

CITY PLANNING COMMISSION AGENDA
CITY COUNCIL CHAMBERS
612 N MAIN ST, MITCHELL, SD
DATE: OCTOBER 24, 2016

1. TIME: 12:00 PM NOON
2. CALL TO ORDER:
3. ROLL CALL:
4. APPROVE AGENDA:
5. APPROVAL OF MINUTES: October 11, 2016

Documents:

[PLANNINGCOMMMIN10112016.PDF](#)

6. SCHEDULE NEXT MEETING: NOVEMBER 14, 2016

7. CONDITIONAL USE PERMIT:

Jamie Wagner has applied for a conditional use permit to operate a family residential child care in her home at 812 W 2nd Avenue, legally described as Lot 13, Block 92, Lawler's Second Addition, City of Mitchell, Davison County, South Dakota. Zoned R2 Single Family Residential District.

Documents:

[WAGNERCUP.PDF](#)
[L13 B92 LAWLERS 2ND.PDF](#)

8. CONDITIONAL USE PERMIT: Plan Approval

West Havens Storage has applied for a conditional use permit for construction of self-service storage facilities buildings at 1522 W Havens Ave, legally described as E 140' of Irregular Tract 4A Located in the SW 1/4, Section 21, T 103 N, R 60 W of the 5th P.M., Less PE-1, Platted Various, City of Mitchell, Davison County, South Dakota. Zoned HB

Documents:

[WEST HAVENS CUP.PDF](#)
[L4B.PDF](#)

9. REZONE:

AN ORDINANCE OF THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, THAT CHANGES THE ZONING DISTRICT CLASSIFICATION OF THE REAL PROPERTY AS; THE SOUTH 58.20 FEET OF THE EAST 300 FEET OF TRACT A-1; THE REMAINDER OF TRACT A-2 OF WESTWOOD FIRST ADDITION; AND VACATED WEST 19TH AVENUE ABUTTING AND LYING WEST OF PHEASANT STREET AND ABUTTING AND LYING EAST OF NORTH OHLMAN STREET (RECORDED IN PLAT BOOK 29 ON PAGE 17) ALL IN THE NW ¼ OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA: THE SOUTH 220 FEET OF THE NORTH 1,285 FEET OF THE WEST 490 FEET OF BLOCK 4 OF WESTWOOD FIRST ADDITION (RECORDED IN PLAT BOOK 21 ON PAGE 9) A SUBDIVISION OF THE NW 1/4 OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, LYING SOUTH OF

VACATED WEST 19TH AVENUE AND SOUTH OF PHEASANT STREET: THE SOUTH 490 FEET OF THE NORTH 1,285 FEET OF THE EAST 465 FEET OF THE WEST 950 FEET OF BLOCK 4 OF WESTWOOD FIRST ADDITION (RECORDED IN PLAT BOOK 21 ON PAGE 9) A SUBDIVISION OF THE NW ¼ OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, LYING WEST OF PHEASANT STREET AND SOUTH OF WEST 21ST AVENUE: THE SOUTH 645 FEET OF THE NORTH 1,285 FEET OF THE EAST 235 FEET OF THE WEST 1,178 FEET OF BLOCK 4 (RECORDED IN PLAT BOOK 21 ON PAGE 9) A SUBDIVISION OF THE NW ¼ OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA FROM TRANSPORTATION, WAREHOUSING, AND COMMERCIAL DISTRICT (TWC) TO HIGH DENSITY RESIDENTIAL DISTRICT (R4)

Documents:

[CJMWESTWOODREZONING.PDF](#)
[TA-1 WESTWOOD 1ST.PDF](#)

10. Plat:

A Plat of Lots A-1B and A-2B of J.L. Oberembt's First Addition, A Subdivision of Government Lot 4 and the SW 1/4 of the NW 1/4 of Section 3, T 102 N, R 60 W of the 5th P.M., Davison County, South Dakota.

This Plat Vacates Previously Platted Lots A-1 and A-2 of J.L. Oberembt's First Addition, A Subdivision of Government Lot 4 and the SW 1/4 of the NW 1/4 and previously platted Lot A, all in the NW 1/4 of Section 3, T 102 N, R 60 W of the 5th P.M., Davison County, South Dakota, As Recorded in Book 21 of Plats Page 52.

Documents:

[PLATOBEREMBT.PDF](#)
[LA-1B A-2B OBEREMBT'S 1ST.PDF](#)

11. Plat:

A Plat of Lot 9, Block 2 of CJM 2nd 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

Documents:

[PLATLOT9B2CJN2ND.PDF](#)
[L9 B2 CJM 2ND.PDF](#)

12. OTHER BUSINESS:

13. ADJOURNMENT:

"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 605-995-8433 at least 24 hour prior to the scheduled meeting."

**CITY OF MITCHELL
CITY PLANNING COMMISSION
MINUTES, October 11, 2016**

NOT APPROVED

Call to Order: Chairman Larson called the October 11, 2016 City Planning Commission meeting to order at 12:00 pm in the Council Chambers, City Hall, 612 N Main St, Mitchell, SD

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

Member Absent: Schmucker

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

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

Minutes: Motion by Everson, seconded by Molumby to approve the minutes of the September 26, 2016 meeting. All members present voting aye, motion carried.

Next Meeting: Motion by Meyers, seconded by Griffith to schedule the next meeting for October 24, 2016. All members present voting aye, motion carried.

Variance: Sue Burris has applied for a front yard variance of 15' v 25' for construction of an unenclosed porch to her residence at 210 W 10th Ave, legally described as S 100' of Lot 10, Block 42, Capital Addition, City of Mitchell, Davison County, SD. The property is zoned R2 Single Family Residential.

The applicant was present to answer questions. No written objections were received. No one testified in opposition of the application.

The public notice was published in the *Mitchell Daily Republic* on September 30, 2016 and letters to the neighbors was sent September 28, 2016.

Motion by Griffith, seconded by Molumby to recommend approval of the variance to the Board of Adjustment. Larson aye, Meyers aye, Fergen aye, Molumby aye, Griffith aye, Everson no. Motion passes 5 to 1.

Conditional Use Permit: Roxie Ackman and Brittany Royston have made an application for a conditional use permit to operate a home occupation/beauty salon in their home at 718 E 6th Ave, legally described as Lot 11, Block 4, F.M. Greene Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R2.

The applicant was not present. The commission noted one neighbor written objection. No one testified in opposition.

The public notice was published on September 29 & October 6, 2016 in the *Mitchell Daily Republic* and letters to the neighboring property owners were sent on September 27, 2016.

Motion by Molumby, seconded by Fergen to recommend the Board of Adjustment approve the conditional use permit with two conditions; 1) applicant shall comply with the sign requirements in the home occupation standards, 2) no employees. All members present voting aye, motion carried.

Plat: Lot 33 of Maui Farms Second Addition, A Subdivision of the SE ¼ of Section 31, T 104 N, R 60 W of the 5th P. M., City of Mitchell, Davison County, South Dakota. Motion by Griffith, seconded by Molumby to approve the plat. All members present voting aye, motion carried.

Plat: Lot 5-B, 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. Chairman Larson asked about the master plan. Mr. Mauszycki indicated it is being updated. Motion by Molumby, seconded by Everson to approve the plat, all members present voting aye, motion carried.

Plat: A Plat of Lots 3 and 4, Block 4A of Westwood First Addition, A Subdivision of Block 4 of Westwood First Addition in the NW ¼ of Section 16, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. Motion by Everson, seconded by Fergen to approve the plat, all members present voting aye, motion carried.

Plat: A Plat of Lots 1 and 2, Block 8 of Westwood First Addition, and Portions of West 20th Avenue, Pheasant Street and Quail Street, All in the NW ¼ of Section 16, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. Putnam mentioned this plat is to identify parcels for subsequent transfers between CJM Consulting and the City. Motion by Molumby, seconded by Everson to approve the plat, all members present voting aye, motion carried.

Plat: Lots 5B and 7B of Menard's Addition in the W ½ of the NE ¼ of Section 34, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, SD. This plat is to facilitate a future expansion of the Menards building. Motion by Everson, seconded by Griffith to approve the plat, all members present voting aye, motion carried.

Plan Approval: Dan Roeder Jr, 2200 W Havens. Zoned HB. Motion by Everson, seconded by Molumby to approve the plan as submitted, all members presents voting aye, motion carried.

Plan Approval: 2300 W Havens St, Mitchell, SD. John Hegg briefed the commission about the proposed building plans. He indicated the tenant is looking placing large portable storage units and they placing a truss roof structure on top of the units. The commission expressed concern about compliance with building codes and engineering standards. Motion by Meyers to table the proposal, he withdrew the motion prior to a second. Motion by Molumby, seconded by Everson to deny the plan as submitted, all members present voting aye, motion carried.

Other Business: Putnam asked the commission to start thinking about possible recommendations or changes to the zoning code for a review which is to be conducted over the winter months. Larson mentioned the commission about the SD Planners Association Annual Conference that will be in Sioux Falls.

Adjournment: Larson adjourned the meeting at 12:50 pm.

Chairman

Date

NOTICE OF HEARING

To: City Planning Commission, City of Mitchell Board of Adjustment and the General Public,

You are hereby notified, that Jamie Wagner has applied for a conditional use permit to operate family residential child care in her home at 812 W. 2nd Avenue, legally described as Lot 13, Block 92, Lawler's Second Addition, City of Mitchell, Davison County, South Dakota. The property is zoned R2 Single Family Residential District.

You are further notified, the City Planning Commission will be conducting a hearing on this application on October 24, 2016 at 12:00 pm and the Board of Adjustment will be holding a hearing on November 7, 2016 at 6:30 pm, all meetings will be in the Council Chambers, City Hall, 612 N. Main St, Mitchell, SD. All interested parties may attend the hearings.

Dated at Mitchell, South Dakota, this the 5th day of October, 2016.

Michelle Bathke

Finance Officer

Publish Twice: October 13 & October 24, 2016.

Approximate Costs:

APPLICATION FOR CONDITIONAL USE PERMIT

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

The undersigned applicant(s) Jamie Wagner hereby is making an application for a conditional use permit/family residential childcare pursuant to the provisions of the City of Mitchell Zoning Code as amended.

This Application is for the following described real property:

Lot 13, Block 92, Lawler's 2nd Addition to the City of Mitchell, Davison County, South Dakota (812 W 2nd Ave)

Applicant(s) Jamie Wagner of the above described real estate, request(s) to operate a child care center in her home. The said real property is zoned (R2) Single Family Residential District.

