

2000 Notices

NOTICES

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8+13+17 NOTICE TO BIDDERS

Sealed bids will be received by the City Commission of the City of Yankton, South Dakota, at 416 Walnut Street Yankton, South Dakota, at the office of the City Finance Officer of said City until 3:00 P.M. or may be hand delivered to the place of opening at 3:00 P. M. on the 27th day of August, 2015, at which time they will be publicly opened and read in the Second Floor Meeting Room of City Hall, Yankton, South Dakota. Disposition of said bid will be held on the 14th day of September, 2015, at 7:00 P.M. in the City of Yankton Community Meeting Room located in the Technical Education Center at 1200 W. 21st Street, Yankton, South Dakota.

Bids will be received on the following:

ANNUAL SUPPLY OF BULK DE-ICING SALT FOR THE 2015-2016 SEASON

The work to be done under this contract consists of the supplying and delivery of bulk street de-icing salt FOB City of Yankton's salt storage facility.

Copies of the specifications may be obtained at the office of the Department of Public Works, Street Division, 700 East Levee Street, Yankton, South Dakota or by phoning (605) 668-5211.

All bids must be submitted on forms provided by the City of Yankton.

The City of Yankton, South Dakota reserves the right to reject any or all bids and to waive any informalities therein to determine which is the best and most advantageous bid to the City.

Kevin Kuhl, PE Director of Public Works City of Yankton, South Dakota

Dated: August 13, 2015 Published twice at the approximate cost of \$36.45.

8+17 RESOLUTION #15-38

A RESOLUTION DECLARING THE NECESSITY OF CONSTRUCTING IMPROVEMENTS AT THE YANKTON MALL

WHEREAS, GP-DIAL-YANKTON LLC, a Nebraska limited liability company (the Developer) operates/manages the Yankton Mall located in Yankton, South Dakota (hereinafter referred to as the Mall); and

WHEREAS, the Mall originally opened in 1969 and underwent an expansion in 1978; and

WHEREAS, in recent years, the Mall has experienced declining sales and increasing vacancies with increasing competition from larger and new retail development in the Yankton area; and

WHEREAS, Developer plans to redevelop the Mall to include the demolition of approximately 26,000 square feet of existing building and the reconstruction of approximately 9,200 square feet, make additional interior improvements, exterior improvements, parking lot repairs, milling, overlay and sidewalk improvements, remodeled entrances and doors, exterior landscaping, monuments, island, irrigation and lighting; and

WHEREAS, the improvements are being undertaken as the facades of the stores located within the Mall are outdated, and the overall appearance is in need of renovation to keep up with the changing styles adding an open-air court concept; and

WHEREAS, the City possesses economic development powers under SDCL Chapter 9-54.

WHEREAS, the City wishes to assist in retail economic development by assisting Developer in the rehabilitation of retail property located in the City by the purchase of easements; and

WHEREAS, the City has the power pursuant to SDCL §§ 9-12-1(2) and 9-43-76 to acquire easements and make local improvements for economic development; and

WHEREAS, the City finds that issuance of special assessment bonds and use of the proceeds to purchase façade, parking and emergency management easements from Developer and cause local improvements to be made thereon would further the commercial development of the city, encourage and assist in the location of new retail businesses, expand existing business development and promote the economic stability of the City by providing greater employment opportunities.

BE IT RESOLVED THAT the Board of City Commissioners as

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follows:

Section 1. Declaration of Necessity. The Board of City Commissioners does hereby deem it necessary to construct a local improvement to be financed, in total or in part, by special assessments in accordance with the plans and specifications on file at City Hall and open to public inspection during regular business hours. The recitals are incorporated herein as findings.

Section 2. General Nature of Improvement. The proposed improvements shall consist of the demolition of approximately 26,000 square feet of existing building and the reconstruction of approximately 9,200 square feet, make additional interior improvements, exterior improvements, parking lot repairs, milling, overlay and sidewalk improvements, remodeled entrances and doors, exterior landscaping, monuments, island, irrigation and lighting.

