

PLANNING COMMISSION AGENDA

City Council Chambers

DATE: Monday, March 28, 2016

TIME: 12:00 NOON

CALL TO ORDER:

ROLL CALL:

APPROVE AGENDA:

MINUTES: Regular Meeting March 14, 2016

NEXT MEETING: Monday, April 11, 2016

VARIANCE: G & O Properties LLC for a front yard variance of 20' vs 25' for construction of a new home in the 201 Block of N Marshall, legally described as Lots 11 and 12, Block 5, ST Greene Addition, City of Mitchell, Davison County, South Dakota. Zoned R2.

REZONE: Delvin and Delana Schelske, Lots 3 through 8 of Knollwood Heights 2nd Subdivision from R2 to R4.

PLAT: Lot 13 in Tract H Wild Oak Golf Club Addition to the City of Mitchell, Davison County, South Dakota

PLAT: Lot 19, Block 9 of CJM 2nd Addition in the NW ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota

PLAN APPROVAL: Hard Drive Central - 318 N Main - facade improvement. Zoned CB.

TIF 22: Approval of project plan and establishment of boundaries

OTHER BUSINESS:

ADJOURN:

"The City of Mitchell invites all interested parties to give oral or written comments. If special accommodations are required, please notify the Public Works Department at 995-8433 at least 24 hours prior to the scheduled meeting."

**CITY OF MITCHELL
CITY PLANNING COMMISSION
MINUTES, March 14, 2016**

NOT APPROVED

Chairman Larson called to order the March 14, 2016 City Planning Commission Meeting at 12:00 pm in the Council Chambers, City Hall, Mitchell, South Dakota.

Members Present: Larson, Everson, Griffith, Meyers, Molumby, and Allen

Members Absent: Fergen, Schmucker

Others Present: Putnam, McGannon, Ellwein, J. Johnson, T. Johnson, London, Overweg, Laursen, and Mayor Toomey.

Approval of Agenda: Motion by Everson, seconded by Griffith to approve the agenda as presented. All members present voting aye, motion carried.

Minutes: Motion by Griffith, seconded by Everson to approve the minutes of the February 22, 2016 meeting. All members present voting aye, motion carried.

Next Meeting: Motion by Griffith, seconded by Molumby to schedule the next meeting for March 28, 2016. All members present voting aye, motion carried.

Plat: Lot 2, Block 7 of Westwood First Addition, a subdivision of the SW ¼ of Section 16, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. Putnam reported this plat is for the new Coca-Cola plant to be located on Commerce Street. Motion by Molumby, seconded by Everson, to approve the plat. All members present voting aye, motion carried.

Plat: Lot 12, Block 2 of the Woods First Addition, a subdivision of the East ½ of the SW ¼ of Section 23, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. Putnam indicated this plat follows the master plan. Motion by Everson, seconded by Griffith to approve the plat. All members present voting aye, motion carried.

Discussion: Delvin and Delana Schelske, rezoning of Lots 3-8, Knollwood Heights 2nd Subdivision, City of Mitchell, Davison County, SD. Ms. Schelske and Nicki Letcher presented a proposal to rezone 6 lots from its current zoning of R2 to R4. They would like to construct a retail building that could be converted to a residence. The commissioners previously did not support rezoning only two lots. They applicants will also be securing a conditional use permit on lots 5 & 6. The applicants presented material explaining their request. No action was taken as no application has been submitted.

Chairman Larson adjourned the meeting at 12:15 pm.

Chairman

Date

DATE: March 8, 2016
TO: PLANNING COMMISSION
FROM: G & O PROPERTIES, LLC
 JON OSTERLOO & DAVE GRUENER
IN RE: Five-foot variance for building rental house

This letter is to inform you that we plan to build a rental house on our property on the corner of the 1300 block of East 2nd and Marshall Street. We are requesting a variance of 5 feet from 2nd street on the north side so that we can build the home closer to 2nd street by five feet, for the following reasons:

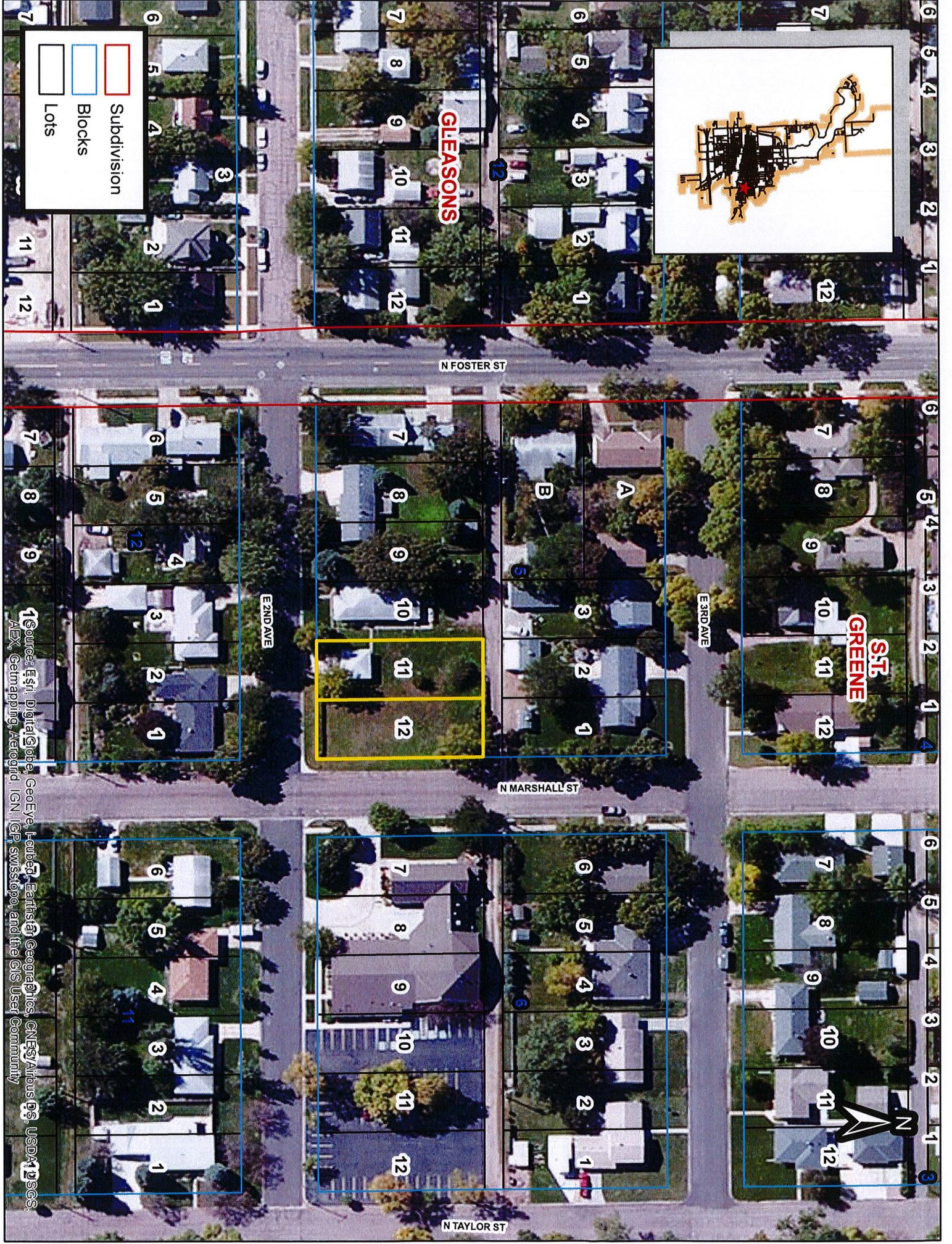
1. The house would then be in conformity with the other property along East Second Street—being a setback of 20 feet or less, instead of 25 feet.
2. Building the house another five feet south would give us the opportunity to lower the floor height to make it more accessible to our tenants.

