



Planning Commission

Agenda

The City of Sturgis Planning Commission will hold a regular meeting on Tuesday, March 5, 2019 at 5:30 p.m. in the front conference room at Sturgis City Hall, 1040 Harley-Davidson Way, Sturgis, South Dakota.

5:30pm - Call to Order

Approval of the Minutes from the February 5, 2019 regular meeting

Agenda Items (subject to changes announced at meeting time)

1. David Erfman (Hi-Plains Nutrition) – Use on Review

Applicant has submitted a Use on Review for an at-home animal nutrition business.

Location: 1923 Arizona Ave (Lot 16 in Block 2 of Hillview Subdivision)

Zoning: Medium-Density Residential Housing

Action Required: Consider the request and make a recommendation to the Sturgis City Council for the March 18 public hearing.

2. Preliminary Plan and Voluntary Development Agreement – Cheryl Goodall/Gloria Peterson

Applicants have submitted a preliminary plan and voluntary development agreement to develop property in Lot 1 in Block 1 of Glover's Third Addition.

Location: Lot 1 in Block 1 of Glover's Third Addition

Zoning: Medium-Density Residential Housing

Action Required: Review the agreement and development plan and make a recommendation to the Sturgis City Council

3. Preliminary and Final Plat – Cheryl Goodall and Gloria Peterson

Applicants have submitted a plat of Lots 1A, 1B and 1C in Block 1 of Glover's Third Addition.

Location: Lot 1 in Block 1 of Glover's Third Addition

Zoning: Medium-Density Residential Housing

Action Required: Consider the plat application and make a recommendation to the Sturgis City Council

4. LPN Holdings, LLC – Preliminary Plat

Applicant has submitted a plat application for Lot 1A-1 and Lot 1A-R of LPN Holdings Addition.

Location: Lot 1A of LPN Holdings Addition

Zoning: Highway Service

Action Required: Consider the plat application and make a recommendation for final plat review

5. City of Sturgis – Preliminary Plat

Applicant has submitted a plat application for Lots 1-5, Drainage Lot, and dedicated public alley right-of-way in Block 1 of Creekside Subdivision.

Location: Unplatted City of Sturgis Property on Woodland Drive (SW ¼ SE ¼ of Section 4, T5N, R5E)

Zoning: Park Land

Action Required: Consider the plat application and make a recommendation for final plat review

6. City of Sturgis – Preliminary Plat

Applicant has submitted a plat application for Dedicated Public Right-of-Way for West Woodland Drive.

Location: Unplatted City of Sturgis Property on Woodland Drive (SW ¼ SE ¼ of Section 4, T5N, R5E)

Zoning: Park Land

Action Required: Consider the plat application and make a recommendation for final plat review

All other items brought before the Planning and Zoning Commission by the public.



Planning Commission Minutes

The City of Sturgis Planning Commission held a regular meeting on Tuesday, February 5, 2019 at 5:30pm in the front conference room at Sturgis City Hall, 1040 Harley-Davidson Way, Sturgis, SD.

Present:

Chairman Kyle Treloar

Vice-Chair John Gerberding

Commissioner Suzanne Nelson

Commissioner Mark Norstegaard

Commissioner Jon Olson

Commissioner Aaron Schoon

Commissioner Cody Weber

Also Present:

Laura Abernathy (Planning Coordinator)

Steve Keszler (City Council)

Shanon Vasknetz (Baseline Surveying)

Tim Anderson

Tim Drone

Chairman Treloar called the meeting to order at 5:32pm. Motion by Gerberding, second by Weber to approve the minutes from the regular Planning Commission meeting held on Tuesday, January 8, 2019. Motion carried.

Agenda Item #1 – Introduction of New Member

Abernathy introduced Aaron Schoon as a new member of the Planning Commission. He will replace Courtney Mack, who has recently resigned.

Agenda Item #2 – Variances – Tim Anderson of 1727 Meadowlark Drive

The applicant has applied for a variance to the minimum lot width requirements for replatting and a variance to the hard surfacing requirement to install a new driveway at 1727 Meadowlark Drive (Lots 47-52 in Murray Tract #1). Abernathy presented the information included in the commissioner's packet. The applicant is requesting the variances to prepare to replat the property to allow for a new 1200 sq. ft. home and a 576 sq. ft. garage on Lot 47. The lot line would need to be moved to the south to resolve the encroachment of the house and driveway from Lot 52. The proposed 66' lot width for Lot 47 will not meet the Low Density Residential housing district requirement of 100'. A high-pressure gas line owned by WBI Energy is located on Lot 47, and has a 60' easement on the property. The applicant has requested the variance to hard surfacing to comply with WBI Energy's request to have a gravel driveway over the easement.

Nelson entered the meeting at 5:36pm.

Abernathy said that regardless of the lot width of Lot 47, the conditions created by the gas line easement limit the buildable space on that lot, and that staff did not see a reason to deny the variance, but that staff would like the hard surfacing requirement enforced. Anderson presented his plan to the

commission. He said that he would like for his daughter to build a house on Lot 47, but if that did not happen they would still move the lot line to compensate for the encroachment of the house and driveway on the existing lot line. He also did not think the covenants are currently not being enforced. He also said that other lots within his subdivision have subdivided, and that the utility company is requesting he install a gravel driveway for safety and access reasons. He said he could do a short paved portion to Meadowlark Drive. Nelson said that while there are existing gravel driveways, there needs to be a significant hardship to allow a variance. Treloar asked if WBI Energy would allow sewer and water service lines within their easement. Anderson said they would, as long as the easement criteria guidelines are met. Treloar said he did not feel comfortable recommending hard surfacing when the gas company does not want it due to safety reasons, but recognized that the city has been consistent in making sure that new driveway installations are hard surfaced. Olson said a portion of the driveway connecting into Meadowlark Drive could be hard surfaced. Gerberding added it could be paved up to the easement. Anderson estimated he could install up to 15 feet of driveway up to Meadowlark Drive. Nelson asked how large the revised lot would be. Abernathy said that it would meet the 7,000 sq. ft. minimum size requirement. **Gerberding made a motion to recommend approval of the lot width variance. Second by Norstegaard. Motion passed 6-1 (Olson). Motion by Gerberding to recommend that hard surfacing be required up to the boundary of the easement. Second by Weber. Motion passed.** The public hearing for this item will be held during the February 19 City Council meeting.

Agenda Item #3 – Preliminary Plat – Mark Norstegaard of 1445 Short Track Road

The applicant has submitted a plat application of Tract B-1 and Tract B-2 of Tysdal Subdivision. The property is currently described as Tract B of Tysdal Subdivision. It is located in Area #1 of the 3-Mile Platting Jurisdiction. The purpose of the plat is to subdivide the property to resolve the issue of two residential structures on one lot. Abernathy said that she had been given approval of the plat from the Deputy Director of Equalization and Planning at Meade County. Treloar asked if there was a need for a development agreement since they were being subdivided into less than 3 acre lots. Abernathy said that the County said there were no issues with the plat as presented, and that there is not a development agreement drafted. She said she would follow up with the City Manager to see if it would be required before a final plat could be filed, or if it would be addressed at the time of annexation into the city. **Motion by Gerberding to approve the preliminary plat, given that staff follow up and determine if a development agreement is required. Second by Olson. Motion passed (Norstegaard abstaining).**

Agenda Item #4 – Preliminary and Final Plat – Jim Allison

The applicant has submitted a preliminary and final plat application of Lot 6 in Block 4 of Vernon Heights Estates II. It is a .587 acre lot to be platted from Tract A in Vernon Heights Estates II. **Motion by Gerberding to approve the preliminary plat. Second by Nelson. Motion passed. Motion by Nelson to approve the final plat. Second by Olson. Motion passed.**

Agenda Item #5 – Zoning Amendment – City of Sturgis

The City of Sturgis has submitted a zoning amendment for Park Lot 1 and Park Lot 2 in Block 1 of Hillview Subdivision. The lots are currently zoned as Park Land, and the request is to rezone the property to Open Space zoning. Abernathy presented the information provided in the commissioners' report, and said that the purpose of the zoning amendment is to prepare the property for surplus to two adjacent landowners on Arizona Avenue, and that the current zoning is designated for publicly-owned

recreational use. She said that staff felt that the Open Space zoning was a proper designation for the lots as they do not have access to a public right-of-way. It was discussed that if either lot were incorporated to the proposed buyers' properties, the zoning district would then be assumed as Medium-Density Residential housing. The commission discussed concerns they had regarding the proposed plan to surplus the property. They said they would prefer to see a better plan if the land were to be sold, and that the lots should be replatted into the residential lots. Nelson asked if the main reason for the zoning request was in the case that Park Lot 1 was not incorporated into Lot 9. Abernathy said it was, and that staff felt it was a logical step to rezone the property prior to surplus. **Motion by Nelson to approve the zoning amendment. Second by Olson. Motion passed unanimously.**

The meeting was adjourned at 6:36pm. The next regular meeting will be held on Tuesday, March 5, 2019.

Respectfully submitted,
Laura Abernathy

**Minutes are not considered official until approved by the Planning Commission*

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Planning Commission Staff Report

March 5, 2019
Laura Abernathy, Planning Coordinator
Use on Review – David Erfman, 1923 Arizona Ave

Overview

David Erfman of 1923 Arizona Avenue (Lot 16 in Block 2 of Hillview Subdivision) has submitted a Use on Review application to operate an at-home, animal nutrition business. The property is zoned as Medium-Density Residential housing. The nature of the business is sales for animal nutrition supplements. The at-home business would not have more than one employee, would not have customers visiting the home, would not increase traffic, but may have product briefly stored at the home. The reason for the Use on Review application is due to a complaint received by the Planning and Permitting Department regarding the operation of an at-home business and parking of work vehicles on and around the property. A code compliance letter regarding Title 12.02.01G (*Any trailer, recreational vehicle, or implement which is left standing on a public right-of-way for a period of 120 hours or longer*) was sent to the landowner in response to a truck and trailer parked on the boulevard, and notification that a Use on Review for an at-home business would be required. The applicant submitted the Use on Review application shortly after receipt of the letter.

Notifications

Neighboring landowner concerns: 24 official notifications were sent to the neighboring land owners within 200' of the property. Those notifications resulted in the following results based on assessed property values:

No Response = 53.57% (13)

Disapprove = 34.3% (9)

Approve = 12.13% (2 - This includes property owned by applicant – 4.52%)

Landowners left the following comments:

“We don’t want to deny Mr. Erfman the possibility of having a business in his home – but our response will be NO. His property is extremely untidy and we feel it would be more so if his business was at his home. Also we feel that if one business was approved there could be more to follow and it would affect the appearance and property values. We do ask that if the vote is in favor of Dave E. that there be some type of monitoring of his property to keep it clean and maintained.”

“The property in question is not commercial and/or Highway Service. Looks like its (sic) already a mess. I do not think that needs to be a business on that street to (sic) close to school and property values will drop if it look like it does today.”

“The amount of vehicles (that) park around the home are a safety concern.”

“There are already 3 sometime 4 or 5 vehicles parked at this property, parking on the lawn, street driveway and boulevard. Would an approval mean more vehicles? Running a business out of this property doesn’t bug me, but it’d be nice if it meant the property is better taken care of.”

“Absolutely not! David is a nice gentleman, but he has proven to not keep his property in an orderly fashion. It will only get worse if he is allowed to have a business there. I would like to see the city enforce some restrictions on David parking multiple vehicles on his yard and across sidewalks.”

“The current condition of the property at 1923 Arizona Ave. has already contributed to the degradation of this neighborhood and I feel very strongly that it will only continue to decline if granted permission to operate an at-home animal nutrition business as such. I am very concerned that by allowing this, that not only mine, but the surrounding neighborhood property values will be impacted negatively.”

“With 4 vehicles and 1 trailer already parked on the property and boulevard, what will happen if he is given business use? The way the property looks now it does not help the resale of homes in the neighborhood. I thought parking for an extended time on boulevard was against city code?”

Another landowner included comments that indicated concern about animals being present on the property. There would be no livestock on the property.

Recommendations

Staff recognizes the concerns received by the surrounding landowners, though the comments mainly focus on the appearance of the property rather than the request at hand. However, conditions can be met to comply with City Ordinance and to address surrounding landowner concerns. To comply with Title 18, Article V, Section 6 of the Ordinance (*Not more than one commercial vehicle per family living on the premises, which does not exceed two (2) tons rated capacity*), staff recommends that only one work-related vehicle be located within the driveway on the property, and the truck and horse trailer be moved to another location. If these conditions are met, staff believes that the at-home business itself would not negatively affect the neighborhood. Staff recommends approval of the Use on Review, given a limitation of work-related vehicles located on or around the property is considered.

Budget Impact

There would be no significant impact to the City budget.

Attachments:

- A. File Summary
- B. 200’ Notification Zone
- C. Site Pictures
- D. Use on Review Checklist/Findings

File Summary Report: 19-000080

02/19/2019

Case Information:**Case #:** 19-000080**Status:** Open **Disposition:****Address:****Neighborhood:**

1923 Arizona Ave

Priority:

Sturgis SD 57785

Open Date: 01/30/2019**Property Owner:**ERFMAN,DAVID G ETUX **Parcel Number:**01.63.02.16 **Sub-Division:****How Received:****Close Date:****Responsible User:** Laura Abernathy**Type:** Permitting**Approximate Location:****Description:** Use on Review for Hi-Plains Nutrition**Legal Description:** HILLVIEW SUB LOT 16 BLK 2**Categories:****Permits:**

Permit #	Permit Type	Status	Application Date	Issue Date
UR19-000001	In Home Business (non Day Care)	Pending P&Z Review	01/30/2019	
Description	Use on Review for Hi-Plains Nutrition (animal nutrition sales).			

Citizens:

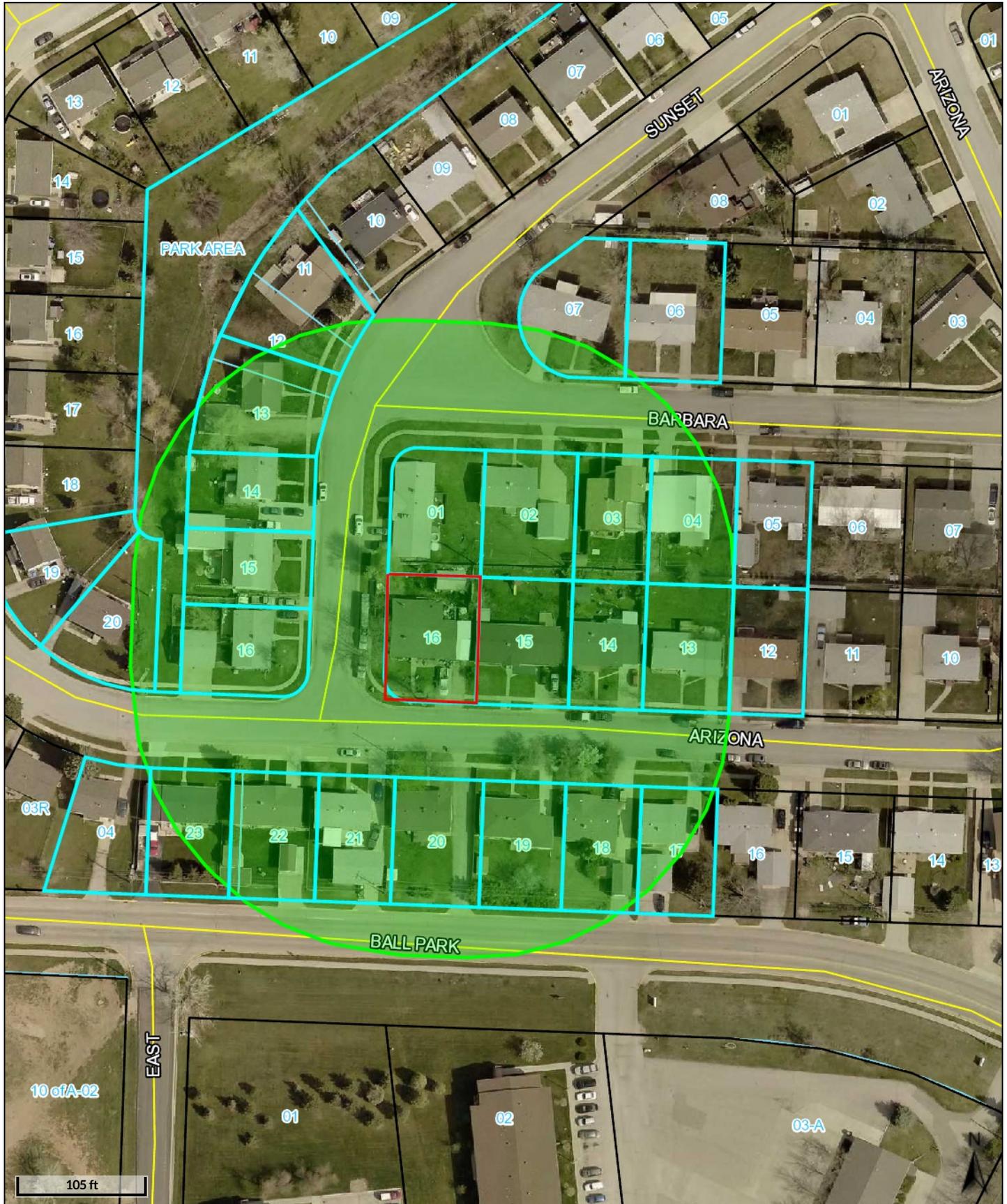
Name	Home Address	Home Phone	Business Phone	Association
David Erfman	Home Address: 1923 Arizona Ave			Applicant

Chronological History:

Date	Type	User	Activity Status
	City Council Public Hearing	Laura Abernathy	Pending
Comments:	3/18/2019 City Council Public Hearing Planning Commission Hearing	Laura Abernathy	Pending
Comments:	3/5/2019 Planning Commission hearing		

1923 Arizona Ave Use on Review

200' Notification Zone



Attachment C



Site Pic – 1923 Arizona Ave



Work Trucks

City of Riders

1040 Harley-Davidson Way
Sturgis, SD 57785
www.sturgis-sd.gov



Planning Commission

Voice: (605) 347-4422
Fax: (605) 347-4861

**Use On Review – Annual Review
At Home Business**

Conditions of Approval:

- Copies of all South Dakota State Sales Tax returns have been submitted to the City Finance Office (if applicable)
- No signage is visible from a public right of way (with the exception of vehicles)
- The actual average daily vehicle count does not exceed 1.25 times the AADT (Annual Average Daily Traffic) for the type of subject property. In circumstances where the subject business is of significant importance to the community, the limit maybe extended but shall not exceed 3.0 times the AADT for the type of subject property.
- The subject property does not create noise beyond the times of 7:00 am through 9:00 pm.
- The types of sounds and volumes of those sounds created during these hours do not exceed those typical in a residential neighborhood.
- No odor beyond that typical of a residential neighborhood is known to exist.
- If the business causes an impact to the utility services beyond those typical of a residence, then all utility rates are charged as Commercial (two separate unit charges for all City utilities).
- No complaints have been received by the Planning and Permitting Department
- Notice has been published in the City’s SIP Publication

Office Use:	<p>February 15, 2019</p> <hr/> <p>Date Review completed by staff</p> <p><i>Laura Abernathy</i></p> <hr/> <p>Staff Member’s Signature</p>
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Use On Review Planning Commission Review

Information:

Vote of Noticed Property Owners:

Denied: <u>34.3</u> %	No. of Votes: <u>9</u>
Approved: <u>12.13</u> %	No. of Votes: <u>3 (incl. landowner)</u>
Not Returned: <u>53.57</u> %	No. of Votes: <u>13</u>

Comments from Property Owners:

"We don't want to deny Mr. Erfman the possibility of having a business in his home – but our response will be NO. His property is extremely untidy and we feel it would be more so if his business was at his home. Also we feel that if one business was approved there could be more to follow and it would affect the appearance and property values. We do ask that if the vote is in favor of Dave E. that there be some type of monitoring of his property to keep it clean and maintained."

