

SOUTH DAKOTA TRANSPORTATION COMMISSION

Wednesday, June 23, 2021 at 1:00 p.m. CDT

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

COMMISSIONERS PRESENT: Larry Nelson, Chairman
Bruce Cull, Vice Chairman
Ron Rosenboom
Rod Fouberg
Mike Vehle
Kathy Zander
Don Roby

DOT STAFF PRESENT: Karla Engle and Kari Kroll

OTHERS PRESENT: Judge David Gienapp – Hearing Examiner; Rod Wiseman – Rapid City, Pierre & Eastern Railroad Inc. (RCP&E); Steve Williams – legal counsel for RCP&E; Jeff Collins – legal counsel for RCP&E; Patrick Burns – legal counsel for Dena Kinsella; Dena Kinsella & Tom Kinsella; and Cindy Pffingston - Court Reporter

Chairman Larry Nelson called the meeting of the South Dakota Transportation Commission (the “Commission”) to order at 1:02 p.m. CDT. A roll call was taken and a quorum was determined.

Nelson opened the floor to the Commissioners to disclose potential conflicts of interest. Engle discussed the legal considerations that apply to potential conflicts of interest in a quasi-judicial setting.

Commissioner Mike Vehle disclosed that he worked with a woman named Audrey Kinsella in 1985 on a project called Leadership Mitchell but was unsure whether Audrey Kinsella had any relationship with Dena Kinsella. Dena Kinsella said she didn’t know anyone by that name. Vehle indicated he did not believe this matter was a disqualifying conflict.

A MOTION WAS MADE by Roby and seconded by Zander that Commissioner Vehle’s disclosure of a working relationship with Audrey Kinsella was not a conflict of interest that requires recusal from the administrative hearing involving Ms. Kinsella. All present voted aye by roll call vote. The motion carried.

Vehle also disclosed that he and his partner purchased furnishings from a decorator and then had dinner with the decorator and her husband, Robert Burns of Minneapolis, Minnesota approximately five years ago. Patrick Burns, counsel for Dena Kinsella, stated Robert Burns is his father and the decorator is his stepmother. Vehle indicated he did not believe this was a disqualifying conflict.

A MOTION WAS MADE by Rosenboom and seconded by Cull that this disclosure by Commissioner Vehle was not a conflict of interest that requires a recusal from the administrative hearing involving Ms. Kinsella. All present voted aye by roll call vote. The motion carried.

No other conflicts were disclosed, and no waivers were requested.

Karla Engle, Office of Legal Counsel, announced the hearing on the application for authorization to exercise eminent domain by Rapid City, Pierre & Easter Railroad Inc. (RCP&E). Engle introduced Judge David Gienapp as the hearing examiner who would preside over the hearing and prepare a recommended decision for consideration by the Commission.

Steven Williams and Jeffery Collins appeared as legal counsel for RCP&E. Patrick Burns appeared as legal counsel for Dena Kinsella. As part of Rod Wiseman, general manager of RCP&E, testified in favor of RCPE's application for authorization to exercise eminent domain over real property owned by Dena Kinsella for the purpose of accessing a railroad bridge and staging materials.

Dena Kinsella testified in opposition to RCPE's application. Tom Kinsella offered testimony relating to RCP&E's application. Rod Wiseman offered additional testimony relating to RCP&E's application.

Steven Williams presented closing argument in favor of RCP&E's application and Patrick Burns presented closing argument in opposition to the application. The hearing was concluded. The parties and witnesses to the hearing, and their counsel, left the meeting.

Judge Gienapp discussed procedural aspects of the hearing with the Commission.

Nelson asked for a motion for the Board to enter into Executive Session.

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

Executive session began at 5:00 p.m. CDT.

Executive session began at 5:20 p.m. CDT.

With no further business to come before the Commission on June 23, 2021, Chairman Nelson recessed the meeting at 5:20 p.m.

Thursday, June 14, 2021 at 9:00 a.m. CDT

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

COMMISSIONERS PRESENT: Larry Nelson, Chairman
Bruce Cull, Vice Chairman
Ron Rosenboom
Rod Fouberg
Jaf Karim
Mike Vehle
Don Roby

DOT STAFF PRESENT: Joel Jundt, Karla Engle, Mike Behm, Kellie Beck, Craig Smith, Tammy Williams, Joel Gengler, Mark Leiferman, Sam Weisgram, Becky Hoffman, Kyle Weinman and Kari Kroll

**DOT STAFF PRESENT
VIA CONFERENCE CALL:** Steve Johnson

OTHERS PRESENT: Brad Stangoh – Ulteig and Jerry Buom – Union County Highway Department

**OTHERS PRESENT
VIA CONFERENCE CALL:** Mark Clausen – Federal Highway Administration (FHWA)

Chairman Larry Nelson called the meeting of the Commission back to order at 9:02 a.m. CDT. A roll call was taken and a quorum was determined.

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

No conflicts of interest were disclosed, and no waivers were requested.

Nelson asked for a motion to approve the June 10, 2021 Commission meeting minutes.

A MOTION WAS MADE by Roby and seconded by Fouberg to approve the June 10, 2021 Commission meeting minutes. All present voted by voice vote. The motion carried.

Secretary Joel Jundt provided the Secretary's Report. Jundt presented the following to the Commission:

1. Increase in State highway funds compared to last year
2. Update on Federal Reauthorization status
3. Visit to Yankton as part of the September *On the Road* meeting to include a visit to the Meridian Bridge.

Craig Smith, Division of Operations Director, presented the following Construction Change Orders (CCOs) to the Commission:

Construction change orders completed in May contain an increase of approximately \$1,589,241.95.

Over the past 12 months, the overall contract increase is 2.93%.

The following projects have a Construction Change Order (CCO) amounting to a contract change more than \$50,000.

ABERDEEN REGION

- I. Project: P 0025(80)88, Kingsbury County, PCN 05J1
Location: SD 25, from east of SD 34 north to the Miner/Kingsbury county line
Contractor: Asphalt Paving & Materials Co.
Type of Work: Cold Milling Asphalt Concrete, Asphalt Concrete Resurfacing, and Pipe Work

Original Contract Amount:	\$	3,086,572.42
Change on CCO No. 2F:	\$	(133,883.65)
Net Change to Date:	\$	(123,610.17)

Explanation of Change on CCO No. 2F: This decrease is the result of the Department adjusting the contract quantities of salvage material and asphalt binder. The quantity of salvage material available from the project to be stockpiled for future use was less than estimated in the plans. The Department review asphalt concrete mix design contained an asphalt binder content target lower than estimated in the plans.

