

2010 Legal and Public Notices

N33rds, thence W48rds to POB NW4 SE4,100%

CEMETERY;St John The Baptist Church of Lesterville, Lt X NW4 NE4 21-95-57, 100% RELIGIOUS; Civil Cemetery

Association, Commencing @ pt 28.5' E of quarter sec corner common to sec 28 & 29-95-57 & running N18.5rds,

thence W8rds, thence S20rds, thence E8rds, thence N1.5rds to POB, 100% CEMETERY; Our Savior's Evangelical

Lutheran Church of Yankton, Beginning @ SE corner SW4 NW4, thence running about 52 Rds NW for POB, thence

nearly N16Rds, thence W6Rds, thence S20Rds thence E12Rds to POB 4-96-57, 100% CEMETERY; Our Savior Lutheran

Congregation, Stone Church Addn NE4 NE4 9-96-57, 100% RELIGIOUS; James River Norske Evangelicke Lutheranick,

Parc commencing @ PT 28.5RDS N/SW corner NW4, Thense S28.5RDS, Thense E30RDS 6', Thense N18.5RDS,

Thence W10.5RDS, Thense NWesterly to POB (4.77 A)(Cemetery) 11-96-57,100% CEMETERY;Zion American Lutheran Church,

E600.81' W1762.74' of S725.01' of SW4 28-96-57, 1 0 0 % CEMETERY;German Reformed Odessa Church,115.5' X 82.5' SW4 NE4

(cemetary)31-96-57, 100% CEMETERY; Cemetery, W16rds S20rds SW4 SW4 Exc E8rds W16rds S20rds exc Lt H1 & exc

Lt R-1 SW4 SW4 31-96-57,100% CEMETERY;Hoffnunge Reformed Church Gemeinde, Commencing @ SE corner NE4, Thence

W20rds, Thence N20rds,Thence E20rds, Thence S along sec line to POB 100% CEMETERY; Community Center of Gayville,

N100' Lt 12 exc W25' & all Lts 13 & 14 Blk 10 Original Town Gayville, 100% MEETING ROOM; Lutheran Church,

Lts 8 & 9 Blk 15 Original Town Gayville, 100% PARSONAGE;Lutheran Church, Lts 8 & 9 Blk 16 Original Town Gayville,

100% CHURCH; Gayville-Volin Union Methodist Church, E2 Lt 11, All Lts 12, 13 & 14 Blk 16 Original Town Gayville,

100% CHURCH; Gayville-Volin School,lt 10 R&B Addn NE4 NW4 Gayville, 100% SCHOOL City of Irene E24'

Lts 8, 9, 10, 11 & E18' Lt12 Exc PE1 & N5' E24' Lt 7 Blk 9 original town 100% Ernie Pecenka Community Center,

Lots 13-15 Blk 5 Original Town Lesterville, 100% COMMUNITY CENTER; Lesterville Fire Department of Lesterville,

W80' Lts 21 & 22 Blk 5 Original Town, 100% FIRE DEPT; Ernie Pecenka Community Center Inc, Lt 16 Blk 6

Original Town, 100% CITY PARK Lesterville Community Club, Lts 17 & 18 Blk 6 Original Town Lesterville,

100% PARK AND SHELTER; St John Baptist Catholic Church, Lts 2-12 Kappel Addn Lesterville, 100% PARSONAGE;

Roman Catholic Parish, Lts 1-5 Blk 1 Wagners Addn Lesterville, 100% STORAGE GARAGE; Harvest Independent Baptist

Church, Outlots G & H SE4 SE4 Mission Hill Outlots, 100% RELIGIOUS; Mission Hill Cemetary Association, Outlot

F SE4 SE4 Mission Hill Outlots, 100% CEMETERY; Mission Hill Cemetery Association, N474.8' Outlot 1 Mission

Hill Outlots, 100% CEMETERY; Lutheran Church, Outlot J & E75' Outlot K Mission Hill Outlots, 100% CHURCH;

ZCBJ Lodge, Lts 16-20 Blk 6 Original Town Utica, 100% LODGE; City of Volin, Lts 1 & 2 & W11' Lt 3 Blk 13 Volin

Addn, 100% FIRE DEPT; Wintz & Ray Funeral Home & Cremation Service Inc, Lt 3 Exc E187' S262' & Exc N92' Lt 3,& EXC