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 requests the City of Mitchell to publish the appropriate notice(s) in accordance with the City of Mitchell's Ordinances.

Dated this 30 of September, 2016.

X Jamie Wagner
APPLICANT

X Jamie Wagner
OWNER

DANIEL & RENEE NIEHUS
1216 E 11TH AVE
MITCHELL SD 57301

MICHAEL & JEANNE HAUSER
1420 E BIRCH AVE
MITCHELL SD 57301

MONTE & GWENDOLYN MOORE
811 W 3RD AVE
MITCHELL SD 57301

WANDA VEURINK
GARY & SYLVAN VANZEE
813 W 3RD AVE
MITCHELL SD 57301

JOE MOLT
817 W 3RD AVE
MITCHELL SD 57301

VIOLET MACKEY
823 W 3RD AVE
MITCHELL SD 57301

ROBERT & SHIRLEY NAGEL
825 W 3RD AVE
MITCHELL SD 57301

CLARKE COMPANIES LLC
500 S ANDERSON ST
MITCHELL SD 57301

BOYD & KAY REIMNITZ
116 E 3RD AVE
MITCHELL SD 57301

APPROVED

DENISE & ALEC DOSTAL
818 W 2ND AVE
MITCHELL SD 57301

CHERYL ALLEN
816 W 2ND AVE
MITCHELL SD 57301

TYLER & JAMIE WAGNER
812 W 2ND AVE
MITCHELL SD 57301

KAYLA FLUTH
802 W 2ND AVE
MITCHELL SD 57301

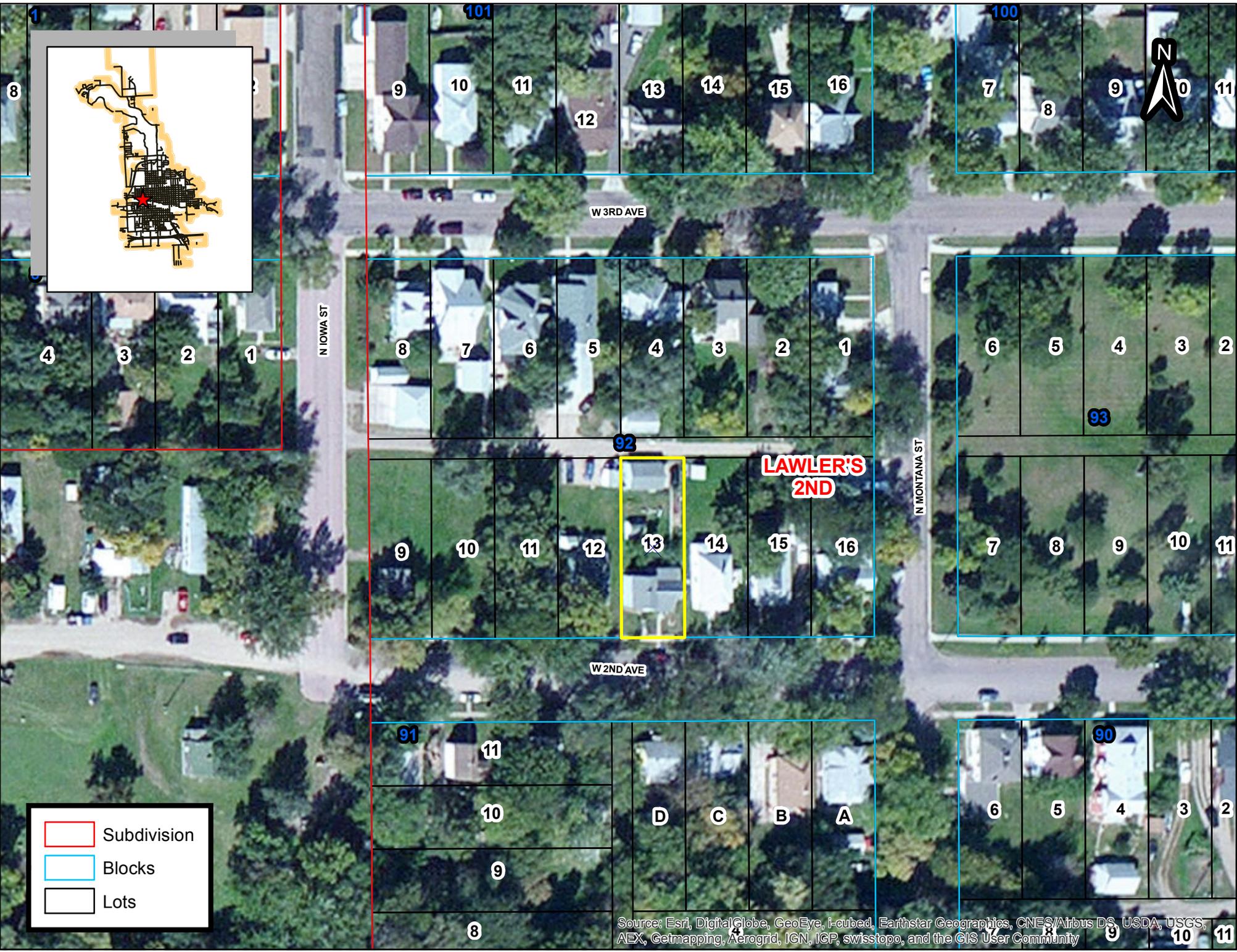
MELISSA DAVIDSON
800 W 2ND AVE
MITCHELL SD 57301

KERYGA TRUST
138 FAIRMONT BLVD
RAPID CITY SD 57701

MERVELA HILDEBRANDT FAMILY TRUST
1707 WESTVIEW DR
MITCHELL SD 57301

KEVIN & TINA CARLSON
1331 PALMER PL
MITCHELL SD 57301

CHRIS CARLSON
EMILY MIZRAHI
817 W 2ND AVE
MITCHELL SD 57301



- Subdivision
- Blocks
- Lots

450' (PI) / 451.20'

N 89°52'23" E

300.77'

IRREGULAR TRACT 4B-1

41109.9 Sq. Ft.
0.943752 Acres

S 89°50'44" W
293.84'

300' (PI) / 299.84'

IRREGULAR TRACT

IRREGULAR TRACT

AB

THE NORTH 140'
OF THE WEST 180'
OF I.T. 4A
EXCEPT LOT H1

IRREGULAR TRACT

THE EAST 140'
OF I.T. 4A
EXCEPT LOT PE 1

THE SOUTH 180'
OF THE WEST 180'
OF I.T. 4A
EXCEPT LOTS
H1 AND H2

LOT H 2

LOT PE 1

20' x 40'

WEST HAVENS STREET

SOUTH OHLMAN STREET

LOCATION MAP
SCALE: 1" = 3000'

LEGEND

- - FOUND IRON MONUMENT
- - SET 3/8" x 1 1/8" REBAR WITH CAP NO. 6702
- 100' (P) - PLATTED BEARING OR DISTANCE
- 100' - MEASURED BEARING OR DISTANCE
- - SET RAIL

PREPARED BY: PAUL J. JOHNSON, R.L.S.
670 NORTH LAUREL - P.O. BOX 388
MITCHELL, SOUTH DAKOTA 57301
PHONE: (605) 998-7701



SCALE: 1" = 50'

GRAPHIC SCALE



(IN FEET)

1 inch = 50 feet

A PLAT OF IRREGULAR TRACT 4B-1, A SUBDIVISION OF PREVIOUSLY PLATTED IRREGULAR TRACT 4B IN THE SW 1/4 OF SECTION 21, T 103 N, R 60 W OF THE 5th P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.

SURVEYOR'S CERTIFICATE

I, Paul J. Johnson, do hereby certify that I am a Registered Land Surveyor in and for the State of South Dakota. At the request of Leslie P. Johnson and Carmen Johnson, as parties, and registered owners, the boundaries indicated therein, I did on or prior to November 24, 1999, survey those parcels of land described as follows: IRREGULAR TRACT 4B-1, A SUBDIVISION OF PREVIOUSLY PLATTED IRREGULAR TRACT 4B IN THE SW 1/4 OF SECTION 21, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.

In my professional opinion and to the best of my knowledge, information and belief, the within and foregoing plat is true and correct.
Dated this 3rd day of December, 1999.

Paul J. Johnson
Registered Land Surveyor 6508702



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

KNOW ALL MEN BY THESE PRESENTS that we, the undersigned, hereby certify that we are the absolute and undivided owners of all of the land included in the within and foregoing plat. We are a parcel of ground created in PREVIOUSLY PLATTED IRREGULAR TRACT 4B IN THE SW 1/4 OF SECTION 21, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA. We hereby dedicate to the public for public use forever as such the streets and alleys if any as shown and named on said plat, and that development of the land included within the boundaries of said Irregular Tract 4B-1 shall conform to all existing applicable zoning, subdivision, and erosion and sedimentation regulations. Further that there are no easements on the north side of Irregular Tract 4B-1 and South Ohlman Street on the east side of Irregular Tract 4B-1. Pursuant to SECTION 11-3-1 and 11-3-2 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 development and shall, in prosecution of such protection, conform to and follow all regulations of the South Dakota Department of Environment and Natural Resources relating to the same. Additionally the developer of the property described within this plat shall be liable for any pollution that occurs from failure to install such protections or failure to such regulations as existing laws in such instances that show documentation that waste water drainage shall be connected to a municipal system.

IN WITNESS WHEREOF, we have hereunto set our hands this 3rd day of December, 1999.

