Planning Commission 10-28-24 Agenda
City Council Chambers, City Hall, 612 N. Main Street
October 28, 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: October 15, 2024**
6. **Schedule Next Meeting: November 12, 2024**
7. **Hearing and Action on Establishing the Boundaries and Approval of the Project Plan for Tax Increment Financing District #38**
8. **Hearing and Action on Establishing the Boundaries and Approval of the Project Plan for Tax Increment Financing District #39**
9. **Plat: Ellwein, Denis & Brenda**
   Plat of Lot B of Big Bend Addition in the NW 1/4 of Section 1 and the NE 1/4 of Section 2, All in T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota
10. **Plat: Riggs, Rondald & Michele**
    Tract 3 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
11. **Plat: CJM Consulting Inc**
    Plat of Lot 10, Block 1 of Westwood First Addition, a subdivision of SW 1/4 of Section 16, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County South Dakota
12. **Plat: Railroad Pines LLC**
    Plat of Lot A-3, a subdivision of Lot A-1 of N. Boyden First Addition, a subdivision of the SE 1/4 of the NE 1/4 of Section 23, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota
13. **Plan Approval: Tingle, Merlin**
    1800 Loma Linda Dr, zoned Highway Business District
14. **Other Business:**
15. **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.
16. **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 10-15-24
City Council Chambers, City Hall, 612 N. Main Street
October 15, 2024

1. Call to Order
Vice-Chairperson Osterloo called the October 15, 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, Havlik (telephonically), Jirsa (telephonically), Osterloo, Sonne.
Absent: Genzlinger, Schmitz, Schreurs.
Staff Present: Dammann, Mayor Hanson, Hegg, Jenniges, J Johnson, Sandoval, Schroeder.

3. Declaration Of Conflicts Of Interests
None.

4. Approve Agenda
Motion by Sonne, seconded by Jirsa to approve the proposed agenda. Roll call vote: Genzlinger – absent, Havlik – aye, Jirsa – aye, Osterloo – aye, Schmitz – absent, Schreurs – absent, Sonne – aye. 4 aye, 0 nay, 3 absent; motion carried.

5. Approval of Previous Minutes: September 23, 2024
Motion by Sonne, seconded by Jirsa to approve the proposed minutes of the September 23, 2024 Planning Commission Meeting. Roll call vote: Genzlinger – absent, Havlik – aye, Jirsa – aye, Osterloo – aye, Schmitz – absent, Schreurs – absent, Sonne – aye. 4 aye, 0 nay, 3 absent; motion carried.

6. Schedule Next Meeting: October 28, 2024
Motion by Sonne, seconded by Jirsa to set the date for the next Planning Commission Meeting for October 28, 2024. Roll call vote: Genzlinger – absent, Havlik – aye, Jirsa – aye, Osterloo – aye, Schmitz – absent, Schreurs – absent, Sonne – aye. 4 aye, 0 nay, 3 absent; motion carried.

7. Conditional Use Permit: Josh Frost d.b.a. Mitchell Towing & Recovery
Josh Frost has applied for a conditional use permit for Outside Storage and to operate Mitchell Towing and Recovery business which falls under the category of Automotive sales, repair, parts, detailing; located at 24994 406th Ave, legally described as Lot 3D-1 and Lot 3D-2 of

D.R. Kiner's First Addition in the SW ¼ of Section 31, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota. The said real property is zoned UD Urban Development District.

Jenniges gave a history of the previous meetings. City Planning Commission recommended approval at their 8-26-24 meeting with a condition it be reviewed at their first October meeting. There were also the following conditions for outside storage; plan written on paper for the materials on site, the location of where the materials will be placed, fence location and type and also a schedule for when all of it will be cleaned up or organized. The following was the conditions they put on for the automotive sales, repair, parts and detailing; written plan on paper for location of vehicle placement, fencing type and location, business hours and also a schedule for when all the work will be completed. Board of adjustment approved the CUP at their 9-3-24 meeting with the condition it be reviewed at their second October meeting with the same conditions. The previous minutes were included in the packet for review.

Jenniges noted that a notice was sent out to the neighbors, it was published in the official newspaper and sign posted. There was one response returned from the first meeting opposed, and two responses opposed for this meeting that did not make the packet but were handed out. The applicant was present to answer questions and presented a GIS map of his land.

Osterloo quested what has been done since the last meeting. Frost answered that they have dug holes for fence posts and have the map for where the fences are going to go. Osterloo questioned what about one of the letter stating more stuff had been brought in to which was answer that was from an insurance auto auction and that has already been removed.

Derek Davis said that any vehicles in the impound lot usually leave the next day or two days later. They have hauled out 6 to 8 vehicles. They destroyed the materials for the quanzit they were going to build because they didn't feel like they had enough time to do that and cost them a few thousand dollars. He also noted some locations where holes have been dug and where fences will be placed. He believes everyone is against them and want a plan from the city for what they want to be completed.

Sonne explained they were supposed to come to this meeting with a written plan for the board to approve or deny. The board recommended approval with the intent of a future plan being brought to the board, so they didn't have to cease and desist like one of the letters stated they felt should have happened.

Frost noted they talked about metal fencing like H&R Salvage but with the wind they could come loose and start banging and not know it's happening. He proposed using a fence netting like Krohmer Plumbing uses on their North Main location. It's a 95% visual blocking netting.

Denny Kiner gave a history of the land when they owned it. After his father died they took out 220 tons of iron from the property. His solution is to put up a 10' fence on the south and east side of the property. He understands they are trying to make a living but the land out there has changed into a residential neighborhood from what it was years ago when the closest neighbor was a quarter mile away. Kiner stated he likes the netting on the fence and would not be opposed to that or the business.

Jirsa stated what he was expecting to happen at this meeting was a written plan by the applicants for the applicants to follow moving forward. He understands it has taken a long time for this mesh to happen and will take time to clean up and he wants that written down so there is no confusion on timeline for when it will all be done.

Johnson gave some advice for what the board's options are. They could postpone and bring it back to Planning Commission with any conditions or send it to Board of Adjustment with or without conditions.

Motion by Sonne, seconded by Osterloo to recommend approval of the conditional use for automotive sales, repair, parts and detailing. Roll call vote: Genzlinger – absent, Havlik – aye, Jirsa – nay, Osterloo – aye, Schmitz – absent, Schreurs – absent, Sonne – aye. 3 aye, 1 nay, 3 absent; motion carried.

Motion by Jirsa, seconded by Sonne to recommend approval of the conditional use outside storage with the condition they present at Board of Adjustment a written plan on paper for the materials on site, the location of where the materials will be placed, fence location and type and also a schedule for when all of it will be cleaned up or organized. Roll call vote: Genzlinger – absent, Havlik – nay, Jirsa – aye, Osterloo – aye, Schmitz – absent, Schreurs – absent, Sonne – aye. 3 aye, 1 nay, 3 absent; motion carried.

8. Rezone Hearing & Recommendation: Hackberry Holdings LLC

Hackberry Holdings LLC is requesting the following property legally described as; S ½ of the E ½ of Square 7 (Lots 10-12, Square 7) Weaver's Squares Addition, City of Mitchell, Davison County, South Dakota; be changed from R3 Medium Density Residential District to HB Highway Oriented Business District AND THE OFFICIAL ZONING MAP BE CHANGED TO REFLECT THE SAME.

Jenniges noted that a notice was sent out to the neighbors, it was published in the official newspaper and sign posted. There was one response returned in favor. The applicant was not present to answer questions.

Jenniges said the applicant would like to build another cold storage building but it would go across different zoning districts. The entire block has been rezoned multiple different times. He noted the applicant is trying to get rid of some of the semi's by building another shed.

Sonne agreed that they are trying to clean up the property with the proposal and it's not spot zoning.

Motion by Jirsa, seconded by Sonne to recommend approval of the rezone. Roll call vote: Genzlinger – absent, Havlik – aye, Jirsa – aye, Osterloo – aye, Schmitz – absent, Schreurs – absent, Sonne – aye. 4 aye, 0 nay, 3 absent; motion carried.

9. Plan Approval: Mega Wash

Jenniges said the applicant would like to add another wash bay to the west side of the building. He showed the board the plan that was in the packet for their review. The applicant was not present to answer questions.

Motion by Jirsa, seconded by Sonne to approve the plan. Roll call vote: Genzlinger – absent, Havlik – aye, Jirsa – aye, Osterloo – aye, Schmitz – absent, Schreurs – absent, Sonne – aye.

4 aye, 0 nay, 3 absent; motion carried.

10. Other Business:

Jenniges reminded the board of the public input session for the zoning ordinance revision on October 16, 2024 @ 2:00 P.M. in council chambers.

11. Public Input:

None.

12. Adjourn

Vice-Chairperson Osterloo adjourned the meeting at 12:49 P.M.

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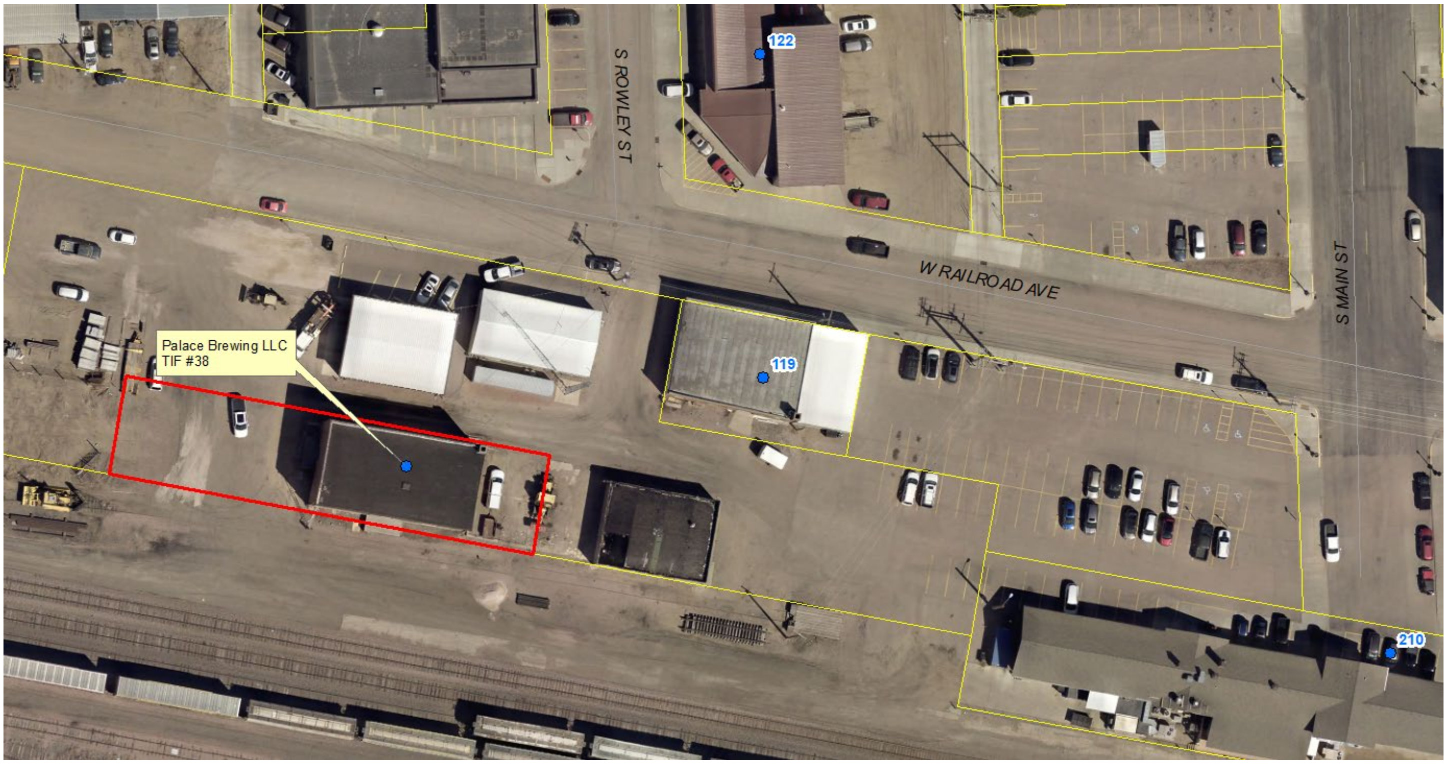
Jon Osterloo
Planning Commission Vice-Chairperson


122
S ROWLEY ST
W RAILROAD AVE
S MAIN ST
Palace Brewing LLC
TIF #38
119
210


227 W RAILROAD AVE
119 W RAILROAD AVE
W RAILROAD AVE
W RAILROAD AVE

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 October 28, 2024 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-eight (38).

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

LOT R-1 OF DEPOT SECOND ADDITION TO THE CITY OF MITCHELL LYING IN THE SE ¼ OF SECTION 21, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, ACCORDING TO THE PLAT FILED IN BOOK 21 OF PLATS, PAGE 39 ON SEPTEMBER 16, 2005 IN THE OFFICE OF THE REGISTER OF DEEDS, 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.cityofmitchellsd.gov. Following such hearing, the matter will be heard and acted upon by the Mitchell City Council on November 4, 2024 at 6:00 pm in the City Hall Council Chambers.

Dated this 10th day of October, 2024.

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Michelle Bathke – Finance Officer

Published once: 16th day of October, 2024
Approximate publication cost: ____________

Tax Incremental District

Number 38

City of Mitchell, SD

Economic Development Project Plan
In conjunction with

Palace Brewing LLC, Developer

Table of Contents

Introduction

Tax Increment Financing (TIF) is an incentive utilized by local governments to attract private development and investment. New investment equals new jobs, more customers, and in turn, more investment opportunity. Additionally, TIFs are used to clean up blighted areas located within a city. The incentive can also help attract and retain existing businesses and/or new businesses and workers that might otherwise find more attractive options elsewhere. The jobs and additional investment, both private and public, mean more money for the community. Tax Increment Financing helps to overcome costs that often prevent redevelopment, to include demolition and remodel costs in blighted areas of a community, and private investment from occurring in the community. As a result, the TIF area itself improves and property values increase.

Specifically, money for improvements and other incentives comes from the growth in property tax revenues - the tax increment. A tax increment is the difference between the amount of property tax revenue generated from property within the TIF district before TIF district designation and the amount of property tax revenue generated from property within the TIF district after TIF designation. Property taxes collected on properties included in the TIF at the time of its designation continue to be distributed to the city, school district, county and all other taxing districts in the same manner as if the TIF district did not exist. Only property taxes collected as a result of the incremental increase in the value of these properties after formation of the TIF district are available for use by the counties or cities to fund projects costs in the TIF district.

In addition to increasing property valuation, creating a Tax Increment District for the benefit of economic development can mean revitalizing downtown/core business districts of cities in South Dakota that have deteriorated over time, causing businesses to leave the downtown area and relocate, sometimes in other communities, leading to a “blighted” downtown core business area. It is up to local communities to attempt to revitalize and bring downtown districts back to “life” by maintaining historic downtown buildings, providing remodeled and attractive housing options in the downtown business area and new retail businesses. Using Tax Increment Financing is one of the most powerful economic development that helps accomplish revitalizing “blighted” areas which, in turn, creates jobs and economic development, to include additional sales tax for cities local communities and the State of South Dakota.

A local government, per South Dakota Codified Law, Chapter 11-9, can designate a specific area within its boundaries as a redevelopment area appropriate for a TIF district and prepare a plan for development. TIF projects must be recommended for approval by the County or City Planning Commission and the County or City Commission/Council.

Purpose & General Definitions as used in this Plan

The property upon which this Tax Incremental District (TID) is proposed to be implemented is located within Davison County, South Dakota, and is located within the city limits of the City of Mitchell.

As such, the creation of City of Mitchell TIF #38 shall be conditioned upon the creation of the District by resolution, and the establishment of the TID boundaries and approval of the TID Project plan by the City of Mitchell Planning and Zoning Commission along with the City Council.

