



Division of Planning & Engineering
Office of Right of Way
700 E. Broadway Avenue
Pierre, South Dakota 57501
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dot.sd.gov

February 21, 2024

Mike Behm,
Director of Planning and Engineering
Department of Transportation
700 E. Broadway Avenue
Pierre, South Dakota 57501

RE: February 29, 2024 Transportation Commission Agenda

Dear Mr. Behm:

The following items are recommended for Commission consideration:

1. Request Transportation Commission approval to abandon by resolution the following permanent easement acquired in 1972 from the SDGFP for a Roadside Park:

Beginning at the Northeast Corner of Section 1, Township 101 North, Range 48 West of the 5th P.M., thence south along the section line a distance of 200 feet, thence West a distance of 450 feet, thence north a distance of 200 feet, thence east along the section line a distance of 450 feet to place of beginning, Minnehaha County, South Dakota, containing 2.07 acres.

The above permanent easement is no longer needed for Roadside Park purposes and abandonment is recommended by Mitchell Region DOT and Sioux Falls Area DOT.

2. Request Transportation Commission approval to grant a 20-foot-wide underground fiber optic line permanent easement to Clarity Telecom LLC of Rapid City, South Dakota upon the following DOT property:

Lot 9 in the SE1/4 NE1/4 of Section 15, Township 3 North, Range 6 East of the
B.H.M., Meade County, South Dakota.

Lot 9 is located near Exit 46 on the east side of Interstate 90. Granting the easement as shown on Exhibit A will allow an underground fiber optic line to be placed at a depth of four feet or greater within the same easement location granted to Black Hills Energy as approved at the November 9, 2023 Commission meeting.

Clarity Telecom LLC accepts liability and financial responsibility for the underground fiber optic line. All State and Federal guidelines will be followed during the construction.

3. Request Transportation Commission approval to abandon by resolution the temporary easement on Codington County Project PH 0010(152), PCN 06K5.
4. Request Transportation Commission approval to abandon by resolution the temporary easements on Corson County Project NH 0012(227)99, PCN 068A.
5. Request Transportation Commission approval to abandon by resolution the temporary easements on Brookings County Project NH 0014(232)401, PCN 05HU.
6. Request Transportation Commission approval to abandon by resolution the temporary easements on Kingsbury County Project P 0081(104)112, PCN 044G.

Sincerely,


A handwritten signature in black ink that reads "John Keyes". The signature is written in a cursive, flowing style.

