

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

November 6, 2018

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

RE: November 15, 2018 Transportation Commission Agenda:

Dear Mr. Behm:

The following items are recommended for Commission consideration:

1. Condemnation – PH 0037(139)11, PCN 04HJ, Bon Homme County

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 24, 26, and 27 – Terry & Lisa Balvin

To date, the Department of Transportation has been unable to acquire the real property interests through negotiations for the project PH 0037(139)11, PCN 04HJ, Bon Homme County, SD37 - From N of Springfield to SD50 Shoulder Widening, Culvert Extensions, Pipe Work, Replace Structure (RCBC). (See Attachments)

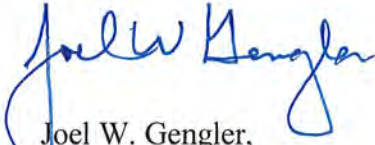
2. Condemnation – IM-FP-PH 2292(06)4, PCN 4778, Minnehaha County

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:

Parcel 6 – BNSF Railway Company, aka Burlington Northern Santa Fe Railway et. al.; James E Bruce III and Micki Bruce, Steve and Beri Bruce, Robert Scott Bruce and Gloria Bruce, Dave Jonathan Bruce and Terri Bruce, Collette McClung, Monica Anderson, Barry Burke, Shannon Burke and Richard Roske, Kelli Hedrick, Chad Shane Minckler, Ryan Edward Minckler, Sarah Colleen Minckler, and other unknown parties.

To date, the Department of Transportation has been unable to acquire the real property interests through negotiations and due to possible title concerns regarding reversionary interests of the property for the project IM-FP-PH 2292(06)4, PCN 4778, Minnehaha County, I229 - Exit 5 (26th St. Interchange/Yeager Rd) in Sioux Falls, Interchange Improvement. (See Attachments)

Sincerely,



Joel W. Gengler,
Program Manager

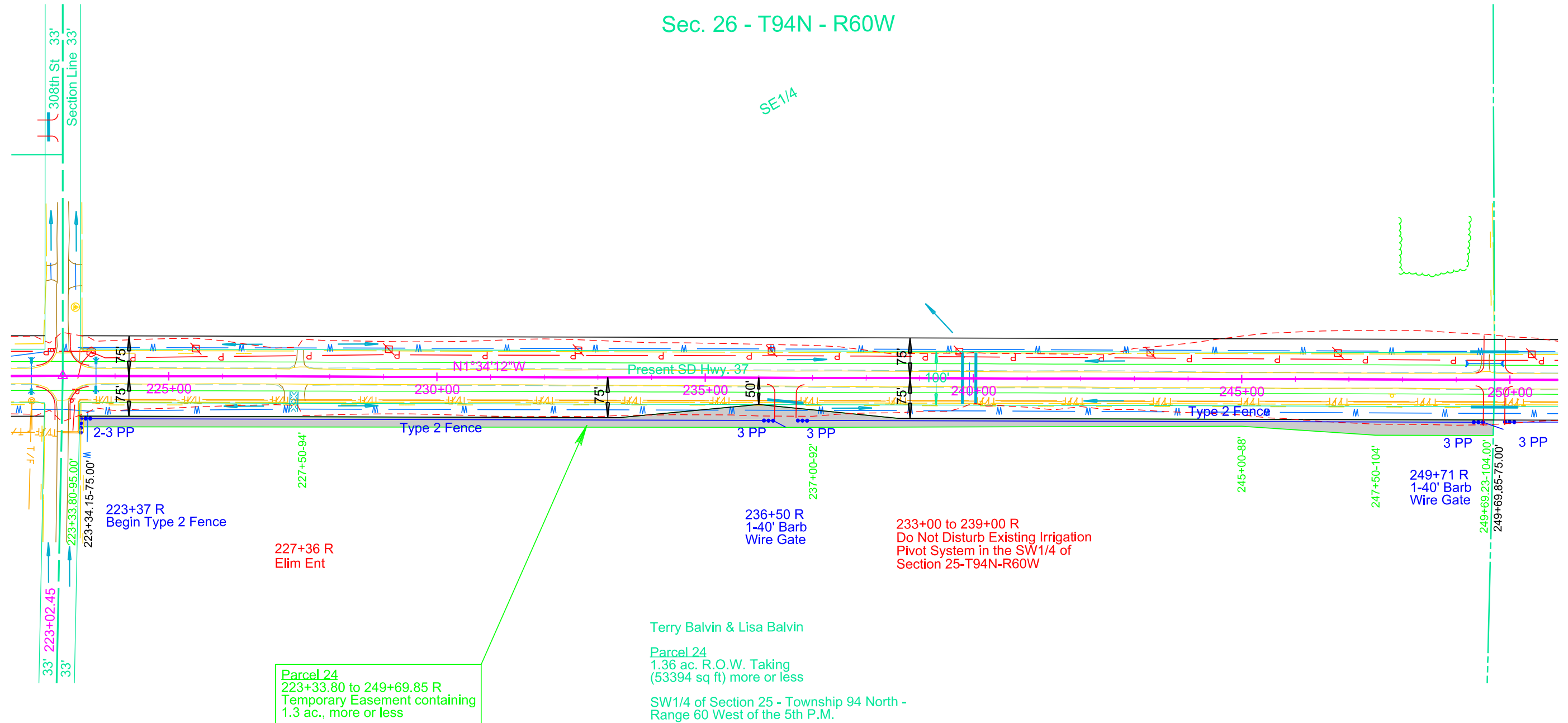
STATE OF SOUTH DAKOTA	PROJECT	SHEET	TOTAL SHEETS
	PH 0037(139)11		

