval: Ron Peterson, 1100 Block of South Kimball, zoned Highway Oriented Business

Schoeder noted the applicant presented a plan for a 4-plex with driveways facing east. There will be four single Stahl garages. This area was part of the East Central Phase 2 project which has utility services in the area. The applicant is following setbacks and is moving the old SPN building from 7th and Lawler to this location. The applicant was present to answer questions.

Motion by Genzlinger, seconded by Osterloo to approve the plan, contingent on BOA approval of the CUP. Roll call vote: Genzlinger – aye, Havlik – aye, Jirsa – aye, Larson – aye, Osterloo – aye, Schmitz – absent, Sonne – aye. 6 aye, 0 nay, 1 absent; motion carried.

9. Other Business:

None.

10. Public Input:

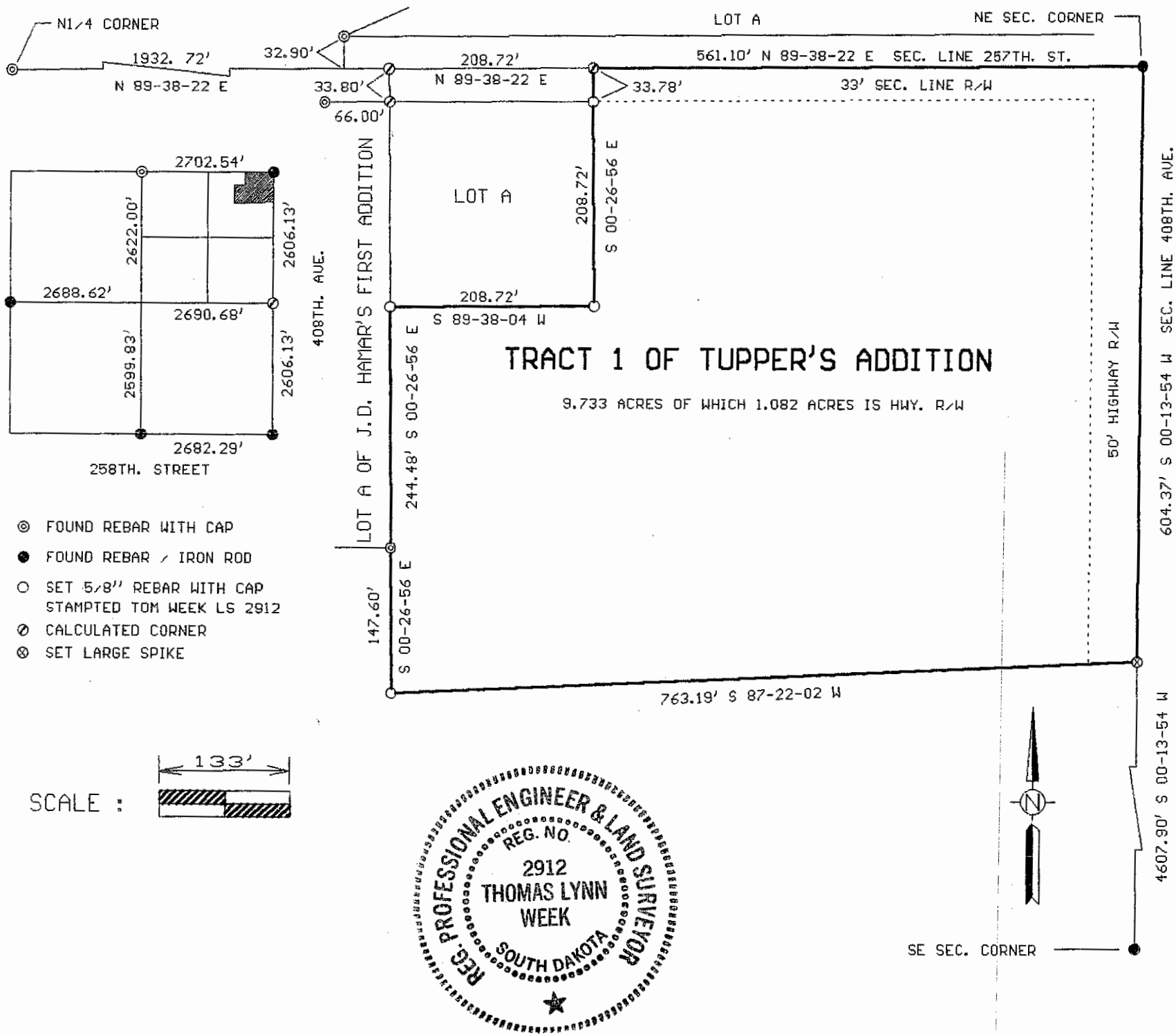
None.

11. Adjourn

Chairperson Larson adjourned the meeting at 12:08 P.M.

Jay A. Larson
Planning Commission Chairperson

PLAT OF TRACT 1 OF TUPPER'S ADDITION, IN THE NE1/4 OF THE NE1/4 OF SECTION 8, T102N, 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 1 OF TUPPER'S ADDITION, IN THE NE1/4 OF THE NE1/4 OF SECTION 8, T102N, R60W OF THE 5TH. P.M., DAVISON COUNTY, SOUTH DAKOTA. I HAVE SET IRON PINS AS SHOWN AND SURVEY AND PLAT ARE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATED THIS 30TH. DAY OF DECEMBER, 2023.

Thomas Lynn Week
THOMAS LYNN WEEK
REGISTERED LAND SURVEYOR
REG. NO. 2912

CERTIFICATE OF STREET AUTHORITY

THERE IS AN EXISTING ACCESS TO TRACT 1 FROM 257TH. STREET, AND AN EXISTING ACCESS FROM 408TH. AVE.

DATED THIS _____ DAY OF _____, _____.

COUNTY HIGHWAY REPRESENTATIVE

DATED THIS _____ DAY OF _____, _____.

TOWNSHIP 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.

PLAT OF TRACT 1 OF TUPPER'S ADDITION, IN THE NE1/4 OF THE NE1/4 OF SECTION 8, T102N, R60W OF THE 5TH. P.M., DAVISON COUNTY, SOUTH DAKOTA.

OWNER'S CERTIFICATE AND AGREEMENT OF PROTECTION OF WATER

I, RYAN W. TUPPER, AS MEMBER MANAGER OF FOCUS LAND AND CATTLE LLC, A SOUTH DAKOTA LLC, DO HEREBY CERTIFY THAT FOCUS LAND AND CATTLE LLC, IS THE ABSOLUTE AND UNQUALIFIED OWNER OF TRACT 1 OF TUPPER'S ADDITION, IN THE NE1/4 OF THE NE1/4 OF SECTION 8, T102N, R60W OF THE 5TH. P.M., DAVISON COUNTY, SOUTH DAKOTA. THAT THE ABOVE SURVEY AND PLAT WERE MADE AT MY REQUEST AND UNDER MY 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 1, 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 _____, _____.

RYAN W. TUPPER, MEMBER MANAGER

STATE OF _____
COUNTY OF _____

ON THIS _____ DAY OF _____, _____, BEFORE ME THE UNDERSIGNED OFFICER, PERSONALLY APPEARED RYAN W. TUPPER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND WHO ACKNOWLEDGED TO ME THAT HE AS MEMBER MANAGER OF FOCUS LAND AND CATTLE LLC, 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 1 OF TUPPER'S ADDITION, IN THE NE1/4 OF THE NE1/4 OF SECTION 8, T102N, 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 OWNER THEREOF HAS CAUSED A PLAT TO BE MADE OF THE FOLLOWING REAL PROPERTY: TRACT 1 OF TUPPER'S ADDITION, IN THE NE1/4 OF THE NE1/4 OF SECTION 8, T102N, R60W OF THE 5TH. P.M., DAVISON COUNTY, SOUTH DAKOTA AND HAS 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 1 OF TUPPER'S ADDITION, IN THE NE1/4 OF THE NE1/4 OF SECTION 8, T102N, R60W OF THE 5TH. P.M., DAVISON COUNTY, SOUTH DAKOTA.

RESOLUTION OF CITY PLANNING COMMISSION

WHEREAS, THE PLAT OF TRACT 1 OF TUPPER'S ADDITION, IN THE NE1/4 OF THE NE1/4 OF SECTION 8, T102N, 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 1 OF TUPPER'S ADDITION, IN THE NE1/4 OF THE NE1/4 OF SECTION 8, T102N, 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 1 OF TUPPER'S ADDITION, IN THE NE1/4 OF THE NE1/4 OF SECTION 8, T102N, 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 1 OF TUPPER'S ADDITION, IN THE NE1/4 OF THE NE1/4 OF SECTION 8, T102N, 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: _____

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 _____, _____.

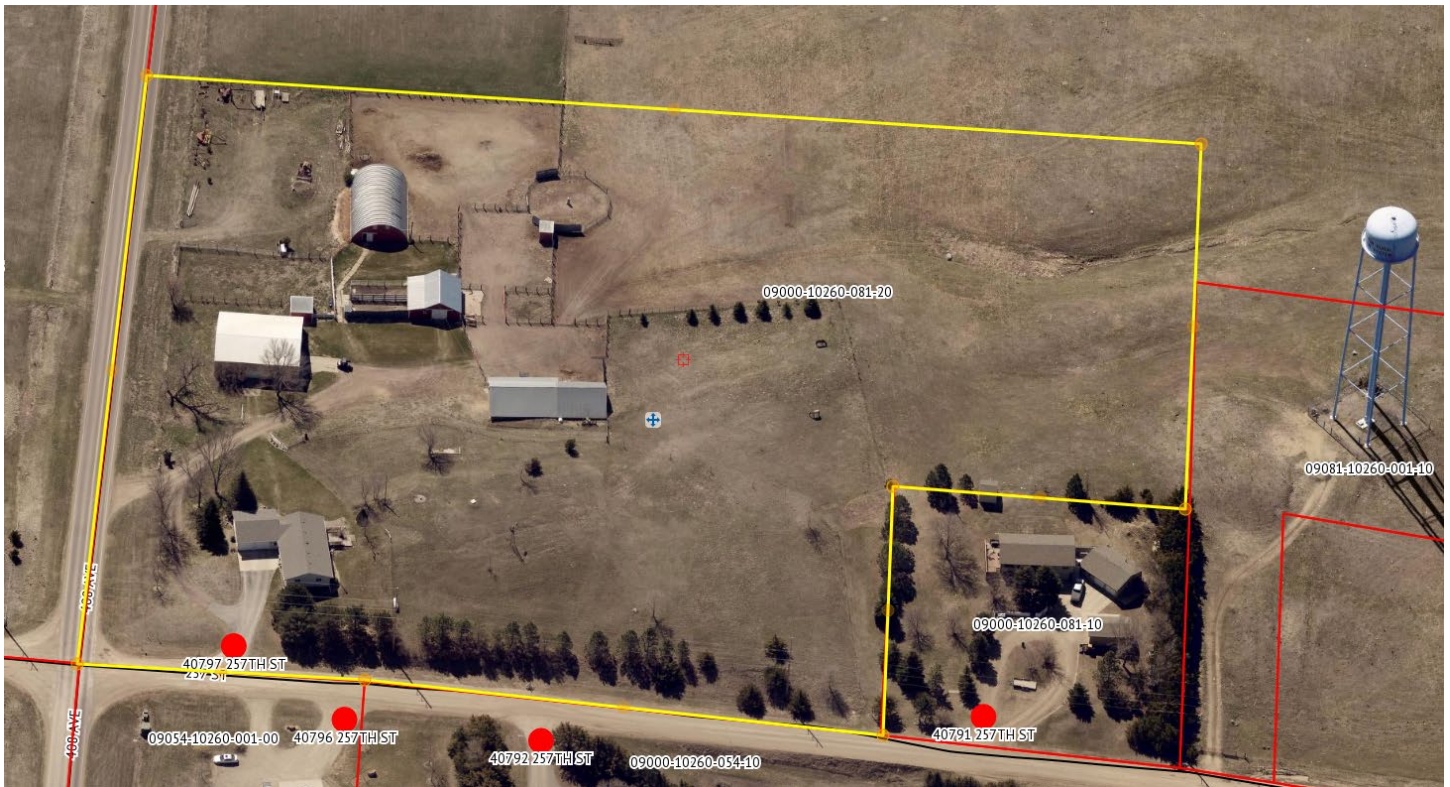
TREASURER/DEPUTY TREASURER DAVISON COUNTY, S.D.

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





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

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

The names and addresses of the current property owners within one hundred and forty feet (140') of the applicant's property (excluding streets and alleys) will be notified upon the filing of this application, plats being the exception.

Applicant(s) request that dates be set for public hearings before the Mitchell Planning Commission and City Council or City Board of Adjustment. Furthermore, the applicant(s) request the City of Mitchell to publish the appropriate notice(s) in accordance with the City of Mitchell's Ordinances.

☐ **Rezoning** \$250 application fee due with the application.

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

☐ **Variance** \$150 application fee due with application.

- Description of Variance: _____

- Description of Hardship: _____

☒ **Conditional Use Permit** \$150 application fee due with application

- Description of Conditional Use: Multi-family dwelling

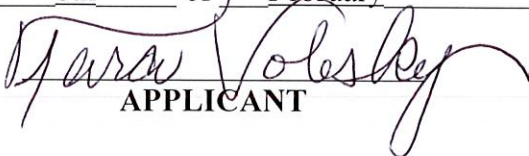
☐ **Plat Application** \$100 application fee due with application

This Application is for the following described real property:

Legal Description: Lot 2 in the NE ¼ & Lot 3B in the NW ¼ of the NE ¼ Ex H-1 & W 7 Rods of Lot 1 in the NE ¼ & W 7 Rods of the NE ¼ of NE Ex H1 of Section 26, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota.

Property Address: 2221 E Havens

Dated this 8th of February, 2024


APPLICANT

Volesky Properties LLC
OWNER



NOTICE OF HEARING

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

YOU ARE HEREBY NOTIFIED that Tara Volesky has applied for a Conditional Use Permit for multi-family dwelling; located at 2221 E Havens Ave, legally described as Lot 2 in the NE ¼ & Lot 3B in the NW ¼ of the NE ¼ Ex H-1 & W 7 Rods of Lot 1 in the NE ¼ & W 7 Rods of the NE ¼ of NE Ex H1 of Section 26, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota. The said real property is zoned UD Urban Development District.

YOU ARE FURTHER NOTIFIED, that public hearings will be held by the City Planning Commission on Monday, March 11, 2024 at 12:00 P.M. (Noon) and the Board of Adjustment on Monday, March 18, 2024 at 6:00 P.M., at the Council Chambers, Mitchell City Hall, 612 N Main St. All interested parties may attend the public hearings and provide comments in regards to the applicant's request.

Dated this 22nd day of February, 2024.

