

RESOLUTION NO. 2829
RESOLUTION OF NECESSITY FOR
SIDEWALK REPAIR IMPROVEMENT #2013-3

A RESOLUTION DECLARING THE NECESSITY TO REPAIR/RECONSTRUCT PORTLAND CEMENT CONCRETE SIDEWALK IN FRONT OF AND ABUTTING VARIOUS STREETS AND AVENUES IN THE CITY OF MADISON, AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITTING THEREBY.

BE IT RESOLVED by the Board of Commissioners of the City of Madison, South Dakota, as follows:

Section A. It is necessary to repair/reconstruct sidewalk in accordance with specifications therefore prepared by the City Engineer on the following streets and avenues in the City of Madison, SD, in front of and abutting upon the following described properties to be assessed therefore:

1. The South One Hundred Five Feet (S105') of Lot Eight (8), and the East Five Feet (E5') of the South One Hundred Five Feet (S105') of Lot Nine (9) in County Auditor's First Addition to Madison, Lake County, South Dakota; approximately 23 square feet; 1 instance.
2. Dakota State University campus, also described as - A parcel of land commencing at a point 616.5 Feet Southerly from the Northeast corner of the NE ¼ SE ¼ of Section 6, Township 106 North, Range 52, West of the 5th P.M., and 33.0 Feet West of the East line of said Section 6, thence Westerly parallel to the center line of Eighth Street N.E. a distance of 1014.5 Feet; thence Southerly a distance of 687.3 Feet; thence Easterly a distance of 1014.5 Feet; thence Northerly to the point of beginning, all in Lake County, South Dakota; approximately 41 square feet; 2 instances.
3. The North 100 feet of the West Half (W1/2) of Block Fifteen (15) of Kennedy's Extension of Madison, Lake County, SD; approximately 23 square feet; 1 instance.
4. The North 14 Feet of the West 80 Feet of Lot Four (4) Block Three (3), Daly's Addition to the City of Madison, according to the recorded plat thereof; approximately 24 square feet; 1 instance.
5. The South One-Third (S1/3) of the West Half (W1/2) Except the East 7 feet thereof, of Block Twenty Eight (28) in Kennedy's Second Extension of Madison, Lake County, SD; approximately 25 square feet; 1 instance.
6. North Forty-Five (45') of Lot One (1), Block Eleven (11), Kennedy's Subdivision of Blocks Eleven (11) and Twelve (12), Kennedys Extension to the City of Madison, Lake County, South Dakota; approximately 140 square feet; 1 instance.
7. Lot Three (3) of Olstad's Subdivision of Block Twenty-Three (23) Kennedy's Second Extension to City of Madison, according to the recorded plat thereof; approximately 23 square feet, 1 instance.
8. Lots Eight (8) and Nine (9) in Block Three (3), Town Proprietor's First Addition to Madison, Lake County, South Dakota; approximately 12 square feet; 1 instance.