Item #1



SE1/4

Sec. 25 - T94N - R60W



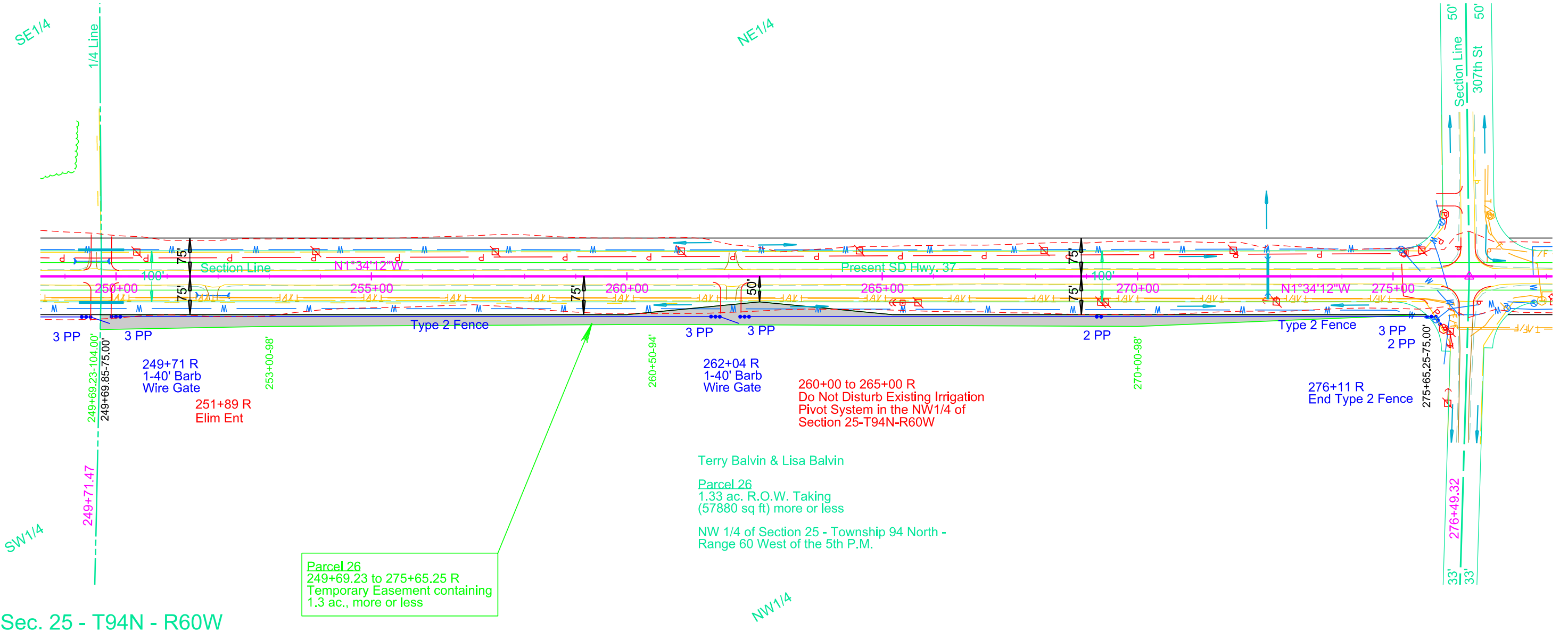
File - ... \04HJ Parcel 24.dgn

Plot Scale - 1:200

Plotted From - Johnson

STATE OF SOUTH DAKOTA	PROJECT	SHEET	TOTAL SHEETS
	PH 0037(139)11		

Item #1



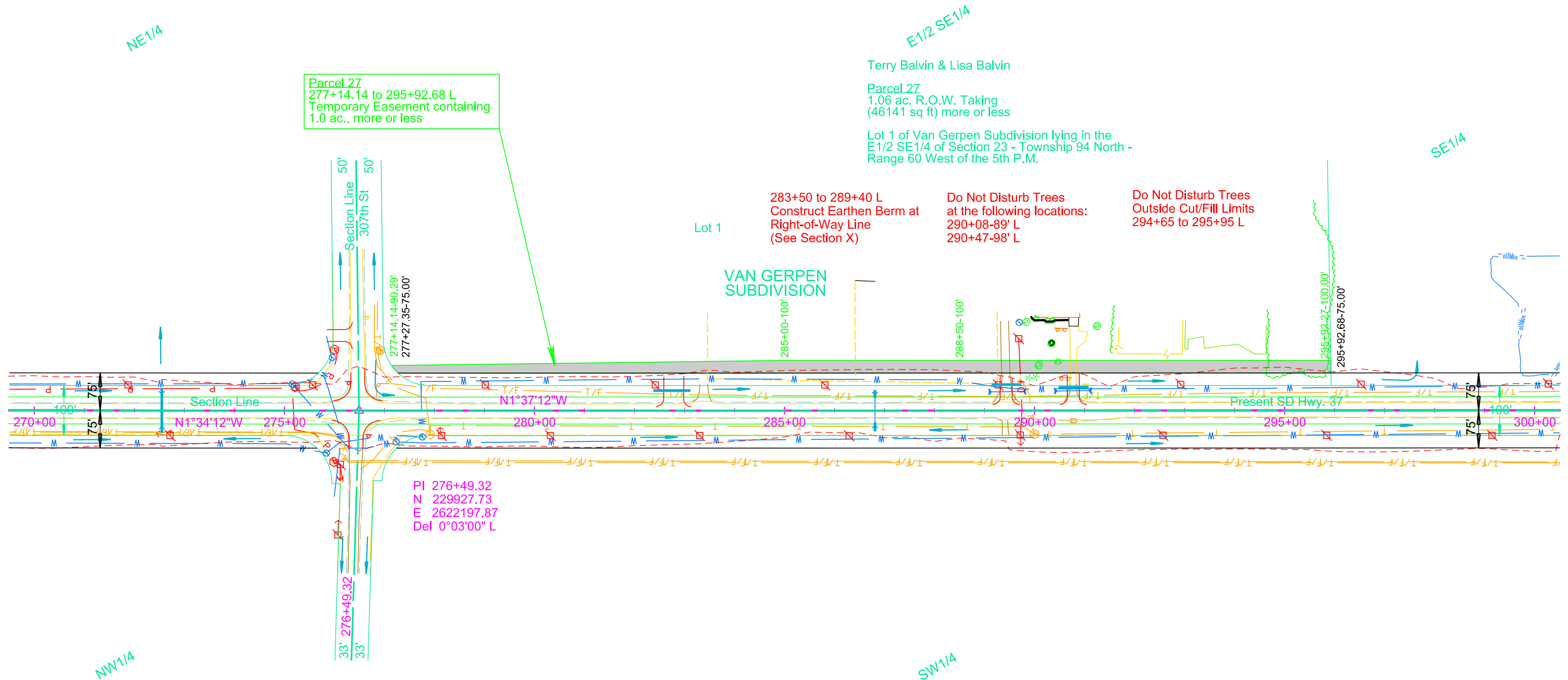
Sec. 25 - T94N - R60W

Plot Scale - 1:200

Plotted From - Johnson