"The property in question is not commercial and/or Highway Service. Looks like its (sic) already a mess. I do not think that needs to be a business on that street to (sic) close to school and property values will drop if it look like it does today."

"The amount of vehicles (that) park around the home are a safety concern."

"There are already 3 sometime 4 or 5 vehicles parked at this property, parking on the lawn, street driveway and boulevard. Would an approval mean more vehicles? Running a business out of this property doesn't bug me, but it'd be nice if it meant the property is better taken care of."

"Absolutely not! David is a nice gentleman, but he has proven to not keep his property in an orderly fashion. It will only get worse if he is allowed to have a business there. I would like to see the city enforce some restrictions on David parking multiple vehicles on his yard and across sidewalks."

"The current condition of the property at 1923 Arizona Ave. has already contributed to the degradation of this neighborhood and I feel very strongly that it will only continue to decline if granted permission to operate an at-home animal nutrition business as such. I am very concerned that by allowing this, that not only mine, but the surrounding neighborhood property values will be impacted negatively."

"With 4 vehicles and 1 trailer already parked on the property and boulevard, what will happen if he is given business use? The way the property looks now it does not help the resale of homes in the neighborhood. I thought parking for an extended time on boulevard was against city code?"

Required Findings:

- The proposed use will be consistent with the adopted general plan for the area.

The requested use at the location proposed will **not**:

- Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area
- Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site
- Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare;
- The proposed use is significant and an integral part of the planned primary use of the structure for the next twelve months.
- The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title, or as is otherwise required in order to integrate the use with the uses in the area
- That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate
- Proposed use does not violate covenants provided by applicant or property does not have covenants in place

The application shall be denied where the information submitted by the applicant and/or presented at public hearing fails to substantiate **all** such findings that are required by this chapter.

Conditions of Approval:

In the exercise of its approval, the Commission may recommend to the Common Council such conditions regarding the location, character or other features of the proposed use or buildings as it may deem advisable in the furtherance of the general purposes of the Ordinance. Such Conditions may involve any pertinent-factors affecting the establishment, operation and maintenance of the requested use, including, but not limited to:

Special yards, open spaces and buffer areas

Fences and walls

Parking facilities, including vehicular ingress and egress and the surfacing or parking areas and driveways to specified standards

Street and highway dedications and improvements, including sidewalks, curbs and gutters

Water supply and fire protection in accordance with the provisions of this ordinance

Landscaping and maintenance of grounds

Regulation of nuisance factors such as noise, vibrations, smoke, dust, dirt, odors, gases, noxious matter, heat, glare, electromagnetic disturbances and radiation

Regulation of operating hours for activities affecting normal neighborhood schedules and Functions

Regulation of signs, including outdoor advertising

A specified validation period limiting the time in which development may begin

Provisions for a bond or other surety that the proposed conditional use will be removed on or before a specified date

A site plan indicating all details and data as prescribed in Title 18

Recommended by Commission

Yes No
 Yes No
 Yes No
 Yes No

Conditions recommended by Staff

Approval with limit of on-site work-related vehicles

Additional Conditions recommended by Commission:

<p>Commission Use:</p> <p>____/____/____ Yes No Abstain</p>	<p>Recommendation: _____ Approve _____ Approve subject to Conditions _____ Disapprove</p> <p>_____ Planning Commission Chair</p>
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Planning Commission Staff Report

March 5, 2019

Laura Abernathy, Planning Coordinator

Preliminary Development Plan & Voluntary Development Agreement – Gloria Peterson and Cheryl Goodall

Overview

Gloria Peterson and Cheryl Goodall have recently purchased property described as Lot 1 in Block 1 of Glover's Third Addition. The property was annexed in early 2017, and is zoned as Medium-Density Residential zoning. They have submitted a plan to the Planning and Permitting department to subdivide the property for the purpose of constructing up to three single-family residences. A revised plat was received by the City, which shows the property subdivided into Lots 1A, 1B, and 1C. This plat will be discussed as a separate item at the March 5 meeting. City staff has met with the applicants and have drafted a voluntary development agreement for the property. A public hearing will be held on at an upcoming City Council meeting for the City Council to review the proposed development agreement.

Discussion

The following items have been addressed within the Voluntary Development agreement:

- A 30' shared access easement will serve Lots 1A, 1B, and 1C
- At least 100' of this access shall be paved, with additional paving to be required if access debris enters the public roadway
- In accordance with Title 19 – Subdivision of Land regulations, the construction of a cul-de-sac, with extension of water and sewer main lines, will be the responsibility of the developer

For those items not addressed in the agreement, the Municipal Utility Board regulations and Title 19 – Subdivision of Land regulations will be applicable.

Recommendations

With the considerations listed above, staff recommends approval of the preliminary development plan and voluntary development agreement.

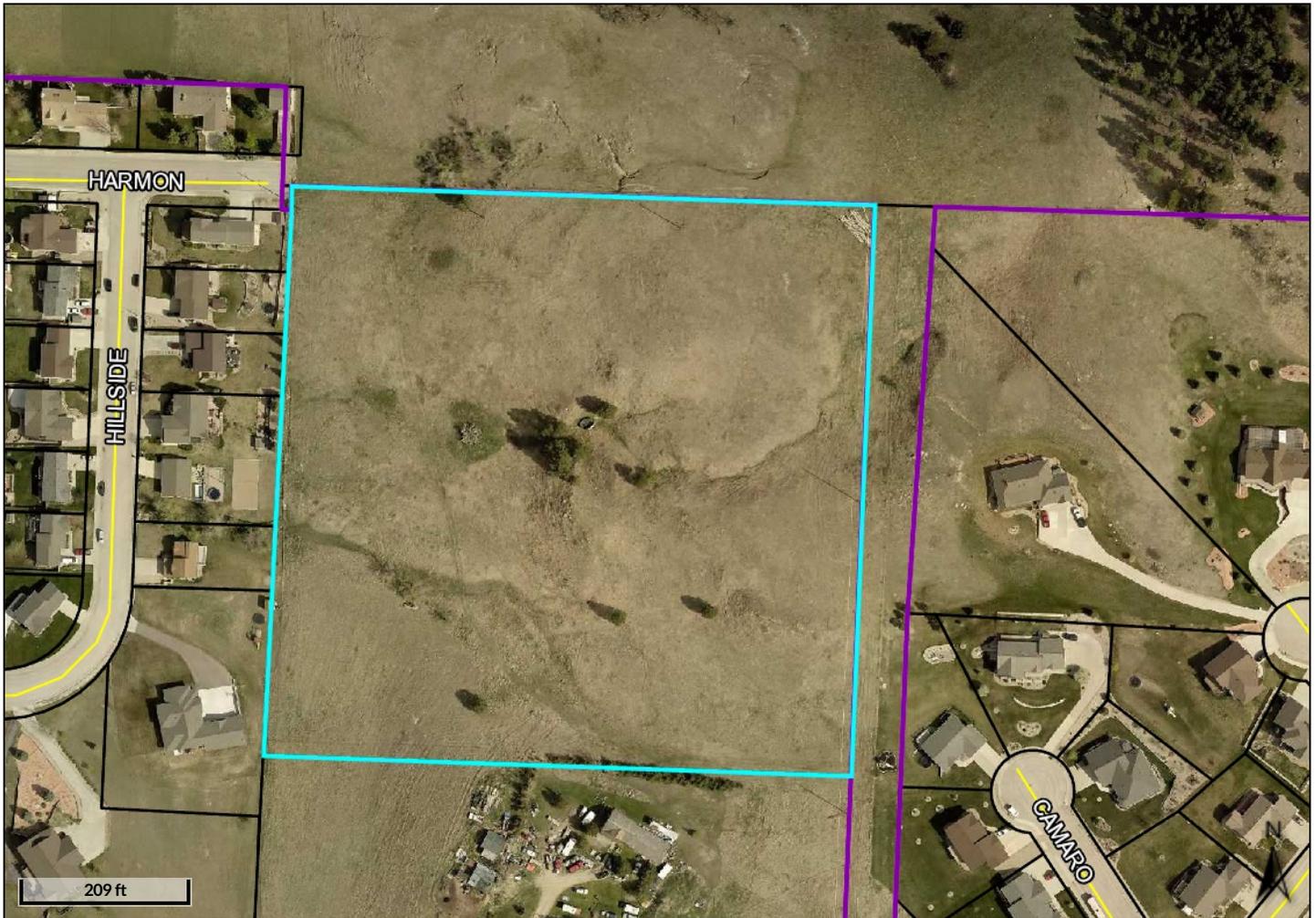
Budget Impact

Development of the property will increase the assessed value of the lots, which will increase property taxes. Once developed, municipal utility fees will be collected for water and sewer services. The City will collect fees for building permits for construction of the single-family structures. Prior to development, the current landowner(s) will be responsible for the improvements to Harmon Street, including sewer and water mainline extensions and construction of the cul-de-sac.

Attachments:

- A. Aerial map
- B. Site Pics
- C. Elevation Data
- D. Proposed Improvements
- E. Voluntary Development Agreement

Goodall Property



Parcel ID	01.RR.01	Alternate ID	n/a	Owner Address	GOODALL, CHERYL A
Sec/Twp/Rng	15-5-5	Class	NAD		PETERSON, GLORIA J
Property Address		Acreeage	n/a		1242 SHERMAN ST
					STURGIS SD 57785
District	CS461 - CITY OF STURGIS				
Brief Tax Description	GLOVER'S THIRD ADDN LOT 1 BLK 1				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 10/26/2018
Last Data Uploaded: 10/25/2018 10:06:39 PM

Developed by 

Attachment B



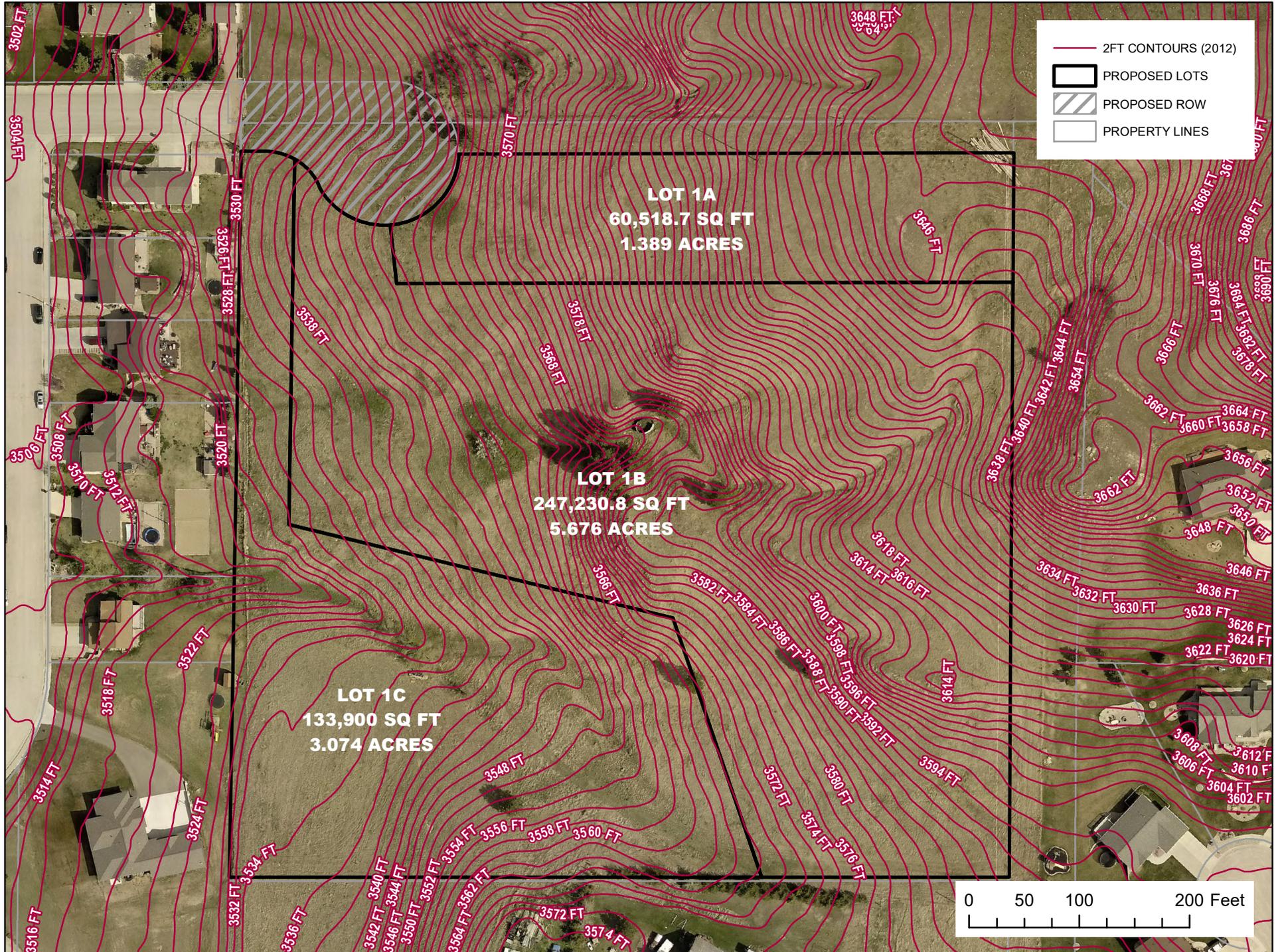
Harmon Street Dead End – Proposed cul-de-sac area

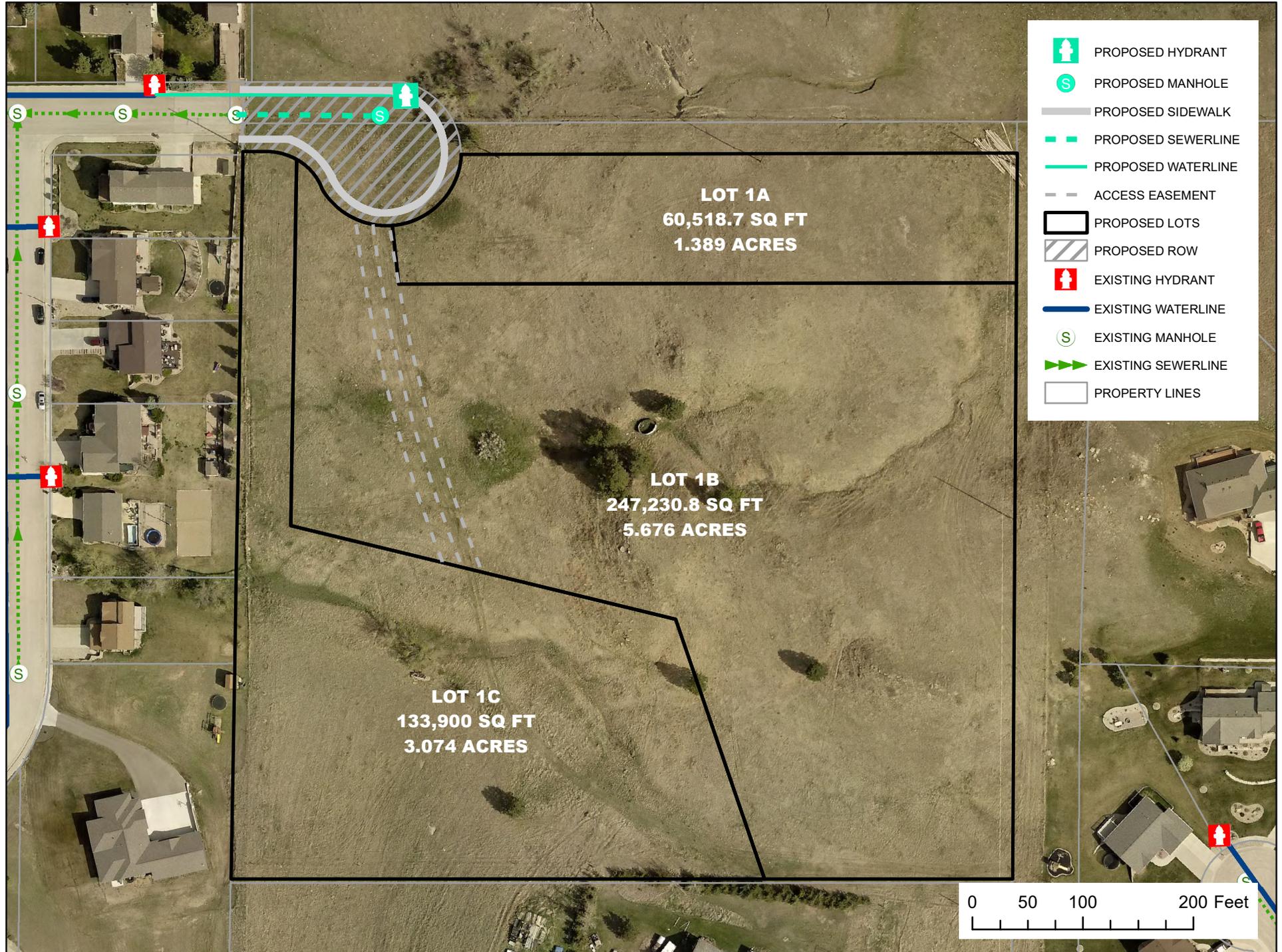


Looking north on proposed shared access



Existing utilities. Sewer main continues up to dead end.