9. The Northeast One- Third (NE1/3) of the Northeast Quarter (NE1/4) of Block Nine (9) of Kennedy's Extension of Madison, Lake County, SD; approximately 117 square feet, 2 instances.
10. The North Seventy-Nine (79') of the North One-Half (N1/2) of the East One Half(E1/2) of Block Sixteen (16), Kennedy's Extension to the City of Madison, Lake County, South Dakota, Street Address 323 N Blanche Avenue, Madison, South Dakota; approximately 233 square feet, 2 instances.
11. The North 130 Feet of the Northwest Quarter (NW1/4) of Block Three (3) of Kennedy's Extension of Madison, Lake County, South Dakota; approximately 88 square feet; 4 instances.
12. Lot Four (4) in Block Fifteen (15) of Kennedy's Subdivision of Blocks Fifteen (15), Sixteen (16) and Seventeen (17) of Kennedy's Second Extension of Madison, South Dakota, and the South 50 feet of the North 115 feet of Lot Seven (7) in Block Fifteen (15) of Kennedy's Subdivision of Blocks Fifteen (15), Sixteen (16), and Seventeen (17) in Kennedy's Second Extension of Madison, South Dakota; approximately 28 square feet; 1 instance.
13. The North Seventy Five Feet (N75') of the Northeast Quarter (NE1/4) of Block Three (3) of Kennedy's Extension to the City of Madison, Lake County, South Dakota, approximately 94 square feet; 2 instances.
14. Lot Ten (10), except the West 14.45 feet in Block Three (3) of Town Proprietor's First Addition to the City of Madison, South Dakota; approximately 33 square feet; 1 instance.
15. The East 95 Feet of Lot One (1) of Subdivision of Block BC Kennedy in Kennedy's Second Extension to the City of Madison, Lake County, SD; approximately 23 square feet; 1 instance.
16. Lots One (1), Two (2) and Five (5) in Block Two (2) of H.P. Smith's Addition to Madison, South Dakota; approximately 20 square feet; 1 instance.
17. The North 45 feet of the South Half (S1/2) of Block Eleven (11), Kennedy's Second Extension to Madison, Lake County, SD; approximately 70 square feet; 1 instance.
18. The South One-Half (S1/2) of the North Two-Thirds (N2/3rds) of the Northwest Quarter (NW1/4) of Block Nine (9) of Kennedy's Extension of Madison, South Dakota; approximately 47 square feet; 2 instances.
19. The North One-Third of the West Half (N1/3 W1/2) of Block Thirty-Two (32) of Kennedy's Second Extension to the City of Madison, Lake County, South Dakota; approximately 23 square feet, 1 instance.
20. The South Half of the Northeast Quarter (S1/2 NE1/4) of Block Six (6) of Kennedy's Extension of Madison, South Dakota; approximately 418 square feet; 5 instances.
21. Lot Six (6) and Lot Seven (7) in Kellogg and Kennedy's Resubdivision of Part of Block Six (6) and Part of Western Ave. (Vacated) in Kennedy's Extension of Madison, South Dakota; approximately 349 square feet; 2 instances.

22. North One Hundred Feet (N100') of the East One-Half (E1/2) of Block Twenty-Eight (28) of Kennedy's Second Extension of the City of Madison, except Seven Feet (7') off the West side reserved for alley, Lake County, South Dakota; approximately 14 square feet; 1 instance.
23. Lot Three (3) in Sullivan's Subdivision of the North Two Thirds (2/3) of the West Half of Block Ten (10) of Kennedy's Extension of Madison, SD subject to easement to City of Madison, SD for creek channel; approximately 139 square feet; 5 instances.
24. The West 66 Feet of Lot Eight (8), the West 66 feet of Lot Nine (9) and the West 66 feet of Lot Ten (10) in Block Three (3) of Daly's Addition to Madison, South Dakota; approximately 56 square feet; 1 instance.
25. The East Half (E1/2) of Lot Four and the East Half (E1/2) of Lot Five (5) of Block Twelve (12) Of Kennedy's Subdivision of Blocks One (1), Two (2), Twelve (12), Thirteen (13) and Fourteen (14) of Kennedy's Second Extension of Madison, Lake County, South Dakota; approximately 280 square feet; 4 instances.
26. The South Fifty-Three and Thirty-Three Hundredths Feet (S53.33') of the East Half (E1/2) of Block Fourteen (14), Kennedy's Extension to the City of Madison, Lake County, South Dakota; 36 square feet; 1 instance.
27. S 100 feet SW 1/4, Block 3, Kennedy's Extension in Madison, Lake County, South Dakota; approximately 70 square feet; 1 instance.
28. Lot 3 and Lot 4 in Block 13 of Kennedy's Subdivision of Blocks 1, 2, 12, 13, and 14 of Kennedy's Second Extension of Madison, Lake County, South Dakota; approximately 23 square feet; 1 instance.
29. The South Fifty Nine (S59') Feet of the South One Hundred Twenty Five (S125') Feet of the East Half (E1/2) of Block Twenty Eight (28), Kennedy's Second Extension, Madison, Lake County, South Dakota; approximately 23 square feet; 1 instance.
30. The East Half (E1/2) of Block Eighteen (18) Except the South 100 feet thereof, Kennedy's Second Extension of Madison, Lake County, South Dakota; approximately 70 square feet; 2 instances.
31. Lot Seven (7) and the North Half (N1/2) of Lot Eight(8) in Block Eleven (11) of Kennedy's Subdivision of Block Eleven (11), Kennedy's Extension to Madison, South Dakota; approximately 23 square feet; 1 instance.
32. The North Half of the Northeast Quarter (N1/2 NE1/4) of Block Six (6) of Kennedy's Extension of Madison, Lake County, SD; 280 square feet; 3 instances.
33. The West Fifty Two Feet (W52') of Lot Ten (10), Glatz Bros. Subdivision of Lake Park Kennedy's Extension to the City of Madison, Lake Co., SD; approximately 23 square feet; 1 instance.
34. Lot Seven (7) and the South 11 feet of Lot Eight (8) of Kennedy's Subdivision of Block Two (2) of Kennedy's Second Extension of Madison, South Dakota; approximately 23 square feet; 1 instance.

