

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

January 24, 2019

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

RE: January 31, 2019 Transportation Commission Agenda

Dear Mr. Behm:

The following items are recommended for Commission consideration:

1. Abandonment – Brown County

This resolution will abandon the temporary easements on Brown County Project P 0011(79), PCN 040Q.

2. Abandonment – Codington County

This resolution will abandon the temporary easements on Codington County Project NH 0081(105)155, PCN 04YQ.

3. Abandonment – Stanley County

This resolution will abandon the temporary easements on Stanley County Project NH 0083(09)118, PCN 6171.

4. Abandonment – Yankton County

This resolution will abandon the temporary easements on Yankton County Project NH 0050(125)379, PCN 05YM.

5. Condemnation – P 0037(128)125, PCN 0271, Beadle 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 A42 – Scott Rudloff, owner et.al.; (and Gary Rudloff, and D.R. and S.R., minor children, parties of interest)

To date, the Department of Transportation has been unable to acquire the real property interests through negotiations for the project P 0037(128)125, Beadle County, PCN 0271, SD37 - through Huron; Urban Grading & PCC Surfacing, Lighting, and Intersection Improvements. (See Attachments)

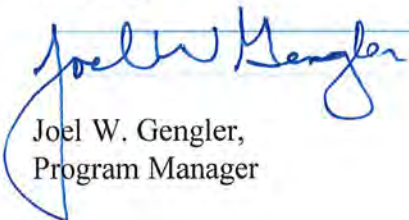
6. Amend Condemnation – IM-FP-PH 2292(06)4, PCN 4778, Minnehaha County

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.

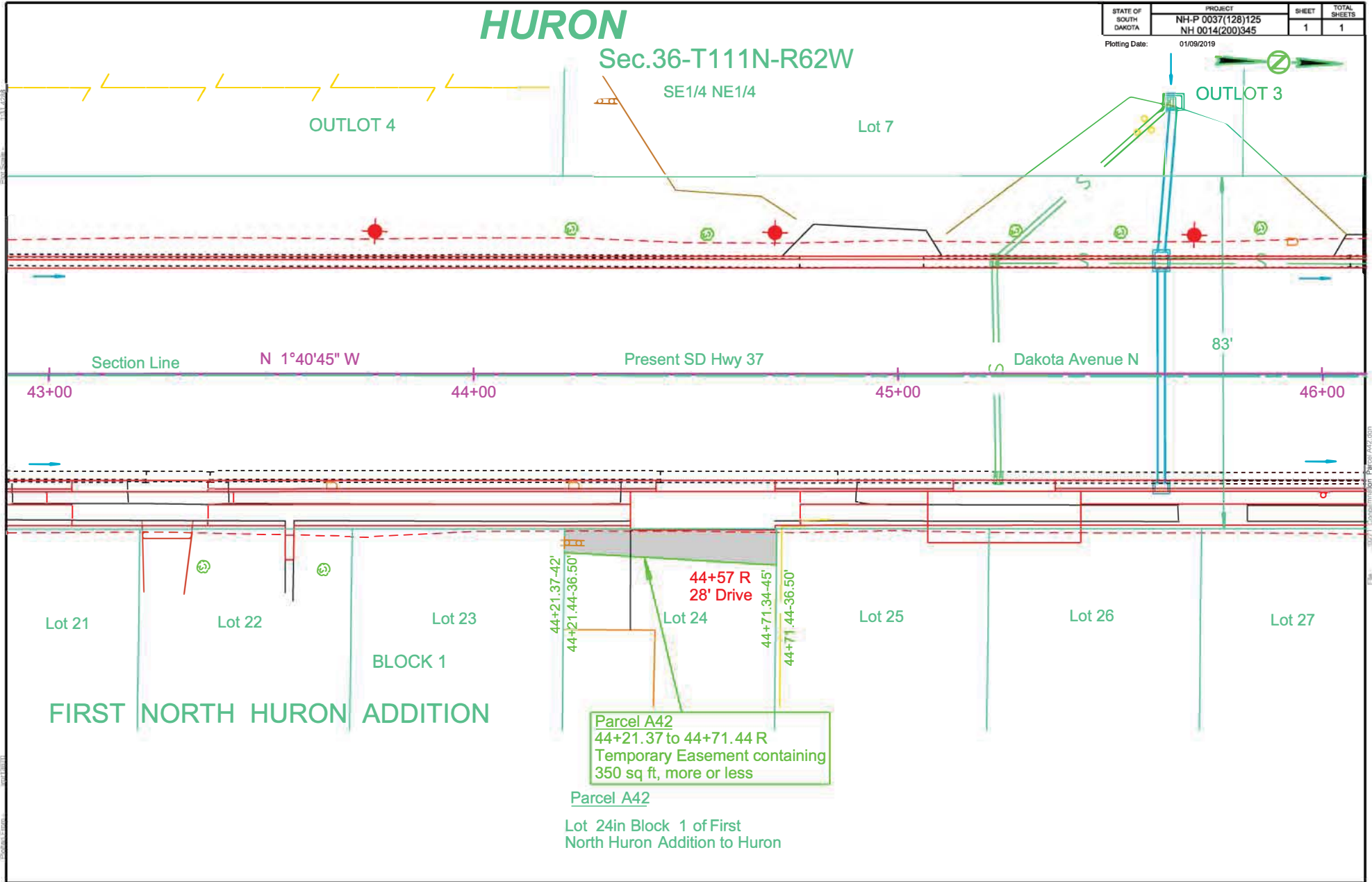
This amendment to the condemnation will correct and clarify the legal description of the property. To date, the Department of Transportation has been unable to acquire the real property interests through negotiations and due to possible title concerns regarding reversionary interests of the property 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

