



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:

1. 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)

5. 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

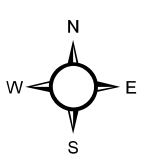
To date, the Department of Transportation has been unable to acquire the real property interests through negotiations for the project IM 0293(106)76 and P 1400(16), PCN 03RA and 05NF, Minnehaha County, Modify Interchange, Bent Strengthening, and; 41st Street in Sioux Falls - From W of Marion Road to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

Sincerely,





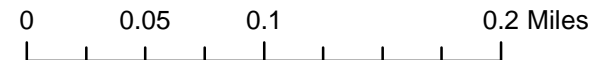
Joel W. Gengler,
Program Manager

South Veterans Parkway Transfer Agreement #615068



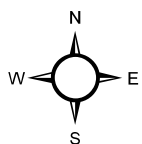
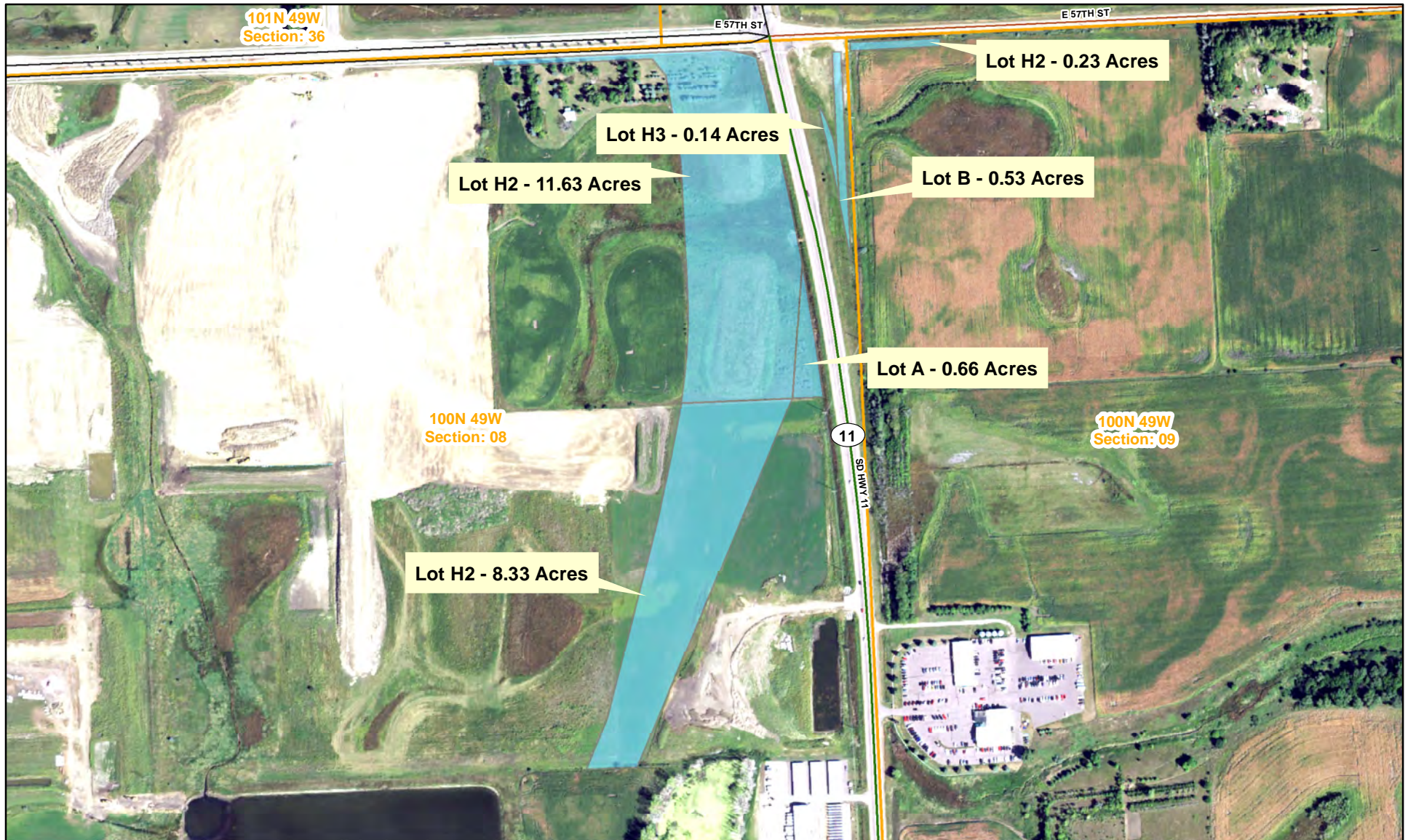
Legend