Michelle Bathke

FINANCE OFFICER

Publish once: 28th day of February, 2024

Approximate Cost:

Volesky Properties LLC
404 Homer Ct
Mitchell, SD 57301

Long Brothers LLC
1100 S Burr St
Mitchell, SD 57301

GL Wild Oak LLC
2500 E 1st Ave
Mitchell, SD 57301

Carl Olson
2121 E Havens Ave
Mitchell, SD 57301

Miedema Sanitation Inc
PO Box 1165
Mitchell, SD 57301

Ringneck & Western Railroad LLC
315 W 3rd St
Pittsburg, KS 66762

City of Mitchell
612 N Main St
Mitchell, SD 57301

February 28, 2024

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED that Tara Volesky has applied for a Conditional Use Permit for multi-family dwelling; located at 2221 E Havens Ave, legally described as Lot 2 in the NE ¼ & Lot 3B in the NW ¼ of the NE ¼ Ex H-1 & W 7 Rods of Lot 1 in the NE ¼ & W 7 Rods of the NE ¼ of NE Ex H1 of Section 26, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota. The said real property is zoned UD Urban Development District.

YOU ARE FURTHER NOTIFIED that the City Planning Commission will be conducting a hearing on this application on Monday, March 11, 2024, 12:00 P.M. (Noon) and the Board of Adjustment on Monday, March 18, 2024 at 6:00 P.M, all meetings will be in the Council Chambers, City Hall, 612 N. Main St, Mitchell, SD.

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

I/We

John & Pam Medema
OWNER

2525 E. Havens Mitchell, SD 57301

ADDRESS

☒ APPROVE

☐ DISAPPROVE

COMMENTS:



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

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

The names and addresses of the current property owners within one hundred and forty feet (140') of the applicant's property (excluding streets and alleys) will be notified upon the filing of this application, plats being the exception.

Applicant(s) request that dates be set for public hearings before the Mitchell Planning Commission and City Council or City Board of Adjustment. Furthermore, the applicant(s) request the City of Mitchell to publish the appropriate notice(s) in accordance with the City of Mitchell's Ordinances.

☐ **Rezoning** \$250 application fee due with the application.

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

☐ **Variance** \$150 application fee due with application.

- Description of Variance: _____

- Description of Hardship: _____

☒ **Conditional Use Permit** \$150 application fee due with application

- Description of Conditional Use: Educational institution

☐ **Plat Application** \$100 application fee due with application

This Application is for the following described real property:

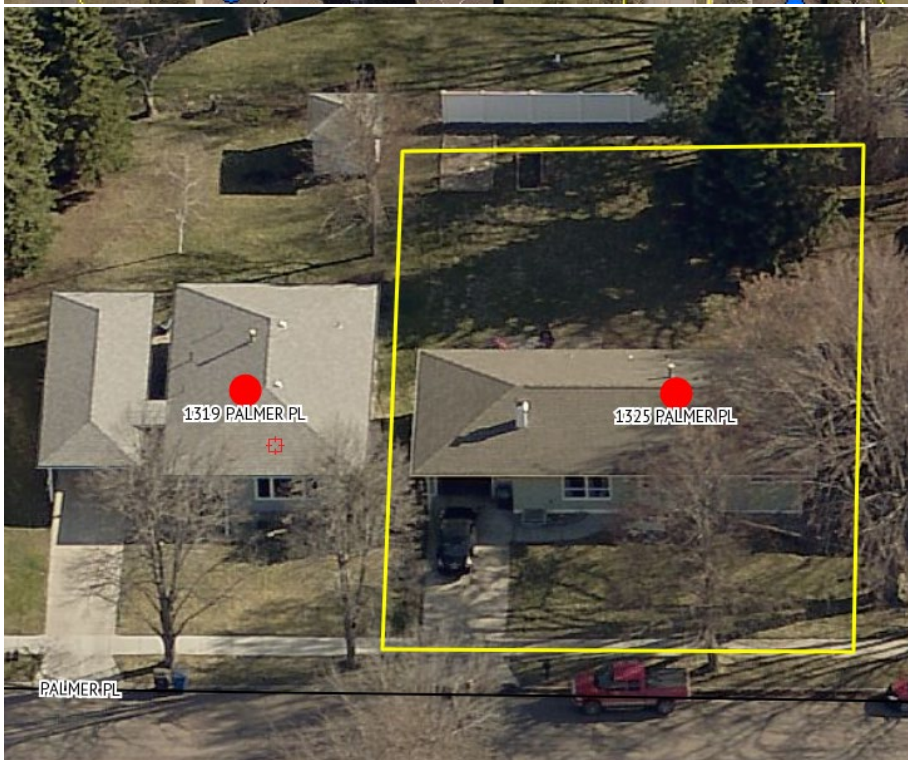
Legal Description: Lot 5 and West 3' of Lot 4, Block 8, Gardenview Addition, City of Mitchell, Davison County, South Dakota

Property Address: 1325 Palmer Place

Dated this 15th of February, 2024

Ericka Hennessey
APPLICANT

Dale Gullings & Ericka Hennessey
OWNER



NOTICE OF HEARING

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

YOU ARE HEREBY NOTIFIED that Erika Hennessey has applied for a conditional use permit to operate an Educational Institution, 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.

YOU ARE FURTHER NOTIFIED, that public hearings will be held by the City Planning Commission on Monday, March 11, 2024 12:00 P.M. (Noon) and the Board of Adjustment on Monday, March 18, 2024 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 22nd day of February, 2024.

Michelle Bathke

FINANCE OFFICER

Publish once: 28th day of February, 2024

Approximate Cost:

Erika Hennessey
Dale Gullings
1325 Palmer Place
Mitchell, SD 57301

Keven & Tina Carlson
1331 Palmer Place
Mitchell, SD 57301

Stephen & Stephanie Gullings
1121 N Wisconsin St
Mitchell, SD 57301

Brian & Roxy Zimmer
1313 Palmer Place
Mitchell, SD 57301

Jeremy & Crystal Nettinga
1307 Palmer Place
Mitchell, SD 57301

Holy Spirit Church
1401 W Cedar St
Mitchell, SD 57301

Joel & Kristie Salmonson
1312 W Cedar Ave
Mitchell, SD 57301

Kenneth & Melody Hoffman
1318 W Cedar Ave
Mitchell, SD 57301

Harris Properties LLC
2312 Dean Dr
Mitchell, SD 57301

Travis & JoElle Dammann
1400 W Cedar Ave
Mitchell, SD 57301

Thomas Schaffner
513 S Dobson St
Mitchell, SD 57301

Michael & Michelle Ommen
507 S Dobson St
Mitchell, SD 57301

Highmark Holdings LLC
109 N Harmon Dr
Mitchell, SD 57301

Todd & Troy Korthour
425 S Dobson St
Mitchell, SD 57301

Brad & Camille Martin
419 S Dobson St
Mitchell, SD 57301

Milo & Karen Bishop
1330 Palmier Place
Mitchell, SD 57301

Stanley & Joy Wollman
1324 Palmer Place
Mitchell, SD 57301

Krista Huber
1318 Palmer Place
Mitchell, SD 57301

Emily Liedtke
1312 Palmer Place
Mitchell, SD 57301

Denise Hohn
1313 W Birch Ave
Mitchell, SD 57301

Letha Rowley
1319 W Birch Ave
Mitchell, SD 57301

Glenn & Diann Murtha
1325 W Birch Ave
Mitchell, SD 57301

Joshua Schmitz
Sarah Zaiser
1331 W Birch Ave
Mitchell, SD 57301

February 28, 2024

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED that Erika Hennessey has applied for a conditional use permit to operate an Educational Institution, located at 1325 Palmer Place, legally described as Lot 5 and West 3' of Lot 4, Block 8, Gardenvue Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R2 Single Family Residential District.

YOU ARE FURTHER NOTIFIED that the City Planning Commission will be conducting a hearing on this application on Monday, March 11, 2024, 12:00 P.M. (Noon) and the Board of Adjustment on Monday, March 18, 2024 at 6:00 P.M, all meetings will be in the Council Chambers, City Hall, 612 N. Main St, Mitchell, SD. All interested parties may attend the hearings.

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

I/We Joelle & Travis Dammann
OWNER

1400 W Cedar Ave, Mitchell, SD 57301
ADDRESS

X APPROVE

_____ DISAPPROVE

COMMENTS:

February 28, 2024

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED that Erika Hennessey has applied for a conditional use permit to operate an Educational Institution, 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.

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

I/We Bryd / Cami Martin
OWNER

419 South Dixon Mitchell
ADDRESS

X APPROVE

 DISAPPROVE

COMMENTS:

February 28, 2024

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED that Erika Hennessey has applied for a conditional use permit to operate an Educational Institution, 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.

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I/We FR CESAR VALENIA
OWNER

1401 W CEDAR AVE, MITCHELL SD 57301
ADDRESS

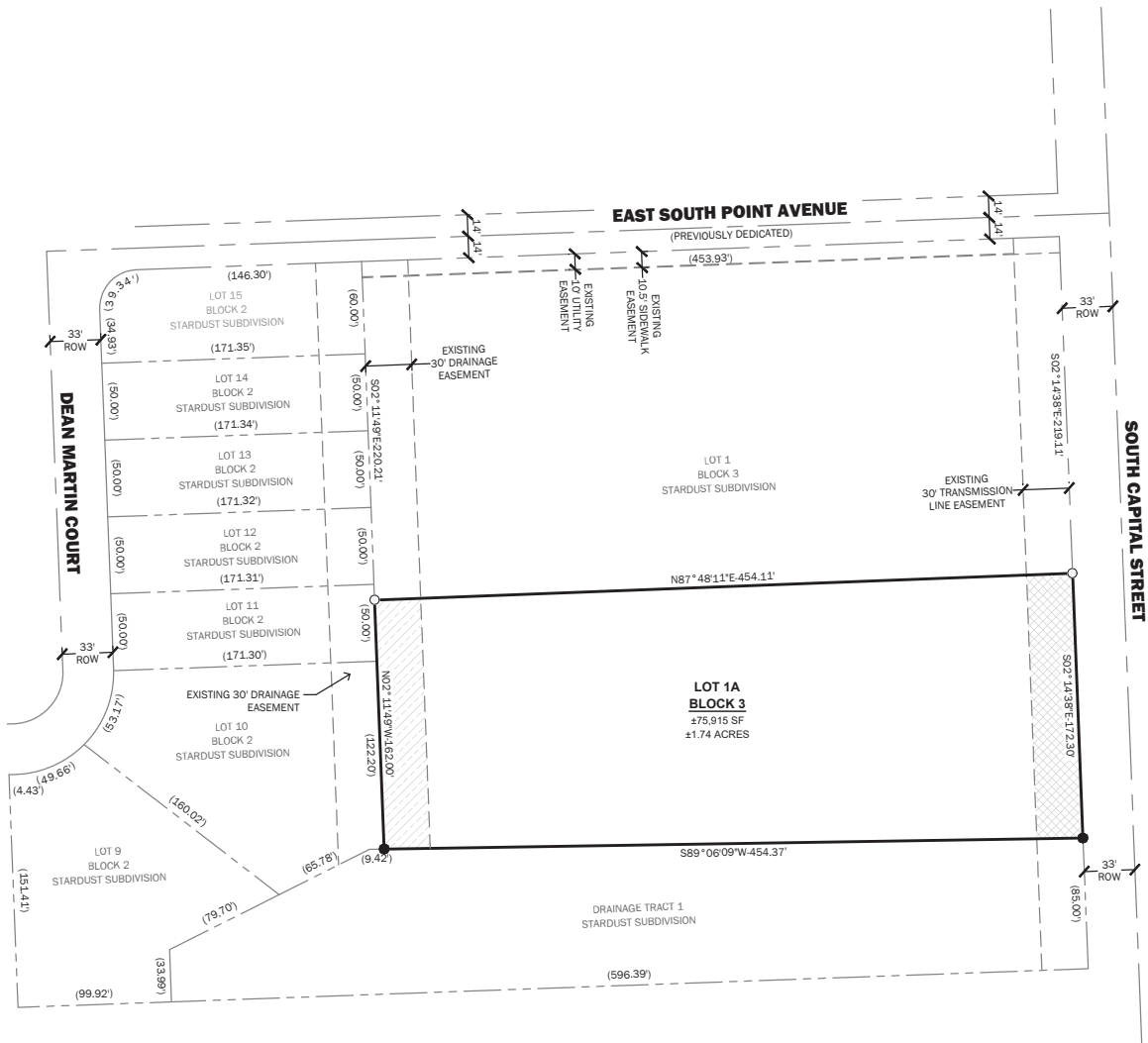
X APPROVE

 DISAPPROVE

COMMENTS:

PLAT OF LOT 1A IN BLOCK 3 OF STARDUST SUBDIVISION

TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.
CONTAINING ±75,915 SF (±1.74 ACRES)



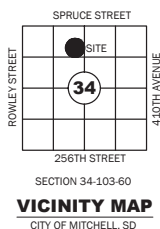
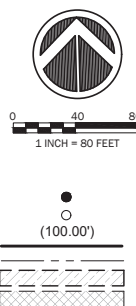
GENERAL NOTE:

BASIS OF BEARINGS FOR THIS PLAT
IS UTM ZONE 14 NORTH.

THIS PLAT WAS PREPARED WITHOUT
THE BENEFIT OF A TITLE
COMMITMENT.

LEGEND:

FOUND 5/8" REBAR
SET 5/8" x 18" CAPPED REBAR
PREVIOUSLY PLATTED DIMENSION
PLATTED PROPERTY LINE
EXISTING PROPERTY LINE
EXISTING DRAINAGE EASEMENT
EXISTING TRANSMISSION LINE EASEMENT



NORMAN
ENGINEERING + SURVEYING
6221 EAST SILVER MAPLE CIRCLE
SIOUX FALLS, SD 57110
aaron@normanengineeringinc.com

PLAT OF LOT 1A IN BLOCK 3 OF
STARDUST SUBDIVISION
TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.
CONTAINING ±75,915 SF (±1.74 ACRES)

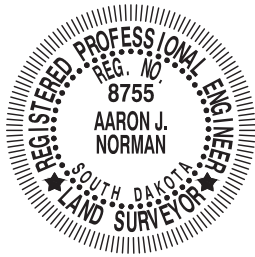
SURVEYOR'S CERTIFICATE

I, AARON J. NORMAN, A REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF SOUTH DAKOTA DO HEREBY CERTIFY THAT ON OR BEFORE JULY 6TH, 2023 I HAVE SURVEYED A PORTION OF LOT 1 IN BLOCK 3 OF STARDUST SUBDIVISION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA AND RE-PLATTED THE SAME INTO LOT 1A IN BLOCK 3 OF STARDUST SUBDIVISION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA WITH ACRES AND DIMENSIONS AS SHOWN ON THE ABOVE PLAT.

THE SAME SHALL HEREAFTER BE KNOWN AND DESCRIBED AS PLAT OF LOT 1A IN BLOCK 3 OF STARDUST SUBDIVISION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.

I FURTHER CERTIFY THAT THE ABOVE PLAT CORRECTLY REPRESENTS THE SAME TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THIS SURVEY WAS PERFORMED AT THE REQUEST AND UNDER THE DIRECTION OF THE OWNERS FOR THE PURPOSE OF TRANSFER.

DATED THIS ____ DAY OF ____, 2023.



