

SOUTH DAKOTA BOARD OF REGENTS

Budget and Finance

AGENDA ITEM: 7 – J

DATE: December 6-8, 2016

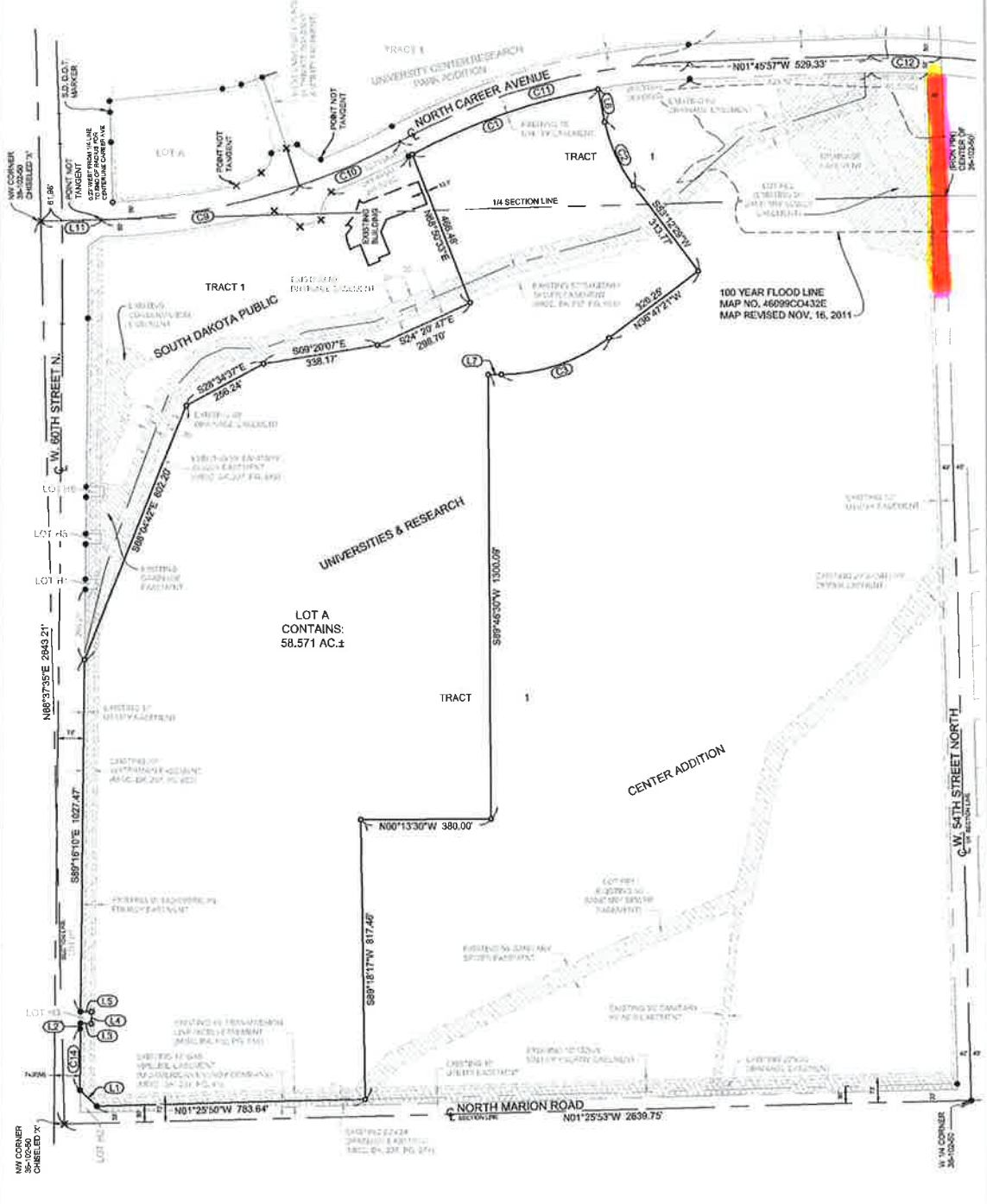
SUBJECT: Petition to Vacate Street

The platting that was original done for the University Center in Sioux Falls included West 54th Street running across the southern boundary of the tract of land owned by the Board of Regents, extending west to east from N. Marion Road to N. Career Avenue (See Attachment I). The Engineering Development Plan for the Discovery District, dated April 25, 2016, halts W. 54th Street at N. Pennsylvania Avenue, negating the need for the platted section of W. 54th Street running between N. Pennsylvania Avenue and N. Career Avenue, which crosses a major drainage way and would be costly to construct (See Attachment II). Consequently, the City has requested the adjacent land owners execute a petition to vacate the above-referenced portion of W. 54th Street to avoid any future issues/delays that could arise as a result of leaving that section of W. 54th Street platted. A draft of petition to vacate is included as Attachment III. To be clear, the section of W. 54th Street to be vacated has not yet been developed or advanced, it only exists on the plat.

The request to vacate was discussed with the Commissioner of School and Public Lands and his office confirmed there are no issues on their end and no involvement needed from their office or the Governor’s Office to submit the petition to vacate, as we are not conveying or acquiring land, but rather removing a right-of-way and freeing up an additional 33 ft. of land already owned by the Board. As such, the only thing needed to advance the petition to vacate is the approval of the Board, as one of the adjacent landowners to the section of right-of-way to be vacated.