35. The North 1/3 of the SE1/4 of Block 30 of Kennedy's Second Extension of Madison, Lake County, South Dakota; approximately 47 square feet; 1 instance.
36. The South One-Third (S1/3) of the Northeast Quarter (NE1/4), of Block Thirty (30), of Kennedy's Second (2nd) Extension, Lake County, Madison, South Dakota, according to the recorded plat thereof.; approximately 140 square feet; 2 instances.
37. The South 50 feet of the South 100 feet of the East 266 feet of Block Twenty Two (22) of Kennedy's Second Extension of Madison, South Dakota; approximately 28 square feet; 1 instance.
38. Lot Five (5) and the South Half (S1/2) of Lot Six (6) and the South 6 1/2 feet of the North Half (N1/2) of the West 75 feet of Lot Six (6) in Block Five (5) of Kennedy's Subdivision of Blocks Four (4), Five (5), Six (6), and the North Half (N1/2) of Block Seven (7), Kennedy's Second Extension of Madison, South Dakota; approximately 33 square feet; 1 instance.
39. Lot Three (3) of Kennedy's Subdivision of Block Two (2) of Kennedy's Second Extension to Madison, Lake County, South Dakota.; approximately 23 square feet; 1 instance.
40. The South 75 Feet of Lot Eleven (11) and the South 75 Feet of the West 3/4ths of Lot Ten (10), all in Block Seventeen (17) of Kennedy's Subdivision of Blocks Fifteen (15), Sixteen (16), and Seventeen (17) of Kennedy's Second Extension of Madison, Lake County, South Dakota, according to the recorded plat thereof.; approximately 233 square feet; 2 instances.
41. The South 70 Feet of the South Half (S1/2) of Block Twenty-Nine (29), Kennedy's Second Extension to Madison, Lake County, South Dakota; approximately 93 square feet; 1 instance.
42. Lot Three (3) of Mackay's Re-Subdivision of Block Three (3) of Kennedy's Second Extension to the City of Madison, Lake County, South Dakota; approximately 69 square feet; 3 instances.
43. The West Forty Feet (W40) of Lot Eight (8) and the East Ten Feet (E10') of Lot Nine (9) of Glatz Brother's Subdivision of Lake Park in Kennedy's Extension to Madison, South Dakota; approximately 140 square feet; 3 instances.
44. Lot Seventeen (17) in Block Eleven (11) of Kennedy's Subdivision of Blocks Eleven (11) and Twelve (12) of Kennedy's Extension to Madison, South Dakota , having a street address of 418 N. Harth Ave., Madison, South Dakota; approximately 23 square feet; 1 instance.
45. The North Fifty Feet (N50') of the Northeast Quarter (NE1/4) of Block Nineteen (19), Kennedy's Second Extension to the City of Madison, Lake County, South Dakota; approximately 93 square feet; 1 instance.
46. The North 50 feet of the South 100 feet of the East 266 feet of Block Twenty Two (22) of Kennedy's Second Extension to Madison, South Dakota; approximately 23 square feet; 1 instance.
47. Lot 3 in Block 12 of Kennedy's Subdivision of Blocks 1,2,12,13 and 14 in Kennedy's Second Extension of Madison, Lake County, South Dakota; approximately 187 square feet; 2 instances.

