

**PLANNING COMMISSION/
BOARD OF ADJUSTMENT MEETING
CITY COMMISSION ROOM
Tuesday, May 14, 2024
7:00am**

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES: April 9, 2024, Planning Commission Minutes

APPROVAL OF MINUTES: April 9, 2024, Board of Adjustment Minutes

APPROVAL OF AGENDA:

APPEARANCES, ACKNOWLEDGEMENTS, CORRESPONDENCE:

OLD BUSINESS (Planning Commission and Board of Adjustment): None

NEW BUSINESS (Board of Adjustment):

1. Hearing on Appeal No. 710 – David Dawson for a variance that if granted, would permit the applicant to use metal material defined as sheet siding for the roof at 123 SW 2nd Street. The property is legally described as Lot Five (5) in Block Two (2) of Gienapp's Industrial Park First Addition to Madison, City of Madison, Lake County, South Dakota
2. Decision on Appeal No. 710 – David Dawson
3. Hearing on Appeal No. 711 – Bruce Barrick for a conditional use that if granted, would permit the applicant to move in an 18'x22' garage onto the property of 702 SW 2nd Street. The property is legally described as Lot Five (5) and Lot Six (6) in Block Nine (9) of Coburn and Van Doren's Addition to Madison, Lake County, South Dakota
4. Decision on Appeal No. 711 – Bruce Barrick

NEW BUSINESS (Planning Commission):

1. Hearing on Appeal No. 712 - Rupe Properties, LLC, requesting a change of Zoning that, if granted, will change the Zoning District of Lot 1 Schladweiler Addition In The SW1/4 of Section 1, Township 106 north, Range 53 West of the 5th P.M., Lake County, South Dakota from R-90 - Single Family Residence to HB - Highway Business District and Lots 2 & 3 Schladweiler Addition In The SW1/4 of Section 1, Township 106 north, Range 53 West of the 5th P.M., Lake County, South Dakota from R-90 - Single Family Residence to AG – Agricultural District.
2. Decision on Appeal No. 712 - Rupe Properties

3. Approve Plat of Lots 1 and 2 of Schultz's Second Addition in the NE ¼ of Section 18, Township 106 North, Range 52 West of the 5th P.M., Lake County, South Dakota

PUBLIC INPUT:

ADJOURNMENT:

Any person with a disability wishing to attend any board meeting who may require special arrangements may contact the Finance Office at 256-7500 and all attempts shall be made to accommodate those requests

PLANNING COMMISSION PROCEEDINGS
CITY OF MADISON
April 9, 2024
7:00 am

Chairman John Groce called the meeting to order at 7:02am. The following members were present for roll call: Jim Iverson, Bob Maxwell, Jennifer Wolff, John Groce, Donna Fawbush, Michael Johnson and alternate Jacob DeBoer. Also present were Administrative Officials Ryan Hegg, and Dan Whitlock. Jennifer Hasleton, Chad Van Den Hemel and Heather Lee were also in attendance.

Motion by Commissioner Maxwell to approve the March 12, 2024, Planning Commission Minutes. Seconded by Commissioner DeBoer. Motion carried unanimously.

Motion by Commissioner Fawbush to approve the March 12, 2023, Board of Adjustment Minutes. Seconded by Commissioner Wolff. Motion carried unanimously.

Motion by Commissioner Iverson to approve the April 9, 2024 agenda. Seconded by Commissioner Maxwell. Motion carried unanimously.

Old Business: None

Motion by Commissioner Johnson, seconded by Commissioner DeBoer to move into Board of Adjustment at 7:05 am. Motion carried unanimously.

Motion by Commissioner DeBoer, seconded by Commissioner Johnson to move out of Board of Adjustment and into Planning Commission at 7:13 am. Motion carried unanimously.

New Business:

Final Plat Approval of Plat of Lots 1A Thru 10A in Block 1, Trojan Village Addition to the City of Madison, Lake County, South Dakota. Motion to approve made by Commissioner Iverson, seconded by Commissioner Fawbush. Motion passed unanimously.

Public Input: None

Commissioner Iverson motioned to adjourn. Second by Commissioner Maxwell. Motion carried unanimously. Meeting adjourned at 7:26 am.

Dan Whitlock
Planning Commission

BOARD OF ADJUSTMENT PROCEEDINGS
CITY OF MADISON
April 9, 2024

The Planning Commission motioned to move into Board of adjustment at 7:05 am.

The following members were present for roll call: Chairman John Groce, Board Members Jim Iverson, Jennifer Wolff, Bob Maxwell, Michael Johnson, Donna Fawbush and Alternate Jacob DeBoer. Absent was Roger Olson. Also present were Administrative Officials Ryan Hegg and Dan Whitlock. The following people were in attendance in addition to the Board and the aforementioned individuals, Jennifer Hasleton and Heather Lee.

This being the time and place set for the hearing on Variance Appeal Request No. 709 – by Lake County 4-H Shooting Sports. Mr. Hegg went through the contents of the packet for Appeal No. 709. The applicant is requesting a variance that would permit the applicant to use metal material for a roof at 1000 S Egan Avenue. Heather Lee states they are in need of a new shed as they have outgrown their current shed. This shed with a metal roof fits into their budget.

There were no additional opponents or proponents. Chairman Groce closed the public hearing and proceeded to the decision agenda item for appeal.

Motion by Mr. Maxwell, second by Mr. DeBoer to approve Appeal No.709. Motion carried unanimously.

Motion by Mr. DeBoer, second by Mr. Johnson to move out of the Board of Adjustment at 7:13 am. Motion carried unanimously.

Dan Whitlock
Board of Adjustment

CITY OF MADISON
VARIANCE APPLICATION

APPEAL NUMBER 710

APPLICANT (PRINT): David Dawson PHONE: 605-780-2599

ADDRESS: 23354 435 Ave

OWNER (PRINT): _____ PHONE: 6

IF DIFFERENT THAN APPLICANT

ADDRESS: Howard S. Dorf 57349

I/WE, THE UNDERSIGNED, DO HEREBY PETITION THE BOARD OF ADJUSTMENT OF THE CITY OF MADISON SOUTH DAKOTA, TO ISSUE A VARIANCE FOR THE PROPERTY DESCRIBED AS:

LEGAL DESCRIPTION (Please print or type)

Lot 5 Blk 2 Glenary Ind. Park Addition

GENERAL AREA OR STREET ADDRESS: 123 2nd ST. SW.

EXISTING LAND USE: Office EXISTING ZONING: Highway Bus. Dist. Central

SIZE OF PARCEL: ACRES / SQFT _____ LOT DIMENSIONS: WIDTH 100' LENGTH 160' DEPTH _____

SURROUNDING LAND USE

NORTH: Church
SOUTH: Rail Road Tracks - Church
EAST: Demo ~~Center~~ Chamber of Commerce
WEST: Vacant lot

PLEASE PROVIDE A BRIEF STATEMENT OF THE VARIANCE DESIRED AND PLEASE STATE THE HARDSHIP REQUIRING RELIEF. (Proof of hardship is on the applicant - Hardship examples are odd size or shape of the lot, unusual topography, etc. attach a letter of explanation to document requirements necessary to approve if necessary)

I have had (3) different Contractor Trying to fix leak on south end of Building with no luck, we need to put steel beam to fix problem (Farm Service Agency or USDA Building)

I (we) further state that if this request is granted, I (we) will proceed with the actual construction in accordance with the plans herewith submitted within one year or additional time as extended from the effective date of the appeal.

