

Department of Transportation

Division of Planning/Engineering

Right of Way Program

700 E Broadway Avenue

Pierre, South Dakota 57501-2586

605/773-3746 FAX: 605/773-4249

July 20, 2016

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

RE: July 28, 2016 Transportation Commission Agenda

Dear Mr. Behm:

The following items are recommended for Commission consideration:

1. Amendment to disposal of excess property in Fall River County.

Requesting an amendment to allow existing access to Hwy 71 for a DOT property disposal item previously approved by the Transportation Commission on November 20, 2015 in accordance with the procedures provided by SDCL 31-2-27 and ARSD chapter 10:02:01.

Previously approved item:

Lot A in the SW1/4SE1/4 less that portion platted as Country View Subdivision in Section 27, Township 7 South, Range 5 East of the B.H.M., Fall River County, South Dakota.

Appraised Value: \$800

Lot A contains 0.34 acre of mostly flat grassland located on the west side of Hwy 71 approximately one mile southwest of Hot Springs. The property is excess from a Hwy 71 construction project.

Access to Hwy 71 will not be allowed.

The amendment language request:

No additional access to Hwy 71 will be allowed.

Custer Area DOT advises the property is not needed for future department use.

2. Disposal of excess property in Pennington County.

Request Transportation Commission approval to dispose of the following DOT property in accordance with the procedures provided by SDCL 31-2-27 and ARSD chapter 10:02:01.

Tract Dennis Reinke in the SW1/4NE1/4 of Section 22, Township 2 South, Range 4 East of the B.H.M., Pennington County, South Dakota, less Lot H3 and less that portion in conflict with Lot 2 as recorded in Book 46, Page 6405.

Appraised Value: \$18,225

The above property contains 4.86 acres located on the west side of Hwy 16/385 south of Hill City at the Spring Creek Road intersection (Custer County line). The property is excess from completed construction project BRF 0016(28)34, PCN 0585.

No additional access will be allowed from Hwy 16/385.

Custer Area DOT advises the property is not needed for future department use.

3. Disposal of excess property in Pennington County.

Request Transportation Commission approval to dispose of the following DOT property trade in accordance with the procedures provided by SDCL 31-2-27, SDCL 31-19-46 and ARSD chapter 10:02:01.

Lot 6 of Lot D, Wood Subdivision, less Lot H1, and the east 88 feet of Lot D, less Lot H1, all in the NE1/4 NW1/4 of Section 9, Township 1 North, Range 8 East of the B.H.M., Pennington County, South Dakota.

The above property contains 0.33 acre located at the Elk Vale Road / School Drive intersection in Rapid City.

Rapid City Area DOT desires to trade the above property to Holiday Stationstores, Inc. for The following Highway right-of-way, drainage easement and assess easement also located at the Elk Vale Road / School Drive intersection in Rapid City:

Lot H1 in Lot X of Lot B of Johnson School Subdivision in the NE1/4 NW1/4 of Section 9, Township 1 North, Range 8 East of the B.H.M., Pennington County, SD.

Lot H1 in Vacated School Drive in the NE1/4 NW1/4 of Section 9, Township 1 North, Range 8 East of the B.H.M., Pennington County, South Dakota.

Drainage easement located in Lot X of Lot B of Johnson School Subdivision in the NE1/4 NW1/4 of Section 9, Township 1 North, Range 8 East of the B.H.M., Pennington County, South Dakota.

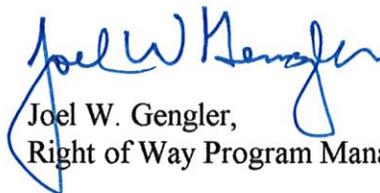
Access easement located in Lot C of NE1/4 NW1/4 and Lot X of Lot B of NE1/4 NW1/4, all of Johnson School Subdivision; and E88' of Lot D of NE1/4 NW1/4 and Vacated School Drive and Lot 6 of Wood Subdivision, all in NE1/4 NW1/4 of S9-T1N-R8E of the B.H.M., Rapid City, South Dakota.

Holiday Stationstores will perform all the surveys, plats, recordings and appraisals at their expense and any trade valuation difference will be incurred by the appropriate party.

4. Abandonment of temporary construction easements– McPherson County

This resolution will abandon the temporary easements on McPherson County Project P 0010(81)224, PCN 0297.