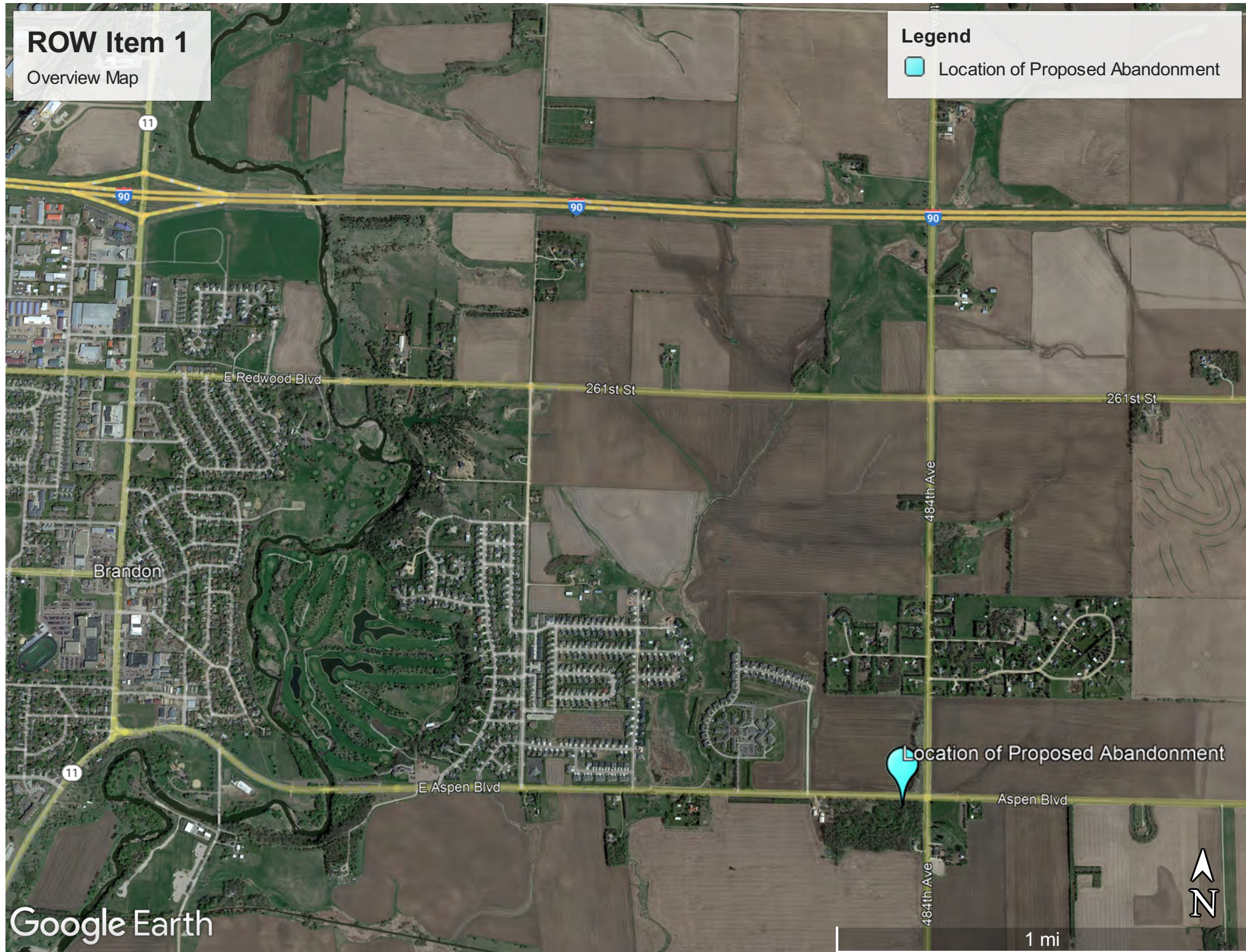
John Keyes, Program Manager

ROW Item 1

Overview Map

Legend

 Location of Proposed Abandonment



Google Earth

Proposed Abandonment in Roadside Park in Minnehaha County



Proposed Abandonment



T R A N S F E R

KNOW ALL MEN BY THESE PRESENTS:

That the South Dakota Department of Game, Fish and Parks does, on the day hereinunder written assign, transfer and convey to the South Dakota Department of Highways, all of its right, title and interest in that certain easement bearing date of 3rd day of August, 1953 wherein one Hilda L. Nelson Estate Grantor, did

grant unto the State of South Dakota for the use of its Department of Game, Fish and Parks, the right to use the hereinafter described real property for the purpose of establishing, maintaining and operating a Roadside Park.

Said document providing that said real property shall be used exclusively for a Roadside Park and the real property involved is described as: Beginning at the Northeast Corner of Sec. one (1) Township One-hundred one (101) Range Forty-eight (48), thence south along the section line a distance of 200 ft., thence west a distance of 450 ft., thence north a distance of 200 ft., thence east along the section line a distance of 450 ft., to place of beginning, containing 2.07 acres more or less. Minnehaha County, South Dakota.

The said Department of Game, Fish and Parks of the State of South Dakota does further relinquish to the South Dakota Department of Highways, its jurisdiction over the Roadside Park now established and operated on the real property herein described, and does further transfer and convey to the South Dakota Department of Highways all of its right, title and interest to any and all personal property belonging to the said Department of Game, Fish and Parks of the State of South Dakota, which personal property may be attached to or located upon the real property herein described.

That it is expressly understood that the consideration for the transfer of the said easement and personal property shall be the mutual benefit accruing to the said Department of Game, Fish and Parks and the Department of Highways.

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That it shall be further expressly understood that the said South Dakota Department of Highways shall use the real property herein described, exclusively and only as a Roadside Park and the said Department of Highways shall be subject to all of the conditions expressed or implied in the easement on said real property herein described.

