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the relevant building code or fire code. In any case where the building code requirements are in conflict with the requirements of this article, the more stringent requirement shall apply.

121.11 State registered home day cares. Any home day care which falls within the scope of this article but which is registered as a family day care pursuant to SDCL ch. 26-6 and ARSD ch. 67:42:03 shall be required to register pursuant to this article.

121.12 All home day care facilities shall comply with the most recent version of the International Fire Code and International Building Code as modified and adopted by the City.

Adopted the 6th day of April, 2015.

Michael D. Carlson, Finance Officer

Published twice at the total approximate cost of \$239.51. Publish: June 19 & 26, 2015.

PUBLIC NOTICE

SESDAC, Inc. doing business as Vermillion Public Transit intends to apply for funds under Section 5311 of the Surface Transportation Assistance Act for the continued operation of a public transportation project in Clay County of South Dakota.

This notice offers the opportunity for a public hearing, submittal of service proposals or comments regarding the project. Interested public or private transit or paratransit providers are invited to comment on this proposal or submit proposals to provide this service. Requests for a public hearing, comments or requests for a copy of SESDAC, Inc.'s proposal should be directed to: SESDAC, Inc. 1314 East Cherry Street Vermillion, South Dakota 57069 by July 10, 2015.

Published twice at the total approximate cost of \$17.87. Publish: June 19 & 26, 2015.

STATE OF SOUTH DAKOTA COUNTY OF CLAY

IN CIRCUIT COURT FIRST JUDICIAL CIRCUIT

Wells Fargo Bank, N.A.,

Plaintiff,

vs,

Kathleen P. Varilek, nka Kathleen P. Haines; and any person in possession,

Defendants.

Civil No. 13-168

NOTICE OF REAL ESTATE SALE

Judgment in the amount of \$67,801.72 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 September 18, 2014, 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 August 12, 2005, which Frank J. Varilek and Kathleen P. Varilek, Mortgagors, executed and delivered to Mortgage Electronic Registration Systems, Inc., Mortgagee:

Wiken Tract 1 in the Southeast Quarter (SE¼) of Section Twenty (20) and Wiken Tract 2 in the Southwest Quarter (SW¼) of Section Twenty-one (21), All in Township Ninety Four (94) North, Range Fifty-three (53) West of the 5th P.M., Clay County, South Dakota.

and recorded in the office of the Register of Deeds of Clay County, South Dakota, on the 17th day of August, 2005, in Book 123, Page 102; assigned to Wells Fargo Bank, N.A. by Assignment of Mortgage recorded September 9, 2013, in Book 135 Mortgages, Page 610, in order to realize the amount of \$67,500.00, as of August 12, 2005, plus interest accruing thereafter on said amount at the rate of 5.75% 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 July 15, 2015, at 10:00 A.M. (CT).

If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagees attorney.

Dated May 20, 2015.

Sheriff of Clay County, South Dakota

MACKOFF KELLOGG LAW FIRM

By: David C. Piper, Attorney #4128 38 Second Avenue East Dickinson, ND 58601 (701) 227-1841 Attorneys for Plaintiff

Published twice at the total approximate cost of \$63.75. Publish: June 26th and July 3rd, 2015.

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STATE OF SOUTH DAKOTA COUNTY OF CLAY

IN CIRCUIT COURT 1ST JUDICIAL CIRCUIT

In the Matter of the Petition of Austin Lee Rallis Reno

For a Change of Name to Austin Lee Rallis

CIV: 15-56

NOTICE OF HEARING FOR ADULT NAME CHANGE

NOTICE IS HEREBY GIVEN a Verified Petition for Adult Name Change has been filed by Austin Lee Rallis Reno the object and prayer of which is to change Petitioner's name from Austin Lee Rallis Reno to Austin Lee Rallis. On the 22nd day of July, 2015, at the hour of 9:00 am said verified petition will be heard by this Court before the Honorable Steven R. Jensen Presiding, at the Court Room in the Clay County Courthouse, City of Vermillion, Clay County, South Dakota, or as soon thereafter as is convenient for the court. Anyone may come and appear at that time and place and show reasons, if any, why said name should not be changed as requested.

