

SOUTH DAKOTA TRANSPORTATION COMMISSION MEETING MINUTES

Thursday, June 25, 2026 at 9:00 a.m. CT

Becker-Hansen Building/Commission Room - 700 East Broadway Avenue, Pierre, South Dakota

COMMIONER PRESENT: Austin Simons, Chairman
Chris Frick, Vice-chairman
Lynn Jensen
Ron Rosenboom
Mike Vehle
Larry Nelson
Don Roby
Jaf Karim

DOT STAFF PRESENT: Joel Jundt, Mike Behm, Kellie Beck, Joanne Hight, Christina Bennett, Sam Weisgram, Doug Kinniburg, Ben Moennig, and Kari Kroll

**DOT STAFF PRESENT
VIA CONFERENCE CALL:** Craig Smith, Karla Engle, and Shane Pullman

**OTHERS PRESENT
VIA CONFERENCE CALL:** Jason Reaves – South Dakota Chapter/American Concrete Pavement Association and Toby Crow – Association of General Contractors (AGC)

Chairman Simons called the meeting of the South Dakota Transportation Commission (the “Commission”) to order at 9:00 a.m. CT. A roll call was taken and a quorum was present.

Simons opened the floor to the Commission members to disclose potential conflicts of interest and to present requests for waiver pursuant to South Dakota Codified Law (SDCL) chapters 3 – 23.

No members of the Commission disclosed a conflict or requested a waiver.

Simons asked for a motion to approve the June 11, 2026 Commission meeting minutes.

A MOTION WAS MADE by Roby and seconded by Jensen to approve the June 11, 2026 Commission meeting minutes. All present voted aye by voice vote. The motion carried.

Simons opened the floor to public input.

No members of the public addressed the Commission or offered any input.

Secretary Jundt presented the following items to the Commission in his Secretary's Report:

- Transportation Commissioners Nelson and Vallery were re-appointed by the Governor to serve another four-year term on the Transportation Commission – congratulations to them.
- **Hall of Honor:** The Hall of Honor Committee met on June 15 and considered nominations that had been submitted over the past two years. In the end, June Hansen, of Pierre and Kari Karst of Dell Rapids were chosen for induction into the South Dakota Transportation Hall of Honor for 2026. The purpose of the Transportation Hall of Honor is to recognize individuals who have made a lasting, valuable, and/or unique contribution to South Dakota's air, highway, public transit, or rail transportation system.

For some background, the Hall of Honor originated in 1972. With the addition of Hansen and Karst, the Hall of Honor now includes 101 inductees. Each of the 2026 inductees will be recognized for her service and commitment to South Dakota's public transportation system at a Hall of Honor banquet in the fall. Both banquets are currently being planned. Event details will be shared with the public later this summer. Thank you to Commissioner Lynn Jensen for his participation on the committee.

June Hansen is the Civil Rights Compliance Specialist for the South Dakota Department of Transportation (the "Department".) One of June's most significant contributions is her leadership in developing and fostering collaboration between the Department and tribal nations through her role as the Department's Tribal Liaison. Under her leadership, the Department has made meaningful progress in strengthening communication and building a positive, productive working relationship with tribal nations. June has also been instrumental in development of the Department's formal internal mentoring program and development of the Department's New Employee Orientation Program. June's leadership also extended to the development of the Department's Transition Plan for compliance with the Americans with Disabilities Act (ADA). She guided the Department's efforts to understand the legal requirements for ensuring that all the Department's facilities comply with the ADA.

Kari Karst is the President / CEO of BX Civil & Construction, located in Dell Rapids. Kari has demonstrated exceptional service to the construction industry through her leadership, dedication, and advocacy. Kari has served on the AGC of South Dakota Board of Directors for over 20 years, holding various leadership roles. She made history in 2004 as the first female president of the AGC Highway-Heavy-Utilities Chapter. She has also been an active member of several National AGC task groups and committees and also contributed to various AGC of South Dakota committees.

- **Platte / Winner Bridge:** The Department has advertised this project for a July 29th letting. It will be after the July Commission meeting but the Department is hoping for favorable bids.
- **Statewide Transportation Improvement Program (STIP):** Department staff have begun coordination meetings to discuss the tentative STIP with smaller groups, i.e. planning districts and other local governments. Those smaller formal meetings have been going well. Jundt noted that later in this meeting, the Department will request the Commission's approval to release the STIP document for public comment.

Craig Smith, Division Director of Operations, presented the following informational Construction Change Orders (CCO) to the Commission.

CCOs completed in May contain a decrease of \$150,319.00. Over the past 12 months, the total change to the original contract amounts has increased by 1.51%.

