

PUBLIC NOTICES

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December 29, 2009 Commissioner Meeting

The Board of County Commissioners met in regular session Tuesday, December 29, 2009 at 9:00 a.m. Members present: Sommerfeld, Wilson, Passick and Powell. Kephart absent. Minutes of the December 8th meeting were amended and approved with a motion by Sommerfeld, seconded by Wilson and carried. Passick moved, seconded by Wilson and carried to approve the agenda as presented. Rod Polley/Hwy Superintendant met with the Board to discuss highway matters. Fuel Quotes for Propane were submitted. Wilson moved, seconded by Sommerfeld and carried to accept low quote from Butch's Propane, Maskell Neb. at \$1.459 per gallon. It was reported that the County Hwy was paid \$14,015.19 for reimbursement of road damages caused by Don Kelly Construction on 309th Street, University Road, and Greenfield Road. Sommerfeld moved, seconded by Passick and carried to authorize the Chairman to sign 2010 Community Development Contract between Clay County and the State of South Dakota. Sommerfeld moved, seconded by Wilson and carried to authorize the Chairman to sign Combined Election Agreement with Clay County, the Vermillion School District and the City of Vermillion for elections in 2010. Ray Hofman/Zoning/Welfare Director met with the Board to discuss zoning matters. Wilson moved, seconded by Sommerfeld and carried to pass and adopt the following resolution approving Plat of Tracts 2, 3, and 4 of Brue Addition in the N1/2 NE1/4 of Section 18, T95N, R51W of the 5th P. M. Clay County, SD, Ernest A. Jueden and Rhelda Jueden, owners. RESOLUTION OF COUNTY COMMISSIONERS WHEREAS it appears that the owners thereof have caused a plat to be made of the following described real property: Plat of Tracts 2, 3, and 4 of Brue Addition in the N1/2 NE1/4 of Section 18, T95N, R51W of the 5th P. M. Clay County, SD, Ernest A. Jueden and Rhelda Jueden, owners. Be it resolved that the Board of County Commissioners of said County has examined the same and that it appears that the system of streets set forth therein conforms to the system of streets of existing plats in said section 18 of said County, that adequate provision is made for access to adjacent un-platted lands by public dedication or section line when physically possible, and that all provisions of the subdivision regulations of said County have been complied with, and that all taxes and special assessments, if any upon the tract or subdivision have been fully paid and that such tract and subdivision thereof have been executed according to law, and the same is hereby accordingly approved. NW, Leo F. Powell, Chairman Board of County Commissioners I, Ruth A. Bremer, County Auditor of Clay County, South Dakota do hereby certify that the within and foregoing is a true copy of the Resolution passed on December 29, 2009. County Auditor, Clay County, SD Sommerfeld moved, seconded by Wilson and carried to pass and adopt the following: Resolution #09-30, #09-31, #09-32 and #09-33 approving the end of the year fund transfers, supplements and contingencies. RESOLUTION # 09-30 Contingency Transfer BE IT RESOLVED by the Clay County Board of Commissioners the transfer of funds from Commissioners Contingency Fund Budget (D-112) \$9500 to Ct. Appt. Attn-D153, \$14,200 to Ment. Ill. D-441 (prof. service); \$3000 to Soil Conservation District-D612 (allocation); \$661.20 to Industrial Development D-721 (allocation for I-29 Corridor) & \$10,000 (Vermillion NOW Program), \$4350 to Veterans Budget-D165(wages), \$1012 to Comm. D-111(prof. services) \$1530 to Judicial D130 (catastrophic legal) and \$1500 to Ct.App.A&N-D154 (prof. serv.) for unanticipated expenses for the current Budget Year. Motion by Commissioner seconded by Kephart Vote of the Board: Sommerfeld, Passick, Powell Wilson Motion carried. Dated this 29th day of December 2009. Board of County Commissioners Clay County, South Dakota Leo F. Powell, Chairman ATTEST: Ruth A. Bremer, County Auditor RESOLUTION # 09-31 FUND TRANSFER BE IT RESOLVED by the Clay County Board of Commissioners the transfer of funds from the General Fund (10100) in the amount of \$1,000,000 to Highway Fund (20100) \$50,000 from General Fund to E911 Fund (20700), \$200,000 from General Fund to Restricted Fund (10100) for 302 St Project and \$15,000 from General Fund to Restricted Fund (10100) for Ambulance as levied for in the 2009 Budget. Motion by Commissioner seconded by Kephart Vote of the Board: Sommerfeld, Passick, Powell Wilson Motion carried. Dated this 29th Day of December, 2009. Board of County Commissioners Clay County, South Dakota Leo F. Powell, Chairman ATTEST: Ruth A. Bremer, County Auditor RESOLUTION #09-32 Automatic Supplement WHEREAS, Clay County has been reimbursed \$3490 from the 24/7 Program for expenses