E187' S99.4' Lt 3 & All LT4 BLK 1 Airport Acres. 100% CEMETERY; Ability Building Services Inc, S200' Lt 7

Blk 1 Airport Acres Addn 100% EDUCATION; Yankton Area Progressive Growth, Inc, Lt 2 exc S200' Airport Addn,

100% LOCAL INDUSTRIAL DEVELOPMENT; Yankton Area Progressive Growth, Inc, N61' OF

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S200' Lt 2 Airport Addn, 100%

LOCAL INDUSTRIAL DEVELOPMENT; Sacred Heart Health Services, Avera Sacred Heart Senior Living Campus Addition

14-93-56, 100% ASSISTED LIVING; Sacred Heart Hospital, Hospital Lt D & D1 Benedictine Add'n, 80% WELLNESS &

REHAB CTR/ 94.83% BENEDICTINE CTR/ 81.551 % PROFESSIONAL OFFICE;Mount Marty Hospital Association, Hospital

Lts A1, D2, D3, D4, & E1/2 Benedictine Hilltop Addn,100% PARKING LOT; Benedictine Convent of the Sacred Heart,

Monastery Lts A2,Exc Lt H2 & Lots B, B1, C, C1,C2,C4,C5 & F Benedictine Hilltop Addn, 100% RELIGIOUS EDUCATION;

Benedictine Convent of the Sacred Heart, Monastery Lt E1 Benedictine Addn, 100% RELIGIOUS;Benedictine Convent

of the Sacred Heart, Monastery Lts X & Y Benedictine Addn, 100% RELIGIOUS; Yankton Baptist Church,Lt F B.K.L

Addition, 100% PARSONAGE; The Dakota Conference Corp. of Seventh-day Adventists, Lts 4 & 5 Block 70 Central

Yankton, 100% RELIGIOUS; XYZ Inc, Blk 3 Cope's Addn, 100% BARE LAND,First United Methodist Church, Lt 2 Blk 2

Dakota West Estates Addn, 100% PARSONAGE; Yankton Area Progressive Growth, Inc,East Side Industrial Park Exc

Lots 1 & 2 100% XYZ Inc,Lt 2 S&W of RR & all Lts 3-7 Blk 3 C&S Eiseman's 2nd Addn, 100% BARE LAND Calvary Baptist

Church, Wal-Mart Tract A Lt 5 Flake's S/D, 100% CHURCH RELATED; Yankton School District 63-3,Its 15 & 16 Blk 93 B.C.

Fowler's, 100% SCHOOLYankton School District 63-3,Its 17 & 18 Blk 93 B.C. Fowler's,100% SCHOOL.Presbyterian Church,

Lts 3 & 4 Gamco's Addn, 100% RELIGIOUS; Riverview Park Reformed Church, W 1 0 0 ' S185.2' Parcel B O/L B & Parcel C

O/L B exc E100' Harris Outlots, 100% RELIGIOUS; XYZ Inc, Lt 4 Blk 2 Hoffman's Addn, 100% BARE LAND, Sacred Heart

Catholic Church, Lt 18 Blk 4 Lower Yankton, 100% RELIGIOUS; Roman Catholic Church of Sacred Heart of Yankton, E3

Lts 1&2 Blk 5 Lower Yankton, 100% RELIGIOUS; Yankton Area Arts Association, S32' Lt 5 Blk 5 Lower Yankton, 100%

ART ADVOCACY, GALLERY & PROGRAMMING; Roman Catholic Church, Lts 6,7 & N2' Lt 8 Blk 5 Lower Yankton,100% PARKING

LOT/ CHURCH /RECTORY; Roman Catholic Church of the Sacred Heart, Lts 10-15 Blk 5 Lower Yankton, 100% EDUCATION &

RELIGIOUS;Roman Catholic Church of the Sacred Heart of Yankton, Lt 16 Blk 5 Lower Yankton, 100% RELIGIOUS;

Roman Catholic Church of Sacred Heart of Yankton, Lts 17&18 Blk 5 Lower Yankton, 100% RELIGIOUS; Antioch Baptist Church,

W3 Lts 8 & 9 Blk 6 Lower Yankton, 100% CHURCH; Roman Catholic Church of Sacred Heart of Yankton, W2/3 of Lts 8 & 9

