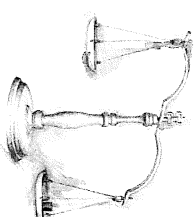


Oath of Office



State of South Dakota)
) SS.
County of Meade)

I, Dustin Hirsch, having been appointed to the Planning and Zoning Board for a three-year term, within and for said City of Summit, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of South Dakota, and that I will faithfully and impartially, to the best of my knowledge and ability, perform all duties of my said office as provided by law.

Dustin Hirsch

Subscribed and sworn to before me this 9th day of January, 2024.

Brody Oldfield, P & Z Chairman

OFFICIAL MINUTES
SUMMERSET PLANNING AND ZONING COMMISSION
REGULAR MEETING
DECEMBER 27th, 2023 @ 6:00 P.M.

The meeting was called to order by Chairman Oldfield at 6:00 p.m.

ROLL CALL: Brody Oldfield, Dustin Hirsch, and Mike Martin were present. Absent: Casey Kenrick and John Hough. Also present was the City Administrator.

CALL FOR CHANGES: Motion by Martin, second by Hirsch to approve the agenda of the meeting for December 27th, 2023. Motion carried.

CONSENT CALENDAR: Motion by Hirsch, second by Martin to approve the minutes of the regular meeting of December 12th, 2023. Motion carried.

PRELIMINARY PLAT – DARLENE GILBY

Motion by Martin, second by Hirsch to open discussion. Motion carried.

City Administrator Lisa Schieffer presented the preliminary plat to the Board. All comments have been reviewed and HDR will need to review the Geo-Tech/Drainage Report.

The Board had reviewed the same and had no further questions.

Motion by Hirsch, second by Martin to close discussion. Motion carried.

Motion by Martin, second by Hirsch to recommend approval of the preliminary plat of Darlene Gilby to the Board of Commissioners, contingent upon the Geo-Tech/Drainage report being reviewed. Motion carried.

ADJOURNMENT

Motion by Martin, second by Hirsch to adjourn the meeting at 6:07 p.m. Motion carried.

Stephany Baumeister, Finance Officer

Brody Oldfield, Chairman

Published once _____ at a cost of \$_____.



COMMUNITY PLANNING & DEVELOPMENT SERVICES

City of Summerset

12150 Siouxland Dr., Summerset, SD 57718

Phone: (605) 718-9858

Fax: (605) 718-9883

Web: www.summerset.us

APPLICATION FOR DEVELOPMENT REVIEW

REQUEST (please check all that apply)

- Annexation
- Comprehensive Plan Amendment
- Fence Height Exception
- Planned Development (Overlay)
 - Designation
 - Initial Plan Final Plan
 - Major Amendment
 - Minimal Amendment

- Subdivision
 - Layout Plan
 - Preliminary Plat
 - Final Plat
 - Minor Plat
- Rezoning
- Road Name Change

- Conditional Use Permit
 - Major Amendment
 - Minimal Amendment
 - Vacation
 - Utility / Drainage Easement
 - R.O.W. / Section Line Highway
 - Access / Non-Access
 - Planting Screen Easement
- OTHER (specify) _____

RECEIVED BY: DEC 28 2023

LEGAL DESCRIPTION (Attach additional sheets as necessary)

EXISTING Lot 2 of the NW1/4 NE1/4 and Unplatted Land in the NE1/4 NE1/4, Section 9, Township 2 North, Range 7 East of the Black Hills Meridian, Meade County, SD

PROPOSED Tract 4 and Tract 5 of LeNora's Acres Subdivision

LOCATION Intersection of Peaceful Pines Road and Erickson Ranch Road

| | | | |
|--------------------|-----------|----------------|-----------------|
| Size of Site-Acres | 3.0 Acres | Square Footage | Proposed Zoning |
|--------------------|-----------|----------------|-----------------|

| | |
|--|-----------------------------|
| DESCRIPTION OF REQUEST: To Re-Plat Lot 2 and the Unplatted parcel into two tracts | Utilities: Private / Public |
| | Water Public |
| | Sewer |

APPLICANT

Name Darlene Gilby Phone 605-390-0787
 Address 7393 Deadwood Ave. North E-mail _____
 City, State, Zip Rapid City, SD 57702 Signature *Darlene Gilby* Date 12/28/23
PROJECT PLANNER - AGENT

Name D. C. Scott Surveyors, Inc. Phone 605-393-2400
 Address 3153 Anderson Road E-mail surveyor@enetis.net
 City, State, Zip Rapid City, SD 57703 Signature *[Signature]* Date 12-28-23
OWNER OF RECORD (If different from applicant)

Name _____ Phone _____
 Address _____ E-mail _____
 City, State, Zip _____

Darlene Gilby 12/28/23 _____ _____
Property Owner Signature **Date** **Property Owner Signature** **Date**

Signature _____ Date _____
 Print Name: Darlene Gilby _____
 Title*: _____
 Signature _____ Date _____
 Print Name: _____
 Title*: _____

*required for Corporations, Partnerships, etc.

FOR STAFF USE ONLY

| ZONING |
|--------------|
| Current |
| North |
| South |
| East |
| West |
| Planner |
| File No. |
| Comp Plan |
| Received By: |

- | | | |
|--|---|--|
| <input type="checkbox"/> Sewer Utility | <input type="checkbox"/> BHP&L | <input type="checkbox"/> Diamond D Water |
| <input type="checkbox"/> Fire Department | <input type="checkbox"/> Finance Officer | <input type="checkbox"/> Black Hills Water |
| <input type="checkbox"/> Public Works | <input type="checkbox"/> Register of Deeds | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Planning | <input type="checkbox"/> County - Planning | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Building Inspector | <input type="checkbox"/> SD DOT | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Engineering | <input type="checkbox"/> SD DENR | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> City Code Enforcement | <input type="checkbox"/> Auditor - Annexation | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Police | <input type="checkbox"/> Drainage | <input type="checkbox"/> |
| <input type="checkbox"/> City Attorney | <input type="checkbox"/> Parks & Recreation | |

Planning and Zoning Meeting Date: _____ Covenants filing fee? Yes No
 Commission Meeting Date: _____
 Date Paid: _____ Payment Type: Cash Check Credit Card



PLAT OF TRACT 4 AND TRACT 5 OF LENORA'S ACRES SUBDIVISION
 LOCATED IN THE N½ NE¼ OF SECTION 9,
 TOWNSHIP 2 NORTH, RANGE 7 EAST OF THE BLACK HILLS MERIDIAN,
 MEADE COUNTY, SOUTH DAKOTA.
 DECEMBER, 2023

SCALE IN FEET
 0 50 100 150 200

- LEGEND**
- ★ FOUND IRON ROD WITH CAP L.S. 5353.
 - FOUND PROPERTY CORNER MONUMENT, IRON ROD W/CAP MARKED "L.S. 4897", UNLESS OTHERWISE NOTED.
 - ▲ FOUND IRON ROD, NO CAP.
 - FOUND IRON PIPE, NO CAP.
 - SET 5/8" IRON ROD W/ALUMINUM CAP MARKED "DEAN SCOTT, L.S. 4897".
 - (R) DIMENSION OF RECORD.
 - (M) MEASURED THIS SURVEY.
 - EASEMENT LINE.

