

RESOLUTION NO. 2021-31

A RESOLUTION TO DECLARE THE NECESSITY FOR SIDEWALK REPAIR IMPROVEMENT 2020

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

That the City hereby declares the necessity of repairing and reconstructing sidewalks within the City of Madison located in front of and abutting upon the following described properties as noted below:

1. Lots Ten (10), Eleven (11) and Twelve (12) in Block Eight (8) of Waddell's Addition to the City of Madison, Lake County, South Dakota; Approximately 97 Square Feet, 4 Instances
2. Lot Two (2) in Block Three (3) of Coburn and Vandoren's Addition to Madison, Lake County, SD; Approximately 23 Square Feet, 1 Instance
3. The East Half (E 1/2) of Lot Seven (7) and the North Half of the East Half (N 1/2 E 1/2) of Lot Eight (8) in Block Two (2) of Coburn & Van Doren's Addition to Madison, Lake County, SD; Approximately 23 Square Feet, 1 Instance
4. The North 40 feet of Lot One (1) in Block One (1) of Coburn and Van Doren's Addition to Madison, Lake County, SD; Approximately 610 Square Feet, 9 Instances
5. Lot Eight (8) in Block Fifteen (15) of Henkin's First Addition to City of Madison; Approximately 47 Square Feet, 1 Instance
6. Lot Three (3) and the North Half (N 1/2) of Lot Four (4) in Block One (1) of Coburn and Van Doren's Addition to the City of Madison; Approximately 23 Square Feet, 1 Instance
7. Lot Four (4) in Block Five (5) of Coburn and Van Doren's Addition to Madison, SD; Approximately 9 Square Feet, 1 Instance
8. Lot Three (3) and the North 34 feet of Lot Four (4) in Block Twenty (20) of Smith and Trow's Summit Addition to Madison, Lake County, SD; Approximately 29 Square Feet, 2 Instances
9. The South Half (S 1/2) of Lots One (1), Two (2) and Three (3) in Block Four (4) of Clark and McKinnon's Addition to Madison, Lake County, South Dakota; Approximately 94 Square Feet, 4 Instances
10. The East Half (E 1/2) of Lot Eight (8) and all of Lot Nine (9) in Block Eight (8) of Waddell's Addition to Madison, South Dakota; Approximately 46 Square Feet, 2 Instances
11. Lot One (1) Except Lot H-1 contained therein, in Block Two (2) of Henkin's Second Addition to Madison, Lake County, SD; Approximately 23 Square Feet, 1 Instance
12. The South 11 feet of Lot Three (3) and all of Lot Four (4) in Block Four (4) of Coburn and Van Doren's Addition to Madison, South Dakota; Approximately 23 Square Feet, 1 Instance
13. The West Half (W 1/2) of Lot Fourteen (14) and all of Lot Fifteen (15), in Block Ten (10), Coburn and Van Doren's Addition to the City of Madison Lake County, South Dakota; Approximately 23 Square Feet, 1 Instance
14. Lot Four (4) in Block Nine (9) of Coburn and Van Doren's Addition to Madison, South Dakota; Approximately 117 Square Feet, 2 Instances