- II. Project: P PH 0015(77)155, Deuel County, PCN 04K8
 Location: SD 15 from north of US 212 to south of SD 20
 Contractor: R & G Construction Co.
 Type of Work: Grading, Interim Surfacing, and Replace Structures

Original Contract Amount:	\$	13,420,018.47
Change on CCO No. 1:	\$	(106,191.60)
Net Change to Date:	\$	(106,191.60)

Explanation of Change on CCO No. 1: This decrease is the result of the Department adjusting the contract quantity of blend and stockpile salvage material. The quantity of salvage material available from the project to be blended and stockpiled for future use was less than estimated in the plans.

MITCHELL REGION

- III. Project: IM 0292(91)61, Lincoln County, PCN 07PL
 Location: I-29 from Canton (Exit 62) to Tea (Exit 73)
 Contractor: BX Civil & Construction Inc.
 Type of Work: CRC Pavement Repair

Original Contract Amount:	\$	1,422,111.00
Change on CCO No. 1:	\$	84,050.00
Net Change to Date:	\$	84,050.00

Explanation of Change on CCO No. 1: This increase is the result of the Department adjusting the contract quantity of PCC pavement repair to match the quantity used during construction. During construction, the Department identified additional areas in need of repair.

- IV. Project: NH 0115(48)76, Lincoln County, PCN 0214
 Location: SD 115 from 273rd to 85th St.
 Contractor: T & R Contracting Inc.
 Type of Work: Grading, Box Culvert, PCC Surfacing, Curb & Gutter, Storm Sewer, Traffic Signals, and Lighting

Original Contract Amount:	\$	15,649,999.99
Change on CCO No. 6:	\$	190,578.48
Net Change to Date:	\$	1,028,410.60

Explanation of Change on CCO No. 6: This increase is the result of the Department adjusting the contract quantities of asphalt concrete and salvage and stockpile asphalt mix and granular base material. The Department increased the contract quantity of asphalt concrete to match the quantity used during construction. The quantity of material salvaged and stockpiled for future use was more than estimated in the plans.

- V. Project: P 0021(166), Mitchell Area, PCN 05XX
 Location: Various routes in the Mitchell Area
 Contractor: Roadway Services, Inc.
 Type of Work: Asphalt Concrete Crack Sealing

Original Contract Amount:	\$	345,131.34
Change on CCO No. 1:	\$	(108,763.45)
Net Change to Date:	\$	(108,763.45)

Explanation of Change on CCO No. 1: This decrease is the result of the Department adjusting the contract quantity of asphalt concrete crack sealing. The actual amount of crack sealing completed was less than estimated in the plans.

- VI. Project: P 0044(201)276, Gregory County, PCN 05GP
 Location: SD 44 east of SD 47 to 6.5 miles west of Platte-Winner bridge
 Contractor: Schweigert Construction Inc.
 Type of Work: Landslide Repair

Original Contract Amount:	\$	1,295,861.50
Change on CCO No. 2:	\$	(51,758.45)
Net Change to Date:	\$	117,944.85

Explanation of Change on CCO No. 2: This decrease is the result of the Department adjusting the contract quantities of base course and asphalt concrete. CCO #1 provided an estimated increase for these items due to adding a temporary diversion to the contract. This CCO reduced those estimated quantities to the actual quantity used to construct the temporary diversion.

PIERRE REGION

- VII. Project: IM-FP 0903(108)163, Jackson County, PCN 04D7
 Location: I-90 EBL from east of Belvidere exit to west of Jackson/Jones county line
 Contractor: Complete Concrete Inc. dba Complete Contracting Sol
 Type of Work: Grading, PCC Surfacing, Cold Milling, Asphalt Concrete Resurfacing, Pipe Work, Approach Slabs, and Remove Asphalt Membrane Overlay

Original Contract Amount:	\$	22,771,269.16
Change on CCO No. 1:	\$	654,651.61
Net Change to Date:	\$	654,651.61

Explanation of Change on CCO No. 1: This increase is the result of the Department adjusting the contract quantities of unclassified excavation and undercutting. A plan error discovered during construction resulted in an inaccurate estimate of the quantity of these two items.

- VIII. Project: NH 0018(193)252, Tripp County, PCN 04FD
Location: US 18 from west of Monroe St to Lincoln St in Winner, US 18E&W from Lincoln St to 3rd St in Winner, US 18 from 3rd St to 7th St in Winner
Contractor: T & R Contracting Inc.
Type of Work: Grading, Storm Sewer, Curb & Gutter, Sidewalk, Roadway Lighting, Traffic Signals, and Portland Cement Concrete Surfacing

Original Contract Amount: \$ 11,099,144.85
Change on CCO No. 9: \$ 287,715.90
Net Change to Date: \$ 647,043.95

Explanation of Change on CCO No. 9: This increase is the result of the Department adjusting the contract quantities of salvage granular material and furnish granular material. Less material was available for salvage on the project than estimated in the plans resulting in a reduction of quantity for the salvage granular material item. As a result, addition virgin granular material was furnished by the contract resulting in and increase to the granular material furnish item. The overall change was an increase in cost.

- IX. Project: NH EM 0083(74)55, Jones County, PCN 04E7
Location: US 83 from north of White River to north of the Mellette/Jones county line
Contractor: Foothills Contracting Inc.
Type of Work: Grading, Structures, and Interim Surfacing

Original Contract Amount: \$ 25,965,988.45
Change on CCO No. 8: \$ 96,343.10
Net Change to Date: \$ 363,516.20

Explanation of Change on CCO No. 8: This increase is the result of the Department compensating the Contractor for extra work performed to maintain traffic and traffic control devices not originally included in the traffic control plan developed by the Department in included in the plans for the project.

RAPID CITY REGION

- X. Project: IM 0902(112)59, Pennington County, PCN 6568
Location: I-90 Exit 90 in Rapid City
Contractor: Complete Concrete Inc dba Complete Contracting Sol
Type of Work: Interchange Reconstruction

Original Contract Amount: \$ 17,484,588.63
Change on CCO No. 4: \$ 83,063.00
Net Change to Date: \$ 78,528.00

Explanation of Change on CCO No. 4: This increase is the result of the Department compensating the Contractor for extra work performed to furnish and maintain a queue detection system for the project. The Department identified the need for the system as the result of traffic backing up on I-90 during peak traffic times creating a safety concern. The queue detection system will alert the traveling public of traffic backups in advance allowing the traveling public to choose an alternate route or to be prepared for traffic backups.

