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2010 Legal and Public Notices

8+27 & 9+3+10

STATE OF SOUTH DAKOTA
COUNTY OF YANKTONIN CIRCUIT COURT
FIRST JUDICIAL CIRCUITESTATE OF
DEBORAH JO FLEMMING,
Deceased**PRO. NO. 11-31****NOTICE TO CREDITORS
AND NOTICE OF INFOR-
MAL
APPOINTMENT OF
PERSONAL
REPRESENTATIVE IN
INTESTACY**

Notice is given that on July 15, 2011, Randy Flemming, whose address is 710 Pine Street, Yankton, SD 57078, was appointed as personal representative of the estate of DEBORAH JO FLEMMING.

Creditors of decedent must file their claims within four months after the date of the first publication of this notice or their claims may be barred.

Claims may be filed with the personal representative or may be filed with the clerk, and a copy of the claim mailed to the personal representative.

Dated August 16, 2011.

/s/ Randy Flemming
710 Pine Street
Yankton, SD 57078
(605)661-3940Yankton County Clerk of Courts
410 Walnut Street, Suite 205
Yankton, SD 57078
(605)668-3080Luci Youngberg
ATTORNEY FOR PERSONAL
REPRESENTATIVE
216 W. 3rd Street,
Yankton, SD 57078
(605)665-4308**9+3
Notice of Sale**

In accordance with SDSL 44-14-3, a public sale will be held at 1505 West City Limits Rd, Yankton, SD on Thursday, September 8th, 2011 at 4pm. NO PRESALES PLEASE. Sale will continue on Friday September 9th, 2011 at 9am until 7pm & Saturday, September 10th from 9am until 1pm.

The sale of personal property located at Affordable Self Storage will be sold at the sale.

Holding Unit occupied by S. & K. Hilson; books, star trek items, time magazines & more.

Holding Unit occupied by D. Miller; bikes, antique furniture, & more.

Unit 238 occupied by L. Kortan; furniture & misc. household items.

8+31

PUBLIC MEETING NOTICE

A regular monthly meeting of the Yankton County Planning Commission will be held at 7:00 P.M., Tuesday, September 13, 2011 in the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton, South Dakota.

**NOTICE OF
PUBLIC HEARING**

Notice is hereby given that a public hearing will be held before the Yankton County Planning Commission, Yankton County, South

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Dakota, Tuesday, September 13, 2011, at 7:10 P.M. at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton, South Dakota.

Said hearing is to consider the following:

Applicant is requesting a Variance of Minimum Yard Requirement from fifty (50) feet to five (5) feet for property in a Commercial District (C) in Yankton County. Said property is legally described as All Lt. C & Lt. D, exc S90', E280', N1/2, NE1/4, NE1/4, S16-T93N-R55W of Yankton County, hereinafter referred to as Mission Hill South Township, County of Yankton, State of South Dakota. The E911 address is 3211 East SD Hwy 50, Yankton, SD.

**NOTICE OF
PUBLIC HEARING**

Notice is hereby given that a public hearing will be held before the Yankton County Planning Commission, Yankton County, South Dakota, Tuesday, September 13, 2011, at 7:25 P.M. at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton, South Dakota.

Said hearing is to consider the following:

Applicant is requesting a Variance of Maximum Accessory Structures Requirement to build a second accessory structure (unattached garage) for property in a Moderate Rural Residential District (R-2) in Yankton County. Said property is legally described as N394.56', SE1/4, NE1/4, exc Lis 1 & 2, Held S/D, exc Lt H-6, NE1/4, exc N1298.38', S7-T93N-R56W of Yankton County, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is 214 Horsehoe Hollow Drive, Yankton, SD.

**NOTICE OF
PUBLIC HEARING**

Notice is hereby given that a public hearing will be held before the Yankton County Planning Commission, Yankton County, South Dakota, Tuesday, September 13, 2011, at 7:45 P.M. at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton, South Dakota.

Said hearing is to consider the following:

Applicant is requesting a Conditional Use Permit for a Manufactured House for property in a Moderate Density Rural Residential District (R-2) in Yankton County. Said property is legally described as Lot L-2, NW1/4, NE1/4, S24-T94N-R54W of Yankton County, hereinafter referred to as Volin Township, County of Yankton, State of South Dakota. The E911 address is 45170 Bluff Road, Volin, SD.

