

All Planning Commission Meetings are recorded.

CITY OF CUSTER
PLANNING AND ZONING COMMISSION AGENDA
Tuesday July 14th, 2020 at 5:00 P.M.
Custer City Hall, 622 Crook Street, Custer, SD 57730

1. Call to Order - Roll Call:

2. Approve Agenda: July 14th, 2020

3. Approve Minutes: June 23rd, 2020

4. Declaration of Conflict of Interest:

5. Public Hearings:

a.—

6. Old Business

a. Minor Plat – A Plat of Gaulke Tract North and Gaulke Tract South

7. New Business:

a. Custer County Housing Development – Sylvan Park Properties

8. Discussion Items:

a. Rewrite of Custer City's Comprehensive Plan

9. Public Comments (3-minute max. per person, with total communication period to not exceed 15 minutes):

10. Planning Administrator Updates:

11. Adjournment

Planning Commission Meeting 7/14
Tue, Jul 14, 2020 5:00 PM - 7:00 PM (MDT)

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DRAFT

**MINUTES OF THE June 23rd, 2020 MEETING OF THE OF THE CITY OF CUSTER
PLANNING COMMISSION**

Roll Call: 5:00 pm

Members Present: Joe Uhrich – Vice Chairman; Fred Mills; Kathy Johnson; Rick Hudson. (all parties present by video/teleconference)

Members Absent: Jerad Tennyson-Chairman; Scott Olson; Marc Moore – Alternate; Larry Maciejewski -Alternate.

Other Parties Present: Tim Hartmann–Planning Administrator; Doug Gaulke; Lysann Zeller – BHCOLG.

Agenda: Commissioner Johnson moved, with a second by Commissioner Johnson to approve the agenda. Motion carried with Commissioners Uhrich, Mills, and Johnson all voting yes.

Minutes: Commissioner Johnson moved, with a second by Commissioner Mills to re-approve the April 28th, 2020 minutes. Motion carried with Commissioners Mills, Johnson, and Uhrich all voting yes. Commissioner Johnson moved, with a second by Commissioner Mills to approve the June 9th, 2020 minutes. Motion carried with Commissioners Johnson, Uhrich and Mills all voting yes.

Declaration of Conflict of Interest: None Stated.

Public Hearings:

Commissioner Hudson arrived at 5:26.

Old Business:

- a. **Minor Plat – A Plat of Gaulke Tract North and Gaulke Tract South**
Planning Commission reviewed the plat following the Comp Plan discussion and Commissioner Hudson’s arrival. A discussion was held primarily including previous action by Custer County and the State of South Dakota for the nonconforming lot and the location of existing well and septic systems. After the discussion, Commissioner Mills moved, with a second by Commissioner Hudson to table this plat pending receipt of the planed shared well agreement for the well that will continue to serve both parcels. Commissioner Mills motion carried with Commissioners Johnson, Hudson, Uhrich and Mills all voting yes.

New Business:

Discussion Items:

- a. **Rewrite of Custer City’s Comprehensive Plan**
Lysann presented the strategy to gather input on the draft plan. The commission supports the plan and dates to accompany the in person open house and zoom meetings. Public outreach was discussed. Staff and BHCOLG will work on implementing the plan as presented.

Public Comments:

No public comments were heard by the Commission.

Planning Administrator Updates

Planning Administrator and commission members gave various updates and discussed scheduling.

Adjournment:

Being no further business before the Commission, Commissioner Johnson moved, with a second by Commissioner Mills to adjourn. Motion unanimously carried. The meeting adjourned at 5:48 pm.

Approved:

Attest:

Joe Uhrich – Vice Chairman

Tim Hartmann, Planning Administrator

A PLAT OF
**Gaulke Tract North and Gaulke Tract South, located in
 the W 1/2 of Section 15, T3S, R4E, BHM, Custer County, South
 Dakota**

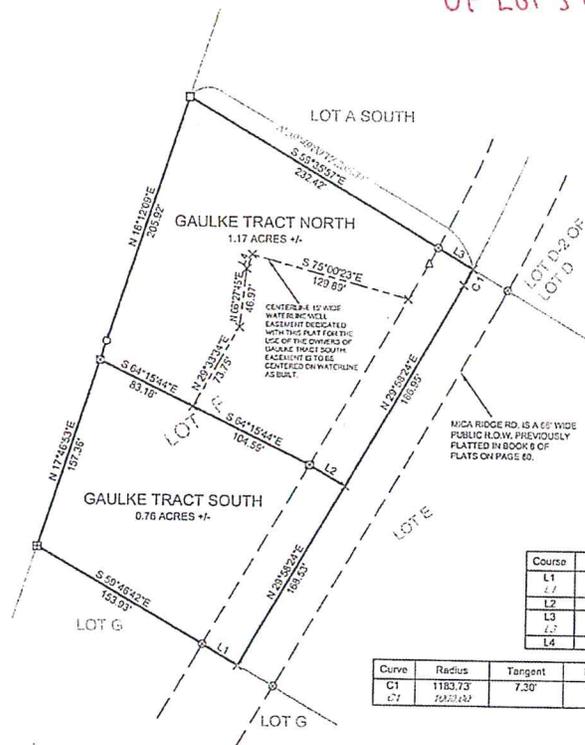
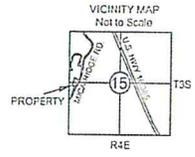
FORMERLY LOT F OF TRACT B OF M.S. 2063

NOTE: See Book # of Plats
 on Page #0 for plat of LOT
 F OF M.S. 2063.

of Lot 3 of ...

