

SOUTH DAKOTA BOARD OF REGENTS

Budget and Finance

AGENDA ITEM: 7 – P

DATE: April 2-4, 2019

SUBJECT

SDSU Plat Resolution

CONTROLLING STATUTE, RULE, OR POLICY

SDCL [§5-1-7](#) and SDCL Chs. [11-3](#) and [43-21](#).

BACKGROUND/DISCUSSION

The property subject to the requested plat was first platted by SDSU in 1973 as University First Addition to the City of Brookings. At that time, Block 1 of University First Addition comprised two lots contiguous to a dedicated street. The dedicated street, eighty feet in width, lies to the east of the two lots. That street was never opened, and it has since been vacated. Alpha Gamma Rho (“AGR”) fraternity occupies original Lot 2 pursuant to authority provided in SDCL §13-58-25, which lies south of the original Lot 1. Original Lot 2 fronts Eighth Street, which lies south of the lot.

On July 24, 2012, Block 1 of University First Addition was re-platted. The re-plat for Block 1 of University First Addition Plat currently on file is not accurate as to the legal boundaries; therefore, a re-plat is necessary to correct the inaccuracy.

IMPACT AND RECOMMENDATION

SDSU requests the Board of Regents adopt the Resolution set forth in Attachment I requesting the plat to vacate Lots 1A, 2A, and 3A, Block 1, University First Addition and re-plat as Lots 1B and 2B, University First Addition.

Staff recommends approval.

ATTACHMENTS

Attachment I – Resolution Requesting Execution and Filing of the Plat
Attachment I, Exhibit I – Draft Plat

DRAFT MOTION 2019-0402_7-P:

I move to approve and adopt the Resolution set forth in Attachment I, requesting the Commissioner of School and Public Lands to proceed with the plat as stated therein.

RESOLUTION

Resolution requesting the execution and filing of the Plat of Lots 1B and 2B, Block 1, University First Addition to the City of Brookings, Brookings County, South Dakota.

The South Dakota Board of Regents (hereinafter referred to as “BOR”), on behalf of South Dakota State University, pursuant to the authority vested in BOR under SDCL § 5-2-11, hereby requests the Commissioner of School and Public Lands to draw up all necessary documents and to forward them to the Governor to request their execution in order to execute and file the attached plat pertaining to the property currently described as:

Lots 1A, 2A, 3A, Block 1, University First Addition to the City of Brookings, Brookings County, South Dakota; and which is to be re-platted as Lots 1B and 2B, Block 1, University First Addition to the City of Brookings, Brookings County, South Dakota.

BOR requests that the final plat be consistent with the draft plat attached hereto as Exhibit I, without restricting the ability of the parties to further revise the plat before executing and filing the same. This resolution shall also serve to ratify, request and/or approve any and all documents, transactions and/or actions necessary to effectuate the execution and filing of the plat contemplated herein.

Dated this ____ day of April, 2019

SOUTH DAKOTA BOARD OF REGENTS

By _____

Kevin V. Schieffer

President

Certification:

I have compared the foregoing with an action taken by the Board of Regents at its meeting conducted on the ____ day of April, 2019, and I hereby certify that the same is a true, correct, and complete copy thereof and that the same has not been rescinded.

Dated this ____ day of April, 2019

SOUTH DAKOTA BOARD OF REGENTS

By _____

James Morgan

Secretary

PLAT OF LOTS 1B AND 2B, BLOCK 1, UNIVERSITY FIRST ADDITION TO THE CITY OF BROOKINGS, BROOKINGS COUNTY, SOUTH DAKOTA.

THIS PLAT TO VACATE AND REPLAT LOTS 1A, 2A, AND 3A OF "PLAT OF LOTS 1A, 2A, 3A, BLOCK 1, UNIVERSITY FIRST ADDITION TO THE CITY OF BROOKINGS, BROOKINGS COUNTY, SOUTH DAKOTA", FILED FOR RECORD ON JULY 24TH, 2012 AT 8:00 A.M. IN PLAT BOOK 30, PAGE 34.



SURVEYOR'S CERTIFICATE

I, Andrew E. Kangas, a Registered Land Surveyor of the State of South Dakota, do hereby certify that on or before the 22nd day of February, 2019 and at the request of the owner of the real property hereinafter described, surveyed and replatted a portion of "Plat of Lots 1A, 2A, 3A, Block 1, University First Addition to the City of Brookings, Brookings County, South Dakota, as shown on the plat, and marked upon the ground boundaries thereof in the manner shown on the plat, and that the attached plat is a true and correct representation of said survey and that the parcel of land so platted contains: "PLAT OF LOTS 1B AND 2B, BLOCK 1, UNIVERSITY FIRST ADDITION TO THE CITY OF BROOKINGS, BROOKINGS COUNTY, SOUTH DAKOTA".

IN WITNESS WHEREOF, I have executed this Surveyor's Certificate this 22nd day of February, 2019.

Prepared By:



Civil Engineers & Land Surveyors
Brookings, South Dakota
Ph. 605-696-3200



