

Department of Transportation

Division of Planning/Engineering

Right of Way Program

700 E Broadway Avenue

Pierre, South Dakota 57501-2586

605/773-3746 FAX: 605/773-5867

February 21, 2018

Mike Behm,
Director of Planning and Engineering
Department of Transportation
Pierre, South Dakota 57501

RE: March 1, 2018 Transportation Commission Agenda

Dear Mr. Behm:

The following items are recommended for Commission consideration:

1. Request for overhead electrical distribution line and facilities permanent easement –
Brookings County

Request Transportation Commission approval to grant an electrical distribution line and facilities permanent easement to Sioux Valley-Southwestern Electric of Colman, SD upon the following DOT property:

Lot DC1 in the Northeast Quarter (NE1/4) of Section 16, Township 110 North, Range 52 West of the 5th P.M., Brookings County, South Dakota.

Lot DC1 is located approximately 3½ miles southeast of Arlington on the south side of 210th Street. The property contains a drainage ditch to relieve water overflow of Hwy 14 located one mile south of Lot DC1. Granting the 25' x 50' easement as shown on Exhibit "A" will allow future electrical distribution line and facilities maintenance.

Sioux Valley-Southwestern Electric accepts liability and financial responsibility for the electrical distribution line and facilities. All State and Federal guidelines will be followed during the construction. (See Attachment)

2. Request for overhead electrical transmission line and facilities permanent easement –
Minnehaha County

Request Transportation Commission approval to grant an electrical transmission line and facilities permanent easement to East River Electric Power Cooperative, Inc. of Madison, SD upon the following DOT property:

Tract 3 in the E1/2NE1/4 of Section 36, Township 102 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota, according to the recorded plat thereof, except Lots H-1 & H-2 contained in Tract 3.

Tract 3 is located at 4901 N Timberline Ave approximately three miles west of Brandon in the southeast corner of East 60th St N and Timberline Ave. Granting the 0.10 acre easement as shown on Exhibit A will allow future electrical transmission line and facilities maintenance.

East River Electric Power Cooperative, Inc. accepts liability and financial responsibility for the electrical transmission line and facilities. All State and Federal guidelines will be followed during the construction. (See Attachment)

3. Abandonment – Minnehaha County

This resolution will abandon the temporary easements on Minnehaha County Project: P-PH 0019(31)73, PCN 025Z.

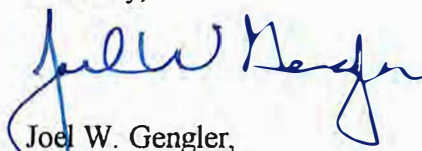
4. Condemnation – NH-PH 0018(180)420, PCN 036A, Turner County

Request Transportation Commission resolution determining that the taking and damaging of real property interests in and to the following property is necessary for a public purpose and authorizing condemnation:

Parcel 18 – David Bobzien: Owner; Conseco Finance Servicing Corp., Merchants State Bank-Hurley: Mortgage Holders; Palisades Collection LLC Trak Americ, Capital One Bank, Tri County Propane, Credit Collections Bureau; Midland Funding, LLC, and Credit Collections Services, Inc.: Lien Holders.

To date, the Department of Transportation has been unable to acquire the necessary releases to property interests through negotiations for the project NH-PH 0018(180)420, PCN 036A, Turner County - US18 from SD19 to I29. (See Attachment)

