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March 26, 2026 at 9:19 AM
AUDRA CASTEEL
PENNINGTON COUNTY, SD
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Prepared By:
City of Box Elder
420 Villa Drive
Box Elder, SD 57719
(605) 923-1404

CITY OF BOX ELDER **PENNIGTON & MEADE COUNTIIES** **STATE OF SOUTH DAKOTA**

RESOLUTION NO. 26-13

A RESOLUTION TO APPROVE A PETITION TO VACATE THE ENTIRE BERKY DRIVE RIGHT-OF-WAY LYING ADJACENT TO LOTS 9R2A AND 9R2B OF CITY CENTER SUBDIVISION, SECTION 17, T2N, R9E, BHM, BOX ELDER, PENNINGTON COUNTY, SOUTH DAKOTA

WHEREAS, the City of Box Elder has received a valid petition to vacate a portion of right-of-way within the jurisdiction of the City of Box Elder, South Dakota by the owners of the properties adjoining the portion of right-of-way proposed to be vacated described below:

The entire Berky Drive right-of-way lying adjacent to Lots 9R2A and 9R2B of City Center Subdivision, Section 17, T2N, R9E, BHM, Box Elder, Pennington County, South Dakota, as shown on the attached Exhibit A; and

WHEREAS, there are no municipal water and sanitary sewer mains located in the indicated right-of-way; and

WHEREAS, the Common Council of the City of Box Elder deems to vacate said right-of-way.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Box Elder, that vacation of the within described portion of right-of-way 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 17th day of March, 2026.

Larry Larson, Mayor

ATTEST:

Renee Baker, Finance Officer

(SEAL)

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 March 26, 2026 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: April 14, 2026.

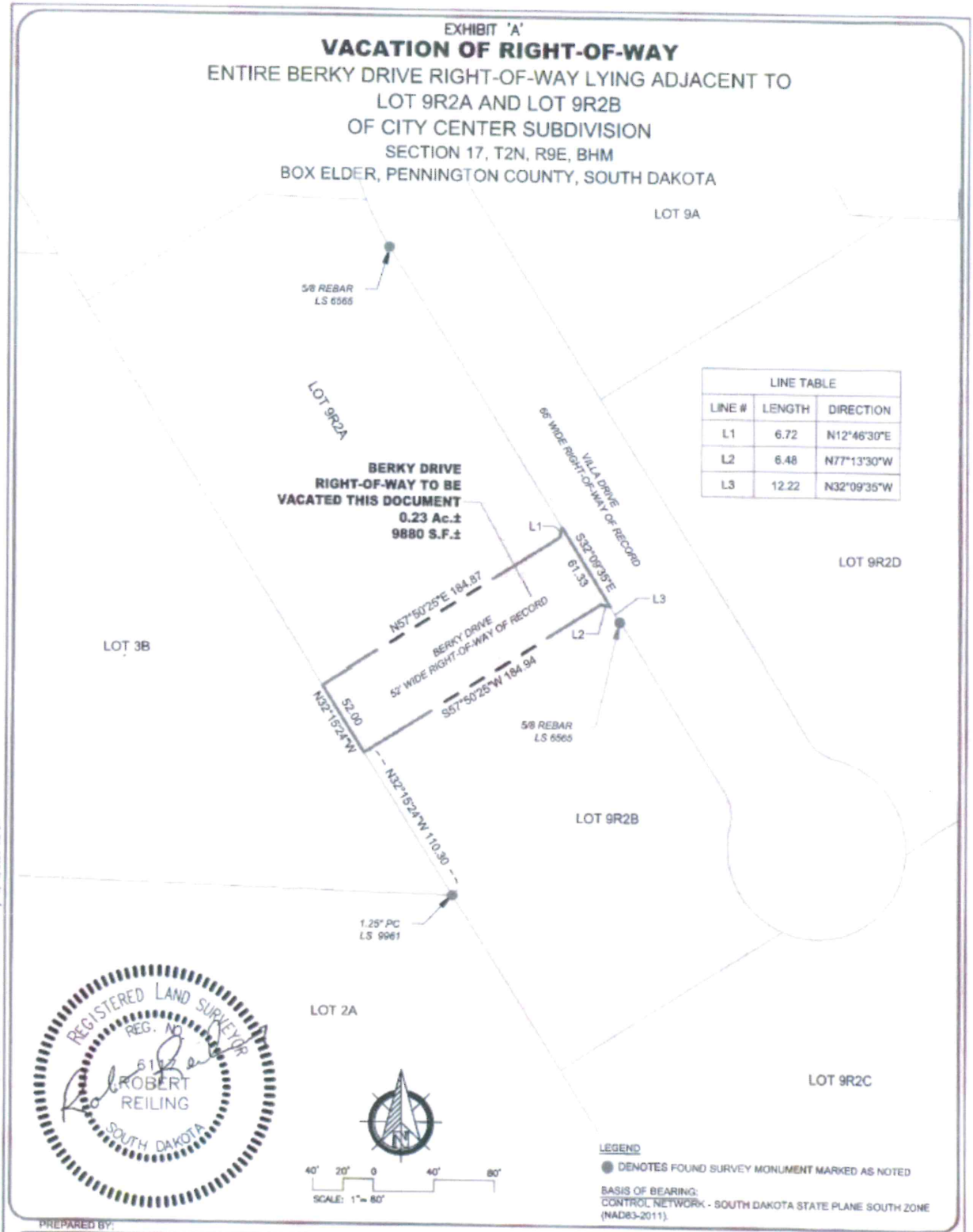
Chaz Kokesh

Chaz Kokesh, City Clerk

EXHIBIT 'A'

VACATION OF RIGHT-OF-WAY

ENTIRE BERKY DRIVE RIGHT-OF-WAY LYING ADJACENT TO
LOT 9R2A AND LOT 9R2B
OF CITY CENTER SUBDIVISION
SECTION 17, T2N, R9E, BHM
BOX ELDER, PENNINGTON COUNTY, SOUTH DAKOTA



LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	6.72	N12°46'30"E
L2	6.48	N77°13'30"W
L3	12.22	N32°09'35"W

LEGEND

● DENOTES FOUND SURVEY MONUMENT MARKED AS NOTED

BASIS OF BEARING:
CONTROL NETWORK - SOUTH DAKOTA STATE PLANE SOUTH ZONE (NAD83-2011).

PREPARED BY:

TDG Engineers@ToweyDesignGroup.com * 147 Chisholm Drive * P.O. BOX 67 * Box Elder, SD 57719 * Phone 605.600.3758
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