15. Lot Eight (8) in Block Thirty-Three (33), Smith and Trow's Summit Addition to Madison, Lake County, South Dakota; Approximately 23 Square Feet, 1 Instance
16. The West Half (W ½) of Lot Five (5) and all of Lot Six (6) in Block Three (3) of Clark and McKinnon's Addition to Madison, Lake County, SD; Approximately 23 Square Feet, 1 Instance
17. Lot Six (6) in Block Fifteen (15) of Henkin's First Addition to Madison, Lake County, SD; Approximately 23 Square Feet, 1 Instance
18. Lots Five (5) and Six (6) and the East 10 feet of Lot Seven (7) in Block Ten (10) of Coburn and Van Doren's Addition to Madison, Lake County, SD; Approximately 116 Square Feet, 3 Instances
19. Lot Eleven (11) in Block Ten (10) of Town Proprietor's 1st Addition to Madison; Approximately 140 Square Feet, 1 Instance
20. Lots Eleven (11) and Twelve (12), Block Four (4), Clark and McKinnon's Addition to the City of Madison; Approximately 140 Square Feet, 5 Instances
21. The South Five Feet (S5') and the South Ten Feet (S10') of the East Twenty Feet (E20') of Lot Eleven (11) and all of Lot Twelve (12), Block Six (6), Coburn and VanDoren's Addition to the City of Madison; Approximately 83 Square Feet, 2 Instances
22. Lot Seven (7) Except the North 71 feet Lot Eight (8) Except the North 71 feet in Block Four (4) of Clark and McKinnon's Addition to Madison, Lake County, SD; Approximately 23 Square Feet, 1 Instance
23. Lot Ten (10) in Block Sixteen (16) of Henkin's First Addition to Madison, South Dakota; Approximately 23 Square Feet, 1 Instance
24. Lot Seven (7) of Block Ten (10) in Henkin's 1st Addition to the City of Madison, Lake County, South Dakota; Approximately 93 Square Feet, 2 Instances
25. Lot Eleven (11) in Block Sixteen (16) of Henkin's First Addition to Madison, Lake County, SD; Approximately 210 Square Feet, 2 Instances
26. Lots One (1) and Two (2) in Block Thirty-Four (34) of Smith and Trow's Summit Addition to Madison, Lake County, SD; Approximately 70 Square Feet, 2 Instances
27. Lot Nine (9) and the East Half (E ½) of Lot Eight (8) in Block Sixteen (16) of Henkin's First Addition to Madison, Lake County, South Dakota; Approximately 23 Square Feet, 1 Instance
28. The West Half (W 1/2) of Lot Eight (8) and all of Lot Nine (9) and the East Ten Feet (E10') of Lot Ten (10) in Block Eight (8) of Henkin's Second Addition to Madison, Lake County, South Dakota; Approximately 140 Square Feet, 4 Instances
29. Lot Three (3) in Block Thirty-four (34) of Smith and Trow's Summit Addition to the City of Madison, County of Lake, State of South Dakota; Approximately 23 Square Feet, 1 Instance
30. Lot Four (4) Except the North 34 feet thereof in Block Twenty (20) of Smith and Trow's Summit Addition to Madison, Lake County, SD; Approximately 93 Square Feet, 2 Instances
31. Lot Nine (9) in Block Five (5) of Clark and McKinnon's Addition to Madison, Lake County, South Dakota; Approximately 46 Square Feet, 2 Instances

32. Lot Ten (10) in Block Thirty-Three (33) of Smith and Trow's Summit Addition to Madison, Lake County, South Dakota; Approximately 23 Square Feet, 1 Instance
33. The South Half (S ½) of Lot Three (3) and all of Lot Four (4) in Block Two (2) of Coburn and Van Doren's Addition to Madison, Lake County, SD; Approximately 23 Square Feet, 1 Instance
34. The South Sixty-Eight (68) feet of the East One-Half (E ½) in Block Seventeen (17) of Kennedy's Extension of Madison, Lake County, South Dakota and the East Three (3) feet of the South Sixty-Eight (68) feet of the vacated alley in Block Seventeen (17) of Kennedy's Extension to Madison, Lake County, South Dakota; Approximately 46 Square Feet, 2 Instances
35. Lot Four (4) in Block Sixteen (16) of Henkin's First Addition to Madison, South Dakota; Approximately 23 Square Feet, 1 Instance
36. The South 90 feet of Lot One (1) and the South 90 feet of the East Half (E ½) of Lot Two (2) in Block One (1) of Clark and Mckinnon's Addition to Madison, Lake County, SD; Approximately 47 Square Feet, 2 Instances
37. Lot Seven (7) in Block Nine (9) of Coburn and VanDoren's Addition to Madison, South Dakota; Approximately 23 Square Feet, 1 Instance
38. The South Forty-Five Feet (S45') of Lot Five (5), and all of Lot Six (6), in Block Ten (10), of Town Proprietor's First Addition Madison, Lake County, South Dakota; Approximately 23 Square Feet, 1 Instance
39. Lot Seven (7) in Block One (1) of Coburn and VanDoren's Addition to Madison, Lake County, SD; Approximately 559 Square Feet, 8 Instances
40. The North 41 Feet of Lot Six (6) and all of Lot Seven (7) in Block Seven (7) of Smith and Trow's Summit Addition to Madison, Lake County, South Dakota; Approximately 23 Square Feet, 1 Instance
41. The South Forty Two Feet (S42') of the South One Hundred Feet (S100') of Lot Thirteen (13) and the South Forty Two Feet (S42') of the South One Hundred Feet (S100') of Lot Fourteen (14) in Block Ten (10) of Town Proprietor's First Addition to Madison, Lake County, SD; Approximately 23 Square Feet, 1 Instance
42. Lot Ten (10) and the West 10 feet of Lot Nine (9) in Block Eleven (11) of Town Proprietor's First Addition to Madison, South Dakota; Approximately 47 Square Feet, 1 Instance
43. Lot One (1) of Gundersons First Addition to the City of Madison except Gundersons Second Addition to the City of Madison thereof, of Lake County, South Dakota; Approximately 23 Square Feet, 1 Instance
44. The North 71 feet of Lots Seven (7) and Eight (8) in Block Four (4) of Clark and McKinnon's Addition to Madison, Lake County, South Dakota; Approximately 23 Square Feet, 1 Instance
45. The North 45 feet of Lot One (1) in Block Eight (8) of Coburn and VanDoren's Addition to Madison, South Dakota; Approximately 70 Square Feet, 3 Instances
46. Lot Twelve (12) in Block Sixteen (16) of Henkin's First Addition to Madison, Lake County, SD; Approximately 140 Square Feet, 2 Instances