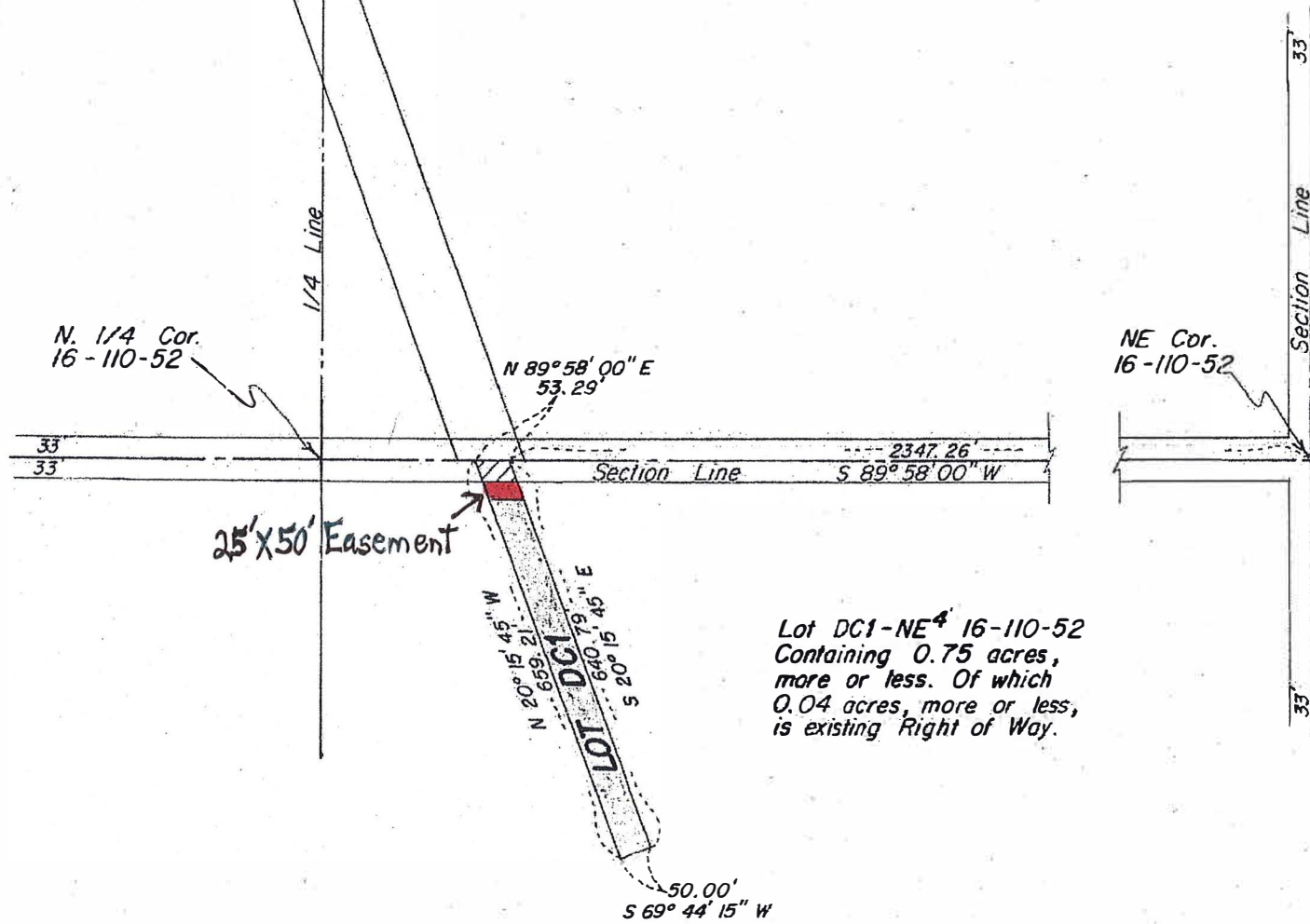
Sincerely,



Joel W. Gengler,
Program Manager

Exhibit "A"

Item #1



Lot DC1-NE⁴ 16-110-52
 Containing 0.75 acres,
 more or less. Of which
 0.04 acres, more or less,
 is existing Right of Way.

Drawn By T. Newell Date 2-
 Checked By _____ Date _____

SURVEYOR'S CERTIFICATE

J. Thielen Registered Land Surveyor, in and for the State of South Dakota, do hereby certify that as ordered by the South Dakota State Transportation Co. and as shown on this plat has been surveyed at my direction and under my control, and such tract of land shall be hereafter known by the lot number designated and dimensions of the tract are shown on the plat.

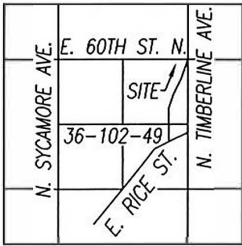
thereof, I have set my hand and seal this 28th day of February A.D., 19 90.