incurred by County Jail Department D212 Fund #24800 and; WHEREAS the Jail 24/7 Budget does not have adequate funds to allow payment of these extra expenses incurred in 2009 and; WHEREAS, the Board of County Commissioners have agreed to supplement the Emergency Management Department by an automatic supplement, with reimbursement received from the 24/7 Program, for the proper conduct and discharge of lawful county obligations has been given in accordance with the law and direction of the County Board. NOW THEREFORE BE IT RESOLVED: That the following budget be adopted as an automatic supplement to the foresaid annual budget. Clay County Jail 24/7 (D-212)- \$3490. 24800 Fund) GL#4110212-wages. Dated the 29th day of December, 2009. Commissioner moved the adoption of the foregoing Resolution. Motion seconded by Commissioner Vote of the Board: Sommerfeld, Kephart, Passick, and Powell Upon which voting the foregoing Resolution was declared passed and adopted. Leo F. Powell, Chairman Board of County Commissioners Clay County, South Dakota Ruth A. Bremer, County Auditor RESOLUTION # 09-33 BE IT RESOLVED by the Clay County Board of Commissioners the transfer of funds from the General Fund Restricted#272.02 (10100) in the amount of \$418.73 to General Fund (10100) for Federal HAVA-(Election) Grant as amount spent by Clay County for matching funds. Motion by Commissioner seconded by Kephart Vote of the Board: Sommerfeld, Wilson, Passick, Powell Motion carried. Dated this 29th day of December 2009. Board of County Commissioners Clay County, South Dakota Leo F. Powell, Chairman ATTEST: Ruth A. Bremer, County Auditor The Sheriff's monthly cash report for November 2009 was accepted and placed on file. The Vermillion Public Library Board of Trustees minutes for November 2009 was accepted and placed on file. At 9:45 a.m. Wilson moved, seconded by Passick and carried to adjourn and convene as Weed Board. The Weed Supervisor requested permission to apply for a grant with Union and Yankton Counties for the control of Purple Loosestrife on the Missouri River with Clay County hosting the grant. Passick moved, seconded by Sommerfeld and carried to authorize the Weed Department to apply for the grant with Clay County as the host county in the amount of \$33,500. At 10:55 a.m. Sommerfeld moved, seconded by Wilson and carried to adjourn as Weed Board and reconvene as Board of Commissioners. Wilson/Historic Preservation Commission met with the Board with recommendations for the appointment of the following people for the Clay County Historic Preservation Board. New Member Recommendations: 31367 Margaret St. Meckling, SD Jennifer Jones, P.O. Box 635, Vermillion, SD Those leaving the Board are as follows: Phyllis Packard, Term ending Marilyn Schlenker, Term ending William Ramsey, Term ending Warren Kuhler, Resigned Sommerfeld moved, to approve the appointments as recommended and presented by Jim Wilson of the Historic Preservation Commission. Wilson seconded the motion, all voting aye, motion carried. Passick moved, seconded by Wilson and carried to set January 12 at 10:00 a.m. for the following Liquor License Hearing. NOTICE OF PUBLIC HEARING ON APPLICATIONS FOR SALE OF ALCOHOLIC BEVERAGE LICENSE OUTSIDE MUNICIPALITIES NOTICE IS HEREBY GIVEN THAT: The Board of County Commissioners in and for Clay County, South Dakota, on the 12th day of January 2010, at 10:00 a.m. in the County Courthouse in the County Commissioners Meeting Room, will meet in regular session to consider the following applications for Dealers Liquor License to operate outside of a municipality for the 2010 Licensing period, which have been presented to the Board of County Commissioners and filed in the County Auditor's Office. Transfer: (Whimp's Place Inc) Melissa & Daniel Radigan, (on-sale/off-sale) Lots 1 and 2, Block 19, Burbank Townsite in Section 35, T92N, R51W, Clay County, SD All interested persons are encouraged to attend the public hearing. Those interested persons not able to attend are invited and encouraged to send written comments prior to the hearing, to: Clay County Commissioner 211 W. Main Street, Suite 200 Vermillion, SD 57069. Ruth A. Bremer, Clay County Auditor Loren Le Clair/Deputy States Attorney met with the Board to discuss the 2010 Contract for Representation of Petitioner in Chemical Dependency Commitment Proceedings. Passick moved, seconded by Sommerfeld and carried to authorize the Chairman to sign said contract.