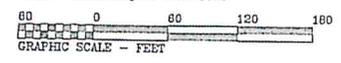
DATE SURVEYED
 26 May 2020

BASIS OF BEARING - GPS OBSERVATION
 taken N 29°13'1"E 720.09' from the NW corner
 of Gaulke Tract North.
 OPUS STATIC SOLUTION NAD83(2011)
 LAT: 43°47'28.84427"
 LONG: -103°38'7.54429"



LEGEND

- ☐ Set rebar w/aluminum cap marked "ANDERSEN ENG PLS 5000"
- △ Set rebar w/plastic cap marked "ANDERSEN ENG PLS 5000"
- ▣ Found rebar w/aluminum cap marked "BUCKHORN LS 4050"
- ⊙ Found rebar w/aluminum cap marked "BRYANT LS 2105"
- Found rebar w/plastic cap marked "HANSON 6251"
- Found Rebar
- × angle point not monumented
- Slant lettering denotes record calls



Course	Bearing	Distance
L1	S 59°42'50" E	33.10'
L1	S 50°42'42" E	22.11'
L2	S 60°01'36" E	33.00'
L3	S 59°36'27" E	32.55'
L3	S 59°40'52" E	22.11'
L4	N 20°48'40" E	11.65'

Curve	Radius	Tangent	Length	Delta	Degree	Chord	Chord Bear.
C1	1183.73	7.30'	14.60'	0°42'24"	4°50'25"	14.60'	S 28°18'00" W
C7	2227.47					14.60'	S 28°18'00" W

NOTE: 10 FEET EACH SIDE OF REAR AND SIDE LOT LINES ARE RESERVED FOR UTILITY EASEMENTS. IF BOTH SIDES OF THE LOT LINES ARE NOT CONTROLLED BY THIS PLAT THE ENTIRE 20' WIDE EASEMENT WILL BE TAKEN FROM THE LOT.

No area of special flood hazard exists within this subdivision according to Flood Hazard Insurance Rate Map Panel No. 46033C0095F, effective date: Jan. 6, 2012. The placement of all, any new construction, substantial improvements, or another development within the 100-year flood plain as designated by the 6th Flood Insurance Rate Maps and Flood Boundary and Floodway Maps, shall be in conformity with the City of Custer's Flood Ordinance.

WATER PROTECTION STATEMENT
 Pursuant to SDCL 11-3-8.1 and 11-3-8.2, the developer of the property described within this plat shall be responsible for protecting any waters of the state, including groundwater, located adjacent to or within such platted area from pollution from sewage from such subdivision and shall in prosecution of such protections, conform to and follow all regulations of the South Dakota Department of Environment and Natural Resources relating to the same.

*County's
 Custer County*

CERTIFICATE OF SURVEYOR

I, Dustin M. Ross Registered Land Surveyor No. 13405 in the State of South Dakota, do hereby certify that being so authorized, I have prepared the within plat of land shown and described hereon from notes taken during an actual survey made by me or under my direct supervision, and that to the best of my knowledge and belief, the same is a true and correct representation of said survey.
 IN WITNESS WHEREOF, I hereunto set my hand and official seal.
 Dated this ___ day of ___, 2020.

Dustin M. Ross SDRLS No. 13405

CERTIFICATE OF HIGHWAY AUTHORITY

It appears that every lot has an acceptable approach location onto a public road and the location of the intersection(s) of the proposed subdivision road(s) with the existing public road(s) is hereby approved.
 Date: _____

Highway Authority _____

CERTIFICATE OF COUNTY DIRECTOR OF EQUALIZATION

I, Director of Equalization of Custer County, do hereby certify that my office has been furnished with a true copy of the within plat.
 Dated this ___ day of ___, 2020.

Director of Equalization of Custer County _____

RESOLUTION OF THE CITY COUNCIL

Whereas there has been presented to the City Council of Custer, South Dakota, the within plat of the above described lands, and it appearing to the Council that said plat conforms to the existing plats of said City, that the streets set forth therein conforms to the system of streets of the municipality, that all provisions of the subdivision regulations have been complied with, that all taxes and special assessments upon the tract have been fully paid, BE IT RESOLVED, that said plat is hereby approved in all respects.
 Dated at Custer, South Dakota this ___ day of ___, 2020.

Mayor _____

CERTIFICATE OF CITY FINANCE OFFICER

I, Finance Officer of the City of Custer, South Dakota, do hereby certify that the foregoing instrument is a true and correct copy of the resolution adopted by the City Council of Custer, South Dakota at a meeting held on the ___ day of ___, 2020.

Custer City Finance Officer _____

STATE OF _____ COUNTY OF _____
 We, Douglas W. Gaulke and Lisa A. Gaulke, do hereby certify that we are the owners of the within described lands and that the within plat was made at our direction for the purposes indicated therein, and that the development of this land shall conform to all existing zoning, subdivision, and erosion and sediment control regulations.
 Dated this ___ day of ___, 2020.

Douglas W. Gaulke
 Lisa A. Gaulke

ACKNOWLEDGMENT OF OWNERSHIP

STATE OF _____ COUNTY OF _____
 On this ___ day of ___, 2020, before me, a Notary Public, personally appeared Douglas W. Gaulke and Lisa A. Gaulke, known to me to be the person(s) described in the foregoing instrument, and acknowledged to me that they signed the same.
 IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public _____
 My commission expires _____

CERTIFICATE OF COUNTY TREASURER

I, Custer County Treasurer, do hereby certify that all taxes and special assessments which are liens upon the within described lands are fully paid according to the records of this office.
 Dated this ___ day of ___, 2020.

