

SOUTH DAKOTA BOARD OF REGENTS

Budget and Finance

AGENDA ITEM: 7 – D
DATE: May 13-15, 2024

SUBJECT

DSU-ARL Construction Plat Resolution

CONTROLLING STATUTE, RULE, OR POLICY

SDCL [§5-1-7](#) and SDCL [Chs. 5-2, 11-3, and 43-21](#).

BACKGROUND / DISCUSSION

The property subject to the requested plat is the construction site of the new Dakota State University-Applied Research Lab (DSU-ARL). The Board approved the DSU-ARL preliminary facility statement at its [January 27, 2022, meeting](#) and the facility program plan at its [December 7-8, 2022, meeting](#). The property underlying the construction was transferred to DSU by Sanford, which transfer was approved by the Board at its [October 2022 meeting](#) and by the legislature in 2022 pursuant to [SB130](#). Sanford retains ownership of adjacent parcels in the area. The plat will denote the separation of the property to correctly reflect the ownership and portions of land retained by Sanford and land transferred to DSU, as well as the nature of the platted property.

IMPACT AND RECOMMENDATION

DSU requests that the Board of Regents adopt the resolution set forth in Attachment I, requesting the execution and filing of the plat as prepared by the licensed engineering and surveying firm engaged by DSU for the project, in order to correctly identify the parcel of property upon which the DSU-ARL building is being constructed.

Staff recommends approval.

ATTACHMENTS

- Attachment I – Resolution Requesting Execution and Filing of the Plan
- Attachment II – Draft Plat

DRAFT MOTION 20240513_7-D:

I move to approve and adopt the Resolution set forth in Attachment I, requesting the Commissioner of School and Public Lands to proceed with the plat in substantially similar form as stated therein.

RESOLUTION

Resolution requesting the execution and filing of the Plat of LOT 2, BLOCK 10, SANFORD SPORTS COMPLEX SOUTH ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA.

The South Dakota Board of Regents (hereinafter referred to as “BOR”), on behalf of Dakota State University, pursuant to the authority vested in SDBOR under SDCL § 5-2-11, hereby requests the Commission of School and Public Lands to draw up all necessary documents and to forward them to the Governor to request their execution in order to execute and file the attached plat pertaining to the property currently described as:

TRACT 1, SANFORD SPORTS COMPLEX SOUTH ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA, AND A PORTION OF THE SOUTHWEST QUARTER (SW1/4) OF THE NORTHWEST QUARTER (NW1/4) AND THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHWEST QUARTER (SW1/4), ALL IN SECTION 6, TOWNSHIP 101 NORTH, RANGE 49 WEST OF THE 5TH P.M., MINNEHAHA COUNTY, SOUTH DAKOTA.

BOR requests that the final plat be consistent with the draft plat attached hereto as Exhibit I, without restricting the ability of the parties to further revise the plat before executing and filing the same. This resolution shall also serve to ratify, request, and/or approve any and all documents, transactions, and/or actions to effectuate the execution and filing of the plat contemplated herein.

Dated this ____ day of May, 2024.

SOUTH DAKOTA BOARD OF REGENTS

By: _____

Tim Rave
President

Certification:

I have compared the foregoing with an action taken by the Board of Regents at its meeting conducted on the ____ day of May, 2024, and I hereby certify that the same is a true, correct, and complete copy thereof and that the same has not been rescinded.

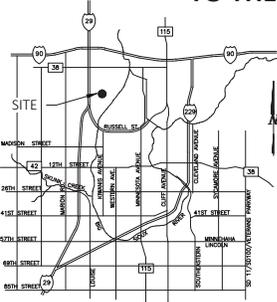
Dated this ____ day of May, 2024.