STATE OF SOUTH DAKOTA
COUNTY OF DAVISON

Leslie P. Johnson
Leslie P. Johnson

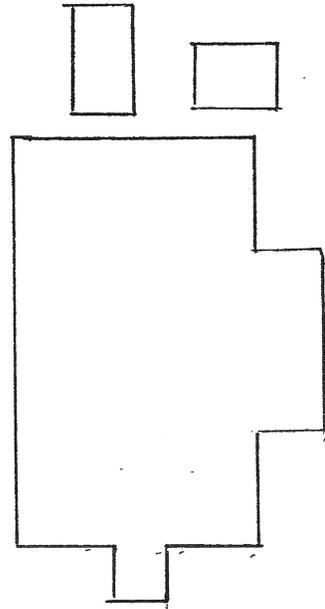
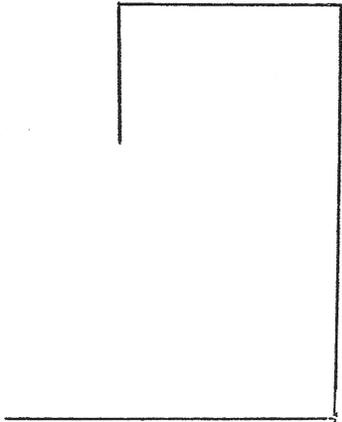
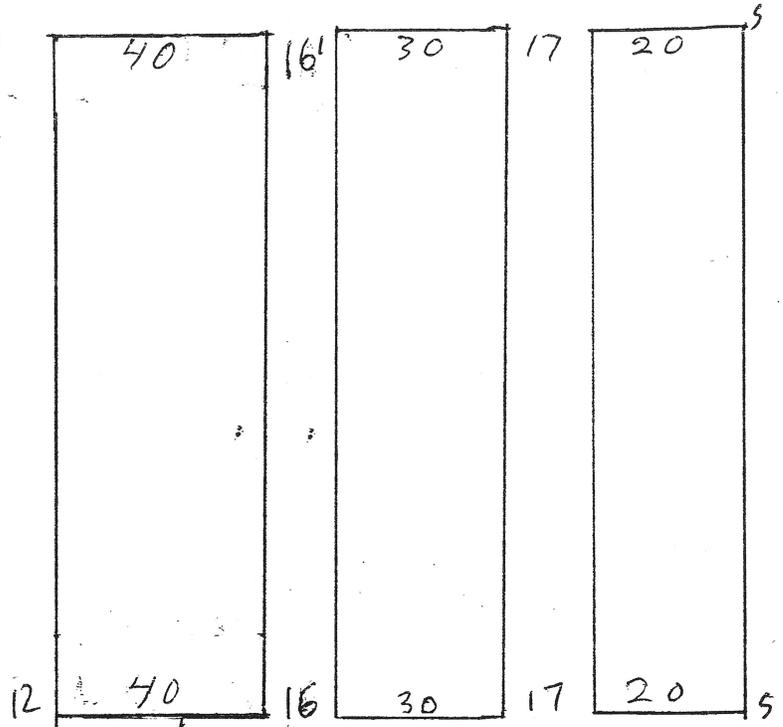
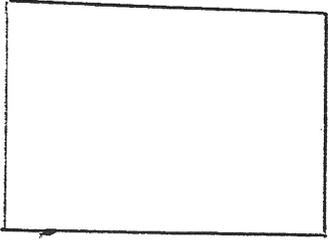
Carmen Johnson
Carmen Johnson

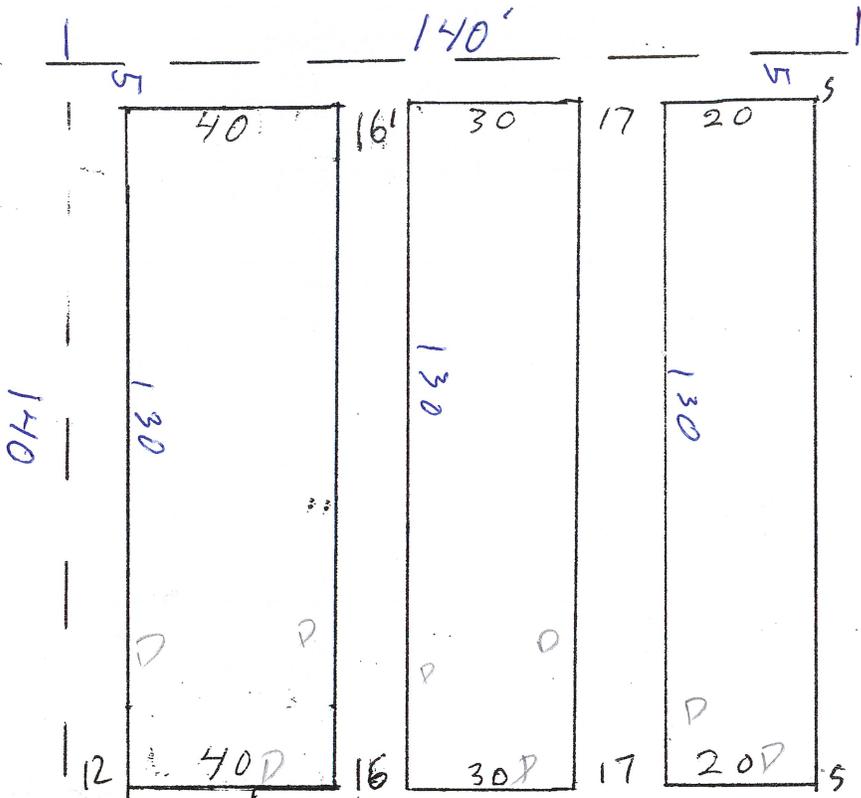
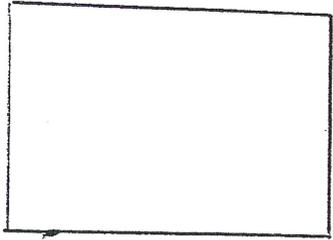
Witness the 3rd day of Dec.

Melody Hohn

The undersigned officer, personally appeared: Leslie P. Johnson
and Carmen Johnson, who are the parties of the above and acknowledged to me that they executed the same for the

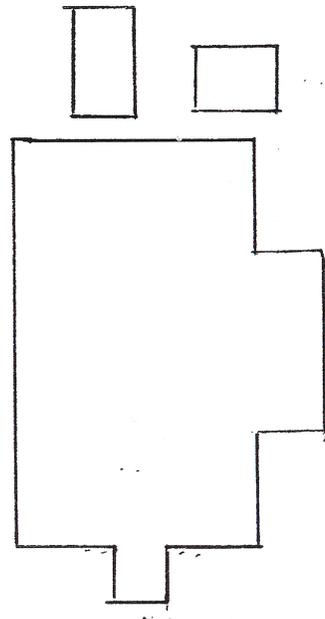
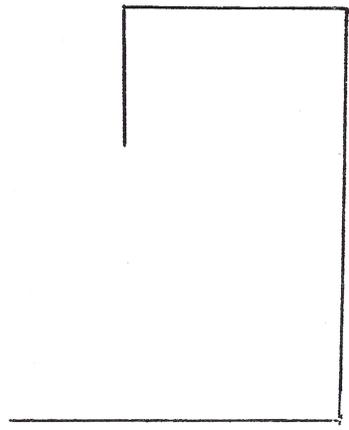
N





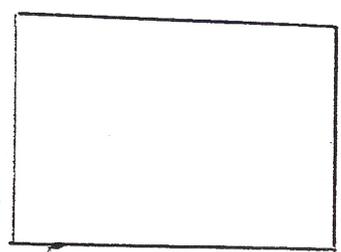
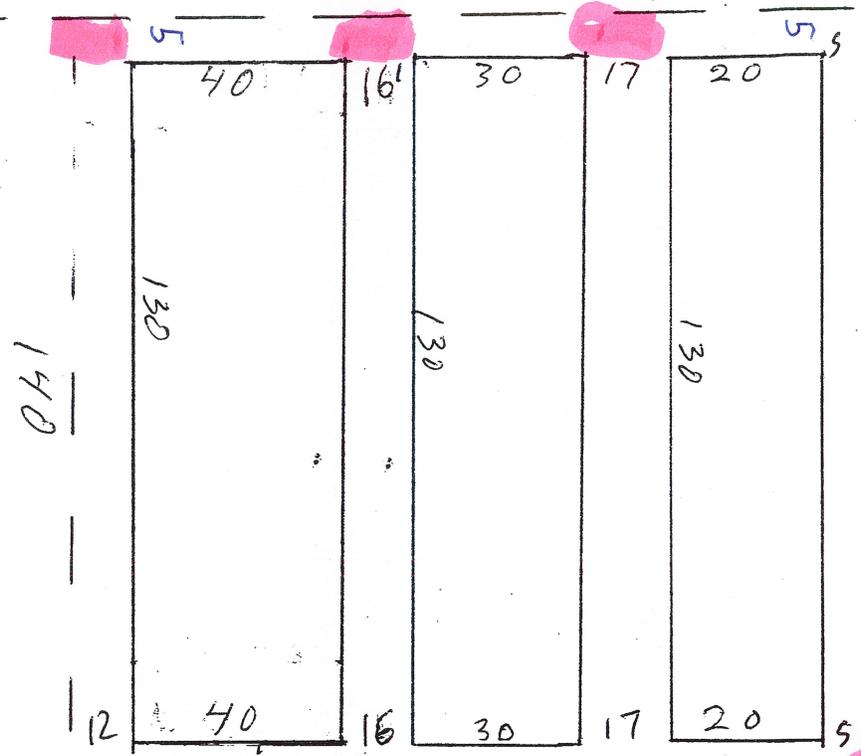
Access Egress Easement

Access / Egress Easement

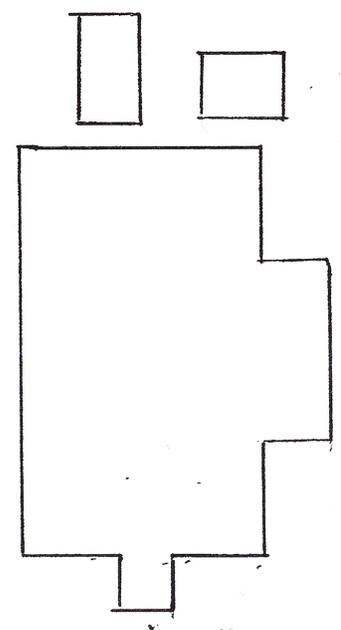
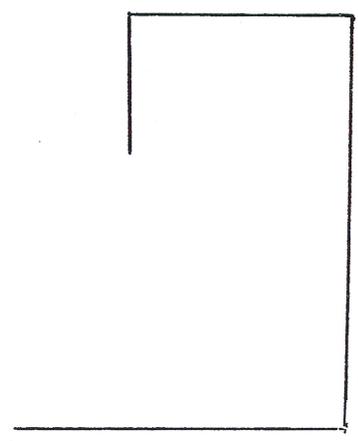