The purpose of this Plan, to be implemented by the City of Mitchell, South Dakota is to satisfy the requirements for a Tax Increment District Number #38 as specified in SDCL Chapter 11-9. 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. The Plan will describe the boundary, estimated costs, feasibility and fiscal impact of the District.

This Plan was prepared for adoption by the City Council in recognition that the area requires a coordinated, cooperative strategy, with financing possibilities, to promote economic development and accomplish the City's development objectives for improving the continued viability by promoting economic development within the City, and specifically the City's "Downtown Core Business District."

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 and redevelopment, and to promote economic development throughout the District. The project will not proceed and is not economically feasible but for the use of Tax Incremental Financing.

Development in the area is anticipated to occur starting in January of 2024, with the potential for tax increment financing to provide the impetus and means to undertake this development at faster pace than might occur otherwise, but more importantly to ensure that the City's Core Downtown Business District continues its revitalization of Mitchell "Main Street" and nearby businesses.

The following terms found in this Plan are defined as the following:

"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 or Economic Development" SDCL § 11-9-8.

(1) Not less than twenty-five percent, by area, of the real property within the district is a blighted area or not less than fifty percent, 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, agricultural, or natural resources; and

(2) The improvement of the area is likely to enhance significantly the value of substantially all of the other real property in the district.

"City Council" means the City of Mitchell, South Dakota

"Calendar Year" means the starting date of January 1 to an ending date of December 31.

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

"Developer" means Palace Brewing LLC.

"Developer's Agreement" means the agreement between Developer and 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.

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

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

"Governing body" means the Mitchell City Council, South Dakota.

"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.

"Plan" means this Project Plan.

"Planning Commission" means the Mitchell City Planning Commission South Dakota

"Project Costs" means any expenditure or monetary obligations by City of Mitchell, 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 City of Mitchell in connection with the implementation of this Plan.

"Project Plan" means a properly approved Plan for the development or redevelopment of a tax incremental district including all properly approved amendments thereto as recommended pursuant to SDCL§ 11-9-1 3.

"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 County 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 County defined and created by resolution of the governing body and named City of Mitchell Tax Incremental District #38.

"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.

Creation of City of Mitchell, South Dakota TID #38

Palace Brewing LLC, a South Dakota limited liability company made up of Mitchell residents, has purchased an empty commercial building and real property located at 227 W. Railroad Street, Mitchell, South Dakota, hereinafter the “Palace City Brewing Building.” At the time of the purchase, the Building had no utilities connected to it and had, at one time, been used for cold storage, but it has been empty for a number of years. The property also contains a cement block building that has totally been abandoned and has fallen into total disrepair. The Developer has approached officials with City of Mitchell regarding the possibility of creating a Tax Incremental Financing District (“TID”) to assist in the Project Costs within the Plan on land which is located within City of Mitchell, South Dakota, to demolish the existing cement block building and totally gut and reconstruct the Palace City Brewing Building. As presented by the Developer, the TID will consist of one phase, as follows:

Reconstruct the Palace City Brewing Building to allow it to be utilized for a new business to the City of Mitchell—a local brewery. Although a number of surrounding communities have local breweries, this will be a first for the City of Mitchell. The plans call for the reconstruction and remodeling of the aged dilapidated building consisting of two floors and a basement. The project will include a total remodel. The first floor will house the brewing equipment and be the primary space utilized for the serving of beer brewed at the brewery to patrons. The second floor will serve as either an event space or overflow area for the first floor. The basement will be used for storage and barrel cellaring. It is anticipated that the Palace City Brewing Building renovation shall be completed by the fall of 2024, and, as stated above, the project will also consist of demolition of the existing cement block building. The Developer has indicated that the project will not proceed and is not economically feasible but for the use of Tax Incremental Financing for the Project.

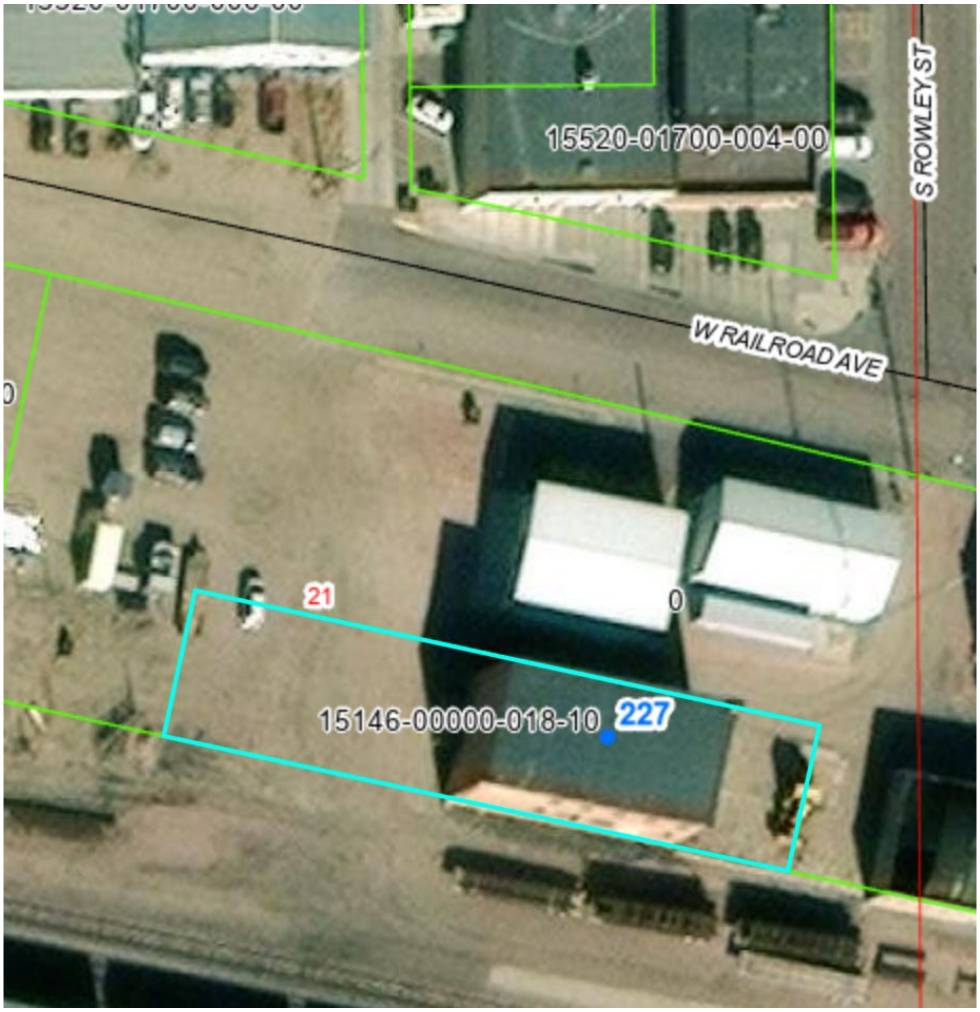
Timing and weather permitting, Developer intends to begin remodel/construction on the Palace City Brewing Building in the spring of 2024 with a completion date by late fall 2024.

Property within Tax Increment District #38

The real property to be located within the Tax Increment District is legally described as follows:

> Lot R-1 of Depot Second Addition to the City of Mitchell, lying in the SE ¼ of Section 21, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota, according to the plat filed in Book 21 of Plats, page 39 on September 16, 2005 in the office of the Register of Deeds, Davison County, South Dakota. Furthermore, Developer is, the sole owner of all real property to be included in the TID.

A map of the TIF boundary area (in cyan) is depicted below:



Taxable Value of City of Mitchell

State law requires that tax increment districts cannot exceed ten percent of the taxable value of City of Mitchell. The current value for City of Mitchell is approximately $1,584,609,382. The base value of the taxable property for inclusion into this Tax Incremental District #38, as per the Director of Equalization’s records is $8,496.

11-9-7. Maximum percentage of taxable property in municipality permitted in districts. In order to implement the provisions of this chapter, 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 City of Mitchell, South Dakota is as follows:

TIF #	Certified Base Value State of South Dakota Department of Revenue City of Mitchell
8	$6,002,565
9	$50,400
14	$37,850
16	$5,005,495
19	$13,370
20	$151,890
21	$125,082
23	$3,004,275
24	$401,798
26	$0
27	$1,002,685
28	$2,119,490
29	$397,815
30	$55,610
31	$615,554
32	$1,557,071
33	$818,913
34	$1,272,180
35	$132,640
36	$221,229
37	$79,277
38	$93,065
Total Base Value(s)	$23,158,254

The total value of all active TIF districts in City of Mitchell is less than ten (10) percent of total taxable value in the City. Using the estimates provided, with TID #33 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 Proposed 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 City is working to develop an economic and competitive base to benefit the City and the State of South Dakota 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 economic development 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 City shall enter into all contracts in accordance with South Dakota law.

A combination of private investment and tax increment financing will assist progress toward the overall objectives of both the City of Mitchell and the Developer. The Palace City Brewing Building will play a substantial part of a larger 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 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.

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.

Although the estimated costs of the Project are approximately $2,900,000 (between construction costs and the costs of business personal property), Developer is requesting a TIF in the amount of $500,000, and will pay the remaining amount through self-funding. The requested TIF amount is set forth in the table below:

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	$500,000	11-9-15(8)
Eligible Project Costs		$500,000	

[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.

Estimated costs for non-project costs and TIF eligible costs may vary from actual costs incurred during construction. The grant to Developer is not controlled by the individual line items for TIF eligible costs. TIF proceeds may flow through to Developer for certified TIF eligible expenses, without respect to a particular line item, based on the actual costs incurred for those TIF eligible expenses up to the total authorized TIF request amount of $500,000.

*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 $500,000 will require an amendment of this Plan. All amendments would be undertaken pursuant to SDCL §11-9-23.

When 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 Developer's Agreement with Developer with the following as the guidelines for the Agreement:

Financing Terms:

- Amount. The total amount of the TIF will not exceed $500,000.
- 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 $500,000 has been paid out in tax payment to the Developer from the taxes generated within the District, whichever comes first.

Legal Terms:

- Should the State of South Dakota not classify the TIF as 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.

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 Developer's Agreement 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 $500,000 will be the maximum amount the City will ever pass on acting as a conduit for TIF #38 for eligible project costs.
>
> 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 construction of 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 $500,000 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 no have 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 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, the governing body of the City shall fail or refuse to approve or authorize the funds due hereunder, and 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.

Developer Terms:

- Palace Brewing LLC will act as the Developer and all TIF proceeds will flow to Developer.
- Developer will certify the costs to the City for reimbursement.
- The City of Mitchell reserves the right to charge an annual administration expense. This fee will be used to offset any future expenses that may occur due to reporting. The amount will not exceed $5,000.00 in a calendar year.
- The Developer agrees to waive the discretionary formula for all construction within the TIF.

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 and agricultural development as evidenced by the Economic Development Study attached as Schedule 3.

Fiscal Impact Statement

Attached is Schedule 4, a Fiscal Impact Statement showing the impact of the Tax Increment District, until and after the TIF advances 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 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 #38 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 $500,000 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 and the extinguishment of TIF monetary obligations, 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 2023 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 2.

The Improvements map, SDCL § 11-9-16(2), is included as Attachment 3.

The Zoning Change Map, SDCL § 11-9-16(3), is included as Attachment 4.

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

No changes to City ordinances nor the City Master Plan are required.

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
Non-Project Costs	$1,914,235
TOTAL	$1,914,235

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

SCHEDULE 1 - Estimated Project Cost

SCHEDULE 2 - Economic Feasibility Study

SCHEDULE 3 - Economic Development Study

SCHEDULE 4 - Fiscal Impact Statement

SCHEDULE 5 - Estimated Captured Taxable Values

List of Attachments

Attachment 1 - Descriptions of Real Property

Attachment 2 - Conditions Map, SDCL § 11-9-16(1)

Attachment 3 - Improvements Map, SDCL § 11-9-16(2)

Attachment 4 - Zoning Change Map SDCL § 11-9-16(3)

Schedule 1 – "Detail of Project Costs"

Kind of Project	Number of Projects	Location[1] 1 above	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	1	District	$500,000	11-9-15(8)
Eligible Project Costs			$500,000	

Estimates of TID Eligible Project Costs Requested

The City of Mitchell has determined that this will be an economic development Tax Increment District, thus the eligible cost will be in the form of a grant that will not exceed $500,000. This is a permitted use under SDCL 11-9-15. See Page 10 for statutory reference.

Palace Brewing Building Renovation Costs			
	TOTAL COST	DEVELOPER COSTS	REQUESTED TIF COSTS
Procurement & Contracting	$ 16,612.00	$ 16,612.00	
General Requirements	$ 413,376.00	$ 413,376.00	
Existing Conditions	$ 100,964.00	$ 100,964.00	
Concrete/Masonry/Tuckpointing	$ 89,094.00		$ 89,094.00
Metals	$ 78,599.00		$ 78,599.00
Wood, Plastics & Composites	$ 109,271.00	$ 109,271.00	
Thermal & Moisture Protection	$ 131,522.00	$ 131,522.00	
Openings	$ 76,786.00		$ 76,786.00
Finishes	$ 111,323.00	$ 111,323.00	
Specialties	$ 43,857.00	$ 43,857.00	
Furnishings	$ 140,827.00	$ 140,827.00	
Fire Suppression	$ 46,720.00		$ 46,720.00
Plumbing (50%)	$ 123,974.00	$ 61,987.00	$ 61,987.00
HVAC (75%)	$ 140,627.00	$ 35,156.75	$ 105,470.25
Electrical (75%)	$ 163,973.00	$ 40,993.25	$ 122,979.75
Earthwork	$ 1,086.00	$ 1,086.00	
Elevator	$ 260,000.00		$ 260,000.00
Exterior Improvements ✦	$ 123,801.00		$ 123,801.00
Utilities ★	$ 88,816.00	$ 88,816.00	
Business Personal Property	$ 618,444.00	$ 618,444.00	
Professional Fees ✦	$ 25,000.00		$ 25,000.00
TOTALS	$ 2,904,672.00	$ 1,914,235.00	$ 990,437.00

Total Project Costs: $2,904,672
TIF Proceeds Requested: ($500,000)
Developer Costs: $2,404,672

The above figures represent estimates. Costs described above are non-exhaustive, hence Developer is likely to incur costs in excess of the numbers used here. See line items breakdowns on the following page.

★ While utilities would be an acceptable TIF expense, due to the size of the TIF requested in comparison to the number of eligible costs, Developer has elected to decline seeking reimbursement for utility costs associated with this project.

✦ See costs information provided on following page.

Palace Brewing Renovation Costs Information

Existing Conditions – the state of the construction site and its surrounding prior to new construction beginning. Costs are incurred in preparing the building, based on its then condition, to withstand the subsequent construction projects (i.e. structural integrity is ascertained and addressed as part of this process).

Exterior Improvements – Construction of: two-level deck and stairs with rails; patio area, painting, tuckpointing, windows, doors, and more.

Professional Fees – Engineering and Legal fees

Schedule 2 - "Economic Feasibility Study"

Developer has approached the City of Mitchell regarding the possibility of creating a Tax Incremental Financing District to assist with help in offsetting the costs associated with the demolition of an existing building and the restructure/remodel of a second building to be utilized as a brewery.

The Palace City Brewing Building is an aged downtown building located in the City's core downtown business district, near the corner of West Railroad Avenue and South Rowley Street. The building has fallen into a state of total disrepair with cracks, leaks, varmints and 2 dilapidated, non-functioning elevators. The entire building has been unoccupied for many years and numerous repairs are needed to open and occupy the premises for any purpose, including tuckpointing, repair/replacement of walls, windows, and a new roof. If not made, the above issues will continue to worsen and requiring the Palace City Brewing Building to be demolished as a "nuisance property." Additionally, there is an abandoned cement block building which is located on the property which has fallen into total disrepair and is a nuisance property now. This building will be demolished as part of this project.

Renovation/Reconstruction Project

The purchase of the real property and the renovation/reconstruction project of the Palace City Brewing Building is estimated to be in the approximate amount of $2,900,000; however, Developer is using the amount of 1,550,000 in additional assessed value over and above the current assessed value as an approximate full and true assessment value as a "conservative estimate."