VOLUNTARY DEVELOPMENT AGREEMENT

This agreement is made and entered into on the date shown below between Gloria Peterson, Cheryl Goodall, Patrick Tennyson and Tammy Tennyson and the City of Sturgis, a South Dakota Municipal corporation, hereinafter referred to as CITY.

WHEREAS, Gloria Peterson and Cheryl Goodall are the owners of the real property legally described as follows:

Lot 1A, Lot 1B and Lot 1C in Block 1 of Glover's Third Addition, City of Sturgis, Meade County, South Dakota.

hereinafter referred to as the property.

WHEREAS, Gloria Peterson and Cheryl Goodall have agreed to sell and Patrick Tennyson and Tammy Tennyson have agreed to purchase Lot 1C of Glover's Third Addition, City of Sturgis, Meade County, South Dakota.

WHEREAS, for purposes of this Agreement the term "OWNERS" shall include Gloria Peterson, Cheryl Goodall, Patrick Tennyson and Tammy Tennyson. Gloria Peterson and Cheryl Goodall shall be jointly referred to herein as Peterson/Goodall and Patrick Tennyson and Tammy Tennyson shall be jointly referred to herein as Tennyson.

WHEREAS, the City of Sturgis has authority to enter into a Voluntary Development Agreement as allowed by SDCL 9-4-1.1, and the parties accordingly have negotiated the terms of this agreement, consisting of the following terms and conditions, which shall apply to the property described above.

1. ELEMENTS: The elements of this agreement consist of the following and shall terminate upon sale of any portion of the property to any successor in interest unless specifically stated otherwise herein:

- A. Upon submission and approval of a proposal or plan for any subdivision of the property, the terms of the agreement shall be terminated.
- B. The permitted use is to allow construction of one residential structure on each lot and secondary buildings as allowed in Title 18.
- C. All structures (both residences and any outbuildings) shall be built according to the Building Code as adopted by City.
- D. As required by ordinance, Owners shall keep grass cut to no more than 8 inches throughout the entire property.

2. FENCING: As in current ordinance, no barbed wire shall be allowed on either the west or east boundary fence. On the north and south boundary fences, no barbed wire shall be allowed at the time of future subdivision or further development of those adjoining properties.

3. DEDICATED ROW: To allow City equipment to access the subject property to provide necessary City services, Peterson/Goodall shall provide a semi-circle of land included herein as Exhibit A to the Development Agreement. Pavement, curb, gutter and sidewalk will be required to be designed and installed by Developer in this cul-de-sac, consistent with City ordinances and the existing infrastructure on existing Harmon Street. Installation of this infrastructure will be at the cost of Peterson/Goodall and completed before issuance of a Certificate of Occupancy.

4. EXTENSION OF WATER AND SEWER MAIN: Extension of the water and sewer main services into the dedicated right-of-way will be constructed at the cost of Peterson/Goodall. At no point will these services be allowed to be constructed outside of a dedicated right-of-way.

5. MUNICIPAL UTILITY SERVICES: Separate water and sewer service lines will be required for each residence. Peterson/Goodall shall be responsible for the cost of extending the water and sewer lines to any residences located on Lot 1A and Lot 1B. Tennyson shall be responsible for the cost of extending the water and sewer lines to the residence located on Lot 1C. Repairs to the service line(s) from the curbside shut-off to the structure(s) will be at the expense of Peterson/Goodall for Lots 1A and 1B and Tennyson for Lot 1C. Should either lot be subdivided, any residential structure shall be required to have an independent water and sewer service line to the public right-of-way.

6. OWNER STREET ACCESS: Owners shall maintain an improved access point from the subject property onto Harmon Street, solely to prevent mud, gravel, or other material from being deposited onto the paved street. Access to the improved public right-of-way shall be paved, and be no less than 100 feet long and 20 feet wide. Should excessive soils continue to be brought onto the public right of way, further paved access will be required.

7. SHARED ACCESS EASEMENT: A 30-foot shared access easement to serve Lots 1A, 1B, and 1C will be allowed as recorded on the plat. Upon future subdivision, the shared access easement shall be terminated. If at any time a separate access is installed, the access should be paved from the public right-of-way to the off-street parking pad, or not less than 100 feet.

8. BUILDING SETBACKS: All buildings will be subject to setback requirements of City of Sturgis Title 18 – City of Sturgis Zoning Ordinance.

9. FURTHER CONDITIONS: Further subdivision of Lots 1A, 1B, or 1C shall be subject to all requirements of City of Sturgis Title 19 – Subdivision of Land. All Parties agree that no building or excavation permit shall be issued for any work until the right of way access has been platted and recorded.

10. ENFORCEMENT: If the terms of the agreement are not followed, the entire agreement could be terminated by the City as provided by this paragraph. City shall provide Owners written notice of any default of this Agreement by Owners and Owners shall have 30 days after receipt of the written notice to cure the default if the default is of a nature that can be reasonably cured within 30 days. If the default cannot be reasonably cured within 30 days, Owners shall provide to City a written statement of actions to be taken by Owners to cure the default and Owners shall have up to 60 days to cure the default based upon the remedial actions necessary to cure the default.

11. COMPLIANCE WITH ALL LAWS: OWNERS shall comply with all applicable City, County, State and Federal laws and/or regulations, applicable to the activities on the subject property.

12. MUTUAL WARRANTIES: Each Party (as the "Warranting Party") warrants and represents to the other Party that:

- a. **Authorization.** The Warranting Party is fully and legally authorized to duly and validly execute and deliver this Agreement.
- b. **Enforceability.** This Agreement constitutes the valid and binding obligation of the Warranting Party and is enforceable against the Warranting Party in accordance with its terms.
- c. **No Conflict.** The Warranting Party's performance under this Agreement in a timely and

complete manner will not violate, or be materially or adversely impaired by, any of the following: (i) any other contract or agreement binding on the Warranting Party; (ii) any law, regulation, or order of any court or government or governmental agency or instrumentality binding on or affecting the Warranting Party; or (iii) any pending or threatened litigation or administrative proceeding.

13. NONWAIVER: The failure of CITY to insist upon or enforce strict performance by OWNERS of any of the terms of this Agreement or to exercise any rights herein established, shall not constitute a waiver or relinquishment to any extent of CITY'S right to assert or rely upon such terms or rights on any future occasion.

14. VOLUNTARY AGREEMENT: The parties acknowledge that they are entering into this agreement freely and voluntarily, that they have the opportunity to be represented and advised by counsel in the negotiations resulting in this Contract, that they have given due consideration to the provisions contained herein, and that they thoroughly understand and consent to all provisions herein.

15. ENTIRE AGREEMENT: This written Agreement and all of its provisions shall be considered the complete agreement of the parties relating to the matters set forth therein. This contract between the parties and replaces and supersedes all prior Agreements, negotiations, and representations, written and oral, relating to the subject matter hereof, notwithstanding any oral representations or other writings to the contrary. The parties specifically understand and agree that upon execution of this Agreement any and all prior agreements in effect on the subject matter herein shall be terminated and extinguished and shall be of no further force or effect between the parties. No statement, promises, or inducements made by either party or agent of either party that are not contained in this written contract shall be valid or binding. This contract may not be enlarged, modified, or altered except in writing signed by the parties and endorsed hereon.

[signatures and acknowledgments to follow on next pages]

DATED this ____ day of _____, 2019.

OWNERS:

By: _____
Cheryl A. Goodall, Owner

By: _____
Gloria J. Peterson, Owner

By: _____
Patrick Tennyson, Owner

By: _____
Tammy Tennyson, Owner

CITY:

By: _____
Daniel Ainslie
City Manager
City of Sturgis

STATE OF SOUTH DAKOTA }
COUNTY OF MEADE } SS

Personally appeared before me this _____ day of _____, 2019,

Cheryl Goodall, known to me to be the person described herein and executed the foregoing instrument to be her voluntary act.

By: _____
Notary Public
My Commission Expires: _____

STATE OF SOUTH DAKOTA }
COUNTY OF MEADE } SS

Personally appeared before me this _____ day of _____, 2019,

Gloria Peterson, known to me to be the person described herein and executed the foregoing instrument to be her voluntary act.

By: _____
Notary Public
My Commission Expires: _____

STATE OF SOUTH DAKOTA }
COUNTY OF MEADE }

Personally appeared before me this _____ day of _____, 2019,

Patrick Tennyson, known to me to be the person described herein and executed the foregoing instrument to be her voluntary act.

By: _____
Notary Public
My Commission Expires: _____

STATE OF SOUTH DAKOTA }
COUNTY OF MEADE } SS

Personally appeared before me this _____ day of _____, 2019,

Tammy Tennyson, known to me to be the person described herein and executed the foregoing instrument to be her voluntary act.

By: _____
Notary Public
My Commission Expires: _____

STATE OF SOUTH DAKOTA }
COUNTY OF MEADE } SS

Personally appeared before me this _____ day of _____, 2019,

Daniel Ainslie, known to me to be the person described herein and executed the foregoing instrument to be his voluntary act.

By: _____
Notary Public
My Commission Expires: _____

EXHIBIT A

COUNTY TREASURER'S CERTIFICATE

I, Treasurer of Meade County, South Dakota, do hereby certify that all taxes which are liens upon the land described hereon, as shown by the records of my office, are fully paid.

Dated this _____ day of _____, 20____.

Meade County Treasurer

STURGIS COMMON COUNCIL

We, the undersigned, as authorized representatives of the Sturgis City Common Council, do hereby certify that at an official meeting held

on this _____ day of _____, 20____, that We did Approve this Plat.

Attest: _____ Mayor: _____
City Auditor

PLANNING COMMISSION

Approved by the City of Sturgis Planning Commission, Meade County, South Dakota.

Dated this _____ day of _____, 20____.

Signed: _____
Chairman

Attest: _____
Secretary

CERTIFICATE OF HIGHWAY OR STREET AUTHORITY

The location of the proposed access to the Highway or Street as shown hereon is hereby approved. Any change in the location of the proposed access shall require additional approval.

Dated this _____ day of _____, 20____.

Highway or Street Authority

CERTIFICATE OF DIRECTOR OF EQUALIZATION

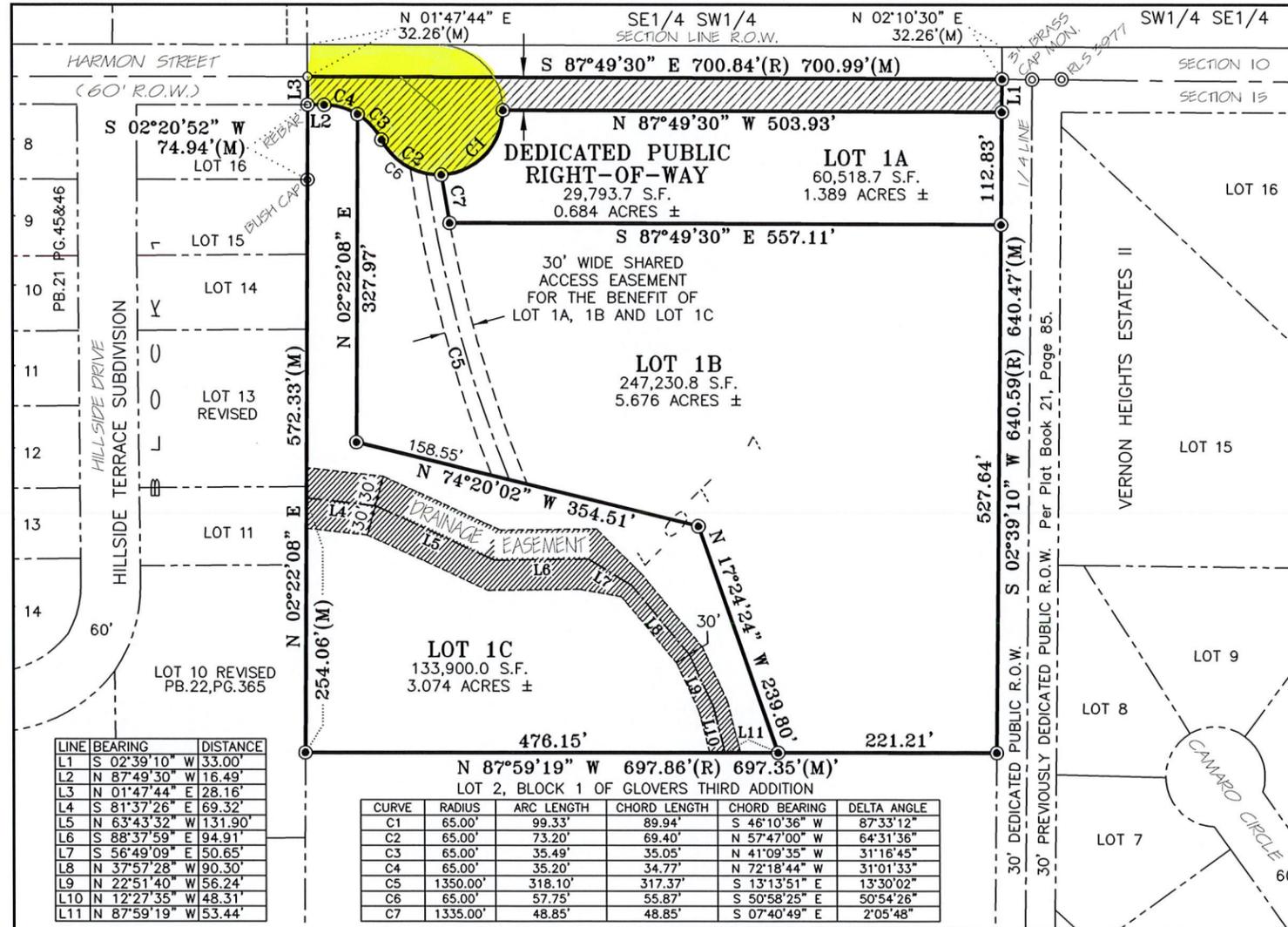
I, Director of Equalization of Meade County, South Dakota, do hereby certify that I have on record in my office a copy of the within described plat.

Dated this _____ day of _____, 20____.

Meade County
Director of Equalization

Plat of Lot 1A, Lot 1B and Lot 1C, Block 1 of Glovers Third Addition and Dedicated Public Right-Of-Way for Harmon Street.

Formerly Lot 1, Block 1 of Glovers Third Addition.
Located in the NE 1/4 of the NW 1/4 of Section 15 Township 5 North, Range 5 East,
Black Hills Meridian, City of Sturgis, Meade County, South Dakota.

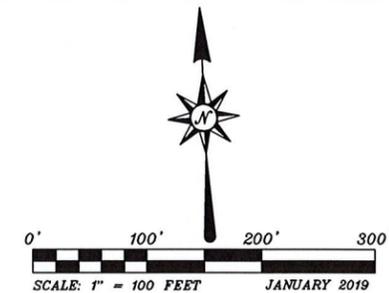


SURVEYOR'S NOTES

- 1) Basis of Bearings Using Geodetic North Determined From Global Positioning System (GPS).
- 2) Recorded Documents: Plat Book 23 at Page 90 and Plat Book 23 at Page 295 as recorded with the Meade County Register of Deeds Office in Sturgis, South Dakota. All Previous Plats Superceded per the Recording of this Plat.
- 3) Utility & Minor Drainage Easements: 8' Wide on the interior side of all lot lines.
- 4) Building Restrictions: Per the Latest Adopted International Building Code (IBC).
- 5) Building Restrictions: Per the Latest Adopted International Building Code (IBC).
- 6) Building Setbacks: Current Zoning as Medium Density Residential Housing. Per the City of Sturgis Title 18 Zoning Codes. 10' on Front, 10' Rear and 5' on All Side Lot Lines.
- 7) Per FEMA Map Panel 46093C1169F this area is subject to Minimal Flood Hazard as Zone X, Effective Date 09/16/2011.

LEGEND

- Found or Set 5/8" Rebar with Cap Marked 'Vasknetz RLS 7719'.
- ⊙ Found Rebar Survey Monument Unless Otherwise Noted.
- (R) Denotes Measurements Previously Recorded.
- (M) Denotes Measurements Per this Survey.



SURVEYOR'S CERTIFICATE

I, Shanon E. Vasknetz, 1921 Lazelle Street, being a Registered Land Surveyor in the State of South Dakota, do hereby state that at the request of the Owner listed hereon, I have surveyed and plotted the property shown and described hereon. I have marked upon the ground the boundaries in the manner shown, and that the plat is correct to the best of my knowledge, information and belief.

IN WITNESS WHEREOF
I hereunto set my hand and seal

this _____ day of _____, 20____.

Shanon E. Vasknetz
Registered Land Surveyor No. 7719

OWNER'S CERTIFICATE

We, Cheryl A. Goodall and Gloria J. Peterson, do hereby certify that we are the Owners of the land shown and described hereon and that we did authorize and do join in and approve the survey and plat. We further certify that the development of this land shall conform to all existing applicable zoning, subdivision and erosion and sediment control regulations. Dedicated right-of-way as shown hereon is dedicated to public use.

IN WITNESS WHEREOF
We hereunto set our hands

this _____ day of _____, 20____.

Cheryl A. Goodall, Owner
Gloria J. Peterson, Owner

ACKNOWLEDGEMENT OF OWNERS

STATE OF SOUTH DAKOTA } SS
COUNTY OF MEADE }

On this _____ day of _____, 20____, before me, the undersigned officer, personally appeared Cheryl A. Goodall and Gloria J. Peterson known to me to be the persons who executed the foregoing Owner's Certificate and acknowledged to me that they executed the same for purposes therein contained.

