

Office of the Pennington County Auditor

315 Saint Joseph Street #107
Rapid City, SD 57701-2892
Telephone (605) 394-2153
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February 25, 2009

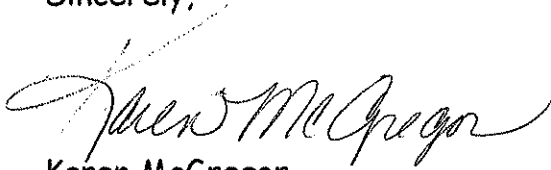
City of Rapid City
Attn: Amber Sitts
300 6th Street
Rapid City, SD 57701

Dear Amber:

Enclosed is an abatement that has been recommended for approval by the Department of Equalization. Please include the abatement as an agenda item for your next City Council meeting.

Once action has been taken, please return the signed original of the abatement documents within 30 days of receipt. Thank you.

Sincerely,



Karen McGregor
Deputy Auditor

Enclosure

PENNINGTON COUNTY
ABATEMENTS/REFUNDS FOR CITY OF RAPID CITY
Recommended for approval as of 02/25/2009

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ID#	NAME	YEAR	AMOUNT	TYPE
57606	Doyle Estes & Kathryn Johnson	2008	171.52	Abate/Refund

Parcel was transferred to the City of Rapid City on 5/30/2008. Exempt for 7 months of 2008.

APPLICATION FOR ABATEMENT AND/OR REFUND OF PROPERTY TAXES

RECEIVED

Board of County Commissioners of PENNINGTON COUNTY, South Dakota

JAN 05 2009

NAME & ADDRESS DOYLE ESTES & KATHRYN JOHNSON
PO BOX 330 RAPID CITY SD 57709

PENNINGTON CO. AUDITOR

LEGAL DESCRIPTION 2N-08E SEC 21, UNPLATTED
S464.64' OF SE1/4NW1/4NE1/4; S464.64' OF NE1/4NE1/4 LESS H1; E1/2SW1/4NE1/4; SE1/4NE1/4

ID# 62329- 57606 TAXING DISTRICT 4/D- RR Ag/NON Ag /OO NON/OOC TAX YEAR 2008

Application for an abatement / refund of taxes is being presented due to the following reason (check application provision) SDCL 10-18-1

- An error has been made in any identifying entry or description of the real property...
Improvements on any real property were considered or included in the valuation...
[X] The property is exempt from the tax;
The complainant had no taxable interest in the property assessed against the complainant...
Taxes have been erroneously paid or error made in noting payment of issuing receipt...
The same property has been assessed against the complainant more than once in the same year...
A loss occurred because of flood, fire, storm, or other unavoidable casualty...
Structures have been removed after the assessment date...
Applicant, having otherwise qualified for the Assessment Freeze for the Elderly and Disabled...
Applicant, having otherwise qualified for classification of owner—occupied single family dwelling...
Other / Comments CITY OF RAPID CITY PURCHASED ON 5-30-2008. ABATEMENT IS FOR 7 MONTHS OF 2008.

(No tax may be abated on any real property which has been sold for taxes, while a tax certificate is outstanding. Any abatement on property within corporate limits of a municipality must be first approved by the governing body of the municipality.)

I hereby apply for an abatement / refund of property taxes for the above reason(s).

Subscribed and sworn to, before me this day of

Applicant's Signature (Handwritten signature)

Notary / Auditor / Deputy Auditor

Date received by Pennington County
Total Valuation 21,432
Valuation Abated 12,502



Received by
Date received by Auditor's Office 1-5-2009
Auditor/Deputy (Handwritten signature)

City Approval (if applicable):

City Name:

The contents of the within petition, having been before the governing body of the above named municipality, and having been considered by same, the undersigned hereby certifies that FAVORABLE UNFAVORABLE action was taken thereon at its meeting the day of 2008.

Town Clerk/City Finance Officer

PENNINGTON COUNTY PROPERTY RECORD CARD

Run Date: 8/14/2008 4:36:12 PM

Map#: 0062329

Ref#: R302955

Tax Year: 2009

Active

Parcel ID: 21-21-200-004

OWNER NAME AND MAILING ADDRESS

CITY OF RAPID CITY

Additional Owners
No.

