Special City Council Agenda
City Council Chambers, City Hall, 612 N. Main Street
August 22, 2016
5:00 P.M.

1. **Call To Order**

2. **Pledge Of Allegiance**

3. **Roll Call**

4. **Hearing And Approval Of Moving Permit To 2507 Anthony Ave, Mitchell, SD**
   Matt Healy is requesting approval of moving a residence currently located at 24846 413th Ave, Mitchell, SD, Hanson County, to Lots 15 & 16, Block 9 and 9A of CJM 2nd Addition, a subdivision of a portion of Blocks 9 & 9A of CJM Second Addition in the NW 1/4 and a portion of Irregular Tract No. 3 in the SW 1/4 all in Section 32, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, SD (2507 Anthony Ave, Mitchell, SD)

   Documents:

   AGENDAREQUESTHEALY.PDF
   PLATLOT1516B99A.PDF
   GISMAPHEALY.PDF
   HEALYHOUSE.PDF
   NEIGHBORLISTINGHEALY.PDF

5. **Action On Resolution #3374 Tabled From The August 15th, 2016 City Council Meeting**
   CJM Consulting Inc. has petitioned to annex the following real property into the city limits.

   The North 740.06 feet of the South 1,446.00 feet of the NW ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota; specifically including previously platted portions of Livesay Lane and Jamaicas Avenue, in the NW ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota, as recorded in Plat Book 30 on Page 20; but specifically excepting the following parcels: Lot 7, Block 2 of CJM Second Addition in the NW ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota , as recorded in Plat Book 30 on Page 10; Lot 12, Block 2 of CJM Second 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 , as recorded in Plat Book 31 on Page 20; Lots 4 and 5, Block 8 of CJM Second Addition, in the NW ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota, as recorded in Plat Book 30 on Page 20; Lot 6, Block 8 of CJM Second 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, as recorded in Plat Book 21 on Page 42; Lot 7, Block 8 of CJM Second 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, as recorded in Plat Book 32 on Page 14; Lot 9, Block 8 of CJM Second 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, as recorded in Plat Book 31 on Page 37; Lot 12, Block 9 of CJM Second 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, as recorded in Plat Book 29 on Page 25; and Block 2 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, as recorded in Plat Book 18 on Page 59.

Documents:

AGENDA ITEM REQUEST- NEW LOGOCJMANNEX.PDF
RES3374.PDF
ANNEXPETITIONCJM.PDF
NOHANNEXCJM.PDF
EXHIBITCJMANNEX.PDF
ANNEX CJM 2ND (00000003).PDF

6. **Action On Resolution #3376**

Joseph Walter and Julie Walter Living Trust and Jordon Leighton have petitioned to annex the real property legally described as Lots 4 & 5, Block 8, CJM Second Addition, NW 1/4, Section 32, T 104 N, R 60 W, Davison County, South Dakota.

Documents:

AGENDAREQUESTWALTER.PDF
ANNEXPETITIONWALTER.PDF
ANNEXWALTERRES2016.PDF
WALTERMAPANNEX.PDF
L4-5 B8 CJM 2ND.PDF

7. **Motion To 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, Finance Officer, Public Works Director, or City Administrator.

CITY OF MITCHELL

City Council Meeting
Agenda Item Request

The deadline for agenda items is Wednesday at noon, prior to the City Council Meeting

Mitchell
SOUTH DAKOTA

Meeting Date Requested: 08/22/2016 Requested By: John Hegg

Desired Action of City Council
- ☐ Authorization
- ☑ Approval
- ☐ Resolution
- ☐ Ordinance
- ☐ Citizen Request
- ☐ Discussion

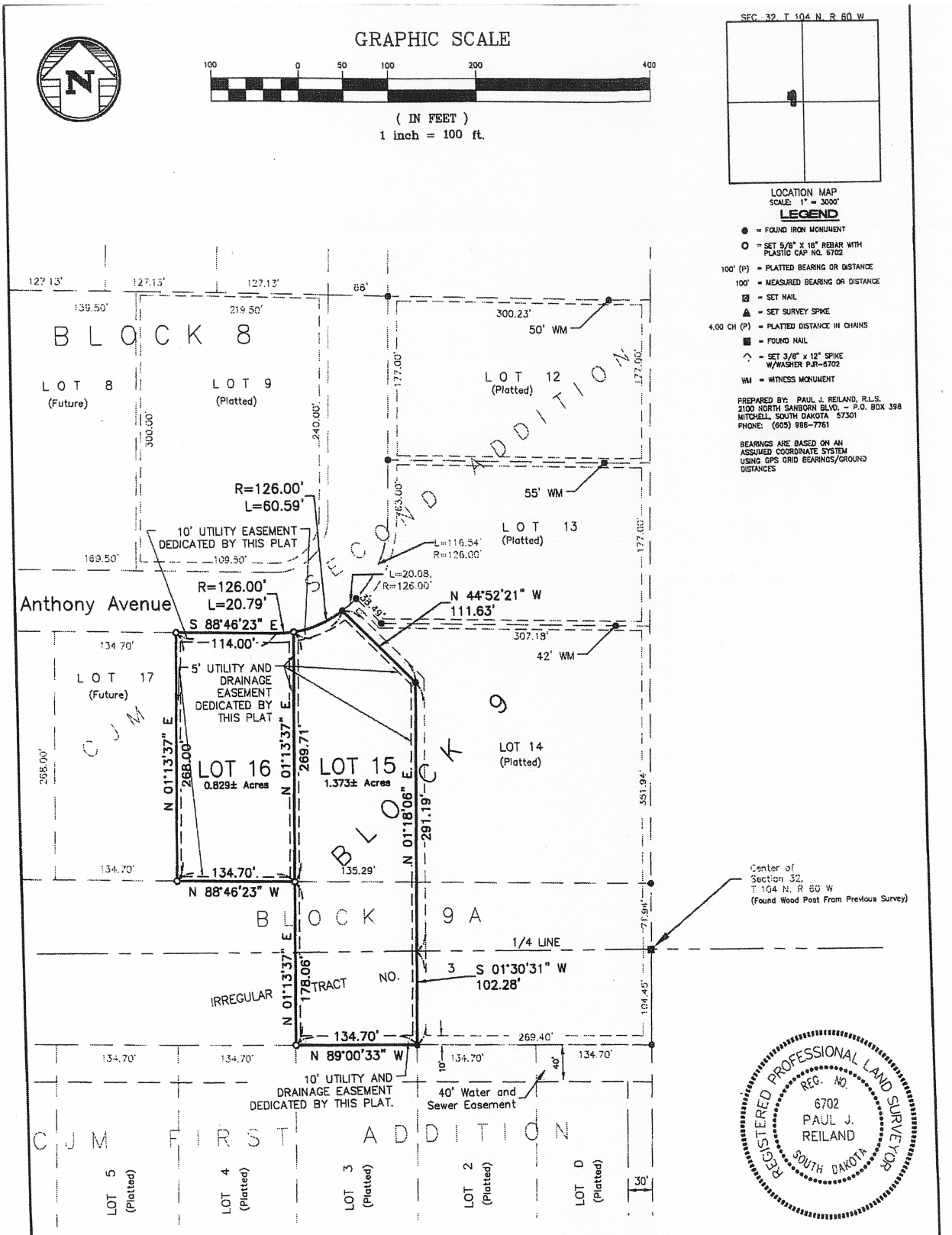
Amount budgeted in current fiscal year for this item (if applicable):

