City of Mitchell SOUTH DAKOTA

Planning Commission 10-14-25 Agenda
City Council Chambers, City Hall, 612 N. Main Street
October 14, 2025

1. **12:00 PM Call to Order**
2. **Roll Call**
3. **Declaration Of Conflicts Of Interests**
4. **Approve Agenda**
5. **Approval of Previous Minutes: August 25, 2025**
6. **Schedule Next Meeting: October 27, 2025**
7. **Rezone Hearing & Recommendation: Lyle Haring, 2635 Anothy Ave**
   Lyle Haring is requesting the following property legally described as; Lot 5, Block 1, CJM Second Addition in the NW 1/4 of Section 32, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota; be changed from CJM Second Addition Planned Unit Development to Urban Development District AND THE OFFICIAL ZONING MAP BE CHANGED TO REFLECT THE SAME.
8. **Hearing and Recommendation: an Ordinance Amending 10-9C-01, Lot 5, Block 1 CJM second Addition**
   Lyle Haring is requesting to amend CJM Second Addition Planned Unit Development by changing 10-9C-1: Legal Description from “Block 1, Block 2, Block 8 and Block 9 of CJM Second Addition and a portion of Anthony Avenue and a portion of Livesay Lane, A Subdivision of the NW ¼ of Section 32, T 104 N, R 60 W, of the 5^{th} P.M., City of Mitchell, Davison County, South Dakota.” to “Block 1, Block 2, Block 8 and Block 9 of CJM Second Addition and a portion of Anthony Avenue and a portion of Livesay Lane, A Subdivision of the NW ¼ of Section 32, T 104 N, R 60 W, of the 5^{th} P.M., City of Mitchell, Davison County, South Dakota except Lot 5, Block 1, CJM Second Addition in the NW 1/4 of Section 32, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota”:
9. **Variance Permit: Mark Van Den Hoek**
   Mark Van Den Hoek has applied for a Variance Permit for accessory building combination of 3,470 square feet vs 2,000 square feet to build a new accessory building of 1,920 square feet. This is located at 3220 N Main St, legally described as the 400’ E of Highway in Irregular Tract 4 in the NW ¼ of Section 10, T 103 N, R 60 W of the 5^{th} P.M., City of Mitchell, Davison County, South Dakota. The property is zoned R3 Medium Density Residential District.
10. **Hearing & Action on Establishing the Boundaries and Approval of the Project Plan for Tax Increment Financing District #44**
11. **Plat: DWU, Kittle & Reider**

Plat of Lots 7A & 9A in Tract D, Wild Oak Golf Club Addition to the City of Mitchell, in the SE 1/4 of Section 23, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota

12. **Plan Approval: Schmitz Construction, 926 N Main St, zoned Central Business District**

13. **Plat: Servicemen's Memorial Cemetery Associtation Inc**

    Plat of Veterans Memorial Park Tract 1, a subdivision of the SE 1/4 of the WSE 1/4 of the SW 1/4 of Section 9, T 103 N, R 60 W of the 5th P.M., Davison County, South Dakota

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 8-25-25
City Council Chambers, City Hall, 612 N. Main Street
August 25, 2025

1. Call to Order

Chairperson Genzlinger called the August 25, 2025 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: Bathke, Genzlinger, Havlik, Osterloo, Schmitz, Schreurs, Sonne.
Absent: Gunkel
Staff Present: Dammann, Jenniges, J Johnson, Schroeder.

3. Declaration Of Conflicts Of Interests

None.

4. Approve Agenda

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

5. Approval of Previous Minutes: August 11, 2025

Motion by Osterloo, seconded by Sonne to approve the proposed minutes of the August 11, 2025 Planning Commission Meeting. All present voting aye; motion carried.

6. Schedule Next Meeting: September 8, 2025

Motion by Havlik, seconded by Schmitz to set the date for the next Planning Commission Meeting for September 8, 2025. All present voting aye; motion carried.

7. Conditional Use Permit: Marci Stults

Marci Stults has applied for a conditional use permit for family residential daycare; located at 308 S Mentzer St, legally described as Lots 7 and 8, Block 9, Applegate Addition, City of Mitchell, Davison County, South Dakota. The said real property is zoned R4 High Density Residential District.

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 stated the applicant was approved for a daycare at a different location in April 2023 and there were no issues at that location. He also stated that a different applicant was approved for a daycare at this location in July 2023 and there were no issues at this location. Also, Jenniges said the applicant has passed the fire inspection already.

Motion by Schmitz, seconded by Schreurs to recommend approval of the conditional use with the following conditions; 1) the permit is non-transferable, 2) if the business ceases to operate for six months, then a new application would be required, 3) pass fire inspection. All present voting aye; motion carried.

8. Plan Approval: Dakota Counseling

Jenniges said this is located at 1000 W Havens Ave and zoned Highway Oriented Business District. Dakota Counseling Institute is the abutting property to the east. Jenniges said that because this is HB and there would be a change of use from a hotel to a behavioral health facility, it had to come to this board. They have hired an architect to do a review of the facility and are adding firewalls to the 20 dwelling units.

Michelle Carpenter of DCI said they purchased the property recently and would like to change the use from a hotel to a sober-living, short-term, transitional place. There will be staff present 24 hours a day. They will be teaching life skills while people are staying and assisting them to fill out applications for other housing options. Emerging adults are another group of people they will be assisting, kids that are 18 years old, and their parents don't want them living at home anymore and now need a place to stay while they find something else. They are working with UJS on a pilot project with the hopes of helping youth before they become part of the judicial system.

Motion by Havlik, seconded by Schmitz to approve the plan. All present voting aye; motion carried.

9. Other Business:

None.

10. Public Input:

None.

11. Adjourn

Chairperson Genzlinger adjourned the meeting at 12:07 P.M.

Kevin Genzlinger
Planning Commission Chairperson

City of Mitchell
SOUTH DAKOTA

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

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

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

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

☒ **Rezoning** *$250 application due with the application.*

- Applicant is request to rezone property from CJM Second Addition PUD District to UD District.

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

- Description of Variance: Click or tap here to enter text.
- Description of Hardship: Click or tap here to enter text.

☐ **Conditional Use Permit** *$150 application fee due with application*

- Description of Conditional Use: Click or tap here to enter text.

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

This Application is for the following described real property:

Legal Description: **Lot 5, Block 1, CJM Second Addition, City of Mitchell, Davison County, South Dakota.**

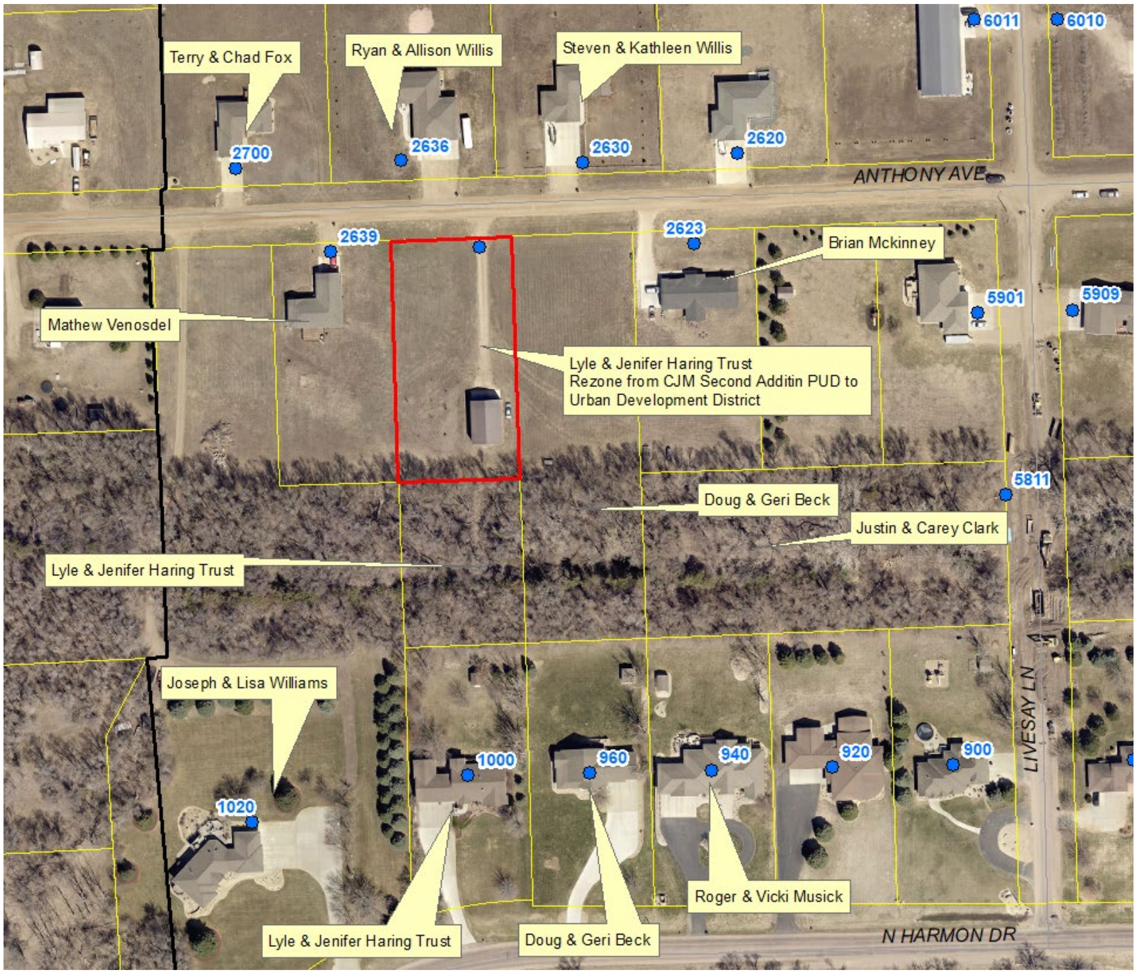
Property Address: **2635 Anthony Ave**

Dated this 22nd of September, 2025.

APPLICANT

Lyle Haring

Lyle & Jennifer Haring Trust
OWNER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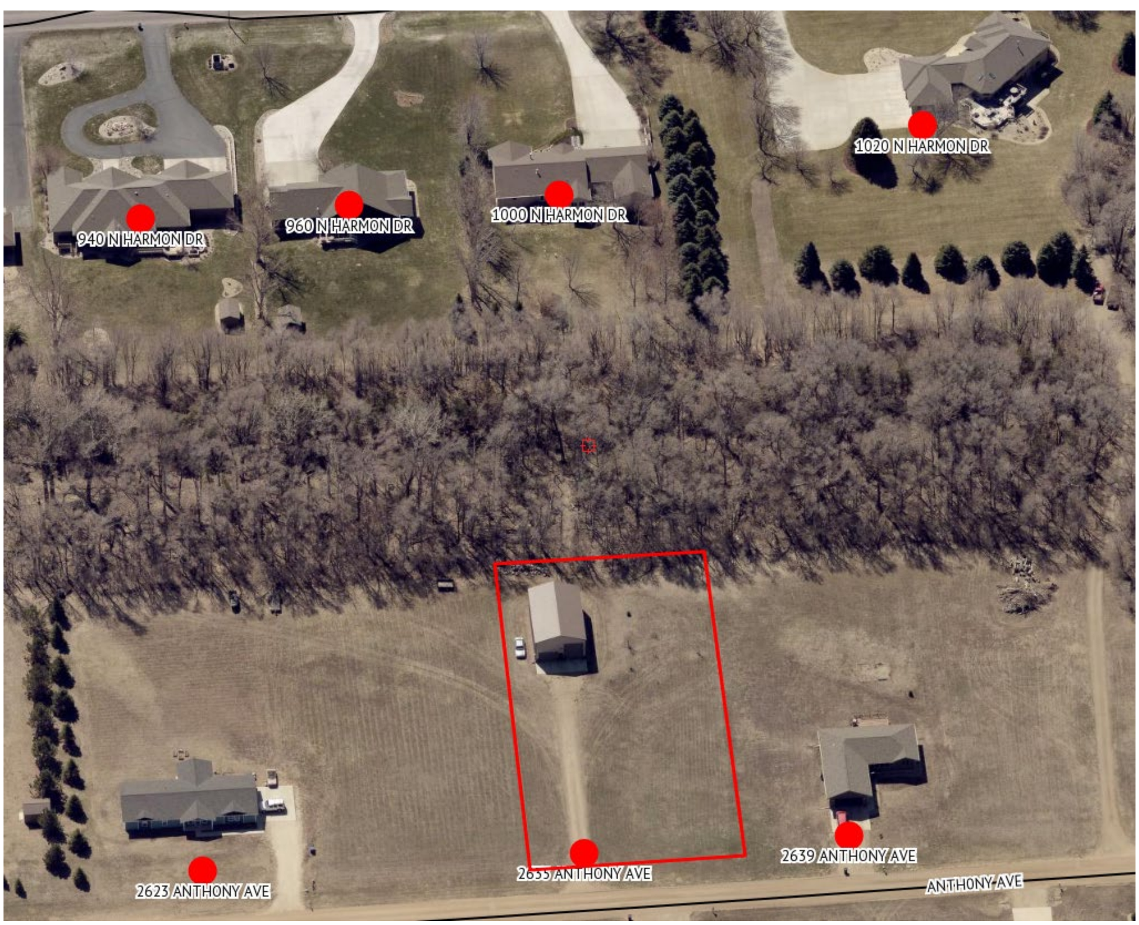
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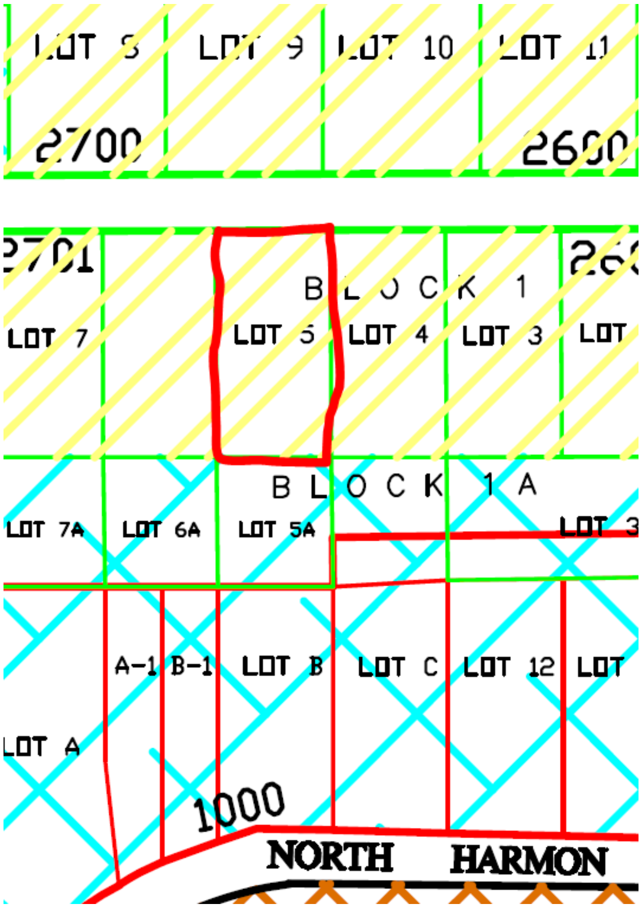

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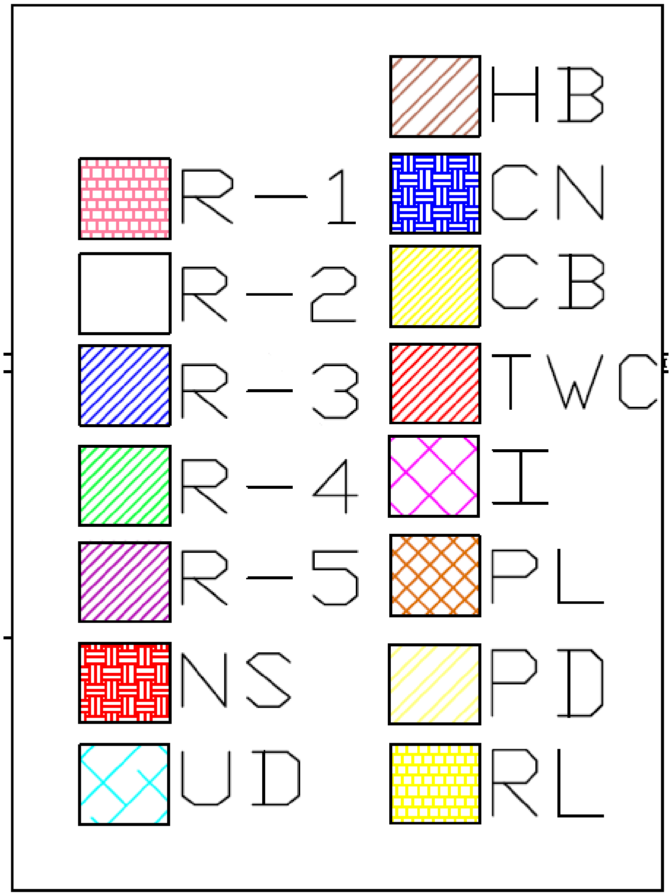

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NOTICE OF HEARING

TO: Mitchell City Planning Commission, City Council, and the General Public:

The City Planning Commission has scheduled a public hearing and action on the following ordinance. The Planning Commission hearing will be Tuesday October 14, 2025 at 12:00 p.m., the City Council will consider 1st Reading of the Ordinance on Monday, October 20, 2025 at 6:00 p.m. and 2nd Reading and Adoption on Monday, November 3, 2025 at 6:00 p.m. all meetings will be held in the Council Chambers, City Hall, 612 N Main St, Mitchell, SD. All interested parties are encouraged to attend the meetings.