48. Lot One (1) of Block Fifteen (15) of Kennedy's First Extension to Madison, Lake County, South Dakota, according to the recorded plat thereof; approximately 46 square feet; 2 instances.
49. The West 70 feet of the Northwest Quarter (NW1/4) of Block Seven (7) in Kennedy's Extension to Madison, Lake County, South Dakota; 215 square feet; 3 instances.
50. The West Fifty Feet (W50') of the South Ninety-five Feet (S95') of the Southeast Quarter (SE1/4) of Block Six (6), of Kennedy's Extension to Madison, Lake County, South Dakota; approximately 117 square feet; 3 instances.
51. Lot One (1) and Lot Two (2) in Block Two (2) of the Plat of Kennedy's Subdivision of Blocks Number One (1), Two (2), Twelve (12), Thirteen (13) and Fourteen (14) of Kennedy's Second Extension to Madison, Lake County, SD; approximately 93 square feet; 1 instance.
52. Lot 1 and the North 14 Feet of Lot 2 in Block 27 of CB Kennedy's Subdivision of Blocks 26 and 27 of Kennedy's Second Extension of Madison, Lake County, South Dakota; approximately 93 square feet; 1 instance.
53. The South 1/2 of Lot 2 and all of Lot 3, Block 15 of the Subdivision of Blocks 15, 16, and 17 in Kennedy's Second Extension of Madison, Lake County, South Dakota; approximately 47 square feet; 1 instance.
54. The West Half (W1/2) of Block Fourteen (14), except the West 80 feet thereof, of Kennedy's Extension of Madison, SD; approximately 75 square feet; 2 instances.
55. The North One-Third (N1/3) of the Northwest Quarter (NW1/4) of Block Nine (9), Kennedy's Extension to the City of Madison, Lake County, South Dakota; approximately 51 square feet; 2 instances.
56. Lot Twelve (12) in Block Eleven (11) of Kennedy's Subdivision of Blocks Eleven (11) and Twelve (12) of Kennedy's Extension to Madison, Lake County, South Dakota; approximately 23 square feet; 1 instance.
57. Lot Three (3) and Lot Four (4) in Block One (1) of Kennedy's Subdivision of Blocks One (1) and Two (2) of Kennedy's Second Extension of Madison, Lake County, South Dakota; approximately 149 square feet; 2 instances.
58. The North Sixty Feet (N60') of the Southeast Quarter (SE1/4) of Block Ten (10) of Kennedy's Extension, in Madison, Lake County, South Dakota; 111 square feet; 3 instances.
59. Lot Five (5) Except the North 60 feet thereof, and except the East 14 feet thereof, and Lot Six (6), Except the North 60 feet thereof, all in Block Two (2) of Town Proprietor's First Addition to Madison, Lake County, South Dakota, and Lot Seven (7) in Block Two (2) of Town Proprietor's First Addition to Madison, Lake County, South Dakota; approximately 341 square feet; 5 instances.
60. The North One Third (N1/3) of the East One-Half (E1/2) of Block Thirty (30), Kennedy's Second Extension to the City of Madison, Lake County, South Dakota; approximately 233 square feet; 2 instances.

