

**RESOLUTION NO. 2013-13**

**A RESOLUTION VACATING A CERTAIN RIGHT-OF-WAY PLATTED AS A STREET**

WHEREAS, it appears that a portion of the right-of-way located along TRACT 2 BERTHER'S SECOND ADDITION IN THE NORTHEAST QUARTER, SECTION 17, T106N, R52W, 5<sup>TH</sup> P.M., LAKE COUNTY, SOUTH DAKOTA, lying adjacent to LOT 1 BLOCK 6 LAKEVIEW INDUSTRIAL PARK 16<sup>TH</sup> ADDITION TO THE CITY OF MADISON, LAKE COUNTY, SOUTH DAKOTA, more generally described as being 14<sup>th</sup> Street Southeast from the West Right-of-Way Line of Industry Avenue South West 75 Feet, is not needed for public purposes; and

WHEREAS, said right-of-way has not been used, worked or traveled in any way or manner as a street during the twenty (20) years preceding the recording of the plats of said properties; and

WHEREAS, the owners of the property adjacent to the above-described right-of-way, Lake Area Improvement Corporation and Global Polymer, a Division of DT Holdings, Inc., have petitioned said right-of-way to be vacated; and

WHEREAS, a public hearing was held with no public opposition received;

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

That the right-of-way heretofore described and incorporated herein is hereby vacated.

Dated this 20<sup>th</sup> day of May, 2013.

CITY OF MADISON

/s/Roy Lindsay  
Mayor

ATTEST: /s/Jennifer Eimers  
Finance Officer

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