ORDINANCE NO. O2025-

AN ORDINANCE OF THE CITY OF MITCHELL, THAT CHANGES THE ZONING DISTRICT CLASSIFICATION OF THE REAL PROPERTY LEGALLY DESCRIBED AS; Lot 5, Block 1, CJM Second Addition in the NW 1/4 of Section 32, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota; be changed from CJM Second Addition Planned Unit Development to Urban Development District AND THE OFFICIAL ZONING MAP BE CHANGED TO REFLECT THE SAME.

BE IT ORDAINED BY THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA:

Section 1: THE ZONING DISTRICT CLASSIFICATION OF THE REAL PROPERTY LEGALLY DESCRIBED AS; Lot 5, Block 1, CJM Second Addition in the NW 1/4 of Section 32, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota; be changed from CJM Second Addition Planned Unit Development to Urban Development District AND THE OFFICIAL ZONING MAP BE CHANGED TO REFLECT THE SAME.

Section 2. The City Finance Officer shall publish notice of this ordinance and the same shall be effective 20 days after the completed publication thereof, unless the referendum shall be invoked as provided by law.

Passed and approved this the _____ day of ___________, 2025.

____
MAYOR

ATTEST:

____

FINANCE OFFICER

{SEAL}

FIRST READING: October 20, 2025
SECOND READING: November 3, 2025
ADOPTION: November 3, 2025

Published three times: October 1, 8 and 22, 2025
Approximate Costs:

Lyle & Jennifer Haring Trust
1000 N Harmon Dr
Mitchell, SD 57301

Terry & Chad Fox
2700 Anthony Ave
Mitchell, SD 57301

Ryan & Allison Willis
2636 Anthony Ave
Mitchell, SD 57301

Steven & Kathleen Willis
2630 Anthony Ave
Mitchell, SD 57301

Joseph & Lisa Williams
1020 N Harmon Dr
Mitchell, SD 57301

Doug & Geri Beck
960 N Harmon Dr
Mitchell, SD 57301

Brian Mckinney
2623 Anthony Ave
Mitchell, SD 57301

Justin & Carey Clark
PO Box 823
Mitchell, SD 57301

Mathew Venosdel
Paige Harms
2639 Anthony Ave
Mitchell, SD 57301

Roger & Vicki Musick
940 N Harmon Dr
Mitchell, SD 57301

Mark Jenniges

From: Roger Musick <rogermusick@gmail.com>
Sent: Monday, October 6, 2025 6:48 PM
To: Mark Jenniges
Subject: Lyle Haring rezone application

Mark,

Roger and Vicki Musick at 940 N Harmon Dr. approve of Lyle's application to rezone.

Thanks

Roger Musick

Sent from my iPhone

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

Mitchell
SOUTH DAKOTA
Outside expectations

October 1, 2025

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED that Lyle Haring is requesting the following property legally described as; Lot 5, Block 1, CJM Second Addition in the NW 1/4 of Section 32, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota; be changed from CJM Second Addition Planned Unit Development to Urban Development District AND THE OFFICIAL ZONING MAP BE CHANGED TO REFLECT THE SAME.

YOU ARE FURTHER NOTIFIED that the City Planning Commission will be conducting a hearing on this application on Tuesday, October 14, 2025 at 12:00 p.m., the City Council will consider 1st Reading of the Ordinance on Monday, October 20, 2025 at 6:00 p.m. and 2nd Reading and Adoption on Monday, November 3, 2025 at 6:00p.m. all meetings will be held in the Council Chambers, City Hall, 612 N Main St, Mitchell, SD. All interested parties are encouraged to attend the meetings.

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

The complete application and all supporting documents can be found on the City of Mitchell's agenda center located @ https://mitchellsd.portal.civicclerk.com/. If you have any questions regarding this matter, you can reach Mark Jenniges at the above location and phone number or by email @ mark.jenniges@cityofmitchellsd.gov .

I/We Allison Willis
OWNER

2036 Anthony Ave
ADDRESS

X APPROVE

______ DISAPPROVE

COMMENTS:

City of Mitchell SOUTH DAKOTA

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

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

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

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

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- Applicant is request to rezone property from CJM Second Addition PUD District to UD District.

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

This Application is for the following described real property:

Legal Description: **Lot 5, Block 1, CJM Second Addition, City of Mitchell, Davison County, South Dakota.**

Property Address: **2635 Anthony Ave**

Dated this 22nd of September, 2025.

APPLICANT

Lyle & Jennifer Haring Trust
OWNER

ORDINANCE #O2025-

An Ordinance amending 10-9C-1 Legal Description, CJM Second Addition Planned Development District, Title 10 Zoning Regulations, City of Mitchell Municipal Code

NOW BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA:

Section 1.

That 10-9C-1: Legal Description, be amended by changing “Block 1, Block 2, Block 8 and Block 9 of CJM Second Addition and a portion of Anthony Avenue and a portion of Livesay Lane, A Subdivision of the NW ¼ of Section 32, T 104 N, R 60 W, of the 5th P.M., City of Mitchell, Davison County, South Dakota.” to “Block 1, Block 2, Block 8 and Block 9 of CJM Second Addition and a portion of Anthony Avenue and a portion of Livesay Lane, A Subdivision of the NW ¼ of Section 32, T 104 N, R 60 W, of the 5th P.M., City of Mitchell, Davison County, South Dakota except Lot 5, Block 1, CJM Second Addition in the NW 1/4 of Section 32, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota”: so to be read as follows:

10-9C-1: LEGAL DESCRIPTION:
Block 1, Block 2, Block 8 and Block 9 of CJM Second Addition and a portion of Anthony Avenue and a portion of Livesay Lane, A Subdivision of the NW ¼ of Section 32, T 104 N, R 60 W, of the 5th P.M., City of Mitchell, Davison County, South Dakota except Lot 5, Block 1, CJM Second Addition in the NW 1/4 of Section 32, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota.

Section 2.

The City Finance Officer shall cause notice of adoption of this ordinance to be published in the official newspaper and twenty (20) days after the completed publication, unless the referendum is invoked, this ordinance shall become effective.

Adopted by majority vote of the Mitchell SD City Council in regular session this ____ day of _________________, 2025.

____

MAYOR

ATTEST:

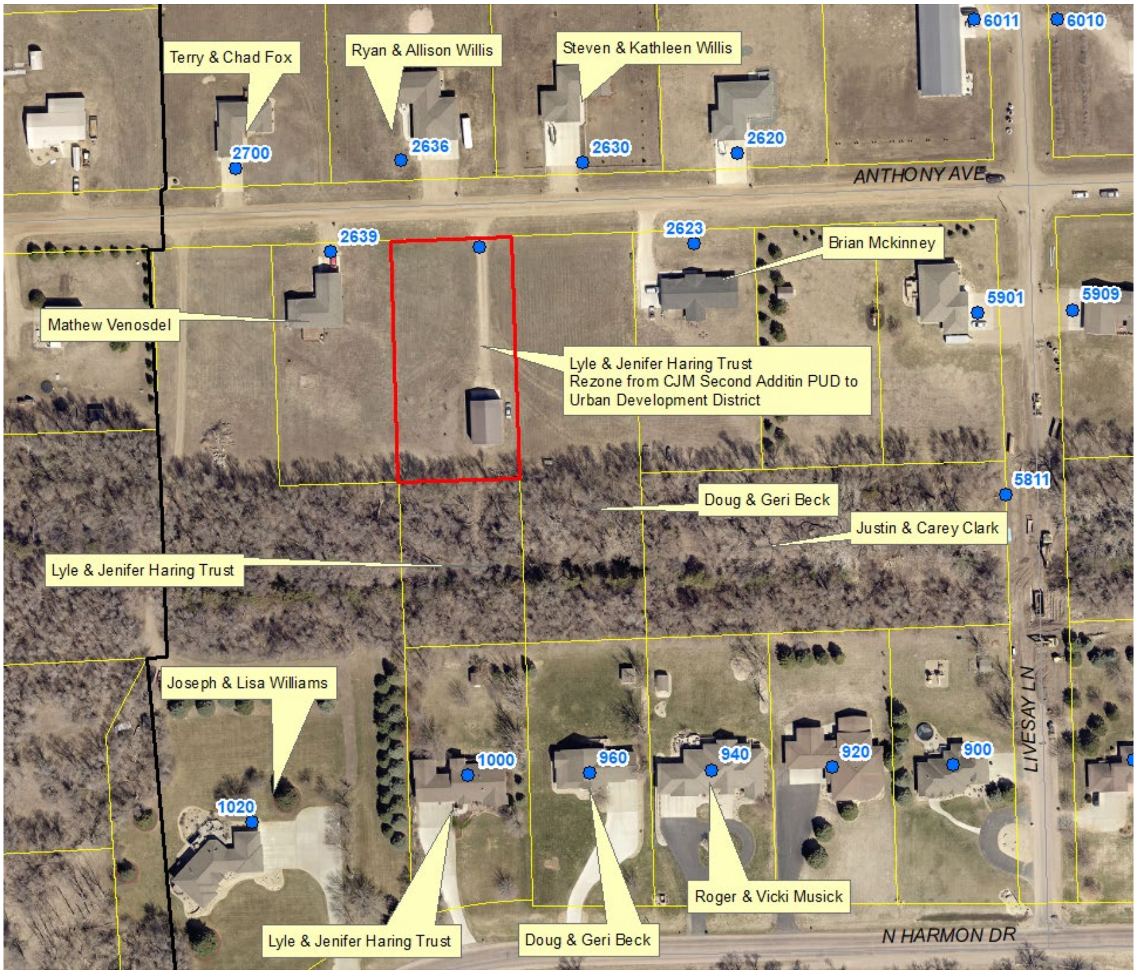
____

FINANCE OFFICER

{SEAL}

FIRST READING: October 20, 2025
SECOND READING: November 3, 2025
ADOPTION: November 3, 2025

Published three times: October 1, 8 and 22, 2025.



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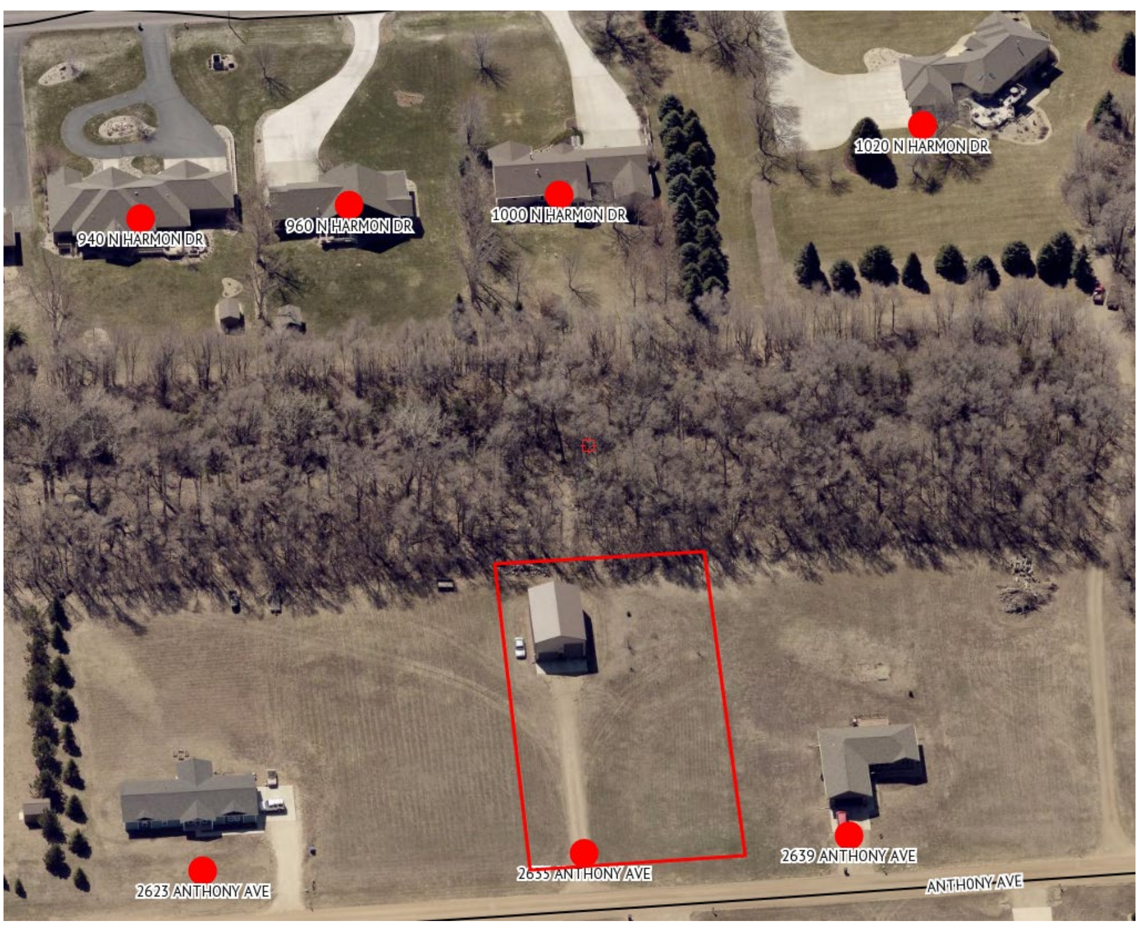

