

**LAWRENCE COUNTY RESOLUTION #2019-12  
RESOLUTION & ORDER TO VACATE  
A PORTION OF A HIGHWAY, PART OF WHICH IS LOCATED ON A SECTION LINE**

**WHEREAS**, a petition was presented to the Board of County Commissioners of Lawrence County, South Dakota, signed by at least one percent of the ballots cast for the last gubernatorial election in Lawrence County, requesting that a portion of a highway, part of which is located on a section line 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 times, Lead, 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, now therefore,

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

**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 be vacated:

**LEGAL DESCRIPTION FOR THE VACATION:** The 66' section line Right-Of-Way, being 33' on each side of the section line, beginning at the corner common to Sections 12 & 13, T6N, R3E, BHM and Section 7 & 18, T6N, R4E, BHM, thence north along the line between Section 12, T6N, R3E, BHM and Section 7, T6N, R4E, BHM a distance of one half mile, terminating at the ¼ Section Corner common to Section 12, T6N, R3E, BHM and Section 7, T6N, R4E. Said Right-Of-Way passes through part of the S1/2SE1/4 of Section 12, T6N, R3E, BHM; part of Gov't Lot 4 of Section 7, T6N, R4E, BHM; portions of Tract P3, Lots 61, 62, 65 and 72 of Tract P3 all of Frawley Ranch East, located in Gov't Lots 3 & 4 of Section 7, T6N, R4E, BHM, the E1/2SE1/4 of Section 12, T6N, R3E, BHM and including Lot 37 of Tract P2 of Frawley Ranch East, located in the S1/2SW1/4 of Section 7 and the NW1/4, NE1/4SW1/4, W1/2NE1/4 & NW 1/4SE1/4 of Section 18, T6N, R4E, BHM; Lawrence County, South Dakota.

**AFFECTING THE LANDOWNERS:** Frawley Ranches, Inc., Brian Scott Deaver and Stacey Artz Deaver, and Kevin A. Wehrung.

Dated this 7<sup>th</sup> day of May, 2019

\_\_\_\_\_  
Randy Deibert, Chairman  
Lawrence County Commission

ATTEST:

\_\_\_\_\_  
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 May 7<sup>th</sup>, 2019.

Dated at Deadwood, South Dakota, the 7<sup>th</sup> day of May, 2019.