XI. Project: P 6480(04), Pennington County, PCN 5777
Location: Sheridan Lake Road from US 385 to Alberta Road
Contractor: Oftedal Construction Inc.
Type of Work: Grading, Asphalt Concrete Surfacing, Curb & Gutter, Structures and Storm Sewer

Original Contract Amount:	\$	22,871,427.33
Change on CCO No. 6:	\$	153,356.00
Net Change to Date:	\$	132,740.73

Explanation of Change on CCO No. 6: This increase is the result of the Department compensating the Contractor for additional expenses due to a delay in relocation of utilities. The 36 working day delay in utility relocation resulted in lost production and down time for the Contractor.

XII. Project: IM 0040(337), Lawrence County, PCN 072E
Location: I-90 Corridor in Rapid City Region
Contractor: Western Construction Inc.
Type of Work: Asphalt Concrete Resurfacing and Asphalt Concrete Surface Treatment

Original Contract Amount:	\$	2,128,637.35
Change on CCO No. 4:	\$	(201,052.73)
Net Change to Date:	\$	23,906.64

Explanation of Change on CCO No. 4: This decrease is the result of the Department adjusting the contract quantities to match the quantities used during construction. Larger decreases were made for the items of base course, grooving for pavement markings, flagging, and pavement markings all due to normal project variations.

XIII. Project: PH 0040(332), Rapid City Region, PCN 06K3
Location: Various locations in Rapid City Region
Contractor: Simon Contractors of South Dakota Inc.
Type of Work: Intersection Improvements, Lighting

Original Contract Amount:	\$	1,449,185.91
Change on CCO No. 2:	\$	(154,774.99)
Net Change to Date:	\$	(154,606.62)

Explanation of Change on CCO No. 2: This decrease is the result of the Department adjusting the contract quantities to match the quantities used during construction. Larger decreases were made for the items of base course, excavation, rumble stripes, and temporary traffic control all due to normal project variations.

Smith presented for Commission consideration approval of access control relinquishment for existing access approaches located on the north side of SD34 east of Washington Ave South, in Madison, Lake County. Permits were issued by the Department to allow the construction of the subject access points, but the access requests were never properly processed to request an approved break in the control of access. The relinquishment would simply allow for the approval of a break for the access location that exists today.

A MOTION WAS MADE by Fouberg and seconded by Roby to approve the request to relinquish the identified control of access located on the north side of SD34 east of Washington Ave South in the City of Madison. All present voted aye by voice vote. The motion carried.

RESOLUTION #2021-6.1 was adopted.

Smith presented for Commission consideration a request from the Department to correct an error in the legal description for property identified in an original resolution and deed for the relinquishment of control of access granted by the Commission on March 25, 2021.

The original legal description was:

Lot 12, Rolling Hills Village 16th Addition in the NE1/4 NE1/4 of Section 14, Township 123 North, Range 64 East, 5th P.M., Brown County, South Dakota.

The corrected legal description is:

Lot 12, Rolling Hills Village 16th Addition to the City of Aberdeen, Brown County, South Dakota.

The changes to the description have been discussed with the Right-of-Way Office, the Aberdeen Area Office, and the Legal Office. All parties concur that the corrected legal description properly describes the intended break in control of access location as was approved by the Commission on March 25, 2021.

A MOTION WAS MADE by Vehle and seconded by Karim to approve the request to correct the resolution and deed as requested by the Department. All present voted aye by roll call vote. The motion carried.

RESOLUTION #2021 – 6.2 was adopted.

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

June 16, 2021

Structure (212' Prestressed Girder Bridge) & Approach Grading

1	06VH BRF 6312(00)18-1 Grangaard Construction Inc Structure 4S & 2.3W of Brookings on 216th Street over the Big Sioux River SN 06-147-200	Brookings County \$1,846,339.55
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Erosion Repair

2	05N2 P 0020(167)365 B & B Contracting, Inc. SD20 - Fm 2 W of Bradley to Bradley	Clark County \$797,932.95
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Shared Use Path

3	0744 P TAPU(24) Big-O-Concrete, LLC Sturgis along Otter Rd from Raccoon Rd to Vanocker Canyon Rd and along Vanocker Canyon Rd from Otter Rd to Pineview Drive	Meade County \$744,964.58
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PCC Pavement Grinding

4	07K6 NH 0022(83) Diamond Surface, Inc US18 - Fm W of the E SD11 Jct to the Iowa State Line	Lincoln County \$971,619.02
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County Pavement Marking

5	04M5, 07WW P 000S(00)227, PH 0020(214) Dakota Traffic Services, LLC Various Locations in the Mitchell Region	Regionwide County \$2,237,242.00
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A MOTION WAS MADE by Roby and seconded by Rosenboom to approve the award of bids #1, 2, 3, 4, and 5. All present voted aye by voice vote. The motion carried.

Joel Gengler, Program Manager for the Office of Right of Way, presented the following items for Commission consideration:

1. Transfer – Jones County

Request Transportation Commission approval to transfer to Jones County the following property acquired for highway right-of-way:

Lot A and Lot B in a portion of the 66' previously acquired highway right of way located in the NE1/4 NW1/4, Lot H2 in the NE1/4 NW1/4 and Lot H5 in the NE1/4 NW1/4; all of Section 20, Township 3 South, Range 29 East of the B.H.M., Jones County, South Dakota.

Lot A contains 0.35 acre, more or less. Lot B contains 1.83 acres, more or less.

The above property would be transferred to Jones County and Jones County would accept ownership, jurisdiction, operational and maintenance responsibilities.

Pierre Area DOT recommends the transfer.

A MOTION WAS MADE by Cull and seconded by Vehle to approve the transfer of property to Jones County. All present voted aye by voice vote. The motion carried.

RESOLUTION #2021 – 6.3 was adopted.

2. Request Transportation Commission approval to transfer to the city of Sioux Falls the following property acquired for highway right-of-way:

A portion of N. Cliff Avenue from Benson Rd. to E. 10th St. in Sioux Falls, Minnehaha County, South Dakota, legally described as follows:

Lot H2 in Lot 18 in Block 4 of Morningside First Addition to the City of Sioux Falls, Minnehaha County, South Dakota, except the South 10 feet thereof and except Lot H1 of Lot 18. Said Lot H2 contains 624 sq. ft., more or less. Deed Book 435, Pages 840-841. Plat Book 57, Page 1.

