

### **Department of Transportation**

Division of Planning/Engineering Right of Way Program 700 E Broadway Avenue Pierre, South Dakota 57501-2586 605/773-3746 FAX: 605/773-5867

September 10, 2021

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

RE: September 21, 2021 Transportation Commission Agenda

Dear Mr. Behm:

The following items are recommended for Commission consideration:

#### Transfer – Minnehaha and Lincoln County

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

A portion of South Veterans Parkway from Minnesota Ave. to E 57th St. in Sioux Falls, Minnehaha County, South Dakota, legally described as follows:

Parcel 28 – Lot H1 in Tract 1 of the Grand Prairie Estates, an addition to the City of Sioux Falls, Lincoln County, South Dakota. Said Lot H1 contains 1.73 acres, more or less. Plat Book 3, Page 91.

Parcel 29 – Lots H1, H2 in the N1/2 SE1/4, except the East 525 feet of the North 275 feet thereof, and except the West 495 feet of the East 1020 feet of the North 395 feet of the NE1/4 SE1/4, and except the West 185 feet of the East 525 feet of the South 120 feet of the North 395 feet of the NE1/4 SE1/4, all in Section 14, Township 100 North, Range 50 West of the 5th P.M., Lincoln County, South Dakota. Said Lot H1 contains 10.85 acres, more or less. Said Lot H2 contains 0.04 acre, more or less. Plat Book 3, Page 60.

Parcel 50 – Lot H2 in the N1/2 SE1/4, except Tract 1 Dalco Addition of Section 8, Township 100 North, Range 49 West of the 5th P.M., Lincoln County, South Dakota. Said Lot H2 contains 8.33 acres, more or less. Plat Book 12, Page 178.

Parcel 53 – Lots H2 and H3 in the Government Lot 1 in the NE1/4 of Section 8, Township 100 North, Range 49 West of the 5th P.M., Lincoln County, South Dakota. Said Lot H2 contains 11.63 acres, more or less. Said Lot H3 contains 0.14 acre, more or less. Plat Book 3, Page 68.

Parcel 53X – Lot A in Government Lot 1 in the NE1/4 of Section 8, Township 100 North, Range 49 West of the 5th P.M., Lincoln County, South Dakota. Said Lot A contains 0.66 acre, more or less. Plat Book 3, Page 69.

Parcel 53XX – Lot B in Government Lot 1 in the NE1/4 and a portion of Lot H1 of Government Lot 1 of Section 8, Township 100 North, Range 49 West of the 5th P.M., Lincoln County, South Dakota. Said Lot B contains 0.53 acre, more or less. Plat Book 3, Page 70.

Parcel 58 – Lot H2 in Government Lot 4 of Section 9, Township 100 North, Range 49 West of the 5th P.M., Lincoln County, South Dakota. Said Lot H2 contains 0.23 acre, more or less. Plat Book 6, Page 5.

This resolution will transfer a portion of South Veterans Parkway towards completing Joint Powers Agreement #615068 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. (See attachments)

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

All of Chicago, Milwaukee, St. Paul and Pacific Railroad Company's 100 foot wide right of way, 50 feet of said width being on either side of said Railroad Company's main track centerline as formerly there laid, across the SW1/4 of Section 4, Township 116 North, Range 56 West of the 5th P.M., Clark County, South Dakota, less Lot E1.

Appraised Value: \$500

The above property contains 5.87 acres of an abandoned railroad right of way. Width is 100 feet and length is 2,500 feet. Rail line has been removed and location is approximately 4 1/2 miles west of Henry on the north side of US 212. Access from US 212 is hindered by wetlands and adjacent private ownership controls any other access.

Huron Area DOT requests the property disposal. (See attachments)

3. Abandonment – Pennington County

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

Former Hwy 79 right of way located west of Tract E in the NE1/4SE1/4; Tract E in the SE1/4SE1/4, Tract E in the NE1/4NE1/4, and Tract E in the SE1/4NE1/4 and west of present Hwy 79 right of way line; all in Section 19, Township 2 South, Range 8 East of the B.H.M., Pennington County, South Dakota, containing 3.83 acres, more or less.