↑ N ↑

140

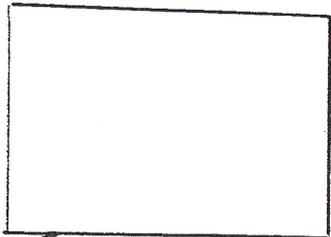


SNOW

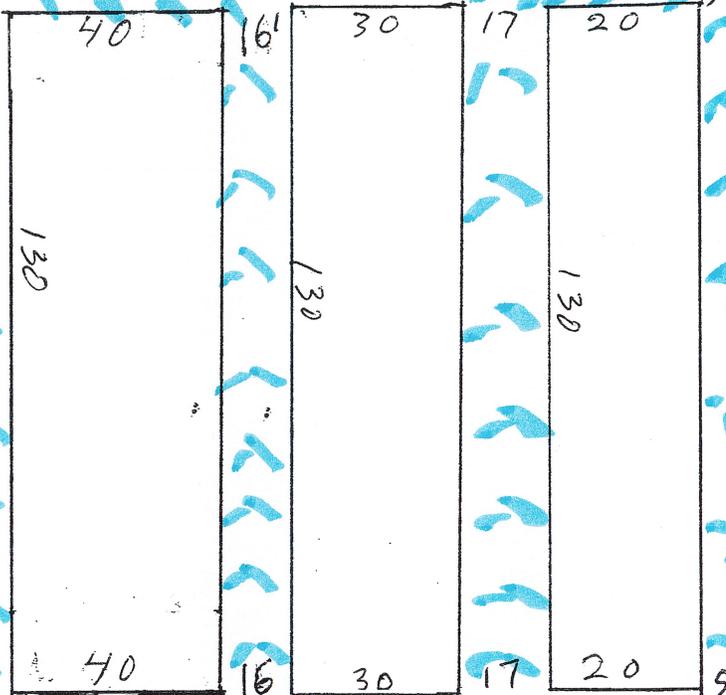


140

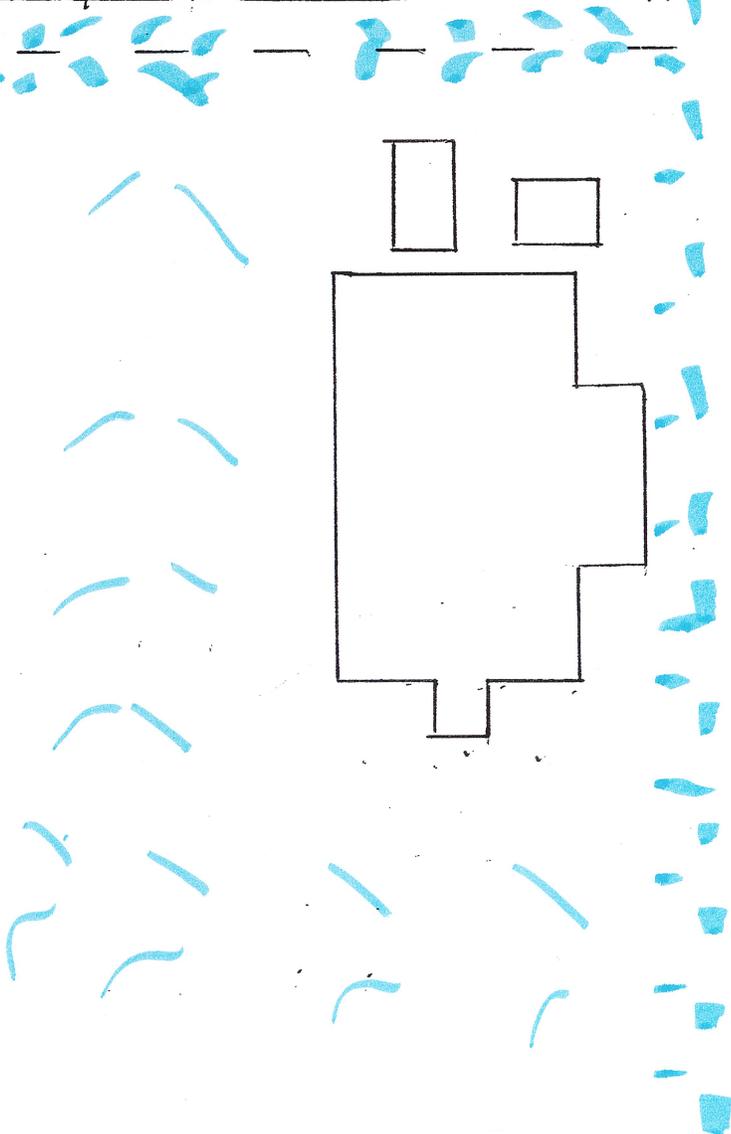
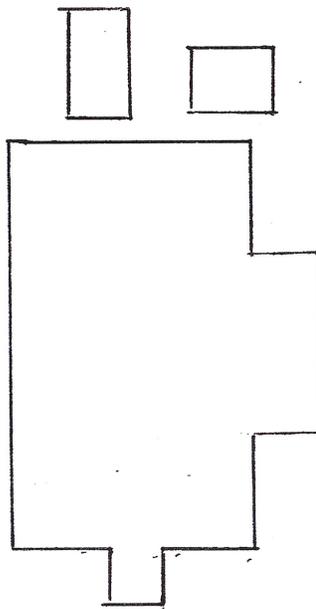
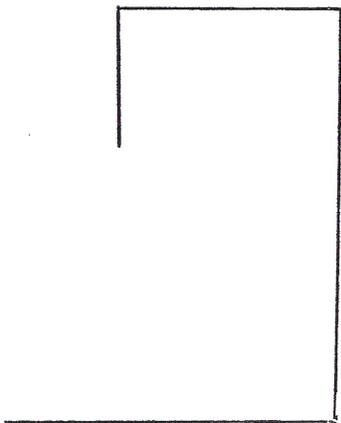
1



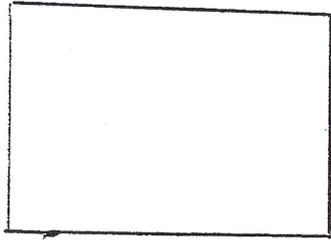
140



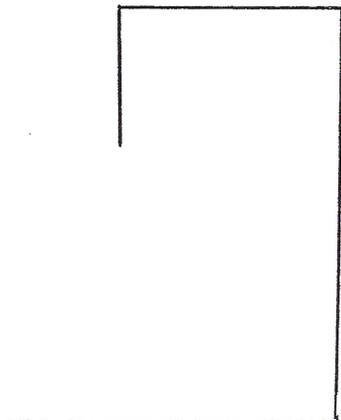
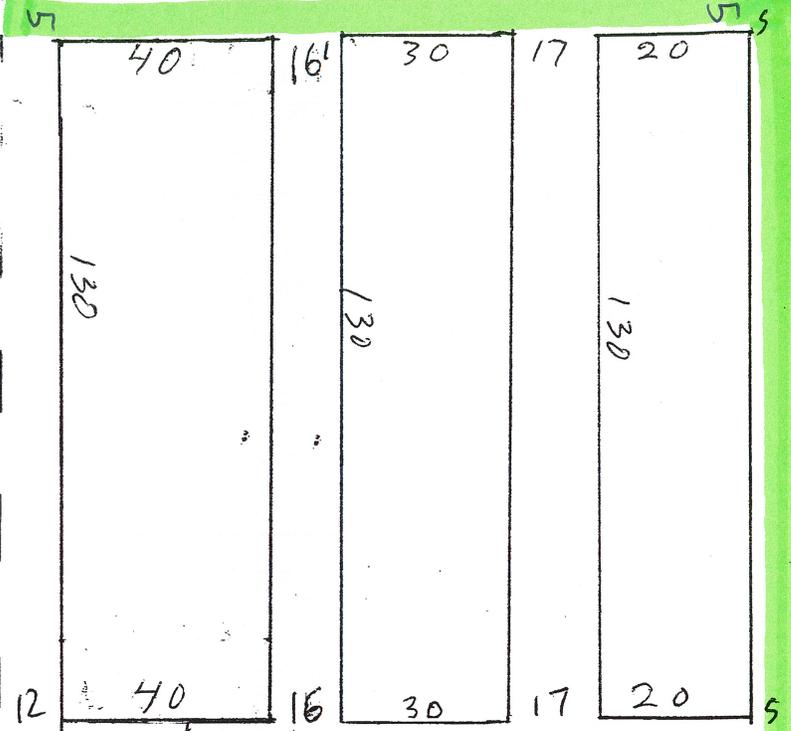
NATURAL WATER FLOW



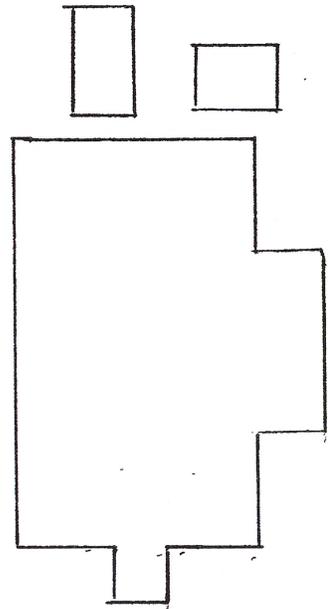
140



140



Grass / Drainage



WEST HAVENS STORAGE LLC

WIEBELHAUS PROPERTIES LLC
1817 QUIETT LN
MITCHELL SD 57301

MEYERS OIL CO INC
1500 W 5TH AVE
MITCHELL SD 57301

ASHIRWAD LLC
1518 W HAVENS AVE
MITCHELL SD 57301

L & J PROPERTIES LLC
1525 W ELM AVE
MITCHELL SD 57301

ANTHONY MOTEL INC
C/O MICHAEL HARROUN
1210 W HAVENS AVE
MITCHELL SD 57301

GRACE LLC
1525 W HAVENS
MITCHELL SD 57301

LOS SOMBREROS RENTALS LLC
407 N MAIN ST
MITCHELL SD 57301

APPLICATION FOR A CONDITIONAL USE PERMIT/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), WEST HAVENS STORAGE hereby is submitting an application for a CONDITIONAL USE/VARIANCE pursuant to the provisions of the City of Mitchell Zoning Code as amended.

This Application is for the following described real property:

A Plat of Irregular Tract 4B-1, A Subdivision of Previously Platted Irregular Tract 4B in the SW ¼ of Section 21, T 103 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, South Dakota. (1522 W. Havens Ave)

Applicant(s) and owner(s), WEST HAVENS STORAGE of the above described real estate is a conditional use permit to construct self-service storage facility buildings. The said real property is within the HB Highway Oriented Business District.