Section 3. Materials to be used. The materials to be used or material from which a choice may be made are as follows:

- Asphalt
Compressed and uncompressed earth, and landscape materials
Concrete Composites
Thermal Protection, Moisture protection, and/or Building Insulation
Door - Windows
Electrical systems and equipment, including lighting
Surface finishing
Masonry, mortar, and/or grout
Metals
Plastics
Building and lot Security
Telecommunications
Wood

Section 4. Estimated Cost. The initial estimated total cost is One Million Five Hundred Thousand Dollars (\$1,500,000) to Two Million Dollars (\$2,000,000).

Section 5. Classes of Lots to Be Assessed. The classes of lots to be assessed are as follows: All Commercial Lots

Section 6. Method of Apportioning Benefits. The method of apportioning the benefits to the lots is as follows: All benefits shall be spread upon:

- Lot One A (1A) less Parcel Five (5), Lot Three A (3A), less Parcel Four (4), and less part of Parcel Fifteen (15), Lot Five A (5A), Lot Six (6), except Parcels One (1), Two (2) and Three (3), Block One (1), Slaughters Subdivision in the City of Yankton, South Dakota.

Section 7. City Assumption of Costs. The City has determined that it will not assume or pay any portion of the costs of the improvements.

Section 9. Plan of File with Finance Officer. The details, plans, and specifications may be reviewed at the finance office during regular office hours.

Section 10. Effective Date. This resolution shall become effective twenty days after publication upon which the City may cause the improvements to be made, may contract for the improvements, and may levy and collect special assessments as provided in SDCL Chapter 9-43

Dated: August 10, 2015

David Carda, Mayor

Al Viereck, Finance Office Published once at the total approximate cost of \$56.62.

8+17 RESOLUTION #15-42

A RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF THE CITY OF YANKTON SPECIAL ASSESSMENT BOND, SERIES 2015, IN THE PRINCIPAL AMOUNT OF UP TO \$2,000,000; FIXING THE FORM AND SPECIFICATIONS OF THE BOND; RATIFYING AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN RELATED INSTRUMENTS.

WHEREAS, the City of Yankton, South Dakota (the "City") is authorized by SDCL Chapter 9-43, as amended (the "Law") to issue special assessment bonds which are not general obligations of the City, but which are payable from payments of assessments levied by the City against properties benefited by the Improvements paid for by the net proceeds of such Bond; and

WHEREAS, the City has authorized the Improvements which consist of the demolition of approximately 26,000 square feet of existing building and the reconstruction of approximately 9,200 square feet, make additional interior improvements, exterior improvements, parking lot repairs, milling, overlay and sidewalk improvements, remodeled entrances and doors, exterior landscaping, monuments, island, irrigation and lighting, (the "Improvements"), shall let construction contracts for the Improvements and shall direct assessments to be levied against the properties benefited by the Improvements; and

WHEREAS, the City requires financing to pay for the Improvements and desires to raise the money for the financing therefore by issuing its Special Assessment Bond, Series 2015 ("Bond"), in the principal amount of up to \$2,000,000; and

WHEREAS, the payments of assessments for all of the Improvements will be used to secure the Bond; and

WHEREAS, the City Commission (the "City") hereby finds and determines that issuing the Bond to finance the Improvements will

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promote the public welfare, safety, convenience and prosperity of the District and its inhabitants;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF YANKTON, YANKTON COUNTY, SOUTH DAKOTA:

Section 1. Ratification of Prior Actions and Declaration of Necessity. All actions heretofore taken (not inconsistent with the provisions of this Resolution) by the City and by the officers of the City directed toward the issuance of the bond are hereby ratified, approved and confirmed. The City hereby declares a necessity to issue Special Assessment Bond, Series 2015.

Section 2. Issuance of Special Assessment. To provide funds to pay the costs of the Improvements, the District shall issue, without a vote to its electors, its registered Bonds, in an aggregate principal amount of up to \$2,000,000, to be issued in full conformity with the provisions of SDCL 9-43-114 and 6-8B. The Bond shall be issued in lieu of Special Assessment Certificates and shall be payable solely from special assessments made against property benefited from the Improvements. The Bond does not constitute a debt within the meaning of the Constitution of the State of South Dakota.