The following projects have a CCO with a change of more than \$100,000 or a change of more than 25.0% to the contract.

ABERDEEN REGION

1. Project: NH 0013(171), Beadle & Hand County, PCN 09LC
Location: Various routes in the Huron area
Contractor: Emery Sapp & Sons
Type of Work: PCC pavement grinding

Original Contract Amount:	\$	3,098,621.84
\$ Change on CCO No. 1:	\$	153,269.77
% Change on CCO No. 1:		5.0%
Net Change to Date:	\$	153,269.77

Explanation of Change on CCO No. 1 This increase is the result of the Department adjusting contract quantities to match as built quantities, for extra work to reseal the centerline joint, and making an incentive payment for pavement smoothness in accordance with the contract.

MITCHELL REGION

2. Project: EM 0292(88)73, Lincoln County, PCN 06JQ
Location: I-29 -85th Street interchange
85th Street from Sundowner Avenue to Tallgrass Avenue in Sioux Falls
Contractor: T&R Contracting, Inc.
Type of Work: Structures, grading, PCC surfacing, storm sewer, pavement markings, lighting, signal, sidewalk

Original Contract Amount:	\$	53,313,089.85
\$ Change on CCO No. 2:	\$	409,418.20
% Change on CCO No. 2:		0.8%
Net Change to Date:	\$	372,750.50

Explanation of Change on CCO No. 2: This increase is the result of the Department compensating the contractor for extra work to perform additional excavation. Additionally, the contractor's aggregate column installation plan as reviewed by the Department Geotechnical Engineering Activity Office resulted in additional quantity of aggregate columns which also increased the base course needed for the aggregate columns. The aggregate columns are used to provide additional stability to the foundation of the bridge supports and approaches.

3. Project: IM-EM 0908(97)362, McCook & Minnehaha County, PCN 05T2
 Location: I-90 eastbound lanes from 2 miles west of Humboldt to 2 miles east of Hartford
 Structure on SD 38 0.4 miles west of Exit 390 on I-90
 I-90 Exit 379, Humboldt
 Contractor: Reede Construction, Inc.
 Type of Work: Remove & replace PCC surfacing, replace structure, grading, pipe work

Original Contract Amount:	\$	37,296,052.10
Change on CCO No. 11:	\$	(381,856.86)
% Change on CCO No. 11:		1.0%
Net Change to Date:	\$	(507,707.04)

Explanation of Change on CCO No. 3: This decrease is the result of the Department adjusting contract quantities of numerous items to match as built quantities .

PIERRE REGION

4. Project: NH 0212(191)134, Dewey & Ziebach County, PCN 068J
 Location: US212 from Dupree through Eagle Butte
 Contractor: Anderson Western, Inc.
 Type of Work: Cold milling, asphalt concrete resurfacing, modify intersection, lighting

Original Contract Amount:	\$	16,281,392.32
\$ Change on CCO No. 11:	\$	320,579.94
% Change on CCO No. 11:		2.0%
Net Change to Date:	\$	225,812.37

Explanation of Change on CCO No. 11: This increase is the result of the Department adjusting contract quantities to match as built quantities with the largest increase being in asphalt binder.

5. Project: PH 0030(38), Hughes & Stanley County, PCN 06AR
 Location: Various locations in the Pierre region
 Contractor: Sir Lines-A-Lot, LLC
 Type of Work: Durable pavement markings

Original Contract Amount:	\$	1,414,631.75
\$ Change on CCO No. 1:	\$	111,557.05
% Change on CCO No. 1:		7.9%
Net Change to Date:	\$	111,557.05

Explanation of Change on CCO No. 1: This increase is the result of the Department compensating the contractor for extra work placing pavement markings at additional locations approved by the engineer.

RAPID CITY REGION

6. Project: BRF-B 6237(07), Butte County, PCN 084K
 Location: Structure 15.5 miles north & 2.5 miles east of Belle Fourche over Indian Creek
 Contractor: Heavy Constructors, Inc.
 Type of Work: Structure, approach grading

Original Contract Amount:	\$	7,273,342.99
\$ Change on CCO No. 12:	\$	(104,656.74)
% Change on CCO No. 12:		1.4%
Net Change to Date:	\$	(145,523.49)

Explanation of Change on CCO No. 12: This decrease is the result of the Department adjusting contract quantities to match as built quantities and enforcing a disincentive payment for contract time in accordance with the contract.