Sincerely,


Joel W. Gengler,
Right of Way Program Manager

Parcel No. 40X

PLAT OF LOT A

Showing a tract of land deemed as an uneconomic remnant in the SW4SE4 less that portion platted as Country View Subdivision in Section 27 - Township 7 South - Range 5 East of the B.L.M. for construction of Project No. P3071 (07) 28

FALL RIVER COUNTY, SOUTH DAKOTA

Scale: 1 Inch = 300 Feet

- LEGEND**
- = found corner
 - = set corner
 - = reset found corner

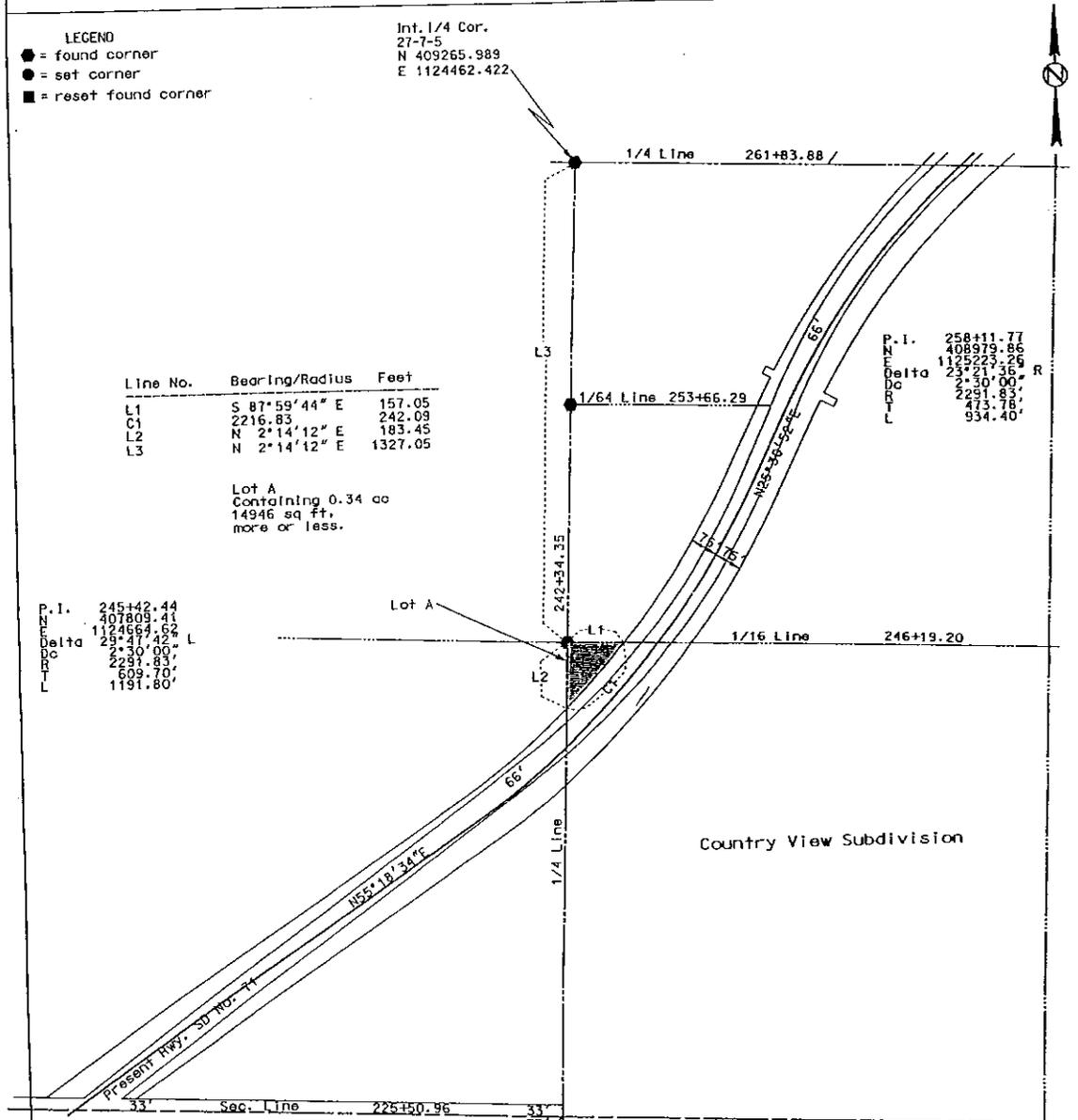
Int. 1/4 Cor.
27-7-5
N 409265.989
E 1124462.422

Line No.	Bearing/Radius	Feet
L1	S 87° 59' 44" E	157.05
C1	2216.83	242.09
L2	N 2° 14' 12" E	183.45
L3	N 2° 14' 12" E	1327.05

Lot A
Containing 0.34 ac
14946 sq ft,
more or less.