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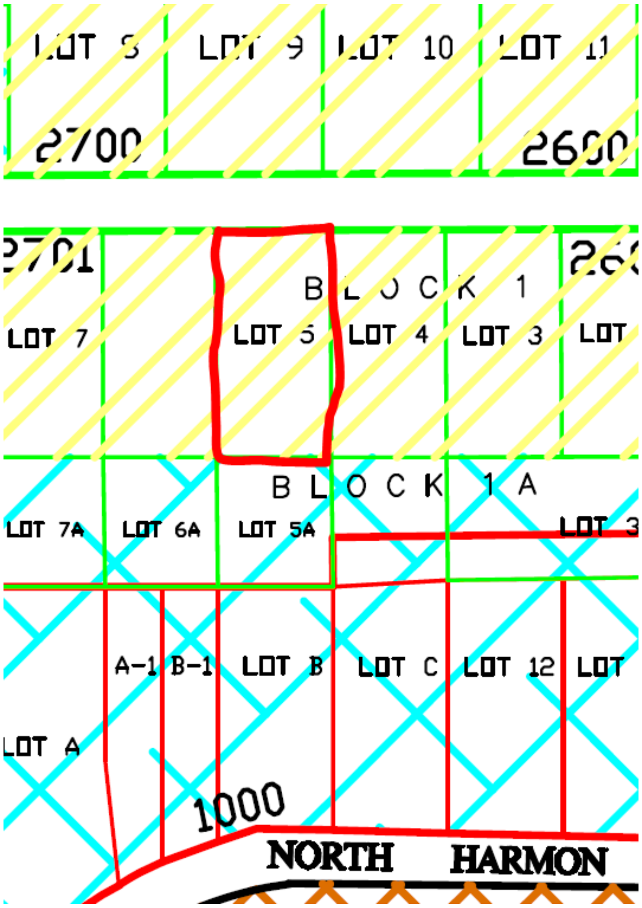
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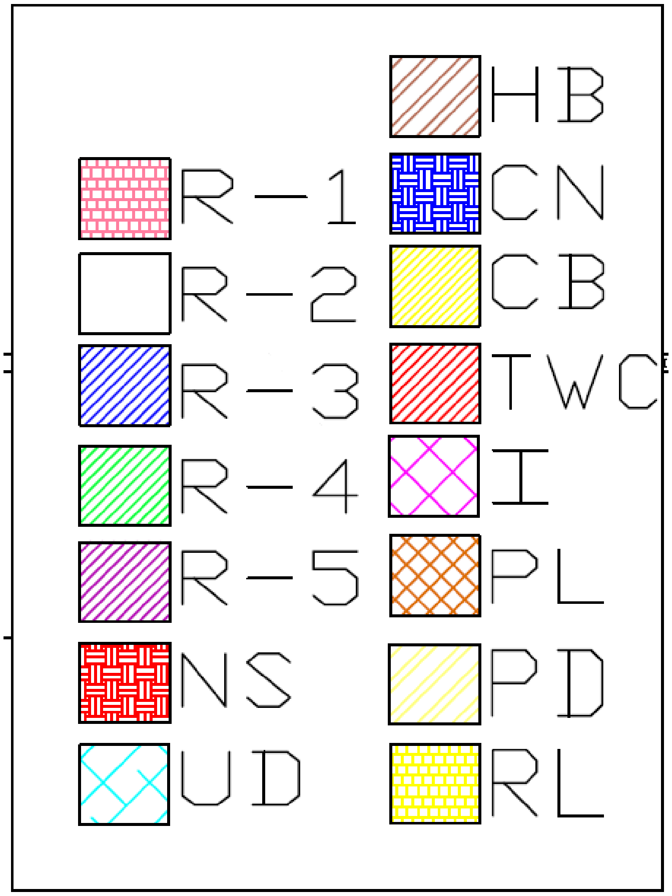
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NOTICE OF HEARING

TO: The City of Mitchell Planning Commission, City Council of the City of Mitchell, and the General Public.

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The City Finance Officer shall cause notice of adoption of this ordinance to be published in the official newspaper and twenty (20) days after the completed publication, unless the referendum is invoked, this ordinance shall become effective.

Adopted by majority vote of the Mitchell SD City Council in regular session this ____ day of _________________, 2025.

____

MAYOR

ATTEST:

____

FINANCE OFFICER

{SEAL}

FIRST READING: October 20, 2025
SECOND READING: November 3, 2025
ADOPTION: November 3, 2025

Published three times: October 1, 8 and 22, 2025.
Approximate Costs:

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Mitchell, SD 57301

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Mitchell, SD 57301

Ryan & Allison Willis
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Steven & Kathleen Willis
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Doug & Geri Beck
960 N Harmon Dr
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Brian Mckinney
2623 Anthony Ave
Mitchell, SD 57301

Justin & Carey Clark
PO Box 823
Mitchell, SD 57301

Mathew Venosdel
Paige Harms
2639 Anthony Ave
Mitchell, SD 57301

Roger & Vicki Musick
940 N Harmon Dr
Mitchell, SD 57301

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

Mitchell
SOUTH DAKOTA
Outside expectations

October 1, 2025

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED that Lyle Haring is requesting to amend CJM Second Addition Planned Development District by changing 10-9C-1 Legal Description from "Block 1, Block 2, Block 8 and Block 9 of CJM Second Addition and a portion of Anthony Avenue and a portion of Livesay Lane, A Subdivision of the NW ¼ of Section 32, T 104 N, R 60 W, of the 5th P.M., City of Mitchell, Davison County, South Dakota." to "Block 1, Block 2, Block 8 and Block 9 of CJM Second Addition and a portion of Anthony Avenue and a portion of Livesay Lane, A Subdivision of the NW ¼ of Section 32, T 104 N, R 60 W, of the 5th P.M., City of Mitchell, Davison County, South Dakota except Lot 5, Block 1, CJM Second Addition in the NW 1/4 of Section 32, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota"

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

I/We [signature]
OWNER

3636 Anthony Ave
ADDRESS

✓ APPROVE

_____ DISAPPROVE

COMMENTS:

Outside expectations

City of Mitchell
SOUTH DAKOTA

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

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

Variance *$150 application fee due with application.*

- Description of Variance:

Existing 1550 Square Feet of Garage/Storage-Requesting addl. 1920 Sq feet

- Description of Hardship:

- Additional storage needed for Recreational Vehicles and Lawn and Turf Equipment

This Application is for the following described real property:

Legal Description-: 400 FEET EAST OF HIGHWAY IN IRREG. TRACT 4 IN THE NW 1/4 10-103-60 PLATTED VARIOUS
Property Address-3220 North Main Street, Mitchell, SD 57301

Dated this 24th Day of September, 2025

APPLICANT

OWNER

Chris & Laura Fosness
Chris & Laura Fosness
City of Mitchell
Mark & Louise Van Den Hoek
Variance Permit
Accesorry buidlings of 3,470 sq ft vs 2,000 sq ft
for new 32' x 60' accessory building addition
Mark & Louise Van Den Hoek
N MAIN ST
N MAIN ST
Randy Dorale
David & Patricia Malters
David & Patricia Malters
3210

3210 N MAIN ST
3124 N MAIN ST
3220 N MAIN ST
SD-HWY-37-N
SD-HWY-37-S
SD-HWY-37-N
SD-HWY-37-S

NOTICE OF HEARING

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

YOU ARE HEREBY NOTIFIED that Mark Van Den Hoek has applied for a Variance Permit for accessory building combination of 3,470 square feet vs 2,000 square feet to build a new accessory building of 1,920 square feet. This is located at 3220 N Main St, legally described as the 400' E of Highway in Irregular Tract 4 in the NW ¼ of Section 10, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. The property is zoned R3 Medium Density Residential District.

YOU ARE FURTHER NOTIFIED, that public hearings will be held by the City Planning Commission on Tuesday, October 14, 2025, 12:00 P.M. (Noon) and the Board of Adjustment on Monday, October 20, 2025 at 6:00 P.M., at the Council Chambers, Mitchell City Hall, 612 N Main St. All interested parties may attend the public hearings and provide comments in regards to the applicant's request.

Dated this 24th day of September, 2025.

Michelle Bathke

FINANCE OFFICER

Publish once: 1st day of October, 2025
Approximate Cost:

Mark & Louise Van Den Hoek
3220 N Main St
Mitchell, SD 57301

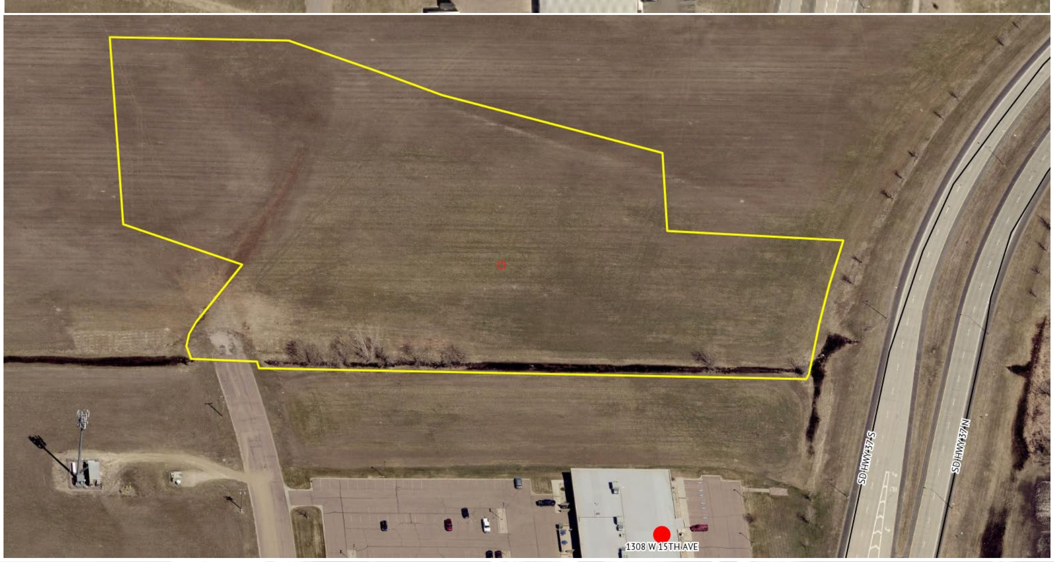
Chris & Laura Fosness
PO Box 357
Mitchell, SD 57301

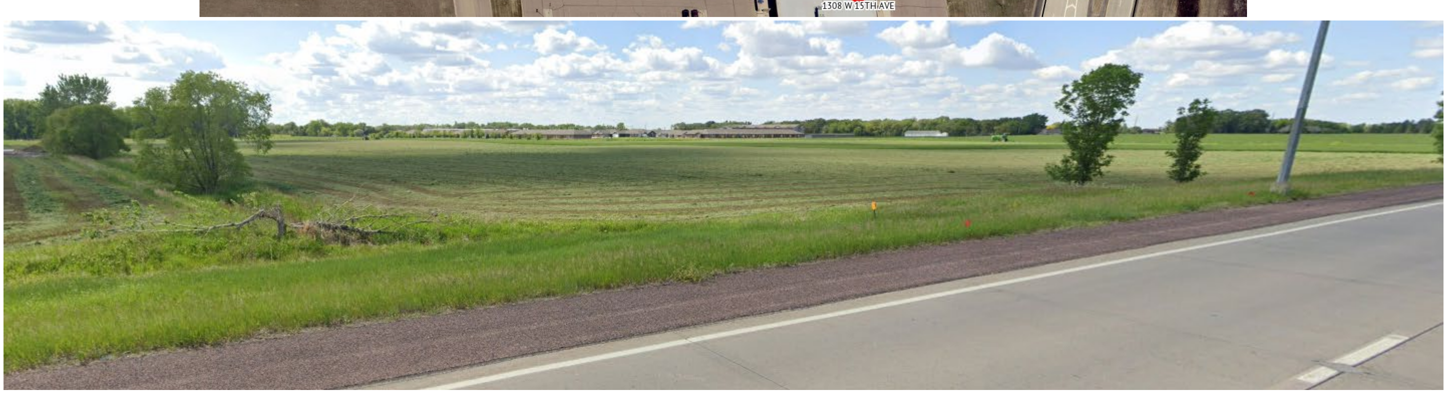
David & Patricia Malters
3124 N Main St
Mitchell, SD 57301

Randy Dorale
3210 N Main St
Mitchell, SD 57301

City of Mitchell
612 N Main St
Mitchell, SD 57301


Lot 1
Block 10
+/- 1.78 Acres
Commerce Street
Lot 2C1
+/- 1.34 Acres
Lot 2B1
+/- 3.14 Acres
1524
COMMERCE ST
1308
1301
N SD HWY 37
N SD HWY 37


1308 W 15TH 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 14, 2025 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 Forty-four (44).

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

LOTS TWO B ONE (2B1) AND TWO C ONE (2C1), A SUBDIVISION OF LOT TWO (2), BLOCK FOUR (4), WESTWOOD FIRST ADDITION IN THE NORTHWEST QUARTER (NW1/4) OF SECTION SIXTEEN (16), TOWNSHIP ONE HUNDRED THREE (103) NORTH, RANGE SIXTY (60), WEST OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA;

THAT PORTION OF COMMERCE STREET LOCATED ALONG THE WESTERLY BORDER OF LOTS TWO B ONE (2B1) AND TWO C ONE (2C1); AND

LOT ONE (1), BLOCK TEN (10), A SUBDIVISION OF BLOCK FOUR (4) OF WESTWOOD FIRST ADDITION IN THE NORTHWEST QUARTER (NW1/4) OF SECTION SIXTEEN (16), TOWNSHIP ONE HUNDRED THREE (103) NORTH, RANGE SIXTY (60) WEST OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA;

At the above stated time and place, all interested parties will be afforded a reasonable opportunity to express their views on the proposed creation of the Tax Incremental District and its proposed boundaries. The project plan may be viewed on the city's website at www.cityofmitchellsd.gov. Following such hearing, the matter will be heard and acted upon by the Mitchell City Council on October 20, 2025 at 6:00 pm in the City Hall Council Chambers.

Dated this 23rd day of September, 2025.

____
Michelle Bathke – Finance Officer

Published once: 1st day of October, 2025
Approximate publication cost: ____________

Tax Incremental District

Number 44

City of Mitchell, SD

Economic Development Project Plan

In conjunction with

Commerce Marketing Group II LLC, Developer

Table of Contents

INTRODUCTION AND PURPOSE

The purpose of this Plan, to be implemented by the City of Mitchell, Davison County, South Dakota, is to satisfy the requirements for Tax Incremental District Plan Number 44, City of Mitchell, Davison County as specific in SDCL Chapter 11-9. There are 11 mandated requirements of the Plan, each to be addressed in this Plan. The principal purpose of this Plan is to define eligible property and to define a Tax Incremental Plan for funding eligible activities in the eligible area of the city.

This Plan was prepared for adoption by the City Planning Commission and the City Council in recognition that the area requires a coordinated, cooperative strategy, with financing possibilities, to promote economic development through the construction of a new fine dining restaurant to be known as "Chef Louie's Restaurant" in Mitchell, South Dakota. The project seeks to reestablish this illustrious establishment as a key culinary destination in Mitchell. The project will consist of building a new restaurant/bar with banquet room located within Lot 2B1. The concept is a fine dining restaurant which will employ up to fifteen (15) full-time employees and up to twenty-five (25) part-time employees. The project will consist of the construction of a new 13,172 square foot building to house the restaurant, bar, and banquet room. The project will include the construction of a parking lot directly east of the facility. The facility will be located within the City of Mitchell, South Dakota, near the Mitchell Bypass. It will be situated in a key area serving traffic entering from the north and from Main Street, as well as from the south and through traffic entering the City of Mitchell from Interstate 90. This area has developed slowly over the past number of years. The new restaurant business will serve as a revival of "Chef Louie's Restaurant", which was long regarded as a cornerstone of the Mitchell, South Dakota dining scene and a premier destination for fine dining. The restaurant facility is estimated for completion in November of 2026. In conjunction with the construction of the restaurant facility and associated parking area, the developer will contribute to the further development of Commerce Street, which currently remains undeveloped along Lot 2B1 and Lot 2C1. This infrastructure improvement will support broader development along the bypass and enhance accessibility and travel along Commerce Street. The project described in this Project Plan will not proceed and is not economically feasible but for the use of tax increment financing.

Within the proposed TIF boundaries lies Lot 2C1 which is currently a bare lot located on the east side of Commerce Street. While the scope of this project plan is intended to focus on the construction of a new restaurant facility and adjoining parking lot discussed above, it is important to note that the Developer intends to make additional improvements to Lot 2C1. Lot 2C1 is designated for future use as a lodging facility. The development of a lodging facility will accommodate both business and leisure travelers, thereby increasing visitor engagement and economic activity in the vicinity. The development of Lot 2C1 is estimated for completion in November of 2028.