This abandonment, which was approved at the July 29, 2021 Transportation Commission meeting, requires a legal description modification before the Pennington County Register of Deeds will record the resolution of abandonment. The above property is no longer needed for

highway purposes and abandonment is recommended by DOT Rapid City Area. (See attachments)

4. Abandonment – Roberts County

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

Lot AB1 in a portion of Lot H1, Lot H4 and Lot H5 in Gov't Lot 2 of Section 13, Township 125 North, Range 50 West of the 5th P.M., Roberts County, South Dakota.

Said Lot AB1 contains 2.15 acres, more or less.

The above described right of way, Lot AB1 is located on the east side of Hwy 10 along the far southern end of Lake Traverse near the Minnesota state line. The properties are no longer needed for highway purposes and abandonment is recommended by DOT Watertown Area. (See attachments)

 Condemnation – Project IM 0293(106)76 and P 1400(16), PCN 03RA and 05NF, Minnehaha County. The proposed project also includes: P 8050(81), Minnehaha County, PCN 06XY, Shirley Ave - From 41st St to W Shirley Place in Sioux Falls, Urban Reconstruction, and; P 1423(07), Minnehaha County, PCN 06Y0, Marion Road - From 39th St to 43rd St in Sioux Falls, Urban Construction

Request Transportation Commission resolution determining that the taking and damaging of real property interests in and to the following property is necessary for a public purpose and authorizing condemnation:

Parcels 38 and 38A – MBK Properties, LLC, a limited liability company; mortgage holder – Community First National Bank

To date, the Department of Transportation has been unable to acquire the real property interests through negotiations for the project IM 0293(106)76 and P 1400(16), PCN 03RA and 05NF, Minnehaha County, Modify Interchange, Bent Strengthening, and; 41st Street in Sioux Falls - From W of Marion Road to Shirley Ave., Grading, Signals, Curb & Gutter, Sidewalk, PCC Surfacing, Storm Sewer, ADA, Lighting, Pavement Markings, ROW. (See Attachments)

Sincerely,

Joel W. Gengler, Program Manager

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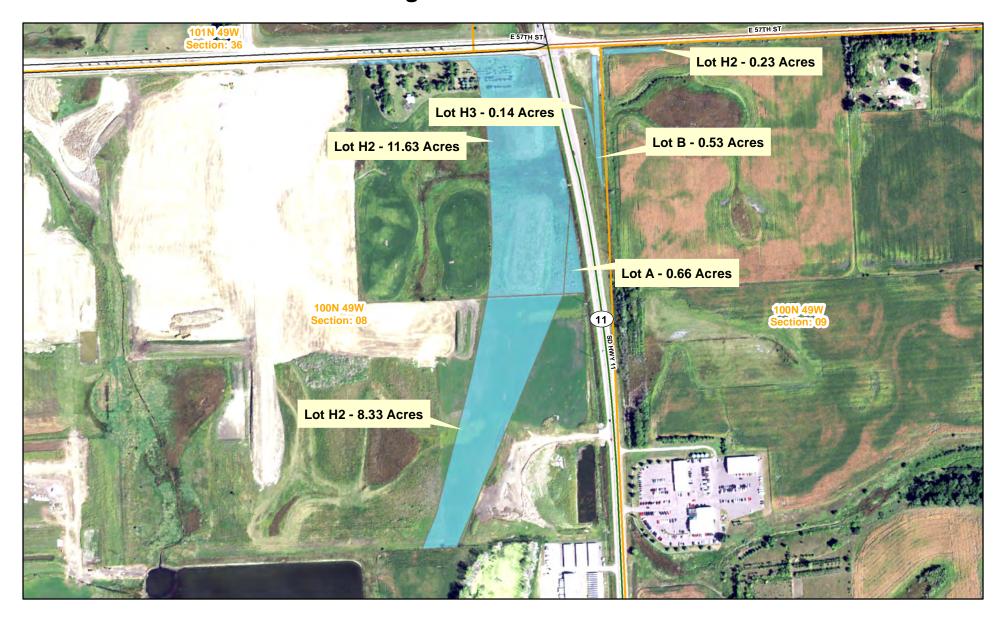
# South Veterans Parkway Transfer Agreement #615068