Exc N17.6' W2/3 of Lt 8 Blk 19 Lower Yankton,100% CHURCH; Roman Catholic School, Lts 1-9 Blk 20 Lower Yankton,

100% EDUCATION & RELIGIOUS (SCHOOL); Heritage Homes Inc, N1/2 Lt 14 & all Lts 15-17 Blk 20 Lower Yankton,

100% HISTORICAL VIEWING; Yankton Area Adjustment Training Center, E1/2 Lts 8 & 9 Blk 21 Lower Yankton, 100%

LIVING QUARTERS; Habitat For Humanity of Ykt Co, Lt 2 Blk 45 Lower Yankton 100% Yankton Area Adjustment Training Center,

Lts 8 & 9 Blk 62 Lower Yankton, 100% LIVING QUARTERS; Yankton Area Adjustment Training Center,Lts 1 & 2 Blk 63 Lower

Yankton, 100% LIVING QUARTERS; Abundant Life Ministries, Lts 17 & 18 Blk 67 Lower Yankton, 100% CHURCH; First Assembly

of God Church, Lt 1 Blk 2 Matuska's Addn, 100% PARSONAGE; Yankton Area Adjustment Training Center, Lts 6 & 7 Blk 3

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Mayer's Addn, 100% LIVING QUARTERS; Yankton Area Adjustment Training Center, Lts 13 & 14 Blk 3 Mayer's Addn, 100%

LIVING QUARTERS; Prince of Peace Ev. Lutheran Church, Blk 5 Mitchell Steward 3rd Addn, 100% CHURCH & PARSONAGE;

Planning & Development Dist III, W112' Lt 1 Pal Christensen Addn,100% GOVERNMENTAL ENTITY;Club 12-24, E1/2 Lots 1 & 2

Blk 1 Pierces S/D Blk 24, 100% SUPPORT GROUP MEETINGS & PARKING LOT; Club 12-24, Lts 17 & 18 Blk 1 Pierces S/D Blk 24,

100% SUPPORT GROUP MEETINGS & PARKING LOT; Yankton County 4-H Club, Lts 1 -12 Blk 2 Pine Acres, 100% 4-H GROUNDS;

Yankton County 4-H Club, Lts 1-12 Blk 3 Pine Acres, 100% MEETING ROOM; Yankton County 4-H Club, Lts 1-12 exc W50'

Lts 11 & 12 Blk 4 Pine Acres, 100% MEETING ROOM; Yankton County 4-H Club, Lts 2-5 Blk 5 Pine Acres, 100% MEETING ROOM;

Yankton County 4-H Club, Lts 2-16 Exc LTA Replat of Lts 14,15, & 16 Blk 6 Pine Acres, 100% LAND ONLY; Yankton

Womens/Childrens Center, N253.26' Outlot 145 exc Lts A,B&C Pyncheon's Outlots, 100% SHELTER; Yankton Childrens

Center,E226.66' S231.60' Outlot 145 Pyncheon's Outlots, 100% SHELTER; Ability Building Services Inc, N80' Outlot

146 Pyncheon Outlots Mount Marty Hospital Association, Lts 1,2 & 3 Blk 1 Redmonds S/D, 100% CANCER CENTER; Sacred Heart

Health Services,W40.3' Lts 16, 17 & 18 Blk 1 Redmonds S/D, 100% CANCER CENTER; Kingsway Christian Church, Blk 4 Exc W20'

N138.5' Riverview Park, 100% CHURCH & PARSONAGE; First Assembly of God Church, Tract C Steve Larson Addn, 100% CHURCH;

Yankton Baptist Church, Lts 11-20 Blk 2 Taylor & Sargent's, 100% PARSONAGE & MEETING HOUSE; St Benedict Catholic Church,

E648' S609.22' Lt 1 Blk 1 Tielkes S/D, 100% CHURCH & PARKING; St Benedict Catholic Church, Lt 6 Blk 2 Tielkes S/D, 100%

PARSONAGE; Ernest Bowyer Post #791VFW, N16' Lot 11 & all Lt 12 & S 41.10' Lt 13 Blk 13 Todds Addn, 100% LODGE; Scottish