Robert J. Thielen

Registered Land Surveyor
 Registration No. AA2A

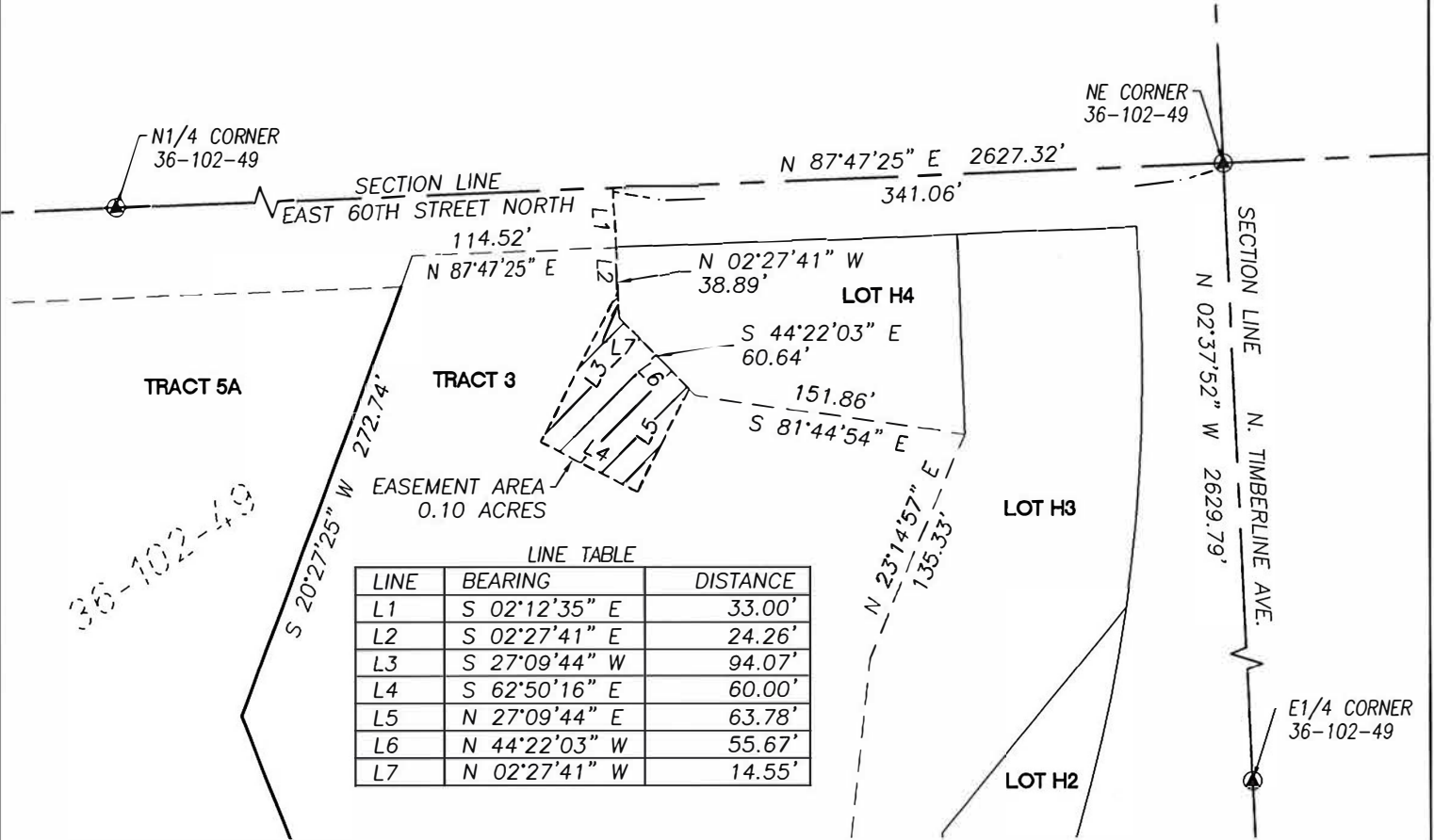
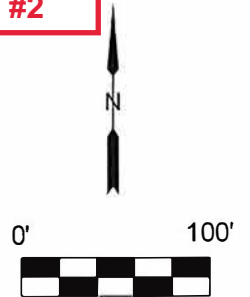
EXHIBIT A DIAGRAM OF EASEMENT AREA

Item #2

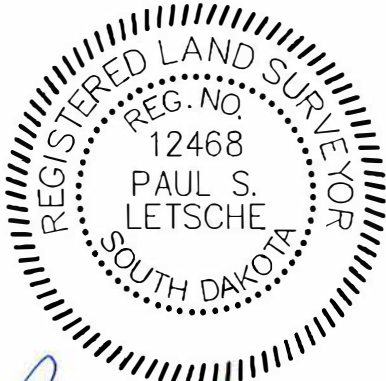


VICINITY MAP
NOT TO SCALE

PROPERTY DESCRIPTION:
TRACT 3 IN THE E1/2 NE1/4 OF SECTION 36, TOWNSHIP 102 NORTH,
RANGE 49 WEST OF THE 5TH PRINCIPAL MERIDIAN, MINNEHAHA COUNTY,
SOUTH DAKOTA. ("EASEMENT PROPERTY")



I HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF SOUTH DAKOTA.



