

Prepared by: City of Sturgis
1040 Harley-Davidson Way
Sturgis SD 57785
605.347.4422

RESOLUTION 2020- 81
RESOLUTION OF ANNEXATION OF BURNHAM PROPERTY

WHEREAS, Thomas H. Burnham and Linda M. Burnham as owners of the subject property identified below have signed and submitted a voluntary Development and Annexation Agreement for consideration, approval and signature by the City of Sturgis, accompanied by a completed and fully executed Petition for Annexation into the City of Sturgis; and

WHEREAS, the Common council of the City of Sturgis has statutory authority, pursuant to SDCL 9-4-1.1, to enter into an agreement for voluntary Development and Annexation; and

WHEREAS, the agreement for Voluntary Development and Annexation between the parties is for property contiguous to a portion of the present boundary of the City of Sturgis and within the area where growth of the City can be accommodated to provide for orderly growth and development of the City; and

WHEREAS, ample and suitable resources exist to accommodate the orderly growth and development of the contiguous property described in detail below as evidenced by the City's current provision of some City services to the area and consistent with the language of the most recent Annexation Study; and

WHEREAS, there is both a reasonable present and demonstrable future need for annexing the subject contiguous property in accordance with the that Annexation Study; and

WHEREAS, the population and relevant census data indicate that the City has and may experience growth and development beyond its present boundaries; and

WHEREAS, any exclusions or irregularities in municipal boundaries would result from completion of this Development and Annexation Agreement are not a result of arbitrariness but

are a result of or are based upon existing geographical features, physical barriers, existing property boundaries existing occupancies and uses, and existing municipal boundaries; and

WHEREAS, there exists a community of interest between the property as described in the subject Development and Annexation Agreement and Petition for Annexation and existing Sturgis municipal boundaries; and

WHEREAS, a map of the area subject to this Resolution is Attached as Exhibit A and incorporated herein by reference.

NOW, THEREFORE BE IT HEREBY RESOLVED by the Common Council for the City of Sturgis that upon approval and authorization for signature of the Burnham Development and Annexation Agreement together with approval of the companion Petition for Annexation of the subject property described as follows:

- SW1/2 SW1/2 NW1/4; N1/2 N1/2 N1/2 SW1/4 lying East of HWY and Lot 8-D of NW1/4 SE1/4, consisting of 31.28 acres, more or less, and identified by Meade County Office of Equalization as Parcel 11.09.242,

the subject property shall be annexed; and

BE IT FURTHER RESOLVED that this Resolution of Annexation shall be recorded at length in the minutes of the meeting at which said Resolution is passed, together with a statement of the number of votes for and against the same, and then published in full as a part of the minutes of that meeting; and

BE IT FURTHER RESOLVED that on the twentieth day after publication of this Resolution a copy of it, certified by the City Finance Officer, and a map showing the property subject to this Resolution of Annexation, shall be recorded in the office of Meade County Register of Deeds and thereupon such territory shall become and be a part of the City of Sturgis, South Dakota.

Dated this 7th day of December 2020.

CITY OF STURGIS

Mayor Mark Carstensen

ATTEST:

Fay Bueno
City Finance Officer

Published: 2/14/2020
Effective: 01/04/2021

STATE OF SOUTH DAKOTA)

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COUNTY OF MEADE)

I, Fay Bueno, duly appointed Finance Officer of and for the City of Sturgis, Meade County, South Dakota, do hereby certify that the foregoing is a true and correct resolution adopted by the Common Council of the City of Sturgis at a regular meeting held on December 7, 2020.

Fay Bueno, Finance Officer