**NOTICE OF
PUBLIC HEARING**

Notice is hereby given that a public hearing will be held before the Yankton County Planning Commission, Yankton County, South Dakota, Tuesday, September 13, 2011, at 8:00 P.M. at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton, South Dakota.

Said hearing is to consider the following:

Applicant is requesting a Conditional Use Permit to replace an existing communications tower for property in a Low Density Rural Residential District (R-1) in Yankton County. Said property is legally described as County Auditor Tract No. 1A, NE1/4, NE1/4, S2-T93N-R57W of Yankton County, hereinafter referred to as Ziskov South Township, County of Yankton, State of South Dakota. The E911 address is West SD Hwy 50 & 433rd Ave., Yankton, SD.

**NOTICE OF
PUBLIC HEARING**

Notice is hereby given that a pub-

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lic hearing will be held before the Yankton County Planning Commission, Yankton County, South Dakota, Tuesday, September 13, 2011, at 8:15 P.M. at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton, South Dakota.

Said hearing is to consider the following:

Applicant is requesting a Variance of Minimum Lot Requirement from twenty (20) acres to seven +/- (7.73) acres for property in an Agriculture District (AG) in Yankton County. Said property is legally described as Werdel Peterson Tract 1, NW1/4, S8-T96N-R54W of Yankton County, hereinafter referred to as Turkey Valley Township, County of Yankton, State of South Dakota. The E911 address is 44725 292nd Ave., Viborg, SD. Plat consideration to follow.

**NOTICE OF
PUBLIC HEARING**

Notice is hereby given that a public hearing will be held before the Yankton County Planning Commission, Yankton County, South Dakota, Tuesday, September 13, 2011, at 8:25 P.M. at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton, South Dakota.

Said hearing is to consider the following:

Applicant is requesting a Variance of Maximum Accessory Structures Requirement to build an unattached garage larger than 1,200 sq. ft. and before the principal structure, for property in a Moderate Rural Residential District (R-2) in Yankton County. Said property is legally described as tract 1, Sovereign Addition, SE1/4, NW1/4, S8-T93N-R57W of Yankton County, hereinafter referred to as Ziskov South Township, County of Yankton, State of South Dakota. The E911 address is 335 Ridgeview Drive, Tabor, SD.

**NOTICE OF
PUBLIC HEARING**

Notice is hereby given that a public hearing will be held before the Yankton County Planning Commission, Yankton County, South Dakota, Tuesday, September 13, 2011, at 8:40 P.M. at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton, South Dakota.

Said hearing is to consider the following:

Applicant is requesting a Variance of Minimum Lot Requirement from one (1) acre to > 1 (.86) acre for property in a Moderate Density Rural Residential District (AG) in Yankton County. Said property is legally described as Breck Tract 1, Lt. 1 & Lt. 2, Blk 1, Marina Dell Estates, SE1/4, SW1/4, S8-T93N-R56W of Yankton County, hereinafter referred to as Utica South Township, County of Yankton, State of South Dakota. The E911 address is 214 Marina Dell Ave., Yankton, SD. Plat consideration to follow.

**NOTICE OF
PUBLIC HEARING**

Notice is hereby given that a public hearing will be held before the Yankton County Planning Commission, Yankton County, South Dakota, Tuesday, September 13, 2011, at 8:55 P.M. at the Yankton County Government Center, Commissioners Chambers, 321 West Third St., Yankton, South Dakota.

Said hearing is to consider the following:

Applicant is requesting a Variance of Maximum Accessory Structures Requirement to build a second accessory structure (unattached garage) for property in a High Density Rural Residential District (R-3) in Yankton County.

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Said property is legally described as Lt. 33, Blk. 4, Sunrise Addition, S10-T93N-R55W of Yankton County, hereinafter referred to as Mission Hill South Township, County of Yankton, State of South Dakota. The E911 address is 1303 Oak Street, Yankton, SD.