Paul S. Letsche
Paul S. Letsche, RLS 12468
DATE 2-12-18

LEGEND

- FOUND MONUMENT ⊙
- RIGHT OF WAY R/W
- SECTION LINE — — — — —
- RIGHT OF WAY LINE - - - - -
- EASEMENT LINE - - - - -
- EASEMENT AREA ▨▨▨▨▨▨▨▨▨▨

BASIS OF BEARINGS IS SOUTH DAKOTA STATE PLANE SOUTH.
ALL DISTANCES ARE GROUND.

PREPARED BY:
EAST RIVER ELECTRIC POWER COOPERATIVE, INC.
211 SOUTH HARTH AVE. MADISON, SD 57042

PLAT OF LOT H3

Showing a parcel of land to be acquired for highway purposes in

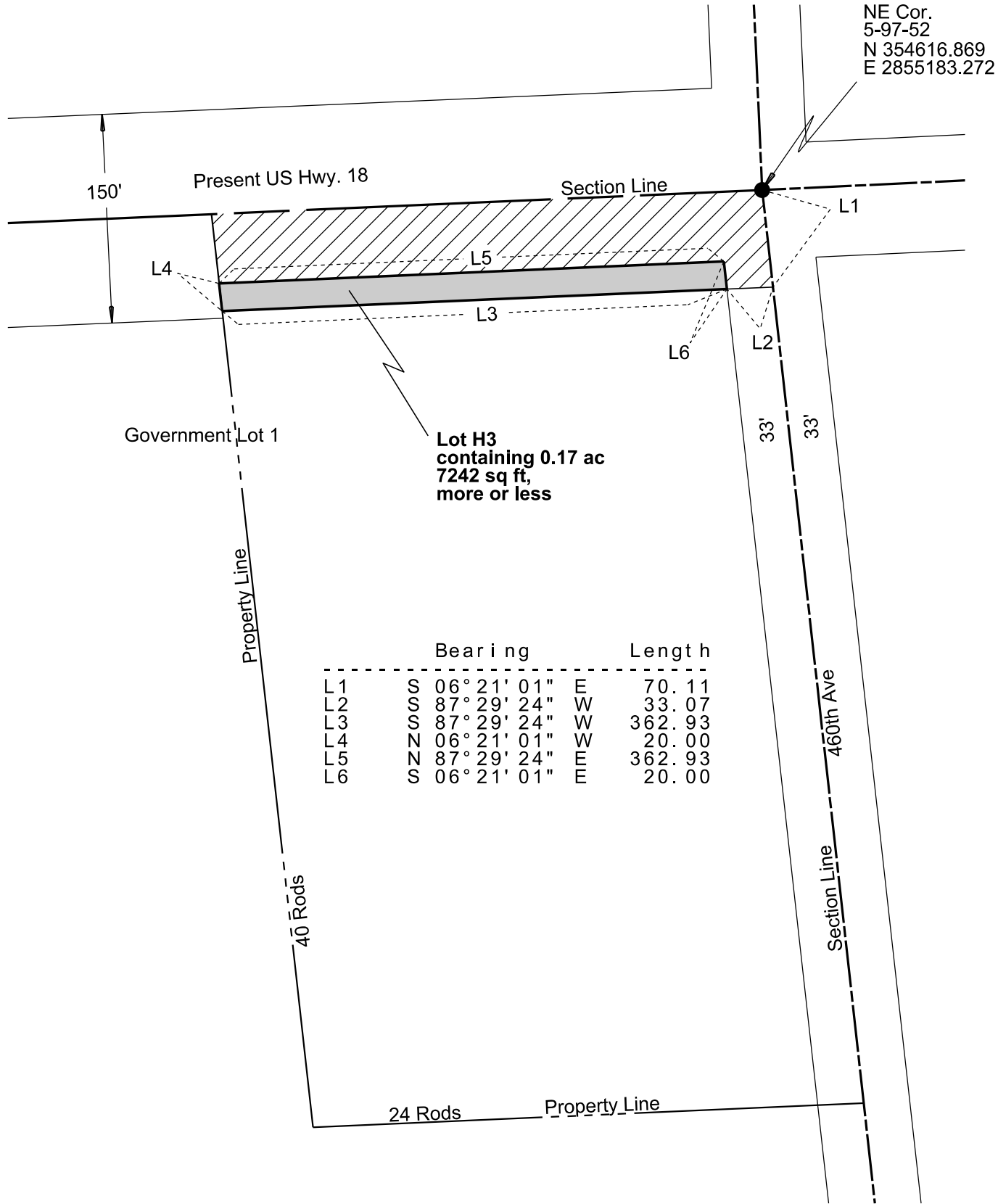
North 40 Rods of East 24 Rods of Government Lot 1 of Section 5 - Township 97 North - Range 52 West of the 5th P.M.