Motion by Wilson, seconded by Sommerfeld and carried to approve the following claims for payment: December Payroll: Commissioners-\$4,479.17, Auditor's Office-\$5,304.17, Treasurer's Office-\$10,280.00, State Attorneys Office-\$11,653.33, Courthouse-\$1,995.83, DOE's Office-\$8,665.66, ROD's Office-\$7,270.33, Veterans Office-\$1,544.45, Sheriff's Office-\$24,751.19, County Jail-\$10,795.48, 24/7 Sobriety Project-\$940.80, Coroner-\$116.00, LEPC-\$631.25, Emerg. Mgmt. Office-\$1,893.50, Highway Department-\$40,699.13, County Welfare Office-\$1,425.41, CHN Office-\$2,779.84, WIC Office-\$795.16, Extension Office-\$2,579.00, Weed Department-\$774.10, and Zoning Office-\$987.64; (Payroll With-holding) AFLAC-\$197.10, Clay County Treasurer-\$32,403.80, Conaso Ins-\$523.90, Nationwide Retirement Solutions-\$147.06, New York Life Ins.-\$259.92, SD Child Support Center-\$284.00, SD Retirement System-\$17,469.71, SD Health Insurance-\$300.00, TASC (Flex)-\$1,878.81, United Way Of Vermillion-\$35.00, Vermillion Federal Credit Union-\$2,171.00, Wellmark Blue Cross/Blue Shield-\$20,270.49, December Bills: (Prof. Fees) \$2,678.88, US Bank National Association-\$80.00, Avera McKennan-\$1,396.00, Avera University Psychiatry-\$236.30, David Bergendahl-\$121.80, John Billing-\$2,550.20, Brev's Falls, South Dakota Office-\$35.28, Century Business Products-\$358.00, City Of Vermillion-\$5,100.00, Donna Dietrich-\$659.35, Jennifer Holman-\$120.00, Kabeseman & Pardus-\$170.00, Neha Konasre-\$39.00, Lewis & Clark BHS-\$284.00, Lincoln Co. Treasurer-\$150.00, Janice McGuire-\$80.00, Medtox Laboratories-\$149.84, Netysps Plus-\$330.00, Peterson & Associates-\$330.00, Publix-\$138.72, Cathy Refhus-\$39.00, Sacred Heart Hospital-\$15.00, SD Achieve-\$60.00, SD Dept. Of Health Lab-\$280.00, SD Dept. Of Transportation-\$2,031.17, Shepherd Report-\$75.00, Sioux Equipment-\$105.00, Mathias Stricherz-\$3,115.25, Karen Swanda-\$15.00, Yankton Co. Sheriff-\$75.00, Yankton Co. Treasurer-\$311.25, Publix Broadcasters, Press-\$79.92; (Repairs/Maint.) Dakota Security System-\$114.80, Herren-Schempp-\$828.00, Ray Hofman-\$95.00, Jensen Auto Body-\$110.00, Midwest \$24.00, Neha Konasre-\$116.00, Netysps Plus-\$40.00, Olson's Pest Technicians-\$42.00, Pitney Bowes-\$416.28, Presto-X-\$63.00, Sioux Equipment-\$280.00, Software Services-\$20.00, Turner Printing-\$49.61, (Software Processing) Software Services-\$640.00; (Materials/Supplies) Allied Oil & Supply-\$418.76, Baum Hydraulics-\$741.35, Bierschbach Equipment-\$44.00, Bomber Supply Co.-\$42.91, Boyer Trucks SF-\$315.13, Butler Machinery-\$507.26, Campbell Supply-\$538.35, Chemco-\$93.00, Clay Co. Treasurer-\$122.62, D-P Tools-\$1,100.00, DPC Warehouse-\$249.99, Fullerton Bldg. Center-\$257.15, Great Plains International-\$355.20, Ray Hofman-\$118.17, Holcomb Freightliner-\$141.17, HSBC Bank-\$428.41, Pitney Bowes-\$104.85, JD Evans Equipment-\$1,227.88, JCL Solutions-\$143.54, Jerry's Service-\$15,553.26, Jones Food Center-\$862.65, Lawson Communications-\$19.00, Morse's Printing-\$50.00, Northern Supply Co.-\$42.91, Perkins Office Solutions-\$164.80, Pollman Excavation-\$168.30, Pressing Matters-\$116.00, Rasmussen Motors-\$59.33, Riverside Hardware-\$99.02, SD Dept. Of Transportation-\$6,344.12, Sign-Up-\$14.95, Sioux City Foundry-\$1,321.26, Sioux Equipment-\$667.80, Sooland Bobcat-\$109.86, Sturdevant's Auto Parts-\$183.16, The Truck Repair Service-\$13.02, US Postal Service-\$96.50, USPS Pitney Bowes-\$1,000.00, VanderHaag's-\$701.25, Velvet Uniforms-\$555.00, Verizon Wireless-\$12.56, Wal-Mart Community-\$6.86, Yankton Co. Extension-\$28.86; (Travel/Conference) Raymond Passick-\$98.42, SDSU Extension Service-\$138.91, Jerry Wilson-\$234.95; (Utilities) American Electric Power Administration-\$149.95, Butch's Propane-\$1,604.90, City of Vermillion-\$1,550.51, Clay Rural Water System-\$43.30, Lay Union Electric-\$373.04, Mid-America Energy-\$21.43, Midcontinent Communications-\$76.00, Qwest-\$511.14, Verizon Wireless-\$85.97; (Machinery/Auto) Brock White Company-\$18,517.50; (Furniture/Office) Dell Computer-\$2,686.86, PC Warehouse-\$594.97, Microfilm Imaging Systems-\$1,218.21; (Books) West Group-\$150.24; (Ditch Expense) Clay Co. Weed Dept-\$333.56; (Law) Liberty West Group-\$184.03; (Jail Meals) Hy-Vee-\$1,152.91; (Coroner Post Mortem) LCM Pathologists-\$1,240.00; (Training/Special Equip.) Dakota Archery & Outdoor-\$1,330.00, Industrial Development) Vermillion Now!-\$10,000.00. (Insurance) Deductible Reimbursement) Teddi Gertsma-\$149.70; (Prof. Serv.) Jennifer Holman-\$40.00, Kabeseman & Pollard-\$252.00, Lincoln Co. Treasurer-\$175.04, Yavonne Slowey/Slowey Court Reporting-\$150.00; (Repairs/Maint.) Iowa Office Supply-\$59.33, Jones ACE Hardware-\$31.99, Matt Taggart Construction-\$285.60; (Materials/Supplies) Dakota PC Warehouse-\$167.48, Eagles Club-\$615.00, True Value-\$59.88; (Utilities) City of Vermillion-\$106.46, Fischer's Disposal-\$100.00, Midcontinent Communications-\$55.00; (Catastrophic Legal Fund) SDACC Office-\$1,778.20. At 11:09 a.m. Wilson moved, seconded by Sommerfeld and carried to adjourn and reconvene Tuesday, January 5, 2009 at 9:00 a.m. Leo F. Powell, Chairman Board of County Commissioners ATTEST: Ruth A. Bremer, County Auditor Published once at the approximate cost of \$167.17. Publish: January 8, 2010