LINE AND CURVE TABLE

| | | |
|----|--------------------|------------------|
| L1 | S 00°07'35"E | 116.38' |
| L2 | N 00°02'29"E | 116.31' |
| L3 | N 89°53'21"E | 30.00' |
| L4 | N 89°53'21"E | 93.66' |
| C1 | A = 109°51'30" (R) | 116.31' |
| | R = 645.15' (R/M) | L = 86.42' (R/M) |
| | Ch = 86.38' | S = 28°31'22"E |

- NOTES**
- UTILITY AND MINOR DRAINAGE EASEMENTS ARE RESERVED 16 FEET WIDE ON THE INTERIOR SIDE OF ALL LOT LINES.
 - IF THE SUBDIVISION SHOWN HEREON IS ADJACENT TO OR INCLUDES ANY OF THE WATERS OF THE STATE OR IS ADJACENT TO ANY OF THE WATERS OF THE STATE RESPONSIBLE FOR PROTECTING SUCH BODY OF WATER FROM POLLUTION FROM SEWAGE FROM SUCH SUBDIVISION, BEARING ORIENTATION IS WGS84 BASED ON GPS OBSERVATION.
 - PORTIONS OF THIS PROPERTY LIE WITHIN THE SPECIAL FLOOD HAZARD AREA AS DEPICTED ON FLOOD INSURANCE RATE MAP NO. 57080C0101, ISSUED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, DATED SEPTEMBER 16, 2011.
 - THE MAJOR DRAINAGE EASEMENT SHOWN HEREON IS A PERMANENT EASEMENT TO BE CONVEYED TO THE STATE OF SOUTH DAKOTA, INCLUDING EIGHT (8) FEET OF BUILDINGS, FENCES, STACKS OR PILES. THIS EASEMENT GRANTS TO ALL PUBLIC AUTHORITIES THE RIGHT TO CONSTRUCT, OPERATE, MAINTAIN, INSPECT, AND REPAIR SUCH DRAINAGE SYSTEMS AND TO TAKE SUCH OTHER ACTION AS MAY BE NECESSARY TO FACILITATE DRAINAGE FROM ANY SOURCE EXPENDITURE TO FACILITATE DRAINAGE FROM ANY SOURCE.
 - FRONT AND REAR BUILDING ENVELOPE: 25' SIDE LOT BUILDING ENVELOPE: 16' (SEE NOTE 1).

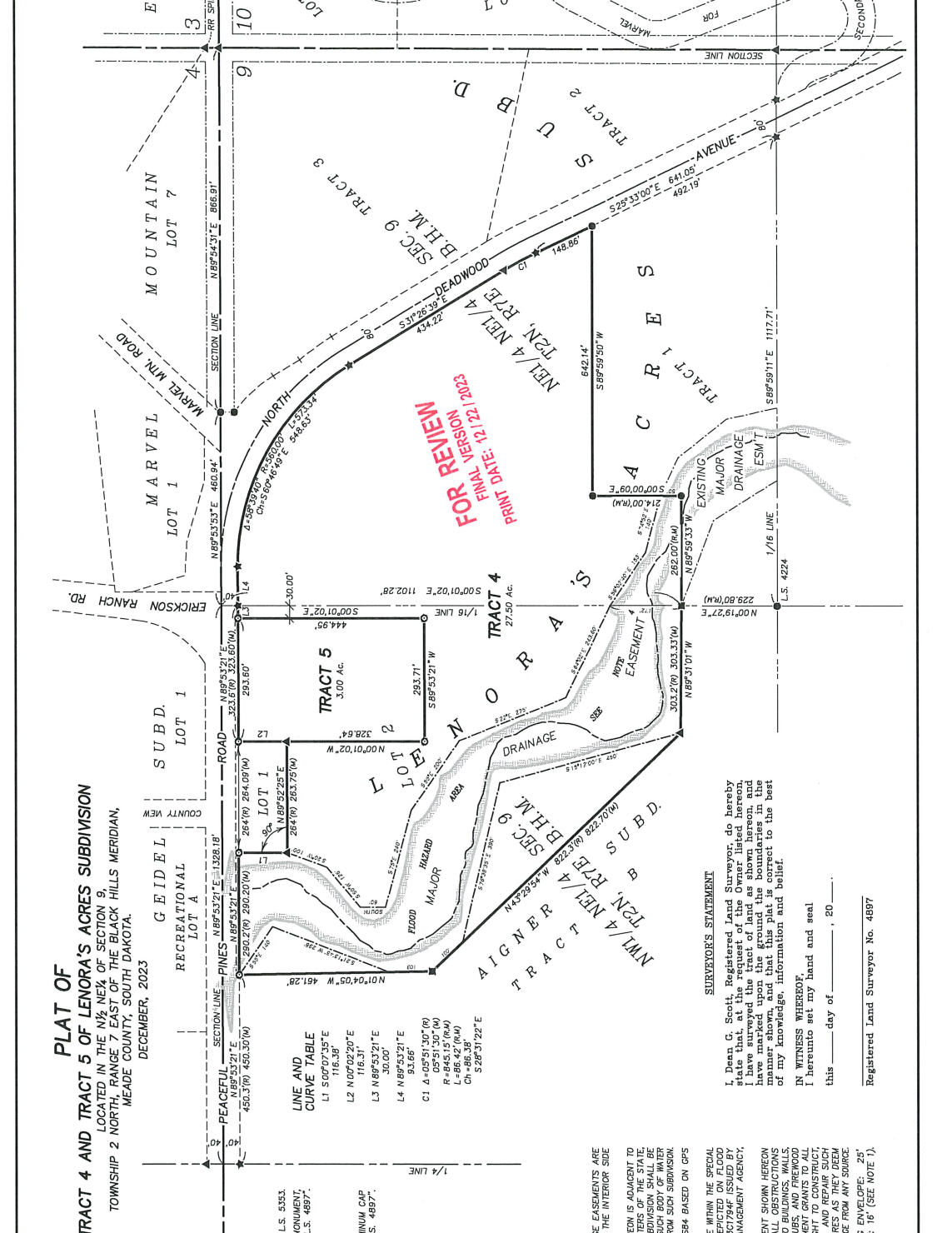
SURVEYOR'S STATEMENT

I, Dean G. Scott, Registered Land Surveyor, do hereby state that, at the request of the Owner listed hereon, I have surveyed the tract of land as shown hereon, and have marked upon the ground the boundaries in the best of my knowledge, information and belief.

IN WITNESS WHEREOF,
 I hereto set my hand and seal
 this _____ day of _____, 20____.