47. The South 30 feet of Lot Eleven (11) and the East 45 feet of Lot Twelve (12) in Block Nine (9) of Town Proprietor's First Addition to Madison, Lake County, SD; Approximately 23 Square Feet, 1 Instance
48. The West Three Feet (W 3') of the East 94.66 feet and the West One-Third (W 1/3) of Lots Seven (7) and Eight (8) in Block Eight (8) of Coburn and Van Doren's Addition to Madison, South Dakota; Approximately 47 Square Feet, 1 Instance
49. Unit #3 West Park Condominiums, South 15 Feet of Lot 4 and all of Lot 5 and all of Lot 6, Block 11, Town Proprietor's First Addition to Madison, Lake County, South Dakota; Approximately 23 Square Feet, 1 Instance
50. The North half (N ½) of Lots Four (4), Five (5), and Six (6) in Block Nine (9), all in Waddell's Addition to Madison, Lake County, South Dakota; Approximately 23 Square Feet, 1 Instance
51. The South 48 Feet of Lot Two (2) in Block Seven (7) of Smith and Trow's Summit Addition to Madison, Lake County, South Dakota; Approximately 47 Square Feet, 1 Instance
52. The West 82 feet of Lot Seven (7) and the West 82 Feet and the South 22 Feet of the West 24 Feet of the East 60 Feet of Lot Eight (8), all in Block Six (6) of Coburn and VanDoren's Addition to Madison, Lake County, South Dakota; Approximately 23 Square Feet, 1 Instance
53. Lot Eleven (11) except the South 30 Feet thereof, in Block Nine (9) of Town Proprietor's First Addition to Madison, Lake County, South Dakota; Approximately 47 Square Feet, 1 Instance
54. Lot Twelve (12) in Block Ten (10) of Town Proprietor's First Addition to Madison, Lake County, SD; Approximately 70 Square Feet, 2 Instances
55. Lot Eight (8), and the East Three-fourths (E3/4) of Lot Nine (9), in Block Ten (10), of Town Proprietor's First Addition to City of Madison; Approximately 116 Square Feet, 3 Instances
56. Lot 4 in Block 7 of Coburn and VanDoren's Addition to Madison, Lake County, South Dakota; Approximately 23 Square Feet, 1 Instance
57. Lot Four (4) in Block Three (3) of Coburn and VanDoren's Addition to Madison, South Dakota; Approximately 140 Square Feet, 3 Instances
58. Lot 3 in Block 9 of Town Proprietor's First Addition to Madison, Lake County, South Dakota; Approximately 23 Square Feet, 1 Instance
59. The East One Hundred Twenty-Seven Feet (E127') and the West One Hundred Feet (W100') of the East Two Hundred Twenty-Seven Feet (E227') of Lot Two (2) and East One Hundred Twenty-Seven Feet (E127') and the West One Hundred Feet (W100') of the East Two Hundred Twenty-Seven Feet (E227') of Lot 3 of County Auditor's Fourth Addition to Madison, Lake County, South Dakota; Approximately 23 Square Feet, 1 Instance
60. The North Half (N1/2) of Lot One (1) and the East Half of the North Half (E1/2 N1/2) of Lot Two (2) in Block Nine (9) of Waddell's Addition to Madison, Lake County, SD; Approximately 23 Square Feet, 1 Instance
61. Lots One (1) and Two (2) in Block Two (2) of Clark and McKinnon's Addition to Madison, Lake County, SD; Approximately 61 Square Feet, 3 Instances