In addition to the planned improvements for Lot 2B1 and Lot 2C1, Lot 1, Block 10—an undeveloped parcel within the TIF boundaries—is also designated for future development. While the primary focus of this Project Plan is the construction of a new full-service restaurant and accompanying parking lot, the Developer has indicated plans for further enhancement of the adjacent Lot 1, Block 10 as part of the broader vision of the property. Specifically, Lot 1, Block 10 has been designated for the development of a quick-service restaurant, which will complement the overall commercial use of the site. Development of a quick-service restaurant will provide convenient dining options and will diversify the commercial offerings within the City of Mitchell. Although not included in the immediate scope of this Project Plan, the anticipated development of Lot 1, Block 10 represents a strategic component of the long-term revitalization efforts within the TIF district. The Developer estimates the construction of the quick-service restaurant will be completed by November of 2029.

Despite the planned improvements being TIF eligible in nature, Developer will not seek reimbursement for the costs associated with the development of Lot 2C1 into a lodging facility and Lot 1, Block 10 into a quick-service restaurant. As a result, the TIF amount sought from this Project is solely associated with the costs stemming from the new restaurant facility to be located in Lot 2B1.

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

Development in the area is anticipated to start in the fall of 2025, with the potential for tax increment financing to provide the impetus and means to undertake this development at a faster pace than might occur otherwise, but more importantly to ensure that one of the City's long-standing business landmarks comes back to life, while adding new employment opportunities and a fine dining restaurant to the City of Mitchell. It is important to note that Lot 1, Block 10 is currently part of an existing Tax Incremental District (i.e., Davison County TID Number 2). SDCL § 11-9-6 allows for a Tax Incremental District to be created if it overlaps one or more existing tax districts. In this case, the lender that issued the loan for Davison County TID Number 2, First Dakota National Bank of Mitchell, South Dakota, has agreed to allow the overlapping TIF. This plan does not anticipate Lot 1, Block 10 generating any increment until 2031. It is anticipated that Davison County TID Number 2 will be paid in full by December 31, 2028. For the sake of clarity, the only tax increment from the City of Mitchell TIF Number 44 that would be applied to Davison County TID Number 2 would be that increment generated by Lot 1, Block 10.

Brief Description of Project:

The proposed development involves the construction of a new restaurant, bar, and banquet room with the objective of reviving a celebrated Mitchell landmark—"Chef Louie's Restaurant." With tax increment financing, the Developer is planning on the construction of the new restaurant building and up to fifteen (15) new full-time employees and twenty-five (25) part-time employees. In addition to the primary restaurant development, the project will catalyze infrastructure improvements, specifically the enhancement and further development of Commerce Street, contributing to improved access and functionality of the surrounding area. The project will also include the construction of a lodging facility and a quick-service restaurant. While the Developer will not seek reimbursement for the lodging facility and quick-service restaurant, the improvements will be made within the TIF area.

Brief Description of Project's Public Benefits:

To stimulate and leverage private sector development and redevelopment, and to promote economic development throughout the TIF District by constructing a new fine dining restaurant and employing up to 15 new full-time and 25 part-time employees. The project may also contribute additional lodging options within the City of Mitchell, attracting visitors, particularly in light of the planned premier dining establishment. The inclusion of a quick-service restaurant would offer a convenient dining option for both residents and visitors of the City of Mitchell, given the site's strategic location along the bypass, a heavily trafficked route that connects directly to Interstate 90. The project is to be located on the Mitchell Bypass located on the west side of the City of Mitchell, which will continue the progress being made in the area for economic growth.

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" means property that meets any of the following criteria:

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

(1) dilapidation, age, or obsolescence;

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

(3) high density of population and overcrowding;

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

(5) any combination of such factors;

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

The term blighted area[2] means An area that substantially impairs or arrests the sound growth of the political subdivision, inhibits housing development, constitutes an economic or social liability, or is a danger in its present condition and use to the health, safety, morals, or welfare of the public because of: -

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

(2) predominance of defective or inadequate street layouts;

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

(4) insanitary or unsafe conditions;

(5) the deterioration of site or other improvements;

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

(7) defective or unusual conditions of title;

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

(9) a predominance of open space with obsolete platting, diversity of ownership, or deterioration of structures of site improvements.

"City of Mitchell" means Mitchell, South Dakota.

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

"Developer" means Commerce Marketing Group II LLC, a South Dakota limited liability company.

"Developer's Agreement" means the agreement between Commerce Marketing Group II LLC 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 Ch. 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.

[1] SDCL § 11-9-9
[2] SDCL § 11-9-10

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

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

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

"Owner" means Commerce Marketing Group II LLC, a South Dakota limited liability company.

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

"Plan" means this Project Plan.

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

"Project Plan" means 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 #44.

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

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

PROPERTY WITHIN THE TAX INCREMENT DISTRICT

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

> Lots Two B One (2B1) and Two C One (2C1), a Subdivision of Lot Two (2), Block Four (4), Westwood First Addition in the Northwest Quarter (NW1/4) of Section Sixteen (16), Township One Hundred Three (103) North, Range Sixty (60), West of the 5th P.M., City of Mitchell, Davison County, South Dakota;
>
> That portion of Commerce Street located along the westerly border of Lots Two B One (2B1) and Two C One (2C1); and
>
> Lot One (1), Block Ten (10), a Subdivision of Block Four (4) of Westwood First Addition in the Northwest Quarter (NW1/4) of Section Sixteen (16), Township One Hundred Three (103) North, Range Sixty (60) West of the 5th P.M., City of Mitchell, Davison County, South Dakota.

The area making of the Tax Increment District #44 is shown on the boundary map attached to the following page

CREATION OF CITY OF MITCHELL TID NUMBER 44

Commerce Marketing Group II LLC, desires to create a Tax Incremental Financing District ("TID") to assist in the construction of public infrastructure and other TID eligible expenses on land located within the corporate limits of the City of Mitchell, Davison County, South Dakota. As presented by the Developer, the TID will consist of one (1) phase, as follows:

> Site preparation (asphalt, concrete, dirt work), and other TID eligible expenses for the Economic Development area proposed for the TID area. The construction of 13,172 square foot building located within Lot 2B1. The development will further include the construction of a parking lot on the east side of the building.

Once completed, the building and site improvements will allow Developer to construct a new fine dining restaurant, which will employ up to fifteen (15) new full-time employees and twenty-five (25) part-time employees. The construction of the new building and employment of additional employees will not happen without the TIF being approved. It is also projected that a lodging facility and quick-service restaurant will be built on the 2 remaining lots contained within the TIF District, which if completed will generate more tax increment.

Timing and weather permitting, Developer intends to begin construction on the new building in the fall of 2025 with a substantial completion date on or before November 1, 2026.

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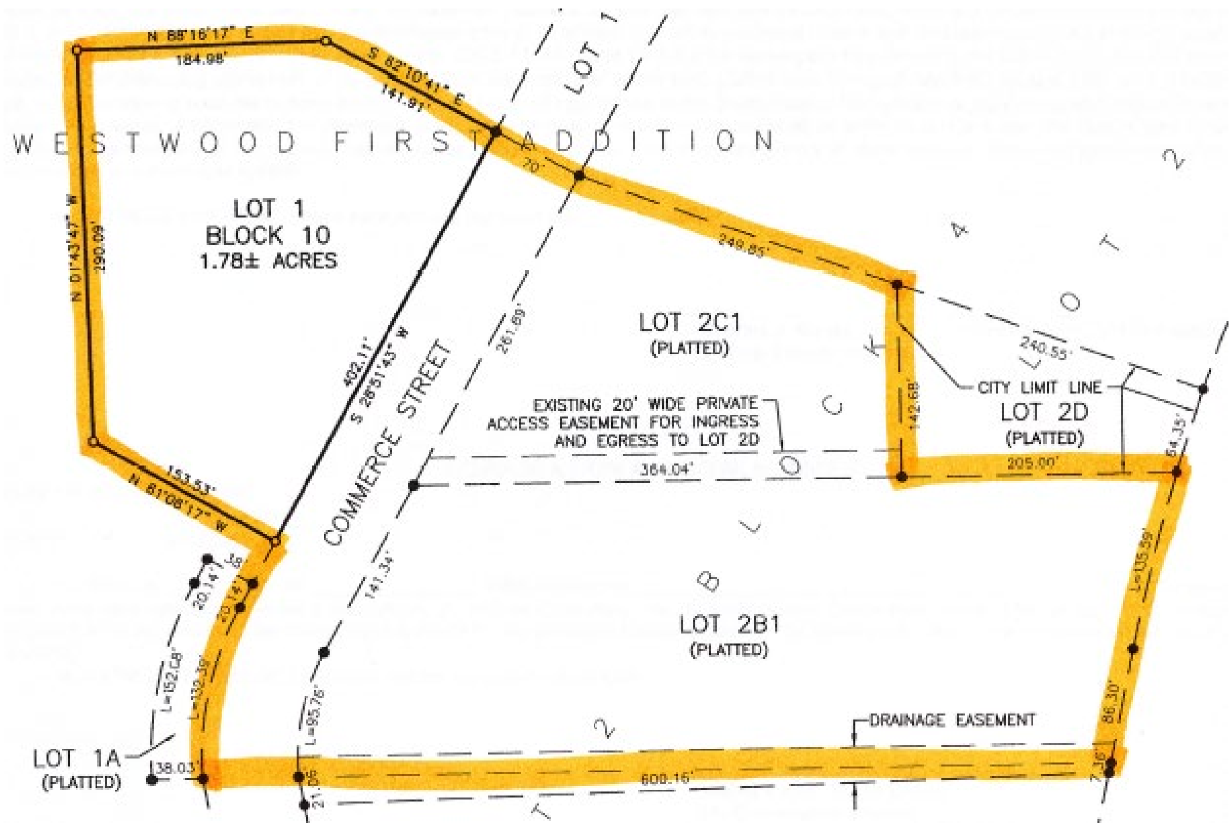
Figure 1. TID 44 Boundary

Mitchell TIF District 44 Boundary Map

-Outlined in Orange



LISTING OF KIND, NUMBER, LOCATION AND DETAILED COSTS OF PROPOSED PUBLIC WORKS AND IMPROVEMENTS[3]

In order to implement the provisions of SDCL Chapter 11-9, the following are Project Costs and expenditures made or estimated to be made and the monetary obligations incurred or estimated to be incurred by the Developer.

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

[3] SDCL §11-9-16(1)

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

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

TAXABLE VALUE OF MITCHELL

State law requires that tax increment districts cannot exceed ten percent of the taxable value of the City of Mitchell. This value for Mitchell is approximately $1,584,609,382. The base value of the taxable property for inclusion into this Tax Incremental District, as per the Director of Equalizations records, is $14,323 as set forth on the following page.

The base value of Lot 2B1, Lot 2C1, and Lot 1, Block 10 were requested from the Director of Equalizations. The above number of $14,323 was calculated based on that information as follows:

<u>Lot 2B1 and Lot 2C1</u>
Lots 2B1 and 2C1 were subdivided from Parcel No. 06160-00400-002-00 which currently has a certified value of $10,882 and consists of 4.74 acres. Lot 2B1 consists of 3.14 acres and Lot 2C1 consists of 1.34 acres. The value was calculated as follows:

$10,882/4.74 acres = $2,295.78/acre
3.14 acres * $2,295.78 = $7,208.75
1.34 acres * $2,295.78 = $3,076.35
$7,208.75 + $3,076.35 ≈ $10,285

<u>Lot 1, Block 10</u>
Although the parcel of Lot 1, Block 10 was subdivided from Parcel No. 15895-00400-002-00 which currently has a certified value of $149,071 and consists of 65.7 acres. Lot 1, Block 10 consists of 1.78 acres. The value was calculated as follows:

$149,071/65.7 acres = $2,268.78/acre
1.78 acres * $2,268.78 ≈ $4,038

Total Base Value: $10,285 + $4,038 = $14,323

TIF 44 Base Valuations

Lots Two B One (2B1) and Two C One (2C1), a Subdivision of Lot Two (2), Block Four (4), Westwood First Addition in the Northwest Quarter (NW1/4) of Section Sixteen (16), Township One Hundred Three (103) North, Range Sixty (60), West of the 5th P.M., City of Mitchell, Davison County, South Dakota;

That portion of Commerce Street located along the westerly border of Lots Two B One (2B1) and Two C One (2C1); and

Lot One (1), Block Ten (10), a Subdivision of Block Four (4) of Westwood First Addition in the Northwest Quarter (NW1/4) of Section Sixteen (16), Township One Hundred Three (103) North, Range Sixty (60) West of the 5th P.M., City of Mitchell, Davison County, South Dakota.

Full & True Base Value: $14,323

Total base value of active TIF Districts in Mitchell is as follows:

Tax Increment District Number 8	$5,900,522
Tax Increment District Number 9	$49,543
Tax Increment District Number 14	$37,207
Tax Increment District Number 19	$13,143
Tax Increment District Number 20	$149,308
Tax Increment District Number 21	$139,817
Tax Increment District Number 23	$2,953,202
Tax Increment District Number 24	$602,220
Tax Increment District Number 26	$0
Tax Increment District Number 27	$985,641
Tax Increment District Number 28	$2,083,459
Tax Increment District Number 29	$391,053
Tax Increment District Number 30	$54,665
Tax Increment District Number 31	$600,605
Tax Increment District Number 32	$1,530,600
Tax Increment District Number 33	$776,329
Tax Increment District Number 34	$1,250,395
Tax Increment District Number 35	$130,385
Tax Increment District Number 36	$217,468
Tax Increment District Number 37	$77,929
Tax Increment District Number 38	$93,065
Tax Increment District Number 39	$208,387
Tax Increment District Number 40	$174,720
Tax Increment District Number 41	$367,837
Tax Increment District Number 42	$360,071
Tax Increment District Number 43	$26,040
Tax Increment District Number 44	$14,323
TOTAL	$19,187,934

The total value of all active TIF districts in Mitchell is less than 10% of total taxable value in the City. Using the base values provided above with the inclusion of the proposed TIF #44, the total Tax Increment Districts combined is less than 1.5% when compared to the 2024 Taxable Valuation.

The proposed Tax Incremental District will promote economic growth and enhancements in City of Mitchell. It is anticipated that a majority of properties within the district will see increases in their property valuation as a result of improvements made possible through creation of the proposed Tax Incremental District.

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COSTS OF PUBLIC WORKS OR IMPROVEMENTS

In accordance with SDCL § 11-9-16 the following is the kind, number, location and dollar amount of estimated Project Costs, costs of public works and improvements:

Kind of Project Cost	Number of Projects	Location[4]	Amount	Reference[5]
Capital Costs		District	$0	11-9-14(1)
Financing Costs		District	$0	11-9-14(2)
Real Property Assembly		District	$0	11-9-14(3)
Professional Fees		District	$0	11-9-14(4)
Administrative Costs		District	$0	11-9-14(5)
Relocation Costs		District	$0	11-9-14(6)
Organizational Costs		District	$0	11-9-14(7)
Discretionary Costs and Grants		District	$2,921,326	11-9-14(8)
		Eligible Project Costs	$2,921,326	

*See Schedule 1 - list of TIF-Qualified project costs to be paid by Developer which qualify as project costs under 11-9-14(1) through (7).

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

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[4] District shall mean the Tax Increment District.

[5] SDCL §11-9-14

(1) Capital costs, including the actual costs of the construction of public works or improvements, buildings, structures, and permanent fixtures; the demolition, alteration, remodeling, repair, or reconstruction of existing buildings, structures, and permanent fixtures; the acquisition of equipment; the clearing and grading of land; and the amount of interest payable on tax incremental bonds or notes issued pursuant to this chapter until such time as positive tax increments to be received from the district, as estimated by the Project Plan, are sufficient to pay the principal of and interest on the tax incremental bonds or notes when due;
(2) Financing costs, including all interest paid to holders of evidences of indebtedness issued to pay for Project Costs, any premium paid over the principal amount thereof because of the redemption of such obligations prior to maturity and a reserve for the payment of principal of and interest on such obligations in an amount determined by the governing body to be reasonably required for the marketability of such obligations;
(3) Real property assembly costs, including the actual cost of the acquisition by a municipality of real or personal property within a tax incremental district less any proceeds to be received by the municipality from the sale, lease, or other disposition of such property pursuant to a Project Plan;
(4) Professional service costs, including those costs incurred for architectural, planning, engineering, and legal advice and services;
(5) Imputed administrative costs, including reasonable charges for the time spent by municipal employees in connection with the implementation of a Project Plan;
(6) Relocation costs;
(7) Organizational costs, including the costs of conducting environmental impact and other studies and the costs of informing the public of the creation of tax incremental districts and the implementation of project plans; and
(8) Payments and grants made, at the discretion of the governing body, which are found to be necessary or convenient to the creation of tax incremental districts or the implementation of project plans.