Rite Temple Association,Lts 15-18 Blk 24 Todds Addn, 100% LODGE; Lewis and Clark Theater Co, S23' Lt 2 & all Lt 3 Blk 26

Todds Addn, 100% THEATRE; Loyal Order of Moose Inc, Lt 6 Blk 26 Todds Addn, 75% LODGE; Yankton Homeless Shelters,W12E1/2

Lt 10 & W1/2E1/2S1/2 Lt 11 Blk 35 Todds Addn, 100% LIVING QUARTERS; Faith Christian Fellowship of Yankton, E94' Lts 10 & 11

Blk 48 Todds Addn, 100% RELIGIOUS; United Church of Christ, Lt 5 Blk 49 Todds Addn, 100% RELIGIOUS; United Church of Christ

Congregational, Lts 7-9 Blk 49 Todds Addn, 50% RELIGIOUS EDUCATION; First Congregational Church of Yankton, Lts 10, 11 & 12

Blk 49 Todds Addn, 100% RELIGIOUS; Christ Church Episcopal Inc, Lts 1 & 2 Blk 50 Todds Addn, 100% CHURCH PARKING;

Christ Episcopal Church, N2 Lt 15, All Lts 16, 17 & 18 Blk 50 Todds Addn, 100% CHURCH; City of Yankton Lts 10 & 11

Exc E30' & Exc Marne Creek TR5 Blk 72 Todd's 100% Lewis & Clark Mental Health Center, Lts 1-7 Blk 1 Tripp & Harris,

100% MEETING ROOM; Lewis & Clark Behavioral Health, E30' Lt 9 & all Lts 10-12 Blk 1 Tripp & Harris Addn, 100% MEETING ROOMS

First United Methodist Church of Yankton, Inc,Lts 1-8 Blk 2 Tripp & Harris,100% RELIGIOUS; First United Methodist Church,

Lts 9-11 Blk 2 Tripp & Harris, 100% CHURCH & PARKING LOT; First United Methodist Church, Lts 9-16 Blk 3 Tripp & Harris,

100% PARKING LOT; Mount

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Marty College, Lt 13-17 exc N8' W99' exc W77' thereof Lt 17 Blk 5 Tripp & Harris Addn, 100%;

EDUCATIONAL; Yankton Church of Christ,Lts 25-30 Blk 7 Van Tassels S/D, 100% RELIGIOUS; St Johns Evangelical Church,

Lts 1-12 Blk 15 West Yankton, 100% CHURCH; Mount Marty College Inc, E22'Lt 8 exc N38.9' & W19' S159.5' Lt 9 Blk 18

West Yankton, 85% CHURCH STORAGE Sacred Heart Health Services, W50' S21; Lt 4 & all Lts 5-9 Blk 22 West Yankton,

100% HEALTH CARE; Ability Building Services Inc, Lts 1-5 Blk 15 Witherspoons Addn, 100% HOUSING & TRAINING Trinity Lutheran

Church, Lts 3,4 & 5 Blk 36 Witherspoons Addn, 100% PARKING LOT Trinity Lutheran Church, Lts 6 & 7 Blk 36 Witherspoons

Addn,100% CHURCH & PARKING LOT; Trinity Lutheran Church, Lts 12-18 Blk 36 Witherspoons Addn,100% CHURCH; Yankton Area

Adjustment Training Center, N1/2 Lt 11 & all Lt 12 Blk 37 Witherspoons Addn, 100% LIVING QUARTERS; Stephen's House Inc,

N41' Lt 16, All Lt 17 Blk 37 Witherspoon's Addn,100% HALFWAY HOUSE; Mount Marty Hospital Association, Lts 5-9 S & W of

HWY Blk 41 Witherspoons Addn, 100% HEALTH CARE; Roman Catholic Church, S2 SW4 NW4 & Parcel in NW4 SW4 6-93-55, 100% RELIGIOUS;

Christ the King Lutheran Church, N416.66' Parcel C Lt 1, All Lt 5 SW4 SW4 6-93-55 Parcels,100% RELIGIOUS; Corp.of Bishops

Church of Latter Day Saints,Parcel A SE4 SW4 6-93-55 Parcels,100% RELIGIOUS; Yankton Congregation of Jehovah's Witnesses,