We respectfully request your consideration of our variance.

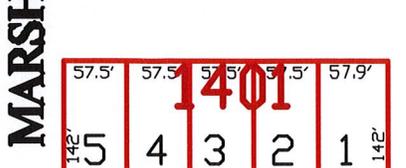
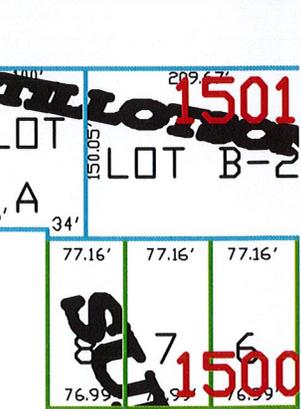
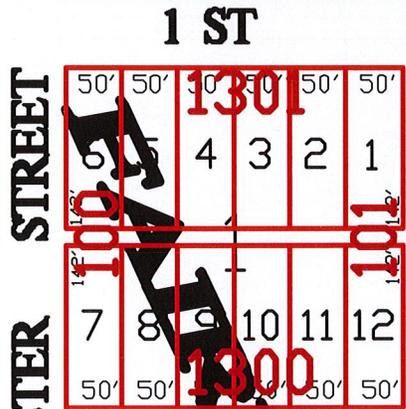
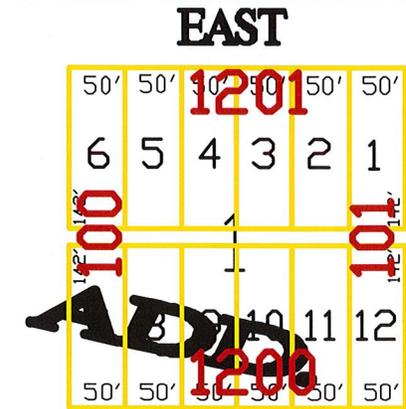
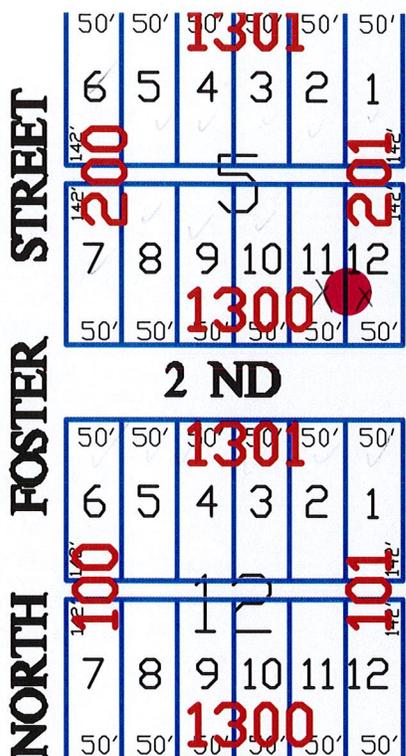
Thank you!



	Subdivision
	Blocks
	Lots



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Geomatics, AerGRID, IGN, IGP, Swisstopo, and the GIS User Community



APPLICATION FOR A VARIANCE

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

The undersigned applicant(s) and owner(s), G & O Properties hereby make(s) application for a front yard of 20' vs 25' for variance for construction of a single family resident pursuant to the provisions of the City of Mitchell Zoning Code as amended.

This Application is for the following described real property:
Lots 11 & 12, Block 5, ST Greene Addition, City of Mitchell, Davison County, SD (201 N Marshall St)

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

Applicant(s) request that dates be set for public hearings before the Mitchell Planning Commission and the 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.

Dated this 10 of March, 2016.

Dave Gruener
APPLICANT

G & O Properties
OWNER

NOTICE OF HEARING

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

YOU ARE HEREBY NOTIFIED, G & O Properties LLC have made an application for front yard variance of 20' vs 25' as required for the real property legally described as Lots 11 & 12, Block 5, ST Greene Addition, City of Mitchell, Davison County, South Dakota (201 Block of N Marshall). The property is zoned R2 Single Family Residential District.