AARON J. NORMAN, PE/LS SD REG. NO. 8755

OWNER'S CERTIFICATE AND AGREEMENT OF PROTECTION OF WATER

KNOW ALL MEN BY THESE PRESENTS THAT I, THE UNDERSIGNED, HEREBY CERTIFY THAT JENSEN CAPITAL & DEVELOPMENT, LLC, A SOUTH DAKOTA LIMITED LIABILITY COMPANY, IS THE ABSOLUTE AND UNQUALIFIED OWNER OF ALL OF THE LAND INCLUDED IN THE WITHIN AND FOREGOING PLAT; THE PLAT IS OF A PARCEL OF GROUND LOCATED IN A PORTION OF PREVIOUSLY PLATTED LOT 1 IN BLOCK 3 OF STARDUST SUBDIVISION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA; THAT THE PLAT HAS BEEN MADE AT THE REQUEST OF JENSEN CAPITAL & DEVELOPMENT, LLC, A SOUTH DAKOTA LIMITED LIABILITY COMPANY, AND UNDER ITS DIRECTION FOR THE PURPOSES INDICATED THEREIN; WHICH SAID PROPERTY AS SO SURVEYED AND PLATTED SHALL HEREAFTER BE KNOWN AS LOT 1A IN BLOCK 3 OF STARDUST SUBDIVISION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, AS SHOWN BY THIS PLAT; AND JENSEN CAPITAL & DEVELOPMENT, LLC, A SOUTH DAKOTA LIMITED LIABILITY COMPANY, HEREBY DEDICATES TO THE PUBLIC, FOR PUBLIC USE FOREVER AS SUCH, THE STREETS, ALLEYS AND EASEMENTS, IF ANY, AS SHOWN OR NOTED ON SAID PLAT; AND THAT DEVELOPMENT OF THE LAND INCLUDED WITHIN THE BOUNDARIES OF LOT 1A IN BLOCK 3 OF STARDUST SUBDIVISION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA SHALL CONFORM TO ALL APPLICABLE ZONING, SUBDIVISION, EROSION, SEDIMENT CONTROL AND DRAINAGE REGULATIONS AND ORDINANCES.

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

WE FURTHER CERTIFY THAT THIS PLATTING OF SAID DESCRIBED LOT 1A IN BLOCK 3 OF STARDUST SUBDIVISION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA DOES HEREBY VACATE THE FOLLOWING PLATTING:

A PORTION OF LOT 1 IN BLOCK 3 OF STARDUST SUBDIVISION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA ON FILE AT THE REGISTER OF DEEDS OFFICE IN BOOK ____ OF PLATS ON PAGE ____.

DATED THIS ____ DAY OF ____, 2023.

JEREMY JENSEN,
MEMBER OF JENSEN CAPITAL & DEVELOPMENT, LLC,
A SOUTH DAKOTA LIMITED LIABILITY COMPANY

STATE OF SOUTH DAKOTA)
_____)SS
COUNTY OF DAVISON)

ON THIS ____ DAY OF ____, 2023, BEFORE ME, THE UNDERSIGNED PERSONALLY APPEARED JEREMY JENSEN, WHO ACKNOWLEDGED HIMSELF TO BE A MEMBER OF JENSEN CAPITAL & DEVELOPMENT, LLC, A SOUTH DAKOTA LIMITED LIABILITY COMPANY, AND THAT HE, AS SUCH MEMBER BEING AUTHORIZED SO TO DO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED, BY SIGNING THE NAME OF THE COMPANY BY HIMSELF AS A MEMBER.

IN WITNESS WHEREOF, I HAVE SET MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC DAVISON COUNTY, SOUTH DAKOTA
MY COMMISSION EXPIRES:

RESOLUTION OF CITY PLANNING COMMISSION

WHEREAS, THE PLAT OF LOT 1A IN BLOCK 3 OF STARDUST SUBDIVISION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, PREPARED BY AARON J. NORMAN, DULY LICENSED LAND SURVEYOR IN AND FOR THE STATE OF SOUTH DAKOTA, HERETOFORE FILED IN THE OFFICE OF THE CITY FINANCE OFFICER OF MITCHELL, SOUTH DAKOTA, HAS BEEN SUBMITTED TO THE CITY PLANNING COMMISSION OF THE SAID CITY OF MITCHELL, SOUTH DAKOTA; AND

WHEREAS, THE CITY PLANNING COMMISSION, IN REGULAR MEETING ASSEMBLED, HAD DULY CONSIDERED SAID PLAT AND FINDS AS A FACT THAT SAID PLAT IS IN CONFORMITY AND DOES NOT CONFLICT WITH THE MASTER PLAN FOR THE CITY OF MITCHELL, SOUTH DAKOTA, HERETOFORE ADOPTED BY THIS COMMISSION;

NOW THEREFORE, BE IT RESOLVED BY THE CITY PLANNING COMMISSION OF MITCHELL, SOUTH DAKOTA, THAT THE PLAT OF LOT 1A IN BLOCK 3 OF STARDUST SUBDIVISION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, PREPARED BY AARON J. NORMAN, 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
CITY OF MITCHELL, SOUTH DAKOTA
PLANNING COMMISSION

RESOLUTION OF CITY COUNCIL

WHEREAS, IT APPEARS THAT THE CITY PLANNING COMMISSION OF THE CITY OF MITCHELL, SOUTH DAKOTA, DID DULY CONSIDER AND DID RECOMMEND THE APPROVAL AND ADOPTION OF THE HERINAFTER DESCRIBED PLAT, AT ITS MEETING HELD ON THE ____ DAY OF ____, 2023; AND

WHEREAS, IT APPEARS FROM AN EXAMINATION OF THE PLAT OF LOT 1A IN BLOCK 3 OF STARDUST SUBDIVISION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, AS PREPARED BY AARON J. NORMAN, A DULY LICENSED LAND SURVEYOR IN AND FOR THE STATE OF SOUTH DAKOTA, THAT SAID PLAT IS IN ACCORDANCE WITH THE SYSTEM OF STREETS AND ALLEYS SET FORTH IN THE MASTER PLAN ADOPTED BY THE CITY PLANNING COMMISSION OF THE CITY OF MITCHELL, SOUTH DAKOTA, AND THAT SUCH PLAT HAS BEEN PREPARED ACCORDING TO LAW;

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MITCHELL, SOUTH DAKOTA, THAT THE PLAT OF LOT 1A IN BLOCK 3 OF STARDUST SUBDIVISION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, AS PREPARED BY AARON J. NORMAN, 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

FINANCE OFFICER/DEPUTY FINANCE OFFICER
CITY OF MITCHELL, SOUTH DAKOTA

TREASURER'S CERTIFICATE

I, TREASURER OF DAVISON COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON ANY LAND INCLUDED IN THE ABOVE (AND FOREGOING) PLATS, AS SHOWN BY THE RECORDS OF MY OFFICE, HAVE BEEN FULLY PAID.

DATED THIS ____ DAY OF ____, 2023.

TREASURER
DAVISON COUNTY, SOUTH DAKOTA

DIRECTOR OF EQUALIZATION

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

DATED THIS ____ DAY OF ____, 2023.

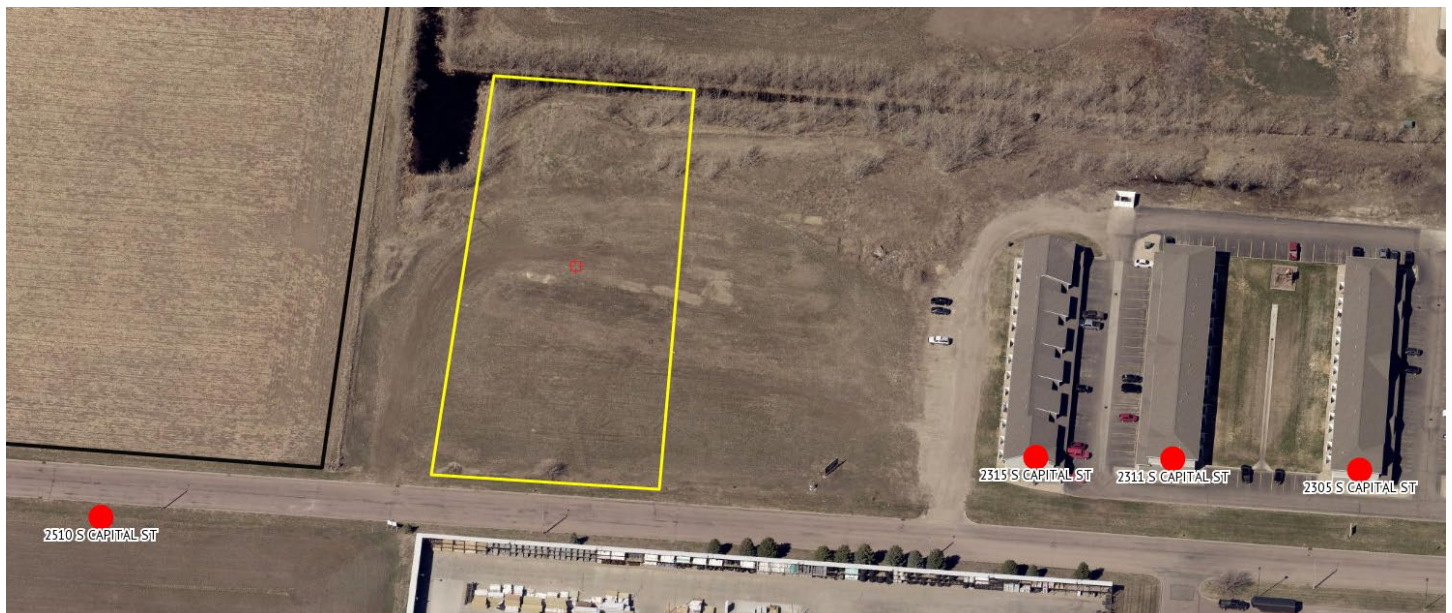
DIRECTOR OF EQUALIZATION
DAVISON COUNTY, SOUTH DAKOTA

REGISTER OF DEEDS

FILED FOR RECORD THIS ____ DAY OF ____, 2023, AT ____ M.

AND RECORDED IN BOOK ____ OF PLATS ON PAGE ____.

REGISTER OF DEEDS
DAVISON COUNTY, SOUTH DAKOTA





1 Inch = 50 Feet

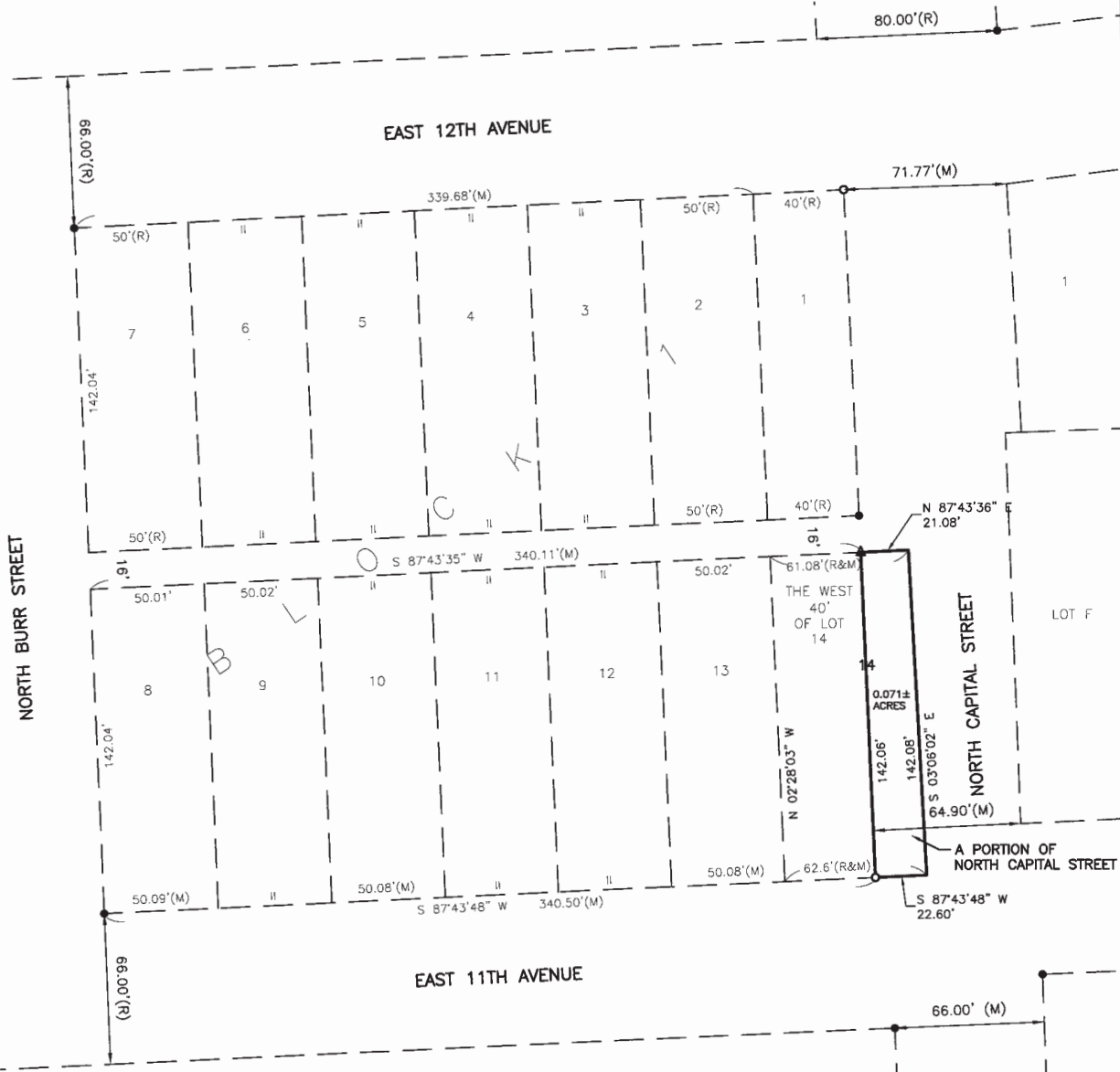
LEGEND

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

PREPARED BY: PAUL C. KIEPKE, 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 18.
GRID BEARINGS AND GRID DISTANCES ARE SHOWN.

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



**A PLAT OF A PORTION OF NORTH CAPITAL STREET, A SUBDIVISION OF LOT 14,
EXCEPT THE WEST 40 FEET, BLOCK 1, SCOTT'S SECOND ADDITION TO THE
CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA
SURVEYOR'S CERTIFICATE**

I, Paul C. Kiepke, the undersigned, do hereby certify that I am a Registered Land Surveyor in and for the State of South Dakota. At the request of the City of Mitchell, South Dakota, a South Dakota municipal corporation, as owner, and under its direction for purposes indicated therein, I did on or prior to February 9, 2024, survey those parcels of land described as follows: A PORTION OF NORTH CAPITAL STREET, A SUBDIVISION OF LOT 14, EXCEPT THE WEST 40 FEET, BLOCK 1, SCOTT'S SECOND ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.

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

Dated this _____ day of _____, 2024.

