

PROPOSED RESOLUTION NO. 2013-36

A RESOLUTION TO DECLARE THE NECESSITY FOR SIDEWALK IMPROVEMENT 2014

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MADISON, SOUTH DAKOTA:

That the City hereby declares the necessity of constructing sidewalks within the City of Madison located adjacent to the following streets as noted below:

1. Area 1 - Roosevelt Avenue from Ninth to Fifth Street as follows:

ALL BLOCK 2 WALKERS 1ST ADDITION, LAKE COUNTY, SOUTH DAKOTA

LOT TEN (10) IN BLOCK ONE (1) OF NORTHLAND HEIGHTS ADDITION TO MADISON, LAKE COUNTY, SOUTH DAKOTA

LOT ELEVEN (11) IN BLOCK ONE (1) OF NORTHLAND HEIGHTS ADDITION TO MADISON, SOUTH DAKOTA

LOT TWELVE (12) IN BLOCK ONE (1) OF NORTHLAND HEIGHTS ADDITION TO MADISON, SOUTH DAKOTA

LOT THIRTEEN (13) IN BLOCK ONE (1) OF NORTHLAND HEIGHTS ADDITION TO MADISON, LAKE COUNTY, SOUTH DAKOTA

LOT FOURTEEN (14), BLOCK ONE (1), NORTHLAND HEIGHTS ADDITION TO MADISON, LAKE COUNTY, SOUTH DAKOTA

THE NORTHEASTERLY FOURTYFIVE (45) FEET ALONG ROOSEVELT AND NORTHEAST SEVENTH STREET OF LOT FIFTEEN (15) IN BLOCK ONE (1) IN NORTHLAND HEIGHTS ADDITION TO MADISON, LAKE COUNTY, SOUTH DAKOTA

LOT TEN (10), BLOCK THREE (3), NORTHLAND HEIGHTS ADDITION TO MADISON, LAKE COUNTY, SOUTH DAKOTA

LOT EIGHT (8) OF HANNEMAN'S ADDITION TO MADISON, LAKE COUNTY, SD

LOT 8 OF DOWN'S FIRST ADDITION TO MADISON, LAKE COUNTY, SOUTH DAKOTA

LOT NINE (9) IN DOWN'S FIRST ADDITION TO MADISON, LAKE COUNTY, SOUTH DAKOTA

LOT ONE (1) BLOCK TWO (2), NORTHLAND HEIGHTS ADDITION TO MADISON, LAKE COUNTY, SD

LOT TWO (2) IN BLOCK TWO (2) OF NORTHLAND HEIGHTS ADDITION TO MADISON, SOUTH DAKOTA

LOT THREE (3), BLOCK TWO (2), NORTHLAND HEIGHTS ADDITION TO THE CITY OF MADISON, LAKE COUNTY, SOUTH DAKOTA

LOT FOUR (4), BLOCK TWO (2), NORTHLAND HEIGHTS ADDITION TO MADISON, LAKE COUNTY, SOUTH DAKOTA

LOT FIVE (5), BLOCK TWO (2), NORTHLAND HEIGHTS ADDITION TO MADISON, LAKE COUNTY, SOUTH DAKOTA

LOT ONE (1) EXCEPT THE EAST 10 FEET THEREOF, OF THE SUBDIVISION OF BLOCK TWO (2), DOWNS 2ND ADDITION IN THE SOUTHWEST QUARTER (SW1/4) OF SECTION FIVE (5), TOWNSHIP ONE HUNDRED SIX (106) NORTH, RANGE FIFTY TWO (52), WEST OF THE 5TH PM, LAKE COUNTY, SD

LOT ONE (1), EXCEPT THE EAST 4 FEET THEREOF, IN BLOCK ONE (1) OF DOWN'S SECOND ADDITION TO MADISON, SOUTH DAKOTA

LOT FOURTEEN (14) IN BLOCK ONE (1), DOWN'S SECOND ADDITION TO MADISON

2. Area 2 - Maplewood Drive (east-west portion only) from Division Avenue to Maplewood Drive (north-south portion) as follows:

LOT FOUR (4) IN BLOCK TWO (2) OF MUGGLY ADDITION TO THE CITY OF MADISON, LAKE COUNTY, SOUTH DAKOTA

LOT THREE (3) IN BLOCK TWO (2) OF MUGGLY ADDITION TO MADISON, LAKE COUNTY, SOUTH DAKOTA

LOT TWO (2) IN BLOCK TWO (2) OF MUGGLY ADDITION TO MADISON, LAKE COUNTY, SOUTH DAKOTA

LOT ONE (1) IN BLOCK TWO (2) OF MUGGLY'S ADDITION TO MADISON, LAKE COUNTY, SOUTH DAKOTA

LOT THREE (3) AND THE WEST HALF (W1/2) OF LOT TWO (2) IN A PORTION OF BLOCK ONE (1) OF MUGGLY ADDITION TO THE CITY OF MADISON, SOUTH DAKOTA

LOT ONE (1) AND THE EAST HALF (E1/2) OF LOT TWO (2) OF BLOCK (1), MUGGLY ADDITION TO MADISON, SOUTH DAKOTA

3. Area 3 - Liberty Avenue North from Ninth to Fifth Street as follows:

LOT ONE (1) AND LOT TWO (2) IN BLOCK TWELVE (12) OF SMITH AND TROW'S SUMMIT ADDITION TO MADISON, SOUTH DAKOTA

LOTS THREE (3) AND FOUR (4) IN BLOCK TWELVE (12) OF SMITH AND TROW'S SUMMIT ADDITION TO MADISON, SOUTH DAKOTA

LOTS 5 AND 6 IN BLOCK 12 OF SMITH AND TROW'S SUMMIT ADDITION TO MADISON, LAKE COUNTY, SOUTH DAKOTA, ACCORDING TO THE RECORDED PLAT THEREOF

LOT FIVE (5) IN BLOCK ELEVEN (11) OF SMITH AND TROW'S SUMMIT ADDITION TO MADISON, LAKE COUNTY, SOUTH DAKOTA

LOTS SIX (6), SEVEN (7), AND EIGHT (8) IN BLOCK ELEVEN (11) OF SMITH & TROW'S SUMMIT ADDITION TO MADISON, LAKE COUNTY, SOUTH DAKOTA

LOTS 9 AND 10 IN BLOCK 11 OF SMITH AND TROW'S SUMMIT ADDITION TO THE CITY OF MADISON, LAKE COUNTY, SOUTH DAKOTA

LOT ELEVEN (11) AND THE NORTH HALF (N1/2) OF LOT TWELVE (12) OF BLOCK ELEVEN (11) OF SMITH AND TROW'S SUMMIT ADDITION TO MADISON, LAKE COUNTY, SOUTH DAKOTA

S1/2 LOT 12 & ALL LOT 13, BLK. 11 SMITH AND TROW'S SUMMIT ADDITION TO MADISON, LAKE COUNTY, SOUTH DAKOTA

LOTS SEVEN (7), EIGHT (8), AND NINE (9), EXCEPT THE EAST 75 FEET THEREOF, BLOCK ONE (1), SMITH AND TROW'S SUMMIT ADDITION TO MADISON, LAKE COUNTY, SOUTH DAKOTA

LOTS SEVENTEEN (17) AND EIGHTEEN (18) AND THE NORTH 20 FEET OF LOT SIXTEEN (16), EXCEPT THE EAST 75 FEET OF SAID LOTS, ALL IN BLOCK TWO (2), SMITH AND TROW'S SUMMIT ADDITION TO MADISON, LAKE COUNTY, SOUTH DAKOTA

LOT FIFTEEN (15), EXCEPT THE EAST 25 FEET THEREOF, AND LOT SIXTEEN (16), EXCEPT THE NORTH 20 FEET THEREOF AND EXCEPT THE EAST 25 FEET THEREOF, ALL IN BLOCK TWO (2) OF SMITH AND TROW'S SUMMIT ADDITION TO MADISON, SOUTH DAKOTA

LOT FOURTEEN (14), AND THE NORTH TWENTY FIVE FEET (N25') OF LOT THIRTEEN (13), BLOCK (2) SMITH AND TROW'S SUMMIT ADDITION TO MADISON, SOUTH DAKOTA