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 28 of September, 2016.

West Havens Storage LLC
APPLICANT



OWNER

NOTICE OF HEARING

To: City Planning Commission, City of Mitchell Board of Adjustment and the General Public,

You are hereby notified, that West Havens Storage has applied for a conditional use permit for construction of self-service storage facility buildings at 1522 W. Havens Ave, legally described as The East 140 feet of Irregular Tract 4A Located in the SW ¼ Section 21, T 103 N, R 60 W of the 5th P.M., Less PE-1, Platted Various, City of Mitchell, Davison County, South Dakota. The property is zoned HB Highway Oriented Business District.

You are further notified, the City Planning Commission will be conducting a hearing on this application on October 24, 2016 at 12:00 pm and the Board of Adjustment will be holding a hearing on November 7, 2016 at 6:30 pm, all meetings will be in the Council Chambers, City Hall, 612 N. Main St, Mitchell, SD. All interested parties may attend the hearings.

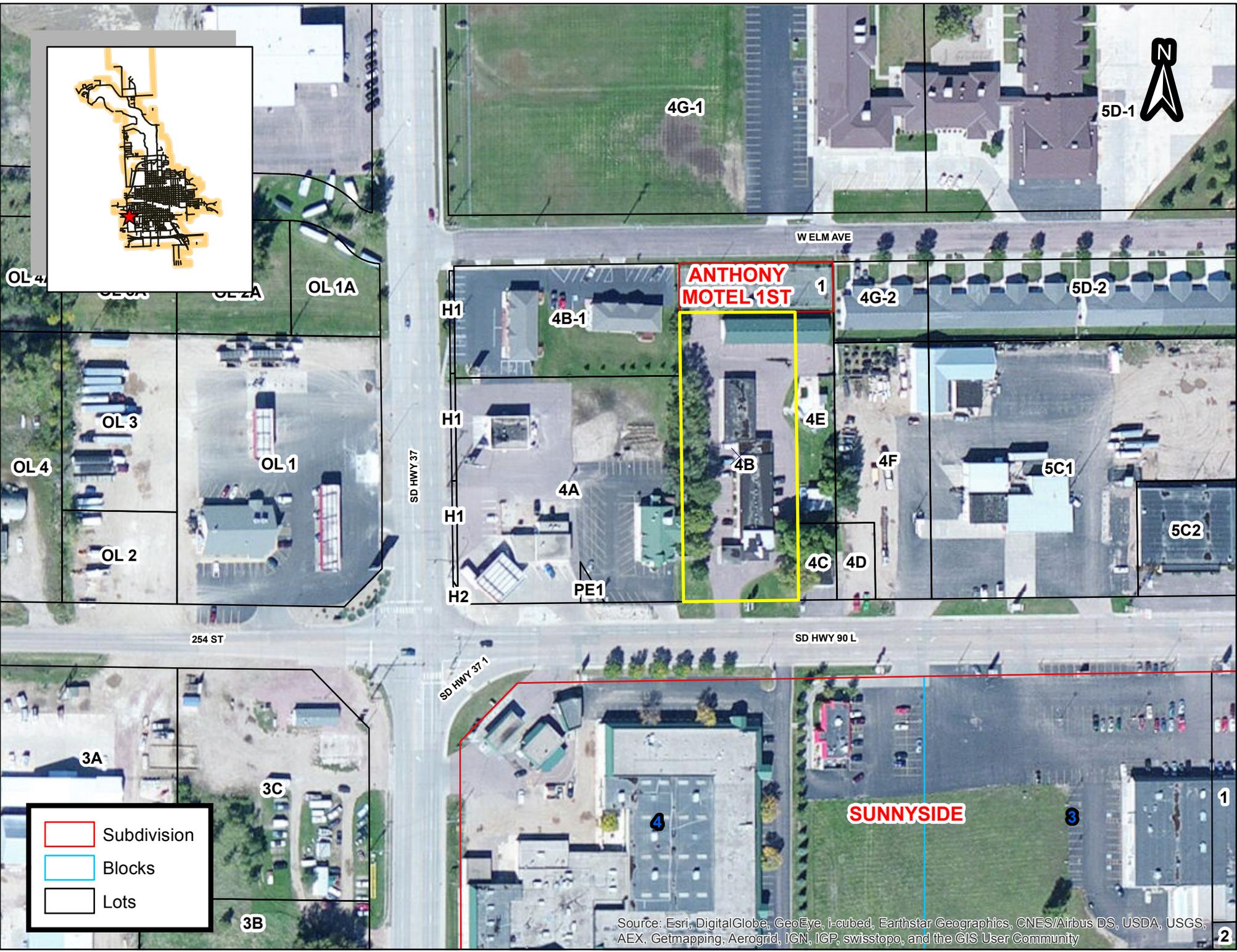
Dated at Mitchell, South Dakota, this the 5th day of October, 2016.

Michelle Bathke

Finance Officer

Publish Twice: October 13 & October 25, 2016.

Approximate Costs:



**ANTHONY
MOTEL 1ST**

SUNNYSIDE

- Subdivision
- Blocks
- Lots

Source: Esri, DigitalGlobe, GeoEye, i-cubed, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

NOTICE OF HEARING

To: The City Planning Commission, City Council of Mitchell, South Dakota and the General Public:

Ordinance No.

AN ORDINANCE OF THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, THAT CHANGES THE ZONING DISTRICT CLASSIFICATION OF THE REAL PROPERTY AS; THE SOUTH 58.20 FEET OF THE EAST 300 FEET OF TRACT A-1; THE REMAINDER OF TRACT A-2 OF WESTWOOD FIRST ADDITION; AND VACATED WEST 19TH AVENUE ABUTTING AND LYING WEST OF PHEASANT STREET AND ABUTTING AND LYING EAST OF NORTH OHLMAN STREET (RECORDED IN PLAT BOOK 29 ON PAGE 17) ALL IN THE NW $\frac{1}{4}$ OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA: THE SOUTH 220 FEET OF THE NORTH 1,285 FEET OF THE WEST 490 FEET OF BLOCK 4 OF WESTWOOD FIRST ADDITION (RECORDED IN PLAT BOOK 21 ON PAGE 9) A SUBDIVISION OF THE NW $\frac{1}{4}$ OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, LYING SOUTH OF VACATED WEST 19TH AVENUE AND SOUTH OF PHEASANT STREET: THE SOUTH 490 FEET OF THE NORTH 1,285 FEET OF THE EAST 465 FEET OF THE WEST 950 FEET OF BLOCK 4 OF WESTWOOD FIRST ADDITION (RECORDED IN PLAT BOOK 21 ON PAGE 9) A SUBDIVISION OF THE NW $\frac{1}{4}$ OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, LYING WEST OF PHEASANT STREET AND SOUTH OF WEST 21ST AVENUE: THE SOUTH 645 FEET OF THE NORTH 1,285 FEET OF THE EAST 235 FEET OF THE WEST 1,178 FEET OF BLOCK 4 (RECORDED IN PLAT BOOK 21 ON PAGE 9) A SUBDIVISION OF THE NW $\frac{1}{4}$ OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA FROM TRANSPORTATION, WAREHOUSING, AND COMMERCIAL DISTRICT (TWC) TO HIGH DENSITY RESIDENTIAL DISTRICT (R4) AND THE OFFICIAL ZONING MAP BE CHANGED ACCORDINGLY

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

Section 1: The Zoning District Classification of the real property described as; THE SOUTH 58.20 FEET OF THE EAST 300 FEET OF TRACT A-1; THE REMAINDER OF TRACT A-2 OF WESTWOOD FIRST ADDITION; AND VACATED WEST 19TH AVENUE ABUTTING AND LYING WEST OF PHEASANT STREET AND ABUTTING AND LYING EAST OF NORTH OHLMAN STREET (RECORDED IN PLAT BOOK 29 ON PAGE 17) ALL IN THE NW $\frac{1}{4}$ OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA: THE SOUTH 220 FEET OF THE NORTH 1,285 FEET OF THE WEST 490 FEET OF BLOCK 4 OF WESTWOOD FIRST ADDITION (RECORDED IN PLAT BOOK 21 ON PAGE 9) A SUBDIVISION OF THE NW $\frac{1}{4}$ OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, LYING SOUTH OF VACATED WEST 19TH AVENUE AND SOUTH OF PHEASANT STREET: THE SOUTH 490 FEET OF THE NORTH 1,285 FEET OF THE EAST 465 FEET OF THE WEST 950 FEET OF BLOCK 4 OF WESTWOOD FIRST ADDITION (RECORDED IN PLAT BOOK 21 ON PAGE 9) A SUBDIVISION OF THE NW $\frac{1}{4}$ OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, LYING WEST OF PHEASANT STREET AND SOUTH OF WEST 21ST AVENUE: THE SOUTH 645 FEET OF THE NORTH 1,285 FEET OF THE EAST 235 FEET OF THE WEST 1,178 FEET OF BLOCK 4 (RECORDED IN PLAT BOOK 21 ON PAGE 9) A SUBDIVISION OF THE NW $\frac{1}{4}$ OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA to be changed from Transportation, Warehousing, and Commercial District (TWC) to High Density Residential District (R4).

Section 2. The official zoning map is to be changed to reflect the changing in the zoning district classification of the real property legally described in this ordinance.

Section 3. 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 _____ day of _____, 2016.

Mayor

ATTEST:

FINANCE OFFICER

FIRST READING
SECOND READING
ADOPTION

YOU ARE FURTHER NOTIFIED, that public hearings will be held by the City Planning Commission on October 24, 2016 at 12:00 pm and the City Council will hold first reading on November 7, 2016 of the rezoning and second reading and adoption on November 21, 2016 at 6:30 pm. All meetings will be at the Council Chambers, City Hall, 612 N. Main St, Mitchell, SD. All interested parties may attend the public hearings and provide comments in regards to the applicant's request.

Dated this the 11th day of October, 2016, Mitchell, SD.

Michelle Bathke
Finance Officer

Publish three times: October 14, 20, and 27, 2016
At an approximate cost of:

APPLICATION FOR REZONING

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

The undersigned applicant(s) and owner(s), CJM Consulting Inc., hereby make(s) application for rezoning pursuant to the provisions of the City of Mitchell Zoning Code.