The Bond will be dated in 2015 and shall also bear the date of authentication, shall be in fully registered form shall be on such terms and conditions as are determined by the Mayor and Finance Officer, and the Bond shall become due and payable as determined by the Mayor and Finance Officer.

The Bond shall be signed by the signatures of the Mayor and of the Finance Officer and countersigned by the signature of an Attorney Resident in the State of South Dakota and in case any officer whose signature shall appear on any bond shall cease to be such officer before the delivery of such bond, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

Section 3. Redemption. The Bond is redeemable prior to maturity at the option of the City, on the dates and terms set forth in the bond certificate. All redemptions shall be in accordance with SDCL §6-8B.

Prior to any redemption date, the City shall deposit with the Bond Registrar an amount of money sufficient to pay the redemption price of all the Bond or portions of Bond which are to be redeemed on that date.

Section 4. Authentication. The Bond shall have thereon a certificate of authentication substantially in the form hereinafter set forth duly executed by the Bond Registrar as authenticating agent of the City and showing the date of authentication. No bond shall be valid or obligatory for any purpose or be entitled to any security or benefit under this resolution unless and until such certificates of authentication shall have been duly executed by the Bond Registrar by manual signature, and such certificate of authentication upon any such bond shall be conclusive evidence that such bond has been authenticated and delivered under this resolution. The certificate of authentication on the bond shall be deemed to have been executed by the Bond Registrar if signed by an authorized officer of the Bond Registrar.

Section 5. Registration of Bond; persons treated as owners. The City shall cause books (the "Bond Registrar") for the registration and for the transfer of the Bond as provided in this resolution to be kept at the principal office of the Bond Registrar, which is hereby constituted and appointed the registrar of the City. The City is authorized to prepare, and the Bond Registrar shall keep custody of, multiple bond blanks executed by the City for use in the transfer and exchange of Bond.

5.1. Transfer. Upon surrender for the transfer of any bond at the principal office of the Bond Registrar, duly endorsed by, or accompanied by a written instrument or instruments of transfer in form satisfactory to the Bond Registrar and duly executed by the registered owner or his attorney duly authorized in writing, the City shall execute and the Bond Registrar shall authenticate, date and deliver in the name of the transferee or transferees a new fully registered bond of the same maturity or authorized denominations, for a like aggregate principal amount. Any fully registered bond may be exchanged at said office of the Bond Registrar for a like aggregate principal amount of bond of the same maturity of other authorized denominations. The execution by the City of any fully registered bond shall constitute full and due authorization of such bond and the Bond Registrar shall thereby be authorized to authenticate, date and deliver such bond, provided, however, the principal amount of outstanding Bond of each maturity authenticated by the Bond Registrar shall not exceed the authorized principal amount of Bond for such maturity less previous retirements. The Bond Registrar shall not be required to transfer or exchange any bond which is subject to redemption, during the period of fifteen days next preceding mailing of a notice of redemption of any Bond.

5.2. Registered Owner. The per-

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son in whose name any bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes. The payment of the interest on any bond shall be made only to or upon the order of the registered owner thereof at the close of business on the fifteenth day in the month next preceding the interest payment date, or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such bond to the extent of the sum or sums so paid.

5.3. No Service Charge for Transfer. No service charge shall be made for any transfer or exchange of Bond, but the City or the Bond Registrar may require payment of a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with any transfer or exchange of Bond.

Section 6. Form of Bond. The Bond shall be prepared in substantially the form as approved by the Finance Officer. The Bond may be issued as a single or in multiple maturities, with optional or mandatory redemption provisions.

Section 7. Sale of Bond. The Mayor and Finance Officer are authorized to sell said Bond upon terms and conditions not inconsistent with this resolution. The Finance Officer shall deliver upon receipt of the purchase price therefore; the Bond to said purchaser.

Prior to the delivery of any of the Bond, the Finance Officer shall execute a certificate describing the improvements which are to be financed by the proceeds of the Bond being delivered, stating the amount of unpaid assessments for such improvements, and stating that said assessments have been appropriated and pledged to the bond fund hereby created.