Custer County Treasurer _____

OFFICE OF THE REGISTER OF DEEDS
 Filed for record this ___ day of ___, 2020, at ___ o'clock ___ M., and recorded in Book ___ of Plats on page ____.

Custer County Register of Deeds _____

Prepared by
ANDERSEN ENGINEERS
Land Surveyors, Professional Engineers & Environmental Scientists

Drawn by DR	Date 6/3/2020	P.O. Box 446 Edgemont, SD 57735 (605) 462-5500 and@andengineers@gwinc.net
Approved by MGB	Date 6/3/2020	
Scale 1"=60'	Sheet 1 of 1	File Name: L_F_MS_2063

Tim Hartmann

From: Douglas Gaulke <doug.gaulke@yahoo.com>
Sent: Thursday, July 9, 2020 12:10 PM
To: Tim Hartmann
Subject: joint well use agreement
Attachments: Gaulke agreement 7.6.20.pdf

Hi Tim,

I've attached our joint well use agreement. When our plat is approved we will notarize and file the water agreement immediately.

I won't be able to attend the GoToMeeting this time. My free trial ran out. Please let me know when you receive this email and document so I know it went through.

Thanks,

Doug and Lisa Gaulke



Planning Department
622 Crook Street
Custer, SD. 57730
Phone: 673-4824 Fax: 673-2411
e-mail: timh@cityofcuster.com

Staff Report

Request: Preliminary Plat, A Plat of Gaulke Tract North and Gaulke Tract South
Applicant: Douglas Gaulke
Location: Approximately 1.0-mile North North/West of Custer. Hwy 16/385, Custer Limestone Road, Mica Ridge Road
Legal Desc.: Gaulke Tract North and Gaulke Tract South - See Plat for full legal
Fee Paid: \$450.00
Date Prepared: June 8, 2020
Planning Commission Meeting: July 6, 2020
Prepared by Tim Hartmann, Planning Administrator

GENERAL

This plat is for a two-parcel subdivision that is not within the city of Custer but is subject to review by the City under the City's extraterritorial jurisdiction. The proposed plat will divide the existing Lot F (1.93 acres) into two Tracts, Gaulke Tract North (1.17 acres) and Gaulke Tract South (0.76 acres). The existing Lot F has a log home and 2 cabins. The log home is located on the proposed Gaulke Tract North and the two cabins are located on the proposed Gaulke Tract South. Each proposed lot currently has an existed septic system.

The area is in the county and therefore has no zoning.

COMPREHENSIVE PLAN

The land use section of the Comprehensive Plan identifies this area as Rural Residential.

ROUTING SHEET RESPONSES

CC ROD – minor grammatical and legal desc. Input.

ACCESS

Existing access to the area is provided from US Hwy 16/385, Custer Limestone Road, and Mica Ridge Road.

Mica Ridge Road is a 66' Public Access Easement. Half of such easement is shared by the property as Mica Ridge Road continues through the property.

Access to both proposed lots is currently and will continue to be provided directly to Mica Ridge Road.

LOT SIZE VARIANCE – APPROVED BY CUSTER COUNTY

The proposed Gaulke Tract South falls short of the Counties minimum 1-acre lot size. See approved County variance, notes and details provided by Mr. Gaulke regarding previous actions to allow this "non-conforming" lot.

PREVIOUS ACTION BY PLANNING COMMISSION

The Planning Commission reviewed this plat at their June 23rd meeting. Well agreement as discussed is attached in this packet.

a. Minor Plat – A Plat of Gaulke Tract North and Gaulke Tract South

Planning Commission reviewed the plat following the Comp Plan discussion and Commissioner Hudson's arrival. A discussion was held primarily including previous action by Custer County and the State of South Dakota for the nonconforming lot and the location of existing well and septic systems. After the discussion, Commissioner Mills moved, with a second by Commissioner Hudson to table this plat pending receipt of the planed shared well agreement for the well that will continue to serve both parcels. Commissioner Mills motion carried with Commissioners Johnson, Hudson, Uhrich and Mills all voting yes.

Prepared by:

James Sword
Sword Law Office, P.C.
702 Jennings Ave.
Hot Springs, SD 57747
605-745-5422

JOINT WELL USE AGREEMENT

WHEREAS, DOUGLAS W. GAULKE and ***LISA A. GAULKE*** (hereinafter the "Gaulkes") are the owners of the following real property located in Custer County, South Dakota:

Gaulke Tract North located in the W1/2 of Section 15, T3S, R4E, BHM, Custer County, South Dakota

(hereinafter the "burdened property")

and

Gaulk Tract South located in the W1/2 of Section 15, T3S, R4E, BHM, Custer County, South Dakota

(hereinafter the "benefitted property"); and

WHEREAS, there now exists a well on the burdened property; and

WHEREAS, the well on the burdened property supplies water via a water line to the benefitted property; and

WHEREAS, the Gaulkes desire to ensure that the burdened property and benefitted property have an adequate supply of water for domestic use; and

WHEREAS, attached as Exhibit 1 and incorporated by this reference is copy of the plat of the benefitted property and burdened property and showing the placement of the waterline from the well to the benefitted property.