61. The North 80 feet of the South Half (S1/2) of Block Twenty-Nine (29) of Kennedy's Second Extension of Madison, Lake County, SD; approximately 23 square feet; 1 instance.
62. Lot 6 in Block 2 and Lot 10 in Block 12 of Kennedy's Subdivision of Blocks 1, 2, 12, 13, and 14, Kennedy's Second Extension of Madison, Lake County, South Dakota; approximately 117 square feet; 3 instances.
63. The South 36 Feet of Lot Two (2) and all of Lot Three (3) in Block Twenty Seven (27) of CB Kennedy's Subdivision of Block Twenty Six (26) and Twenty Seven (27) of Kennedy's Second Extension of Madison, South Dakota; approximately 23 square feet; 1 instance.
64. Lots Eight (8) and Nine (9), Block Twelve (12) of Kennedy's Subdivision of Blocks One (1), Two (2), Twelve (12), Thirteen (13), and Fourteen (14), of Kennedy's Second Extension to City of Madison, Lake County, SD according to the recorded plat thereof.; approximately 70 square feet; 1 instance.
65. The North 50 feet of Lot Nine (9) and the North 50 feet of the West 30 feet of Lot Eight (8) in Block One (1) of Town Proprietor's First Addition to Madison, South Dakota; approximately 70 square feet; 1 instance.
66. The West Fourteen Feet (W14') of Lot Eight (8) and all of Lot Nine (9) and the East Six Feet (E6') of Lot Ten (10) in Block Sixteen (16) of Kennedy's Second Extension, a Subdivision of Blocks Fifteen (15), Sixteen (16), and Seventeen (17) of Kennedy's Extension to Madison, Lake County, South Dakota; approximately 93 square feet; 1 instance.
67. Lot Five (5) of Kennedy's Subdivision of Block Two (2) of Kennedy's Second Extension, Madison, Lake County, South Dakota; approximately 117 square feet; 1 instance.
68. Lot One (1) and the North Ten Feet (N10') of Lot Two (2) in Olstad's Subdivision of Block Twenty-three (23) of Kennedy's Second Extension of Madison, Lake County, South Dakota; approximately 173 square feet; 4 instances.
69. Lot Four (4) of St. Thomas Subdivision of the West Half (W1/2) of Block Four (4) of Kennedy's Extension to Madison, Lake County, South Dakota; according to the recorded plat thereof, approximately 93 square feet; 2 instances.
70. Lot Six (6) and the East Ten Feet (E10') of Lots Seven (7) and Eight (8) in Block Twenty-Six (26) of CB Kennedy's Subdivision of Blocks Twenty-Six (26) and Twenty-Seven (27) of Kennedy's Second Extension of Madison; approximately 23 square feet; 1 instance.
71. The West 20 feet of lot One (1), and all of Lot Two (2) and the East One-Third (E1/3) of Lot Three (3) of Kennedy's Subdivision of Block Seventeen (17) of Kennedy's Second Extension to Madison, South Dakota; approximately 46 square feet; 2 instances.
72. The West Fifty Feet (W50') of Lot Nine(9) and the East Eight Feet (E8') of Lot Ten(10) in Glatz Brothers Subdivision of Lake Park in Kennedy's Extension of Madison, South Dakota; approximately 46 square feet; 2 instances.