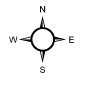




#### Item #1

## South Veterans Parkway Transfer Agreement #615068

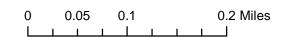


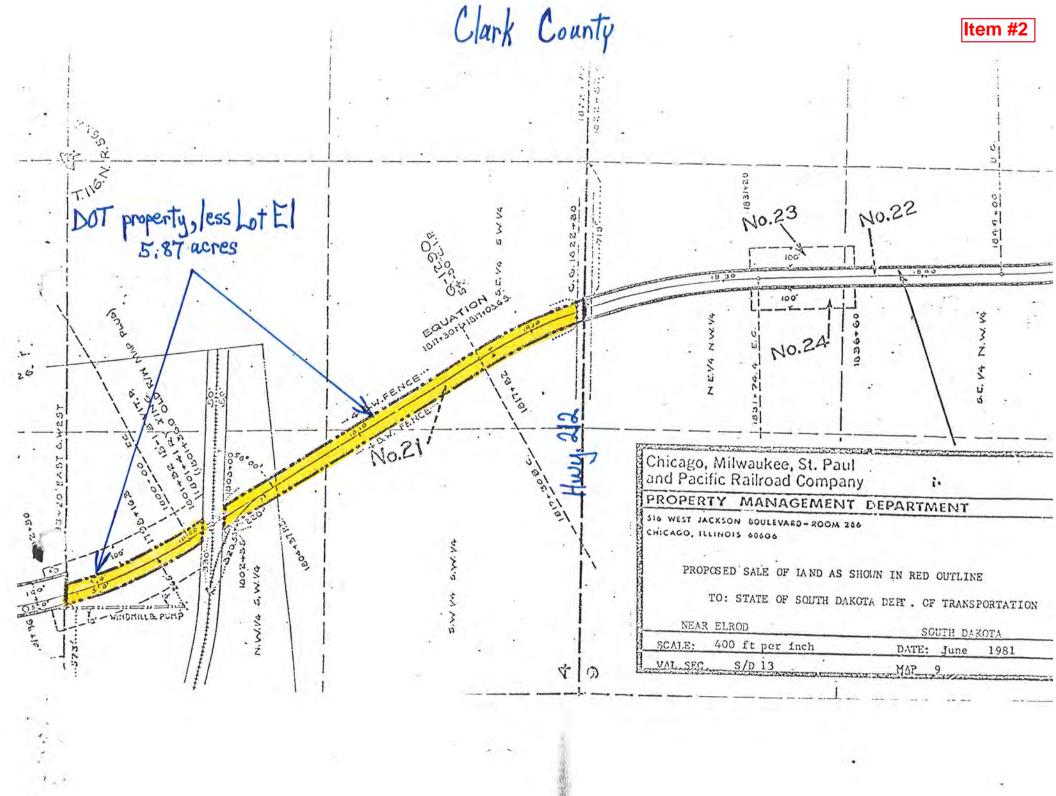


### Legend

Proposed Transfer





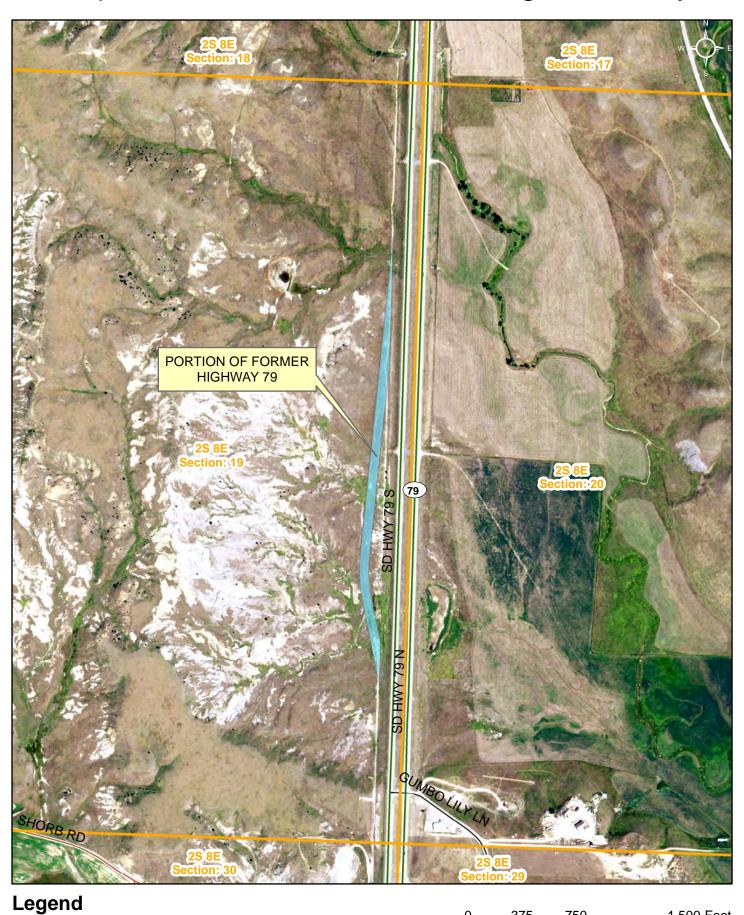




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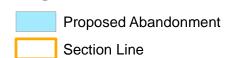
### Proposed Abandonment - Pennington County

