

RESOLUTION NO. 24-19

A RESOLUTION TO VACATE A PRIVATE ROAD LOCATED IN LOTS 2 AND 3 OF BES SUBDIVISION IN THE CITY OF BOX ELDER, PENNINGTON COUNTY, SOUTH DAKOTA

WHEREAS, the City of Box Elder has received a valid petition to vacate the remainder of an unnamed private road within the jurisdiction of the City of Box Elder, South Dakota by the owners of the properties adjoining the private road proposed to be vacated and approved the related plat described below:

Lot 2 and 3 of BES Subdivision (formerly Lot A of Lots 3,4, and 5 of Block 1 of Lot A of the SE¼ of Section 19, and Lot A, Lot B, Lot C, and Lot D of Revision of Portion of Subdivision of Lot A of the SE¼ of Section 19, and Adjacent Private Road) Located in the W½ SE¼ of Section 19, Township 2 North, Range 9 East of the Black Hills Meridian, Box Elder, Pennington County, South Dakota; and

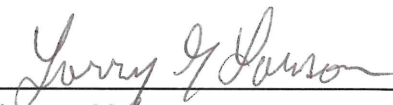
WHEREAS, the depiction of said portions of now vacated private road easement on previous county and local maps separated the area of the private road from the parcels served by the private road easement; and

WHEREAS, the Common Council of the City of Box Elder deems to vacate the private road easement as shown in Exhibit A and clarify that the zoning of the portions of the private road easement shall be changed without further action to the zoning of the property to which ownership of the vacated private road attaches as shown in Exhibit B.

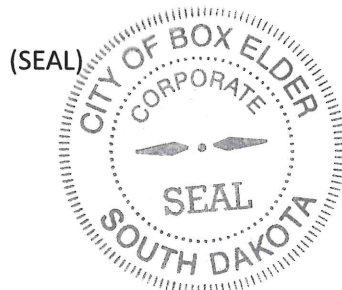
NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Box Elder, that vacation of the within described private road easement and clarification of the applicable zoning of the described portions of vacated private road be hereby approved and the Mayor of the City of Box Elder hereby authorized to endorse this resolution and certify its correctness.

PASSED, APPROVED AND ADOPTED this 17 day of December, 2024.

ATTEST:


Larry Larson, Mayor


Renee Baker, Acting Finance Officer



ATTESTATION

I, Chaz Kokesh, the City Clerk of the City of Box Elder, South Dakota, do hereby attest and state the above resolution was published on December 26, 2024 in the manner required by law and that all procedures required by the State of South Dakota law were complied with. This resolution shall become effective on the twentieth day after its publication, that date being: January 15, 2025.

Chaz Kokesh
Chaz Kokesh, City Clerk

CITY OF BOX ELDER RESOLUTION NO. 24-19
EXHIBIT B

Prepared By:
City of Box Elder
420 Villa Drive
Box Elder, SD 57719
(605) 923-1404

Zoning of the vacated portions of private road shall match the zoning of the parcels absorbing that portion as follows:

General Residential 4 (GR4) zoning district: That portion of vacated private road located in Lot 2 of BES Subdivision (formerly Lot B and Lot C of Revision of Portion of Subdivision of Lot A of the SE¼ of Section 19, and Adjacent Private Road) Located in the W½ SE¼ of Section 19, Township 2 North, Range 9 East of the Black Hills Meridian, Box Elder, Pennington County, South Dakota.

Highway Service (HS) zoning district: That portion of vacated private road located in Lot 3 of BES Subdivision (formerly Lot A of Lots 3, 4, and 5 of Block 1 of Lot A of the SE¼ of Section 19, and Lot A and Lot D of Revision of Portion of Subdivision of Lot A of the SE¼ of Section 19, and Adjacent Private Road) Located in the W½ SE¼ of Section 19, Township 2 North, Range 9 East of the Black Hills Meridian, Box Elder, Pennington County, South Dakota.