73. The North 60 feet of Lot 5 except the East 14 feet thereof, and the North 60 feet of Lot 6, Block 2 of Town Proprietor's First Addition to Madison, Lake County, South Dakota; 23 square feet; 1 instance.
74. Lot Four (4) and the North Twenty-five feet (N25') of Lot Five (5), in Block Twenty-Seven (27) of CB Kennedy's Subdivision of Blocks Twenty-Six (26) and Twenty Seven (27) of Kennedy's Second Extension to the City of Madison; approximately 70 square feet; 2 instances.
75. Lot 2 and Lot 3 of St. Thomas Subdivision of the W1/2 of Block 4 of Kennedy's Extension of Madison, Lake County, South Dakota; approximately 47 square feet; 1 instance.
76. The North One Half of the NW Quarter (NW1/4) of Block Eight (8) Kennedy's Extension to the City of Madison, and The North Seventy-Five Feet (N75') of the East Half (E1/2) of Block Fifteen (15) Of Kennedy's Extension to Madison; approximately 507 square feet; 11 instances.
77. Lot One (1), Block One (1) and Lots One (1) and Two (2) in Block Two (2) of Daly's Addition to Madison, Lake County, South Dakota; approximately 875 square feet; 10 instances
78. The South Half (S1/2) of the Southeast Quarter (SE1/4), Block Four (4), Kennedy's Extension to Madison, Lake County, South Dakota; approximately 23 square feet; 1 instance.
79. Lot Two (2) of Mackay's Re-Subdivision of Block Three (3) of Kennedy's Second Extension of Madison, South Dakota; approximately 23 square feet; 1 instance.
80. Lots Twelve (12) and Thirteen (13) in Block Fourteen (14), Kennedy's Subdivision of Blocks One (1), Two (2), Twelve (12), Thirteen (13), and Fourteen (14), Kennedy's Second Extension to Madison, South Dakota; approximately 23 square feet; 1 instance.
81. The South 5 feet of Lot One (1) and the North 45 feet of Lot Two (2) in Block Eleven (11) of Kennedy's Subdivision of Blocks Eleven (11) and Twelve (12) of Kennedy's Extension of Madison, South Dakota; approximately 70 square feet; 1 instance.
82. All of Block Nineteen (19) Except the West 40 feet of the South 80 feet of the East 367 feet thereof, and Except the North 50 feet of the Northeast Quarter (NE1/4) of Block Nineteen (19) of Kennedy's Second Extension of Madison, Lake County, South Dakota; approximately 56 square feet; 1 instance.
83. The South Half of the Northeast Quarter (S1/2 NE1/4) of Block Five (5) of Kennedy's Extension to Madison, Lake County, SD; approximately 47 square feet; 1 instance.
84. Lots 19 and 20 Except the East 14 Feet of Lot 19, in Block 3, Town Proprietor's First Addition to the City of Madison, Lake County, South Dakota, according to the recorded plat thereof; approximately 229 square feet; 3 instances.
85. The South 74 Feet of the North Half (N1/2) of Block Twenty Nine (29) of Kennedy's Second Extension of Madison, South Dakota; approximately 23 square feet; 1 instance.
86. The Southwest Quarter (SW1/4) of Block One (1) of Kennedy's Extension to Madison, South Dakota; approximately 14 square feet; 1 instance.