SIGNATURE OF APPLICANT [Signature]

SIGNATURE OF OWNER (IF DIFFERENT THAN APPLICANT) _____

NOTE: A SKETCH OF PROPOSED PROPERTY SHALL ACCOMPANY THIS APPLICATION, SHOWING THE FOLLOWING:

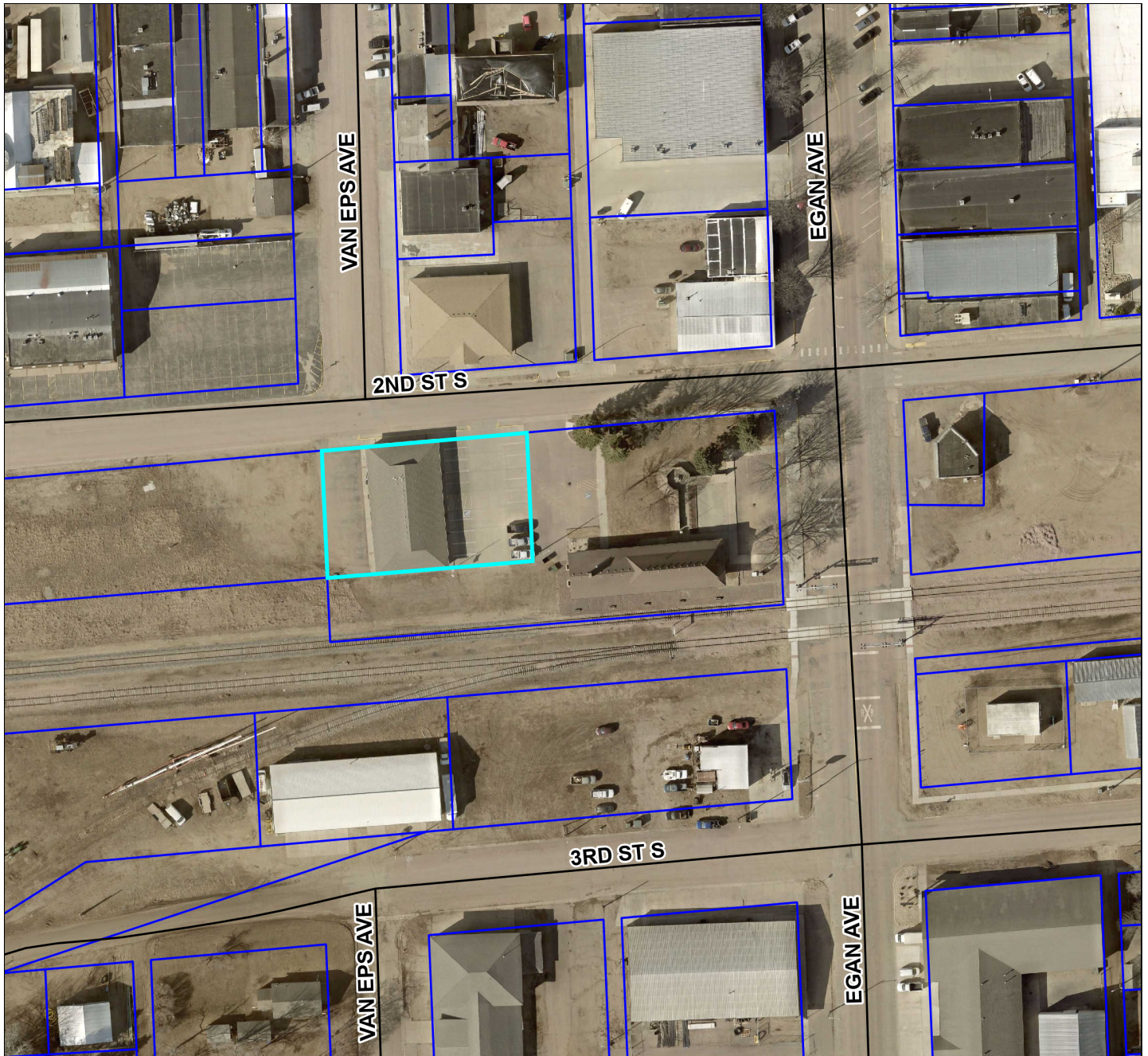
2. NORTH DIRECTION
2. DIMENSIONS OF PROPOSED STRUCTURE
3. STREET NAMES
4. OTHER INFORMATION AS MAY BE REQUESTED
5. LOCATION OF PROPOSED STRUCTURE ON LOT
6. DIMENSIONS OF FRONT AND SIDE SET BACKS
7. LOCATION OF ADJACENT EXISTING BUILDINGS

THE BOARD OF ADJUSTMENT MAY REQUIRE THAT SUCH PLANS BE PREPARED BY A REGISTERED ENGINEER OR LAND SURVEYOR.

**PLEASE USE THE ATTACHED SKETCH INSTRUCTION SHEET FOR AN EXAMPLE.

FOR OFFICIAL USE ONLY

DATE FILED WITH ADMINISTRATIVE OFFICIAL: _____
FEE PAID (NON-REFUNDABLE): _____ YES _____ NO
DATE OF HEARING: _____
ACTION BY BOARD OF ADJUSTMENT: _____



Parcel ID	210950020005010	Alternate ID	n/a	Owner Address	DAWSON, DAVID R
Sec/Twp/Rng	n/a	Class	DC		23354 435 AVE
Property Address		Acreage	n/a		HOWARD,, SD 573490000
District	n/a				
Brief Tax Description	n/a				

(Note: Not to be used on legal documents)

Date created: 5/1/2024
 Last Data Uploaded: 5/1/2024 8:27:03 AM

Developed by  **Schneider**
 GEOSPATIAL

**CITY OF MADISON
CONDITIONAL USE APPLICATION**

APPEAL NUMBER 711

APPLICANT (PRINT): Bruce Barrick **PHONE:** 605-480-1830

ADDRESS: 702 SW 2nd St, Madison

OWNER (PRINT): Same **PHONE:** Same
IF DIFFERENT THAN APPLICANT

ADDRESS: Same

I/WE, THE UNDERSIGNED, DO HEREBY PETITION THE BOARD OF ADJUSTMENT OF THE CITY OF MADISON SOUTH DAKOTA, TO ISSUE A CONDITIONAL USE PERMIT FOR THE PROPERTY DESCRIBED AS:

LEGAL DESCRIPTION (Please print or type)

Lots 5+6 Blk 9 Coburn + VanDoren

GENERAL AREA OR STREET ADDRESS: 702 SW 2nd St

EXISTING LAND USE: Home **EXISTING ZONING:** R-60

SIZE OF PARCEL: ACRES / SQFT 1/200 **LOT DIMENSIONS:** WIDTH 100 LENGTH 142 DEPTH 142

SURROUNDING LAND USE

NORTH: R-60
SOUTH: R-60
EAST: R-60
WEST: R-60

PLEASE DESCRIBE WHAT YOU PROPOSE TO DO AND WHY YOU ARE SEEKING A CONDITIONAL USE PERMIT
(attach a separate letter of explanation if necessary)

Add a garage (already built) CURRENTLY LOCATED AT 701 SW 2ND STREET
RESIDE AFTER MOVE
MOVE 18x22 GARAGE - CHANGE OPENING TO ROLL UP DOOR

I (we) further state that if this request is granted, I (we) will proceed with the actual construction in accordance with the plans herewith submitted within one year or additional time as extended from the effective date of the appeal.