Renovation/Reconstruction will consist of the following:

- Bat mitigation;
- Demolition of existing interior;
- Concrete reinforcement;
- Cast in place concrete;
- Masonry/tuckpointing;
- Metal fabrication;
- Rough carpentry;
- Decks – interior/exterior
- Interior stairs

- Wall beam reinforcement
- Thermal and moisture protection
- Finishing;
- Specialties;
- Equipment;
- Furnishings;
- Elevators;
- Fire suppression;
- Plumbing;
- HVAC;
- Electrical;
- Bringing utilities to the project area;
- Earth work; and
- Exterior improvements.

The City has been asked to create a Tax Increment District to help offset the nuisance removal, renovation/remodel and construction costs associated with Project. This feasibility study provides that a portion of the Project Costs can be financed through tax increment financing under South Dakota Tax Incremental District Law (South Dakota Codified Laws Chapter 11-9), with the balance of the costs to be paid by the Developer. Tax increment financing is an indispensable self-financing tool 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 property is currently taxable at $8,496. The improvements to be made to the property, to include the purchase price for the real property, are estimated to be in the approximate amount of $2,900,000. The estimated increment resulting from the improvements would be approximately $1,550,000 annually in new taxes once fully developed. Since only positive tax increment will be applied, the proposed project is feasible.

All of the project costs are found to be necessary and convenient to the creation of the Tax Incremental District and the implementation of the project.

For purposes of this Project Plan, the Developer is projecting that the remodel of the Palace City Brewing Building will be fully completed by late fall 2024. It is anticipated that the Developer will procure financing to fund the TID improvements through Developer-advanced funds (self-financing), however, should the self-funding become unfeasible, the Developer may seek other financing at Developer’s sole risk and expense. Developer shall not use TIF proceeds for any interest or fees associated with any such alternative financing. The City at no time shall ever be responsible for any loan the Developer secures. The City's role is to simply act as a conduit for the tax revenue and pass on all positive increment to the Developer, of which, will never exceed $500,000 in total payments, or 20 years, whichever comes first.

A portion of the development within the District could qualify for the discretionary tax abatement. However, City of Mitchell TIF regulations require a developer to waive the “real property” discretionary formula as a condition of approving a TIF. Developer is aware of this requirement.

For purposes of this Project Plan, it is anticipated no increment generated by City TID #38 will be available until calendar year 2026 and thereafter. The calculation of the estimated tax increment valuation and tax generated for City of Mitchell TID #38 is presented in the table below.

TID TAX REVENUE ESTIMATES AVAILABLE
FOR CITY OF MITCHELL TID #38

Revenue Assumptions / Feasibility Study

Levies are based on 2023 payable in 2024

Construction Year	Valuation Year	Revenue Year	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
2024	2025	2026	$ 1,550,000.00	$ 1,550,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 26,479.86	$ 26,479.86
2025	2026	2027			0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 26,479.86	$ 52,959.72
2026	2027	2028			0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 26,479.86	$ 79,439.59
2027	2028	2029			0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 26,479.86	$ 105,919.45
2028	2029	2030			0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 26,479.86	$ 132,399.31
2029	2030	2031			0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 26,479.86	$ 158,879.17
2030	2031	2032			0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 26,479.86	$ 185,359.04
2031	2032	2033			0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 26,479.86	$ 211,838.90
2032	2033	2034			0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 26,479.86	$ 238,318.76
2033	2034	2035			0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 26,479.86	$ 264,798.62
2034	2035	2036			0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 26,479.86	$ 291,278.48
2035	2036	2037			0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 26,479.86	$ 317,758.35
2036	2037	2038			0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 26,479.86	$ 344,238.21
2037	2038	2039			0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 26,479.86	$ 370,718.07
2038	2039	2040			0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 26,479.86	$ 397,197.93
2039	2040	2041			0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 26,479.86	$ 423,677.80
2040	2041	2042			0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 26,479.86	$ 450,157.66
2041	2042	2043			0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 26,479.86	$ 476,637.52
2042	2043	2044			0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 26,479.86	$ 503,117.38
2043	2044	-										
2044	-	-										

Valuation Increment * Non-Ag Factor * Total Mill Rate

True & Full Value of Improvements	$	1,550,000.00
Assessed Value of Improvements	$	1,415,150.00

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.

Schedule 3 - "Economic Development Study"

SECTION 1 - INTRODUCTION

The City has been approached concerning the creation of a tax increment district located within City limits. 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, 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.

SECTION 2 - STUDY AREA BOUNDARY

The Study Area is described as the area depicted on the map attached to this Project Plan. (Attachments 1 and 2).

SECTION 3 - ESTABLISHING ECONOMIC DEVELOPMENT

South Dakota law describes economic development as activity that stimulates and develops the general economic welfare and prosperity of the state through the promotion and advancement of industrial, commercial, manufacturing, agricultural, or natural resources. The area making up the boundaries of proposed City of Mitchell TID #38 currently consists of an un-occupied, deteriorating two-story building with a number of structural problems. The property also has an abandoned cement block building located on the property in need of demolition. The new brewery will bring an empty building back to life and add a new business to Mitchell's core Main Street area in an age where business have been closing on Mitchell's Main Street. The business will employ up to four (4) full-time employees and a minimum of fifteen (15) part-time employees. In an era of downtown buildings being demolished and loss of business in the downtown core, this project will cleanup an area in Mitchell's core downtown business area and add a new business that will attract people to the downtown area as a compliment to other downtown retail and food businesses.

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

It is specifically found that once the improvements set forth within City of Mitchell TID #38 Project Plan are commenced the improvements enhance significantly the value of substantially all of the other real property in the District and will help the entire City core business district continue to develop, adding sales tax dollars to the City and to the State of South Dakota.

SECTION 5 - CONDITIONS WITHIN THE STUDY AREA; LAND USE AND PLANNING LAND USE, PLANNING AND COMPREHENSIVE PLAN

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

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, 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).

The study area currently consists of an un-occupied two-story building that has numerous structural issues. The Developer is proposing to renovate and bring back to life the Palace City Brewing Building with new commercial dining/event space on the first floor. The second floor will serve as either an event space or overflow area for the first floor. The basement will be used for storage and barrel cellaring. The collective improvements to the building will eliminate what is currently a blighted building near the City's core downtown area.

In accordance with State Law, the following addresses specific characteristics of economic development are found within the Study Area with corresponding portions of 11-9-8 and 11-9-11:

The investment of approximately $2,500,000 in the study area will stimulate and develop the general economic welfare and prosperity of the state through the promotion and advancement of commerce. More than fifty percent, 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 commerce. The development will cause more employment and will clear a partially "blighted" building structure near the City's core downtown area and bring another abandoned building in this area back to life. The completion of the project will generate additional economic activity through commerce and development.

Schedule 4 - "Fiscal Impact Statement"

Fiscal Impact Statement City of Mitchell- Tax Increment District #38

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 § 11-9-13 (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 29.

"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 $1,415,150.
(2) The average tax levy of all taxing districts will be $18.7117 per thousand dollars of taxable valuation.
(3) Tax increment will start to be collected in 2026 and end prior to 2044.
(4) The discretionary formula will be waived by Developer.

FISCAL IMPACT

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

Valuation Assumptions	Current Assessed Value	Project Assessed Value with Improvements	Positive Increment
TIF Area	$93,065	$1,508,215	$1,415,150

Schedule 5 - "Estimated Captured Taxable Values"

For purposes of this Project Plan, Developer assumes that **Developer will elect not to use the real property tax discretionary formula** currently utilized in City of Mitchell, South Dakota, pertaining to payment of real property taxes (i.e., 20% Year 1; 40% Year 2; 60% Year 3; 80% Year 4; and 100% Year 5).

It is further assumed, for purposes of this Plan, that the remodel of the Palace City Brewing Building will be completed by late fall 2024, with the improvements estimated to be assessed in the approximate amount of $1,550,000, which will generate $26,480 in annual real property taxes upon completion.

*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 is estimated to be at the maximum range of $503,000 covering a span of captured tax years not to exceed 20. Collection is anticipated to begin in 2026, 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:

2023 Property Tax Rate	
2022 Payable in 2023	**$ per $1,000 assessed**
Davison County	$3.5199
City of Mitchell	$4.5328
JR Water	$.058
School District	$10.601
Total Tax Levy	**$18.7117**

Utilizing the information regarding expected increment valuation and tax generation, it is possible to generate an expected revenue stream that can be utilized to fund the requested grant as a result of implementing the Project Plan.

Attachment 1

Description of Real Property:

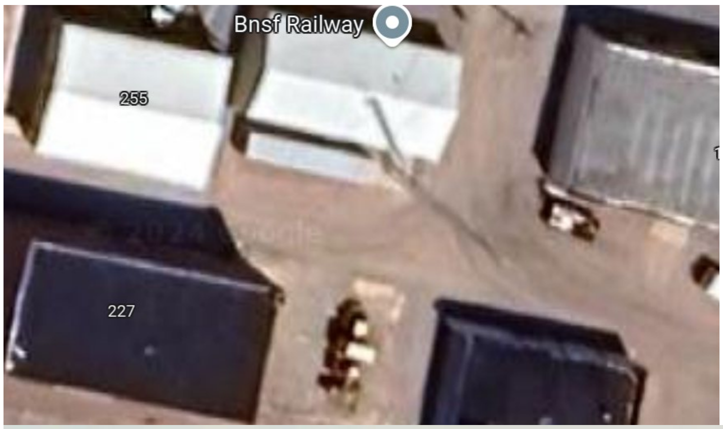
The real property to be located within the Tax Increment District is legally described as follows:

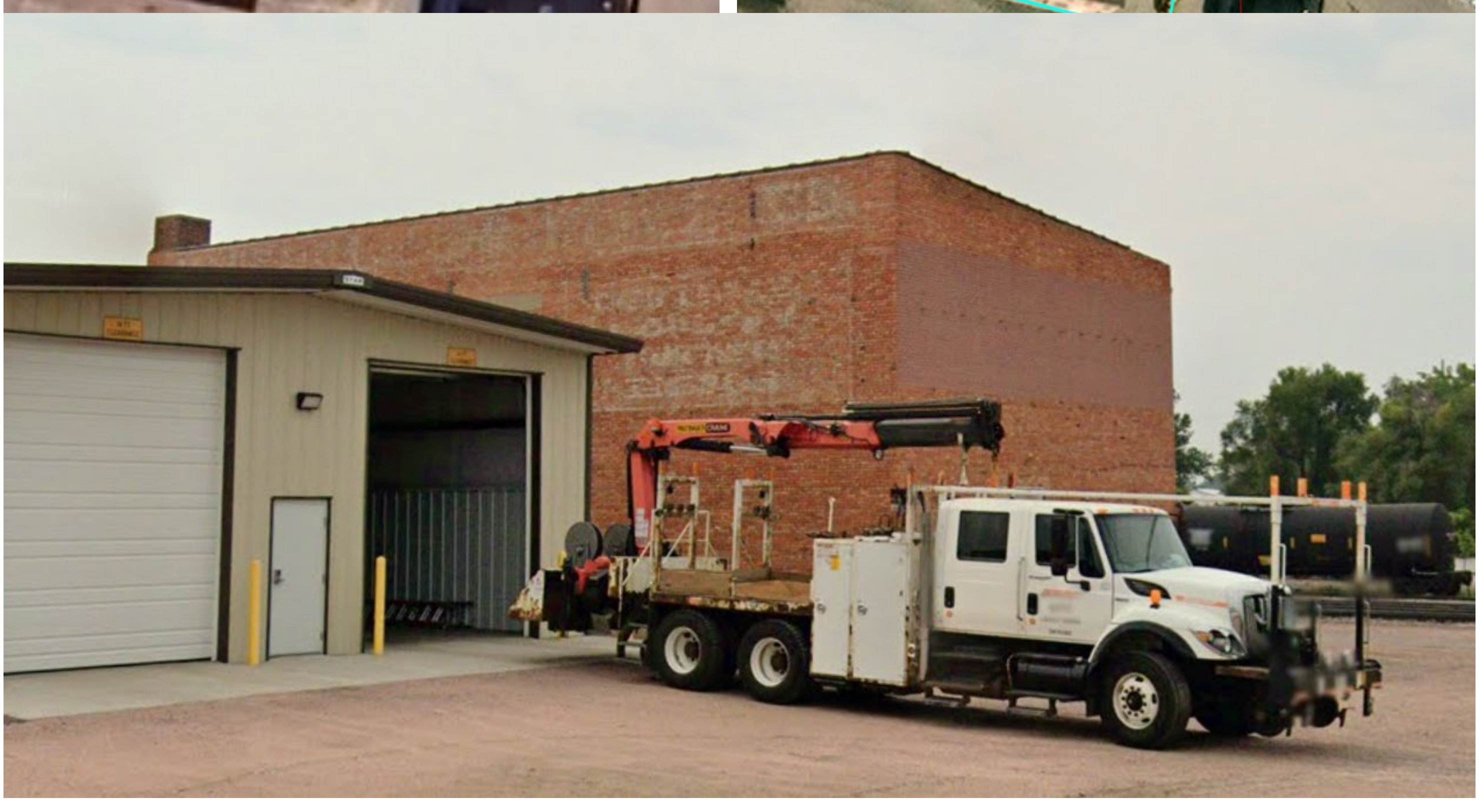
> Lot R-1 of Depot Second Addition to the City of Mitchell, lying in the SE ¼ of Section 21, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota, according to the plat filed in Book 21 of Plats, page 39 on September 16, 2005 in the office of the Register of Deeds, Davison County, South Dakota.

Attachment 2

Conditions picture for City of Mitchell Tax Incremental District #38, SDCL § 11-9-16(1)

(2nd image depicts proposed TIF boundaries in CYAN)

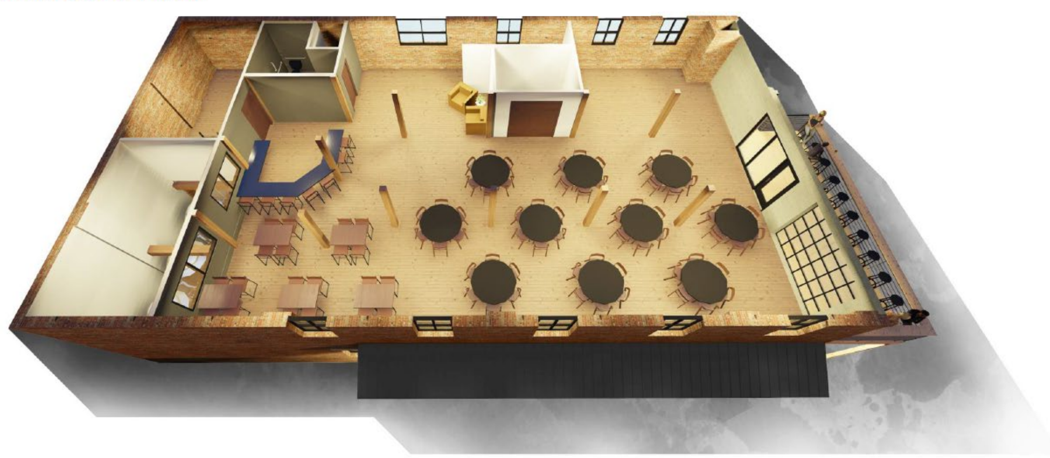




Attachment 3

Improvements map for City of Mitchell Tax Incremental District #38, SDCL § 11 -9-16(2).