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

Notary Public
My commission expires: _____

OFFICE OF REGISTER OF DEEDS

Meade County Register of Deeds

PREPARED BY: BASELINE SURVEYING, INC., 1921 LAZELLE STREET, STURGIS, S.D. 57785 605-490-1401 EMAIL: baseline7719@gmail.com JOB NO. 18-298

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Planning Commission Staff Report

March 5, 2019

Laura Abernathy, Planning Coordinator

Preliminary and Final Plat – Gloria Peterson and Cheryl Goodall

Overview

Gloria Peterson and Cheryl Goodall have submitted a plat application for Lots 1A, 1B and 1C in Block 1 of Glover's Third Addition, and dedicated right-of-way for Harmon Street. The property is currently undeveloped and described as Lot 1 in Block 1 of Glover's Third Addition. It is zoned as Medium-Density Residential Housing. The purpose of the plat is to subdivide the property for three residential developments and to record additional public right-of-way for Harmon Street. The plat application was previously reviewed at the November 6, 2018 meeting, but has since been revised from two lots to three lots. As per subdivision requirements as found in Title 19 of the City Ordinance, an extension of Harmon Street will be required to be built as a point of access for these lots. Lot 1A will be 1.389 acres. Lot 1B will be 5.676 acres. Lot 1C will be 3.074 acres. A 30' wide shared access on Lot 1A will serve as a point of access for all three lots. This has been addressed in a voluntary development agreement. A drainage easement has been marked on Lot 1C. The applicants intend to build single-family residential homes on Lot 1A and Lot 1B, and will sell Lot 1C for residential use shortly after the plat is approved and filed.

Recommendations

Several city departments have reviewed the plat application and the content of the development agreement and recommend approval of both. The lots meet minimum frontage requirements via access from the platted Harmon Street cul-de-sac. The shared access easement will be addressed in a development agreement to be reviewed as a separate item. The Planning Commission should first consider the terms of the voluntary development agreement before considering approval or disapproval of the plat.

Budget Impact

Development of the property will increase the assessed value of the lots, which will increase property taxes. Once developed, municipal utility fees will be collected for water and sewer services. The City will collect fees for building permits for construction of the single-family structures. The landowners will be responsible for the improvements to Harmon Street, including sewer and water mainline extensions and construction of the cul-de-sac.

Attachments:

Preliminary Plat

Final Plat

COUNTY TREASURER'S CERTIFICATE

I, Treasurer of Meade County, South Dakota, do hereby certify that all taxes which are liens upon the land described hereon, as shown by the records of my office, are fully paid.

Dated this _____ day of _____, 20____.

Meade County Treasurer

STURGIS COMMON COUNCIL

We, the undersigned, as authorized representatives of the Sturgis City Common Council, do hereby certify that at an official meeting held

on this _____ day of _____, 20____, that We did Approve this Plat.

Attest: _____ Mayor: _____
City Auditor

PLANNING COMMISSION

Approved by the City of Sturgis Planning Commission, Meade County, South Dakota.

Dated this _____ day of _____, 20____.

Signed: _____
Chairman

Attest: _____
Secretary

CERTIFICATE OF HIGHWAY OR STREET AUTHORITY

The location of the proposed access to the Highway or Street as shown hereon is hereby approved. Any change in the location of the proposed access shall require additional approval.

Dated this _____ day of _____, 20____.

Highway or Street Authority

CERTIFICATE OF DIRECTOR OF EQUALIZATION

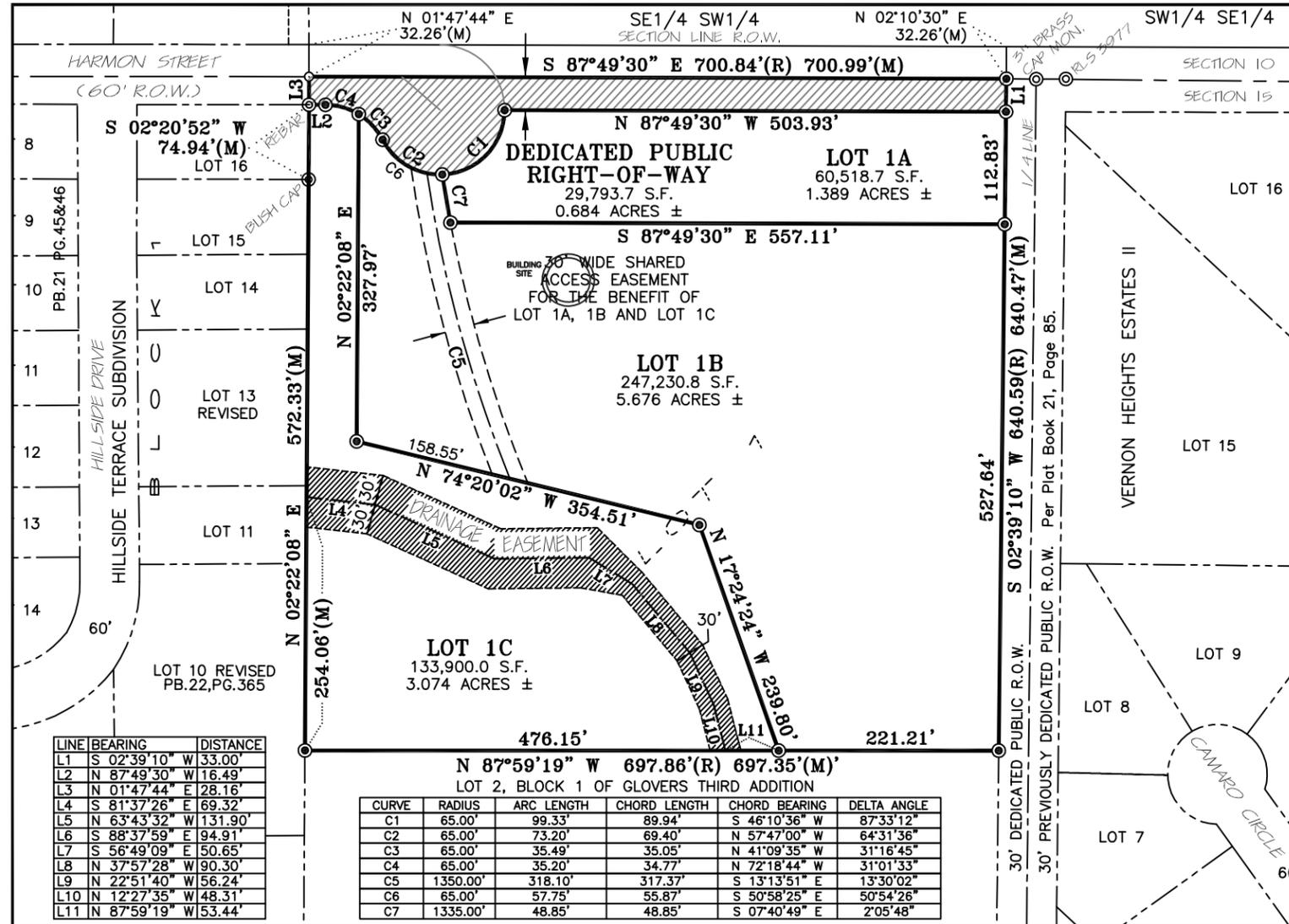
I, Director of Equalization of Meade County, South Dakota, do hereby certify that I have on record in my office a copy of the within described plat.

Dated this _____ day of _____, 20____.

Meade County
Director of Equalization

**Preliminary Plat of
Lot 1A, Lot 1B and Lot 1C, Block 1 of Glovers Third Addition
and Dedicated Public Right-Of-Way for Harmon Street.**

Formerly Lot 1, Block 1 of Glovers Third Addition.
Located in the NE 1/4 of the NW 1/4 of Section 15 Township 5 North, Range 5 East,
Black Hills Meridian, City of Sturgis, Meade County, South Dakota.



SURVEYOR'S CERTIFICATE

I, Shanon E. Vasknetz, 1921 Lazelle Street, being a Registered Land Surveyor in the State of South Dakota, do hereby state that at the request of the Owner listed hereon, I have surveyed and platted the property shown and described hereon. I have marked upon the ground the boundaries in the manner shown, and that the plat is correct to the best of my knowledge, information and belief.

IN WITNESS WHEREOF
I hereunto set my hand and seal

this _____ day of _____, 20____.

Shanon E. Vasknetz
Registered Land Surveyor No. 7719

OWNER'S CERTIFICATE

We, Cheryl A. Goodall and Gloria J. Peterson, do hereby certify that we are the Owners of the land shown and described hereon and that we did authorize and do join in and approve the survey and plat. We further certify that the development of this land shall conform to all existing applicable zoning, subdivision and erosion and sediment control regulations. Dedicated right-of-way as shown hereon is dedicated to public use.

IN WITNESS WHEREOF
We hereunto set our hands

this _____ day of _____, 20____.

Cheryl A. Goodall, Owner Gloria J. Peterson, Owner

ACKNOWLEDGEMENT OF OWNERS

STATE OF SOUTH DAKOTA }
COUNTY OF MEADE } SS

On this _____ day of _____, 20____, before me, the undersigned officer, personally appeared Cheryl A. Goodall and Gloria J. Peterson known to me to be the persons who executed the foregoing Owner's Certificate and acknowledged to me that they executed the same for purposes therein contained.

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

Notary Public My commission expires: _____

OFFICE OF REGISTER OF DEEDS

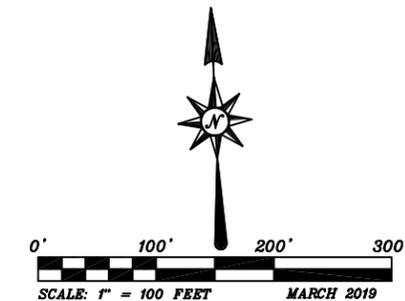
Meade County Register of Deeds

SURVEYOR'S NOTES

- 1) Basis of Bearings Using Geodetic North Determined From Global Positioning System (GPS).
- 2) Recorded Documents: Plat Book 23 at Page 90 and Plat Book 23 at Page 295 as recorded with the Meade County Register of Deeds Office in Sturgis, South Dakota. All Previous Plats Superceded per the Recording of this Plat.
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- 6) Building Setbacks: Current Zoning as Medium Density Residential Housing. Per the City of Sturgis Title 18 Zoning Codes. 10' on Front, 10' Rear and 5' on All Side Lot Lines.
- 7) Per FEMA Map Panel 46093C1169F this area is subject to Minimal Flood Hazard as Zone X, Effective Date 09/16/2011.

LEGEND

- ⊙ Found or Set 5/8" Rebar with Cap Marked 'Vasknetz RLS 7719'.
- ⊙ Found Rebar Survey Monument Unless Otherwise Noted.
- (R) Denotes Measurements Previously Recorded.
- (M) Denotes Measurements Per this Survey.



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Dated this _____ day of _____, 20____.

Meade County Treasurer

STURGIS COMMON COUNCIL

We, the undersigned, as authorized representatives of the Sturgis City Common Council, do hereby certify that at an official meeting held

on this _____ day of _____, 20____, that We did Approve this Plat.

Attest: _____ Mayor: _____
City Auditor

PLANNING COMMISSION

Approved by the City of Sturgis Planning Commission, Meade County, South Dakota.

Dated this _____ day of _____, 20____.

Signed: _____
Chairman

Attest: _____
Secretary

CERTIFICATE OF HIGHWAY OR STREET AUTHORITY

The location of the proposed access to the Highway or Street as shown hereon is hereby approved. Any change in the location of the proposed access shall require additional approval.

Dated this _____ day of _____, 20____.

Highway or Street Authority

CERTIFICATE OF DIRECTOR OF EQUALIZATION

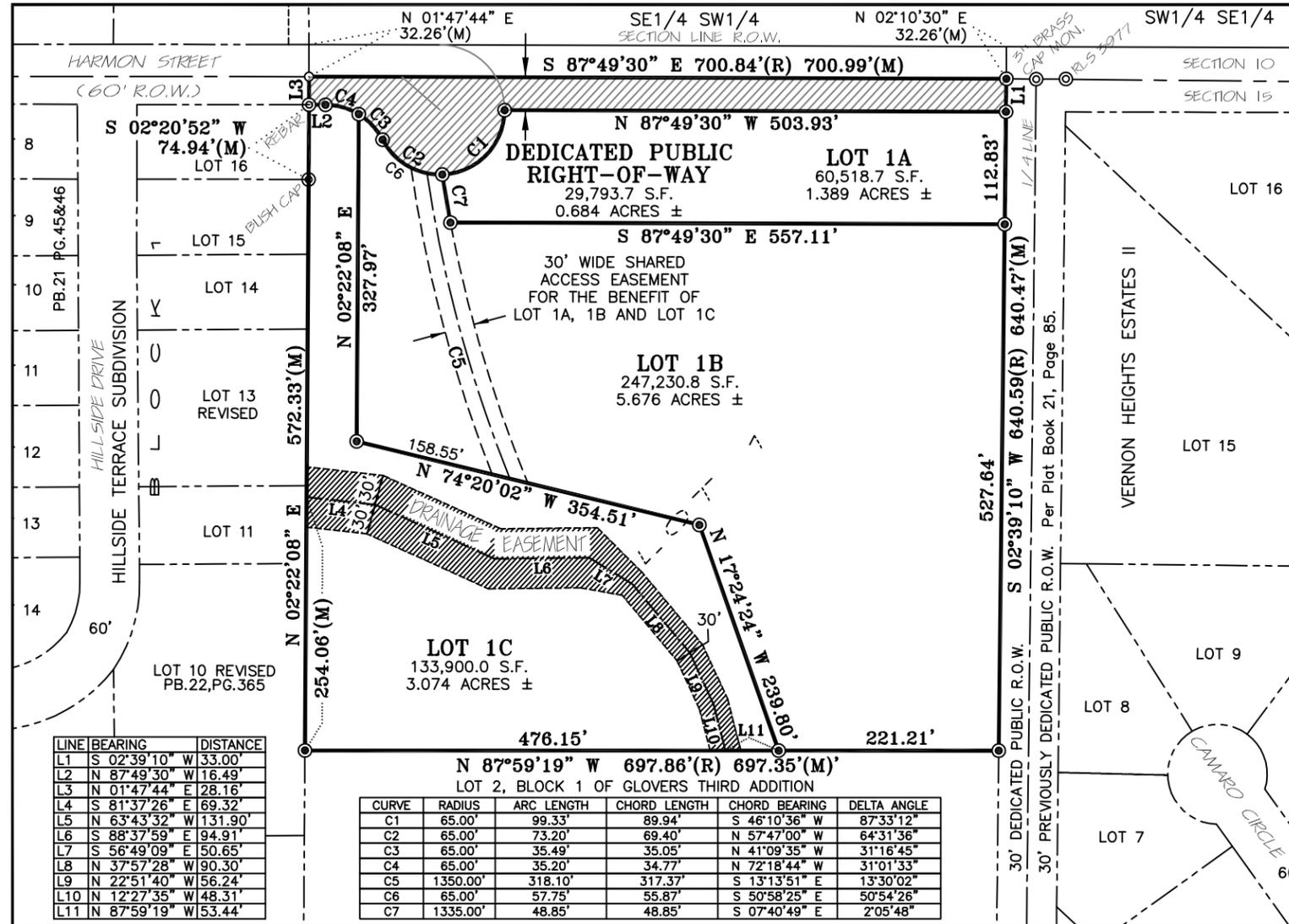
I, Director of Equalization of Meade County, South Dakota, do hereby certify that I have on record in my office a copy of the within described plat.

Dated this _____ day of _____, 20____.

Meade County
Director of Equalization

**Plat of
Lot 1A, Lot 1B and Lot 1C, Block 1 of Glovers Third Addition
and Dedicated Public Right-Of-Way for Harmon Street.**

Formerly Lot 1, Block 1 of Glovers Third Addition.
Located in the NE 1/4 of the NW 1/4 of Section 15 Township 5 North, Range 5 East,
Black Hills Meridian, City of Sturgis, Meade County, South Dakota.



SURVEYOR'S CERTIFICATE

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IN WITNESS WHEREOF
I hereunto set my hand and seal

this _____ day of _____, 20____.

Shanon E. Vasknetz
Registered Land Surveyor No. 7719

OWNER'S CERTIFICATE

We, Cheryl A. Goodall and Gloria J. Peterson, do hereby certify that we are the Owners of the land shown and described hereon and that we did authorize and do join in and approve the survey and plat. We further certify that the development of this land shall conform to all existing applicable zoning, subdivision and erosion and sediment control regulations. Dedicated right-of-way as shown hereon is dedicated to public use.

IN WITNESS WHEREOF
We hereunto set our hands

this _____ day of _____, 20____.

Cheryl A. Goodall, Owner Gloria J. Peterson, Owner

ACKNOWLEDGEMENT OF OWNERS

STATE OF SOUTH DAKOTA }
COUNTY OF MEADE } SS

On this _____ day of _____, 20____, before me, the undersigned officer, personally appeared Cheryl A. Goodall and Gloria J. Peterson known to me to be the persons who executed the foregoing Owner's Certificate and acknowledged to me that they executed the same for purposes therein contained.

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Notary Public My commission expires: _____

OFFICE OF REGISTER OF DEEDS

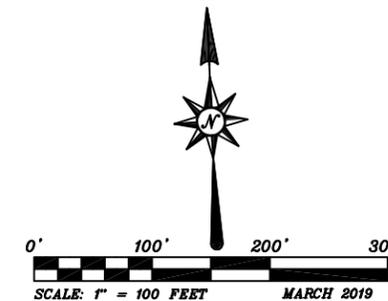
Meade County Register of Deeds

SURVEYOR'S NOTES

- 1) Basis of Bearings Using Geodetic North Determined From Global Positioning System (GPS).
- 2) Recorded Documents: Plat Book 23 at Page 90 and Plat Book 23 at Page 295 as recorded with the Meade County Register of Deeds Office in Sturgis, South Dakota. All Previous Plats Superceded per the Recording of this Plat.
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- 5) Building Restrictions: Per the Latest Adopted International Building Code (IBC).
- 6) Building Setbacks: Current Zoning as Medium Density Residential Housing. Per the City of Sturgis Title 18 Zoning Codes. 10' on Front, 10' Rear and 5' on All Side Lot Lines.
- 7) Per FEMA Map Panel 46093C1169F this area is subject to Minimal Flood Hazard as Zone X, Effective Date 09/16/2011.

LEGEND

- ⊙ Found or Set 5/8" Rebar with Cap Marked 'Vasknetz RLS 7719'.
- ⊙ Found Rebar Survey Monument Unless Otherwise Noted.
- (R) Denotes Measurements Previously Recorded.
- (M) Denotes Measurements Per this Survey.



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1040 Harley-Davidson Way
Sturgis, SD 57785
www.sturgis-sd.gov

Ph: (605) 347-4422 ext. 212
Fax: (605) 347-4861
labernathy@sturgisgov.com

Planning Commission Staff Report

March 5, 2019

Laura Abernathy, Planning Coordinator

Preliminary Plat – LPN Holdings, LLC, Lot 1A of LPN Holdings Addition

Overview

LPN Holdings, LLC has submitted a preliminary plat application for Lot 1A-1 and Lot 1A-R of LPN Holdings Addition to the City of Sturgis. The property is currently described as Lot 1A of LPN Holdings Addition. The property is currently zoned as Highway Service. Lot 1A-R will be 15.397 acres, and Lot 1A-1 will be 1.974 acres. Both lots will have at least 100' of frontage to public right-of-way as required by City Ordinance, and will meet minimum size requirements. The property is currently undeveloped and is intended to be listed for sale.

