

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

February 16, 2016

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

RE: February 25, 2016 Transportation Commission Agenda

Dear Mr. Behm:

The following items are recommended for Commission consideration:

1. Transfer – City of Rapid City in Pennington County:

This resolution will transfer Lot B in a portion of Lot H2 in Lot A of the SW1/4 and in a portion of Lot H3 in the SW1/4, all within Section 28, Township 2 North, Range 8 East of the B.H.M., Rapid City, Pennington County, South Dakota. And; Lot C, Beginning at a point on the west line of Section 28, Township 2 North, Range 8 East of the B.H.M., said point being 1344.1 feet more or less, north of the southwest corner of said section 28, and at the northwest corner of Lot "A" in the SW1/4 of said section 28, thence north along the west line of said Section 28 for a distance of 453.5 feet, more or less; thence east for a distance of 33.0 feet; thence along a line bearing south 8 degrees 54 minutes east for a distance of 342.4 feet, more or less; thence along a line bearing south 67 degrees 12 minutes east for a distance of 297.1 feet, more or less to a point on the north line of Lot "A" in the SW1/4 of section 28; thence along the north line of Lot "A" in the SW1/4 of said section 28 bearing north 89 degrees 55 minutes west for a distance of 360.0 feet to a point of beginning, Rapid City, Pennington County, South Dakota. And; Lot D in a portion of Lot H3 and the section line right-of-way adjoining said Lot D in the SE1/4 of Section 29, Township 2 North, Range 8 East of the B.H.M., Rapid City, Pennington County, South Dakota. And; Lot H-4 and the section line right-of-way adjoining said Lot H-4 in the SE1/4 of Section 29, Township 2 North, Range 8 East of the B.H.M., Rapid City, Pennington County, South Dakota.

Location is Dyess Avenue north of Interstate 90 in Rapid City. No access will be allowed from I90.

This transfer will complete all of the requirements under the Agreement between the department and City of Rapid City and the City of Rapid City would accept ownership, jurisdiction, operational and maintenance responsibilities. (See attached).

2. Abandonment – Beadle County

This resolution will abandon the temporary easements on Beadle County Project: P 0037(115)128, PCN 02FA.

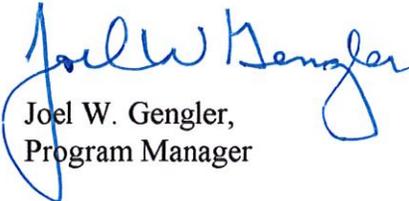
3. Abandonment – McCook County

This resolution will abandon the temporary easements on McCook County Project: NH 0081(37)49, PCN 1255.

4. Amended Abandonment Resolution – Hughes County

This resolution will amend Resolution Number 17170 recorded May 18, 2004. The abandonment plats inadvertently have Lincoln Avenue as vacated. Recent discussions with City of Pierre and Hughes County officials brought the error to the department's attention. The plats will be amended to remove the word vacated from the plat and drawing changes and lot sizes will be corrected. (See attached).