YOU ARE FURTHER NOTIFIED, that public hearings will be held by the City Planning Commission on March 28, 2016 at 12:00 P.M and the Board of Adjustment on April 4, 2016 at 7:30 P.M., at the Council Chambers, Mitchell City Hall. All interested parties may attend the public hearings and provide comments in regards to the applicant's request.

Dated at Mitchell, South Dakota, this the 9th day of March, 2016.

Michelle Bathke

FINANCE OFFICER

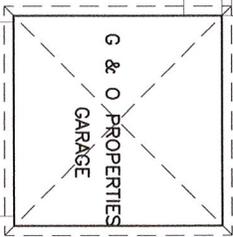
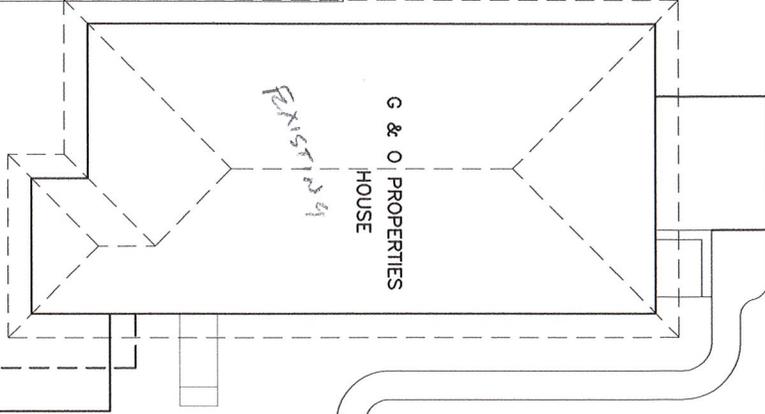
Publish twice March 17, 2016 and March 24, 2016

Approximate Cost:

EAST 2ND AVE

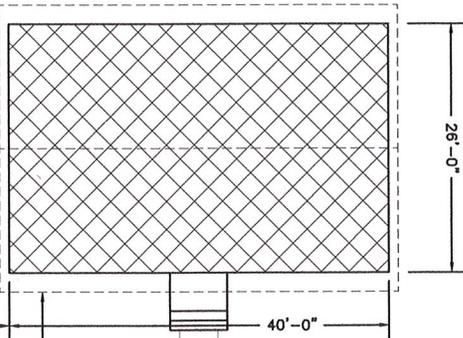
PROPERTY LINE

PROPERTY LINE

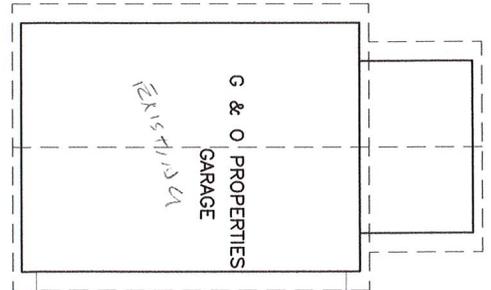


DRAWING

PROPERTY LINE



PROPERTY LINE



DRAWING

NORTH MARSHALL STREET



G & O PROPERTIES LLC

TERESA WERKMEISTER
1407 E 3RD AVE
MITCHELL SD 57301

CYNTHIA FOLKERTS
220 N MARSHALL ST
MITCHELL SD 57301

DAVID & LINDA GRUENER
1321 E 3RD AVE
MITCHELL SD 57301

JON & NANCY OSTERLOO
1309 E 3RD AVE
MITCHELL SD 57301

BETTY MISKIMINS
220 N FOSTER ST
MITCHELL SD 57301

G & O PROPERTIES LLC
1309 E 3RD AVE
MITCHELL SD 57301

ARMOND & JOANN OLSON
1300 E 3RD AVE
MITCHELL SD 57301

APPROVED

THOMAS OSBORNE
1306 E 2ND AVE
MITCHELL SD 57301

MARILEE JOHNSON-GEARY
1321 E 2ND AVE
MITCHELL SD 57301

RICHARD & JUANITA KIRBY
1315 E 2ND AVE
MITCHELL SD 57301

JOSH DON & ANNA MARIE BEUTLER
43935 5TH ST E
LANCASTER CA 93535

KATHY JESSE
114 N FOSTER ST
MITCHELL SD 57301

RUTH DALEY
118 N FOSTER ST
MITCHELL SD 57301

The request:

We (Delvin and Delana Schelske) are looking to rezone lots 3 through 8 of Knollwood Heights 2nd Subdivision from R-2 to R-4 with a conditional use to have a retail business on lots 5 & 6 only. We chose R-4 because the permitted & conditional uses are more conducive to what we are trying to achieve by blending in with the current neighborhood.

The plan:

In 2014, there was an accessory building built on leased site on Lot 5 by Ben and Nikki Letcher. This building is currently being used for a woodworking shop which deals in refinishing and repurposing of furniture. Ben and Nikki would like to be able to conduct business from this building allowing clients to bring items to the building and to view items for sale. This is a new business and they would like to advertise to expand the business. There would not be regular store hours at this point. It would be by appointment only and possibly some open houses throughout the year.

Future plans:

There is a request to rezone with a conditional use permit on two lots because there is a plan for expansion. There are future plans of constructing a building for retail business on Lot 6. Nature's Impressions (currently located in the applicant's home) would like to expand and we would combine the two businesses into one space. This building would have regular store hours Monday through Saturday.

When building the accessory building, Ben and Nikki kept in mind this is currently zoned residential and built it to look like a barn. If we are able to construct a retail building, it would resemble a house. We chose this look so it would fit in and could be later converted into a residential home and garage, if so desired. We are trying to do what we can to make the structures an easy transition and not look out of place.

Additional notes in regards to the conditional use permit for lots 5 & 6:

If you refer to the aerial map, you will see lots 5 & 6 are not currently surrounded by any residential homes. To the west is Jacks Campers which is zoned Industry and Transportation, Warehouse Commercial District. To the north are two bare lots owned by the applicant and then there are 2 homes north of that along Norway Ave. Also, across Norway Ave are apartments, storage units, and property owned by DOT. To the east is a church. And last, to the south is the applicant's house and business (currently located in the home).