Recommendations

Staff recommends approval of the preliminary plat. The lot sizes and lot widths meet all the requirements within its zoning district.

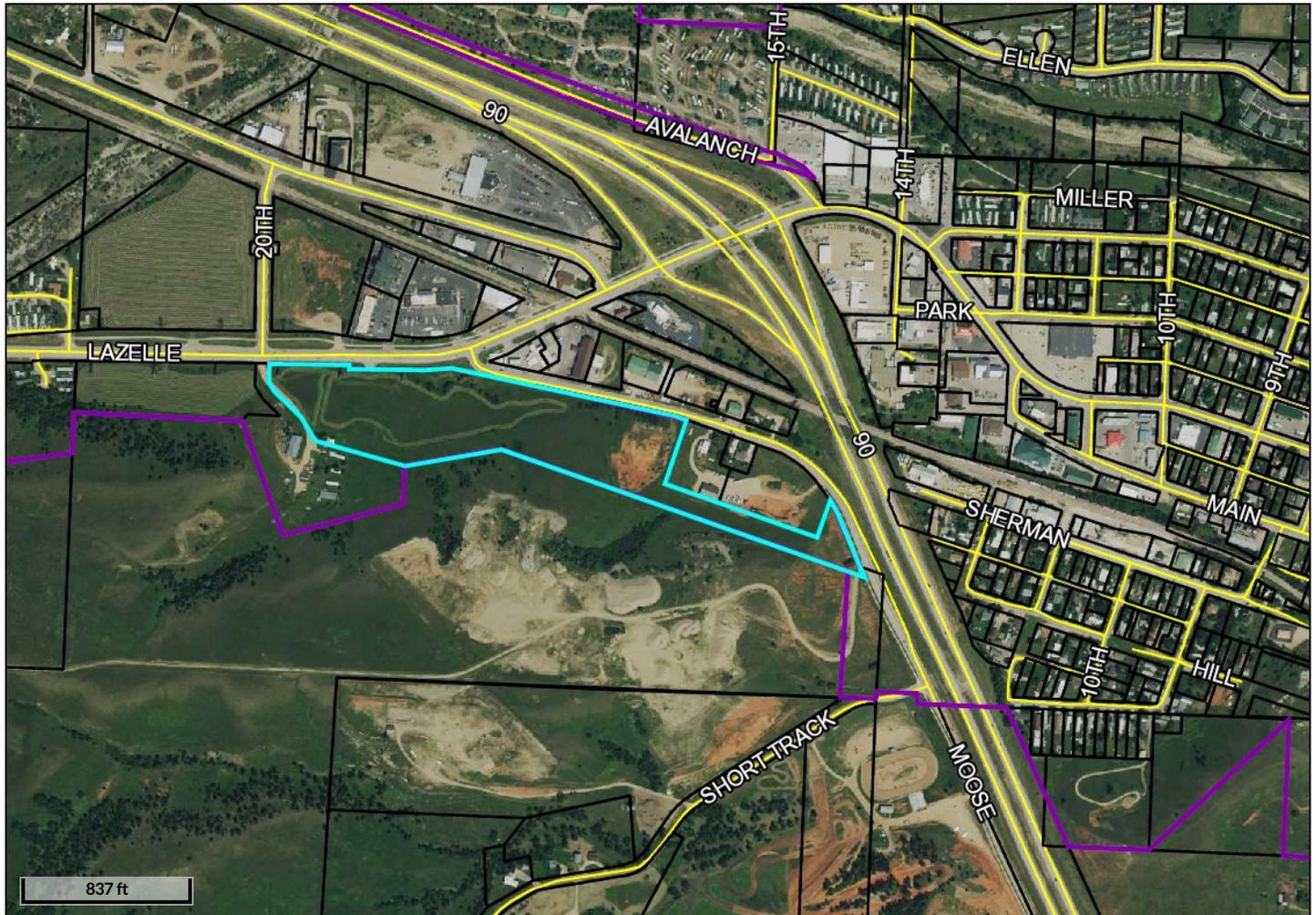
Budget Impact

There is no significant impact to the City budget at this time.

Attachments:

- A. Site Overview
- B. Preliminary plat

Lot 1A of LPN Holdings Addition

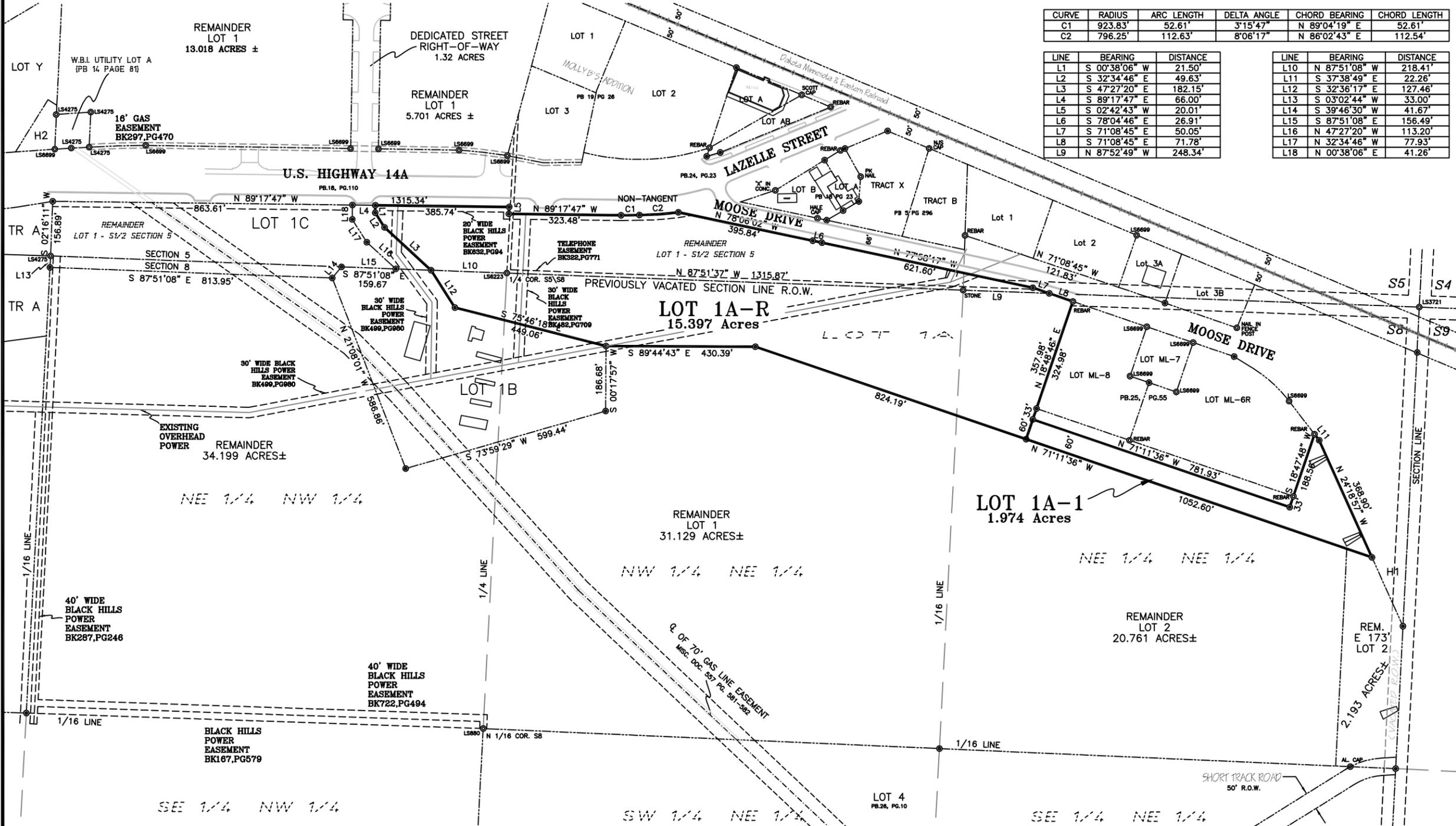


Parcel ID	01.SS.1A	Alternate ID	n/a	Owner Address	LPN HOLDINGS LLC
Sec/Twp/Rng	5,8-5-5	Class	NADC		3334 LAZELLE ST
Property Address	3334 LAZELLE	Acreage	n/a		STURGIS SD 57785
District	CS461				
Brief Tax Description	LPN HOLDINGS ADDN LOT 1A <i>(Note: Not to be used on legal documents)</i>				

Date created: 2/27/2019
Last Data Uploaded: 2/26/2019 10:57:37 PM

Developed by 

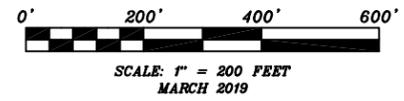
Preliminary Plat of
Lot 1A-1 and Lot 1A-R of LPN Holdings Addition to the City of Sturgis.
 Formerly Lot 1A of LPN Holdings Addition to the City of Sturgis. Located in the S 1/2 of the S 1/2 of the SE 1/4 and the S 1/2 of the S 1/2 of the SE 1/4 of the SW 1/4 of Section 5 -AND- the N 1/2 of the NE 1/4 and the N 1/2 of the NE 1/4 of the NW 1/4 of Section 8, Township 5 North, Range 5 East, Black Hills Meridian, City of Sturgis, Meade County, South Dakota.



CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	923.83'	52.61'	3°15'47"	N 89°04'19" E	52.61'
C2	796.25'	112.63'	8°06'17"	N 86°02'43" E	112.54'

LINE	BEARING	DISTANCE
L1	S 00°38'06" W	21.50'
L2	S 32°34'46" E	49.63'
L3	S 47°27'20" E	182.15'
L4	S 89°17'47" E	66.00'
L5	S 02°42'43" W	20.01'
L6	S 78°04'46" E	26.91'
L7	S 71°08'45" E	50.05'
L8	S 71°08'45" E	71.78'
L9	N 87°52'49" W	248.34'

LINE	BEARING	DISTANCE
L10	N 87°51'08" W	218.41'
L11	S 37°38'49" E	22.26'
L12	S 32°36'17" E	127.46'
L13	S 03°02'44" W	33.00'
L14	S 39°46'30" W	41.67'
L15	S 87°51'08" E	156.49'
L16	N 47°27'20" W	113.20'
L17	N 32°34'46" W	77.93'
L18	N 00°38'06" E	41.26'



LEGEND

- ⊙ Found or Set 5/8" Rebar with Cap Marked 'Vasknetz RLS 7719'.
- ⊙ Found Survey Monument as Noted.
- (R) Denotes Dimensions Previously Recorded.
- (M) Denotes Dimensions Per this Survey.

SURVEYOR'S NOTES

- 1) Basis of Bearings using Geodetic North Determined from Global Positioning System (GPS).
- 2) Building Restrictions: Per Most Recently Adopted International Building Code (IBC).
- 3) Utility & Minor Drainage Easements: 8' Wide on the interior side of all lot lines.
- 4) Building Setbacks: 25' Front and Rear, 8' on all Side Lot Lines and 25' where adjacent to all Right-Of-Way Lines.
- 5) Documents of Record as Reference: Plat Book 1 at Page 147, Plat Book 20 at Page 216-217, Plat Book 23 at Page 65 Plat Book 26 at Pages 104-105 and Miscellaneous Document Book 258 at Page 355 as Recorded at the Meade County Register of Deeds Office, Sturgis, South Dakota.
- 6) The Limits of the 100 Year Flood Plain as shown on FEMA Mapping per Panel 46093C 1166F, Effective Date 9/16/2011 include the areas North of Highway 14A (Zone AO) and along Moose Drive (Zone AE).

*Preliminary Plat of
Lot 1A-1 and Lot 1A-R of LPN Holdings Addition to the City of Sturgis.
Formerly Lot 1A of LPN Holdings Addition to the City of Sturgis. Located in the S 1/2 of the S 1/2 of the SE 1/4 and the
S 1/2 of the S 1/2 of the SE 1/4 of the SW 1/4 of Section 5 -AND- the N 1/2 of the NE 1/4 and the N 1/2 of the NE 1/4 of the NW 1/4 of Section 8,
Township 5 North, Range 5 East, Black Hills Meridian, City of Sturgis, Meade County, South Dakota.*

COUNTY TREASURER'S CERTIFICATE

I, Treasurer of Meade County, South Dakota, do hereby certify that all taxes which are liens upon the land described hereon, as shown by the records of my office, are fully paid.

Dated this _____ day of _____, 20____.

Meade County Treasurer

STURGIS COMMON COUNCIL

We, the undersigned, as authorized representatives of the Sturgis City Common Council, do hereby certify that at an official meeting held

on this _____ day of _____, 20____, that
We did Approve this Plat.

Attest: _____ Mayor: _____
City Auditor

PLANNING COMMISSION

Approved by the City of Sturgis Planning Commission,
Meade County, South Dakota.

Dated this _____ day of _____, 20____.

Signed: _____
Chairman

Attest: _____
Secretary

OFFICE OF REGISTER OF DEEDS

Meade County Register of Deeds

CERTIFICATE OF HIGHWAY OR STREET AUTHORITY

The location of the proposed access to the Highway or Street as shown hereon is hereby approved. Any change in the location of the proposed access shall require additional approval.

Dated this _____ day of _____, 20____.

Highway or Street Authority

CERTIFICATE OF DIRECTOR OF EQUALIZATION

I, Director of Equalization of Meade County, South Dakota, do hereby certify that I have on record in my office a copy of the within described plat.

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Meade County
Director of Equalization

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IN WITNESS WHEREOF
I hereunto set my hand and seal

this _____ day of _____, 20____.

Shanon E. Vasknetz
Registered Land Surveyor No. 7719

OWNER'S CERTIFICATE

We, LPN Holdings, LLC., do hereby certify that we are the Owners of the land shown and described hereon and that we did authorize and do join in and approve the survey and plat.
We further certify that the development of this land shall conform to all existing applicable zoning, subdivision and erosion and sediment control regulations. Dedicated right-of-way as shown hereon is dedicated to public use.

IN WITNESS WHEREOF
We hereunto set our hands

this _____ day of _____, 20____.

Michael P. Leveque, Managing Member

ACKNOWLEDGEMENT OF OWNERS

STATE OF SOUTH DAKOTA }
COUNTY OF _____ } SS

On this _____ day of _____, 20____, before me, the undersigned officer, personally appeared Michael P. Leveque, known to me to be the person who executed the foregoing Owner's Certificate and acknowledged to me that he executed the same for purposes therein contained.

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

Notary Public My commission expires: _____

Planning Commission Staff Report

March 5, 2019

Laura Abernathy, Planning Coordinator

Preliminary Plat – City of Sturgis, Lots 1-5, Drainage Lot in Block 1 of Creekside Subdivision

Overview

The City of Sturgis has submitted a plat application for Lots 1-5 and Drainage Lot in Block 1 of Creekside Subdivision. The property is currently a portion of unplatted City of Sturgis property along West Woodland Drive. It is currently zoned as Park Land. It is within the boundaries of Tax Increment District #15 (TIFD #15), which was created in 2018 to help subsidize the reconstruction of the bike path, West Woodland Drive and redevelop a portion of unused City property for residential development. Lots 1-4 are to be single-family residential lots, and the Drainage Lot has been platted as the location of storm sewer utilities. The City is currently in the bidding process to place four Governor's Houses with attached garages on Lots 1-4, which will be sold to income-qualified buyers. Lot 5 is a lot within the 100-year floodplain, and because it was not intended to be developed, it will be added to surplus. The neighboring Sturgis RV Park has expressed interest in purchasing Lot 5 to incorporate into their existing campground. An additional 20.45' of public right-of-way will be dedicated for the existing alley north of the lots. The water and sewer mains were extended as part of the TIFD #15 project, and will service the four residential lots, with sewer from Woodland Drive and water from the alley. An additional plat will be filed for West Woodland Drive, as this street had not been platted as a dedicated public right-of-way. During the platting process, the City will submit a zoning amendment to rezone Lots 1-4 as Medium-Density Residential Housing, and Lot 5 as RV Park/Campground.

Recommendations

Staff recommends approval of the preliminary plat. The lot sizes and lot widths meet all the requirements within the Medium-Density Residential zoning district. Development of this property has the full support of City staff.

Budget Impact

This project is within budget.

Attachments:

- A. Vicinity Map
- B. Proposed Site Plan (with previously proposed lot lines)
- C. Governor's House Brochure
- D. Governor's House Plans
- E. Preliminary Plat

Creekside Subdivision Site



Parcel ID	01.61.BC.22	Alternate ID	n/a	Owner Address	n/a
Sec/Twp/Rng	n/a	Class	n/a		
Property Address		Acreage	n/a		
District	n/a				
Brief Tax Description	n/a				

(Note: Not to be used on legal documents)

Date created: 2/20/2019
Last Data Uploaded: 2/19/2019 10:20:38 PM

OUTSIDE OF HOUSE...



When purchasing your Governor's House, you have three choices of floor plans – a two-bedroom design, a narrow lot design and a three-bedroom design. You then have the choice of having the door to your driveway being on the right or left side of the house. Plans can be found at SDHDA.org.

FIND OUT MORE...

Contact your local lender to find out more about financing options.

To view a model home when available nearest you, to find out more, or to purchase a Governor's House:

Visit SDHDA.org for a list of sales representatives in your area or call 1.800.540.4241.



WHAT IS SDHDA?

The South Dakota Housing Development Authority (SDHDA) was created by the South Dakota Legislature in 1973 with a stated mission to provide decent, safe, and affordable housing to low and moderate income South Dakotans. SDHDA, which oversees the Governor's House Program, is a self-supporting, nonprofit entity. SDHDA utilizes housing bonds, tax credits, and other federal and state resources to fund housing programs which provide mortgage and downpayment assistance, housing construction and rehabilitation, homelessness prevention, and rental assistance.

For more info please visit our website SDHDA.org



PO Box 1237 | Pierre, SD 57501

LOCAL 605.773.3181
TOLL FREE 800.540.4241

SDHDA.org



For information regarding Section 504 Accessibility, contact SDHDA's 504 Coordinator, Slade Weller at 1.800.540.4241.

