

Memorandum #08-87

To: Al Viereck, Interim City Manager
From: Dave Mingo, AICP Community Development Director
Subject: Yankton Metals Property Annexation
Date: April 22, 2008

Attached is a letter of petition, resolution and exhibit to annex the described property into the corporate limits of the City of Yankton. The process involving this annexation and the provision of city utilities was agreed upon with the owner approximately one year ago. The property is adjacent to the existing corporate limits and as such, can be annexed with the owner's petition and subsequent concurrence from the City Commission.

The site is also adjacent to existing city water and sewer lines. The owner is aware of the assessments associated with connection to city services and has agreed to pay them upon completion of the annexation process.

Respectfully submitted,

Dave Mingo, AICP
Community Development Director

Recommendation: It is recommended that the City Commission approve Resolution #08-19 annexing the described property based on the voluntary petition process as described in SDCL.

_____ I concur with this recommendation.

_____ I do not concur with this recommendation.

Al Viereck, Interim City Manager

RESOLUTION NO. 08-19

WHEREAS, TJN Enterprises, Inc, has petitioned the City of Yankton, pursuant to SDCL 9-4-1, to annex certain real property into the corporate limits of the City of Yankton said property being contiguous to the corporate limits.

NOW, THEREFORE, BE IT RESOLVED by The Board of City Commissioners of the City of Yankton, South Dakota that:

1. The following described real property is hereby annexed into the corporate limits of the City of Yankton, South Dakota.

DESCRIPTION OF TRACT TO BE ANNEXED

Tract D in the SE ¼, SE ¼, Section 8, T93N, R55W, Yankton County, South Dakota as per plat recorded in Book S18, Page 73, and

That Part of Doris Schenk Addition as platted in Book S17, Page 120 lying South of the Railroad Right-of-Way, and that portion of the Bill Baggs Road Right-of-Way lying adjacent to the described land in the NE ¼, SE ¼, Section 8, T93N, R55W, Yankton County, South Dakota.

Said property containing 7.77 acres total, more or less.

Adopted this _____ day of _____, 2008.

C.N. Gross, Mayor

ATTEST:

Ann Clough, Deputy Finance Officer

PETITION OF ANNEXATION

To: The Honorable Mayor and
Board of City Commissioners of
the City of Yankton, South Dakota

The undersigned landowner(s), pursuant to SDCL 9-4-1, respectfully petition the Mayor and Board of City Commissioners of the City of Yankton, South Dakota, for annexation to the City of Yankton of the following described unincorporated territory in the County of Yankton, State of South Dakota, to-wit;

DESCRIPTION OF TRACT TO BE ANNEXED

Tract D in the SE ¼, SE ¼, Section 8, T93N, R55W, Yankton County, South Dakota as per plat recorded in Book S18, Page 73, and

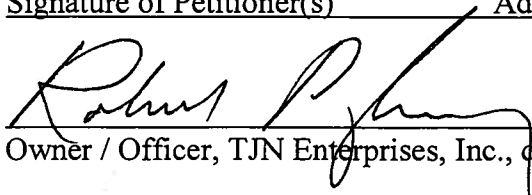
That Part of Doris Schenk Addition as platted in Book S17, Page 120 lying South of the Railroad Right-of-Way in the NE ¼, SE ¼, Section 8, T93N, R55W, Yankton County, South Dakota.

Said property containing 7.77 acres total, more or less.

And in support of the said petition, the petitioner(s) show the Board of City Commissioners:

1. That said territory abuts upon and is contiguous to the City of Yankton, South Dakota; and
2. That the petitioner(s) is the sole and absolute owner(s) of not less than three-fourths of the value of the territory sought to be annexed to the City of Yankton, South Dakota; and
3. That the petitioner(s) claim that there are not, as of the date of signing, any registered voters aside from the petitioner(s) residing in the territory petitioned to be annexed.

This petition is accompanied by a map of the territory to be annexed, showing with reasonable certainty the territory to be annexed, the boundaries thereof, and its relationship to the established corporate limits of the City of Yankton, South Dakota.

<u>Signature of Petitioner(s)</u>	<u>Address of Petitioner(s)</u>	<u>Date of Signing</u>
		4/16/08
Owner / Officer, TJN Enterprises, Inc., dba Yankton Metals		

ANNEXATION LOCATION MAP

Tract D in the SE ¼, SE ¼, Section 8, T93N, R55W, Yankton County, South Dakota as per plat recorded in Book S18, Page 73, and

That Part of Doris Schenk Addition as platted in Book S17, Page 120 lying South of the Railroad Right-of-Way, and that portion of the Bill Baggs Road ROW lying adjacent to the described land in the NE ¼, SE ¼, Section 8, T93N, R55W, Yankton County, South Dakota.

Said property containing 7.77 acres total, more or less.

