

Prepared by: City of Sturgis
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RESOLUTION 2018-78

RESOLUTION FOR ANNEXATION OF RODERICK AND BELVA SCHAD OLD STONE ROAD PROPERTY

WHEREAS, The Common Council of the City of Sturgis had prepared a study pursuant to SDCL 9-4-4.1 to determine the need for annexing contiguous territory and to identify the resources necessary to extend the municipal boundaries to the area described in the study which is attached and incorporated by this reference. A copy of the Annexation Study is available for public review at the Finance Office at City Hall; and

WHEREAS, the Annexation Study which has been prepared finds that certain contiguous territory described therein, and legally described in this resolution, should be annexed to and included within the boundaries of the City to provide for the orderly growth and development of the City; and

WHEREAS, the property subject to this Resolution is for property contiguous to a portion of the present boundary of the City of Sturgis and within the area where the growth of the City can be accommodated to provide for the orderly growth and development of the City; and

WHEREAS, Roderick and Belva Schad are the owners of property described by the Meade County Equalization office as parcel #11.15.13, located adjacent to the City of Sturgis and described in fuller detail below; and

WHEREAS, Roderick and Belva Schad have submitted a Petition for Annexation of the subject property, described below, and that Petition has been accepted by action of the Sturgis City Council.

WHEREAS, the area owned by Roderick and Belva Schad subject to this Resolution is shown as Remainder of Government Lot 2 and attached as Exhibit A and incorporated herein, and consists of platted non-agricultural territory as defined at SDCL 9-4-5 and 10-6-31, described as follows:

LEGAL DESCRIPTION:

Government Lot 2 of Section 15, also referred to by the Meade County Equalization Office as Parcel #11.15.13, of Township 5 North, Range 5 East of the Black Hills Meridian, City of Sturgis, Meade County, South Dakota; EXCEPTING therefrom Lot 2A, as shown on the plat filed in Plat Book 5 on Page 92; EXCEPTING therefrom 2 B, 2C, 2D, 2E, 2F, and 2G, as shown on the plat filed in Plat Book t on Page 222; and EXCEPTING therefrom Vernon Heights Estates Subdivision, as shown on the plat files in Plat Book 19 on Page 43; and EXCEPTING therefrom Vernon Heights Estate II Subdivision, as shown on the plat files in Plat book 21 on pages 85-87, together with all improvements and appurtenances thereon and subject to easements, reservations, restrictions, and covenants of record in the office of the Register of Deeds of Meade County, South Dakota, if any.

WHEREAS, approval of this resolution by the Meade County Commissioners is not required pursuant to SDCL 9-4-5 because no unplatted territory or agricultural land is proposed for annexation.

WHEREAS, the property described in the Schad Petition for Annexation fits within the following statutory criteria for annexation:

1. That ample and suitable resources exist to accommodate the orderly growth and development of the described contiguous territory as evidenced by the City's current provision of many of the City services to the area and consistent with the Annexation Study.
2. That municipal utilities and a major street network are, and have been, considered in terms of the proposed boundary extension in accordance with the Annexation Study.
3. That the City has established a definite timetable upon which municipal services will be extended into the contiguous territory as described in the Annexation Study' subject to the City's policies and ordinances in accordance with South Dakota Codified Law.
4. That the approximate costs of the extended services to the residents in the described contiguous territory and to the City are set forth in detail in the Annexation Study subject to the City's reasonable policies, ordinances, regulations, terms and conditions in accordance with South Dakota Codified Law.
5. That exclusions or irregularities in municipal boundary lines are not the result of arbitrariness but are based upon existing geographical features physical barriers, existing property boundaries, existing occupancies and uses, and existing city boundaries.
6. That there is reasonable present need, and demonstrable future need, for annexing the subject contiguous territory in accordance with the Annexation Study.
7. That there exists a community of interest between the contiguous territory and the City of Sturgis.

NOW, THEREFORE BE IT RESOLVED that as a result of the completed execution of the Voluntary Annexation and Development Agreement by the parties, approval of the Petition for Annexation and adoption of this Resolution for Annexation by the Sturgis City Council, the corporate limits of the City of Sturgis shall be and are hereby extended to include the above described property.

DATED this 3rd day of December, 2018.

CITY OF STURGIS

Mark Carstensen, Mayor

ATTEST:

Fay Bueno, Finance Officer

Published: 12-07-2018

Effective: 12-28-2018