FIRST FLOOR PLAN

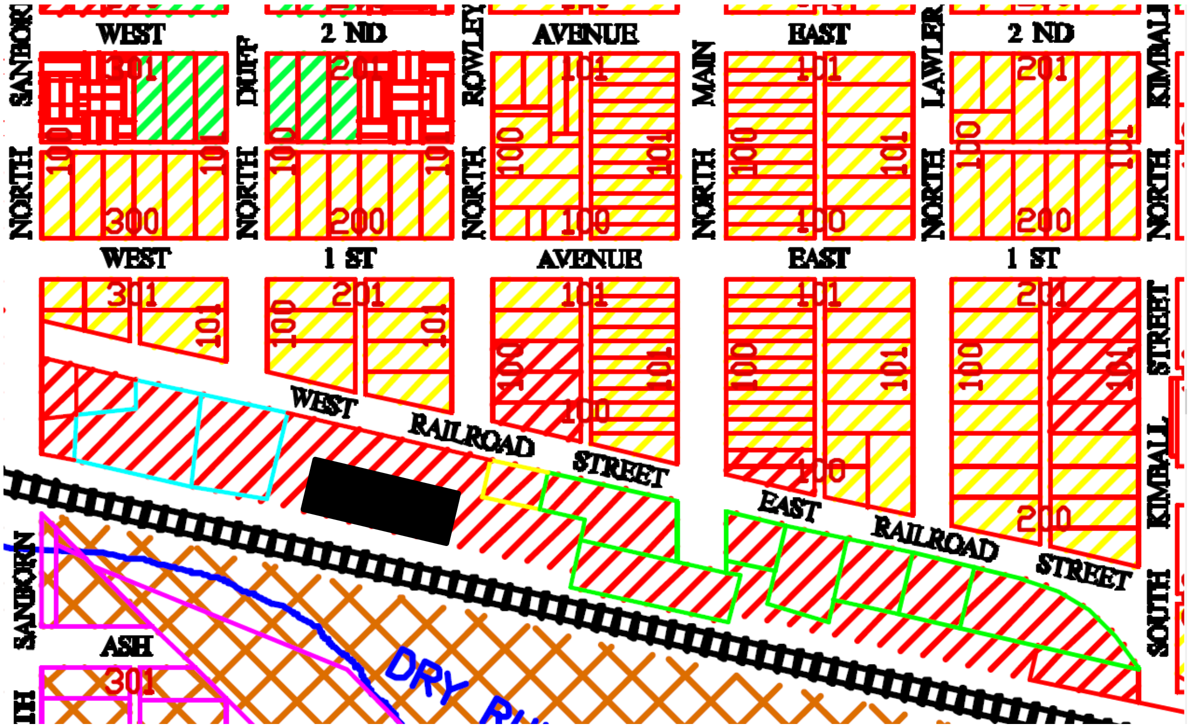


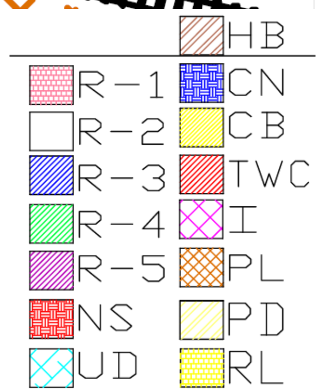
SECOND FLOOR PLAN

Attachment 4

Zoning Change Map for City of Mitchell Tax Incremental District #38, SDCL § 11-9-16(3).

- No proposed changes as the property is currently zoned as Transportation-Warehouse-Commercial.





The approximate TIF Boundary is depicted above in black.
For a legal description of the TIF Boundary, see page 6 of the Plan.


2201
2010
MAD Garage LLC
TIF #39
RAMP
FAIROAKS AVE
W SD HWY 37
111
1911
SERVICE RD
N MAIN ST


BLVD
101 W 23RD AVE
W 23RD AVE
1911 N MAIN ST
SD HWY 37
2201 N MAIN ST
N SANBORN BLVD
1905 N MAIN ST
SD HWY 37
N MAIN ST
FAIROAKS AVE
2010 N MAIN ST

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 October 28, 2024 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-nine (39).

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

OUTLOTS 20 AND 21 LESS AND EXCEPT LOTS H1 AND LOTS H2 OF GREEN'S OUTLOTS IN THE NW ¼ OF SECTION 15, T 103 N, R 60 W OF THE 5^{TH} 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.cityofmitchellsd.gov. Following such hearing, the matter will be heard and acted upon by the Mitchell City Council on November 4, 2024 at 6:00 pm in the City Hall Council Chambers.

Dated this 10^{th} day of October, 2024.

____

Michelle Bathke – Finance Officer

Published once: 16^{th} day of October, 2024
Approximate publication cost: ____________

Tax Incremental District

Number 39

City of Mitchell, SD

Economic Development Project Plan
In conjunction with

MAD Garage LLC, Developer

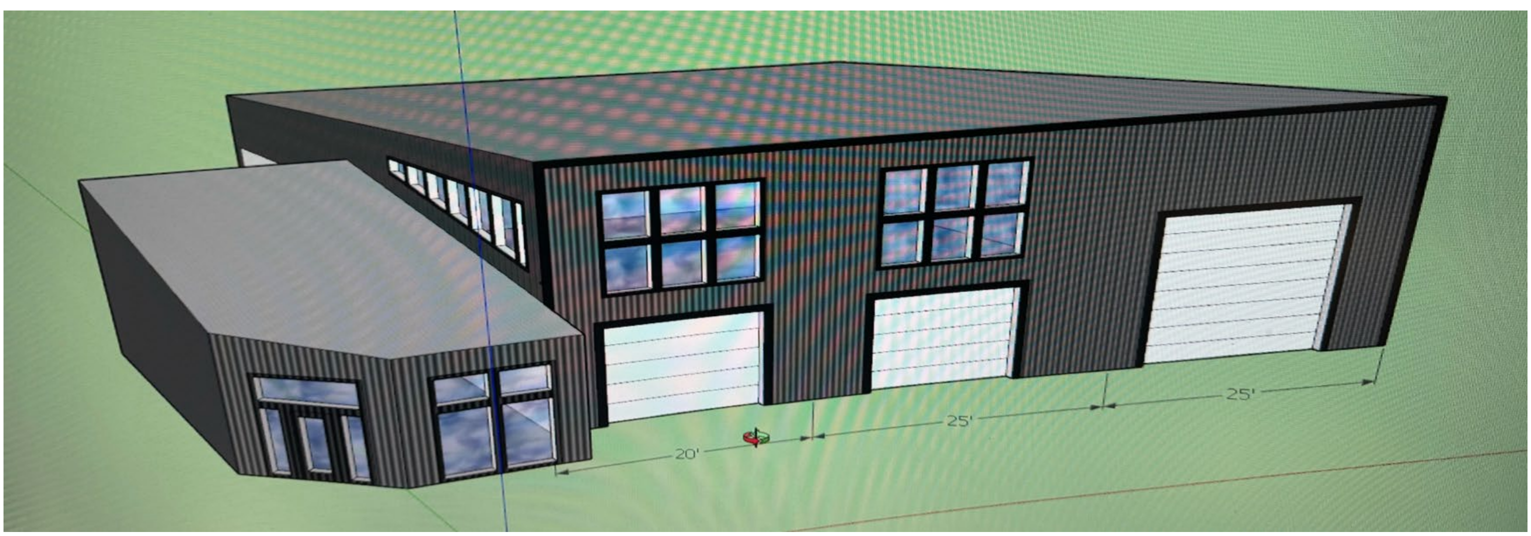


Table of Contents

Introduction

The property upon which this Tax Incremental District (TID) is proposed to be implemented is located within Davison County, South Dakota, and is located within the city limits of the City of Mitchell.

As such, the creation of City of Mitchell TIF #39 shall be conditioned upon the creation of the District by resolution, and the establishment of the TID boundaries and approval of the TID Project Plan by the City of Mitchell Planning and Zoning Commission along with the City Council.

The purpose of this Plan, to be implemented by the City of Mitchell, South Dakota, is to satisfy the requirements for a Tax Increment District #39 as specified in SDCL Chapter 11-9. 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. The Plan will describe the boundary, estimated costs, feasibility and fiscal impact of the District.

This Plan was prepared for adoption by the City Council in recognition that the area requires a coordinated, cooperative strategy, with financing possibilities, to promote economic development and accomplish the City's development objectives for improving the continued viability by promoting economic development within the City.

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 and redevelopment, and to promote economic development through the District. This project is to be located on the north side of the City of Mitchell, located along the City of Mitchell Bypass, and the principal entryway into the City of Mitchell from its northern boundary and Main Street. This area has long been stagnant in growth, but in the past year new business has begun to reestablish itself in the area, and this proposed business would add to this business corridor. The project as described in this Project Plan will not proceed and is not economically feasible but for the use of Tax Increment Financing. The Developer has recently purchased the real property upon which the project will be located, but cannot proceed with the construction of a new business location without being approved for a TIF. With Tax Increment Financing, the Developer is planning on the construction of a new commercial building and up to five (5) new employees, and the expansion of an existing local business which will allow the Developer to accommodate larger machinery, which would expand his business to agricultural and concrete machinery, all of which will not be completed without a TIF. Developer currently operates a detailing business in Mitchell. The new project will allow Developer to complete the project detailed above.

Development in the area is anticipated to occur starting in the winter of 2024, with the potential for tax increment financing to provide the impetus and means to undertake this development at a faster pace than would might occur otherwise and continue the redevelopment of Mitchell's northern commercial corridor, but more importantly ensure that one of the City's local businesses is expanded to allow for a larger customer base and additional employees, bringing in individuals outside of Mitchell to support the City's local businesses.

General Definitions as used in this Plan

The following terms found in this Plan are defined as the following:

"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 or Economic Development" SDCL § 11-9-8.

(1) Not less than twenty-five percent, by area, of the real property within the district is a blighted area or not less than fifty percent, 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, agricultural, or natural resources; and

(2) The improvement of the area is likely to enhance significantly the value of substantially all of the other real property in the district.

"City Council" means the City of Mitchell, South Dakota

"Calendar Year" means the starting date of January 1 to an ending date of December 31.

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

"Developer" means MAD Garage LLC, a South Dakota limited liability company

"Developer's Agreement" means the agreement between Developer and 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.

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

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

"Governing body" means the Mitchell City Council, South Dakota.

"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.

"Plan" means this Project Plan.

"Planning Commission" means the Mitchell City Planning Commission South Dakota

"Project Costs" means any expenditure or monetary obligations by City of Mitchell, 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 City of Mitchell in connection with the implementation of this Plan.

"Project Plan" means a properly approved Plan for the development or redevelopment of a tax incremental district including all properly approved amendments thereto as recommended pursuant to SDCL§ 11-9-1 3.

"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 County 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 County defined and created by resolution of the governing body and named City of Mitchell Tax Incremental District #39.

"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.

<u>Property within Tax Increment District #39</u>

The real property to be located within the Tax Increment District is legally described as follows:

> Outlots 20 and 21 less and except Lots H1 and Lots H2 of Green's Outlots in the NW1/4 of Section 15, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota.

Developer will be the sole owner of all real property to be included in the proposed TIF District.

A map of the TIF boundary area (the perimeter being **highlighted**) is as follows:

<u>Creation of City of Mitchell. South Dakota TID #39</u>

Developer has purchased certain real property located in the City of Mitchell for the construction of a new commercial building. The development of the real property is conditioned upon this TIF project being approved by the City. Developer has approached officials with City of Mitchell regarding the possibility of creating a Tax Incremental Financing District ("TID") to assist in certain Project Costs associated with the development of the real property, all as set forth in this Plan. As presented by the Developer, the TID will consist of one phase, as follows:

The construction of a new, 5,900 square foot commercial building to house the expanded and new MAD Garage. The project will include the construction of a 5,900 square foot pre-engineered metal building. Once completed, the building and site improvements will allow Developer to expand its existing business to allow them to employ a minimum of up to 5 new employees in addition to the company's existing 3 employees. Construction of the expanded and new building, and employment of additional employees will not happen without the TIF being approved. Additionally, the construction of the new building and expansion of the business to service agricultural and construction equipment will bring additional business to the City of Mitchell and continue the redevelopment of the north corridor of the City of Mitchell.

Timing and weather permitting, Developer intends to begin remodel/construction on the new building in the winter of 2024 a completion date sometime in early 2025.

<u>Taxable Value of City of Mitchell</u>

State law requires that tax increment districts cannot exceed ten percent of the taxable value of City of Mitchell. The current value for City of Mitchell is approximately $1,486,087,439. The base value of the taxable property for inclusion into this Tax Incremental District #39 approximately is $32,305.

11-9-7. Maximum percentage of taxable property in municipality permitted in districts. In order to implement the provisions of this chapter, 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 City of Mitchell, South Dakota is as follows:

TIF #	Certified Base Value State of South Dakota Department of Revenue City of Mitchell
8	$6,002,565
9	$50,400
14	$37,850
16	$5,005,495
19	$13,370
20	$151,890
21	$125,082
23	$3,004,275
24	$401,798
26	$0.00
27	$1,002,685
28	$2,119,490
29	$397,815
30	$55,610
31	$615,554
32	$1,557,071
33	$818,913
34	$1,272,180
35	$132,640
36	$221,229
37	$79,277
38	$93,065
39	$32,305

Total Base Value(s)	$23,190,559

The total value of all active TIF districts in City of Mitchell is less than ten (10) percent of total taxable value in the City. Using the estimates provided, with TID #39 included, the total Tax Increment Districts combined is less than 2% when compared to the 2023 Taxable Valuation.

Kind, Number, Location and Detailed Costs of Proposed 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 City is working to develop an economic and competitive base to benefit the City and the State of South Dakota 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 economic development 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 City shall enter into all contracts in accordance with South Dakota law.

A combination of private investment and tax increment financing will assist progress toward the overall objectives of the Developer, that being to develop an expansion of a local business to allow it to accommodate a wider customer base to include agricultural and construction equipment. The new structure will permit the Developer to employ a minimum of 5 new positions in addition to their already existing employees, and will continue with the redevelopment of the northern corridor of the City of Mitchell.

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.

Although the estimated costs of the Project are approximately $1,228,415 (which includes the cost of purchasing the real property and certain infrastructure costs associated with the Project), Developer is requesting a TIF in the amount of $330,206 and will pay the remaining costs through commercial financing. The requested TIF amount is set forth in the table below:

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	$330,206	11-9-15(8)
Eligible Project Costs		$330,206	

[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.

Estimated costs for non-project costs and TIF eligible costs may vary from actual costs incurred during construction. The grant to Developer is not controlled by the individual line item for TIF eligible costs. TIF proceeds may flow through to Developer for certified TIF eligible expenses, without respect to a particular line item, based on the actual costs incurred for those TIF eligible expenses up to the total authorized TIF request amount of $330,206.

*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 $330,206 will require an amendment of this Plan. All amendments would be undertaken pursuant to SDCL §11-9-23.

When 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 Developer's Agreement with Developer with the following as the guidelines for the Agreement:

Financing Terms:

- Amount. The total amount of the TIF will not exceed $330,206.
- Interest Rate. The developer is not seeking to recover any interest cost through 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 $330,206 has been paid

out in tax payment to the Developer from the taxes generated within the District, whichever comes first.

Legal Terms:

- Should the State of South Dakota not classify the TIF as economic development, the TIF will not be finalized and will cease to exist.
- Developer will waive its right to the discretionary tax abatement for this Property.

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 Developer's Agreement 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 $330,206 will be the maximum amount the City will ever pass on acting as a conduit for TIF #39 for eligible project costs.

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 construction of 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 $330,206 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 incur various development and construct improvements upon the TID property and the failure to pay tax increment to Developer will be financially detrimental to future improvements on said property.

If at any time during the term of this Agreement, the governing body of the City shall fail or refuse to approve or authorize the funds due hereunder, and 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.

Developer Terms:

- MAD Garage LLC will act as the Developer and all TIF proceeds will flow to Developer.
- Developer will certify the costs to the City for reimbursement.
- The City of Mitchell reserves the right to charge an annual administration expense. This fee will be used to offset any future expenses that may occur due to reporting. The amount will not exceed $5,000.00 in a calendar year.
- The Developer agrees to waive the discretionary formula for all construction within the TIF.

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 and agricultural development as evidenced by the Economic Development Study attached as Schedule 3.

Fiscal Impact Statement

Attached is Schedule 4, a Fiscal Impact Statement showing the impact of the Tax Increment District, until and after the TIF advances 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 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 #39 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 $330,206 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 and the extinguishment of TIF monetary obligations, 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 2023 taxes payable in 2024. 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 2.