\_\_\_\_\_  
Brenda McGruder,  
Lawrence County Auditor

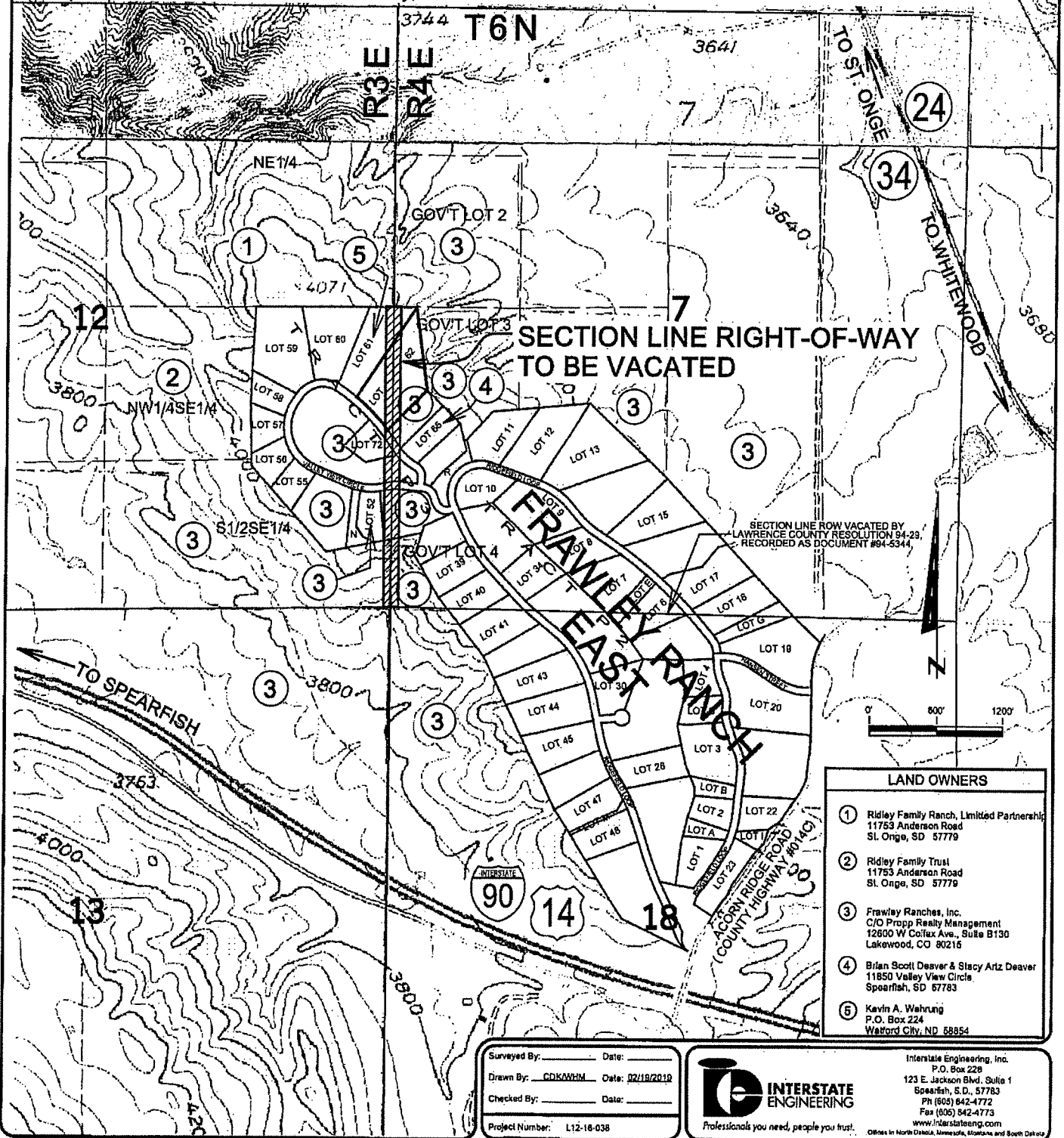
PREPARED BY:  
BRENDA MCGRUDER  
LAWRENCE COUNTY AUDITOR  
PO BOX F  
DEADWOOD SD 57732  
605-578-1941

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Please Publish: B.H. Pioneer May 11 & May 18, 2019

EXHIBIT A

SECTION LINE RIGHT-OF-WAY TO BE VACATED

The 66' section line Right-Of-Way, being 33' on each side of the section line, beginning at the corner common to Sections 12 & 13, T6N, R3E, BHM and Section 7 & 18, T6N, R4E, BHM, thence north along the line between Section 12, T6N, R3E, BHM and Section 7, T6N, R4E, BHM a distance of one half mile, terminating at the 1/4 Section Corner common to Section 12, T6N, R3E, BHM and Section 7, T6N, R4E. Said Right-Of-Way passes through part of the S1/2SE1/4 of Section 12, T6N, R3E, BHM; part of Gov't Lot 4 of Section 7, T6N, R4E, BHM; portions of Tract P3, Lots 61, 62, 65 and 72 of Tract P3 all of Frawley Ranch East, located in Gov't Lots 3 & 4 of Section 7, T6N, R4E, BHM, the E1/2SE1/4 of Section 12, T6N, R3E, BHM and including Lot 37 of Tract P2 of Frawley Ranch East, located in the S1/2SW1/4 of Section 7 and the NW1/4, NE1/4SW1/4, W1/2NE1/4 & NW1/4SE1/4 of Section 18, T6N, R4E, BHM; Lawrence County, South Dakota.