Registered Land Surveyor No. 4897

MARVEL MOUNTAIN ESTATES, PHASE III



FOR REVIEW
 FINAL VERSION
 PRINT DATE: 12/12/2023

REVISI
 ACCESS
 SECONDARY

PLAT OF
TRACT 4 AND TRACT 5 OF LENORA'S ACRES SUBDIVISION
LOCATED IN THE N½ NE¼ OF SECTION 9,
TOWNSHIP 2 NORTH, RANGE 7 EAST OF THE BLACK HILLS MERIDIAN,
MEADE COUNTY, SOUTH DAKOTA.
DECEMBER, 2023

PREPARED BY:
 **D.C. Scott**
SURVEYORS, INC.
3153 ANDERSON ROAD
RAPID CITY, SD 57703
(605) 393-2400

FOR REVIEW
FINAL VERSION
PRINT DATE: 12/22/2023

OWNER'S CERTIFICATE

I, Darlene Gilby, do hereby certify that I am the Owner of the land shown and described hereon, and that I did authorize and do join in and approve the survey and plat. I further certify that the development of this land shall conform to all existing applicable zoning, subdivision, and erosion and sediment control regulations.

IN WITNESS WHEREOF,
I hereunto set my hand

this ____ day of _____, 20____. _____
Darlene Gilby, Owner

CERTIFICATE OF PLANNING COMMISSION

The Summerset Planning and Zoning Board has reviewed this plat on the ____ day of _____, 20____, and has provided a recommendation to the Board of Commissioners of the City of Summerset, South Dakota.

Dated this ____ day of _____, 20____. _____
Member of the Summerset
Planning and Zoning Board

ACKNOWLEDGEMENT OF OWNER

STATE OF SOUTH DAKOTA }
COUNTY OF _____ } SS

On this ____ day of _____, 20____, before me, the undersigned officer, personally appeared Darlene Gilby, known to me to be the person who executed the foregoing Owners Certificate, and acknowledged to me that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereby set my hand and official seal.

_____, my commission
Notary Public expires:

COUNTY TREASURER'S CERTIFICATE

I, Treasurer of Meade County, South Dakota, do hereby certify that all taxes which are liens upon the land described hereon, as shown by the records of my office, are fully paid.

Dated this ____ day of _____, 20____. _____
Meade County Treasurer

RESOLUTION OF GOVERNING BOARD

WHEREAS there has been presented to the Board of Commissioners of the City of SUMMERSSET, South Dakota, the within plat of the above described lands, and it appears to this Board of Commissioners that:

- a. the system of streets set forth therein conforms to the system of streets of existing plats of the City.
 - b. all provisions of the City Subdivision regulations have been complied with,
 - c. all taxes and special assessments upon the property have been fully paid,
 - d. the plat and survey of the land have been lawfully executed,
- NOW THEREFORE, BE IT RESOLVED: that said plat is hereby approved in all respects. Dated this ____ day of _____, 20____.

Mayor of the City of Summerset Attest: City Finance Officer

CERTIFICATE OF HIGHWAY OR STREET AUTHORITY

Per SDCL 11-3-12.1 access to this property from the abutting Highway or Street is approved. Specific approach location and configuration must conform to all current Highway and/or Street regulations.

Dated this ____ day of _____, 20____. _____
Highway or Street Authority

CERTIFICATE OF DIRECTOR OF EQUALIZATION

I, Director of Equalization of Meade County, South Dakota, do hereby certify that I have a copy of the within described plat in my office.

Dated this ____ day of _____, 20____. _____
Meade County
Director of Equalization

CERTIFICATE OF REGISTER OF DEEDS

CERTIFICATE OF FINANCE OFFICER

I, Finance Officer of the City of Summerset, South Dakota, do hereby certify that all special assessments which are liens upon the land described hereon, as shown by the records of my office, are fully paid.

Dated this ____ day of _____, 20____. _____
Finance Officer,
City of Summerset

Memo

Date: Friday, December 08, 2023
Project: Tract 4 & Tract 5 of Lenora's Acres Subdivision
To: Lisa Schieffer, City Administrator
From: HDR, Inc
Subject: Plat Review

General

1. For the proposed lot sizes, Meade County Ordinance 20 requires 1 geotechnical bore of at least 15' in depth be completed by a geotechnical engineer. Findings shall be submitted to the City.
2. A letter of approval from the fire department shall be submitted to the City.
3. Provide proposed driveway locations for the proposed lots.
4. Provide proof of notification to all contiguous neighbors by Certified Mail Receipts.
5. For Final Plat remove "Survey" from the title.
6. Plat certificates need to match those in Summerset Ordinance 151.053.D. Highway/Streets authority for this plat will be Meade County.

Water

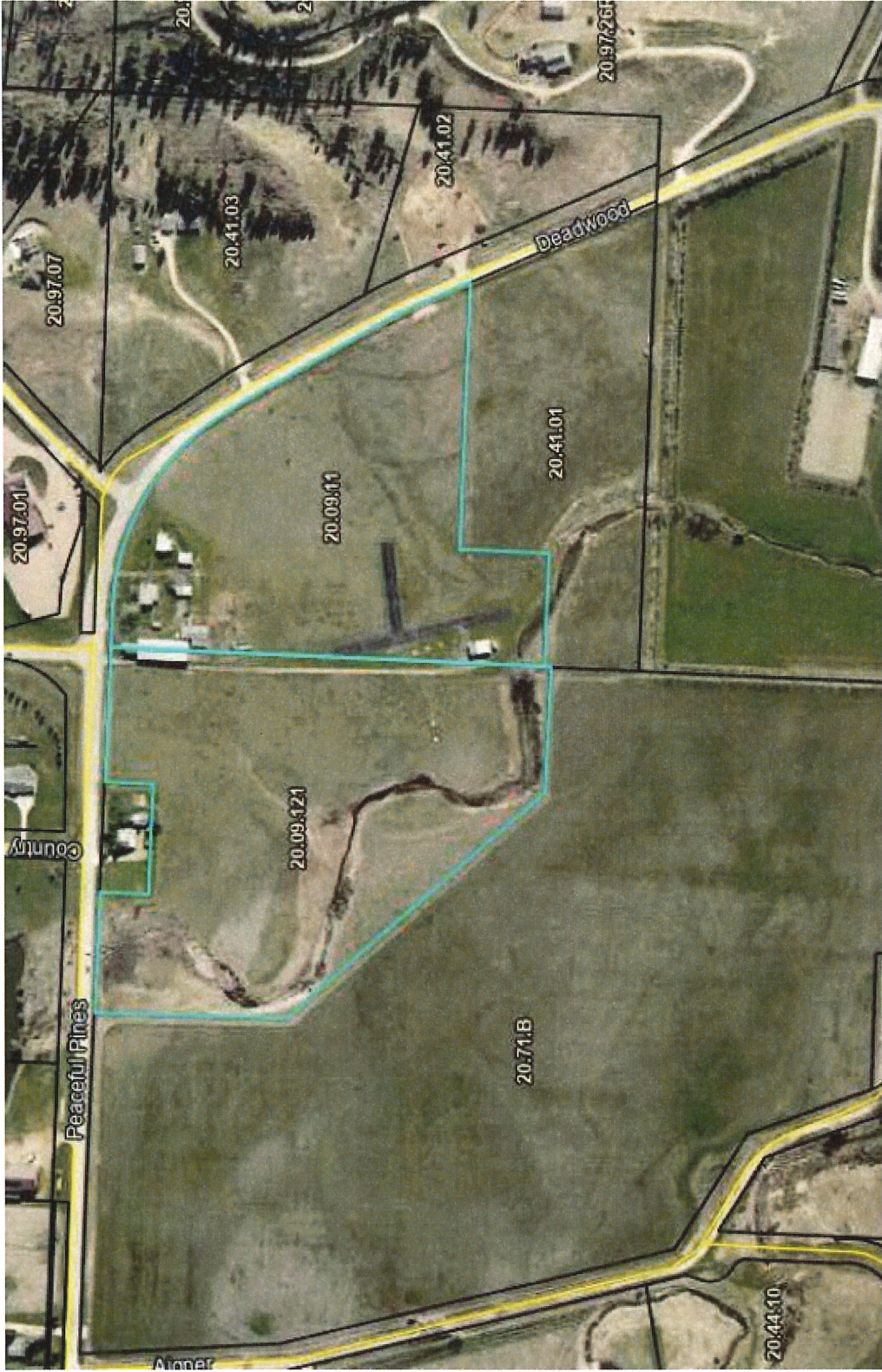
7. Application indicated water would be provided by a public entity, who is providing the water? A letter from the water entity of their intent to provide service needs to be provided to the City.