(SEAL)

SOUTH DAKOTA DEPARTMENT GAME, FISH & PARKS

BY: R.A. Hodgins
R.A. HODGINS
Director

STATE OF SOUTH DAKOTA)
 : SS
COUNTY OF HUGHES)

On this 12 day of Dec, 1972, before me, a Notary Public, personally appeared R.A. HODGINS, known to me to be the Director of the South Dakota Department of Game, Fish and Parks, and acknowledged to me that he did sign the foregoing document as such officer and for the purposes therein stated.

Edmund M. Carroll
NOTARY PUBLIC

My Commission Expires:

Jan 18 - 1977
(SEAL)




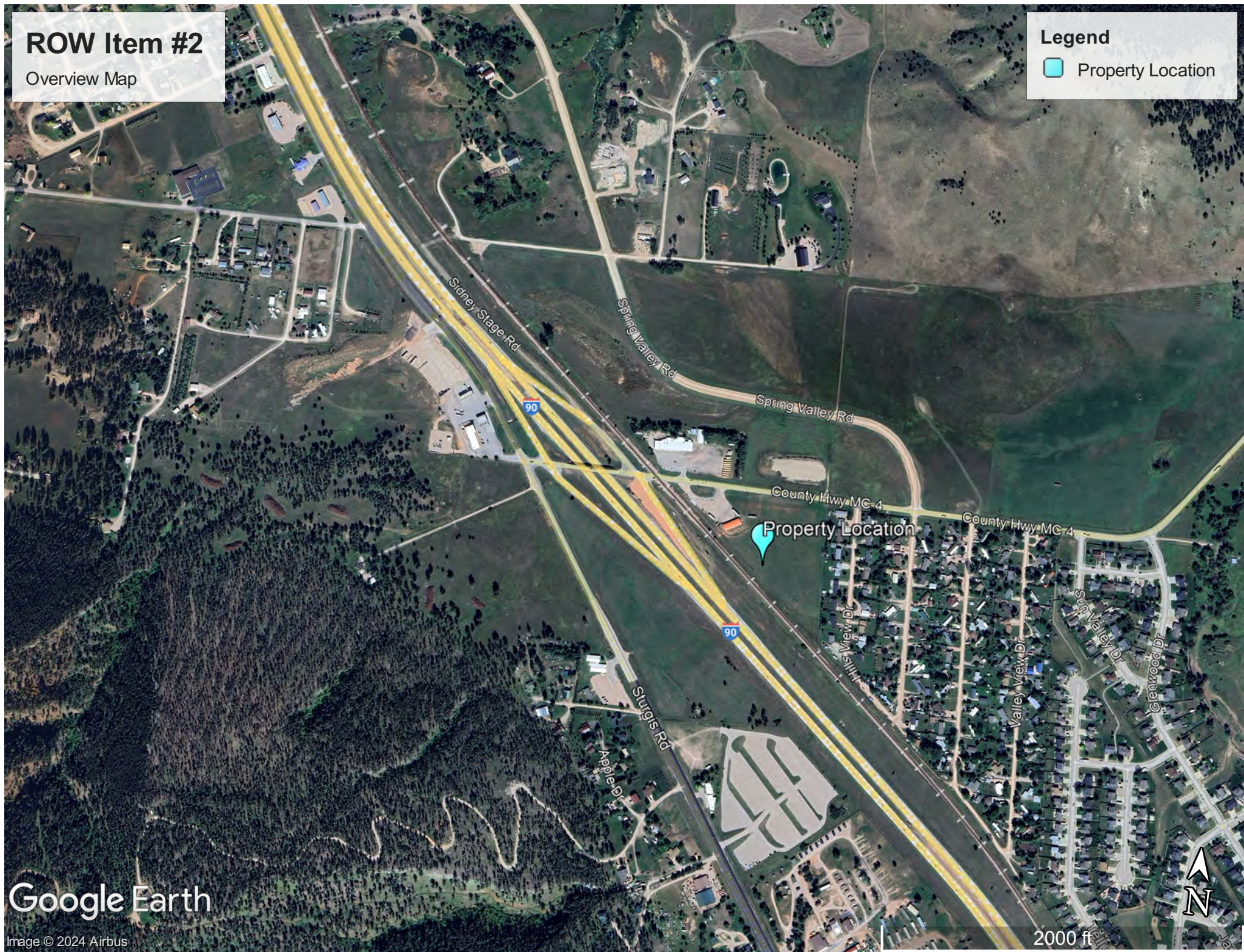
STATE OF SOUTH DAKOTA
Minnehaha County
Office of Register of Deeds
Filed for Recording this 15 day of
DECEMBER A. D. 1972 at 10 o'clock
P. M., and Recorded in Book 109 of
M~~in~~ on page 333-334
MARY NOTERBOOM
Register of Deeds.
By M.A. Johnson Deputy