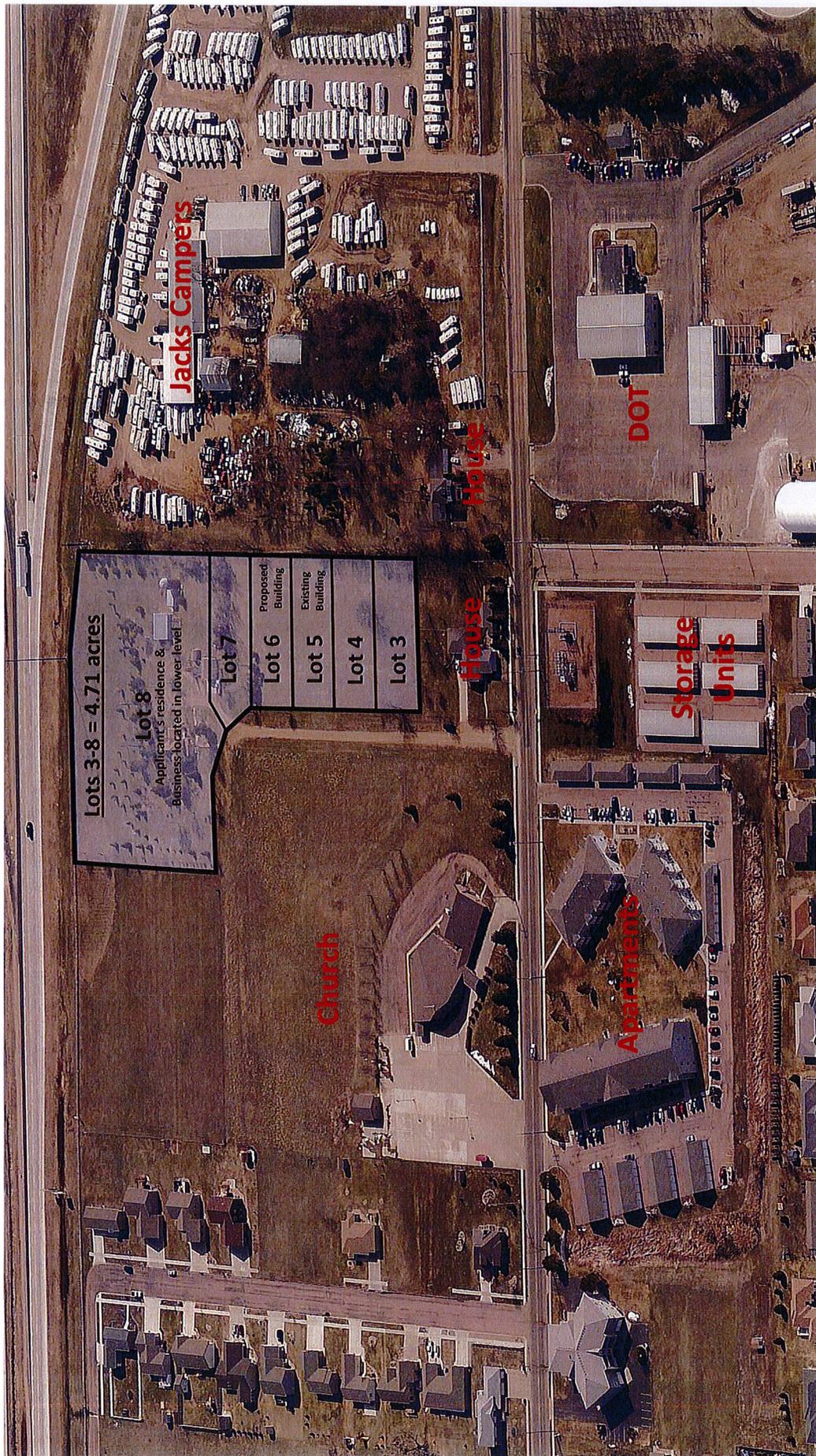
We feel rezoning lots 3 through 8 to R-4 with a conditional use for a retail business on lots 5 & 6 would not disturb the area since they are adjacent to lots zoned both commercial & residential. And, as you can see on the attached documents, there is currently a variety of zoning and properties in this area.

Thank you for your time and consideration of this request.



