

1650 Houses For Sale

404 N. Birch Avon
\$45,000
1-1/2 story, 3-bedroom, 1-bath, large garage. Jolene, Century 21, 605-464-9634.



902 Beemer • \$121,500
3-bedroom, 2-bath lake area home/commercial property. Joe, America's Best Realty. 605-661-7264.



New 1,230-sq.-ft. Townhouse. 3-bedrooms, 1.5-baths, attached 2-car garage. HOA fees. Offered at \$152,500. 605-661-8003, 605-661-2400.

1705 Items \$100 or Less

13" cute crochet dolls - \$7.50 each. Small flower centerpiece, \$3. Faberware electric frying pan, \$20. Nativity set, \$20. Call 605-665-3157.

6' Jacuzzi tub, \$100. Call 605-660-8408.

7' Onyx double sink counter top, \$85. Call 605-660-8408.

Dyno-Glo Gas Heater from 15,000 to 30,000 BTU vent-free blue flame gas heater, propane heats up to 1,000 square-feet, \$70. 605-665-4825.

Gas power, pressure washer 1700 PSI blower. Fertilizer spreader. \$100. Call 605-760-4327.

Interior doors, 30", \$20 each. Bi-fold closet doors, \$30. 605-661-2550.

Sherpakgo car top carrier, \$25. 30" complete 6 panel interior door, \$25. Call 605-660-8408.

Small china hutch \$75. Call 605-661-5757.

Variety box of Halloween costumes/decorations - \$10 (605) 664-8471 evenings, leave message.

1775 Home Furnishings

For Sale: Adjustable base twin bed, like new, original price \$1,300, asking \$500. Call 605-665-7183.

Kitchen cabinets, hutch, dishwasher and stove, wood trim. Sewing cabinet, 45" bathroom vanity, 48" fluorescent light, ceiling-fans. Homecrest patio chairs. 605-661-2550.

1830 Rummage Sales

108 Richard St. Friday, 10/9, 8am-? Saturday, 10/10, 8am-?
5 Family Rummage Sale: Harley Davidson exhaust pipes and saddle bag liners, furniture, tools, Christmas, honey, toys, kids and adult clothing.

2011 Green (½ block from Credit Union) Saturday, 10/10, 9am-3pm
Huge Rummage: Dishwasher, deck of cards dish set, roller blades & helmets, wine making unit, much more! SATURDAY ONLY!

215 E. 4th St. Friday, 10/9, 2:30pm-5pm Saturday, 10/10, 9am-4pm
Clothing: Boy's 7-8, girl's 12, women's adult plus sizes, & size 2 leather coat. Couch and household items. Cash only.

2302 Walnut St. Saturday, 10/10, 9am-Noon
Furniture, barber chair, car parts, weed eater, women's Columbia coat, electronics, and miscellaneous items.

Classifieds Work!
Submit an ad online at www.yankton.net

412 Douglas Yankton Friday, 10/9, 9am-4pm Saturday, 10/10, 9am-4pm Sunday, 10/11, 9am-4pm
MULTI-CATEGORY MOVING SALE
Household, fishing, kids, art/craft, books. Clothing, furniture, beds, appliances.

4401 S. Jim River Rd. (3 miles east of Yankton on Hwy. 50, left on Willowdale Rd. until dead-end, turn right first place - follow the balloons) Friday, 10/9, 9am-5pm Saturday, 10/10, 8am-3pm
MULTI-FAMILY RUMMAGE: Women clothes large-4x, men large-big and tall, boys and girls newborn-2t, boys 3t and 10-14, toys, small appliances, turkey fryer, table and chairs, too many items to list and more to be added on Saturday.

1830 Rummage Sales

815 Burleigh Wednesday, 10/7, 8am-5pm Thursday, 10/8, 8am-5pm Friday, 10/9, 8am-5pm
Scaffolding, rider mower, oak flooring, tile saw, vice, jigsaw, band saw, power tools, & more man stuff. Houseplants, cosmetics, shoes, purses, clothes. Books, polka music, housewares, rings, jewelry, silverware, pressure canner, old Vita-Mix, cheese making, & LOTS MORE.