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 $2,921,326.

EXPENDITURES EXCEEDING ESTIMATED COST

Any expenditures which in sum would exceed the total amount stated above will require an amendment of this plan. All amendments are undertaken pursuant to 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 $2,921,326.
- Interest Rate. There will be no interest rate applicable to the total authorized TIF Request of $2,921,326. Any reported interest arising from Developer project financing may be classified as a Non-Project Cost or TIF Eligible Cost, dependent on the details of the financing package, in the project cost breakdown.
- 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 $2,921,326 has been paid out in tax payment to the Developer from the taxes generated within the District, whichever comes first.

Legal Terms:

- Any owners of real property located within the TIF District will waive their right to the discretionary tax abatement.
- Should the State of South Dakota not classify the TIF as economic development, the TIF will not be finalized and will cease to exist.

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 $2,921,326 will be the maximum amount the City will ever pass on acting as a conduit for TIF #44 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 the project involving eligible project costs, the Developer shall certify to the City's Finance Officer the eligible project costs in sufficient detail to determine that payment of grant funds is solely for eligible project costs. The Developer shall provide contractor/supplier invoices or other supporting documentation upon request of the Finance Officer. Upon certification and verification of eligible project costs, the City shall pass-through all available tax increment fund revenues not to exceed $2,921,326 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 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:

- Commerce Marketing Group II 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 Developer shall submit a report to the City no later than November 15 of each calendar year on a form provided by the City.
- 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.

FEASIBILITY STUDY[6]

An economic feasibility study is attached as Schedule 4. The project is only feasible if there is contribution from the City through the Tax Increment District.

ECONOMIC DEVELOPMENT STUDY

Not less than 50% of the area will stimulate and develop the general economic welfare and prosperity of the

[6] SDCL §11-9-16(2)

state through the promotion and advancement of industrial, commercial, and manufacturing by creating a new fine dining restaurant business and expanding the employment opportunities in the City of Mitchell, as indicated in the Economic Development Study attached as Schedule 5.

DETAILED LIST OF ESTIMATED PROJECT COSTS[7]

Attached as Schedule 1 is a detailed list of estimated Project Costs. No expenditure for Project Costs is provided for more than five years after the district is formed.

FISCAL IMPACT STATEMENT[8]

Attached as Schedule 3 is the Fiscal Impact Statement on other taxing districts found within the Tax Increment District, both until and after the loans are repaid.

METHOD OF FINANCING, TIMING OF COSTS AND MONETARY OBLIGATIONS[9]

Project Costs shall be paid by the proceeds of tax increment revenue. The City may reimburse for administrative costs from the tax increments at the end of the Plan after payment of all approved reimbursable costs.

MAXIMUM AMOUNT OF TAX INCREMENTAL REVENUE

The maximum amount of monetary obligations to be paid through Tax Increment Number 44 shall not to exceed $2,921,326, or such lesser amount as may be feasible with the estimated revenue generated by the Tax Increment District plus interest. In the alternative or in combination therewith, the City may issue one or more tax increment bond series or may enter into one or more development agreements whereby the tax increment revenues would be used in accordance with the terms and conditions of the development agreements (the "monetary obligation").

DURATION OF TAX INCREMENTAL PLAN

The duration of the Plan will extend to the number of years it will take for the extinguishment of any bonds or monetary obligations; however, in no event may the positive tax increments be allocated longer than twenty (20) years after the calendar year of creation.

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 2024 taxes payable in 2025 and thereafter. The tax increment will be available to the taxing jurisdictions at or before 20 years after at the creation of the District. Schedule 2 details the tax capture implications to each of the local taxing jurisdictions. After the repayment of the bonds or monetary obligations, taxing entities will receive their proportionate share of tax dollars for the base value plus the tax incremental values.

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[7] SDCL §11-9-16(3)
[8] SDCL § 11-9-16(4)
[9] SDCL § 11-9-13(5)

CONDITIONS MAP[10], IMPROVEMENTS MAP[11], ZONING CHANGE SCHEDULE[12]

The conditions map is attached as Attachment 1. The Improvements map is attached as Attachment 2. The Zoning Change Schedule is attached as Attachment 3.

CHANGES TO THE CITY OF MITCHELL MASTER PLAN, MAP, BUILDING CODES AND CITY ORDINANCES[13]

The City has made or will make such changes in the master plan, map, building codes and City ordinances as indicated on Attachment 3.

LIST OF ESTIMATED NON-PROJECT COSTS[14]

The following is a list of the non-Project Costs. All costs are listed as taxable value, actual non-project costs will exceed the following amounts.

Item	Amount
Total Non-Project Cost	$3,802,924.85

STATEMENT OF DISPLACEMENT AND RELOCATION PLAN[15]

No residents or families will be displaced by the Project. There are no families or persons residing on the premises. Therefore, no relocation Plan is needed.

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.

[10] SDCL § 11-9-16(1)
[11] SDCL § 11-9-16(2)
[12] SDCL § 11-9-16(3)
[13] SDCL §11-9-16(4)
[14] SDCL §11-9-16(5)
[15] SDCL §11-9-16(16)

LIST OF SCHEDULES

SCHEDULE 1 Detail of Project Costs
SCHEDULE 2 Estimated Captured Taxable Values
SCHEDULE 3 Fiscal Impact Statement
SCHEDULE 4 Economic Feasibility Study
SCHEDULE 5 Economic Development Study

ATTACHMENTS

Attachment 1. Map and Legal Description and existing uses and conditions

Attachment 2. Map of Real property/Improvement

Attachment 3. List of proposed changes in zoning ordinances

SCHEDULE 1 – "DETAIL OF PROJECT COSTS"

Kind of Project Cost	Number of Projects	Location[16]	Amount	Reference[17]
Capital Costs		District	$0	11-9-14(1)
Financing Costs		District	$0	11-9-14(2)
Real Property Assembly		District	$0	11-9-14(3)
Professional Fees		District	$0	11-9-14(4)
Administrative Costs		District	$0	11-9-14(5)
Relocation Costs		District	$0	11-9-14(6)
Organizational Costs		District	$0	11-9-14(7)
Discretionary Costs and Grants	1	District	$2,921,326	11-9-14(8)
		Eligible Project Costs	$2,921,326	

[16] District shall mean the Tax Increment District.

[17] SDCL §11-9-14 (see page 9)

TIF Eligible Expenses/Responsible Developer

SDCL 11-9-15

	Commerce Marketing Group II LLC Developer Costs		
	Total Costs	Non-Project Costs	TIF Eligible Costs
Materials	$ 851,428.00	$ 425,714.00	$ 425,714.00
Concrete (Building)	$ 318,812.00	$ 318,812.00	
Painting	$ 48,000.00	$ 48,000.00	$ -
Plumbing (Sewer & Water)	$ 242,000.00	$ -	$ 242,000.00
Flooring	$ 91,000.00	$ 91,000.00	$ -
Electrical	$ 184,500.00		$ 184,500.00
Labor	$ 482,012.00	$ 241,006.00	$ 241,006.00
Commercial Kitchen	$ 600,000.00	$ 300,000.00	$ 300,000.00
Site Prep	$ 225,000.00	$ -	$ 225,000.00
Sprinkler System	$ 22,000.00		$ 22,000.00
Engineering Fees	$ 110,000.00	$ -	$ 110,000.00
HVAC	$ 189,000.00	$ 94,500.00	$ 94,500.00
Contingency at 5%	$ 278,412.00	$ 139,206.00	$ 139,206.00
Commerce Street Phase 1*	$ 260,000.00		$ 260,000.00
Commerce Street Phase 2*	$ 200,000.00		$ 200,000.00
Parking Lot Improvements*	$ 1,390,500.00		$ 1,390,500.00
SPN Contingencies	$ 186,000.00		$ 186,000.00
Bidding and Survey Documents	$ 5,000.00		$ 5,000.00
Plat and Land Survey	$ 4,000.00		$ 4,000.00
Construction Staking	$ 20,000.00		$ 20,000.00
Design Engineering Fees	$ 44,500.00		$ 44,500.00
Construction Engineering Fees	$ 69,500.00		$ 69,500.00
Professional Fees	$ 25,000.00		$ 25,000.00
Interest rate	$ 3,425,306.00	$ 2,144,686.85	$ 1,280,619.15
TOTAL	**$ 9,271,970.00**	**$ 3,802,924.85**	**$ 5,469,045.15**

*Denotes additional bid documentation on subsequent pages.
**The total TIF costs are $5,469,045.15. The Developer is requesting TIF assistance in the amount of $2,921,326, which represents the estimated real property tax increment anticipated to be generated by the TIF District over the duration of the TIF.

Westwood Steakhouse Parking Lot Improvements
Preliminary Engineer's Estimate
January 14, 2025

Item	Description	Quantity		Unit Price	Total Cost
1	Mobilization	1	LS	$182,000.00	$182,000.00
2	6" PVC Sanitary Sewer Service	160	LF	$42.00	$6,720.00
3	Connect to Sanitary Sewer Service	1	EA	$500.00	$500.00
4	Sanitary Sewer Service Tracer Wire Access Box	1	EA	$108.00	$108.00
5	Sanitary Sewer Service Double Cleanout Assembly	1	EA	$1,000.00	$1,000.00
6	Sanitary Sewer Service Ground Rod	1	EA	$135.00	$135.00
7	6" PVC Water Service	150	LF	$48.00	$7,200.00
8	6" MJ Gate Valve x/ Box	1	EA	$1,891.00	$1,891.00
9	6" MJ 45 Degree Bend	1	EA	$500.00	$500.00
10	Connect to 6" PVC Water Service	1	EA	$2,500.00	$2,500.00
11	6" MJ Cap	1	EA	$250.00	$250.00
12	Water Service Tracer Wire Access Box	1	EA	$102.00	$102.00
13	8" Gravel Base Course	3,470	TN	$21.00	$72,870.00
14	Geotextile Fabric Separator	7,920	SY	$3.50	$27,720.00
15	6" Concrete Surfacing	7,280	SY	$65.00	$473,200.00
16	5" Concrete Patio	1,178	SF	$20.00	$23,560.00
17	5" Concrete Sidewalk	2,040	SF	$10.00	$20,400.00
18	6" Thickened Edge Sidewalk	190	LF	$10.00	$1,900.00
19	Unclassified Excavation	3,070	CY	$14.50	$44,515.00
20	Concrete Curb and Gutter	1,930	LF	$22.00	$42,460.00
21	2' x 3' Storm Inlet	4	EA	$5,000.00	$20,000.00
22	24" Diameter Storm Inlet	3	EA	$5,000.00	$15,000.00
23	RCP Flared End	5	EA	$1,500.00	$7,500.00
24	Storm Sewer	650	LF	$80.00	$52,000.00
25	Connect to Downspout	9	EA	$250.00	$2,250.00
26	Site Grading	1	LS	$50,000.00	$50,000.00
27	Pavement Striping	3,500	LF	$2.00	$7,000.00
28	Handicap Symbol	5	EA	$500.00	$2,500.00
~~29~~	~~Furnish & Install Tree~~	~~26~~	~~EA~~	~~$750.00~~	~~$19,500.00~~
30	Landscape Rock	160	SY	$25.00	$4,000.00
31	Seed, Fertilize, & Mulch Disturbed Area	6,110	SY	$2.50	$15,275.00
32	Erosion Control Blanket	1,540	SY	$4.60	$7,084.00
33	Inlet Protection	7	EA	$250.00	$1,750.00
34	Culvert Protection	1	EA	$250.00	$250.00
35	Strip & Stockpile Topsoil	2,500	CY	$13.00	$32,500.00
36	Clearing & Grubbing	1	LS	$10,000.00	$10,000.00
37	Parking Lot Lighting	1	LS	$30,000.00	$30,000.00
38	Traffic Control	1	LS	$2,000.00	$2,000.00
39	Incidental Construction	1	LS	$202,360.00	$202,360.00
				Construction Total	**$1,390,500.00**
				Contingencies	$140,000.00
				Design Engineering	$16,500.00
				Bidding and Contract Documents	$2,000.00
				Plat and Land Survey	$4,000.00
				Construction Staking	$20,000.00
				Construction Engineering	$7,000.00
				Total Estimated Project Cost	**$1,580,000.00**

Commerce Street Phase 1
Preliminary Engineer's Estimate
January 14, 2025

Item	Description	Quantity		Unit Price	Total Cost
1	Mobilization	1	LS	$34,000.00	$34,000.00
2	Full Depth Asphalt Saw Cut	37	EA	$10.00	$370.00
3	Full Depth Concrete Saw Cut	4	LF	$10.00	$40.00
4	Sanitary Sewer Manhole	1	EA	$4,336.00	$4,336.00
5	Sanitary Sewer Manhole Extra Depth	10	VF	$22.00	$220.00
6	8" PVC Sanitary Sewer Main	290	LF	$49.00	$14,210.00
7	8" x 6" Sanitary Sewer Wye	2	EA	$320.00	$640.00
8	6" PVC Sanitary Sewer Service	105	LF	$42.00	$4,410.00
9	Sanitary Sewer Service Ground Rod	3	EA	$135.00	$405.00
10	Sanitary Sewer Service Tracer Wire Access Box	3	EA	$108.00	$324.00
11	6" PVC Sanitary Sewer Cap	3	EA	$113.00	$339.00
12	8" PVC Sanitary Sewer Cap	1	EA	$225.00	$225.00
13	Adjust Manhole to Grade	1	EA	$650.00	$650.00
14	Connect to Existing 8" Sanitary Sewer Main	1	EA	$1,370.00	$1,370.00
15	Post Televising Sanitary Sewer Main	290	LF	$5.00	$1,450.00
16	6" PVC Water Service	125	LF	$48.00	$6,000.00
17	10" PVC Water Main	280	LF	$50.00	$14,000.00
19	10" x 6" MJ Tee	3	EA	$988.00	$2,964.00
18	6" MJ Gate Valve x/ Box	3	EA	$1,891.00	$5,673.00
20	10" MJ Gate Valve x/ Box	2	EA	$2,500.00	$5,000.00
21	10" MJ 11.25 Degree Bend	2	EA	$500.00	$1,000.00
22	10" MJ 45 Degree Bend	1	EA	$500.00	$500.00
23	6" MJ Cap	3	EA	$250.00	$750.00
24	10" MJ Cap	1	EA	$300.00	$300.00
25	Connect to 10" PVC Water Main	1	EA	$3,000.00	$3,000.00
26	Adjust Water Valve Box to Grade	4	EA	$240.00	$960.00
27	Water Service Tracer Wire Access Box	3	EA	$102.00	$306.00
28	18" Gravel Base Course	1,490	TN	$21.00	$31,290.00
29	Geotextile Fabric Separator	1,520	SY	$3.50	$5,320.00
30	4" Asphalt Surfacing	330	TN	$121.00	$39,930.00
31	Unclassified Excavation	680	CY	$14.50	$9,860.00
32	Concrete Curb and Gutter	530	LF	$22.00	$11,660.00
33	4" Concrete Sidewalk	1,382	SF	$10.00	$13,820.00
34	Seed, Fertilize, & Mulch Disturbed Area	670	SY	$2.50	$1,675.00
35	Erosion Control	1	LS	$5,000.00	$5,000.00
36	Traffic Control	1	LS	$2,000.00	$2,000.00
37	Incidental Construction	1	LS	$36,003.00	$36,003.00
				Construction Total	**$260,000.00**
				Contingencies	$25,500.00
				Design Engineering	$14,500.00
				Bidding and Contract Documents	$2,000.00
				Construction Engineering	$28,000.00
				Total Estimated Project Cost	**$330,000.00**