Attachment A



Plotting Date: 09/13/2017 Revised Date: 09/13/2017 CLS
 Flown Date: 11-1-09
 Photo Not to Scale

Item #5

HURON

Sec. 36 - T111N - R62W

City of Huron
(INFORMATION ONLY)

City of Huron

Lot 7 of Outlot 3 of the Plat of Outlot 1 and Outlot 2 of the
 NE1/4 NE1/4 and Outlot 3 and Outlot 4 of the SE1/4 NE1/4 of
 Section 36 - Township 111 North - Range 62 West of the 5th P.M.

Parcel A36

Lot 7

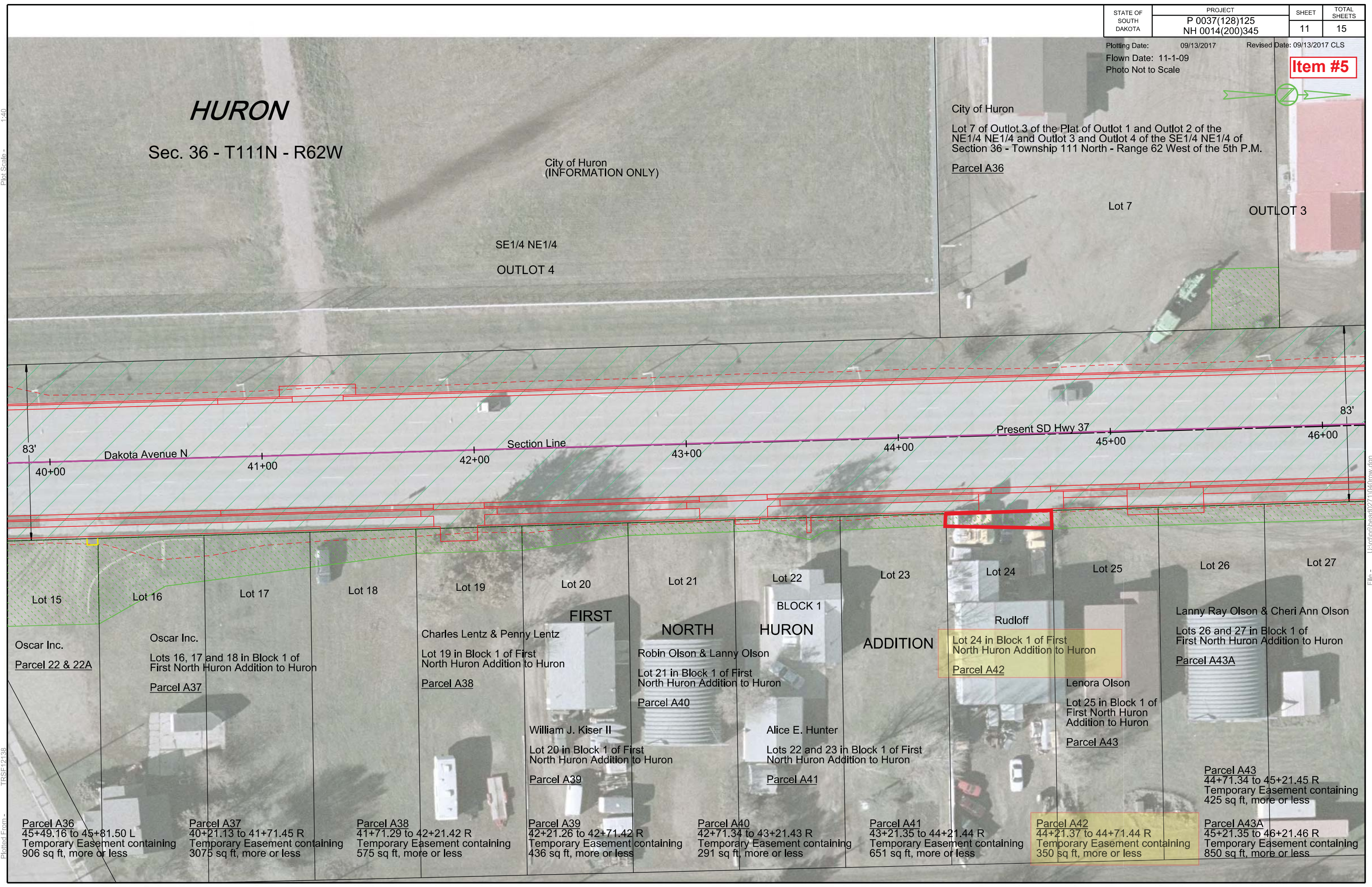
OUTLOT 3

SE1/4 NE1/4
 OUTLOT 4

Plot Scale - 1:40

Plotted From - TRSE12138

File - U:\trc\proj\bead02710\40row.dgn



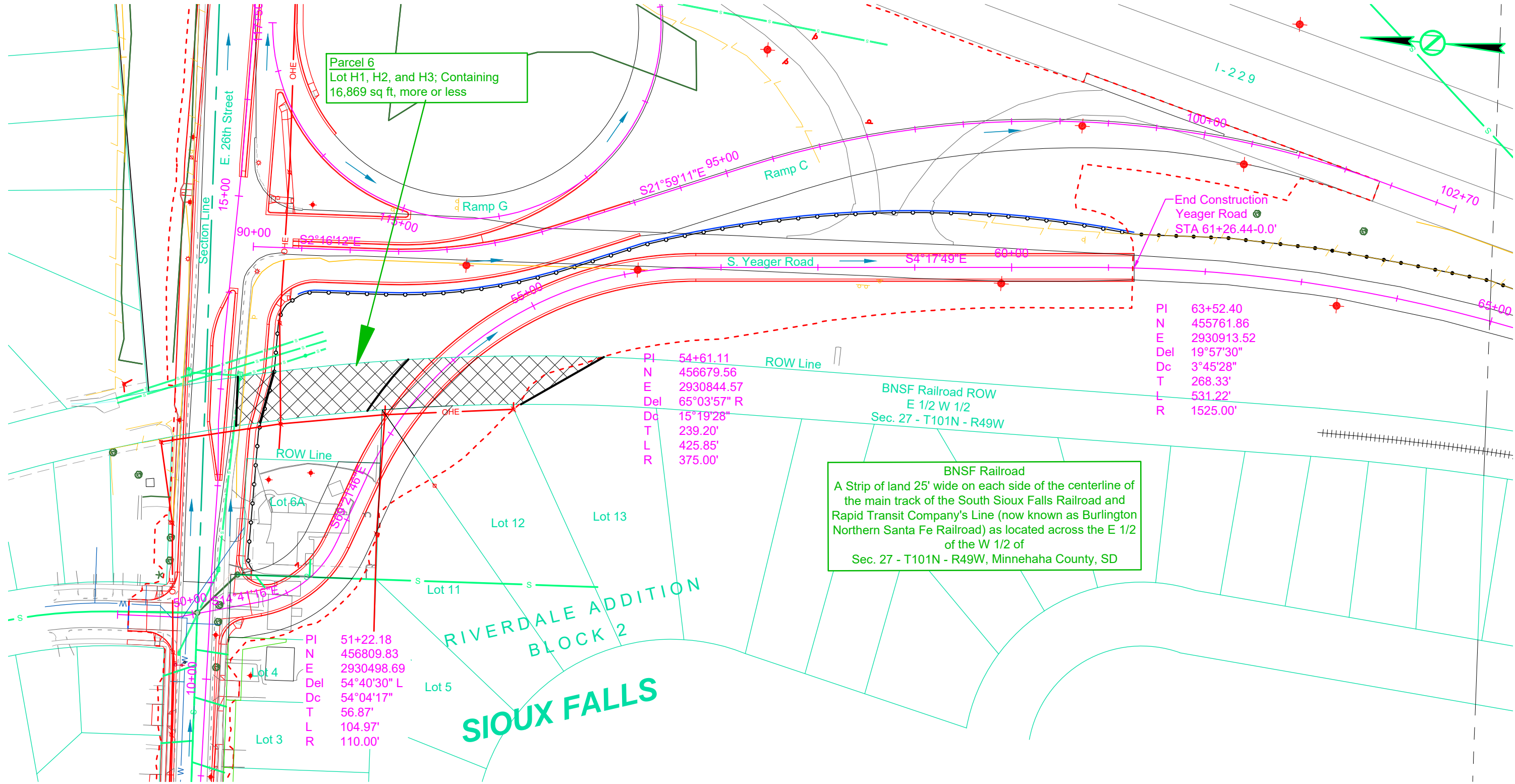
83' 40+00 Dakota Avenue N 41+00 42+00 Section Line 43+00 44+00 Present SD Hwy 37 45+00 46+00 83'