The Improvements map, SDCL § 11-9-16(2), is included as Attachment 3.

The Zoning Change Map, SDCL § 11-9-16(3), is included as Attachment 4.

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

No changes to City ordinances nor the City Master Plan are required.

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
Non-Project Costs	$898,208
TOTAL	$898,208

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

SCHEDULE 1 - Estimated Project Cost

SCHEDULE 2 - Economic Feasibility Study

SCHEDULE 3 - Economic Development Study

SCHEDULE 4 - Fiscal Impact Statement

SCHEDULE 5 - Estimated Captured Taxable Value

List of Attachments

Attachment 1 - Descriptions of Real Property

Attachment 2 - Conditions Map, SDCL § 11-9-16(1)

Attachment 3 - Improvements Map, SDCL § 11-9-16(2)

Attachment 4 - Zoning Change Map SDCL § 11-9-16(3)

Schedule 1 – "Detail of Project Costs"

Kind of Project	Number of Projects	Location[1]1 above	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	1	District	$330,206	11-9-15(8)
Eligible Project Costs			$330,206	

*See statutory reference on Page 9 of this Project Plan

Estimates TID Eligible of Project Costs Requested

The City of Mitchell has determined that this will be an economic development Tax Increment District, thus the eligible cost will be in the form of a grant that will not exceed $330,206. This is a permitted use under SDCL 11-9-15.

	MAD Garage LLC Project Cost		
	Total Costs	Non-Project Costs	TIF Eligible Costs
Concrete	$ 115,285.00	$ -	$ 115,285.00
Plumbing (Sewer & Water)	$ 83,500.00	$ -	$ 83,500.00
Overhead Doors	$ 25,000.00	$ 25,000.00	$ -
Electrical	$ 33,075.00	$ 33,075.00	$ -
Building	$ 243,278.00	$ 243,278.00	$ -
Add-On	$ 125,000.00	$ 125,000.00	$ -
Interior Buildout	$ 100,000.00	$ 100,000.00	$ -
Dirt Work	$ 48,646.00	$ -	$ 48,646.00
Storefront	$ 10,000.00	$ 10,000.00	$ -
Property/Land	$ 295,000.00	$ 295,000.00	$ -
Asphalt	$ 30,000.00	$ -	$ 30,000.00
HVAC	$ 30,000.00	$ 30,000.00	$ -
Excise Tax (@ 2%)	$ 22,775.68	$ -	$ 22,775.68
Professional Fees	$ 30,000.00	$ -	$ 30,000.00
Contingency @ 5%	$ 36,855.30	$ 36,855.30	$ -
TOTAL	**$ 1,228,414.98**	**$ 898,208.30**	**$ 330,206.68**

Schedule 2 - "Economic Feasibility Study"

Developer has approached the City of Mitchell regarding the possibility of creating a Tax Incremental Financing District to assist with help in offsetting the costs associated with the costs of the construction of public infrastructure for a new pre-engineered metal building to house the MAD Garage business.

Construction Project

The construction project of the MAD Garage building is estimated to be in the approximate amount of $905,000, and when added with the cost of the real property and building, the total investment by Developer is approximately $1,200,000. The current taxable value of the real estate is estimated to be $32,305. Developer is projecting an increase in the assessed value of the property when all construction has been completed in an additional amount of $1,100,000, for a total taxable value of $1,132,305.

Construction costs will consist of the following:

- Building furnishing materials
- Design costs
- Roof panels
- Wall panels
- Roof insulation
- Framed openings
- Walk doors; and
- Overhead doors

The construction of the new building will result in the creation of new jobs, will help develop an open area within the city limits of Mitchell, South Dakota, will help rejuvenate the northern business corridor of the City of Mitchell, and will help to accommodate a wider customer base for a local business in the City of Mitchell. However, the project and the improvements to the property will not be made but for the TIF being approved. The new building will allow Developer to hire additional employees and create new job opportunities for its business. It will also assist in the revitalization of the City's northern corridor. It will also assist in the revitalization of the City's northern corridor. It is estimated that the expansion will create up to 5 new jobs for the Mitchell area.

The City has been asked to create a Tax Increment District to help offset a portion of the purchase price for the development of the property and construction costs associated with Project (the "Project Costs"). This feasibility study provides that the Project Costs can be financed through tax increment financing under South Dakota Tax Incremental District Law (South Dakota Codified Laws Chapter 11-9), with the balance of the costs to be paid by the Developer. Tax increment financing is an indispensable self-financing tool 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 property is currently taxable at $32,305. The improvements to be made to the property are estimated to add approximately $1,100,000 to the value of the property and, when taking into account the Davison County "factor" for this type of property, approximately $1,004,300 to the tax assessed valuation. The estimated increment resulting from the improvements would be approximately $18,792 annually in new taxes once fully developed. Since only positive tax increment will be applied, the proposed project is feasible.

All of the Project Costs are found to be necessary and convenient to the creation of the Tax Incremental District and the implementation of the project.

For purposes of this Project Plan, the Developer is projecting that the construction of the building will be fully completed by March of 2025. It is anticipated that the Developer will procure financing to fund the TID improvements through a commercial loan which has been approved up on the condition that Developer can procure a TIF. Developer shall not use TIF proceeds for any interest or fees associated with any such alternative financing other than principal payments. The City at no time shall ever be responsible for any loan the Developer secures. The City's role is to simply act as a conduit for the tax revenue and pass on all positive increment to the Developer, of which, will never exceed $330,206 in total payments, or 20 years, whichever comes first.

A portion of the development within the District could qualify for the discretionary tax abatement. However, City of Mitchell TIF regulations require a developer to waive the "real property" discretionary formula as a condition of approving a TIF. Developer is aware of this requirement.

For purposes of this Project Plan, it is anticipated no increment generated by City TID #39 will be available until calendar year 2027 and thereafter. The calculation of the estimated tax increment valuation and tax generated for City of Mitchell TID #39 is presented in the table on the following page.

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TID TAX REVENUE ESTIMATES AVAILABLE
FOR CITY OF MITCHELL TID #39

Revenue Assumptions / Feasibility Study

Levies are based on 2023 payable in 2024

Construction Year	Valuation Year	Revenue Year	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
2024	2025	2026	$1,100,000.00	$1,100,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 18,792.16	$ 18,792.16
2025	2026	2027		$1,100,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 18,792.16	$ 37,584.32
2026	2027	2028		$1,100,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 18,792.16	$ 56,376.48
2027	2028	2029		$1,100,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 18,792.16	$ 75,168.64
2028	2029	2030		$1,100,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 18,792.16	$ 93,960.80
2029	2030	2031		$1,100,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 18,792.16	$ 112,752.96
2030	2031	2032		$1,100,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 18,792.16	$ 131,545.12
2031	2032	2033		$1,100,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 18,792.16	$ 150,337.28
2032	2033	2034		$1,100,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 18,792.16	$ 169,129.44
2033	2034	2035		$1,100,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 18,792.16	$ 187,921.60
2034	2035	2036		$1,100,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 18,792.16	$ 206,713.76
2035	2036	2037		$1,100,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 18,792.16	$ 225,505.92
2036	2037	2038		$1,100,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 18,792.16	$ 244,298.08
2037	2038	2039		$1,100,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 18,792.16	$ 263,090.24
2038	2039	2040		$1,100,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 18,792.16	$ 281,882.40
2039	2040	2041		$1,100,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 18,792.16	$ 300,674.56
2040	2041	2042		$1,100,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 18,792.16	$ 319,466.73
2041	2042	2043		$1,100,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 18,792.16	$ 338,258.89
2042	2043	2044		$1,100,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 18,792.16	**$ 357,051.05**
2043	2044	-										
2044	-	-										

Valuation Increment * Non-Ag Factor * Total Mill Rate

True & Full Value of Improvements	$ 1,100,000.00
Assessed Value of Improvements	$ 1,004,300.00

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.

Schedule 3 - "Economic Development Study"

SECTION 1 - INTRODUCTION

The City has been approached concerning the creation of a tax increment district located within City limits. 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, 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.

SECTION 2 - STUDY AREA BOUNDARY

The Study area is described as the area depicted on the map attached to this Study (Attachments 1 and 2).

SECTION 3 - ESTABLISHING ECONOMIC DEVELOPMENT

South Dakota law describes economic development as activity that stimulates and develops the general economic welfare and prosperity of the state through the promotion and advancement of industrial, commercial, manufacturing, agricultural, or natural resources. The area making up the boundaries of proposed City of Mitchell TID #39 currently consists of an empty lot that, because of where it is situated, will remain difficult to develop as the result of the area being located in the northern portion of the City, which has, for a number of year, seen limited (if any) commercial business expansion. The property is located adjacent to the City of Mitchell Bypass and Main Street, but lacks access from either, making access to the property difficult. Developer has purchased the lot with plans to expand his detailing business by constructing a new commercial building, and relocating its existing commercial business to the site. Because of its move to a larger building, Developer will have the capacity to add a minimum of 5 new full-time jobs to its work force and increase its client base to serve the agricultural sector, which will bring additional revenue to the City.

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

It is specifically found that once the improvements set forth within City of Mitchell TID #39 Project Plan are commenced the improvements enhance significantly the value of substantially all of the other real property in the District and will help the City's northern core business district continue to redevelop, adding sales tax dollars to the City and to the State of South Dakota.

SECTION 5 - CONDITIONS WITHIN THE STUDY AREA; LAND USE AND PLANNING LAND USE, PLANNING AND COMPREHENSIVE PLAN

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

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, 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).

The study area currently consists of a bare lot located within an older business district along the City's northern corridor, which will help in the revitalization of that corridor. The Developer has purchased a bare lot and plans to construct a new commercial building located within one of the "gateways" to the City of Mitchell.

In accordance with State Law, the following addresses specific characteristics of economic development are found within the Study Area with corresponding portions of 11-9-8 and 11-9-11:

The investment of more than $1,200,000 (including the purchase price for the property) in the study area will stimulate and develop the general economic welfare and prosperity of the state through the promotion and advancement of commerce during the construction period. More than fifty percent, 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 commerce. The development will cause more employment and will clear a partially "blighted" building structure in the City's core downtown area. The completion of the project will generate additional economic activity through retail commerce and development.

Schedule 4 - "Fiscal Impact Statement"

Fiscal Impact Statement City of Mitchell- Tax Increment District #39

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 § 11-9-13 (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 39.

"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 resulting from the construction of a new building to be located upon the property which, at completion, will increase the taxable value of the property to approximately $1,132,305.
(2) The average tax levy of all taxing districts will be $18.7117 per thousand dollars of taxable valuation.
(3) Tax increment will start to be collected in 2026 and end prior to 2044.
(4) The discretionary formula will be waived by Developer.

FISCAL IMPACT

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

Valuation Assumptions	Current Assessed Value	Project Assessed Value with Improvements	Positive Increment
TIF Area	$32,205	$1,036,505	$1,004,300

Schedule 5 - "Estimated Captured Taxable Values"

For purposes of this Project Plan, Developer assumes that **Developer will elect not to use the real property tax discretionary formula** currently utilized in City of Mitchell, South Dakota, pertaining to payment of real property taxes (i.e., 20% Year 1; 40% Year 2; 60% Year 3; 80% Year 4; and 100% Year 5).

It is further assumed, for purposes of this Plan, that the purpose of the property and construction of the new commercial building will be completed by spring of 2025, with the improvements estimated to be assessed in the approximate amount of $1,100,000, which will generate approximately $18,792 in annual real property taxes upon completion.

*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 is estimated to be at the maximum range of $330,206 covering a span of captured tax years not to exceed 20. Collection is anticipated to begin in 2026, 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:

2023 Property Tax Rate	
2023 Payable in 2024	**$ per $1,000 assessed**
Davison County	$3.5199
City of Mitchell	$4.5328
JR Water	$.058
School District	$10.601
Total Tax Levy	**$18.7117.**

Utilizing the information regarding expected increment valuation and tax generation, it is possible to generate an expected revenue stream that can be utilized to fund the requested grant as a result of implementing the Project Plan.

Attachment 1

Description of Real Property:

The real property to be located within the Tax Increment District is legally described as follows:

> Outlots 20 and 21 less and except Lots H1 and Lots H2 of Green's Outlots in the NW1/4 of Section 15, T 103 N, R 60 W of the 5^{th} P.M., City of Mitchell, Davison County, South Dakota.

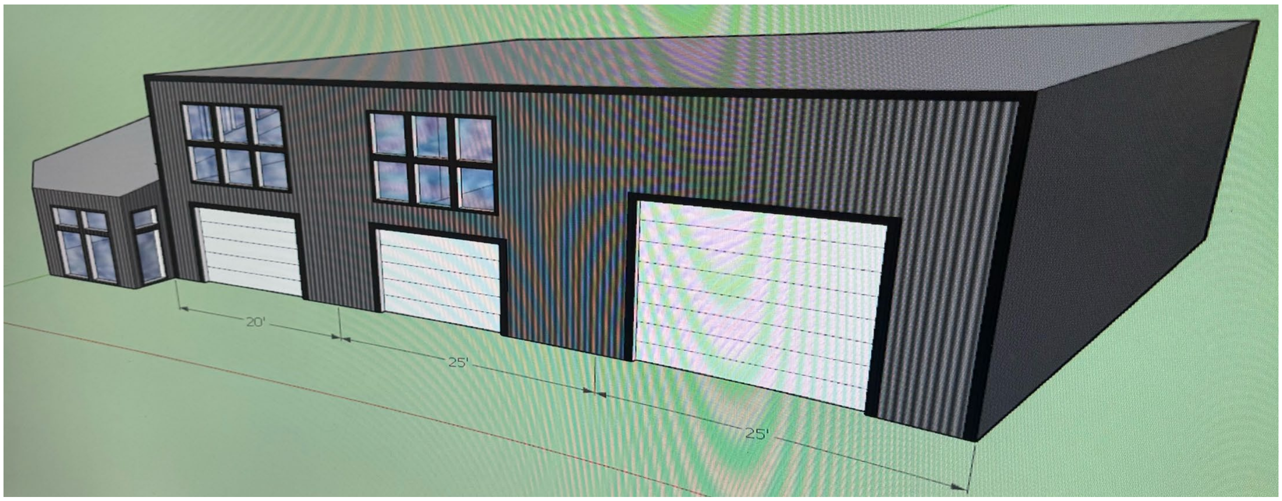
Attachment 2

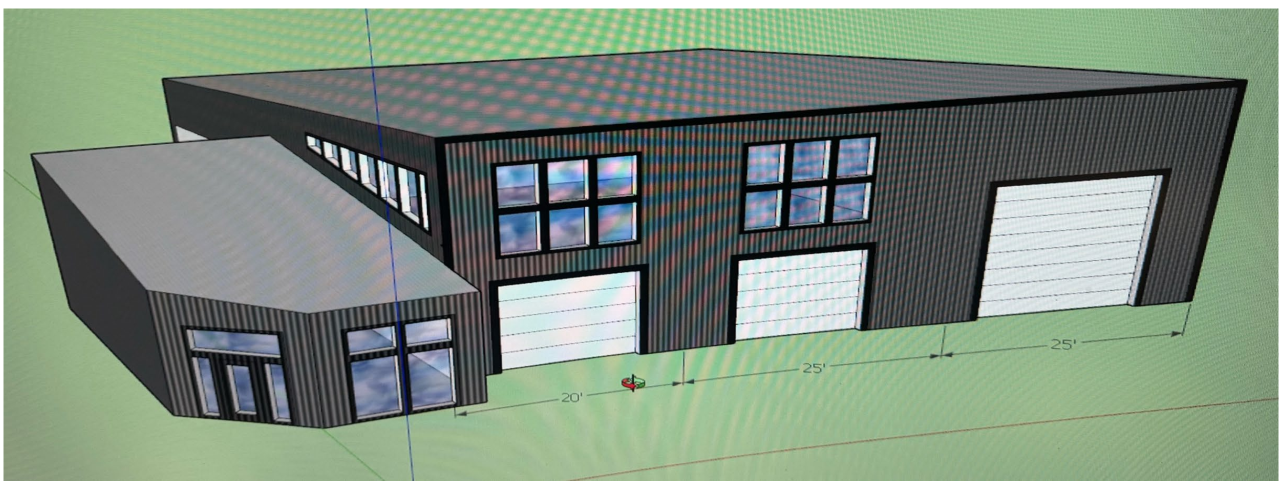
Conditions picture for City of Mitchell Tax Incremental District #39, SDCL § 11-9-16(1)