11/7/2018

Item #1



Sec. 24 - T94N - R60W

File - ... \04HJ Parcel 27.dgn

Parcel 24

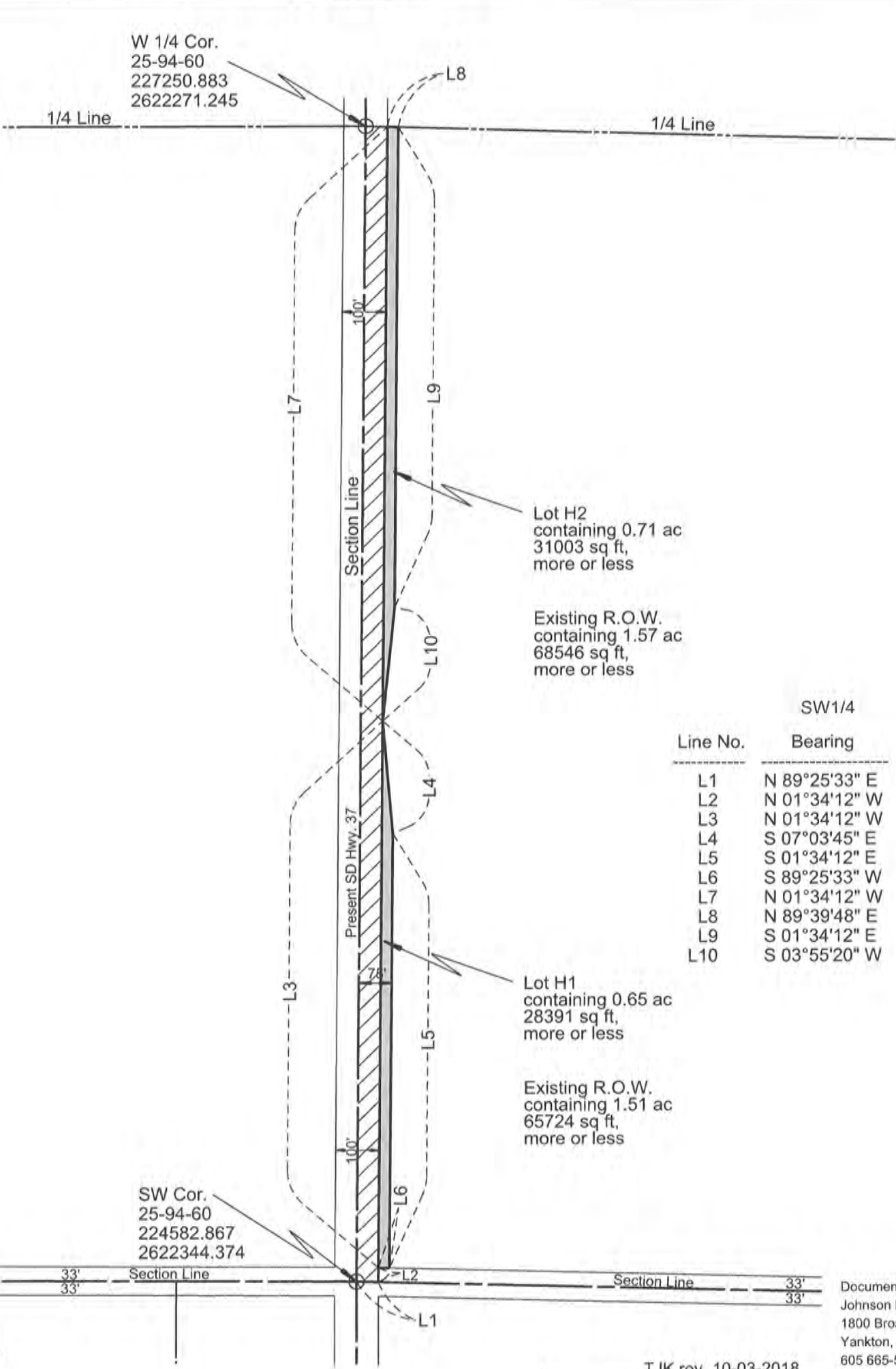
Attachment B

PLAT OF LOT H1
PLAT OF LOT H2

Showing a parcel of land to be acquired for highway purposes in
the SW1/4 of Section 25 - Township 94 North -
Range 60 West of the 5th P.M.
BON HOMME COUNTY, SOUTH DAKOTA