1840 Lost and Found

2-bird baths missing since June from East 13th St., very sentimental please return.

2010 Legal and Public Notices

10+9
CHAMBER OF THE BOARD OF CITY COMMISSIONERS YANKTON, SOUTH DAKOTA SEPTEMBER 28, 2015

Regular meeting of the Board of City Commissioners of the City of Yankton was called to order by Mayor Carda.
Roll Call: Present: Commissioners Ferdig, Gross, Hoffner, Johnson, Knoff, Miner, Sommer, and Woerner. City Attorney Den Herder was also present. Absent: City Manager Nelson.
Quorum present.

Action 15-303
Moved by Commissioner Gross, seconded by Commissioner Hoffner, to approve the Minutes of the regular meeting of September 14, 2015, and Special Work Session on September 21, 2015.
Roll Call: All members present voting Aye; voting Nay: None.
Motion adopted.

Finance Officer Viereck reviewed the written report submitted by City Manager Nelson giving an update on community projects and items of interest.

Action 15-304
Moved by Commissioner Woerner, seconded by Commissioner Sommer, that the following items on the consent agenda be approved.
1. Approving Current Volunteer Firefighter List

Consideration of Memorandum 15-231 regarding approving the current list of Volunteer Firefighters per Workers Compensation and SDCL requirements: Brad Binde, Tim Binder, Troy Cowman, Don Cuka, Mike Fitzgerald, Kirt Flannery, Adam Frick, Brian Frick, Dan Frick, Steve Frick, Tom Frick, Mike Gullikson, Andy Haas, Adam Haberman, Richard Hladky, Kasey Hofer, Tom Holmstrom, Jody Johnson, Ryan Kaiser, Gary Kozak, John Kraft, Dave Kuehler, Mark Kuehler, Thomas Kurtenbach, Mark Mauch, Chad Miller, Pete Moore, Brad Moser, Terry Nickels, Larry Nickles, Mark Nickles, Matt Nighbert, Pat Nolz, Daniel Preadable, Larry Raab, Bill Taggart, Jeff Turman, Rodney Veldhuizen, Mike Villanueva, Dave Walsh, Jay Walsh, Toby Woehl, Bill Ziegler.

2. Establish public hearing for sale of alcoholic beverages
Establish October 12, 2015, as the date for the public hearing on the request for a Special RETAIL (on-sale) Wine dealers License for 1 day, October 17, 2015, from Hy-Vee Inc. (Richard N. Jurgens, President) d/b/a Hy-Vee, NFAA, 800 Archery Lane, Yankton, South Dakota.
Roll Call: All members present voting Aye; voting Nay: None.
Motion adopted.

Action 15-305
This was the time and place for the public hearing on the application for a Special (on-sale) Liquor License for one day, October 23, 2015, from Avera Sacred Heart Health Services (Taylor Tramp, Foundation Assistant), such event to be held at Pavilion Center, 1st, 2nd and 3rd Floors, and 1st and 2nd Floor of Surgical Center on Avera Campus, Yankton, South Dakota. (Memorandum 15-232)
No one was present to speak for or against approval of the license application. Moved by Commissioner Knoff, seconded by Commissioner Sommer, to approve the license.
Roll Call: Members present voting Aye: Commissioners Ferdig, Gross, Hoffner, Knoff, Miner, Sommer, Woerner, and Mayor Carda; voting Nay: None; Abstaining: Commissioner Johnson.
Motion adopted.

Action 15-306
This was the time and place for the public hearing on the application for a Special Events (on-sale) Liquor License for November 17, 2015, from Chamber of Commerce, (Carmen Schramm, Director) dba Chamber of Commerce, Mount Marty College, 1105 West 8th Street, Yankton, South Dakota. (Memorandum 15-233)
No one was present to speak for or against approval of the license application. Moved by Commissioner Woerner, seconded by Commissioner Knoff, to approve the license.
Roll Call: Members present voting Aye: Commissioners Gross, Hoffner, Johnson, Knoff, Miner, Sommer, Woerner, and Mayor Carda; voting Nay: None; Abstaining: Commissioner Sommer.
Motion adopted.

