



Division of Planning & Engineering  
Office of Right of Way  
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Pierre, South Dakota 57501  
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April 17, 2024

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

RE: April 25, 2024 Transportation Commission Agenda

Dear Mr. Behm:

The following items are recommended for Commission consideration:

1. Request Transportation Commission approval to grant an amended parking lot permanent easement to ZCN, LLC of Deadwood, South Dakota upon the following DOT property:

Lot H2 in Lot 31, Block 33, O.T., City of Deadwood, Lawrence County, South Dakota.

Lot H2 is located in Deadwood on the south side of Pine Street between Hwy 14A and Sherman Street. The property contains a raised driveway over it that provides truck access to the Deadwood Mountain Grand from the Parking area to the East.

DOT previously granted a permanent parking lot easement for Lot H2 to Deadwood City Limits, LLC (dated July 9, 2003 and recorded as Doc. No. 2003-4969). ZCN, LLC is the successor in interest to Deadwood City Limits, LLC.

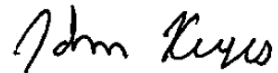
The 2003 easement failed to identify the real property to which the easement granted therein is appurtenant, and the parties desire to correct and amend the easement to identify the property described below as the real property to which the easement granted therein is appurtenant (the "**Benefitted Property**"):

Lot A, being a Subdivision of the Lawrence County Courthouse Lot, located in the Southeast Quarter of Section 22 and the Southwest Quarter of Section 23, Township 5 North, Range 3 East, B.H.M., Original Town, City of Deadwood, Lawrence County, South Dakota, according to the Plat recorded as Plat Document No. 2003-1444.

ZCN, LLC accepts future liability and financial responsibility for the parking lot permanent easement.

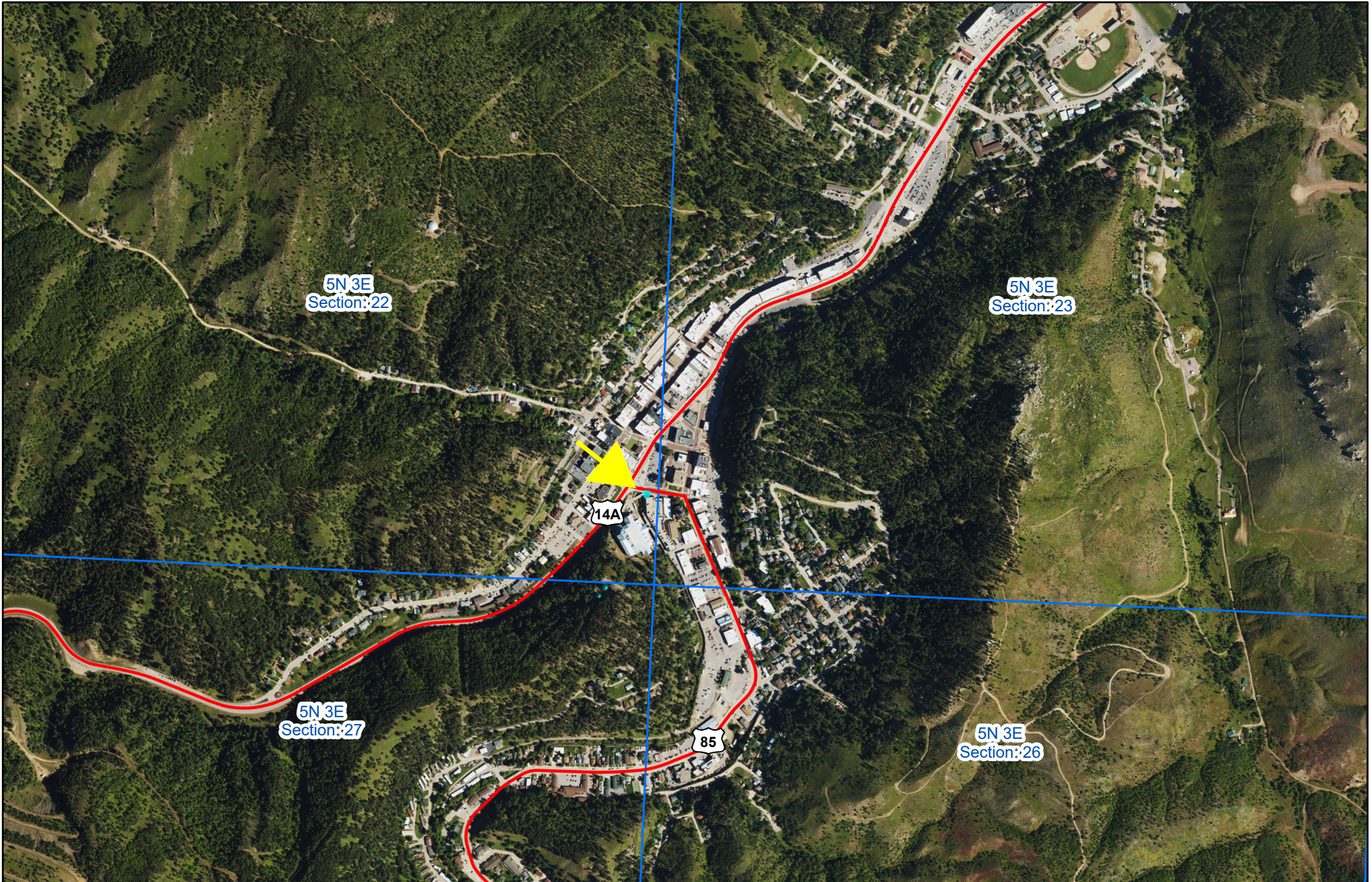
2. Request Transportation Commission approval to abandon by resolution the temporary easements on Brown County Project NH 0012(289)289, PCN 04PF.
3. Request Transportation Commission approval to abandon by resolution the temporary easements on McCook County Project ER-P 0038(52)330, PCN 07N9.
4. Request Transportation Commission approval to abandon by resolution the temporary easements on Tripp County Project NH 0018(193)252, PCN 04FD.

