

RESOLUTION NO.04-2013  
TO AMEND LAND DESCRIBED IN RESOLUTION NO. 03-2013 A RESOLUTION OF  
ANNEXATION

WHEREAS, a voluntary Petition has been filed with the Common Council of the Town of Newell, Butte County, South Dakota, to annex contiguous property hereinafter described, pursuant to SDCL 9-4-1, as amended; and

WHEREAS, the properties to be annexed are described as follows and shown in Exhibit A:

The Northeast Quarter of the Southeast Quarter of Section 30, Township 9 North, Range 6 East of the Black Hills Meridian, Butte County South Dakota to include the described as follows: Commencing at the Southeast Corner of said Section 30; Then N00 12' 07" E on the East Line of the Southeast Quarter a distance of 1322.34 feet to the Southeast Corner of the Northeast Quarter of the Southeast Quarter of Section 30; Thence S89 55' 18"W on the South Line of the Northeast Quarter of the Southeast Quarter a distance of 37.29 feet to the westerly right-of-way of Highway 212/79 and the Point of Beginning; Thence continuing S89 55' 18"W on said South Line distance of 207.00 feet; Thence N00 03' 39"E a distance of 304.00 feet; Thence N89 55' 18"E a distance of 207.00 feet to the westerly right-of-way of Highway 212/79; Thence S00 03' 39"W on said right-of-way a distance of 304.00 feet to the point of beginning and the end of this metes and bounds description. Said tract of land contains 1.44 acres more or less and is subject to all existing easements, encumbrances and appurtenances of record. Such land lies upon or touches the City boundary line;

WHEREAS, the Town of Newell Commissioners have reviewed the request and have determined that the annexation of such property would be in the best interests of the Town of Newell, including economic development and expansion of the tax base; and

NOW, THEREFORE, BE IT RESOLVED, that the corporate limits of the Town of Newell be and are hereby extended to include the above-described property as shown on Exhibit A, as noted in the legal description and be included in the city service district in keeping with the proposed use of the property and shall be subject to all regulations and conditions of the Town of Newell; and be it further

RESOLVED that the above-described property, as noted in the legal description, shall be known as Fairview Heights Addition 1602, as shown on the annexation map and zoned as general commercial; and be it further

RESOLVED that the within described property shall be and is hereby extended to be part of the city limits, identified as Precinct Twenty and shall be subject to all such regulations and rules; and be it further

RESOLVED that this Resolution shall be recorded at length in the minutes of meeting and Resolution is passed along with a statement of the number of votes for and against the same and published in full as part of the minutes; and be it further

RESOLVED that this Resolution shall be effective upon publication of this Resolution, a copy certified by the Finance Officer and the map showing the property to be annexed shall be recorded in the office of the Butte County Register of Deeds and thereupon such property shall become and be part of the Town of Newell, South Dakota.

Dated this \_\_\_\_\_ day of November, 2018 at Newell, South Dakota

TOWN OF NEWELL

\_\_\_\_\_  
Mayor Kenneth Wetz

ATTEST:

\_\_\_\_\_  
Finance Officer Jennifer Parrow

(seal)

Passed & Adopted: \_\_\_\_ November 2018

Published:

EFFECTIVE UPON PUBLICATION

STATE OF SOUTH DAKOTA )

)

County of Butte )

On this the \_\_\_\_\_ day of \_\_\_\_\_ 2018, before me, the undersigned officer, personally appeared Kenneth Wetz and Jennifer Parrow, known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_