Patrick Garrity
Zoning Administrator
Yankton County**Romney
Rallies GOP
Hispanics**

TAMPA, Fla. (AP) — Republican presidential candidate Mitt Romney told an enthusiastic crowd of Hispanic Republicans on Friday that they are "living proof" of the benefits of legal immigration but called for toughening enforcement on illegal immigration.

"Our country must do a better job of securing its borders and as president, I will," the former Massachusetts governor told a meeting of the Republican National Hispanic Assembly of Florida.

Although he never mentioned Rick Perry's name, Romney clearly was trying to draw a contrast with a chief rival for the GOP nomination. Perry, Texas' longest-serving governor, has been criticized by some fellow conservatives as being too lenient on illegal immigration issues.

Stocks Plunge After U.S. Hiring Dries UpBY DANIEL WAGNER
AND MATTHEW CRAFT
AP Business Writer

NEW YORK — A dismal jobs report caused stocks to plunge Friday.

The Dow Jones industrial average dropped 253 points, or 2.2 percent, wiping out its gain for the week. All 30 stocks in the average fell.

No jobs were added in the U.S. last month, the government said early Friday. It was the worst employment report in 11 months and renewed fears that another recession could be on the way. The yield on the 10-year Treasury note briefly fell below 2 percent and gold jumped \$48 an ounce as cash flowed into investments seen as less risky than stocks.

"It's certainly ugly," said Jeff Kleintop, chief market strategist at LPL Financial.

The U.S. jobs news came out midday in Europe, dragging stock markets lower

**Tropical Storm Lee
Forms Off Louisiana**BY JANET MCCONNAUGHEY
Associated Press

NEW ORLEANS — A large storm system churning in the Gulf Of Mexico grew Friday into Tropical Storm Lee, beginning a Labor Day weekend-long assault that could bring up to 20 inches of rain in some spots from Louisiana to the Florida Panhandle.

The storm was expected to make landfall on the central Louisiana coast late Saturday and turn east toward New Orleans, where it would provide the biggest test of rebuilt levees since Hurricane Gustav struck on Labor Day 2008.

Residents who have survived killer hurricanes such as Betsy, Camille and Katrina didn't expect Lee to live up to that legacy. "It's a lot of rain. It's nothing, nothing to Katrina," said Malcolm James, 59, a federal investigator in New Orleans who lost his home after levees broke during Katrina in August 2005 and had to be airlifted by helicopter.

"This is mild," he said. "Things could be worse."

Lee comes less than a week after Hurricane Irene killed more than 40 people from North Carolina to Maine and knocked out power to millions. It was too soon to tell if Hurricane Katia, out in the Atlantic, could endanger the U.S.

By Friday evening, the outer bands of Lee, the 12th named storm of the Atlantic hurricane season, already began dumping rain over southeastern Louisiana, southern Mississippi and Alabama.

The storm's biggest impact, so far, has been in the Gulf of Mexico oil fields. About half the Gulf's normal daily oil production has been cut as rigs were evacuated, though oil prices were down sharply Friday on sour economic news.

Federal authorities said 169 of the 617 staffed production platforms have been

evacuated, along with 16 of the 62 drilling rigs. That's reduced daily production by about 666,000 barrels of oil and 1.7 billion cubic feet of gas.

Kevin Lucas, an offshore worker from Lafayette, La., was evacuated Thursday by boat from a production platform. He was in the New Orleans' French Quarter on Friday. "It was rocking," he said of the boat. "A few fellows got seasick."

Tropical storm warning flags were flying from Mississippi to Texas and flash flood warnings extended along the Alabama coast into the Florida Panhandle.

The National Hurricane Center said the center of Lee was about 180 miles (290 km) west-southwest of the mouth of the Mississippi River on Friday and moving north at just 3 mph (6 kph).

Forecasters say that Lee's maximum sustained winds had increased slightly throughout the day to 45 mph (75 kph), and could get stronger.

Governors in Louisiana and Mississippi, as well as the mayor of New Orleans, declared states of emergency. Officials in several coastal Louisiana and Mississippi communities called for voluntary evacuations.

The Army Corps of Engineers was closing floodgates along the Harvey Canal, a commercial waterway in suburban New Orleans, but had not moved to shut a massive flood structure on the Mississippi River-Gulf Outlet shipping channel.