Agenda Item: Hearing on 8/22/2016 and Approval of a Moving Permit

Explanation/Background of Agenda Item Requested:

Matt Healy is requesting approval of moving a residence currently located 24846 413th Ave, Mitchell, SD (Hanson County) 6 miles north of Riverside Rd exit to Lots 15 & 16, Block 9 of CJM Second Addition, A Subdivision of A portion of Blocks 9 & 9A of CJM Second Addition in the NW 1/4 and A portion of Irregular Tract No. 3 in the SW 1/4, All in Section 32, T 104 N, R 60 W of the 5th P.M., City of Mitchell, Davison County, SD. (2507 Anthony Ave, Mitchell, SD)

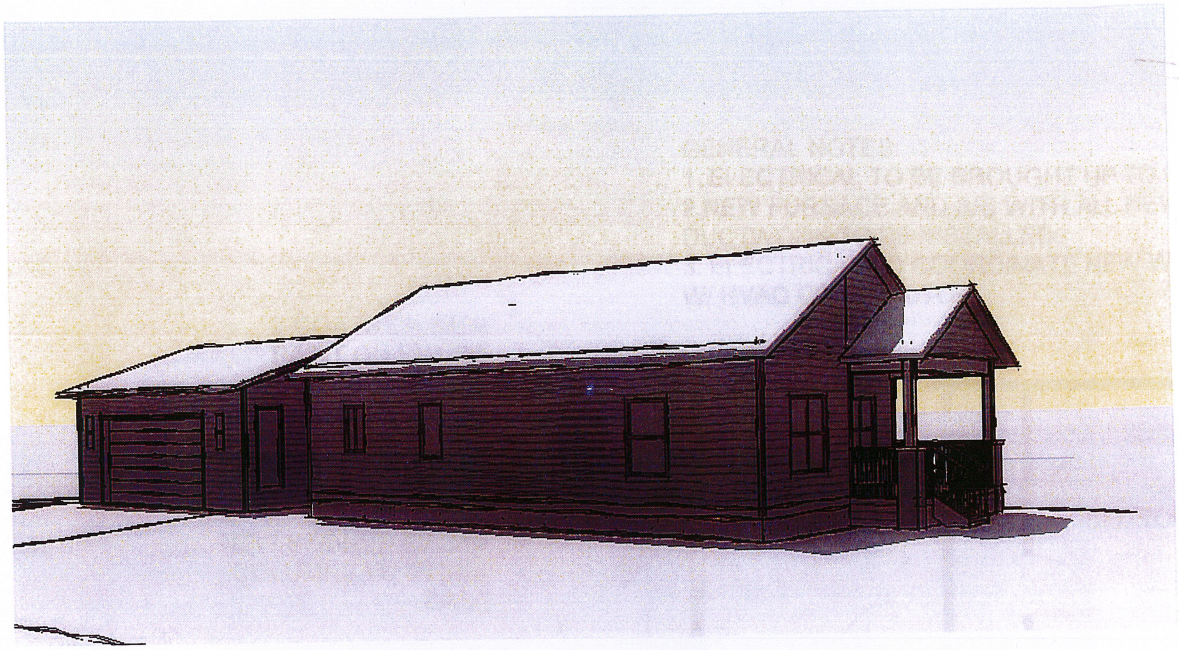
According to city ordinance the council must hold a hearing and approve the placement of residences that are not of new construction. The appropriate notice has been completed.