Sewer

8. The application did not indicate the sewer plan. If septic systems are planned, Meade County subdivision ordinance requires documentation that soils and lot size of each lot would support a private sewage system meeting the requirements set forth by Meade County Ordinance 33.

Drainage

9. Need to provide a drainage plan.



Owner Address GILBY, DARLENE
 7393 DEADWOOD AVE NORTH
 RAPID CITY SD 57702

| Alternate IDn/a | Class | NAACS | Acreege | n/a |
|-----------------|-------|-------|---------|-----|
| | | | | |



COMMUNITY PLANNING & DEVELOPMENT SERVICES

City of Summerset

7055 Leisure Lane, Summerset, SD 57718

Phone: (605) 718-9858

Fax: (605) 718-9883

Web: www.summerset.us

APPLICATION FOR DEVELOPMENT REVIEW

REQUEST (please check all that apply)

- Annexation
- Comprehensive Plan Amendment
- Fence Height Exception
- Planned Development (Overlay)
 - Designation
 - Initial Plan Final Plan
 - Major Amendment
 - Minimal Amendment

- Subdivision
 - Layout Plan
 - Preliminary Plat
 - Final Plat
 - Minor Plat
- Rezoning
- Road Name Change

- Conditional Use Permit
 - Major Amendment
 - Minimal Amendment
- Vacation
 - Utility / Drainage Easement
 - R.O.W. / Section Line Highway
 - Access / Non-Access
 - Planting Screen Easement
- OTHER (specify) _____

LEGAL DESCRIPTION (Attach additional sheets as necessary)

| | | |
|--|-------------|-----------------------------|
| EXISTING | | |
| Part of NE1/4 SW1/4 of Section 5, T2N, R7E of the BHM, Meade County, SD | | |
| PROPOSED Lot 3 of Norman Estates Subdivision | | |
| LOCATION Off of Foothills Road | | |
| Size of Site—Acres | 4.753 Acres | Square Footage |
| DESCRIPTION OF REQUEST: Plat and separate a piece of Commercially zoned property from remaining agricultural land | | Proposed Zoning |
| | | Utilities: Private / Public |
| | | Water |
| | | Sewer |

APPLICANT

Name Thomas Norman Phone 605-430-9839
 Address P. O. Box 767 E-mail norman.ranch@gmail.com
 City, State, Zip Black Hawk, SD 57718 Signature Thomas W. Norman Date _____

PROJECT PLANNER - AGENT

Name D. C. Scott Surveyors Phone 605-393-2400
 Address 3153 Anderson Road E-mail surveyor@enetis.net
 City, State, Zip Rapid City, SD 57703 Signature _____ Date 09-04-2023

OWNER OF RECORD (If different from applicant)

Name Thomas W. Norman and Joseph F. Norman Phone 605-430-9839
 Address P. O. Box 767 E-mail norman.ranch@gmail.com
 City, State, Zip Black Hawk, SD 57718

Joseph F. Norman 9/4/2023 Thomas W. Norman 9/4/2023
 Property Owner Signature Date Property Owner Signature Date

Signature _____ Date _____
 Print Name: Joseph F. Norman 9/4/2023
 Title*: owner

Signature _____ Date _____
 Print Name: THOMAS W. NORMAN 9/4/2023
 Title*: NORMAN.RANCH@GMAIL.COM OWNER

*required for Corporations, Partnerships, etc.

FOR STAFF USE ONLY

| ZONING | |
|--------------|--|
| Current | |
| North | |
| South | |
| East | |
| West | |
| Planner | |
| File No. | |
| Comp Plan | |
| Received By: | |

- Sewer Utility
- Fire Department
- Public Works
- Planning
- Building Inspector
- Engineering
- City Code Enforcement
- Police
- City Attorney
- BHP&L
- Finance Officer
- Register of Deeds
- County - Planning
- SD DOT
- SD DENR
- Auditor - Annexation
- Drainage
- Parks & Recreation

- Diamond D Water
- Black Hills Water
- Quaal Road District
- Other: _____
- Other: _____
- Other: _____
- Other: _____

Planning and Zoning Meeting Date: _____
 Commission Meeting Date: _____
 Date Paid: _____

Payment Type: Cash Check Credit Card

LEGEND

- FOUND IRON ROD WITH CAP SET BY VASKNETZ, L.S. 7719.
- ⊠ FOUND ORIGINAL STONE MGN.
- SET IRON ROD WITH CAP MARKED "SCOTT, L.S. 4897".
- (M) MEASURED THIS SURVEY.
- (R) DIMENSION OF RECORD FROM PLATS IN PLAT BOOK 22, PG. 154, 156, AND 333, M.C.R.D.