STATE OF SOUTH DAKOTA COUNTY OF CLAY: SS IN CIRCUIT COURT FIRST JUDICIAL CIRCUIT Pro. 09-44 IN THE MATTER OF THE ESTATE OF JULES M. NESS, JR., Deceased. NOTICE TO CREDITORS Notice is given that on the 21st day of December, 2009, David Christensen, whose address is 29687 466th Ave., Beresford, South Dakota 57004, was appointed as personal representative of the estate of JULES M. NESS, JR., Deceased. Creditors of decedent must file their claims within four (4) months after the date of the first publication of this notice or their claims may be barred. Claims may be filed with the personal representative or may be filed with the clerk, and a copy of the claim mailed to the personal representative. Dated December 25, 2009, 29687 466th Ave. Beresford, South Dakota 57004 (605) 351-0406 Robin Iverson Clerk of Courts 211 W. Main Street Vermillion, SD 57069 (605) 677-6756 Craig K. Thompson Craig K. Thompson Law Offices P.O. Box 295 Vermillion, SD 57069 (605) 624-2097 craig@cktlaw.net Published three weeks at the total approximate cost of \$36.99 Estimated publishing cost per circulated copy: \$0.1 Publish: January 1 & 8, 2010 STATE OF SOUTH DAKOTA COUNTY OF CLAY: SS IN CIRCUIT COURT FIRST JUDICIAL CIRCUIT Pro. 09-46 IN THE MATTER OF THE ESTATE OF LILA D. HUBBEL, Deceased. NOTICE TO CREDITORS Notice is given that on the 22nd day of December, 2009, Timothy Alan Hubbel, whose address is 2016 Parkside, Beresford, South Dakota 57106, was appointed as personal representative of the estate of LILA D. HUBBEL, deceased. Creditors of decedent must file their claims within four (4) months after the date of the first publication of this notice or their claims may be barred. Claims may be filed with the personal representative or may be filed with the clerk, and a copy of the claim mailed to the personal representative. Timothy Alan Hubbel 2106 Bradford Court Sioux Falls, SD 57106 (605) 677-6756 ROBIN IVERSON CLERK OF COURTS P.O. BOX 377 VERMILLION, SD 57069 (605) 677-6756 CRAIG K. THOMPSON CRAIG K. THOMPSON LAW OFFICES P.O. BOX 295 VERMILLION, SD 57069 (605) 624-2097 Published three weeks at the total approximate cost of \$36.99 Estimated publishing cost per circulated copy: \$0.1 Publish: January 1, 8 & 15, 2010 STATE OF SOUTH DAKOTA COUNTY OF CLAY: SS IN CIRCUIT COURT FIRST JUDICIAL CIRCUIT CIV. 09-268 U.S. Bank National Association, as trustee, on behalf of the holders of the Asset Backed Securities TRIANGLE SHAPED PIECE OF EQUITY LOAN TRUST, Series NC 2005-HE8, Asset Backed Pass-Through Certificates, Series NC 2005-HE8, Plaintiff, vs. Casey Davidson; Century Mortgage Corporation; and any person in possession, Defendants. SUMMONS TO THE ABOVE-NAMED DEFENDANT(S): You are hereby summoned and required to serve upon Plaintiff's attorney, Mackoff Kellogg Law Firm, c/o Quality Attorney Services, LLC, 1205 EAST AND THIRD WEST 12 OF 57109, an answer to the complaint which is herewith served upon you within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. This action involves a real property situated in the County of Clay, State of South Dakota described as follows: LOT 1, BLOCK 15, VAN METER'S ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA; THE TRIANGLE SHAPED PIECE OF LAND LYING BETWEEN THE NORTH LINE OF SAID LOT 1 AND THE SOUTH LINE OF MAIN STREET AS NOW LAID OUT IN THE CITY OF VERMILLION, AND THE EAST SIDE OF LOT 7, BLOCK 14 OF SAID VAN METER'S ADDITION THE ENTIRE LENGTH OF SAID LOT; aka 524 West Main Street, Vermillion, South Dakota 57069. The Plaintiff makes no personal claim against you in the action. Dated September 10, 2009. MACKOFF KELLOGG LAW FIRM Attorneys for Plaintiff Tel: (701) 227-1841 SD BAR ID #039080 Glen R. Bruhschwein, Attorney Published four times at the approximate cost of \$77.65 Estimated publishing cost per circulated copy: \$0.1 Publish: January 1, 8, 15 & 22, 2010 STATE OF SOUTH DAKOTA COUNTY OF CLAY: SS IN CIRCUIT COURT FIRST JUDICIAL CIRCUIT Civil No. 09-81 U.S. Bank National Association, as Trustee for the Structured Asset Investment Loan Trust, 2005-8, Plaintiff, vs. Daniel L. Gordon; Kara D. Gordon; and any person in possession, Defendants. NOTICE OF REAL ESTATE SALE Judgment in the amount of \$96,596.79 having been entered in favor of plaintiff and against defendants, which Judgment was filed with the Clerk of Courts of Clay County, South Dakota, on June 24, 2009, for the foreclosure of a real estate mortgage. Notice is hereby given pursuant to said Judgment that the real property described in the Mortgage dated May 10, 2005, which Daniel L. Gordon and Kara D. Gordon, Mortgagors, executed and delivered to AccuBanc Mortgage, a division of National City Bank of Indiana, Mortgagee: LOT 4, BLOCK 59, SNYDER'S ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA, and recorded in the office of the Register of Deeds of Clay County, South Dakota, on the 13th day of May, 2005, in Book 122 of Mortgages, Page 452; and the assessments and restrictions assigned to National City Mortgage Co., a subsidiary of National City Bank of Indiana by Assignment of Mortgage recorded October 24, 2005, in Book 123 of Mortgages, Page 452; US Bank National Association, as Trustee for the Structured Asset Investment Loan Trust, 2005-8, by an Assignment of Mortgage recorded the 9th day of April, 2009, in Book 129 of Mortgages, Page 62, in order to realize