LOTS ELEVEN (11), TWELVE (12), AND THIRTEEN (13), BLOCK TWO (2), SMITH & TROW'S ADDITION TO MADISON, LAKE COUNTY, SOUTH DAKOTA

LOT TEN (10) EXCEPT THE SOUTH TWO HUNDRED TWENTY THREE FEET (223') THEREOF, IN BLOCK TWO (2), SMITH AND TROW'S SUMMIT ADDITION TO MADISON, LAKE COUNTY, SOUTH DAKOTA

THE NORTH 75 FEET OF THE SOUTH 223 FEET OF LOT TEN (10) IN BLOCK TWO (2) OF SMITH & TROW'S SUMMIT ADDITION TO MADISON, LAKE COUNTY, SOUTH DAKOTA

THE NORTH 70 FEET OF THE SOUTH 148 FEET OF LOT TEN (10) OF BLOCK TWO (2) OF SMITH AND TROW'S SUMMIT ADDITION TO MADISON, SOUTH DAKOTA

THE SOUTH 78 FEET OF LOT TEN (10) IN BLOCK TWO (2) OF SMITH AND TROW'S SUMMIT ADDITION TO MADISON, SOUTH DAKOTA

4. Area 4 - Fifth Street Northwest from Egan Avenue to Union Avenue as follows:

LOT TWELVE (12) IN BLOCK TWENTY SEVEN (27) OF THE PLAT OF CB KENNEDY'S SUBDIVISION OF BLOCKS TWENTY SIX (26) AND TWENTY SEVEN (27) OF KENNEDY'S SECOND EXTENSION TO MADISON, SOUTH DAKOTA

LOT THIRTEEN (13) AND LOT FOURTEEN (14) OF BLOCK TWENTY SEVEN (27) OF THE PLAT OF CB KENNEDY'S SUBDIVISION OF BLOCKS TWENTY SIX (26) AND TWENTY SEVEN (27) OF KENNEDY'S SECOND EXTENSION TO MADISON, SOUTH DAKOTA

THE SOUTH 25 FEET OF LOT 5 AND ALL OF LOT 6 IN BLOCK 27 OF CB KENNEDY'S SUBDIVISION OF BLOCKS 26 AND 27 OF CB KENNEDY'S SECOND EXTENSION OF MADISON, LAKE COUNTY, SOUTH DAKOTA

SOUTH SEVENTY FEET (S70') OF THE SOUTH ONE HALF (S1/2) OF BLOCK TWENTY NINE (29) OF KENNEDY'S SECOND EXTENSION TO MADISON, LAKE COUNTY, SOUTH DAKOTA

THE SOUTH SIXTY FEET (S60') OF THE EAST SIXTY-SIX FEET (E66') OF LOT SEVEN (7), THE EAST SIXTY-SIX FEET (E66') OF LOT EIGHT (8) AND THE WEST TWENTY FEET (W20') OF THE SOUTH TWENTY-FIVE FEET (S25') OF LOT TWO (2) AND THE WEST TWENTY FEET (W20') OF LOT ONE (1), ALL IN THE SUBDIVISION OF BLOCK BC KENNEDY IN KENNEDY'S SECOND EXTENSION TO MADISON, LAKE COUNTY, SOUTH DAKOTA

THE NORTH HALF (N1/2) OF THE WEST HALF (W1/2) OF BLOCK FIVE (5), KENNEDY'S EXTENSION OF MADISON, AND THE VACATED RIGHT OF WAY LYING ADJACENT TO THE SIDE OF SAID NORTH HALF (N1/2) OF THE WEST HALF (W1/2) OF BLOCK FIVE (5) KENNEDY'S EXTENSION OF MADISON, LAKE COUNTY, SOUTH DAKOTA

THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2 NE 1/4) OF BLOCK FIVE (5) IN KENNEDY'S EXTENSION OF MADISON, LAKE COUNTY, SD

LOT ONE (1) IN ST THOMAS SUBDIVISION OF THE WEST HALF (W1/2) OF BLOCK FOUR (4) OF KENNEDY'S EXTENSION OF MADISON, SOUTH DAKOTA