P.I. 245+42.44
N 407809.41
Delta 1124664.52
Dc 29° 47' 42" L
Rt 2° 30' 00"
L 2291.83
L 609.70
L 1191.80

P.I. 258+111.77
N 408979.86
Delta 1125223.26
Dc 29° 21' 36" R
Rt 2° 30' 00"
L 2291.83
L 473.78
L 934.40



Note: The coordinates and/or distances shown on this plat are based on the South Dakota State Plane coordinate System - South Zone NAD 83/86 SF = 0.999744273

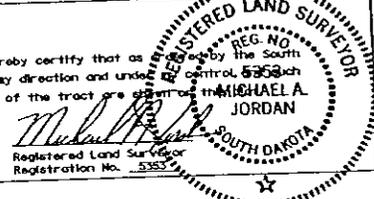
S 1/4 Cor.
27-7-5
N 406621.793
E 1124359.151

Drawn By Randy Mickel Date 04/24/02
Checked By Dale Russell Date 04/25/02

SURVEYOR'S CERTIFICATE

I, MICHAEL A. JORDAN, Registered Land Surveyor, in and for the State of South Dakota, do hereby certify that as shown by the South Dakota State Transportation Commission the tract of land 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 herein. The location and dimensions of the tract are shown on this plat.

In witness whereof, I have set my hand and seal this 20th day of July, A.D. 2002.



OFFICE OF REGISTER OF DEEDS

State of South Dakota
County of Fall River
Filed for record the 23rd day of August, A.D. 2002 at 10:50 A.M. and recorded in Books of Plats XX on Page 3096
95 therein.

3096

\$10.00 cg

SS/ Anita Cope

Register of Deeds

by

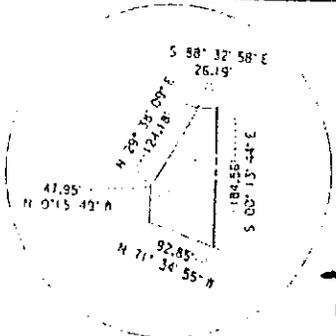
Deputy

226p7

PLAT OF LOT HI

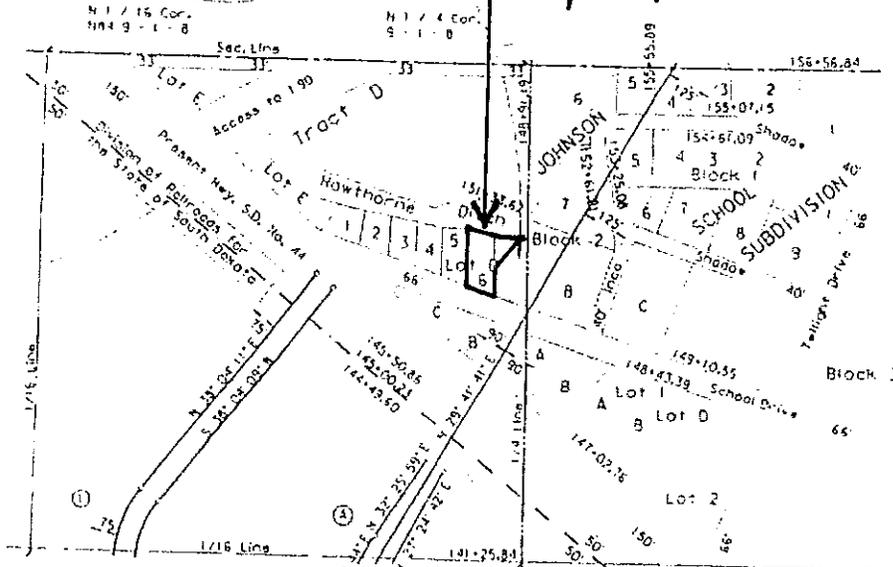
Showing a tract of land to be acquired for highway purposes by the east 80 feet of Lot D of the NE 1/4 of Section 9 - Township 1 North - Range 8 East of the B.H.M. for construction of Project No. III 0235 10110

PENNINGTON COUNTY, SOUTH DAKOTA
Section - 300 Feet



Lot HI
Containing 0.27 acre,
11563 Sq. Ft.,
more or less.