SIGNATURE OF APPLICANT Bruce Barrick

SIGNATURE OF OWNER (IF DIFFERENT THAN APPLICANT) _____

NOTE: A SKETCH OF PROPOSED PROPERTY SHALL ACCOMPANY THIS APPLICATION, SHOWING THE FOLLOWING:

- | | |
|--|--|
| 1. ☒ NORTH DIRECTION | 5. ☒ LOCATION OF PROPOSED STRUCTURE ON LOT |
| 2. ☒ DIMENSIONS OF PROPOSED STRUCTURE | 6. ☒ DIMENSIONS OF FRONT AND SIDE SET BACKS |
| 3. ☒ STREET NAMES | 7. ☒ LOCATION OF ADJACENT EXISTING BUILDINGS |
| 4. ☒ OTHER INFORMATION AS MAY BE REQUESTED | |

THE BOARD OF ADJUSTMENT MAY REQUIRE THAT SUCH PLANS BE PREPARED BY A REGISTERED ENGINEER OR LAND SURVEYOR.

****PLEASE USE THE ATTACHED SKETCH INSTRUCTION SHEET FOR AN EXAMPLE.**

FOR OFFICIAL USE ONLY

DATE FILED WITH ADMINISTRATIVE OFFICIAL: _____
FEE PAID (NON-REFUNDABLE): _____ YES _____ NO
DATE OF HEARING: _____
ACTION BY BOARD OF ADJUSTMENT: _____

S 2nd St



Alley

7/1

Chicago Ave

N





1000 54571

CITY OF MADISON
PETITION FOR A CHANGE IN ZONING CLASSIFICATION
APPEAL NUMBER 712

APPLICANT (PRINT): Rupe Properties, LLC **PHONE:** 918-749-1880 (ext. 1330)

ADDRESS: 3114 East 81st Street, Tulsa, Oklahoma 74137

OWNER (PRINT): Karl Schladweiler **PHONE:** 605-270-2621
IF DIFFERENT THAN APPLICANT

ADDRESS: 1708 NW 2nd Street, Madison, South Dakota 57042

I/WE, THE UNDERSIGNED, DO HEREBY PETITION THE CITY COMMISSION OF THE CITY OF MADISON, SOUTH DAKOTA, TO ISSUE A CHANGE IN ZONING CLASSIFICATION FOR THE PROPERTY DESCRIBED AS:

LEGAL DESCRIPTION (Please print or type)

Lots 1, 2, and 3, Schladweiler Addition to the City of Madison, Lake County, State of South Dakota, according to the recorded plat thereof

GENERAL AREA OR STREET ADDRESS: Address not yet assigned (approx. 45330 SD Hwy 34)

EXISTING LAND USE: Farm Land **EXISTING ZONING:** R-90 Single Family Residential

SIZE OF PARCEL (Lot 1): ACRES / SQFT <u>1.38 ac</u>	LOT DIMENSIONS: WIDTH: <u>198'-251'</u>	DEPTH: <u>188'-243'</u>
SIZE OF PARCEL (Lot 2): ACRES / SQFT <u>3.53 ac</u>	LOT DIMENSIONS: WIDTH: <u>636'</u>	DEPTH: <u>200'-243'</u>
SIZE OF PARCEL (Lot 3): ACRES / SQFT <u>1.43 ac</u>	LOT DIMENSIONS: WIDTH: <u>312'</u>	DEPTH: <u>200'</u>

SURROUNDING LAND USE/ZONING:

NORTH: <u>Agriculture</u>
SOUTH: <u>Highway 34 (various commercial)</u>
EAST: <u>Residential (Owner's home)</u>
WEST: <u>Gas Station / Service Station</u>

PLEASE DESCRIBE WHAT YOU PROPOSE TO DO AND WHY YOU ARE SEEKING A CHANGE IN ZONING CLASSIFICATION INCLUDING DISCUSSION ON WHAT CHANGE OR CHANGING CONDITIONS MAKE THE PASSAGE OF THIS AMENDMENT NECESSARY (attach a separate sheet of paper if necessary)

A plat of the property was recently approved by both Lake County (3/5/2024) and the City of Madison (3/18/2024). Following the approval of the plat, the property was annexed into the Madison city limits (4/1/2024). The platting and annexation were pursued in order to allow the applicant to construct a Dollar General retail facility on Lot 1.

The property was historically zoned (in Lake County) as "A (Agriculture)". Upon annexation into the Madison city limits, the property was automatically designated as "R-90 Single Family Residential".

The applicant requests that Lot 1 of the property be rezoned to "HB (Highway Business District)" so as to allow for the commercial development thereof.

The applicant further requests that Lot 2 and Lot 3 of the property be rezoned to "AG (Agricultural)" so as to allow the owner to continue the historical agricultural use thereof until such time as the owner desires to pursue further commercial development thereof.

SIGNATURE OF APPLICANT: [Signature]

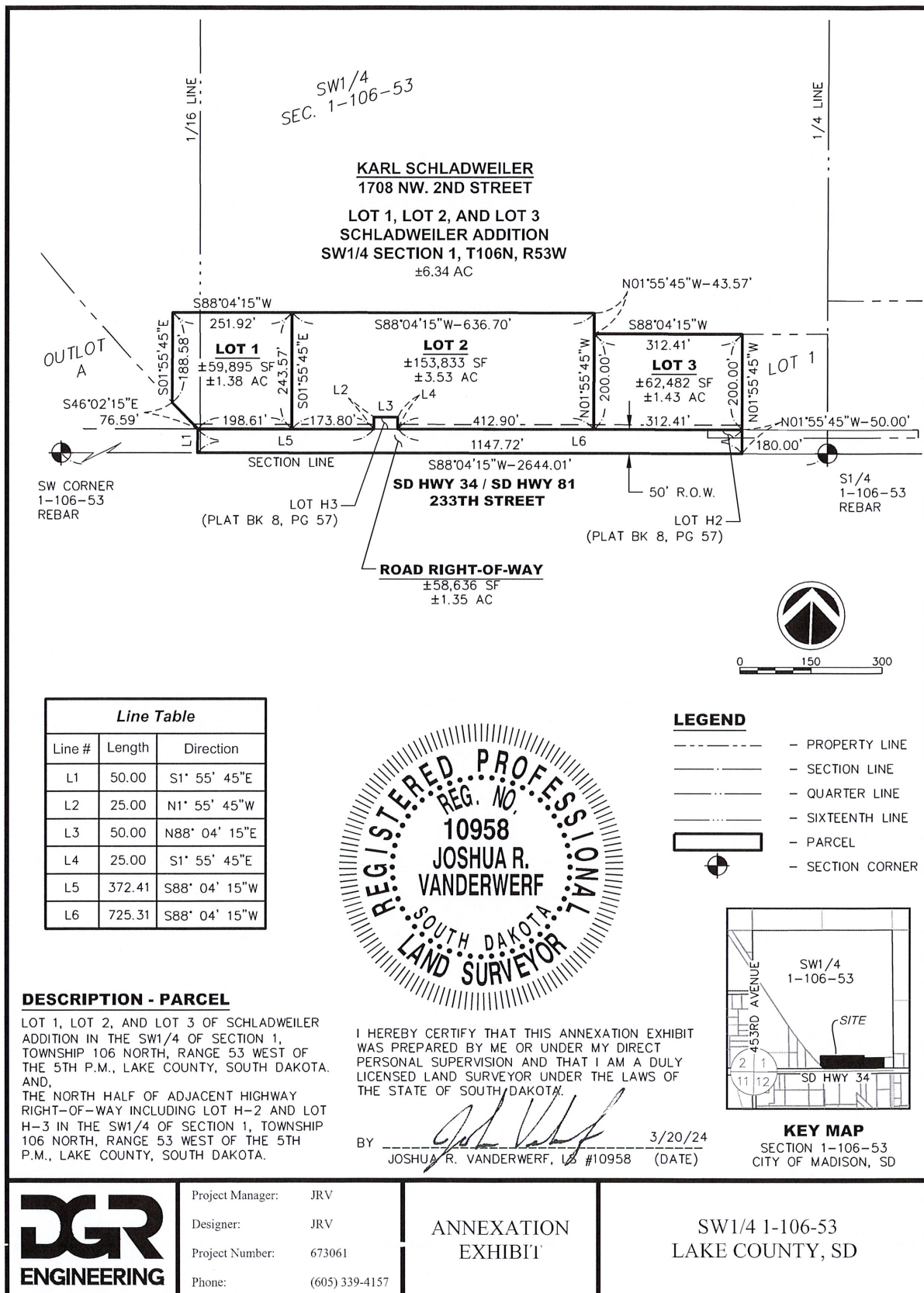
SIGNATURE OF OWNER (IF DIFFERENT THAN APPLICANT): Karl J. Schladweiler