Lot H1 of Lot 18, except the South 10 feet of Block 4 of Morningside First Addition to Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 0.01 acre, more or less. Plat Book 31, Page 39.

Lots H2 in Lots 4, 5, and 6 in Block 1 of Phillip's Addition to East Sioux Falls, Minnehaha County, South Dakota, except the South 7 feet of said Lot 6. Said Lot H2 in Lot 4 contains 132 sq. ft., more or less, said Lot H2 in Lot 5 contains 137 sq. ft., more or less, and said Lot H2 in Lot 6 contains 906 sq. ft., more or less. Deed Book 450, Page 132 and Deed Book 288, Page 443. Plat Book 56, Page 329.

Lot H1 of Lots 4, 5 and 6 except the South 7 feet of Lot 6 of Block 1 of Phillip's Addition to Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 0.01 acre, more or less. Plat Book 31, Page 32.

West 3 feet of the South 33 feet of Lot 2 and West 3 feet of Lot 3 of Block 1 of Phillip's Addition to Sioux Falls, Minnehaha County, South Dakota. Contains 0.01 acre, more or less.

Lot H1 of Lot 1 in Block 4 of Morningside First Addition to Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 0.01 acre, more or less. Plat Book 31, Page 37.

West 3 feet of Lot 1 and the West 3 feet of the North 11 feet of Lot 2 of Block 1 of Phillip's Addition to East Sioux Falls, Minnehaha County, South Dakota. Contains 0.01 acre, more or less.

Lot H1 of the West 44 feet of the South 88 feet of the SW1/4 of Block 1 of East Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 0.01 acre, more or less. Plat Book 31, Page 20.

East 3 feet of Lot 18 in Block 1 of Morningside First Addition to Sioux Falls, Minnehaha County, South Dakota. Contains 0.01 acre, more or less.

West 3 feet of the North 44 feet of the SW1/4 of Block 1 of East Sioux Falls Addition to Sioux Falls, Minnehaha County, South Dakota. Contains 0.01 acre, more or less.

West 3 feet of the South 44 feet of the NW1/4 of Block 1 of the East Sioux Falls Addition to Sioux Falls, Minnehaha County, South Dakota. Contains 0.01 acre, more or less.

East 3 feet of the South 71 feet of Lot 1 of Block 1 Morningside First Addition to Sioux Falls, Minnehaha County, South Dakota. Contains 0.01 acre, more or less.

West 3 feet of the North 88 feet of the NW1/4 of Block 1 of the East Sioux Falls Addition to Sioux Falls, Minnehaha County, South Dakota. Contains 0.01 acre, more or less.

Lot H1 in the SE1/4 and S 2/3 of the SW1/4 of Block 2 of East Sioux Falls Addition to Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 0.01 acre, more or less. Plat Book 31, Page 33.

East three feet of Lots 19 and 20, except the West 41 feet thereof, in Block 1 of the Greater Sioux Falls Addition to Sioux Falls, Minnehaha County, South Dakota. Contains 0.01 acre, more or less.

West 3 feet of the North 44 feet of the SW1/4 of Block 2 in East Sioux Falls Addition to Sioux Falls, Minnehaha County, South Dakota. Said parcel contains 0.01 acre, more or less.

East 3 feet of Lot 18 in Block 1 of Greater Sioux Falls Addition to Sioux Falls, Minnehaha County, South Dakota. Contains 0.01 acre, more or less.

West 3 feet of the N1/2 of Block 2 of East Sioux Falls Addition to Sioux Falls, Minnehaha County, South Dakota. Contains 0.01 acre, more or less.

Lot H2 of Block 2 except the West 3 feet of the North 176 feet and Lot H1 of East Sioux Falls to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H2 contains 398.22 sq. ft., more or less. Plat Book 52, Page 87.

Lot H2 of Lot 18 except the East 3 feet of Block 1 of Greater Sioux Falls, an addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H2 contains 19.67 sq. ft., more or less. Plat Book 52, Page 25.

Lot H1 of Lot 17 of Block 1 of Greater Sioux Falls, an addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 190.18 sq. ft., more or less. Plat Book 52, Page 23.

Lot H1 of Lot 16 of Block 1 of Greater Sioux Falls, an addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 229.53 sq. ft., more or less. Plat Book 52, Page 54.

Lot H1 of Lot 15 of Block 1 of Greater Sioux Falls, an addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 268.88 sq. ft., more or less. Plat Book 52, Page 116.

Lot H1 of Lot 14 of Block 1 of Greater Sioux Falls, an addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 308.22 sq. ft., more or less. Plat Book 52, Page 165.

South 88 feet of the SW1/4, except the East 52 feet thereof, in Block 3 of East Sioux Falls, Minnehaha County, South Dakota. Said Lot H-1 contains 55.9 sq. ft., more or less. Plat Book 52, Page 95.

Lot H1 of Lot 13 of Block 1 of Greater Sioux Falls, an addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 327.9 sq. ft., more or less. Plat Book 52, Page 101.

Lot H1 of Lot 12 of Block 1 of Greater Sioux Falls, an addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 327.9 sq. ft., more or less. Plat Book 52, Page 164.

Lot H1 of the North 44 feet of the SW1/4 of Block 3 of East Sioux Falls to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 330 sq. ft., more or less. Plat Book 52, Page 38.

Lot H1 of Lot 11 Block 1 of Greater Sioux Falls, an Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 327.9 square feet, more or less. Plat Book 52, Page 37.

Lot H1 of the South 44 feet of the NW1/4 of Block 3 of East Sioux Falls to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 330 sq. ft., more or less. Plat Book 52, Page 7.

Lot H1 of Lot 10 of Block 1 of Greater Sioux Falls, an addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 327.9 sq. ft., more or less. Plat Book 52, Page 10.

Lot H1 of the North 44 feet of the South 88 feet of the NW1/4 of Block 3 of East Sioux Falls to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 330 sq. ft., more or less. Plat Book 52, Page 168.

Lot H1 of Lot 9 of Block 1 of Greater Sioux Falls, an addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 327.9 sq. ft., more or less. Plat Book 52, Page 9.