Proposed DOT Trade Property



Int. 1 / 16 Cor.
NE 1/4 - 1 - 8

E 1 / 16 Cor.
NE 1/4 - 1 - 8

- PC 21° 31' 06"
- PI 23° 26' 38"
- PT 24° 47' 53"
- Δ 44° 01' 37" R
- D 17° 13' 14"
- I 134° 52'
- L 255.67'
- R 332.72'

- PI 19° 16' 02"
- Δ 02° 44' 15" R

Drawn By: Bill Gordon Date: 11-6-96
Checked By: Mike Jordan Date: 11-21-96

SURVEYOR'S CERTIFICATE

I, MICHAEL A. JORDAN, Registered Land Surveyor, in and for the State of South Dakota, do hereby certify that as shown on the plat hereon and as shown on the plat hereon has been surveyed at my direction and under my supervision and control, and that the tract of land shown hereon is the same as that described in the plat hereon.

At witness hereof, I have set my hand and seal this 31st day of December, A.D. 1997.

Registered Land Surveyor
Registration No. 5338



copy of filing
State of South Dakota
County of Pennington

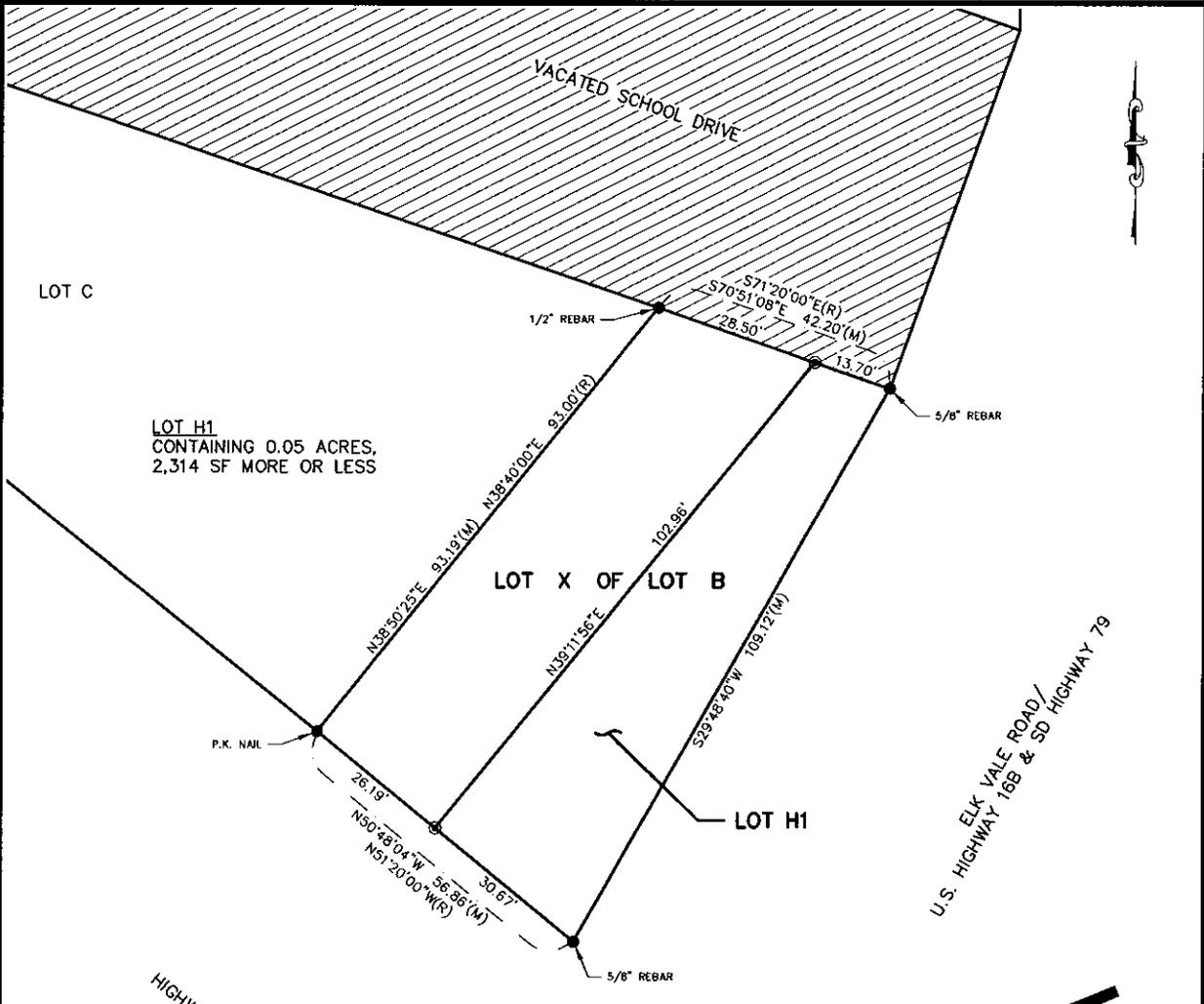
OFFICE OF REGISTER OF DEEDS

Filed for record this 5th day of January, A.D. 1998, at 129 fees: \$10.00
and recorded in Books of Deeds 9 Page 144