Sincerely,

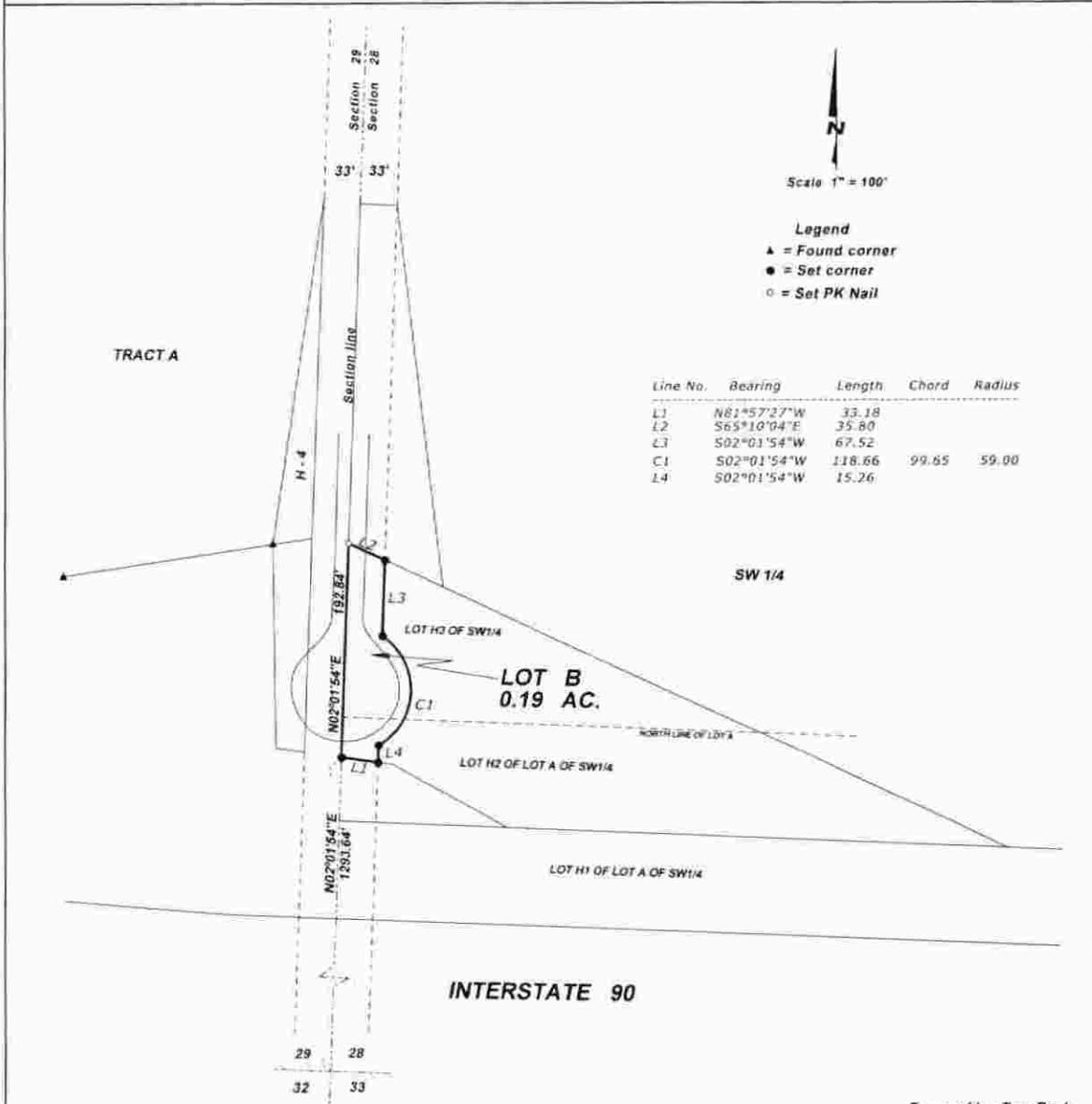


Joel W. Gengler,
Program Manager

PLAT OF LOT B

Showing a parcel of land which is a portion of Lot H2 in Lot A of the SW1/4 and in a portion of Lot H3 in the SW 1/4, All within Section 28, Township 2 North - Range 8 East of the B.H.M.

RAPID CITY, PENNINGTON COUNTY, SOUTH DAKOTA



Line No.	Bearing	Length	Chord	Radius
L1	N81°57'27"W	33.18		
L2	S65°10'04"E	35.80		
L3	S02°01'54"W	67.52		
C1	S02°01'54"W	118.66	99.65	59.00
L4	S02°01'54"W	15.26		

Note: The coordinates and/or distances shown on this plat are based on the South Dakota State Plane Coordinate System, South Zone NAD 83 (2011) SF = .99979378

Prepared by: Tom Buck
SDDOT, PO Box 1970
Rapid City, SD 57709
(605) 394-2244

SURVEYOR'S CERTIFICATE

I, TOM BUCK, 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. 6779

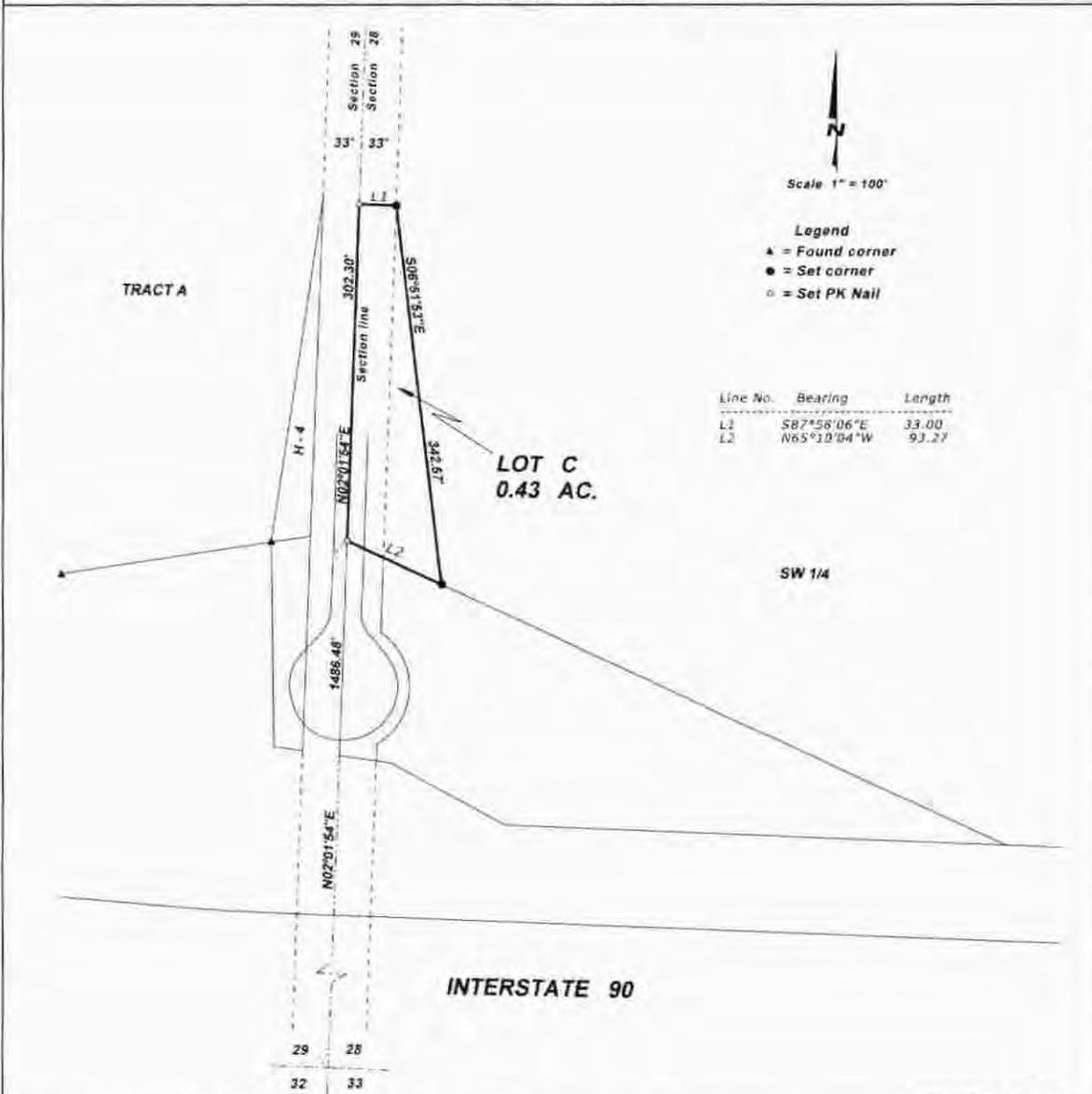
OFFICE OF REGISTER OF DEEDS

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

PLAT OF LOT C

Showing a parcel of land which is a portion of highway right of way, more particularly described as follows:
 Beginning at a point on the west line of Section 28, Township 2 North, Range 8 East of the B.H.M., said point being 1344.1 feet more or less, north of the southwest corner of said section 28, and at the northwest corner of Lot "A" in the SW 1/4 of said section 28, thence north along the west line of said section 28 for a distance of 453.5 feet, more or less; thence east for a distance of 33.0 feet; thence along a line bearing south 8 degrees 54 minutes east for a distance of 342.4 feet, more or less; thence along a line bearing south 67 degrees 12 minutes east for a distance of 297.1 feet, more or less to a point on the north line of Lot "A" in the SW1/4 of section 28; thence along the north line of Lot "A" in the SW1/4 of said section 28 bearing north 89 degrees 55 minutes west for a distance of 360.0 feet to a point of beginning.
 RAPID CITY, PENNINGTON COUNTY, SOUTH DAKOTA