Registered Land Surveyor #SD8296

SPN

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



A PLAT OF A PORTION OF NORTH CAPITAL STREET, A SUBDIVISION OF LOT 14, EXCEPT THE WEST 40 FEET, BLOCK 1, SCOTT'S SECOND ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

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

KNOW ALL MEN BY THESE PRESENTS that the City of Mitchell, South Dakota, a South Dakota municipal corporation, hereby certifies that it 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 LOT 14, EXCEPT THE WEST 40 FEET, BLOCK 1, SCOTT'S SECOND ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA; that the plat has been made at the request of the City of Mitchell, South Dakota, a South Dakota municipal corporation, and under its direction for the purposes indicated therein; which said property as so surveyed and platted shall hereafter be known as A PORTION OF NORTH CAPITAL STREET, A SUBDIVISION OF LOT 14, EXCEPT THE WEST 40 FEET, BLOCK 1, SCOTT'S SECOND ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, as shown by this plat; and the City of Mitchell, South Dakota, a South Dakota municipal corporation, hereby dedicates to the public, for public use forever as such, the streets and alleys, if any, as shown and marked on said plat; and that development of the land included within the boundaries of said Portion of North Capital Street shall conform to all existing applicable zoning, subdivision, erosion, sediment control and drainage regulations and ordinances; further that there now exists North Capital Street and East 11th Avenue. Pursuant to SDCL 11-3-8.1 and 11-3-8.2 the developer of the property described within this plat shall be responsible for protecting any waters of the state located adjacent to or within such platted area from pollution from sewage from such subdivision and shall, in prosecution of such protections conform to and follow all regulations of the South Dakota Department of 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 _____, 2024.

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

Robert B. Everson, Jr., Mayor

CORPORATION ACKNOWLEDGMENT

STATE OF SOUTH DAKOTA)
)SS
COUNTY OF DAVISON)

On this, the _____ day of _____, 2024, before me, _____, the undersigned officer, personally appeared Robert B. Everson, Jr., of the City of Mitchell, South Dakota, a South Dakota municipal corporation, and that he, as such Mayor, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the municipal corporation by himself as Mayor.

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

Notary Public, South Dakota
My Commission Expires: _____

RESOLUTION OF CITY PLANNING COMMISSION

WHEREAS, the plat of A PORTION OF NORTH CAPITAL STREET, A SUBDIVISION OF LOT 14, EXCEPT THE WEST 40 FEET, BLOCK 1, SCOTT'S SECOND ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul C. Kiepke, 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;

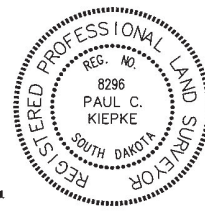
NOW THEREFORE, be it resolved by the City Planning Commission of Mitchell, South Dakota, that the plat of A PORTION OF NORTH CAPITAL STREET, A SUBDIVISION OF LOT 14, EXCEPT THE WEST 40 FEET, BLOCK 1, SCOTT'S SECOND ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul C. Kiepke, 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 _____, 2024.

Chairperson/Vice-Chairperson of the City Planning Commission



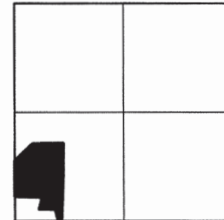
& Associates
Engineers, Planners and Surveyors
2100 North Sanborn Blvd. - P.O. Box 398 Mitchell, South Dakota 57301
Phone: (605) 996-7761 Fax: (605) 996-0015



Page 26 of 46



SEC. 31, T 104 N, R 60 W

LOCATION MAP
SCALE: 1" = 3000'

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

COORDINATE SYSTEM IS SOUTH DAKOTA SOUTH ZONE,
STATE PLANE - NORTH AMERICAN
DATUM 1983 - GEOID 18
GRID BEARINGS AND GROUND DISTANCES ARE SHOWN.

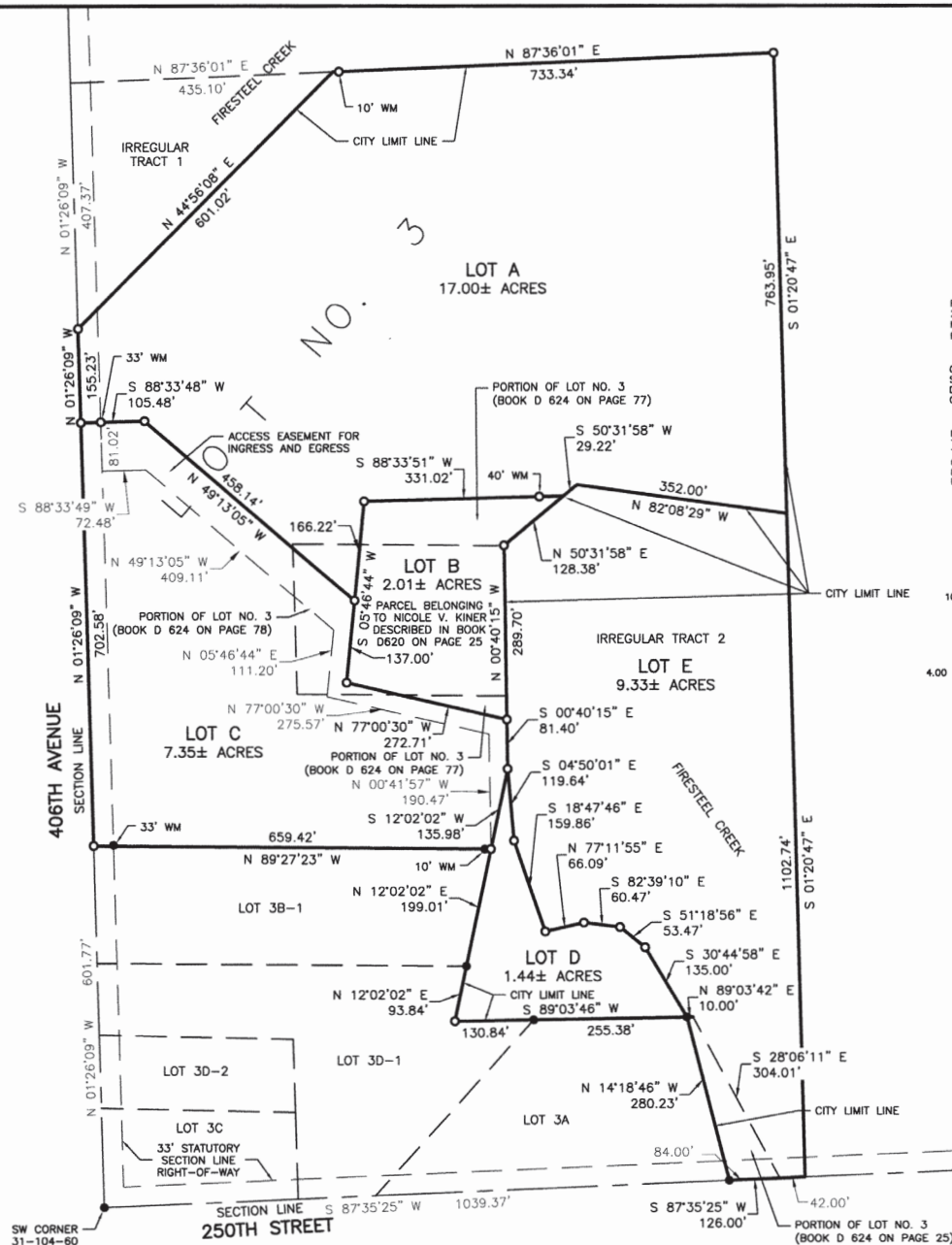
NOTE:
THIS SURVEY WAS PERFORMED WITHOUT
THE BENEFIT OF A TITLE REPORT OR TITLE
COMMITMENT. EASEMENTS OF RECORD WERE
NOT RESEARCHED AND ARE NOT SHOWN
UNLESS OTHERWISE NOTED.

LEGEND

- = FOUND IRON MONUMENT
- = SET 5/8" x 18" REBAR WITH PLASTIC CAP NO. 13714
- 100' (P) = PLATTED BEARING OR DISTANCE
- 100' = MEASURED BEARING OR DISTANCE
- = SET NAIL
- △ = SET SURVEY SPIKE
- 4.00 CH (P) = PLATTED DISTANCE IN CHAINS
- = FOUND NAIL
- ◇ = SET 3/8" x 12" SPIKE W/WASHER JAW-13714
- WM = WITNESS MONUMENT



1 Inch = 200 Feet



A PLAT OF LOTS A, B AND C OF FAWN CREEK ADDITION, A SUBDIVISION OF PREVIOUSLY PLATTED LOT NO. 3, IN THE WEST 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; AND LOTS D AND E OF FAWN CREEK ADDITION, A SUBDIVISION OF PREVIOUSLY PLATTED LOT NO. 3 AND OF IRREGULAR TRACT NO. 2 WITHIN LOT NO. 3, IN THE WEST 1/2 OF THE WEST 1/2 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, 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 the owners as listed in the Owner's Certificate, Dedication and Agreement of Protection of Water, and under their direction for purposes indicated therein, I did on or prior to March 4, 2024, survey those parcels of land described as follows: LOTS A, B AND C OF FAWN CREEK ADDITION, A SUBDIVISION OF PREVIOUSLY PLATTED LOT NO. 3, IN THE WEST 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; AND LOTS D AND E OF FAWN CREEK ADDITION, A SUBDIVISION OF PREVIOUSLY PLATTED LOT NO. 3 AND OF IRREGULAR TRACT NO. 2 WITHIN LOT NO. 3, IN THE WEST 1/2 OF THE WEST 1/2 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 March, 2024.

Registered Land Surveyor #SD13714



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 A, B AND C OF FAWN CREEK ADDITION, A SUBDIVISION OF PREVIOUSLY PLATTED LOT NO. 3, IN THE WEST 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; AND LOTS D AND E OF FAWN CREEK ADDITION, A SUBDIVISION OF PREVIOUSLY PLATTED LOT NO. 3 AND OF IRREGULAR TRACT NO. 2 WITHIN LOT NO. 3, IN THE WEST 1/2 OF THE WEST 1/2 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 we, the undersigned, do hereby certify that we are the absolute and unqualified owners of all of the land included in the within and foregoing plat; the plat is of a parcel of ground located in PREVIOUSLY PLATTED LOT NO. 3 AND OF IRREGULAR TRACT NO. 2 WITHIN LOT NO. 3, ALL IN THE WEST 1/2 OF THE WEST 1/2 OF SECTION 31, T 104 N, R 60 W OF THE 5TH P.M., A PORTION OF WHICH LIES WITHIN THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA; that the plat has been made at our request and under our direction for the purposes indicated therein; which said property as so surveyed and platted shall hereafter be known as LOTS A, B AND C OF FAWN CREEK ADDITION, A SUBDIVISION OF PREVIOUSLY PLATTED LOT NO. 3, IN THE WEST 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; AND LOTS D AND E OF FAWN CREEK ADDITION, A SUBDIVISION OF PREVIOUSLY PLATTED LOT NO. 3 AND OF IRREGULAR TRACT NO. 2 WITHIN LOT NO. 3, IN THE WEST 1/2 OF THE WEST 1/2 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 we hereby dedicate to the public, for public use forever as such, the streets, if any, as shown or described on said plat; and that development of the land included within the boundaries of said Lots A, B, C, D AND E shall conform to all existing applicable zoning, subdivision, erosion, sediment control and drainage regulations and ordinances; further that there now exists 406th Avenue and 250th Street; and that an access easement shall be dedicated by this plat as shown. 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, we have hereunto set our hands this _____ day of _____, 2024.

Ralph E. Kiner, owner portions of Lot No. 3

Pamela K. Kiner, owner of portions of Lot No. 3

STATE OF SOUTH DAKOTA)
)SS
COUNTY OF DAVISON)

On this, the _____ day of _____, 2024, before me, _____, the undersigned officer, personally appeared Ralph E. Kiner and Pamela K. Kiner, known to me or satisfactorily proven to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same for the purposes therein contained.

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

Notary Public, South Dakota
My Commission Expires: _____

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2024.

Nicole V. Kiner, owner of portions of Lot No. 3

STATE OF SOUTH DAKOTA)
)SS
COUNTY OF DAVISON)

On this, the _____ day of _____, 2024, before me, _____, the undersigned officer, personally appeared Nicole V. Kiner, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same for the purposes therein contained.

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

Notary Public, South Dakota
My Commission Expires: _____

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2024.

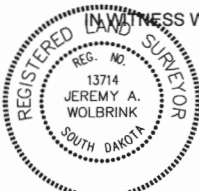
Robert B. Everson, Jr., Mayor
The City of Mitchell, South Dakota, a South Dakota municipal corporation, owner of Irregular Tract No. 2 within Lot No. 3, and a portion of Lot No. 3, described in Book D624 on Page 25

CORPORATION ACKNOWLEDGMENT

STATE OF SOUTH DAKOTA)
)SS
COUNTY OF DAVISON)

On this, the _____ day of _____, 2024, before me, _____, the undersigned officer, personally appeared Robert B. Everson, Jr., of the City of Mitchell, South Dakota, a South Dakota municipal corporation, and that he, as such Mayor, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the municipal corporation by himself as Mayor.

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



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

Notary Public, South Dakota
My Commission Expires: _____

A PLAT OF LOTS A, B AND C OF FAWN CREEK ADDITION, A SUBDIVISION OF PREVIOUSLY PLATTED LOT NO. 3, IN THE WEST 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; AND LOTS D AND E OF FAWN CREEK ADDITION, A SUBDIVISION OF PREVIOUSLY PLATTED LOT NO. 3 AND OF IRREGULAR TRACT NO. 2 WITHIN LOT NO. 3, IN THE WEST 1/2 OF THE WEST 1/2 OF SECTION 31, T 104 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

RESOLUTION OF CITY PLANNING COMMISSION

WHEREAS, the plat of LOTS A, B AND C OF FAWN CREEK ADDITION, A SUBDIVISION OF PREVIOUSLY PLATTED LOT NO. 3, IN THE WEST 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; AND LOTS D AND E OF FAWN CREEK ADDITION, A SUBDIVISION OF PREVIOUSLY PLATTED LOT NO. 3 AND OF IRREGULAR TRACT NO. 2 WITHIN LOT NO. 3, IN THE WEST 1/2 OF THE WEST 1/2 OF SECTION 31, T 104 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, 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 A, B AND C OF FAWN CREEK ADDITION, A SUBDIVISION OF PREVIOUSLY PLATTED LOT NO. 3, IN THE WEST 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; AND LOTS D AND E OF FAWN CREEK ADDITION, A SUBDIVISION OF PREVIOUSLY PLATTED LOT NO. 3 AND OF IRREGULAR TRACT NO. 2 WITHIN LOT NO. 3, IN THE WEST 1/2 OF THE WEST 1/2 OF SECTION 31, T 104 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, 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 _____, 2024.

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 _____, 2024; and

WHEREAS, it appears from an examination of the plat of LOTS A, B AND C OF FAWN CREEK ADDITION, A SUBDIVISION OF PREVIOUSLY PLATTED LOT NO. 3, IN THE WEST 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; AND LOTS D AND E OF FAWN CREEK ADDITION, A SUBDIVISION OF PREVIOUSLY PLATTED LOT NO. 3 AND OF IRREGULAR TRACT NO. 2 WITHIN LOT NO. 3, IN THE WEST 1/2 OF THE WEST 1/2 OF SECTION 31, T 104 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, 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 A, B AND C OF FAWN CREEK ADDITION, A SUBDIVISION OF PREVIOUSLY PLATTED LOT NO. 3, IN THE WEST 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; AND LOTS D AND E OF FAWN CREEK ADDITION, A SUBDIVISION OF PREVIOUSLY PLATTED LOT NO. 3 AND OF IRREGULAR TRACT NO. 2 WITHIN LOT NO. 3, IN THE WEST 1/2 OF THE WEST 1/2 OF SECTION 31, T 104 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, 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 _____, 2024.