NOW THEREFORE the owners of the burdened property and the benefitted property, for the exchange of good and valuable consideration, agree as follows:

1. The owner of the benefitted land shall have the perpetual right to use the water from the well located on the burdened land. The use of the water shall be restricted to domestic household use, lawn maintenance and a small garden. All water usage by the owner of the benefitted property shall be contained to the benefitted property. The water shall not be used for agricultural purposes and shall not be used to provide water to livestock or poultry. Livestock shall include, but not limited to, hogs, horses, cattle, sheep, and goats.
2. The burdened property shall have a perpetual 30-foot wide private access easement and right of way, as shown on Exhibit 1. This easement shall be for the inspection, maintenance and repair of the waterline carrying water to the benefitted property. The rights to this easement shall be for the sole benefit of the benefitted land.
3. If possible, the owner of the benefitted land shall give ten (10) days notice to the owner of the burdened land of his/her intent to enter upon the burdened land to inspect and/or perform maintenance and repair work on the waterline.
4. The grant of the easement shall not affect the owner's quiet enjoyment of the burdened land.
5. The owner of the benefitted land shall be solely responsible for any and all costs and expenses needed to repair and maintain the waterline from the well to the end use on the benefitted land. The owner of the burdened land shall be responsible for any costs and expenses
6. The owner of the burdened land shall be responsible for payment of all electricity and/or power needed to operate the well pump. The owner of the burdened land shall pay for any repairs to the pump and well which do not exceed \$250. If any repair and/or replacement of the pump and well exceeds \$250 then the owners of the benefitted land and the burdened land shall equally share said costs and expense.
7. In the event that the owner of the burdened property shall fail to pay his/her respective portion of the costs and expenses of the repair and maintenance of the well and pump within sixty (60) days of billing, or in the event that the well shall no longer be able to produce a sufficient amount of water to supply both properties with sufficient domestic water, despite all reasonable and customary efforts to repair and restore the well, this Agreement and Easement shall terminate.

8. This agreement and the rights granted herein shall run with the real property and be binding on all parties having any right, title or interest in the properties described herein, or any party thereof, their heirs, successors, and assigns.

9. The owner of the benefitted land agrees to hold the owner of the burdened land harmless from any and all damages arising from benefitted land's use of the easement and right of way herein granted, and agrees to pay for any damage or damages which may arise to the surface estate, premises or rights of burdened land related to the use of the easement granted herein.

10. This Agreement and Easement will terminate upon the mutual consent of the parties or in the event that either party fails to comply with the terms herein, the same shall be terminated after the non-defaulting party provides a 30 day written notice to the defaulting party and filing with the Custer County Register of Deeds a notice of easement termination.

11. The water from the well shall only be used on the properties described herein. The water from the well shall not be sold, assigned nor transferred to any person/entity not having rights pursuant to this Agreement and Easement. No right or benefit conferred by this Agreement and Easement may be assigned, leased or transferred by the parties.

12. This Agreement may not be amended or modified unless both parties agree in a writing executed with the same formality as herein and filed with the Custer County Register of Deeds.

13. The provisions herein shall be governed and interpreted in accordance with the laws of the State of South Dakota.

14. The terms and conditions herein constitute the entire agreement of the parties.

DATED this ____ day of _____, 2019.

DOUG W. GAULKE

LISA A. GAULKE

STATE OF SOUTH DAKOTA)
)SS

COUNTY OF CUSTER)

On this ____ day of _____, 2020, before me, _____,
the undersigned officer, personally appeared **DOUG W. GAULKE** and **LISA A. GAULKE**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes herein expressed.

IN WITNESS WHEREOF I have hereunto set my hand and official seal.

Notary Public-South Dakota

My Commission Expires: _____
(SEAL)



Planning Department
622 Crook Street
Custer, SD. 57730
Phone: 673-4824 Fax: 673-2411
e-mail: timh@cityofcuster.com

Staff Report

Request: Sylvan Park Propertys Development
Applicant: A Partnership with Mr. Matt Hespen, Custer County Housing Authority, and Custer City
Legal Desc.: Spring Subd - Lots 4 and 5, and Lot 1R
Planning Commission Meeting: July 14, 2020
Prepared by Tim Hartmann, Planning Administrator

GENERAL

This plat is for a subdivision of land adjacent to the E, N/E side of the City. Per SDCL 11-3-6 the City is responsible for reviewing and approving plats adjoining the City. The proposed plat will shift the lot lines of the existing Lot 2R (6.86 acres) and Tract Hespen (13.87 acres) into the proposed Lot 4 (15.041 acres) and Lot 5 (5.679 acres). The existing parcels currently do not have any structures upon such.

The proposed plat is an additional phase of some planned development with this parcel and area East of the new Custer Regional Hospital.

The area is currently in the county and therefore has no zoning.

COMPREHENSIVE PLAN

The plat is within the area projected as Suburban Residential on the Comprehensive Plan.

ROUTING SHEET RESPONSES

SDDOT – I will have to sign this plat. The access location from SD89 is acceptable.

ACCESS AND PUBLIC SERVICES

Access to the proposed Lot 4 will be primarily provided by Montgomery Street or Sylvan Lake Road. Although the proposed Lot 5 is currently the remainder of the land and may be incorporated within the property to the South, S/E, access would be desired from Sylvan Lake provided an access location could be granted.

Water services have also been stubbed near the N/W corner of the proposed neighboring Lot 4. Sewer services to the property should be a topic of research and discussion.

City staff will continue to research recommendation and requirements pertaining to water and sewer extensions.

ANNEXATION AND ZONING

City staff and Legal Counsel have met to discuss the most feasible mechanics to address annexation, sewer and water extensions and zoning. As we are aware, this plat is an additional phase related to Custer County Housing Authority planned housing project. City legal has advised that specifics such as annexation, sewer and water extensions, and zoning will be most appropriately addressed in a Land Transfer Agreement when the land is transferred between appropriate parties.

UPDATE - JUNE 2020

Planning Commission reviewed this preliminary plat at their November 12th, 2019 meeting, in conjunction with the planned Custer County Housing (CCH) development. See the excerpt from such meeting minutes below.