Lot H1 of the North 44 feet of NW1/4 except the East 44 feet thereof Block 3 of East Sioux Falls to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 330 sq. ft., more or less. Plat Book 52, Page 167.

Lot H1 of Lot 8 of Block 1 of Greater Sioux Falls, an addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 327.9 sq. ft., more or less. Plat Book 52, Page 8.

Lot H1 of Lot 7 of Block 1 of Greater Sioux Falls, an addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 327.9 sq. ft., more or less. Plat Book 52, Page 94.

Lot H1 of the West 66 feet of the South 44 feet of the SW1/4 of Block 4 of East Sioux Falls to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 330 sq. ft., more or less. Plat Book 52, Page 11.

Lot H1 of Lot 6 of Block 1 of Greater Sioux Falls, an Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 327.9 sq. ft., more or less. Plat Book 52, Page 93.

North 44 feet of the South 88 feet of SW1/4 of Block 4 of East Sioux Falls to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 330 sq. ft., more or less. Plat Book 54, Page 238.

Lot H1 of Lot 5 of Block 1 of Greater Sioux Falls, an Addition to the City of Sioux Falls, South Dakota. Said Lot H1 contains 327.9 sq. ft., more or less. Plat Book 52, Page 118.

Lot H1 of the North 44 feet of SW1/4 of Block 4 of East Sioux Falls to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 330 sq. ft., more or less. Plat Book 52, Page 163.

Lot H1 of Lot 4 of Block 1 of Greater Sioux Falls, an addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 327.9 sq. ft., more or less. Plat Book 52, Page 22.

Lot H1 of the North 7.72 feet of Lot 3 and South 36 feet of Lot 3 of Block 1 of Greater Sioux Falls, an Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 327.9 sq. ft., more or less. Plat Book 52, Page 6.

Lot H1 of the E. 64' Lots 1 and 2 of Block 1 of Greater Sioux Falls, an Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 645.2 sq. ft., more or less. Plat Book 52, Page 119.

Lot H1 of the W 54' of Lots 13, 14 and 15 and W 54' of the S 10' Lot 16 of Block 1 of Lawler's Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 647.30 sq. ft., more or less. Plat Book 52, Page 106.

Lot H1 of the East 52 feet of Lots 17 and 18 of Block 3 of City View Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 660 sq. ft., more or less. Plat Book 52, Page 36.

Lot H1 of the North 15 feet of Lot 16 and all of Lot 17 of Block 1 of Lawler's Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 300 sq. ft., more or less. Plat Book 52, Page 120.

Lot 16 of Block 4 of City View Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 330 sq. ft., more or less. Plat Book 52, Page 81.

Lot H1 of Lots 18 and 19 of Block 1 of Lawler's Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 375 sq. ft., more or less. Plat Book 52, Page 32.

Lot H1 of Lot 15 of Block 4 of City View Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 330 sq. ft., more or less. Plat Book 52, Page 35.

Lot H1 of Lot 20 and S. 18' Lot 21 of Block 1 of Lawler's Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 322.5 sq. ft., more or less. Plat Book 52, Page 91.

Lot 14 of Block 4 of City View Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 330 sq. ft., more or less. Plat Book 52, Page 34.

Lot H1 of the North 7 feet of Lot 21, all of Lot 22 and South 9 feet of Lot 23 of Block 1 of Lawler's Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 307.5 sq. ft., more or less. Plat Book 52, Page 77.

Lot H1 of Lot 13 of Block 4 of City View Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 330 sq. ft., more or less. Plat Book 52, Page 33.

Lot H1 of the North 16 feet of Lot 23 and all of Lot 24 of Block 1 of Lawler's Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 307.5 sq. ft., more or less. Plat Book 52, Page 100.

Lot H1 of the South 22 feet of Lot 11 and all of Lot 12 of Block 4 of City View Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 495 sq. ft., more or less. Plat Book 52, Page 144.

Lot H1 of the South 11 Feet of Lot 10 and the N1/2 of Lot 11 of Block 4 of City View Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 198 sq. ft., more or less. Plat Book 52, Page 47.

Lot H1 of the North 33 Feet of Lot 10 of Block 4 in City View Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 198 sq. ft., more or less. Plat Book 52, Page 28.

Lot H1 of Lots 20 thru 23 and South 6 feet of Lot 24 of Block 2 of Lawler's Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 858.75 sq. ft., more or less. Plat Book 52, Page 80.

Lot 8 of Block 3 of City View Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 300 sq. ft., more or less. Plat Book 52, Page 39.

Lot H1 of Lot 25 and North 19.00 feet of Lot 24 of Block 2 of Lawler's Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 330 sq. ft., more or less. Plat Book 52, Page 140.

Lot H1 of Lot 7 of Block 3 of City View Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 300 sq. ft., more or less. Plat Book 52, Page 99.

Lot H1 of Lots 26, 27, and 28 of Block 2 of Lawler's Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 562.5 sq. ft., more or less. Plat Book 52, Page 19.

Lot H1 of Lot 6 of Block 3 of City View Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 300 sq. ft., more or less. Plat Book 52, Page 141.

Lot 5 of Block 3 of City View Addition to Sioux Falls, Minnehaha County, South Dakota. Said Lot E contains 300 sq. ft., more or less. Plat Book 52, Page 17.

Lot H1 of Lots 29 and 30 of Block 2 of Lawler's Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 375 sq. ft., more or less. Plat Book 52, Page 162.

Lot H1 of Lot 6 of Block 8 of Dakota Improvement Company's Second Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 322.5 sq. ft., more or less. Plat Book 52, Page 98.

Lot H1 of Lots 31 and 32 of Block 2 of Lawler's Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 375 sq. ft., more or less. Plat Book 52, Page 18.

Lot H1 of Lot 5 of Block 8 of Dakota Improvement Company's Second Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 322.5 sq. ft., more or less. Plat Book 52, Page 21.

Lot H1 of Lots 33, 34, and 35 of Block 2 of Lawler's Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 562.5 sq. ft., more or less. Plat Book 52, Page 17.

Lot H1 of Lot 4 of Block 8 of Dakota Improvement Company's Second Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 322.5 sq. ft., more or less. Plat Book 52, Page 103.

Lot H1 of Lot 3 of Block 8 of Dakota Improvement Company's Second Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 322.5 sq. ft., more or less. Plat Book 52, Page 104.

Lot H1 of Lot 36 and South 18 feet of Lot 37 of Block 2 of Lawler's Addition to the City of Sioux Falls, South Dakota. Said Lot H1 contains 322.5 sq. ft., more or less. Plat Book 52, Page 158.