the amount of \$90,500.00, as of May 10, 2005, plus interest accruing therefor on said amount at the rate of 9.38% per year, together with the costs and expenses of sale, will be sold subject to redemption as provided by law as one parcel of land at public auction, subject to the lien for unpaid real estate taxes and assessments of Clay County, South Dakota, which Judgment was filed with the Clerk of Courts of Clay County, South Dakota, on June 24, 2009, for the foreclosure of a real estate mortgage. Notice is hereby given pursuant to said Judgment that the real property described in the Mortgage dated April 25, 2005, which Daniel L. Gordon and Kara D. Gordon, Mortgagors, executed and delivered to AccuBanc Mortgage, a division of National City Bank of Indiana, Mortgagee: THE EAST ONE-HALF (E 1/2) OF LOT TWELVE (12) AND THE EAST ONE-HALF (E 1/2) OF THE NORTH ONE-HALF (N 1/2) OF LOT THIRTEEN (13), BLOCK SIXTY-SIX (66), BIGELOW'S ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA, ACCORDING TO THE RECORDED PLAT THEREOF, and recorded in the office of the Register of Deeds of Clay County, South Dakota, on the 5th day of May, 2005, in Book 122 of Mortgages, Page 492; which mortgage was assigned to National City Mortgage Co., a subsidiary of National City Bank of Indiana by Assignment of Mortgage recorded October 24, 2005, in Book 123 of Mortgages, Page 453; and further assigned to US Bank National Association, as Trustee for the Structured Asset Investment Loan Trust, 2005-8, by an Assignment of Mortgage recorded the 9th day of April, 2009, in Book 129 of Mortgages, Page 61, in order to realize the amount of \$93,000.00, as of April 25, 2005, plus interest accruing therefor on said amount at the rate of 9.38% per year, together with the costs and expenses of sale, will be sold subject to redemption as provided by law as one parcel of land at public auction, subject to the lien for unpaid real estate taxes and assessments of Clay County, South Dakota, and easements and restrictions of record, to the highest bidder for cash under the direction of the Sheriff of Clay County, South Dakota, at the front door of the Clay County Courthouse, in Vermillion, South Dakota, on January 27, 2010, at 10:00 A.M. (CT). Dated December 9, 2009. Andrew M. Howe Sheriff of Clay County, South Dakota MACKOFF KELLOGG LAW FIRM Glen R. Bruhschwein SD ID #3080 38 Second Avenue East Dickinson, ND 58601 (701) 227-1841 Attorneys for Plaintiff Published twice at the total approximate cost of \$50.65 Estimated publishing cost per circulated copy: \$0.1 Publish: January 8 & 15, 2010 STATE OF SOUTH DAKOTA COUNTY OF CLAY: SS IN CIRCUIT COURT FIRST JUDICIAL CIRCUIT Civil No. 09-95 U.S. Bank National Association, as Trustee for the Structured Asset Investment Loan Trust, 2005-8, Plaintiff, vs. Daniel L. Gordon; Kara D. Gordon; and any person in possession, Defendants. NOTICE OF REAL ESTATE SALE Judgment in the amount of \$100,296.86 having been entered in favor of plaintiff and against defendants, which Judgment was filed with the Clerk of Courts of Clay County, South Dakota, on June 24, 2009, for the foreclosure of a real estate mortgage. Notice is hereby given pursuant to said Judgment that the real property described in the Mortgage dated April 25, 2005, which Daniel L. Gordon and Kara D. Gordon, Mortgagors, executed and delivered to AccuBanc Mortgage, a division of National City Bank of Indiana, Mortgagee: THE EAST ONE-HALF (E 1/2) OF LOT TWELVE (12) AND THE EAST ONE-HALF (E 1/2) OF THE NORTH ONE-HALF (N 1/2) OF LOT THIRTEEN (13), BLOCK SIXTY-SIX (66), BIGELOW'S ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA, ACCORDING TO THE RECORDED PLAT THEREOF, and recorded in the office of the Register of Deeds of Clay County, South Dakota, on the 5th day of May, 2005, in Book 122 of Mortgages, Page 492; which mortgage was assigned to National City Mortgage Co., a subsidiary of National City Bank of Indiana by Assignment of Mortgage recorded October 24, 2005, in Book 123 of Mortgages, Page 453; and further assigned to US Bank National Association, as Trustee for the Structured Asset Investment Loan Trust, 2005-8, by an Assignment of Mortgage recorded the 9th day of April, 2009, in Book 129 of Mortgages, Page 61, in order to realize the amount of \$93,000.00, as of April 25, 2005, plus interest accruing therefor on said amount at the rate of 9.38% per year, together with the costs and expenses of sale, will be sold subject to redemption as provided by law as one parcel of land at public auction, subject to the lien for unpaid real estate taxes and assessments of Clay County, South Dakota, and easements and restrictions of record, to the highest bidder for cash under the direction of the Sheriff of Clay County, South Dakota, at the front door of the Clay County Courthouse, in Vermillion, South Dakota, on January 27, 2010, at 10:00 A.M. (CT). Dated December 9, 2009. Andrew M. Howe Sheriff of Clay County, South Dakota MACKOFF KELLOGG LAW FIRM Glen