THE GOVERNOR'S HOUSE PROGRAM

AN AFFORDABLE HOMEOWNERSHIP OPPORTUNITY



WHY BUY A GOVERNOR'S HOUSE?



THE GOVERNOR'S HOUSE IS...

A reasonably sized, affordable home available to income-qualified individuals and families. It can serve as a great starter home for a young family or an easy to maintain retirement home.

The Governor's House program puts prison inmates to work learning marketable skills for life outside of prison, while providing affordable, energy efficient, low maintenance homes to those who may otherwise not be able to afford one. The simplified home design, in conjunction with the Governor's Inmate Training program, keeps the cost of these homes affordable.

STANDARD FEATURES...

EXTERIOR

- Energy efficient, durable walls made up of 2x6 exterior wall construction with R-21 batt insulation and R7.5 x XPS foam sheathing
Ceiling Height: 8 feet

- Electric or gas forced air heating with the added convenience of a high efficiency heat pump. Paired with the newly added central air conditioning system, the heat pump is able to transfer air to both heat and cool the home depending upon the season.
- Modern dual slope box bay window with modern stacked stone panels to enhance the home's exterior curb appeal
- High performance vinyl casement windows with .26 u-value that keep the heat in on cold days and keep the heat out on hot days
- 30-year architectural laminate shingles built to withstand strong winds
- Low maintenance double 5" clapboard vinyl siding in on-trend colors, canyon drift or charcoal smoke, paired with white under sill and corners
- Added exterior emphasis with board and batten vertical siding to make the windows stand out
- Trusses framed for optional stairway

INTERIOR

- Heat recovery ventilator that provides fresh air for improved indoor air quality
- Onyx stained, shaker style, poplar kitchen and bathroom cabinets with contemporary granite patterned high definition laminate countertops
- Stainless steel double bowl kitchen sink with single lever faucet and pull-out spray head
- Under mount LED kitchen cabinet lighting
- Timeless six panel, white interior doors with lever style lock sets
- Splatter knockdown textured walls painted in an off-white eggshell finish
- Oil rubbed bronze finished ceiling fixtures with etched glass bowls
- White finished baseboards, trim and mouldings
- Pantry and island available at an extra cost
- Homes can be made handicap accessible

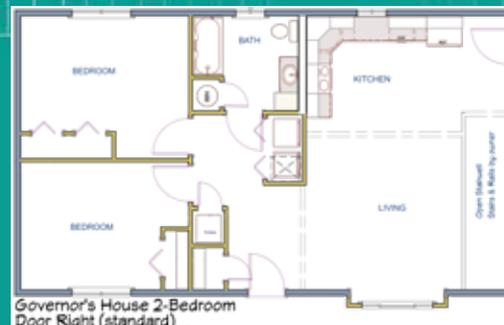
3 BEDROOM HOUSE

One and 3/4s Baths, 1200 Sq. Ft., Dimensions 24' x 50'



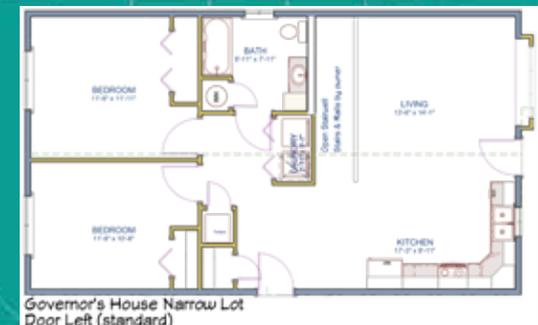
2 BEDROOM HOUSE

One Bath, 1008 Sq. Ft., Dimensions 24' x 42'



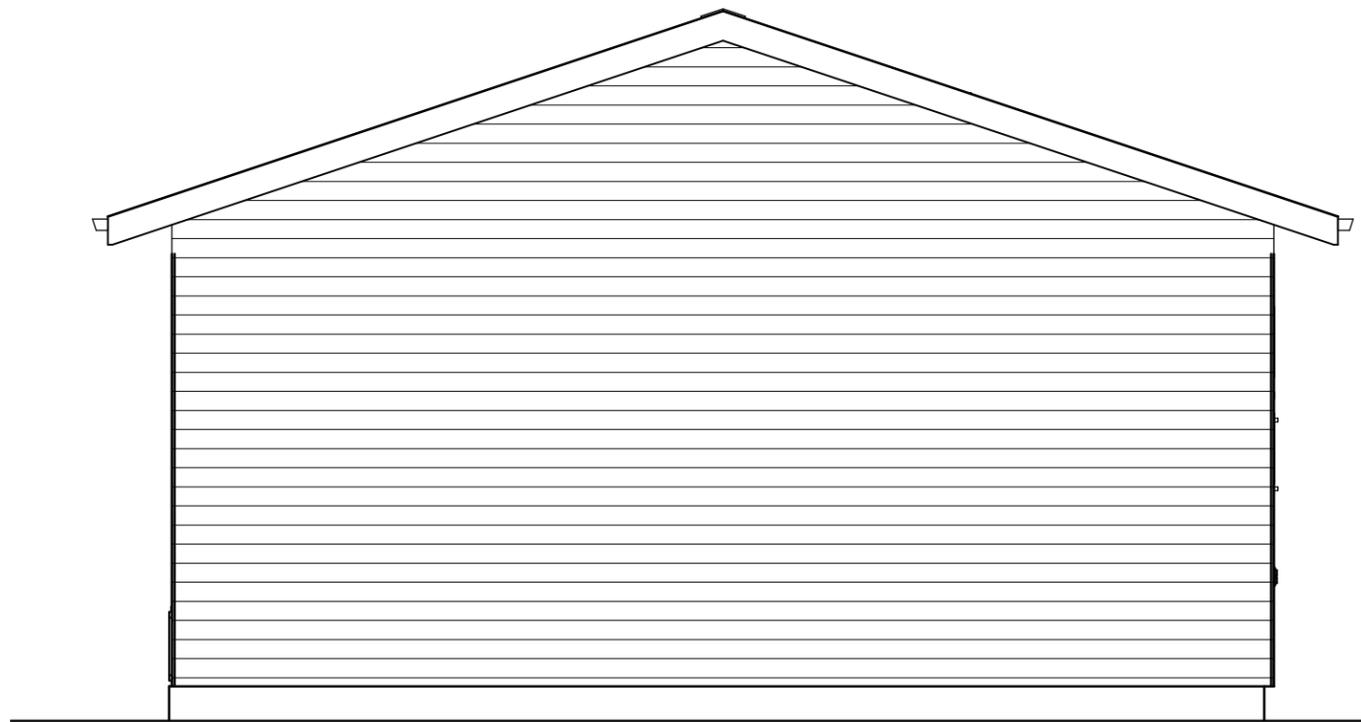
NARROW LOT HOUSE

One Bath, 1008 Sq. Ft., Dimensions 24' x 42'



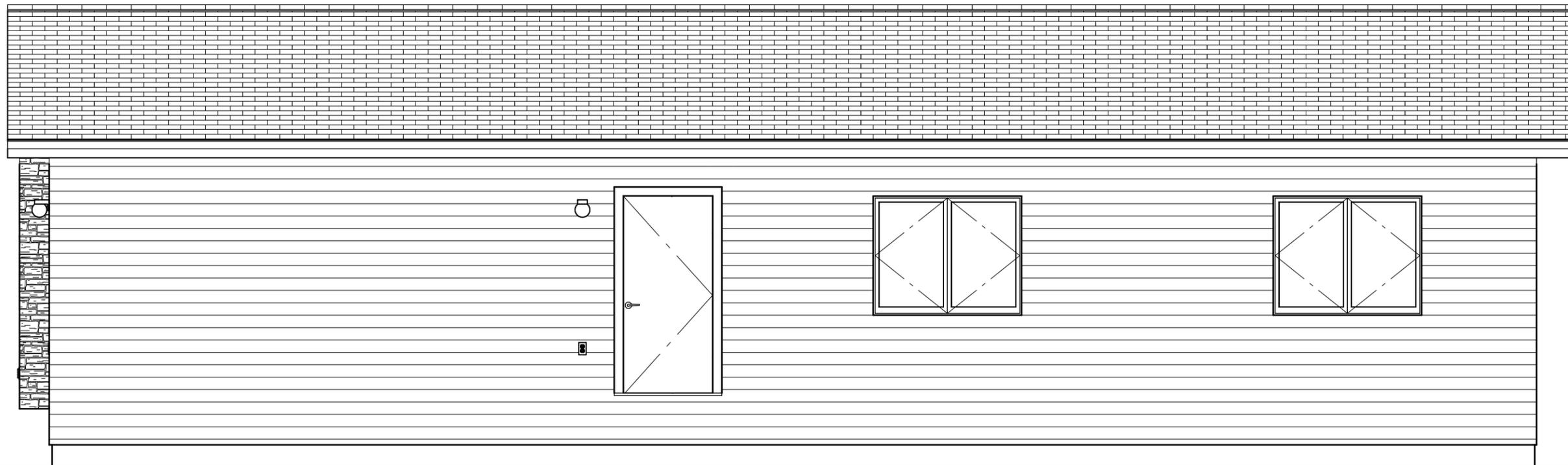


Front Elevation 1/4"=1'



Rear Elevation 1/4"=1'

Governor's House Narrow Lot
3-Bed Door Right (reverse)



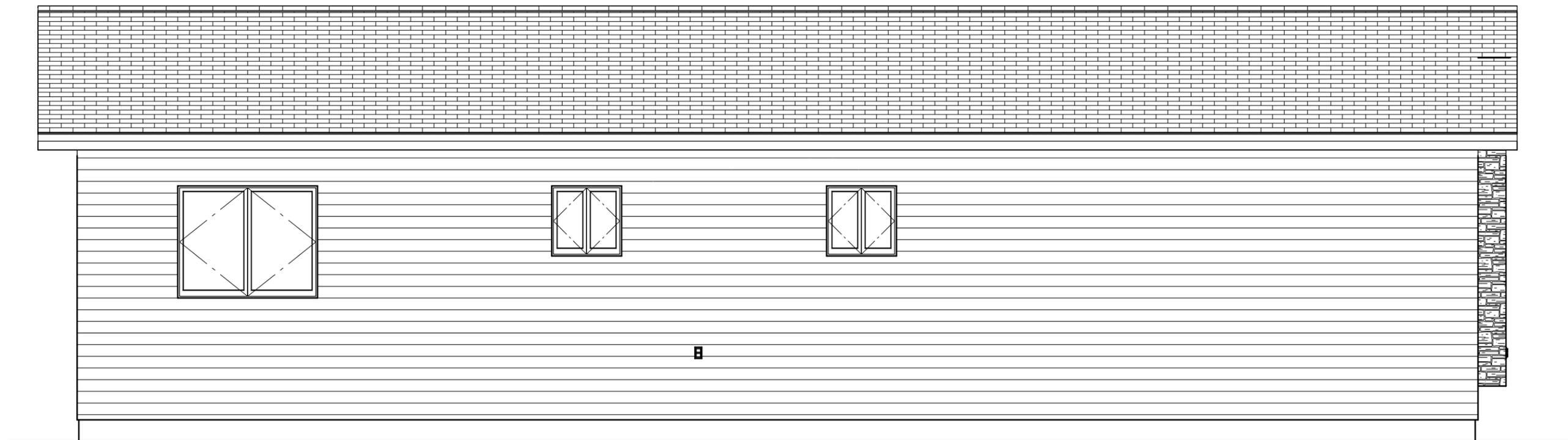
Left Elevation 1/4"=1'

Window Schedule		
Type	R.O Size	Style
A	60"x48"	Casement
B	30"x36"	Casement
C	30"x30"	Casement
D	72"x60"	Triple Casement

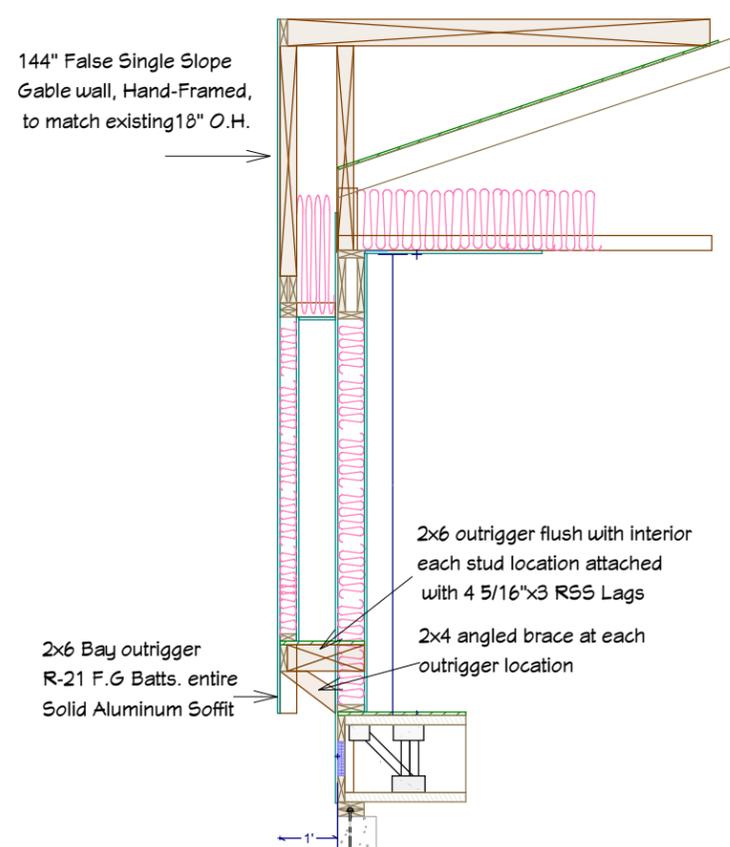
Door Schedule			
Type	Size	R.O. Size	Style
A	3'-0"x6'8"	38 1/2"x82 1/2"	Ins. Steel w/ Lite
B	3'0"x6'8"	38 1/2"x82 1/2"	Ins Steel
D	3'0"x6'8"	38 1/2"x82 1/2"	Wood Passage
E	3'0"x6'8"	38 1/2"x82 1/2"	Wood Bifold
G	5'0"x6'8"	62 1/2"x82 1/2"	Wood Bifold

Governor's House Narrow Lot
3-Bed Door Right (reverse)

Governor's House Program 3-Bed
Narrow Lot Door Right (reverse)



Right Elevation 1/4"=1'

