## Item #18a

PREPARED BY:

City Attorney's Office

300 Sixth Street

Rapid City, SD 57701 (605) 394-4140

STATE OF SOUTH DAKOTA ) ss. COUNTY OF PENNINGTON )

RESOLUTION VACATING DESCRIPTIVE PLATS FILED BY PENNINGTON COUNTY PRIOR TO ANNEXATION

WHEREAS, certain highway plats were filed by Pennington County pursuant to SDCL 43-21-5, with the Pennington County Register of Deeds, on June 6, 1978, for descriptive purposes and in anticipation of the acquisition of the described right-of-way by Pennington County, more specifically, the following plats:

PLAT OF LOT H1-NE4 30-2-8 BOOK OF HIGHWAY PLATS 6 ON PAGE 60 Located in the NE ¼ of Sec. 30, T2N, R8E of the B.H.M.

PLAT OF LOT H1-NW4 29-2-8 BOOK OF HIGHWAY PLATS 6 ON PAGE 61 Located in the NW ¼ of Sec. 29, T2N, R8E of the B.H.M.

PLAT OF LOTS H4, H5, H6-SW4 29-2-8 BOOK OF HIGHWAY PLATS 6 ON PAGE 62

Located in the SW1/4 of Section 29, T2N, R8E of the B.H.M.

all located in Pennington County, South Dakota; and

WHEREAS, the offer to grant this right-of-way was conditioned upon Pennington County constructing Mall Drive within a reasonable period of time; and

WHEREAS, Pennington County has never undertaken the construction of Mall Drive; and

WHEREAS, by failing to construct Mall Drive within a reasonable period of time Pennington County never acquired the right-of-way shown on the above described plats; and

WHEREAS, Pennington County does not desire to construct Mall Drive or to otherwise acquire said right-of-way; and

WHEREAS, by a resolution dated County Board of Commissioners vacated said plate	, 2006, the Pennington s; and
WHEREAS, the land described in the above City by Resolution in 1986.	re plats was annexed into the City of Rapid
NOW THEREFORE, BE IT RESOLVED to described plats be, and hereby are, vacated and the endorse on such plats a copy of this resolution and	City Finance Officer is hereby authorized to
Dated this day of	, 2006.
	CITY OF RAPID CITY
	Mayor
ATTEST:	
Finance Officer	
(SEAL)	
	Approved By: CITY ATTORNEY'S OFFICE
	Initials: Attorney Date