NORMAN ESTATES SUBDIVISION

A PLAT OF LOT 3 OF
 NORMAN ESTATES SUBDIVISION
 LOCATED IN THE NE 1/4 SW 1/4 OF SECTION 5,
 TOWNSHIP 2 NORTH, RANGE 7 EAST OF THE BLACK HILLS MERIDIAN,
 MEADE COUNTY, SOUTH DAKOTA.
 SEPTEMBER, 2023

T23N SEC. 32
 T22N SEC. 5

LINE AND CURVE TABLE

| | |
|---|---|
| L1 N 54°33'28" E (R) N 52°23'55" E (M) 105.50' | C1 Δ=23°37'09" R=1041.35' (R) 1041.52' (M) |
| L2 N 59°03'41" W (R) N 61°13'14" W (M) 348.42' (R) 348.31' (M) | L=429.35' Ch=N 45°24'39" W 426.32' |
| L3 N 02°15'13" E (R) N 00°00'28" W (M) 113.93' (R) 114.12' (M) | C2 Δ=10°25'10" R=1041.35' (R) 1041.52' (M) |
| L4 N 02°15'13" E (R) N 00°00'28" W (M) 53.53' (R) 53.28' (M) | L=190.35' C3 Δ=28°09'53" R=1141.35' (R) 1141.54' (M) |
| L5 S 65°51'28" W (R) S 68°01'58" W (M) 135.04' (R) 135.02' (M) | L=558.82' Ch=N 47°10'17" W 554.22' |

SCALE IN FEET
 0 50 100 150 200

D.C. Scott
 SURVEYORS, INC.
 1163 ANDERSON ROAD
 RAPID CITY, SD 57703
 (605) 953-2400

FOR REVIEW
 PRINT DATE 09-05-2023

SURVEYOR'S STATEMENT

I, Dean G. Scott, Registered Land Surveyor, do hereby state that, at the request of the Owners listed hereon, I have surveyed the tract of land as shown hereon, and have marked upon the ground the boundaries in the manner shown, and that this plat is correct to the best of my knowledge, information and belief. Certain easements, restrictions, or other property rights of public record or private agreement may not be shown.

IN WITNESS WHEREOF,
 I hereunto set my hand and seal

this ____ day of _____, 20____
 Reg. Land Surveyor No. 4897

OWNER'S CERTIFICATE

We, Thomas W. Norman and Joseph F. Norman, do hereby certify that We are the Owners of the land shown and described hereon, and that We did authorize and do join in and approve the survey and plat. We further certify that the development of this land shall conform to all existing applicable zoning, subdivision, and erosion and sediment control regulations.

IN WITNESS WHEREOF, We hereunto set our

hands this ____ day of _____, 20____.

Thomas W. Norman, Owner
 Joseph F. Norman, Owner

ACKNOWLEDGEMENT OF OWNER

STATE OF SOUTH DAKOTA }
 COUNTY OF _____ } SS

On this ____ day of _____, 2023, before me, the undersigned officer, personally appeared Thomas W. Norman and Joseph F. Norman, known to me to be the persons who executed the foregoing Owner's Certificate, and acknowledged to me that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereby set my hand and official seal.

 Notary Public my commission expires:

COUNTY TREASURER'S CERTIFICATE

I, Treasurer of Meade County, South Dakota, do hereby certify that all taxes which are liens upon the land described hereon, as shown by the records of my office, are fully paid.

Dated this ____ day of _____, 20____.

 Meade County Treasurer

PLANNING COMMISSION CERTIFICATE

I, hereby certify that the Summerset Planning and Zoning Board has reviewed this plat on the ____ day of _____, 20____, and has provided a recommendation to the Board of Commissioners.

Dated this ____ day of _____, 20____.

 Member, Summerset Planning Commission

CERTIFICATE OF HIGHWAY OR STREET AUTHORITY

Per SDCL 11-3-12.1 access to this property from the abutting Highway or Street is approved. Specific approach location and configuration must conform to all current Highway and/or Street regulations.

Dated this ____ day of _____, 20____.
 _____ Highway or Street Authority
 _____ Highway or Street Authority

NOTES

1. UTILITY AND MINOR DRAINAGE EASEMENTS ARE GRANTED EIGHT FEET WIDE ON THE INTERIOR SIDE OF ALL LOT LINES. REMOVAL OR MODIFICATION OF ANY OBSTRUCTION OR IMPEDIMENT TO SUCH AN EASEMENT SHALL BE THE FINANCIAL RESPONSIBILITY OF THE LANDOWNER.
2. THIS PROPERTY LIES WITHIN THE LIMITS OF FEMA FIRM PANEL 46093C 1791F, DATED SEPT. 16, 2011, AND IS DEPICTED THEREON AS LYING OUTSIDE OF ANY SPECIAL FLOOD HAZARD AREA. THE LOCATION OF THE FLOOD PLAIN MAY BE SUBJECT TO CHANGE.

RESOLUTION OF GOVERNING BOARD

WHEREAS there has been presented to the Board of Commissioners, the within plat of the above described lands, and it appears to this Board of Commissioners that:

- a. the system of streets set forth therein conforms to the system of streets of existing plats of the municipality,
- b. all provisions of any City subdivision regulations have been complied with,
- c. all taxes and special assessments upon the property have been fully paid,
- d. the plat and survey of the land have been lawfully executed,

NOW THEREFORE, BE IT RESOLVED: that said plat is hereby approved in all respects. Dated this ____ day of _____, 20____.

 Mayor City of Summerset
 Attest: Finance Officer City of Summerset

FINANCE OFFICER'S CERTIFICATE

I, Finance Officer of the City of Summerset, South Dakota, do hereby certify that all special assessments which are liens upon the land described hereon, as shown by the records of my office, are fully paid.

Dated this ____ day of _____, 20____.

 Finance Officer of the City of Summerset

CERTIFICATE OF DIRECTOR OF EQUALIZATION

I, Director of Equalization of Meade County, South Dakota, do hereby certify that I have a copy of the within described plat in my office.

Dated this ____ day of _____, 20____.

 Meade County Director of Equalization

CERTIFICATE OF REGISTER OF DEEDS

FOR REVIEW
 PRINT DATE 09-05-2023

Plat Review

Plat of Lot 3 of Norman Estates Subdivision

Located in the NW 1/4 of the SW 1/4 Section 5, Township 2 North, Range 7 East, Black Hills Meridian, Meade County, South Dakota

General Information:

Parcel Acreage 4.753 acres

Location Meade County

Date of Application 9-4-2023

Reviewed By: **Lindsay Shagla, HDR Engineering, Inc.**

Purpose: Platting a lot for future sale.

Access and Utilities: Waiting for letter on access approval from Meade County. Gas and fiber are shown on provided map. Is there any power, water, etc. in the adjacent right-of-way? Black Hawk Water has indicated they intend to provide service.

Fire Protection: By Black Hawk Volunteer Fire Department.

Drainage: The intent of the property is to be sold to a commercial business. A drainage plan will be required as part of the commercial business permit.

Final Plat Review:

Bearings and distances close on the plat.

Acreages also need to be listed in square footage.

Proposed Lot 3 is overlapping the existing Lot U1.

Lot U1 is shown as a parcel of land for utility use, will there be an access easement needed to place an approach in it? Or is there an existing access easement for the existing approach?

LEGEND

- FOUND IRON ROD WITH CAP SET BY VASKNETZ, L.S. 7719.
■ FOUND ORIGINAL STONE MON.
○ SET IRON ROD WITH CAP MARKED "SCOTT, L.S. 4897".
(M) MEASURED THIS SURVEY.
(R) DIMENSION OF RECORD FROM PLATS IN PLAT BOOK 22, PG. 154, 156, AND 333, M.C.R.D.