for construction of Project PH 0037(139)11
Scale: 1 inch = 300 feet

- LEGEND
- ▨ = existing right of way
 - = found corner
 - (n) ● = found corner (not used)
 - = set corner
- All monumentation will be set upon project completion



Note: The coordinates, distances and areas shown on this plat are based on the South Dakota State Plane coordinate System - South Zone NAD 1983(2011) epoch 2010.00 Geoid 12A SF = 0.9999173631

TJK rev. 10-03-2018
Document Prepared by :
Johnson Engineering Co.
1800 Broadway Ave.
Yankton, SD 57078
605 665-5571
Drawn By TJK Date 03-30-2017
Checked By LAJ Date 05-2017

SURVEYOR'S CERTIFICATE

I, Travis J. Kropuenske, 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 11TH day of OCTOBER, A.D., 20 18.

Travis J. Kropuenske
Registered Land Surveyor
Registration No. 6841



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

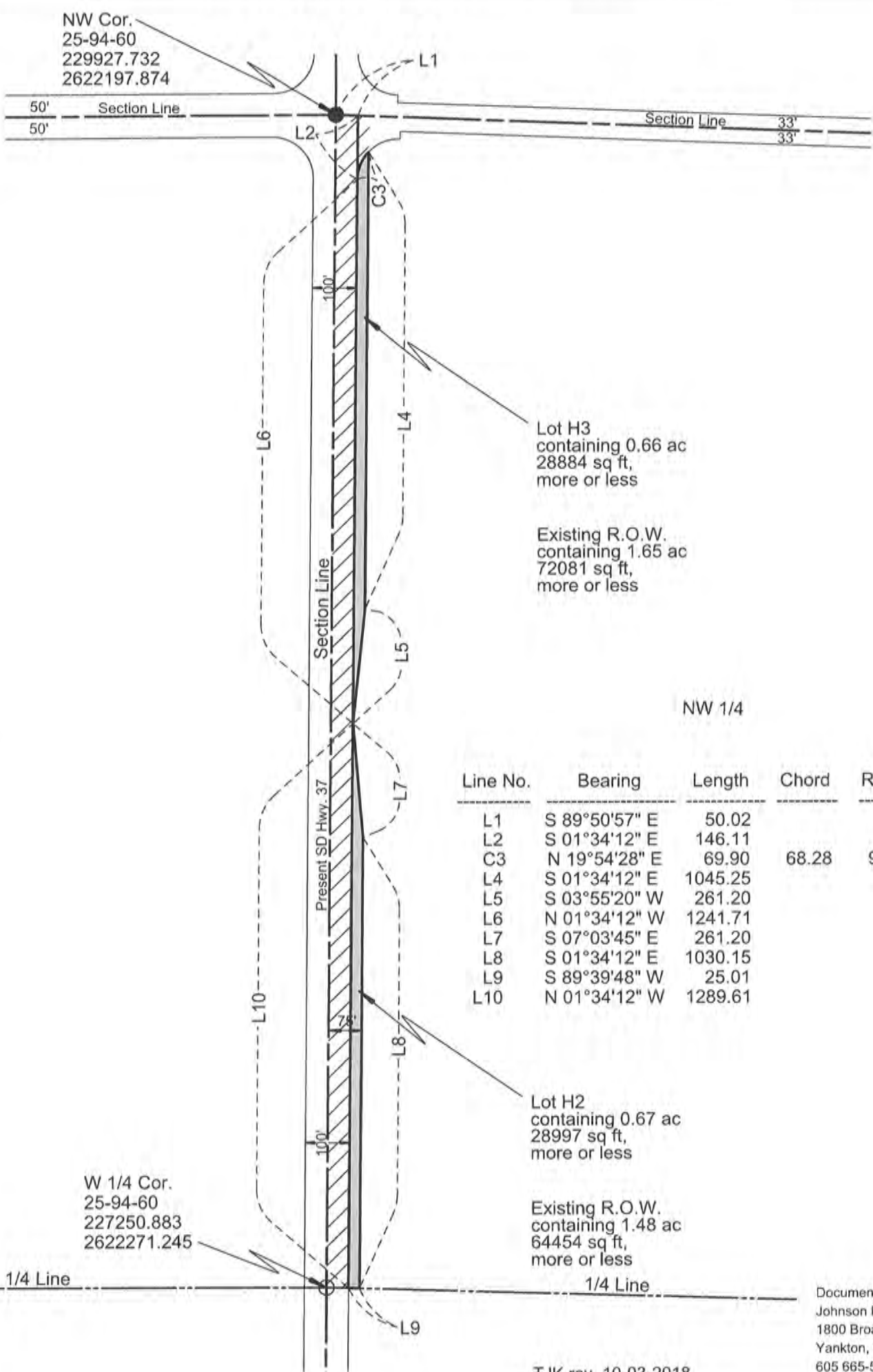
Parcel 26

Attachment B

PLAT OF LOT H2
PLAT OF LOT H3

Showing a parcel of land to be acquired for highway purposes in
the NW1/4 of Section 25 - Township 94 North - Range 60 West of the 5th P.M.
BON HOMME COUNTY, SOUTH DAKOTA
for construction of Project PH 0037(139)11
Scale: 1 inch = 300 feet