-  Proposed Transfer
-  PLSS Sections





South Veterans Parkway Transfer Agreement #615068

Item #1



Legend

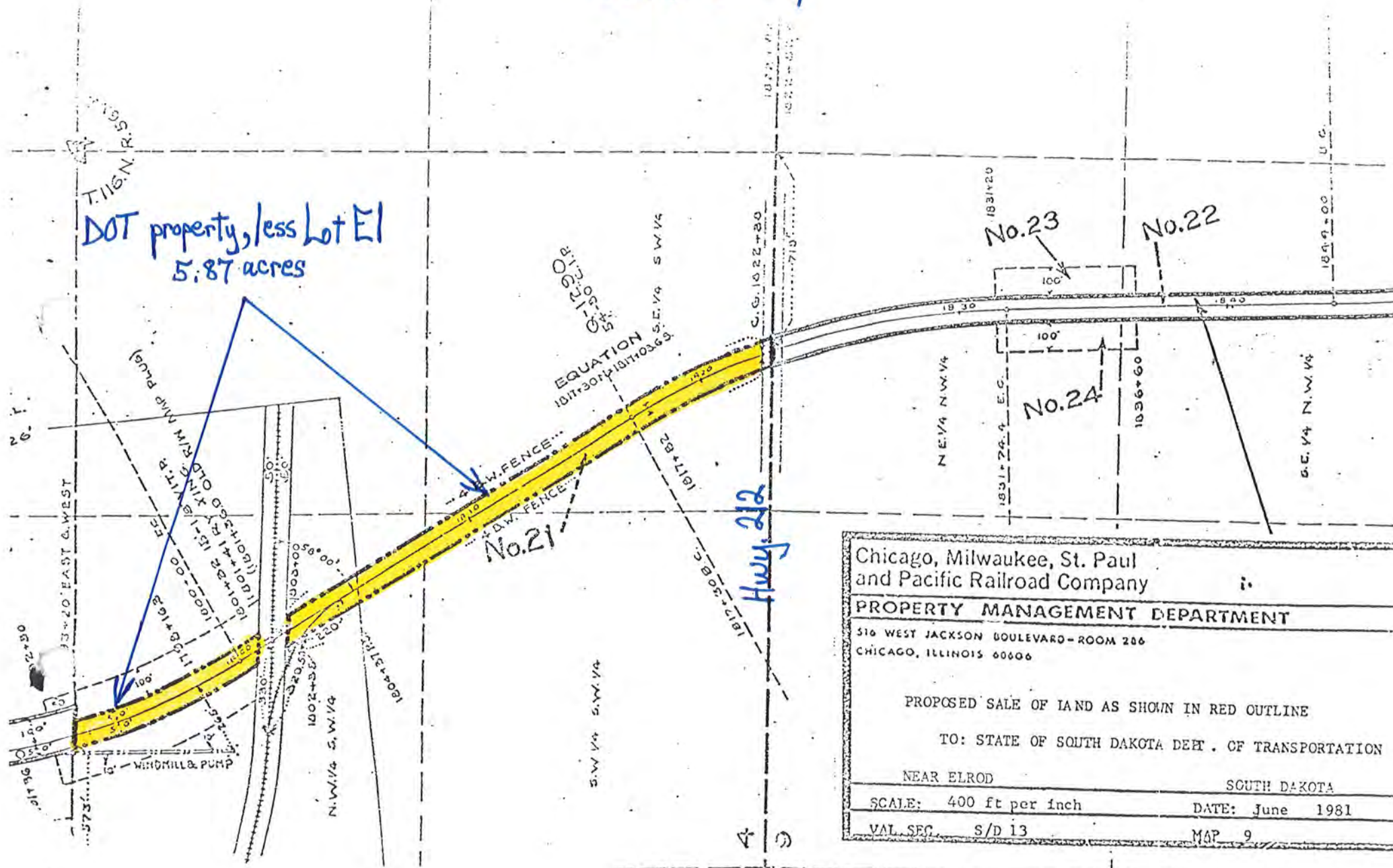
-  Proposed Transfer
-  PLSS Sections



Clark County

Item #2

DOT property, less Lot E1
5.87 acres



Chicago, Milwaukee, St. Paul
and Pacific Railroad Company

PROPERTY MANAGEMENT DEPARTMENT

516 WEST JACKSON BOULEVARD - ROOM 206
CHICAGO, ILLINOIS 60606

PROPOSED SALE OF LAND AS SHOWN IN RED OUTLINE

TO: STATE OF SOUTH DAKOTA DEPT. OF TRANSPORTATION

NEAR ELROD SOUTH DAKOTA

SCALE: 400 ft per inch DATE: June 1981

VAL. SEC. S/D 13 MAP 9

FOR DISPOSAL - CLARK COUNTY

Item #2



Parcel No 8

copy

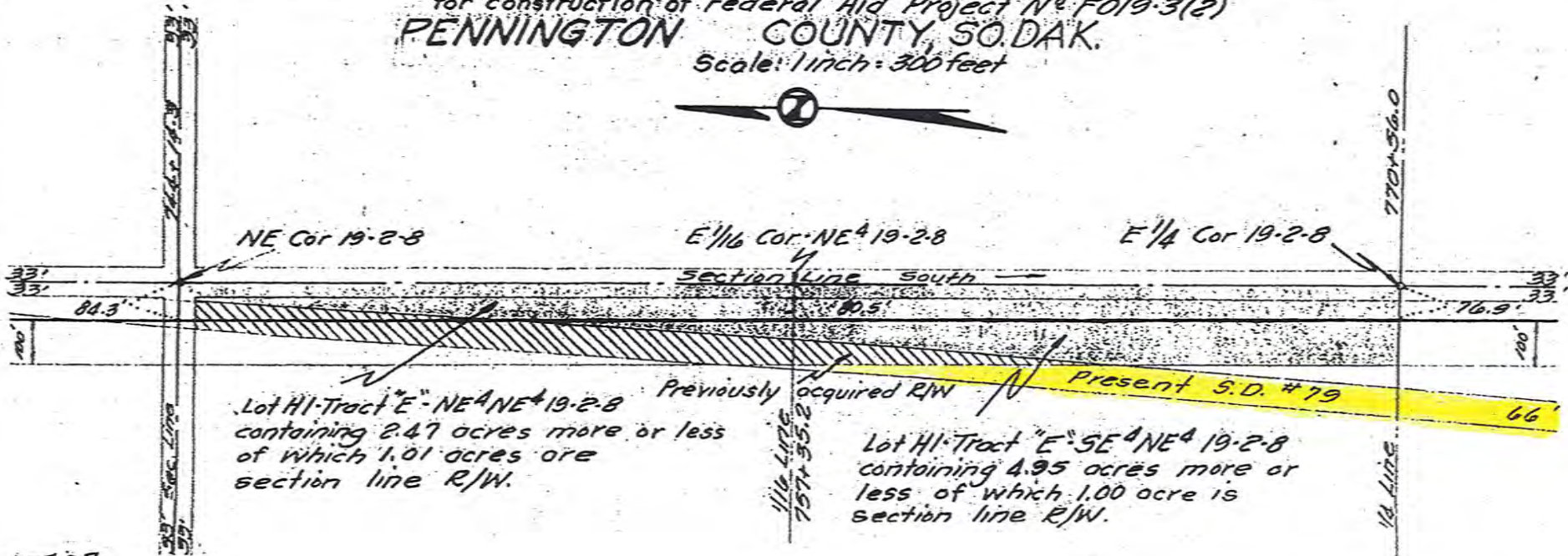
HI-Tract E-NE⁴NE⁴ Sec 19-T2S-R8E PLAT OF LOT HI-Tract E-SE⁴NE⁴ Sec 19-T2S-R8E

Showing Right of Way to be acquired for highway purposes

in
tract E-NE⁴NE⁴ & tract E-SE⁴NE⁴ of Section 19-Township 2 South-Range 8 East of the B.H.M.
for construction of Federal Aid Project No F019-3(2)

PENNINGTON COUNTY, S.D.AK.

Scale: 1 inch = 300 feet



Lot HI-Tract E-NE⁴NE⁴ 19-2-8
containing 2.47 acres more or less
of which 1.01 acres are
section line R/W.

Previously acquired R/W

Lot HI-Tract E-SE⁴NE⁴ 19-2-8
containing 4.95 acres more or
less of which 1.00 acre is
section line R/W.

Drawing prepared in Plane Dept.
South Dakota Highway Commission.
Drawn by: Schramm Checked by: [Signature]
Date: 10-7-60

15837
STATE OF SOUTH DAKOTA }
COUNTY OF PENNINGTON } ss.
Filed for record this 10 day of
March A.D. 1965 at 8 o'clock
and minutes P.M., and recorded in
Book 4 Page 135 of H.W. Plat
Records of [Signature]
Register of Deeds

SURVEYOR'S CERTIFICATE

By Frederick J. [Signature] Deputy S. W. Gentle Registered Land Surveyor, do hereby certify that, at the direction of the South Dakota State Highway Commission, I have surveyed the tract of land as shown on the above plat and such tract shall be hereafter known by the lot number designated above. The location and dimensions of the tract are as shown on the plat. In witness whereof, I have set my hand and seal this 16th day of November A.D., 1960