7. Project: IM FP PP B 0901(195)35, Meade County, PCN 021G
 Location: I-90 EBL from west of Exit 37 to Exit 40
 Contractor: Complete Contracting, Inc.
 Type of Work: Grading, PCC surfacing, replace structures

Original Contract Amount:	\$	35,035,743.84
Change on CCO No. 17:	\$	(998,354.41)
% Change on CCO No. 17:		2.9%
Net Change to Date:	\$	(248,623.74)

Explanation of Change on CCO No. 17: This decrease is the result of the Department adjusting contract quantities to match as built quantities, removing unnecessary items from the contract, and enforcing disincentives for contract time in accordance with the contract.

8. Project: NH-PH 0385(50)96, Pennington County, PCN 03BD
 Location: US385 from north of Pactola Dam to 4 miles north of the SD44 junction
 Contractor: Zandstra Construction, Inc.
 Type of Work: Grading, structures, interim surfacing, pipe work

Original Contract Amount:	\$	23,492,147.29
\$ Change on CCO No. 14F:	\$	(114,653.68)
% Change on CCO No. 14F:		0.5%
Net Change to Date:	\$	1,662,369.46

Explanation of Change on CCO No. 14F: This decrease is the result of the Department compensating the contractor for fuel cost adjustments in accordance with the contract.

9. Project: PH 1757(02), Pennington County, PCN 092U
 Location: Deadwood Avenue - Horizontal curve north of Rapid City
 Contractor: Western Construction, Inc.
 Type of Work: Grading, asphalt concrete surfacing, pavement markings, permanent signing

Original Contract Amount:	\$	2,698,484.20
\$ Change on CCO No. 5:	\$	(161,341.15)
% Change on CCO No. 5:		6.0%
Net Change to Date:	\$	11,606.62

Explanation of Change on CCO No. 5: This decrease is the result of the Department adjusting contract quantities to match as built quantities.

Simons asked for a motion for the Commission to enter into executive session.

A MOTION WAS MADE by Nelson and seconded by Roby to enter into executive session pursuant to SDCL 1-25-2(3) for the purpose of consulting with legal counsel and reviewing communications from legal counsel about proposed or pending litigation or contractual matters. All present voted aye by roll call vote. The motion carried.

Executive session began at 9:12 a.m.

Executive session ended at 9:56 a.m.

With all present, Simon asked for a motion to end executive session.

A MOTION WAS MADE by Roby and seconded by Rosenboom to end executive session. All present voted aye by voice vote. The motion carried.

Sam Weisgram, Office of Project Development, presented to the Commission the following bid letting results:

June 17, 2026

PCC Sidewalk

1	09G4 P TAPR(54)	Minnehaha County
	Journey Group Companies	\$204,124.60
	Valley Springs - Along Valley Dr fm Skyline Dr to Southside St	

Bridge Deck Treatment

3	0A5M IM-NH-P 0020(252)	Aurora, Brule, Charles Mix, Davison, Lincoln, McCook, Minnehaha, Sanborn Counties	
	Dakota Seal Holdings, LLC		\$249,844.50
	Various Locations Throughout the Mitchell Region		

A MOTION WAS MADE by Jensen and seconded by Vehle to approve bids #1 and #3. All present voted aye by voice vote. The motion carried.

Structure Removal (3-10'x7' RCBC)

2	09M2 BRO-B 8040(20)	Lake County
	Bauer Services	\$24,728.40
	Structure 2 E & 2.2 N of Rutland on 464 Ave over Battle Ck, SN 40-220-058	

A MOTION WAS MADE by Roby and seconded by Vehle to approve bid #2 with the condition that the Department receive verification of this contractor's licensing with the South Dakota Department of Revenue by July 6, 2026. All present voted aye by voice vote. The motion carried.

June 23, 2026

Mowing & Weed Spraying

1	00SW(007)	Turner County
	Midwest Constructors	\$560,001.99
	Turner County VS1 Site	

A MOTION WAS MADE by Frick and seconded by Karim to reject the bid. All present voted aye by voice vote. The motion carried.

Weisgram asked the Commission to add a special conference meeting on August 13, 2026 at 9 a.m. CDT/ 8 a.m. MT to consider bids for contract award, including bids for the Platte-Winner Bridge project.

A MOTION WAS MADE by Rosenboom and seconded by Karim to add a special conference call meeting on August 13, 2026 at 9 a.m. CT. All present voted aye by voice vote. The motion carried.

Mike Behm, Director of the Division of Planning & Engineering, presented the following items for Commission consideration.