- a. Minor Plat – Spring Subdivision Plat of Lots 4 and 5.
The Commission and Planning Administrator discussed the minor plat. Discussion included but was not limited to the nature of planned developments, the parties involved, sewer extensions, and needed details of potential construction. After the discussion, Commissioner Mills moved with a second by Commissioner Uhrich to table the Minor Plat until a site plan depicting plan development on the proposed Lot 4 is presented to the Commissioner for further review.

The preliminary site plan and supporting information for the development is attached to this meeting packet.

Planning Commission again reviewed this plat at their June 9th meeting. See excerpt of meeting minutes below.

- a. Minor Plat – Spring Subdivision Plat of Lots 4 and 5

Planning Commission reviewed the plat and site plan provided by Tallgrass Landscape Architecture. A discussion was held primarily including annexation of the proposed Lot 4 and sewer extension. After the discussion, Commissioner Uhrich moved, with a second by Commissioner Johnson to recommend denial of the plat until annexation for the proposed Lot 4 is requested by the landowner. Commissioner Uhrich's motion carried with Commissioners Olson, Uhrich, Mills, and Johnson all voting yes.

MOVING FORWARD (Summarized)

- ~~1. Establish Lot 4 of Spring Sub—The individual lot is needed for reference in agreements to follow. This will be the actual parcel involved in land transfer and development.~~
- ~~2. Establish land transfer and development agreement(s)—Legal and City Staff will work with CCH Legal and CCH Board to establish an agreement for land development.~~
- ~~3. Annexation—Lot 4 would be annexed into the City~~
- ~~4. Zoning—CCH would submit request for zoning of proposed Lot 4.~~
- ~~5. Development and Construction~~

COMPLETE DEVELOPMENT PLANS, SALE(s), & ANNEXATION AT CLOSING

1. Hesperen presents a proposal (preliminary plat, or at minimum a sketch plan) of proposed development on "Coffin Pit" property, requesting approval of such plan. Such proposal is anticipated to show no more than 3 lots (averaging 5.46 acres each).
2. Planning Commission recommends approval of the Plat of Lots 4 & 5 of Spring Subdivision by the Council with a recommendation that the Council stipulate such approval is contingent upon the sale of Lot 4 from Hesperen to CCH.
3. City approves transfer of "Coffin Pit" (Lot 1R) to CCH, specifying that such be utilized in a way to benefit the development of affordable housing for Custer area residents.
4. City Council approve the Plat of Lots 4 & 5 of Spring Subdivision contingent upon the sale of Lot 4 from Hesperen to CCH, and contingent upon completion of a subdivision agreement binding CCH to sewer extension to Lot.
5. Plat is held in City office, closing docs are prepared, subdivision agreement and petition to annex by CCH is prepared and provided to the City in draft form.
6. Plat, closing docs, subdivision agreement and annexation petition are all presented at a scheduled closing date. *
7. Hesperen signs the plat and closing docs to Custer County housing. *
8. City signs the plat, plat can be filed*
9. CCH completes closing and now owns Lot 4. *
10. CCH signs and presents City Annexation petition to City Planning Administrator. *

* Denotes happens at scheduled closing, probably Southern Hills Title.

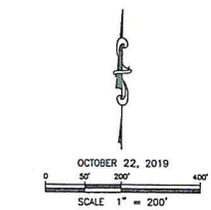
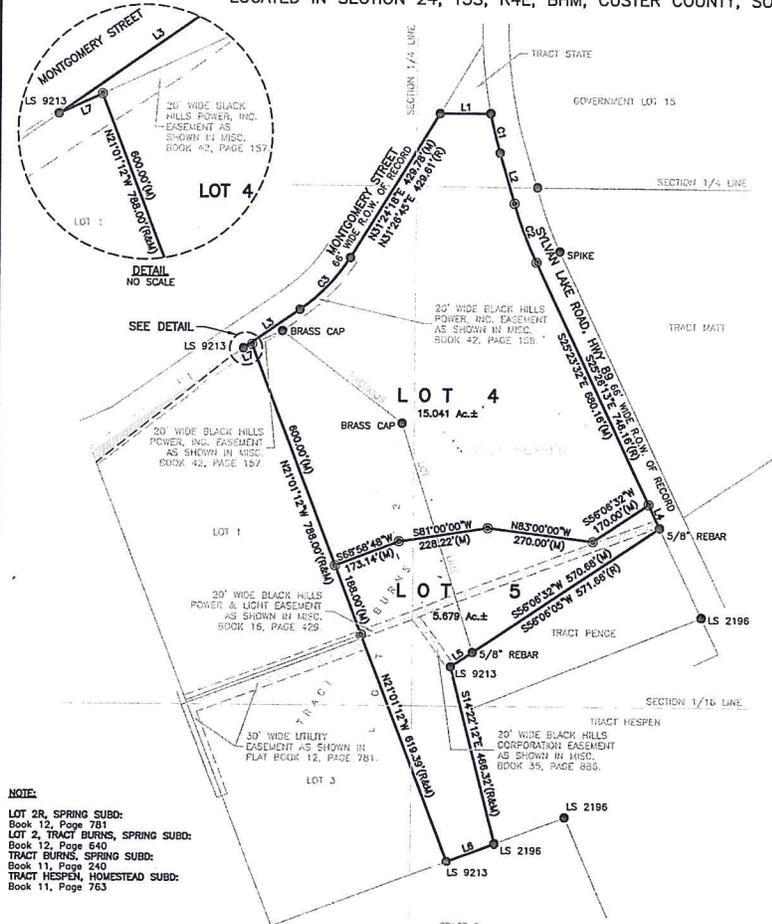
Items to consider

- o Sewer extension
 - o PC mentioned bonding of this.
 - o Need to insure developer responsibility for sewer infrastructure.
 - o CMC Zoning and 13.12.100 require connection to Sewer.

