

Authorized OFFICIAL APPROVAL

I, (Name), Authorized Official of the City of Brandon, do hereby certify that I did duly review and recommend approval of this preliminary plan on this _____ day of _____, 20_____.

Authorized Official
City of Brandon, South Dakota

CITY PLANNING & ZONING COMMISSION APPROVAL

The City Planning & Zoning Commission of the City of Brandon approves the preliminary plan of (Subdivision Name) to the City of Brandon and the same is recommended to the City Council of the City of Brandon for approval.

City Planning & Zoning
Commission (Chair)

Legislative History:
Ordinance #503, 4/23/13

Authority:
SDCL § Ch. 9

16-14-2

CERTIFICATES FOR PLATS AND RE-PLATS

SURVEYOR’S CERTIFICATE

I, (Name) , a Registered Land Surveyor of the State of South Dakota, do hereby certify that I did on or before (Date) , survey that parcel of land described as (Legal description) containing (Size) [and it is in all respects correct].

Registered Land Surveyor

OWNER’S CERTIFICATE OF COMPLIANCE

I, (Name) , do hereby certify that I am the owner of all land included in the above plat and that said plat has been made at my request and in accordance with my instructions for the purposes (Indicated herein), and that the development of this land shall conform to all existing applicable zoning, subdivision and erosion and sediment control regulations.

DEDICATION OF LAND FOR PUBLIC USE

I hereby dedicate to the public for public use forever the streets, roads and alleys, parks and public grounds, if any, as shown on said plat, including all sewers, culverts, bridges, water distribution lines, sidewalks and other improvements on or under the streets, alleys, parks and public grounds whether such improvements are shown or not. I also hereby grant easements to run with the land for water, drainage, sewer, gas, electric, telephone or other public utility lines or services under, on or over those strips of land designated

hereon as easements.

I hereby waive any rights of protest to any special assessment program which may be initiated for the purpose of installation of improvements required by the Subdivision Ordinance of the City of Brandon.

OWNER'S CERTIFICATE FOR PRIVATE MAINTENANCE OF FACILITIES

I, (Name) , also certify that ownership and maintenance of streets, roads and alleys, parks and other open space, private drainage easements, drainageways and detention areas, if any, as shown on said plat, and any improvements thereto, shall be provided by the _____ Homeowner's Association except those areas, improvements or facilities with respect to which an offer of dedication to the public has been accepted by the appropriate public authority. I also hereby grant easements to run with the land for water, drainage, sewer, gas, electric, telephone or other public utility lines or services under, on or over those strips of land designated hereon as easements.

If private streets are shown, include:

I further grant and certify that the roadway shown as (Name of private road) is a private roadway easement which is hereby reserved as a permanent unobstructed access. Said street or road is for vehicular and pedestrian travel for the purpose of access to the abutting property. It is understood that the owner, their lessees and assignees have the responsibility with respect to maintaining said private street or road. Said grant is to run with the land and shall remain in effect until such street or road is accepted for public declaration. The owners, their lessees and assignees, of the property platted as (Name of subdivision) , shall at their own cost and expense keep and preserve said private street or road at all times in a good condition of repair and maintenance, and clear of snow and other obstructions and neither erect nor permit erection of any improvements of any kind within said private street or road which might interfere in any way with the property maintenance, use, repair, reconstruction and patrolling of said private street or road.

If access easements are shown, include:

I further grant and certify that the roadway is an access easement which is hereby created as a perpetual common unobstructed access in favor of the lots abutting on it. The easement is for vehicular and pedestrian travel over the roadway for the purpose of access to the abutting property. The owner, their lessees and assignees shall maintain the easement area. They shall, at their own expense, keep the easement area in good repair and maintenance and clear of snow and other obstructions. No improvements of any kind may be erected within the easement area which might interfere in any way with the proper maintenance, use, repair, reconstruction and patrolling of the access easement. This covenant shall run with the land.

If the plat is a condominium or includes common ownership include:

We hereby set aside Tract x as a common area for the purpose of access to a public way and for parking and loading for Tracts a through z. We further certify that the common areas shall be owned by the owners of Tracts a through z inclusive as tenants in common; and that Tracts a through z shall not be sold, transferred, or otherwise conveyed unless the instrument of conveyance for the Tract being transferred and conveyed also transfers and conveys all of that Tract owner's interest in Tract x.

If the plat is a re-plat include:

I, (Name) , do hereby certify that this re-plat will not place any existing lot or building in violation of any applicable ordinance, code, regulation, law including but not limited to zoning, building, subdivision, and flood prevention.

I further certify that this platting of said described (New Subdivision Name) does hereby vacate the following platting:

(Legal description of old plat) on file at the Register of Deeds office in Book _____, page__, said plat, hereby vacated, being situated within described (New Subdivision Name) as surveyed.

Dated this _____ day of _____, 20_____.

Name

STATE OF SOUTH DAKOTA)
: SS
COUNTY OF MINNEHAHA)

On this _____ day of _____, 20_____, before me, the undersigned officer, appeared (Name), known to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same for the purposes therein contained.

In witness thereof, I have hereunto set my hand and official seal this _____ day of _____, 20_____.

My commission expires: _____
Notary Public, _____ County, South Dakota

CITY ENGINEER APPROVAL

We, (Name), City Engineer of the City of Brandon, do hereby certify that we did duly review and recommend approval of this plat on this _____ day of _____, 20_____.