1. Request Transportation Commission approval to transfer by resolution and deed to the City of Summerset, Meade County, South Dakota, the following right of way property known as a portion of Captain Soelzer Street:

Lot X in a portion of Lots H4 and H5, and in a portion of previously acquired 66' highway right of way all in the NE1/4 of Section 6, Township 2 North, Range 7 East of the B.H.M., Meade County, South Dakota (containing 3.13 acres);

Lot B in a portion of Lot H2 in the SW1/4 SW1/4 of Section 5, Township 2 North, Range 7 East of the B.H.M., Meade County, South Dakota (containing 1.44 acres);

Lot C in a portion of Lot H1 in the NE1/4 SE1/4 of Section 6, Township 2 North, Range 7 East of the B.H.M., Meade County, South Dakota (containing 1.98 acres); and

Lot D in a portion of Lot H1 in the SE1/4 SE1/4 of Section 6, Township 2 North, Range 7 East of the B.H.M., Meade County, South Dakota (containing 0.05 acre).

A Joint Powers Agreement for Ownership, Maintenance and Jurisdiction Transfer between the Department and the City of Summerset proposes transfer of the above right of way property. The Agreement also transfers the maintenance and jurisdiction of JB Road to the City of Summerset. The right of way interest for JB Road will remain with the State.

The portion of Captain Soelzer Street is located on the west side of Sturgis Road north of I-90 Exit 52 from MRM 51.40 to MRM 51.98 and JB Road is located on the east side of I-90 south of Exit 48 from MRM 48.50 to MRM 49.20.

The Department has determined that the value of jurisdiction, operations, replacement, repair, and maintenance responsibilities of JB Road is \$277,668.00 and the value of ownership, jurisdiction, operations, replacement, repair, and maintenance responsibilities for Captain Soelzer Street is \$361,680.00.

The Joint Powers Agreement also includes the sale and transfer of the following excess real property to the City of Summerset, which has already been approved for disposal by the Transportation Commission at the March 27, 2025 Commission meeting, and which was appraised at \$425,000:

Lot A in Tract W in the E1/2NE1/4 of Section 6, Township 2 North, Range 7 East of the B.H.M., Meade County, South Dakota (containing 13.35 acres); and

Tract B of the SW1/4SE1/4 and Tract BW of the SE1/4SE1/4; all in Section 31, Township 3 North, Range 7 East of the B.H.M., Meade County, South Dakota (containing 5.52 acres).

The Joint Powers Agreement requires payment to the City of Summerset of \$214,348, which is the difference between (1) the value of the right of way and jurisdiction, operations, replacement, repair, and maintenance responsibilities for JB Road and Captain Soelzer Street and (2) the value of the State excess property.

The Department's Rapid City Region and Area offices recommend the transfer. Therefore, the request is for approval to transfer by resolution and deed to the City of Summerset, Meade County, South Dakota, the Captain Soelzer Street right of way.

A MOTION WAS MADE by Vehle and seconded by Nelson to approve the transfer to the City of Summerset. All present voted aye by voice vote. The motion carried.

RESOLUTION #2026 – 6.1 was adopted.

2. Request Transportation Commission approval to transfer by resolution and deed to Codington County, the State's interest in the following property acquired for highway right of way:

Codington County Department of Transportation (DOT) project S 2851 parcels.
(ATTACHMENT A)

The Department's project S 2851 located west of I-29 Exit 193 was cancelled in the mid-1970's. The above parcels will widen County Road 2 to 100 feet from 453rd Avenue to 455th Avenue.

This resolution will meet requirements of a Transfer Agreement between the Department and Codington County. The property would be transferred to Codington County and Codington County would accept ownership, jurisdiction, operational and maintenance responsibilities of the property.

The Department's Aberdeen Region and Watertown Area offices advise the above property is no longer needed for highway purposes and recommend the transfer.

A MOTION WAS MADE by Jensen and seconded by Rosenboom to approve the transfer to Codington County. All present voted aye by voice vote. The motion carried.

RESOLUTION #2026 – 6.2 was adopted.

3. Request Transportation Commission approval to abandon by resolution the following property acquired for highway right of way:

Codington County Department of Transportation (DOT) project S 2851 parcels.
(ATTACHMENT B)

The Department's project S 2851 located west of I-29 Exit 193 was cancelled in the mid-1970's. The above parcels are located beyond the proposed 100-foot width of County Road 2 from 453rd Avenue to 455th Avenue.

The Department's Aberdeen Region and Watertown Area offices advise the above property is no longer needed for highway purposes and recommend the abandonment.

A MOTION WAS MADE by Vehle and seconded by Rosenboom to approve the transfer to Codington County. All present voted aye by voice vote. The motion carried.

RESOLUTION # 2026 – 6.3 was adopted.

Director Behm presented the following STIP revisions for the Commission's information:

INFORMATIONAL REVISIONS FOR THE COMMISSION

(work type change, cost update, move fiscal years within the 4-year construction STIP)

REV 26-SC-017 This revision changed the scope of work from a structure replacement to "Structure Removal" and decreased the cost of a local structure project in Hill City in the Rapid City Region. (Sequence #640, Page 148 in the 2026-2029 STIP Book).