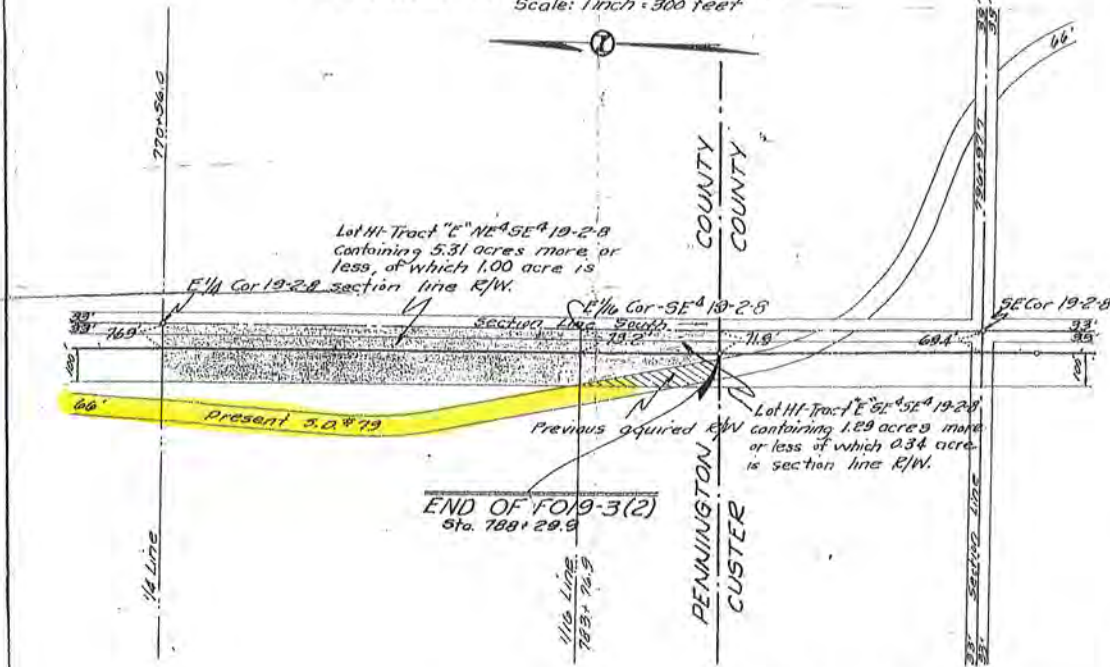
SEAL

S. W. Gentle /s/
REGISTERED LAND SURVEYOR.

Parcel No 9

HI Tract "E" NE 1/4 SE 1/4 Sec 19-T2S-R8E
PLAT OF LOT HI Tract "E" SE 1/4 SE 1/4 Sec 19-T2S-R8E

Showing Right of Way to be acquired for highway purposes
in
Tract "E" NE 1/4 SE 1/4 & Tract "E" SE 1/4 SE 1/4 of Section 19 Township 2 South Range 8 East of the B.M.
for construction of Federal Aid Project No FO19-3(2)
PENNINGTON COUNTY, S.D.AK.
Scale: 1 inch = 300 feet



Drawing prepared in Plans Dept.
South Dakota Highway Commission
Drawn by: Selvaum Checked by: AOB
Date: 10-3-60

S.W. Gentle SURVEYOR'S CERTIFICATE
Registered Land Surveyor, do hereby certify that, at the direction of the South Dakota State Highway Commission, I have surveyed the tract of land as shown on the above plat and such tract shall be hereafter known by the lot number designated above. The location and dimensions of the tract are as shown on the plat. In witness whereof, I have set my hand and seal this NOV 16 1960 day of NOV A. D., 1960

S.W. Gentle
REGISTERED LAND SURVEYOR.

SEAL

CERTIFICATE BY OWNER

EILEEN L SHARB & MADGE SHARB owners of SE 1/4 NE 1/4
SE 1/4 19 Township 2 South Range 8 East
of the B.M. in PENNINGTON County, South Dakota, do hereby join in and approve the survey and plat of the land and the highway or road as represented and shown on the above plat; and the land therein represented and designated as LOT H-1 containing 6.27 acres more or less, as shown and represented by said survey and plat, is hereby intended for and dedicated to the public for a public, highway and road.

COUNTY AUDITOR'S CERTIFICATION

Approved by resolution of the Board of County Commissioners of Pennington County, South Dakota, on the 4 day of May 1961
J. K. Miller
COUNTY AUDITOR

Witness My hand and seal this 24 day of JAN 1961
Eileen L. Sharb (SEAL) (SEAL)
Madge Sharb (SEAL) (SEAL)

ACKNOWLEDGEMENT OF OWNER.

State of SOUTH DAKOTA ss.
County of PENNINGTON
Be it remembered that on this 24 day of JAN 1961 before me, the undersigned, a Notary Public, within and for the County and State aforesaid, personally appeared EILEEN L SHARB and MADGE SHARB and known to me to be the persons who are described in and who executed the within and foregoing instrument and certificate and acknowledged to me that EILEEN executed the same.
My Commission Expires, MAY 1 1962