SOUTH DAKOTA BOARD OF REGENTS

By _____

Douglas Morrison
Secretary

PLAT OF LOT 2, BLOCK 10, SANFORD SPORTS COMPLEX SOUTH ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA



VICINITY MAP
CITY OF SIOUX FALLS

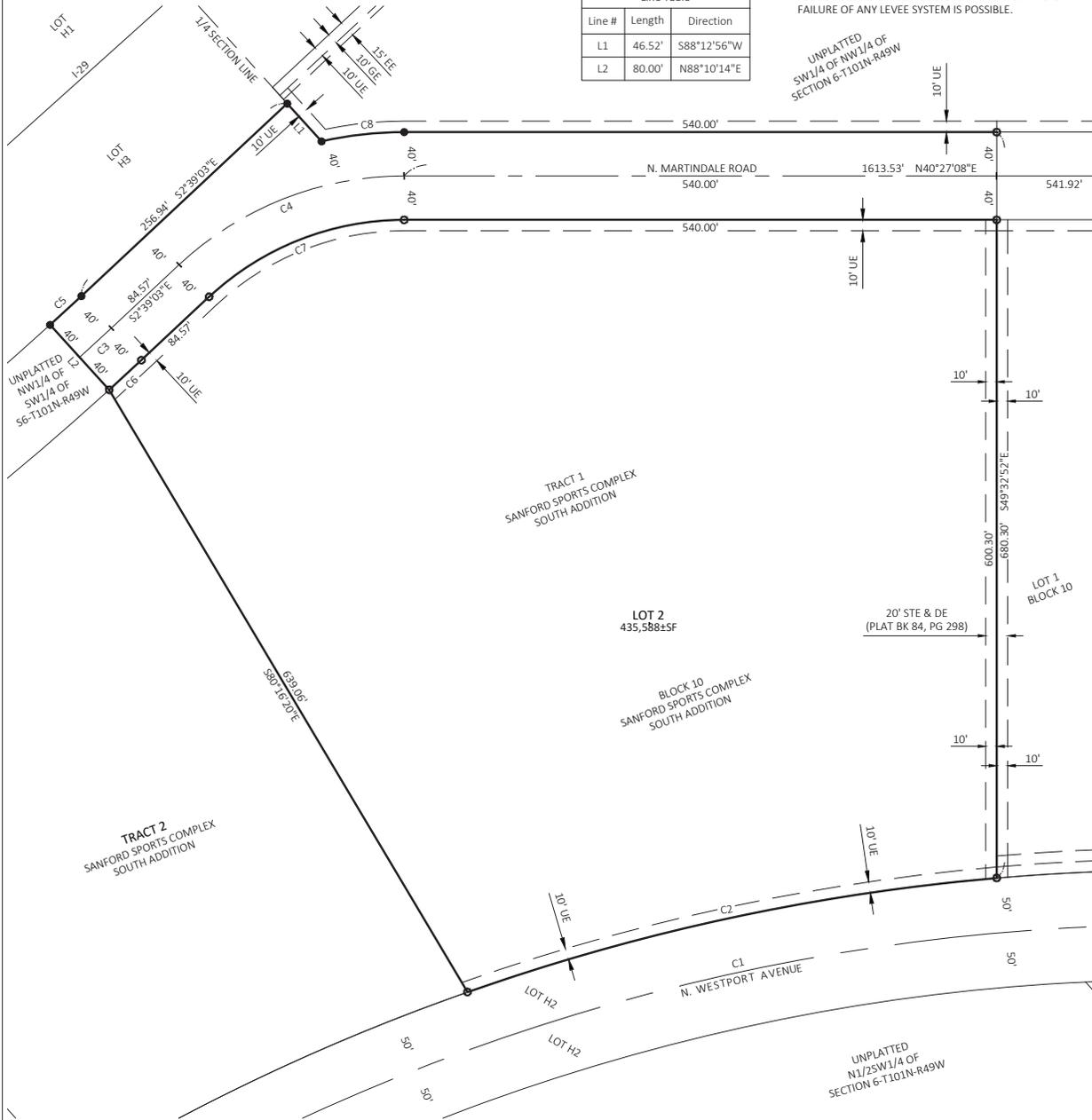
Curve Table					
Curve	Length	Radius	Delta	Chord Distance	Chord Bearing
C1	1400.26'	1909.86'	42°00'28"	1369.11'	S19°26'54"W
C2	494.67'	1959.86'	14°27'41"	493.35'	S28°16'26"W
C3	39.35'	2745.42'	0°49'16"	39.35'	S2°14'24"E
C4	225.69'	300.00'	43°06'11"	220.40'	S18°54'03"W
C5	38.78'	2705.42'	0°49'16"	38.77'	N2°14'24"W
C6	39.92'	2785.42'	0°49'16"	39.92'	N2°14'24"W
C7	195.60'	260.00'	43°06'11"	191.02'	S18°54'03"W
C8	75.83'	340.00'	12°46'43"	75.67'	S34°03'47"W