Dated this 2nd day of June, 2015 at Vermillion, South Dakota.

Nadyne Zimmerman Clerk of Court

ATTEST:

Clerk of Court

By: Deputy

Published four times at the approximate cost of \$63.02. Publish: June 5, 12, 19 & 26 2015.

STATE OF SOUTH DAKOTA COUNTY OF CLAY

IN CIRCUIT COURT 1ST JUDICIAL CIRCUIT

In the Matter of the Petition regarding Canby Sean Eide

For a Change of Name to Canby Sean Eide LeFebvre

CIV: 15-59

NOTICE OF HEARING FOR NAME CHANGE OF A MINOR CHILD (UNCONTESTED)

NOTICE IS HEREBY GIVEN that a Verified Petition for Name Change of a Minor Child has been filed by Hillary LeFebvre the object and prayer of which is to change their minor child's name from Canby Sean Eide to Canby Sean Eide LeFebvre. On the 22nd day of July, 2015, at the hour of 9:30 am said Verified Petition will be heard by this Court before the Honorable Steven R. Jensen Presiding, at the Court Room in the Clay County Courthouse, City of Vermillion, Clay County, South Dakota, or as soon thereafter as is convenient for the court. Any interested party may come and appear at that time and place and show reasons, if any, why said name should not be changed as requested.

Dated this 11th day of June, 2015 at Vermillion, South Dakota.

Nadyne Zimmerman Clerk of Court Deputy

ATTEST:

Clerk of Court

By: Deputy

Published four times at the approximate cost of \$67.52. Publish: June 19 & 26 & July 3 & 10, 2015.

STATE OF SOUTH DAKOTA COUNTY OF CLAY

IN CIRCUIT COURT FIRST JUDICIAL CIRCUIT

UNITED STATES OF AMERICA, acting through RURAL HOUSING SERVICE,

Plaintiff,

vs.

RICKY L. EBSEN; PHYLLIS J. EBSEN; CAPITAL ONE BANK (USA), NATIONAL ASSOCIATION; KALIN'S INDOOR COMFORT, INC.; LVNV FUNDING, LLC; CLAY RURAL WATER SYSTEM, INC.; and MIDLAND FUNDING LLC,

Defendants.

13CIV15000032

NOTICE OF REAL ESTATE SALE ON FORECLOSURE

A Non-Monetary Judgment of Foreclosure was entered in favor of Plaintiff and against Defendants Ricky L. Ebsen and Phyllis J. Ebsen, which judgment was filed with the Clerk of Courts of Clay County, South Dakota, on May 27, 2015, for the foreclosure of a real estate mortgage.

Notice is hereby given pursuant to said judgment that the real property described in the Real Estate Mortgage dated April 10, 2002, and recorded in the office of the Register of Deeds of Clay County, South Dakota, on April 10, 2002, in Book 116 of Mortgages, Page 440, which Ricky L. Ebsen and Phyllis J. Ebsen, mortgagors, executed and delivered to United States of America, acting through the Rural Housing Service, mortgagee, for the property located at 31379 Meckling Road, Meckling, South

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Dakota, and legally described as:

The north 75 feet of the south 125 feet of Lot 11, the south 1/2 of Lot 12, and all of Lot 13, Block 15, Townsite of Meckling, Clay County, South Dakota,

in order to realize the amount of \$108,926.07 as of May 27, 2015, plus interest accruing thereafter on said amount, together with the costs and expenses of sale, will be sold without redemption as provided by federal law and the Order Waiving Redemption Period as one parcel of land at public auction, subject to easements and restrictions of record, to the highest bidder for cash under the direction of the Clay County Sheriff, on the front steps of the Clay County Courthouse in Vermillion, South Dakota, on Wednesday, July 29, 2015, at 10 a.m.

Dated this 8th day of June 2015.