FY 2026 Minus \$850,000
Original = \$1,350,000; Updated = \$500,000

Director Behm presented to for Commission consideration the release of the tentative 2027-2030 STIP to the public.

A MOTION WAS MADE BY Roby and seconded by Jensen to release the proposed 2027-2030 STIP to the public for comment. All present voted aye by voice vote. The motion carried.

Doug Kinniburgh, Office of Local Government, presented for Commission consideration the updates to the Bridge Improvement Grant (BIG) Procedure Guide for 2027.

A MOTION WAS MADE by Rosenboom and seconded by Karim to approve the edits made to the BIG Procedure Guide for 2027 as presented. All present voted aye by voice vote. The motion carried.

Kinniburgh then presented for Commission consideration the updates to the 5-Year County Highway and Bridge Improvement Guide for 2027. He noted a typographical error in the page numbers on the item presented. He shared the document's cover page was noted as page 6. He ensured that the documents' page numbers have been fixed and that the list of edits now correspond to the guide.

A MOTION WAS MADE by Vehle and seconded by Jensen to approve the 5-Year County Highway and Bridge Improvement Guide for 2027 with the page number correction. All present voted aye by voice vote. The motion carried.

Lastly, Kinniburgh presented for Commission consideration the 2026 Local Federal Aid Preliminary Engineering (PE) Grant Program. He explained that the Department had programmed a bridge replacement program for 2023. A bridge in Douglas County located at 0.5 N & 3.7 W of Armour on 280th Street over Andes Creek was awarded \$1.94 million in this program.

In 2026, the Department was awarded a federal grant to assist in replacement of the bridge over the Missouri River on SD44 commonly known as the Platte-Winner Bridge. With this grant award, the Department also received funding for the replacement of the Douglas County bridge which had been previously programmed in the STIP for that amount of \$1.94 million.

The Department is proposing a Local Federal Aid PE Grant Program to offer local governments the opportunity to competitively apply for grants to conduct surveys, hydraulics, design, and environmental assessments to develop plans that will be ready for letting. This program would repurpose the \$1.94 million that was previously intended for the Douglas County bridge to prepare local government projects for letting if additional future funding is secured.

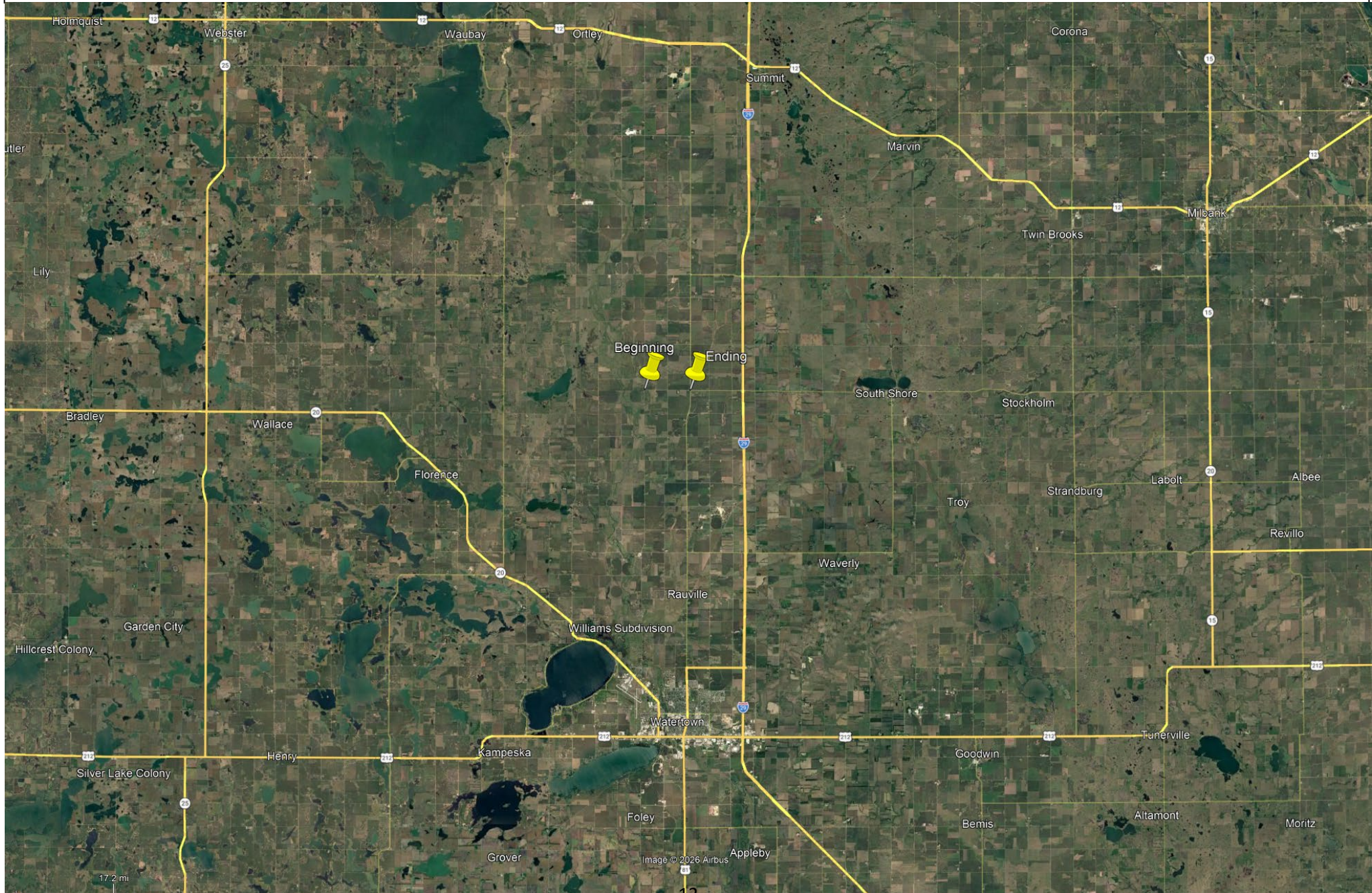
A MOTION WAS MADE by Roby and seconded by Karim to approve the Local Federal Aid PE Grant Program as presented to repurpose the \$1.94 million that was previously intended for the Douglas County bridge. All present voted aye by voice vote. The motion carried.