NORMAN ESTATES SUBDIVISION

A PLAT OF LOT 3 OF NORMAN ESTATES SUBDIVISION LOCATED IN THE NE 1/4 SW 1/4 OF SECTION 5, TOWNSHIP 2 NORTH, RANGE 7 EAST OF THE BLACK HILLS MERIDIAN, MEADE COUNTY, SOUTH DAKOTA. SEPTEMBER, 2023

T3N SEC. 32 T2N SEC. 5

LINE AND CURVE TABLE

Table with 3 columns: Line description (L1-L5), Curve data (C1-C3), and other measurements. Includes bearings, distances, and curve parameters like delta, radius, length, and chord.

FOR REVIEW PRINT DATE 09-05-2023

SURVEYOR'S STATEMENT

I, Dean G. Scott, Registered Land Surveyor, do hereby state that, at the request of the Owners listed hereon, I have surveyed the tract of land as shown hereon, and have marked upon the ground the boundaries in the manner shown, and that this plat is correct to the best of my knowledge, information and belief.

IN WITNESS WHEREOF, I hereunto set my hand and seal

this ___ day of ___, 20___. Reg. Land Surveyor No. 4897

OWNER'S CERTIFICATE

We, Thomas W. Norman and Joseph F. Norman, do hereby certify that We are the Owners of the land shown and described hereon, and that We did authorize and do join in and approve the survey and plat. We further certify that the development of this land shall conform to all existing applicable zoning, subdivision, and erosion and sediment control regulations.

IN WITNESS WHEREOF, We hereunto set our hands this ___ day of ___, 20__.

Thomas W. Norman, Owner Joseph F. Norman, Owner

ACKNOWLEDGEMENT OF OWNER

STATE OF SOUTH DAKOTA } COUNTY OF _____ } SS

On this ___ day of ___, 2023, before me, the undersigned officer, personally appeared Thomas W. Norman and Joseph F. Norman, known to me to be the persons who executed the foregoing Owner's Certificate, and acknowledged to me that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereby set my hand and official seal.

Notary Public my commission expires:

COUNTY TREASURER'S CERTIFICATE

I, Treasurer of Meade County, South Dakota, do hereby certify that all taxes which are liens upon the land described hereon, as shown by the records of my office, are fully paid.

Dated this ___ day of ___, 20___. Meade County Treasurer

PLANNING COMMISSION CERTIFICATE

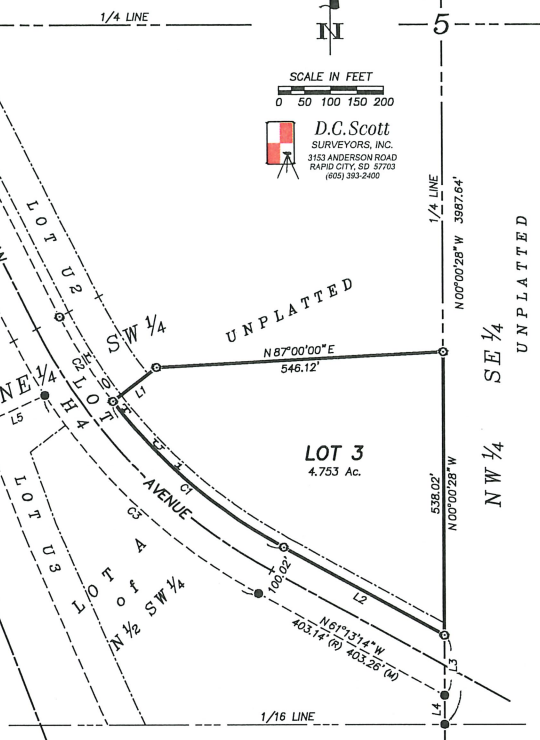
I, hereby certify that the Summerset Planning and Zoning Board has reviewed this plat on the ___ day of ___, 20___, and has provided a recommendation to the Board of Commissioners.

Dated this ___ day of ___, 20___. Member, Summerset Planning Commission

CERTIFICATE OF HIGHWAY OR STREET AUTHORITY

Per SDCL 11-3-12.1 access to this property from the abutting Highway or Street is approved. Specific approach location and configuration must conform to all current Highway and/or Street regulations.

Dated this ___ day of ___, 20___. Highway or Street Authority



NOTES

- 1. UTILITY AND MINOR DRAINAGE EASEMENTS ARE GRANTED EIGHT FEET WIDE ON THE INTERIOR SIDE OF ALL LOT LINES. REMOVAL OR MODIFICATION OF ANY OBSTRUCTION OR IMPEDIMENT TO SUCH AN EASEMENT SHALL BE THE FINANCIAL RESPONSIBILITY OF THE LANDOWNER.
2. THIS PROPERTY LIES WITHIN THE LIMITS OF FEMA FIRM PANEL 46093C 1791F, DATED SEPT. 18, 2011, AND IS DEPICTED THEREON AS LYING OUTSIDE OF ANY SPECIAL FLOOD HAZARD AREA. THE LOCATION OF THE FLOOD PLAIN MAY BE SUBJECT TO CHANGE.

RESOLUTION OF GOVERNING BOARD

WHEREAS there has been presented to the Board of Commissioners, the within plat of the above described lands, and it appears to this Board of Commissioners that:

- a. the system of streets set forth therein conforms to the system of streets of existing plats of the municipality,
b. all provisions of any City subdivision regulations have been complied with,
c. all taxes and special assessments upon the property have been fully paid,
d. the plat and survey of the land have been lawfully executed,

NOW THEREFORE, BE IT RESOLVED: that said plat is hereby approved in all respects. Dated this ___ day of ___, 20__.

Mayor City of Summerset Attest: Finance Officer City of Summerset

FINANCE OFFICER'S CERTIFICATE

I, Finance Officer of the City of Summerset, South Dakota, do hereby certify that all special assessments which are liens upon the land described hereon, as shown by the records of my office, are fully paid.

Dated this ___ day of ___, 20___. Finance Officer of the City of Summerset

CERTIFICATE OF DIRECTOR OF EQUALIZATION

I, Director of Equalization of Meade County, South Dakota, do hereby certify that I have a copy of the within described plat in my office.

Dated this ___ day of ___, 20___. Meade County Director of Equalization

CERTIFICATE OF REGISTER OF DEEDS

FOR REVIEW PRINT DATE 09-05-2023

UTILITY SURVEY

PROPOSED LOT 3 OF NORMAN ESTATES SUBDIVISION
 LOCATED IN THE NE 1/4 SW 1/4 OF SECTION 5,
 TOWNSHIP 2 NORTH, RANGE 7 EAST OF THE BLACK HILLS MERIDIAN,
 MEADE COUNTY, SOUTH DAKOTA.