ANDY HOWE, SHERIFF OF CLAY COUNTY, SOUTH DAKOTA

By /s/ Andy M. Howe Sheriff

GUNDERSON, PALMER, NELSON & ASHMORE, LLP

By /s/ Nathan R. Chicoine Nathan R. Chicoine Attorneys for Plaintiff P.O. Box 8045 Rapid City, SD 57709-8045 (605) 342-1078

Published four times at the total approximate cost of \$118.17. Publish: June 19 & 26 & July 3 & 10, 2015.

STATE OF SOUTH DAKOTA COUNTY OF CLAY

IN CIRCUIT COURT 1ST JUDICIAL CIRCUIT

In the Matter of the Petition of Elizabeth Rucks Moore

For a Change of Name to Elizabeth Ann Rucks

CIV: 15-61

NOTICE OF HEARING FOR ADULT NAME CHANGE

NOTICE IS HEREBY GIVEN a Verified Petition for Adult Name Change has been filed by Elizabeth Rucks Moore the object and prayer of which is to change Petitioner's name from Elizabeth Rucks Moore to Elizabeth Ann Rucks. On the 22nd day of July, 2015, at the hour of 9:00 am said verified petition will be heard by this Court before the Honorable Steven R. Jensen Presiding, at the Court Room in the Clay County Courthouse, City of Vermillion, Clay County, South Dakota, or as soon thereafter as is convenient for the court. Anyone may come and appear at that time and place and show reasons, if any, why said name should not be changed as requested.

Dated this 15th day of June, 2015 at Vermillion, South Dakota.

Jessica Bosse Clerk of Court

ATTEST:

Clerk of Court

By: Deputy

Published four times at the approximate cost of \$63.02. Publish: June 19 & 26 and July 3 & 10, 2015.

STATE OF SOUTH DAKOTA COUNTY OF CLAY

IN CIRCUIT COURT FIRST JUDICIAL CIRCUIT

ESTATE OF EMMETT JAY RYON, Deceased.

PRO. 15-15

NOTICE TO CREDITORS AND NOTICE OF INFORMAL APPOINTMENT OF PERSONAL REPRESENTATIVE

Notice is given that on the 16th day of June, 2015, James Jay Ryon, whose address is 1381 Forebay Road, Pollock Pines, CA 95726 was appointed as Personal Representative of the estate of EMMETT JAY RYON.

Creditors of decedent must file their claims within four 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 this 16th day of June, 2015.

JAMES JAY RYON 1381 FOREBAY ROAD POLLOCK PINES, CA 95726 916-207-3683

Clay County Clerk of Courts 211 West Main Street, Suite 300 Vermillion, SD 57069 605-677-6755

Linda L. Kogel Kogel Law Office P.O. Box 493 Vermillion, SD 57069 605-624-2667

Published three times at the approximate cost of \$53.36. Publish: June 19 & 26 and July 3, 2015.



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STATE OF SOUTH DAKOTA COUNTY OF CLAY

IN CIRCUIT COURT FIRST JUDICIAL CIRCUIT

IN THE MATTER OF THE ESTATE OF VIRGINIA R. JOHNSON, Deceased.

PRO. 15-6

NOTICE TO CREDITORS

Notice is given that on the 26th day of February, 2015, Ronald A. Johnson, whose address is 30493 464th Avenue, Centerville, SD 57014 was appointed as Personal Representative of the Estate of Virginia R. Johnson .

Creditors of decedent must file their claims within four 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 this 6th day of February, 2015.

/s/ Ronald A. Johnson PERSONAL REPRESENTATIVE 30493 464th Avenue Centerville, SD 57014

Clerk of Courts PO Box 377 Vermillion, SD 57069 Ph: 605-297-3115

Prepared by: Scot D. Mannschreck Attorney at Law 10 Austin Street PO Box 396 Vermillion, SD 57069-0396 Ph: 605-624-3295 Fax: 605-624-6628 Email: sdmanschreck@live.com

Published three times at the approximate cost of \$55.08. Publish: June 26 and July 3 & 10, 2015.

Unapproved Minutes Council Special Session June 15, 2015 Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, June 15, 2015 at 12:00 noon at the City Hall large conference room.