Kingdom Hall Tract 1 NW4 NW4 7-93-55 Parcels,100% RELIGIOUS; Yankton Area Progressive Growth,Inc,Yaggies 2nd ADDN E2 NE4

EXC LT H-1 8-93-55 INDUSTRIAL DEVELOPMENT Yankton Area Progressive Growth, Inc, Doris Schenk Addn Exc Lts H-1 & H-2

(Incls Lt 2) & Replat Lt 4 Tuckers Addn & replat Lot 14 Tuckers 3rd Addn E2 SE4 (parcels) INDUSTRIAL DEVELOPMENT

Yankton Area Progressive Growth, Inc, Yaggies 3rd ADDN EXC LT A,B,C & D & Exc Lt H-1 9-93-55 INDUSTRIAL DEVELOPMENT

Elks Lodge #994 Ben. & Protective Order of Elks, W2 Tract 5 Lt C NE4 Parcels 1-93-56,75% LODGE; Sacred Heart Health Services,

SW4 SE4 S/RD exc W90' & exc Lt R-4 & exc Tract B (Parcels),95% STORAGE FACILITY; Yankton Area Progressive Growth,

Inc, Lt 7 of Lt A N2 NW4 exc Lt 1 12-93-56 Parcels,100% LOCAL INDUSTRIAL DEVELOPMENT; Yankton Area Adjustment Training Center,

N363'E660'NW1/4 12-93-56 Parcels,100% EDUCATIONAL; Yankton Area Progressive Growth, Inc,Lot 6 of Lot A N2 NW4 (Parcels)

Yankton Area Progressive Growth, Inc,Lt 1 Lt 7 Lt A N2 NW4 (Parcels) Benedictine Convent of the Sacred Heart, Ryken Tr 2,

Ryken Tr 3 East of 1/16th line & that part of Tr 4 lying west of div line between Govt Lots 2 & 3 13-93-56,100% RELIGIOUS;

Yankton County Historical Society, S2 NW4 SW4 NE4 exc W181.5' & W2 S2 NE4 SW4 NE4 lying W/Maple St exc parcel commencing @

intersection of West line of Maple St & South line of NE4 SW4 NE4 thence N250.35' then W150' thence S250.35' thence W150'

thence S250.35' thence E150' to PO 13-93-56, 100% HISTORICAL;Benedictine Convent of the Sacred Heart, Parcel 44

Parcels 13-93-56, 100% LIVING QUARTERS Published once at the approximate cost of \$302.86.

3+1 YANKTON COUNTY COMMISSION MEETING Feb. 5, 2013

The regular meeting of the Yankton County Board of Commissioners was called to order by

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Chairman Bruce Jensen at 3:00 PM on Tuesday, Feb. 5, 2013.

Roll call was taken with the following Commissioners present: Donna Freng, Bruce Jensen, Mark Johnson, Garry Moore and Allen Sinclair.

Action 1348C: A motion was made by Sinclair and seconded by Freng to approve the agenda with one addition: Decision about asking representatives of the South Dakota Department of Legislative Audit and South Dakota Department of Revenue to assist Yankton County officials with accurately calculating and finalizing 2012 county property taxes payable in 2013. Voting Aye: All. Nay: None. Motion carried.

Commissioner Moore requested a dog ordinance discussion be scheduled on the agenda of an upcoming Board meeting.

Chairman Jensen stated that minutes from the previous four Commission meetings have not been made available for the Board to approve or take action.

Action 1349C: A motion was made by Freng and seconded by Johnson to recess the regular session at 3:10 PM and convene in Executive Session to discuss personnel matters and litigation. Voting Aye: All. Nay: None. Motion carried.

Action 1350C: A motion was made by Sinclair and seconded by Johnson to reconvene in regular session at 4:38 PM. Voting Aye: All. Nay: None. Motion carried.

Chairman Jensen stated that Yankton County Auditor Paula Jones has taken a medical leave of absence from her position. Jensen also stated that during the Executive Session, the Board reached consensus on issues related to the Auditor's medical leave.

Action 1351C: A motion was made by Johnson and seconded by Sinclair to ask representatives of the South Dakota Department of Revenue to assist county officials on Feb. 14, 2013 in an effort to accurately balance and finalize the County's property tax levies in each district. Voting Aye: All. Nay: None. Motion carried.