Lot 15 Oscar Inc. Parcel 22 & 22A	Lot 16 Oscar Inc. Lots 16, 17 and 18 in Block 1 of First North Huron Addition to Huron Parcel A37	Lot 17	Lot 18	Lot 19 Charles Lentz & Penny Lentz Lot 19 in Block 1 of First North Huron Addition to Huron Parcel A38	Lot 20 William J. Kiser II Lot 20 in Block 1 of First North Huron Addition to Huron Parcel A39	Lot 21 Robin Olson & Lanny Olson Lot 21 in Block 1 of First North Huron Addition to Huron Parcel A40	Lot 22 Alice E. Hunter Lots 22 and 23 in Block 1 of First North Huron Addition to Huron Parcel A41	Lot 23	Lot 24 Rudloff Lot 24 in Block 1 of First North Huron Addition to Huron Parcel A42	Lot 25 Lenora Olson Lot 25 in Block 1 of First North Huron Addition to Huron Parcel A43	Lot 26 Lanny Ray Olson & Cheri Ann Olson Lots 26 and 27 in Block 1 of First North Huron Addition to Huron Parcel A43A	Lot 27
Parcel A36 45+49.16 to 45+81.50 L Temporary Easement containing 906 sq ft, more or less	Parcel A37 40+21.13 to 41+71.45 R Temporary Easement containing 3075 sq ft, more or less		Parcel A38 41+71.29 to 42+21.42 R Temporary Easement containing 575 sq ft, more or less	Parcel A39 42+21.26 to 42+71.42 R Temporary Easement containing 436 sq ft, more or less	Parcel A40 42+71.34 to 43+21.43 R Temporary Easement containing 291 sq ft, more or less	Parcel A41 43+21.35 to 44+21.44 R Temporary Easement containing 651 sq ft, more or less	Parcel A42 44+21.37 to 44+71.44 R Temporary Easement containing 350 sq ft, more or less	Parcel A43A 45+21.35 to 46+21.46 R Temporary Easement containing 850 sq ft, more or less				