Note: The coordinates and/or distances shown on this plat are based on the South Dakota State Plane Coordinate System, South Zone NAD 83 (2011) SF = .99979378

Note: The legal description is from a document recorded in Misc. Book 72, Page 619, Pennington Co. courthouse

Prepared by: Tom Buck
 SDDOT, PO Box 1970
 Rapid City, SD 57709
 (605) 394-2244

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

Registered Land Surveyor
 Registration No. 8779

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.

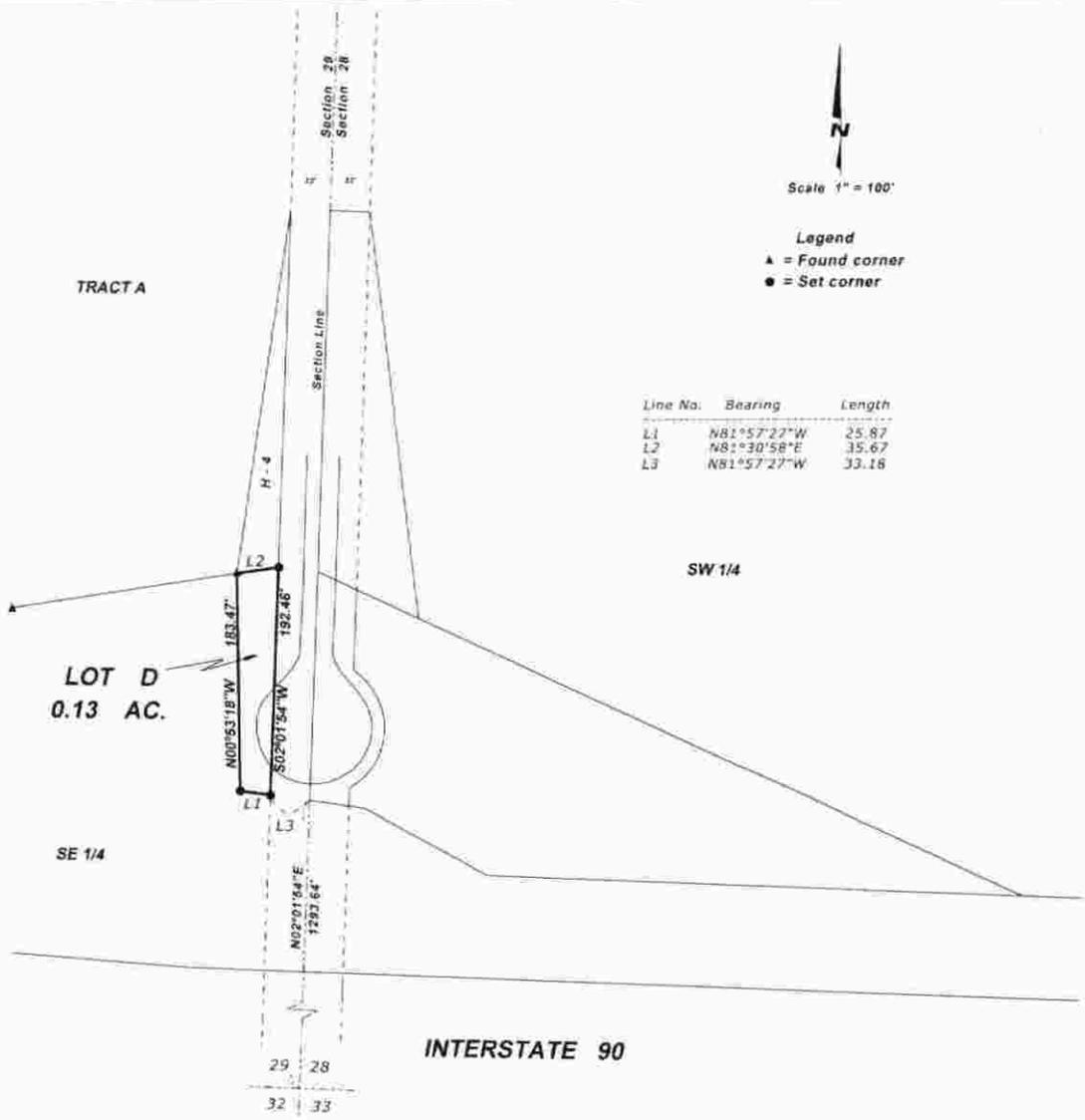
Register of Deeds

by

Deputy

PLAT OF LOT D

Showing a parcel of land which is a portion
of Lot H3 in the SE1/4 of Section 29,
Township 2 North - Range 8 East of the B.H.M.
RAPID CITY, PENNINGTON COUNTY, SOUTH DAKOTA



Note: The coordinates and/or distances shown on this plat are based on the South Dakota State Plane Coordinate System. South Zone NAD 83 (2011) SF = .99979378