Action 1352C: A motion was made by Moore and seconded by Sinclair to request the South Dakota Department of Legislative Audit and Auditor General perform a full legislative audit of the Yankton County Auditor's Office. Voting Aye: All. Nay: None. Motion carried.

Action 1353C: A motion was made by Johnson and seconded by Moore to seek temporary office assistance for the Auditor's Office during the leave of absence by Auditor Jones. Voting Aye: All. Nay: None. Motion carried.

Action 1354Z: A motion was made by Sinclair and seconded by Johnson to recess the regular session of the Board and convene as a Board of Adjustment. Voting Aye: All. Nay: None. Motion carried.

Action 1355Z: A motion was made by Sinclair and seconded by Johnson to approve a Minimum Lot Requirement Variance for Arthur Kotalik to allow for the separation of farmstead from production ground in an Agriculture District.

LEGAL DESCRIPTION (Physical Location): NW1/4, exc Blks. 1, 2, & 3, S30-T94N-R57W, hereinafter referred to as Ziskov North Township, County of Yankton, State of South Dakota.

1. Planning Commission recommends approval 8-0.

2. A lot variance as follows: variance of 4.01 acres or 15.99 acre lot size

3. Granting of variance will bring property into compliance with Yankton County Zoning Ordinance, variance will not confer on the applicant any special privilege

4. No nonconforming lands, structures or buildings were considered grounds for this recommendation

5. Use of applicants' property is allowed by the Yankton County Zoning Ordinance and in the district

6. Recommendations/conditions: Per Findings of Fact on file in Zoning & Auditor's offices.

7. Variance request approval per Article 19, Section 1907, of the Yankton County Zoning Ordinance

Voting Aye: All. Nay: None. Motion carried

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mit approved to build a self-storage warehouse in a Lakeside Commercial District.

3. Granting of the Conditional Use Permit will bring property into compliance with Yankton County Zoning Ordinance. Conditional Use Permit will not confer on the applicant any special privilege.

4. No nonconforming lands, structures or buildings were considered grounds for this recommendation.

5. Use of applicants' property is allowed by the Yankton County Zoning Ordinance and in the district

6. Recommendations/conditions: Per Findings of Fact on file in Zoning & Auditor's offices.

7. Variance request approval per Article 19, Section 1905, of the Yankton County Zoning Ordinance. Voting Aye: All. Nay: None. Motion carried.

8. Planning Commission recommends to deny: 3 aye - 5 nay.

9. A variance as follows: to allow an Electronic Message Board in a Lakeside Commercial District.

10. Granting of variance will not bring property into compliance with Yankton County Zoning Ordinance, variance will confer on the applicant special privilege

11. No nonconforming lands, structures or buildings were considered grounds for this recommendation

12. Proposed use of applicants' property is not allowed by the Yankton County Zoning Ordinance and in the district

13. Recommendations/conditions: Per Findings of Fact on file in Zoning & Auditor's offices.

14. Variance request approval per Article 19, Section 1907, of the Yankton County Zoning Ordinance

15. Voting Aye: All. Nay: None. Motion carried.

16. Action 1358Z: A motion was made by Freng and seconded by Sinclair to adjourn as a Board of Adjustment and reconvene in regular session. Voting Aye: All. Nay: None. Motion carried.

17. Action 1359Z: A motion was made by Sinclair and seconded by Johnson to adopt the following resolution: Whereas it appears that Arthur Kotalik and Geraldine Kotalik Revocable Trust, owner of record, has caused a plat to be made of the following real property: Block 4, Govt Lt. 1, NW1/4, S3-T94N-R57W of the 5th PM, Yankton County, South Dakota and has submitted such plat to the Yankton County Planning Commission and the County Commission, of Yankton County, South Dakota for approval. Now therefore be it resolved that such plat has been executed according to the law and conforms to all existing applicable zoning, subdivision and erosion and sediment control and the same is hereby approved. The county Auditor is hereby authorized and directed to endorse on such plat the proper resolution and certify the same. Voting Aye: All. Nay: None. Motion carried.

18. Yankton County Director of Equalization Lori Mackey presented the Board with her annual report, which included 2012 county valuation statistics; the office's assessment plan for 2013; and the 2013 Board of Equalization appeals timeline. Mackey also discussed special projects and developments underway in the DOE office, including the Beacon website.