

RESOLUTION 8-10-20C
RESOLUTION TO VACATE PUBLIC PROPERTY

WHEREAS, the City Council, City of Milbank, Grant County, South Dakota, has authorized the City Administrator to give notice by publication pursuant to SDCL 9-45-08, of intent to vacate a portion of a public street in the City of Milbank and appointed the Milbank Planning and Zoning Commission to conduct a public hearing and investigation. Notice of said public hearing was given in the Grant County Review on June 27, 2018 and July 4, 2018.

WHEREAS, the Planning and Zoning Commission did investigate and hold a public hearing on July 16, 2018, hearing the testimony and evidence of the attending public. A motion was made and approved during the Planning and Zoning meeting held on July 16, 2018 to recommend the vacation of a portion of a public street described as

The alley located in Block 48, Original Townsite. The alley is located between Fourth Avenue and Third Avenue abutting Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, Block 48, Original Townsite to the City of Milbank, Grant County, South Dakota.

THEREFORE, BE IT RESOLVED that the City Council of the City of Milbank does hereby grant the vacation and transfer of a portion of a public street described as

The alley located in Block 48, Original Townsite. The alley is located between Fourth Avenue and Third Avenue abutting Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, Block 48, Original Townsite to the City of Milbank, Grant County, South Dakota.

Except that the City of Milbank does hereby retain and reserve unto itself and the public a utility easement over, across and under the vacated streets with the right to locate, install, inspect, repair, maintain, replace and remove all necessary or desirable utility lines and equipment.

This Resolution is adopted this 10th day of August, 2020.

Aye: _____ Nay: _____ Absent: _____

(City Seal)

Pat Raffety, Mayor

ATTEST: _____
Cynthia Schumacher, Finance Officer

Prepared by:

City of Milbank
1001 E 4th Ave
Milbank, SD 57252
605.432.9575

CERTIFICATE OF PASSAGE
OF RESOLUTION OF THE CITY OF MILBANK

I, THE UNDERSIGNED, Finance Officer of the City of Milbank, State of South Dakota, do hereby certify that the attached resolution was duly passed and adopted by the City Council of the City of Milbank, State of South Dakota, at a meeting of the City Council held on the 10th day of August 2020, in the City of Milbank, at which Mayor Raffety and the following Council members were present: J. Foster, M. Hanson, J. Johnson, J. Karels, S. Hoeke and S. Wiener. Absent: none. The attached resolution was adopted on a unanimous vote and that copy thereof will be published in the Grant County Review, City of Milbank, State of South Dakota, on August 19, 2020, and that the resolution is now in full force and effect.

IN WITNESS THEREOF, I have affixed my name as Finance Officer of the City of Milbank this 10th day of March 2020.

(City Seal)

Cynthia Schumacher, Finance Officer

STATE OF SOUTH DAKOTA)
 : ss
COUNTY OF GRANT)

On the 10th day of August 2020 in the County of Grant, State of South Dakota, before me, a notary public duly commissioned and qualified, in and for the state and county aforesaid, personally came Cynthia Schumacher, personally known to me and known to me to be the person described in and who executed the foregoing Certificate, and acknowledged to me that she executed the same, and being by me duly sworn, did depose and say that she is the Finance Officer of the City of Milbank and that the foregoing certificate is true of her own Knowledge.

(Seal)

Notary Public
My commission expires: _____