Section 8. Creation of Bond Fund. The proceeds of the Bond, including accrued interest thereon, upon receipt thereof, shall be deposited promptly by the Finance Officer and shall be accounted for in the following manner and are hereby pledged therefore:

8.1. Accrued interest received for the Bond shall be deposited in the Special Assessment Bond Series 2015 Bond Fund (the "Bond Fund") which is hereby created for the payment of the principal of and interest on the Bond. The accrued interest and funds deposited by the District at the time of the delivery of the Bond, shall be used for the first installment of interest on the Bond; and

8.2. The balance of such proceeds shall be credited to the improvement account created by the Finance Officer to pay the costs of, or reimburse the City for the costs of, the improvements.

Section 9. Authorization of Easements. The Mayor and Finance Officer are authorized to enter into easements upon which the Improvements are to be made.

Section 10. Pledge of Special Assessments. The Special Assessment Bond Fund 2015 (hereafter "Bond Fund") is hereby created. For the purpose of providing the necessary funds to make required payments of principal of and interest on the Bond, the City hereby irrevocably pledges all amounts derived from special assessments for all improvements and all moneys in the Bond Fund. No moneys may be transferred out of the fund until all obligations which are or may be charged against the Bond Fund have been discharged.

10.1. Deposit of Assessments into Bond Fund. Such assessments, when collected and received by the City, shall be deposited immediately into the Bond Fund. In the event the amount in the Bond Fund is insufficient to pay all principal and interest when due, such amount shall first be used to pay any past due interest and then in pro rata payment of current interest. Any balance shall be paid on Bond issued hereunder in order of serial numbers; provided that no bondholder shall be compelled to accept partial payment on any bond.

10.2. Transfer of Surplus Funds. In the event that the Bond Fund is insufficient to pay principal or interest on the Bonds the City covenants to transfer or loan surplus funds to the Bond Fund to pay principal or interest of the Bonds.

Section 11. Event Constituting Default. In event of nonpayment of principal or interest on the Bond, such action shall constitute a default and shall enable the holders of any outstanding Bond, whether or not the same shall be due, acting individually or collectively, to take such action as they may deem necessary to protect the security of their Bond.

Section 12. Registered Form. The City recognizes that Section 149(a) of the Code requires the Bond to be issued and to remain in fully registered form in order that interest thereon is exempt from federal income taxation under laws in force at the time the Bond is delivered. In this connection, the City agrees that it will not take any action to permit the Bond to be issued in, or converted into, bearer or coupon form.

Section 13. List of Bondholders. The Bond Registrar shall maintain a list of the names and addresses of the holders of the Bond and upon transfer shall add the name and address of the new bondholder and eliminate the name and ad-

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dress of the transferor bondholder.

Section 14. Authorization to Furnish Information. The Finance Officer is authorized and directed to furnish to bond counsel certified copies of all proceedings and records of the City relating to the Bond and to the Improvements financed thereby and to the right and power of the City to make the assessments securing payment of the Bond and all said certified copies and certificates shall be deemed representative of the District as to the facts therein stated.

Section 15. Authorization to Take Action. The Mayor and Finance Officer of the City are hereby authorized and directed to take all other action necessary or appropriate to effectuate the provisions of this resolution, including without limiting the generality of the foregoing, negotiating the final terms of the sale, the printing of the Bond, and the execution of such certificates as may reasonably be required, including, without limitation, certification relating to the signing of the Bond, the tenure and identity of the City's officials, the exemption of interest on the Bond from federal income taxation, the receipt of the bond purchase price and, if in accordance with the facts, the absence of litigation affecting the validity thereof.

Section 16. Resolution Constitutes Contract. After the Bond has been issued, this resolution shall constitute a contract between the City and the holder or holders of the Bond, and shall be and remain irrevocable and unalterable until the Bond and the interest accruing thereon shall have been duly paid, satisfied and discharged.

Section 17. This resolution shall become effective immediately upon its passage.

PASSED, ADOPTED AND APPROVED this 10th day of August, 2015.