Christina Bennett, Construction and Maintenance Engineer/ Program Manager for the Office of Operations Support, presented for the Commission's information a PowerPoint presentation about how speed limits are set on the state highway system by the Department.

With no further business to come before the Commission, Chairman Simons declared the meeting adjourned at 11:15 a.m. CT.

ROW Item #3

Overview Map



Proposed Transfers to Codington County Township 119 North, Range 52 West

ATTACHMENT A



Legend

 Commission Items

13

0 0.2 0.4 0.8 Miles

**REAL PROPERTY TRANSFER AGREEMENT
BETWEEN
STATE OF SOUTH DAKOTA
AND
CODINGTON COUNTY, SOUTH DAKOTA**

This Agreement is between the State of South Dakota, acting by and through its Department of Transportation, referred to in this Agreement as the "STATE," and Codington County, South Dakota, referred to in this Agreement as the "COUNTY." This Agreement is subject to approval by the South Dakota Transportation Commission ("the Commission") and will be null and void if not approved by the Commission.

1. PURPOSE AND BACKGROUND

The purpose of this Agreement is to transfer a certain parcel of land with operational and maintenance responsibilities from the STATE to the COUNTY for public highway purposes pursuant to SDCL §§ 31-19-63 and 31-19-64.

2. REAL PROPERTY FOR WHICH OWNERSHIP IS TO BE TRANSFERRED

A. If approved by the Commission, the STATE will transfer to the COUNTY by quit claim deed, pursuant to SDCL §§ 31-19-63 and SDCL 31-19-64, all of the STATE's ownership interests in and operational and maintenance responsibilities to portions of Sixth Street, referred to in this Agreement as the "Transfer Segment," located in Codington County, South Dakota.

B. The STATE will transfer the Transfer Segment, legally described as follows, to the COUNTY:

Lot H1 in Lot X in the W1/2 NW1/4 of Section 11, Township 119 North, Range 52 West of the 5th P.M., Codington County, South Dakota. (contains 1.50 acres)

Lot A in Lot H1 in the W1/2 NW1/4 of Section 11, Township 119 North, Range 52 West of the 5th P.M., Codington County, South Dakota. (contains 0.02 acre)

Lot A in Lot H1 in the E1/2 NW1/4 of Section 11, Township 119 North, Range 52 West of the 5th P.M., Codington County, South Dakota. (contains 1.47 acres)

Lot A in Lot H1 in the NE1/4 of Section 11, Township 119 North, Range 52 West of the 5th P.M., Codington County, South Dakota. (contains 3.04 acres)

Lot A in Lot H1 in the NW1/4 of Section 12, Township 119 North, Range 52 West of the 5th P.M., Codington County, South Dakota. (contains 3.04 acres)

Lot A in Lot H2 in the N1/2 NE1/4 of Section 12, Township 119 North, Range 52 West of the 5th P.M., Codington County, South Dakota. (contains 2.98 acres)