R. Bruhschwein SD ID #3080 38 Second Avenue East Dickinson, ND 58601 (701) 227-1841 Attorneys for Plaintiff Published twice at the total approximate cost of \$52.22 Estimated publishing cost per circulated copy: \$0.1 Publish: January 8 & 15, 2010 STATE OF SOUTH DAKOTA COUNTY OF CLAY: SS IN CIRCUIT COURT FIRST JUDICIAL CIRCUIT Civil No. 09-96 U.S. Bank National Association, as Trustee for the Structured Asset Investment Loan Trust, 2005-10, Plaintiff, vs. Daniel L. Gordon; Kara D. Gordon; and any person in possession, Defendants. NOTICE OF REAL ESTATE SALE Judgment in the amount of \$99,000.00 having been entered in favor of plaintiff and against defendants, which Judgment was filed with the Clerk of Courts of Clay County, South Dakota, on June 24, 2009, for the foreclosure of a real estate mortgage. Notice is hereby given pursuant to said Judgment that the real property described in the Mortgage dated May 5, 2005, which Daniel L. Gordon and Kara D. Gordon, Mortgagors, executed and delivered to AccuBanc Mortgage, a division of National City Bank of Indiana, Mortgagee: THE WEST SIXTY-THREE FEET OF LOTS EIGHT AND NINE IN BLOCK FIFTY-SEVEN OF SNYDER'S ADDITION TO VERMILLION, CLAY COUNTY, SOUTH DAKOTA, ACCORDING TO THE PLAT THEREOF, and recorded in the office of the Register of Deeds of Clay County, South Dakota, on the 13th day of May, 2005, in Book 122 of Mortgages, Page 526; which mortgage was assigned to National City Mortgage Co., a subsidiary of National City Bank of Indiana by Assignment of Mortgage, recorded September 19, 2005, in Book 123 of Mortgages, Page 258; and further assigned to US Bank National Association, as Trustee for the Structured Asset Investment Loan Trust, 2005-10, by an Assignment of Mortgage recorded the 9th day of April, 2009, in Book 129 of Mortgages, Page 60, in order to realize the amount of \$78,500.00, as of May 4, 2005, plus interest accruing therefor on said amount at the rate of

possession, Defendants. NOTICE OF REAL ESTATE SALE Judgment in the amount of \$96,596.79 having been entered in favor of plaintiff and against defendants, which Judgment was filed with the Clerk of Courts of Clay County, South Dakota, on June 24, 2009, for the foreclosure of a real estate mortgage. Notice is hereby given pursuant to said Judgment that the real property described in the Mortgage dated May 10, 2005, which Daniel L. Gordon and Kara D. Gordon, Mortgagors, executed and delivered to AccuBanc Mortgage, a division of National City Bank of Indiana, Mortgagee: LOT 4, BLOCK 59, SNYDER'S ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA, and recorded in the office of the Register of Deeds of Clay County, South Dakota, on the 13th day of May, 2005, in Book 122 of Mortgages, Page 452; and the assessments and restrictions assigned to National City Mortgage Co., a subsidiary of National City Bank of Indiana by Assignment of Mortgage recorded October 24, 2005, in Book 123 of Mortgages, Page 452; US Bank National Association, as Trustee for the Structured Asset Investment Loan Trust, 2005-8, by an Assignment of Mortgage recorded the 9th day of April, 2009, in Book 129 of Mortgages, Page 62, in order to realize the amount of \$90,500.00, as of May 10, 2005, plus interest accruing therefor on said amount at the rate of 9.38% per year, together with the costs and expenses of sale, will be sold subject to redemption as provided by law as one parcel of land at public auction, subject to the lien for unpaid real estate taxes and assessments of Clay County, South Dakota, which Judgment was filed with the Clerk of Courts of Clay County, South Dakota, on June 24, 2009, for the foreclosure of a real estate mortgage. Notice is hereby given pursuant to said Judgment that the real property described in the Mortgage dated April 25, 2005, which Daniel L. Gordon and Kara D. Gordon, Mortgagors, executed and delivered to AccuBanc Mortgage, a division of National City Bank of Indiana, Mortgagee: THE EAST ONE-HALF (E 1/2) OF LOT TWELVE (12) AND THE EAST ONE-HALF (E 1/2) OF THE NORTH ONE-HALF (N 1/2) OF LOT THIRTEEN (13), BLOCK SIXTY-SIX (66), BIGELOW'S ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA, ACCORDING TO THE RECORDED PLAT THEREOF, and recorded in the office of the Register of Deeds of Clay County, South Dakota, on the 5th day of May, 2005, in Book 122 of Mortgages, Page 492; which mortgage was assigned to National City Mortgage Co., a subsidiary of National City Bank of Indiana by Assignment of Mortgage recorded October 24, 2005, in Book 123 of Mortgages, Page 453; and further assigned to US Bank National Association, as Trustee for the Structured Asset Investment Loan Trust, 2005-8, by an Assignment of Mortgage recorded the 9th day of April, 2009, in Book 129 of Mortgages, Page 61, in order to realize the amount of \$93,000.00, as of April 25, 2005, plus interest accruing therefor on said amount at the rate of 9.38% per year, together with the costs and expenses of sale, will be sold subject to redemption