Sincerely,

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

John Keyes  
Program Manager

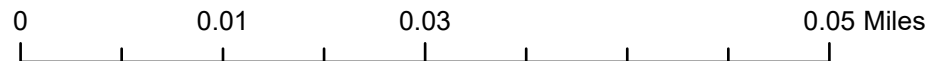
# ROW Item #1 Overview Map



# Proposed Permanent Easement - City of Deadwood



 Section Line



93-6322

93-6322

X

PARCEL NO. 17

**PLAT OF LOT H2**

SHOWING A TRACT OF LAND TO BE ACQUIRED FOR HIGHWAY PURPOSES IN  
 LOT 31, BLOCK 33, Q.T. CITY OF DEADWOOD,  
 SW 1/4 SW 1/4, SECTION 23, T5N R3E, B.H.M.  
 FOR CONSTRUCTION OF PROJECT NO. NH 0085(00)27

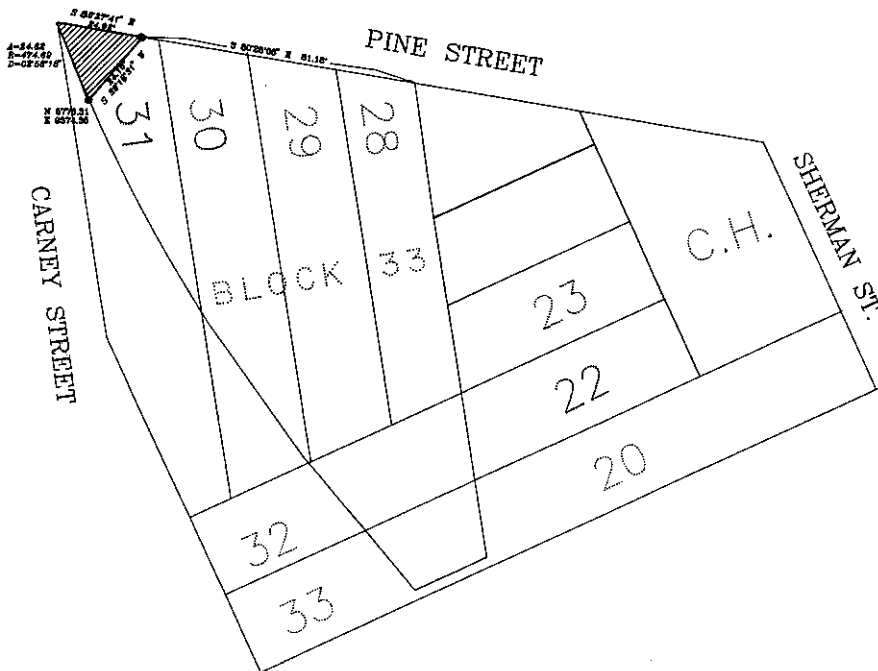
LAWRENCE COUNTY, SOUTH DAKOTA  
 SCALE: 1" = 20'

LOT H2  
 CONTAINING 283.35 SQ. FT.  
 more or less

BASIS OF BEARING  
 DEADWOOD COORDINATE  
 SYSTEM.



• CORNER SET THIS SURVEY.



DRAWN BY E. MUEHLFELDER DATE 7-28-89  
 CHECKED BY DATE

**SURVEYOR'S CERTIFICATE**

I, JOHN M. ARBLETH, REGISTERED LAND SURVEYOR, IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT AS ORDERED BY THE SOUTH DAKOTA STATE TRANSPORTATION COMMISSION THE TRACT OF LAND AS SHOWN ON THIS PLAT HAS BEEN SURVEYED AT MY DIRECTION AND UNDER MY CONTROL, AND SUCH TRACT OF LAND SHALL BE HEREAFTER KNOWN BY THE LOT NUMBER DESIGNATED HEREIN. THE LOCATION AND DIMENSIONS OF THE TRACT ARE SHOWN ON THIS PLAT.

IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL THIS 29th DAY OF DECEMBER, A.D., 1993

*John M. Arbleth*  
 REGISTERED LAND SURVEYOR  
 REGISTRATION NO. 3577

**OFFICE OF REGISTER OF DEEDS**

STATE OF SOUTH DAKOTA  
 COUNTY OF Lawrence SS  
 FILED FOR RECORD THE 30th DAY OF December, A.D., 1993, AT 2:42 P.M., AND RECORDED IN BOOKS OF PLATS No. 93-6322  
 ON PAGE THEREIN.

REGISTER OF DEEDS *John A. Mendenhall* BY *John A. Mendenhall* DEPUTY