NOVEMBER, 2023

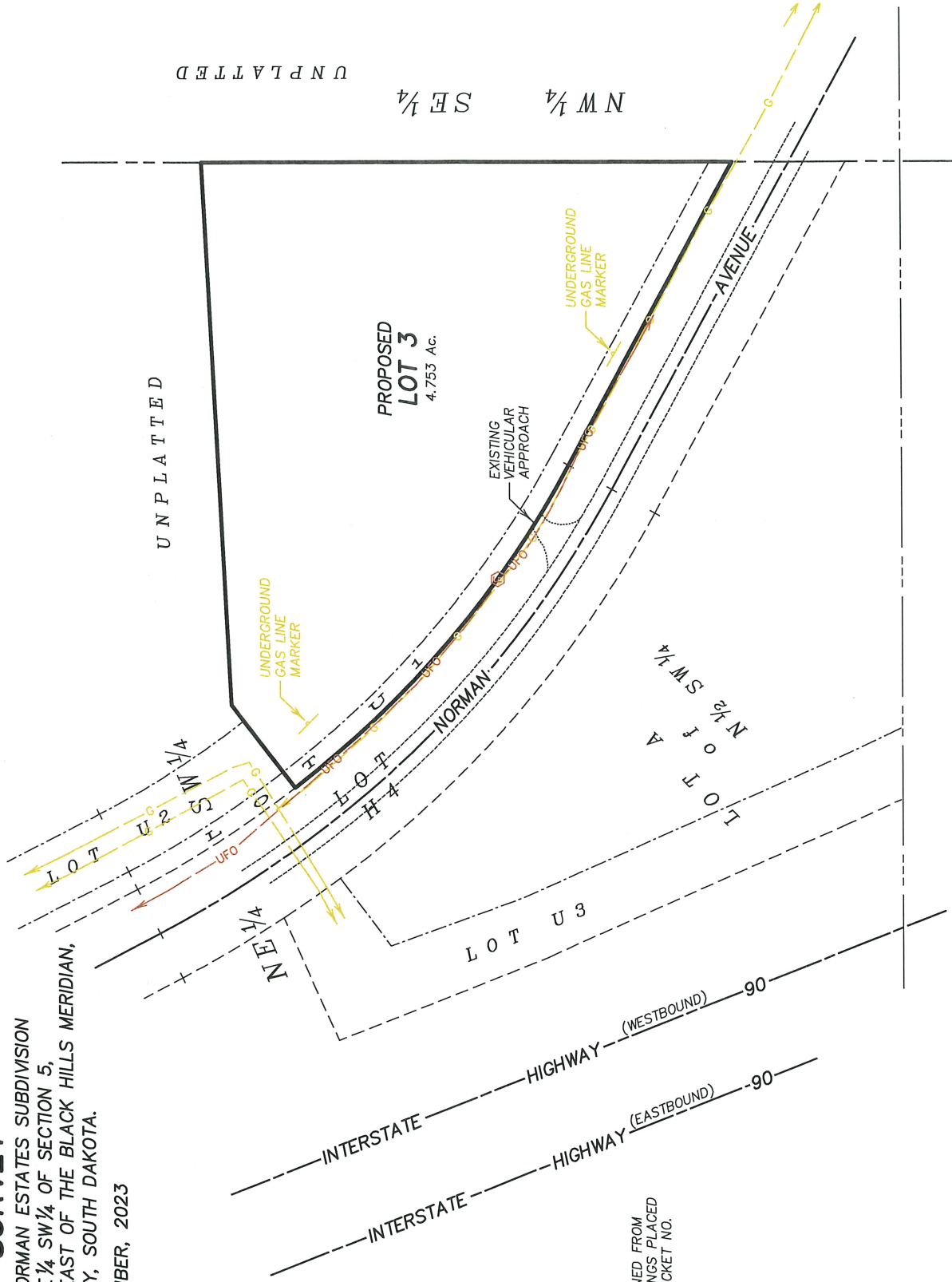
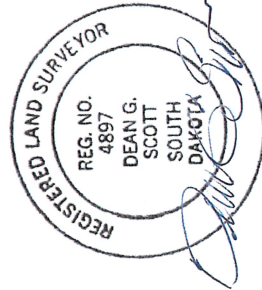


LEGEND

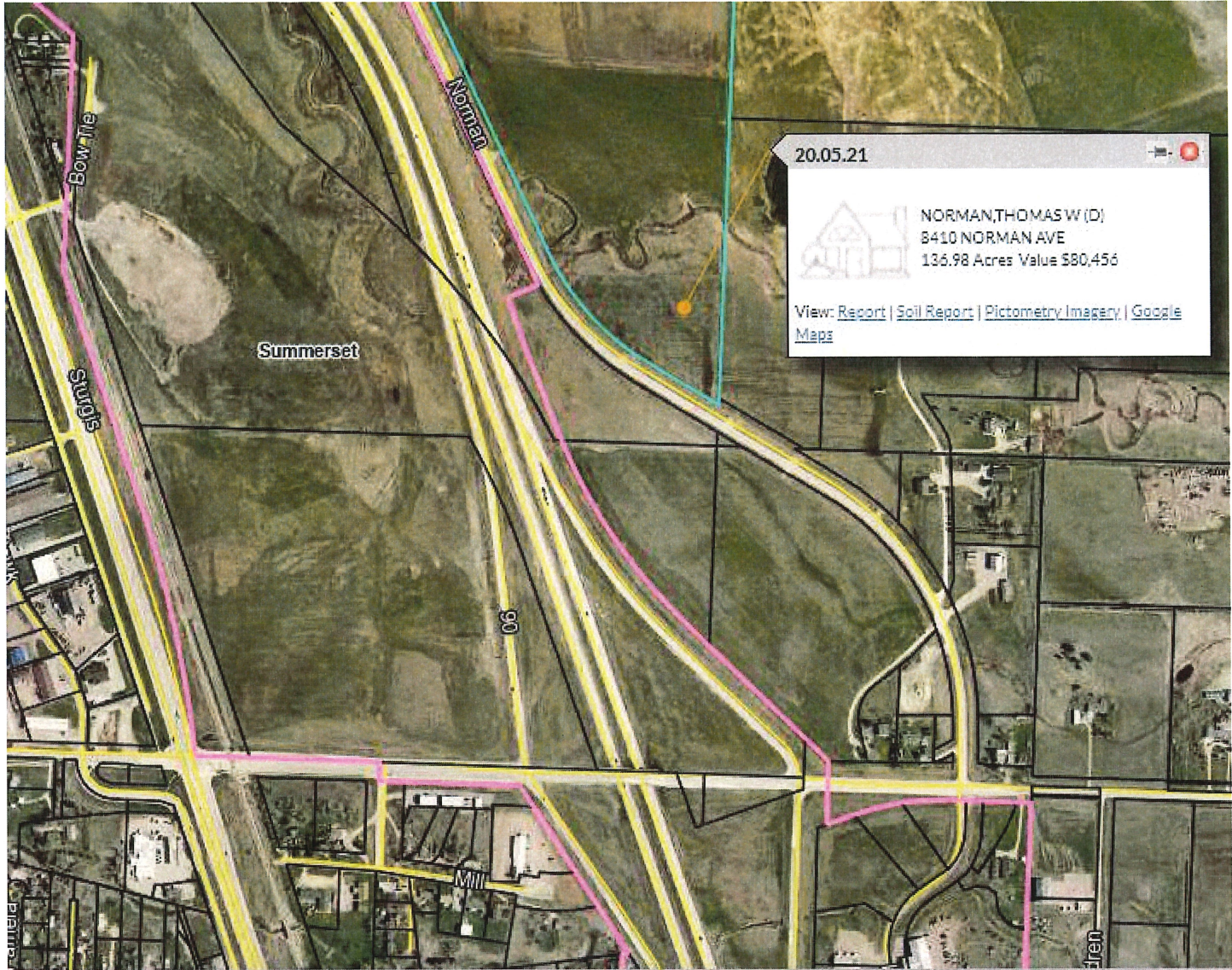
- SUBJECT PROPERTY LINE.
- - - OTHER PROPERTY LINE.
- - - EASEMENT LINE.
- - - QUARTER-SECTION LINE.
- - - SIXTEENTH-SECTION LINE.
- - - NATURAL GAS LINE.
- - - UFO
- - - UNDERGROUND FIBER-OPTIC.