Line Table		
Line #	Length	Direction
L1	46.52'	S88°12'56"W
L2	80.00'	N88°10'14"E



- = FOUND IRON PIN OR AS NOTED
- = SET 5/8" REBAR W/CAP #8295
- UE = UTILITY EASEMENT
- STE = STORM SEWER EASEMENT
- DE = DRAINAGE EASEMENT
- EE = ELECTRIC DISTRIBUTION EASEMENT (MISC. BK. 278, PG. 620)
- GE = GAS EASEMENT (MISC. BK. 242, PG. 949)

NOTE:
THE PROPERTY IS LOCATED WITHIN FEMA FIRM 46099C0434F. THIS AREA IS SHOWN AS BEING PROTECTED FROM THE 1-PERCENT-ANNUAL-CHANCE OR GREATER FLOOD HAZARD BY A LEVEE SYSTEM. OVERTOPPING OR FAILURE OF ANY LEVEE SYSTEM IS POSSIBLE.



SURVEYOR'S CERTIFICATE

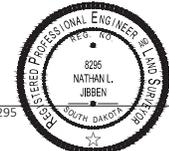
I, NATHAN L. JIBBEN, OF JSA CONSULTING ENGINEERS/LAND SURVEYORS, INC., A REGISTERED LAND SURVEYOR IN THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT I DID, ON OR BEFORE DECEMBER 18, 2023, SURVEY ALL OF TRACT 1, SANFORD SPORTS COMPLEX SOUTH ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA, AND A PORTION OF THE SOUTHWEST QUARTER (SW1/4) OF THE NORTHWEST QUARTER (NW1/4) AND THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHWEST QUARTER (SW1/4), ALL IN SECTION 6, TOWNSHIP 101 NORTH, RANGE 49 WEST OF THE 5TH P.M., MINNEHAHA COUNTY, SOUTH DAKOTA, AS SHOWN ON THE ABOVE PLAT. THAT PORTION OF LAND SHALL HEREAFTER BE KNOWN AS LOT 2, BLOCK 10, SANFORD SPORTS COMPLEX SOUTH ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA, CONTAINING 11.69 ACRES± (INCLUDING 1.69 ACRES± OF DEDICATED RIGHT OF WAY).

I FURTHER CERTIFY THAT TO THE BEST OF MY KNOWLEDGE THE ABOVE PLAT CORRECTLY REPRESENTS THE SAME, IS TRUE AND CORRECT AND THAT IT WAS MADE UNDER MY DIRECT SUPERVISION.

DATED THIS _____ DAY OF _____, 20_____.

NATHAN L. JIBBEN, RLS 8295

PREPARED BY: **JSA** CONSULTING ENGINEERS/LAND SURVEYORS, INC.,
6810 S. LYNCREST AVE SUITE 101, SIOUX FALLS, SOUTH DAKOTA, 57108 605-367-1036



PLAT OF LOT 2, BLOCK 10, SANFORD SPORTS COMPLEX SOUTH ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA

OWNER'S CERTIFICATE OF COMPLIANCE

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF ALL LAND INCLUDED IN THE ABOVE PLAT AND THAT SAID PLAT HAS BEEN MADE AT OUR REQUEST AND IN ACCORDANCE WITH OUR INSTRUCTIONS FOR THE PURPOSES OF TRANSFER, AND THAT THE DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION AND EROSION AND SEDIMENT CONTROL LAWS, ORDINANCES, AND REGULATIONS. AT THIS TIME, THE ZONING OF THE LOTS PLATTED HEREIN IS AS LISTED BELOW AND IS SUBJECT TO THE ARTERIAL STREET PLATTING FEE WHERE APPLICABLE. THE APPLICABLE ARTERIAL STREET PLATTING FEE HAS BEEN PAID BASED ON THIS ZONING. ANY FUTURE REZONING OF THESE LOTS, WHICH RESULTS IN THE LOT OR LOTS HAVING A ZONING CLASSIFICATION WITH A HIGHER PER ACRE TRIP GENERATOR, WILL RESULT IN ADDITIONAL ARTERIAL STREET PLATTING FEES PURSUANT TO CITY ORDINANCE.