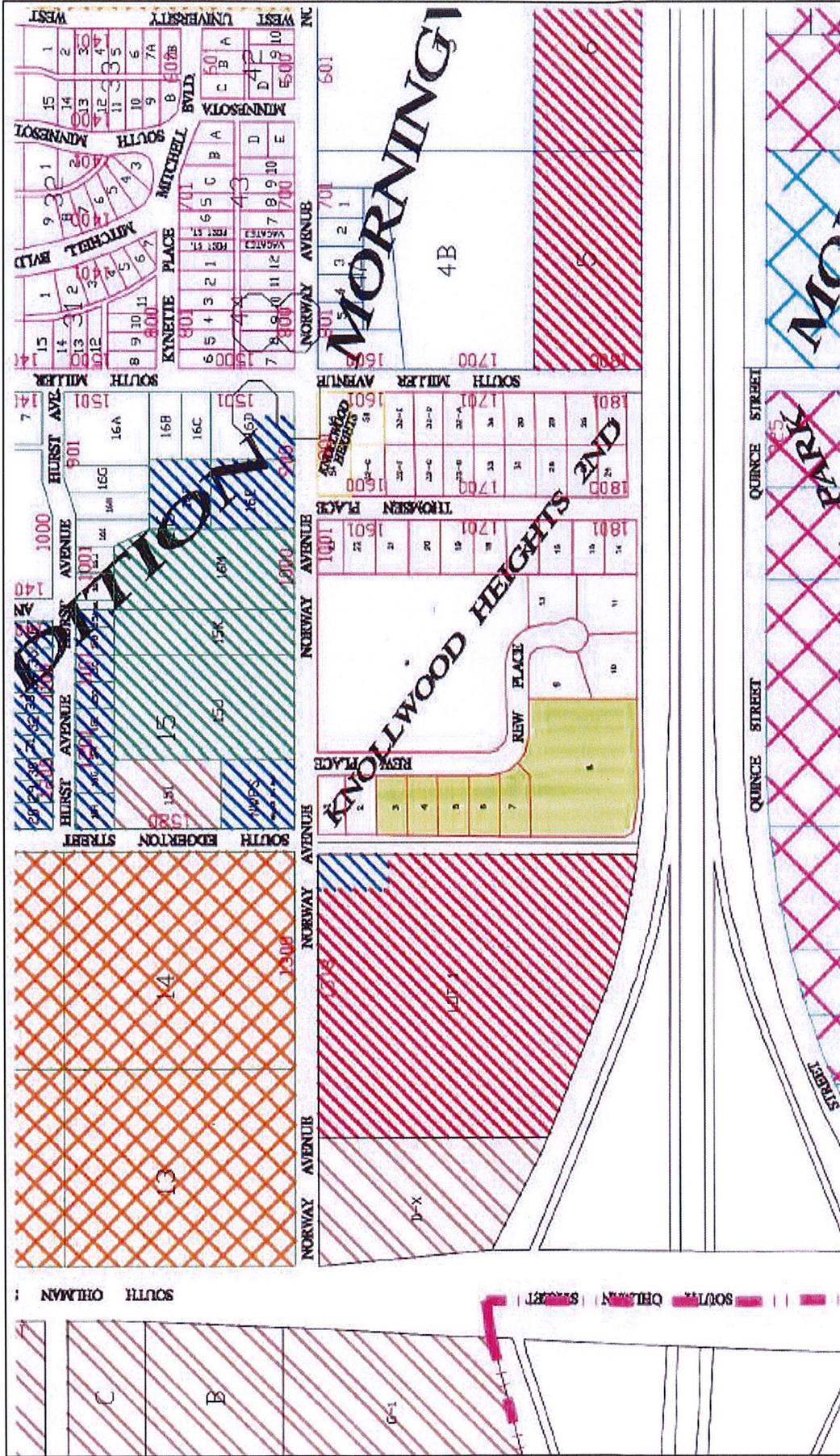
Aerial Map

Delvin & Delana Schelske – Request to rezone Lots 3-8 Knollwood Heights 2nd Subdivision



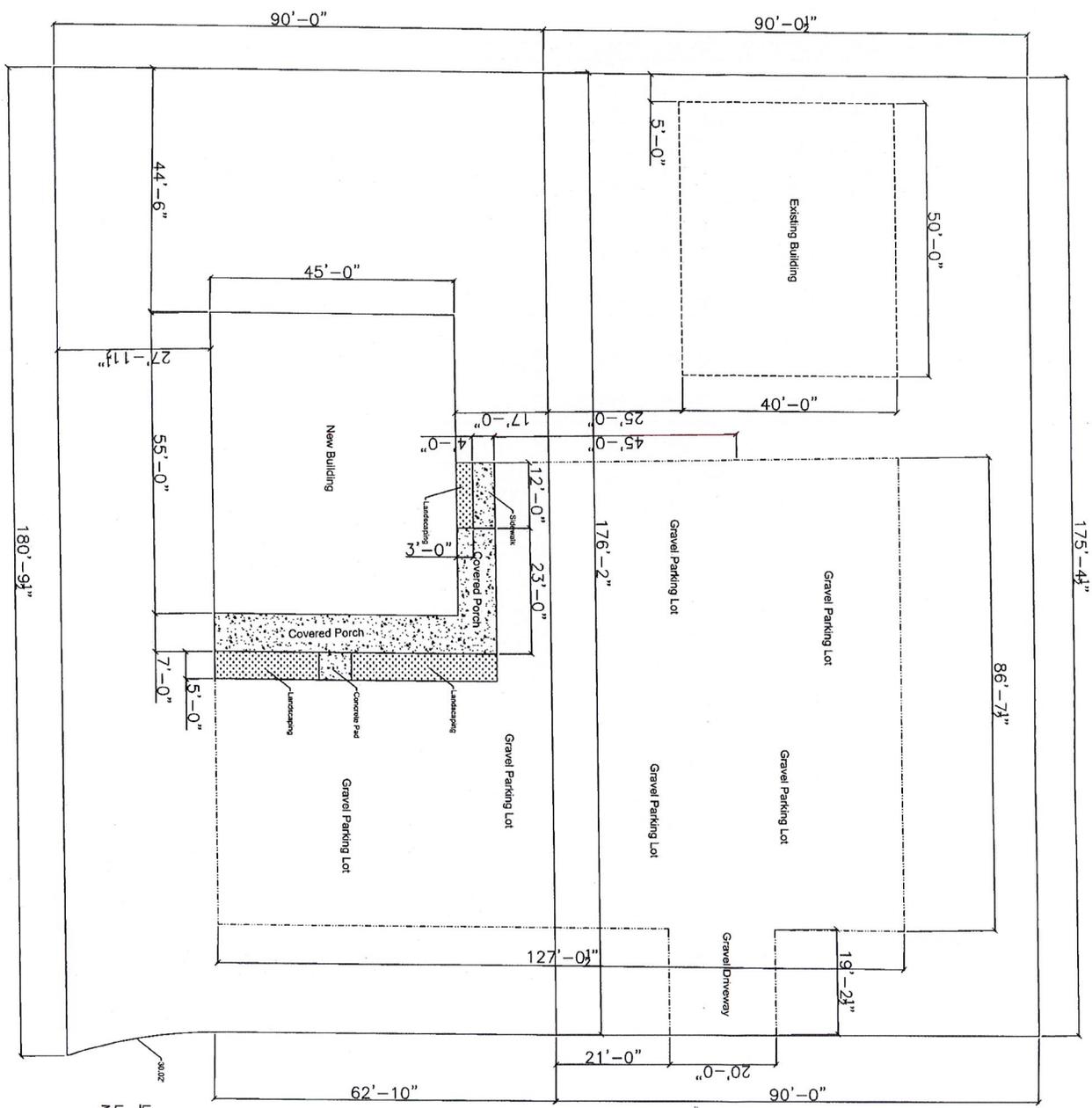
Zoning Map

Delvin & Delana Schelske – Request to rezone Lots 3-8 Knollwood Heights 2nd Subdivision



