RESOLUTION #16-06

RESOLUTION **TO VACATE A PORTION OF A STREET**

WHEREAS, the Petitioners Berg Properties, LLC, Reliabank and Jesse Travis, all of the owners of the property adjoining the part of proposed vacated street, have filed a written petition with the City of Humboldt, South Dakota to vacate a portion of a street:

Fourth Avenue starting at Highway 38 through the South edge of Tract 2 of Lot A, Searl’s Addition, except the South 99.5’ (Fourth Avenue between Highway 38 and 2nd Avenue)

WHEREAS, petitioners state that the reason for vacation is that portion of the street has not been used or traveled in any way and is intended to be used for business expansion; and

WHEREAS, the City of Humboldt, South Dakota held a public hearing on said Petition on July 11, 2016 at 7:00pm in the Humboldt City Hall and due notice of said hearing was published according to law; and

WHEREAS, no public opposition was received at said hearing;

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the City of Humboldt, South Dakota, at the regular meeting thereof, held at the Humboldt City Hall at 100 S. Main Street at 7:00 pm on the 11th day of July, 2016, that the portion of the street heretofore described and incorporated herein is hereby vacated, subject to a utility easement vested in and retained by the City of Humboldt, South Dakota over, upon and under the vacated property for utility purposes.

Dated this 11th day of July, 2016.

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ATTEST: Mayor

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Amanda Siemonsma

Municipal Finance Officer (SEAL)

City of Humboldt, South Dakota

Reading: 7/11/16

Publication: 7/28/16

Effective: 8/17/16