Lot H1 of Lot 2 of Block 8 of Dakota Improvement Company's Second Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 322.5 sq. ft., more or less. Plat Book 52, Page 160.

Lot H1 of Lot 38 and North 7 feet of Lot 37 of Block 2 of Lawler's Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 303.75 sq. ft., more or less. Plat Book 52, Page 174.

The East 70 feet of Lot 1, Block 8 in the Dakota Improvement Company's Second Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 322.5 sq. ft., more or less. Plat Book 52, Page 20.

Lot H1 of Lots 13 through 18 of Block 3 of Lawler's Addition to the City of Sioux Falls, Minnehaha County, South Dakota, except the West 7 feet thereof. Said Lot H1 contains 323.25 sq. ft., more or less. Plat Book 52, Page 157.

Lot H1 of Lots 3 thru 8 of Block 1 of Dakota Improvement Company's Second Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 1327.30 sq. ft., more or less. Plat Book 52, Page 159.

Lot H1 of Lots 19 thru 24 of Block 3 of Lawler's Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 1695.86 sq. ft., more or less. Plat Book 52, Page 173.

Lot H1 in Block 4 of Lawler's Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 4050 sq. ft., more or less. Plat Book 52, Page 86.

Lot H1 in Lots 11, 12 and 13 of Block 1 of Gamberg's Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 198 sq. ft., more or less. Plat Book 52, Page 85.

Lot H1 of Lots 13 through 24 of Block 5 of Lawler's Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 4050 sq. ft., more or less. Plat Book 52, Page 188.

Lot H1 in Lot 10 of Block 1 of Gamberg's Addition to the City of Sioux Falls, Minnehaha County, Sioux Falls. Said Lot H1 contains 22.11 sq. ft., more or less. Plat Book 52, Page 97.

Lot 22 of Block 2 of Gamberg's Addition to the City of Sioux Falls in Minnehaha County, South Dakota. Said Lot E contains 66 sq. ft., more or less. Plat Book 52, Page 19.

Lot H1 in Lots 20 and 21 except the West 8 feet thereof of Block 2 of Gamberg's Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 132 sq. ft., more or less. Plat Book 52, Page 152.

Lot H1 in Lot 19 except the West 8 feet thereof of Block 2 Gamberg's Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 66 sq. ft., more or less. Plat Book 52, Page 53.

Lot H1 in Lot 18 except the West 8 feet thereof of Block 2 of Gamberg's Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 66 sq. ft., more or less. Plat Book 52, Page 96.

Lot H1 in Lot 17 except the West 8 feet thereof of Block 2 of Gamberg's Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 76.78 sq. ft., more or less. Plat Book 52, Page 51.

Lot H1 in Lots 13 thru 22 of Block 6 of Lawler's Addition to the City of Sioux Falls, South Dakota. Said Lot H1 contains 2980 sq. ft., more or less. Plat Book 52, Page 105.

Lot H1 in Lot 16 except the West 8 feet thereof of Block 2 of Gamberg's Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 97.02 sq. ft., more or less. Plat Book 52, Page 82.

Lot H1 in Lot 15 except the West 8 feet thereof of Block 2 of Gamberg's Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 116.16 sq. ft., more or less. Plat Book 52, Page 161.

Lot H1 in the South 10 feet of Lot 13 and all of Lot 14 except the West 8 feet thereof of Block 2 of Gamberg's Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 169.02 sq. ft., more or less. Plat Book 52, Page 154.

Lot H1 in Lot 12 and North 34 feet of Lot 13 of Block 2 of Gamberg's Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 270.72 sq. ft., more or less. Plat Book 52, Page 83.

Lot H1 in Lot 11 of Block 1 of Gamberg's Second Addition to the City of Sioux Falls, South Dakota. Said Lot H1 contains 190.96 sq. ft., more or less. Plat Book 52, Page 107.

Lot H1 of Lots 23 and 24 of Block 6 of Lawler's Addition to the City of Sioux Falls, South Dakota, and the S1/2 of Tract 3 of County Auditor's Subdivision of Lawler's Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 687.28 sq. ft., more or less. Plat Book 52, Page 153.

Lot H1 of Lot 10 of Block 1 of Gamberg's Second Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 210.32 sq. ft., more or less. Plat Book 52, Page 52.

Lot H1 in Lot 9 of Block 1 of Gamberg's Second Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 229.68 sq. ft., more or less. Plat Book 52, Page 84.

Lot H1 in Lots 6, 7 and 8 of Block 1 of Gamberg's Second Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Lot H1 contains 805.2 sq. ft., more or less. Plat Book 52, Page 166.

Lot H1 of Tract 5 of County Auditor's Subdivision of Lawler's Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 418.5 sq. ft., more or less. Plat Book 52, Page 12.

Lot H1 of Illinois Central Gulf Railroad Company Right of Way N1/2 NW1/4 of Section 15, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota. Said Lot H1 contains 304.57 sq. ft., more or less. Plat Book 52, Page 3.

Lot H2 in the NE1/4 of Section 16, Township 101 North, Range 49 West of the 5th P.M. being a portion of the abandoned Illinois Central Railroad Right of Way, Minnehaha County, South Dakota. Said Lot H2 contains 126 sq. ft., more or less, of which all 126 square feet is section line right of way. Plat Book 53, Page 252.

Lot H2 in the Illinois Central Gulf Railroad Co. Railroad Right of Way in the S1/2 SE1/4 of Section 9, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota. Said Lot H2 contains 884.89 sq. ft., more or less. Plat Book 53, Page 251.

Lot H1 of Illinois Central Gulf Railroad Company Right of Way SW1/4 SW1/4 of Section 10, Township 101 North, Range 49, West of the 5th P.M., Minnehaha County, South Dakota. Said Lot H1 contains 291.63 sq. ft., more or less. Plat Book 52, Page 4.

Lot H1 of Lot A of a part of Tract 2 of the SW1/4 of Section 10, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota. Said Lot H1 contains 1069.31 sq. ft., more or less. Plat Book 52, Page 151.

Lot H1 in Chicago and Northwestern Transportation Co. Right of Way, S1/2 SE1/4 of Section 9, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota. Said Lot H1 contains 4043.2 sq. ft., more or less. Plat Book 52, Page 29.