Note: Lot H3 plat recorded in Hwy. plat book 3 page 113

Prepared by: Tom Buck
SDDOT, PO Box 1970
Rapid City, SD 57709
(605) 394-2244

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

Registered Land Surveyor
Registration No. 6779

OFFICE OF REGISTER OF DEEDS

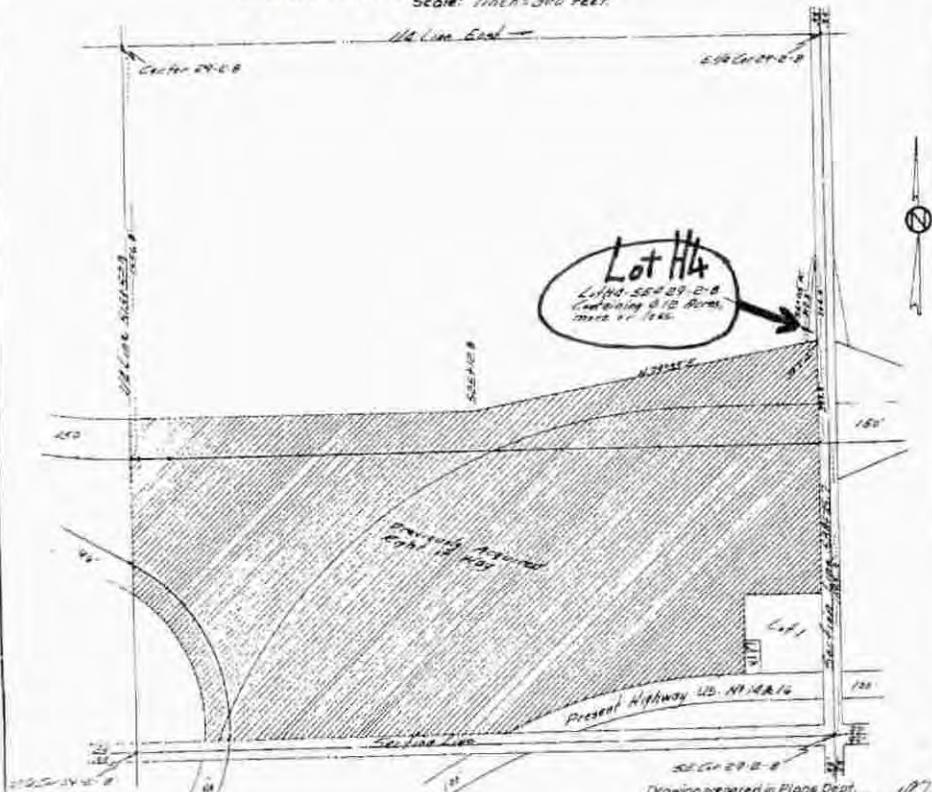
State of South Dakota
County of _____ ss
Filed for record the ____ day of _____, A.D., 20____, at _____ M., and recorded in Books of Plats _____ on Page _____ therein.

Register of Deeds by _____ Deputy

PLAT 1435A

FLAT OF LOT H4-SEC 29-2-B

Showing Right of Way to be acquired for highway purposes
for SEC 29-2-Top 2 North Edge & East of the SE 1/4
for construction of Federal Aid Project No. I 092-3(2)
PENNINGTON COUNTY, S.D.A.K.
Scale: 1 inch = 300 feet



Drawing prepared in Plans Dept.
South Dakota Highway Commission
Drawn by W. J. [Signature] Checked by [Signature]
Date: 7-22-58

SURVEYOR'S CERTIFICATE

I, _____ Registered Land Surveyor, do hereby certify that, at the direction of the South Dakota State Highway Commission, I have surveyed the tract _____ or land as shown on the above plat and such tract _____ shall be hereafter known by the lot number _____ designated above. The location and dimensions of the tract are as shown on the plat. In witness whereof, I have set my hand and seal this _____ day of _____ A. D., 19 _____

SEAL

REGISTERED LAND SURVEYOR

CERTIFICATE BY OWNER

_____ owner of _____
_____ Township _____ Range _____
County, South Dakota, do hereby join in and approve the survey and plat of the land and the highway or road as represented and shown on the above plat, and the land therein represented and designated as LOT _____ containing _____ acres more or less, an atom and represented by said survey and plat, is hereby intended for and dedicated to the public for a public highway and road, but this dedication shall not be taken to be a grant or donation of the fee of said highway or road as shown on said plat.

Witness _____ hand and seal this _____ day of _____ 19 _____

(SEAL) (SEAL) (SEAL) (SEAL)

ACKNOWLEDGEMENT OF OWNER

State of _____ ss.
County of _____ ss.
Do it remember that on this _____ day of _____ 19 _____ before me, the undersigned a Notary Public, within and for the County and State aforesaid, personally appeared _____ and _____ and known me to be the person who _____ described in and who executed the within and foregoing instrument and certificate and acknowledged to me that _____ executed the same.

SEAL

My Commission Expires _____
NOTARY PUBLIC
State of _____ County _____

OFFICE OF REGISTER OF DEEDS

State of South Dakota ss.
County of _____ ss.
Filed for record this _____ day of _____ A. D., 19 _____ at _____
and recorded in book of Plats _____ on Page _____ therein.
Register of Deeds. By _____ Deputy.

1435-5(2)



EXHIBIT A DYESS AVENUE

Item #1



SEC 29
TWP 2N
RNG 8E

SEC 28
TWP 2N
RNG 8E

DYESS AVENUE

Lot C

Lot H-4

Lot D

Lot B

-  Transfer Parcels
-  Fee Simple
-  Fee Simple-Control Access
-  Permanent Easement
-  Permanent Easment-Control Access

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

#2577

STATE OF SOUTH DAKOTA } ss.
County of Hughes

Filed for record this 18th day of May 2004
8:30 o'clock A. M., and recorded in
book 04 page 1738

[Signature]
Register of Deeds Deputy



Fee \$12.00

RESOLUTION 17170
HUGHES COUNTY

BE IT RESOLVED BY THE SOUTH DAKOTA
TRANSPORTATION COMMISSION:

THAT, WHEREAS, the State of South Dakota, acting by and through its Transportation Commission, has heretofore acquired for highway right of way purposes in Hughes County, South Dakota, the following property:

Lot AB1 in Highway Lot A, Formerly parts of Blocks 73, 74 and 75 of Wells Second Addition and Blocks 9, 22 and 23 of Park Addition in the City of Pierre, Hughes County, South Dakota. Lot AB2 in Highway Lot A, Formerly parts of Blocks 73, 74 and 75 of Wells Second Addition and Blocks 9, 22 and 23 of Park Addition in the City of Pierre, Hughes County, South Dakota. Lot AB1 contains 1.36 acres, more or less. Lot AB2 contains 0.31 acre, more or less.