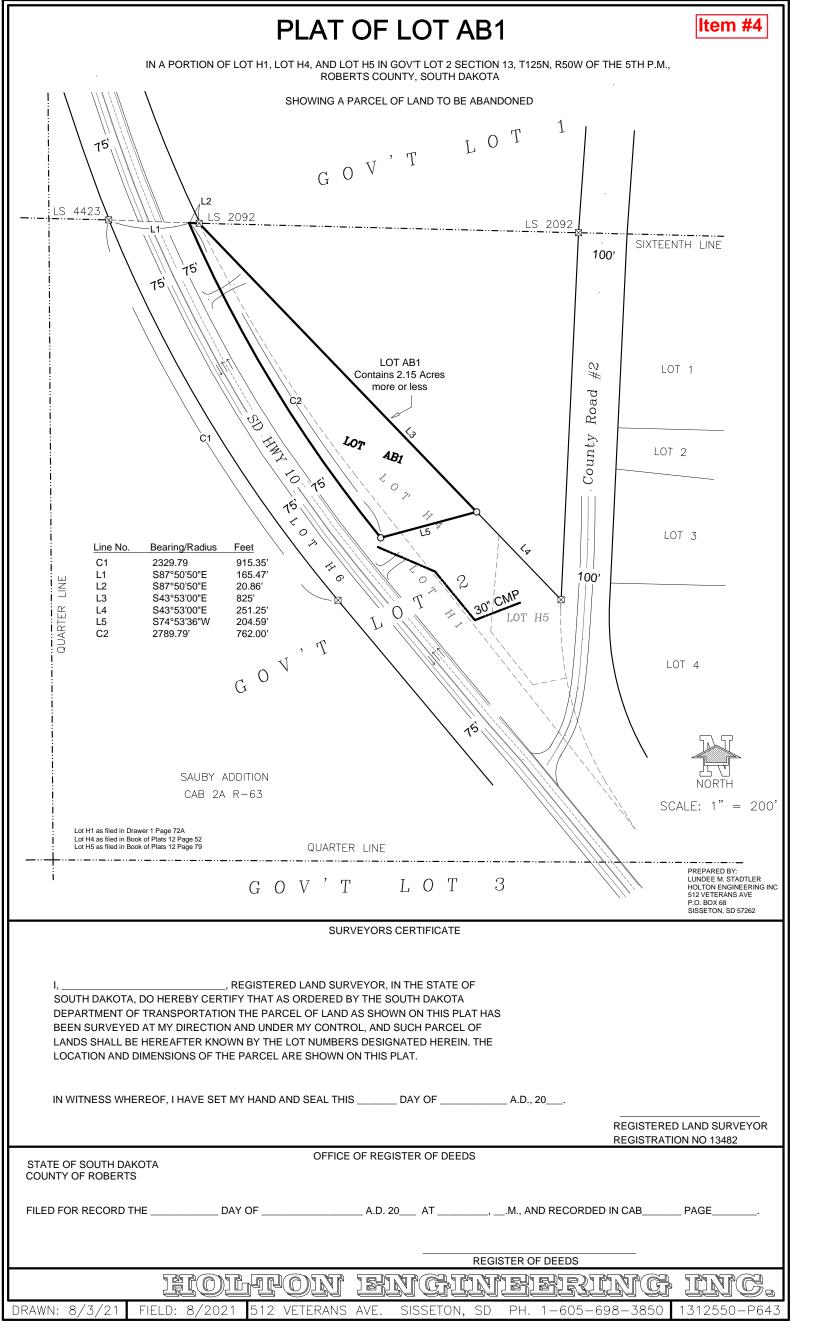


375

750

1,500 Feet





### Roberts County Proposed Abandonment