Marked Saher
Register of Deeds

PLAT OF LOT H1
 SHOWING A PARCEL OF LAND TO BE ACQUIRED FOR HIGHWAY RIGHT OF WAY PURPOSES
 IN LOT X OF LOT B OF JOHNSON SCHOOL SUBDIVISION
 IN THE NE1/4 NW1/4 OF SECTION 9, TOWNSHIP 1 NORTH, RANGE 8 EAST, BHM
PENNINGTON COUNTY, SOUTH DAKOTA

SCALE: 1" = 20'



LOT H1
 CONTAINING 0.05 ACRES,
 2,314 SF MORE OR LESS

LEGEND

- DENOTES FOUND SURVEY MONUMENT.
- ⊙ DENOTES SET 5/8" REBAR WITH SURVEY CAP MARKED: "FMG INC. LS SD 6119".
- (M) DENOTES MEASURED IN THIS SURVEY.
- (R) DENOTES RECORDED IN PREVIOUS PLAT OR DESCRIPTION.

Drawn By: KJS Date: 2/10/16
 Checked By: DW Date: 2/10/16

BASIS OF BEARINGS
 GEODETIC NORTH AS DETERMINED BY GPS.

DRAFT
 NOTE FOR DRAFT REVIEW:
 SCHOOL DRIVE HAS NOT BEEN VACATED
 YET, BUT WILL BE VACATED PRIOR TO
 THIS DOCUMENT BEING MADE FINAL.

SURVEYOR'S STATEMENT

I, Derek J. Weidensee, Registered Land Surveyor No. 6119 in the State of South Dakota, do hereby certify that, as ordered by South Dakota Department of Transportation, the tract of land 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 herein. The location and dimensions of the tract are shown on this plat.

In witness whereof,
 I have set my hand and seal this _____ day of _____, 2016

 Registered Land Surveyor
 Registration No. 6119

FMG Inc.
 3700 Sturgis Rd.
 Rapid City, SD 57702
 (605) 342-4105
 www.fmgengineering.com

OFFICE OF REGISTER OF DEEDS

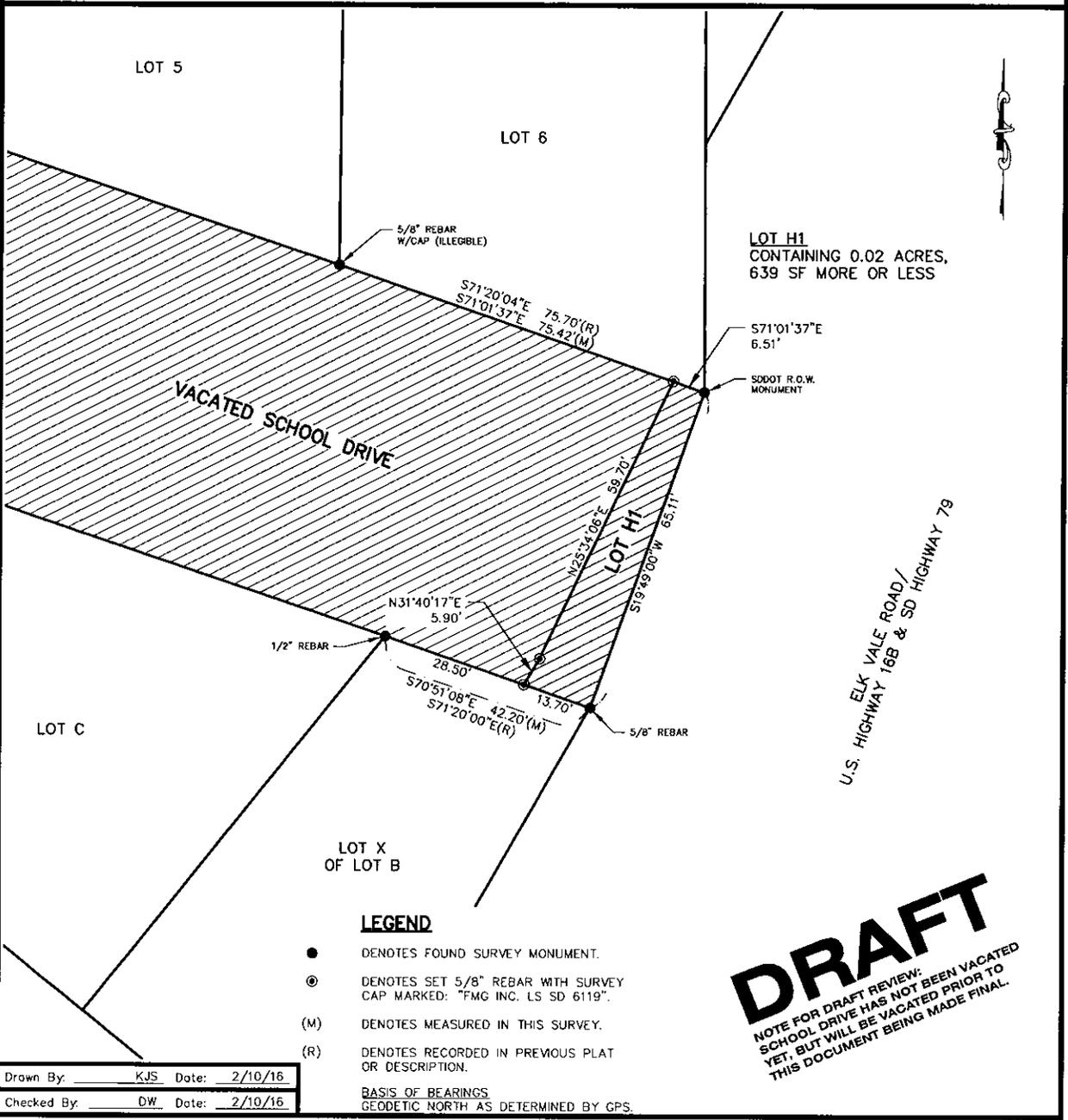
State of South Dakota
 County of Pennington