The following are pictures showing the current conditions of the proposed location of TIF #39:

Attachment 3

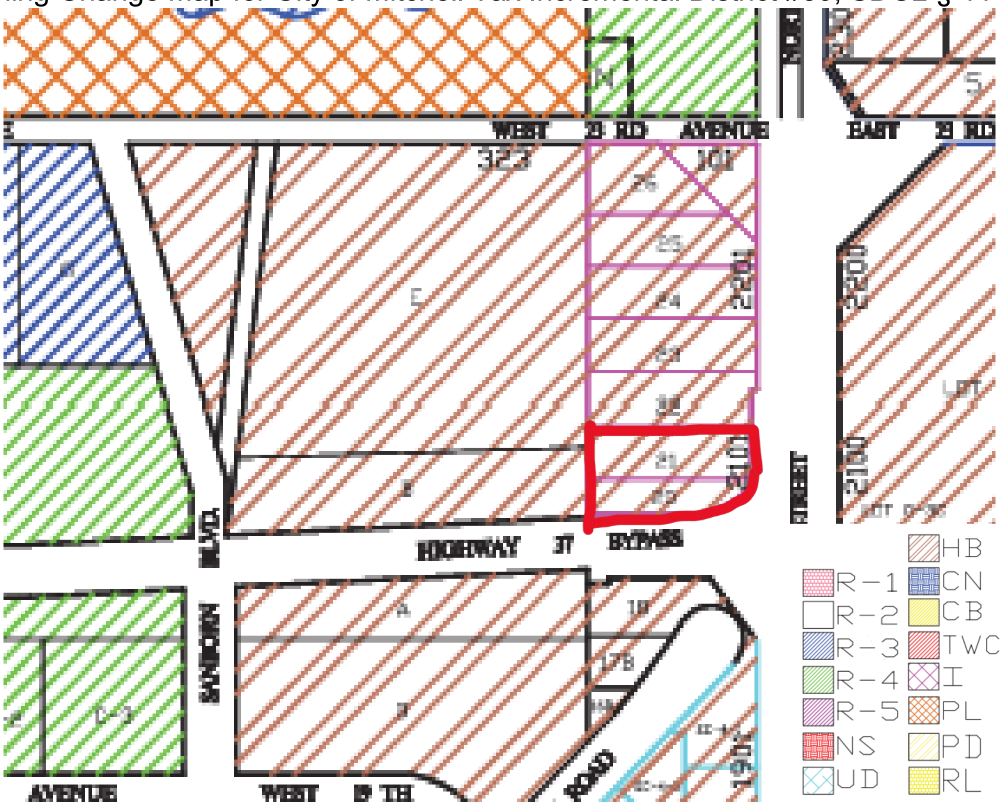
Improvements map for City of Mitchell Tax Incremental District #39, SDCL § 11 -9-16(2).





Attachment 4

Zoning Change Map for City of Mitchell Tax Incremental District #39, SDCL § 11-9-16(3).



- No proposed changes as the property is currently zoned as Highway Business.

1 Inch = 1000 Feet

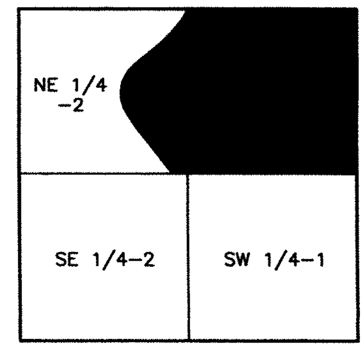
LEGEND

- ● = FOUND IRON MONUMENT
- O = SET 5/8" X 18" REBAR WITH PLASTIC CAP NO. 13714
- ▲ = FOUND SURVEY SPIKE
- △ = SET SURVEY SPIKE
- X = X ON CONCRETE
- WM = WITNESS MONUMENT
- 100' = MEASURED BEARING OR DISTANCE

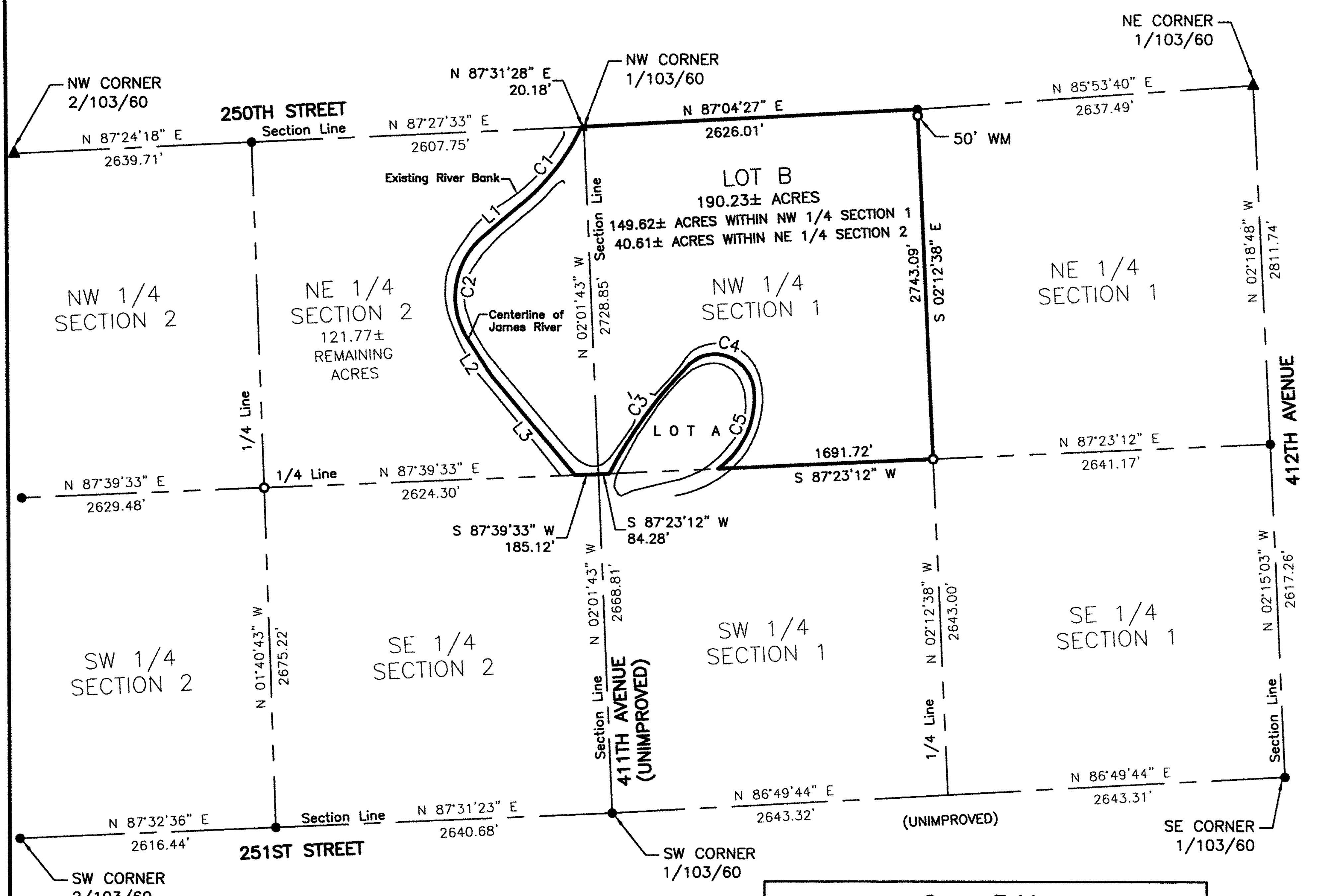
PREPARED BY: JEREMY A. WOLBRINK, R.L.S.
2100 NORTH SANBORN BLVD. – P.O. BOX 398
MITCHELL, SOUTH DAKOTA 57301
PHONE: (605) 996-7761

COORDINATE SYSTEM IS SOUTH DAKOTA SOUTH ZONE, STATE PLANE – NORTH AMERICAN DATUM 1983 – GEOID 18. GRID BEARINGS AND 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.



LOCATION MAP
SCALE: 1" = 3000'



Line Table

Line #	Length	Direction
L1	424.75'	N 49°24'30" E
L2	330.20'	N 33°18'46" W
L3	1015.60'	N 39°44'03" W

Curve Table

Curve #	Length	Radius	Ch. Bearing	Ch. Length
C1	803.66'	1800.00'	N 38°28'28" E	797.01'
C2	843.74'	620.00'	S 05°51'24" W	780.12'
C3	1043.88'	3400.00'	N 36°23'37" E	1039.78'
C4	696.12'	305.00'	S 71°49'30" E	554.57'
C5	720.51'	680.00'	N 24°36'26" E	687.27'

A PLAT OF LOT B OF BIG BEND ADDITION IN THE NW 1/4 OF SECTION 1 AND THE NE 1/4 OF SECTION 2, ALL IN 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 Dennis Ellwein and Brenda Ellwein, as owners, and under their direction for purposes indicated therein, I did on or prior to April 22, 2024, survey those parcels of land described as follows: LOT B OF BIG BEND ADDITION IN THE NW 1/4 OF SECTION 1 AND THE NE 1/4 OF SECTION 2, ALL IN 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 16TH day of October, 2024.

Registered Land Surveyor #SD13714

REGISTERED LAND SURVEYOR REG. NO. 13714 JEREMY A. WOLBRINK SOUTH DAKOTA 10-16-24

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

A PLAT OF LOT B OF BIG BEND ADDITION IN THE NW 1/4 OF SECTION 1 AND THE NE 1/4 OF SECTION 2, ALL IN 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 we, the undersigned, 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 GOVERNMENT LOTS 3 AND 4 AND THE SOUTH 1/2 THE NW 1/4 OF SECTION 1, EXCEPT LOT A; AND GOVERNMENT LOTS 1 AND 2 AND THE SOUTH 1/2 OF THE NE 1/4 OF SECTION 2, ALL IN T 103 N, R 60 W OF THE 5TH P.M., 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 LOT B OF BIG BEND ADDITION IN THE NW 1/4 OF SECTION 1 AND THE NE 1/4 OF SECTION 2, ALL IN T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, as shown by this plat; and we hereby dedicate to the public, for public use forever as such, the streets and alleys, if any, as shown and marked on said plat; and that development of the land included within the boundaries of said Lot B shall conform to all existing applicable zoning, subdivision, erosion, sediment control and drainage regulations and ordinances; further that there now exists 250th Street. Pursuant to SDCL 11-3-8.1 and 11-3-8.2 the developer of the property described within this plat shall be responsible for protecting any waters of the state located adjacent to or within such platted area from pollution from sewage from such subdivision and shall, in prosecution of such protections conform to and follow all regulations of the South Dakota Department of Agriculture and Natural Resources relating to the same. Additionally, the developer of the property described within this plat shall be liable for any pollution that occurs from failure to execute such protections or follow such regulations, exception being those lots in subdivisions that show documentation that wastewater drainage shall be connected to a municipal system.

IN WITNESS WHEREOF, we have hereunto set our hands this _______ day of ________________, 2024.

_______________________________ Dennis Ellwein

_______________________________ Brenda Ellwein

STATE OF SOUTH DAKOTA)
)SS
COUNTY OF DAVISON)

On this, the _______ day of _______________, 2024, before me, ____, the undersigned officer, personally appeared Dennis Ellwein and Brenda Ellwein, 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:_______________________________

RESOLUTION OF CITY PLANNING COMMISSION

WHEREAS, the plat of LOT B OF BIG BEND ADDITION IN THE NW 1/4 OF SECTION 1 AND THE NE 1/4 OF SECTION 2, ALL IN 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 LOT B OF BIG BEND ADDITION IN THE NW 1/4 OF SECTION 1 AND THE NE 1/4 OF SECTION 2, ALL IN 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 ____________________, 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 LOT B OF BIG BEND ADDITION IN THE NW 1/4 OF SECTION 1 AND THE NE 1/4 OF SECTION 2, ALL IN 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 LOT B OF BIG BEND ADDITION IN THE NW 1/4 OF SECTION 1 AND THE NE 1/4 OF SECTION 2, ALL IN 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 __________________, 2024.

____
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 LOT B OF BIG BEND ADDITION IN THE NW 1/4 OF SECTION 1 AND THE NE 1/4 OF SECTION 2, ALL IN T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA

RESOLUTION OF COUNTY PLANNING COMMISSION

WHEREAS, the plat of LOT B OF BIG BEND ADDITION IN THE NW 1/4 OF SECTION 1 AND THE NE 1/4 OF SECTION 2, ALL IN 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 LOT B OF BIG BEND ADDITION IN THE NW 1/4 OF SECTION 1 AND THE NE 1/4 OF SECTION 2, ALL IN 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 ___________________, 2024.

____
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 LOT B OF BIG BEND ADDITION IN THE NW 1/4 OF SECTION 1 AND THE NE 1/4 OF SECTION 2, ALL IN 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.

Dated this _______ day of ___________________, 2024.

____
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 of Davison County

CERTIFICATE OF HIGHWAY AUTHORITY

The location of the existing approach(es) is hereby approved. Any change in the location 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 of Davison County Date

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 LOT B OF BIG BEND ADDITION IN THE NW 1/4 OF SECTION 1 AND THE NE 1/4 OF SECTION 2, ALL IN T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA

DIRECTOR OF EQUALIZATION

I hereby certify that a copy of the plat of LOT B OF BIG BEND ADDITION IN THE NW 1/4 OF SECTION 1 AND THE NE 1/4 OF SECTION 2, ALL IN 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 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