for construction of Project NH-PH 0018(180)420
TURNER COUNTY, SOUTH DAKOTA

Scale: 1 inch = 60 feet

- LEGEND**
- ▨ = existing right of way
 - = found corner
 - (n)● = found corner (not used)
 - = set corner
- All monumentation will be set upon project completion

Existing R.O.W.
containing 0.47 ac
20460 sq ft,
more or less



Note: The coordinates, distances and areas shown on this plat are based on the South Dakota State Plane coordinate System - South Zone NAD 83/07 epoch 2002.00 Geoid 09 SF = 0.9998677529

Drawn By Kimberly L. Herrman Date 06/16/2016
Checked By Jon Nelson Date 06/22/2016

SURVEYOR'S CERTIFICATE

I, JONATHAN J. NELSON, Registered Land Surveyor, in and for the State of South Dakota, do hereby certify that as ordered by the South Dakota Department of Transportation the parcel of land as shown on this plat has been surveyed at my direction and under my control, and such parcel of land shall be hereafter known by the lot number designated herein. The location and dimensions of the parcel are shown on this plat.

In witness whereof, I have set my hand and seal this _____ day of _____ A.D., 20 ____.

Registered Land Surveyor
Registration No. 9049

OFFICE OF REGISTER OF DEEDS

State of South Dakota

County of _____ ss

Filed for record the _____ day of _____, A.D., 20 ____, at _____ M., and recorded in Books of Plats _____ on Page

_____ therein.

Register of Deeds

by

Deputy

ATTACHMENT A

| | | | |
|-----------------------|-------------------------------|-------|--------------|
| STATE OF SOUTH DAKOTA | PROJECT NH-PH 0018(180)420 | SHEET | TOTAL SHEETS |
|-----------------------|-------------------------------|-------|--------------|