Lot H1 in Burlington Northern Inc. Railroad Right of Way in the SW1/4 SW1/4 of Section 10, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota. Said Lot H1 contains 3087.5 sq. ft., more or less. Plat Book 52, Page 28.

Lot H1 in Tract 7 of County Auditor's Subdivision in the SE1/4 of Section 9, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota. Said Lot H1 contains 1015.91 sq. ft., more or less. Plat Book 52, Page 143.

Lots H2 and H4 in County Auditor's Lot B of Tract 1 in the SW1/2 of Section 10, Township 101 North, Range 49 West of the 5th P.M. except the South 44 feet of the North 188 feet of the West 150 feet thereof and except Lot H-1 contained therein, Minnehaha County, South Dakota. Said Lot H2 contains 387.3 sq. ft., more or less. Said Lot H4 contains 285.45 sq. ft., more or less. Plat Book 52, Page 76.

The South 44 feet of the North 188 feet of the West 150 feet of Lot B of Tract 1 of County Auditor's Subdivision in the SW1/4 of Section 10, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota. Total acquisition 6600 sq. ft. Dedication plat 330 sq. ft., more or less. Plat Book 54, Page 16.

Lot H1 in Tract 6 of County Auditor's Subdivision of the SE1/4 of Section 9, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota. Said Lot H1 contains 150 sq. ft., more or less. Plat Book 52, Page 142.

Lot H2 in Lot B except the North 33 feet thereof and except Tracts "A" and "B" thereof of County Auditor's Subdivision of Tract 4 of County Auditor's Subdivision of the SE1/4 of Section 9, Township 101 North, Range 49 West of the 5th P.M. and except all Railroad Right of Way and Roadways therein, Minnehaha County, South Dakota. Said Lot H2 contains 206.7 sq. ft., more or less. Plat Book 52, Page 123.

Lot H1 of Lot B in County Auditor's Subdivision in Tract 4 of County Auditor's Subdivision in the SE1/4 of Section 9, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota. Said Lot H1 contains 0.03 acre, more or less. Plat Book 48, Page 69.

Lot H1 of County Auditor's Lot B in Tract 1 of the SW1/4 of Section 10, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota. Said Lot H1 contains 0.02 acre, more or less. Plat Book 48, Page 16.

Lot H1 of County Auditor's Lot A in Tract 1 of the SW1/4 of Section 10, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota. Said Lot H1 contains 0.03 acre, more or less. Plat Book 48, Page 17.

Lot H1 of Lot A in County Auditor's Subdivision in Tract 4 of County Auditor's Subdivision in the SE1/4 of Section 9, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota. Said Lot H1 contains 0.04 acre, more or less. Plat Book 48, Page 68.

Lot H2 of Lots 1 through 9 in Block 1 of Stockvards Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Lot H2 contains 0.08 acre, more or less. Plat Book 48, Lot 20 of Mostrums First Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Lot H1 contains 0.01 acre, more or less. Plat Book 48, Page 40.

Lot H2 in the SE1/4 NE1/4 SE1/4 of Section 9, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota. Lot H2 contains 0.20 acre, more or less. Plat Book 48, Page 99.

Lot H1 in the SE1/4 NE1/4 of Section 9, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota. Lot H1 contains 0.24 acre, more or less. Plat Book 50, Page 61.

Lot H1 of Lot 7 of Block 13 of Forest Hill Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Lot H1 contains 0.01 acre, more or less. Plat Book 47, Page 143.

Lot H1 of Tract 10 of County Auditor's Subdivision in the SE1/4 of Section 9, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota. Said Lot H1 contains 0.13 acre, more or less. Plat Book 50, Page 62.

Lot H1 in the E1/2 NE1/4 SE1/4 of Section 9, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota. Said Lot H1 contains 0.50 acre, more or less.

Lot H1 in Tract 5 in the SE1/4 NE1/4 of Section 9, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota. Said Lot H1 contains 0.15 acre, more or less.

Lot H1 of Tract 1 of Oberg's Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 0.11 acre, more or less. Plat Book 50, Page 54.

West 17 feet of the East 50 feet of Lot E1 in Tract 5 of County Auditor's Subdivision in the SE1/4 NE1/4 of Section 9, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota. Said Lot contains 0.04 acre, more or less.

Lot H1 in Block 8 Riverside Addition to Sioux Falls, Minnehaha County, South Dakota. Said Lot H1 contains 0.08 acre, more or less. Plat Book 17, Page 93.

Lot H1 in Tract 2 in the SW1/4 NW1/4 of Section 10, Township 101 North, of Range 49 West of the 5th P.M., Minnehaha County, South Dakota. Said Lot H1 contains 0.61 acre, more or less. Plat Book 17, Page 92.

Lot H2, in the NW1/4 of Section 10, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota. Said Lot H2 contains 1.91 acres, more or less. Plat Book 17, Page 86.

Lot H1 of Tract 17, in Norton Tracts Subdivision in the S1/2 of Section 3, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota. Said Lot H1 contains 0.35 acre, more or less. Plat Book 17, Page 80.

Lot H1 of Tracts 13, 14, 15, and 16, in Norton Tracts Subdivision in the S1/2 of Section 3, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota. Said Lot H1 contains 1.57 acres, more or less. Plat Book 17, Page 79.

Lot H1 of Tract 12, of Norton Tracts Subdivision in the S1/2 of Section 3, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota. Said Lot H1 contains 0.38 acre, more or less. Plat Book 17, Page 73.

Lot H1 of Tract 11, in Norton Tracts Subdivision in the S1/2 of Section 3, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota. Said Lot H1 contains 0.36 acre, more or less. Plat Book 17, Page 71.

Lot H1 of Tracts 9 and 10 of Norton Tracts Subdivision, in the S1/2 of Section 3, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota. Said Lot H1 contains 0.73 acre, more or less. Plat Book 17, Page 95.

Lot H1 of Tract 8 of Norton Tracts Subdivision, in the S1/2 of Section 3, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota. Said Lot H1 contains 0.30 acre, more or less. Plat Book 17, Page 96.

Lot H1 of Tracts 6 and 7, of Norton Tracts Subdivision, in the S1/2 of Section 3, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota. Said Lot H1 contains 0.61 acre, more or less. Plat Book 17, Page 94.

Lot H1 of Tracts 4 and 5, of Norton Tracts Subdivision in the S1/2 of Section 3, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota. Said Lot H1 contains 0.63 acre, more or less. Plat Book 17, Page 81.