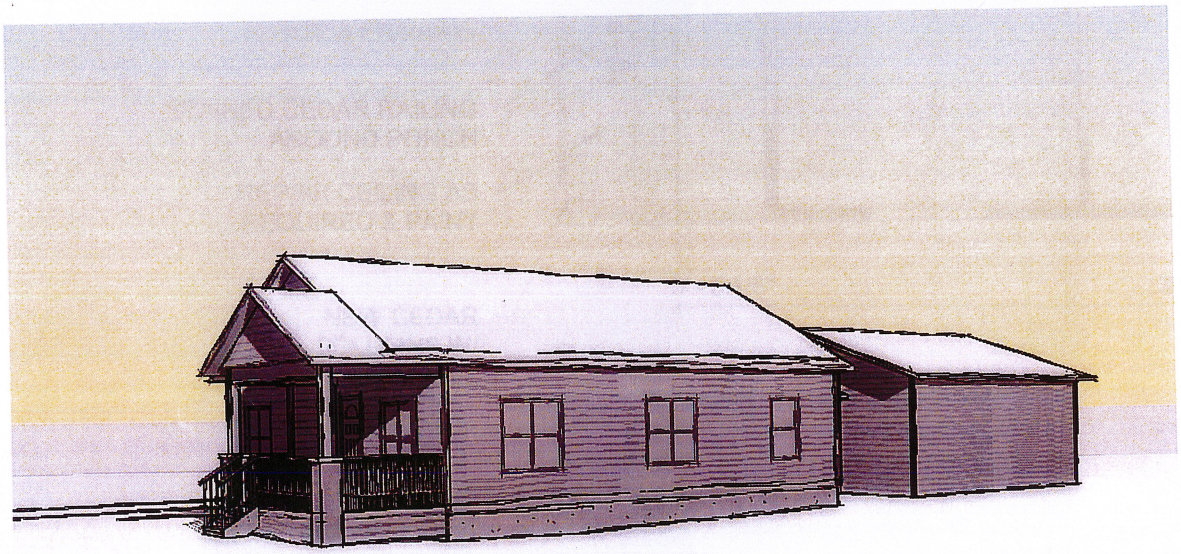
A PLAT OF LOT 15 AND 16, BLOCK 9 OF CJM SECOND ADDITION, A SUBDIVISION OF A PORTION OF BLOCKS 9 AND 9A OF CJM SECOND ADDITION IN THE NW 1/4, AND A PORTION OF IRREGULAR TRACT NO. 3 IN THE SW 1/4, ALL IN SECTION 32, T 104 N, R 60 W OF THE 5TH P.M., CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA.

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

N
CJM'S 2ND
CJM'S 1ST
20-B
9A
1A
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



Southeast View



Northwest View

300.00'

sidence

ell, SD

DUSTY & TOMI KUSSER
25089 407TH AVE
MITCHELL SD 57301

DUSTY & TOMI KUSSER
6020 JAMAICA ST
MITCHELL SD 57301

BRADLY BAUER
189 S HARMON DR
MITCHELL SD 57301

DAVID & ASHLEY BRUA
2921 N OHLMAN #12
MITCHELL SD 57301

DAVID & ASHLEY BRUA
2500 ANTHONY AVE
MITCHELL SD 57301

JEFFREY & MARY CRAIN
750 N HARMON DR
MITCHELL SD 57301

GLEN & JILL NYDAM
720 N HARMON DR
MITCHELL SD 57301

KIM & RANDALL KEE
760 N HARMON DR
MITCHELL SD 57301

PENNY ROYALS
1100 W 5TH AVE
MITCHELL SD 57301

WILLIAM & SUSAN COCHRANE
740 N HARMON DR
MITCHELL SD 57301

CITY OF MITCHELL

City Council Meeting
Agenda Item Request

The deadline for agenda items is Wednesday at noon, prior to the City Council Meeting

Mitchell
SOUTH DAKOTA

Meeting Date Requested: 08/22/2016

Requested By: Neil Putnam

Desired Action of City Council

- ☐ Authorization
- ☑ Approval
- ☑ Resolution
- ☐ Ordinance
- ☐ Citizen Request
- ☐ Discussion

Amount budgeted in current fiscal year for this item (if applicable):

Agenda Item: Resolution No. 3374 Annexation of Real Property into the City of Mitchell limits

Explanation/Background of Agenda Item Requested:

CJM Consulting Inc. has petitioned to annex the following real property into the city limits.

The North 740.06 feet of the South 1,446.00 feet of the NW ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota; specifically including previously platted portions of Livesay Lane and Jamaicas Avenue, in the NW ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota, as recorded in Plat Book 30 on Page 20; but specifically excepting the following parcels: Lot 7, Block 2 of CJM Second Addition in the NW ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota , as recorded in Plat Book 30 on Page 10; Lot 12, Block 2 of CJM Second 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 , as recorded in Plat Book 31 on Page 20; Lots 4 and 5, Block 8 of CJM Second Addition, in the NW ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota, as recorded in Plat Book 30 on Page 20; Lot 6, Block 8 of CJM Second 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, as recorded in Plat Book 21 on Page 42; Lot 7, Block 8 of CJM Second 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, as recorded in Plat Book 32 on Page 14; Lot 9, Block 8 of CJM Second 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, as recorded in Plat Book 31 on Page 37; Lot 12, Block 9 of CJM Second 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, as recorded in Plat Book 29 on Page 25; and Block 2 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, as recorded in Plat Book 18 on Page 59.

There are no residents, voters or improvements on the property. Exhibits are attached.

RESOLUTION NO. 3374

ANNEXATION OF REAL PROPERTY LEGALLY DESCRIBED AS:

The North 740.06 feet of the South 1,446.00 feet of the NW ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota; specifically including previously platted portions of Livesay Lane and Jamaicas Avenue, in the NW ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota, as recorded in Plat Book 30 on Page 20; but specifically excepting the following parcels: Lot 7, Block 2 of CJM Second Addition in the NW ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota , as recorded in Plat Book 30 on Page 10; Lot 12, Block 2 of CJM Second 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 , as recorded in Plat Book 31 on Page 20; Lots 4 and 5, Block 8 of CJM Second Addition, in the NW ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota, as recorded in Plat Book 30 on Page 20; Lot 6, Block 8 of CJM Second 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, as recorded in Plat Book 21 on Page 42; Lot 7, Block 8 of CJM Second 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, as recorded in Plat Book 32 on Page 14; Lot 9, Block 8 of CJM Second 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, as recorded in Plat Book 31 on Page 37; Lot 12, Block 9 of CJM Second 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, as recorded in Plat Book 29 on Page 25; and Block 2 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, as recorded in Plat Book 18 on Page 59.

