

Case No. 17VR006

Legal Description:

Adjoining portions of Lot 80 and 81 of Pine Hills Subdivision, located in the NW1/4 of Section 33, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota


FISK LAND SURVEYING & CONSULTING ENGINEERS, INC.

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August 8, 2017

Dale Tech, PE,LS – Director
 Public Works Department
 City of Rapid City
 300 Sixth Street
 Rapid City, SD 57701

RE: Vacation of a portion of Pine Hills Drive ROW
 1130 Pine Hills Drive aka Lots 80 & 81 of Pine Hills Subdivision

Dale:

We are representing Northwestern Engineering Company (NWE) with their property located at 1130 Pine Hills Drive (off Sturgis Road and west of the quarry) and their request for vacation of a small portion of right-of-way to remedy a minor structure encroachment.

During the course of a recent survey it was identified that a corner of the existing garage encroaches slightly into the Pine Hills Drive right-of-way. In our research, the Director of Equalization was able to tell us that the residence was constructed in 1950. The lots were originally platted in 1947 and there are no platted notes regarding standard easement or building setback requirements. The property was originally in the County and apparently annexed into the City at a later date. When we inquired we were not able to find any remaining building permit records with either the County or City. The original plat document is somewhat deficient in geometric information but based on an extensive boundary retracement we find the corner of the attached garage structure to be located in the right-of-way. By all appearances it seems to be an inadvertent construction error.

Pine Hills Drive is an existing 66' wide right-of-way – which is in excess of the current 52' required for a Local street classification. The proposed limited area of vacation will not adversely impact the use and function of the remaining right-of-way.

NWE has a sale/transfer that is pending correction of the encroachment.

As always, your consideration of this request is greatly appreciated.

Sincerely,
 FISK LAND SURVEYING & CONSULTING ENGINEERS, INC.

Janelle L. Finck
 President

jlf
 encl

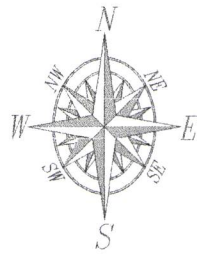
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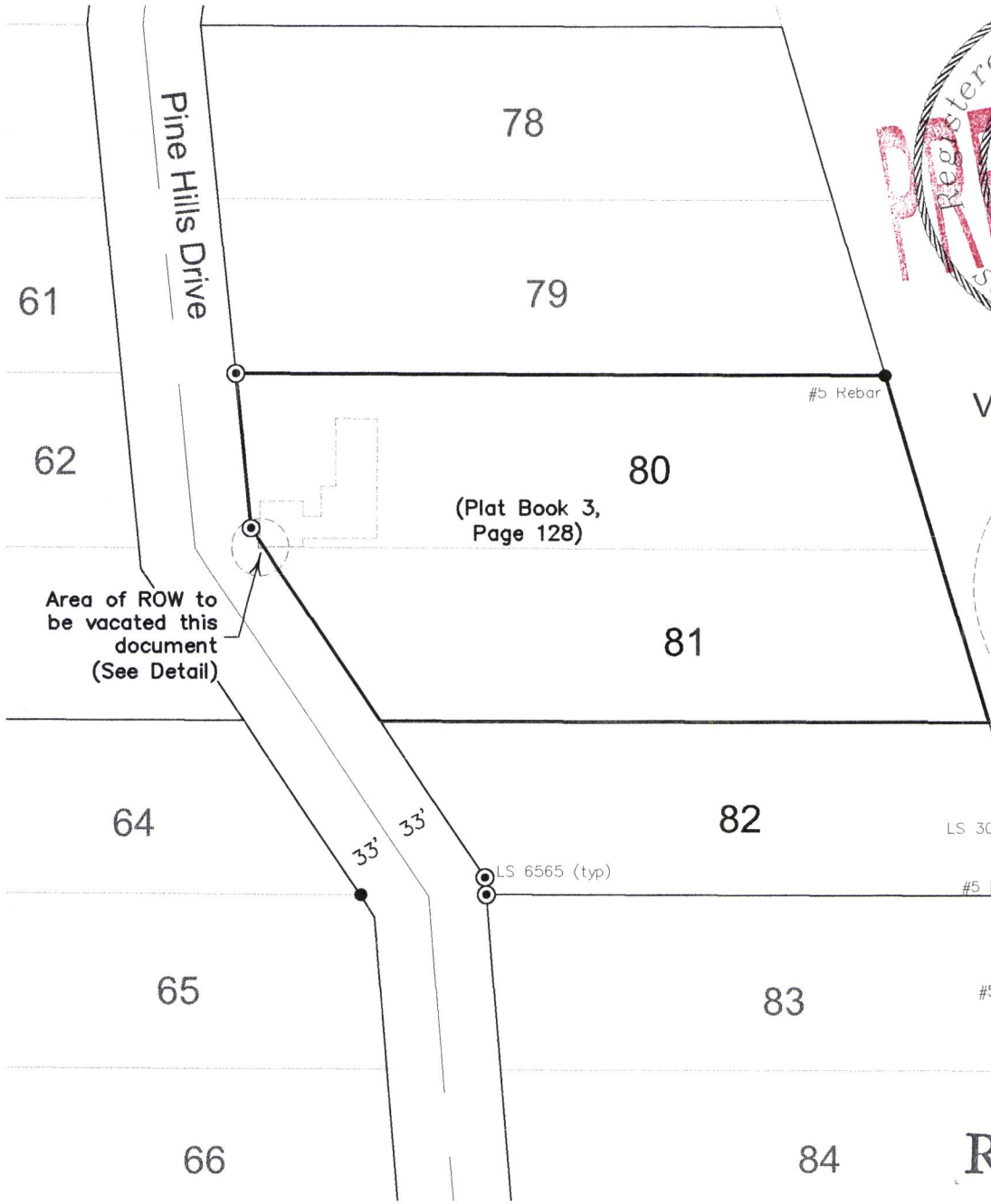
**RAPID CITY COMMUNITY PLANNING
 & DEVELOPMENT SERVICES**

EXHIBIT A

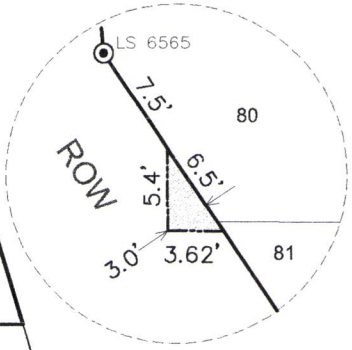
Right-of-Way Vacation
Adjoining portions of Lot 80 and 81 of Pine Hills Subdivision
located in the NW $\frac{1}{4}$ of Section 33, T2N, R7E, BHM, Rapid City,
Pennington County, South Dakota



1"=100'



Vacation Detail NTS



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& DEVELOPMENT SERVICES

PREPARED BY:
FISK LAND SURVEYING & CONSULTING ENGINEERS, INC.
P.O. BOX 8154, RAPID CITY, SD 57709 (605) 348-1538 July 31, 2017

NO. 17-07-03