This Application is for the following described real property: AN ORDINANCE OF THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, THAT CHANGES THE ZONING DISTRICT CLASSIFICATION OF THE REAL PROPERTY AS; THE SOUTH 58.20 FEET OF THE EAST 300 FEET OF TRACT A-1; THE REMAINDER OF TRACT A-2 OF WESTWOOD FIRST ADDITION; AND VACATED WEST 19TH AVENUE ABUTTING AND LYING WEST OF PHEASANT STREET AND ABUTTING AND LYING EAST OF NORTH OHLMAN STREET (RECORDED IN PLAT BOOK 29 ON PAGE 17) ALL IN THE NW ¼ OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA: THE SOUTH 220 FEET OF THE NORTH 1,285 FEET OF THE WEST 490 FEET OF BLOCK 4 OF WESTWOOD FIRST ADDITION (RECORDED IN PLAT BOOK 21 ON PAGE 9) A SUBDIVISION OF THE NW ¼ OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, LYING SOUTH OF VACATED WEST 19TH AVENUE AND SOUTH OF PHEASANT STREET: THE SOUTH 490 FEET OF THE NORTH 1,285 FEET OF THE EAST 465 FEET OF THE WEST 950 FEET OF BLOCK 4 OF WESTWOOD FIRST ADDITION (RECORDED IN PLAT BOOK 21 ON PAGE 9) A SUBDIVISION OF THE NW ¼ OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA, LYING WEST OF PHEASANT STREET AND SOUTH OF WEST 21ST AVENUE: THE SOUTH 645 FEET OF THE NORTH 1,285 FEET OF THE EAST 235 FEET OF THE WEST 1,178 FEET OF BLOCK 4 (RECORDED IN PLAT BOOK 21 ON PAGE 9) A SUBDIVISION OF THE NW ¼ OF SECTION 16, T 103 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA FROM TRANSPORTATION, WAREHOUSING, AND COMMERCIAL DISTRICT (TWC) TO HIGH DENSITY RESIDENTIAL DISTRICT (R4) AND THE OFFICIAL ZONING MAP BE CHANGED ACCORDINGLY

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

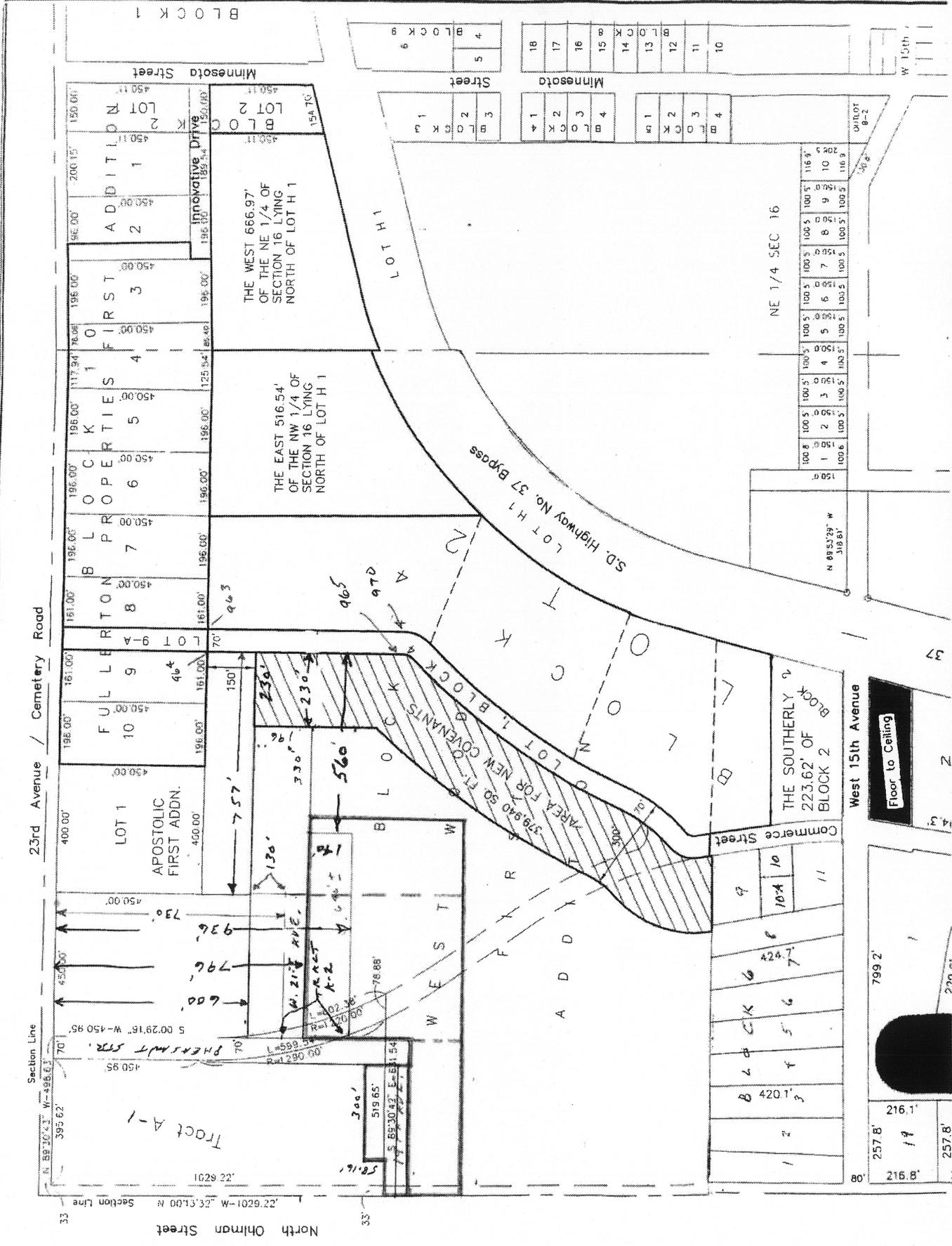
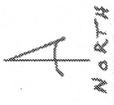
Applicant(s) request that dates be set for public hearings before the Mitchell Planning Commission and City Council. Furthermore, the applicant(s) request the City of Mitchell to publish the appropriate notice(s) in accordance with the City of Mitchell's Ordinances.

Dated this 12 of October, 2016.

X [Signature]
APPLICANT

[Signature]
OWNER

06/27/14 - 832



Section Line

R 89°30'43" W-495.63'

395.62'

70'

450.95'

5 00°29'16" W-450.95'

70'

450.00'

750'

450.00'

730'

936'

796'

600'

70'

1029.22'

300'

519.65'

78.88'

S 89°30'43" E-514.54'

Section Line

L 27°02'01" W-251.00 N

33

Section Line

33

257.8'

216.1'

19

257.8'

799.2'

200.0'

104

10

11

420.1'

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

51

52

53

54

55

56

57

58

59

60

61

62

63

64

65

66

67

68

69

70

71

72

73

74

75

76

77

78

79

80

81

82

83

84

85

86

87

88

89

90

91

92

93

94

95

96

97

98

99

100

101

102

103

104

105

106

107

108

109

110

111

112

113

114

115

116

117

118

119

120

121

122

123

124

125

126

127

128

129

130

131

132

133

134

135

136

137

138

139

140

141

142

143

144

145

146

147

148

149

150

151

152

153

154

155

156

157

158

159

160

161

162

163

164

165

166

167

168

169

170

171

172

173

174

175

176

177

178

179

180

181

182

183

184

185

186

187

188

189

190

191

192

193

194

195

196

197

198

199

200

201

202

203

204

205

206

207

208

209

210

211

212

213

214

215

216

217

218

219

220

221

222

223

224

225

226

227

228

229

230

231

232

233

234

235

236

237

238

239

240

241

242

243

244

245

246

247

248

249

250

251

252

253

254

255

256

257

</

PHEASANT RIDGE VILLAGE APT LLC
1305 E BENSON RD
SIOUX FALLS SD 57104-0860

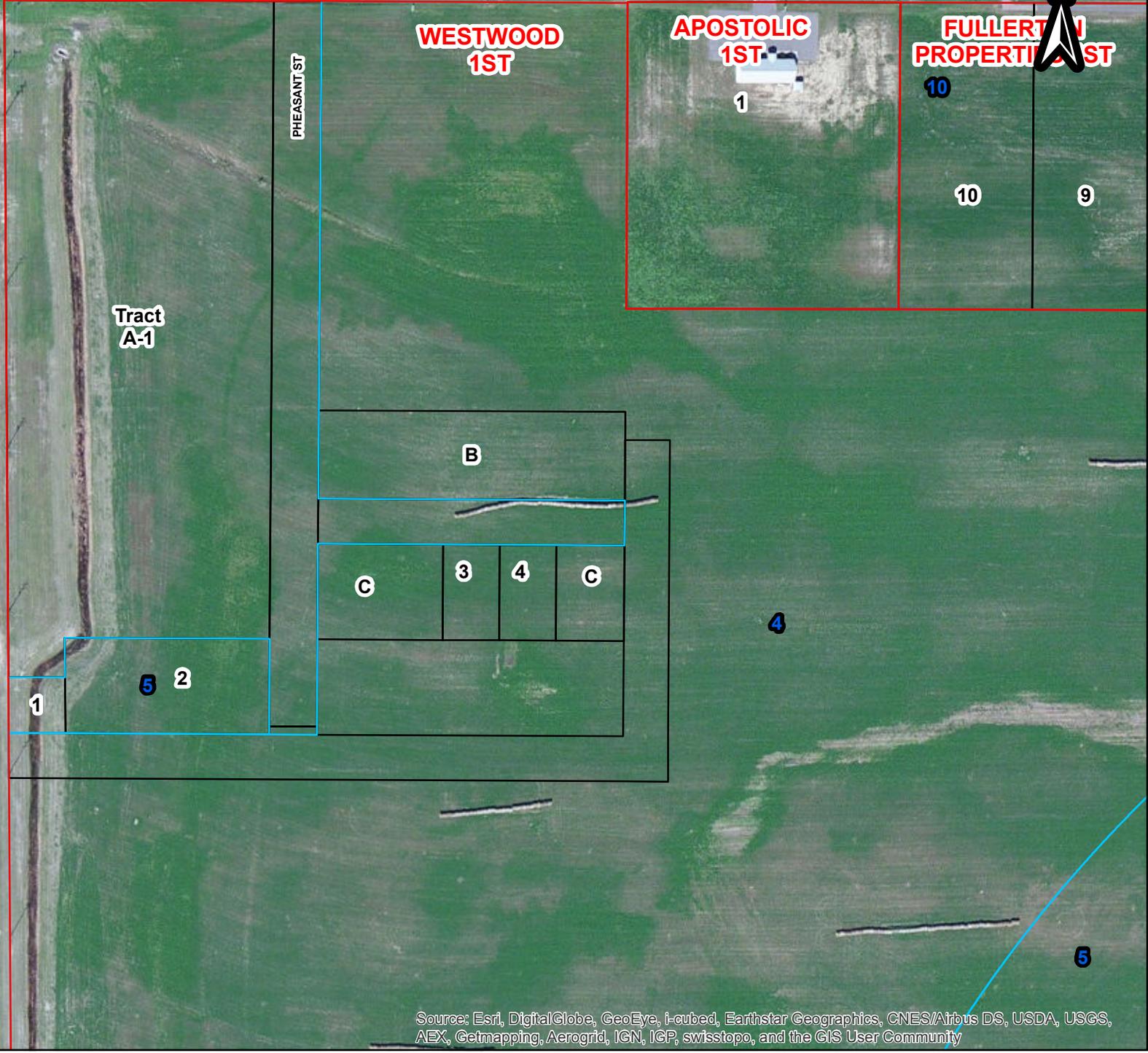
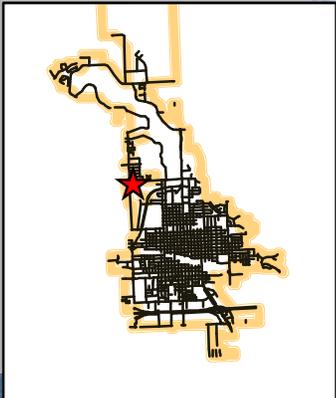
QUAILVIEW SR LIVING MIT LLC
PO BOX 32
MITCHELL SD 57301