PATMENT APPROVED
JERRY R. JOHNSON, CHAIRMAN
MARTIN F. COLLIER
MARTIN ELLIOTT
WALTER C. TAYLOR
FRED H. HODGETT



W.B. Goldy
NOTARY PUBLIC
PENNINGTON County,
State of SOUTH DAKOTA

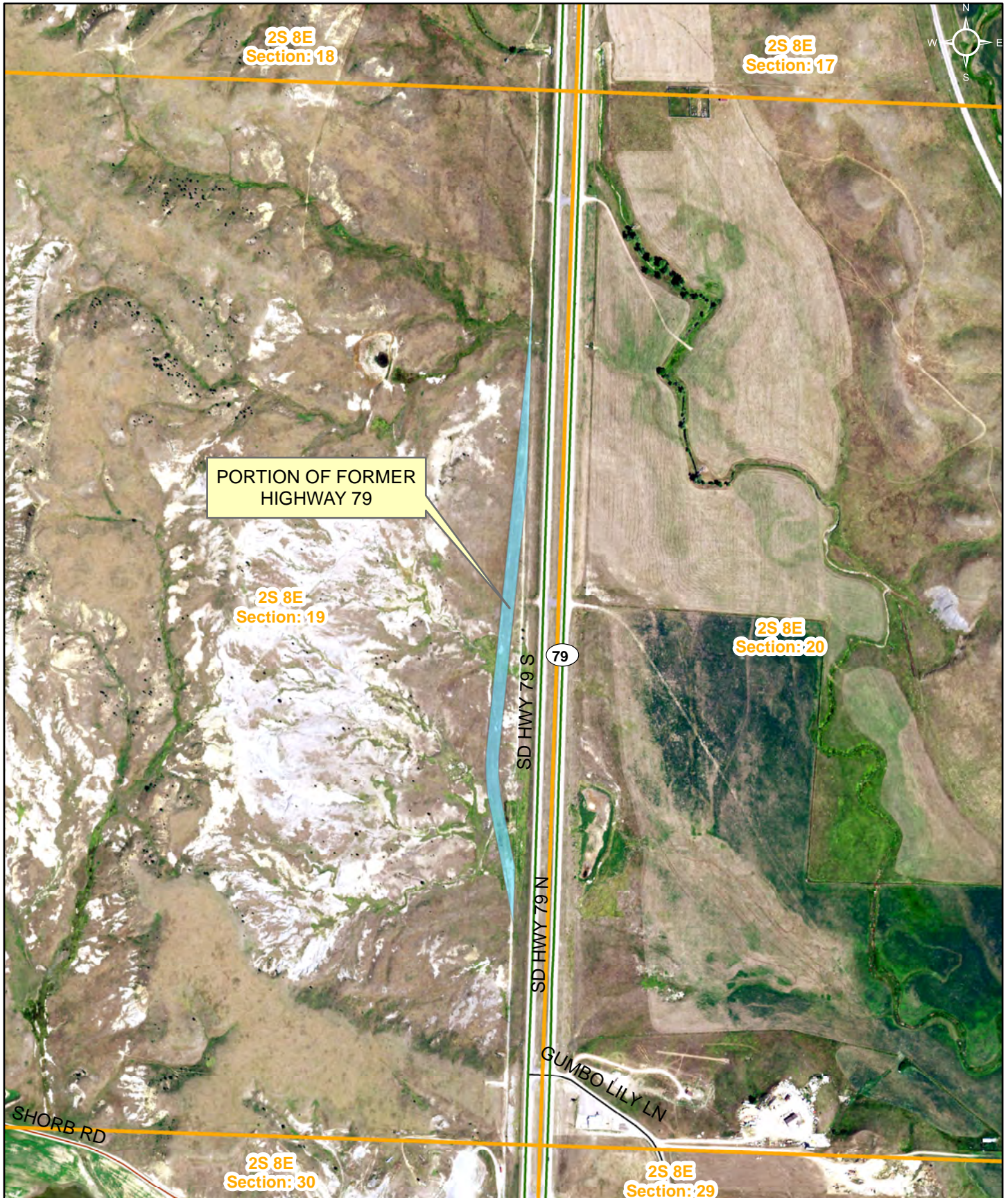


1958 OFFICE OF REGISTER OF DEEDS.
State of South Dakota, ss.
County of Pennington
Filed for record this 20 day of June A. D., 1961 at 10:10 A. M.,
and recorded in book of Plots Hul 3 on Page 236 therein.
Shirley A. Holt by John P. 100 Deputy.
Register of Deeds



COPY OF THIS PLAT RECEIVED
BY OFFICE OF DIRECTOR OF EQUALIZATION
4-18-61 E. W. Cagle
Date Signature

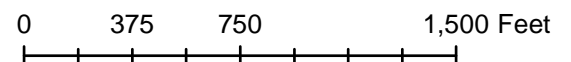
FO19-3(2)

Proposed Abandonment - Pennington County



Legend

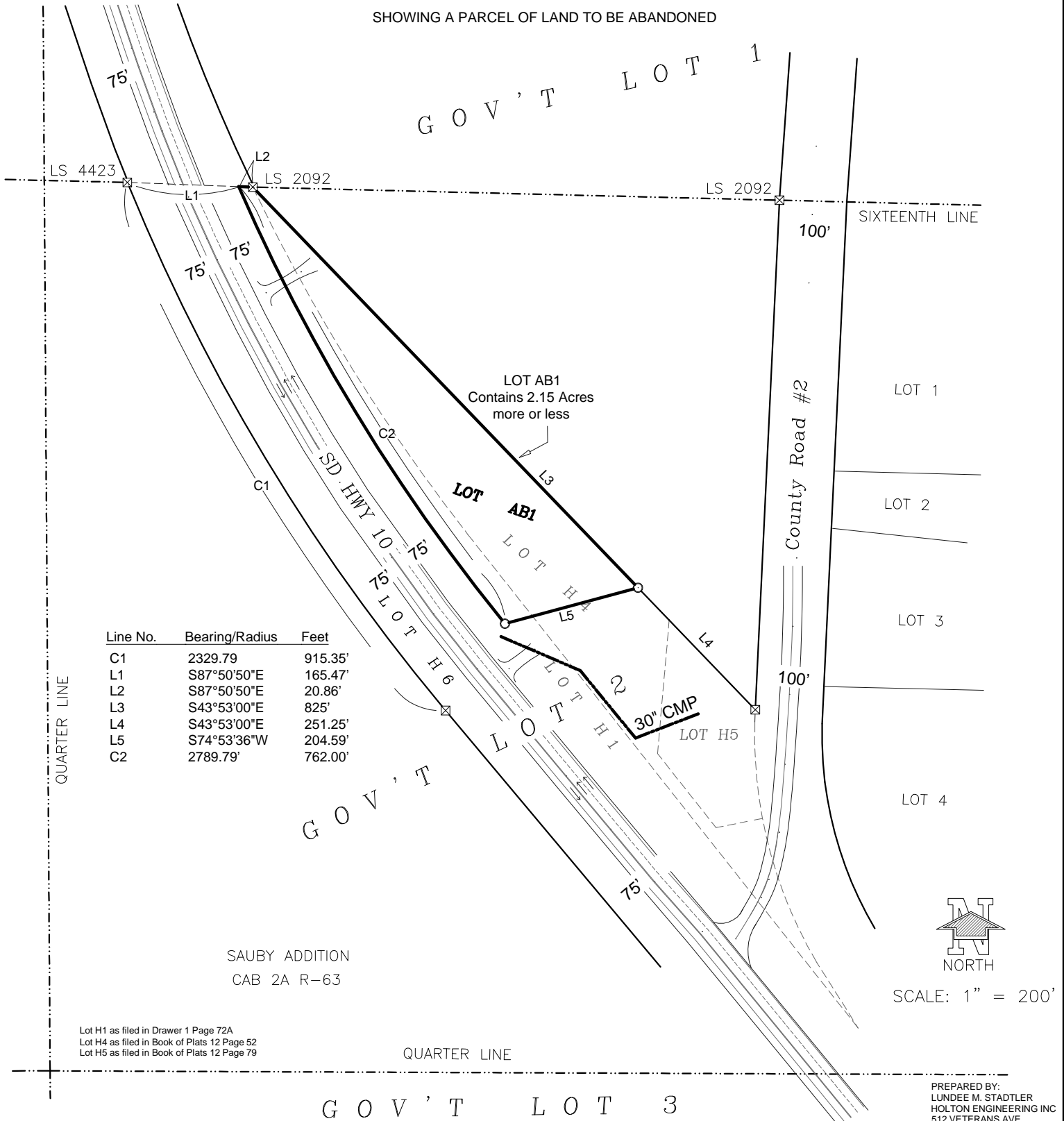
-  Proposed Abandonment
-  Section Line



PLAT OF LOT AB1

IN A PORTION OF LOT H1, LOT H4, AND LOT H5 IN GOV'T LOT 2 SECTION 13, T125N, R50W OF THE 5TH P.M.,
ROBERTS COUNTY, SOUTH DAKOTA

SHOWING A PARCEL OF LAND TO BE ABANDONED



SURVEYORS CERTIFICATE

I, _____, REGISTERED LAND SURVEYOR, IN THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT AS ORDERED BY THE SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION THE PARCEL OF LAND AS SHOWN ON THIS PLAT HAS BEEN SURVEYED AT MY DIRECTION AND UNDER MY CONTROL, AND SUCH PARCEL OF LANDS SHALL BE HEREAFTER KNOWN BY THE LOT NUMBERS DESIGNATED HEREIN. THE LOCATION AND DIMENSIONS OF THE PARCEL ARE SHOWN ON THIS PLAT.

IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL THIS _____ DAY OF _____ A.D., 20__.