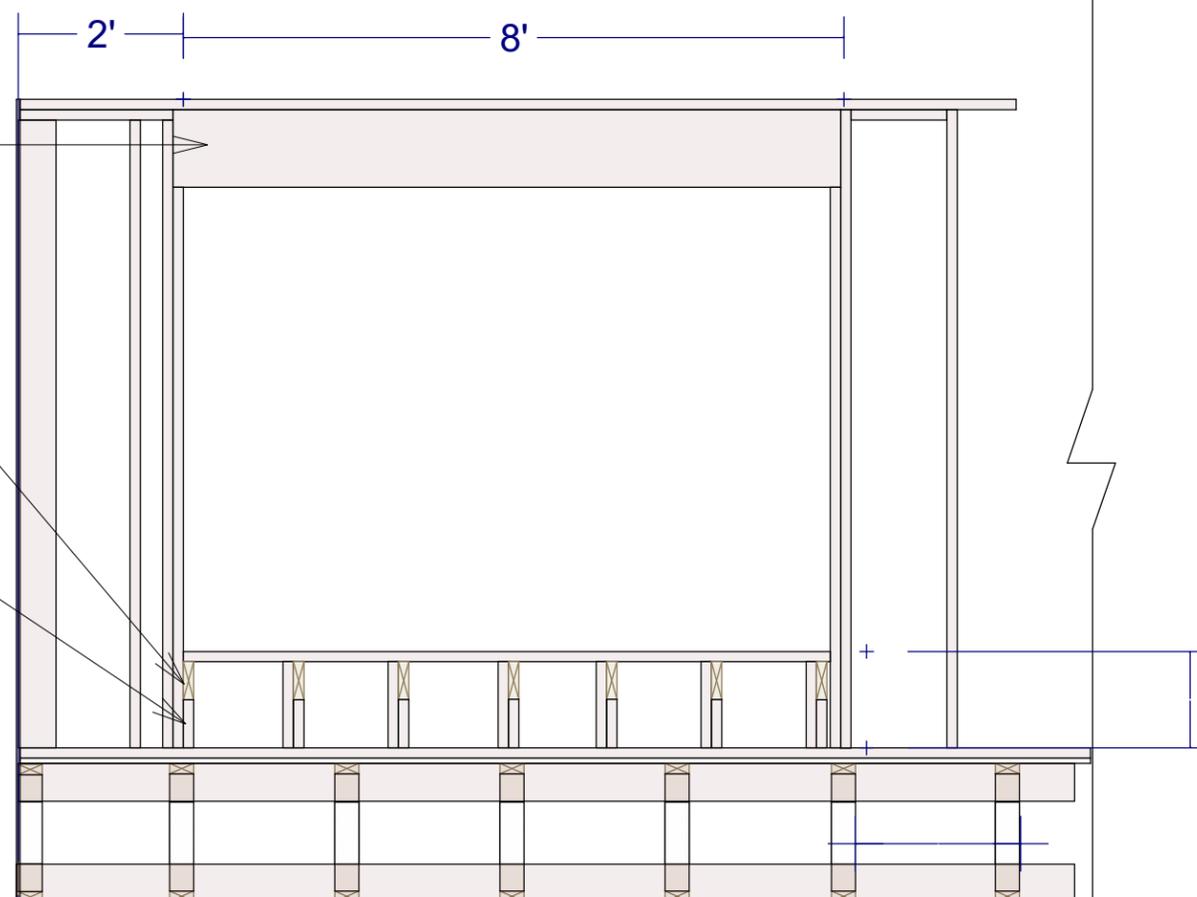


Box Bay Section

Dbl. 2x12 Header at opening

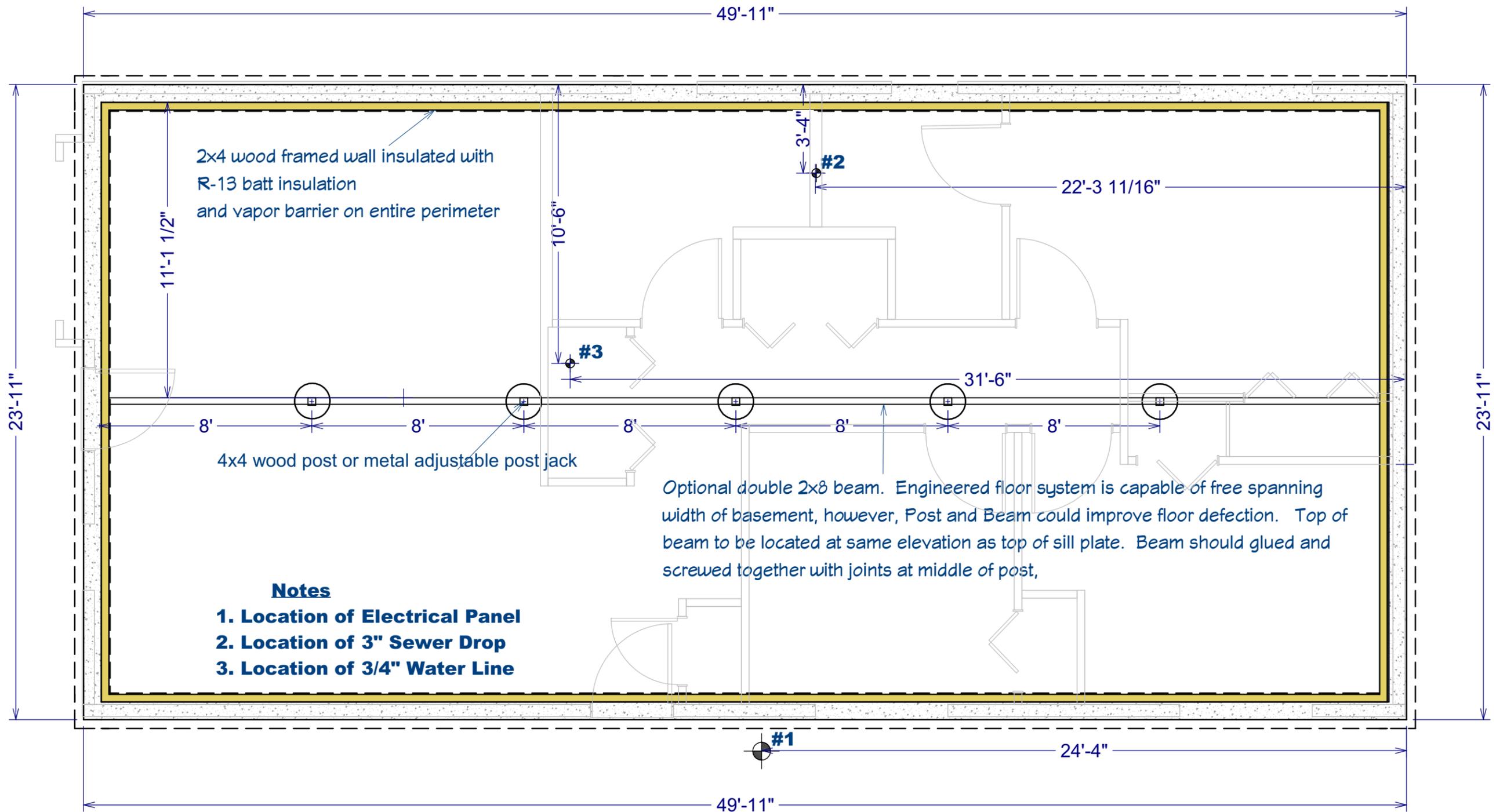
2x6 Outriggers at each stud location
Attach flush to interior stud, screwed with 4 -5/16x3" R55 Lags

2x6 Blocking under each outrigger con't to floor



Box Bay Opening

Governor's House Narrow Lot
3-Bed Door Right (reverse)



2x4 wood framed wall insulated with R-13 batt insulation and vapor barrier on entire perimeter

4x4 wood post or metal adjustable post jack

Optional double 2x8 beam. Engineered floor system is capable of free spanning width of basement, however, Post and Beam could improve floor deflection. Top of beam to be located at same elevation as top of sill plate. Beam should be glued and screwed together with joints at middle of post,

Notes

- 1. Location of Electrical Panel
- 2. Location of 3" Sewer Drop
- 3. Location of 3/4" Water Line

General Notes:

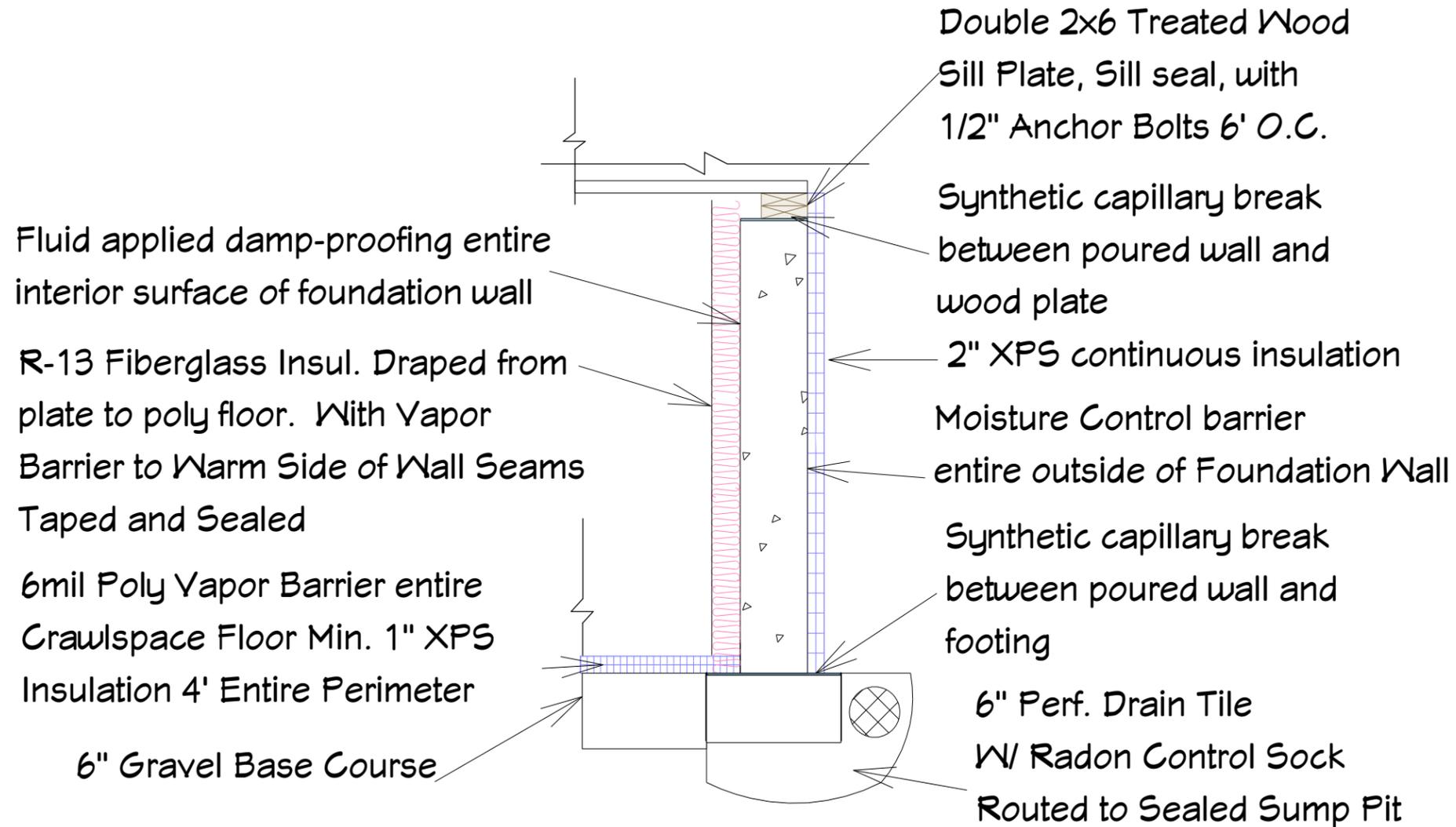
These Plans are meant to be a guide for foundation construction only. Because local codes and conditions vary widely across the state, owner/contractor should consult with local code officials and verify soil conditions prior to beginning work. Wall dimensions, blocking locations, reinforcement type and footing details could change substantially from location to location.

Note:

Insulated and sealed crawlspace should NOT have added ventilation but should be treated as a conditioned area. Supply air = to 1CFM per 50 CFT of volume should be routed to the area from the existing main floor duct system and an equal quantity of return air provided from the existing return duct system.

**Governor's House Narrow Lot
3-Bed Door Right (reverse)**

Note: Insulated and sealed crawlspaces should NOT have added ventilation but should be treated as a conditioned area. Supply air = to 1CFM per 50CFT of volume should be routed from the existing main floor duct system into crawlspace with an equal quantity of return air provided with existing return system



General Notes:

These plans are meant to be a guide for basement construction only.

Because local codes and conditions vary widely across the state, owner should consult with local code officials and verify soil conditions prior to beginning work. Wall dimensions, blocking locations, reinforcement type and footing details could change substantially from location to location.

Option #2 Crawlspace

Top chord 4x2 SPF 2400F-2.0E
 Bot chord 4x2 SPF 2400F-2.0E
 Webs 4x2 SPF #1/#2

Max JT VERT DEFL: LL: 0.40" DL: 0.15". See detail DEFLCAM80813 for
 camber recommendations.

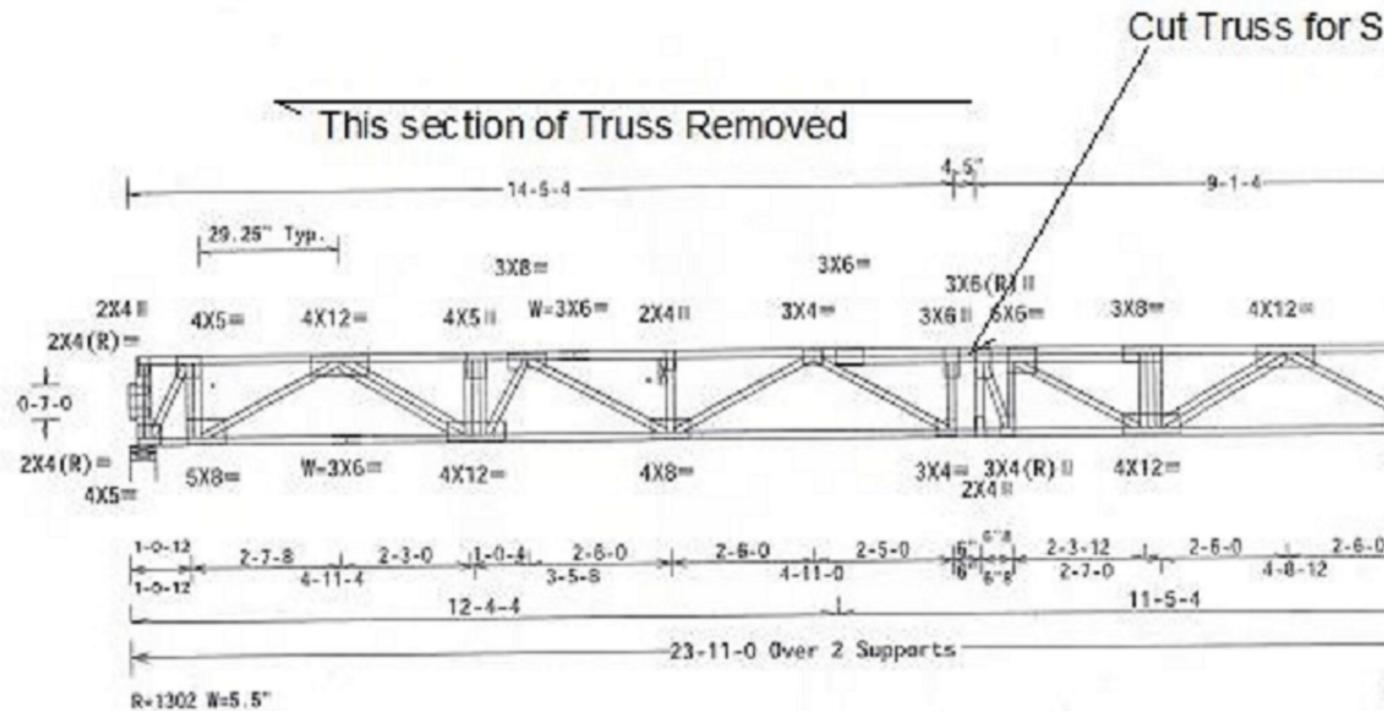
Deflection meets L/480 live and L/360 total load.

Truss must be installed as shown with top chord up.

+ 2x6 continuous strongback, see detail STRONGBACK bridging recommendations.

Deflection estimate assumes composite action with appropriate span rated glue-nailed wood sheathing.

Bottom chord checked for 10.00 psf non-concurrent load applied per IBC-05 section 1607.

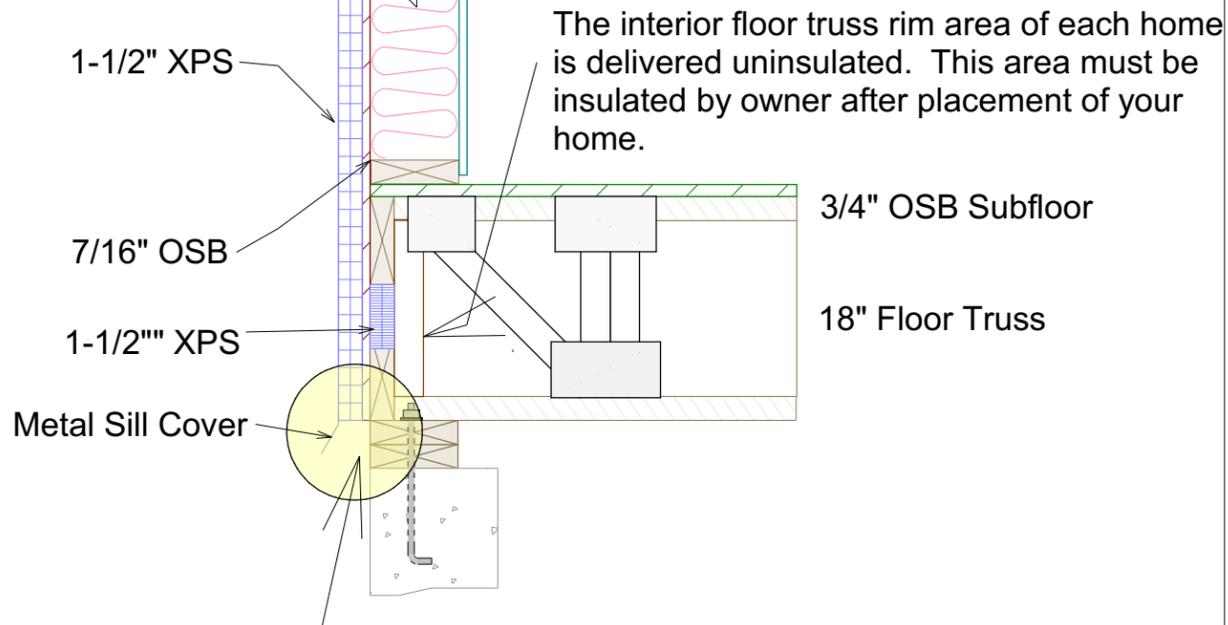
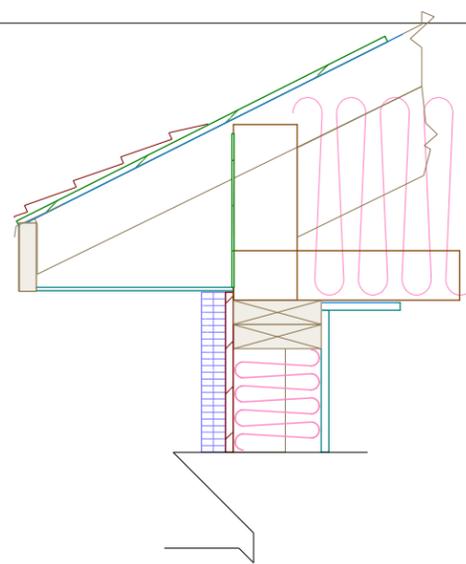


Design Crit: IBC2006/TPI-2002(STD)

Floor Truss Detail

General Notes:

These plans are meant to be a guide for basement construction only.
Because local codes and conditions vary widely across the state, owner should consult with local code officials and verify soil conditions prior to beginning work. Wall dimensions, blocking locations, reinforcement type and footing details could change substantially from location to location.



Please be aware that the exterior wall bearing lines up with the exterior of the foundation. The siding surface overhangs the concrete of the foundation wall typically by 2". Be aware that 2" continuous insulation must be applied to concrete for surface to be on a level plane with home.

Foundation Connection Detail

COUNTY TREASURER'S CERTIFICATE

I, Treasurer of Meade County, South Dakota, do hereby certify that all taxes which are liens upon the land described hereon, as shown by the records of my office, are fully paid.

Dated this _____ day of _____, 20____.

Meade County Treasurer

STURGIS COMMON COUNCIL

We, the undersigned, as authorized representatives of the Sturgis City Common Council, do hereby certify that at an official meeting held

on this _____ day of _____, 20____, that We did Approve this Plat.

Attest: _____ Mayor: _____
City Auditor

PLANNING COMMISSION

Approved by the City of Sturgis Planning Commission, Meade County, South Dakota.

Dated this _____ day of _____, 20____.

Signed: _____
Chairman

Attest: _____
Secretary

CERTIFICATE OF HIGHWAY OR STREET AUTHORITY

The location of the proposed access to the Highway or Street as shown hereon is hereby approved. Any change in the location of the proposed access shall require additional approval.

Dated this _____ day of _____, 20____.

Highway or Street Authority

CERTIFICATE OF DIRECTOR OF EQUALIZATION

I, Director of Equalization of Meade County, South Dakota, do hereby certify that I have on record in my office a copy of the within described plat.