NOTE: A SKETCH OF PROPOSED PROPERTY SHALL ACCOMPANY THIS APPLICATION, SHOWING THE FOLLOWING:

- | | |
|--|--|
| 1. NORTH DIRECTION | 5. LOCATION OF PROPOSED STRUCTURE ON LOT |
| 2. DIMENSIONS OF PROPOSED STRUCTURE | 6. DIMENSIONS OF FRONT AND SIDE SET BACKS |
| 3. STREET NAMES | 7. LOCATION OF ADJACENT EXISTING BUILDINGS |
| 4. OTHER INFORMATION AS MAY BE REQUESTED | |

FOR OFFICIAL USE ONLY

DATE FILED WITH ADMINISTRATIVE OFFICIAL: _____
FEE PAID (NON-REFUNDABLE): _____ **YES** _____ **NO** _____
DATE OF HEARING: _____
ACTION BY BOARD OF ADJUSTMENT: _____



Plot Date: 3/20/2024 12:05:25 PM P:\06\73\061\673061.DWG\PLATS AND EASEMENTS\673061 - ANNEX EXHIBIT.DWG

P:\06\73\061\673061\dwg\Plats and Easements\673061 - ALTA.dwg

LEGEND

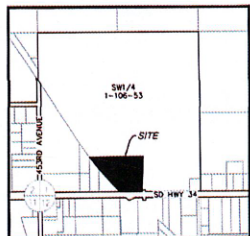
(NOT ALL SYMBOLS APPEAR ON DRAWING)

- STREET RIGHT-OF-WAY LINE
- PROPERTY LINE
- CENTERLINE
- EASEMENT LINE
- MAJOR CONTOUR
- MINOR CONTOUR
- WATER MAIN
- OVERHEAD ELECTRICAL
- UNDERGROUND ELECTRIC
- UNDERGROUND TELEPHONE
- UNDERGROUND FIBER OPTIC
- UNDERGROUND GAS
- STORM SEWER MAIN
- SANITARY SEWER MAIN
- FENCE
- RETAINING WALL
- EDGE OF WATER
- FIRE HYDRANT
- WATER VALVE
- WATER SHUTOFF
- SANITARY SEWER MANHOLE
- LIGHT POLE
- ELECTRIC VAULT
- TELEPHONE PEDSTAL
- B1 TYPE INLET
- FOUND MONUMENTS
- CONTROL POINT
- SIGN
- DECIDUOUS TREE
- GRAVEL SURFACE
- CONCRETE SURFACE
- 10' SEWER LINE EASEMENT



VICINITY MAP

CITY OF MADISON, SD



ZONING INFORMATION

THE FOLLOWING ZONING INFORMATION:

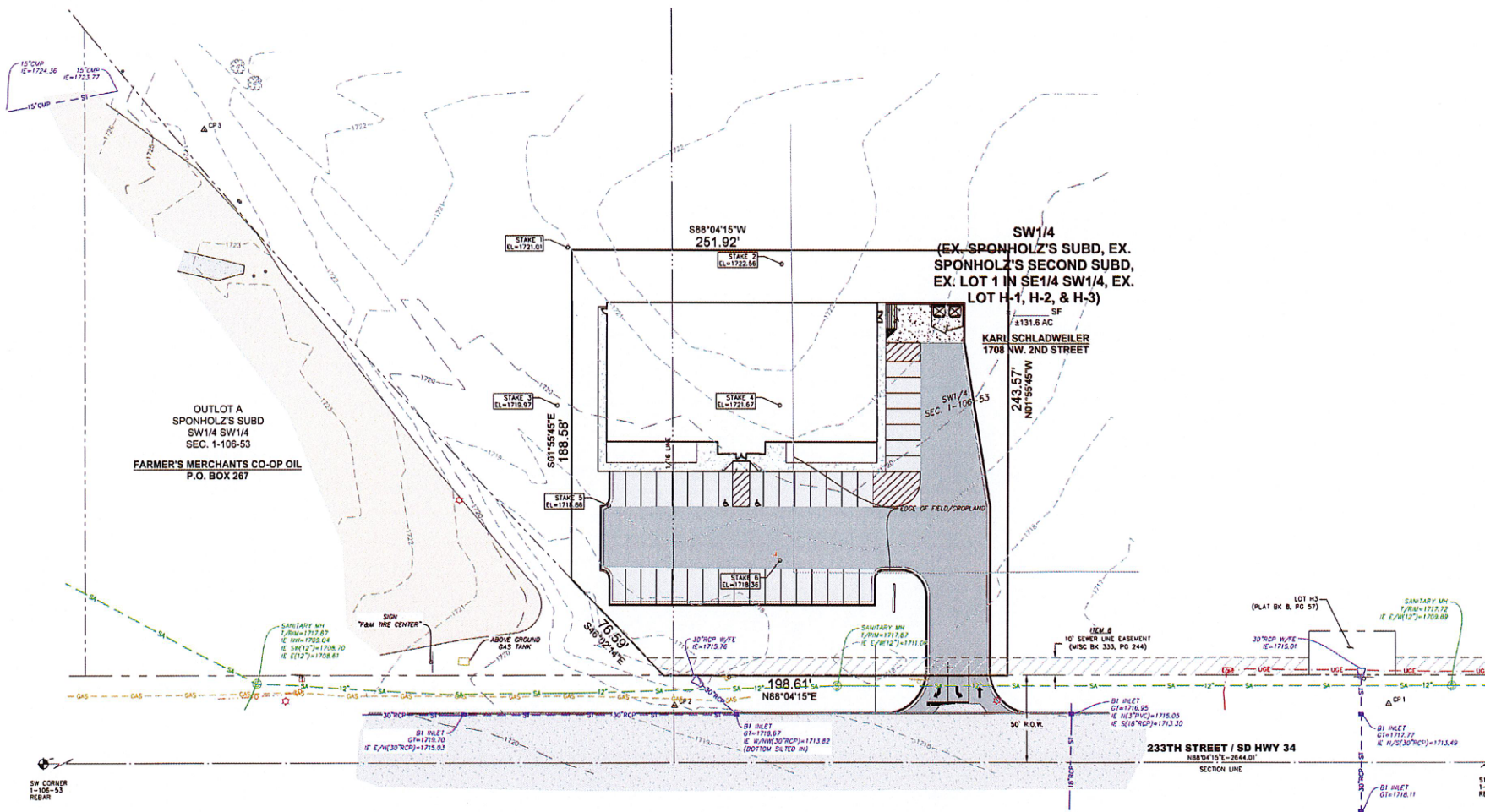
THIS PARCEL IS CURRENTLY ZONED:

BUILDING SETBACKS:
FRONT (INCLUDING ALL
STREET FRONTAGES)
REAR
SIDE

FEET
FEET
FEET

MAXIMUM HEIGHT

FEET FOR INHABITABLE STRUCTURES
UNLIMITED FOR UNINHABITABLE STRUCTURES



LIST OF POSSIBLE ENCROACHMENTS

- UNDERGROUND FIBER OPTIC LINE ENCROACHING 9.19' OUTSIDE OF EASEMENT ONTO LOT C-3.
- POWER POLE ENCROACHING 37.06' OUTSIDE OF EASEMENT ONTO LOT C-4.
- CREEKSIDE ESTATES SIGN ENCROACHING 0.65' ONTO LOT C-4.

OWNER:

FEE SIMPLE INTEREST IN THE LAND DESCRIBED IN THIS
COMMITMENT IS OWNED, AT THE COMMITMENT DATE BY:

KARL SCHLADWEILER

PROPERTY ADDRESS:

PROPERTY IN LAKE COUNTY
MADISON, SD 57042

LEGAL DESCRIPTION:

THE FOLLOWING LEGAL DESCRIPTION PER
CHICAGO TITLE INSURANCE COMPANY
ALTA COMMITMENT
APPLICATION NUMBER: P-223671
COMMITMENT DATE: JUNE 31, 2023 AT 06:59 AM.

SW 1/4 EXCEPT SPONHOLZ'S SUBDIVISION AND EXCEPT
SPONHOLZ'S SECOND SUBDIVISION AND EXCEPT LOT 1 IN THE
SE 1/4 SW 1/4 AND EXCEPT LOTS H-1, H-2, AND H-3
ACCORDING TO THE RECORDED PLATS THEREOF; AND EXCEPT
DEEDED HIGHWAY RIGHT OF WAY OF SECTION 1, TOWNSHIP 106
NORTH, RANGE 53 WEST OF THE 5TH P.M., LAKE COUNTY,
SOUTH DAKOTA.

CONTROL:

CP 1	NORTHING = 626340.363	CP 3	NORTHING = 626646.593
	EASTING = 2807684.663		EASTING = 2806990.435
	ELEVATION = 1718.28		ELEVATION = 1723.36
CP 2	NORTHING = 626325.585		
	EASTING = 2807272.480		
	ELEVATION = 1718.95		

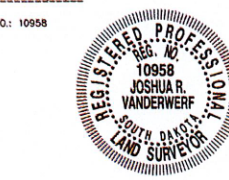
SURVEY REQUIREMENTS

TO RUPE HELMER GROUP, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY; KARL SCHLADWEILER; CHICAGO TITLE INSURANCE
COMPANY; AND RESPECTIVE SUCCESSORS AND ASSIGNS:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE
2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY
ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6A, 6B, 7A, 8, 9, 11A, 11B, 12, 13, 16, 17, AND 18 OF TABLE A THEREOF.
THE FIELDWORK WAS COMPLETED ON AUGUST 10, 2023.

DATE OF PLAT OR MAP: AUGUST 18, 2023

JOSHUA R. VANDERWERF
SOUTH DAKOTA REGISTRATION NO.: 10958



PREPARED BY:
JOSHUA R. VANDERWERF, LS
DOR ENGINEERING
1300 S. HIGHLINE AVENUE
SIOUX FALLS, SD 57110
TELEPHONE: (605) 339-4175
JOSHUA.VANDERWERF@DOR.COM

GENERAL SURVEY NOTES:

- BASIS OF BEARINGS FOR THIS ALTA SURVEY ARE NAD83 SOUTH DAKOTA STATE PLANES, SOUTH ZONE, US FOOT, GROUND COORDINATES.
- UTILITY NOTE: THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
- THE RESEARCH OF EXISTING DEEDS AND EASEMENTS OF RECORD WERE NOT PERFORMED. DEED AND EASEMENTS OF RECORD, IF ANY SHOWN ON THIS SURVEY WERE VERIFIED FROM CHICAGO TITLE INSURANCE COMPANY ALTA COMMITMENT APPLICATION NUMBER: P-223671, EFFECTIVE DATE: JUNE 31, 2023 AT 06:59 AM.
- THIS SURVEY WAS MADE IN ACCORDANCE WITH THE LAWS AND MINIMUM STANDARDS OF THE STATE OF SOUTH DAKOTA.
- THE PROPERTY DESCRIBED HEREON IS THE SAME AS THE PROPERTY DESCRIBED IN CHICAGO TITLE INSURANCE COMPANY ALTA COMMITMENT APPLICATION NUMBER: P-223671, EFFECTIVE DATE: JUNE 31, 2023 AT 06:59 AM AND THAT ALL EASEMENTS, COVENANTS AND RESTRICTIONS REFERENCED IN SAID TITLE COMMITMENT OR APPARENT FROM A PHYSICAL INSPECTION OF THE SITE OR OTHERWISE KNOWN TO ME HAVE BEEN PLOTTED HEREON OR OTHERWISE NOTED AS THEIR EFFECT ON THE SUBJECT PROPERTY.
- SAID DESCRIBED PROPERTY IS LOCATED WITHIN FEMA FLOOD ZONE CLASSIFICATION ZONE X PER FLOOD INSURANCE RATE MAP NO. 46079C044C WITH AN EFFECTIVE DATE OF SEPTEMBER 2, 2009 FOR THE CITY OF MADISON, SOUTH DAKOTA.
- THE ABOVE SAID PROPERTY HAS PUBLIC ACCESS THROUGH SD HIGHWAY 34.
- THERE ARE NO KNOWN PROPOSED CHANGES TO THE STREET RIGHT OF WAY LINES ACCORDING TO THE CITY OF MADISON.
- THERE IS NO OBSERVED EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.