Commerce Street Phase 2
Preliminary Engineer's Estimate
January 14, 2025

Item	Description	Quantity		Unit Price	Total Cost
1	Mobilization	1	LS	$30,000.00	$30,000.00
2	Full Depth Concrete Saw Cut	41	LF	$10.00	$410.00
3	Sanitary Sewer Manhole	1	EA	$4,336.00	$4,336.00
4	Sanitary Sewer Manhole Extra Depth	8	VF	$22.00	$176.00
5	8" PVC Sanitary Sewer Main	220	LF	$49.00	$10,780.00
6	8" x 6" Sanitary Sewer Wye	2	EA	$320.00	$640.00
7	6" PVC Sanitary Sewer Service	70	LF	$42.00	$2,940.00
8	Sanitary Sewer Service Ground Rod	2	EA	$135.00	$270.00
9	Sanitary Sewer Service Tracer Wire Access Box	2	EA	$108.00	$216.00
10	6" PVC Sanitary Sewer Cap	2	EA	$113.00	$226.00
11	8" PVC Sanitary Sewer Cap	1	EA	$225.00	$225.00
12	Adjust Manhole to Grade	1	EA	$650.00	$650.00
13	Connect to Existing 8" Sanitary Sewer Main	1	EA	$1,370.00	$1,370.00
14	Post Televising Sanitary Sewer Main	220	LF	$5.00	$1,100.00
15	6" PVC Water Service	70	LF	$48.00	$3,360.00
16	10" PVC Water Main	240	LF	$50.00	$12,000.00
17	10" x 6" MJ Tee	3	EA	$988.00	$2,964.00
18	6" MJ Gate Valve x/ Box	3	EA	$1,891.00	$5,673.00
19	6" MJ Cap	2	EA	$250.00	$500.00
20	10" MJ Cap	1	EA	$500.00	$500.00
21	Fire Hydrant Assembly	1	EA	$5,300.00	$5,300.00
22	Connect to 10" PVC Water Main	1	EA	$3,000.00	$3,000.00
23	Adjust Water Valve Box to Grade	3	EA	$240.00	$720.00
24	Water Service Tracer Wire Access Box	3	EA	$102.00	$306.00
25	18" Gravel Base Course	1,250	TN	$21.00	$26,250.00
26	Geotextile Fabric Separator	1,270	SY	$3.50	$4,445.00
27	4" Asphalt Surfacing	270	TN	$65.00	$17,550.00
28	Unclassified Excavation	570	CY	$14.50	$8,265.00
29	Concrete Curb and Gutter	482	LF	$22.00	$10,604.00
30	4" Concrete Sidewalk	1,154	SF	$10.00	$11,540.00
31	Seed, Fertilize, & Mulch Disturbed Area	650	SY	$2.50	$1,625.00
32	Erosion Control	1	LS	$5,000.00	$5,000.00
33	Traffic Control	1	LS	$2,000.00	$2,000.00
34	Incidental Construction	1	LS	$25,059.00	$25,059.00
				Construction Total	**$200,000.00**
				Contingencies	$20,500.00
				Design Engineering	$13,500.00
				Bidding and Contract Documents	$1,000.00
				Construction Engineering	$25,000.00
				Total Estimated Project Cost	**$260,000.00**

SCHEDULE 2 – "ESTIMATED CAPTURED TAXABLE VALUES"

INCREMENT-ESTIMATED TAXES THAT WILL GO TO TAX INCREMENT FUND

Taxing Districts	Levy ($ per 1000)
Davison County	$.0033157
Mitchell School District	$.009686
James River Water Development District	$.000056
City of Mitchell	$.042509
Total Tax Levy	**$.0173086**

Based upon the foregoing tables and for purposes of this Project Plan, the construction of the project will commence in 2025.

It is anticipated that the Developer will procure financing to fund the applicable developers costs. A commitment letter will be provided confidentially to City officials. Developer will be liable for any additional funds required pursuant to the project.

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

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TO ACCOMMODATE TABLE]

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
2025	2026	2027	$ -	$ -	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ -	$ -
2026	2027	2028	$ 2,500,000.00	$ 2,500,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 42,709.46	$ 42,709.46
2027	2028	2029	$ -	$ 2,500,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$ 42,709.46	$ 85,418.91
2028	2029	2030	$ 6,000,000.00	$ 8,500,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$145,212.15	$ 230,631.06
2029	2030	2031	$ 2,000,000.00	$ 10,500,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$179,379.71	$ 410,010.77
2030	2031	2032		$ 10,500,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$179,379.71	$ 589,390.48
2031	2032	2033		$ 10,500,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$179,379.71	$ 768,770.19
2032	2033	2034		$ 10,500,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$179,379.71	$ 948,149.91
2033	2034	2035		$ 10,500,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$179,379.71	$ 1,127,529.62
2034	2035	2036		$ 10,500,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$179,379.71	$ 1,306,909.33
2035	2036	2037		$ 10,500,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$179,379.71	$ 1,486,289.04
2036	2037	2038		$ 10,500,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$179,379.71	$ 1,665,668.75
2037	2038	2039		$ 10,500,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$179,379.71	$ 1,845,048.47
2038	2039	2040		$ 10,500,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$179,379.71	$ 2,024,428.18
2039	2040	2041		$ 10,500,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$179,379.71	$ 2,203,807.89
2040	2041	2042		$ 10,500,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$179,379.71	$ 2,383,187.60
2041	2042	2043		$ 10,500,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$179,379.71	$ 2,562,567.32
2042	2043	2044		$ 10,500,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$179,379.71	$ 2,741,947.03
2043	2044	2045		$ 10,500,000.00	0.0035199	0.0045328	0.000058	0.0106010	0.0187117	0.913	$179,379.71	**$ 2,921,326.74**
2044	2045	-										
2045	-	-										

Valuation Increment * Non-Ag Factor * Total Mill Rate

True & Full Value of Improvements	$ 10,500,000.00
Assessed Value of Improvements	$ 9,586,500.00

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 - “FISCAL IMPACT STATEMENT”

FISCAL IMPACT STATEMENT - TAX INCREMENT DISTRICT NUMBER 44

INTRODUCTION

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

DEFINITIONS

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

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

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

“Revenue” means ad valorem taxes.

“Tax Increment District” means City of Mitchell Tax Increment District Number 44.

“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 an estimated amount of $9,586,500.

2. The average tax levy of all taxing districts will be $17.3086 per thousand dollars of taxable valuation (2025).

3. Tax increment will start to be collected in 2027 and end in or prior to 2045.

4. The discretionary formula will be waived by the Developer of the project.

FISCAL IMPACT:

The total fiscal impact upon the taxing entities during the term of the Tax Increment District will be an estimated $2,921,326. There will be no fiscal impact for the first year of the Tax Increment District.

SCHEDULE 4 – "ECONOMIC FEASIBILITY STUDY"

The City of Mitchell has been approached by Commerce Marketing Group II LLC ("Developer"), concerning the creation of a tax increment district to be located within the City of Mitchell, Davison County, South Dakota. The Project will consist of building a new restaurant/bar with banquet room and the construction of a parking lot on the east side of the proposed building. The concept is a fine dining restaurant which will employ up to fifteen (15) full-time employees and up to twenty-five (25) part-time employees. The project will be located on approximately 4.22 acres of land, more or less, located within the City of Mitchell.

<u>Construction Project</u>

Building construction costs will consist of the following, all of which will be paid by the Developer:

- Building materials associated with a 13,172 square foot building
- Design costs
- Roof panels
- Wall panels
- Wall insulation
- Roof insulation
- Framed openings; and
- Walk doors

The construction of the new restaurant facility will result in the creation of up to up to fifteen (15) full-time employees and up to twenty-five (25) part-time employees, which will assist the development of an area in the City of Mitchell that has been slowly developed over the last few years. However, the real estate to be used for the project and the improvements to the real estate will not be made but for the TIF being approved.

The City has been asked to create a Tax Increment District to help offset a portion of the 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 approximately $14,323. The improvements to be made to the property are estimated to add approximately $10,500,000 to the value of the TIF area and, when taking into account the Davison County "factor" for this type of property, approximately $9,586,500 to the tax assessed valuation. The estimated increment resulting from the improvements would be approximately $42,709 for years 2028 and 2029, $145,212 for year 2030, and once fully developed, the estimated annual increment for the remainder of the TIF would be approximately $179,379.

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 restaurant building will be fully completed by November 1, 2026. The lodging facility development is located within Lot 2C1 and is estimated for completion on November 1, 2028. The quick-service restaurant development is located within Lot 1, Block 10 and is estimated for completion on November 1, 2030. However, TIF proceeds will not be utilized to fund the lodging facility or quick-service restaurant. It is anticipated that the Developer will procure financing to fund the TID improvements through commercial financing and possibly Developer-advanced funds, if necessary. 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 $2,921,326 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 that no increment generated by City TID #44 will be available until calendar year 2028 and thereafter. The calculation of the estimated tax increment valuation and tax generated for City of Mitchell TID #44 is presented in the table on a subsequent page.

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SCHEDULE 5 – "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 & BLIGHT MITIGATION

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 #44 currently consists of three empty lots that, because of the lack of developed road access, namely Commerce Street, will remain difficult to develop. Developer plans to construct a new restaurant building and expand and reintroduce a staple to fine dining back to the City of Mitchell. The new restaurant, bar, and banquet room will allow Developer to hire up to fifteen (15) full-time employees and up to twenty-five (25) part-time employees. It is also anticipated that a new lodging facility and quick service restaurant will also be developed within the TIF area.

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 #44 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 a bare lot located within an expanding commercial business district to the City of Mitchell. The Developer is constructing a new commercial building on an open lot connecting it to the existing business 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 $10,500,000 in the study area will stimulate and develop the general economic welfare and prosperity of the state through the promotion and advancement of commerce 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 transform a large vacant lot into a commercial business setting. The completion of the project will generate additional economic activity through retail commerce and development.

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ATTACHMENT 1

LEGAL DESCRIPTION

Lots Two B One (2B1) and Two C One (2C1), a Subdivision of Lot Two (2), Block Four (4), Westwood First Addition in the Northwest Quarter (NW1/4) of Section Sixteen (16), Township One Hundred Three (103) North, Range Sixty (60), West of the 5th P.M., City of Mitchell, Davison County, South Dakota;

That portion of Commerce Street located along the westerly border of Lots Two B One (2B1) and Two C One (2C1); and

Lot One (1), Block Ten (10), a Subdivision of Block Four (4) of Westwood First Addition in the Northwest Quarter (NW1/4) of Section Sixteen (16), Township One Hundred Three (103) North, Range Sixty (60) West of the 5th P.M., City of Mitchell, Davison County, South Dakota.

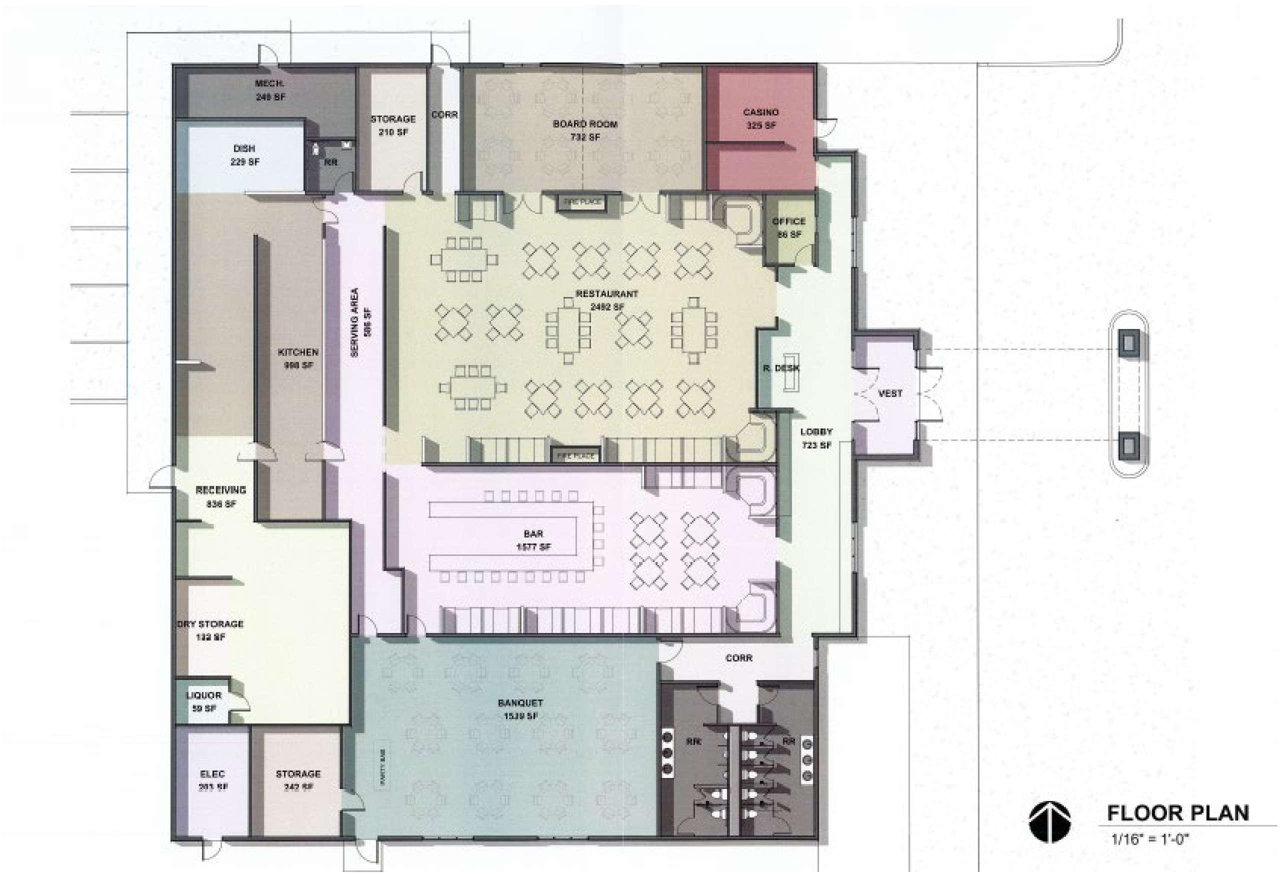
ATTACHMENT 2

CONDITIONS MAP

-Outlined in red

ATTACHMENT 3

MAPS OF REAL PROPERTY/IMPROVEMENTS




Chef Louie's
STEAKHOUSE & LOUNGE
CASINO

ATTACHMENT 4

ZONING MAP

- No proposed changes as to Lots 2B1 and 2C1 as the property is currently zoned as Highway Business. Prior to beginning any commercial construction on Lot 1, Block 10 that is not permitted in Residential High Density, the Developer will submit a rezoning application from Residential High Density to Highway Business.
  - Outlined in blue


2300
2304
QUIETT LN
DWU-Vacated
DWU-Vacated
Kittle, Dan & Ashley
MILDRED CT
2209
Lot 7-A
+/- .631 Acres
Reider, Randy & Rochelle
Lot 9-A
+/- ..788 Acres


309 MILDRED CT
2301 QUIETT LN
MILDRED CT
QUIETT LN
QUIETT LN

1 Inch = 50 Feet

LEGEND

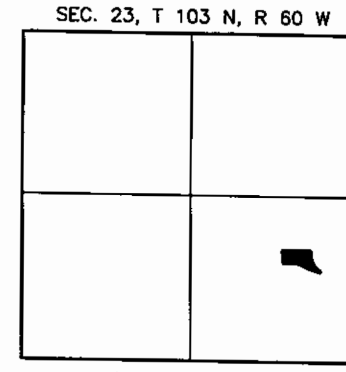
- ● = FOUND IRON MONUMENT
- ○ = SET 5/8" X 18" REBAR WITH PLASTIC CAP NO. 13714
- 100' (P) = PLATTED BEARING OR DISTANCE
- 100' = MEASURED BEARING OR DISTANCE
- ◻ = SET NAIL
- △ = SET SURVEY SPIKE
- 4.00 CH (P) = PLATTED DISTANCE IN CHAINS
- ■ = FOUND NAIL
- ◇ = SET 3/8" x 12" SPIKE W/WASHER JAW-13714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