Filed for record this _____ day of _____, 2016, at _____ M., and Recorded in Book _____, on Page _____

PLAT OF LOT H1

SHOWING A PARCEL OF LAND TO BE ACQUIRED FOR HIGHWAY RIGHT OF WAY PURPOSES
 IN VACATED SCHOOL DRIVE
 IN THE NE1/4 NW1/4 OF SECTION 9, TOWNSHIP 1 NORTH, RANGE 8 EAST, BHM
 PENNINGTON COUNTY, SOUTH DAKOTA

SCALE: 1" = 20'



LOT H1
 CONTAINING 0.02 ACRES,
 639 SF MORE OR LESS

LEGEND

- DENOTES FOUND SURVEY MONUMENT.
- ⊙ DENOTES SET 5/8" REBAR WITH SURVEY CAP MARKED: "FMG INC. LS SD 6119".
- (M) DENOTES MEASURED IN THIS SURVEY.
- (R) DENOTES RECORDED IN PREVIOUS PLAT OR DESCRIPTION.

Drawn By: KJS Date: 2/10/16
 Checked By: DW Date: 2/10/16

BASIS OF BEARINGS
 GEODETIC NORTH AS DETERMINED BY GPS.

DRAFT
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 I have set my hand and seal this _____ day of _____, 2016