AND, WHEREAS, it has been determined by the South Dakota Transportation Commission that said property described above is no longer needed or deemed necessary for highway purposes,

NOW, THEREFORE, BE IT RESOLVED, that the State of South Dakota, acting by and through the South Dakota Transportation Commission, that said property described above located in Hughes County, South Dakota, is not now or in the future needed or deemed necessary for use in construction or maintenance of highways or for highway purposes, and the same is hereby abandoned.

ADOPTED THIS 22
DAY OF April, 20 04.

SOUTH DAKOTA TRANSPORTATION COMMISSION
BY: [Signature]
Secretary of Transportation

THIS IS TO CERTIFY THAT, this is a true and correct copy of Resolution No. 17170 adopted by the South Dakota Transportation Commission, in the City of Pierre, South Dakota, on April 22, 20 04, and the undersigned has custody of the same.

BY: [Signature]
Administrative Assistant
STATE TRANSPORTATION COMMISSION

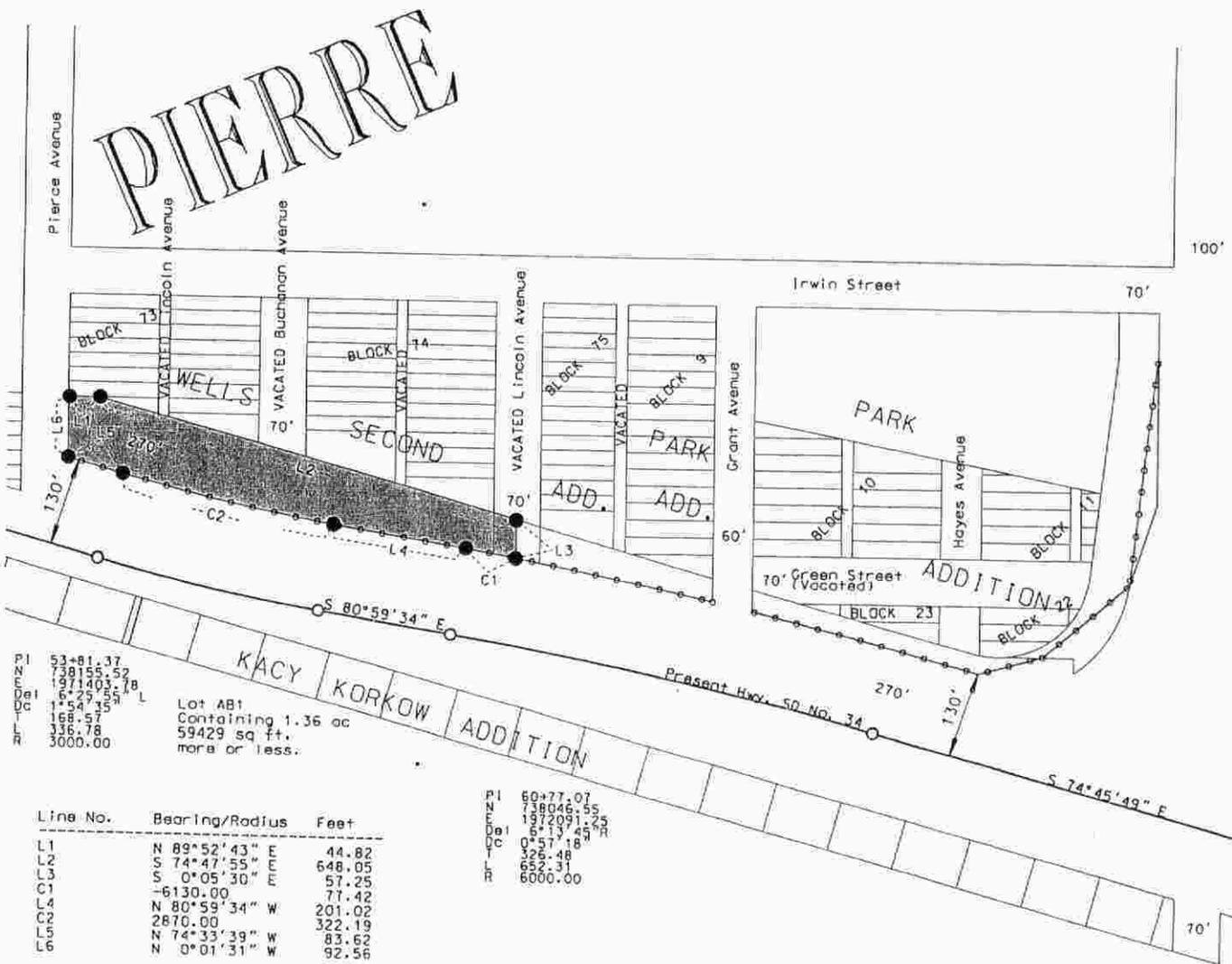
PLAT OF LOT ABI

Showing a tract of land to be abandoned in Highway Lot A
 Plot of Highway Lot A, Formerly parts of Blocks 73, 74, & 75 of
 Wells Second Addition & Blocks 9, 22, & 23 of Park Addition

in the CITY OF PIERRE
 HUGHES COUNTY, SOUTH DAKOTA

Scale: 1 inch = 200 feet

LEGEND
 ● = found corner
 ○ = set corner
 ■ = reset found corner
 ○-○-○ Control of Access to be retained by S.D.D.O.T.
 All monumentation will be set upon project completion



PI	53+81.37
N	738155.52
E	1971403.78
Del	6+25.28
OC	1+54.15
L	168.57
R	336.78
	3000.00

Lot ABI
 Containing 1.36 ac
 59429 sq. ft.
 more or less.