- R-2
- ▨ R-3
- ▨ R-4
- ▨ TWC
- ▨ PL



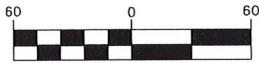


Rew Place



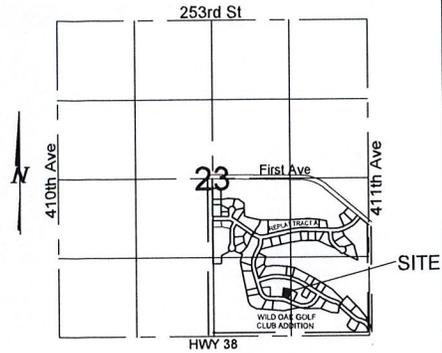
Legal Description
 Lot 5 and 6 Knollwood Heights 2nd Subdivision to the City of Mitchell, Davison County, South Dakota

PLAT OF
LOT 13 IN TRACT H
WILD OAK GOLF CLUB ADDITION
 TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA



- = FOUND IRON PIN
- = SET IRON PIN
- UE = UTILITY EASEMENT

Curve Table					
Curve	Length	Radius	Delta	Chord Distance	Chord Bearing
C1	124.00'	333.00'	21°20'08"	123.29'	N78°20'11"W
C2	327.17'	233.00'	80°27'09"	300.95'	N72°06'19"E
C3	280.83'	200.00'	80°27'09"	258.32'	N72°06'19"E
C4	91.34'	366.00'	14°17'54"	91.10'	N74°49'04"W
C5	44.95'	366.00'	7°02'14"	44.92'	N85°29'08"W



VICINITY MAP

SEC 23, T103N, R60W



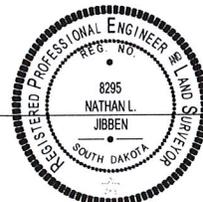
SURVEYOR'S CERTIFICATE

I, NATHAN L. JIBBEN, OF JSA CONSULTING ENGINEERS/LAND SURVEYORS, INC., A REGISTERED LAND SURVEYOR IN THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT I DID, ON OR BEFORE MARCH 22ND, 2016, SURVEY A PORTION OF TRACT H, WILD OAK GOLF CLUB ADDITION, IN THE SE 1/4 OF SECTION 23, T103N, R60W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA AS SHOWN ON THE ABOVE PLAT. THAT PORTION OF LAND SHALL HEREAFTER BE KNOWN AND DESCRIBED AS LOT 13 IN TRACT H, WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, CONTAINING 0.38 ACRES±.

I FURTHER CERTIFY THAT TO THE BEST OF MY KNOWLEDGE THE ABOVE PLAT CORRECTLY REPRESENTS THE SAME, IS TRUE AND CORRECT AND THAT IT WAS MADE UNDER MY DIRECT SUPERVISION.

DATED THIS _____ DAY OF _____, 201_____.

NATHAN L. JIBBEN, RLS 8285



PLAT OF
LOT 13 IN TRACT H
WILD OAK GOLF CLUB ADDITION
TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

OWNER'S CERTIFICATE

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF ALL LAND INCLUDED IN THE ABOVE PLAT AND THAT SAID PLAT HAS BEEN MADE AT OUR REQUEST AND IN ACCORDANCE WITH OUR INSTRUCTIONS FOR THE PURPOSE OF TRANSFER, AND THAT THE DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, EROSION AND SEDIMENT CONTROL REGULATIONS.

WE HEREBY DEDICATE TO THE PUBLIC FOR PUBLIC USE FOREVER THE STREETS, ROADS AND ALLEYS, PARKS AND PUBLIC GROUNDS, IF ANY, AS SHOWN ON SAID PLAT, INCLUDING ALL SEWERS, CULVERTS, BRIDGES, WATER DISTRIBUTION LINES, SIDEWALKS AND OTHER IMPROVEMENTS ON OR UNDER THE STREETS, ALLEYS, PARKS AND PUBLIC GROUNDS WHETHER SUCH IMPROVEMENTS ARE SHOWN OR NOT. WE ALSO HEREBY GRANT EASEMENTS TO RUN WITH THE LAND FOR GOLF PATH STREET CROSSINGS, WATER, DRAINAGE, SEWER, GAS, ELECTRIC, TELEPHONE OR OTHER PUBLIC UTILITY LINES OR SERVICES UNDER, ON OR OVER THOSE STRIPS OF LAND DESIGNATED HEREON AS EASEMENTS.

DATED THIS _____ DAY OF _____, 201__.

DAVID A. BACKLUND, PARTNER
FIRESTEEL LINKS, LLC, OWNER

STATE OF SOUTH DAKOTA

COUNTY OF _____

ON THIS _____ DAY OF _____, 201__, BEFORE ME, THE UNDERSIGNED OFFICER, APPEARED DAVID A. BACKLUND, WHO ACKNOWLEDGED HIMSELF TO BE AN AUTHORIZED PARTNER OF FIRESTEEL LINKS LLC, OWNER OF THE ABOVE SHOWN PROPERTY, AND KNOWN TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL

THIS _____ DAY OF _____, 201__.

MY COMMISSION EXPIRES: _____, 201__.