- LEGEND
- = existing right of way
 - = found corner
 - = found corner (not used)
 - = set corner
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Register of Deeds _____ by _____ Deputy

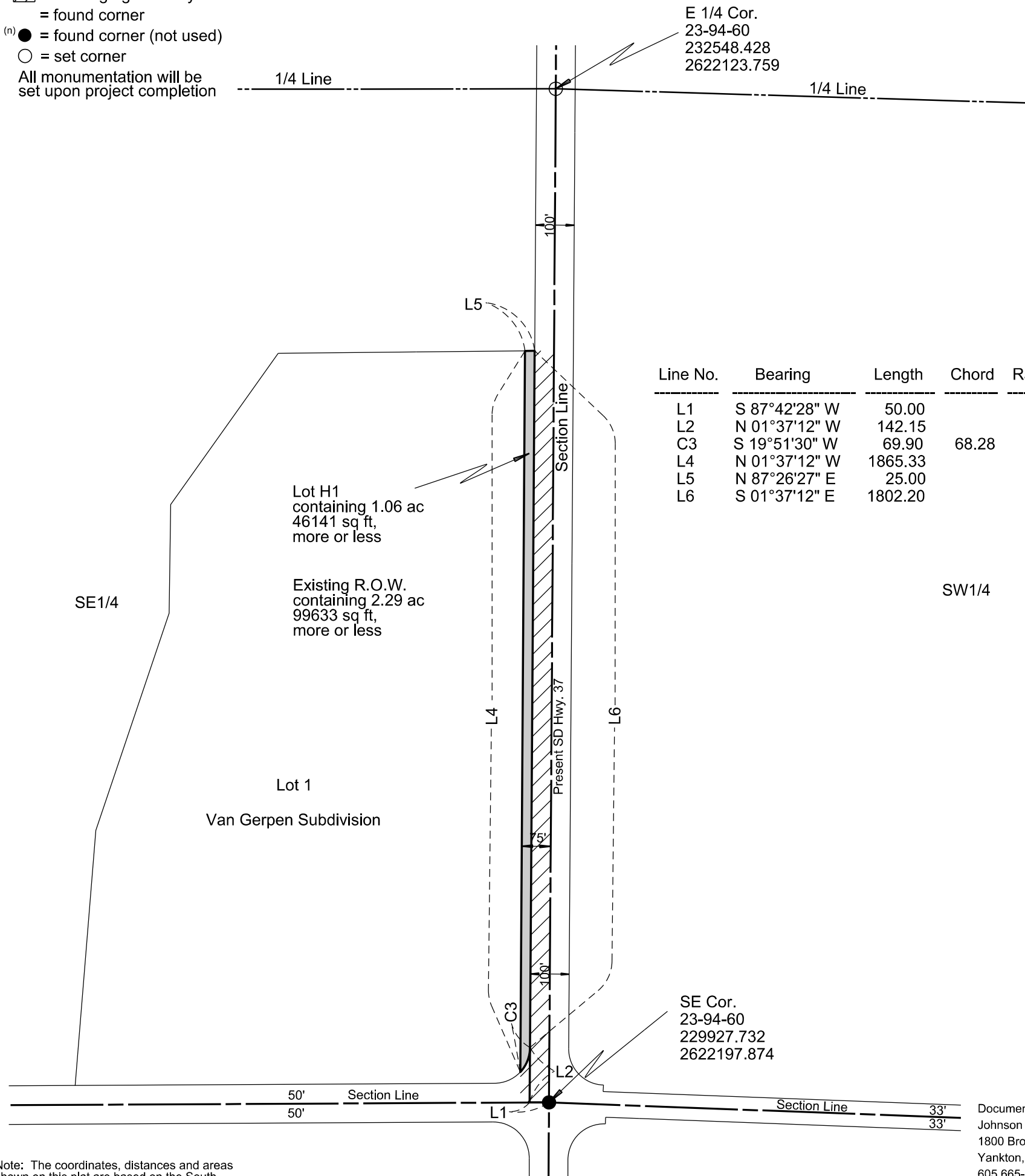
Parcel 27

Attachment B PLAT OF LOT H1

Showing a parcel of land to be acquired for highway purposes in
Lot 1 of Van Gerpen Subdivision lying in the
E1/2 SE1/4 of Section 23 - Township 94 North - Range 60 West of the 5th P.M.
BON HOMME COUNTY, SOUTH DAKOTA

for construction of Project PH 0037(139)11
Scale: 1 inch = 300 feet

LEGEND
▨ = existing right of way
= found corner
(n) ● = found corner (not used)
○ = set corner
All monumentation will be set upon project completion



Note: The coordinates, distances and areas shown on this plat are based on the South Dakota State Plane coordinate System - South Zone NAD 1983 epoch 2011 Geoid 12 SF = 0.9999173631

Document Prepared by :
Johnson Engineering Co.
1800 Broadway Ave.
Yankton, SD 57078
605 665-5571

Drawn By TJK Date 04-04-2017
Checked By LAJ Date _____

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

Registered Land Surveyor
Registration No. 6841

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.