PI	60+77.07
N	738046.55
E	1972091.25
Del	6+17.45
OC	0+57.18
L	325.48
R	652.31
	6000.00

Line No.	Bearing/Radius	Feet
L1	N 89°52'43" E	44.82
L2	S 74°47'55" E	648.05
L3	S 0°05'30" E	57.25
C1	-6130.00	77.42
L4	N 80°59'34" W	201.02
C2	2870.00	322.19
L5	N 74°33'39" W	83.62
L6	N 0°01'31" W	92.56

Note: The coordinates and/or distances shown on this plat are based on the South Dakota State Plane coordinate System - South Zone NAD 83/96 SF = 0.999927399

Drawn By Darin Gravatt Date 1-05-04
 Checked By R. Thielen Date 1-07-04

SURVEYOR'S CERTIFICATE

I, ROBERT 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 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 11th day of MAY, A.D., 2004. Robert J. Thielen
 Registered Land Surveyor
 Registration No. 4424



OFFICE OF REGISTER OF DEEDS

#2575
 State of South Dakota
 County of Hughes ss
 Filed for record the 18 day of May, A.D., 2004 at 8:30 A.M. and recorded in Books of Plats 10 on Page
462 therein.
Joe Register of Deeds by _____ Deputy

6219

051P 462

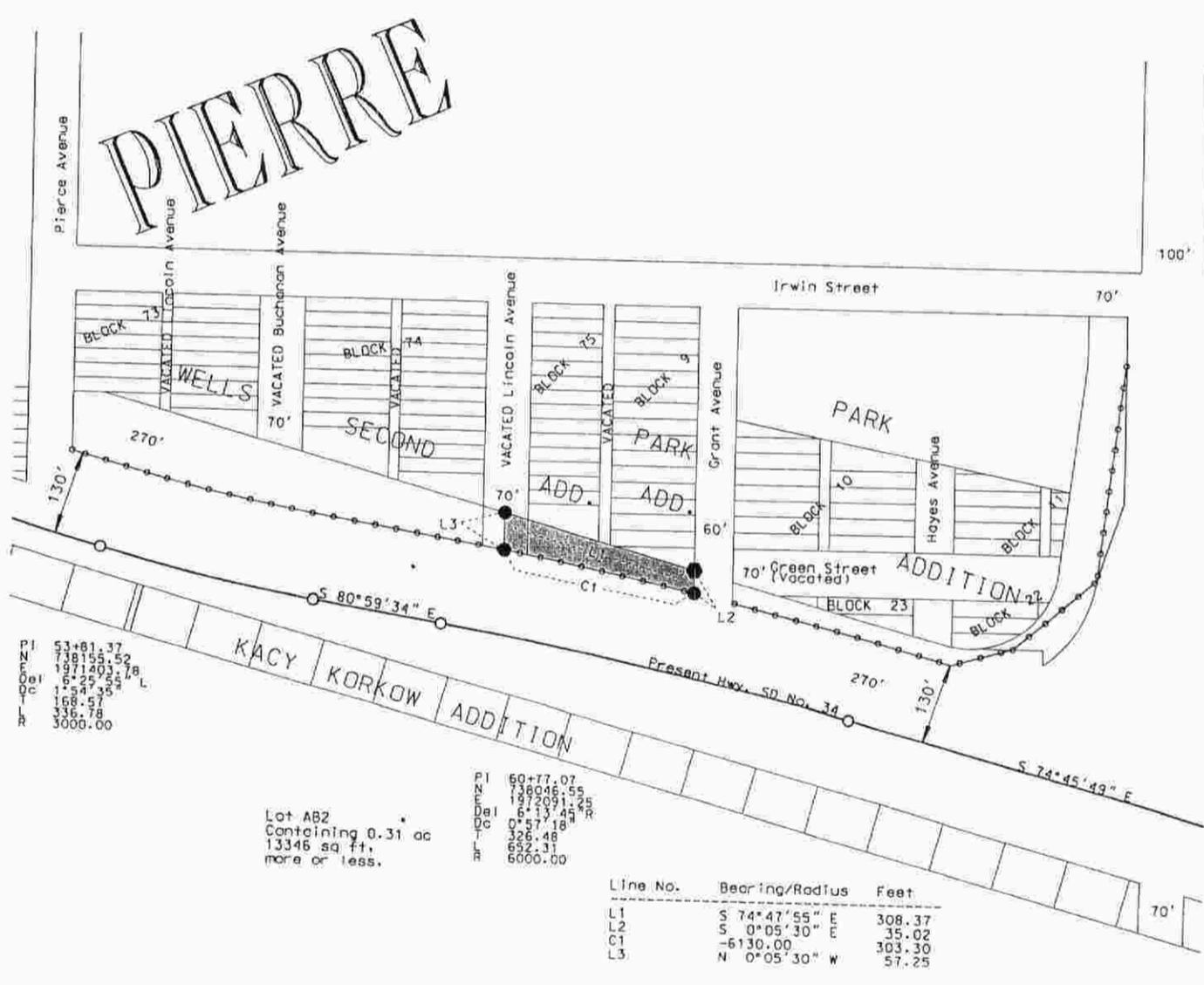
PLAT OF LOT AB2

Showing a tract of land to be abandoned in Highway Lot A
 Plat of Highway Lot A, Formerly parts of Blocks 73, 74, & 75 of
 Wells Second Addition & Blocks 9, 22, & 23 of Park Addition

In the CITY OF PIERRE
 HUGHES COUNTY, SOUTH DAKOTA

Scale: 1 Inch = 200 feet

LEGEND
 ● = found corner
 ○ = set corner
 ■ = reset found corner
 ○-○-○ Control of Access to be retained by S.D.O.T.
 All monumentation will be set upon project completion



PI 53+81.37
 N 738155.52
 Del 1971403.78
 Oc 6+25.32
 T 1+54.35
 R 168.57
 336.78
 3000.00

Lot AB2
 Containing 0.31 ac
 13346 sq ft,
 more or less.

