

PETITION

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF MITCHELL, SOUTH DAKOTA:

The undersigned, being the owner of real property abutting the portions of the alley hereinafter described, hereby petitions this governing body to vacate the portions of said alley set forth below pursuant to the statutes in such cases made, and provided, particularly SDCL 9-45-7, et. seq., and the Petitioner respectfully shows and represents the following:

1. The portions of the alley subject to be vacated are as follows:

That portion of the alley running north and south between the east sides of Lots Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13) and Fourteen (14), and the west sides of Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6) and Seven (7), all in Block Thirty-four (34), University Addition to the City of Mitchell, Davison County, South Dakota; and

That portion of the alley running north and south between the east sides of Lots Six (6), Seven (7), Eight (8), Nine (9) and Ten (10), and the west sides of Lots One (1), Two (2), Three (3), Four (4) and Five (5), Block Thirty-nine (39), University Addition to the City of Mitchell, Davison County, South Dakota.

2. An illustration of the portions of the alley proposed to be vacated is attached hereto as Exhibit "A" and is by this reference incorporated herein.

3. Dakota Wesleyan University, a South Dakota nonprofit corporation, 1200 West University Avenue, Mitchell, South Dakota 57301, is the owner of all of the above described real property.

4. The above property constitutes all of the land adjoining the portions of the alley sought to be vacated.

WHEREFORE, Petitioner respectfully prays that the governing body order this Petition to be filed with the City Finance Officer, and direct that notice of the time and place when the Petition will be considered be given by publication once each week for two successive weeks; and that upon said hearing, the governing body adopt a resolution vacating the portion of the alley set forth in this Petition pursuant to SDCL 9-45-7 et seq.

Dated this 16 day of July, 2019.

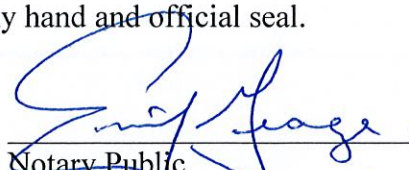
DAKOTA WESLEYAN UNIVERSITY

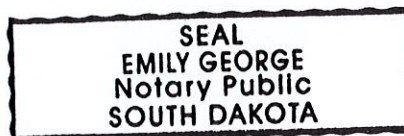
By Theresa Kriese  
Theresa Kriese, Executive Vice President

STATE OF SOUTH DAKOTA  
SS  
COUNTY OF DAVISON

On this the 16<sup>th</sup> day of July, 2019, before me, the undersigned officer, personally appeared Theresa Kriese, who acknowledged herself to be the Executive Vice President of Dakota Wesleyan University, a South Dakota nonprofit corporation, and that she as such Executive Vice President being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by herself as Executive Vice President.

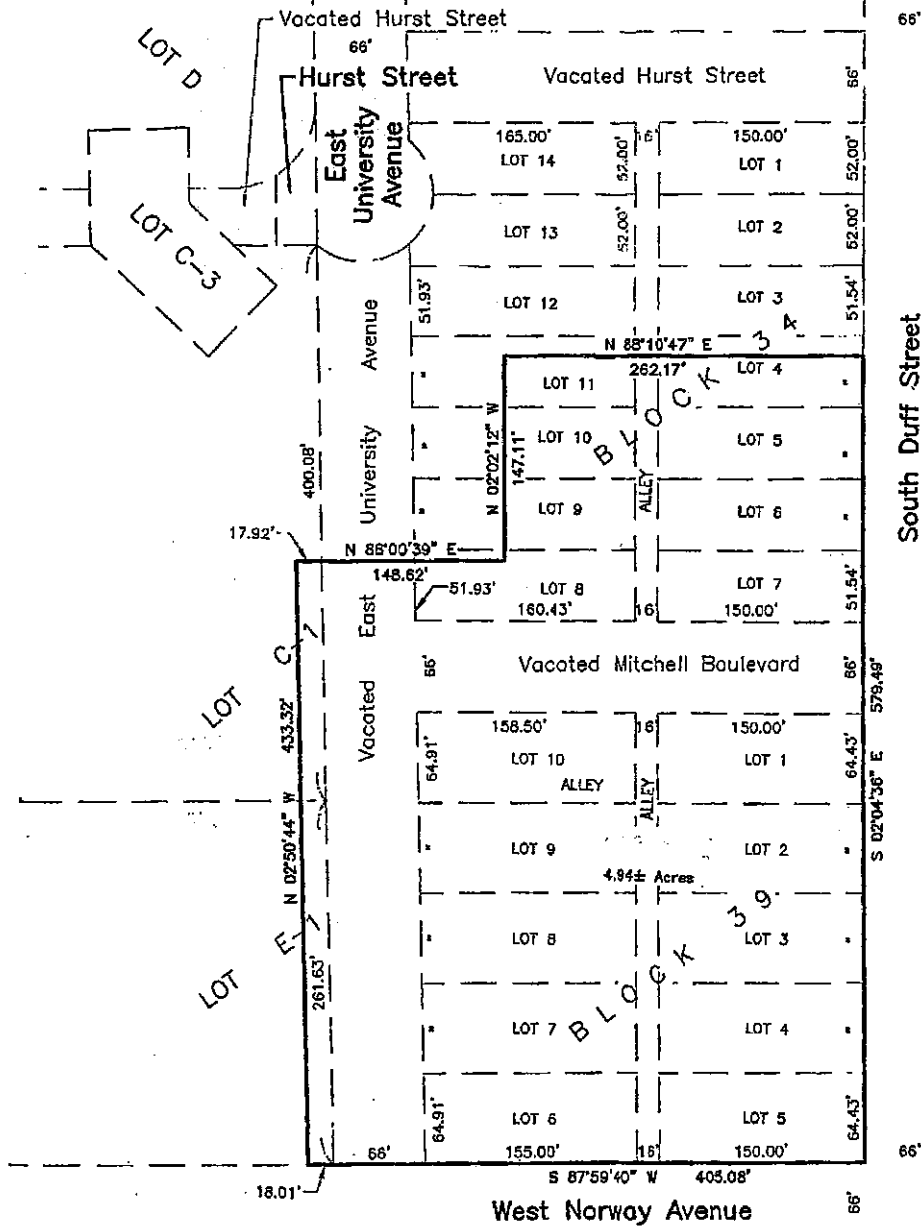
In Witness Whereof I hereunto set my hand and official seal.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires: April 18, 2020.





1 Inch = 100 Feet



100' 0'  
10'  
4.00 AC ±  
E  
W  
N  
S

PREPARED BY  
2100 R MITCHELL  
PHONE:  
  
COORDINATE  
ZONE: 5  
DATUM: 1  
  
NOTE: THIS SURVEY  
THE BOUNDARIES  
NOT RECORDED  
UNLESS