PROPERTY SITUS ADDRESS

GENERAL PROPERTY INFORMATION

Primary ABS Code: AG-D -
Living Units: 1
Zoning: 400.0 - 400.0 - Aa Properties
Neighborhood 400.0 - 400.0 - Aa Properties
Tax Unit Group: 4D-NF -
Exemptions:

PROPERTY FACTORS

Topography:
Utilities:
Access:
Location:
Parking Type:
Parking Quantity:

LEGAL DESCRIPTION

2N-08E Sec 21 Unplatted, S484.64' OF
SE 1/4NW1/4NE1/4; S464.64' OF NE1/4NE1/4 LESS
H1; E1/2SW1/4NE1/4; SE 1/4NE1/4

SALES INFORMATION

Date	Type	Sale Amount	Src	Validity	Inst.Type	Instrument #
05/30/2008	Land only	\$0	Seller	Not open	Warranty Deed	08-1842

BUILDING PERMITS

Number	Issue Date	Amount	Status	Type	Description

INSPECTION HISTORY

Date	Code	Reason	Appraiser	Contact-Code

RECENT APPEAL HISTORY

Year	Level	Case #	Status	Action

ASSESSMENT VALUE HISTORY

Year	Total Assessed

IMPROVEMENT COST SUMMARY

Residential	\$0
Commercial	\$0
Other Improvements	\$0
Manufactured Homes	\$0
Total Impts	\$0

APPRAISED VALUES

Method	Land	Building	Total
Current	\$23,500	\$0	\$23,500
Prior			
Cost	\$23,500		
Income			
Market			
MRA			
Override			

MARKET LAND INFORMATION

Method	Type	AC/SF/Units	Inf1	Fact1	Inf2	Fact2	Model	Flat Value	Unit Pr Ovr	Value Est.

Calc Land Area 0 GIS SF

Total 23,500

PARCEL COMMENTS

ABSTRACT SUMMARY

Abatement

*23,500 x .912 = 21,432
= 12 x 7 = \$ 12,502*

	Land	Buildings	Growth
Agricultural	\$23,500	\$0	\$0
NA-Z	\$0	\$0	\$0
Non Ag	\$0	\$0	\$0
Owner Occ	\$0	\$0	\$0

SALES HISTORY

Record Key 0062329

Parcel ID # 21 21 200 004

Grantee Name CITY OF RAPID CITY

Legal Description 2N-08E-21 9801-2N-08E SEC 21, UNPLATTED
S464.64' OF SE1/4NW1/4NE1/4; S464.64' OF NE1/4NE1/4 LESS H1; E1/2SW1/4NE1/4; SE
1/4NE1/4

Ratio #	Seller	Current Value:		Selling Pr	TY
		DOI	DOF		
08U01431	DTH LLC--ESTES	5/27/08	6/06/08		QC
X 08U01537	ESTES--CITY OF RAPID CITY	5/30/08	6/20/08		WD

Doyle Estes / Kathryn Johnson
PO Box 330 Rced 09

pointed out that the question before the Council tonight is if the Council wants to formally accept the warranty deed on the North Elk Vale site. Hadcock said it makes sense to give them an area that has the infrastructure. The Wally Byam site has the infrastructure, and the front portion of the land can be sold while the back portion of the land can be used for soccer. Chapman explained that the task force worked hard to deal with one issue at a time to make decisions. He pointed out that if the North Elk Vale land is accepted tonight there are still four and a half years to put recreational use out there. He stated that the Council needs to make decisions, and he pushed the Council to vote so that soccer can move forward. Weifenbach reiterated that he believes that the process has been flawed from the beginning. He said he feels that there has been hesitance to talk about how it came to this position, and he said that the 80 acre donation was made to get a TIF to get infrastructure to build something else. He stated that taxpayers need to be prepared to pay for this beyond reason. Hadcock confirmed that there was a TIF brought forward on this and said the TIF was for accepting and putting in infrastructure with the soccer people. She added that it would be easier if we gave them a piece of land that already has the water and sewer. She said the goal is to help the Soccer Association find a piece of land that would be accomplishable and does not believe that the North Elk Vale site has the ability of taking care of these people. Responding to a question from Costello, Elkins confirmed that the majority of the North Elk Vale site is zoned as light industrial. Costello views the land as an opportunity for a recreational area, not specific to soccer. Responding to a question from Costello, Green clarified that the deed states that the City must use the property for recreational purposes but does not mandate the manner in which it is used. Costello stated that he supports the motion as accepting the land would secure 80 acres for parkland. Martinson reiterated that accepting this deed would not commit the land to soccer use.

