

RESOLUTION NO. 2023-014
RESOLUTION AUTHORIZING MAYOR AND INTERIM FINANCE DIRECTOR
TO SIGN CORRECTED RESOLUTION NO. 2022-077

WHEREAS, on December 19, 2022, the City Council approved Resolution No. 2022-077, which was a resolution vacating certain right-of-way generally described as being an alleyway located between Vale Street and St. Onge Street; and

WHEREAS, Resolution No. 2022-077 referred to Exhibit A, which correctly depicted the alleyway as being 16 feet wide. A copy of Exhibit A is attached to this resolution; and

WHEREAS, Resolution No. 2022-077 described the right-of-way to be vacated as “the right-of-way located in a 16 inch wide alleyway of Block 15 of Green Acres located in the SW1/4 of the SW1/4 of Section 34, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as between Vale Street and St. Onge Street.” However, this legal description contained an error. The legal description should have referred to a “16 foot wide alleyway” instead of a “16 inch wide alleyway”; and

WHEREAS, the Common Council wishes to approve the language of Resolution No. 2022-077 with the updated, correct legal description.

NOW, THEREFORE, BE IT RESOLVED that the Common Council authorizes the Mayor and Finance Director to sign the Corrected Resolution 2022-077 as follows:

Resolution No. 2022 – 077 CORRECTED

STATE OF SOUTH DAKOTA)
)ss.
COUNTY OF PENNINGTON)

**RESOLUTION OF VACATION
OF RIGHT-OF-WAY**

WHEREAS, it appears that the right-of-way located in a 16 foot wide alleyway of Block 15 of Green Acres located in the SW1/4 of the SW1/4 of Section 34, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as between Vale Street and St. Onge Street, is not needed for public purposes; and

WHEREAS, the owners of property adjoining the above-described right-of-way desire said public right-of-way to be vacated and released.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that the public right-of-way heretofore described, and as shown on Exhibit "A", attached hereto, and incorporated herein, is hereby vacated.

BE IT FURTHER RESOLVED, that the Mayor and Interim Finance Director are hereby authorized to execute a release of public right-of-way in regard thereto.

Dated this ____ day of _____, 2023.

CITY OF RAPID CITY

Steve Allender, Mayor

ATTEST:

Tracy Davis, Interim Finance Director

(SEAL)

BE IT FURTHER RESOLVED that the Common Council authorizes the filing of
"Resolution No. 2022-077 CORRECTED" with the Pennington County Register of Deeds.

Dated this ____ day of _____, 2023.

CITY OF RAPID CITY

Steve Allender, Mayor

ATTEST:

Tracy Davis, Interim Finance Director

(SEAL)