16/22/19

SPRING SUBDIVISION PLAT OF LOTS 4 AND 5

(formerly Lot 2R of Lot 2 of Tract Burns of Spring Subdivision and Tract Hesperen of Homestead Addition of Homestead Subdivision) LOCATED IN SECTION 24, T3S, R4E, BHM, CUSTER COUNTY, SOUTH DAKOTA



LINE	BEARING	DISTANCE
L1(M)	N89°32'39\"/>	

NOTE:
 LOT 2R, SPRING SUBD:
 Book 12, Page 781
 LOT 2, TRACT BURNS, SPRING SUBD:
 Book 12, Page 640
 TRACT BURNS, SPRING SUBD:
 Book 11, Page 240
 TRACT HESPEREN, HOMESTEAD SUBD:
 Book 11, Page 763

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1(M)	102.62'	1144.15'	5°08'20\"/>		

NOTE:
 AN AREA OF SPECIAL FLOOD HAZARD DOES NOT EXIST ON SUBJECT PROPERTY.
 PREVIOUS PLAT OF SUBJECT PROPERTY IS SHOWN ON PLAT BOOK 12, PAGE 640.
 PURSUANT TO SDCL 11-3-8.1 AND 11-3-8.2, THE DEVELOPER OF THE PROPERTY DESCRIBED WITHIN THIS PLAT SHALL BE RESPONSIBLE FOR PROTECTING ANY WATERS OF THE STATE, INCLUDING GROUNDWATER, LOCATED ADJACENT TO OR WITHIN SUCH PLATTED AREA FROM POLLUTION FROM SEWAGE FROM SUCH SUBDIVISION AND SHALL IN PROSECUTION OF SUCH PROTECTIONS CONFORM TO AND FOLLOW ALL REGULATIONS OF THE SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES RELATING TO THE SAME.

CERTIFICATE OF OWNERSHIP
 State of South Dakota
 County of Custer S.S.

I, the undersigned do hereby certify that I am the owner of the tract of land shown and described herein, that said land is free from any encumbrance, that I did authorize and do hereby approve the survey and within plot of said land for the purposes indicated herein. I further certify that the development of this land shall conform to all existing applicable zoning, subdivision, erosion and sediment control regulations.

Any land shown on the within plat as dedicated to public right-of-way is hereby dedicated to public use and public utility use as such forever, but such dedication shall not be construed to be a donation of the fee of such land.

In witness whereof, I have set my hand and seal.
 OWNER: _____
 Matthew Hesperen

On the _____ day of _____, 20____, before me, a Notary Public, personally appeared Matthew Hesperen, known to me to be the person described in the foregoing instrument and acknowledged to me that he signed the same.

NOTARY PUBLIC: _____
 My commission expires: _____

CERTIFICATE OF DIRECTOR OF EQUALIZATION
 I, Director of Equalization of Custer County, do hereby certify that I have received a copy of such plat.
 Dated this _____ day of _____, 20____

 Director of Equalization Custer County

APPROVED: _____
 Director of Equalization Custer County

CERTIFICATE OF CITY FINANCE OFFICER
 I, Finance Officer of the City of Custer, South Dakota, do hereby certify that the foregoing instrument is a true and correct copy of the resolution adopted by the City Council of Custer, South Dakota, at a meeting held on the _____ day of _____, 20____.

 City Finance Officer



LEGEND
 ⊙ Denotes set rebar with survey cap marked "Renner - Assoc. 9213"
 ● Denotes Found Survey Monument marked "Renner - Assoc. 9213"
 (R) Denotes Recorded in previous plat or description.
 (M) Denotes Measured in this survey.

Base of Bearings: Geodetic North as determined by Global Positioning System. (GPS) WGS 84.
 UTILITY EASEMENT: 10' wide on the interior sides of all side and rear lot lines.

CERTIFICATE OF SURVEYOR
 State of South Dakota
 County of Pennington S.S.

I, Eric D. Howard, Registered Land Surveyor No. 9213 in the State of South Dakota, do hereby certify that at the request of the owners listed herein, I have surveyed the tract of land shown, and to the best of my knowledge and belief, the within plat is a representation of said survey. Easements or restrictions of miscellaneous record or private easements that are not known to me are not shown hereon.

In witness whereof, I have hereunto set my hand and seal.
 Eric D. Howard, Registered Land Surveyor Date: _____

RESOLUTION OF CITY COUNCIL
 Whereas there has been presented to the City Council of Custer, South Dakota, the within plat of the above described lands, and it appearing to the Council that said plat conforms to the existing plats of said City, that the streets of the municipality, that all provisions of the subdivision regulations have been complied with, that all taxes and special assessments upon the tract have been fully paid, and that the said plat and the survey thereof have been executed according to law.

Now therefore, BE IT RESOLVED, that said plat is hereby approved in all respects.
 Dated at Custer, South Dakota this _____ day of _____, 20____.

Mayor _____ Finance Officer _____

CERTIFICATE OF HIGHWAY AUTHORITY
 It appears that every lot has an acceptable approach location onto a public road and the location of the intersection(s) of the proposed subdivision road(s) with the existing public road(s) is hereby approved.
 Dated this _____ day of _____, 20____.

Highway Authority _____

CERTIFICATE OF COUNTY TREASURER
 I, Treasurer of Custer County, do hereby certify that all taxes that are liens upon any land included within the Plat, as shown by the records of his/her office, have been fully paid.
 Dated this _____ day of _____, 20____.

Treasurer of Custer County _____

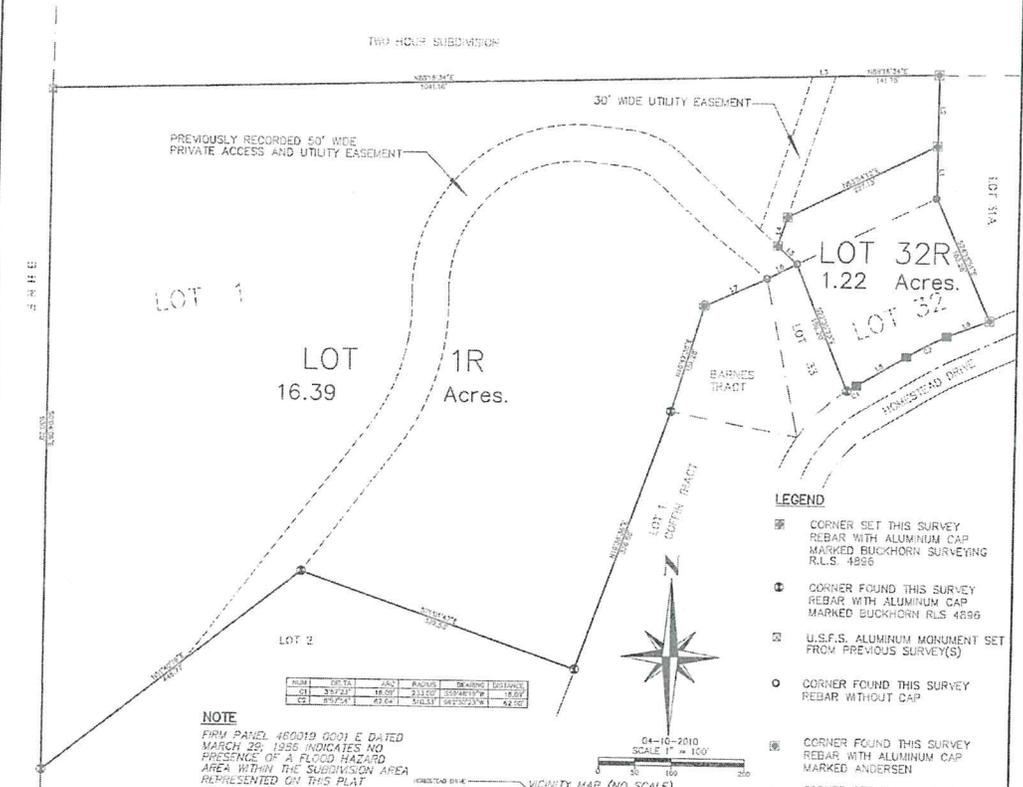
CERTIFICATE OF REGISTER OF DEEDS
 State of South Dakota
 County of Custer S.S.
 Filed this _____ day of _____, 20____ at _____ o'clock _____ M.
 in Book _____ of Plats, Page _____
 Register of Deeds Fee: \$ _____

SAVED PRELIMINARIES * NEW HORIZON SURVEYING
RECEIVED BY PLAT NUMBER 469

SAVED PRELIMINARIES * NEW HORIZON SURVEYING
RECEIVED BY PLAT NUMBER 469

HOMESTEAD ADDITION PHASE II

PLAT OF LOT 1R AND 32R OF LOT 1 OF TRACT 0095 OF HOMESTEAD
SUBDIVISION NO. 2 AND LOT 32 OF HOMESTEAD ADDITION OF H.E.S. 95
LOCATED IN NW1/4 OF SECTION 24, T3S, R4E, B.H.M.
CUSTER CITY, CUSTER COUNTY, SOUTH DAKOTA



- LEGEND**
- ☐ CORNER SET THIS SURVEY REBAR WITH ALUMINUM CAP MARKED BUCKHORN SURVEYING R.L.S. 4896
 - CORNER FOUND THIS SURVEY REBAR WITH ALUMINUM CAP MARKED BUCKHORN RLS 4896
 - ☐ U.S.F.S. ALUMINUM MONUMENT SET FROM PREVIOUS SURVEY(S)
 - CORNER FOUND THIS SURVEY REBAR WITHOUT CAP
 - ☐ CORNER FOUND THIS SURVEY REBAR WITH ALUMINUM CAP MARKED ANDERSEN
 - ☐ CORNER SET THIS SURVEY REBAR WITH PLASTIC CAP MARKED BUCKHORN SURVEYING R.L.S. 4896
 - CORNER FOUND THIS SURVEY REBAR WITH ALUMINUM CAP MARKED BRYANT
 - ☐ CORNER FOUND THIS SURVEY B.L.M./G.L.O. STONE MONUMENT

NOTE
FIRM PANEL #60019 0001 E DATED MARCH 28, 1986 INDICATES NO PRESENCE OF A FLOOD HAZARD AREA WITHIN THE SUBDIVISION AREA REPRESENTED ON THIS PLAT

WATER PROTECTION STATEMENT
PURSUANT TO SDCL 11-3-8.1 AND 11-3-6.2 THE DEVELOPER OF THE PROPERTY DESCRIBED WITHIN THIS PLAT SHALL BE RESPONSIBLE FOR PROTECTING ANY WATERS OF THE STATE INCLUDING GROUNDWATER, LOCATED ADJACENT TO OR WITHIN SUCH PLATTED AREA FROM POLLUTION FROM SEWAGE FROM SUCH SUBDIVISION AND SHALL IN PROSECUTION OF SUCH PROTECTIONS CONFORM TO AND FOLLOW ALL REGULATIONS OF THE SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES RELATING TO THE SAME.

