

RESOLUTION NO. 24-22

A RESOLUTION TO PROVIDE NOTICE OF INTENT TO CREATE A
BUSINESS IMPROVEMENT DISTRICT

WHEREAS, THE CITY OF BOX ELDER has received a petition from the majority of the landowners within the proposed district, pursuant to SDCL 9-55-9, to form a Business Improvement District pursuant to the provisions of SDCL 9-55, et seq., and

WHEREAS, in consideration of said petition, the Common Council intends to create a Business Improvement District, and

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BOX ELDER that the Common Council hereby gives its Notice of Intent, pursuant to the provisions of SDCL 9-55-7, to create a Business Improvement District #3 as set forth in said petition as follows:

- A. The boundaries of the proposed District include the properties described as follows:
1. Atlantis LLC "LaQuinta Inn & Suites" parcel (a/k/a 1416 N. Elk Vale Rd., Rapid City, SD 57703. Note: address is "Rapid City" but land is located within Box Elder municipal limits):
Lots 1 & 2 of Davis Subdivision, Section 27, Township Two North (T2N), Range Eight East (R8E), Black Hills Meridian (B.H.M.) Box Elder, Pennington County, South Dakota;
 2. Atlantis LLC "Residence Inn by Marriott" parcel (a/k/a 581 Watiki Way, Box Elder SD 57719):
Lot 1R2 of Lot 1 Revised of ISIS Subdivision, Section 27, Township Two North (T2N), Range Eight East (R8E), Black Hills Meridian (B.H.M.) Box Elder, Pennington County, South Dakota;
 3. Atlantis LLC "Home2 Suites by Hilton" parcel (a/k/a 621 Watiki Way, Box Elder SD 57719):
Lot 4 Revised of ISIS Subdivision, Section 27, Township Two North (T2N), Range Eight East (R8E), Black Hills Meridian (B.H.M.) Box Elder, Pennington County, South Dakota.

4. Atlantis LLC, "Courtyard by Marriott" parcel (a/Ida 580 Watiki Way, Box Elder, SD 57719):

Lot 2A of ISIS Subdivision, Section 27, Township Two North (T2N), Range Eight East (R8E), Black Hills Meridian (B.H.M.) Box Elder, Pennington County, South Dakota.

5. Leased by Atlantis LLC "Box Elder Events Center a/k/a The Box" parcel (a/Ida 631 Watiki Way, Box Elder SD 57719):

Lot 2B of ISIS Subdivision, Section 27, Township Two North (T2N), Range Eight East (R8E), Black Hills Meridian (B.H.M.) Box Elder, Pennington County, South Dakota.

6. Atlantis LLC "Future Events Center East Parking Lot; Future Homewood Suites by Hilton; & Future Starbucks" parcel:

Lot 2R of Tract D and a PT of Vacated ROW, Less Lot H1 W-Y Addition Subdivision, Section 27, Township Two North (T2N), Range Eight East (R8E), Black Hills Meridian (B.H.M.) Box Elder, Pennington County, South Dakota.

7. Atlantis LLC "WaTiki Expansion Lot":

Lot B Revised of Lot 1 Revised of Atlantis Subdivision, Section 27, Township Two North (T2N), Range Eight East (R8E), Black Hills Meridian (B.H.M.) Box Elder, Pennington County, South Dakota.

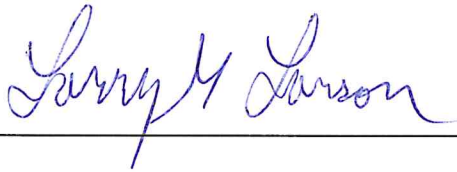
- B. A hearing will be held on November 19, 2024, in the Council Chambers of the Box Elder City Hall to consider the establishment of such District;

- C. The funds generated from such District may be used for the following:

- A. Maintenance, repair and reconstruction of improvements or facilities authorized by SDCL 9-55, et seq;
- B. Projects or undertakings for the betterment of the facilities in the District area, whether the project is capital or noncapital in nature;
- C. Employment or contracting for personnel, including administrators for improvement or promotional programs under SDCL 9-55, et seq., and providing for services necessary or proper to carry out the purposes of SDCL 9-55, et seq.

- D. The proposed or estimated costs for improvements, facilities and activities within the District described above, are Five Hundred Thousand Dollars (\$500,000.00) per year; and
 - E. The method of assessment within the District shall be fair and equitable and shall be based on rooms rented by any lodging establishment to transient guests within the District, not exceeding the maximum allowed by SDCL 9-55-7, which currently is Two Dollars (\$2.00) per occupied room per night.
- 1.

PASSED, APPROVED AND ADOPTED this 15 day of October, 2024.



ATTEST:

Larry Larson, Mayor



Nicole Schneider, Chief Financial Officer, City Administrator



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 October 22, 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: November 11, 2024.



Chaz Kokesh, City Clerk