Action 15-307
Moved by Commissioner Knoff, seconded by Commissioner Johnson, to accept the Façade, Parking and Emergency Access Easement at the Yankton Mall. (Memorandum 15-235)
Roll Call: Members present voting Aye: Commissioners Ferdig, Gross, Hoffner, Johnson, Knoff, Miner, Woerner, and Mayor Carda; voting Nay: None; Abstaining: Commissioner Sommer.
Motion adopted.

2010 Legal and Public Notices

Action 15-308
This was the time and place for the second reading and public hearing for Resolution 15-53, A Resolution Approving a Special Assessment Roll for Façade, Parking, and Emergency Access Easement Improvements of the City of Yankton. No one was present to speak for or against adoption of the Resolution. Moved by Commissioner Knoff, seconded by Commissioner Hoffner, to adopt Resolution 15-53. (Memorandum 15-236)

RESOLUTION 15-53 RESOLUTION APPROVING A SPECIAL ASSESSMENT ROLL FOR FAÇADE, PARKING AND EMERGENCY ACCESS EASEMENT IMPROVEMENTS OF THE CITY OF YANKTON

BE IT RESOLVED as follows:

1. Approval of Special Assessment Roll. The special assessment roll, including any corrections, and assessments levied for financing of the façade, parking and emergency access easement project is hereby adopted and approved this 28th day of September, 2015.

2. Levy of Assessments. There is hereby levied assessment in the amounts and covering the below described properties. The assessments shall constitute a continuing lien upon the properties assessed as against all persons except the United States and this state. The lien shall continue for fifteen years from the due date of the last installment.

Name of Owner as Shown by County Director of Equalization: Yankton Omaha Partnership, c/o Dial Enterprise-TL Clauflf, 11506 Nicholas Street, #200, Omaha, NE 68154

Legal Description as of date of Resolution of Necessity: Lot 1A, Block 1 less Parcel 5, Slaughters Subdivision, Lot 3A, Block 1, Section 12 less Parcel 4, and less part Parcel 5 Slaughters Subdivision, Lot 6 except Parcels 1, 2, and 3, Block 1, Slaughters Subdivision all in the City of Yankton, South Dakota.

Total Amount Assessed: \$2,000,000

3. Payment of Assessments. The total assessment may be paid in 17 equal annual installments, to which interest at a percentage per annum rate equal to the special assessment bond rate will be added before certification to the County Auditor, who will include both interest and principal amount to be collected along with ad valorem property taxes on above property. All special assessments shall be payable under Plan One--Collection by county treasurer pursuant to SDCL § 9-43-102.

4. Prepayment. Any assessment or installment under Plan One may be paid without interest to the Municipal Finance Officer at any time within thirty days after the approval of the assessment roll. Thereafter, and before the due date of the first installment, the entire assessment remaining, or any number of installments, plus interest from the approval date to the date of payment may be paid to the Municipal Finance Officer. After the due date of the first installment, if the installments that are due together with interest have been paid, any of the remaining installments not yet due may be paid without additional interest to the Municipal Finance Officer. All installments paid before their respective due dates shall be paid in inverse order of their due dates.

5. Filing of assessments. The Municipal Finance Officer shall number said assessments consecutively, create the special tax book in accordance with SDCL 9-43, publish this resolution and deliver the special assessment roll and this resolution to the municipal treasurer.

6. Publish Notice. The Finance Officer is directed to publish with this resolution a notice stating under which plan the special assessments are payable, that any such assessment or any installment thereof may be paid without interest to the municipal treasurer within thirty days after the filing of the roll in the office of the municipal treasurer stating where such assessments are payable, the due date, the date of filing the assessment roll with the municipal treasurer and the rate of interest.

Roll Call: Members present voting Aye: Commissioners Ferdig, Gross, Hoffner, Johnson, Knoff, Miner, Woerner, and Mayor Carda; voting Nay: None; Abstaining: Commissioner Sommer.
Motion adopted.