REGISTERED LAND SURVEYOR
REGISTRATION NO 13482

OFFICE OF REGISTER OF DEEDS

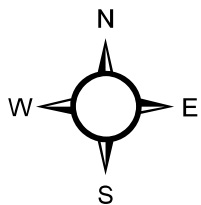
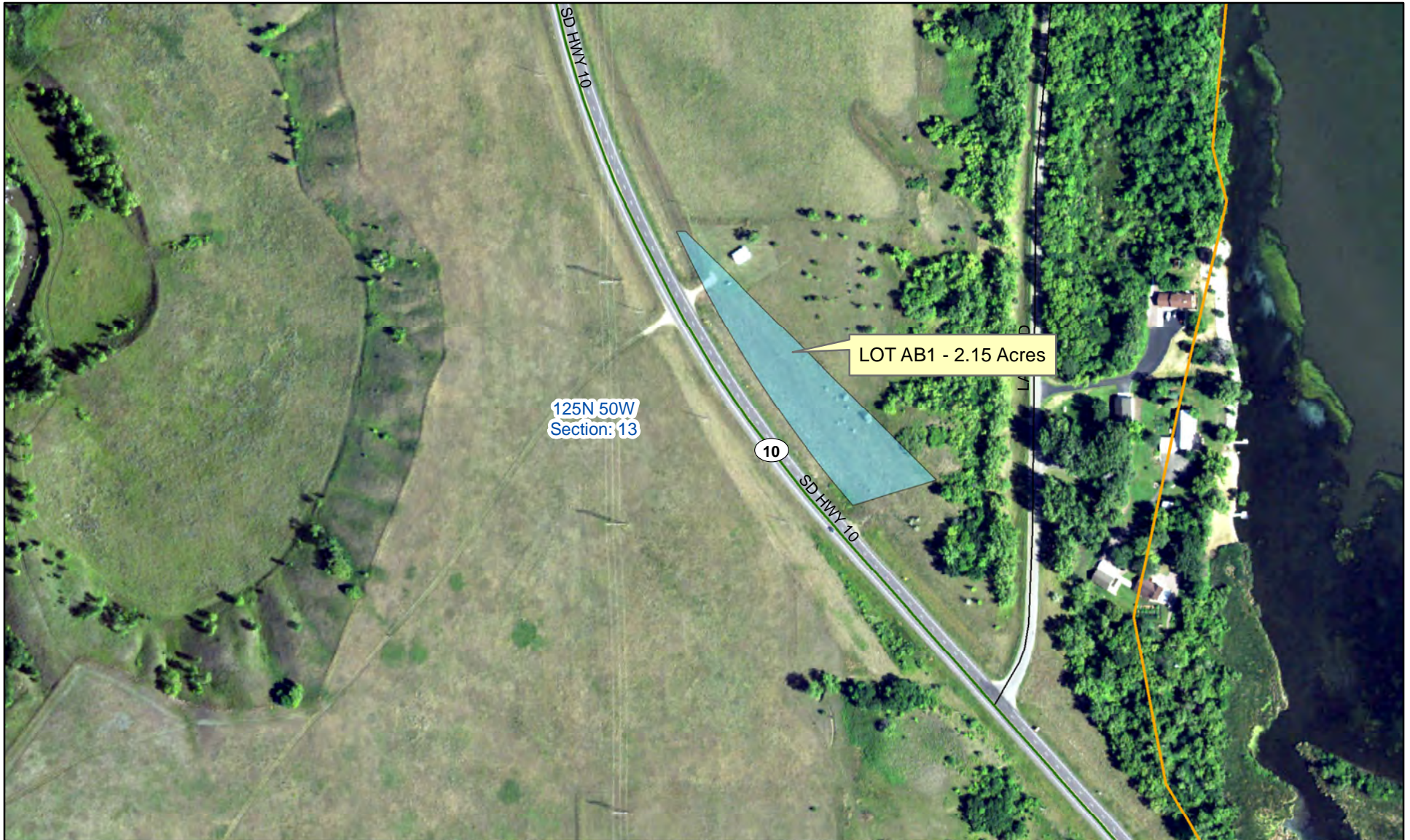
STATE OF SOUTH DAKOTA
COUNTY OF ROBERTS

FILED FOR RECORD THE _____ DAY OF _____ A.D. 20__ AT _____, __.M., AND RECORDED IN CAB _____ PAGE _____.



REGISTER OF DEEDS

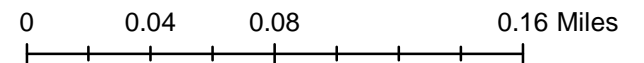
HOLTON ENGINEERING INC.