1. Roll Call

Present: Collier-Wise, Erickson, Holland, Clarene Meins, Price, Ward (arrived 12:05 p.m.), Willson, Mayor Powell

Absent: Holly Meins

2. Informational Session - Update on Public Meeting on Downtown Sidewalks and other possible downtown projects - Jose Dominguez

Jose Dominguez, City Engineer, reported that a public meeting was held at the Library on June 11th regarding downtown sidewalks and other possible projects. Jose reported that the Main/Court/Center traffic signal removal includes work on the curb extensions in this area and an option would be to include the sidewalk in the downtown area with that project. Jose noted that the downtown sidewalk inspection has a number of sidewalks in the area that need to be replaced. An option would be if the property owners wanted to join together with the city as part of a larger improvement project. Jose reported that he asked those at the meeting if they would like the City to apply for a grant that would help pay for a portion of the cost to redo all of the sidewalks in the downtown area. Jose said that there were 10 people who attended the meeting and the written comments varied from just doing the sidewalks to doing the sidewalk, curb and gutter and street paving so that it all looked the same. Jose reported that there are grants available through the State with a maximum of \$400,000 per year. Jose noted that the grants are competitive thus there is no guarantee if it will be received or how much will be received. Jose reported that if the City Council wanted to make application for the grant an extension for the downtown sidewalk improvement special assessment completion should be considered.

Alderman Ward arrived at 12:05 p.m.

Discussion followed on if another public meeting should be held to obtain more public input to determine if there is a consensus of the property owners. Jose reported that he has contacted the State and the City could request a year extension on the traffic signal project to allow additional time to review the option of including the sidewalk improvements. Jose answered questions of the City Council on the option. The consensus was to schedule another public meeting to obtain additional public input before proceeding.

3. Informational Session - Information on permitting chickens in city limits - Andy Colvin

Andy Colvin, Assistant to the City Manager, reported that the Policies and Procedures Committee reported to the City Council at last meeting the recommendation to amend the ordinance to permit backyard chickens. Andy stated that he reviewed other city ordinances many of which are out of state as only a few cities in South Dakota allow chickens

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and those have very differing requirements. Andy stated that our zoning ordinance will need to be amended to provide for chicken coop structures in residential districts. Andy reviewed items that he found in other ordinances that the City Council will need to determine if they want to include or modify for our ordinance. Andy answered questions of the City Council on the items to include. Discussion followed with consensus to bring a draft ordinance to a future noon meeting for City Council discussion then with any modifications take the draft ordinance to a public meeting.

4. Briefing on the June 15, 2015 City Council Regular Meeting

Council reviewed items on the agenda with City staff. No action was taken.

5. Adjourn

186-15 Alderman Clarene Meins moved to adjourn the Council special session at 12:24 p.m. Alderman Ward seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 15th day of June, 2015.

THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH DAKOTA

BY: John E. (Jack) Powell, Mayor ATTEST: Michael D. Carlson, Finance Officer

Unapproved Minutes City Council Regular Session June 15, 2015 Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on Monday, June 15, 2015 at 7:00 p.m. by Mayor Powell.

1. Roll Call

Present: Collier-Wise, Erickson, Holland, Clarene Meins, Holly Meins, Price, Ward, Willson, Mayor Powell

2. Pledge of Allegiance

3. Minutes

A. Minutes of June 1, 2015 Special Session; June 1, 2015 Regular Session

187-15 Alderman Willson moved approval of the June 1, 2015 Special Session and June 1, 2015 Regular Session minutes. Alderman Price seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

188-15 Alderman Collier-Wise moved approval of the agenda with the addition to visitors to be heard of Proclamation of Summer Learning Day. Alderman Price seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

5. Visitors to be Heard

Alderman Clarene Meins read the proclamation designating June 19, 2015 as Summer Learning Day in Vermillion. Mayor Powell asked that the proclamation be presented to the Library.

6. Public Hearings

A. Retail on-off sale malt beverage license for Guo Wei Zheng for Asian Buffet at 404 Bower Street

Mike Carlson, Finance Officer, reported that an application was received for a retail on-off sale malt beverage license for Guo Wei Zheng for the Asian Buffet at 404 Bower Street. The license period is from July 1, 2015 to June 30, 2016. Mike stated that the notice of hearing and Police Chiefs report are included in the packet. Discussion followed.