ROW Item #2

Overview Map

Legend

 Property Location



Google Earth

Image © 2024 Airbus

ROW Item #2

Elk Creek Steakhouse

County Hwy MG-4

Lantis Fireworks

Google Earth

600 ft

90

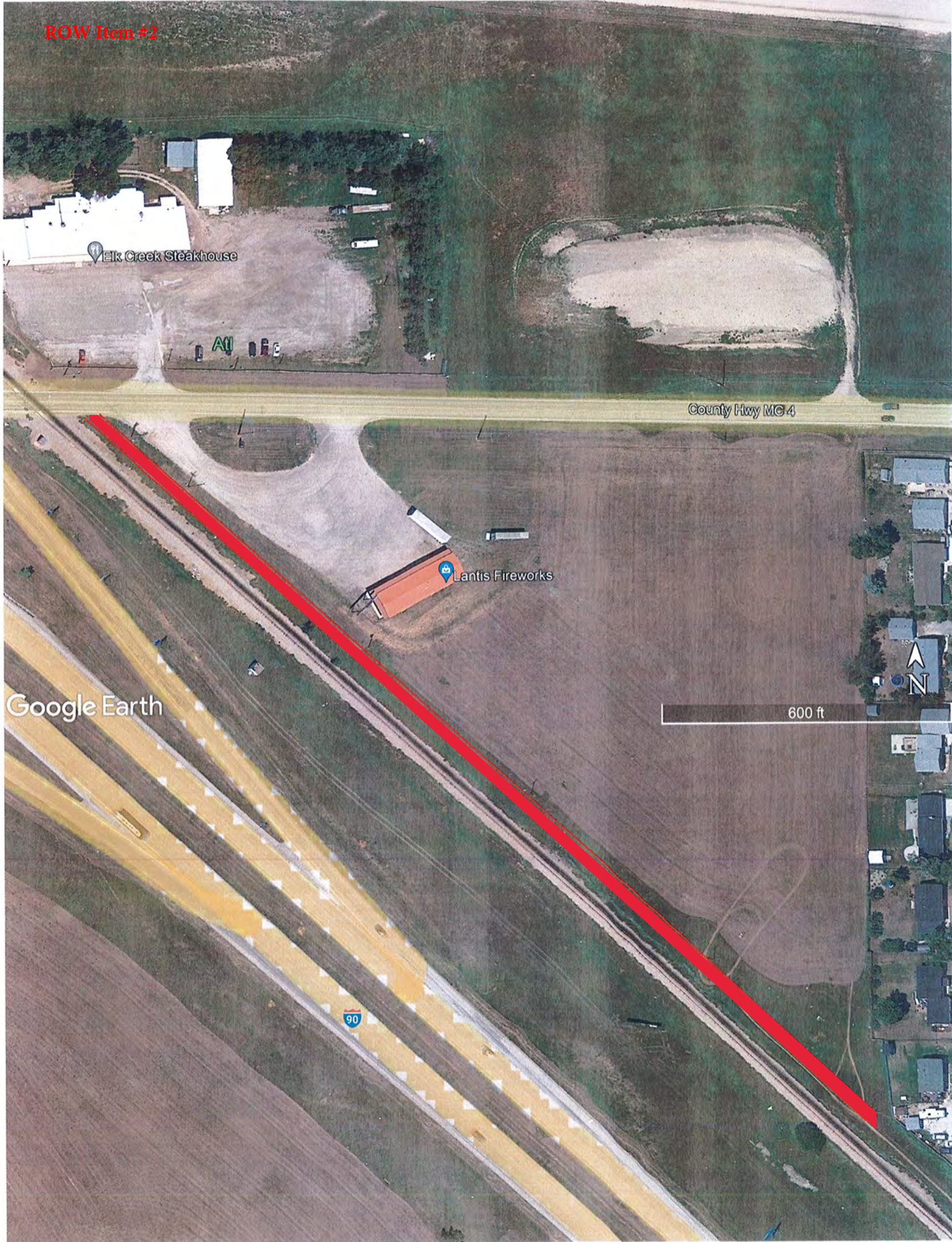