SCHEDULE B - SECTION II EXCEPTIONS

CHICAGO TITLE INSURANCE COMPANY ALTA COMMITMENT APPLICATION NUMBER: P-223671, EFFECTIVE DATE: JUNE 31, 2023 AT 06:59 AM WAS PROVIDED TO US AND RELED UPON FOR MATTERS OF RECORD. THE FOLLOWING EASEMENT EXCEPTIONS WERE STATED IN SCHEDULE B OR NOTED ON THE ALTA SURVEY:

- ITEM 4: RIGHT OF WAY DATED MARCH 31, 1951, GIVEN TO EAST RIVER ELECTRIC POWER CO-OPERATIVE, INC., FILED SEPTEMBER 25, 1951, IN BOOK 161 PAGE 581, IN THE OFFICE OF THE REGISTER OF DEEDS, LAKE COUNTY, SOUTH DAKOTA. (DOES NOT AFFECT SUBJECT PROPERTY)
- ITEM 5: RIGHT OF WAY EASEMENT DATED AUGUST 15, 1956, GIVEN TO NORTHERN NATURAL GAS COMPANY, FILED OCTOBER 19, 1956, IN BOOK 165 PAGE 539, IN THE OFFICE OF THE REGISTER OF DEEDS, LAKE COUNTY, SOUTH DAKOTA. (AFFECTS SUBJECT PROPERTY, IS BLANKET IN NATURE)
- ITEM 6: RIGHT OF WAY DATED AUGUST 10, 1971, GIVEN TO EAST RIVER ELECTRIC POWER CO-OPERATIVE, INC., FILED JANUARY 22, 1980, IN BOOK 227 PAGE 353, IN THE OFFICE OF THE REGISTER OF DEEDS, LAKE COUNTY, SOUTH DAKOTA. (DOES NOT AFFECT SUBJECT PROPERTY)
- ITEM 7: RIGHT OF WAY DATED SEPTEMBER 18, 1979, GIVEN TO KINGBROOK RURAL WATER SYSTEM, INC., FILED JANUARY 22, 1980, IN BOOK 227 PAGE 353, IN THE OFFICE OF THE REGISTER OF DEEDS, LAKE COUNTY, SOUTH DAKOTA. (DOES NOT AFFECT SUBJECT PROPERTY)
- ITEM 8: EASEMENT AND AGREEMENT FOR REIMBURSEMENT OF COSTS DATED NOVEMBER 13, 1998, GIVEN TO FARMERS AND MERCHANTS CO-OP OIL COMPANY, INC., FILED DECEMBER 3, 1998, IN BOOK 333 PAGE 244, IN THE OFFICE OF THE REGISTER OF DEEDS, LAKE COUNTY, SOUTH DAKOTA. (AFFECTS SUBJECT PROPERTY, SHOWN HEREON)
- ITEM 9: VESTED DRAINAGE RIGHT DATED JUNE 26, 1992, FILED JUNE 26, 1992, IN BOOK 285 PAGE 635, IN THE OFFICE OF THE REGISTER OF DEEDS, LAKE COUNTY, SOUTH DAKOTA. (DOES NOT AFFECT SUBJECT PROPERTY) ??

ALTA / NSPS LAND TITLE SURVEY

DOLLAR GENERAL
MADISON, SOUTH DAKOTA

ALTA SURVEY
DESIGNED BY: JRV
DRAWN BY: JRV
CHECKED BY: JRV
REVISIONS:

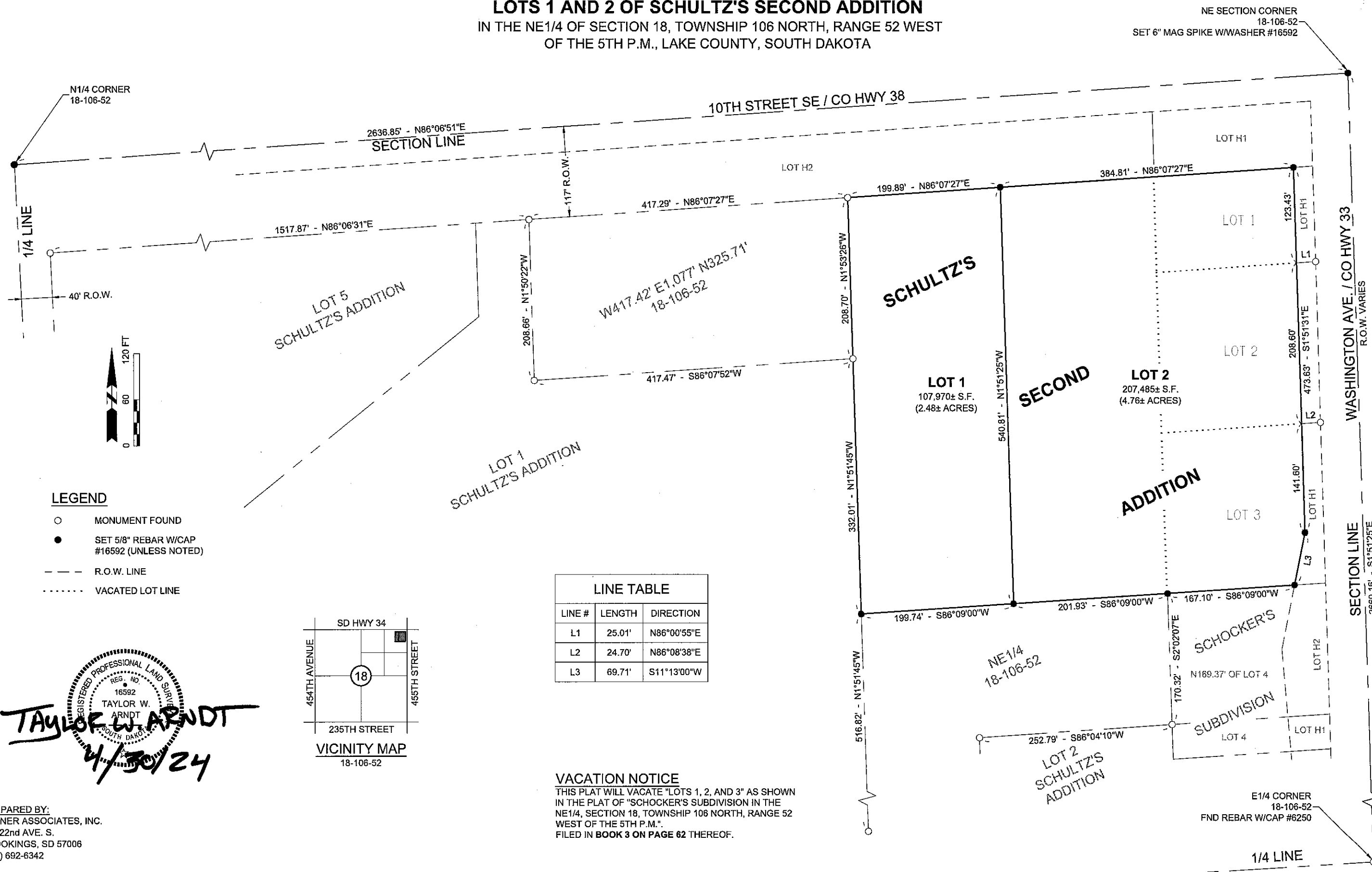


DOR ENGINEERING
2809 E. 57TH STREET, SUITE 101
SIOUX FALLS, SD 57108
(605) 339-4175 office
(605) 339-4175 fax
www.dor.com



SHEET NO.

ALTA



VACATION NOTICE
THIS PLAT WILL VACATE "LOTS 1, 2, AND 3" AS SHOWN
IN THE PLAT OF "SCHOCKER'S SUBDIVISION IN THE
NE1/4, SECTION 18, TOWNSHIP 108 NORTH, RANGE 52
WEST OF THE 5TH P.M."
FILED IN **BOOK 3 ON PAGE 62** THEREOF.