The MRGO was a major conduit for Katrina's storm surge, which overwhelmed levees and flooded St. Bernard and the city's Lower 9th Ward.

City officials said they expect some street flooding but no levee problems. Lee's storm surge, projected around 4 to 5 feet, is far short of the 20-foot-plus driven by Katrina. Billions of federal dollars have been spent on new levees and other flood protection.

in afternoon trading. Indexes in Germany and France were already sinking on news that talks between Greece and international lenders over that country's debt crisis were breaking down. Germany's DAX closed down 3.4 percent; France's CAC-40 lost 3.6 percent.

The lack of hiring in the U.S. last month surprised investors. Economists were expecting 93,000 jobs to be added. Previously reported hiring figures for June and July were revised lower. The average work week declined and hourly earnings fell. The unemployment rate held steady at 9.1 percent. The rate has been above 9 percent in all but two months since May 2009.

Kleintop said the jobs report didn't change his view that the economy was headed for a stretch of weak economic growth, not a recession. He said the figures were likely skewed by unusual events that may have made employers reluctant to add jobs in August.

The Labor Department's report relies

on data collected from surveys of households and businesses in the second week of August. That's right after Standard & Poor's removed the country's AAA credit rating and fears mounted that Europe's banking crisis could spread to the U.S. Television screens were filled with images of riots in London.

"I'm not surprised that businesses weren't doing too much hiring in that environment," Kleintop said.

The Dow Jones industrial average lost 253.31 points to close at 11,240.26. It was the biggest fall in two weeks. The Dow gained 329 points in the first three days of the week, turning the index positive for the year on Wednesday. Its two-day drop of 373 on Thursday and Friday left it down 0.4 percent for the week.

The Standard & Poor's 500 index fell 30.45, or 2.5 percent, to 1,173.97. The S&P is down 0.2 percent for the week. Both the Dow and S&P have fallen five of the past six weeks.

Wagner

From Page 1

cent and we will no longer qualify (for the additional federal funds)," she said.

"In order for us to retain our eligibility, we must opt out and raise our mill levy. The federal government wants to make sure that our local taxpayers are meeting their share of the tax obligation to educate students." The half-dozen schools in South Dakota that receive B2 funding all have the same situation, Smit said.

"Right now, Douglas (Ellsworth Air Force Base) and Bennett County (Martin) are OK," she said. "The rest of us

have had to deal with the mill levy issue."

The polls for the Wagner opt-out election are open from 7 a.m. to 7 p.m. at the Wagner Armory. A simple majority is needed for passage of the measure.

In neighboring Andes Central, the district has passed a 10-year opt-out for up to \$300,000 annually, according to Superintendent Darrell Mueller.

Like Wagner, Andes Central passed its opt-out to protect its annual impact aid, Mueller said.

The Andes Central district generally gets about \$925,000 in impact aid, consisting of about \$175,000 in Section 8002 and \$750,000 in Section 8003, he said. The district did not qualify for Heavily Impacted Aid this year.

The opt-out, the first for the Andes Central district, was passed by the

board in June, Mueller said. The opt-out has not been referred and starts this year, he said.

Officials from Wagner, Andes, South Central and Bennett County met earlier this year to discuss the impact aid situation, particularly meeting the 95 percent threshold.

In addition, Mueller said the federal budget situation raises concerns about its affect on impact aid, Mueller said. Andes Central officials remain in contact with South Dakota's congressional delegation, he said.

"With approximately 440 students in grades Pre-K through 12, and with many of those students living on over 10,000 acres of federal property which does not provide any revenue outside of Impact Aid, it would be impossible to educate our students on state aid and local tax dollars alone," he said.

Awana**Program To Begin at
Calvary Baptist Church****Registration**
Wednesday,
September 7th
6:30-8:00pm
(No Regular Awana)**Program Starts**
Wednesday,
September 14th
6:30-8:10pm

Parent(s) must accompany child for check-in and check-out

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affect your heart healthDr. Jeff Johnson
Lewis & Clark
Family Medicine, PC**Thursday, September 8**
Noon to 1:00pm

Minerva's, 1607 E. Hwy. 50, Yankton, SD

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