

**LAWRENCE COUNTY RESOLUTION #2023-18  
RESOLUTION & ORDER TO VACATE  
A PORTION OF A HIGHWAY, PART OF WHICH IS LOCATED ON A SECTION  
LINE/HIGHWAY/RIGHT OF WAY**

**WHEREAS**, a petition was presented to the Board of County Commissioners of Lawrence County, South Dakota, signed by all adjacent landowners as there are fewer than three, requesting that a portion of a highway, part of which is located on a section line/highway/right of way be vacated,

**WHEREAS**, the Board of County Commissioners set a date for hearing and evidence having been presented to the Board of County Commissioners that notice has been given of the time, place and purpose of said hearing by publication of notice in the B.H. Pioneer, Spearfish, South Dakota once each week for two consecutive weeks prior to the date of hearing, and

**WHEREAS**, the Board of County Commissioners having acted as a committee of the whole concerning said vacation, and

**WHEREAS**, said section line does not constitute a portion of a South Dakota State Trunk Highway System nor the Lawrence County Highway System, and

**WHEREAS**, the public interest will be better served by the proposed section line vacation, now therefore,

**BE IT RESOLVED** by the Lawrence County Board of Commissioners as follows: That the described portion of a highway, part of which is located on a section line/highway/right of way be vacated:

**LEGAL DESCRIPTION FOR THE VACATION:** EXHIBIT DRAWING FOR SECTION LINE R.O.W. VACATION ACROSS TRACT E OF BIG ELK FOREST, H.E.S. 88 ALL LOCATED IN SECTION 4 AND SECTION 9, T3N, R5E, B.H.M., LAWRENCE COUNTY, SOUTH DAKOTA

**AFFECTING THE LANDOWNERS:** WOLFGANG & KATHLEEN L SCHMIDT, TRUSTEES OF WOLFGANG & KATHLEEN L SCHMIDT REVOCABLE TRUST

Dated this 10<sup>th</sup> day of October, 2023

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Robert Ewing, Chairman

Lawrence County Commission

ATTEST:

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Brenda McGruder,  
Lawrence County Auditor

I, Brenda McGruder, the duly appointed Auditor of Lawrence County, South Dakota, do hereby certify that the within and foregoing resolution was passed by the Lawrence County Board of County Commissioners at a regular session held October 10<sup>th</sup>, 2023.

Dated at Deadwood, South Dakota, the 10<sup>th</sup> day of October, 2023.

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Brenda McGruder,  
Lawrence County Auditor

PREPARED BY:  
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