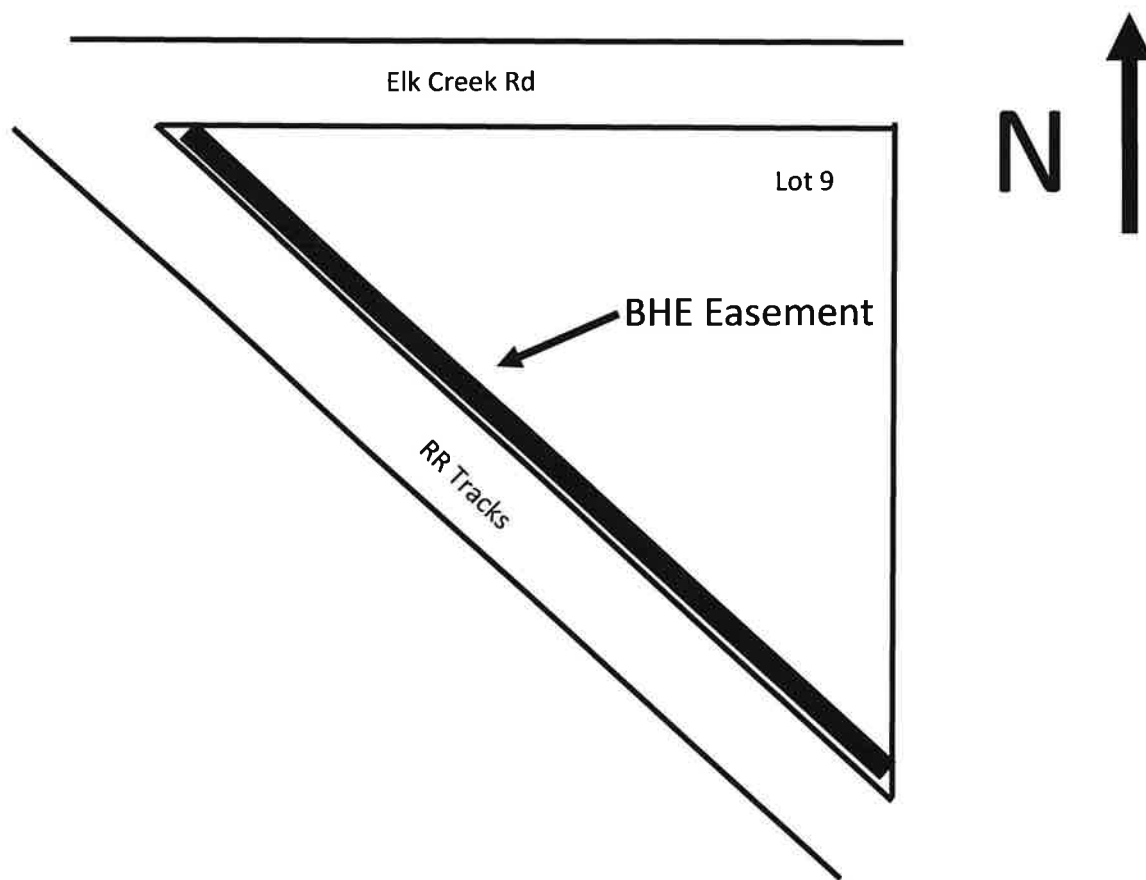


Exhibit A

Lot 9 in the SE 1/4 of the NE 1/4 of Sec 15, T.3.N, R.6.E located in Meade County South Dakota



Note: The centerline of the Powerline as constructed is the centerline of the easement