as provided by law as one parcel of land at public auction, subject to the lien for unpaid real estate taxes and assessments of Clay County, South Dakota, and easements and restrictions of record, to the highest bidder for cash under the direction of the Sheriff of Clay County, South Dakota, at the front door of the Clay County Courthouse, in Vermillion, South Dakota, on January 27, 2010, at 10:00 A.M. (CT). Dated December 9, 2009. Andrew M. Howe Sheriff of Clay County, South Dakota MACKOFF KELLOGG LAW FIRM Glen R. Bruhschwein SD ID #3080 38 Second Avenue East Dickinson, ND 58601 (701) 227-1841 Attorneys for Plaintiff Published twice at the total approximate cost of \$50.65 Estimated publishing cost per circulated copy: \$0.1 Publish: January 8 & 15, 2010 STATE OF SOUTH DAKOTA COUNTY OF CLAY: SS IN CIRCUIT COURT FIRST JUDICIAL CIRCUIT Civil No. 09-97 U.S. Bank National Association, as Trustee for the Structured Asset Investment Loan Trust, 2005-8, Plaintiff, vs. Daniel L. Gordon; Kara D. Gordon; and any person in possession, Defendants. NOTICE OF REAL ESTATE SALE Judgment in the amount of \$100,296.86 having been entered in favor of plaintiff and against defendants, which Judgment was filed with the Clerk of Courts of Clay County, South Dakota, on June 24, 2009, for the foreclosure of a real estate mortgage. Notice is hereby given pursuant to said Judgment that the real property described in the Mortgage dated April 25, 2005, which Daniel L. Gordon and Kara D. Gordon, Mortgagors, executed and delivered to AccuBanc Mortgage, a division of National City Bank of Indiana, Mortgagee: THE EAST ONE-HALF (E 1/2) OF LOT TWELVE (12) AND THE EAST ONE-HALF (E 1/2) OF THE NORTH ONE-HALF (N 1/2) OF LOT THIRTEEN (13), BLOCK SIXTY-SIX (66), BIGELOW'S ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA, ACCORDING TO THE RECORDED PLAT THEREOF, and recorded in the office of the Register of Deeds of Clay County, South Dakota, on the 5th day of May, 2005, in Book 122 of Mortgages, Page 492; which mortgage was assigned to National City Mortgage Co., a subsidiary of National City Bank of Indiana by Assignment of Mortgage recorded October 24, 2005, in Book 123 of Mortgages, Page 453; and further assigned to US Bank National Association, as Trustee for the Structured Asset Investment Loan Trust, 2005-8, by an Assignment of Mortgage recorded the 9th day of April, 2009, in Book 129 of Mortgages, Page 61, in order to realize the amount of \$93,000.00, as of April 25, 2005, plus interest accruing therefor on said amount at the rate of 9.38% per year, together with the costs and expenses of sale, will be sold subject to redemption as provided by law as one parcel of land at public auction, subject to the lien for unpaid real estate taxes and assessments of Clay County, South Dakota, and easements and restrictions of record, to the highest bidder for cash under the direction of the Sheriff of Clay County, South Dakota, at the front door of the Clay County Courthouse, in Vermillion, South Dakota, on January 27, 2010, at 10:00 A.M. (CT). Dated December 9, 2009. Andrew M. Howe Sheriff of Clay County, South Dakota MACKOFF KELLOGG LAW FIRM Glen R. Bruhschwein SD ID #3080 38 Second Avenue East Dickinson, ND 58601 (701) 227-1841 Attorneys for Plaintiff Published twice at the total approximate cost of \$52.22 Estimated publishing cost per circulated copy: \$0.1 Publish: January 8 & 15, 2010

9.38% per year, together with the costs and expenses of sale, will be sold subject to redemption as provided by law as one parcel of land at public auction, subject to the lien for unpaid real estate taxes and assessments of Clay County, South Dakota, and easements and restrictions of record, to the highest bidder for cash under the direction of the Sheriff of Clay County, South Dakota, at the front door of the Clay County Courthouse, in Vermillion, South Dakota, on January 27, 2010, at 10:00 A.M. (CT). Dated December 9, 2009. Andrew M. Howe Sheriff of Clay County, South Dakota MACKOFF KELLOGG LAW FIRM Glen R. Bruhschwein SD ID #3080 38 Second Avenue East Dickinson, ND 58601 (701) 227-1841 Attorneys for Plaintiff Published twice at the total approximate cost of \$51.84 Estimated publishing cost per circulated copy: \$0.1 Publish: January 8 & 15, 2010 STATE OF SOUTH DAKOTA COUNTY OF CLAY: SS IN CIRCUIT COURT FIRST JUDICIAL CIRCUIT Civil No. 09-95 U.S. Bank National Association, as Trustee for the Structured Asset Investment Loan Trust, 2005-8, Plaintiff, vs. Daniel L. Gordon; Kara D. Gordon; and any person in possession, Defendants. NOTICE OF REAL ESTATE SALE Judgment in the amount of \$100,296.86 having been entered in favor of plaintiff and against defendants, which Judgment was filed with the Clerk of Courts of Clay County, South Dakota, on June 24, 2009, for the foreclosure of a real estate mortgage. Notice is hereby given pursuant to said Judgment that the real property described in the Mortgage dated April 25, 2005, which Daniel L. Gordon and Kara