PI 60+77.07
 N 138046.55
 Del 1872091.25
 Oc 6+13.45
 T 0+57.18
 R 326.48
 652.31
 6000.00

Line No.	Bearing/Radius	Feet
L1	S 74°47'55" E	308.37
L2	S 0°05'30" E	35.02
C1	-6130.00	303.30
L3	N 0°05'30" W	57.25

Note: The coordinates and/or distances shown on this plat are based on the South Dakota State Plane coordinate System - South Zone NAD 83/95 SF = 0.999927399

Drawn By Darin Grayatt Date 1-05-04
 Checked By R. Thielen Date 1-07-04

SURVEYOR'S CERTIFICATE

I, ROBERT 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 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 11th day of MAY, A.D., 2004.

Robert J. Thielen
 Registered Land Surveyor
 Registration No. 4424



#2576
 State of South Dakota
 County of Hughes ss

OFFICE OF REGISTER OF DEEDS

Filed for record the 18 day of May, A.D., 2004, at 8:30 A.M., and recorded in Books of Plots 10 on Page 463 therein.

6219 Fee \$10.00

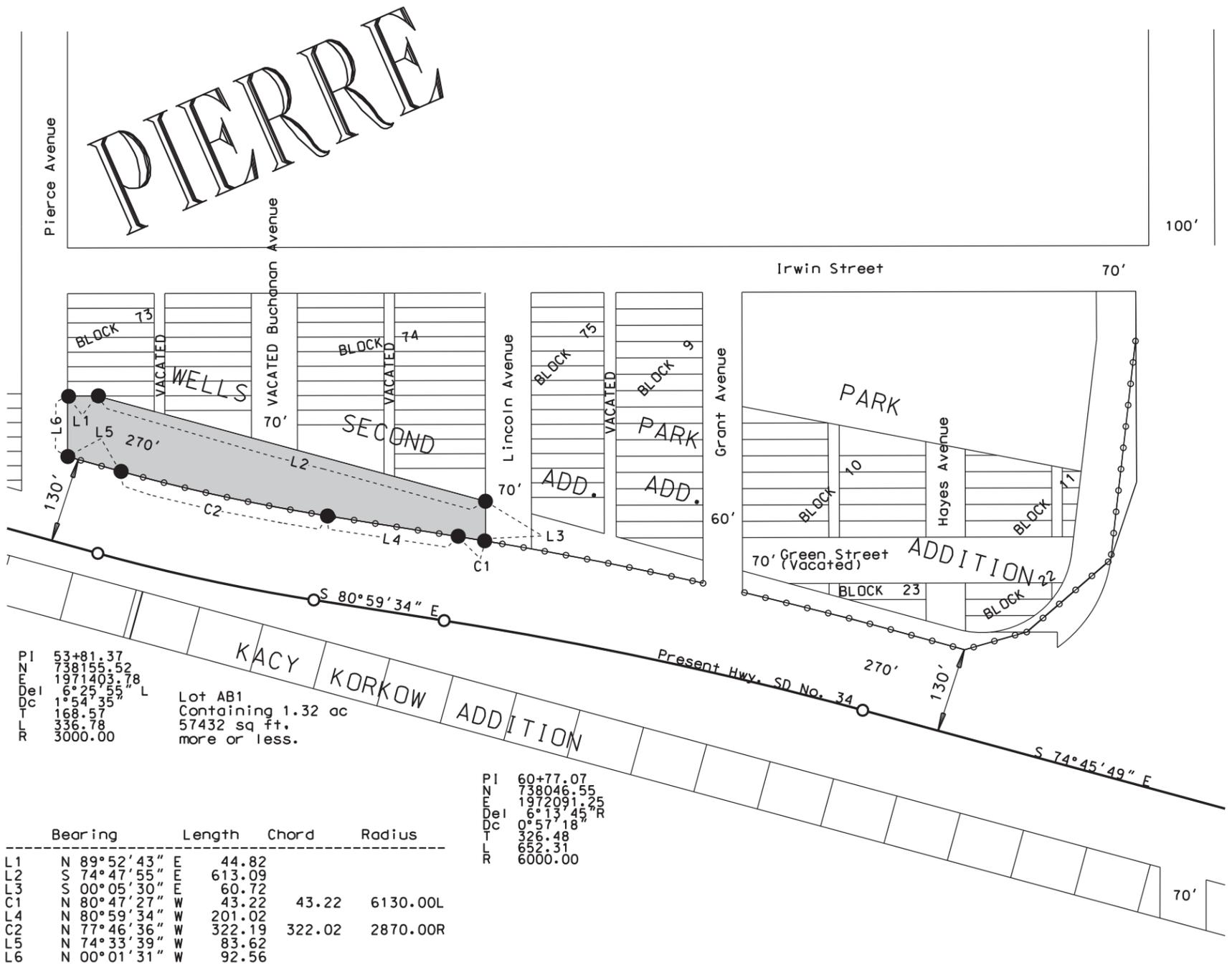
Register of Deeds by Johnnie R. [Signature] Deputy

PLAT OF LOT AB1

Amending the Original Plat of Lot AB1 as Recorded in
Book of Plats 10 - Page 462 - Dated May 18, 2004
Showing a tract of land to be abandoned in Highway Lot A
Plat of Highway Lot A, Formerly parts of Blocks 73, 74, & 75 of
Wells Second Addition & Blocks 9, 22, & 23 of Park Addition
in the CITY OF PIERRE
HUGHES COUNTY, SOUTH DAKOTA

Scale: 1 inch = 200 feet

- LEGEND**
- = found corner
 - = set corner
 - = reset found corner
 - Control of Access to be retained by S.D.D.O.T.
- All monumentation will be set upon project completion



PI 53+81.37
N 738155.52
E 1971403.78
Del 6°25'55" L
DC 1°54'35" L
T 168.57
R 336.78
3000.00

Lot AB1
Containing 1.32 ac
57432 sq ft.
more or less.