Plotting Date: 5/30/2017
Flown Data: FSA 2016
Photo Not to Scale

Item #1

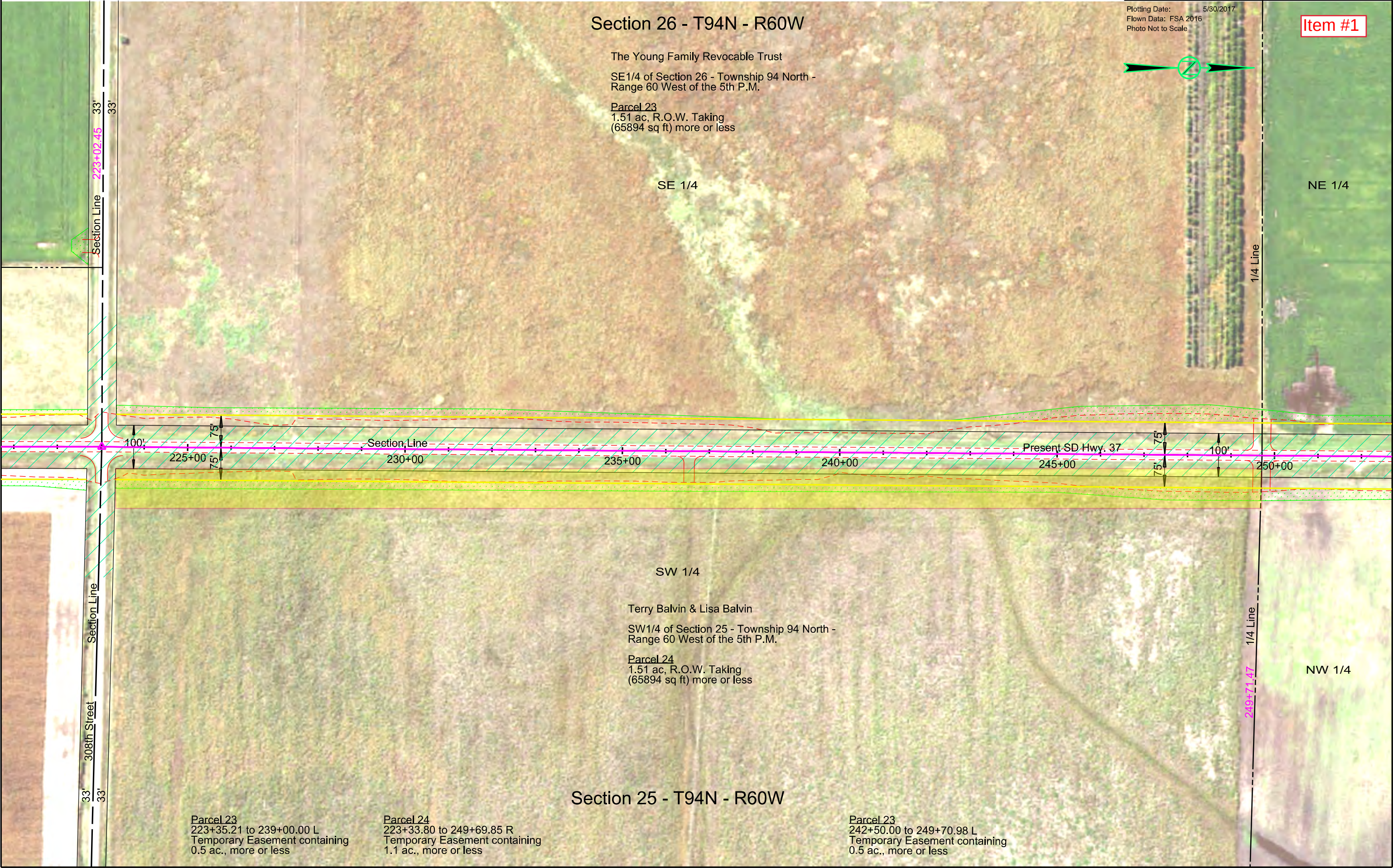
Section 26 - T94N - R60W

The Young Family Revocable Trust
SE1/4 of Section 26 - Township 94 North -
Range 60 West of the 5th P.M.

Parcel 23
1.51 ac, R.O.W. Taking
(65894 sq ft) more or less

SE 1/4

NE 1/4



SW 1/4

Terry Balvin & Lisa Balvin
SW1/4 of Section 25 - Township 94 North -
Range 60 West of the 5th P.M.

Parcel 24
1.51 ac, R.O.W. Taking
(65894 sq ft) more or less

NW 1/4

Section 25 - T94N - R60W

Parcel 23
223+35.21 to 239+00.00 L
Temporary Easement containing
0.5 ac., more or less

Parcel 24
223+33.80 to 249+69.85 R
Temporary Easement containing
1.1 ac., more or less

Parcel 23
242+50.00 to 249+70.98 L
Temporary Easement containing
0.5 ac., more or less

STATE OF SOUTH DAKOTA	PROJECT	SHEET	TOTAL SHEETS
	PH 0037(139)11	12	20

Plotting Date: 7/11/2017
Flown Data: FSA 2016
Photo Not to Scale

Item #1

Section 26 - T94N - R60W

Kenneth Becvar
NE1/4 of Section 26 - Township 94 North -
Range 60 West of the 5th P.M.
Parcel 25
1.48 ac, R.O.W. Taking
(64421 sq ft) more or less

NE1/4

NW1/4

Terry Balvin & Lisa Balvin
NW1/4 of Section 25 - Township 94 North -
Range 60 West of the 5th P.M.
Parcel 26
1.48 ac, R.O.W. Taking
(64380 sq ft) more or less

Section 25 - T94N - R60W

Parcel 26
249+69.23 to 275+65.25 R
Temporary Easement containing
1.2 ac., more or less

Parcel 25
249+70.78 to 275+97.07 L
Temporary Easement containing
1.2 ac., more or less



Plotting Date: 6/8/2017
Flown Data: FSA 2016
Photo Not to Scale

Item #1



Section 23 - T94N - R60W

Terry Balvin & Lisa Balvin

Lot 1 of Van Gerpen Subdivision lying in the
E1/2 SE1/4 of Section 23 - Township 94 North -
Range 60 West of the 5th P.M.