DRAFT MOTION 20161206_7-J: I move to approve proceeding with the vacation of that portion of W. 54th Street extending from N. Pennsylvania Avenue to N. Career Avenue in Sioux Falls, SD, and to authorize the executive director to execute the required petition to vacate and to take any other action(s) necessary to effectuate the vacation.

LOT A OF TRACT 1 OF SOUTH DAKOTA PUBLIC UNIVERSITIES & RESEARCH CENTER ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA

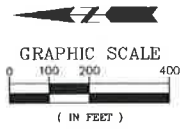


LOT A CONTAINS:
58.571 AC.±

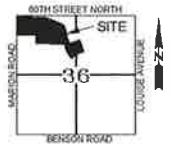
100 YEAR FLOOD LINE
MAP NO. 46099CD432E
MAP REVISED NOV. 18, 2011

CURVE TABLE						
Curve #	Delta	Radius	Tangent	Length (L)	Length (C)	Chord Direction
C1	17°00'14"	1869.86'	251.87'	576.01'	576.87'	S18°58'52"E
C2	23°30'07"	460.00'	104.10'	204.74'	203.06'	S65°57'33"W
C3	36°39'51"	530.00'	118.10'	338.23'	332.52'	N18°30'26"W
C9	17°38'40"	1909.86'	266.42'	686.15'	685.83'	S09°48'08"E
C10	0°42'05"	1909.86'	162.06'	323.35'	323.00'	S23°26'38"E
C11	28°31'45"	1909.86'	450.22'	884.30'	876.42'	N15°01'48"W
C12	6°00'37"	1909.86'	101.10'	202.01'	201.81'	N01°18'31"E
C14	0°54'13"	11384.16'	89.78'	179.55'	179.55'	S89°27'36"E

LINE TABLE		
Line #	Bearing	Distance
L1	N44°49'38"E	68.30'
L2	S88°51'33"E	15.22'
L3	S00°56'42"W	32.08'
L4	S89°00'13"E	34.62'
L5	N00°59'25"E	32.11'
L6	S78°42'38"W	87.36'
L7	N00°13'33"W	38.84'
L11	N01°22'03"W	178.13'



MINOR PLAT
FOR
TRANSFER ONLY



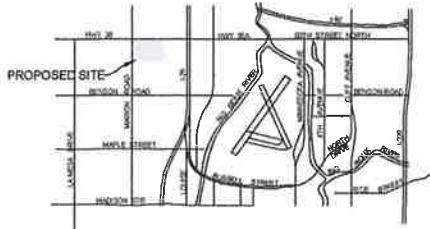
Total Area Surveyed:
58.571 Acres±

Note:
The bearing system for this plat is based on the UTM Zone 14 North.