Whereas: CJM Consulting Inc. is the sole owner and petitioner of the real property described above, and

Whereas: There are no registered voters residing on the real property and there are no persons residing on the real property to be annexed, and

Whereas: There are no improvements on the real property, and

Whereas: The real property is contiguous to the corporate limits of the City of Mitchell, Davison County, South Dakota, and

Whereas: A surveyor's affidavit is hereto attached as an exhibit (Exhibit A), and

Whereas: The public notice was published in the *Mitchell Daily Republic* on August 2, 2016 and the Davison County Auditor, Davison County Commissioners, and affected landowners were notified by certified mail of the council's public hearing, and

Now therefore be it resolved that in accordance with SDCL Chapter 9-4, the City Council of the City of Mitchell, Davison County, South Dakota hereby annexes the said described real property.

Passed and approved this the 22nd day of August, 2016.

_____

MAYOR

ATTEST:

_____

FINANCE OFFICER

(SEAL)

PETITION FOR ANNEXATION OF REAL PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

Charles Mauszycki Sr., President of CJM Consulting Inc., representing CJM Consulting Inc. the sole owner of the real property, hereby petitions the City Council of the City of Mitchell to annex the following real property that is legally described as:

The North 740.06 feet of the South 1,446.00 feet of the NW ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota; specifically including previously platted portions of Livesay Lane and Jamaicas Avenue, in the NW ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota, as recorded in Plat Book 30 on Page 20; but specifically excepting the following parcels: Lot 7, Block 2 of CJM Second Addition in the NW ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota , as recorded in Plat Book 30 on Page 10; Lot 12, Block 2 of CJM Second 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 , as recorded in Plat Book 31 on Page 20; Lots 4 and 5, Block 8 of CJM Second Addition, in the NW ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota, as recorded in Plat Book 30 on Page 20; Lot 6, Block 8 of CJM Second 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, as recorded in Plat Book 21 on Page 42; Lot 7, Block 8 of CJM Second 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, as recorded in Plat Book 32 on Page 14; Lot 9, Block 8 of CJM Second 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, as recorded in Plat Book 31 on Page 37; Lot 12, Block 9 of CJM Second 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, as recorded in Plat Book 29 on Page 25; and Block 2 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, as recorded in Plat Book 18 on Page 59.

CJM Consulting Inc., is the sole owner of the above described real property.

There are no improvements on the real property.

There are no persons and voters residing on the described real property.

The real property is contiguous to the corporate limits of the City of Mitchell, South Dakota.

Respectfully submitted,

7-22-16

Charles Mauszycki, Sr., President of CJM Consulting Inc. — Date

Petitioner and Owner

NOTICE OF HEARING

The City Council of the City of Mitchell, Davison County, South Dakota will be holding a public hearing in regards to the petition and resolution of intent on behalf of CJM Consulting Inc. to have annexed into the City of Mitchell the following real property legally described as:

The North 740.06 feet of the South 1,446.00 feet of the NW ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota; specifically including previously platted portions of Livesay Lane and Jamaicas Avenue, in the NW ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota, as recorded in Plat Book 30 on Page 20; but specifically excepting the following parcels: Lot 7, Block 2 of CJM Second Addition in the NW ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota , as recorded in Plat Book 30 on Page 10; Lot 12, Block 2 of CJM Second 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 , as recorded in Plat Book 31 on Page 20; Lots 4 and 5, Block 8 of CJM Second Addition, in the NW ¼ of Section 32, T 104 N, R 60 W of the 5th P.M., Davison County, South Dakota, as recorded in Plat Book 30 on Page 20; Lot 6, Block 8 of CJM Second 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, as recorded in Plat Book 21 on Page 42; Lot 7, Block 8 of CJM Second 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, as recorded in Plat Book 32 on Page 14; Lot 9, Block 8 of CJM Second 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, as recorded in Plat Book 31 on Page 37; Lot 12, Block 9 of CJM Second 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, as recorded in Plat Book 29 on Page 25; and Block 2 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, as recorded in Plat Book 18 on Page 59.

The City Council will hold the public hearing of the proposed resolution on Monday, August 15, 2016 at 6:30 pm, Council Chambers, City Hall, 612 N. Main St, Mitchell, South Dakota. All interested parties will have an opportunity to be heard at the hearing.

MICHELLE BATHKE

FINANCE OFFICER

Publish once: August 2, 2016

Approximate Costs:

PREPARED BY: PAUL J. REILAND, R.L.S.
2100 NORTH SANBORN BLVD. – P.O. BOX 388
MITCHELL, SOUTH DAKOTA 57301
PHONE: (605) 996-7761

LEGAL DESCRIPTION

THE NORTH 740.06 FEET OF THE SOUTH 1446.00 FEET OF THE NW 1/4 OF SECTION 32, T 104 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA; SPECIFICALLY INCLUDING PREVIOUSLY PLATTED PORTIONS OF LIVESAY LANE AND JAMAICAS AVENUE, IN THE NW 1/4 OF SECTION 32, T 104 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, AS RECORDED IN PLAT BOOK 30 ON PAGE 20; BUT SPECIFICALLY EXCEPTING THE FOLLOWING PARCELS: LOT 7, 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., DAVISON COUNTY, SOUTH DAKOTA, AS RECORDED IN PLAT BOOK 30 ON PAGE 10; LOT 12, 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 RECORDED IN PLAT BOOK 31 ON PAGE 20; LOTS 4 AND 5, BLOCK 8 OF CJM SECOND ADDITION IN THE NW 1/4 OF SECTION 32, T 104 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, AS RECORDED IN PLAT BOOK 30 ON PAGE 20; LOT 6, BLOCK 8 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 RECORDED IN PLAT BOOK 21 ON PAGE 42; LOT 7, BLOCK 8 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 RECORDED IN PLAT BOOK 32 ON PAGE 14; LOT 9, BLOCK 8 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 RECORDED IN PLAT BOOK 31 ON PAGE 37; LOT 12, 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 RECORDED IN PLAT BOOK 29 ON PAGE 25; AND BLOCK 2 AND BLOCK 9 OF CJM SECOND ADDITION, AND A PORTION OF ANTHONY AVENUE AND A PORTION OF LIVESAY LANE, A SUBDIVISION OF 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 RECORDED IN PLAT BOOK 18 ON PAGE 59.

