

This Document Prepared By:
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RESOLUTION NO. 2024-03
ON PETITION FOR VACATION OF ROAD

WHEREAS, The Petition of the City of Salem desires to vacate portions of Peck Street, subject to existing utilities, described as set forth below pursuant to the statutes in such cases made, and provided, particularly SDCL 9-45-7, et. Seq. and the petitioner respectfully shows and represents the following;

Sixty-Six feet (66') wide more or less, being Peck Street, which run adjacent and parallel to:

Salem Armory Tract No. 2 in Lot 1 A in the Northeast Quarter (NE1/4) of Northwest Quarter (NW1/4) of Section Thirteen (13), Township One-Hundred-Three (103), North, Range Fifty-Five (55), West of the 5th P.M., in the City of Salem, McCook County, South Dakota, according to the recorded plat thereof; and

Lot one (1), Block "B" of the Subdivision of the Northeast Quarter of Northwest Quarter of Section Thirteen, Township One-Hundred-Three, Range Fifty-Five, in Salem, McCook County, South Dakota, according to the recorded plat thereof; and

Salem Armory Tract #1, City of Salem, South Dakota, according to the recorded plat thereof; excluding the south thirty-three (33) feet,

for the reason of building the new community center building.

WHEREAS, Notice of Hearing in relation to said Petition was made by publication as required by law providing that such Petition would be heard and considered by the Governing Body of the said City on the 5th day of March, 2024 at 6:45 p.m. at the McCook Central School DDN Room in the City of Salem, South Dakota; and

WHEREAS, Said Council did meet to consider and hear said Petition on the said 5th day of March, 2024 at the time and place specified in said Notice, and that the said Petition was duly heard and considered by this Council, the Petitioners and considerations of those objecting were heard by Council were presented in regards to said Petition, in writing or otherwise.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Salem, South Dakota, in a regular meeting, on the 5th day of March, 2024 that, upon proper hearing and consideration of said Petition, this Council finds;

1. That due notice of the hearing of said Petition was given by the City Finance Officer by publication of a Public Notice thereof in the form as provided by law in the *The Special*, a newspaper, printed and published in the City of Salem, South Dakota, for two (2) successive weeks, to-wit: February 15th and February 22nd, 2024.
2. That the Petitioners are the sole owners of all of the property abutting the road right-of-way requested to be vacated and have requested that the said road, subject to existing utilities, be vacated.

IT IS FURTHER RESOLVED the road identified as:

Sixty-Six feet (66') wide more or less, being Peck Street, which run adjacent and parallel to:

Salem Armory Tract No. 2 in Lot 1 A in the Northeast Quarter (NE1/4) of Northwest Quarter (NW1/4) of Section Thirteen (13), Township One-Hundred-Three (103), North, Range Fifty-Five (55), West of the 5th P.M., in the City of Salem, McCook County, South Dakota, according to the recorded plat thereof; and

Lot one (1), Block "B" of the Subdivision of the Northeast Quarter of Northwest Quarter of Section Thirteen, Township One-Hundred-Three, Range Fifty-Five, in Salem, McCook County, South Dakota, according to the recorded plat thereof; and

Salem Armory Tract #1, City of Salem, South Dakota, according to the recorded plat thereof; excluding the south thirty-three (33) feet,

is hereby vacated subject to existing utilities.

Adopted by the City Council of the City of Salem, South Dakota in regular session this the 5th day of March, 2024 with:

 6 votes cast in favor of adoption

 0 votes cast against adoption

 0 votes abstaining

(SEAL)

Glenda Blindert, Mayor

Attest:

Lori Heumiller, City Finance Officer