THE NORTH HALF (N1/2) OF THE NORTHEAST QUARTER (NE1/4) OF BLOCK FOUR (4), KENNEDY'S EXTENSION TO CITY OF MADISON, ACCORDING TO THE RECORDED PLAT THEREOF AND SUBJECT TO ALL EASEMENTS, RIGHT OF WAYS, COVENANTS AND RESTRICTIONS OF RECORD

5. Area 5 - Eighth Street Southwest from Egan Avenue west approximately 400 feet as follows:

THE EAST TWO HUNDRED TWENTY-SEVEN FEET (227') OF LOT THIRTY (30) EXCEPT THE SOUTH TWO HUNDRED SIXTY-NINE (269') THEREOF IN COUNTY AUDITOR'S THIRD ADDITION TO MADISON, LAKE COUNTY, SOUTH DAKOTA

LOT THIRTY (30), EXCEPT THE EAST 227 FEET THEREOF, AND EXCEPT THE SOUTH 269 FEET THEREOF, IN COUNTY AUDITOR'S THIRD ADDITION TO MADISON, SOUTH DAKOTA

6. The owners of lots set forth in paragraphs one (1) – five (5) above shall construct sidewalk at their own expense on or before July 15, 2014. The City Commission may extend the deadline for installation of the sidewalk in the event a construction project, including sidewalk, is being undertaken during 2014. Notice of the requirement to construct and deadline shall be provided to landowners as provided in SDCL 9-46-3.
7. Exempt from the requirement to construct sidewalk are those areas which presently have sidewalk or have asphalt pavement in the areas where sidewalk will be required. Said asphalt pavement may remain provided it is marked and striped with paint or other approved material as a designated walkway and where said areas are in a condition equal to the condition standards required for sidewalk.
8. The general nature of the construction and materials to be used are as follows:
- a. Sidewalks shall be 4 feet 8 inches in width and run the entire length of the real property.
 - b. Concrete shall be a minimum of 4 inches thick and shall include aggregate customarily used in this locale for concrete that will be exposed to the elements.
 - c. A gravel-based course with a minimum depth of 3 inches shall be used.
 - d. Location and grade shall be approved by the Office of the City Engineer.
9. Upon completion of construction the improvements shall become the responsibility of the landowner.
10. If a retaining wall is determined necessary by the City Engineer, the City shall pay for the initial construction of all retaining walls. Construction shall not commence until approval of the specifications, plans, details and a minimum of two (2) bids are obtained from the Office of City Engineer. Reimbursement to the landowner of the wall shall be upon satisfactory completion of the retaining wall. No reimbursement for retaining wall construction shall be made unless, prior to construction, the specifications, plans, materials and bids are approved by the City Engineer. The City shall be responsible for the cost of installation of retaining walls if satisfactorily completed.
11. The improvements for each affected real property may not be substantially uniform due to the need for retaining walls or other improvements/additional requirements necessary on some properties. The City shall be responsible for these additional costs if approval is given to the property owner in writing from the City Engineer prior to commencement of improvement.

12. All work to be constructed by licensed contractors in accordance with standard City of Madison specifications which are on file and can be reviewed at the Office of City Engineer.
13. If such sidewalk is not constructed, reconstructed or repaired in the manner and within the time prescribed hereinabove, then, pursuant to SDCL 9-46-4 the City of Madison, by Resolution, shall cause the work to be done and the cost thereof to be assessed against the lots affronting or abutting upon the sidewalks constructed, reconstructed or repaired as provided in SDCL 9-46-5 and subsequent sections.
14. Landowner shall be responsible for obtaining any permits, permission or authorizations required by South Dakota Department of Transportation (SD DOT), for items including but not limited to, occupation of right-of-way and traffic control to include signage per SD DOT standards.
15. The above-described improvement shall be herein referred to as Sidewalk Improvement 2014 which shall be deemed a description of the improvement as herein set forth.

Dated this 25th day of November, 2013.

CITY OF MADISON

/s/Roy Lindsay, Jr.
Mayor

ATTEST: /s/Jennifer Eimers
Finance Officer

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