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 Registration No. 6119

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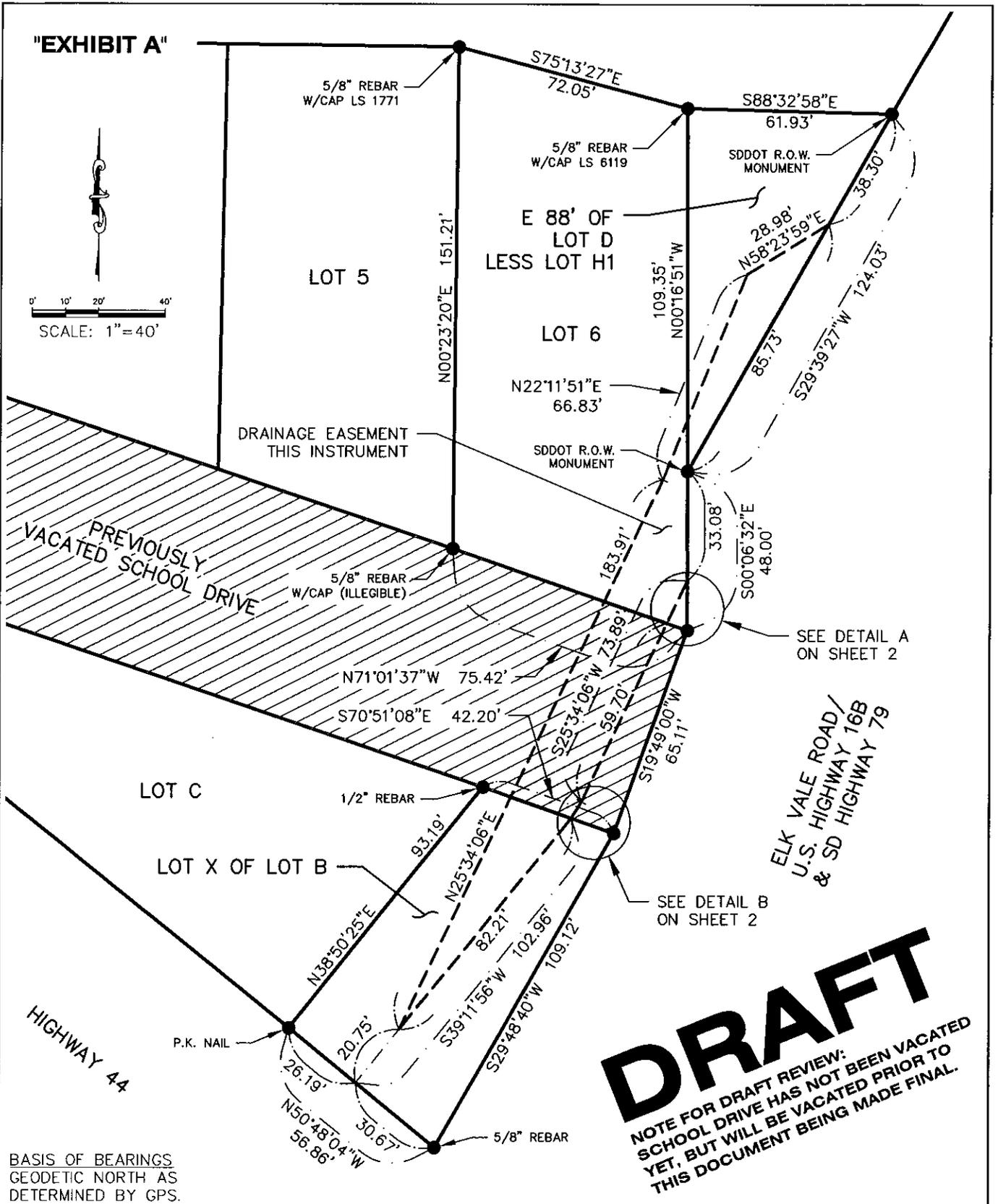
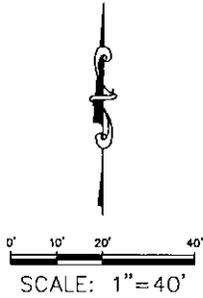
OFFICE OF REGISTER OF DEEDS

State of South Dakota
 County of Pennington

Filed for record this _____ day of _____, 2016, at _____ M., and Recorded in Book _____, on Page _____.

Register of Deeds

"EXHIBIT A"



ELK VALE ROAD/
U.S. HIGHWAY 16B
& SD HIGHWAY 79

DRAFT
NOTE FOR DRAFT REVIEW:
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BASIS OF BEARINGS
GEODETIC NORTH AS
DETERMINED BY GPS.

DRAINAGE EASEMENT
LOCATED IN LOT X OF LOT B OF JOHNSON SCHOOL
SUBDIVISION IN THE NE1/4 NW1/4 AND E88' OF
LOT D OF NE1/4 NW1/4 AND VACATED SCHOOL DRIVE
AND LOT 6 OF WOOD SUBDIVISION ALL IN NE1/4 NW1/4
SECTION 9, T1N, R8E, BHM, RAPID CITY, SOUTH DAKOTA
FEBRUARY 10, 2016