NOTE

UTILITY INFORMATION SHOWN WAS OBTAINED FROM
 SURVEY MEASUREMENTS MADE TO MARKINGS PLACED
 VIA S.D. 811 UTILITY LOCATE REQUEST TICKET NO.
 2330590711 PLACED NOV. 1, 2023.



UNPLATTED
 SE 1/4 NW 1/4



20.05.21



NORMAN, THOMAS W (D)
8410 NORMAN AVE
136.98 Acres Value \$80,456

View: [Report](#) | [Soil Report](#) | [Pictometry Imagery](#) | [Google Maps](#)



D.C. Scott
SURVEYORS, INC.

3153 ANDERSON ROAD
RAPID CITY, SD 57703
(605) 393-2400

December 22, 2023

Re: Proposed plat of Lot 3 of Norman Estates Subdivision,
located in the NE1/4 SW1/4 of Section 5, T2N, R7E B.H.M.,
Meade County, South Dakota.

TO WHOM IT MAY CONCERN:

At the request of Mr. Tom Norman, our firm prepared the preliminary plat for proposed Lot 3 of Norman Estates Subdivision. Most of the property contained within proposed Lot 3 consists of unplatted land in the NE1/4 SW1/4 of Section 5, T2N, R7E B.H.M., in Meade County. A small portion of proposed Lot 3, along its highway frontage, includes part of a strip of land already platted as "Lot U1".

In 2004, several parcels were platted within the Norman family ranch by the South Dakota D.O.T in anticipation of certain highway improvements. One of the parcels consisted of a "utility lot" named Lot U1, a 20-foot wide strip crossing the NE1/4 SW1/4 of Section 5 adjacent to the Northeast side of what became Norman Avenue. Fee title ownership of Lot U1 was in, and remains in, the Norman family today.

A usual South Dakota D.O.T. procedure for parcels of land associated with highway construction or improvement is to classify them as either "right of way" or "easement". Parcels acquired for right-of-way usually include the acquisition of the fee, and are referred to as "H-lots", whereas easements do not affect fee title but are created mostly for drainage and/or utility lines.

In 2007, The South Dakota D.O.T. filed a notice of a condemnation action¹ which described the purpose for condemning the various platted parcels including Lot U1. In that document, Lot U1 was described as:

1. recorded March 2, 2007, and filed in Book 746 on pages 807 through 811 inclusive in the office of the Meade County Register of Deeds.

“Parcel 17A... **...utility easement** of that portion of Project No. IM-PH 90-1(61)50 which lies within Lot U1 in the N1/2 SW1/4 of Section 5... **...said Lot U1 contains 0.72 acre, more or less.**” (*emphasis added*)

A nearby example of an H-lot is Lot H4, another strip crossing the NE1/4 SW1/4 of Section 5 which runs parallel and adjacent to Lot U1, and was described in the same notice of condemnation as:

“Parcel 16... **...right of way** of that portion of Project No. IM-PH 90-1(61)50 which lies within Lot H4 in the N1/2 SW1/4 of Section 5... **...said Lot H4 contains 3.84 acres, more or less.**” (*emphasis added*)

Today, Lot H4 serves as the 100-foot wide right-of-way of Norman Avenue, and fee title is no longer held privately.

In 2009, Meade County filed an instrument² titled “Permanent Utility Easement” which referenced the same South Dakota D.O.T. Project No. IM-PH 90-1(61)50, and the same Parcel 17A (a.k.a. Lot U1 in the N1/2 SW1/4 of Section 5). This instrument clarified the rights in Lot U1 that were granted to Meade County, most of which are paraphrased as follows:

- 1) Meade County, its agents, representatives, permittees, and assigns, and any contractor employed by Meade County, its agents, representatives, permittees or assigns, have a perpetual right of way and easement to construct, operate, maintain, repair, alter, inspect, remove, upgrade, update, enhance, and replace utility facilities upon, above, under and across Lot U1, including, but not limited to, the right to trim any trees or brush where necessary to secure a clearance of at least twenty feet from conductors or other facilities, and the right to install and maintain anchors and guy wires when reasonably necessary, and the right of ingress and egress over adjacent land as necessary to access the easement.
2. recorded April 1, 2009, and filed in Book 773 on pages 1989 through 1993 inclusive in the office of the Meade County Register of Deeds.

- 2) The landowner “shall not construct or install anything” within Lot U1 without written permission from Meade County, acting by and through its Department of Transportation.

Summary:

The research we have conducted demonstrates that Lot U1 functions as a utility easement benefitting Meade County. Other unrelinquished rights to the land remain vested in the landowner, including rights of ingress and egress, and access to and from Norman Avenue. In our opinion, there is one unusual characteristic of the utility easement, being the phrase where the landowner “shall not construct or install anything” without written permission. As written, this phrase is very broad in comparison with other easements we have encountered.

Proposed Lot 3 of Norman Estates Subdivision is designed to front directly upon the Northeastern right-of-way line of Norman Avenue so as to provide access. The existing vehicular approach was likely constructed at the same time as Norman Avenue. Our research indicates that any 'construction or installation' of a surfaced driveway across Lot U1 should be approved by the Meade County Highway Department in writing.

We propose to revise the preliminary plat document to include the following information:

1. We will make reference in the title of the plat, that part of Lot U1 is contained within proposed Lot 3;
2. We will add a note on the plat that states: “as stipulated in the Permanent Utility Easement instrument recorded April 1, 2009, and filed in Book 773 pages 1989 to 1993, written permission from the Meade County Highway Department must be obtained before constructing or installing anything within the limits of Lot U1 in the N1/2 SW1/4 of Section 5.”;
3. We will revise note no. 1 to state: “Utility and minor drainage easements are granted eight feet wide on the interior side of all **side and rear** lot lines...”;

4. The 20-foot width of Lot U1 will be dimensioned on the plat.

Respectfully,

D. C. SCOTT SURVEYORS, INC.



Dean G. Scott, L.S.