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

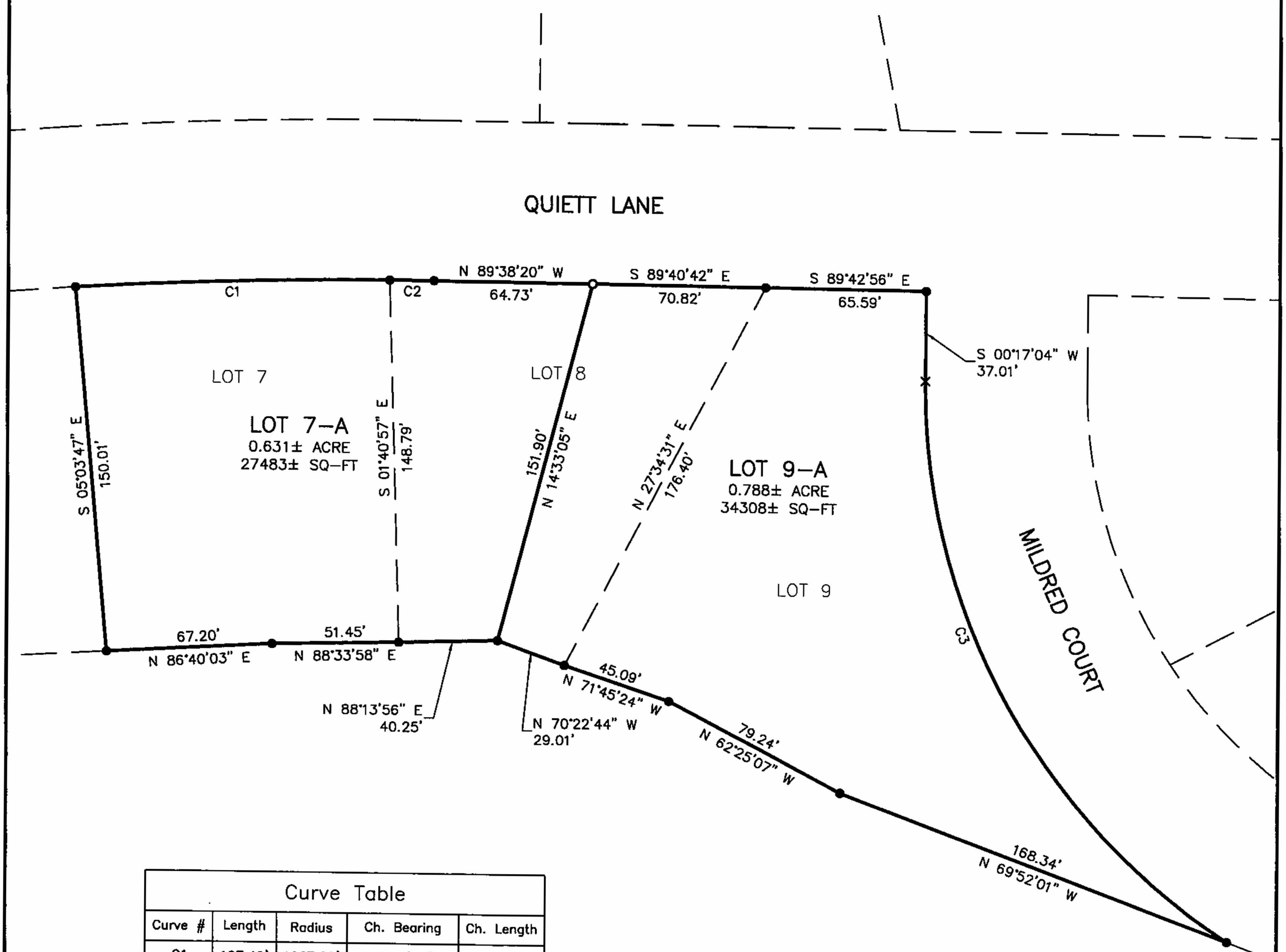
COORDINATE SYSTEM IS SOUTH DAKOTA SOUTH ZONE, STATE PLANE – NORTH AMERICAN DATUM 1983 – GEOID 18.
GRID BEARINGS AND GROUND DISTANCES ARE SHOWN.

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'



Curve Table

Curve #	Length	Radius	Ch. Bearing	Ch. Length
C1	127.49'	1967.00'	S 87°58'31" W	127.47'
C2	18.03'	1967.00'	N 89°49'10" W	18.03'
C3	270.72'	268.00'	S 28°34'17" E	259.36'

A PLAT OF LOTS 7A AND 9A IN TRACT D, WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, IN THE SE 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 the owners as listed under the Owner's Certificate and Dedication, and under their direction for purposes indicated therein, I did on or prior to September 4, 2025, survey those parcels of land described as follows: LOTS 7A AND 9A IN TRACT D, WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, IN THE SE 1/4 OF SECTION 23, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA. This plat does hereby vacate LOT 7 IN TRACT D, WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, IN THE SE 1/4 OF SECTION 23, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, AS RECORDED IN PLAT BOOK 26 ON PAGE 11; AND LOT 8 IN TRACT D, WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, IN THE SE 1/4 OF SECTION 23, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, AS RECORDED IN PLAT BOOK 41 ON PAGE 10; AND LOT 9 IN TRACT D, WILD OAK GOLF CLUB ADDITION IN THE SE 1/4 OF SECTION 23, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, AS RECORDED IN PLAT BOOK 20 ON PAGE 41.

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 24TH day of September, 2025.

Registered Land Surveyor #SD13714

REGISTERED LAND SURVEYOR
REG. NO. 13714
JEREMY A. WOLBRINK
SOUTH DAKOTA
9-24-25

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

A PLAT OF LOTS 7A AND 9A IN TRACT D, WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, IN THE SE 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 Daniel R. Kittle and Ashley K. Kittle, the undersigned, hereby certify that they are the absolute and unqualified owners of LOT 7 IN TRACT D, WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, IN THE SE 1/4 OF SECTION 23, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA; and that Jodi Landgaard, the undersigned, hereby certifies that Dakota Wesleyan University, a South Dakota nonprofit corporation, is the absolute and unqualified owner of LOT 8 IN TRACT D, WILD OAK GOLF CLUB ADDITION IN THE SE 1/4 OF SECTION 23, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA; and that Randy J. Reider and Rochelle L. Reider, the undersigned, hereby certify that they are the absolute and unqualified owners of LOT 9 IN TRACT D, WILD OAK GOLF CLUB ADDITION IN THE SE 1/4 OF SECTION 23, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA; the plat is of a parcel of ground located in TRACT D, WILD OAK GOLF CLUB ADDITION IN THE SE 1/4 OF SECTION 23, 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 our request and under our direction for the purposes indicated therein; which said property as so surveyed and platted shall hereafter be known as LOTS 7A AND 9A IN TRACT D, WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, IN THE SE 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 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 Lots 7A and 9A shall conform to all existing applicable zoning, subdivision, erosion, sediment control and drainage regulations and ordinances; further that there now exists Quiett Lane and Mildred Court. Pursuant to SDCL 11-3-8.1 and 11-3-8.2 the developer of the property described within this plat shall be responsible for protecting any waters of the state located adjacent to or within such platted area from pollution from sewage from such subdivision and shall, in prosecution of such protections conform to and follow all regulations of the South Dakota Department of Agriculture and Natural Resources relating to the same. Additionally, the developer of the property described within this plat shall be liable for any pollution that occurs from failure to execute such protections or follow such regulations, exception being those lots in subdivisions that show documentation that wastewater drainage shall be connected to a municipal system.

We also hereby certify that the platting of said LOTS 7A AND 9A IN TRACT D, WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, IN THE SE 1/4 OF SECTION 23, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, does hereby vacate LOT 7 IN TRACT D, WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, IN THE SE 1/4 OF SECTION 23, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, AS RECORDED IN PLAT BOOK 26 ON PAGE 11; AND LOT 8 IN TRACT D, WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, IN THE SE 1/4 OF SECTION 23, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, AS RECORDED IN PLAT BOOK 41 ON PAGE 10; AND LOT 9 IN TRACT D, WILD OAK GOLF CLUB ADDITION IN THE SE 1/4 OF SECTION 23, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, AS RECORDED IN PLAT BOOK 20 ON PAGE 41.

IN WITNESS WHEREOF, we have hereunto set our hands this 26th day of September, 2025.

Daniel R. Kittle [signature]

Ashley K. Kittle [signature]

STATE OF SOUTH DAKOTA)
)SS
COUNTY OF DAVISON)

On this, the 26th day of September, 2025, before me, Sherry Kirby, the undersigned officer, personally appeared Daniel R. Kittle and Ashley K. Kittle, 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 in the capacity therein stated and for the purposes therein contained.

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

[signature] Sherry Kirby
Notary Public, South Dakota
My Commission Expires: 11-26-2026

REGISTERED LAND SURVEYOR
REG. NO. 13714
JEREMY A. WOLBRINK
SOUTH DAKOTA
9-24-25

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

A PLAT OF LOTS 7A AND 9A IN TRACT D, WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, IN THE SE 1/4 OF SECTION 23, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA

IN WITNESS WHEREOF, I have hereunto set my hand this 30th day of September, 2025.

Jodi Landgaard

Jodi Landgaard, Vice President for Finance and Administration of Dakota Wesleyan University, a South Dakota nonprofit corporation

CORPORATION ACKNOWLEDGMENT

STATE OF SOUTH DAKOTA)
)SS
COUNTY OF DAVISON)

On this, the 30th day of September, 2025, before me, Sherry Kirby, the undersigned officer, personally appeared Jodi Landgaard, who acknowledged herself to be the Vice President for Finance and Administration of Dakota Wesleyan University, a South Dakota nonprofit corporation, and that she, as such Vice President for Finance and Administration, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by herself as the Vice President for Finance and Administration.

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

Sherry Kirby

Notary Public, South Dakota
My Commission Expires: 11-25-2026

IN WITNESS WHEREOF, we have hereunto set our hands this 30th day of September, 2025.

Randy J. Reider — Randy J. Reider

Rochelle Reider — Rochelle L. Reider

STATE OF SOUTH DAKOTA)
)SS
COUNTY OF DAVISON)

On this, the 30th day of September, 2025, before me, Sherry Kirby, the undersigned officer, personally appeared Randy J. Reider and Rochelle L. Reider, 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 in the capacity therein stated and for the purposes therein contained.

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

Sherry Kirby

Notary Public, South Dakota
My Commission Expires: 11-25-2026

RESOLUTION OF CITY PLANNING COMMISSION

WHEREAS, the plat of said LOTS 7A AND 9A IN TRACT D, WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, IN THE SE 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 said LOTS 7A AND 9A IN TRACT D, WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, IN THE SE 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 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 __________________, 2025.

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

REGISTERED LAND SURVEYOR
REG. NO. 13714
JEREMY A. WOLBRINK
SOUTH DAKOTA
9-24-25

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

A PLAT OF LOTS 7A AND 9A IN TRACT D, WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, IN THE SE 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 __________________, 2025; and

WHEREAS, it appears from an examination of the plat of said LOTS 7A AND 9A IN TRACT D, WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, IN THE SE 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 said LOTS 7A AND 9A IN TRACT D, WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, IN THE SE 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 does hereby certify that the foregoing resolution was passed by the City of Mitchell, South Dakota, at a meeting held on the

________ day of __________________, 2025.

____
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 my office, have been fully paid.

______________________________ ______________
Treasurer/Deputy Treasurer, Davison County Date

DIRECTOR OF EQUALIZATION

The undersigned does hereby certify that a copy of the plat of said LOTS 7A AND 9A IN TRACT D, WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, IN THE SE 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)

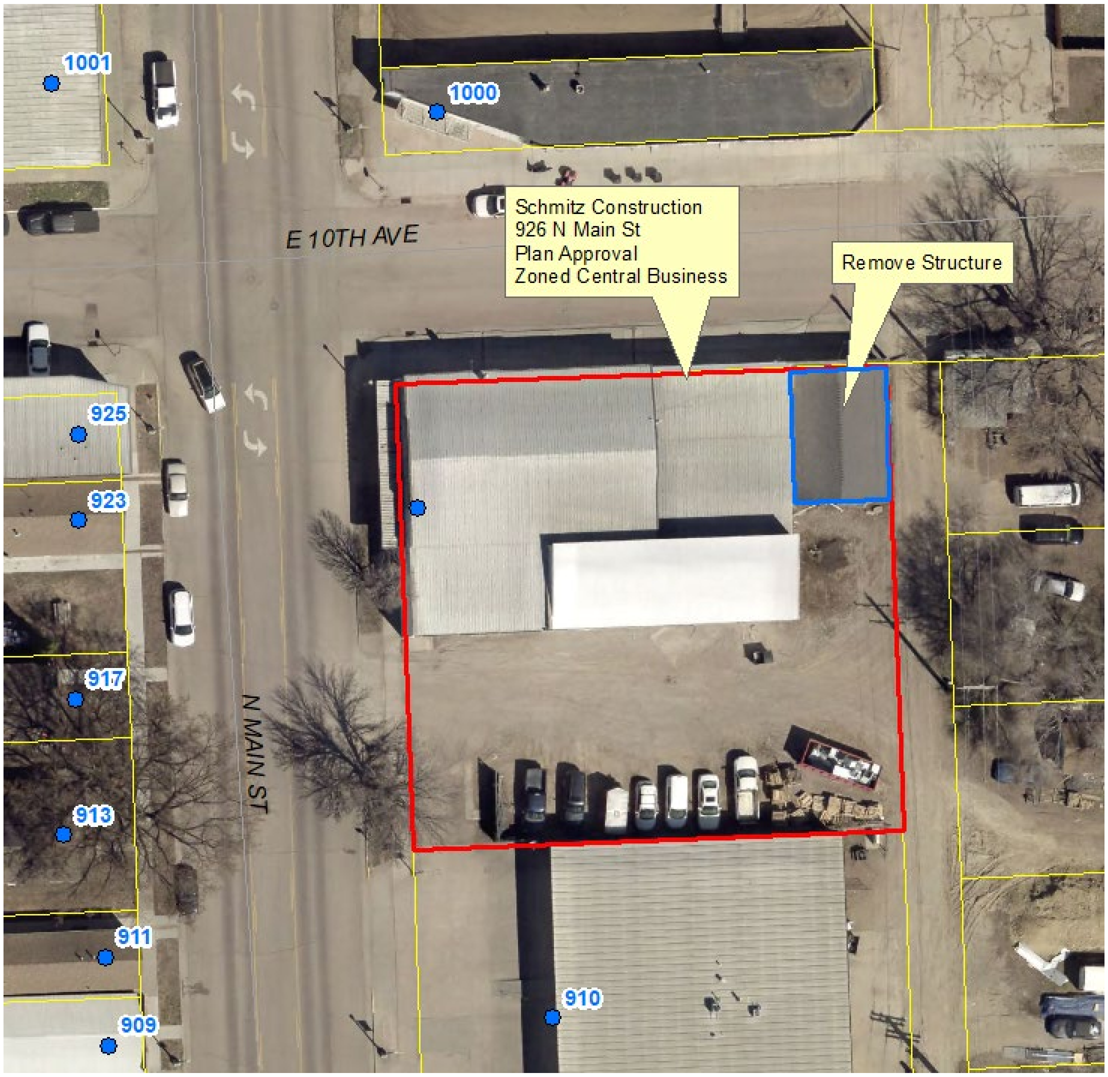
FILED for record this ______ day of __________________, 2025, at ________________, and recorded in Book _______ of Plats on

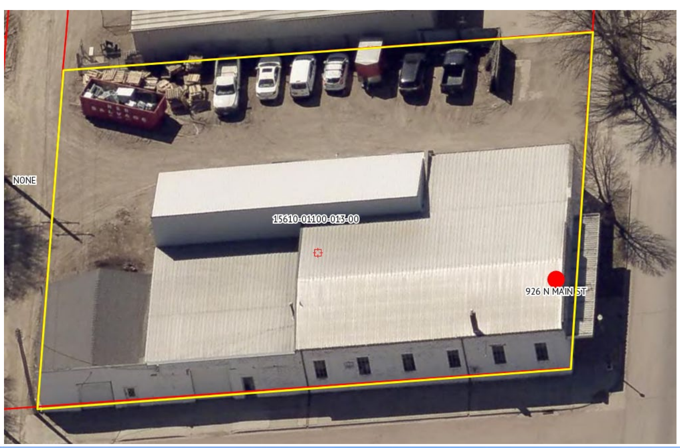
Page _____________ therein.

