

Memorandum #08-48

To: Al Viereck, Interim City Manager
From: Dave Mingo, Community Development Director
Date: March 4, 2008
Subject: National Field Archery Association Permissive Use of Right-of-Way.

The National Field Archery Association has requested permission to use the Right-of-Way (ROW) that is located within their proposed complex plans. The ROW does not contain improved streets but there is sanitary sewer located in them. As proposed, only open field types of activities would occur over the ROW and the city would have access to manholes for maintenance of the sanitary sewer.

The attached Resolution #08-12 includes the proposed conditions associated with allowing the requested use. The City Attorney and all involved city departments have reviewed the document.

Respectfully submitted,

Dave Mingo, AICP
Community Development Director

Recommendation: It is recommended that the City Commission approve Resolution #08-12 granting the National Field Archery Association permission to use the ROW based on the conditions indicated in the resolution and attached exhibits.

_____ I concur with this recommendation.

_____ I do not concur with this recommendation.

Al Viereck, Interim City Manager

RESOLUTION #08-12

Permissive Use of Right-of-Way

WHEREAS, the National Field Archery Association of 704 Archery Lane owns property adjacent to dedicated Right-of-Way (ROW) in Section 17-93-55 in the City of Yankton know as NFAA Road, George Road, Ramada Road and portions of Marsh Road as shown on the attached “Exhibits A and B.”, and;

WHEREAS, The National Field Archery Association (owner) has requested permission to occupy public right-of-way for the purpose of constructing and operating an outdoor archery complex that may be used for other outdoor events as determined by the Association, and

WHEREAS, the City of Yankton has infrastructure (sanitary sewer) in the ROW and therefore must protect the viability of the continued operation of said infrastructure, and

WHEREAS, upon completion of the proposed improvements in public ROW, the owner, their heirs, assignees or successors shall not modify said improvements in any manner without first having the written approval of the Yankton City Commission and further shall abide by the following provisions of occupancy:

- Modification or improvements in the ROW beyond those presented in the attached exhibits shall not occur without first having the written approval from the City of Yankton.
- No structure shall be permitted in the ROW.
- Any connections to public facilities in the ROW are required to go through the standard design and connection permit process.
- The city reserves the right to access the ROW for facility maintenance and emergency service activities and is not responsible for damage to turf improvements resulting from heavy equipment access.
- In the event that emergency service may be necessary, the city’s on site maintenance activities shall take precedence over all other activities.
- 1-800-one-call will need to be contacted prior to any sub grade activities on the site.

Resolution #08-12

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- The City Commission reserves the right to rescind this permissive use of ROW if the ownership of the land transfers.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Yankton, South Dakota hereby approves the permissive use of right-of-way at the described location in the manner shown on the attached "Exhibits A and B."

Adopted:

C.N. Gross, Mayor

ATTEST:

Ann Clough, Deputy Finance Officer



Bruce Cull
2305 E. Hwy 50
Yankton, SD 57078
605-665-8340

February, 4, 2008

Yankton City Commission
P.O. Box 176
Yankton, SD 57078

Yankton City Commission:

First I would like to thank all of you for the pro active effort that was demonstrated by the City through the incentive package offered to the National Field Archery Association. Your vision, promotion and ability to work with all the entities involved enabled this Project to become a reality! The NFAA is very excited about the relocation to Yankton and with the recent addition of the Easton Training Center of Excellence the possibilities become unlimited!

In developing our site plan we would like to ask that the City issue the NFAA a permit to occupy Right-of-Way (see attached map) for our Olympic Ranges and related activities. The other consideration is the continuation of the Auld-Brokaw trail system to the Olympic Range and Archery Complex. This was one of the contingencies that Easton requested before making their commitment. With the recent development concerning the Olympic Field being utilized for other activities such as Soccer and being illuminated, truly makes this a multi-use Complex. Enabling access through the Auld-Brokaw Trail would be an incredible asset for everyone.

Once again, thank you for all that you have done and your consideration of the above mentioned additions to the Project. If you should need any further information, please feel free to contact me at your convenience.

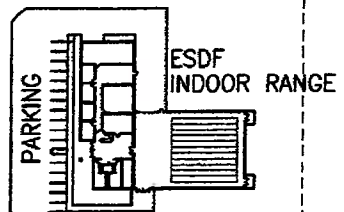
Sincerely,

A handwritten signature in black ink that reads "Bruce Cull". The signature is fluid and cursive.

Bruce Cull
President

Exhibit B

NFAA CORPORATE HEADQUARTERS



ESDF OLYMPIC RANGES
90 METER SAFETY AREA

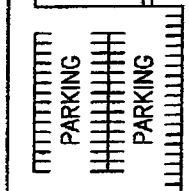
TRAINING TARGETS
262'

OLYMPIC FIELD
492'

ARCHERY LANE

NFAA ROAD

OFFICE MUSEUM

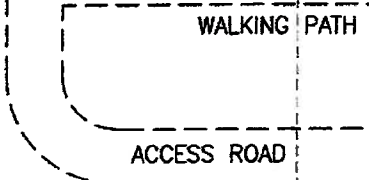


20 METER SAFETY AREA

90 METERS

20 METER SAFETY AREA

CANOPY



HAGEMAN
2 RANGES

RV CAMPING

TREE LINE

TREE LINE

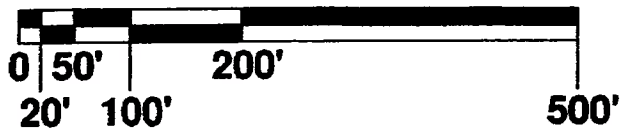
TREE LINE

PERMANENT
NFAA 28 TARGET
FIELD RANGE

PERMANENT
NFAA 28 TARGET
FIELD RANGE

PRELIMINARY SITE PLAN

NATIONAL FIELD ARCHERY ASSOCIATION / ESDF ARCHERY COMPLEX



**JAMES STEEL ERECTION
LESTERVILLE, SOUTH DAKOTA**

Unimproved Road - Request permit to occupy