SURVEYOR'S AFFIDAVIT

I, Paul J. Reiland, do hereby certify that I am a Registered Land Surveyor in and for the State of South Dakota. I did survey, in general conformance with accepted standards of practice, THE NORTH 740.06 FEET OF THE SOUTH 1446.00 FEET OF THE NW 1/4 OF SECTION 32, T 104 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA; SPECIFICALLY INCLUDING PREVIOUSLY PLATTED PORTIONS OF LIVESAY LANE AND JAMAICAS AVENUE, IN THE NW 1/4 OF SECTION 32, T 104 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, AS RECORDED IN PLAT BOOK 30 ON PAGE 20; BUT SPECIFICALLY EXCEPTING THE FOLLOWING PARCELS: LOT 7, 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., DAVISON COUNTY, SOUTH DAKOTA, AS RECORDED IN PLAT BOOK 30 ON PAGE 10; LOT 12, 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 RECORDED IN PLAT BOOK 31 ON PAGE 20; LOTS 4 AND 5, BLOCK 8 OF CJM SECOND ADDITION IN THE NW 1/4 OF SECTION 32, T 104 N, R 60 W OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA, AS RECORDED IN PLAT BOOK 30 ON PAGE 20; LOT 6, BLOCK 8 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 RECORDED IN PLAT BOOK 21 ON PAGE 42; LOT 7, BLOCK 8 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 RECORDED IN PLAT BOOK 32 ON PAGE 14; LOT 9, BLOCK 8 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 RECORDED IN PLAT BOOK 31 ON PAGE 37; LOT 12, 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 RECORDED IN PLAT BOOK 29 ON PAGE 25; AND BLOCK 2 AND BLOCK 9 OF CJM SECOND ADDITION, AND A PORTION OF ANTHONY AVENUE AND A PORTION OF LIVESAY LANE, A SUBDIVISION OF 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 RECORDED IN PLAT BOOK 18 ON PAGE 59. In my professional opinion and to the best of my knowledge, information and belief, this drawing correctly shows the location of the described property.

Dated this 21st day of July, 2016.

Registered Land Surveyor #SD6702

REGISTERED PROFESSIONAL LAND SURVEYOR
REG. NO. 6702
PAUL J. REILAND
SOUTH DAKOTA
07/21/16

STATE OF SOUTH DAKOTA)
)SS
COUNTY OF DAVISON)

On this, the 21st day of July, 2016, before me, the undersigned Notary Public in and for said county and state, personally appeared Paul J. Reiland, well known to me to be the person described in and who executed the foregoing instrument and duly acknowledged that he executed the same in his official capacity as a Registered Land Surveyor for the purposes therein set forth.

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

Notary Public, South Dakota
My Commission Expires: 11/22/19

SPN & Associates
Engineers, Planners and Surveyors
2100 North Sanborn Blvd. - P.O. Box 388 Mitchell, South Dakota 57301
Phone: (605) 996-7761 Fax: (605) 996-0015

PROJECT NO. 16-14688
EXHIBIT "A"

PROJECT NO. 16-14668
SCALE: 1" = 200'

SURVEYOR'S AFFIDAVIT

LEGEND
- ● = FOUND IRON MONUMENT
- O = SET 5/8" X 18" REBAR WITH PLASTIC CAP NO. 6702
- 100' (R) = RECORD BEARING OR DISTANCE
- 100' = MEASURED BEARING OR DISTANCE
- ⊠ = SET NAIL
- ▲ = SET SURVEY SPIKE
- ■ = FOUND NAIL