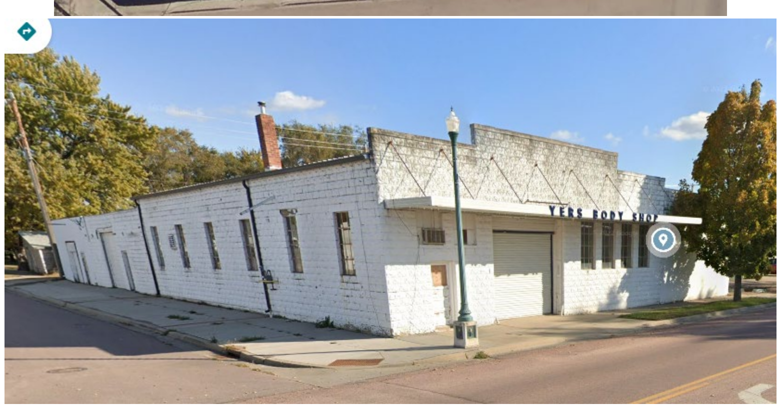
______________________________________ By______________________________________
Register of Deeds, Davison County Deputy

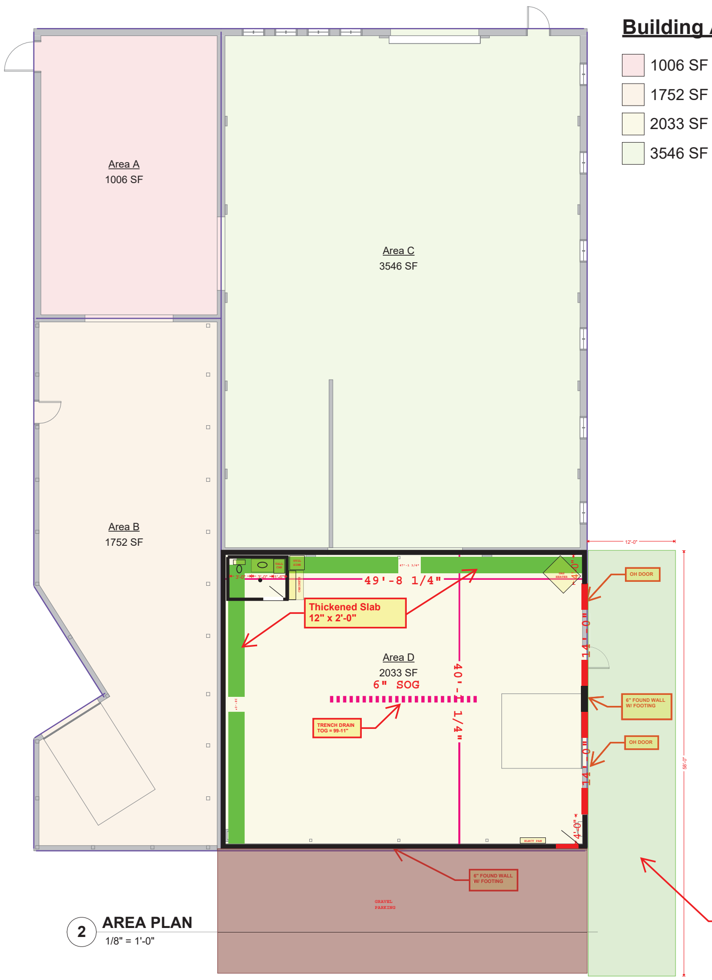
REGISTERED LAND SURVEYOR
13714
JEREMY A.
WOLBRINK
SOUTH DAKOTA
9-24-25

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


1001
1000
E 10TH AVE
Schmitz Construction
926 N Main St
Plan Approval
Zoned Central Business
Remove Structure
925
923
917
913
911
909
910
N MAIN ST


NONE
15610-01100-023-00
926 N MAIN ST

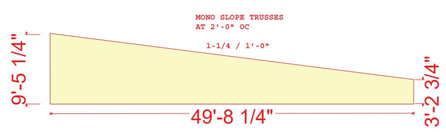


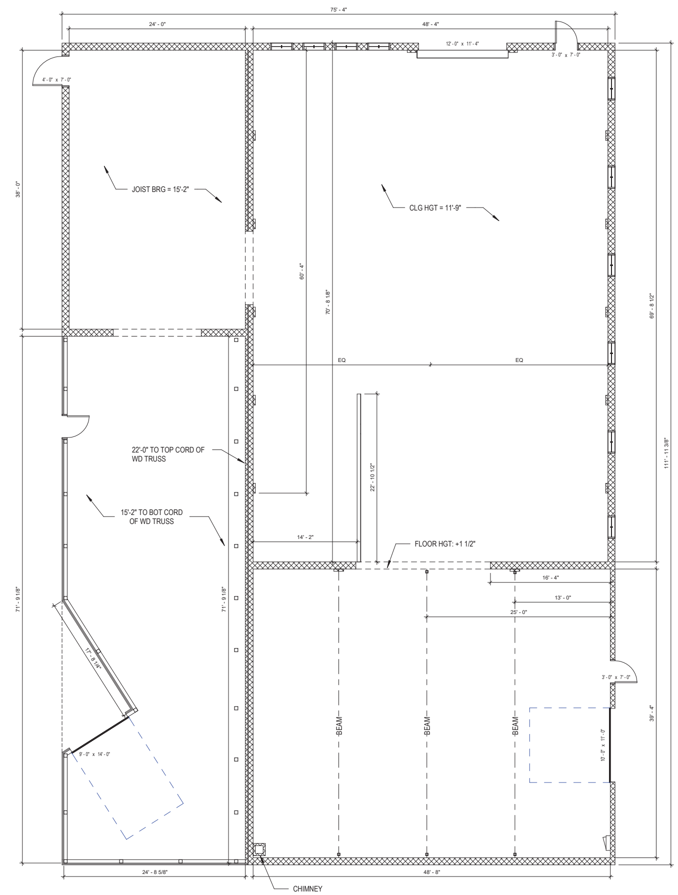


Building Area Legend

	1006 SF
	1752 SF
	2033 SF
	3546 SF

2 **AREA PLAN**
1/8" = 1'-0"





1 **MAIN LEVEL FLOOR PLAN - EXISTING**
1/8" = 1'-0"

TRUTH INNOVATIONS
DESIGN - CONSTRUCT - RENOVATE

10TH AND MAIN AS BUILT
MITCHELL SD
MAIN LEVEL FLOOR PLAN

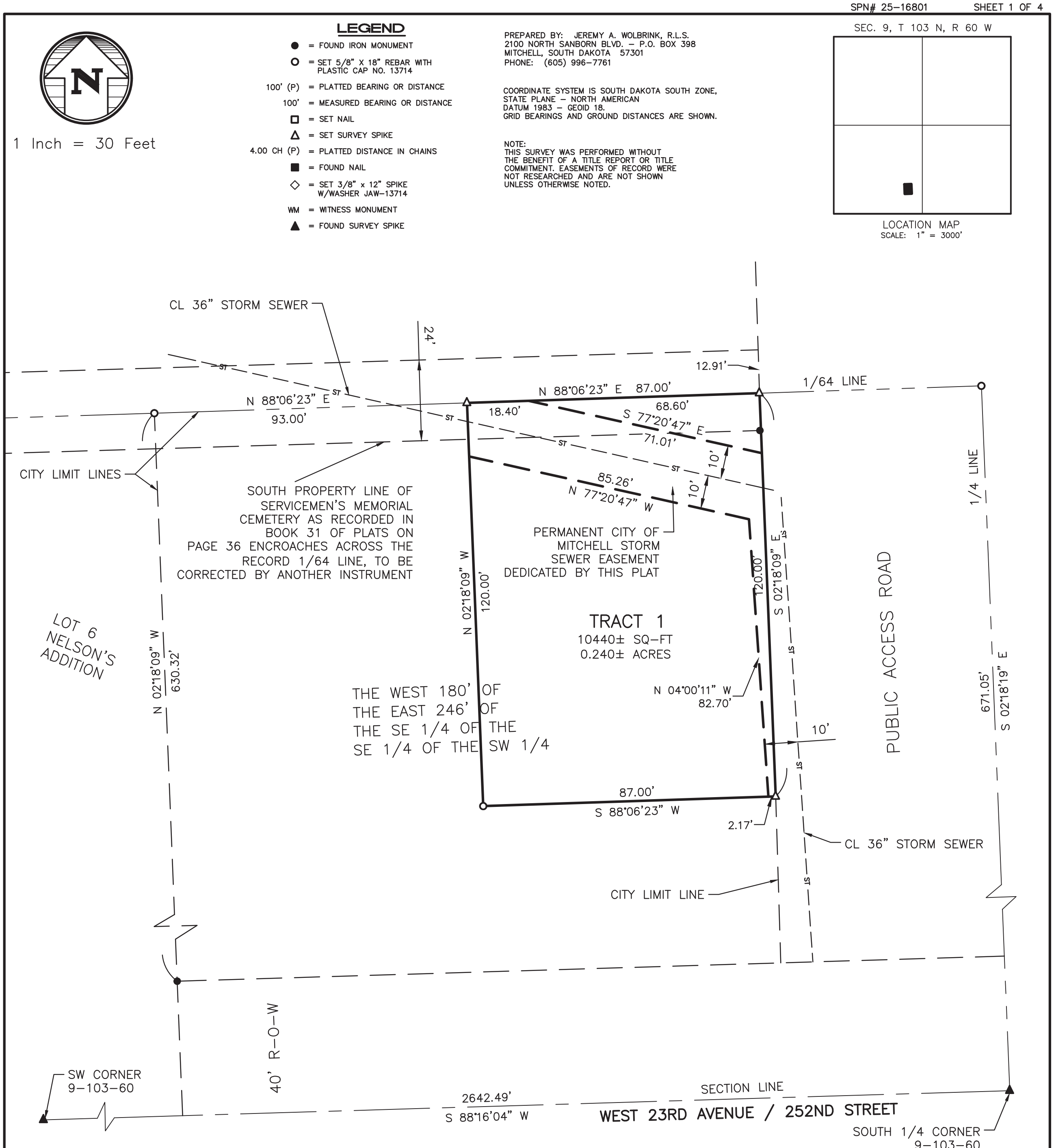
Revision Schedule

No.	Description	Date

Drawn By: MH
Date: 6/27/25

A2.1


City of Mitchell
Servicemen's Memorial Cemetery Association, Inc
Tract 1
+/- 10,440 sq ft
City of Mitchell
928
920
Servicemen's Memorial Cemetery Association, Inc
915
912
951
908
904
W 23RD AVE



A PLAT OF VETERANS MEMORIAL PARK TRACT 1, A SUBDIVISION OF THE SE 1/4 OF THE SE 1/4 OF THE SW 1/4 OF SECTION 9, 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 Servicemen's Memorial Cemetery Association, Inc., a South Dakota nonprofit corporation, as owner, and under its direction for purposes indicated therein, I did on or prior to October 6, 2025, survey those parcels of land described as follows: VETERANS MEMORIAL PARK TRACT 1, A SUBDIVISION OF THE SE 1/4 OF THE SE 1/4 OF THE SW 1/4 OF SECTION 9, 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 8th day of October, 2025.

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

Registered Land Surveyor #SD13714

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

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

KNOW ALL MEN BY THESE PRESENTS that I, the undersigned, hereby certify that Servicemen's Memorial Cemetery Association, Inc., a South Dakota nonprofit corporation, is the absolute and unqualified owner of all of the land included in the within and foregoing plat; the plat is of a parcel of ground located in THE WEST 180 FEET OF THE EAST 246 FEET OF THE SE 1/4 OF THE SE 1/4 OF THE SW 1/4 OF SECTION 9, 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 Servicemen's Memorial Cemetery Association, Inc., a South Dakota nonprofit corporation, and under its direction for the purposes indicated therein; which said property as so surveyed and platted shall hereafter be known as VETERANS MEMORIAL PARK TRACT 1, A SUBDIVISION OF THE SE 1/4 OF THE SE 1/4 OF THE SW 1/4 OF SECTION 9, T 103 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, as shown by this plat; and Servicemen's Memorial Cemetery Association, Inc., a South Dakota nonprofit 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 Veterans Memorial Park Tract 1 shall conform to all existing applicable zoning, subdivision, erosion, sediment control and drainage regulations and ordinances; further that there now exists West 23rd Avenue / 252nd Street; furthermore this plat dedicates a Permanent City of Mitchell Storm Sewer Easement as shown. Pursuant to SDCL 11-3-8.1 and 11-3-8.2 the developer of the property described within this plat shall be responsible for protecting any waters of the state located adjacent to or within such platted area from pollution from sewage from such subdivision and shall, in prosecution of such protections conform to and follow all regulations of the South Dakota Department of Agriculture and Natural Resources relating to the same. Additionally, the developer of the property described within this plat shall be liable for any pollution that occurs from failure to execute such protections or follow such regulations, exception being those lots in subdivisions that show documentation that wastewater drainage shall be connected to a municipal system.

IN WITNESS WHEREOF, I have hereunto set my hand this _______ day of ________________, 2025.

____
Jay Scheurs, The President of Servicemen's Memorial Cemetery Association, Inc., a South Dakota nonprofit corporation

CORPORATION ACKNOWLEDGMENT

STATE OF SOUTH DAKOTA)
)SS
COUNTY OF DAVISON)

On this, the _______ day of _______________, 2025, before me, ____, the undersigned officer, personally appeared ______________________(Print Name), of Servicemen's Memorial Cemetery Association, Inc., a South Dakota nonprofit corporation, and that he/she, as such _______________(Title), being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself/herself as _______________(Title).

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 VETERANS MEMORIAL PARK TRACT 1, A SUBDIVISION OF THE SE 1/4 OF THE SE 1/4 OF THE SW 1/4 OF SECTION 9, 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 VETERANS MEMORIAL PARK TRACT 1, A SUBDIVISION OF THE SE 1/4 OF THE SE 1/4 OF THE SW 1/4 OF SECTION 9, 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 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 ____________________, 2025.

____
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

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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 __________________, 2025; and

WHEREAS, it appears from an examination of the plat of VETERANS MEMORIAL PARK TRACT 1, A SUBDIVISION OF THE SE 1/4 OF THE SE 1/4 OF THE SW 1/4 OF SECTION 9, 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 VETERANS MEMORIAL PARK TRACT 1, A SUBDIVISION OF THE SE 1/4 OF THE SE 1/4 OF THE SW 1/4 OF SECTION 9, 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 does hereby certify that the foregoing resolution was passed by the City of Mitchell, South Dakota, at a meeting held on the ________ day of __________________, 2025.

____
Finance Officer/Deputy Finance Officer of the City of Mitchell

RESOLUTION OF COUNTY PLANNING COMMISSION

WHEREAS, the plat of VETERANS MEMORIAL PARK TRACT 1, A SUBDIVISION OF THE SE 1/4 OF THE SE 1/4 OF THE SW 1/4 OF SECTION 9, 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 VETERANS MEMORIAL PARK TRACT 1, A SUBDIVISION OF THE SE 1/4 OF THE SE 1/4 OF THE SW 1/4 OF SECTION 9, 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 ____________________, 2025.

____
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 VETERANS MEMORIAL PARK TRACT 1, A SUBDIVISION OF THE SE 1/4 OF THE SE 1/4 OF THE SW 1/4 OF SECTION 9, 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 ___________________, 2025.

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

AUDITOR'S CERTIFICATE

The undersigned does 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 ____________________, 2025, approving the above-named plat.

____
Auditor/Deputy Auditor, Davison County

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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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 VETERANS MEMORIAL PARK TRACT 1, A SUBDIVISION OF THE SE 1/4 OF THE SE 1/4 OF THE SW 1/4 OF SECTION 9, T 103 N, R 60 W OF THE 5TH P.M., 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 __________________, 2025, 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
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