DEDICATION OF LAND FOR PUBLIC USE

WE HEREBY DEDICATE TO THE PUBLIC FOR PUBLIC USE FOREVER, THE STREETS, ROADS AND ALLEYS, PARKS, AND PUBLIC GROUNDS, IF ANY, AS SHOWN ON SAID PLAT IF APPLICABLE, INCLUDING ALL SEWERS, CULVERTS, BRIDGES, WATER DISTRIBUTION LINES, SIDEWALKS AND OTHER IMPROVEMENTS ON OR UNDER THE STREETS, ALLEYS, PARKS, AND PUBLIC GROUNDS WHETHER SUCH IMPROVEMENTS ARE SHOWN OR NOT. WE ALSO HEREBY GRANT, IF APPLICABLE, EASEMENTS TO RUN WITH THE LAND FOR WATER, DRAINAGE, SEWER, GAS, ELECTRIC, TELEPHONE, OR OTHER PUBLIC UTILITY LINES OR SERVICES UNDER, ON, OR OVER THOSE STRIPS OF LAND DESIGNATED HEREON AS EASEMENTS.

WE HEREBY WAIVE ANY RIGHTS OF PROTEST TO ANY APPLICABLE SPECIAL ASSESSMENT PROGRAM WHICH MAY BE INITIATED FOR THE PURPOSE OF INSTALLATION OF IMPROVEMENTS REQUIRED BY THE SUBDIVISION ORDINANCE OF THE CITY OF SIOUX FALLS.

WE HEREBY CERTIFY THAT THIS REPLAT WILL NOT PLACE ANY EXISTING LOT OR BUILDING IN VIOLATION OF ANY APPLICABLE ORDINANCE, CODE, REGULATION, OR LAW INCLUDING BUT NOT LIMITED TO ZONING, BUILDING, SUBDIVISION, AND FLOOD PREVENTION.

WE FURTHER CERTIFY THAT THIS PLATTING OF SAID DESCRIBED LOT 2, BLOCK 10, SANFORD SPORTS COMPLEX SOUTH ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA, DOES HEREBY VACATE THE FOLLOWING PLATTING:

ALL OF TRACT 1, SANFORD SPORTS COMPLEX SOUTH ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA ON FILE AT THE REGISTER OF DEEDS OFFICE IN BOOK 85 PAGE 143.

SAID PLAT, HEREBY VACATED, BEING SITUATED WITHIN DESCRIBED LOT 2, BLOCK 10, SANFORD SPORTS COMPLEX SOUTH ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA, AS SURVEYED.

DATED THIS _____ DAY OF _____, 20_____.

OWNER TRACT 1: STATE OF SOUTH DAKOTA

BY: KRISTI NOEM, GOVERNOR

ATTEST BY: BROCK GREENFIELD, COMMISSIONER OF SCHOOL AND PUBLIC LANDS

STATE OF SOUTH DAKOTA) §
COUNTY OF _____)

ON THIS _____ DAY OF _____, 2024, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED KRISTI NOEM, WHO ACKNOWLEDGED HERSELF TO BE THE GOVERNOR OF THE STATE OF SOUTH DAKOTA, AND THAT SHE AS SUCH GOVERNOR BEING AUTHORIZED SO TO DO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED BY SIGNING THE NAME OF THE STATE BY HERSELF AS GOVERNOR.

IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC, _____ COUNTY, SOUTH DAKOTA

STATE OF SOUTH DAKOTA) §
COUNTY OF _____)

ON THIS _____ DAY OF _____, 2024, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED BROCK GREENFIELD, WHO ACKNOWLEDGED HIMSELF TO BE THE COMMISSIONER OF SCHOOL AND PUBLIC LANDS, AND THAT HE AS SUCH COMMISSIONER OF SCHOOL AND PUBLIC LANDS BEING AUTHORIZED SO TO DO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED BY SIGNING THE NAME OF THE COMMISSIONER OF SCHOOL AND PUBLIC LANDS.

IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC, _____ COUNTY, SOUTH DAKOTA

DATED THIS _____ DAY OF _____, 20_____.

OWNER OF THE UNPLATTED PORTION OF SW1/4 NW1/4 AND NW1/4 SW1/4 OF S6-T101N-R49W: SANFORD HEALTH

NICK OLSON, EXECUTIVE VP/CHIEF FINANCIAL OFFICER

STATE OF SOUTH DAKOTA) §
COUNTY OF _____)

ON THIS _____ DAY OF _____, 2024, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED NICK OLSON, WHO ACKNOWLEDGED HIMSELF TO BE THE EXECUTIVE VP/CHIEF FINANCIAL OFFICER, AND THAT HE AS SUCH EXECUTIVE VP/CHIEF FINANCIAL OFFICER BEING AUTHORIZED SO TO DO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED BY SIGNING THE NAME OF THE EXECUTIVE VP/CHIEF FINANCIAL OFFICER.

IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC, _____ COUNTY, SOUTH DAKOTA

**PLAT OF LOT 2, BLOCK 10, SANFORD SPORTS COMPLEX SOUTH ADDITION
TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA**

CITY ENGINEER'S CERTIFICATE

I, ANDREW BERG, CITY ENGINEER OF THE CITY OF SIOUX FALLS, DO HEREBY CERTIFY THAT THIS PLAT HAS BEEN REVIEWED BY ME OR MY AUTHORIZED AGENT AND THAT THIS PLAT IS RECOMMENDED FOR APPROVAL. TO THE EXTENT THE PLATTED PROPERTY LIES WITHIN THE BOUNDARIES OF THE CITY OF SIOUX FALLS, I HEREBY VERIFY THAT ACCESS TO CITY STREETS (DIRECT ACCESS OR THROUGH ACCESS EASEMENTS OR AGREEMENTS) HAS BEEN APPROVED AS PROVIDED BY CITY ORDINANCE; THIS DOES NOT CONSTITUTE APPROVAL OF THE SPECIFIC DESIGN OR PRECISE LOCATION OF SUCH ACCESS AND, FURTHER, DOES NOT CONSTITUTE APPROVAL OF ACCESS TO PRIVATE STREETS, STATE OR COUNTY ROADS OR HIGHWAYS, OR ANY AREAS OUTSIDE THE BOUNDARIES OF THE CITY OF SIOUX FALLS.

SIGNED ON THIS _____ DAY OF _____, 20 _____.

CITY ENGINEER
SIOUX FALLS, SOUTH DAKOTA

CITY DIRECTOR OF PLANNING AND DEVELOPMENT SERVICES CERTIFICATE

I, JEFF ECKHOFF, CITY DIRECTOR OF PLANNING AND DEVELOPMENT SERVICES OF THE CITY OF SIOUX FALLS, DO HEREBY CERTIFY THAT THE CURRENT ZONING IS AS LISTED BELOW AND THAT THIS PLAT HAS BEEN REVIEWED BY ME OR MY AUTHORIZED AGENT AND THAT THIS PLAT IS RECOMMENDED FOR APPROVAL.

CURRENT ZONING CLASSIFICATION	ACRES
S-2 - INSTITUTIONAL CAMPUS PUD	11.69

CITY DIRECTOR OF PLANNING AND DEVELOPMENT SERVICES
CITY OF SIOUX FALLS, SOUTH DAKOTA

CITY FINANCE OFFICER'S CERTIFICATE

I, SHAWN PRITCHETT, THE DULY APPOINTED, QUALIFIED AND ACTING CITY FINANCE OFFICER OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA, HEREBY CERTIFY THAT THE CERTIFICATES OF APPROVAL ARE TRUE AND CORRECT INCLUDING THE SIGNATURES THEREON, AND THAT ANY SPECIAL ASSESSMENTS WHICH ARE LIENS UPON THE LAND SHOWN IN THIS PLAT, AS SHOWN BY THE RECORDS IN MY OFFICE,

ON THIS _____ DAY OF _____, 20 _____,
HAVE BEEN PAID IN FULL.

CITY FINANCE OFFICER
SIOUX FALLS, SOUTH DAKOTA

COUNTY TREASURER'S CERTIFICATE

I, TREASURER OF MINNEHAHA COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON ANY LAND INCLUDED IN THE ABOVE (AND FOREGOING) PLATS, AS SHOWN BY THE RECORDS OF MY OFFICE, HAVE BEEN FULLY PAID.

DATED THIS _____ DAY OF _____, 20 _____.

TREASURER OF MINNEHAHA COUNTY
SOUTH DAKOTA

DIRECTOR OF EQUALIZATION

I, DIRECTOR OF EQUALIZATION OF MINNEHAHA COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT A COPY OF THIS PLAT HAS BEEN FILED AT MY OFFICE.

DIRECTOR OF EQUALIZATION,
MINNEHAHA COUNTY, SOUTH DAKOTA

REGISTER OF DEEDS

FILED FOR RECORD THIS _____ DAY OF _____, 20 _____,

AT _____ O'CLOCK _____ .M.,

AND RECORDED IN BOOK _____ OF PLATS ON PAGE _____.

REGISTER OF DEEDS,
MINNEHAHA COUNTY, SOUTH DAKOTA