SECTION LINE ROW VACATED BY  
LAWRENCE COUNTY RESOLUTION 94-29,  
RECORDED AS DOCUMENT #84-5344.

LAND OWNERS	
①	Ridley Family Ranch, Limited Partnership 11753 Anderson Road St. Onge, SD 57779
②	Ridley Family Trust 11753 Anderson Road St. Onge, SD 57779
③	Frawley Ranches, Inc. C/O Prupp Realty Management 12600 W Coitex Ave., Suite B130 Lakewood, CO 80216
④	Brian Scott Deaver & Stacy Artz Deaver 11850 Valley View Circle Spearfish, SD 57783
⑤	Kevin A. Wahrung P.O. Box 224 Watford City, ND 58854

Surveyed By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Drawn By: CDK/WHM Date: 02/19/2019  
 Checked By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Project Number: L12-18-038



Interstate Engineering, Inc.  
 P.O. Box 228  
 123 E. Jackson Blvd. Suite 1  
 Spearfish, S.D., 57783  
 Ph (605) 842-4772  
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 www.interstateeng.com  
 Offices in North Dakota, Minnesota, Montana and South Dakota

**NOTICE OF HEARING ON A PETITION  
TO VACATE A PORTION OF A HIGHWAY, PART OF WHICH IS LOCATED ON A  
SECTION LINE**

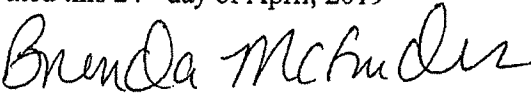
**NOTICE IS HEREBY GIVEN** that a petition has been filed with the Auditor and the Board of County Commissioners of Lawrence County, South Dakota, wherein the Petitioners are requesting that a portion of a Highway, Part of which is located on a section line be vacated,

**LEGAL DESCRIPTION FOR THE VACATION:** The 66' section line Right-Of-Way, being 33' on each side of the section line, beginning at the corner common to Sections 12 & 13, T6N, R3E, BHM and Section 7 & 18, T6N, R4E, BHM, thence north along the line between Section 12, T6N, R3E, BHM and Section 7, T6N, R4E, BHM a distance of one half mile, terminating at the ¼ Section Corner common to Section 12, T6N, R3E, BHM and Section 7, T6N, R4E. Said Right-Of-Way passes through part of the S1/2SE1/4 of Section 12, T6N, R3E, BHM; part of Gov't Lot 4 of Section 7, T6N, R4E, BHM; portions of Tract P3, Lots 61, 62, 65 and 72 of Tract P3 all of Frawley Ranch East, located in Gov't Lots 3 & 4 of Section 7, T6N, R4E, BHM, the E1/2SE1/4 of Section 12, T6N, R3E, BHM and including Lot 37 of Tract P2 of Frawley Ranch East, located in the S1/2SW1/4 of Section 7 and the NW1/4, NE1/4SW1/4, W1/2NE1/4 & NW 1/4SE1/4 of Section 18, T6N, R4E, BHM; Lawrence County, South Dakota.

**AFFECTING THE LANDOWNERS:** Frawley Ranches, Inc., Brian Scott Deaver and Stacey Artz Deaver, and Kevin A. Wehrung.

Said Petition will be heard before the Board of County Commissioners of Lawrence County, South Dakota, on the 7<sup>th</sup> day of May, 2019, at the hour of 9:45 o'clock a.m. at which time any person wanting to demonstrate against the granting of said petitions shall have an opportunity to be heard. Information, opinions and arguments may be presented by any person unable to attend the hearing.

Dated this 24<sup>th</sup> day of April, 2019

  
\_\_\_\_\_  
BRENDA MCGRUDER  
LAWRENCE COUNTY AUDITOR

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Please Publish: April 27 & May 4, 2019  
BH PIONEER