Roberts County Proposed Abandonment



Legend

-  Proposed Abandonment
-  Section Line



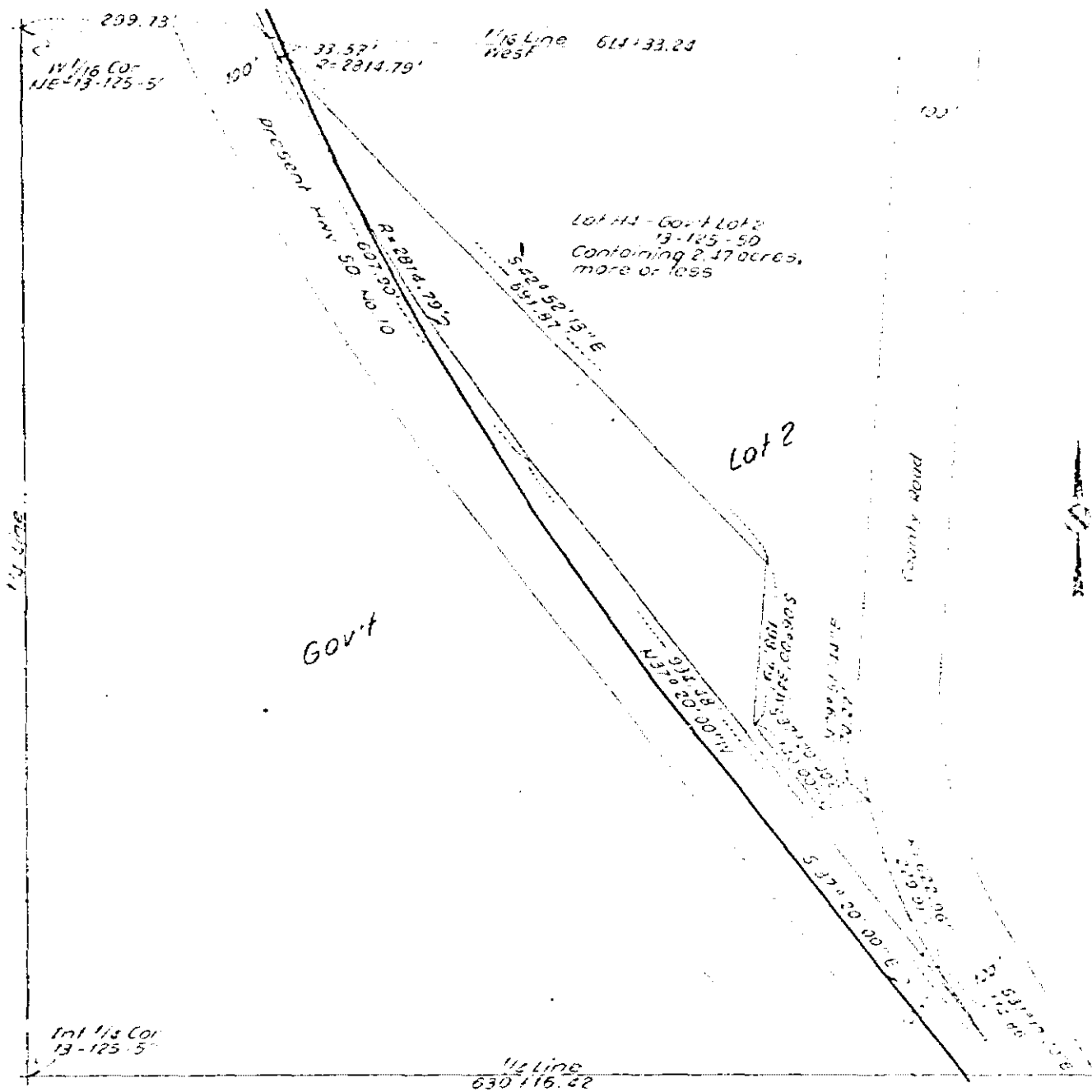
Parcel No. 1

PLAT OF LOT H4 - GOV'T LOT 2 - 13 - T125N-R50W

Showing 1/2 of West 1/4 of Section 13 - Township 125 North
Gov't Lot 2 of Section 13 - Township 125 North
Range 50 West of the 5th Principal Meridian
T. 125 N. R. 50 W. S. 13

ROBERTS COUNTY, SOUTH DAKOTA

Sub. Area 1-1-11



J. Busch, 2/3/76

SURVEYOR'S CERTIFICATE

I, *[Signature]*, Surveyor, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner of the land described in the foregoing plat.

ACKNOWLEDGEMENT OF SURVEYOR

I, *[Signature]*, Surveyor, do hereby acknowledge that the foregoing is a true and correct copy of the original survey as shown to me by the owner of the land described in the foregoing plat.

OFFICE OF DEEDS & RECORDS

52032

Roberts
15 September 76 3:30 P.M.
52 Gladys Crosby
12 Max Salberg

Attachment A

Sec. 25-T101N-R50W

STATE OF SOUTH DAKOTA	PROJECT	SHEET	TOTAL SHEETS
	IM 0293(106)77 & P 1400(16) P 1423(07) & P 8050(81)		

FILE: ...\\Parcel 38 Plan Sheet.dgn
PLOTTING DATE: 09-08-2021

REV DATE:
INITIAL:

Take Out Concrete Sidewalk at the Following Location:
49+41 to 59+55 L

Take Out Asphalt Driveway Pavement at the Following Location:
51+55 to 51+93 L

49+18 L
Eliminate Int Street (Carolyn Avenue)

51+78 L
Eliminate Ent.

Carolyn Avenue

CHRISTIANSON TRACT 1

MBK Properties, LLC
Parcel 38 and 38A

Christianson Tract 1, except Lots A and B contained therein, in Tract 4 in Lot 2 in Re-subdivision of Sioux Falls Farmstead in the Southeast Quarter (SE1/4) of Section 25, Township 101 North, Range 50 West of the 5th PM, Minnehaha County, South Dakota

Lot 2

Note:
Contractor use of parking spaces for retaining wall construction will be limited to 21 calendar days.

Parcel 38
49+51.86 to 52+08.17 L
Temporary Easement containing 0.1 ac. (3008 sq ft), more or less