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
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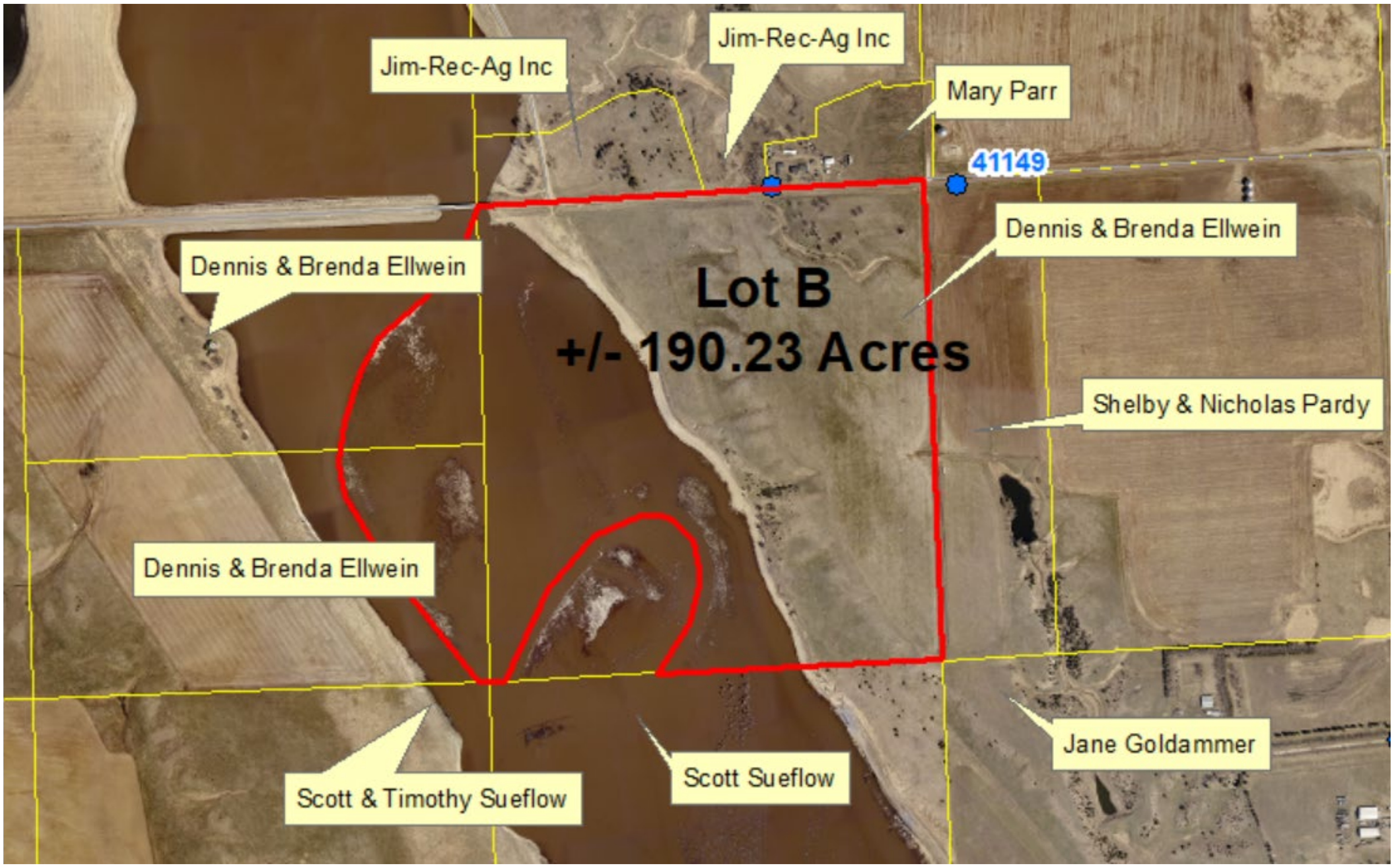
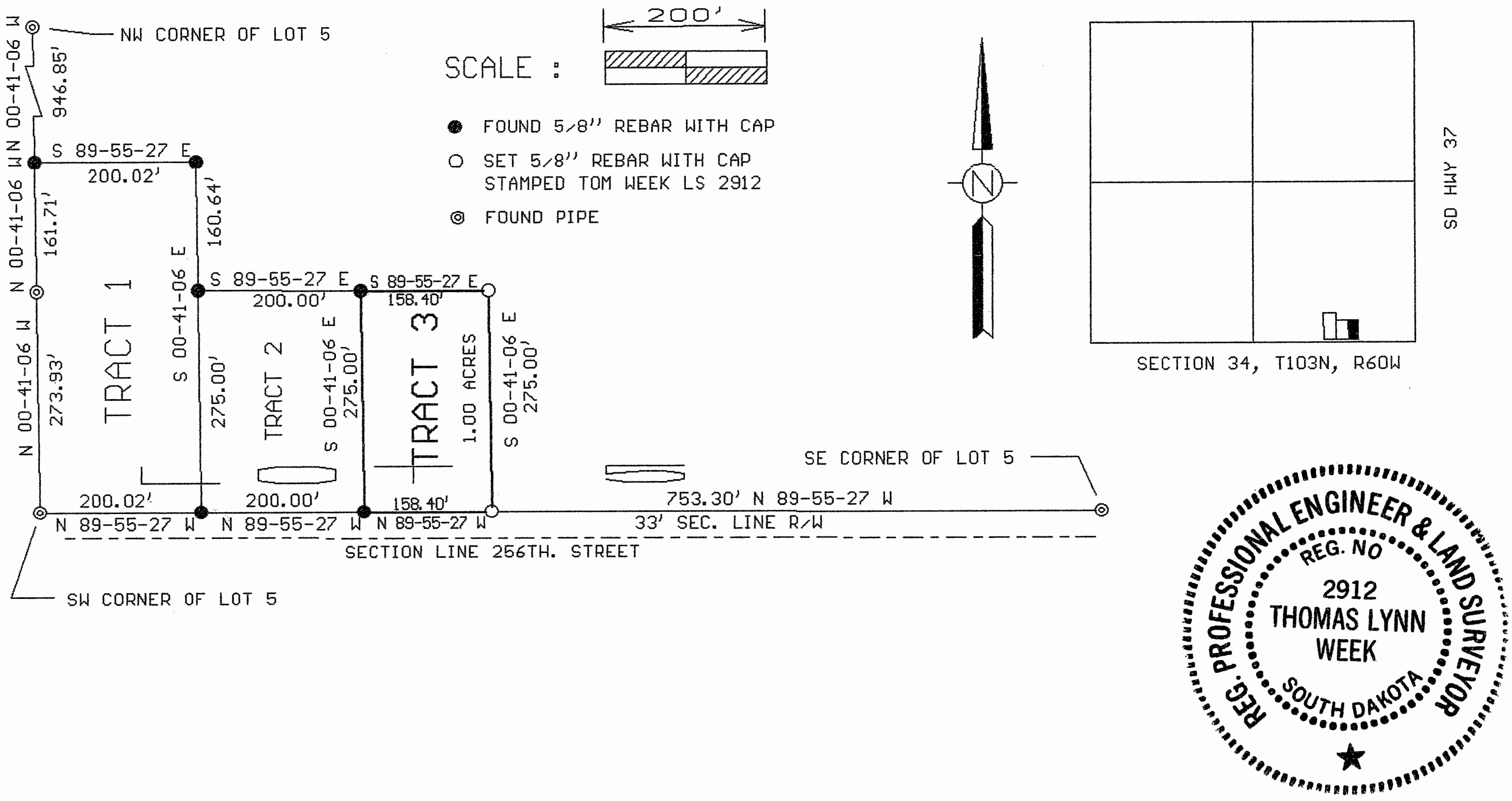

Jim-Rec-Ag Inc
Jim-Rec-Ag Inc
Mary Parr
41149
Dennis & Brenda Ellwein
Dennis & Brenda Ellwein
Lot B
+/- 190.23 Acres
Shelby & Nicholas Pardy
Dennis & Brenda Ellwein
Jane Goldammer
Scott Sueflow
Scott & Timothy Sueflow


250 ST
41126 250TH ST
41149 250TH ST

PLAT OF TRACT 3 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 3 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 13TH. DAY OF OCTOBER, 2024.

THOMAS LYNN WEEK
REGISTERED LAND SURVEYOR
REG. NO. 2912

CERTIFICATE OF STREET AUTHORITY

THERE IS NO EXISTING ACCESS TO TRACT 3. 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 3 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 3 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 3, 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 3 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 3 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

SHEET 3 OF 3

PLAT OF TRACT 3 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 3 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 3 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 3 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 3 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

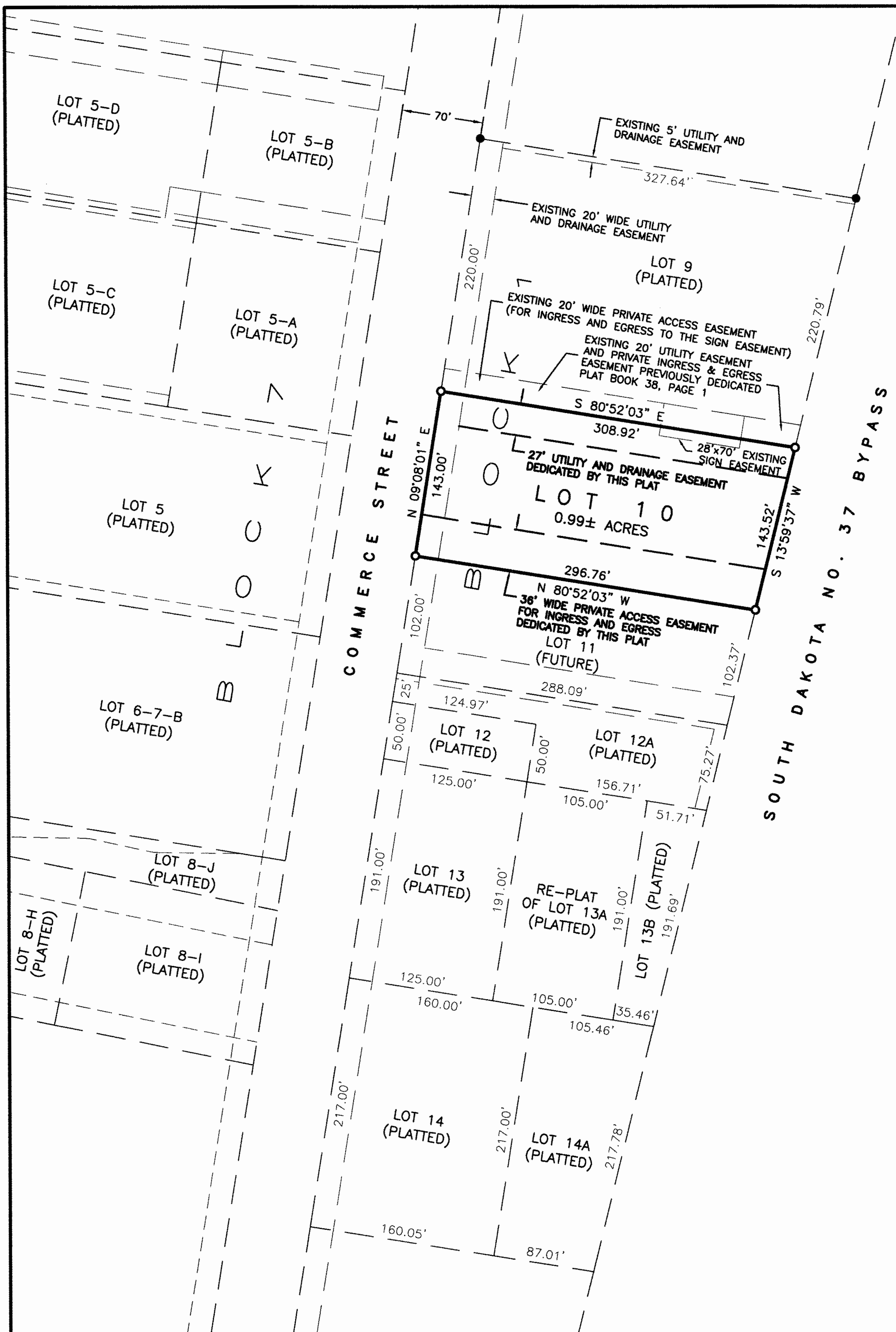
THE UNDERSIGNED, REGISTER OF DEEDS\DEPUTY REGISTER OF DEEDS, DAVISON COUNTY, SOUTH DAKOTA, HEREBY CERTIFIES THAT THE ORIGINAL PLAT WAS FILED FOR RECORD THIS____DAY OF__________, ______,________O'CLOCK __. M., AND DULY RECORDED IN BOOK ______, PAGE ______.

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

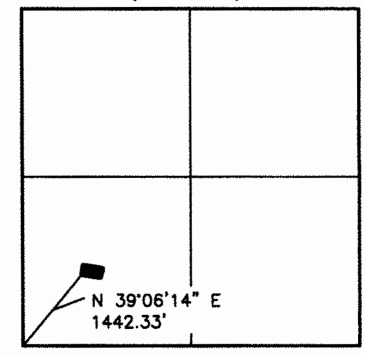
PREPARED BY TOM WEEK
407 REGAL DRIVE
YANKTON, SOUTH DAKOTA 57078
605-665-8333

Ronald & Michele Riggs
Ronald & Michele Riggs
Darryl & Debbie Buck
Ronald & Michele Riggs
Larry Crane
Tract 3
+/-1.00 Acre
40970
40976
40978
256TH ST
40983
40971
40975
Matthew & Jill Zens
Leonard & Marcella Pollreisz

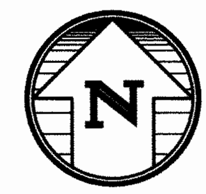
256 ST
40975 256TH ST
40978 256TH ST
40983 256TH ST



SEC. 16, T 103 N, R 60 W



LOCATION MAP
SCALE: 1" = 3000'



1 Inch = 100 Feet

LEGEND

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

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

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

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.

LOTS LABELED AS PLATTED OR FUTURE ARE AS OF 10/17/24 WHICH IS THE DATE THIS DRAWING WAS CREATED

A PLAT OF LOT 10, BLOCK 1 OF WESTWOOD FIRST ADDITION, A SUBDIVISION OF THE SW 1/4 OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

SURVEYOR'S CERTIFICATE

I, 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 CJM Consulting, Inc., a South Dakota corporation, as owner, and under its direction for purposes indicated therein, I did on or prior to October 17, 2024, survey those parcels of land described as follows: LOT 10, BLOCK 1 OF WESTWOOD FIRST ADDITION, A SUBDIVISION OF THE SW 1/4 OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.

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

Dated this _______ day of October, 2024.

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 LOT 10, BLOCK 1 OF WESTWOOD FIRST ADDITION, A SUBDIVISION OF THE SW 1/4 OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

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

KNOW ALL MEN BY THESE PRESENTS that I, the undersigned, hereby certify that CJM Consulting, Inc., a South Dakota corporation, is the absolute and unqualified owner of all of the land included in the within and foregoing plat; the plat is of a parcel of ground located in BLOCK 1 OF WESTWOOD FIRST ADDITION, A SUBDIVISION OF THE SW 1/4 OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA; that the plat has been made at the request of CJM Consulting, Inc., a South Dakota corporation, and under its direction for the purposes indicated therein; which said property as so surveyed and platted shall hereafter be known as LOT 10, BLOCK 1 OF WESTWOOD FIRST ADDITION, A SUBDIVISION OF THE SW 1/4 OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, as shown by this plat; and CJM Consulting, Inc., a South Dakota corporation, hereby dedicates to the public, for public use forever as such, the streets and alleys, if any, as shown and marked on said plat; and that development of the land included within the boundaries of said Lot 10, Block 1 shall conform to all existing applicable zoning, subdivision, erosion, sediment control and drainage regulations and ordinances; further that there now exists Commerce Street. Pursuant to SDCL 11-3-8.1 and 11-3-8.2 the developer of the property described within this plat shall be responsible for protecting any waters of the state located adjacent to or within such platted area from pollution from sewage from such subdivision and shall, in prosecution of such protections conform to and follow all regulations of the South Dakota Department of Agriculture and Natural Resources relating to the same. Additionally, the developer of the property described within this plat shall be liable for any pollution that occurs from failure to execute such protections or follow such regulations, exception being those lots in subdivisions that show documentation that wastewater drainage shall be connected to a municipal system.

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

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

CORPORATION ACKNOWLEDGMENT

STATE OF SOUTH DAKOTA)
)SS
COUNTY OF DAVISON)

On this, the _______ day of ______________, 2024, before me, ____, the undersigned officer, personally appeared Charles J. Mauszycki, Jr., of CJM Consulting, Inc., a South Dakota corporation, and that he, as such Vice President, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as Vice President.

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

____
Notary Public, South Dakota
My Commission Expires:_____________________________

RESOLUTION OF CITY PLANNING COMMISSION

WHEREAS, the plat of LOT 10, BLOCK 1 OF WESTWOOD FIRST ADDITION, A SUBDIVISION OF THE SW 1/4 OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, prepared by 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 LOT 10, BLOCK 1 OF WESTWOOD FIRST ADDITION, A SUBDIVISION OF THE SW 1/4 OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, prepared by Jeremy A. Wolbrink, a Land Surveyor, be and the same is hereby approved and its adoption by the City Council of the City of Mitchell, South Dakota, is hereby recommended.

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

____
Chairperson/Vice Chairperson of the City of Mitchell
Planning Commission

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 LOT 10, BLOCK 1 OF WESTWOOD FIRST ADDITION, A SUBDIVISION OF THE SW 1/4 OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

RESOLUTION OF CITY COUNCIL

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

WHEREAS, it appears from an examination of the plat of LOT 10, BLOCK 1 OF WESTWOOD FIRST ADDITION, A SUBDIVISION OF THE SW 1/4 OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, as prepared by 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 LOT 10, BLOCK 1 OF WESTWOOD FIRST ADDITION, A SUBDIVISION OF THE SW 1/4 OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, prepared by Jeremy A. Wolbrink, be and the same is hereby approved and the description set forth therein and the accompanying surveyor's certificate shall prevail.