Action 15-309
This was the time and place to award the bid for the Annual Water Treatment Plant and Wastewater Treatment Plant Sludge Removal. One bid was received and opened on September 22, 2015: Willard Schmidt, Yankton, South Dakota/Wastewater Treatment Plant Liquid Sludge-\$0.285/gal.; Water Treatment Plant Caked Lime Sludge-\$10.00/ton. Moved by Commissioner Gross, seconded by Commissioner Woerner, to award the bid for the Annual Water Treatment Plant and Wastewater Treatment Plant Sludge Removal to the only bidder, Willard Schmidt, Yankton, South Dakota, in the amount of \$0.285 per gallon for Wastewater Treatment Plant Liquid Sludge and \$10.00 per ton for Water Treatment Plant Caked Lime Sludge. (Memorandum 15-244)
Roll Call: All members present voting Aye; voting Nay: None.

2010 Legal and Public Notices

Motion adopted.

Action 15-310
Moved by Commissioner Gross, seconded by Commissioner Sommer, to adopt Resolution 15-60. (Memorandum 15-243)

RESOLUTION 15-60

WHEREAS, the City of Yankton endorses the Transportation Alternatives Program grant application for Phase II and Phase III for a project that will improve non-motorized vehicle access along South Dakota Highway 50 in the vicinity of the Fox Run Neighborhood; and

WHEREAS, the project will comply with all local planning and zoning requirements; and

WHEREAS, the City of Yankton assumes full responsibility for providing all necessary match funding, project coordination, and future site maintenance.

NOW, THEREFORE, BE IT RESOLVED by the Yankton City Commission that it will sponsor the Transportation Alternatives Program grant application for Phase II and Phase III as well as provide the administrative assistance needed to ensure compliance with all grant requirements; and

BE IT FURTHER RESOLVED that the Yankton City Commission authorizes the City Manager to execute all documents associated with the grant application or administration thereof.

Roll Call: Members present voting Aye: Commissioners Ferdig, Gross, Hoffner, Johnson, Knoff, Miner, Sommer, and Mayor Carda; voting Nay: None; Abstaining: Commissioner Woerner.
Motion adopted.

Action 15-311
Moved by Commissioner Sommer, seconded by Commissioner Johnson, to adopt Resolution 15-57. (Memorandum 15-237)

RESOLUTION 15-57

WHEREAS, the Yankton City Commission authorized a grant request to the Federal Aviation Administration (FAA) based on a proposal to prepare an environmental assessment to construct apron area improvements which includes the replacement of existing asphalt pavement with concrete, the relocation of two private hangars, and the demolition of a City owned hangar; and,

WHEREAS, the Federal Aviation Administration may provide Airport Improvement Program (AIP) Grant offer #3-46-0062-026-2015 to conduct an environmental assessment associated with the apron area improvements at Chan Gurney Municipal Airport adjacent to the fueling island based on the City's grant request; and,

WHEREAS, the South Dakota Department of Transportation Aeronautics Commission approved a State Financial Assistance Agreement for the above referenced project.

WHEREAS, this project has been identified in the Airport Layout Plan (ALP).
NOW, THEREFORE, BE IT RESOLVED that the City of Yankton will accept the South Dakota Department of Transportation Aeronautics Commission State Financial Assistance Agreement and authorizes the execution of the Agreement for an Apron Expansion Environmental Assessment as outlined in AIP Grant #3-46-0062-026-2015.

Roll Call: All members present voting Aye; voting Nay: None.
Motion adopted.

Action 15-312
Moved by Commissioner Gross, seconded by Commissioner Sommer, to adopt Resolution 15-58 with the City requesting 100 percent highway-rail safety funding for the installation of signals at 8th and Capitol in exchange for closing 11th Street. (Memorandum 15-238)

RESOLUTION 15-58 Railroad Crossing Closures

WHEREAS, The Yankton Board of City Commissioners has determined it in the best interest of the community to permanently close the railroad crossings at the following two locations: 11th Street West of Broadway Avenue and the alley south of 8th Street and east of Mulberry Street; and,

WHEREAS, said closures are in exchange for the Burlington Northern and Santa Fe Railroads agreement to allow a new private crossing for Kolberg- Pioneer, Inc. KPI will need to enter into separate private crossing agreement with BNSF and meet all necessary requirements.