Lot A in Lot H1 in the SW1/4 of Section 2, Township 119 North, Range 52 West of the 5th P.M., Codington County, South Dakota. (contains 1.18 acres)

Lot A in Lot H1 in the SE1/4 of Section 2, Township 119 North, Range 52 West of the 5th P.M., Codington County, South Dakota. (contains 3.04 acres)

Lot A in Lot H1 in the SW1/4 of Section 1, Township 119 North, Range 52 West of the 5th P.M., Codington County, South Dakota. (contains 3.04 acres)

Lot A in Lot H2 in the S1/2 SE1/4 of Section 1, Township 119 North, Range 52 West of the 5th P.M., Codington County, South Dakota. (contains 3.03 acres)

C. The COUNTY will accept ownership and maintenance responsibilities of the entire Transfer Segment.

3. **THE STATE AGREES TO THE FOLLOWING:**

If approved by the Commission, the STATE will transfer the Transfer Segment to the COUNTY upon execution of this Agreement. The STATE will prepare the documents necessary to convey ownership of the Transfer Segment and arrange for the recording of the transfer deed.

4. **THE CITY AGREES TO THE FOLLOWING:**

The COUNTY will accept maintenance responsibilities of the Transfer Segment upon full execution of this Agreement. The COUNTY will accept ownership of the Transfer Segment upon delivery by the STATE to the COUNTY of the necessary documents of conveyance.

5. **INDEMNIFICATION**

The COUNTY will indemnify the STATE, including its officers, agents, and employees, against any and all actions, suits, damages, liability, or other proceedings that arise as a result of the COUNTY's performance under this Agreement. This section does not require the COUNTY to be responsible for or defend against claims or damages arising solely from errors or omissions of the STATE, its officers, agents, or employees.

6. **MISCELLANEOUS**

- A. The COUNTY may not assign this Agreement, in whole or in part, without the STATE's prior written consent. This Agreement may not be amended, except in writing, which writing will be expressly identified as a part of this Agreement and must be signed by an authorized representative of each of the parties.
- B. The STATE makes no representations or warranties of title for any of the property to be conveyed pursuant to this Agreement.
- C. This Agreement will be effective as of date of last signature.
- D. The COUNTY has designated its Commission Chair as the COUNTY's duly authorized representative and has empowered the Commission Chair with the authority to sign this Agreement on behalf of the COUNTY.

This Agreement is binding upon the signatories not as individuals but solely in their capacities as officials of their respective organizations and acknowledges proper action of the STATE and the COUNTY to enter into same.

Codington County, South Dakota

By: [Signature]

