

RESOLUTION 19-16

**A RESOLUTION APPROVING THE VACATION OF
DON WILLIAMS DRIVE RIGHT-OF-WAY**

WHEREAS, THE CITY OF BOX ELDER has managed the right-of-way for Don Williams Drive within the City of Box Elder; and

WHEREAS, THE DOUGLAS SCHOOL DISTRICT has maintained and provided snow removal services for many years regarding Don Williams Drive, and has utilized the right-of-way for bus loading, teacher parking, etc.; and

WHEREAS, the Box Elder Common Council has determined that Don Williams Drive is no longer needed as part of the Box Elder transportation system; and

WHEREAS, the City of Box Elder intends to vacate all of Don Williams Drive right-of-way abutted on the north by the unplatted portion of the NE1/4 NW1/4, Section 17, Township 2 North, Range 9 East, Black Hills Meridian, Box Elder, Pennington County, South Dakota (Parcel #2217126001); and abutted on the south by Lot 7 Less the North 33 feet (Parcel #2217127001), and Lot 9 of the NW1/4 Less Lot 1 (water easement) and Less Patriot Drive R.O.W., all in Section 17, Township 2 North, Range 9 East, Black Hills Meridian, Box Elder, Pennington County, South Dakota (Parcel #2217176005)

WHEREAS, there is a need to preserve public utility easements to accommodate City water & sanitary sewer mains that reside within the existing right-of-way; separate easements will be filed regarding this matter; and

WHEREAS, the ownership of land upon which the public right-of-way to be vacated is located, shall revert to the adjacent property owner, Douglas School District #3.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BOX ELDER that the above described right-of-way be, and the same is, hereby vacated by the Box Elder Common Council.

Dated at Box Elder, South Dakota, this 16th day of July, 2019

BOX ELDER COMMON COUNCIL



Seal

ATTEST

Larry Larson, Mayor

Nicole Schneider, Finance Officer