Lot H2, of Tracts 2 and 3, of Norton Tracts Subdivision in the S1/2 of Section 3, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota. Said Lot H2 contains 0.23 acre, more or less. Plat Book 17, Page 83.

Lot H1, of Tracts 2 and 3, of Norton Tracts Subdivision in the S1/2 of Section 3, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota. Said Lot H1 contains 0.69 acre, more or less. Plat Book 17, Page 85.

Lot H2, of Tract 1, of Norton Tracts Subdivision in the S1/2 of Section 3, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota. Said Lot H2 contains 0.12 acre, more or less. Plat Book 17, Page 82.

Lot H1, of Tract 1, of Norton Tracts Subdivision, in the S1/2 of Section 3, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota. Said Lot H1 contains 0.32 acre, more or less. Plat Book 17, Page 84.

Lot H2 in the W1/2 W1/2 NW1/4 of Section 3, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota. Said Lot H2 contains 1.86 acres, more or less. Plat Book 46, Page 98.

Lot H1 less Lot H4 in the W1/2 W1/2 NW1/4 of Section 3, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota. Said Lot H1 contains 1.37 acres, more or less. Plat Book 20, Page 34.

Lot H3 in the W1/2 W1/2 NW1/4 of Section 3, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota. Said Lot H3 contains 0.54 acre, more or less. Plat Book 27, Page 86.

This resolution will transfer a portion of N. Cliff Avenue from Benson Rd. to E. 10th St. in Sioux Falls, another step towards completing Agreement #710142 between the City of Sioux Falls and Department of Transportation. The highway right of way described above would be transferred to the city of Sioux Falls and the city of Sioux Falls would accept ownership, jurisdiction, operational and maintenance responsibilities of the above described right-of-way. Sioux Falls Area DOT recommends the transfer.

A MOTION WAS MADE by Cull and seconded by Roby to approve the transfer of the above-described property to the City of Sioux Falls. All present voted aye by voice vote. The motion carried.

RESOLUTIONS #2021 – 6.4, 2021 – 6.5, 2021 – 6.6, 2021 – 6.7, 2021 – 6.8, 2021 – 6.9, 2021 – 6.10, 2021 – 6.11, 2021 – 6.12, 2021 – 6.13, 2021 – 6.14, 2021 – 6.15, 2021 – 6.16, and 2021 – 6.17 were adopted.

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

Lot A in Lot H-2 in the SW1/4 SW1/4 of Section 13, Township 1 South, Range 6 East of the B.H.M., Pennington County, South Dakota, containing 0.7 acre.

Retain Control of Access to and from US16.

The above property is no longer needed for highway purposes and abandonment is recommended by DOT Rapid City Area.

A MOTION WAS MADE by Rosenboom and seconded by Fouberg to approve the abandonment of property in Pennington County as requested by the Department. All present voted aye by voice vote. The motion carried.

RESOLUTION #2021 – 6.18 was adopted.

Mark Leiferman, Program Manager for the Office of Project Development, presented the following STIP revision for the Commission’s information:

INFORMATIONAL REVISIONS FOR THE COMMISSION

(Work Type change, Cost update, Move FY’s within the 4-year construction STIP)

REV 21-SC-028

This revision increased the cost and added “Panel Replacement” to the work description to a 2021 Pavement Restoration project on Various locations in the Aberdeen Area in the Aberdeen Region. (Sequence # 230, Page 81 in the 2021-2024 STIP Book).

FY 2021 Plus \$1,293,000

Leiferman presented for Commission consideration the public release of the Statewide Transportation Improvement Program (STIP) and Public Transportation Improvement Program.

A MOTION WAS MADE by Roby and seconded by Vehle to approve the release of the tentative 2022-2025 STIP and the 2022 to 2025 Public Transportation Improvement Program documents for public input. All presented voted aye by voice vote. The motion carried.

Tammy Williams, Program Manager for the Office of Administration presented the 2022 Bridge Improvement Grant (BIG) Procedures and the Five-Year County Highway and Bridge Improvement Plan documents for Commission consideration. Williams indicated the following changes were made:

Notable changes in 2021 BIG Procedures

- Section II Definitions - Removed the definition of Sufficiency Rating – the use of the numeric value representing the structures sufficiency to remain in service has been phased out and replaced with a general condition rating of good, fair, and poor..
- Section III Funding Responsibilities – at end of first paragraph added a clarifying statement to note that any requests for deviations from this procedure must be made with application and will be considered with DOT’s recommendation for award..
- Section VI Scoring Criteria –
 - 1.a. Posting score changed from 27 to 28 points with added point placed on structures whose rating is greater than 39.9% below the maximum legal load..
 - 1.g. Sufficiency Rating – deleted from scoring calculation.
- Section VII Project Development Requirements Following Grant Award – In Section C.2.e., removed requirement that the Department will review and offer comments on shop plans of prefabricated products; this review will be the responsibility of the Engineer of Record.
- All other changes were small grammatical corrections, year references for the current grant cycle, file transfer location changes, and updates to web links.

Notable changes in the 2022-2026 5-Year County Highway and Bridge Improvement Plan Guide

- Section B Definitions - Removed the definition of Sufficiency Rating – the use of the numeric value representing the structures sufficiency to remain in service has been phased out and replaced with a general condition rating of good, fair, and poor.
- All other changes were small grammatical corrections, year references for the current plan, and updates to web links.

A MOTION WAS MADE by Rosenboom and seconded by Karim to approve the 2022 BIG Procedures and Five-Year County Highway and Bridge Improvement Plan documents as requested by the Department. All present voted aye by voice vote. The motion carried.

Mike Behm, Division of Planning & Engineering Director, shared that a committee was being put together to review the BIG program and procedures. Since the Commission approves these plans, he asked if anyone from the Commission would be interested in being part of the discussion. Commissioners Mike Vehle and Ron Rosenboom agreed to serve in this capacity.

Secretary Jundt introduced a PowerPoint presentation titled “South Dakota Transportation Commission’s Support of Local Transportation” to the Commission. Behm and Williams presented.

Nelson opened the floor to public input.

Brad Staegoh of Ulteig presented information to the Commission about a funding shortfall for a BIG Preliminary Engineering grant received by Union County. Staegoh indicated the county will be seeking additional funding for the project.

With no further business to come before the Commission, Nelson adjourned the meeting at 10:57 p.m. CDT.

DRAFT