

**AMENDED ORDER DECLARING
MATHIS HOMEOWNER'S ROAD DISTRICT
INCORPORATED**

WHEREAS, SDCL 31-12A-5.1 requires the approval of the petition, if the territory is within the subdivision jurisdiction of a municipality, to first be submitted to the municipality's governing body for approval at its discretion and upon approval shall be presented to the county board of commissioners,

WHEREAS, the City of Spearfish approved the petition for formation of the Mathis Homeowner's Road District on November 7, 2022,

WHEREAS, an election was held among the eligible voters in the Mathis Homeowner's Road District to determine whether or not a Road District should be incorporated,

WHEREAS, this vote was held on February 10, 2023,

WHEREAS, the vote has been cast and canvassed and a verified statement from the judges of the election has been received showing the whole number of ballots cast was Six (6), together with the number of Six (6) voting for and the number of Zero (0) voting against incorporation,

WHEREAS, The Territory organized as a district is as follows: Map of Mathis Homeowner's Road District, Including the NE1/4NW1/4 and Tract 1, Tract 2, Tract 3, Tract 4, Tract 5A, Tract 6A, Tract 7, Tract 8 of the NE1/4NW1/4 of Section 8, Less the Section Line Right of Way, All Located in Township 6 North, Range 2 East of the Black Hills Meridian, Lawrence County, South Dakota. More Particularly Described as: Commencing at the N1/4 Corner of Section 8, Township 6 North, Range 2 East of the Black Hills Meridian, Lawrence County, South Dakota, Thence S 00°01'58" E along the east boundary of Said NE1/4NW1/4 of Section 8 a distance of 33.00 feet to a point on said line and the Northeast corner of Tract 5 A of NE1/4NW1/4 of Section 8 and the TRUE POINT OF BEGINNING; thence S 00°01'58" E continuing along said east boundary of NE1/4NW1/4 a distance of 1287.86 feet to the Southeast Corner of Said NE1/4NW1/4 and common to the Southeast Corner of Tract 8 of the NE1/4NW1/4; thence N 89°33'57" W along the south boundary of said NE1/4NW1/4 a distance of 1327.59 feet to the Southwest Corner of said NE1/4NW1/4 and the Southwest Corner of Tract 4; thence N 00°04'36" W along the west boundary of NE1/4NW1/4 a distance of 1287.52 feet to a point on said west boundary and the Northwest Corner of Tract 1; thence S 89°34'51" E along the South Line of the 66 foot Section line right of way (south line of the Hillsvievw Road right of way) a distance of 1328.57 feet to the point of beginning. Containing 39.26 Acres more or less. Existing properties included in the metes and bounds described herein include all platted lots according to plat documents 97-4453 and 2015-4366; and the 60 foot public right of ways dedicated on plat document 97-4453 currently described as Scott Avenue and Sarah Avenue.

WHEREAS, the Board of County Commissioners are satisfied with the legality of such election,



WHEREAS, it appearing that a majority of the voters at the election have voted in favor of incorporation of such territory,

NOW THEREFORE BE IT ORDAINED by the Lawrence County Board of Commissioners that the Mathis Homeowner's Road District is hereby incorporated pursuant to SDCL 31-12A,

DATED this 28th day of February, 2023 (Nunc Pro Tunc: February 14, 2023)

Robert Ewing, Chairperson
Lawrence County Commission

ATTEST:

Brenda McGruder, Auditor