27'x68' Existing Access Easement

New Control of Access

MSE Wall EE
Existing Control of Access

41st Street

52+08.16 - 50.47' L
End New Control of Access

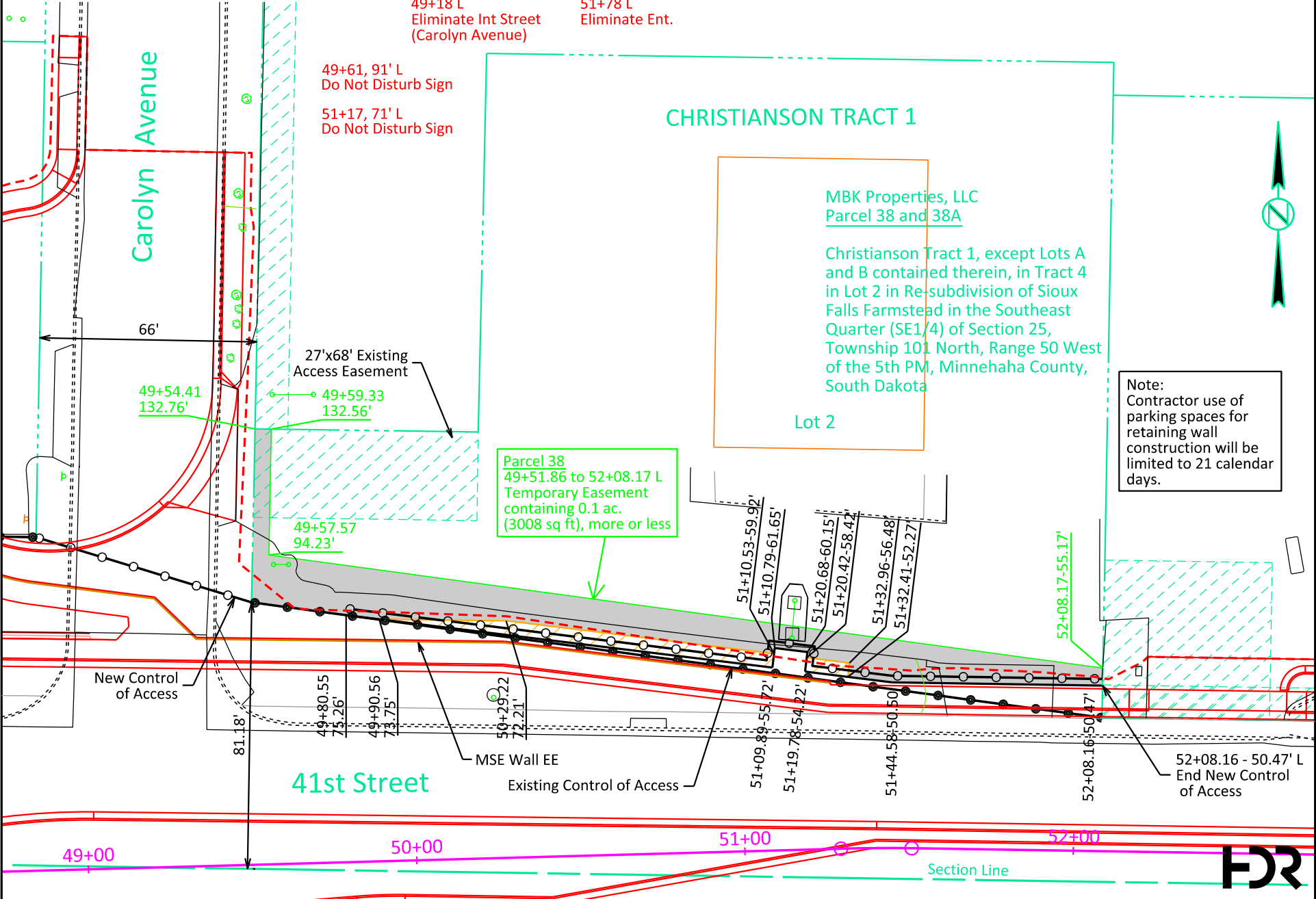
49+00

50+00

51+00

52+00

Section Line



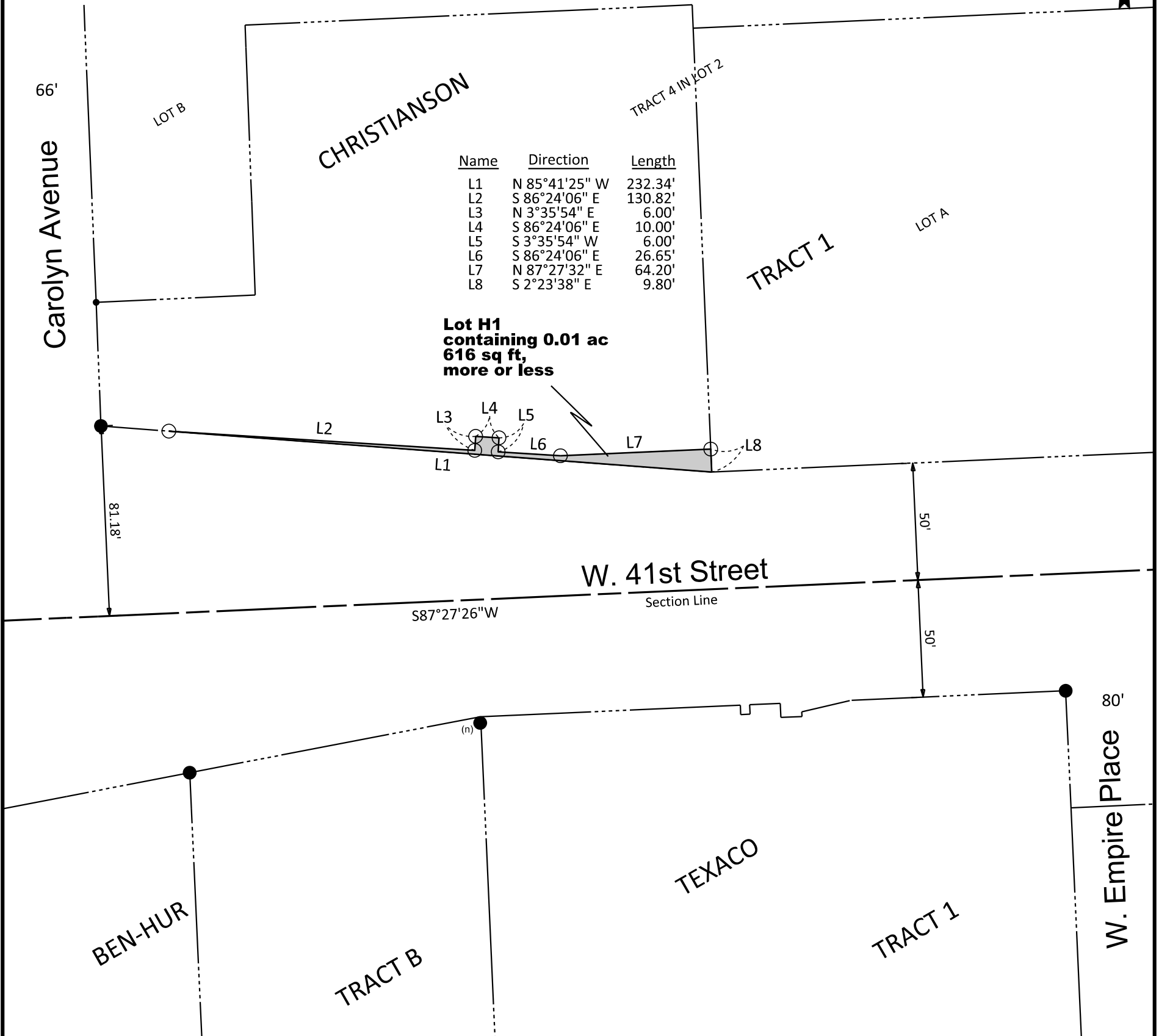
Parcel 38

PLAT OF LOT H1

in Christianson Tract 1, except Lots A and B contained therein, in Tract 4 in Lot 2 in Re-subdivision of Sioux Falls Farmstead in the Southeast Quarter (SE1/4) of Section 25, Township 101 North, Range 50 West of the 5th PM,

MINNEHAHA COUNTY, SOUTH DAKOTA
Showing a parcel of land to be acquired for highway purposes
for construction of Project IM 0293(106)77
Scale: 1 inch = 50 feet

- LEGEND**
- ▨ = existing right of way
 - = found R.O.W. corner
 - = set R.O.W. corner
 - ▲ = found P.L.S.S. corner
 - △ = set P.L.S.S. corner
 - ⊙ = calculated corner
 - = found property corner
 - = set property corner
 - (n) = not used for boundary location



Lot H1 containing 0.01 ac 616 sq ft, more or less

Note 1: The coordinates, bearings, distances and areas shown on this plat are based on the South Dakota State Plane Coordinate System Grid South - South Zone NAD 83/2011 epoch 2010.0 Geoid 12A SF = 0.9984369

Note 2: All monumentation will be set upon project completion.

Prepared by : Brian J. Jensen 6300 S. Old Village Place, Suite 100
Registered Land Surveyor Sioux Falls, SD 57508-2102
Registration No. 8014 Telephone (605)977-7740

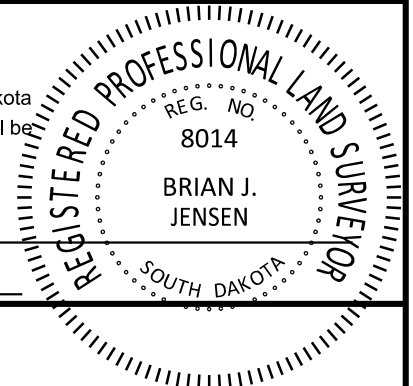
Drawn By B. Miller Date 01-21-2020
Checked By B. Jensen Date 01-21-2020

SURVEYOR'S CERTIFICATE

I, BRIAN J. JENSEN, Registered Land Surveyor, in and for the State of South Dakota, do hereby certify that as ordered by the South Dakota Department of Transportation the parcel of land as shown on this plat has been surveyed at my direction and under my control, and such parcel of land shall be hereafter known by the lot number designated herein. The location and dimensions of the parcel are shown on this plat.

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

Registered Land Surveyor
Registration No. 8014



OFFICE OF REGISTER OF DEEDS

State of South Dakota

County of _____ ss

Filed for record the _____ day of _____, A.D., 20 _____, at _____ M., and recorded in Books of Plats _____ on Page

_____ therein.

Register of Deeds

by

Deputy

Parcel 38A

PLAT OF LOTS PE1 and PE2

in Christianson Tract 1, except Lots A and B contained therein, in Tract 4 in Lot 2 in Re-subdivision of Sioux Falls Farmstead in the Southeast Quarter (SE1/4) of Section 25, Township 101 North, Range 50 West of the 5th PM,