NOTARY PUBLIC

_____ COUNTY, SOUTH DAKOTA

PLAT OF
LOT 13 IN TRACT H
WILD OAK GOLF CLUB ADDITION
TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

RESOLUTION OF CITY PLANNING COMMISSION

WHEREAS, THE PLAT OF LOT 13 IN TRACT H, WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, HERETOFORE FILED IN THE OFFICE OF THE CITY FINANCE OFFICER OF MITCHELL, SOUTH DAKOTA, HAS BEEN SUBMITTED TO THE CITY PLANNING COMMISSION OF THE SAID CITY OF MITCHELL, SOUTH DAKOTA; AND

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

NOW THEREFORE, BE IT RESOLVED BY THE CITY PLANNING COMMISSION OF MITCHELL, SOUTH DAKOTA, THAT THE PLAT OF LOT 13 IN THE TRACT H, WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, BE AND THE SAME IS HEREBY APPROVED AND ITS ADOPTION BY THE CITY COUNCIL OF THE CITY OF MITCHELL, SOUTH DAKOTA, IS HEREBY RECOMMENDED.

I, _____, CHAIRMAN OF THE CITY PLANNING COMMISSION FOR THE CITY OF MITCHELL, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE FOREGOING RESOLUTION WAS PASSED BY THE CITY PLANNING COMMISSION OF MITCHELL, SOUTH DAKOTA, AT A MEETING THEREOF HELD ON THE _____ DAY OF _____, 201____.

CHAIRMAN CITY PLANNING COMMISSION

RESOLUTION OF CITY COUNCIL

WHEREAS, IT APPEARS THAT THE CITY PLANNING COMMISSION OF THE CITY OF MITCHELL, SOUTH DAKOTA, DID DULY CONSIDER AND DID RECOMMEND THE APPROVAL AND ADOPTION OF THE HEREINAFTER DESCRIBED PLAT, AT ITS MEETING HELD ON THE _____ DAY OF _____, 201____; AND

WHEREAS, IT APPEARS FROM AN EXAMINATION OF THE PLAT OF LOT 13 IN TRACT H, WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, THAT SAID PLAT IS IN ACCORDANCE WITH THE SYSTEM OF STREETS AND ALLEYS SET FORTH IN THE MASTER PLAN ADOPTED BY THE CITY PLANNING COMMISSION OF THE CITY OF MITCHELL, SOUTH DAKOTA, AND THAT SUCH PLAT HAS BEEN PREPARED ACCORDING TO LAW;

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MITCHELL, SOUTH DAKOTA, THAT THE PLAT OF LOT 13 IN TRACT H, WILD OAK GOLF CLUB ADDITION TO THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA BE AND THE SAME IS APPROVED AND THE DESCRIPTION SET FORTH THEREIN AND THE ACCOMPANYING SURVEYOR'S CERTIFICATE SHALL PREVAIL.

I, _____, FINANCE OFFICER OF THE CITY OF MITCHELL, SOUTH DAKOTA, HEREBY CERTIFY THAT THE FORGOING RESOLUTION WAS PASSED BY THE CITY OF MITCHELL, SOUTH DAKOTA, AT A MEETING THEREOF HELD ON THE _____ DAY OF _____, 201____.

FINANCE OFFICER

COUNTY TREASURER'S CERTIFICATE

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

TREASURER, DAVISON COUNTY, SD

DIRECTOR OF EQUALIZATION

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

DIRECTOR OF EQUALIZATION, DAVISON COUNTY, SD

REGISTER OF DEEDS

FILED FOR RECORD THIS _____ DAY OF _____, 201____, AT _____ O'CLOCK, _____ M., AND RECORDED IN BOOK

_____ OF PLATS ON PAGE _____ THEREIN AND RECORDED ON MICROFILM NUMBER _____.

REGISTER OF DEEDS, DAVISON COUNTY, SD

EASEMENTS DEDICATED BY THIS PLAT:

10' UTILITY EASEMENT ALONG THE NORTH SIDE OF LOT 19.

5' UTILITY AND DRAINAGE EASEMENT ALONG THE EAST, WEST AND SOUTH SIDES OF LOT 19.

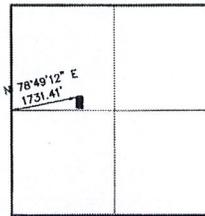


SEC. 32, T 104 N, R 60 W

GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.



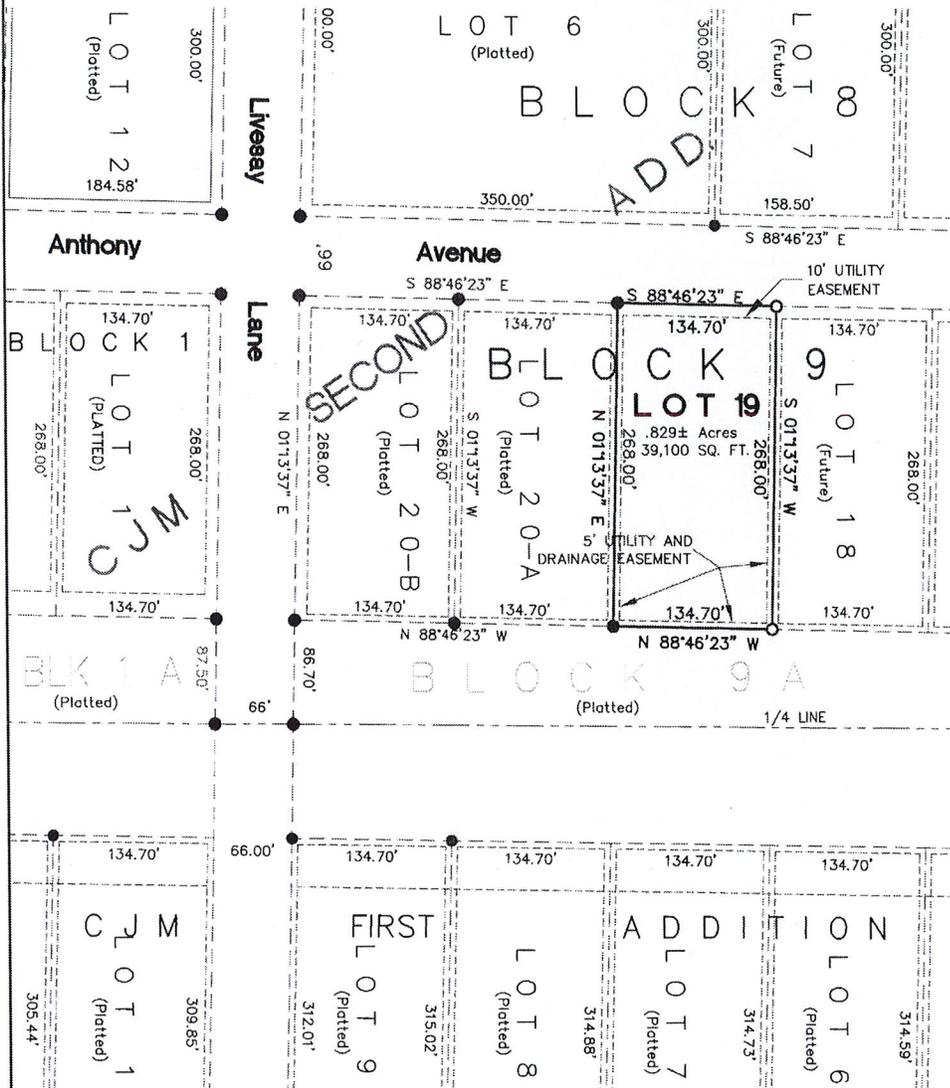
LOCATION MAP
SCALE: 1" = 3000'