Plotting Date: 02/21/2018

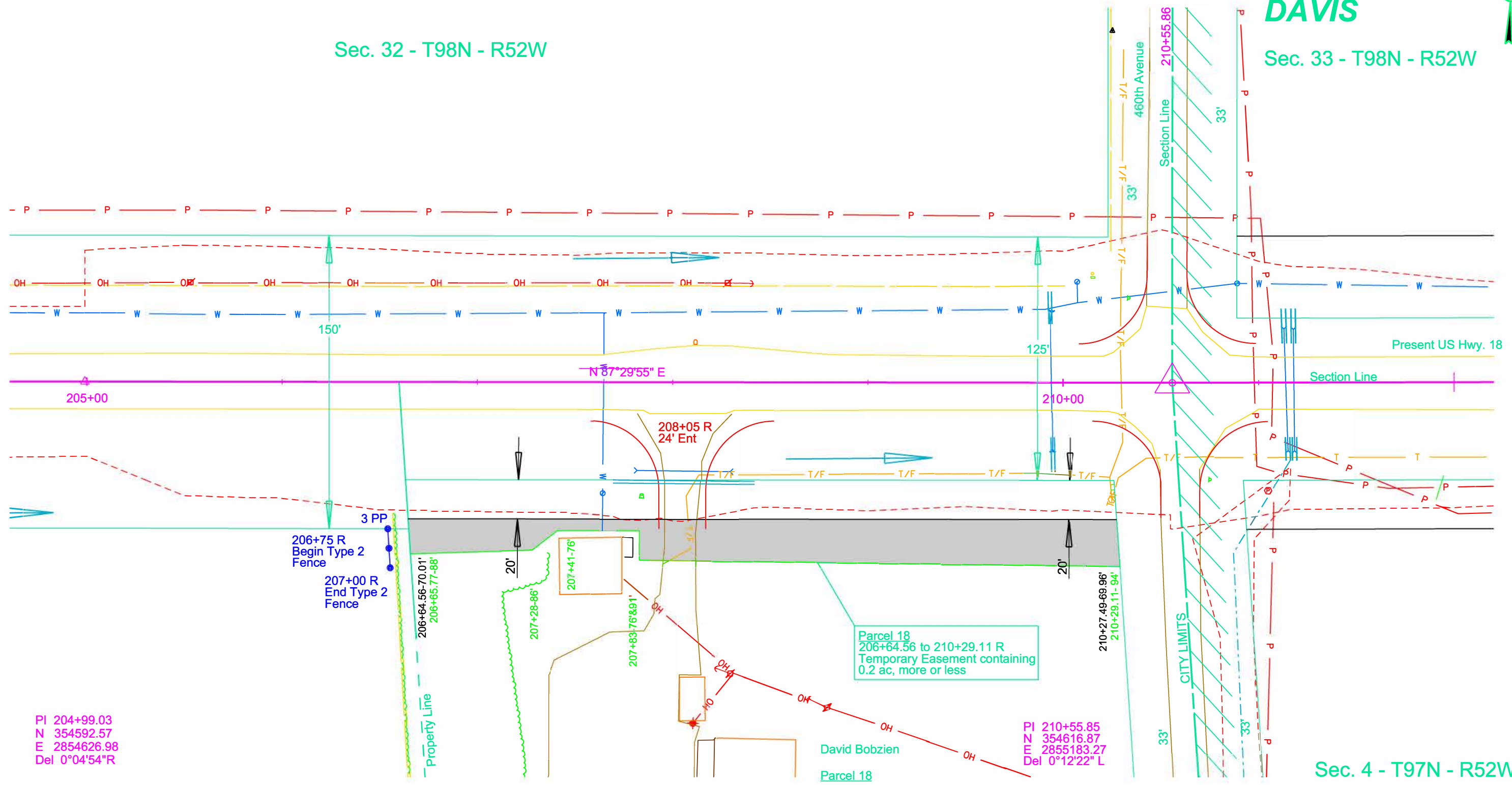
Item #4



Sec. 32 - T98N - R52W

DAVIS

Sec. 33 - T98N - R52W



PI 204+99.03
N 354592.57
E 2854626.98
Del 0°04'54"R

PI 210+55.85
N 354616.87
E 2855183.27
Del 0°12'22" L

Sec. 5 - T97N - R52W

David Bobzien
Parcel 18

The North 40 rods of the East 24 rods of Government Lot 1 of Section 5 - Township 97 North - Range 52 West of the 5th P.M.

Sec. 4 - T97N - R52W

Plot Scale: 1:50

Plotted From: Inst12141

File: ...Documents\205_Condemnation.dgn

Plotting Date: 06/21/2011
 Flown Date:
 Photo Not to Scale



Sec. 32 - T98N - R52W

E1/2 SE1/4

S1/2 W1/2 SE1/4

EOG Irrevocable Living Family Trust
 South 1,662 feet of the E1/2 SE1/4 of Section 32 -
 Township 98 North - Range 52 West of the 5th P.M.

Parcel A3
 204+80 to 210+22.79 L
 Temporary Easement containing
 0.2 ac, more or less

END EXCEPTION
 BEGIN SHOULDER WIDENING
 Station 203+17.63

Vermillion River

1/16 Line

Section Line 210+55.86

1/4 Line

Government Lot 2

Ray H. Buus
 Government Lot 1 of Section 5 - Township 97 North -
 Range 52 West of the 5th P.M., except North 40 rods of
 East 24 rods of Government Lot 1

Parcel A4
 204+80 to 206+65.77 R
 Temporary Easement containing
 0.1 ac, more or less

Government Lot 1

David Bobzien & Laura Bobzien
 North 40 Rods of East 24 Rods of Government Lot 1 of
 Section 5 - Township 97 North - Range 52 West of the 5th P.M.

Parcel 18
 0.17 ac, R.O.W. Taking
 (7242 sq ft) more or less
 0.47 ac, Existing R.O.W.
 (20460 sq ft) more or less

Parcel 18
 206+64.56 to 210+29.11 R
 Temporary Easement containing
 0.2 ac, more or less

Sec. 5 - T97N - R52W

185+00

150'

190+00

200'

150'

Section Line

195+00

Access Easement

Present US Hw. 18

200+00

150'

205+00

210+00

20'

20'

33'

460th Ave

CITY LIMITS

Property Line

990 feet

Property Line 194+07.67

197+36.79

Property Line 40 Rods

24 Rods Property Line

Plot Scale - 1:200

Plotted From - trp13315

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