City Engineer
City of Brandon, South Dakota

AUTHORIZED OFFICIAL CERTIFICATE

I, (Name), Authorized Official of the City of Brandon, do hereby certify that this plat has been approved by me or my authorized agent and that the City Finance Officer is hereby directed to certify the same thereon.

Approved this _____ day of _____, 20_____.

Authorized Official
City of Brandon, South Dakota

FINANCE OFFICER'S CERTIFICATE

I, (Name), the duly appointed, qualified and acting Finance Officer of the City of Brandon, South Dakota, hereby certify that the certificate of approval is true and correct including the signature thereon, and that any special assessments which are liens upon the land shown in the above plat, as shown by the records in my office, on this _____ day of _____, 20_____, have been paid in full.

City Finance Officer
Brandon, South Dakota

COUNTY TREASURER'S CERTIFICATE

I, Treasurer of Minnehaha County, South Dakota, do hereby certify that all taxes which are liens upon any land included in the above (and the foregoing) plats, as shown by the records of my office, have been fully paid.

Dated this _____ day of _____, 20_____.

Treasurer
Minnehaha County, South Dakota

DIRECTOR OF EQUALIZATION

I, Director of Equalization of Minnehaha County, South Dakota, do hereby certify that a copy of the above plat has been filed at my office.

Director of Equalization
Minnehaha County, South Dakota

REGISTER OF DEEDS

Filed for record this _____ day of _____, 20_____, at _____ o'clock _____ .m., and recorded in Book _____ of Plats on page _____.

Register of Deeds
Minnehaha County, South Dakota

Legislative History:
Ordinance #503, 4/23/13

Authority:
SDCL § Ch. 9

16-14-3

ASSURANCE AGREEMENT FOR

(Legal Description)

THIS IS AN AGREEMENT made as of _____ (DATE), between the City of Brandon, South Dakota (CITY), _____ (OWNER), and _____ (DEVELOPER). OWNER and DEVELOPER intend to make public and private improvements in order to develop _____ (DEVELOPMENT NAME).

OWNER, DEVELOPER, AND CITY, in consideration of their mutual covenants herein, agree in respect to the construction and acceptance of the improvements for the DEVELOPMENT as set forth below.

OWNER and DEVELOPER shall:

1. Construct and/or pay for the improvements required for the DEVELOPMENT in the Subdivision Ordinance, the Engineering Design Standards Manual for Public Improvements, and the Design Standard Plates of the City of Brandon in accordance with the plans and specifications as filed with the City Engineer.
2. Complete all required improvements no later than two years after acquiring a construction permit, but no later than three years after filing of the plat. Time extensions may be granted by the City Engineer.
3. Pay all costs attributed to this land when and if the City makes a final determination as to the appropriate costs for any detention ponds benefitting this land.
4. File this Assurance Agreement with the plat in the office of the County Register of Deeds.

Improvements Required and Method of Payment (Owner/Developer—D, Special Assessment— SA, Not Required—NR):

Improvements Required	Method of Payment	Comments
<u>STREETS</u>		
Grading and Graveling	_____	_____
Curb and Gutter	_____	_____
Paving	_____	_____
Other	_____	_____
<u>UTILITIES</u>		
Street Lighting	_____	_____
Water System	_____	_____
Sanitary Sewer System	_____	_____
<u>DRAINAGE</u>		
Storm Sewer	_____	_____
Drainage Ways	_____	_____
<u>OTHER</u>		
Lot Grading	_____	_____

CITY shall, upon satisfactory completion of DEVELOPMENT, including any and all

warranty periods, accept and maintain all public improvements. Final acceptance of all improvements will be made upon final inspection and acceptance by the CITY.

Upon written notice, the City Engineer and the Authorized Official may suspend or revoke any active City permits and/or deny issuance of further City permits or City inspections within any phase of subdivision development if utility infrastructure improvements within that phase of subdivision development have not been extended to the adjacent property, and development of that adjacent property is restricted.

Should the OWNER and/or DEVELOPER fail to fully complete the required improvements within the time or extensions there of, of this Assurance Agreement, the CITY may complete any unfinished required improvements. All costs to the CITY related to the completion of any unfinished required improvements will be billed to the OWNER and/or DEVELOPER. Should the OWNER and/or DEVELOPER fail to pay for these improvements, the responsibility for payment shall fall to the abutting property which will be assessed for such improvements.

This Assurance Agreement is given for the benefit of the CITY and the purchasers of lots in the DEVELOPMENT.

Mayor

Owner

ATTEST:

City Finance Officer

STATE OF SOUTH DAKOTA)

: SS

COUNTY OF _____)

On this _____ day of _____ 20_____, before me, the undersigned officer, personally appeared _____, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument, and acknowledged that he/she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My commission expires: _____
Notary Public, _____ County, South Dakota

Developer

STATE OF SOUTH DAKOTA)

: SS

COUNTY OF _____)

On this _____ day of _____ 20_____, before me, the undersigned officer, personally appeared _____, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument, and acknowledged that he/she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My commission expires: _____

Notary Public, _____ County, South Dakota

Legislative History:
Ordinance #503, 4/23/13

Authority:
SDCL § Ch. 9