LEGEND

- = FOUND IRON MONUMENT
- = SET 5/8" X 18" REBAR WITH CAP NO. 6702
- ▲ = FOUND SURVEY MARKER SPIKE
- △ = SET SURVEY MARKER SPIKE
- 100' (P) = PLATTED BEARING OR DISTANCE
- 100' (R) = DISTANCE OF RECORD
- 100' = MEASURED BEARING OR DISTANCE
- = FOUND NAIL
- = SET 3/8" X 10" NAIL
- WM = WITNESS MONUMENT

PREPARED BY: PAUL J. REILAND, R.L.S.
2100 NORTH SANBORN BLVD. - P.O. BOX 368
MITCHELL, SOUTH DAKOTA 57301-0368
PHONE: (605) 996-7761

BEARINGS ARE BASED ON AN ASSUMED COORDINATE SYSTEM.



A PLAT OF LOT 19, BLOCK 9 OF 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.

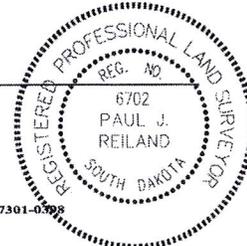
SURVEYOR'S CERTIFICATE

I, Paul J. Reiland, the undersigned, do hereby certify that I am a Registered Land Surveyor in and for the State of South Dakota. At the request of CJM Consulting, Inc., a South Dakota corporation, as owner, and under its direction for purposes indicated therein, I did on or prior to March 14, 2016, survey those parcels of land described as follows: LOT 19, BLOCK 9 OF 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.

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

Dated this _____ day of _____, 2016.

Registered Land Surveyor #SD6702



SPN & Associates
Engineers, Planners and Surveyors
2100 North Sanborn Blvd. - P.O. Box 398 Mitchell, South Dakota 57301-0398
Phone: (605) 996-7761 Fax: (605) 996-0015

A PLAT OF LOT 19, BLOCK 9 OF 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.

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

KNOW ALL MEN BY THESE PRESENTS that I, the undersigned, hereby certify that CJM Consulting, Inc., a South Dakota corporation, is the absolute and unqualified owner of all of the land included in the within and foregoing plat; the plat is of a parcel of ground located in BLOCK 9 OF 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; that the plat has been made at the request of CJM Consulting, Inc., a South Dakota corporation, and under its direction for the purposes indicated therein; which said property as so surveyed and platted shall hereafter be known as LOT 19, BLOCK 9 OF 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, as shown by this plat; and CJM Consulting, Inc., a South Dakota corporation, hereby dedicates to the public, for public use forever as such, the streets and alleys, if any, as shown and marked on said plat; and that development of the land included within the boundaries of said Lot 19, Block 9 shall conform to all existing applicable zoning, subdivision, and erosion and sediment control regulations; further that there now exists Anthony Avenue. Pursuant to SDCL 11-3-8.1 and 11-3-8.2 the developer of the property described within this plat shall be responsible for protecting any waters of the state located adjacent to or within such platted area from pollution from sewage from such subdivision and shall, in prosecution of such protections conform to and follow all regulations of the South Dakota Department of Environment 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 _____, 2016.

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

CORPORATION ACKNOWLEDGMENT

STATE OF SOUTH DAKOTA)
)SS
COUNTY OF DAVISON)

On this, the _____ day of _____, 2016, before me, _____, the undersigned officer, personally appeared Charles J. Mauszycki, Jr., of CJM Consulting, Inc., a South Dakota corporation, and that he, as such Vice President, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as Vice President.

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

Notary Public, South Dakota
My Commission Expires: _____

RESOLUTION OF CITY PLANNING COMMISSION

WHEREAS, the plat of LOT 19, BLOCK 9 OF 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, prepared by Paul J. Reiland, duly licensed Land Surveyor in and for the State of South Dakota, heretofore filed in the office of the City Finance Officer of Mitchell, South Dakota, has been submitted to the City Planning Commission of the said City of Mitchell, South Dakota; and

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

NOW THEREFORE, be it resolved by the City Planning Commission of Mitchell, South Dakota, that the plat of LOT 19, BLOCK 9 OF 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, prepared by Paul J. Reiland, a Land Surveyor, be and the same is hereby approved and its adoption by the City Council of the City of Mitchell, South Dakota, is hereby recommended.

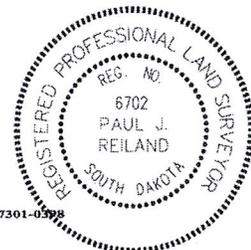
I, _____, Chairman of the City Planning Commission for the City of Mitchell, South Dakota, do hereby certify that the foregoing resolution was passed by the City Planning Commission of Mitchell, South Dakota, at a meeting thereof held on the _____ day of _____, 2016.

CITY PLANNING COMMISSION --- BY: _____

SPN

& Associates
Engineers, Planners and Surveyors

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