Parcel 27
1.06 ac, R.O.W. Taking
(46141 sq ft) more or less

Two Diamonds, LLC

SE1/4 of Section 23 - Township 94 North -
Range 60 West of the 5th P.M., except
Lot 1 of Van Gerpen Subdivision therein

Parcel 28
0.39 ac, R.O.W. Taking
(16942 sq ft) more or less

LOT 1

VAN GERPEN SUBDIVISION

NE 1/4

SE 1/4

1/4 Line

Section Line

Present SD Hwy. 37

275+00

280+00

285+00

290+00

295+00

300+00

305+00

SW 1/4

Lawrence and Karen Becvar Family Trust

SW1/4 of Section 24 - Township 94 North -
Range 60 West of the 5th P.M.

Parcel 29
1.45 ac, R.O.W. Taking
(63125 sq ft) more or less

NW 1/4

1/4 Line

Section 24 - T94N - R60W

Parcel 27
276+97.07 to 295+92.68 L
Temporary Easement containing
1.0 ac., more or less

Parcel 29
277+11.72 to 302+69.31 R
Temporary Easement containing
1.1 ac., more or less

Parcel 28
295+92.27 to 298+50.00 L
Temporary Easement containing
0.1 ac., more or less

302+74.06

Section Line 50' 50'

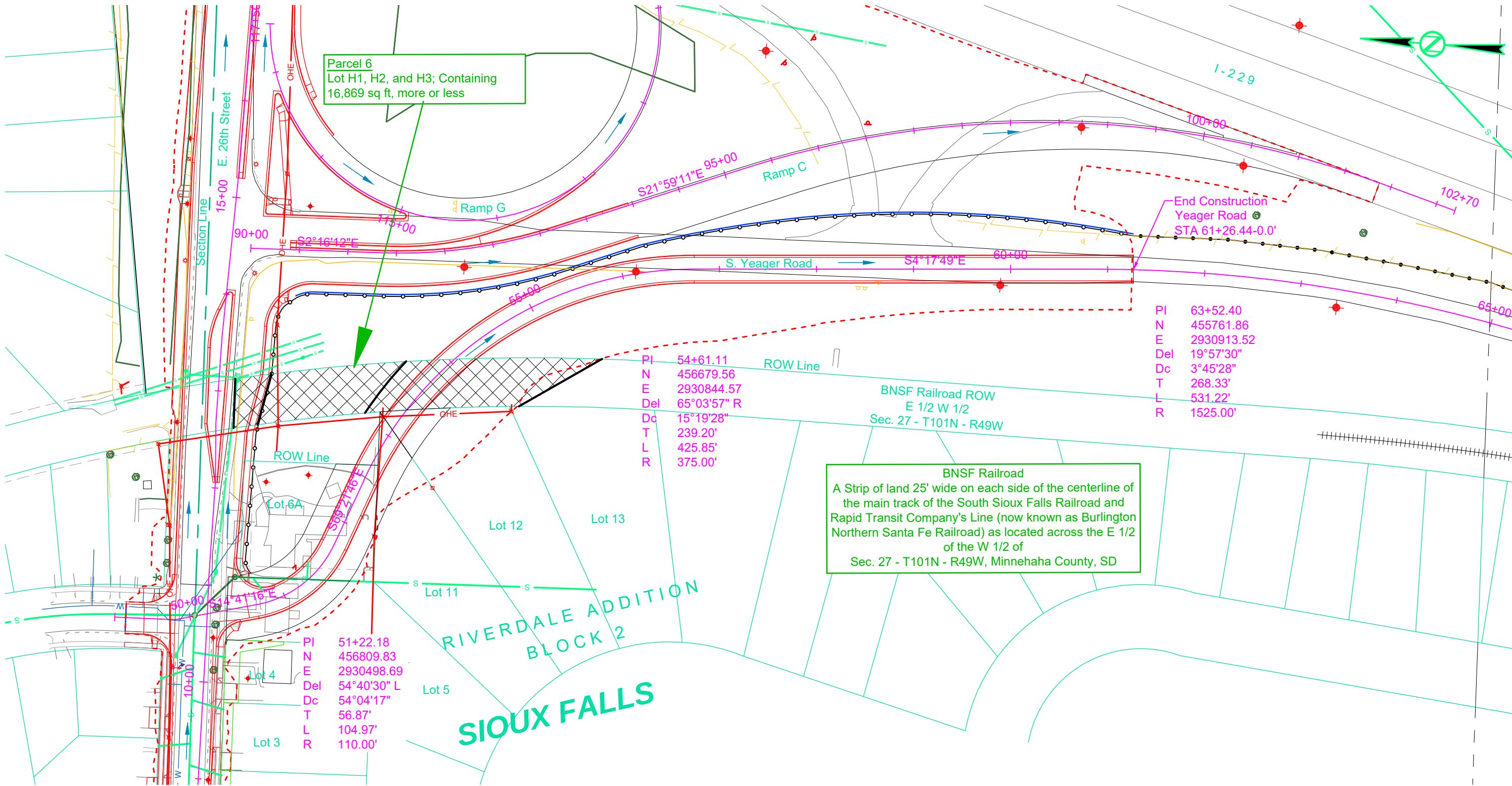
Section Line

33' 307th Street 33'

