

STAFF REPORT  
June 5, 2008

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**No. 08AN007 - Resolution of Annexation**

**ITEM 48**

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GENERAL INFORMATION:

APPLICANT/AGENT	City of Rapid City
PROPERTY OWNER	Multiple property owners
REQUEST	<b>No. 08AN007 - Resolution of Annexation</b>
EXISTING LEGAL DESCRIPTION	<p>Tract B of Lot 2 of Lot A, Lot 1 and Lot 2 of Tract A, and Lot 3 all in Barnhart Addition; Tract E &amp; Dedicated Private Drive of KOA Subdivision in the SE<math>\frac{1}{4}</math> SW<math>\frac{1}{4}</math>; Lot A of SE<math>\frac{1}{4}</math> NW<math>\frac{1}{4}</math>; Lot 1A of Lot 1 of Lot A of SW<math>\frac{1}{4}</math> SW<math>\frac{1}{4}</math>; Tract 1, formerly Lot 1 of Lot B, a portion of the residual portion of Lot B, and portions of Lots 2 and 3 of Lot A including 25 feet private access agreement on residual portion of Lot C, all in the SW<math>\frac{1}{4}</math> SW<math>\frac{1}{4}</math>; Lot D including Lot 1 of Lot D located in the SW<math>\frac{1}{4}</math> SW<math>\frac{1}{4}</math>; Tract B of SE<math>\frac{1}{4}</math> SW<math>\frac{1}{4}</math>; Unplatted Balance of W<math>\frac{1}{2}</math> SE<math>\frac{1}{4}</math> SW<math>\frac{1}{4}</math>; SW<math>\frac{1}{4}</math> NW<math>\frac{1}{4}</math> and NW<math>\frac{1}{4}</math> SW<math>\frac{1}{4}</math> including Lot A of NW<math>\frac{1}{4}</math> SW<math>\frac{1}{4}</math>; Government Lot 4; the 150 foot wide E. Highway 44 right-of-way lying south of Lot 1A of Lot 1 of Lot A of SW<math>\frac{1}{4}</math> SW<math>\frac{1}{4}</math>, all located in Section 4, T1N, R8E, BHM, Pennington County, South Dakota; and, The 150 foot wide E. Highway 44 right-of-way within Section 4 lying south of Lot 3, Lots 1 &amp; 2 of Tract A, Tract B of Lot 2 of Lot A, all of Barnhart Addition, Section 4, T1N, R8E, BHM, Pennington County, South Dakota; and, Tract A of SE<math>\frac{1}{4}</math> SW<math>\frac{1}{4}</math> of Section 4 and the NE<math>\frac{1}{4}</math> NW<math>\frac{1}{4}</math> of Section 9; Tract C of SE<math>\frac{1}{4}</math> SW<math>\frac{1}{4}</math> of Section 4 and Parcel E of NE<math>\frac{1}{4}</math> NW<math>\frac{1}{4}</math> of Section 9; and the 150 foot wide E. Highway 44 right-of-way lying south of Tract C of SE<math>\frac{1}{4}</math> SW<math>\frac{1}{4}</math> of Section 4 and Parcel E of NE<math>\frac{1}{4}</math> NW<math>\frac{1}{4}</math> of Section 9; all located in T1N, R8E, BHM, Pennington County, South Dakota; and, The part of Lot E of the NE<math>\frac{1}{4}</math> NW<math>\frac{1}{4}</math> lying north of the highway right-of-way for access to Interstate Highway No. 90, Section 9, T1N, R8E, BHM, Pennington County, South Dakota; and, All of Hillsvieview Subdivision including Hillside Drive and Eagle Drive rights-of-way and Rockhill Road, an access easement; SE<math>\frac{1}{4}</math> of GL 1 less N100 feet of SE<math>\frac{1}{4}</math> of GL 1 including Lot A of Lutheran Subdivision; All of Marshall Subdivision including Homestead Street and Glenside Drive rights-of-way and Windhaven Drive, a private access easement; NE<math>\frac{1}{4}</math> of Government Lot 1 (NE<math>\frac{1}{4}</math> NE<math>\frac{1}{4}</math> NE<math>\frac{1}{4}</math>); Lot 5 and Lot 7 of E<math>\frac{1}{2}</math> SE<math>\frac{1}{4}</math>; The 150 foot wide E. Highway 44 right-of-way, including Lots H-1, H-2, H-3, and H-4, all located in the E<math>\frac{1}{2}</math> of Section 5, lying south of Lot 5 and Lot 15</p>



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GENERAL COMMENTS: This request has been made by the City of Rapid City for a City-initiated annexation as allowed under South Dakota Codified Law (SDCL) 9-4. The annexation territory is located north and south of S.D. Highway 44 and east and west of Valley Drive. The "North Valley Drive Area Annexation Study" provides extensive information regarding this annexation request. The Resolution of Intent to Annex North Valley Drive Area was approved by the City Council on May 5, 2008.

STAFF REVIEW: As discussed in the enclosed Annexation Study, Staff has performed an extensive review of this proposed annexation. As of this writing, there have been no amendments to the content of the resolution relative to the services to be provided. The Pennington County Commissioners approved the annexation of unplatted lands into the City limits at their public meeting on May 20, 2008.

The City has adopted an Annexation Policy to ensure the continued orderly growth of the City and the equitable development of our infrastructure. Services are more adequately and efficiently provided if they cater to a cohesive service area rather than a scattered service area. When citizens of the City are bearing the costs of services to developing areas, among such services as the airport, civic center, and recreational facilities use by developed areas not within the City limits, it sets up an unfair tax burden. The annexation of the area will preserve an equitable tax base.

The annexation area is presently located in the North Elk Fire Protection District and Rapid Valley Fire Protection District. Under SDCL 31-31A-35, a municipality is obligated to compensate Rural Fire Districts when annexations diminish their tax base. The Rapid Valley Fire Protection District has indicated that there are no outstanding capital improvements requiring reimbursement. The North Elk Fire Protection District has indicated that there are outstanding capital improvements requiring reimbursement. Rapid City will be required to reimburse the North Elk Fire Protection District approximately \$194.95 upon annexation.

The Annexation Committee has recommended that the Resolution of Annexation be approved based on conformance with the goals established by the City for annexing land, as well as all provisions of State Statute.