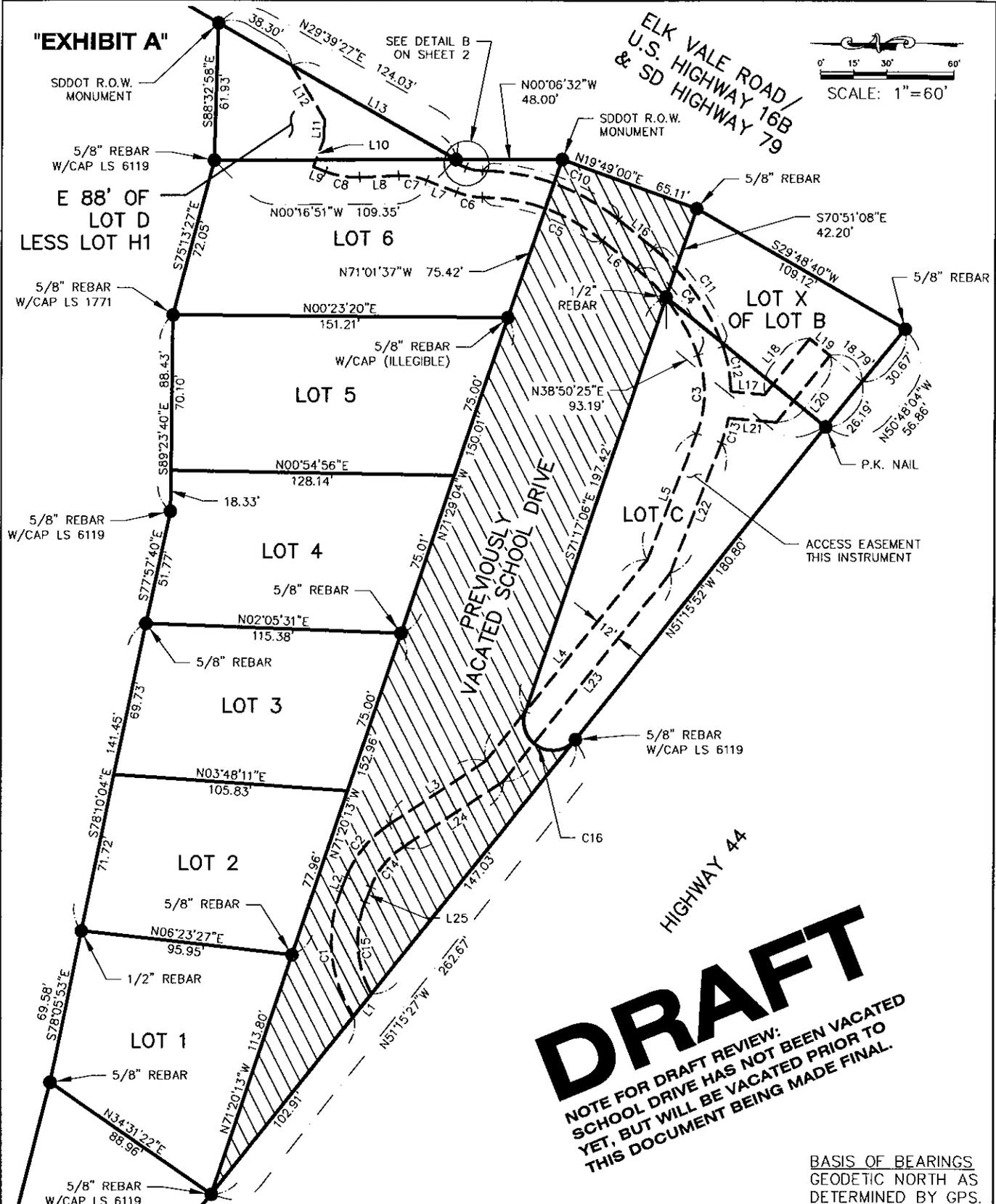
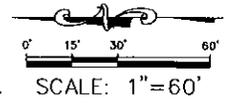
Surveyed By: LF/BL
Date: MAY 2015
Drawn By: KJS
Checked By: DW
Location:
NE1/4 OF NW1/4 OF
SEC. 9, T1N, R8E, BHM



F M G, Inc.
3700 Sturgis Road
Rapid City, SD 57702-0317
(605) 342-4105 FAX (605) 342-4222
www.fmgengineering.com

Sheet Number: **1**
Total Sheets: **1**

"EXHIBIT A"



DRAFT
 NOTE FOR DRAFT REVIEW:
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 YET, BUT WILL BE VACATED PRIOR TO
 THIS DOCUMENT BEING MADE FINAL.

BASIS OF BEARINGS
 GEODETIC NORTH AS
 DETERMINED BY GPS.

ACCESS EASEMENT
 LOCATED IN LOT C OF NE1/4 AND LOT X OF LOT B OF
 NE1/4 NW1/4 ALL OF JOHNSON SCHOOL SUBDIVISION AND
 E88' OF LOT D OF NE1/4 NW1/4 AND VACATED SCHOOL DRIVE
 AND LOT 6 OF WOOD SUBDIVISION ALL IN NE1/4 NW1/4
 SECTION 9, T1N, R8E, BHM, RAPID CITY, SOUTH DAKOTA

Surveyed By: LF/BL
 Date: MAY 2015
 Drawn By: KJS
 Checked By: DW
 Location:
 NE1/4 OF NW1/4 OF
 SEC. 9, T1N, R8E, BHM



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Sheet Number: **1**
 Total Sheets: **2**