

FOLLOW UP TO CITY COUNCIL MEETING 10/3/05 - CONTINUED TO 10/17/05

RE: VARIANCE LOT 6 SKYLINE DR.

There are several issues I want to address that I feel were not answered properly or fully at the Council meeting:

1-In 9/12/03 there were 26 lots in the Skylines Pines development. Of those 26 lots, 4 were street- to-street bordering Pevans Parkway and Skyline Dr. Lot 1 has a home built on it from Pevans; Lot 7 & 8 were granted variances by City Council for Skyline access 3/7/03 (see attached). In the interest of fairness and consistency, I am respectfully requesting the same consideration for Lot 6 that was afforded Lots 7 & 8.

2-I re-read the Chicago Title Insurance Owners Policy and the Skyline Pines CC&R's. No where in those documents was it disclosed that there is no access from Skyline Dr. There is an Addendum devoted to PRIVATE ACCESS EASEMENT with no mention of Skyline Drive or restricted access. Because I was unfamiliar with the negotiations on that project, I had no way of knowing that access from Skyline was an issue.

3-At the council meeting there was reference to sharing driveways off Skyline for Lot 5 & 6. Marcia stated the variance only applies to Lot 6 which has direct access to Skyline. As stated above, I re-read the CC&R's, particularly the PRIVATE ACCESS EASEMENT addendum which addressed shared access of Lots 5 & 6. If the variance is approved, I will have these sections amended to reflect Skyline access for both properties therefore preserving the integrity of the addendum.

4-Entrance for a driveway off Skyline to Lots 5 & 6 is on a straight-a-way, no curves or inclines. It presents the most prudent and safest driveway in the area.

Thank you for your consideration in this matter.

Pam & Dennis Murray
10/11/05

RECEIVED

OCT 11 2005

**Rapid City Growth
Management Department**

05VE017

Book: 112
Page: 7051
883-6323.0 Page: 001 of 002
03/17/2003 10:43a 12:00
Pennington County, South Dakota
Doris A. Sawyer - Vice Asst. Clk

PREPARED BY: City Attorney's Office
300 Sixth Street
Rapid City, SD 57701
(605)394-4140

STATE OF SOUTH DAKOTA)
COUNTY OF PENNINGTON) ss.

RESOLUTION OF VACATION
ACCESS RESTRICTION

WHEREAS the Rapid City Council held a public hearing on the 3rd day of March, 2003 to consider the vacation of an access restriction on Lots 7 and 8, Block 2, Skyline Pines Subdivision, located in the SW1/4 of Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1501 and 1515 Pevens Parkway, is not needed for public purpose; and

WHEREAS the owner(s) of property adjacent to the above-described property desires said portion of the access restriction to be vacated and released;

NOW, THEREFORE, BE IT RESOLVED by the Rapid City Council, that the portion of the access restriction heretofore described, and as shown on Exhibit "A", attached hereto, be and the same is hereby vacated.

Dated this 3 day of March, 2003

CITY OF RAPID CITY

COUNTY OF PENNINGTON
CITY OF RAPID CITY
I, [Signature], the duly appointed, qualified and acting Assistant Finance Officer of the City of Rapid City, South Dakota, do hereby certify that the foregoing is a true, correct and complete copy of a Resolution and that the same was adopted at the regular meeting of the Common Council on 3-3-03 or appears upon the files in my office.
Dated at Rapid City, South Dakota, this 17 day of March, 2003
Asst. Finance Officer of the City of Rapid City, South Dakota
[Signature]

ATTEST:

[Signature]
Finance Officer

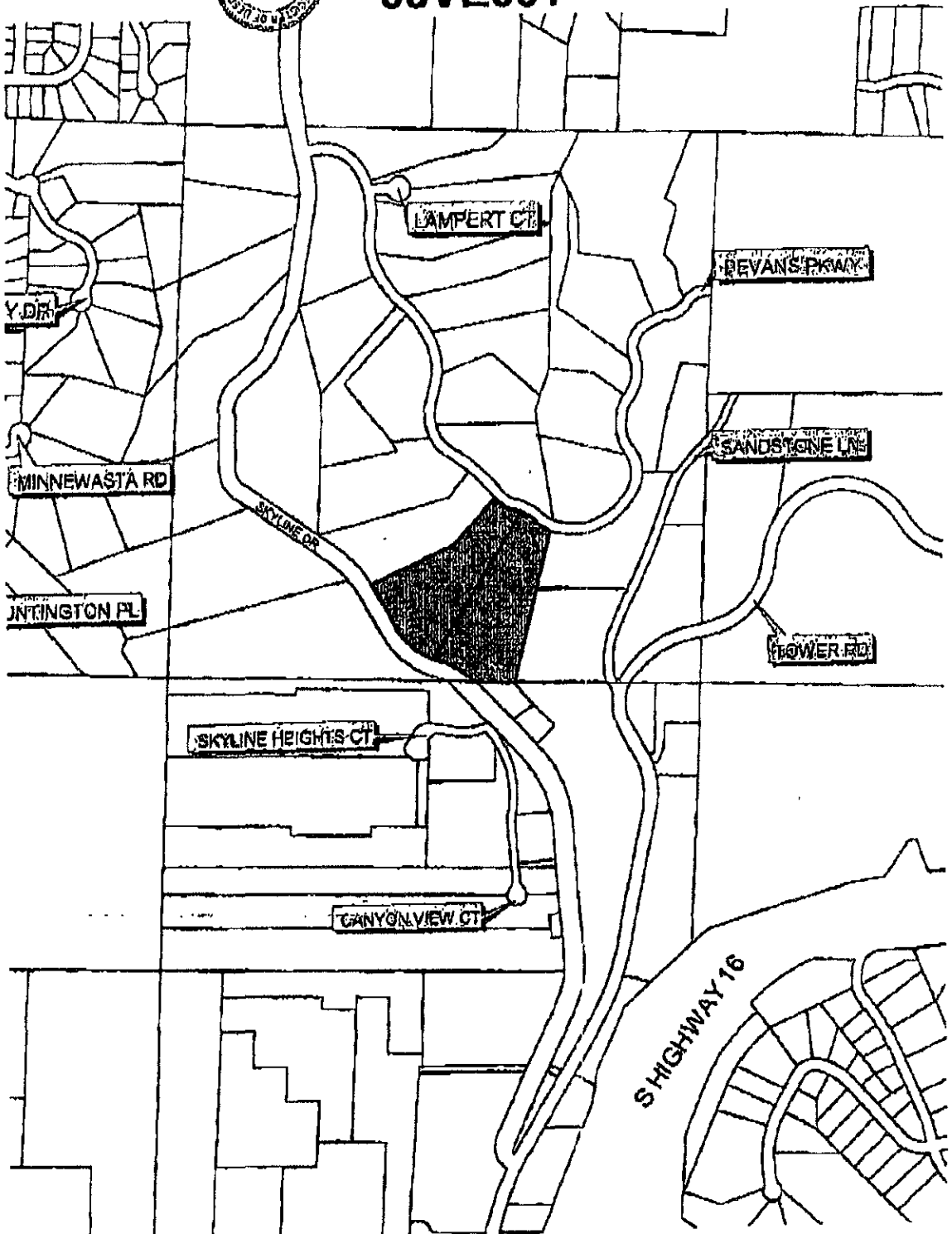
(SEAL)


03ve001res

Approved By: CITY ATTORNEY'S OFFICE
Initials: [Signature] Date: 3-7-03
Attorney

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 Page: 7862
 RB3- 5323-0 Page: 002 of 002
 09/17/2005 10:43 12:00
 Pennington County, South Dakota
 Donna R. Nayar Miss Real Est

03VE001




 Book: 112
 Page: 7058
 603-5322.0 Page 201 of 203
 03/17/2003 10:43a 14.00
 Pennington County, South Dakota
 Donna M. Neave, Reg. Real Est.

PREPARED BY: City Attorney's Office
 300 Sixth Street
 Rapid City, SD 57701
 (605)394-4140

STATE OF SOUTH DAKOTA)
)ss. **RESOLUTION OF MODIFICATION**
 COUNTY OF PENNINGTON) **OF A NOTE ON THE PLAT**

WHEREAS the Rapid City Planning Commission held a public hearing on the 20th day of February, 2003 to consider the modification of a note on the plat for Lots 7 and 8, Block 2, Skyline Pines Subdivision, located in the SW1/4 of Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 1501 and 1515 Pevans Parkway;

WHEREAS the Rapid City Council held a public hearing on the 3rd day of March, 2003 to consider the Planning Commission's recommendation to deny the modification of a note on the plat for Lots 7 and 8, Block 2, Skyline Pines Subdivision, located in the SW1/4 of Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 1501 and 1515 Pevans Parkway; and

WHEREAS the Rapid City Council finds that good cause appearing for the modification of a note on the plat;

BE IT RESOLVED by the Rapid City Council that the note on the plat reading:


"100 foot building setback line."

be modified on all pages of the original Plat on which it appears to read:

"50 foot building setback line."

BE IT FURTHER RESOLVED by the Rapid City Council, that the Resolution of Modification of Note on Plat be approved and attached to the original Plat recorded on August 13, 2001 in Book 30 of Plats on Page 61-(1-4), hereof and filed in the office of the Pennington County Register of Deeds.

Dated this 3rd day of March, 2003.

CITY OF RAPID CITY

 Mayor

PREPARED BY: City Attorney's Office
300 Sixth Street
Rapid City, SD 57701
(605)394-4140

Book: 112
Page: 7889
R03- 6222.0 Page: 002 of 003
03/17/2003 10:43 14.86
Pennington County, South Dakota
Donna M. Meyer, Niso Real Est.

ATTEST:

[Signature]
Finance Officer

(SEAL)

Approved By: CITY ATTORNEY'S OFFICE
Initials: *[Signature]* 3-11-03
Attorney Date

COUNTY OF PENNINGTON
CITY OF RAPID CITY

I, Glenn J. Schmidt, the duly appointed, qualified and acting Assistant Finance Officer of the City of Rapid City, South Dakota, do hereby certify that the foregoing is a true, correct and complete copy of a

Resolution
and that the same was adopted at the regular meet-

ing of the Board of Directors on 3-3-03

as appears upon the file in my office.

Dated at Rapid City, South Dakota, this 11 day

of March, 2003.

Glenn J. Schmidt
Assistant Finance Officer of the City of Rapid City, South Dakota



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 Page: 705B
 RB3- 6322.0 Page: 003 of 003
 03/17/2003 10:43a 14.66
 Pennington County, South Dakota
 Town: Haver Misc: Ppl. Est.

03VE002