ATTACHMENT A

STATE OF SOUTH DAKOTA	PROJECT IM-FP 2292(06)5 & PH 0229(05)4	SHEET NO. 1	TOTAL SHEETS 1
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Item #6



Parcel 6
Lot H1, H2, and H3; Containing
16,869 sq ft, more or less

PI	63+52.40
N	455761.86
E	2930913.52
Del	19°57'30"
Dc	3°45'28"
T	268.33'
L	531.22'
R	1525.00'

PI	54+61.11
N	456679.56
E	2930844.57
Del	65°03'57" R
Dc	15°19'28"
T	239.20'
L	425.85'
R	375.00'

BNSF Railroad
A Strip of land 25' 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 Sec. 27 - T101N - R49W, Minnehaha County, SD

PI	51+22.18
N	456809.83
E	2930498.69
Del	54°40'30" L
Dc	54°04'17"
T	56.87'
L	104.97'
R	110.00'

PARCEL 6

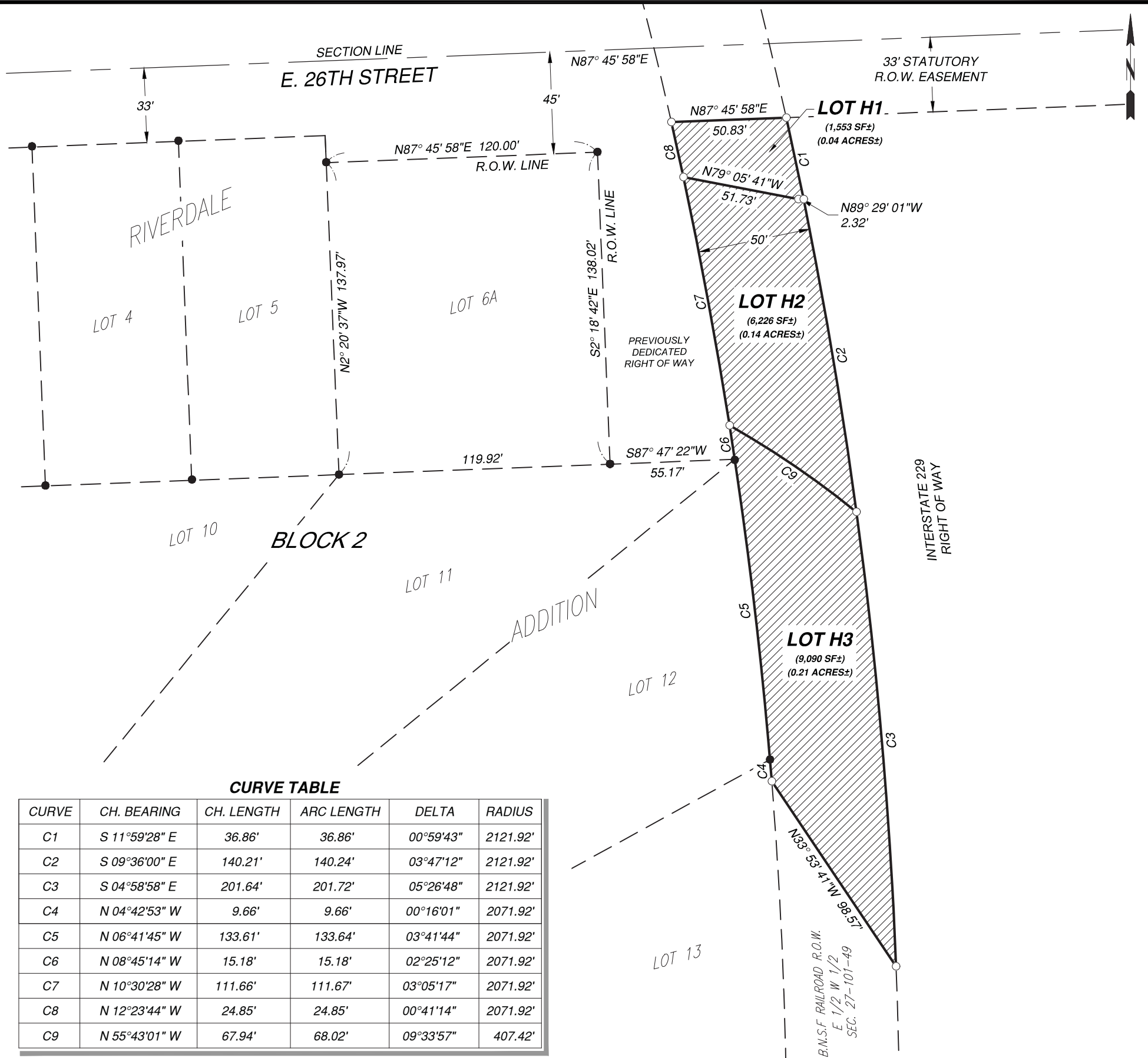
PLAT OF LOT H1, LOT H2 AND LOT H3

Item #6

IN THE EAST HALF (E 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 27, TOWNSHIP 101 NORTH, RANGE 49 WEST OF THE 5TH P.M., MINNEHAHA COUNTY, SOUTH DAKOTA

"located 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)"

showing parcels of land to be acquired for highway purposes
 for construction of Project IM-FP 2292(06)5
 SCALE: 1 INCH = 50 FEET



CURVE TABLE

CURVE	CH. BEARING	CH. LENGTH	ARC LENGTH	DELTA	RADIUS
C1	S 11°59'28" E	36.86'	36.86'	00°59'43"	2121.92'
C2	S 09°36'00" E	140.21'	140.24'	03°47'12"	2121.92'
C3	S 04°58'58" E	201.64'	201.72'	05°26'48"	2121.92'