Finance Officer/Deputy Finance Officer of City of Mitchell

RESOLUTION OF COUNTY PLANNING COMMISSION

WHEREAS, the plat of LOTS A, B AND C OF FAWN CREEK ADDITION, A SUBDIVISION OF PREVIOUSLY PLATTED LOT NO. 3, IN THE WEST 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; AND LOTS D AND E OF FAWN CREEK ADDITION, A SUBDIVISION OF PREVIOUSLY PLATTED LOT NO. 3 AND OF IRREGULAR TRACT NO. 2 WITHIN LOT NO. 3, IN THE WEST 1/2 OF THE WEST 1/2 OF SECTION 31, T 104 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, 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 A, B AND C OF FAWN CREEK ADDITION, A SUBDIVISION OF PREVIOUSLY PLATTED LOT NO. 3, IN THE WEST 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; AND LOTS D AND E OF FAWN CREEK ADDITION, A SUBDIVISION OF PREVIOUSLY PLATTED LOT NO. 3 AND OF IRREGULAR TRACT NO. 2 WITHIN LOT NO. 3, IN THE WEST 1/2 OF THE WEST 1/2 OF SECTION 31, T 104 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, 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 _____, 2024.

Chairperson/Vice-Chairperson of Davison County
Planning Commission



SPN

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

A PLAT OF LOTS A, B AND C OF FAWN CREEK ADDITION, A SUBDIVISION OF PREVIOUSLY PLATTED LOT NO. 3, IN THE WEST 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; AND LOTS D AND E OF FAWN CREEK ADDITION, A SUBDIVISION OF PREVIOUSLY PLATTED LOT NO. 3 AND OF IRREGULAR TRACT NO. 2 WITHIN LOT NO. 3, IN THE WEST 1/2 OF THE WEST 1/2 OF SECTION 31, T 104 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

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 A, B AND C OF FAWN CREEK ADDITION, A SUBDIVISION OF PREVIOUSLY PLATTED LOT NO. 3, IN THE WEST 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; AND LOTS D AND E OF FAWN CREEK ADDITION, A SUBDIVISION OF PREVIOUSLY PLATTED LOT NO. 3 AND OF IRREGULAR TRACT NO. 2 WITHIN LOT NO. 3, IN THE WEST 1/2 OF THE WEST 1/2 OF SECTION 31, T 104 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, 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 _____, 2024, approving the above-named plat.

Auditor/Deputy Auditor, Davison County

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 A, B AND C OF FAWN CREEK ADDITION, A SUBDIVISION OF PREVIOUSLY PLATTED LOT NO. 3, IN THE WEST 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; AND LOTS D AND E OF FAWN CREEK ADDITION, A SUBDIVISION OF PREVIOUSLY PLATTED LOT NO. 3 AND OF IRREGULAR TRACT NO. 2 WITHIN LOT NO. 3, IN THE WEST 1/2 OF THE WEST 1/2 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 my office.

Director of Equalization/Deputy Director
of Equalization, Davison County

Date

REGISTER OF DEEDS

STATE OF SOUTH DAKOTA)
)SS
COUNTY OF DAVISON)

FILED for record this _____ day of _____, 2024, at _____, and recorded in Book _____ of Plats on
Page(s) _____ therein and recorded on Microfilm Number _____.

Register of Deeds, Davison County

By _____
Deputy

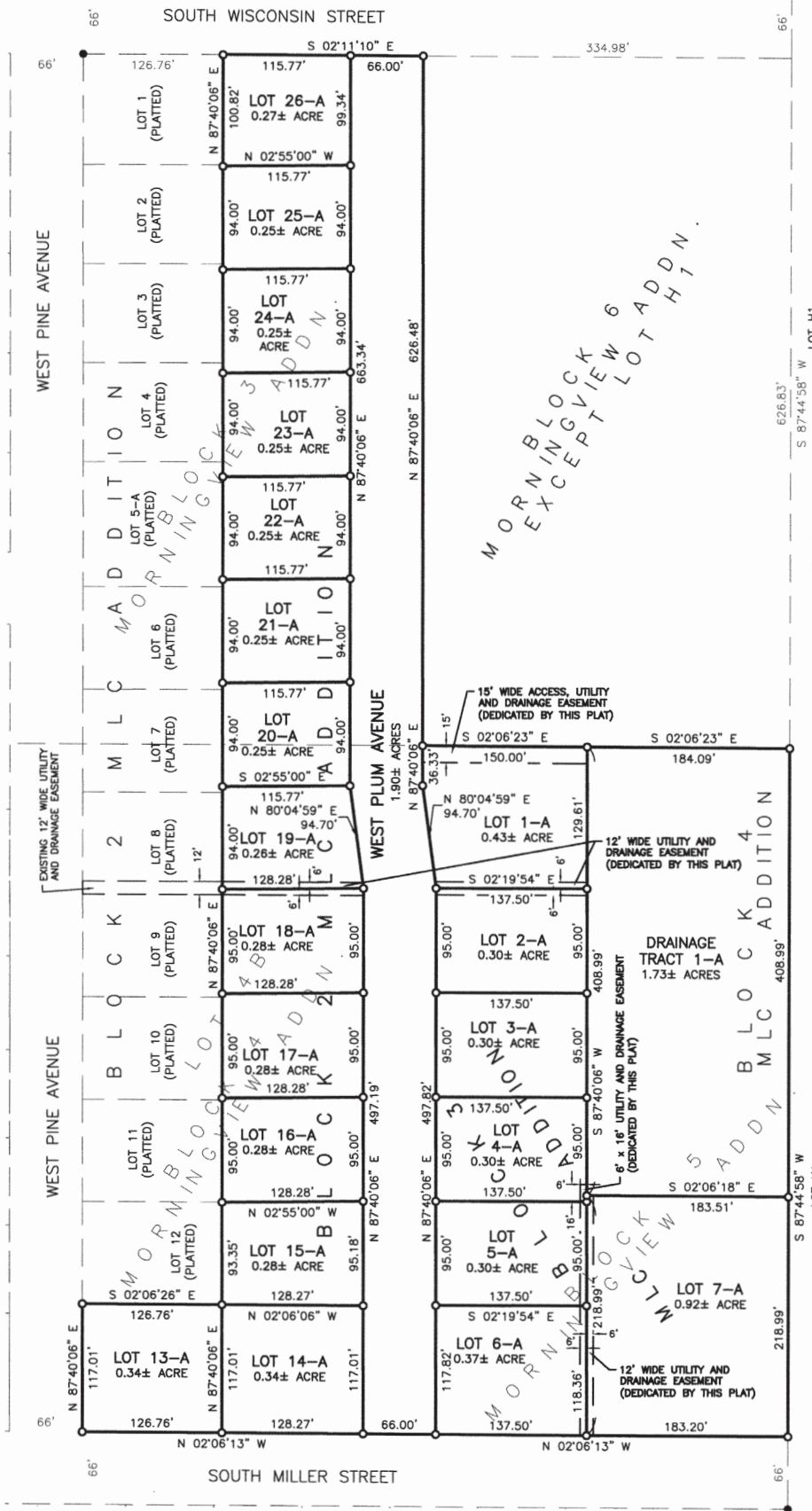


SPN

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1 Inch = 100 Feet

LEGEND

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

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

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

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

**ADDITIONAL EASEMENTS NOT SHOWN ON THE
DRAWING TO BE DEDICATED BY THIS PLAT:**
3' Drainage Easement along the North/South
interior property lines of Lots 13-A thru
26-A, Block 2 and Lots 2-A thru 7-A,
Block 3; except between Lots 18-A and
19-A, Block 2 and between Lots 1-A and
2-A, Block 3 as noted on the drawing;
except along South Miller Street and South
Wisconsin Street.



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

SPN

& Associates
Engineers, Planners and Surveyors

2100 North Sanborn Blvd. - P.O. Box 398 Mitchell, South Dakota 57301
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A PLAT OF WEST PLUM AVENUE; LOTS 13-A THRU 26-A, BLOCK 2; LOTS 1-A THRU 7-A, BLOCK 3; AND DRAINAGE TRACT 1-A, BLOCK 4, MLC ADDITION, A SUBDIVISION OF BLOCK 3; LOT 4B, BLOCK 4; AND BLOCK 5, MORNINGVIEW ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

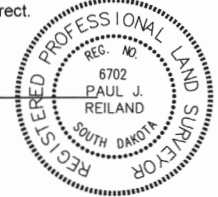
SURVEYOR'S CERTIFICATE

I, Paul J. Reiland, the undersigned, do hereby certify that I am a Registered Land Surveyor in the State of South Dakota. At the request of Mueller Lumber Company, a South Dakota corporation, and under its direction for purposes indicated therein, I did on or prior to March 5, 2024, survey those parcels of land described as follows: WEST PLUM AVENUE; LOTS 13-A THRU 26-A, BLOCK 2; LOTS 1-A THRU 7-A, BLOCK 3; AND DRAINAGE TRACT 1-A, BLOCK 4, MLC ADDITION, A SUBDIVISION OF BLOCK 3; LOT 4B, BLOCK 4; AND BLOCK 5, MORNINGVIEW ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA. This plat does hereby vacate previously platted WEST PLUM AVENUE; LOTS 13 THRU 26, BLOCK 2; LOTS 1 THRU 7, BLOCK 3; AND DRAINAGE TRACT 1, BLOCK 4, MLC ADDITION, A SUBDIVISION OF BLOCK 3; LOT 4B, BLOCK 4; BLOCK 5; AND THE PREVIOUSLY DEDICATED EASEMENTS LYING WITHIN SAID LOTS AND BLOCKS, MORNINGVIEW ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, AS RECORDED IN PLAT BOOK 39 ON PAGE 13.

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 _____, 2024.

Registered Land Surveyor #SD6702



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

KNOW ALL MEN BY THESE PRESENTS that Robert W. Mueller, the undersigned, hereby certifies that Mueller Lumber Company, a South Dakota corporation, is the absolute and unqualified owner of all of the land included in the within and foregoing plat; the plat is of a parcel of ground located in WEST PLUM AVENUE; LOTS 13 THRU 26, BLOCK 2; LOTS 1 THRU 7, BLOCK 3; AND DRAINAGE TRACT 1, BLOCK 4, MLC ADDITION, A SUBDIVISION OF BLOCK 3; LOT 4B, BLOCK 4; AND BLOCK 5, MORNINGVIEW ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, AS RECORDED IN PLAT BOOK 39 ON PAGE 13; that the plat has been made at the request of Mueller Lumber Company, a South Dakota corporation, and under its direction for the purposes indicated therein; which said property as so surveyed and platted shall hereafter be known as WEST PLUM AVENUE; LOTS 13-A THRU 26-A, BLOCK 2; LOTS 1-A THRU 7-A, BLOCK 3; AND DRAINAGE TRACT 1-A, BLOCK 4, MLC ADDITION, A SUBDIVISION OF BLOCK 3; LOT 4B, BLOCK 4; AND BLOCK 5, MORNINGVIEW ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, as shown by this plat; and Mueller Lumber Company, a South Dakota corporation, hereby dedicates to the public, for public use forever as such, the streets, alleys and easements, if any, as shown or noted on said plat; and that development of the land included within the boundaries of said Lots 13-A thru 26-A, Block 2; Lots 1-A thru 7-A, Block 3; and Drainage Tract 1-A, Block 4, MLC Addition shall conform to all existing applicable zoning, subdivision, erosion, sediment control and drainage regulations and ordinances; further that there now exists West Pine Avenue, South Miller Street and South Wisconsin Street. Pursuant to SDCL 11-3-8.1 and 11-3-8.2 the developer of the property described within this plat shall be responsible for protecting any waters of the state located adjacent to or within such platted area from pollution from sewage from such subdivision and shall, in prosecution of such protections, conform to and follow all regulations of the South Dakota Department of Agriculture and Natural Resources relating to the same. Additionally, the developers of the property described within this plat shall be liable for any pollution that occurs from failure to execute such protections or follow such regulations, exception being those lots in subdivisions that show documentation that wastewater drainage shall be connected to a municipal system.

This plat does hereby vacate previously platted WEST PLUM AVENUE; LOTS 13 THRU 26, BLOCK 2; LOTS 1 THRU 7, BLOCK 3; AND DRAINAGE TRACT 1, BLOCK 4, MLC ADDITION, A SUBDIVISION OF BLOCK 3; LOT 4B, BLOCK 4; BLOCK 5; AND THE PREVIOUSLY DEDICATED EASEMENTS LYING WITHIN SAID LOTS AND BLOCKS, MORNINGVIEW ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, AS RECORDED IN PLAT BOOK 39 ON PAGE 13.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2024.

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

CORPORATION ACKNOWLEDGMENT

STATE OF SOUTH DAKOTA)
)SS
COUNTY OF DAVISON)

On this, the _____ day of _____, 2024, before me, _____, the undersigned officer, personally appeared Robert W. Mueller, of Mueller Lumber Company, a South Dakota corporation, and that he, as such President, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as President.

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

Notary Public, South Dakota
My Commission Expires: _____

SPN

& Associates

Engineers, Planners and Surveyors

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

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

RESOLUTION OF CITY PLANNING COMMISSION

WHEREAS, the plat of WEST PLUM AVENUE; LOTS 13-A THRU 26-A, BLOCK 2; LOTS 1-A THRU 7-A, BLOCK 3; AND DRAINAGE TRACT 1-A, BLOCK 4, MLC ADDITION, A SUBDIVISION OF BLOCK 3; LOT 4B, BLOCK 4; AND BLOCK 5, MORNINGVIEW ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul J. Reiland, duly licensed Land Surveyor in and for the State of South Dakota, heretofore filed in the office of the City Finance Officer of Mitchell, South Dakota, has been submitted to the City Planning Commission of the said City of Mitchell, South Dakota; and

WHEREAS, the City Planning Commission, in regular meeting assembled, had duly considered said plat and finds as a fact that said plat is in conformity and does not conflict with the Master Plan for the City of Mitchell, South Dakota, heretofore adopted by this Commission;

NOW THEREFORE, be it resolved by the City Planning Commission of Mitchell, South Dakota, that the plat of WEST PLUM AVENUE; LOTS 13-A THRU 26-A, BLOCK 2; LOTS 1-A THRU 7-A, BLOCK 3; AND DRAINAGE TRACT 1-A, BLOCK 4, MLC ADDITION, A SUBDIVISION OF BLOCK 3; LOT 4B, BLOCK 4; AND BLOCK 5, MORNINGVIEW ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul J. Reiland, a Land Surveyor, be and the same is hereby approved and its adoption by the City Council of the City of Mitchell, South Dakota, is hereby recommended.

The undersigned does hereby certify that the foregoing resolution was passed by the City Planning Commission of Mitchell, South Dakota, at a meeting thereof held on the _____ day of _____, 2024.