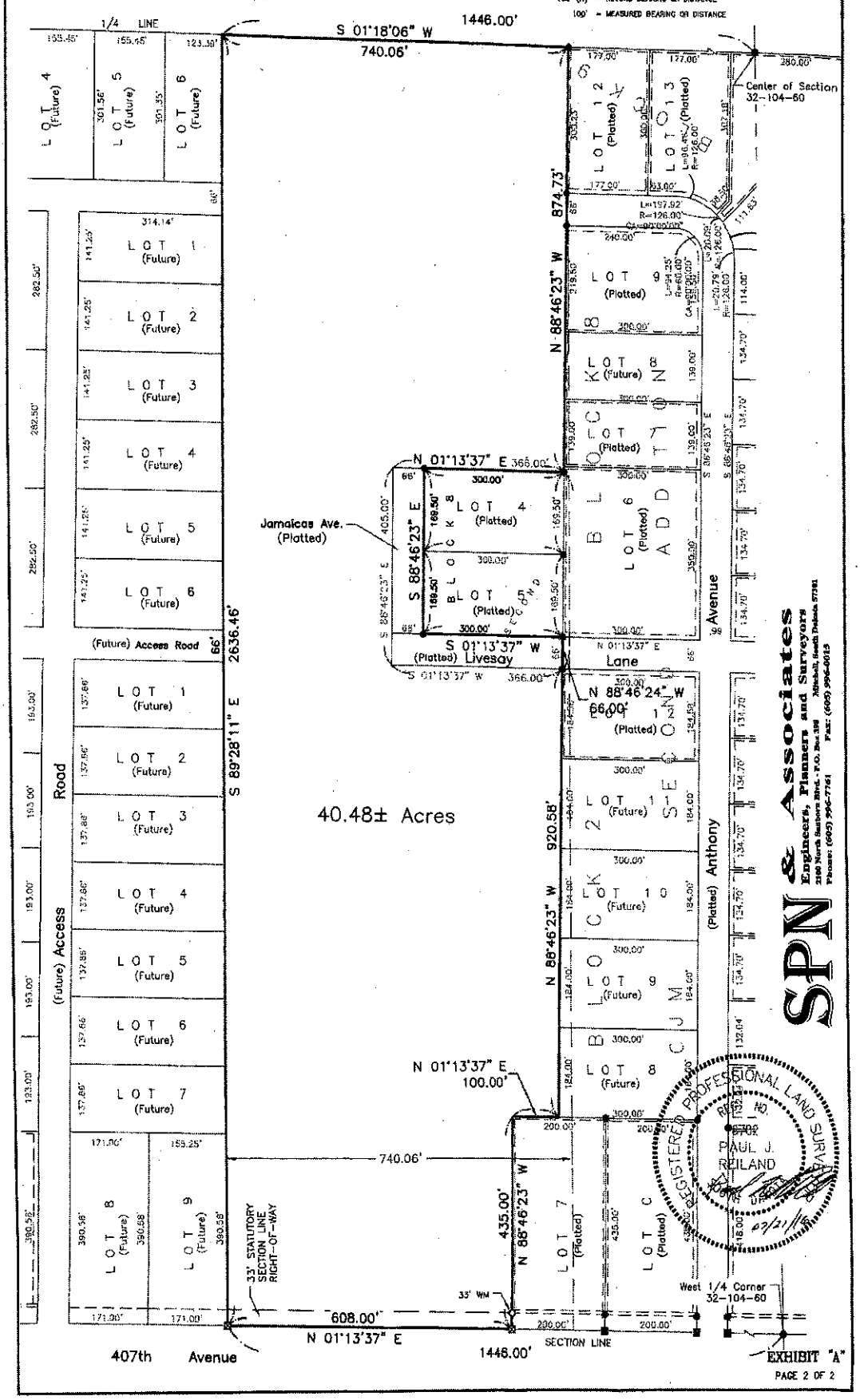
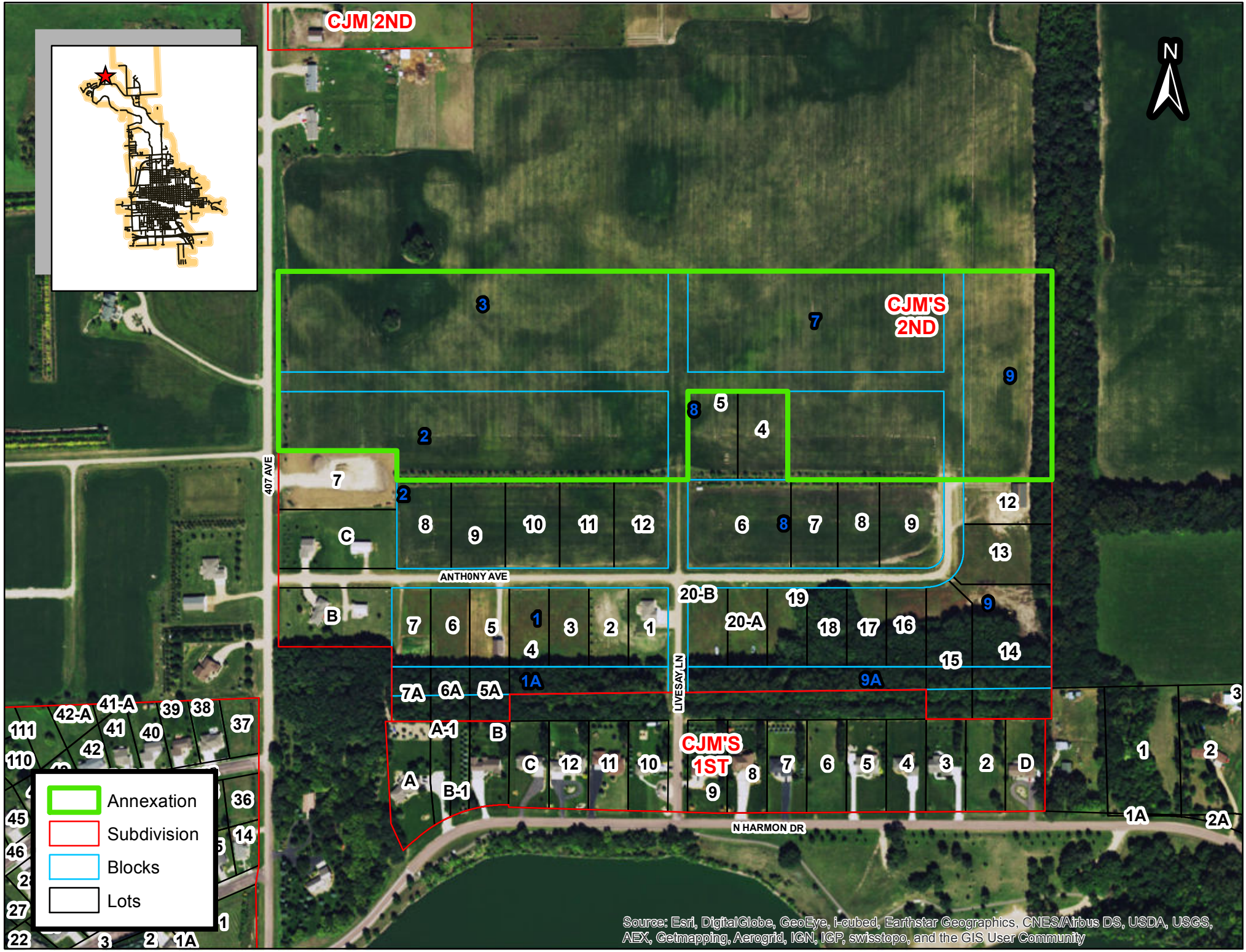


EXHIBIT "A"
PAGE 2 OF 2


CJM 2ND
CJM'S 2ND
CJM'S 1ST
407 AVE
ANTHONY AVE
LIVESAY LN
N HARMON DR
N
Annexation
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

CITY OF MITCHELL

City Council Meeting
Agenda Item Request

The deadline for agenda items is Wednesday at noon, prior to the City Council Meeting

Mitchell
SOUTH DAKOTA

Meeting Date Requested: 08/22/2016

Requested By: Neil Putnam

Desired Action of City Council

- ☐ Authorization
- ☑ Approval
- ☑ Resolution
- ☐ Ordinance
- ☐ Citizen Request
- ☐ Discussion

Amount budgeted in current fiscal year for this item (if applicable):

Agenda Item: Resolution No. 3376 Annexation of Real Property into the City of Mitchell limits

Explanation/Background of Agenda Item Requested:

Joseph Walter and Julie Walter Living Trust and Jordon Leighton have petitioned to be annex the following real property into the city limits; Lot 4 & 5, Block 8, CJM Second Addition, NW 1/4, Section 32, T 104, R 60 W, Davison County, SD.