87. The West Half (W1/2) of Lot 5, all of Lot 6, and the East Half (E1/2) of Lot 7, in Block 17, all in the Subdivision of Block No's 15,16, & 17 of Kennedy's Second Extension to Madison, Lake County, South Dakota; approximately 47 square feet; 1 instance.
88. Lot 12, Except the East 14 Feet thereof, all of Lots 13 and 14 in Block 3 of Town Proprietor's First Addition to Madison, Lake County, South Dakota, according to the recorded plat thereof; approximately 93 square feet; 2 instances.
89. The South Seventy-Five Feet (S75') of the North One Hundred Seventy-Five Feet (N175') of the East One-Half (E1/2) of Block Twenty Eight (28) of Kennedy's Second Extension to the City of Madison, Lake County, South Dakota; approximately 23 square feet; 1 instance.
90. The East One-Half of the Southwest Quarter (SW1/4) of Block Nine (9) of Kennedy's Extension of the City of Madison; approximately 23 square feet; 1 instance.
91. The North 76 Feet of Block Twenty Nine (29), Kennedy's Second Extension to Madison, Lake County, SD; approximately 46 square feet; 2 instances
92. The South 140.47 feet of the East Half (E1/2) of Block Twenty (20) of Kennedy's Second Extension to the City of Madison, according to the recorded plat thereof, Except the West Seven Feet (W7') thereof for an alley of Kennedy's Second Extension of Madison, SD; approximately 233 square feet; 5 instances.
93. The South Half of the Northeast Quarter (S1/2 NE 1/4) of Block Four (4) of Block Four (4) of Kennedy's Extension to the City of Madison, Lake County, South Dakota; approximately 47 square feet; 1 instance.
94. The West 45 Feet of Lot 7 and the East 20 Feet of Lot 8 of Glatz Brothers Subdivision of Lake Park in Kennedy's Extension of Madison, Lake County, South Dakota; approximately 159 square feet; 2 instances.
95. The Northwest Quarter (NW1/4) of Block 7 of Kennedy's Extension of Madison, Lake County, South Dakota, less the West 70 Feet thereof, and less a strip of land seven feet wide on the East side of subject property to be used as an alley; approximately 19 square feet; 1 instance.
96. The West Twenty Eight Feet (W28') of Lot Ten (10) and all of Lot Eleven (11) of Block Sixteen (16), Kennedy's Subdivision of Block Sixteen (16), Seventeen (17), and Eighteen (18) of Kennedy's Second Extension of Madison, Lake County, South Dakota; approximately 93 square feet; 1 instance.
97. The North One Third (N1/3) of the Southwest Quarter (SW1/4) and the South 2/15ths of the Northwest Quarter (NW1/4) of Block Three (3) of Kennedy's Extension of Madison, Lake County, South Dakota; approximately 70 square feet 1 instance.
98. The North Half (N1/2) of the Northeast Quarter (NE1/4) of Block Four (4), Kennedy's Extension to the City of Madison, according to the recorded plat thereof and subject to all easements, right of ways, covenants and restrictions of record; approximately 168 square feet; 2 instances.

Section B. The City of Madison endeavored to notify the owners of the above-described lots and parcels of land of required sidewalk repairs by a desired deadline of November 1, 2012. Because the sidewalks

were not repaired by the owners or occupants of said lots or parcels of land by the desired deadline, the City of Madison will cause the same to be reconstructed or repaired and the cost thereof assessed upon the abutting lots or parcels of land. The reconstruction or repair of the sidewalk shall also include a) the repair or reconstruction of thickened edge sidewalk adjacent to street surfacing; b) the filling of any voids beneath and/or adjacent to sidewalk; the repair of any structures beneath and/or adjacent to sidewalk; and similar such repairs and/or replacements associated with sidewalk reconstruction or repair as directed by the City Engineer. This Resolution shall hereby considered the notice to repair the sidewalks at the above described lots and parcels of land by August 1, 2013. Notice of the requirement to repair and deadline shall be provided to landowners as provided in SDCL 9-46-3.

Section C. 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. Sidewalk dimensions for repair may be greater than the aforementioned width as determined by the City Engineer.
- 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 base course with a minimum depth of three inches shall be used.
- d. Location and grade shall be approved by the Office of the City Engineer.

Section D. Exempt from the requirement to construct sidewalk are those areas which presently have asphalt pavement marked and striped with paint or other approved materials where sidewalk would normally be located where said areas are actually designated as so herein described and where said areas are in a condition equal to the condition standards required for sidewalk.

Section E. If such sidewalk is not reconstructed or repaired in the manner and within the time prescribed hereinabove, then, pursuant to SDCL 9-46-4 the City of Madison, by this 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.

Section F. 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.

Section G. A copy of the resolution will be recorded at the Register of Deeds Office, Lake County, SD as a notice to all potential or actual future landowners, of present or future assessment payments on said property.

Passed and adopted this 17th day of December, 2012.

CITY OF MADISON

/s/Gene Hexom
Mayor

ATTEST: /s/Jennifer Eimers
Finance Officer