Substitute motion was made by Kooiker and seconded to deny formal acceptance of the deed. Costello asked what improvements can be made to show that this land is being used for recreation and said we can take our time on this. Responding to a question from Weifenbach, Green clarified that the Council voted to designate the North Elk Vale land as the site for soccer. He explained that in order to have the transfer of land the deed must be given to the person receiving the land, and the Council had not formally received the deed. There has been question as to whether or not the transfer has been legally effective, so this item is to clear up any ambiguity. Chapman explained that the process was convoluted so the task force was created. Their direction was to 'help' soccer Rapid City, so the task force came up with criteria as to what that meant. If the land is accepted and soccer does not meet the requirements of 2012, then we still have 80 acres of land for recreational use. Hadcock pointed out that we need to give soccer a site that is achievable, and it is not right to take away the land from soccer if they have worked on it for four years. She said if we are going to accept it as parkland then a different site should be designated for soccer. Costello stated that if the Soccer Association is unable to raise the funds needed then another site can still be designated. Martinson said it is up to the soccer community to make this work. Chapman stated that the project plan approved in 2005 for 2012 said that the City would deliver \$3.8 million in land to the soccer community, so we need to designate land and give them an opportunity to do what they want to do.

Question was called by Kroeger. Upon roll call vote being taken, the following voted AYE: Hadcock, Weifenbach and Kooiker; NO: Kroeger, Costello, Martinson and Chapman. Substitute motion failed on a 3 to 4 vote with LaCroix abstaining.

With the original motion on the floor, question was called by Chapman. Kooiker objected and Chapman withdrew. Kooiker said that the Council has not been provided a copy of the appraisal for the property, and he also pointed out that the donor was invited to attend Council meetings on this subject and declined. He believes that there is more to this than just a donation for soccer and is disappointed that they have been denied the appraisal information. He said we have not received all of the information from this donor in the past, and we are being denied public information again. Kooiker said it is important to get the appraisal since the soccer organization has indicated that the property donation might be considered part of the match. He does not believe that this land comes with no strings attached. Chapman said that decisions must be made so that the soccer community knows what is expected of

them. He said he is not sure it is so important to have the value of the land if it is being gifted. Responding to a question from Costello, Green clarified that the City is required to use the property for recreational purposes by June 1, 2013. Upon roll call vote being taken, the following voted AYE: Costello, Hadcock, Martinson, Chapman, and Kroeger; NO: Weifenbach and Kooiker. Motion carried on a 5 to 2 vote with LaCroix abstaining.

Motion was made by Kroeger and seconded to (No. PW021009-13) Approve the resolution presented indicating the City's support for the addition of a bike lane on Jackson Boulevard for delivery to the SDDOT. Costello asked a member of the audience his opinion on the need for bicycle lanes on Jackson Boulevard. Mr. Thurston stated that there is dramatic need for bicycle lanes on Jackson Boulevard and the commuter bicycle belongs on the street as sidewalks are dangerous. Costello expressed his support for this resolution and hopes that this will get us moving on an overall plan for bicycle routes in Rapid City. Responding to a question from Hadcock, Elkins explained that curbside sidewalks would be covered when snowplowed, so she encouraged the Council to address that in the resolution. Friendly amendment was offered by Hadcock to state that the Common Council of the City of Rapid City supports the construction of sidewalks that are separated from the roadway to ensure that pedestrian safety is preserved. Upon vote being taken on the motion as amended, motion carried.

RESOLUTION #2009-025
RESOLUTION IN SUPPORT OF A COMMUTER BICYCLE LANE
ALONG JACKSON BOULEVARD

WHEREAS, Jackson Boulevard (SD 44) is scheduled to be rebuilt from Mountain View Road to Chapel Lane by the South Dakota Department of Transportation; and

WHEREAS, Jackson Boulevard is a major link between the west and south parts of Rapid City and the rest of the City; and

WHEREAS, according to 2007 figures, 11,000 vehicles per day use Jackson Boulevard west of Sheridan Lake Road, and 21,000 vehicles per day use Jackson Boulevard east of Sheridan Lake Road; and

WHEREAS, it is the intention of the South Dakota Department of Transportation that the reconstruction of Jackson Boulevard will result in a viable thoroughfare for the next 60 years; and

WHEREAS, there is increasing interest in the community for commuter bicycle travel; and

WHEREAS, the inclusion of a commuter bicycle lane in the reconstruction of Jackson Boulevard would result in reduced reliance on fossil fuels; and

WHEREAS, the inclusion of a commuter bicycle lane would encourage the adoption of a healthier lifestyle by the citizens of Rapid City; and

WHEREAS, the construction of a commuter bicycle lane in conjunction with the reconstruction of Jackson Boulevard is the most cost effective means of providing the lane; and

WHEREAS, the Common Council of the City of Rapid City finds that it is in the best interests of the City of Rapid City that a commuter bicycle lane be constructed along Jackson Boulevard during its reconstruction.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Rapid City hereby supports the construction of a commuter bicycle lane along Jackson Boulevard during its reconstruction by the South Dakota Department of Transportation.