NOW THEREFORE, BE IT RESOLVED that the City of Yankton hereby relinquishes, vacates and declares the railroad crossings at the two described locations permanently closed to any form of surface transportation including but not limited to vehicular, bicycle and pedestrian modes of transportation from this date forward. The City will maintain the underground easements at the crossing locations for existing utilities. Any new utility must follow BNSF's current permitting process, and

BE IT FURTHER RESOLVED THAT the City of Yankton agrees to install barricades in accordance with the Manual on Uniform Traffic Control Devices at the two crossing closure locations prior to the Burlington Northern and San-

2010 Legal and Public Notices

ta Fe Railroads installation of the new private crossing at the KPI site.

Roll Call: Members present voting Aye: Commissioners Ferdig, Gross, Hoffner, Johnson, Knoff, Miner, Sommer, and Woerner; voting Nay: None; Abstaining: Mayor Carda.
Motion adopted.

Action 15-313
Moved by Commissioner Knoff, seconded by Commissioner Woerner, to adopt Resolution 15-56. (Memorandum 15-234)

RESOLUTION 15-56

WHEREAS, it appears from an examination of the Lots 31A and 31B, Crestview Homes Subdivision in the NE ¼ of Section 21, T93N, R56W of the 5th P.M., in Yankton County, South Dakota prepared by John L. Brandt, a registered land surveyor in the State of South Dakota, and

WHEREAS, such plat has been prepared according to law and is consistent with the City's overall Comprehensive Development Plan.

NOW, THEREFORE BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota, that the plat for the above described property is hereby approved.

Roll Call: All members present voting Aye; voting Nay: None.
Motion adopted.

Action 15-314
This was the time and place to award the bid for a Standby Generator for the Vehicle Maintenance Garage. One bid was received and opened on September 16, 2016: Johnson Electric, Yankton, South Dakota-\$61,828.15. (Memorandum 15-240)
Moved by Commissioner Woerner, seconded by Commissioner Knoff, to award the bid to the only bidder, Johnson Electric, Yankton, South Dakota, in the amount of \$61,828.15, with the City paying \$17,503.15 and the remaining balance being paid with Hazard Mitigation Grant Program funds.
Roll Call: All members present voting Aye; voting Nay: None.
Motion adopted.

Action 15-315
Moved by Commissioner Gross, seconded by Commissioner Woerner, to adopt Resolution 15-59. (Memorandum 15-242)

RESOLUTION 15-59 AUTHORIZING STATE WATER PLAN APPLICATION

WHEREAS, the City of Yankton has identified the need to address the City's water supply and treatment needs; and

WHEREAS, the City of Yankton requests placement on the State Water Plan; and

WHEREAS, the City of Yankton is eligible for placement on the State Water Plan; and

WHEREAS, with the submission of the State Water Plan application, the City of Yankton assures and certifies that all State Water Plan program requirements will be fulfilled,

NOW THEREFORE BE IT RESOLVED, that the Yankton City Commission duly authorizes the submission of this State Water Plan application, and

BE IT FURTHER RESOLVED, that the City Manager be authorized to execute the State Water Plan application for the City of Yankton.

Roll Call: All members present voting Aye; voting Nay: None.
Motion adopted.

Action 15-316
Moved by Commissioner Woerner, seconded by Commissioner Gross, to adopt Resolution 15-61. (Memorandum 15-245)

RESOLUTION 15-61 STATE WATER PLAN

WHEREAS, the City of Yankton has identified the need to make various improvements to its wastewater collection system, and

WHEREAS, the City of Yankton proposes to apply for a place on the State Water Plan in order to meet local needs, and

WHEREAS, with the submission of the State Water Plan application the City of Yankton assures and certifies that all State Water Plan program requirements will be fulfilled; then

NOW, THEREFORE BE IT RESOLVED, that the Yankton City Commission duly authorizes the submission of the State Water Plan application, and

BE IT FURTHER RESOLVED, that the City Manager be authorized to execute the State Water Plan application for the City of Yankton.