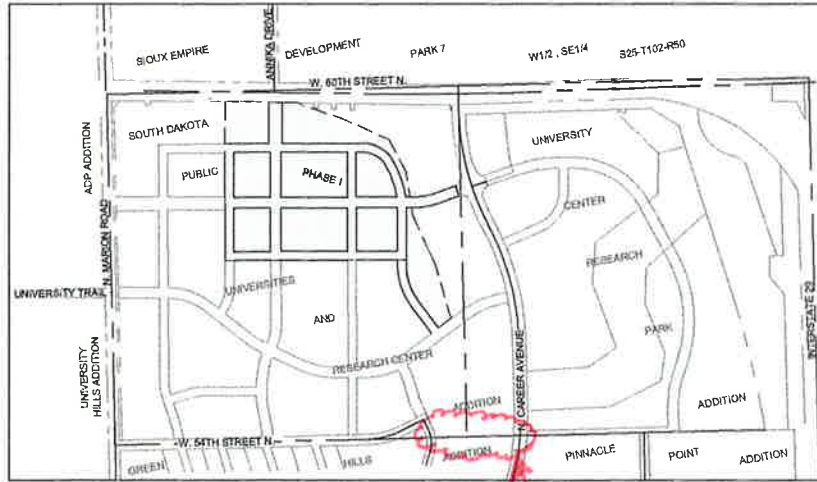
Legend
○ - Denotes 5/8 inch by 18 inch rebar set and marked by License No. 4478
● - Denotes found monument
X - Denotes found chiseled 'X' in concrete
(R) - Record Distance
(M) - Measured Distance



DEVELOPMENT ENGINEERING PLAN FOR SOUTH DAKOTA PUBLIC UNIVERSITIES AND RESEARCH CENTER ADDITION - PHASE I (USD DISCOVERY DISTRICT) TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA



VICINITY MAP
SEC. 38-102-50



LOCATION MAP

Vacate 54th Street

INDEX OF SHEETS

SHEET NO. 1	TITLE SHEET
SHEET NO. 2	LOT LAYOUT PLAN
SHEET NO. 3	PAVEMENT MARKING PLAN
SHEET NO. 4	GRADING PLAN
SHEET NO. 5	EXISTING DRAINAGE PLAN
SHEET NO. 6	PROPOSED DRAINAGE PLAN
SHEET NO. 7	STORM SEWER PLAN
SHEET NO. 8	UTILITY PLAN

LEGEND

- FIRE HYDRANT
- LIGHT POLE
- POWER POLE
- TRAFFIC SIGNAL
- TELEPHONE BOX
- EXISTING MANHOLE
- SIGN
- STREET SIGN
- GAS METER
- UTILITY CLOSURE
- GUY WIRE
- OVERHEAD POWER
- GAS VALVE
- WATER SHUTOFF
- WATER VALVE
- UNDERGROUND POWER
- UNDERGROUND TELEPHONE
- FIBER OPTIC
- UNDERGROUND TELEVISION
- WATER LINE
- GAS LINE
- SANITARY SEWER
- STORM SEWER
- CHAIN LINK FENCE
- BARBED WIRE FENCE
- WOOD FENCE
- EXISTING CURB & GUTTER
- EXISTING DROP INLET
- EXISTING CONTOUR
- BUSHES
- DECIDUOUS TREE
- CONIFEROUS TREE
- CONCRETE SURFACE

DRAWING INDICATES GENERAL UTILITY LOCATIONS ONLY.
NEITHER THE CORRECTNESS OR COMPLETENESS OF
LOCATIONS ARE GUARANTEED. CONTACT SOUTH DAKOTA
ONE CALL PRIOR TO EXCAVATIONS. (1-800-781-7474)

OWNER/DEVELOPER:
USD RESEARCH PARK, INC.
RICH NASER, PRESIDENT
4800 NORTH CAREER AVENUE,
SUITE 100
SIOUX FALLS, SD 57107
(605) 276-8010

ENGINEER:
SAYRE ASSOCIATES, INC.
218 S. DULUTH AVE.
SIOUX FALLS, SD 57104
(605) 332-7211
ATTN: MONTY MILLER
EMAIL: MONTY@SAYREASSOCIATES.COM

LEGAL DESCRIPTION:

TRACT 1 OF SOUTH DAKOTA PUBLIC UNIVERSITIES & RESEARCH CENTER ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA
IN N1/2 OF S38-T102-R50
CONTAINING: 160.8 ACRES ±

I, MONTY L. MILLER, HEREBY CERTIFY THAT THIS PLAN OR REPORT
WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND
THAT I AM A DULY REGISTERED ENGINEER UNDER THE LAWS OF
THE STATE OF SOUTH DAKOTA.