CJM WESTWOOD REZONING

LOMAR DEVELOPMENT CO
C/O VENTURE MORTGAGE
7801 E BUSH LAKE RD #350
EDINA MN 55439-3113

FIRST UNITED PENTECOSTAL
CHURCH OF MITCHELL
PO BOX 1121
MITCHELL SD 57301

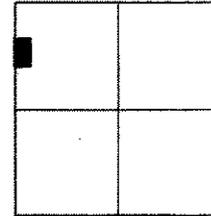
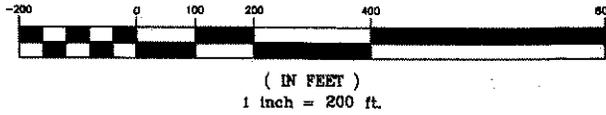
1 1 EL RANCHO 3 1 2 2 1 3 2 LAKEVIEW 1ST KIPPES 2ND
W 23RD AVE



Subdivision
 Blocks
 Lots



GRAPHIC SCALE



LOCATION MAP
SCALE: 1" = 300'

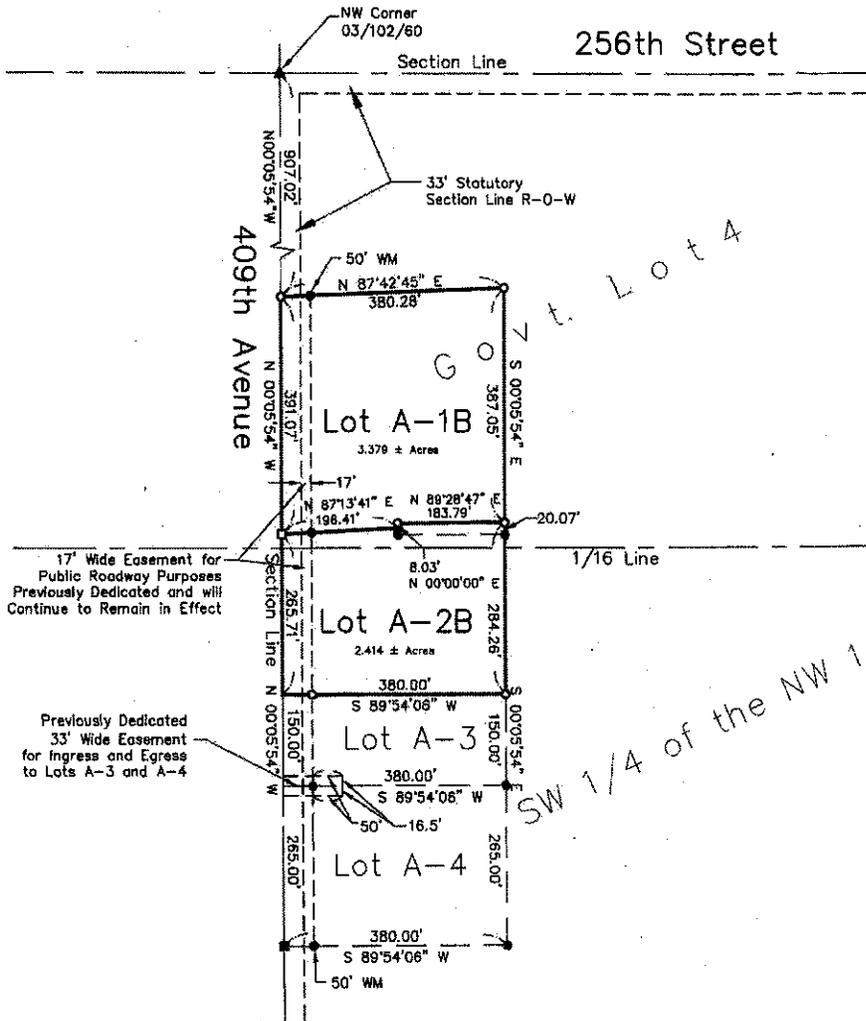
LEGEND

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

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

BEARINGS ARE BASED ON AN ASSUMED COORDINATE SYSTEM USING GRS GRID BEARINGS/GROUND DISTANCES

50' WITNESS MONUMENTS ARE SET NEXT TO THE EXISTING FENCE AND POWER LINE.



A PLAT OF LOTS A-1B AND A-2B OF J. L. OBEREMBT'S FIRST ADDITION, A SUBDIVISION OF GOVERNMENT LOT 4 AND THE SW 1/4 OF THE NW 1/4 OF SECTION 3, T 102 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA.

THIS PLAT VACATES PREVIOUSLY PLATTED LOTS A-1 AND A-2 OF J. L. OBEREMBT'S FIRST ADDITION, A SUBDIVISION OF GOVERNMENT LOT 4, THE SW 1/4 OF THE NW 1/4 AND PREVIOUSLY PLATTED LOT A, ALL IN THE NW 1/4 OF SECTION 3, T 102 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, AS RECORDED IN BOOK 21 OF PLATS ON PAGE 52.

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 James Oberembt, Adeline Oberembt, Darrell Gates and JoEllen Gates, as owners, and under their direction for purposes indicated therein, I did on or prior to October 7, 2016, survey those parcels of land described as follows: LOTS A-1B AND A-2B OF J. L. OBEREMBT'S FIRST ADDITION, A SUBDIVISION OF GOVERNMENT LOT 4 AND THE SW 1/4 OF THE NW 1/4 OF SECTION 3, T 102 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA. This plat does hereby vacate previously platted LOTS A-1 AND A-2 OF J. L. OBEREMBT'S FIRST ADDITION, A SUBDIVISION OF GOVERNMENT LOT 4, THE SW 1/4 OF THE NW 1/4 AND PREVIOUSLY PLATTED LOT A, ALL IN THE NW 1/4 OF SECTION 3, T 102 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, AS RECORDED IN BOOK 21 OF PLATS ON PAGE 52.

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 17TH day of October, 2016.

Registered Land Surveyor #SD6702



& Associates

Engineers, Planners and Surveyors

2100 North Sanborn Blvd. - P.O. Box 398 Mitchell, South Dakota 57301
Phone: (605) 996-7761 Fax: (605) 996-8016

A PLAT OF LOTS A-1B AND A-2B OF J. L. OBEREMBT'S FIRST ADDITION, A SUBDIVISION OF GOVERNMENT LOT 4 AND THE SW 1/4 OF THE NW 1/4 OF SECTION 3, T 102 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA.

THIS PLAT VACATES PREVIOUSLY PLATTED LOTS A-1 AND A-2 OF J. L. OBEREMBT'S FIRST ADDITION, A SUBDIVISION OF GOVERNMENT LOT 4, THE SW 1/4 OF THE NW 1/4 AND PREVIOUSLY PLATTED LOT A, ALL IN THE NW 1/4 OF SECTION 3, T 102 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, AS RECORDED IN BOOK 21 OF PLATS ON PAGE 52.

RESOLUTION OF CITY PLANNING COMMISSION

WHEREAS, the plat of LOTS A-1B AND A-2B OF J. L. OBEREMBT'S FIRST ADDITION, A SUBDIVISION OF GOVERNMENT LOT 4 AND THE SW 1/4 OF THE NW 1/4 OF SECTION 3, T 102 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul J. Reiland, duly licensed Land Surveyor in and for the State of South Dakota, heretofore filed in the office of the City Finance Officer of Mitchell, South Dakota, has been submitted to the City Planning Commission of the said City of Mitchell, South Dakota; and

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

NOW THEREFORE, be it resolved by the City Planning Commission of Mitchell, South Dakota, that the plat of LOTS A-1B AND A-2B OF J. L. OBEREMBT'S FIRST ADDITION, A SUBDIVISION OF GOVERNMENT LOT 4 AND THE SW 1/4 OF THE NW 1/4 OF SECTION 3, T 102 N, R 60 W OF THE 5TH P.M., 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: _____

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 _____, 2016; and

WHEREAS, it appears from an examination of the plat of LOTS A-1B AND A-2B OF J. L. OBEREMBT'S FIRST ADDITION, A SUBDIVISION OF GOVERNMENT LOT 4 AND THE SW 1/4 OF THE NW 1/4 OF SECTION 3, T 102 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, as prepared by Paul J. Reiland, a duly licensed Land Surveyor in and for the State of South Dakota, that said plat is in accordance with the system of streets and alleys set forth in the Master Plan adopted by the City Planning Commission of the City of Mitchell, South Dakota, and that such plat has been prepared according to law;

THEREFORE, be it resolved by the City Council of Mitchell, South Dakota, that the plat of LOTS A-1B AND A-2B OF J. L. OBEREMBT'S FIRST ADDITION, A SUBDIVISION OF GOVERNMENT LOT 4 AND THE SW 1/4 OF THE NW 1/4 OF SECTION 3, T 102 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul J. Reiland, be and the same is hereby approved and the description set forth therein and the accompanying surveyor's certificate shall prevail.