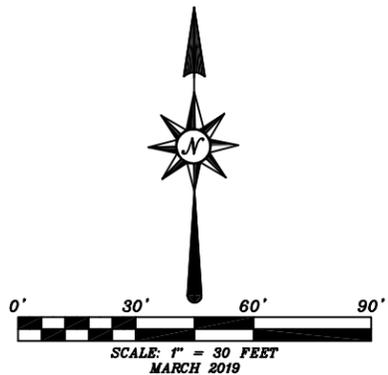
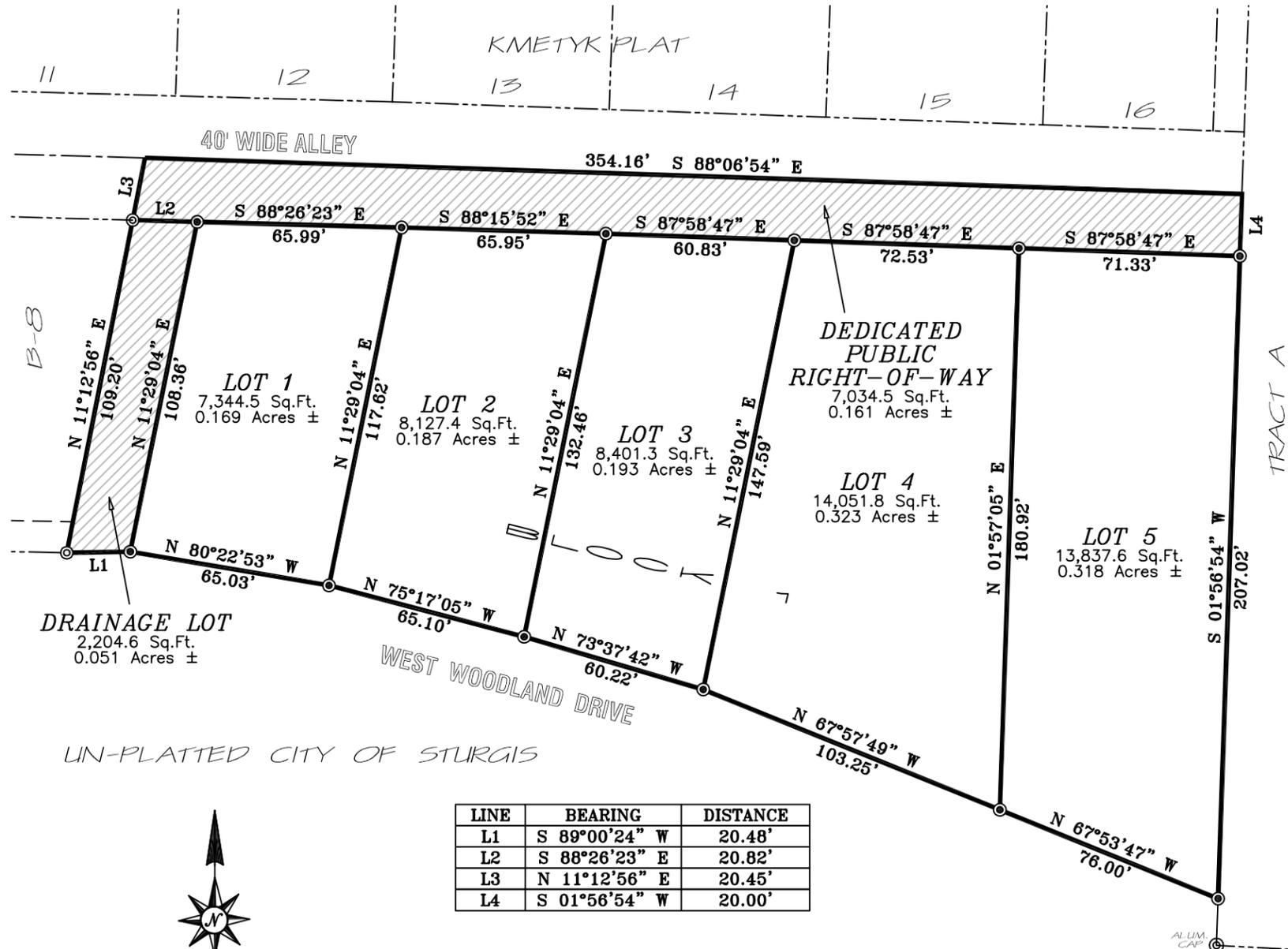
Dated this _____ day of _____, 20____.

Meade County
Director of Equalization

SURVEYOR'S NOTES

- Recorded Information: Plat Book 10 at Page 59, Plat Book 17 at Page 197 and Plat Book 25 at Page 67 as recorded with the Meade County Register of Deeds, Sturgis, South Dakota. All Previous Plats Vacated per the Recording of this Plat.
- Utility & Minor Drainage Easements: 8' Wide on the interior side of all lot lines.
- Building Restrictions: Per the Latest Adopted International Building Code (IBC).
- Building Setbacks: Zoning as Medium Density Residential Housing and RV Park. Per the City of Sturgis Title 18 Zoning Codes. Setback 10' on Front, 10' on Rear and 5' on All Side Lot Lines.

**Preliminary Plat of
Lots 1, 2, 3, 4, 5 and Drainage Lot, Block 1 of Creekside Subdivision
AND Dedicated Public Right-Of-Way for an Alley.**
Formerly an Un-platted Portion of The City of Sturgis Property Located along Woodland Drive.
All Located in the SW 1/4 of the SE 1/4 of Section 4, Township 5 North, Range 5 East,
Black Hills Meridian, City of Sturgis, Meade County, South Dakota.



SURVEYOR'S CERTIFICATE

I, Shanon E. Vasknetz, 1921 Lazelle Street, being a Registered Land Surveyor in the State of South Dakota, do hereby state that at the request of the Owner listed hereon, I have surveyed and platted the property shown and described hereon. I have marked upon the ground the boundaries in the manner shown, and that the plat is correct to the best of my knowledge, information and belief.

IN WITNESS WHEREOF
I hereunto set my hand and seal

this _____ day of _____, 20____.

Shanon E. Vasknetz
Registered Land Surveyor No. 7719

OWNER'S CERTIFICATE

We, The Sturgis City Council, do hereby certify that we are the Owners of the land shown and described hereon and that we did authorize and do join in and approve the survey and plat. We further certify that the development of this land shall conform to all existing applicable zoning, subdivision and erosion and sediment control regulations. Dedicated right-of-way as shown hereon is dedicated to public use.

IN WITNESS WHEREOF
We hereunto set our hands

this _____ day of _____, 20____.

Mayor; Mark Carstensen

ACKNOWLEDGEMENT OF OWNERS

STATE OF SOUTH DAKOTA }
COUNTY OF MEADE } SS

On this _____ day of _____, 20____, before me, the undersigned officer, personally appeared Mark Carstensen known to me to be the persons who executed the foregoing Owner's Certificate and acknowledged to me that they executed the same for purposes therein contained.

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

Notary Public _____ My commission expires: _____

OFFICE OF REGISTER OF DEEDS

Meade County Register of Deeds
EMAIL: baseline7719@gmail.com JOB NO. 18-005

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Planning Commission Staff Report

March 5, 2019
Laura Abernathy, Planning Coordinator
Preliminary Plat – City of Sturgis

Overview

The City of Sturgis has submitted a plat application for dedicated public right-of-way for West Woodland Drive. Currently, the property is part of an unplatted portion of City of Sturgis property that contains a section of the City bike path and West Woodland Drive. Portions of the bike path and West Woodland Drive had undergone a complete realignment and reconstruction in 2018. The plat will reflect this realignment and a varying width of 60-70' of dedicated public right-of-way for the road and bike path.

Recommendations

Staff recommends approval of the preliminary plat. This will create dedicate public right-of-way for West Woodland Drive, as it has been used for public travel for some time. It will also allow several lots along Woodland Drive to officially conform to City Ordinance regulations, which require lots to front a public right-of-way.

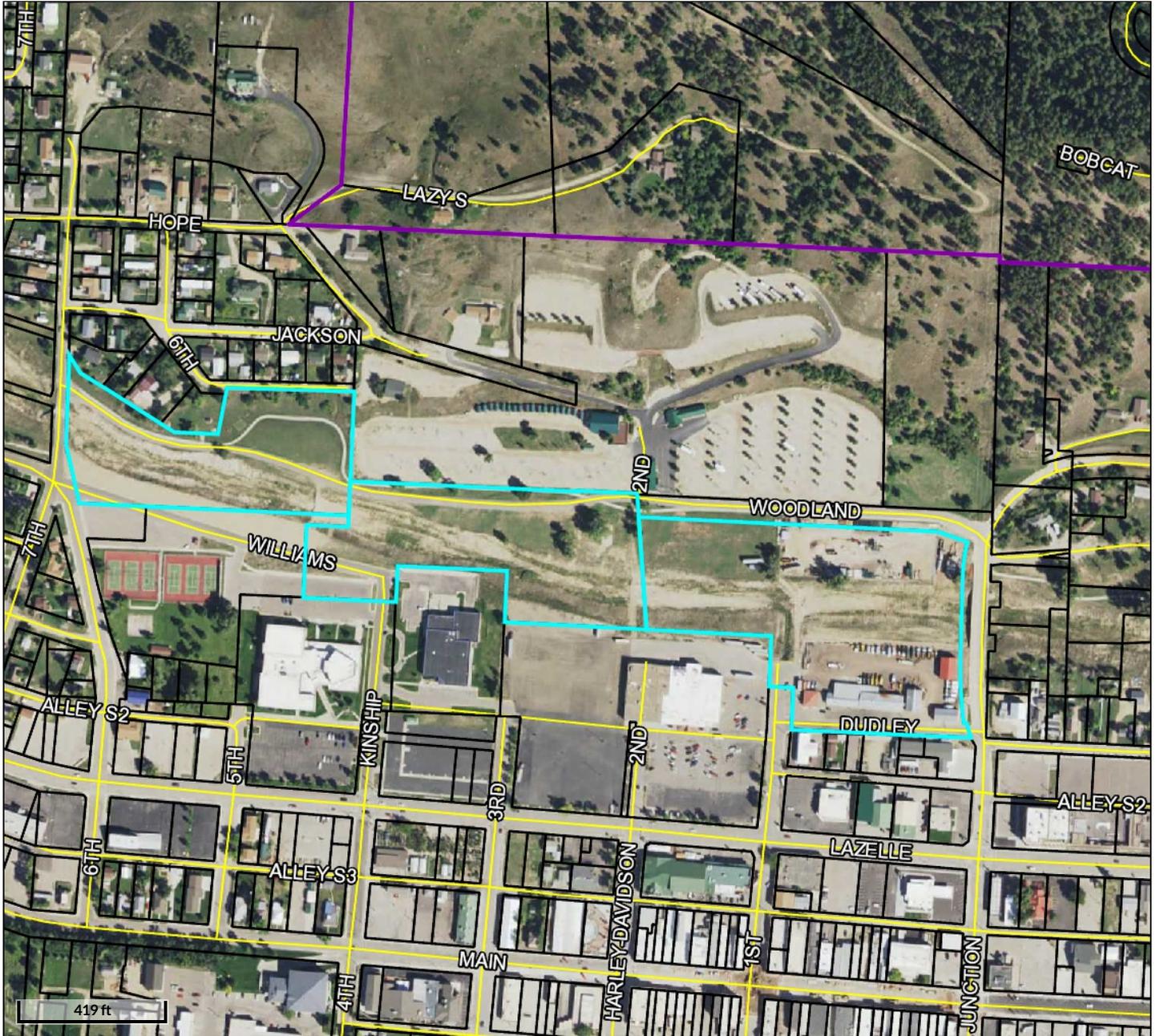
Budget Impact

There is no significant impact to the City budget at this time.

Attachments:

- A. Vicinity Map
- B. Preliminary Plat

Portions of Unplatted W Woodland Dr



Date created: 2/20/2019
Last Data Uploaded: 2/19/2019 10:20:38 PM

COUNTY TREASURER'S CERTIFICATE

I, Treasurer of Meade County, South Dakota, do hereby certify that all taxes which are liens upon the land described hereon, as shown by the records of my office, are fully paid.

Dated this _____ day of _____, 20____.

Meade County Treasurer

STURGIS COMMON COUNCIL

We, the undersigned, as authorized representatives of the Sturgis City Common Council, do hereby certify that at an official meeting held

on this _____ day of _____, 20____, that We did Approve this Plat.

Attest: _____ Mayor: _____
City Auditor

PLANNING COMMISSION

Approved by the City of Sturgis Planning Commission, Meade County, South Dakota.

Dated this _____ day of _____, 20____.

Signed: _____
Chairman

Attest: _____
Secretary

SURVEYOR'S NOTES

- 1) Recorded Information: Plats as Noted as recorded with the Meade County Register of Deeds, Sturgis, South Dakota. All Previous Plats Vacated per Recording of this Plat.
- 2) Building Restrictions: Per the Latest Adopted International Building Code (IBC).
- 3) Basis of Bearings Using Geodetic North Determined From Global Positioning System (GPS).

CERTIFICATE OF DIRECTOR OF EQUALIZATION

I, Director of Equalization of Meade County, South Dakota, do hereby certify that I have on record in my office a copy of the within described plat.

Dated this _____ day of _____, 20____.

Meade County
Director of Equalization

CERTIFICATE OF HIGHWAY OR STREET AUTHORITY

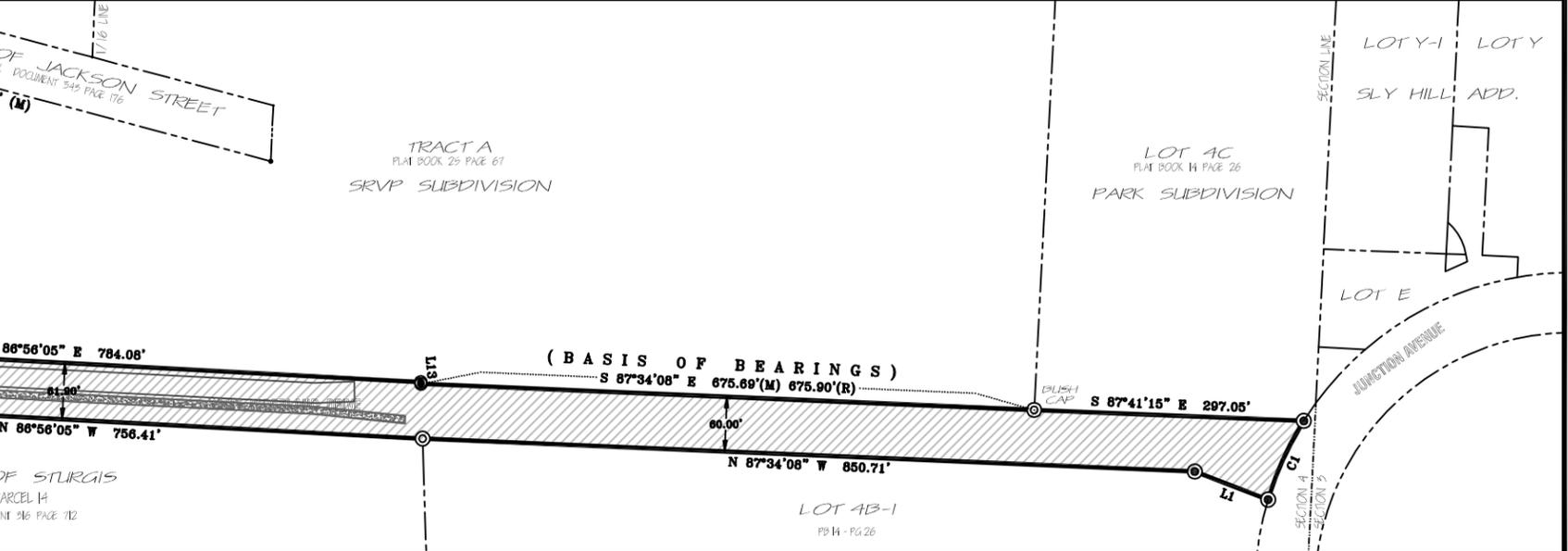
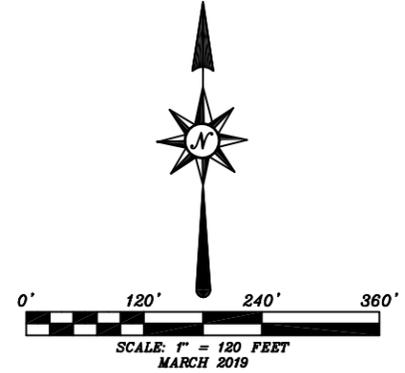
The location of the proposed access to the Highway or Street as shown hereon is hereby approved. Any change in the location of the proposed access shall require additional approval.

Dated this _____ day of _____, 20____.

Highway or Street Authority

LEGEND

- ⊙ Found or Set 5/8" Rebar with Cap Marked 'Vasknetz RLS 7719'.
- ⊙ Found Rebar Survey Monument Unless Otherwise Noted.
- (R) Denotes Measurements Previously Recorded.
- (M) Denotes Measurements Per this Survey.



LINE	BEARING	DISTANCE
L1	N 89°06'56" W	86.40'
L2	N 88°39'43" W	76.54'
L3	S 31°42'35" E	57.47'
L4	S 56°15'16" E	69.23'
L5	S 56°48'59" E	42.11'
L6	N 89°00'24" E	20.48'

LINE	BEARING	DISTANCE
L7	S 80°22'53" E	65.03'
L8	S 75°17'05" E	65.10'
L9	S 73°37'42" E	60.22'
L10	S 67°57'49" E	103.25'
L11	S 67°53'47" E	76.00'
L12	S 01°56'54" W	15.05'
L13	S 04°20'50" E	1.97'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	349.56'	95.19'	94.90'	S 24°28'30" W	15°36'11"

DEDICATED PUBLIC RIGHT-OF-WAY
164,891.8 Sq.Ft.
3.785 Acres ±

CITY OF STURGIS
PARCEL 14
DOCUMENT 316 PAGE 712

(BASIS OF BEARINGS)
S 87°34'08" E 675.69'(M) 675.90'(R)
N 87°34'08" W 850.71'

SURVEYOR'S CERTIFICATE

I, Shanon E. Vasknetz, 1921 Lazelle Street, being a Registered Land Surveyor in the State of South Dakota, do hereby state that at the request of the Owner listed hereon, I have surveyed and platted the property shown and described hereon. I have marked upon the ground the boundaries in the manner shown, and that the plat is correct to the best of my knowledge, information and belief.

IN WITNESS WHEREOF
I hereunto set my hand and seal

this _____ day of _____, 20____.

Shanon E. Vasknetz
Registered Land Surveyor No. 7719

ACKNOWLEDGEMENT OF OWNERS

STATE OF SOUTH DAKOTA }
COUNTY OF MEADE } SS

On this _____ day of _____, 20____, before me, the undersigned officer, personally appeared Mark Carstensen known to me to be the persons who executed the foregoing Owner's Certificate and acknowledged to me that they executed the same for purposes therein contained.

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

Notary Public My commission expires:

OFFICE OF REGISTER OF DEEDS

Meade County Register of Deeds

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IN WITNESS WHEREOF
We hereunto set our hands

this _____ day of _____, 20____.

Mayor; Mark Carstensen