David Carda, Mayor

Al Viereck, Finance Officer

EXHIBIT A

DESCRIPTION OF PROJECT

The Improvements shall consist of the demolition of approximately 26,000 square feet of existing building and the reconstruction of approximately 9,200 square feet, make additional interior improvements, exterior improvements, parking lot repairs, milling, over-

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lay and sidewalk improvements, remodeled entrances and doors, exterior landscaping, monuments, island, irrigation and lighting. All benefits shall be spread upon:

Lot One A (1A) less Parcel Five (5), Lot Three A (3A), less Parcel Four (4), and less part of Parcel Fifteen (15), Lot Five A (5A), Lot Six (6), except Parcels One (1), Two (2) and Three (3), Block One (1), Slaughters Subdivision in the City of Yankton, South Dakota. Published once at the total approximate cost of \$155.30.

8+17+24

Yankton School District 63-3

Notice of Request for Proposals (RFP) for a Facilities Condition Assessment (FCA) and Planning Services

The Yankton School District (YSD) 63-3 is seeking proposals from qualified architectural firms for a Facilities Condition Assessment (FCA) and Planning Services which includes assessment of school facilities for potential enhancements and upgrades, providing budget and time schedule estimates for such projects and providing architectural/construction management services for those projects authorized by the school board. The scope of work includes, but is not limited to: school safety, transportation logistics, infrastructure of buildings considering the age of the buildings, ADA accessibility, space utilization needs, athletic facilities and fine arts areas, academic needs (i.e. libraries, technology, etc), census projections and future space needs, city/school district demographic movement, and potential new facility site needs & options.

Responses to this RFP are due on or before 1:30 pm, Tuesday, September 8, 2015. Questions, inquiries and requests for specifications and submittal requirements should be addressed to Chuck Turner, Supervisor of Buildings and Grounds, 2410 West City Limits Rd, Yankton, SD 57078, call (605) 665-3980 or email CTurner@ysd.k12.sd.us.

YSD will not be liable for any cost incurred in preparation of proposals; YSD reserves the right to conduct interviews, should it choose, of any or all firms that submit a proposal; and YSD reserves the right to reject any and all proposals.

Jason L. Bietz Business Manager Published twice at the total approximate cost of \$34.15.

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Crossword grid with clues and Saturday's answer section.

CROSSWORD

By THOMAS JOSEPH

- ACROSS 43 Tip over
1 Not even a little drunk
6 Gator's cousin
10 Doorbell sound
11 Flings
13 Accumulated, as debt
14 Enjoyed avidly
15 Energy measure
16 "I don't need the details," for short
18 Earth: Prefix
19 Camp cookout
22 Under the weather
23 Foot or furlong
24 Overhead
27 Unfeeling
28 Road division
29 Gear tooth
30 Popular coffee choice
35 Scarlet
36 Sold-out show
37 Apr. 15 adviser
38 Banish
40 Western
42 Titled women

Saturday's answer

- 20 David of "Separate Tables"
21 Expenditures game
24 Bruce Wayne's role
25 Lawyer's money hurdle
26 Phrase on a coin
27 Make sense of
29 Greek's X
31 Mating game
32 Played a role
33 Use money
34 Late
39 Permit
41 Gorilla, for one

THOMAS CROSSWORD BOOKS 1-8! Send \$4.75 (check/m.o.) for each book to 628 Virginia Dr., Orlando, FL 32803

Crossword grid with numbers 1-45.

A XYDLBAAXR is LONGFELLOW

One letter stands for another. In this sample, A is used for the three L's, X for the two O's, etc. Single letters, apostrophes, the length and formation of the words are all hints. Each day the code letters are different.

8-17 CRYPTOQUOTE

P X A N R A Y M Z T Z N R G X B S P

E B N R Z M I G R G O, S Y N T P P G B

S P Z N R G X M X L R G N R Z F R O B

P K N X . — Z R E G R I E B Y
Saturday's Cryptoquote: I AM ALWAYS DOING THAT WHICH I CANNOT DO, IN ORDER THAT I MAY LEARN HOW TO DO IT. — PABLO PICASSO