Roll Call: All members present voting Aye; voting Nay: None.
Motion adopted.

Action 15-317
Moved by Commissioner Knoff, seconded by Commissioner Woerner, to authorize the Mayor to execute a Sewer Service Easement Agreement between the City of Yankton and Ray Livingston and Darrell and Nancy Livingston on City-owned property described as Lots 4, 5, and 6, Block 2, Low-

2010 Legal and Public Notices

er Yankton. (Memorandum 15-246)
Roll Call: All members present voting Aye; voting Nay: None.
Motion adopted.

Action 15-318
Moved by Commissioner Woerner, seconded by Commissioner Sommer, to adjourn at 7:27 p.m. Roll Call: All members present voting Aye; voting Nay: None.
Motion adopted.

David Carda
Mayor

ATTEST:

Al Viereck
Finance Officer
Published once at the total approximate cost of \$203.78.

10+9+16+23

NOTICE TO CREDITORS OF DECEASED SETTLOR AND SUCCESSOR TRUSTEE

Notice is given that on September 21, 2015, Dr. James G. Ruggles died, who was the Settlor of the James G. Ruggles Living Trust, dated July 13, 2011, and any amendments thereto.

Christopher L. Ruggles, whose address is 343 Lincoln Ln. S, Brookings, SD 57006, is the current Trustee of the James G. Ruggles Living Trust, dated July 13, 2011, and any amendments thereto. Creditors of the deceased Settlor must file their claims within four (4) months after the date of the publication of this Notice or any claim or collection efforts which otherwise could have been asserted or enforced against the trust or assets thereof may be barred. Claims may be submitted to the Trustee by mailing a written statement of the claim to the Trustee at the address above.

Dated this 5th day of October, 2015.

/s/ Christopher L. Ruggles
343 Lincoln Ln. S,
Brookings, SD 57006
(605) 692-1388

PREPARED BY:
Thompson Law, P.C.
5027 S. Western Avenue
Sioux Falls, SD 57108
(605) 362-9100
www.cathompsonlaw.com
Published three times at the total approximate cost of \$38.08.

9+25&10+2+9
Culhane Communications, Inc. proposes the construction of a new three-tower AM antenna array. The center of the proposed array is at NAD83 location of the proposed tower is at NAD83 geographic coordinates of 43-04-01.9 North Latitude and 097-17-26.6 West Longitude. This location is near the intersection of 298th Street and 445th Avenue in the NW 1/4 of Section 12, T95N, R55W near Irene, Yankton County, South Dakota. All three proposed towers are of identical overall height of 361 feet above ground level. The Federal Aviation Administration has recommended that FAA Style A be utilized for the marking of these structures.

Interested persons may review the applications for antenna structure registration by going to www.fcc.gov/asr/applications and entering the file numbers of A0979767, A0979771, and A0979772. Interested persons may raise environmental concerns about the proposed structure by filing a Request for Environmental Review with the Federal Communications Commission. The Federal Communications Commission strongly encourages interested parties to file Requests for Environmental Review online, and instructions for making such filings may be found at www.fcc.gov/asr/environmentalrequest. The mailing address for interested parties that would prefer to file a Request for Environmental Review by paper copy is FCC Requests for Environmental Review, Attn: Ramon Williams, 445 12th Street SW, Washington, DC 20554.

Published three times at the total approximate cost of \$39.09.

Please Recycle!

Please Recycle When Done Reading!

Good Help Is Easy to Find.

Hiring? Advertise your job openings with us, and connect with the area's most qualified applicants. Our print and online recruitment packages ensure you cover all the bases, targeting more than 30,000 local job seekers. Talk to us today about the right strategy to fit your business needs and your budget.

Put The Press & Dakotan to Work for Your Business Today: Call 605-665-7811