D. Gordon, Mortgagors, executed and delivered to AccuBanc Mortgage, a division of National City Bank of Indiana, Mortgagee: THE EAST ONE-HALF (E 1/2) OF LOT TWELVE (12) AND THE EAST ONE-HALF (E 1/2) OF THE NORTH ONE-HALF (N 1/2) OF LOT THIRTEEN (13), BLOCK SIXTY-SIX (66), BIGELOW'S ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA, ACCORDING TO THE RECORDED PLAT THEREOF, and recorded in the office of the Register of Deeds of Clay County, South Dakota, on the 5th day of May, 2005, in Book 122 of Mortgages, Page 492; which mortgage was assigned to National City Mortgage Co., a subsidiary of National City Bank of Indiana by Assignment of Mortgage recorded October 24, 2005, in Book 123 of Mortgages, Page 453; and further assigned to US Bank National Association, as Trustee for the Structured Asset Investment Loan Trust, 2005-8, by an Assignment of Mortgage recorded the 9th day of April, 2009, in Book 129 of Mortgages, Page 61, in order to realize the amount of \$93,000.00, as of April 25, 2005, plus interest accruing therefor on said amount at the rate of 9.38% per year, together with the costs and expenses of sale, will be sold subject to redemption as provided by law as one parcel of land at public auction, subject to the lien for unpaid real estate taxes and assessments of Clay County, South Dakota, and easements and restrictions of record, to the highest bidder for cash under the direction of the Sheriff of Clay County, South Dakota, at the front door of the Clay County Courthouse, in Vermillion, South Dakota, on January 27, 2010, at 10:00 A.M. (CT). Dated December 9, 2009. Andrew M. Howe Sheriff of Clay County, South Dakota MACKOFF KELLOGG LAW FIRM Glen R. Bruhschwein SD ID #3080 38 Second Avenue East Dickinson, ND 58601 (701) 227-1841 Attorneys for Plaintiff Published twice at the total approximate cost of \$52.22 Estimated publishing cost per circulated copy: \$0.1 Publish: January 8 & 15, 2010

Ray Hofman/Zoning/Welfare Director met with the Board to discuss zoning matters. Wilson moved, seconded by Sommerfeld and carried to pass and adopt the following resolution approving Plat of Tracts 2, 3, and 4 of Brue Addition in the N1/2 NE1/4 of Section 18, T95N, R51W of the 5th P. M. Clay County, SD, Ernest A. Jueden and Rhelda Jueden, owners. RESOLUTION OF COUNTY COMMISSIONERS WHEREAS it appears that the owners thereof have caused a plat to be made of the following described real property: Plat of Tracts 2, 3, and 4 of Brue Addition in the N1/2 NE1/4 of Section 18, T95N, R51W of the 5th P. M. Clay County, SD, Ernest A. Jueden and Rhelda Jueden, owners. Be it resolved that the Board of County Commissioners of said County has examined the same and that it appears that the system of streets set forth therein conforms to the system of streets of existing plats in said section 18 of said County, that adequate provision is made for access to adjacent un-platted lands by public dedication or section line when physically possible, and that all provisions of the subdivision regulations of said County have been complied with, and that all taxes and special assessments, if any upon the tract or subdivision have been fully paid and that such tract and subdivision thereof have been executed according to law, and the same is hereby accordingly approved. NW, Leo F. Powell, Chairman Board of County Commissioners I, Ruth A. Bremer, County Auditor of Clay County, South Dakota do hereby certify that the within and foregoing is a true copy of the Resolution passed on December 29, 2009. County Auditor, Clay County, SD Sommerfeld moved, seconded by Wilson and carried to pass and adopt the following: Resolution #09-30, #09-31, #09-32 and #09-33 approving the end of the year fund transfers, supplements and contingencies. RESOLUTION # 09-30 Contingency Transfer BE IT RESOLVED by the Clay County Board of Commissioners the transfer of funds from Commissioners Contingency Fund Budget (D-112) \$9500 to Ct. Appt. Attn-D153, \$14,200 to Ment. Ill. D-441 (prof. service); \$3000 to Soil Conservation District-D612 (allocation); \$661.20 to Industrial Development D-721 (allocation for I-29 Corridor) & \$10,000 (Vermillion NOW Program), \$4350 to Veterans Budget-D165(wages), \$1012 to Comm. D-111(prof. services) \$1530 to Judicial D130 (catastrophic legal) and \$1500 to Ct.App.A&N-D154 (prof. serv.) for unanticipated expenses for the current Budget Year. Motion by Commissioner seconded by Kephart Vote of the Board: Sommerfeld, Passick, Powell Wilson Motion carried. Dated this 29th day of December 2009. Board of County Commissioners Clay County, South Dakota Leo F. Powell, Chairman ATTEST: Ruth A. Bremer, County Auditor RESOLUTION # 09-31 FUND TRANSFER BE IT RESOLVED by the Clay County Board of Commissioners the transfer of funds from the General Fund (10100) in the amount of \$1,000,000 to Highway Fund (20100) \$50,000 from General Fund to E911 Fund (20700), \$200,000 from General Fund to Restricted Fund (10100) for 302 St Project and \$15,