PI 60+77.07
N 738046.55
E 1972091.25
Del 6°13'45" R
DC 0°57'18"
T 326.48
R 652.31
6000.00

	Bearing	Length	Chord	Radius
L1	N 89°52'43" E	44.82		
L2	S 74°47'55" E	613.09		
L3	S 00°05'30" E	60.72		
C1	N 80°47'27" W	43.22	43.22	6130.00L
L4	N 80°59'34" W	201.02		
C2	N 77°46'36" W	322.19	322.02	2870.00R
L5	N 74°33'39" W	83.62		
L6	N 00°01'31" W	92.56		

Note: The coordinates and/or distances shown on this plat are based on the South Dakota State Plane coordinate System - South Zone NAD 83/96 SF = 0.999927399

Drawn By Crystal L. Stonesifer Date 2-17-16
Checked By C. Stiegelmeier Date 2-17-16

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

Registered Land Surveyor
Registration No. _____

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

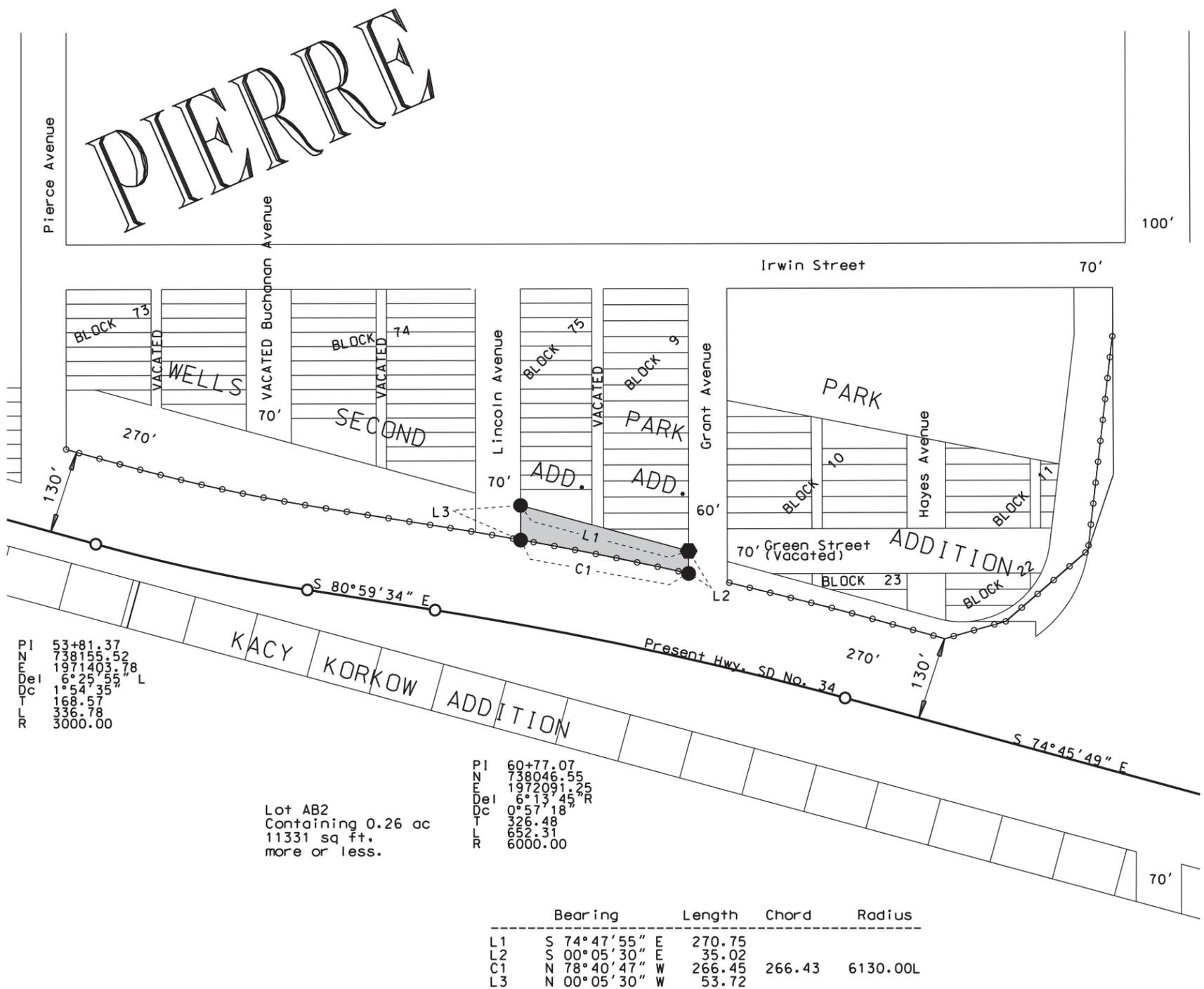
PLAT OF LOT AB2

Amending the Original Plat of Lot AB2 as Recorded in
Book of Plats 10 - Page 463 - Dated May 18, 2004

Showing a tract of land to be abandoned in Highway Lot A
Plat of Highway Lot A, Formerly parts of Blocks 73, 74, & 75 of
Wells Second Addition & Blocks 9, 22, & 23 of Park Addition
in the CITY OF PIERRE
HUGHES COUNTY, SOUTH DAKOTA

Scale: 1 Inch = 200 feet

- LEGEND**
- = found corner
 - = set corner
 - = reset found corner
 - Control of Access to be retained by S.D.D.O.T.
- All monumentation will be set upon project completion



Note: The coordinates and/or distances shown on this plat are based on the South Dakota State Plane coordinate System - South Zone NAD 83/96 SF = 0.999927399

Drawn By Crystal L. Stonesifer Date 2-17-16
Checked By C. Stiegelmeier Date 2-17-16

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Registered Land Surveyor
Registration No. _____

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