Chairperson/Vice Chairperson of the City of Mitchell
Planning Commission

RESOLUTION OF CITY COUNCIL

WHEREAS, it appears that the City Planning Commission of the City of Mitchell, South Dakota, did duly consider and did recommend the approval and adoption of the hereinafter described plat, at its meeting held on the _____ day of _____, 2024; and

WHEREAS, it appears from an examination of the plat of WEST PLUM AVENUE; LOTS 13-A THRU 26-A, BLOCK 2; LOTS 1-A THRU 7-A, BLOCK 3; AND DRAINAGE TRACT 1-A, BLOCK 4, MLC ADDITION, A SUBDIVISION OF BLOCK 3; LOT 4B, BLOCK 4; AND BLOCK 5, MORNINGVIEW ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, as 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 WEST PLUM AVENUE; LOTS 13-A THRU 26-A, BLOCK 2; LOTS 1-A THRU 7-A, BLOCK 3; AND DRAINAGE TRACT 1-A, BLOCK 4, MLC ADDITION, A SUBDIVISION OF BLOCK 3; LOT 4B, BLOCK 4; AND BLOCK 5, MORNINGVIEW ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul J. Reiland, 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 _____, 2024.

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 WEST PLUM AVENUE; LOTS 13-A THRU 26-A, BLOCK 2; LOTS 1-A THRU 7-A, BLOCK 3; AND DRAINAGE TRACT 1-A, BLOCK 4, MLC ADDITION, A SUBDIVISION OF BLOCK 3; LOT 4B, BLOCK 4; AND BLOCK 5, MORNINGVIEW ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, 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 _____, 2024, at _____, and recorded in Book _____ of Plats on Page _____ therein and recorded on Microfilm Number _____.

Register of Deeds, Davison County

By _____
Deputy

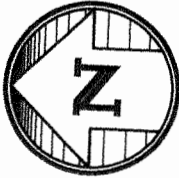
SPN

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



PLAT TO BE VACATED

SPN# 22-15812.10 SHEET 1 OF 3



1 Inch = 100 Feet

LEGEND

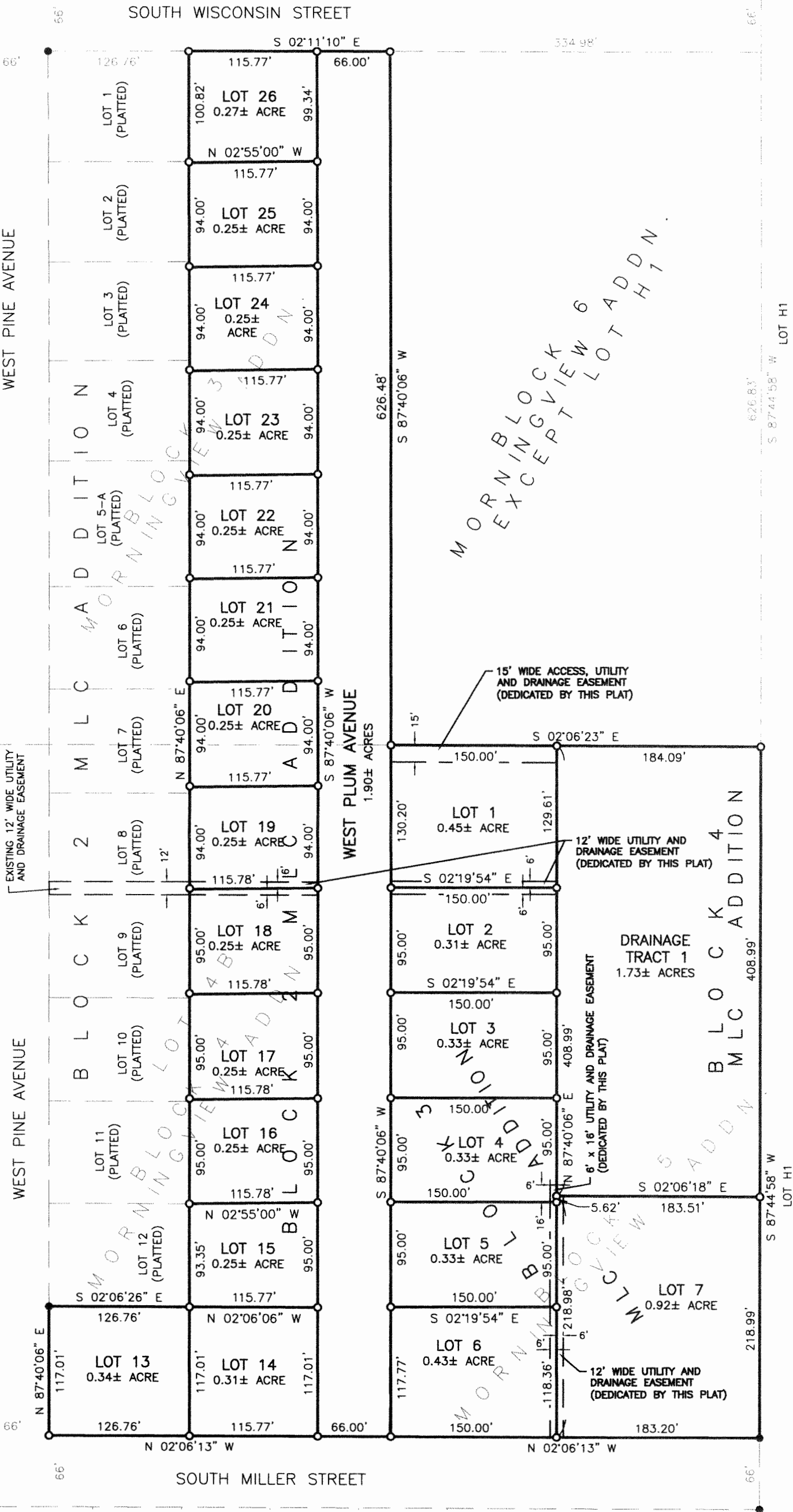
- = FOUND IRON MONUMENT
- = SET 5/8" X 18" REBAR WITH PLASTIC CAP NO. 6702
- 100' (P) = PLATTED BEARING OR DISTANCE
- 100' = MEASURED BEARING OR DISTANCE

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

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

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

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



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

SPN

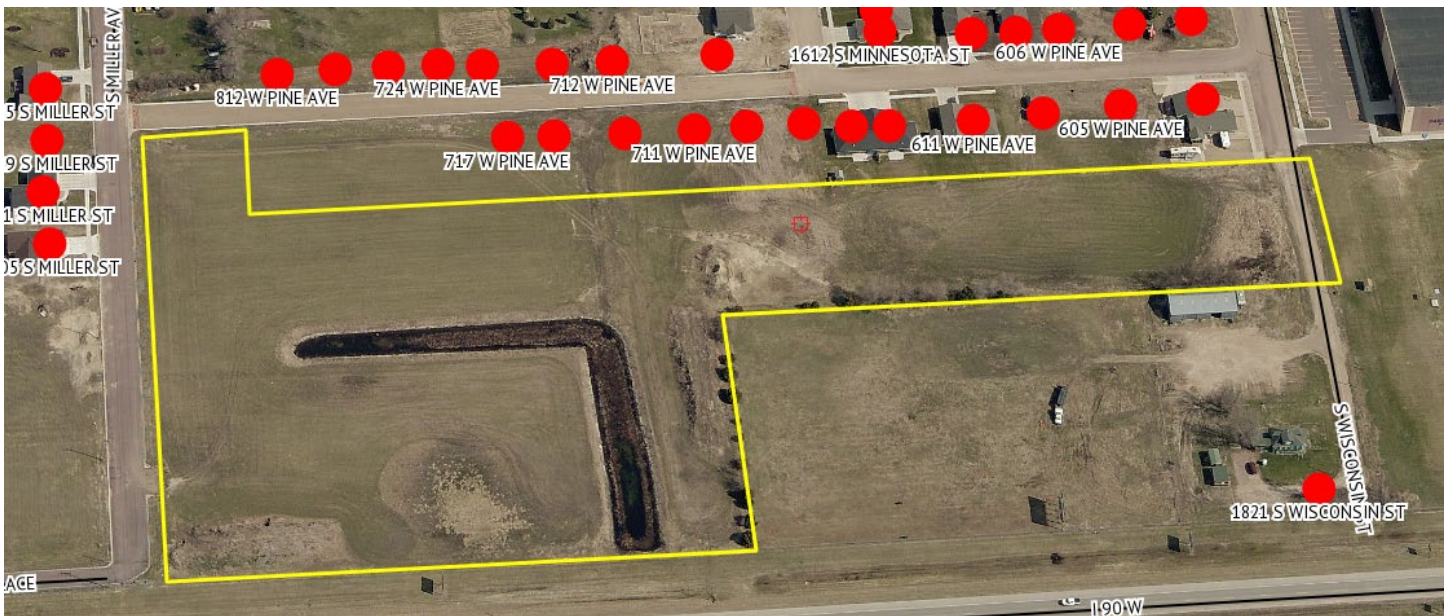
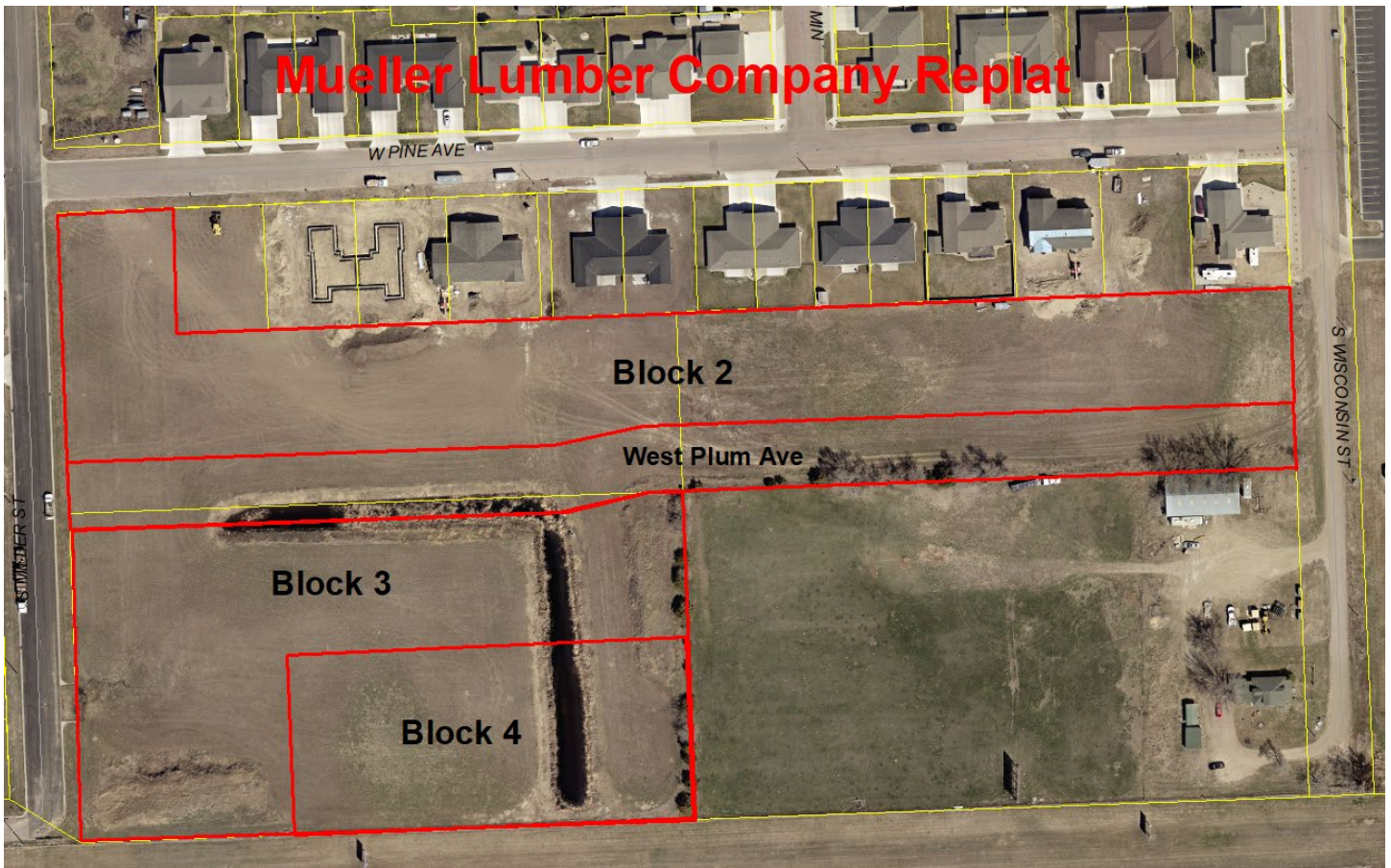
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Mueller Lumber Company Replat



**LEGEND**

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- = SET 5/8" X 18" REBAR WITH PLASTIC CAP NO. 8702

100' (P) = PLATTED BEARING OR DISTANCE
100' = MEASURED BEARING OR DISTANCE

1 Inch = 200 Feet

Block and Lot Acreage Breakdown:

Block 1-A: 120,643± SqFt / 2.77± Acres
Lot 1 = 25,629± SqFt / 0.59± Acre
Lot 2 = 14,950± SqFt / 0.34± Acre
Lot 3 = 13,260± SqFt / 0.30± Acre
Lot 4 = 21,548± SqFt / 0.50± Acre
Lot 5 = 19,680± SqFt / 0.45± Acre
Lot 6 = 25,576± SqFt / 0.59± Acre

Block 1-B: 148,660± SqFt / 3.41± Acres
Lot 1 = 13,842± SqFt / 0.32± Acre
Lots 2 Thru 4 = 13,485± SqFt / 0.31± Acre
Lot 5 = 15,225± SqFt / 0.35± Acre
Lot 6 = 14,980± SqFt / 0.34± Acre
Lot 7 = 13,624± SqFt / 0.31± Acre
Lot 8 = 14,742± SqFt / 0.34± Acre
Lot 9 = 16,523± SqFt / 0.38± Acre
Lot 10 = 19,269± SqFt / 0.44± Acre

Block and Lot Acreage Breakdown:

Tract DR1-A: 119,294 SqFt / 2.74± Acres

Block 2-A: 76,688± SqFt / 1.76± Acres

Block 3-A: 98,522± SqFt / 2.26± Acres

Lot 1 = 15,337± SqFt / 0.35± Acres

Lot 2 = 8,688± SqFt / 0.20± Acre

Lot 3 = 9,396± SqFt / 0.22± Acre

Lot 4 = 11,037± SqFt / 0.25± Acre

Lot 5 = 11,944± SqFt / 0.28± Acre

Lots 6 Thru 8 = 10,080± SqFt / 0.23± Acre

Lot 9 = 11,880± SqFt / 0.27± Acre

Block 4-A: 40,420± SqFt / 0.93± Acre

Lot 1 = 20,419± SqFt / 0.47± Acre

Lot 2 = 20,001± SqFt / 0.46± Acre

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

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

COORDINATE SYSTEM IS SOUTH DAKOTA SOUTH ZONE,
STATE PLANE - NORTH AMERICAN
DATUM 1983 - GRID 18
GRID BEARINGS AND GRID DISTANCES ARE SHOWN.