The undersigned does hereby certify that the foregoing resolution was passed by the City of Mitchell, South Dakota, at a meeting held on the ________ day of __________________, 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 LOT 10, BLOCK 1 OF WESTWOOD FIRST ADDITION, A SUBDIVISION OF THE SW 1/4 OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, has been received by me and is filed in this office.

____ ______________
Director of Equalization/Deputy Director of Equalization of Davison County Date

REGISTER OF DEEDS

STATE OF SOUTH DAKOTA)
)SS
COUNTY OF DAVISON)

FILED for record this ______ day of __________________, 2024, at ________________, and recorded in Book ______ of Plats on Page ________ therein.

____ 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


1101
1019
JTZ Properties LLC
JTZ Properties LLC
1015
COMMERCE ST
LOT 10
+/- .99 Acres
CJM Consulting Inc
JTZ Properties LLC
N SD HWY 37
N SD HWY 37
CJM Consulting Inc


SD HWY 37 N
SD HWY 37 S
1300 SHAWD DR
960 COMMERCE ST
COMMERCE ST
1015 COMMERCE ST
1001 COMMERCE ST

1 Inch = 200 Feet

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
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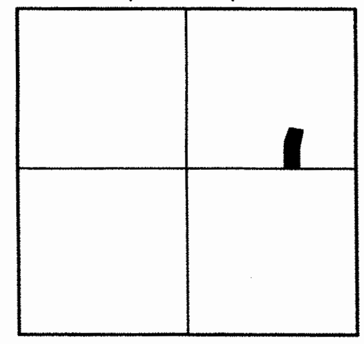
- 4.00 CH (P) = PLATTED DISTANCE IN CHAINS
- ■ = FOUND NAIL
- ◇ = SET 3/8" x 12" SPIKE W/WASHER JAW-13714
- WM = WITNESS MONUMENT

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

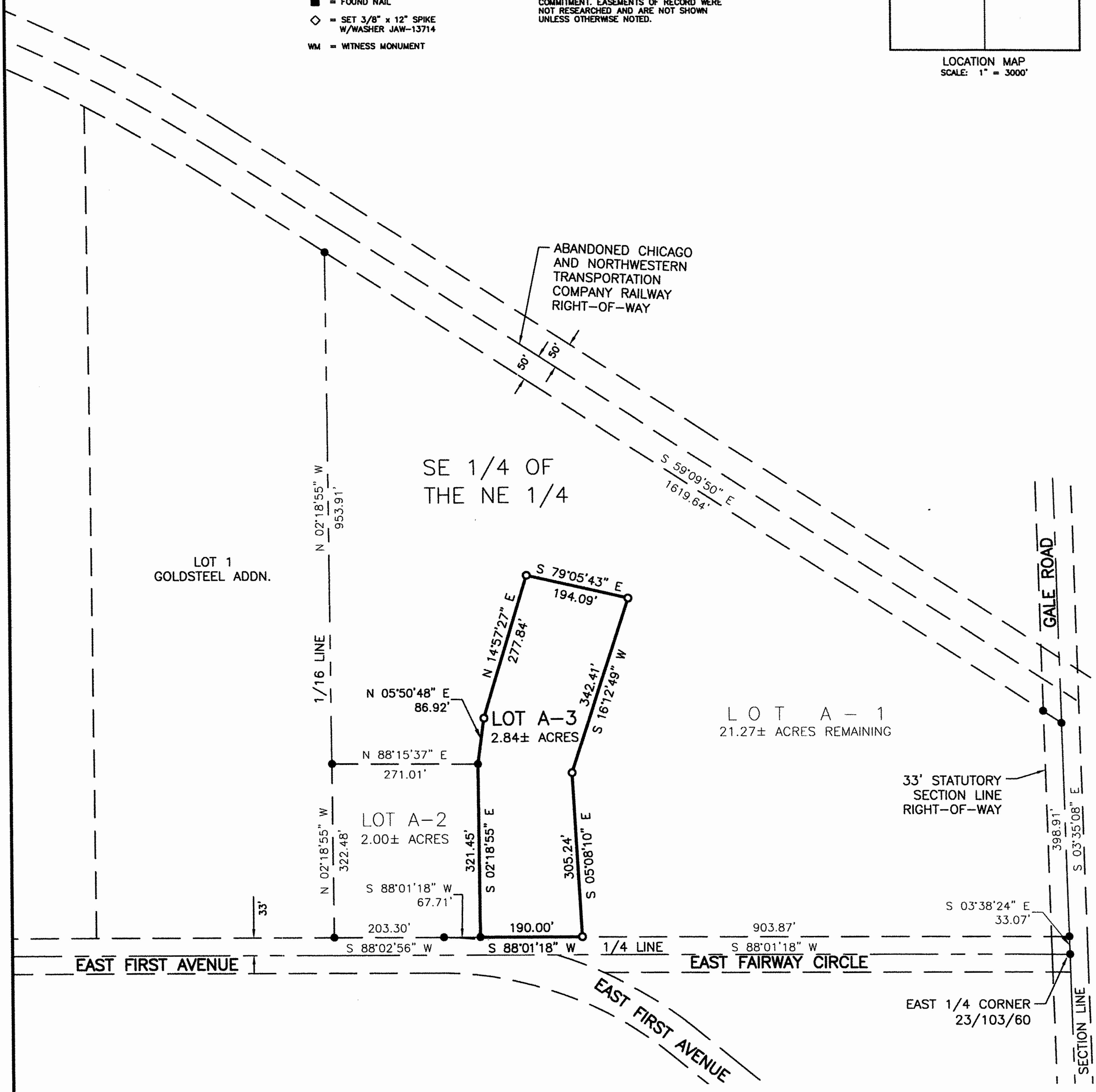
COORDINATE SYSTEM IS SOUTH DAKOTA SOUTH ZONE, STATE PLANE – NORTH AMERICAN DATUM 1983 – GEOID 18. GRID BEARINGS AND GROUND DISTANCES ARE SHOWN.

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.

SEC. 23, T 103 N, R 60 W



LOCATION MAP
SCALE: 1" = 3000'



A PLAT OF LOT A-3, A SUBDIVISION OF LOT A-1 OF N. BOYDEN FIRST ADDITION, A SUBDIVISION OF THE SE 1/4 OF THE NE 1/4 OF SECTION 23, 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 Railroad Pines, LLC, a South Dakota Limited Liability Company, as owner, and under its direction for purposes indicated therein, I did on or prior to October 16, 2024, survey those parcels of land described as follows: LOT A-3, A SUBDIVISION OF LOT A-1 OF N. BOYDEN FIRST ADDITION, A SUBDIVISION OF THE SE 1/4 OF THE NE 1/4 OF SECTION 23, 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 22ND day of October, 2024.

Jeremy A Wolbrink
Registered Land Surveyor #SD13714

REGISTERED LAND SURVEYOR REG. NO. 13714 JEREMY A. WOLBRINK SOUTH DAKOTA
10-22-24

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

A PLAT OF LOT A-3, A SUBDIVISION OF LOT A-1 OF N. BOYDEN FIRST ADDITION, A SUBDIVISION OF THE SE 1/4 OF THE NE 1/4 OF SECTION 23, 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, do hereby certify that Railroad Pines, 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 LOT A-1 OF N. BOYDEN FIRST ADDITION, A SUBDIVISION OF THE SE 1/4 OF THE NE 1/4 OF SECTION 23, 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 Railroad Pines, 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 A-3, A SUBDIVISION OF LOT A-1 OF N. BOYDEN FIRST ADDITION, A SUBDIVISION OF THE SE 1/4 OF THE NE 1/4 OF SECTION 23, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, as shown by this plat; and Railroad Pines, LLC, a South Dakota Limited Liability Company, hereby dedicates 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 Lot A-3 shall conform to all existing applicable zoning, subdivision, erosion, sediment control and drainage regulations and ordinances; further that there now exist East Fairway Circle. 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.

____
Diane DesLauriers, Member of Railroad Pines, LLC, a South Dakota Limited Liability Company

STATE OF SOUTH DAKOTA)
)SS
COUNTY OF DAVISON)

On this, the _______ day of _______________, 2024, before me, ____, the undersigned officer, personally appeared Diane DesLauriers, Member of Railroad Pines, LLC, a South Dakota Limited Liability Company, who acknowledges to be the Member, and that she, 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 herself as 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 LOT A-3, A SUBDIVISION OF LOT A-1 OF N. BOYDEN FIRST ADDITION, A SUBDIVISION OF THE SE 1/4 OF THE NE 1/4 OF SECTION 23, 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 LOT A-3, A SUBDIVISION OF LOT A-1 OF N. BOYDEN FIRST ADDITION, A SUBDIVISION OF THE SE 1/4 OF THE NE 1/4 OF SECTION 23, 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 ____________________, 2024.

____
Chairperson/Vice-Chairperson of Mitchell City Planning Commission

REGISTERED LAND SURVEYOR
13714
JEREMY A.
WOLBRINK
SOUTH DAKOTA
10-22-24

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

A PLAT OF LOT A-3, A SUBDIVISION OF LOT A-1 OF N. BOYDEN FIRST ADDITION, A SUBDIVISION OF THE SE 1/4 OF THE NE 1/4 OF SECTION 23, T 103 N, R 60 W OF THE 5TH P.M., 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 LOT A-3, A SUBDIVISION OF LOT A-1 OF N. BOYDEN FIRST ADDITION, A SUBDIVISION OF THE SE 1/4 OF THE NE 1/4 OF SECTION 23, 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 LOT A-3, A SUBDIVISION OF LOT A-1 OF N. BOYDEN FIRST ADDITION, A SUBDIVISION OF THE SE 1/4 OF THE NE 1/4 OF SECTION 23, 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 __________________, 2024.

____
Finance Officer/Deputy Finance Officer of City of Mitchell

RESOLUTION OF COUNTY PLANNING COMMISSION

WHEREAS, the plat of LOT A-3, A SUBDIVISION OF LOT A-1 OF N. BOYDEN FIRST ADDITION, A SUBDIVISION OF THE SE 1/4 OF THE NE 1/4 OF SECTION 23, 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 LOT A-3, A SUBDIVISION OF LOT A-1 OF N. BOYDEN FIRST ADDITION, A SUBDIVISION OF THE SE 1/4 OF THE NE 1/4 OF SECTION 23, 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 ___________________, 2024.

____
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 LOT A-3, A SUBDIVISION OF LOT A-1 OF N. BOYDEN FIRST ADDITION, A SUBDIVISION OF THE SE 1/4 OF THE NE 1/4 OF SECTION 23, 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 ___________________, 2024, approving the above-named plat.

____
Auditor/Deputy Auditor, Davison County

REGISTERED LAND SURVEYOR
REG. NO. 13714
JEREMY A. WOLBRINK
SOUTH DAKOTA
10-22-24

SPN & Associates
Engineers, Planners and Surveyors
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A PLAT OF LOT A-3, A SUBDIVISION OF LOT A-1 OF N. BOYDEN FIRST ADDITION, A SUBDIVISION OF THE SE 1/4 OF THE NE 1/4 OF SECTION 23, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA

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 LOT A-3, A SUBDIVISION OF LOT A-1 OF N. BOYDEN FIRST ADDITION, A SUBDIVISION OF THE SE 1/4 OF THE NE 1/4 OF SECTION 23, 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 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 ______________.

____________________________ By____________________________
Register of Deeds, Davison County Deputy

REGISTERED LAND SURVEYOR
REG. NO.
13714
JEREMY A.
WOLBRINK
SOUTH DAKOTA
10-22-24

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

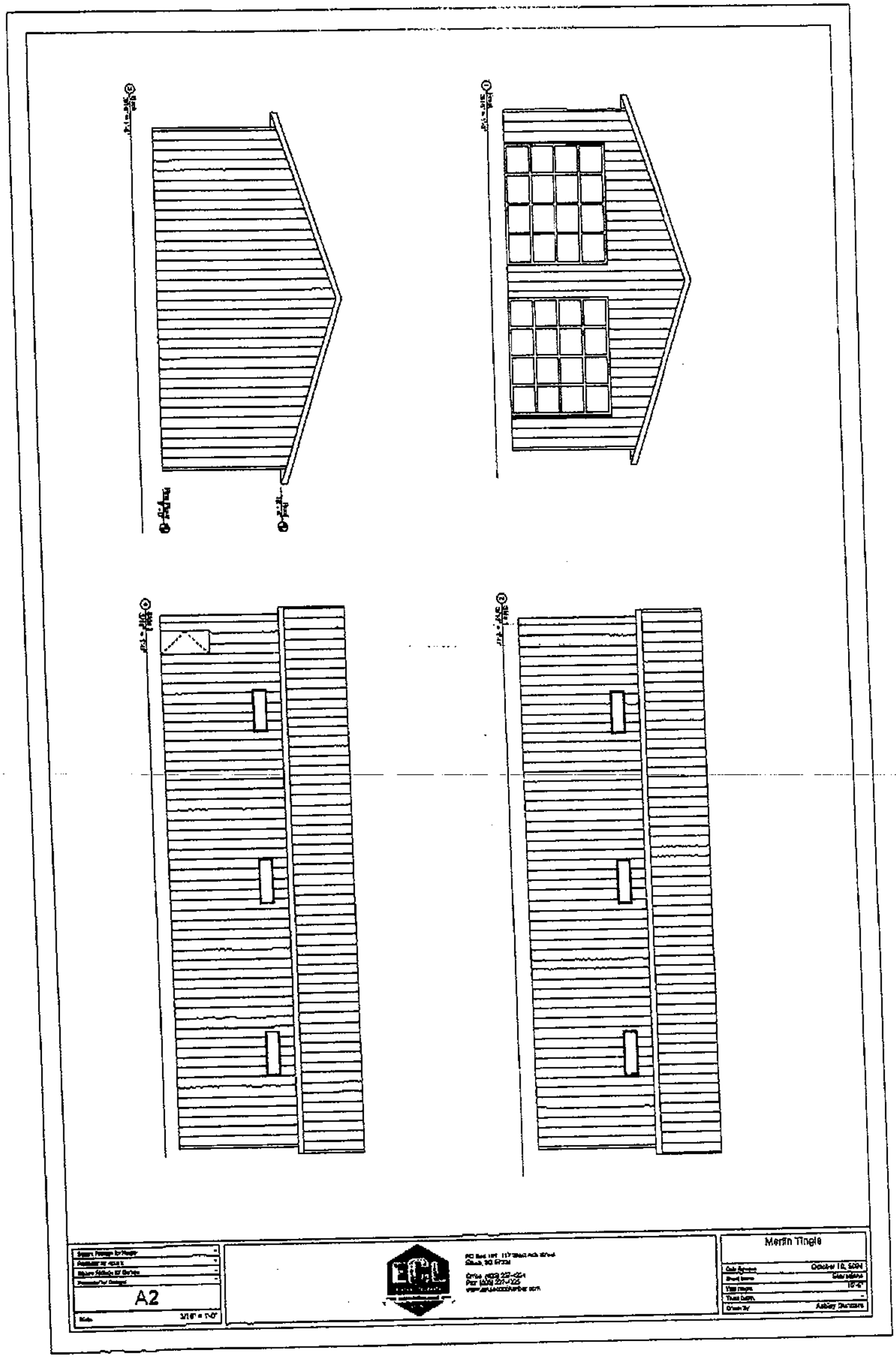

Railroad Pines LLC
Railroad Pines LLC
Lot A-3
+/-2.84Acres
Boyden, Drew
Oster, Douglas
FAIRWAY CIR
401 401
2401
2401
2400 2400
2441 2441
2420 2420
GL Wild Oak LLC
N GALE RD


2212 E 1ST AVE


Tingle, Merlin
Plan Approval-Zoned HB
46' x 72' Shed
1313
1800
1900
1901
1501
LOMA LINDA DR
S OHLMAN ST
R COURT


1800 LOMA LINDA DR
1900 LOMA LINDA DR

1800 Loma Linda
Mitchell SD 57301


A2
3/16" = 1'-0"
Merlin Tingle