MINNEHAHA COUNTY, SOUTH DAKOTA

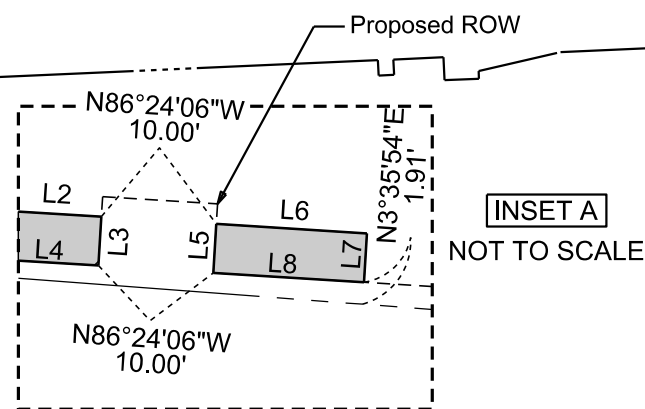
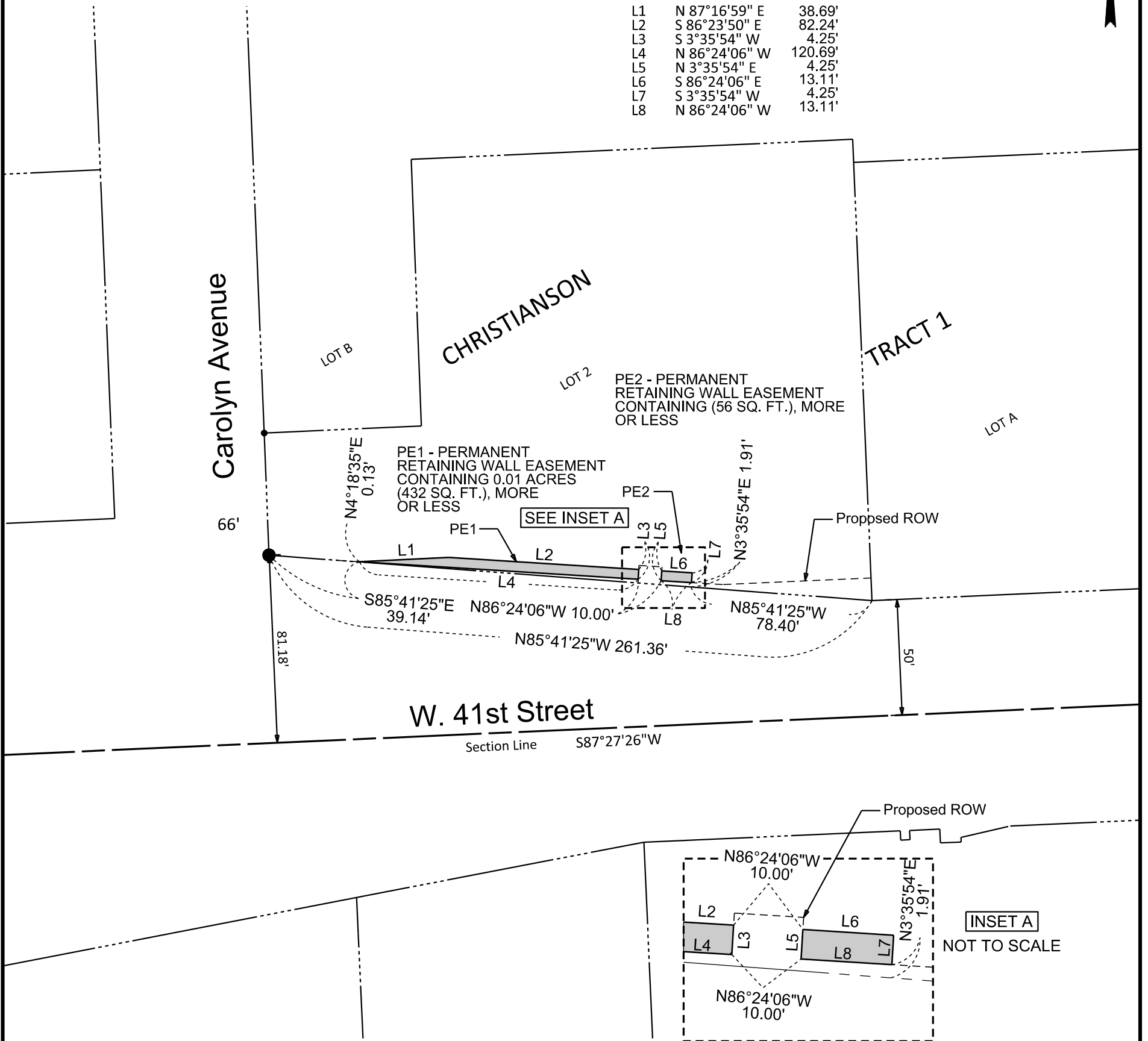
Showing a permanent easement to be acquired for highway purposes for construction of Project IM 0293(106)77

Scale: 1 inch = 50 feet

LEGEND

- ▨ = existing right of way
- = found R.O.W. corner
- = set R.O.W. corner
- ▲ = found P.L.S.S. corner
- △ = set P.L.S.S. corner
- ⊙ = calculated corner
- = found property corner
- = set property corner
- (n) = not used for boundary location

Name	Direction	Length
L1	N 87°16'59" E	38.69'
L2	S 86°23'50" E	82.24'
L3	S 3°35'54" W	4.25'
L4	N 86°24'06" W	120.69'
L5	N 3°35'54" E	4.25'
L6	S 86°24'06" E	13.11'
L7	S 3°35'54" W	4.25'
L8	N 86°24'06" W	13.11'



Note 1: The coordinates, bearings, distances and areas shown on this plat are based on the South Dakota State Plane Coordinate System Grid South - South Zone NAD 83/2011 epoch 2010.0 Geoid 12A SF = 0.9984369

Note 2: All monumentation will be set upon project completion.

Prepared by: Brian J. Jensen 6300 S. Old Village Place, Suite 100
 Registered Land Surveyor Sioux Falls, SD 57508-2102
 Registration No. 8014 Telephone (605)977-7740

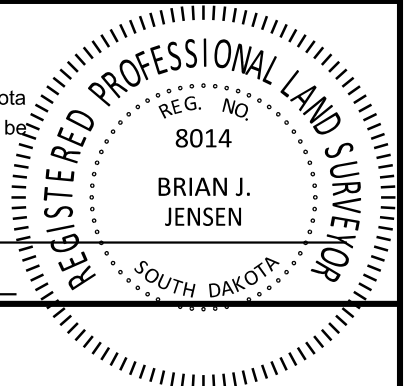
Drawn By B. Miller Date 09-08-2021
 Checked By B. Jensen Date 09-08-2021

SURVEYOR'S CERTIFICATE

I, BRIAN J. JENSEN, Registered Land Surveyor, in and for the State of South Dakota, do hereby certify that as ordered by the South Dakota Department of Transportation the parcel of land as shown on this plat has been surveyed at my direction and under my control, and such parcel of land shall be hereafter known by the lot number designated herein. The location and dimensions of the parcel are shown on this plat.

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

Registered Land Surveyor
 Registration No. 8014



OFFICE OF REGISTER OF DEEDS

State of South Dakota

County of _____ ss

Filed for record the _____ day of _____, A.D., 20____, at _____ M., and recorded in Books of Plats _____ on Page

_____ therein.

Register of Deeds

by

Deputy

STATE OF SOUTH DAKOTA	PROJECT	SHEET	TOTAL SHEETS
	IM 0293(106)77 & P 1400(16) P 1423(07) & P 8050(81)		

Sec. 25-T101N-R50W

FILE: ...\\Parcel 38 ROW Sheet.dgn
PLOTTING DATE: 09-08-2021

REV DATE:
INITIAL:

