

RESOLUTION NO. 2024-24

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SALEM, MCCOOK COUNTY, SOUTH DAKOTA AS FOLLOWS:

WHEREAS, there exists public nuisances in violation of the City of Salem Code of Ordinances by the landowners/tenants on the nuisance property set forth on **EXHIBIT A** attached hereto and incorporated herein (hereinafter referred to as the “Parties”); and

WHEREAS, the Parties have been given notice by the City of Salem that they are maintaining a nuisance in violation of South Dakota State Law and Salem Ordinance. The Parties have further been given the required 30 days’ notice to abate and clean up the nuisances described in **EXHIBIT A**; now therefore

BE IT RESOLVED, that the Salem City Council, as the governing body of the municipality of Salem, is hereby authorized to proceed with a civil action against the Parties and their respective property in circuit court in the state of South Dakota to include seeking a court order by civil action to authorize the City of Salem’s abatement, removal and cleanup of the nuisances and taxing or assessing the costs of such cleanup against said Parties and their respective property; and

BE IT FURTHER RESOLVED, that the Attorney for the City of Salem, or such other attorney employed by the City of Salem for such purpose, is hereby authorized to file such action in the appropriate Court as may by such attorney be deemed necessary, to obtain abatement of such nuisances, with said described property restored to a non-nuisance condition. Said attorney shall be entitled to compensation for legal services rendered on behalf of the City of Salem in this matter as shall be approved by the Salem City Council.

Adopted this 7th day of November, 2023, by unanimous vote of the Salem City Council.

Glenda Blindert, Mayor

Attest:

Lori Heumiller, City Finance Officer
(seal)

EXHIBIT A

	Landowner/Tenant	Property Address	Legal Description (per last deed of record)
1	Kylie Fuerst	200 N Main St, Salem, SD	Lots "A" and "B", Subdivision of Lot Six (6); and all of Lot Seven (7), in Block Thirteen (13), Original Town of Salem, McCook County, South Dakota
2	Charles Oyen	320 W Norton Ave, Salem, SD	Lots 12-13, and 14, Block 16, of First Addition to Salem, McCook County, South Dakota
3	Mark Sabers	341 W Richard Ave., Salem, SD	Lots Seven (7) and Eight (8) in Block Seventy (70) of Pettigrew's Second Addition to Salem, McCook County, South Dakota
4	Schallenkamp LLC	211 N Main St, Salem, SD	County Auditor's Tract One (1), except the North 58 Feet (N.58') of the West 165 Feet (W. 165') in the Southwest Quarter of the Northwest Quarter (SW1/4NW1/4) and the Northwest Quarter of the Southwest Quarter (NW1/4SW1/4) of Section 13, Township 103 North, Range 55, West of the 5th P.M., City of Salem, McCook County, South Dakota