Block and Lot Acreage Breakdown:

Block 5-A: 100,840± SqFt / 2.31± Acres

Lot 1 = 10,229± SqFt / 0.24± Acre

Lot 2 = 7,855± SqFt / 0.18± Acre

Lot 3 = 7,886± SqFt / 0.18± Acre

Lot 4 = 7,917± SqFt / 0.18± Acre

Lot 5 = 7,334± SqFt / 0.17± Acre

Lot 6 = 7,361± SqFt / 0.17± Acre

Lot 7 = 7,387± SqFt / 0.17± Acre

Lot 8 = 7,413± SqFt / 0.17± Acre

Lot 9 = 7,439± SqFt / 0.17± Acre

Lot 10 = 7,465± SqFt / 0.17± Acre

Lot 11 = 7,492± SqFt / 0.17± Acre

Lot 12 = 7,518± SqFt / 0.17± Acre

Lot 13 = 7,544± SqFt / 0.17± Acre

Block 6-A: 74,212± SqFt / 1.70± Acres

Street Right-Of-Way Acreage Breakdown:

Nagle Lane = 92,395± SqFt / 2.12± Acres

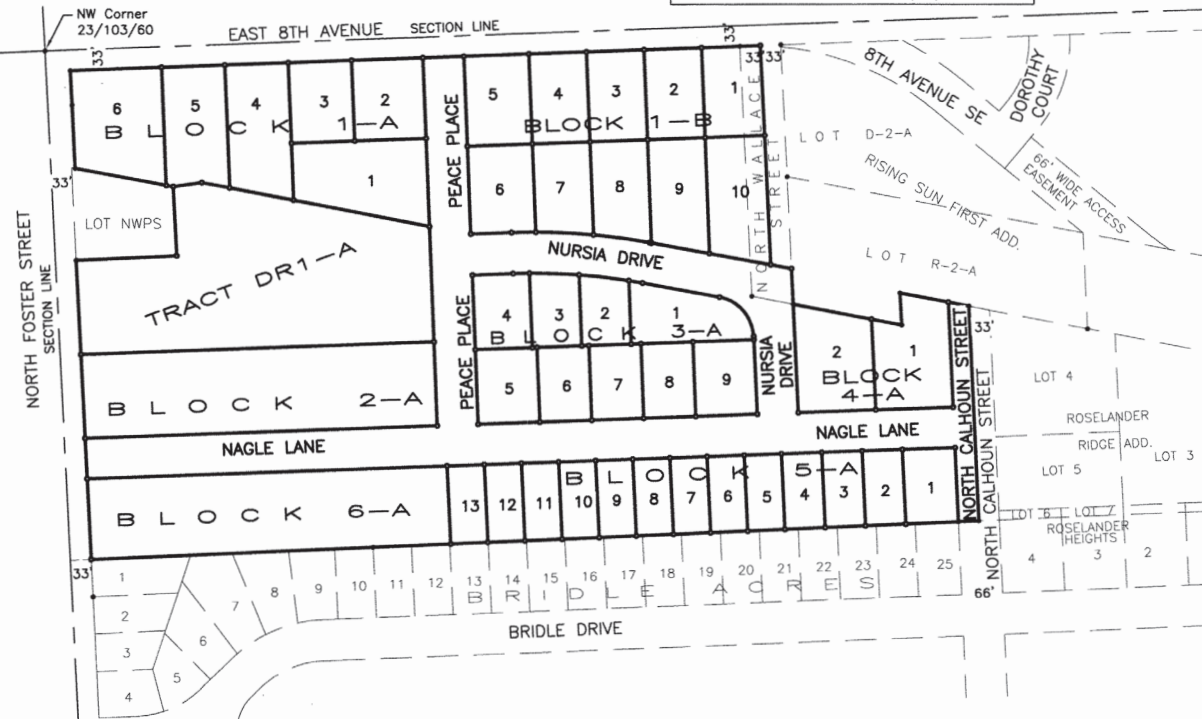
Peace Place = 39,176± SqFt / 0.90± Acres

Nursia Drive = 46,361 SqFt / 1.06± Acre

North Calhoun Street = 11,585 SqFt / 0.27± Acre



LOCATION MAP
SCALE: 1" = 3000'



A PLAT OF LOTS 1 THROUGH 6, BLOCK 1-A; LOTS 1 THROUGH 10, BLOCK 1-B; TRACT DR1-A; BLOCK 2-A; LOTS 1 THROUGH 9, BLOCK 3-A; LOTS 1 AND 2, BLOCK 4-A; LOTS 1 THROUGH 13, BLOCK 5-A; BLOCK 6-A; NAGLE LANE; PEACE PLACE; NURSIA DRIVE; AND NORTH CALHOUN STREET, ALL IN RIDGE VIEW ON FOSTER ADDITION IN THE NW 1/4 OF SECTION 23, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

SURVEYOR'S CERTIFICATE

I, Paul J. Reiland, the undersigned, do hereby certify that I am a Registered Land Surveyor in and for the State of South Dakota. At the request of the owners as listed in the Owner's Certificate, Dedication and Agreement of Protection of Water, and under their direction for purposes indicated therein, I did on or prior to March 1, 2024, survey those parcels of land described as follows: LOTS 1 THROUGH 6, BLOCK 1-A; LOTS 1 THROUGH 10, BLOCK 1-B; TRACT DR1-A; BLOCK 2-A; LOTS 1 THROUGH 9, BLOCK 3-A; LOTS 1 AND 2, BLOCK 4-A; LOTS 1 THROUGH 13, BLOCK 5-A; BLOCK 6-A; NAGLE LANE; PEACE PLACE; NURSIA DRIVE; AND NORTH CALHOUN STREET, ALL IN RIDGE VIEW ON FOSTER ADDITION IN THE NW 1/4 OF SECTION 23, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA. This plat does hereby vacate previously platted LOTS 1 THROUGH 17, BLOCK 1; TRACT DR1; BLOCK 2; LOTS 1 THROUGH 4, BLOCK 3; LOTS 1 AND 2, BLOCK 4; LOTS 1 THROUGH 13, BLOCK 5; BLOCK 6; NAGLE LANE; PEACE PLACE; NURSIA DRIVE; AND NORTH CALHOUN STREET; ALL IN RIDGE VIEW ON FOSTER ADDITION IN THE NW 1/4 OF SECTION 23, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, AS RECORDED IN PLAT BOOK 39 ON PAGE 59. This plat does also hereby vacate THE EASEMENTS DEDICATED BY THE PLAT OF RIDGE VIEW ON FOSTER ADDITION AS RECORDED IN PLAT BOOK 39 ON PAGE 59. This plat does also hereby vacate THAT PORTION OF NORTH WALLACE STREET ORIGINALLY LABELED AS "STREET" IN PLAT BOOK 14 ON PAGE 25, ALSO LABELED AS "PREVIOUSLY DEDICATED RIGHT-OF-WAY" IN PLAT BOOK 39 ON PAGE 59.

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 _____, 2024.

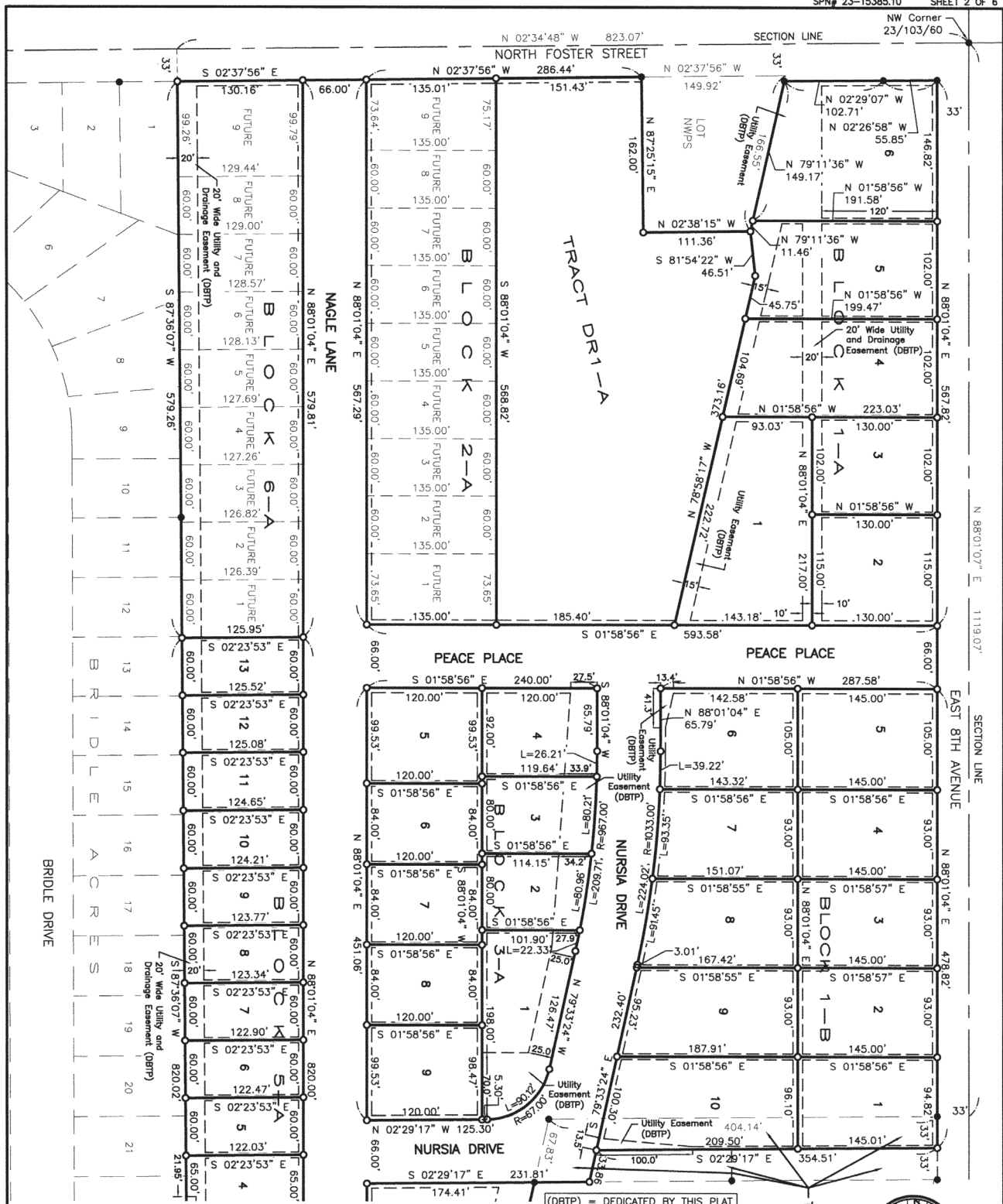
Registered Land Surveyor #SD6702

SPN

& Associates
Engineers, Planners and Surveyors

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





Easements dedicated by this plat unless otherwise shown and noted on the plat drawing:
 The entirety of Tract DR1-A is intended to be a drainage easement parcel along with 5' wide utility easements abutting streets.
 Block 2-A = 5' wide utility easements abutting streets.
 Block 6-A = 5' wide utility easements abutting streets and a 20' wide utility easement as shown and noted near the rear.
 Lots within Blocks 1-A, 1-B, 3-A, 4-A and 5-A:
 Sides of lots without streets unless otherwise shown and noted = 3' wide drainage easements.
 Rear of lots unless otherwise shown and noted = 5' wide drainage and utility easements.
 Lots abutting streets = 5' wide utility easements.

THAT PORTION OF NORTH
 WALLACE STREET BEING
 VACATED BY THIS PLAT



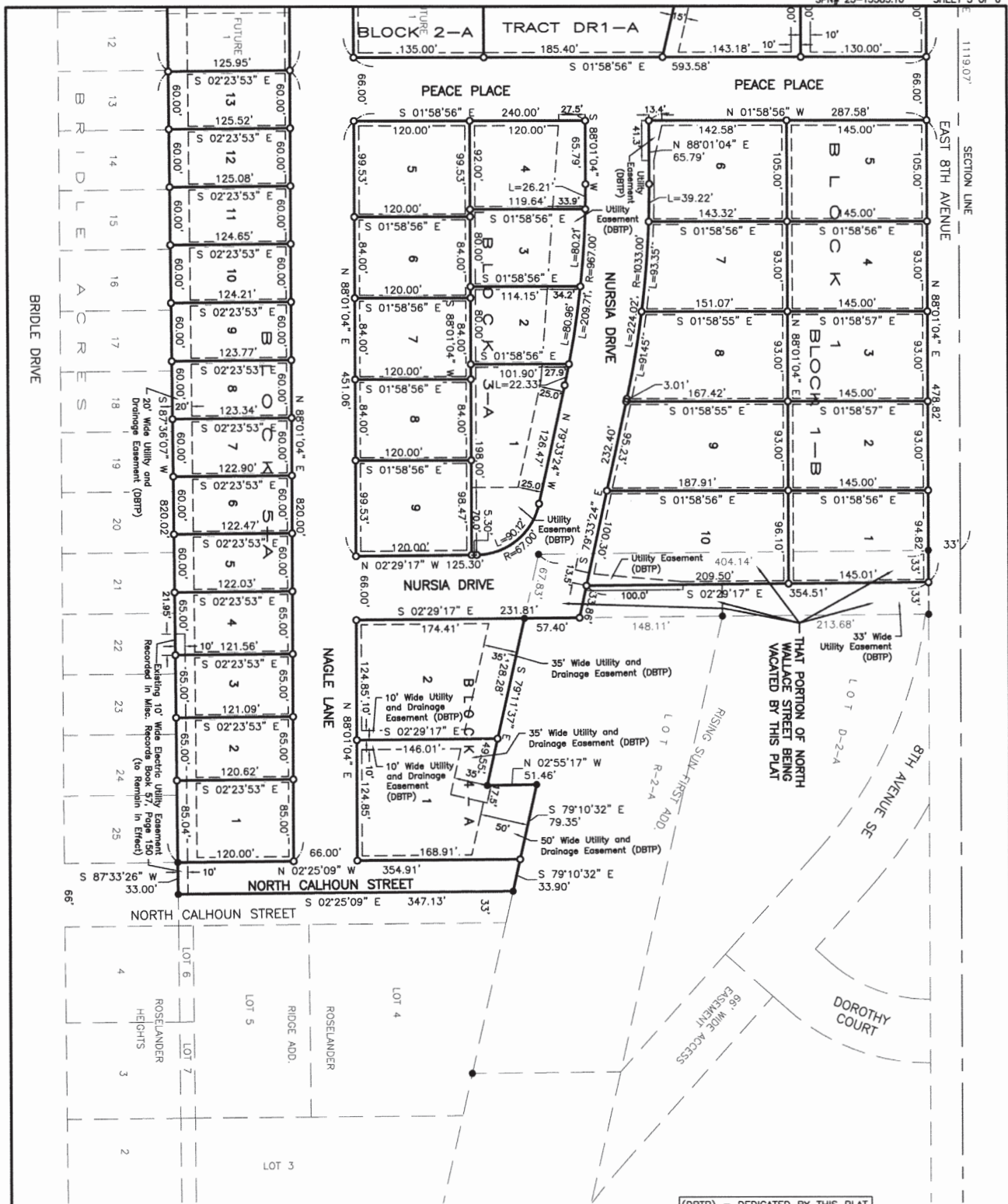
1 Inch = 100 Feet

A PLAT OF LOTS 1 THROUGH 6, BLOCK 1-A; LOTS 1 THROUGH 10, BLOCK 1-B; TRACT DR1-A; BLOCK 2-A; LOTS 1 THROUGH 9, BLOCK 3-A; LOTS 1 AND 2, BLOCK 4-A; LOTS 1 THROUGH 13, BLOCK 5-A; BLOCK 6-A; NAGLE LANE; PEACE PLACE; NURSIA DRIVE; AND NORTH CALHOUN STREET, ALL IN RIDGE VIEW ON FOSTER ADDITION IN THE NW 1/4 OF SECTION 23, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

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(DBTP) = DEDICATED BY THIS PLAT

Easements dedicated by this plat unless otherwise shown and noted on the plat drawing:

The entirety of Tract DR1-A is intended to be a drainage easement parcel along with 5' wide utility easements abutting streets.
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 Block 6-A = 5' wide utility easements abutting streets and a 20' wide utility easement as shown and noted near the rear.
 Lots within Blocks 1-A, 1-B, 3-A, 4-A and 5-A:
 Sides of lots without streets unless otherwise shown and noted = 3' wide drainage easements.
 Rear of lots unless otherwise shown and noted = 5' wide drainage and utility easements.
 Lots abutting streets = 5' wide utility easements.



