

Prepared by: City of Sturgis  
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**RESOLUTION 2021- 12**  
**AMENDED RESOLUTION OF ANNEXATION OF BURNHAM PROPERTY**

**WHEREAS**, Thomas H. Burnham and Linda M. Burnham as owners of the subject property identified below have signed and submitted a voluntary Development and Annexation Agreement for consideration, approval and signature by the City of Sturgis, accompanied by a completed and fully executed Petition for Annexation into the City of Sturgis; and

**WHEREAS**, the Common council of the City of Sturgis has statutory authority, pursuant to SDCL 9-4-1.1, to enter into an agreement for voluntary Development and Annexation; and

**WHEREAS**, the agreement for Voluntary Development and Annexation between the parties is for property contiguous to a portion of the present boundary of the City of Sturgis and within the area where growth of the City can be accommodated to provide for orderly growth and development of the City; and

**WHEREAS**, ample and suitable resources exist to accommodate the orderly growth and development of the contiguous property described in detail below as evidenced by the City's current provision of some City services to the area and consistent with the language of the most recent Annexation Study; and

**WHEREAS**, there is both a reasonable present and demonstrable future need for annexing the subject contiguous property in accordance with the that Annexation Study; and

**WHEREAS**, the population and relevant census data indicate that the City has and may experience growth and development beyond its present boundaries; and

**WHEREAS**, any exclusions or irregularities in municipal boundaries would result from completion of this Development and Annexation Agreement are not a result of arbitrariness but are a result of or are based upon existing geographical features, physical barriers, existing property boundaries existing occupancies and uses, and existing municipal boundaries; and

**WHEREAS**, there exists a community of interest between the property as described in the subject Development and Annexation Agreement and Petition for Annexation and existing Sturgis municipal boundaries; and

**WHEREAS**, a map of the area subject to this Resolution is Attached as Exhibit A and incorporated herein by reference.

**NOW, THEREFORE BE IT HEREBY RESOLVED** by the Common Council for the City of Sturgis that, upon approval and authorization for signature of the Burnham Development and Annexation Agreement, together with approval of the companion Petition for Annexation, the subject property described as follows shall be annex:

- S1/2 S1/2 NW1/4 and N1/2 N1/2 N1/2 SW1/4, of Section 9, Township 5 North, Range 5 East of the B. H. M., Meade County, South Dakota, lying East of Interstate 90.

**BE IT FURTHER RESOLVED** that this Resolution of Annexation shall be recorded at length in the minutes of the meeting at which said Resolution is passed, together with a statement of the number of votes for and against the same, and then published in full as a part of the minutes of that meeting; and

**BE IT FURTHER RESOLVED** that on the twentieth day after publication of this Resolution a copy of it, certified by the City Finance Officer, and a map showing the property subject to this Resolution of Annexation, shall be recorded in the office of Meade County Register of Deeds and thereupon such territory shall become and be a part of the City of Sturgis, South Dakota.

Dated this 19<sup>th</sup> day of January 2021.

CITY OF STURGIS

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Mayor Mark Carstensen

ATTEST:

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Fay Bueno  
City Finance Officer

Published: 01-26-2021

Effective: 02-16-2021