DATE: 4/25/2018

MONTY L. MILLER
REG. NO. 4228

BENCHMARK NO. 1
TOP NUT OF FIRE HYDRANT ON SOUTH SIDE OF
STREET APPROX. 660' WEST OF ROUNDABOUT
ELEV = 1490.52 (88 DATUM)

BY: KRL 201603 P DEP dwg TITLE: REV DATE: PRINT DATE: Apr 25, 2018



PREPARED BY:
Sayre Associates, Inc.
216 S. Duluth Avenue
Sioux Falls, South Dakota 57104
(605) 332-7211

PETITION TO VACATE West 54th Street North right-of-way, from the east line of North Pennsylvania Avenue extended north to the west line of North Career Avenue

TO THE SIOUX FALLS CITY COUNCIL:

The owners of real property in Sioux Falls, SD, petition the Council to vacate the street described above, because it has not been used for public travel for at least 20 years.

An exhibit of the street proposed to be vacated is attached and made a part of this petition.

We request that you have this petition filed, set a hearing date and give notice of the time and place of the hearing as required by law. After the hearing, we request that you vacate the street by resolution as provided by law.

1) LEGAL DESCRIPTION

Lot 1, Block 7 of Green Hills Addition
to the City of Sioux Falls, Minnehaha
County, South Dakota

(OWNER – SIGNATURE)

Richard Brake

(OWNER – PRINT)

Subscribed and sworn to before me
this ___ day of _____, 2016.

Notary Public – South Dakota

My Commission Expires:

2) LEGAL DESCRIPTION

Tract 10, Green Hills Addition to the City of Sioux Falls, Minnehaha County, South Dakota

(OWNER – SIGNATURE)

City of Sioux Falls
(OWNER – PRINT)

Subscribed and sworn to before me
this ___ day of _____, 2016.

Notary Public – South Dakota

My Commission Expires:

3) LEGAL DESCRIPTION

SE1/4, except H1, H3, H4, H5, H6, H7, H8, H9 and except Pinnacle Point Addition, Section 36-102-50, Sioux Falls City unplatted

(OWNER – SIGNATURE)

Sonler Properties LLC
(OWNER – PRINT)

Subscribed and sworn to before me
this ___ day of _____, 2016.

Notary Public – South Dakota

My Commission Expires:

4) LEGAL DESCRIPTION

Tract 1, South Dakota Public Universities & Research Center Addition, Minnehaha County, South Dakota

(OWNER – SIGNATURE)

South Dakota Board of Regents
(OWNER – PRINT)

Subscribed and sworn to before me
this ___ day of _____, 2016.

Notary Public – South Dakota

My Commission Expires:

I, _____, have read the above "Petition to Vacate" and know its contents. It is true to the best of my knowledge.

(ADDRESS)

(PETITIONER – SIGNATURE)

(TELEPHONE NUMBER)

(EMAIL ADDRESS)

State of _____

Subscribed and sworn to before me this
_____ day of _____, 2016.

County of _____

Notary Public – South Dakota

My Commission Expires:

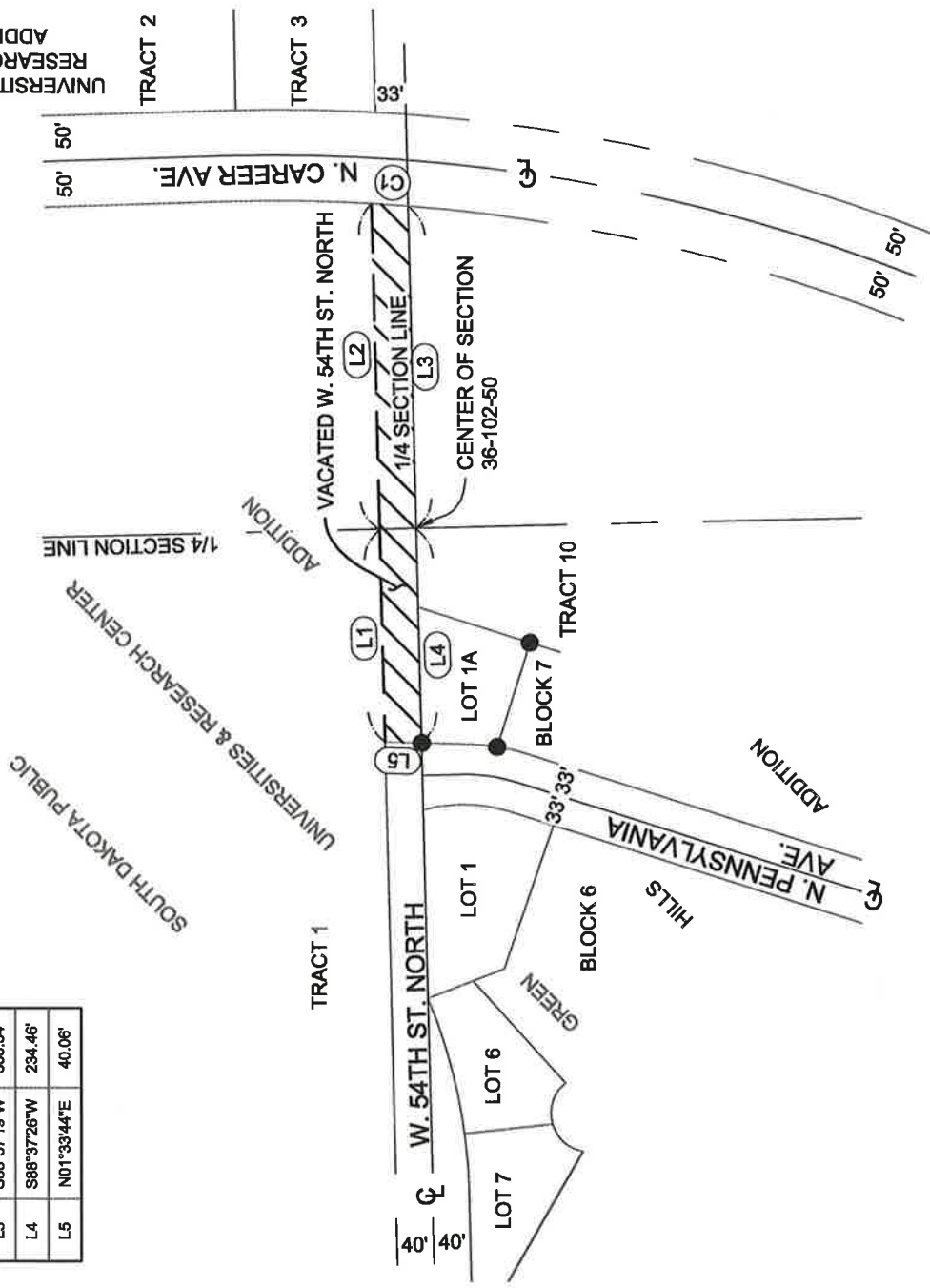
I would like the City of Sioux Falls to remove the easement from the proposed vacated right-of-way with the resolution.

EXHIBIT "A"

PROJECT NO.: 20363
 DATE: 07 OCTOBER 2016
 PREPARED FOR: CITY OF SIOUX FALLS
 LEGAL DESCRIPTION: VACATED WEST 54TH STREET NORTH RIGHT-OF-WAY ABUTTING TRACT 1 OF SOUTH DAKOTA PUBLIC UNIVERSITIES & RESEARCH CENTER ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA

Line #	Bearing	Distance
L1	N88°37'29"E	232.33'
L2	N88°37'17"E	357.06'
L3	S88°37'19"W	353.34'
L4	S88°37'26"W	234.46'
L5	N01°33'44"E	40.06'

CURVE TABLE						
Curve #	Delta	Radius	Tangent	Length (L)	Length (C)	Chord Direction
C1	001°14'15"	1859.88'	20.09'	40.17'	40.17'	S03°49'42"W



I HEREBY CERTIFY THAT THIS SURVEY, PLAN OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF SOUTH DAKOTA.

REGISTERED LAND SURVEYOR NO. 4478



Legend

- - Denotes 5/8 inch by 18 inch rebar set and marked by License No. 4478
- - Denotes found monument



216 S. Duluth Avenue • Sioux Falls, SD 57104
 Phone: (605) 332-7211 • Fax: (605) 332-7222
 Engineers • Surveyors