PREPARED BY:
BANNER ASSOCIATES, INC.
409 22nd AVE. S.
BROOKINGS, SD 57006
(605) 692-6342

SHEET 1 OF 3

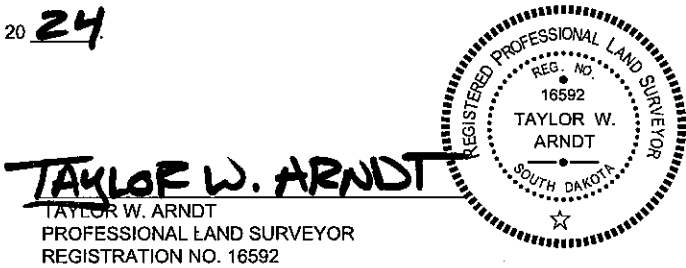
SURVEYOR'S CERTIFICATE

I, TAYLOR W. ARNDT, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT I DID, ON OR BEFORE **APRIL 25, 2024**, AT THE REQUEST OF THE OWNER(S) LISTED HEREON, SURVEY A PORTION OF THAT PARCEL OF LAND DESCRIBED AS **LOTS 1-3 OF SCHOCKER'S SUBDIVISION AND THE UNPLATTED AREA OF THE NE1/4 OF SECTION 18, T106N, R52W OF THE 5TH P.M., LAKE COUNTY, SOUTH DAKOTA** AND PLATTED THE SAME AS SHOWN ON THE ABOVE PLAT.

THE SAME SHALL HEREAFTER BE KNOWN AND DESCRIBED AS **LOTS 1 AND 2 OF SCHULTZ'S SECOND ADDITION IN THE NE1/4 OF SECTION 18, TOWNSHIP 106 NORTH, RANGE 52 WEST OF THE 5TH P.M., LAKE COUNTY, SOUTH DAKOTA.**

I HAVE SURVEYED THE TRACT OF LAND SHOWN, AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, SAID PLAT IS AN ACCURATE REPRESENTATION OF SAID SURVEY.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL THIS 30th DAY OF APRIL, 20 24



OWNER'S CERTIFICATE

WE, **THE SCHULTZ FAMILY, LLC**, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF A PORTION OF THE LAND INCLUDED IN THE ABOVE PLAT AND THAT SAID PLAT HAS BEEN MADE AT OUR REQUEST AND IN ACCORDANCE WITH OUR INSTRUCTIONS FOR THE PURPOSES OF TRANSFER, AND THAT THE DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION AND EROSION AND SEDIMENT CONTROL REGULATIONS. WE HEREBY DEDICATE TO THE PUBLIC FOR PUBLIC USE FOREVER, THE STREETS, ROADS, ALLEYS AND PARKS AND PUBLIC GROUNDS, IF ANY, AS SHOWN ON SAID PLAT, INCLUDING ALL SEWERS, CULVERTS, BRIDGES, WATER DISTRIBUTION LINES, SIDEWALKS AND OTHER IMPROVEMENTS ON OR UNDER THE STREETS, ROADS, ALLEYS, PARKS AND PUBLIC GROUNDS, WHETHER SUCH IMPROVEMENTS ARE SHOWN OR NOT. WE ALSO HEREBY GRANT EASEMENTS TO RUN WITH THE LAND FOR WATER, DRAINAGE, SEWER, GAS, ELECTRIC, TELEPHONE OR OTHER PUBLIC UTILITY LINES OR SERVICES UNDER, ON OR OVER THOSE STRIPS OF LAND DESIGNATED HEREON AS EASEMENTS.

WE FURTHER CERTIFY THAT THIS PLATTING OF THE DESCRIBED **LOTS 1 AND 2 OF SCHULTZ'S SECOND ADDITION IN THE NE1/4 OF SECTION 18, TOWNSHIP 106 NORTH, RANGE 52 WEST OF THE 5TH P.M., LAKE COUNTY, SOUTH DAKOTA** DOES HEREBY VACATE "LOT 3" OF THE FOLLOWING PLATTING: "SCHOCKER'S SUBDIVISION IN THE NE1/4, SECTION 18, TOWNSHIP 106 NORTH, RANGE 52 WEST OF THE 5TH P.M." ON FILE AT THE REGISTER OF DEEDS OFFICE IN BOOK 3, PAGE 62, THE PLAT, HEREBY VACATED, BEING SITUATED WITHIN DESCRIBED **LOTS 1 AND 2 OF SCHULTZ'S SECOND ADDITION IN THE NE1/4 OF SECTION 18, TOWNSHIP 106 NORTH, RANGE 52 WEST OF THE 5TH P.M., LAKE COUNTY, SOUTH DAKOTA** AS SURVEYED.

IN WITNESS WHEREOF, WE HAVE EXECUTED THIS OWNER'S CERTIFICATE THIS _____ DAY OF _____, 20 _____.

TERRY W. SCHULTZ, MANAGER
THE SCHULTZ FAMILY, LLC

ACKNOWLEDGMENT OF OWNER

STATE OF _____ }
COUNTY OF _____ } SS

ON THIS DAY, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, WITHIN AND FOR THE STATE AND COUNTY AFORESAID, PERSONALLY APPEARED **TERRY W. SCHULTZ** ACKNOWLEDGED THAT HE, AS MANAGER OF **THE SCHULTZ FAMILY, LLC**, BEING AUTHORIZED SO TO DO, EXECUTED THE FOREGOING OWNER'S CERTIFICATE FOR THE PURPOSE THEREIN CONTAINED.

IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____, 20 _____.

NOTARY PUBLIC
MY COMMISSION EXPIRES _____

OWNER'S CERTIFICATE

WE, **RED HORSE SEED PRODUCTION, INC.**, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF A PORTION OF THE LAND INCLUDED IN THE ABOVE PLAT AND THAT SAID PLAT HAS BEEN MADE AT OUR REQUEST AND IN ACCORDANCE WITH OUR INSTRUCTIONS FOR THE PURPOSES OF TRANSFER, AND THAT THE DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION AND EROSION AND SEDIMENT CONTROL REGULATIONS. WE HEREBY DEDICATE TO THE PUBLIC FOR PUBLIC USE FOREVER, THE STREETS, ROADS, ALLEYS AND PARKS AND PUBLIC GROUNDS, IF ANY, AS SHOWN ON SAID PLAT, INCLUDING ALL SEWERS, CULVERTS, BRIDGES, WATER DISTRIBUTION LINES, SIDEWALKS AND OTHER IMPROVEMENTS ON OR UNDER THE STREETS, ROADS, ALLEYS, PARKS AND PUBLIC GROUNDS, WHETHER SUCH IMPROVEMENTS ARE SHOWN OR NOT. WE ALSO HEREBY GRANT EASEMENTS TO RUN WITH THE LAND FOR WATER, DRAINAGE, SEWER, GAS, ELECTRIC, TELEPHONE OR OTHER PUBLIC UTILITY LINES OR SERVICES UNDER, ON OR OVER THOSE STRIPS OF LAND DESIGNATED HEREON AS EASEMENTS.