ATTACHMENT A

STATE OF SOUTH DAKOTA	PROJECT	SHEET NO.	TOTAL SHEETS
	IM-FP 2292(06)5 & PH 0229(05)4	1	1

Item #2



Attachment B

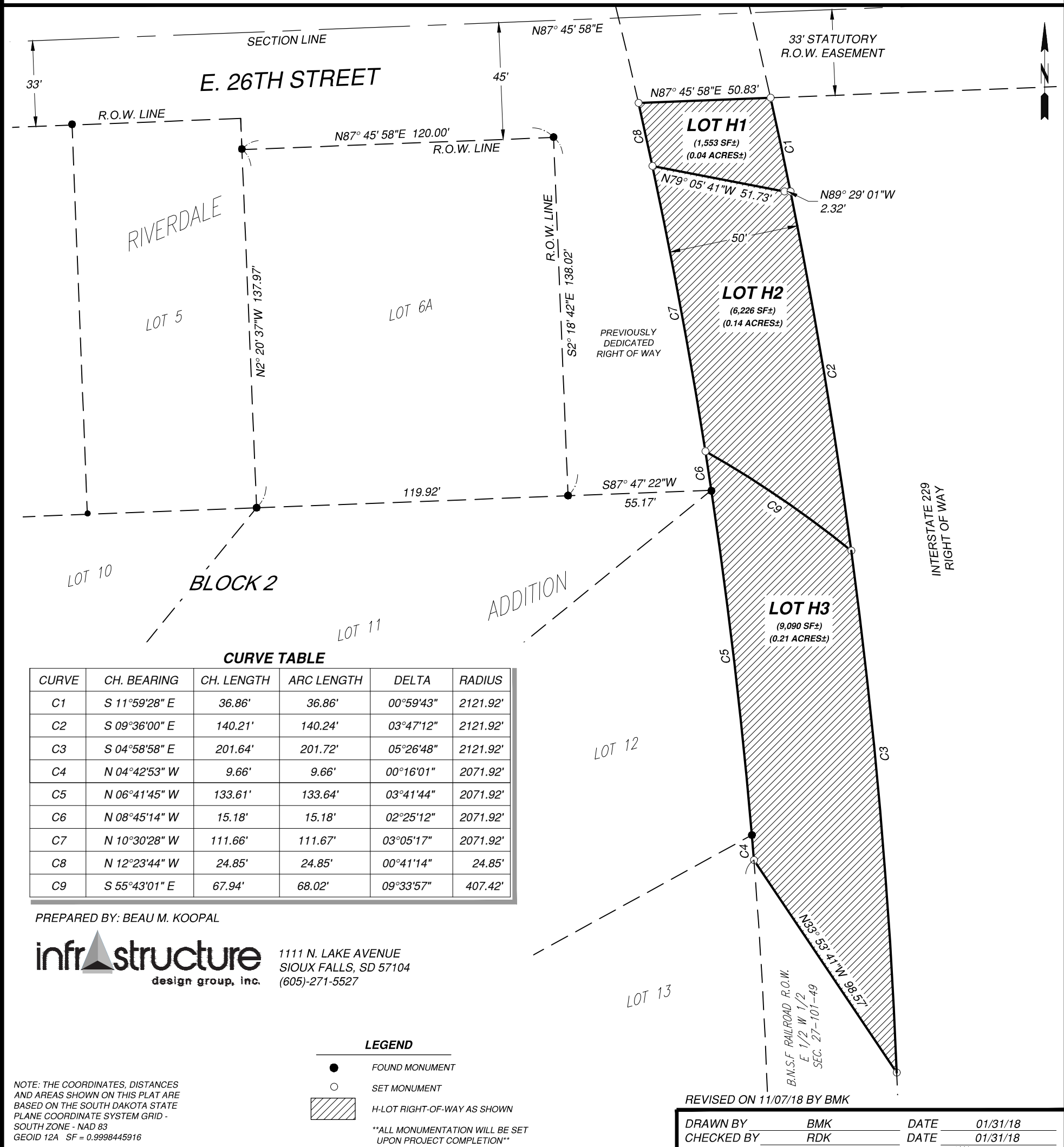
PARCEL 6

PLAT OF LOT H1, LOT H2 AND LOT H3

IN A STRIP OF LAND TWENTY-FIVE FEET WIDE ON EACH SIDE OF THE CENTERLINE OF THE MAIN TRACK OF THE SOUTH SIOUX FALLS RAILROAD AND RAPID TRANSIT COMPANY'S LINE (NOW KNOWN AS BURLINGTON NORTHERN SANTA FE RAILROAD) AS LOCATED ACROSS THE E 1/2 OF THE W 1/2 OF SECTION 27, TOWNSHIP 101 NORTH, RANGE 49 WEST OF THE 5TH P.M., MINNEHAHA COUNTY, SOUTH DAKOTA

showing parcels of land to be acquired for highway purposes
for construction of Project IM-FP 2292(06)5
SCALE: 1 INCH = 40 FEET

Item #2



Item #2