Its: Commission Chair

Date: 4/2/24

State of South Dakota
Department of Transportation

By: _____

Its: Secretary

Date: _____

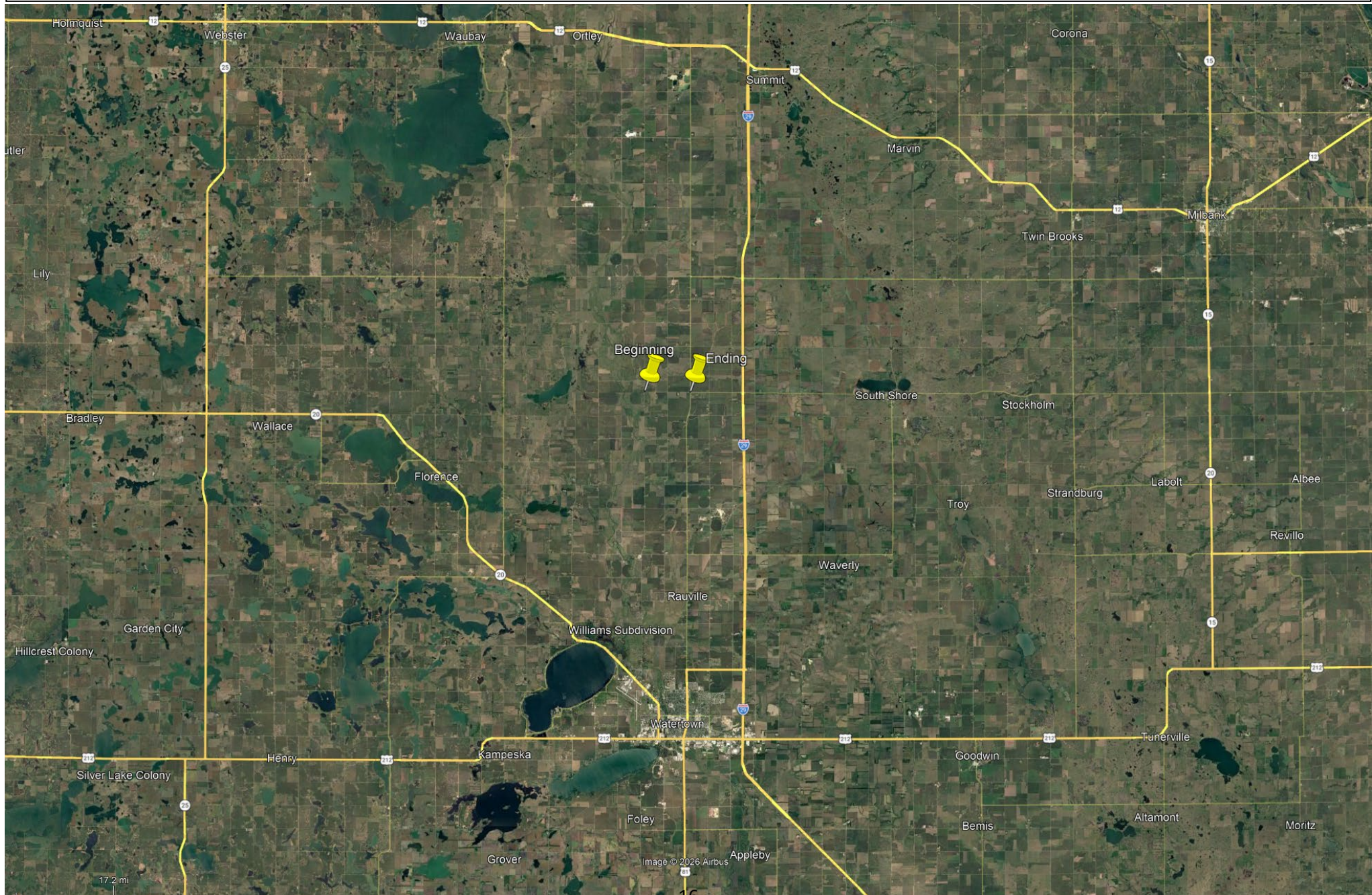
Approved as to Form:

/s/ Paul W. Coppock
Special Assistant Attorney General



ROW Item #4

Overview Map



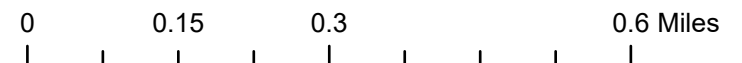
Proposed Abandonments to Codington County
Township 119 North, Range 52 West

ATTACHMENT B



Legend

 Commission Items



CODINGTON COUNTY ABANDONMENTS

Lot H1 in the SE1/4 of Section 3, Township 119 North, Range 52 West of the 5th P.M., (Res.), Codington County, South Dakota. (contains 0.34 acre)

Lot H2 in the SW1/4 of Section 2, Township 119 North, Range 52 West of the 5th P.M., (Res.), Codington County, South Dakota. (contains 0.43 acre)

Lot B in a part of Lot H1 in the W1/2 NW1/4 of Section 11, Township 119 North, Range 52 West of the 5th P.M., Codington County, South Dakota. (contains 5.61 acres)

Lot B in a part of Lot H1 in the E1/2 NW1/4 of Section 11, Township 119 North, Range 52 West of the 5th P.M., Codington County, South Dakota. (contains 1.53 acres)

Lot B in a part of Lot H1 in the NE1/4 of Section 11, Township 119 North, Range 52 West of the 5th P.M., Codington County, South Dakota. (contains 1.72 acres)

Lot B in a part of Lot H1 in the NW1/4 of Section 12, Township 119 North, Range 52 West of the 5th P.M., Codington County, South Dakota. (contains 1.74 acres)

Lot B in a part of Lot H2 in the N1/2 NE1/4 of Section 12, Township 119 North, Range 52 West of the 5th P.M., Codington County, South Dakota. (contains 1.67 acres)

Lot B in a part of Lot H1 in the SW1/4 of Section 2, Township 119 North, Range 52 West of the 5th P.M., Codington County, South Dakota. (contains 0.38 acre)

Lot B in a part of Lot H1 in the SE1/4 of Section 2, Township 119 North, Range 52 West of the 5th P.M., Codington County, South Dakota. (contains 1.32 acres)

Lot B in a part of Lot H1 in the SW1/4 of Section 1, Township 119 North, Range 52 West of the 5th P.M., Codington County, South Dakota. (contains 1.30 acres)

Lot B in a part of Lot H2 in the S1/2 SE1/4 of Section 1, Township 119 North, Range 52 West of the 5th P.M., Codington County, South Dakota. (contains 1.68 acres)