62. Lots Three (3) and Four (4) in Block One (1) of Whitmore's Addition to Madison, Lake County, South Dakota; Approximately 47 Square Feet, 1 Instance
63. The East 8 feet of the North 50 feet of Lot 13 and all of Lot 12 in Block 10 of Coburn and VanDoren's Addition to Madison, Lake County, South Dakota; Approximately 23 Square Feet, 1 Instance
64. Lot Three (3) in Block Nine (9) of Coburn and VanDoren's Addition to Madison, Lake County, SD; Approximately 47 Square Feet, 2 Instances
65. Lot Eight (8) except the West Fifteen Feet (W15') thereof, and Lot Seven (7) of Block Eleven (11) of Town Proprietor's First Addition to Madison, Lake County, SD; Approximately 47 Square Feet, 1 Instance
66. The East Half (E ½) except the South Sixty-Eight Feet (S68') thereof of Block Seventeen (17) of Kennedy's Extension of Madison, Lake County, South Dakota; Approximately 23 Square Feet, 1 Instance
67. Lot Three (3) in Block Ten (10) of Town Proprietor's First Addition to Madison, Lake County, SD; Approximately 47 Square Feet, 2 Instances
68. The East Half (E ½) except the South Sixty-Eight Feet (S68') thereof of Block Seventeen (17) of Kennedy's Extension of Madison, Lake County, South Dakota; Approximately 93 Square Feet, 2 Instances
69. Lots Five (5) and Six (6), in Block Nine (9) of Town Proprietor's First Addition to the City of Madison, Lake County, South Dakota; Approximately 390 Square Feet, 6 Instances
70. Lot Nine (9) in Block Ten (10) of Coburn and Van Doren's Addition to Madison, Lake County, South Dakota; Approximately 93 Square Feet, 1 Instance
71. Lot Two (2) Except the East 6 feet thereof, and all of Lot Three (3) in Block Ten (10) of Coburn and VanDoren's Addition to Madison, Lake County, SD; Approximately 116 Square Feet, 3 Instances
72. The West Half (W ½) of Lot Five (5) and all of Lot Six (6) in Block One (1) of Clark and McKinnon's Addition to Madison, Lake County, SD; Approximately 46 Square Feet, 2 Instances
73. The South 100 feet of Lot Twelve (12) in Block Eleven (11) of Henkin's First Addition to the City of Madison, Lake County, South Dakota; Approximately 70 Square Feet, 2 Instances
74. The South Half (S ½) of Lot Two (2) and all of Lot Three (3) in Block Nineteen (19) of Smith & Trow's Summit Addition to Madison, South Dakota; Approximately 9 Square Feet, 1 Instance
75. Lot Two (2) Except the South 21 feet thereof, of Gunderson's Second Addition to Madison, Lake County, SD; Approximately 47 Square Feet, 1 Instance
76. High School Addition to the City of Madison described as the East 1484' of the West 2236' of the South 753' of the NW ¼ of Section 5-T106N-R52W of the 5th P.M., Lake County, SD; Approximately 23 Square Feet, 1 Instance
77. Lot Twenty-One (21), except the West Ninety-One (1') feet, Block Fifteen (15), Original Plat of Madison, Lake County, South Dakota; Approximately 60 Square Feet, 1 Instance

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, 2021. 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. The owners of lots set forth above shall repair sidewalk at their own expense on or before July 22, 2022. Notice of the requirement to repair and deadline for repairing is hereby provided pursuant to SDCL 21-10-6 by provision of this resolution and appurtenant correspondence.

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.

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.

If such sidewalk is not reconstructed or repaired in the manner and within the time prescribed hereinabove, then, pursuant to SDCL 21-10-6 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 9-46-2 and subsequent sections.

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.

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.

Dated this 13th day of December, 2021.

CITY OF MADISON

/s/Marshall Dennert
Mayor

ATTEST: /s/Sonya Wilt
Finance Officer

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