C4	N 04°42'53" W	9.66'	9.66'	00°16'01"	2071.92'
C5	N 06°41'45" W	133.61'	133.64'	03°41'44"	2071.92'
C6	N 08°45'14" W	15.18'	15.18'	02°25'12"	2071.92'
C7	N 10°30'28" W	111.66'	111.67'	03°05'17"	2071.92'
C8	N 12°23'44" W	24.85'	24.85'	00°41'14"	2071.92'
C9	N 55°43'01" W	67.94'	68.02'	09°33'57"	407.42'

LEGEND

- FOUND MONUMENT
- SET MONUMENT
- ▨ H-LOT RIGHT-OF-WAY AS SHOWN

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 GRID - SOUTH ZONE - NAD 83 GEOID 12A SF = 0.9998445916

PREPARED BY: BEAU M. KOOPAL

infrastucture
 design group, inc.

1111 N. LAKE AVENUE
 SIOUX FALLS, SD 57104
 (605)-271-5527

REVISED ON 11/07/18 BY BMK

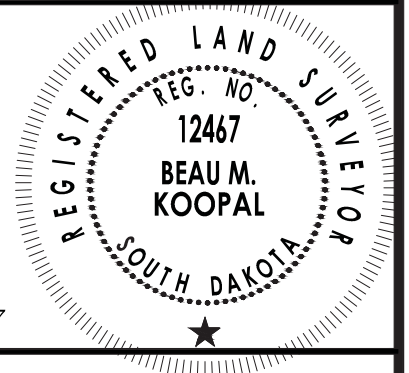
DRAWN BY	BMK	DATE	01/31/18
CHECKED BY	RDK	DATE	01/31/18

SURVEYOR'S CERTIFICATE

I, BEAU M. KOOPAL, A REGISTERED LAND SURVEYOR OF THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT AS ORDERED BY THE SOUTH DAKOTA DEPARTMENT OF TRANSPORTION, 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(S) 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., 2019.

BEAU M. KOOPAL
 REGISTERED LAND SURVEYOR NO. 12467



OFFICE OF REGISTER OF DEEDS

STATE OF SOUTH DAKOTA

COUNTY OF _____ SS

FILED FOR RECORD THIS ____ DAY OF _____, A.D., 2019, AT _____

O'CLOCK __.M., AND RECORDED IN BOOK _____ OF PLATS ON PAGE _____ THEREIN.

REGISTER OF DEEDS

BY _____ DEPUTY

Item #6