NOTE
HOMESTEAD DRIVE IS A 60' WIDE DEDICATED PUBLIC RIGHT-OF-WAY.

FROM	TO	BEARING	DISTANCE	BEARING	DISTANCE
1	2	S 89° 54' 00" W	163.90	S 89° 54' 00" W	163.90
2	3	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
3	4	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
4	5	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
5	6	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
6	7	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
7	8	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
8	9	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
9	10	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
10	11	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
11	12	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
12	13	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
13	14	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
14	15	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
15	16	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
16	17	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
17	18	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
18	19	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
19	20	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
20	21	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
21	22	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
22	23	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
23	24	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
24	25	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
25	26	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
26	27	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
27	28	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
28	29	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
29	30	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
30	31	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
31	32	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
32	33	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
33	34	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
34	35	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
35	36	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
36	37	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
37	38	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
38	39	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
39	40	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
40	41	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
41	42	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
42	43	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
43	44	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
44	45	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
45	46	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
46	47	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
47	48	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
48	49	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
49	50	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
50	51	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
51	52	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
52	53	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
53	54	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
54	55	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
55	56	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
56	57	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
57	58	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
58	59	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
59	60	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
60	61	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
61	62	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
62	63	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
63	64	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
64	65	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
65	66	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
66	67	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
67	68	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
68	69	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
69	70	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
70	71	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
71	72	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
72	73	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
73	74	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
74	75	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
75	76	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
76	77	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
77	78	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
78	79	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
79	80	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
80	81	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
81	82	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
82	83	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
83	84	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
84	85	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
85	86	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
86	87	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
87	88	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
88	89	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
89	90	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
90	91	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
91	92	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
92	93	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
93	94	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
94	95	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
95	96	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
96	97	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
97	98	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
98	99	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64
99	100	S 89° 54' 00" W	47.64	S 89° 54' 00" W	47.64

STATE OF SOUTH DAKOTA
COUNTY OF CUSTER S.S.

I, Jack H. Kraust, City of Custer City

DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND SHOWN AND DESCRIBED HEREON AND THAT WE DO AUTHORIZE AND DO HEREBY APPROVE THE SURVEY AND HEREIN PLAT OF SAID LAND. WE FURTHER CERTIFY THAT DEVELOPMENT OF SAID LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, AND REGULATION CONTROL REGULATIONS.

WITNESSE MY HAND AND SEAL OF OFFICE THIS 30th DAY OF August, 2010.

Harold O. Stedney, Mayor
Notary Public

Laurie Woodward
Notary Public

NOTE
LOT 1 IS RECORDED IN PLAT BOOK 12 PAGE 432. LOT 32 IS RECORDED IN PLAT BOOK 10 PAGE 275.

CERTIFICATE OF COUNTY TREASURER
I, Jack Winter, Deputy
COUNTY CLERK

WE HEREBY CERTIFY THAT ALL TAXES WHICH ARE DUE UPON THE WITHIN DESCRIBED LANDS ARE FULLY PAID ACCORDING TO THE RECORDS OF MY OFFICE, DATED THE 30 DAY OF August, 2010.

CERTIFICATE OF HIGHWAY AUTHORITY
I, Jack Winter, Deputy
COUNTY CLERK

WE HEREBY CERTIFY THAT THE WITHIN DESCRIBED LANDS ARE LOCATED WITHIN THE RIGHT-OF-WAY OF THE HIGHWAY SHOWN ON THE PLAT AND THAT THE WITHIN DESCRIBED LANDS ARE NOT SUBJECT TO ANY SPECIAL ASSESSMENTS OR SPECIAL DISTRICTS.

RESOLUTION OF GOVERNING BOARD
STATE OF SOUTH DAKOTA
CITY OF CUSTER S.S.

RESOLVED, THAT THE CITY OF CUSTER, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE WITHIN DESCRIBED LANDS ARE LOCATED WITHIN THE RIGHT-OF-WAY OF THE HIGHWAY SHOWN ON THE PLAT AND THAT THE WITHIN DESCRIBED LANDS ARE NOT SUBJECT TO ANY SPECIAL ASSESSMENTS OR SPECIAL DISTRICTS.

WITNESSE MY HAND AND SEAL OF OFFICE THIS 30th DAY OF August, 2010.

Harold O. Stedney, Mayor
City Clerk

CERTIFICATE OF DIRECTOR OF EQUALIZATION
I, Jack Winter, Deputy
COUNTY CLERK

WE HEREBY CERTIFY THAT THE WITHIN DESCRIBED LANDS ARE NOT SUBJECT TO ANY SPECIAL ASSESSMENTS OR SPECIAL DISTRICTS.

CERTIFICATE OF REGISTER OF DEEDS 53243
I, Jack Winter, Deputy
COUNTY CLERK

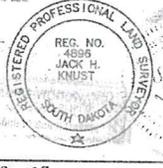
WE HEREBY CERTIFY THAT THE WITHIN DESCRIBED LANDS ARE NOT SUBJECT TO ANY SPECIAL ASSESSMENTS OR SPECIAL DISTRICTS.

STATEMENT OF SURVEYOR
FOR BUCKHORN SURVEYING INC

I, Jack H. Kraust, Registered Land Surveyor No. 4896 of the State of South Dakota, do hereby certify that the foregoing plat was prepared by me or under my direct supervision and that I am a duly licensed and qualified land surveyor under the laws of the State of South Dakota.

THIS 29th DAY OF August, 2010.

Jack H. Kraust
Registered Land Surveyor



469