I, _____, Finance Officer of the City of Mitchell, South Dakota, hereby certify that the foregoing resolution was passed by the City of Mitchell, South Dakota, at a meeting held on the _____ day of _____, 2016.

FINANCE OFFICER --- BY: _____

RESOLUTION OF COUNTY PLANNING COMMISSION

WHEREAS, the plat of LOTS A-1B AND A-2B OF J. L. OBEREMBT'S FIRST ADDITION, A SUBDIVISION OF GOVERNMENT LOT 4 AND THE SW 1/4 OF THE NW 1/4 OF SECTION 3, T 102 N, R 60 W OF THE 5TH P.M., 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 County Auditor of Davison County, South Dakota, has been submitted to the County Planning Commission of the said County of Davison, South Dakota; and

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

NOW THEREFORE, be it resolved by the County Planning Commission of Davison County, South Dakota, that the plat of LOTS A-1B AND A-2B OF J. L. OBEREMBT'S FIRST ADDITION, A SUBDIVISION OF GOVERNMENT LOT 4 AND THE SW 1/4 OF THE NW 1/4 OF SECTION 3, T 102 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, prepared by Paul J. Reiland, 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.

I, _____, of the County Planning Commission for the County of Davison, South Dakota, do hereby certify 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 _____, 2016.

COUNTY PLANNING COMMISSION --- BY: _____

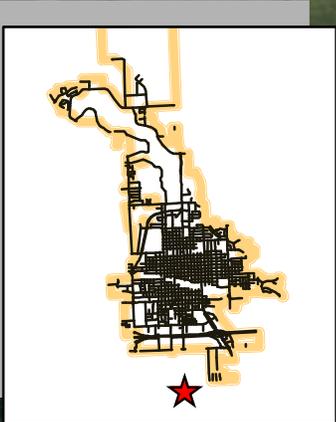


SPN

& Associates

Engineers, Planners and Surveyors

2100 North Sanborn Blvd. - P.O. Box 398 Mitchell, South Dakota 57501
Phone: (605) 996-7761 Fax: (605) 996-6015



256 ST

409 AVE

A-1B

J. L.

OBEREMBT'S

1ST A-2B

A-3

A-4

Legend:

- Subdivision
- Blocks
- Lots



GRAPHIC SCALE

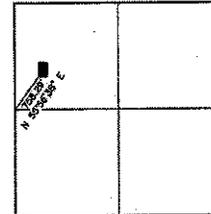


(IN FEET)
1 inch = 100 ft.

LEGEND

- = FOUND IRON MONUMENT
- = SET 5/8" X 18" REBAR WITH PLASTIC CAP NO. 8702
- 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 P.N. 8702
- WM = WITNESS MONUMENT

SEC. 32, T 104 N, R 60 W

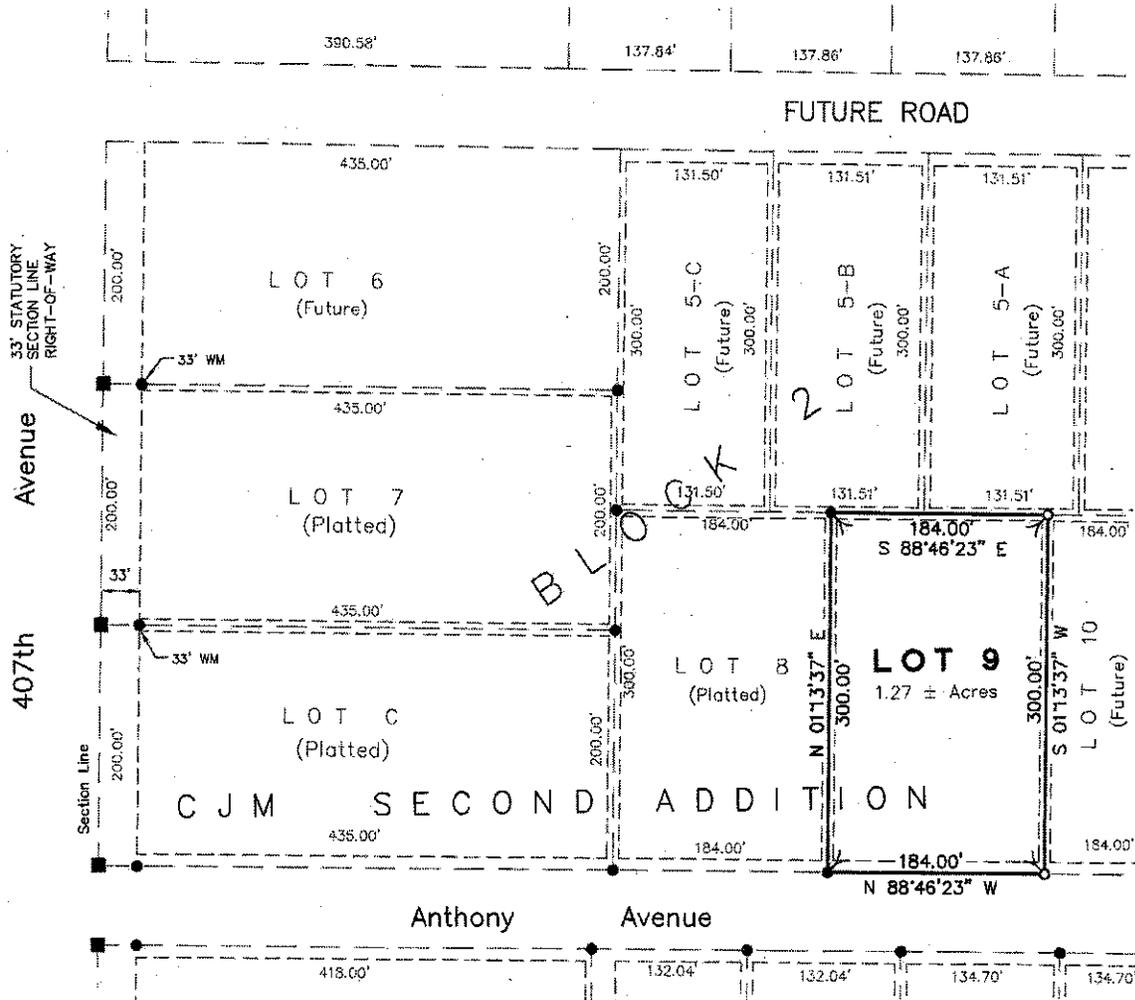


LOCATION MAP
SCALE: 1" = 3000'

PREPARED BY: PAUL J. REILAND, R.L.S.
2108 NORTH SANBORN BLVD. - P.O. BOX 398
MITCHELL, SOUTH DAKOTA 57301
PHONE: (605) 996-7761

BEARINGS ARE BASED ON AN ASSUMED COORDINATE SYSTEM

EASEMENTS WITHIN LOT 9, BLOCK 2 DEDICATED BY THIS PLAT:
5' DRAINAGE AND UTILITY EASEMENT ALONG THE NORTH, EAST AND WEST SIDES.
10' UTILITY EASEMENT ALONG THE SOUTH SIDE.



A PLAT OF LOT 9, BLOCK 2 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 October 8, 2016, survey those parcels of land described as follows: LOT 9, BLOCK 2 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 September, 2016.

Registered Land Surveyor #SD6702



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

A PLAT OF LOT 9, BLOCK 2 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 2 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 9, BLOCK 2 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 9, Block 2 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 9, BLOCK 2 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 9, BLOCK 2 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: _____



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

A PLAT OF LOT 9, BLOCK 2 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.

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 _____, 2016; and
WHEREAS, it appears from an examination of the plat of LOT 9, BLOCK 2 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 prepared by Paul J. Reiland, a duly licensed Land Surveyor in and for the State of South Dakota, that said plat is in accordance with the system of streets and alleys set forth in the Master Plan adopted by the City Planning Commission of the City of Mitchell, South Dakota, and that such plat has been prepared according to law;
THEREFORE, be it resolved by the City Council of Mitchell, South Dakota, that the plat of LOT 9, BLOCK 2 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, be and the same is hereby 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 foregoing resolution was passed by the City of Mitchell, South Dakota, at a meeting held on the _____ day of _____, 2016.

FINANCE OFFICER -- BY: _____

CERTIFICATE OF COUNTY TREASURER

I, _____, hereby certify that I am the duly elected, qualified, and acting Treasurer of Davison County, South Dakota, and I hereby certify that all taxes which would, if not paid, be liens upon any of the land included in the within and foregoing plat, as shown by the records of my office, have been fully paid.

Treasurer, Davison County Date

DIRECTOR OF EQUALIZATION

I, _____, Director of Equalization of Davison County, South Dakota, hereby certify that a copy of the plat of LOT 9, BLOCK 2 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, has been received by me and is filed in my office.

Director of Equalization, Davison County Date

REGISTER OF DEEDS

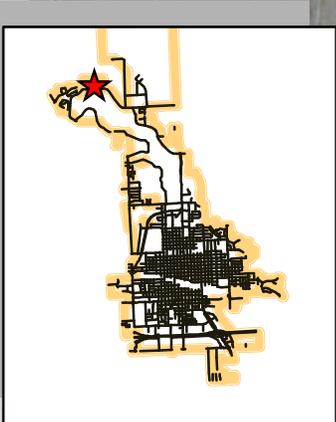
STATE OF SOUTH DAKOTA)
)SS
COUNTY OF DAVISON)

FILED for record this _____ day of _____, 2016, at _____, and recorded in Book _____ of Plats on Page _____ therein and recorded on Microfilm Number _____

By _____ Deputy
Register of Deeds, Davison County



& 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



3

2

8

5

4

7

CJM'S
2ND

6

407 AVE

8

9

2

10

11

12

C

8

ANTHONY AVE

B

1

9

7

6

5

4

3

2

1

LIVESAY LN

20-B

20-A

Subdivision
 Blocks
 Lots

7A

6A

5A

Source: Esri, DigitalGlobe, GeoEye, i-cubed, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community