189-15

Alderman Collier-Wise moved approval of the retail on-off sale malt beverage license for Guo Wei Zheng for Asian Buffet at 404 Bower Street. Alderman Erickson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

7. Old Business

8. New Business

A. Planning Commission appointments

Mayor Powell reported that the terms of Don Forseth, Laura Jones, Mike Manning, Doug Tuve and Ted Muenster will be expiring at the end of June. The openings were posted and the individual expression of interest forms are included in the packet. Mayor Powell recommended the reappointment of the five members to five year terms on the Planning Commission. Mayor Powell wanted to thank all that completed the expression of interest forms.

190-15 Alderman Ward moved approval of the Mayor's recommendations of the reappointment of Don Forseth, Laura Jones, Mike Manning, Doug Tuve and Ted Muenster to five year terms on the Planning Commission. Alderman Price seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

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B. Vermillion Housing Authority Board appointment

Mayor Powell reported that Joan Holter's current term on the Vermillion Housing Authority will be expiring at the end of June. The opening was posted and one individual has expressed interest in the position. Mayor Powell recommended the reappointment of Joan Holter to a five year term on the Vermillion Housing Authority.

191-15

Alderman Price moved approval of the Mayor's recommendation of the reappointment of Joan Holter to a five year term on the Vermillion Housing Authority Board. Alderman Holland seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

C. Request to close Main Street from the Bank of the West entrance to Market Street, Center Street from Main Street north to National Street, Court Street from Main Street south one-half block to the alley from 5:00 p.m. to 9:00 p.m. on Wednesday, July 15, 2015 for the Tri-State Drive-In Cruisers

Jose Dominguez, City Engineer, stated that the Tri-State Drive-in Cruisers are hosting their annual car show on Wednesday, July 15th and, as such, are requesting the temporary closure of portions of Main Street, Court Street and Center Street. Jose reported that the request is to close Main Street from the Bank of the West entrance to Prospect Street, Court Street one-half block south of Main Street, and Center Street one block north of Main Street from 5:00 p.m. to 9:00 p.m. on Wednesday, July 15, 2015. Jose noted that the Police, Fire and EMS Departments have been notified of the closure request. Guo Roetman, representing the Cruisers, answered questions of the City Council and passed along that the group is always pleased to come to Vermillion.

192-15 Alderman Willson moved approval of the closure of Main Street from the Bank of the West entrance to Prospect Street, Court Street one-half block south of Main Street, and Center Street one block north of Main Street from 5:00 p.m. to 9:00 p.m. on Wednesday, July 15, 2015 for the Tri-State Drive-in Cruisers Car Show. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

D. Request to close N. Plum Street, from E. Cherry Street to SD Highway 50 bypass, on Friday, August 21, 2015 from 5:00 a.m. to 3:00 p.m. for USD's Move-In Day

Jose Dominguez, City Engineer, reported that the University of South Dakota has been utilizing Plum Street, between Highway 50 and E. Cherry Street, during their move-in day. He stated that the traffic control for the move-in requires the assistance of the City and the DOT. Jose stated that the request from USD is included in the packet. In order to mitigate the danger of the local traffic on Plum Street, USD has requested that Plum Street from Cherry Street to Hwy. 50 be closed from 5:00 a.m. to 3:00 p.m. on Friday, August 21, 2015. Jose noted that the map attached shows the areas affected. Jose noted that all residents in the mobile home park and apartments can use alternate routes to access their residences. Jose noted that the Police, Fire and EMS Departments have been notified of the closure request. Jose recommended the closure with the stipulation that all traffic control devices for the closure be acquired, installed and removed by USD.

193-15

Alderman Ward moved approval of the request to close N. Plum Street from E. Cherry Street to SD Highway 50 bypass on Friday, August 21, 2015 from 5:00 a.m. to 3:00 p.m. for USD Move-in Day with the stipulation as recommended by the City Engineer. Alderman Holland seconded the motion. Motion carried 9 to