There are no residents, voters or improvements on the property. Exhibits are attached.

PETITION FOR ANNEXATION OF REAL PROPERTY INTO THE CORPORATE LIMTS OF THE CITY OF MITCHELL, DAVISON COUNTY, SOUTH DAKOTA

Joseph Walter & Julie Walter Living Trust and ~~Jordan~~ Jordan Leighton the sole owners of the real property legally described as Lots Four (4) and Five (5), Block Eight (8), of CJM Second Addition, in the Northwest Quarter (NW ¼) of Section Thirty-two (32), Township One Hundred Four (104) North, Range Sixty (60), West of the 5th P.M., Davison County, South Dakota, hereby petitions the City Council of the City of Mitchell to annex the aforementioned real property.

There are no persons residing on the real property and there no persons registered to vote on the real property.

There is a structure on the property.

The property is contiguous to the corporate limits of the City of Mitchell, Davison County, South Dakota.

Respectfully submitted,

Joseph Walter Trustee — 8-15-16

Petitioner/Owner — Date

8-15-16

Petitioner/Owner — Date

Julie Walter — 8-15-16

Petitioner/Owner — Date

RESOLUTION NO. 3376

ANNEXATION OF REAL PROPERTY LEGALLY DESCRIBED AS LOTS FOUR (4) AND FIVE (5), BLOCK EIGHT (8), OF CJM SECOND ADDITION, IN THE NORTHWEST QUARTER (NW ¼) OF SECTION THIRTY-TWO (32), TOWNSHIP ONE HUNDRED FOUR (104) NORTH, RANGE SIXTY (60) WEST OF THE 5TH P.M., DAVISON COUNTY, SOUTH DAKOTA.

Whereas: Joseph Walter and Julie Walter Living Trust and Jordon Leighton are the sole owners and petitioners of the real property described as Lots 4 & 5, Block 8, CJM Second Addition, NW ¼, Section 32, T 104 N, R 60 W, Davison County, SD, and

Whereas: There are no registered voters on the real property and there are no persons residing on the real property, and

Whereas: There is a structure on the real property, and

Whereas: The real property is contiguous to the corporate limits of the City of Mitchell, Davison County, South Dakota, and

Whereas: Exhibit A is hereto included with this resolution for the purpose of identifying the property to be annexed, and

Therefore, be it resolved by the City Council of the City of Mitchell, hereby annex the real property legally described in this resolution into the corporate limits of the City of Mitchell, Davison County, South Dakota.

Passed and approved this the 22nd day of August, 2016.

_____

MAYOR

ATTEST:

_____

FINANCE OFFICER

{SEAL}

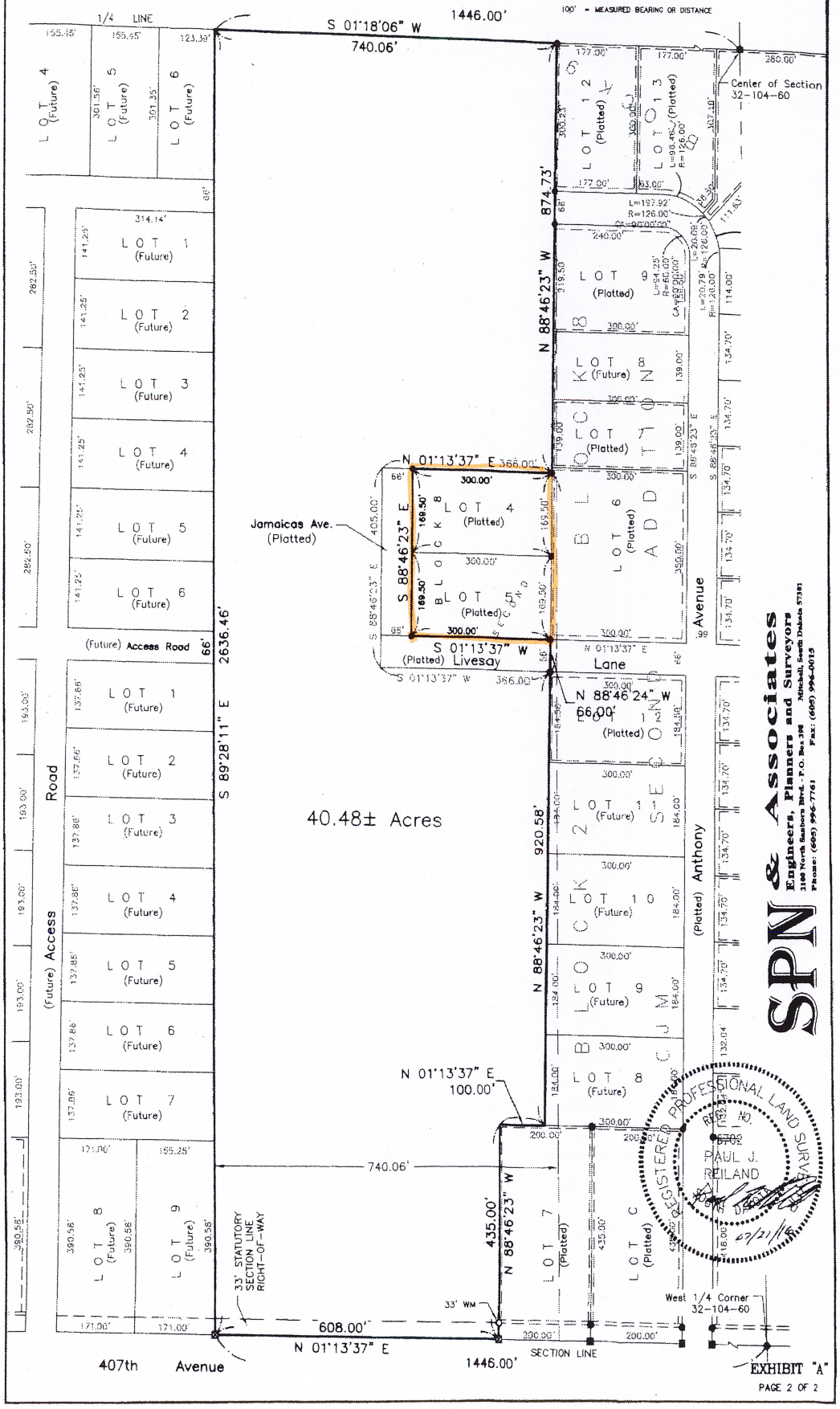
PROJECT NO. 16-14668

SCALE: 1" = 200'

SURVEYOR'S AFFIDAVIT

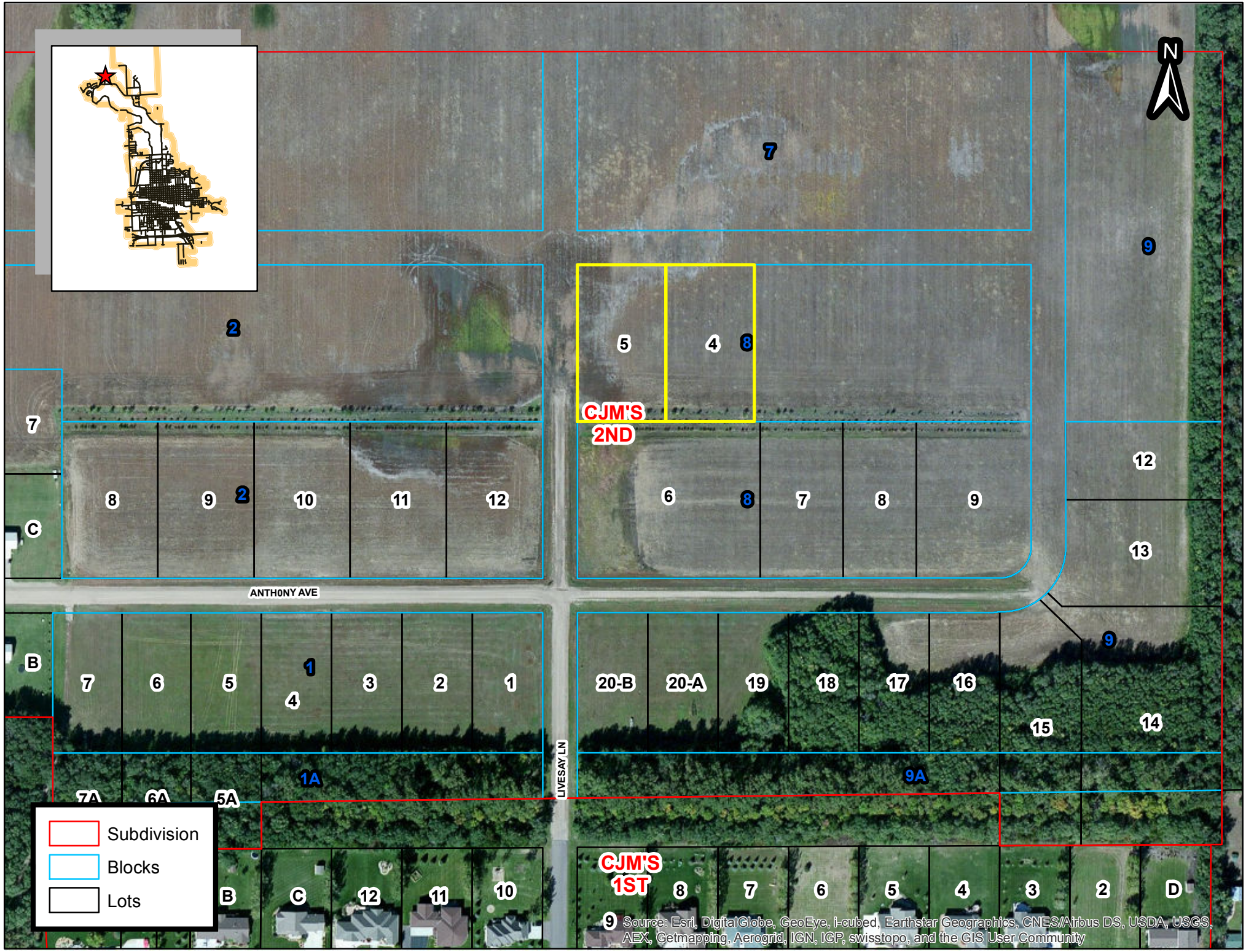
LEGEND

- ● = FOUND IRON MONUMENT
- O = SET 5/8" X 18" REBAR WITH PLASTIC CAP NO. 6702
- 100' (R) = RECORD BEARING OR DISTANCE
- 100' = MEASURED BEARING OR DISTANCE
- ⊠ = SET NAIL
- ▲ = SET SURVEY SPIKE
- ■ = FOUND NAIL



SPN & Associates
Engineers, Planners and Surveyors
2140 North Southern Blvd. - P.O. Box 398 Mitchell, South Dakota 57301
Phone: (605) 996-7761 Fax: (605) 996-0015

EXHIBIT "A"


N
CJM'S
2ND
CJM'S
1ST
ANTHONY AVE
LIVESAY LN
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