1 Inch = 100 Feet

A PLAT OF LOTS 1 THROUGH 6, BLOCK 1-A; LOTS 1 THROUGH 10, BLOCK 1-B; TRACT DR1-A; BLOCK 2-A; LOTS 1 THROUGH 9, BLOCK 3-A; LOTS 1 AND 2, BLOCK 4-A; LOTS 1 THROUGH 13, BLOCK 5-A; BLOCK 6-A; NAGLE LANE; PEACE PLACE; NURSIA DRIVE; AND NORTH CALHOUN STREET, ALL IN RIDGE VIEW ON FOSTER ADDITION IN THE NW 1/4 OF SECTION 23, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

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Mitchell, South Dakota 57301

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A PLAT OF LOTS 1 THROUGH 6, BLOCK 1-A; LOTS 1 THROUGH 10, BLOCK 1-B; TRACT DR1-A; BLOCK 2-A; LOTS 1 THROUGH 9, BLOCK 3-A; LOTS 1 AND 2, BLOCK 4-A; LOTS 1 THROUGH 13, BLOCK 5-A; BLOCK 6-A; NAGLE LANE; PEACE PLACE; NURSIA DRIVE; AND NORTH CALHOUN STREET, ALL IN RIDGE VIEW ON FOSTER ADDITION IN THE NW 1/4 OF SECTION 23, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

RESOLUTION OF CITY COUNCIL

WHEREAS, it appears that the City Planning Commission of the City of Mitchell, South Dakota, did duly consider and did recommend the approval and adoption of the hereinafter described plat, at its meeting held on the _____ day of _____, 2024; and

WHEREAS, it appears from an examination of the plat of LOTS 1 THROUGH 6, BLOCK 1-A; LOTS 1 THROUGH 10, BLOCK 1-B; TRACT DR1-A; BLOCK 2-A; LOTS 1 THROUGH 9, BLOCK 3-A; LOTS 1 AND 2, BLOCK 4-A; LOTS 1 THROUGH 13, BLOCK 5-A; BLOCK 6-A; NAGLE LANE; PEACE PLACE; NURSIA DRIVE; AND NORTH CALHOUN STREET, ALL IN RIDGE VIEW ON FOSTER ADDITION IN THE NW 1/4 OF SECTION 23, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, as prepared by Paul J. Reiland, a duly licensed Land Surveyor in and for the State of South Dakota, that said plat is in accordance with the system of streets and alleys set forth in the Master Plan adopted by the City Planning Commission of the City of Mitchell, South Dakota, and that such plat has been prepared according to law;

THEREFORE, be it resolved by the City Council of Mitchell, South Dakota, that the plat of LOTS 1 THROUGH 6, BLOCK 1-A; LOTS 1 THROUGH 10, BLOCK 1-B; TRACT DR1-A; BLOCK 2-A; LOTS 1 THROUGH 9, BLOCK 3-A; LOTS 1 AND 2, BLOCK 4-A; LOTS 1 THROUGH 13, BLOCK 5-A; BLOCK 6-A; NAGLE LANE; PEACE PLACE; NURSIA DRIVE; AND NORTH CALHOUN STREET, ALL IN RIDGE VIEW ON FOSTER ADDITION IN THE NW 1/4 OF SECTION 23, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul J. Reiland, be and the same is hereby approved and the description set forth therein and the accompanying surveyor's certificate shall prevail.

The undersigned hereby certifies that the foregoing resolution was passed by the City of Mitchell, South Dakota, at a meeting held on the _____ day of _____, 2024.

Finance Officer/Deputy Finance Officer

CERTIFICATE OF COUNTY TREASURER

The undersigned hereby certifies 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, Davison County

Date

DIRECTOR OF EQUALIZATION

The undersigned hereby certifies that a copy of the plat of LOTS 1 THROUGH 6, BLOCK 1-A; LOTS 1 THROUGH 10, BLOCK 1-B; TRACT DR1-A; BLOCK 2-A; LOTS 1 THROUGH 9, BLOCK 3-A; LOTS 1 AND 2, BLOCK 4-A; LOTS 1 THROUGH 13, BLOCK 5-A; BLOCK 6-A; NAGLE LANE; PEACE PLACE; NURSIA DRIVE; AND NORTH CALHOUN STREET, ALL IN RIDGE VIEW ON FOSTER ADDITION IN THE NW 1/4 OF SECTION 23, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, has been received by me and is filed in this office.

Director of Equalization/Deputy Director of Equalization

Date

REGISTER OF DEEDS

STATE OF SOUTH DAKOTA)
_____)SS
COUNTY OF DAVISON)

FILED for record this _____ day of _____, 2024, at _____, and recorded in Book _____ of Plats on
Page _____ therein and recorded on Microfilm Number _____.

Register of Deeds, Davison County

By _____
Deputy

SPN

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Phone: (605) 996-7761 Fax: (605) 996-0015



PLAT TO BE VACATED

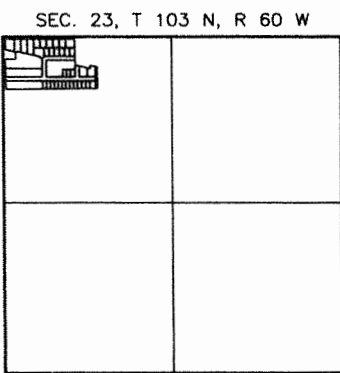
SPN# 23-15385.10 SHEET 1 OF 5



- LEGEND**
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 - = SET 5/8" X 18" REBAR WITH PLASTIC CAP NO. 6702
 - 100' (P) = PLATTED BEARING OR DISTANCE
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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 18.
GRID BEARINGS AND GRID DISTANCES ARE SHOWN.



LOCATION MAP
SCALE: 1" = 3000'

NOTE:
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THE BENEFIT OF A TITLE REPORT OR TITLE
COMMITMENT. EASEMENTS OF RECORD WERE
NOT RESEARCHED AND ARE NOT SHOWN
UNLESS OTHERWISE NOTED.

1 Inch = 200 Feet

Block and Lot Acreage Breakdown:

Block 1:	255,541± SqFt / 5.87± Acres
Lot 1 =	18,250± SqFt / 0.42± Acre
Lots 2 Thru 6 =	13,000± SqFt / 0.30± Acre
Lot 7 =	23,205± SqFt / 0.53± Acre
Lot 8 =	20,894± SqFt / 0.48± Acre
Lot 9 =	19,230± SqFt / 0.44± Acre
Lot 10 =	24,240± SqFt / 0.55± Acre
Lot 11 =	22,325± SqFt / 0.51± Acre
Lot 12 =	10,472± SqFt / 0.24± Acre
Lots 13 Thru 16 =	10,400± SqFt / 0.24± Acre
Lot 17 =	10,325± SqFt / 0.24± Acre

Block and Lot Acreage Breakdown:

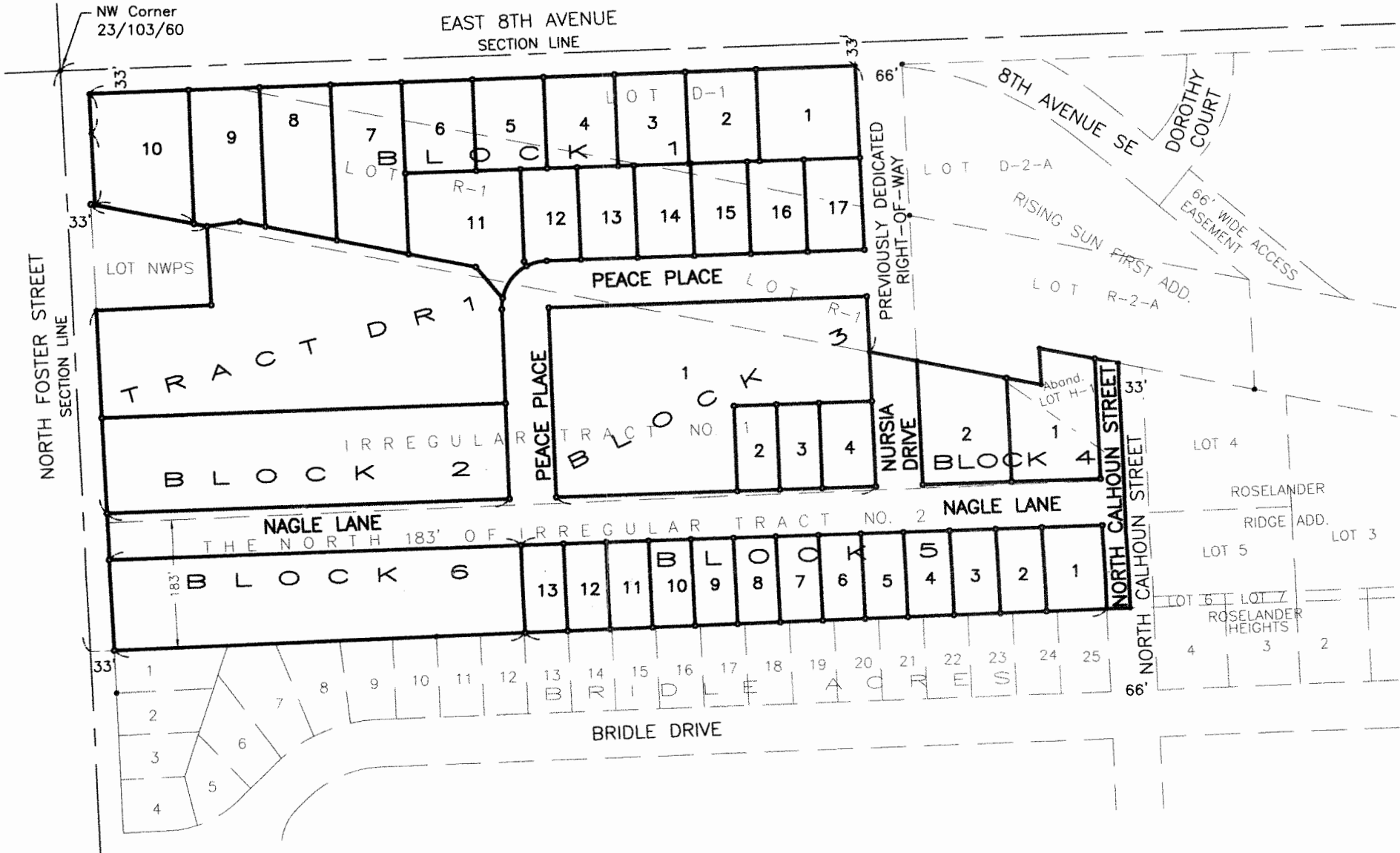
Tract DR1:	118,700 SqFt / 2.72± Acres
Block 2:	76,688± SqFt / 1.76± Acres
Block 3:	120,378± SqFt / 2.76± Acres
Lot 1 =	96,978± SqFt / 2.22± Acres
Lots 2 Thru 3 =	7,200± SqFt / 0.17± Acre
Lot 4 =	9,000± SqFt / 0.20± Acre
Block 4:	40,420± SqFt / 0.93± Acre
Lot 1 =	20,419± SqFt / 0.47± Acre
Lot 2 =	20,001± SqFt / 0.46± Acre

Block and Lot Acreage Breakdown:

Block 5:	100,840± SqFt / 2.31± Acres
Lot 1 =	10,229± SqFt / 0.24± Acre
Lot 2 =	7,855± SqFt / 0.18± Acre
Lot 3 =	7,886± SqFt / 0.18± Acre
Lot 4 =	7,917± SqFt / 0.18± Acre
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Lot 9 =	7,439± SqFt / 0.17± Acre
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Lot 12 =	7,518± SqFt / 0.17± Acre
Lot 13 =	7,544± SqFt / 0.17± Acre
Block 6:	74,212± SqFt / 1.70± Acres

Street Right-Of-Way Acreage Breakdown:

Nagle Lane =	92,395± SqFt / 2.12± Acres
Peace Place =	50,676± SqFt / 1.16± Acres
Nursia Drive =	12,008 SqFt / 0.28± Acre
North Calhoun Street =	11,585 SqFt / 0.27± Acre



A PLAT OF LOTS 1 THROUGH 17, BLOCK 1; TRACT DR1; BLOCK 2; LOTS 1 THROUGH 4, BLOCK 3; LOTS 1 AND 2, BLOCK 4; LOTS 1 THROUGH 13, BLOCK 5; BLOCK 6; NAGLE LANE; PEACE PLACE; NURSIA DRIVE; AND NORTH CALHOUN STREET, ALL IN RIDGE VIEW ON FOSTER ADDITION IN THE NW 1/4 OF SECTION 23, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

SURVEYOR'S CERTIFICATE

I, Paul J. Reiland, the undersigned, do hereby certify that I am a Registered Land Surveyor in and for the State of South Dakota. At the request of Avera Queen of Peace Hospital, a South Dakota nonprofit corporation, as owner, and under its direction for purposes indicated therein, I did on or prior to October 1, 2023, survey those parcels of land described as follows: LOTS 1 THROUGH 17, BLOCK 1; TRACT DR1; BLOCK 2; LOTS 1 THROUGH 4, BLOCK 3; LOTS 1 AND 2, BLOCK 4; LOTS 1 THROUGH 13, BLOCK 5; BLOCK 6; NAGLE LANE; PEACE PLACE; NURSIA DRIVE; AND NORTH CALHOUN STREET, ALL IN RIDGE VIEW ON FOSTER ADDITION IN THE NW 1/4 OF SECTION 23, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA. This plat does hereby vacate previously platted IRREGULAR TRACT NO. 1, INCLUDING ABANDONED LOT H1, BUT SPECIFICALLY EXCLUDING LOT NWPS AND THE EAST HALF OF NORTH FOSTER STREET THEREIN; THE NORTH 183 FEET OF IRREGULAR TRACT NO. 2, EXCEPT NORTH FOSTER STREET THEREIN; LOT D-1 AND LOT R-1; ALL IN THE NW 1/4 OF SECTION 23, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, AS RECORDED IN PLAT BOOK 1 ON PAGE 24 (IRREGULAR TRACTS NO. 1 AND 2), PLAT BOOK 6 ON PAGE 298 (LOT H1) AND IN PLAT BOOK 14 ON PAGE 25 (LOT D-1 AND LOT R-1).

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 27TH day of OCTOBER, 2023.

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

Registered Land Surveyor #SD6702