WE FURTHER CERTIFY THAT THIS PLATTING OF THE DESCRIBED **LOTS 1 AND 2 OF SCHULTZ'S SECOND ADDITION IN THE NE1/4 OF SECTION 18, TOWNSHIP 106 NORTH, RANGE 52 WEST OF THE 5TH P.M., LAKE COUNTY, SOUTH DAKOTA** DOES HEREBY VACATE "LOT 1 AND LOT 2" OF THE FOLLOWING PLATTING: "SCHOCKER'S SUBDIVISION IN THE NE1/4, SECTION 18, TOWNSHIP 106 NORTH, RANGE 52 WEST OF THE 5TH P.M." ON FILE AT THE REGISTER OF DEEDS OFFICE IN BOOK 3, PAGE 62, THE PLAT, HEREBY VACATED, BEING SITUATED WITHIN DESCRIBED **LOTS 1 AND 2 OF SCHULTZ'S SECOND ADDITION IN THE NE1/4 OF SECTION 18, TOWNSHIP 106 NORTH, RANGE 52 WEST OF THE 5TH P.M., LAKE COUNTY, SOUTH DAKOTA** AS SURVEYED.

IN WITNESS WHEREOF, WE HAVE EXECUTED THIS OWNER'S CERTIFICATE THIS _____ DAY OF _____, 20 _____.

TERRY W. SCHULTZ, PRESIDENT
RED HORSE SEED PRODUCTION INC.

ACKNOWLEDGMENT OF OWNER

STATE OF _____ }
COUNTY OF _____ } SS

ON THIS DAY, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, WITHIN AND FOR THE STATE AND COUNTY AFORESAID, PERSONALLY APPEARED **TERRY W. SCHULTZ** ACKNOWLEDGED THAT HE, AS PRESIDENT OF **RED HORSE SEED PRODUCTION, INC.**, BEING AUTHORIZED SO TO DO, EXECUTED THE FOREGOING OWNER'S CERTIFICATE FOR THE PURPOSE THEREIN CONTAINED.

IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____, 20 _____.

NOTARY PUBLIC
MY COMMISSION EXPIRES _____

CERTIFICATE OF HIGHWAY AUTHORITY

ACCESS TO COUNTY HIGHWAY 33 AND COUNTY HIGHWAY 38 IS HEREBY APPROVED. ANY CHANGE IN THE ACCESS SHALL REQUIRE ADDITIONAL APPROVAL.

DATED THIS _____ DAY OF _____, 20 _____.

HIGHWAY AUTHORITY, LAKE COUNTY
HIGHWAY DEPARTMENT

COUNTY PLANNING COMMISSION APPROVAL

24267.00

APPROVAL OF THE PLAT OF LOTS 1 AND 2 OF SCHULTZ'S SECOND ADDITION IN THE NE1/4 OF SECTION 18, TOWNSHIP 106 NORTH, RANGE 52 WEST OF THE 5TH P.M., LAKE COUNTY, SOUTH DAKOTA IS HEREBY GRANTED BY THE LAKE COUNTY PLANNING COMMISSION ON THIS _____ DAY OF _____, 20 _____.

CHAIR, COUNTY PLANNING COMMISSION, LAKE COUNTY
SOUTH DAKOTA

COUNTY COMMISSION APPROVAL

I HEREBY CERTIFY THAT THE PLAT OF LOTS 1 AND 2 OF SCHULTZ'S SECOND ADDITION IN THE NE1/4 OF SECTION 18, TOWNSHIP 106 NORTH, RANGE 52 WEST OF THE 5TH P.M., LAKE COUNTY, SOUTH DAKOTA, WAS DULY SUBMITTED TO THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS, AND THAT AFTER DUE CONSIDERATION THE BOARD APPROVED SAID PLAT AT ITS MEETING HELD ON THE _____ DAY OF _____, 20 _____.

COUNTY COMMISSION CHAIR, LAKE COUNTY
SOUTH DAKOTA

COUNTY AUDITOR, LAKE COUNTY
SOUTH DAKOTA

COUNTY AUDITOR CERTIFICATE

I DO HEREBY CERTIFY THAT THE ABOVE CERTIFICATE OF APPROVAL IS TRUE AND CORRECT, INCLUDING THE SIGNATURE THEREON.

DATED THIS _____ DAY OF _____, 20 _____.

COUNTY AUDITOR, LAKE COUNTY
SOUTH DAKOTA

CITY ENGINEER'S CERTIFICATE

I, THE UNDERSIGNED CITY ENGINEER OF THE CITY OF MADISON, DO HEREBY CERTIFY THAT THIS PLAT HAS BEEN REVIEWED BY ME, OR MY AUTHORIZED AGENT, AND THAT THIS PLAT IS APPROVED BY ME.

DATED THIS _____ DAY OF _____, 20 _____.

CITY ENGINEER, CITY OF MADISON

PLANNING COMMISSION CERTIFICATE

APPROVAL OF THE LOTS 1 AND 2 OF SCHULTZ'S SECOND ADDITION IN THE NE1/4 OF SECTION 18, TOWNSHIP 106 NORTH, RANGE 52 WEST OF THE 5TH P.M., LAKE COUNTY, SOUTH DAKOTA IS HEREBY GRANTED BY THE CITY PLANNING COMMISSION ON THIS _____ DAY OF _____, 20 _____.

CHAIR, CITY PLANNING COMMISSION

CITY COMMISSION APPROVAL

RESOLUTION NUMBER _____

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MADISON, SOUTH DAKOTA, THAT THE PLAT OF LOTS 1 AND 2 OF SCHULTZ'S SECOND ADDITION IN THE NE1/4 OF SECTION 18, TOWNSHIP 106 NORTH, RANGE 52 WEST OF THE 5TH P.M., LAKE COUNTY, SOUTH DAKOTA IS HEREBY APPROVED AND THAT THE CITY FINANCE OFFICER OF THE CITY OF MADISON IS HEREBY DIRECTED TO ENDORSE ON SUCH PLAN A COPY OF THIS RESOLUTION AND CERTIFY THE SAME THEREON.

DATED THIS _____ DAY OF _____, 20 _____.

MAYOR, CITY OF MADISON

CITY FINANCE OFFICER, CITY OF MADISON

COUNTY TREASURER'S CERTIFICATE

I, TREASURER OF LAKE COUNTY, SOUTH DAKOTA, HEREBY CERTIFY THAT ALL TAXES, WHICH ARE LIENS UPON ANY LAND SHOWN IN THE ABOVE PLAT, AS SHOWN BY THE RECORDS OF MY OFFICE, HAVE BEEN PAID IN FULL.

DATED THIS _____ DAY OF _____, 20 _____.

TREASURER, LAKE COUNTY
SOUTH DAKOTA

DIRECTOR OF EQUALIZATION CERTIFICATE

I, THE DIRECTOR OF EQUALIZATION FOR LAKE COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT A COPY OF THE ABOVE PLAT HAS BEEN RECEIVED BY MY OFFICE.

DATED THIS _____ DAY OF _____, 20 _____.

DIRECTOR OF EQUALIZATION, LAKE COUNTY
SOUTH DAKOTA

REGISTER OF DEEDS CERTIFICATE

STATE OF SOUTH DAKOTA
COUNTY OF LAKE SS

FILED FOR RECORD THIS _____ DAY OF _____, 20 _____, AT _____ O'CLOCK _____, AND RECORDED IN BOOK _____ OF PLATS ON PAGE _____ THEREIN.

REGISTER OF DEEDS, LAKE COUNTY
SOUTH DAKOTA

